



## DEMOCRACY, HUMAN RIGHTS, COVID-19 AND BEYOND...

With an indicted Prime Minister awaiting trial, four rounds of elections in under two years, and the better part of a year in and out of lockdowns, ACRI had added impetus to continue improving lives, exposing human rights violations, and setting precedents throughout 2020.

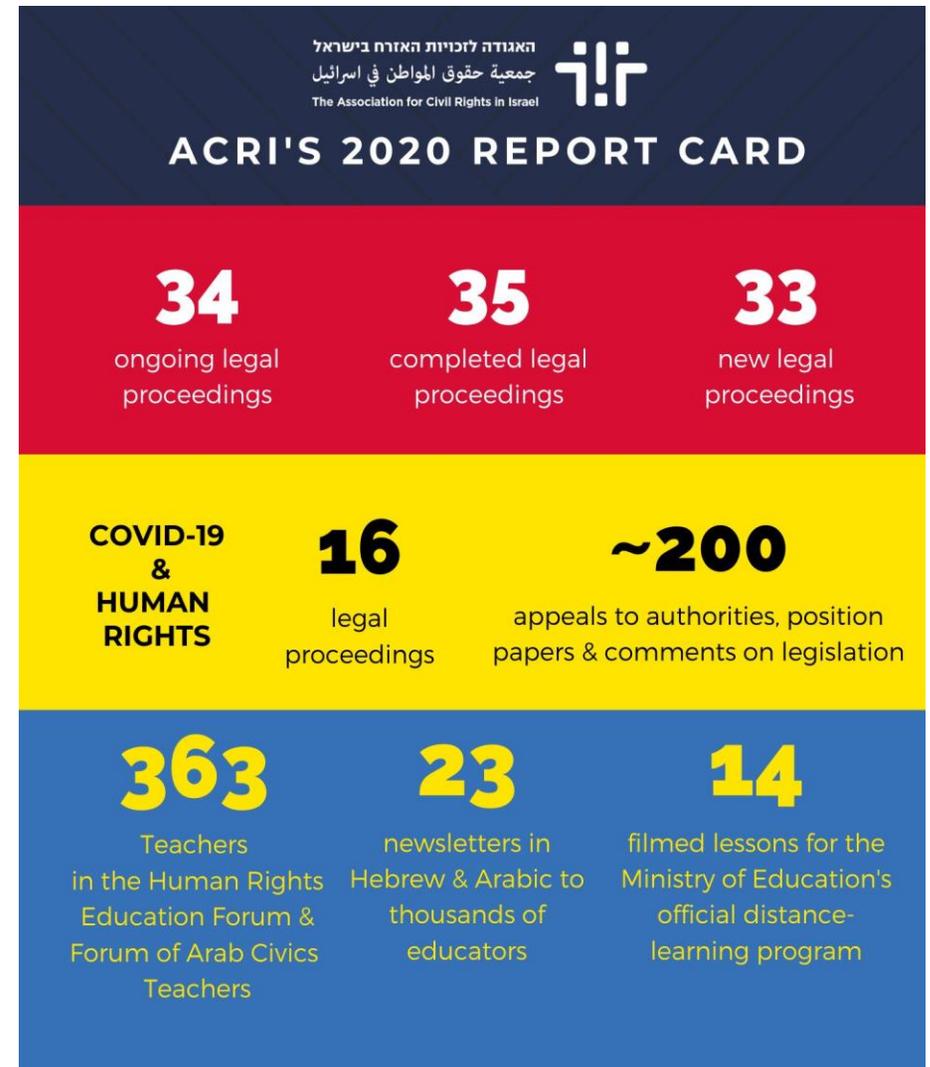
No one was prepared for the tremendous loss of life and welfare that COVID-19 is causing worldwide. The resulting health- and movement-related restrictions that followed in Israel and the Occupied Palestinian Territories (OPT), which began in earnest with the closure of the Israeli school system, economy, and most crossings between Israel and the OPT, took effect on 13<sup>th</sup> March, 2020. Within a week, ACRI was in the High Court of Justice.

