Written evidence submitted by Rabbis for Human Rights

One Page Summary

About Rabbis for Human Rights
Founded in 1988, Rabbis for Human Rights is the only rabbinic voice in Israel that is explicitly dedicated to human rights. Representing 100 Israeli rabbis and rabbinical students from different streams of Judaism, we derive our authority from our Jewish tradition and the Universal Declaration of Human Rights. Our mission is to inform the Israeli public about human rights violations, and to pressure the State institutions to redress these injustices. In a time in which a nationalist and isolationist understanding of Jewish tradition is heard frequently and loudly, Rabbis for Human Rights give expression to the traditional Jewish responsibility for the safety and welfare of the stranger, the different and the weak, the convert, the widow and the orphan.

RHR works primarily in fields where we think our rabbinic voice will be most effective:

Human Rights Work in the Occupied Territories

**Olive Tree Campaign:** RHR works year round with Palestinian farmers from several dozen villages in the Occupied Territories, to ensure that they can regularly access their agricultural lands, often denied to them because of their proximity to Israeli settlements. We negotiate and coordinate with the army to ensure the High Court mandate military protection during the olive harvest, and to ensure access to lands when denied. We also bring hundreds of Israeli and international volunteers to work side by side and in solidarity with Palestinians during the olive harvest, who help provide protection against possible settler intimidation. We also track Israeli settler acts of damage of Palestinian trees and property, and monitor the state response. During Tu B’shvat (the Israeli New Year for trees), we purchase and bring hundreds of Israeli and international volunteers together with Palestinians to plant some 3,000 olive trees in areas where settlers have cut, uprooted and/or burned trees in acts of vandalism and arson.

**Challenging Land Confiscation in the Occupied Territories:** RHR works to legally prevent or reverse the takeover of Palestinian lands in Area C, and ensure that Palestinian farmers can safely access those lands. We started working in villages in the South Hebron Hills in 2005, and in the past year, we have expanded to the villages around Bethlehem as well as to a few villages in the Northern West Bank. In the coming year, we will continue to monitor the implementation of previous rulings on land access issues, and currently are working on 203 open cases relating to land confiscation and criminal charges and complaints lodged by Palestinian farmers against settlement security personnel.
Protecting and Promoting Human Rights in the Occupied Territories: Faith and Interfaith Initiatives through Legal and Field work.

1) Rabbis for Human Rights works in the Occupied Territories in two major areas: Legal work against land takeovers and land encroachment in the West Bank and South Hebron Hills and field work in the Occupied Territories. Our strategy of direct protection, accompanied by legal advocacy, grass roots mobilization and powerful media campaigns allows us to help defend and protect universal human rights. It is RHR’s goal to promote peace and contribute to reduced levels of destructive and violent conflict.

2) RHR’s legal project, field work and advocacy work will focus on two clearly defined goals:
   - To contribute towards a reduction in military and settler violence against Palestinian civilians in vulnerable communities: In order to reduce settler and IDF violence against Palestinian landowners, RHR and its partners accompany land owners as they pick their olives, harvest wheat and almonds and tend to their flocks in the Northern West Bank. In the South Hebron Hills, Bethlehem and Hebron district, RHR works in coordination with our partners Ta’ayush in providing direct protection to communities during agricultural activities, particularly those communities adjacent to the more politically radical settlements. In RHR’s experience, fewer incidents of violence take place when farmers are accompanied to their lands by volunteers and there is a presence of journalists and media personnel. By acting as human shields, RHR aims to ensure a reduction of incidents of violence and puts pressure on the military to protect landowners and their property.
   - To contribute towards a reduction in forced displacement of vulnerable Palestinian communities: RHR continues to expand the legal project to protect Palestinian communities in the South Hebron Hills, Bethlehem and Hebron regions from attempts by settlers to take over land and prevent free access to these lands. The legal department works towards ensuring that fair zoning and planning strategies are implemented for villages in Area C, thereby preventing and reducing the ongoing threat of demolitions and the forced displacement of communities. RHR’s work in the Israeli courts aims to continue putting pressure on the authorities, who hold full civil and legal jurisdiction of Area C, to uphold the rights of Palestinian land owners to live without the threat of displacement and focuses on specific cases in the attempts to return lands that have been taken over to their rightful owners.

