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Clinical Legal  
Education Center

The Hebrew University of Jerusalem  
Faculty of Law

May 11, 2015

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By fax and Registered Mail

Dear Madam,

**Re: Making the Execution Procedures in the Jerusalem Bureau Accessible to Arabic Speakers<sup>1</sup>**

Reference: our letter to the Enforcement and Collection Authority dated January 8, 2014; your response dated May 8, 2014; Our response dated June 24, 2014, your response dated July 23, 2014, Our response dated September 23, 2014, and November 25, 2014

We hereby write to you on behalf of HaMoked: Center for the Defence of the Individual, Al-Ataa Center and the Human Rights Clinic of the Clinical Legal Education Center of the Hebrew University of Jerusalem, Faculty of Law (hereinafter: the **clinic for international human rights**), and request that short schedules be established for the completion of the process for making the execution bureau in Jerusalem accessible to Arabic speakers, and moreover to the Palestinian residents of East Jerusalem. Our request is made following our previous letters to Mr. David Madyuni, the reply letters of Mrs. Keren Rabi, VP Customer Service and our responses to said letters mentioned above, all of which pertain to our demand that the protracted and unreasonable injury inflicted on the rights of Arabic speakers, residents of East Jerusalem in the bureau, be stopped, and first and foremost the injury inflicted on their right to equality and due process, as well as the violation of the obligation concerning appropriate representation of Arabs in the bureau as required by section 15A of the Civil Service (Appointments) Law, 5719-1959 (hereinafter: the **Civil Service Law**).

As will be specified below, in our above referenced letters we emphasized the need to abolish the discrimination and violation of rights and make the bureau's procedures accessible to Arabic speakers by translating into Arabic the documents, forms and mailings which are used by the bureau in its communications with the debtors and by having Arabic speaking clerks employed by the bureau. Firstly, **we were notified that the forms would be translated into Arabic by the end of 2014**, whereas the mailings would be translated only after their Hebrew version was improved, while no target date was mentioned for the completion of said task. As will be clarified below, until this day, and despite the fact that more than four months have passed from

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<sup>1</sup> The letter was prepared with the great assistance of the students Doron Barzilai and Zaha Natur from the Human Rights Clinic, of the Hebrew University.

the target date for the completion of the translation of the forms, it was not done and to the best of our knowledge the mailings are still being forwarded to the Arabic speaking debtors, residents of East Jerusalem, in the Hebrew language only. Worse than that, despite the obligation prescribed by law for appropriate representation of Arabic speakers in the civil service, including the execution bureau in Jerusalem, our repeated requests concerning this issue were firstly denied and later on disregarded.

**The following is our detailed request**

**The parties to the request:**

1. **HaMoked: Center for the Defence of the Individual** (HaMoked) is a human rights association which acts to enforce the standards and values entrenched in the humanitarian international law and in the human rights international law for the purpose of assisting Palestinians, residents of the Occupied Palestinian Territories (OPT), including residents of East Jerusalem, whose rights were violated by the state of Israel. At the same time HaMoked acts for policy and legislation changes for the purpose of improving the condition of human rights in the OPT.
2. **Al-Ataa Center** was established in 2005, for the purpose of assisting Palestinian residents of East Jerusalem to realize their rights *vis-à-vis* the different authorities by lawyers and volunteers. The center provides information, renders general consultation concerning the realization of the rights of the residents and assists in the completion of applications and forms and in the drafting, writing and translation of correspondences with various authorities including: the Notional Insurance Institute, the Ministry of Interior, the Execution Bureau and the Jerusalem Municipality. In addition, the Center initiates and manages coalitions of organizations and residents for the purpose of developing services and changing policies according to the needs of the population.