The response of the Israeli government and elected leadership to the related health, economic, and political crises, have only exacerbated threats to Israeli democracy, compromising the basic dignity and civil liberties of the country's most vulnerable communities (including citizens, residents, minorities, migrants, status-less people, and Palestinians in the OPT).

We are deeply grateful our global donor community, board, and professional staff for enabling ACRI to remain at the forefront of the struggle for Israel's democracy.

This report demonstrates how ACRI, with a staff in quarantine and largely working from home, succeeded in issuing 16 COVID-related legal proceedings to the High Court of Justice and lower courts, appealed over 200 times to public officials, and advanced dozens of human rights legal issues and petitions preceding the health crisis over the course of the year.

During this ongoing time of crisis, ACRI's work touched upon every demographic and prevented a deterioration in the social fabric in our society. Below are our highlights from 2020.



For more information please visit us at [www.english.acri.org.il](http://www.english.acri.org.il)



## DEFENDING DEMOCRACY & CIVIL LIBERTIES

### 1. [Israeli Security Services used](#) to track COVID-19 carriers

Israel's Basic Law: Human Dignity and Liberty states that all persons have the right to privacy, and that all governmental authorities are bound to respect this right. The non-consensual tracking of civilians is an invasion of privacy and Israel is the only democratic nation to employ its security services to fight the COVID-19 pandemic in this way.

The measures first taken to give the Israel Security Agency (ISA) authority to track those infected with COVID-19 and those who have been in their "proximity" up to 14-days prior, were implemented without parliamentary oversight, in the dead of night, as emergency regulations. Within 24 hours, ACRI attorneys petitioned the High Court of Justice, and the first hearing took place the following day. Over the months the regulations evolved, and ACRI petitioned a total of four times against the varying iterations of the authorization to use the tool.

On April 26th, the High Court ruled in favor of ACRI's petition, stating that the ISA does not have authority to continue its surveillance program without government legislation, following which the government passed temporary legislation on July 7. ACRI submitted its fourth petition on the matter, this time against the law, on September 24. In response, the High Court issued an interim order on November 11, demanding that the State explain why the tool is still in use and why there are no viable, voluntary alternatives. The dissolution of the current government and an impending general election to take place on March 23, 2021 is likely to extend the use of the ISA tracking past the initial date legislated. ACRI argued in a further High Court hearing, which was live-streamed, on January 17, 2021. The verdict is pending.



Atty. Gil Gan-Mor at the High Court hearing on 17.1.21. Photo credit: Knesset live-stream.

### 2. [Challenging the Justice Minister](#) for exploiting the state of emergency

ACRI holds that the Justice Minister overstepped his authority by amending regulations to extend his own power in order to freeze the judiciary, shutter the courts – with the exception of the High Court of Justice - and violate the rights of those awaiting trial. This step came on the eve of the first scheduled session of Prime Minister Netanyahu's criminal trial. ACRI petitioned to the High Court of Justice against the Justice Minister for freezing the court system under the guise of the state of emergency on March 18, 2020. During the hearing on April 2, 2020, the High Court instructed the Justice Ministry submit to the Knesset within 12 months, a bill that clearly defines the Minister's jurisdiction in this regard.

### 3. [High Court strikes down](#) the "Regev Amendments"

After almost four years, on May 2, 2020, the High Court accepted ACRI's petition against the "Miri Regev Amendments" that implemented fines on artists who refrain from appearing in the Occupied Palestinian Territories, as well as granting additional funding for those who do appear in the settlements. The High Court ruled that the clause authorizing additional funding for performers appearing in the settlements will be revoked immediately. In the ruling, the HCJ abstained from a decision regarding the fines given to artists refusing to appear in the settlements, as the sanction has not been implemented thus far.

### 4. **Established freedom of protest as exception to emergency regulations.**

As a caravan protest formed outside of the Knesset days after the first emergency regulations passed Mid-March, police stopped protesters in their vehicles, claiming they were violating the regulations. ACRI immediately contacted the legal counsel for the Jerusalem Police Department and wrote to the head of Police to allow the protest to take place. Emergency regulations published after this incident permitted peaceful demonstrations as an exception to the COVID-19 emergency restrictions. ACRI successfully used this precedent to appeal additional protests being restricted throughout the country; to appeal to the Deputy Attorney General against invalid restrictions on the freedom of protest in the Public Health Order; to appeal to the Attorney General about police behavior during protests.