3) The legal department, currently comprised of four full-time lawyers, three field workers and an expert consultant, has grown to become among the most important tools in RHR’s struggle against land takeovers in the Occupied Territories. The last few years have seen successes in precedent setting cases in which we have managed to return lands to Palestinian owners. We are still adjudicating several potentially precedent-setting cases dealing with settler land takeovers and discriminatory planning leading to the ongoing threat of home demolitions. Despite these successes, RHR is still dealing with the daily struggle of the Occupation - creeping annexation, displacement, settler violence, and State-backed restrictions withholding basic living conditions from many Palestinians. RHR’s lawyers work to thwart displacement of Palestinians by preventing encroachment and expropriation of privately owned Palestinian lands, protecting farmers’ rights to access their lands, supporting the field work of our partner organizations and our own field department, and demanding better enforcement of existing laws that do protect Palestinians’ rights. Most of legal work is concentrated in the South Hebron Hills, but we do work on specific cases throughout the Occupied Territories. Expansion of legal cases will continue into the Hebron district and Bethlehem regions, where, in the last two years, we have taken on several cases of land encroachment and takeovers with much success. RHR is currently the only organization working in the Bethlehem / Hebron district in representing land owners.

4) RHR’s legal department focuses on cases at three strategic levels:
   - Handling claims arising from attacks and harassment by settlers of our clients when trying to access and work their lands.
   - Land access and land takeover cases in the South Hebron Hills, Bethlehem and Hebron districts. Our team provides legal counsel, aid and representation to Palestinians whose lands are in jeopardy or have already been taken over.
   - Strategic litigations which set precedents for the wider Palestinian population facing gross human rights violations. Our lawyers challenge military and civil authorities’ actions and planning decrees and challenge zoning procedures and policies used to displace Palestinians.

5) While working on the 208 open cases, our lawyers continue to submit formal appeals to the Civil Administration as well as submit administrative appeals to the Israeli High Court of Justice. The legal team has begun to focus increased efforts on new cases dealing the actions of security personnel funded by settlement communities. In many instances of land access prevention, these security personnel violate both civil law and the rights of the Palestinian landowners by operating as private security guards, threatening
farmers and using violence to forcibly remove Palestinians who come to farm their agricultural lands. RHR believes that dealing with this issue will increase awareness as to the violations taking place on the ground and highlight the cooperation taking place between these security personnel and the army.

6) Our legal team works to:
   • Submit complaints to the civil administration when security forces fail to implement court rulings or appeals committee decisions we’ve attained for the farmers that allow them access to their lands. It is often the presentation of legal documentation - or the threat of another court petition - that persuades the authorities to fulfill their obligations.
   • Monitor the implementation of court rulings and gather evidence of attacks and vandalism. This work directly leads to our filing new criminal complaints and or petitions against authorities for not implementing court rulings. We are also able to identify newly threatened lands that require immediate legal attention. We will continue to refine our ability to detect new instances of land takeovers and to react quickly on the ground, through the media, and through legal channels to reverse the takeover attempts immediately before footholds can be established by settlements who then claim the land as their own. We monitor and map changes in land usage with our sophisticated mapping system. This assists us in providing legal evidence of land takeovers and encroachments. In the coming months, we plan to purchase an additional feature of the program which will allow us to monitor and evaluate land usage over specific time periods, thus strengthening our legal claims.
   • Maintain close contact and continue to build trust with local farmers. Gaining their trust is crucial in facilitating their agreement to file criminal complaints against trespassers or attackers, and fighting takeover or expropriations of their lands in the courts. Farmers are often concerned and reluctant to submit documentation to the Israeli authorities for fear of reprisals. Our lead lawyer has put a great deal of resources into maintaining contacts with the mayors of several towns in the South Hebron Hills and Hebron / Bethlehem areas, who are encouraging and supportive of our representation of land owners within their municipal jurisdiction.
   • Change the planning status quo for Palestinians. RHR submitted a High Court appeal to demand that Palestinians be in charge of planning and zoning in Area C. Part of appeal requested to transfer planning authority from Israeli Civil Administration to local and district planning committees. Our landmark appeal was postponed several times and is scheduled to be heard this January. We have been working to add appellants and to increase awareness of the issue in Israeli society.
   • Contest the demolitions of water cisterns and argues for the right to build new cisterns, as well as dealing with issues pertaining to infrastructure and unfair allocation of natural resources in the OPT.
   • Represent the rights of villages who fall within the Firing Zone in the South Hebron Hills.

7) Our Media team works to ensure that our legal success stories are published in the local and international press. We plan to continue using new media forums to increase the level of dialogue on human rights issues amongst the Israeli public. This serves to highlight the human rights violations taking place and increase pressure on the Government to redress them.

8) Monitoring progress and evidence in each case is critical to our work in the Israeli courts and in submitting complaints and appeals to the Civil Administration, the army and the police. To this end, the legal department puts great emphasis on tabulation of cases of human rights violations, actions taken in each case, and follow up actions required. Detailed tables are kept by RHR lawyers of the successes (or progress) and impact of each and every case. Two critical components are used to support this work and assist in monitoring the progress with each case:
   • Personal testinies, photographs and video footage are all used as documentation tools which embellish the effectiveness of our work and strengthen legal claims.
   • The use of maps and aerial photographs allows us to present data on the changes in land usage over time further strengthening our claims.

