

Al-Haq

2007

Narrative Report



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Introduction:

2007 marked the 40th year of Israel's occupation of the West Bank, including East Jerusalem and Gaza, it also marked a level of unprecedented bloodshed within the Occupied Palestinian Territory (OPT), particularly in Gaza. Reminding the world of the 40 years of occupation faced by the Palestinian people was to be the primary focus of Al-Haq's work in 2007. While this issue remained central to our international advocacy, the very dangerous developments at the intra-Palestinian level have required Al-Haq to focus considerable resources on addressing the increased internal instability currently prevalent in the Occupied Palestinian Territory (OPT).

The political instability prevalent in the OPT in 2007 has revealed a strong commitment to the rule of law amongst Palestinian civil society organisations, to such an extent that it can now be claimed that there is a shared and vibrant 'human rights culture' between these organisations. While Al-Haq would not pretend to take sole credit for this development, this report will hopefully illustrate how our activities have been instrumental to the process.

The already severe deterioration of the situation on the ground accelerated with internal violence reaching a level never before seen. As an indication, the Palestinian people have seen four different 'governments,' in 2007 the *de facto* forceful seizure of power by Hamas in the Gaza Strip, and increased repression in the West Bank. In the face of these changes, Al-Haq has stood unflinchingly for respect of the rule of law and the protection of the fundamental rights of the Palestinian people arising from both domestic and international law, issuing sharp criticisms to all parties acting in violation of these principles. In this Al-Haq has not stood alone, but has been a driving force behind a coalition of vocal and committed civil society organisations. If there is any positive to be drawn from the current situation it is that the Palestinian human rights community, which Al-Haq has been instrumental in developing, have adopted a principled and unified stance based on a clear respect for the rule of law; providing a much need counter balance to the actions of individual armed groups and those in positions of authority.

Against this backdrop of heightened instability, due in no small part to the economic boycott of the Gaza strip and the PNA by Israel and the international community following last year's democratic election of Hamas to government, Israel has continued to show blatant disregard for human rights and international humanitarian law. Particularly, the labelling of Gaza as an "enemy entity" as an attempt to obscure Israel's obligation toward the strip and justify the collective punishment of 1.5 million Palestinians living in the strip, while the construction of the Annexation Wall continues apace, replicated in the form of an 'invisible wall' of movement restrictions and checkpoints in the Jordan Valley. East Jerusalem has also nearly been completely annexed with additional movement restrictions and prevention of access to Palestinian holy sites.

At the international level, Al-Haq's UN advocacy is now sufficiently mature and confident that we were able to move outside the limited focus of the Palestinian question, and contribute to a discussion on the structural reform of the UN Human Rights Council, adopting a position calling not only for respect for human rights in the OPT, but worldwide.

A strong development in Al-Haq's organizational strength in 2007 is indicated in the development of judicial proceedings to which Al-Haq has been party to. The judicial system is a key component of enforcement and accountability, and Al-Haq has made use of both the Israeli and Palestinian judiciary in addition to being involved in its first case abroad through the UK Royal Court of Justice.

On an organisational level, it must be noted that our networking and advocacy at the international level has occurred without the direct participation of Al-Haq's General Director, Shawan Jabarin, in international meetings, conferences and forum, due to restrictions imposed on his travel by the Israeli authorities.

Despite the strain on staff and resources Al-Haq has not lost sight of its strategic plan and has continued to successfully work towards fulfilling the objectives set out at the beginning of the year.

Al-Haq's Goals for 2007

- Influence policy at the national and international levels
- Hold accountable perpetrators of international human rights and humanitarian law violations in the OPT
- Improve and enhance Al-Haq's organizational capacity.

I. MONITORING AND DOCUMENTATION

First-hand documentation by Al-Haq's Monitoring and Documentation Department (MDD) is the basis of the vast majority of activities undertaken by the organisation. Al-Haq's fieldworkers gather information and affidavits from victims of, and eyewitnesses to, human rights violations throughout the West Bank, including East Jerusalem. The MDD continuously documents a wide variety of Israeli violations, including comprehensive coverage of killings, house demolitions, curfews, and deportations.