## Police brutality, profiling, and over-policing of minorities

Police brutality and the over-policing of minority groups, mainly Arabs, Ethiopian-Israelis, people of Mizrahi descent, the ultra-Orthodox, and refugees, is a pervasive phenomenon in Israel. As the public outcry in response to the government's handling of the COVID-19 crisis and the growing unrest with the indicted Prime Minister has led to innumerable protests, documented incidents of unacceptable police behavior seem to be at an all-time high.

The enormous number of cases and individual complaints received by human rights organizations, published in the media, or disseminated in social networks combine to form a cohesive indication of a systemic policy. In addition to taking deterrent actions against individual officers, the police must also recognize that this is indeed a systemic problem, and must address it accordingly. Among other actions, this requires guidance, training, and the presentation of a clear message by senior officials regarding the obligation incumbent on the police to protect the right to protest.



ACRI Foreign Spokesperson on ILTV discussing police profiling with Supt. Mikey Rosenfeld, International Spokesperson for the Israeli Police.

During the latter half of 2020, ACRI took the following steps to protect the rights of civilians against unlawful police behavior:

- [Appealed with peer organizations to Police and Minister of Public Security](#) with recommendations to ease over-policing (15.6.20);
- Secured court-mandated [police disclosure of 600+ procedures](#) by March 2021 in response to successful petition (28.6.20);
- Addressed the Interior Affairs Committee prior to discussion on [“Police Work Protocols During Demonstrations”](#) (29.6.20);
- Appealed to the Acting Commissioner of Police requesting an end to [tracking software “Hawk Eye,”](#) used without oversight (30.7.20);
- Produced a [public campaign](#) against police brutality and Public Security Minister's unwavering support for police behavior (16.8.20);
- Appealed [demanding immediate suspension](#) of Chief Superintendent following documentation of him assaulting protestors (23.8.20);
- Filed [freedom of information](#) request to Administrative Affairs Court about facial recognition technology after Israel Police refused to provide information (21.9.20);
- [Appealed twice](#) to the Legal Advisor for the Police with peer organizations in light of rising police harassment against civilians lawfully documenting police actions (10.8.20, 15.10.20), after which the Police issued a directive clarifying that citizens are allowed to document police enforcement actions in the public space, and that a police officer cannot open a civilian's cell phone and perform actions on it, even if he or she has the authority to seize the camera (31.12.20).
- [Appealed to Attorney General](#) demanding that he direct Police to immediately cease kettling (corralling) protestors as a means of crowd control (12.10.20);
- Appealed twice regarding [police harassment of civilians documenting](#) police enforcement,
- [Wrote, published and disseminated report](#) with the Human Rights Defenders Fund: Violent Enforcement and Violation of the Right of Protest: The Conduct of the Israel Police during Demonstrations in 2020 (27.12.20).

## SOCIAL & ECONOMIC RIGHTS

### 1. [Banks open](#) so that vulnerable people can receive living stipends

In Israel, some 30,000 civilians that receive living stipends do not possess debit or credit cards and therefore rely on banks to access this support in cash. However, during early stages of the crisis, only 25% of banks remained open, and this caused a resource crunch.

On March 26<sup>th</sup>, ACRI together with the University of Haifa Human Rights Clinic, petitioned the High Court against the Banks Commissioner for not opening banks so that vulnerable people can withdraw their cash. Following the petition, the banks provided debit cards to ease restrictions on withdrawals, and branches were opened to permit in-person withdrawals. ACRI petitioned again (contempt of court) after in explicable delays slowed the issuing of debit cards, when the bank services again became limited, and when the Banks Commissioner fumbled rollout information.