**Factual Background**

3. To date, about 300,000 Palestinians reside in East Jerusalem, constituting about 36.8% of the inhabitants of Jerusalem.<sup>2</sup> Upon the occupation of East Jerusalem in 1967 and the application of the law, jurisdiction and administration of the state of Israel to its areas pursuant to the Law and Administration Order (No. 1), 5727-1967, the state of Israel granted permanent residency status to Palestinians who were holding and living in areas to which Israeli law was applied. Due to the mere fact that they are residents of the state of Israel, the residents not only need the services of the bureau, but when sued as debtors they have no alternative but to litigate before it and arrange their debts through it.
4. Notwithstanding the above, even to date and albeit the promises given, no significant improvement occurred in the accessibility of the bureau to Arabic speaker, as the bureau's mailings, including notices regarding debts which should be paid and alert letters warning of the imposition of attachments, both of which include information concerning the time frame allocated for the debtors' response, are sent in Hebrew only. In addition, to date, the forms which the debtors must complete in order to settle their debts, such as payment orders, consolidation of files and waiver of confidentiality do not exist in the Arabic language. In addition to the above, there is not a single clerk in the bureau who is proficient in the Arabic language and who can assist the applicants and the debtors who arrive to the bureau for the purpose of settling their debts or checking their status.

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<sup>2</sup> Dr. Ahmed Khallil et al., **Society in Israel**, Report No. 7 of the Central Bureau of Statistics – The Characteristics of the Population in the big cities in Israel, October 2014 ([http://cbs.gov.il/publications14/rep\\_07/pdf/intro3\\_h.pdf](http://cbs.gov.il/publications14/rep_07/pdf/intro3_h.pdf)).

5. In view of the above, the clinic for international human rights turned on January 8, 2014, to the director general of the Enforcement and Collection Authority and requested to make the bureau in Jerusalem accessible to Palestinians from East Jerusalem who speak Arabic in order to put an end to the unreasonable and disproportionate impingement of the rights of both debtors and creditors to due process and equality before the law by translating the forms and mailings into Arabic and by employing Arabic speaking clerks in the bureau.

**A copy of our letter dated January 8, 2014, is attached and marked Exhibit 1.**

6. On May 8, 2014, a reply letter was received from the VP customer service of the Enforcement and Collection Authority according to which a customer service division had been established at the Enforcement and Collection Authority, one of the objectives of which is to simplify and make the services rendered to its clients accessible. In that context we were notified that the answering service was already operating in Arabic and that it is expected that the translation would be completed and the contents of the website would be available **over the course of 2014**, and that frontal service in Arabic would be given as required. In addition, we were notified that the execution submission forms would be translated into Arabic and that the most significant mailings would be translated into Arabic.

**A copy of your reply letter dated May 8, 2014 is attached and marked Exhibit 2.**

7. In view of the fact that your reply did not include any time schedule for the completion of the works for making the bureau accessible to Arabic speakers we turned to you again on June 24, 2014, and requested that a list of the "most significant mailings" which were the only documents that you undertook to translate into Arabic, be sent to us, together with the number of the Arabic speaking clerks that would man the bureau and their working hours. More importantly, we requested that the target date on which such changes were expected to enter into effect be sent to us. We were then surprised to find out, in your reply letter dated July 23, 2014, that you did not intend to employ Arabic speaking clerks in the bureau, and that you were looking into the possibility of providing service to the Arabic speaking applicants to the bureau through, for an instance, an answering service which would include simultaneous interpretation into Arabic. With respect to the translation of the **mailings** there was also a regression in your position in view of the fact that you have not only failed to provide us with a list of the most significant mailings which would be translated into Arabic but you added that the translation would be made only after their Hebrew versions were improved and clarified. With respect to the **forms** you informed us that all forms would be translated by the end of 2014.

