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Date: December 12, 2010
In response please cite: 66994

To: Brigadier General Moti Almoz
Head of the Civil Administration

Via Fax

Dear Sir,

Re: **New policy forbidding submission of applications in Arabic by residents of the Territories**
Yours PN 287686 dated December 2, 2010

1. I hereby appeal to you regarding the issue in reference.
2. In your referenced letter, which was sent to us from your office, we were notified that residents of the Occupied Territories who seek the services of the DCOs are required to fill out application forms in the Hebrew language only, "as part of security officials' policy". Your letter further explicitly and clearly stated that "in order to process the application it must be written in the Hebrew language."
3. We found this most astounding.
4. The severity of this new policy cannot be overstated. Not only does it lack any legal basis, but it causes intolerable harm to the residents of the Occupied Territories and constitutes a complete breach of the duties of the military commander and the civil administration toward them.
5. We stress that even if the applications were submitted inside Israel, there would have been a duty to allow submitting them in Arabic, which is, as known, one of the official languages of the State of Israel. The Supreme Court has also recognized the status of the Arabic language (HCJ 4112/99 **Adalah v. Tel Aviv Yaffo Municipality**) and accordingly ruled, for example, that **the National Insurance Institute must accept forms filled out in the Arabic language from residents of East Jerusalem** (HCJ 2203/01 **DCI v. National Insurance Institute**).
6. The same holds true, all the more so, for applications submitted in the Territories by Palestinian residents of the Territories **whose mother tongue and only official language is Arabic**. It should be noted that the forms applicants are required to fill out at the DCOs are originally written in the Arabic language as well.
7. Clearly, inasmuch as those charged with serving the Palestinian population are not sufficiently fluent in Arabic, it is a badge of shame for the civil administration and the security agencies, which should have provided appropriate and sufficient training to the relevant officials. It is certainly inconceivable that the residents of the Territories would be made to pay the price.

8. It is superfluous to note that the “solution” suggested in your letter, that the tens of thousands of residents of the Territories who turn to the DCOs would be forced to use the services of untrained Palestinian “typists” who sit at the DCO gates with typewriters and “translate” documents into Hebrew for a fee is particularly outrageous, and would have best not been put to paper.
9. The refusal to process Arabic language documents and applications by residents of the Territories lacks any legal basis and entirely contravenes the duties of the military commander and the civil administration in the Occupied Territories under international law, as recognized also in Israeli case law.
10. In light of the aforesaid, we request that you desist from this unacceptable policy immediately and allow residents of the Territories to submit their applications in their own language – the Arabic language.
11. For your response by December 19, 2010, otherwise we will be forced to turn to the courts.

Sincerely,

Ido Blum, Att.

Copies:

Major General Avi Mizrahi, GOC Central Command
Major General Eitan Dangot, Coordinator of Government Activities in the Territories
Colonel Eli Bar-On, Legal Advisor for the West Bank
Att. Osnat Mendel, Head of HCJ Department, State Attorney's Office