### 2. “Deposit Law” (2017) annulled – [asylum seekers refunded](#).

In 2017, the government established a fund for asylum seekers employed in Israel. To this fund, employers contributed 16% of the workers’ base salary, and a further 20% of the salary was withheld as an incentive for when the asylum seeker voluntarily emigrates from Israel. Already in March 2017, ACRI joined a petition to cancel the so-called “Deposit Law” together with six other organizations.

On March 23, 2020, ACRI joined Kav LaOved and other organizations in a letter to the Interior Minister, Finance Minister, and Labor Minister demanding them to allow asylum seekers to receive the money accumulated in the deposit fund in light of the crisis. On April 23<sup>rd</sup>, the High Court struck down the Deposit Law as unconstitutional and demanded that the funds reach the asylum seekers within 30 days.

### 3. De-segregating schools in Petah Tivka and Tel Aviv

In July 2019, ACRI, along with ASSAF and the Clinic for Law and Education Policy at the University of Haifa, first petitioned against the Petah Tikva Municipality and Ministry of Education on behalf of 129 children of asylum seekers and immigrants following the city’s refusal to enroll the children,

who are residents but not citizens, in schools. The petition also called for an end to the city’s segregation among foreigners and Israelis in kindergartens. Due to the Municipality’s response in court that the changes called for in the petition would be implemented, the suit was dropped.

After a year of inaction, ACRI and the peer organizations petitioned once more in July 2020, this time on behalf of 242 children. Afterwards, dozens of the petitioning children were integrated into the school system, and on 19.11.20 ACRI submitted an agreement made with the Municipality to the court, stating that as of the 2021 school year, all institutions will be de-segregated. On 9.11.20, ACRI and the Haifa Clinic appealed to the Minister of Education and Mayor of Tel Aviv calling for an end to the segregated education of children of asylum seekers in Tel Aviv.

### 4. Electricity is a basic right

In July of 2019, ACRI submitted a petition to the High Court of Justice demanding that the Court direct the State to prohibit disconnecting people from their electricity due to monetary debt. The petition argues that disconnection due to debt should occur only on condition of holding a hearing, in which the person and their household’s financial, health, and circumstantial situation can be assessed.



On December 14, 2020, the first High Court hearing on the petition took place, during which Chief Justice Esther Hayut claimed the Electricity Company was using a “statistical trick” in assuming that consumers who, according to the Ministry of Health, should not be disconnected from the electricity supply no matter what, will not pay if it is illegal to disconnect them. The Court issued an order nisi requiring the Electricity Company to explain their procedure and its refusal to heed Ministry of Health guidelines regarding populations in need of electricity at all times. The Electricity Company response is pending.

## OCCUPIED TERRITORIES AND EAST JERUSALEM

### 1. [Healthcare and living standards](#) for Palestinian Workers stuck in Israel

With COVID-19 came a sealing off of the OPT – leaving tens of thousands of Palestinian workers from the West Bank who had commuted into Israel for work, unable to return home. Many were forced to remain in Israel for a 30-60 days period without Israeli health insurance or government-regulated living conditions.

On April 28<sup>th</sup>, together with Kav LaOved and Physicians for Human Rights, ACRI petitioned the HCJ on behalf of the approximately 50,000 West Bank Palestinian workers, demanding adequate accommodation and health care for the duration of the closure. In response to the petition, stranded workers have been given health insurance in Israel and the employers' obligations regarding living conditions are clearly specified. ACRI is now advocating for the same conditions to be enshrined in legislation.

### 2. [Family reunification permits](#) during COVID-19 pandemic

In early March ACRI demanded the automatic extension of residence permits be applied to Palestinians living in East Jerusalem with residence permits with their spouses. This step came after the Population Authority announced it will extend various residence permits for holders such as foreign workers, asylum seekers, students and clerics. A few days after ACRI's letter, residence permits for Palestinian residents of East Jerusalem were extended.

### 3. [HCJ Repeals Expropriation Law](#)

In June, following ACRI's petition with Peace Now and Yesh Din from 2017, the "Law for the Regularization of Settlement in Judea and Samaria," also known as the "Expropriation Law," was repealed by the High Court of Justice. The goal of the law was to retroactively legalize the expropriation of privately-owned Palestinian land, an act that is in complete violation of international humanitarian law. Moreover, the successful petition emphasized that the very enactment of the law constituted an overreach of the Knesset's authority, which is not authorized to regulate land laws in an area that is not sovereign territory of the State of Israel. The enactment of this law was a clear act of sovereignty, namely a blatant act of illegal annexation, and its repeal sends a clear message against such measures.

