

Appendix I: Letter from Human Rights Watch to Israel Prime Minister

July 20, 2020

Mr. Benjamin Netanyahu
Prime Minister of the State of Israel
Office of the Prime Minister

Dear Mr. Prime Minister,

I write to request your assistance in obtaining information pertaining to Israel's treatment of Palestinians inside Israel and in the Occupied Palestinian Territory: the West Bank, including East Jerusalem, and the Gaza Strip. We would greatly appreciate the opportunity to understand your perspectives on these issues, so they can be reflected in a forthcoming Human Rights Watch report on them. For this to happen, we would need to receive your responses by Monday, August 10.

Human Rights Watch (HRW) is an international human rights organization, whose head office is located in New York City. The organization publishes reports on the state of human rights in nearly 100 countries worldwide, with the objective of defending human rights and promoting respect for international humanitarian law. Human Rights Watch has covered human rights issues in Israel and Palestine for nearly three decades and, in that time, has regularly met and corresponded with Israeli officials.

Human Rights Watch's forthcoming report examines Israeli laws, policies and practices affecting Palestinians in Israel, East Jerusalem, the West Bank and Gaza Strip and compares them to the treatment of Jewish Israelis living in the same or nearby areas. The report draws on years of research by Human Rights Watch and other rights organizations, a review of laws, government planning documents, statements by officials, land records and field work conducted for this report.

Our research has been examining whether Israeli authorities have carried out grave abuses on a systematic basis against Palestinians, and whether these occurred in a context of a discriminatory system or systems designed to ensure the dominance of Jewish Israelis over Palestinians. We are examining the extent to which Israeli officials have carried out any

abuses pursuant to long-standing policies and practices and whether they form part of the implementation of aims to sustain a Jewish demographic majority and maximize Jewish Israeli control over land in Israel and the West Bank.

To better understand and reflect the perspective of the Israeli government on these issues, we would appreciate answers to the following questions:

1. Do Israeli laws, policies and practices treat Palestinians living in Israel and in areas under Israeli control in a manner equal to the way they treat Jewish Israelis living in these same areas?
 - a. If so, what is the Israeli government's response to claims of discrimination against Palestinians?
 - b. If not, please describe all measures being taken by the Israeli government to ensure equality.
2. Why do Israeli authorities significantly restrict travel for Palestinians between the West Bank and the Gaza Strip? Does the government maintain a policy of separating Gaza and the West Bank? If this policy is motivated by security considerations, please explain how the government balances this consideration against the right of Palestinians to freedom of movement.
3. Data from the Civil Administration obtained by Bimkom indicates that, between 2016 and 2018, Israeli authorities approved less than 1.5 percent of applications by Palestinians to build in Area C, 21 applications in total, while issuing 2,147 demolition orders. Why does the Israeli Civil Administration reject such a high percentage of permits for Palestinians to build in Area C of the West Bank and demolish structures built without a permit at a rate higher than for such structures built by Israeli settlers?
4. Data from the Civil Administration obtained by the Israeli group Peace Now in 2018 indicates that Israeli authorities have allocated 99.76% of all "state land" allocated to third parties in the West Bank to serve the needs of Israeli settlers. Why has so little state land been allocated for use by Palestinians in the West Bank as compared to settlers?
5. Why do Israeli authorities continue to wield significant influence over the Population Registry in the OPT, including in the Gaza Strip nearly 15 years after its disengagement from Gaza? Why have authorities since September 2000 refused to

process applications, outside of those processed as a “gesture” to the PA between November 2007 and March 2009, for Palestinians in the OPT to grant legal status to those not already in the Population Registry, or even change their addresses? If the policy is motivated by security considerations, why is it that an effectively blanket refusal to process new applicants, as opposed to a policy of making individualized assessments, is necessary to ensure security?

6. Why do authorities continue to revoke the residency status of Palestinian Jerusalemites who they have determined no longer “maintain a connection” to the city?
7. Is there a government policy to seek to maintain a Jewish majority in Jerusalem? If so, why?
8. Colin Hames, the former head of Israeli government body in charge of supplying services to neighborhoods in Jerusalem beyond the separation barrier, the Jerusalem Envelope Administration, described the government’s “neglect” of these areas, including Kufr Aqab. Why have authorities effectively failed to police, regulate construction or in large part provide basic services to residents?
9. Why does the Israeli government bar with few exceptions the granting of Israeli citizenship or long-term legal status to Palestinians from the West Bank and Gaza who marry Israeli citizens and residents, a restriction that does not apply to Jewish spouses of Israeli citizens and residents? What role, if any, does demographics and in particular any objective to foster a Jewish majority factor into the annual renewal and the enforcement of this law and, more generally, in the formulation of Israeli governmental policy on issues related to citizenship, nationality and residency rights and access to and allocation of land and resources?
10. Why do Israeli authorities deny residency rights to Palestinian refugees who fled or were expelled from their homes inside today’s Israel between 1947 and 1949, while guaranteeing it to Jewish citizens of other countries, including those who have never been to Israel?
11. Why have authorities refused to grant legal status to several dozen Palestinian Bedouin communities in the Negev, making it impossible for more than 70,000 Bedouins to reside lawfully in the communities that they have lived in for decades?

Is there a government policy to “Judaize” the Negev region, as well as the Galilee?
If so, what is the objective of this policy?

We will reflect any pertinent information you provide us by Monday, August 10 in our report on these issues and weigh that information in formulating our conclusions and recommendations.

In November 2019, the IDF spokesman replied to a Human Rights Watch letter and we reflected the information provided at length and published the letter in its entirety in a report issued the following month. In March 2020, the Israeli Planning Administration provided substantial information in response to a Human Rights Watch letter, which we also published and reflected at length in a May 2020 publication.

We would also welcome an opportunity to meet you and relevant colleagues virtually or in person to get your feedback on our research and interim findings.

My contact information follows my signature information, below.

Thank you in advance for your attention to this request.

Regards,

Eric Goldstein
Deputy Director
Middle East and North Africa
Human Rights Watch