**A copy of our letter date June 24, 2014, is attached and marked Exhibit 3, and a copy of your reply letter dated July 23, 2014, is attached and marked Exhibit 4.**

8. In view of the above we wrote to you again on September 23, 2014, and emphasized that the appointment of Arabic speaking clerks was required not only by virtue of the right to equality before the law and the right to due process of the Arabic speaking debtors and creditors, but also by virtue of section 15A of the Civil Service Law. We emphasized that the alternative solution that you were considering as an alternative for the employment of Arab clerks would not provide an appropriate solution for the violation of the rights of the Palestinians, residents of East Jerusalem. Said letter was sent to the VP customer service of the Enforcement and Collection Authority as well as to the honorable addressees of this letter, the director general of the authority and the legal advisor. Nevertheless, and despite the fact that an additional reminder was sent on November 25, 2014, **no response was received to this letter after the elapse of almost eight months.**

**A copy of your reply letter dated September 23, 2014, is attached and marked Exhibit 5;  
A copy of our reminder dated November 25, 2014, is attached and marked Exhibit 6.**

9. It should be noted that said delay in providing response by an administrative authority constitutes a severe violation of section 2(a) of the Procedure Amendment (Decisions and Statement of Reasons) Law, 5719-1958, of the rules of good governance and the authority's duty of loyalty towards the public. A delay in providing response is even more severe when the administrative authority violates its undertaking to complete the translation of the forms by the end of December 2014, and even more so when it is evident that despite the good intentions **there is no improvement on scene, and the rights of the Arabic speaking Palestininas, residents of East Jerusalem who require the services of the bureau, to equality and due process are crushed, as indicated by an observation conducted by us in the bureau** on January 22, 2015. The observation conducted by the students Daniel Barzilai and Zaha Natur revealed that there were no forms in the Arabic language in the bureau and that the Arabic language was missing from the signage as well as from the machine which refers the individuals who require the bureau's services to the appropriate track for having their matter handled. Moreover, Not only have we failed to locate even a single Arabic speaking clerk in the bureau, but **the clerks in the bureau know nothing of the simultaneous interpretation services which you have presented as an alternative solution for the employment of Arabic speaking clerks**, in section 7 of your reply letter mentioned above. As will be clarified in paragraph 11 below, there are no Arabic speaking clerks in the authority's answering service as well. A previous observation conducted by the students Neta Sarusi, Danya Kaufman and Effie Teplitz on December 25, 2013, indicated **that even the signage which directed the applicants to the legal aid services was not available in the Arabic language**. The observation conducted by us this morning (May 11, 2015) indicates that the only change which took place in the bureau in the last five months was the addition of the Arabic and Russian languages to the list of languages in which the type of queue may be selected while entering the bureau.

**The affidavits of the students Zaha Natur and Daniel Barzilai regarding the observation conducted on January 22, 2015 are attached and marked as Exhibits 7 and 8 respectively.**

10. Moreover, a systemic examination of the authority's website which was conducted by the undersigned on May 10, 2015 indicated that while any Hebrew speaker can easily download all relevant forms from the authority's website in the Hebrew language, the authority's website in the Arabic language did not have even one single form in Arabic. To give a more specific example, we would like to refer to an issue with respect of which the services of the bureau and the Enforcement and Collection Authority are clearly required, namely, the issue of child support collection. While the website in Hebrew includes explanations for the creditors as well as for the debtors and provides easy access for the purpose of downloading the relevant forms from the website (see for instance easy access for downloading forms 207 and 208 in Hebrew in the link: <http://www.eca.gov.il/index2.php?id=356&lang=HEB>) the website in the Arabic language only provides explanations and does not enable to download forms neither in Hebrew nor in Arabic (see link <http://www.eca.gov.il/loadedFiles/zoche.pdf>).
11. Worse than that, not only that the explanations to the person who is entitled to receive child support which appear on the bureau's website in the Hebrew language provide easy and immediate access for downloading the appropriate forms while the website in Arabic does not provide access to such forms, the Hebrew website refers the creditor to the answering service \*33592 for assistance. A test conducted on **May 10, 2015**, by the undersigned, who is fluent in Arabic and Hebrew on a mother's tongue level, indicated that although the answering service directs Arabic speakers to press button number 2 for the purpose of receiving an answer, then immediately after one presses said button and is told that he should have the file number at hand, the answering service proceeds to

give instructions in Hebrew only. The answering service in Hebrew enables to press a button which transfers the call to a customer service representative. When a polite representative answered in the Hebrew language, the undersigned requested the services of an Arabic speaker representative, but was told that **there was no Arabic speaking representative and that it was not possible to provide assistance or information in Arabic.**