### 4. [High Court petition regarding congestion at Checkpoint 300](#)

On 15.12.20, ACRI filed an urgent petition to the High Court of Justice regarding the overcrowding at checkpoint 300 between Bethlehem and Jerusalem. The petition is based on witness observations made by ACRI's fieldworker, who gathered during multiple morning visits that the congestion is caused principally by its manner of operation. At a time when overcrowding is more dangerous than ever, the checkpoint is likely a dangerous site of infection under the military's increasingly ineffective supervision. The High Court hearing on the petition is set for March 2021.



Palestinians waiting to pass into Israel via Checkpoint 300.  
Photo credit: Muhannad Anati, ACRI

### 5. [Ambulance workers permitted beyond the barrier](#)

ACRI appealed with HaMoked: Center for the Defence of the Individual and Physicians for Human Rights to the Minister of Health and head of Magen David Adom (MDA) to demand that ambulance workers be able to enter East Jerusalem neighborhoods beyond the separation barrier in order to test residents for the virus and treat those known to be infected. After receiving our letter, MDA published a telephone number for Arabic speakers to call and receive direct services in Arabic, and coordination began between Red Crescent and MDA ambulances at check points.

### 6. [Stop demolishing homes](#)

[ACRI continuously](#) appealed to the Ministry of Justice and IDF Central Command demanding a freeze of home demolitions in the West Bank during the COVID-19 lockdown. The Civil Administration agreed on April 2<sup>nd</sup> to cease all existing demolition orders of populated structures during the COVID-19 quarantine period.

## ARAB MINORITY RIGHTS

### 1. Access to health care and information in Arab cities

Both access to healthcare services and vital safety information is disproportionate among the Arab communities, leading to more infections and endangering the entire country. In March, ACRI appealed to the Ministry of Health to open “drive-through” stations to check for Coronavirus in Arab cities as they did in other regions, and following publications regarding the lack of Corona testing in Arab communities, ACRI appealed to the Director General of the Treasury to allocate appropriate resources for the detection of COVID-19 in East Jerusalem and the Bedouin communities in the Negev.

ACRI sent multiple appeals to the Minister of Health and the Director General of the Ministry of Health demanding they publish information about the trajectories of COVID-19 patients from Arab villages and from East Jerusalem on their website in Hebrew and Arabic and as a result, there has been some improvement in the publication of information. Following ACRI’s request for publication of Corona patient data in small localities below 5,000, the Health Ministry expanded the publication of data on localities over 2,000 residents.

### 2. Home Demolitions

As civilians were told to stay home and abide by emergency quarantine restrictions, home demolitions were still taking place in Bedouin and Arab communities. On March 19<sup>th</sup>, ACRI joined 23 other organizations in appealing to the Attorney General to cease all home demolitions in unrecognized Bedouin villages and East Jerusalem, receiving a response from the Justice Ministry a week later that - aside from new construction - home demolitions in the Negev and East Jerusalem will be frozen.

### 3. Translate to Arabic COVID-19 safety information & details of benefits!

As the state of emergency solidified nationwide, critical COVID-19 safety information and details of government benefits were presented in Hebrew only, regardless of 20% of the population’s native tongue being Arabic. ACRI successfully demanded that the National Employment Bureau translate unemployment benefit forms into Arabic, and following our appeal the bureau announced that it would begin to offer services in Arabic in mid-

March. ACRI also pressured the Public Broadcaster to provide real-time Arabic translations of the evening news bulletin presenting critical updates.