9) Our best tool for the evaluation of the legal work is the success in guaranteeing farmers access to their lands, returning lands to their owners and the halting of land encroachment. The number of new and ongoing cases measures our effectiveness and success. More and more land owners approach us based on these successes. Over the last decade, RHR has succeeded in changing the status quo. We have guaranteed Palestinian farmers safe access to their agricultural lands and water sources by building and maintaining grassroots contacts with local Palestinian villagers, refining our coordination efforts with the Israeli Defense forces and relying on the contingent of Israeli and international volunteers who accompany farmers to their lands throughout the year.

10) Our landmark High Court victory in 2006 stated that the Israeli security forces are obliged to ensure that farmers are able to access their lands without harassment and intimidation. In reality, Palestinian landowners in Area C are still intimidated, harassed and prevented from accessing their lands. Radical settlers use violence and provocation to prevent farmers from being able to reach their lands. It is RHR’s presence in the field which ensures that the security forces are indeed fulfilling their responsibilities to protect farmers. Radical settlers are often discouraged from attacking small groups of farmers and their families when we are
there to protect them. Documenting incidents of harassment and violence and using the media to publicize these events puts increasing pressure on the security forces to carry out their court mandated job.

11) It is essential that RHR continues its work of guaranteeing Palestinian farmers access to their property. Letting lands lie fallow leads to their takeover either by settlers from settlements adjacent to these lands or by the State. Ottoman law, still applicable in Area C, states that uninterrupted cultivation of land for a period of ten years, without objections from any party, grants the farmer rights to the land. In absence of such rights, the land reverts to the State. It is critical, therefore, that landowners continue to work their lands not only to allow them to continue to subsist from their produce, but to ensure its ongoing ownership.

12) In addition to the importance of our presence in the field, RHR plants about 3,000 saplings during the planting season in the fall/winter on lands in danger of being taken over or where trees have been destroyed in “price tag” attacks or on lands our legal team is fighting to return to its owners. These endangered lands are almost always located near politically radical settlements or illegal outposts or fall between the Green Line and the Separation Barrier throughout areas of the West Bank. Our legal staff and field staff work hand in hand in enabling these planting activities to go ahead.

13) The highlight of our annual activities is the Olive Tree Campaign which takes place in the fall each year. RHR OT and field staff and tens of volunteers accompany farmers to their lands to assist in picking olives. During the Olive Tree Campaign, we coordinate with security forces throughout the West Bank in order to allow the farmers to access their lands. We have seen increased willingness of security forces to coordinate olive harvest days with us, but we need to be vigilant in ensuring that sufficient days are provided for harvesting, planting and plowing. Our presence in the field facilitates constant monitoring and immediate reaction on the part of our legal team, particularly when violence erupts.

14) We put a great deal of effort into documenting and reporting the incidents of vandalism, violence and inaction by local military and police units, sharing this information with the DCO, police national command, army legal advisors office, regional commanders, the media, concerned foreign delegations and international organizations in an effort to advocate for change. We demand increased efforts on the part of the responsible Israeli authorities to enforce the right to security of person and property for all civilians in the areas of continuing Israeli military rule until there is a political solution to the situation, not only during the Palestinian olive harvest season but throughout the year. Our media team works to draw media attention to the violations taking place and publishes stories of attacks on farmers.

15) Project evaluation methods are designed into all of RHR’s projects. Department heads are tasked with evaluating their projects on an ongoing basis, getting feedback from staff, project participants and the target populations themselves. When necessary we adjust programs midstream in order to sharpen the focus of our work, ultimately making the program more effective.

16) Our senior managerial staff, legal staff, field team and media team work hand in hand and support each other's work through transfer of information, joint cooperation and monitoring and documenting the impact of our work. RHR is expanding its capacity in the traditional media as well as in online new-media. Our public education efforts through traditional media and new media are essential to change perspectives and many basic assumptions within Israeli society. Our media team assesses the degree of success in quantity and effectiveness of media coverage of the legal work, agricultural work and Jahalin project in general and framing of the issue among the Israeli public and political leaders specifically as one of Jewish and democratic legal values.

17) Due to the volatile nature of the context of RHR’s work, there are inherent challenges in ensuring successes are permanent and sustainable. Even where legal precedents are set, often counter legal advocacy overturns successful outcomes and the implementation of rulings needs to be monitored. Our work on land issues addresses the most intractable and challenging issue at the source of the Israeli-Palestinian conflict. Thereby, new challenges will always have to be addressed as they appear.

While dealing with issues of land takeovers, demolitions and expulsions RHR's focus is changing the status quo – challenging the root causes of human rights violations. There is a risk that some forms of legal assistance only combat the symptoms of violations rather than their causes. In order to address this challenge, RHR’s legal department attempts to challenge the underlying system through strategic litigation, focusing on precedent setting cases that if successful, could impact the lives of landowners, if not throughout the OPT, at least in Area C.