### **The Legal Argument**

12. Our letter concerns a violation of protected human rights, by virtue of undertakings of the state of Israel under international law and by virtue of Israeli law, of Palestinians residents of East Jerusalem, who need the services of the execution bureau in Jerusalem, as a result of the failure of the Enforcement and Collection Authority to employ Arabic speaking clerks in the bureau, and an unreasonable delay in the translation of the forms and the most significant mailings into Arabic.
13. The case at hand does not concern only a violation of the right of the Palestinians residents of East Jerusalem to **freedom of language and culture** which constitutes an integral part of their right to dignity. The **failure of the Enforcement and Collection Authority** to make the execution procedures in the execution bureau in Jerusalem accessible to Arabic speakers **severely and unreasonably impinges on the right of about one third of those who need its services to equality before the law and due process and violates the obligation to provide appropriate representation to the Arab minority in public institutions in the state of Israel**, which is entrenched in section 15A of the Civil Service Law.
14. One of the ramifications of the impingement on the freedom of language and on the right to equality and due process as a result of the bureau's procrastination and failure to translate the forms and mailings into Arabic, and to employ Arabic speaking employees in the bureau is a violation of the right to own property as a result of the unnecessary accumulation of hundreds of percentages of interest on the existing debt or the declaration of debtors as payment evaders, which may lead to the attachment of their assets and even to their incarceration. Alternatively, the debtors are forced to finance from money which they do not have expensive interpretation services and to even engage the services of lawyers to deal with the comprehension of letters, completion of forms and simple acts of collection.
15. It should be emphasized that the Palestinians, residents of East Jerusalem, comprise more than one third of the entire population of the city and are the largest group of Arabic speakers residing under the jurisdiction and administration of the state of Israel. On the other hand, the Palestinians, residents of East Jerusalem are defined as "protected residents" by international humanitarian law which does not recognize the application of Israeli law and administration to the territories which were occupied in 1967. As a direct result of their paradoxical status as "permanent residents" of the state of Israel on the one hand, and as "protected residents" in the occupied territory on the other, **the official educational institutions in East Jerusalem teach Palestinian Authority's curriculum** (which was preceded by the Jordanian curriculum) **while the unofficial educational institutions are not subject to any supervision whatsoever by the Ministry of Education.**<sup>3</sup> Therefore, the Hebrew language, to the extent taught in schools in East Jerusalem, is taught as a third or fourth language by teachers who were not professionally

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<sup>3</sup> Yuval Vargen, **Education in East Jerusalem**, Report of the Data and Research Center of the Knesset, October 2006.

trained as Hebrew teachers.<sup>4</sup> In addition to all of the above, the dropout rate in the post primary education in East Jerusalem amounts to about 50% of the students.<sup>5</sup> This means that the Palestinians residents of East Jerusalem are on the one hand, **a community which does not know and is not obligated to know the Hebrew language**, and on the other hand, they find themselves subordinated to local and national governmental authorities, the vast majority of which are managed in Hebrew, including the execution bureau.

