

# Supporting the Sumarin family

July 5, 2020

Mr. Danny Atar – Chair  
Keren Kayemet Le-Israel –  
Jewish National Fund  
International Board

Dear Mr. Atar,

We, the undersigned leaders of organizations comprising the core of the Hatikvah Slate of the U.S. delegation to the next World Zionist Congress, are reaching out to you about the urgent case of the Sumarin family in Silwan, East Jerusalem. The family is about to be evicted from its home, where it has lived for decades, as a result of the application of KKL-JNF. KKL-JNF should never have requested that the Custodian for Absentee Property declare the property as absentee property in 1989 and turn the property over to it, since family members were and are living in the house.

On behalf of our organizations, we urgently request that the KKL-JNF immediately stay its action, regardless of what Israeli courts have ruled and would permit the KKL-JNF to do. The KKL-JNF must absorb the loss, if there will be one. We are specifically not addressing whether or not those family members were the legal heirs or owners of the property, as it is irrelevant to the main issue. The KKL-JNF should never have cooperated with groups dedicated to “Judaizing” East Jerusalem, such as Elad, and bearing false witness in order to effectively steal a coveted home that was not empty, but lived in. If there is to be a financial loss incurred because of past unjust actions by the KKL-JNF, then so be it. The moral price of unjustly evicting a family from its home is much greater.

The regulations promulgated in 1968 for the use of the Absentee Property, as well as a basic sense of justice and decency, stipulate that **the law not be used if family members were living in a home, whether or not they were the legal owners.** As the [Klugman Report](#) delineates, the KKL-JNF was regularly violating these regulations by 1989 in order to acquire properties and turn them over to groups such as Elad. Two legal advisors to the Israeli government have criticized this behavior, and in 1995 the government agreed to cease these activities. However, your – that is, KKL-JNF’s – action against the Sumarin family had already begun. [In 1989 KKL-JNF Director of Lands Abraham Hilleli wrote to the Custodian For Absentee Property asking that the Sumarin family home be declared as absentee property, and stating that they wished to then acquire the property.](#) Questions as to whether or not Musa Sumarin sold the property to other family members, and the various rulings since 1989 in favor of or against the family would never have arisen had the KKL-JNF properly recognized that the Absentee Property Law should not be used when family members are living in the home. That is why these questions are not relevant to our request.

It should be noted that in 2015, the Supreme Court ruled (in the [Hussein verdict](#)), that in **cases when the property owners are residents of the West Bank** (who are considered “absentees” by law, yet live in territory under Israeli control), their assets may not be declared absentee property.

Early documents of Keren Kayemet Le-Israel prepared soon after the founding of the KKL-JNF lay out strict ethical guidelines for the legitimate goal of acquiring lands for the Jewish People in the Land of Israel. Not everything that is legal is just. It is time for the KKL-JNF to rededicate itself to these ideals, and to socially and environmentally conscious land custodianship, rather than exploiting the law to throw a non-Jewish family out of their home, and turn it over to a group dedicated to Judaizing a Palestinian neighborhood.

There is no “good” time to evict a family from its home and throw them into the street. But at this time, with the pandemic and economic crises threatening everyone, it amounts to a vicious and unnecessary blow to the Sumarin family. We need not remind you that at this moment the entire world’s eyes, except insofar as they may be distracted by their own crises, are fastened on Israel, due to the Government’s declared intention to annex large parts of the West Bank. This is a singularly inopportune moment to undertake an action that should have been abandoned in 1995 – and never even started in the first place.

As you know, we represent a considerable voting bloc in the WZ0, and fully expect to add more signatures and organizations to this letter in the very near future. But at this moment, we urgently request that you desist from asking the court to enforce its judgment against the Sumarin family, and ask it to stay the case – and then expeditiously do what you should have done decades ago, i.e., dismiss the action. Doing so can only improve relations between Jewish and Palestinian residents in Jerusalem, and end a sorry and embarrassing episode in the long history of KKL-JNF.

Sincerely,

Paul Scham  
President  
Partners for Progressive Israel

Kenneth Bob  
President

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