### 4. [Ritual Purification Centers for Palestinian Arabs](#)

On 4.8.20, ACRI petitioned to the High Court of Justice against the Ministries of Interior, Health and Religious Affairs demanding the opening of purification centers for the Arab deceased. Since the COVID-19 outbreak, four purification centers have been established for Jews only. By contrast, only one center has been established for the Arab population, by the A-Nur Association in Umm al-Fahm; the center is intended solely for COVID victims who are residents of Umm al-Fahm. The Arab deceased are buried without proper washing and option of burial in a dignified manner, causing greater pain to the families of the deceased. Ritual purification of the body is a religious commandment in Islam and in the Druze religion, while among Christians it is a well-established social, cultural, and religious custom. ACRI received testimonies suggesting that due to the lack of purification centers for the Arab populations, some families decided to observe the religious commandment and undertake purification by themselves, despite the risk.

### 5. Bedouin school children left behind

Bedouin school children had an incredibly difficult year. Due to bureaucratic neglect and mismanaged priorities on behalf of relevant authorities, ACRI was forced to make multiple appeals in the first half of the school year simply to ensure that children from unrecognized villages received transportation, water, and educational services per the State’s legal obligations. The second half of the year was no different, as ACRI appealed on 4.8.20 to the Director of the Southern District of the Ministry of Education to establish a permanent water supply line to an educational complex essential to hundreds of pupils’ education. On 2.9.20, ACRI appealed to the Ministry of Education and relevant local authorities following news that a group of children from an unrecognized village had been denied kindergarten services due to a shortage of classrooms and space. Following the appeal, the children were admitted to the kindergarten for a short period, and then found that their transportation services had ceased. ACRI appealed again to the local authorities to rectify the issue and is monitoring the situation.

## PUBLIC HOTLINE

- Responded to approximately 2,670 calls from the public (annual).
- 79 cases opened in 2020 beyond primary phone consultation.
- Popular cases: public housing and social services, legal status, discrimination, freedom of expression and protest.
- 15% of the year's cases related to COVID-19: regulations, lockdowns, vaccinations, contact tracing, and self-quarantine.

## EDUCATION FOR DEMOCRACY AND HUMAN RIGHTS

### 1. ACRI Human Rights Education Content

ACRI filmed four lessons about “Media in the Days of Corona” that were included in the Ministry of Education’s national lesson plans, and accessed by thousands of teachers in Hebrew and Arabic. ACRI also filmed lessons for middle school students in partnership with Keren Ketko Ayali: “Media in the Days of Corona” series includes topics touching on human rights, racism, information overflow, news and fake news, including two lessons called “media and freedom of speech”, and “youth leading social change.”

### 2. Human Rights Education Programs for Educators

The 2019-2020 school year closed in the summer of 2020 with approximately 1,200 educators and teachers-in-training having participated in ACRI’s human rights education programming. New programming of note includes ACRI’s continued education programs, certified by the Ministry of Education. 108 teachers participated in the new continued education programs during the reporting period: 52 in the Hebrew “Activist Pedagogy” course and two groups in the “Educational Change against Racism” courses, with 27 in Hebrew and 29 in Arabic.

## PUBLIC OUTREACH

Since January 2020, ACRI has featured in the press **568 times in Hebrew, 190 times in English, and 134 times in Arabic.** Notable English articles include: [The War on Israeli Democracy, Vox](#); [Israel to use anti-terror tech to counter coronavirus ‘invisible enemy’, Reuters, NYT, Washington Post](#); [Better Health Through Mass Surveillance, Foreign Policy](#); [Israel Begins Tracking and Texting Those Possibly Exposed to the Coronavirus, NPR](#); [All Hail, Al Jazeera English](#)

Social Medium	Midyear 2020	Yearend 2020
Facebook Hebrew	103,441	107,401
Facebook Arabic	27,596	28,451
Facebook English	36,311	38,397
Twitter Hebrew	21,900	23,200
Twitter English	4,006	4,146
Website Hebrew*	19,197	22,254
Website English*	1,367	1,251
Website Arabic*	1,540	3,169
Newsletter Hebrew-Arabic	14,990	15,262
Newsletter English	4,403	4,459

\*Unique monthly visitors



ACRI Foreign Spokesperson on ILTV discussing Nation-State petition.



Sharon Abraham-Weiss, ACRI’s Executive Director, on prime-time news discussing police brutality during protests.