16. Article 2 of the **Covenant on the Elimination of all Forms of Racial Discrimination-1965**<sup>6</sup> obligates a member state to eliminate all forms of racial discrimination in the territory under its control (including discrimination against ethnic, national and religious minorities and individuals who are members of such minority groups), to guarantee the right of every person as such to equality before the law, and to guarantee that all authorities act according to duty of equality (Article 5 of the covenant). Article 26 of the **International Convention on Civil and Political Rights – 1966** (hereinafter: **ICCPR**) stipulates that all member states to the convention, including the state of Israel must provide equal and efficient protection against any discrimination, especially on the grounds of race, color, sex, language, religion, political views, etc. Article 27 of the ICCPR stipulates that the member states shall not deprive individuals who belong to ethnic, religious or linguistic minority groups of the right to maintain their culture or use their language. **General comment** No. 23 of the Human Rights Committee, which is responsible for the interpretation and implementation of the ICCPR Articles, interprets said Article as establishing the active duty of the member states to guarantee the linguistic freedom rather than just refrain from the violation thereof. The committee's approach reconciles with the legal interpretation of Article 27 to the ICCPR according to which the Article imposes a positive obligation on the state to guarantee that linguistic minorities enjoy the right to use their language in the same manner that the majority group uses its language.<sup>7</sup>
17. It should also be noted that Article 14 to the ICCPR enshrines the right to due process and the right to equality before the law by stipulating that every person is equal before the courts and other tribunals and is entitled to a fair and public hearing, by a competent, independent and impartial tribunal established by law. General comment No. 32 to the ICCPR states that the realization of the right to due process in an equal manner by all those who take part in legal proceedings imposes on the state an obligation to provide interpretation services, when required, to the parties to such proceedings. It should also be noted that the deprivation of the procedural rights specified in Article 14 of the convention due to language reasons constitutes prohibited discrimination.
18. In view of all of the above it is obvious that the failure to make the Arabic language accessible in the framework of the execution procedures of the bureau does not reconcile with the undertakings of Israel under international law to respect the right of minorities to equality, freedom of language and due process. The above undertakings were

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<sup>4</sup> Adv. Nasrin Alian, Ronit Sela and Adv. Ronit Pomerantz, **Research and Neglect in East Jerusalem: the Policy which lead to 78% poverty and to the weakening of the Employment Market**, Association for Civil Rights, May 2012.

<sup>5</sup> Adv. Tali Nir, Ann Sochio et al., **Human Rights in East Jerusalem: Facts and Data**, Association for Civil Rights, May 2010.

<sup>6</sup> The state of Israel has already signed the covenant in 1966 and ratified it in 1979. In this request we do not have to prove the applicability of the covenant to all territories under the control of the state of Israel, in addition to international law, since in any event Israel does not deny said applicability to the territories which were annexed to Jerusalem.

<sup>7</sup> David Wippman *The Evolution and Implementation of Minority Rights*, 66 Fordham L. Rev. 597, 604-605, 609 (1997).

considerably integrated into Israeli jurisprudence through basic laws, legislation and even more so through their implementation by case law. As is known, the right to due process is an "offspring right" derived from the constitutional right to dignity which is enshrined in the Basic Law: Human Dignity and Liberty (HCJ 8425/13 **Eitan Israeli Migration Policy et al., v. State of Israel**, paragraph 169 of the judgment of Justice Vogelman (reported in Nevo September 22, 2014)(hereinafter: **Eitan**).