The deteriorating internal situation has made many Palestinians fearful of making statements or signing affidavits detailing violations committed by other Palestinians. However, our field researchers continue to gather information, providing detailed reports to produce a clear picture of the situation. Al-Haq coordinated greatly with Al-Mezan, a partner organisation based in Gaza, to provide a briefing paper of internal violations in the OPT with regard to torture and arbitrary arrests. This shared documentation and joint report is essential to emphasise the continued unity of Gaza and the West Bank, at a time when these two areas are being divided not only by the policies of the Israeli occupation, but also by the internal Palestinian political instability.

In parallel with Al-Haq's national and international advocacy, the MDD also made a contribution beyond its role in Al-Haq through accepting invitations to provide documentation training in Jordan and Yemen to regional Human Rights Defenders, thereby directly contributing to the cause of human rights at a regional level. On the international level, one of Al-Haq's fieldworkers was invited to participate in an international conference sponsored by Front Line, the International Foundation for the Protection of Human Rights Defenders in Ireland. Al-Haq's documentation proved instrumental in case brought before the UK Royal Court of Justice with its affidavits being included as part of the case file.

Numerous requests for Al-Haq's documentation were made by external parties because of the breadth and accuracy that the organization has become known for. Al-Haq also provided documentation training to students participating in the Al-Quds University Human Rights Clinic. Many of these students have gone on to work for local civil society organisations, and Al-Haq has received credible reports of the high quality of their work.

In 2007, Al-Haq's MDD unit has gathered over 600 affidavits from victims and eye-witnesses of human rights violations in the West Bank and Gaza covering both Israeli and Palestinian violations. The MDD continued to provide the backbone for Al-Haq's advocacy at the local and international levels. The unique perspective Al-Haq provides in its interventions, reports and other advocacy work, combining the detailed legal analysis of rights violations and a clear picture of the human consequences, continues to be a credit to the work of the MDD.

As part of Al-Haq's project with Diakonia on IHL Education and Monitoring, Al-Haq held a three-day workshop on theory and techniques in gathering and storing evidence of war crimes and crimes against humanity. Joining Al-Haq staff were field workers from both the Israeli and Palestinian partner organisations, B'tselem, Addameer, Defence for Children International, and the Women's Center for Legal Aid and Counselling. The training, given by two investigators from the Institute for International Criminal Investigations, therefore not only strengthened Al-Haq's documentation, but was an opportunity to foster cooperation in defence of human rights. Al-Haq takes pride in providing its fellow NGOs with capacity building activities that benefit the sector as a whole.

The MDD also saw its staff bolstered by the release from administrative detention of our Bethlehem area fieldworker, and the addition of a female fieldworker in the Salfit area of the West Bank and a fieldworker in Gaza, both hired within the context of the Diakonia IHL project described later in this report. The addition of a female fieldworker greatly strengthens the depth of Al-Haq's work in terms of addressing gender issues, to which we as an organisation remain firmly committed.

II. LEGAL RESEARCH AND ADVOCACY

GOAL 1: INFLUENCE POLICY AT THE NATIONAL AND INTERNATIONAL LEVELS

OBJECTIVES:

1.1 Raise awareness and develop capacity of law enforcement officials concerning individual rights and freedoms in Palestinian districts

Given the important role of law-enforcement officials in upholding the rule of law, maintaining individual and collective security, and protecting personal freedoms, Al-Haq has worked towards raising the awareness of these officials whilst carrying out their duties. This work has been made all the more essential in view of the prevailing instability, a situation in which law enforcement officials are often amongst those who perpetrate serious violations.

As a pilot programme, Al-Haq provided training in human rights standards to law enforcement officials from Salfit district. The purpose was to push law enforcement

officials to respect human rights and their responsibilities under the law as well as to develop the monitoring role played by civil society. Al-Haq has held numerous meetings with Salfit law enforcement officials and provided them, as well as local civil society organisations on a separate basis, with workshops. Promoting further dialogue and understanding between different actors in law enforcement, Al-Haq brought a Palestinian judge to one of the workshops to explain the rights that law enforcement must respect. Officials have repeatedly expressed to Al-Haq how much they have benefited from these workshops but also express their deep frustration with regard to their inability to appropriately carry out their duties due to Israeli restrictions.

