

## Fundamental Early Warning

# Internationalization of the Issue of Israeli-Arabs

6.14.2005

### Essence of the Warning

The relations between the Government of Israel and the Israeli-Arab minority are undergoing a process of internationalization. The focus of the issue is being transferred from the internal Israeli arena, where it is viewed as a domestic matter, to the international arena where it is being exposed to examination, criticism, and international involvement.

### Existing Mindset: Israeli-Arabs an Internal Israeli Matter

Officially, Israel sees the issue of the political-legal status of Israeli-Arabs as a domestic matter not to be the object of negotiations between Israel and any other foreign party.

1. Thus, until now, every attempt to mediate between Israel and its Arab citizens was perceived as an involvement in Israel's internal affairs. Thus, even the "PLO" **did not have a formal status** in representing the Israeli-Arabs during the Oslo process.
2. In addition, during negotiations for a permanent status agreement in the years 1999-2001, Israel asserted that the Israeli-Arabs were citizens of the state and therefore Israel was their sole representative. According to this position, the Palestinian entity does not, and will not, have any official status of representation.<sup>1</sup>
3. Israel refused to recognize the Israeli-Arabs as a national minority possessing collective rights apart from specific cases such as in the education system.

### Diverging Reality: Israeli-Arabs becoming Increasingly Internationalized

In practice, there are emerging trends that undermine the existing mindset rendering it irrelevant:

4. **Petitions to international organizations** – The Arab population suffers from an obvious lack of representation in the administrative and public organizations of the state and from inequality in the distribution of resources.<sup>2</sup> Since Israeli-Arab feelings of frustration and discrimination are not addressed by the local Israeli authorities, Israeli-Arab organizations have raised issues regarding their status to international organizations.

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<sup>1</sup> See: Permanent Status of the Political-Legal Status of Israeli Arabs.

<sup>2</sup> Amnon Rubenstein and Alexander Yakobson, **Israel and the Family of Nations – The Jewish Nation State and Civil Rights**, Tel-Aviv: Shoken, p.176 (in Hebrew).

5. **Increasing international recognition of the Israeli-Arabs as a national minority** – There is an increasing trend within the international community towards recognizing the Israeli-Arabs as a national minority with unique rights within the State of Israel.<sup>3</sup>
6. **"Palestinization" of Israeli-Arabs** is making them a major factor in the relations between Israel and the Palestinian entity.<sup>4</sup>
7. **Anti-Zionism and the basic de-legitimization of Israel's Jewish character** – The status of Israeli-Arabs in a country whose Jewish identity is defined by law can be utilized for the anti-Zionist cause by denying the right of the Jews to self-determination and the Jewish identity of the State of Israel. This process is likely to continue even after the establishment of a Palestinian state and the signing of a permanent status agreement (see: Permanent Status).<sup>5</sup>

## Policy Options

<sup>3</sup> Events connected with this trend include:

- Continuous meetings between foreign diplomats and Israeli-Arab representatives.
- The UN recognized the Adalah organization as an advisory organization that allows for its participation in the Socio-Economic Council.
- Under the initiation of the Mussaoui, organization the EU Parliament held a discussion regarding the issue of Israeli-Arabs (5/05). The parliament decided to create a lobby for the protection of Arab-Israeli rights and determined that the issue would be addressed in every political discussion that the EU held with Israel.
- The UN "Commission on the Elimination of Discrimination against Women" questioned Israel regarding the rights of Arab-Israeli women (4/04); The Adalah organization presented this commission with an alternative report from the non-governmental organizations working in Israel (1/05).
- The "Euro-Mediterranean Human Rights Network" report criticized Israel's relations with its Arab citizens (12/04).

<sup>4</sup> Among the forces nurturing this trend include:

- Identification with Palestinian national aspirations.
- Palestinians consider Israeli-Arabs as Palestinians – The fundamental Palestinian documents view Israeli Arabs as a part of the Palestinian nation who are under Israeli control. The draft constitution of the Palestinian state implies that Israeli-Arabs will have a political-judicial status in the Palestinian state and the option to vote, be elected and right to representation.
- The Palestinian irredentist threat / Phased Plan / Ethos of Struggle - factions within the Palestinian state (whether official or not) are likely to use Israel's Arab citizens as a tool to continue the conflict against Israel.
- Third Parties – States such as Iran and groups such as Hizbullah and al-Qaeda are likely to encourage subversion among Israeli-Arabs with or without the permission of a Palestinian state.

<sup>5</sup> Examples of such a trend include:

- Organizations that represent Israeli-Arabs sent two reports to the "UN Commission for Human Rights" - one regarding the citizenship law and another regarding the policies of the KKL – the Jewish National Fund.
- The "UN Committee on the Elimination of Racial Discrimination" called for the annulment of the Citizenship Law (08/04).

8. **This issue has existential consequences for the State of Israel** – The issue of the Israeli-Arabs is becoming internationalized and is turning into a national security and foreign policy issue with existential consequences through the erosion of the Jewish identity of the State.
9. **Inter-agency coordination** – The issue of Israeli-Arabs is being dealt with by a number of government agencies that lack coordination. Israel should establish continuous coordination in planning, decision-making, and implementation between the branches on this issue.
10. **In domestic issues** – Israel should work to ensure complete civil equality for Israeli-Arabs, thus pulling the rug from under their argument.
11. **Are the Israeli-Arabs a national minority with collective rights?** – This is a basic question that must be addressed. Israel should establish a consistent domestic and foreign policy in issues such as:
  - a. Raising the issue of the Israeli-Arabs in international meetings between Israeli and foreign government officials.
  - b. Meetings of foreign ambassadors with representatives of the Israeli-Arab leadership.
  - c. Membership of Israeli-Arab organizations in international bodies.
12. **Vis-a-vis the Palestinian entity** – Israel should consolidate its perception regarding the status of Israeli-Arabs after the establishment of a Palestinian state. It seems that there are two possible approaches for Israel with regards to permanent status on this issue:
  - a. The Wall Approach - The erection of a juridical wall between Israeli-Arabs and the Palestinian state, intended to prevent the Palestinian state from establishing an official foothold - diplomatic, legal or political - with Israeli-Arabs.
  - b. The Membrane Approach - This approach allows for a "penetrable membrane", which allows for the existence of some degree of official (or unofficial) association between Israeli-Arabs and the Palestinian state.

The practical implications of this decision touch upon issues such as the unification of families, dual-citizenship or two passports, special arrangements for movement or personal status etc. (see: Permanent Status of the Political-Legal Status of Israeli Arabs).
13. **Citizenship Law** – Israel should consolidate its position on the issue of dual Israeli-Palestinian citizenship. This issue is raised in the framework of discussions on the "citizenship law". It seems that this is a technical matter, however in practice, it holds far-reaching legal, civil, and political significance.
14. **Advocacy** – Israel should consolidate its advocacy to the complex challenge that this issue creates.

End.