19. Nevertheless, not every infringement of the right to due process constitutes a violation of the constitutional right to dignity. Hence, only an impingement on those aspects of due process having a pertinent connection to human dignity, such as the possibility to fairly and properly adjudicate a claim, proper opportunity to use procedural rights and the upholding of the rules of natural justice constitute an unconstitutional impingement on human dignity (**Eitan**, paragraph 172 of the judgment of Justice Vogelman). In addition, the greater the potential impingement on the right of the individual, the greater the obligation to balance the injury of the legal process by protecting the right to due process so as to increase the chance to achieve correct results and fair process from the perspective of injured party (**Eitan**, paragraph 177 of the judgment of Justice Vogelman).
20. The applicability of the right to due process is general and it applies whenever a governmental authority uses its coercive power in a manner which may impinge on a protected human right either by an administrative action, criminal proceeding or disciplinary proceeding (**Eitan**, paragraph 177 of the judgment of Justice Vogelman). Therefore, an administrative authority may make a decision which impinges on a protected right or interest of an individual only after it maintained his right to due process and treated him fairly to ascertain that justice is served (HCJ 6824/07 **Dr. Adal Mana'a v. The Taxes Authority**, paragraph 42 of the judgment of Justice Vogelman)(Reported in Nevo, December 20, 2010)).
21. There is no dispute that the fact that the Arabic language is not used in the execution procedures by the Jerusalem bureau inflicts an unreasonable and disproportionate impingement on the right of debtors, residents of East Jerusalem, who are not proficient in the Hebrew language to due process, since they are deprived of the possibility to receive clear information regarding the measures taken against them. Thus, for instance, the fact that mailings are received in the Hebrew language only deprives the debtors of information concerning the available time frame for settling their debts, as well as of information concerning their rights and the optimal measures available to them for the purpose of settling their debts, including their right for representation by the legal aid office to the extent required and to the extent they are found to be eligible for same. The fact that all forms are drafted in the Hebrew language prevents both creditors and debtors from initiating execution proceedings or from objecting to existing proceedings by completing these forms. Thus, one third of those who need the services of the Jerusalem bureau are deprived of the ability to realize the means and rights available to them in connection with the collection procedure either as creditors or debtors.
22. Upon the enactment of the Basic Law: Human Dignity and Liberty, HCJ judgments reinforced the constitutional status of the prohibition against discrimination on the grounds sex, religion or nationality (HCJ 4541/94 **Alice Miller v. Minister of Defense**, IsrSC 49(4), 94). The severity of the above impingement on the right to equality is reinforced in view of the more strenuous application of the equality principle to state authorities and in view of the fact that it is regarded as a guiding principle for civil administration actions (HCJ 4112/99 **Adalah - The Legal Center for Arab Minority Rights in Israel v. Tel Aviv Jaffa Municipality**, IsrSC 56(5) 393, 457-458 (2000) (hereinafter: **Adalah**). The failure to realize the equality obligation by making the execution procedures accessible to Arabic speakers by the translation of forms, mailings

and signage and by the realization of the obligation for appropriate representation by the employment of Arabic speaking clerks constitutes prohibited discrimination on the grounds of nationality. This discrimination is intensified by the unique characteristics of the residents of East Jerusalem which are specified in paragraph 15 above, being discrimination which leads to violation of fundamental rights and particularly the right to due process and the right to own property.

23. In addition to all of the above, the Arabic language has the status of an official language in the state of Israel which status is entrenched in Article 82 of the Order in Council. In view of the above the Supreme Court held that the purpose of the official status of the Arabic language was to uphold, *inter alia*, **the freedom of language of the Arab minority**, as a derivative of the right of the individual to conduct his life in his mother's tongue (**Adalah**, paragraphs 53-54 of the judgment of Justice Cheshin). Hence, the governmental authorities are bound by said freedom and are obligated to actively realize it. Accordingly, in view of the above rule, the National Insurance Institute was obligated to translate its documents into Arabic and to enable to conduct hearings and complete the institute's forms in Arabic (see HCJ 2203/01 **AVI v. The National Insurance Institute** (reported in Nevo January 7, 2009)).
24. In addition to the above it should be noted that section 15A(a) of the Civil Service Law establishes the duty to give appropriate representation to the Arab residents of the state in the civil service. Said section imposes on the state an active duty to take all necessary action as may be required under the relevant circumstances for the realization of its duty to take affirmative action which derives from the reality of under-representation of Arabs in the civil service. Among other things, the law imposes on the state the obligation to achieve a result which gives appropriate expression for the representation of members of the Arab population (HCJ 6924/98 **Association for Civil Rights v. Government of Israel**, IsrSC 55 (15(5), paragraphs 28-29 of the judgment of Justice Zamir (2001)). The fact that not even a single clerk of Arab nationality is employed by the bureau and that there is not even a single Arabic speaking representative among the representatives manning the authority's answering service, constitutes a severe violation of section 15A(a) of the Civil Service Law and a serious impingement on the rules of good public governance.
25. It should be also added that the duty to translate into Arabic the forms and mailings may also be derived from sections 7(a1) and 7(a2) of the Execution Law, 5727-1967, which provide that the notices served there-under must be drafted "in a clear and simple language". Hence, the service of notices to debtors in a language of which they are not proficient does not reconcile with the provisions of the law which require that service be made to the debtor in a language which is clear to him.

### **In Conclusion**

26. The authority's and the bureau's procrastination and failure to make the procedures accessible to the residents of East Jerusalem, whose mother's tongue is Arabic, severely violates their human rights which are enshrined in international law as well as in Israeli law. **The fact that to date, after more than a year passed since you have undertaken to make the bureau accessible to Arabic speakers, you have not yet fulfilled any of your undertakings, either by way of translating the forms, signage and most significant mailings into Arabic or by way of employing Arabic speaking clerks in the bureau and making the frontal service accessible, attests to the fact that precise schedules and deadlines must be established and internal comptrolling bodies appointed to ascertain that the undertakings be fulfilled.**

27. **This case does not merely concern the realization of a symbolic right to freedom of language, which constitutes an integral part of the right to dignity, but rather substantial impingements on rights enshrined in the law**, the most severe of which is the failure to employ Arabic speaking clerks by the authority and the bureau which constitutes a brazen breach of section 15A(a) of the Civil Service Law. Said breach is much more severe in view of the fact that the Arabs constitute more than one third of the inhabitants who need the services of the bureau on the one hand, and are obligated to manage their affairs before it as debtors, on the other. **A governmental authority which violates fundamental rights, breaches the law and acts in an extremely unreasonable manner must rectify said impingement forthwith.**
28. It should be emphasized that the unreasonable delay in making the services of the bureau accessible to Arabic speakers in Jerusalem violates the right of both debtors and creditors to **equality, due process, ownership of property** and freedom of language which constitutes an integral part of the right to dignity. The above breaches do not satisfy the conditions of the limitation clause of the Basic Law: Human Dignity and Liberty. Firstly, the failure to make the execution procedures available in Arabic violates fundamental rights without explicit statutory authorization (HCJ 1437/02 **Association for Civil Rights in Israel v. Minister of Public Security**, IsrSC 58(2) 746, paragraph 4 of the judgment of Justice Rivlin (2004)). In addition, the criteria for the determination of whether an administrative authority acts reasonably derive from the character of the decision being the subject matter of the review, its nature, language and the purpose of the power which was exercised, the nature of the power which was exercised or not exercised and the circumstances of the matter (HCJ 1993/03 **Association for Civil Rights in Israel v. The Prime Minister**, IsrSC 57(6) 817, paragraph 12 of the judgment of Justice Rivlin (2003)). As aforesaid, the character and nature of the power to collect debts and the monopoly of said power intensify and strengthen the severity of the impingement on human rights of the Palestinians residents of East Jerusalem, who are bound to interact with the bureau. The authority's procrastination and failure to provide a pertinent solution for such a long time, and the provision of partial and inaccurate information attest to the fact that the bureau does not act in accordance with the objective criteria for administrative reasonableness.
29. In view of all of the above, and considering the fact that more than four months have elapsed since the target date set by you for the completion of the translation of the forms, **you are hereby requested to set a very short schedule for the completion of the translation into Arabic of the signs, forms and mailings as well as for the employment of Arabic speaking clerks in the bureau as well as in the answering service of the authority**, so that we shall not be forced to turn to legal instances on this issue.

Very truly yours,

**Advocate Bana Shagri-Badaraneh  
The Clinic for International Human Rights**

CC:

**Mrs. Keren Rabi – VP Customer Service, Enforcement and Collection Authority, also by fax: 02-5084130**

**Mrs. Gila Hachimian, General Manger of the Execution Bureau in Jerusalem, also by fax: 02-5600461**

**Adv. Osnat Mandel, Head of the HCJ department at the State Attorney's Office, also by fax: 02-6467011**