The initiative has thus met with great success beginning with the governor of the district pledging not to interfere with the judicial decision making process. The district has also set up a local human rights council to monitor abuses with the help of Al-Haq.

An important part of these activities that must not be overlooked is their proactive nature. While continuing to monitor violations, Al-Haq also provides a basic understanding of human rights and stresses the importance of their implementation. In doing so Al-Haq works both outside the system when necessary, and inside the system when possible to promote effective change and respect for human rights.

The state of emergency declared in the OPT, and subsequent Presidential decrees, have placed great pressure on law enforcement officials without clearly defining their role. This clearly creates an environment where widespread rights violations may occur. Building on past work, Al-Haq immediately and actively sought to remove such ambiguity and ensure respect for the rule of law. Al-Haq was able to sit down with members of law enforcement and explain to them their obligations towards the rights of the population during emergency situation. Officials expressed gratitude for the information provided by Al-Haq that helped to clarify what the emergency situation meant for them.

In the end of the year evaluation, officials noted the impact of the training they received as profound. Officials stated that they began to take into account the training they received, particularly when dealing with prisoners. Another notable impact was the increase in amount of calls from civil society to Al-Haq in order to raise issues concerning violations on the part of law enforcement in the district.

1.2 Increasing the respect by the Three Branches of the Palestinian Authority for the rule of law and independence of the judiciary

Following the escalation of the violence between Hamas (and affiliated groups) and Fatah (and affiliated groups) resulting in the take over of the Gaza Strip by Hamas, Al-Haq quickly mobilised both itself and Palestinian civil society. Al-Haq first issued interventions to the leaders of both Hamas and Fatah addressing the violations committed by both parties. Al-Haq then helped activate a coalition of Palestinian NGOs to monitor developments on the ground, and actively engaged the responsible parties and individuals in the Gaza Strip and the West Bank as a leading member of the coalition. The coalition called upon all parties to respect the rule of law and requested visits to Palestinian prisons to ensure that prisoners taken by both sides were granted the rights and protections guaranteed by law.

This coalition is an example of Al-Haq's open relationship with numerous Palestinian organisations, allowing us to freely share information and ideas for the purpose of achieving common goals rather than simply gaining organisational recognition.

The risks the declaration of a state of emergency posed to the Palestinian population as a whole, was potentially compounded by a thinly veiled attack on the independence of civil society. In light of the declaration of the state of emergency and the subsequent issuing of a string of presidential decrees, Al-Haq published its position on the relevant legal issues arising from this, on 24 June 2007.

A further presidential decree was signed on 6 July 2007 transferring all powers of criminal prosecution from the civil judiciary to the military judiciary, and effectively transforming the situation in the OPT from a civil state of emergency to a military state of emergency. This was a further breach of the Palestinian Basic Law, and posed a serious threat to the civil rights and freedoms of the Palestinian people, as well as to the Palestinian judicial system. Al-Haq's published position papers on the legality of these decrees, and the dangers emanating from them by posting them on our website and delivering them to the relevant authorities

One of the decrees issued required all NGOs to re-register with the new Minister of Interior or risk being shut down, a clear violation of the Law of Charitable Associations and Civil Society Organizations. Al-Haq, working through the Palestinian NGO network, challenged the decree and demanded its cancellation in a letter to the President. This intervention prompted meetings with senior government officials who, when confronted by the legal position articulated by Al-Haq on behalf of PNGO, gave assurances the decree would not be implemented.

Despite these assurances, the Ministry of Interior went ahead with a decision to dissolve 103 organizations. First, Al-Haq responded by issuing an intervention addressing the illegality of the decision, and on a parallel front began working with some the organizations to take legal action through the Palestinian judicial system. In 2007 three cases were taken before the Palestinian High Court by Al-Haq in coordination with other lawyers volunteering their services. All three cases were decided in favor of the organizations represented and their dissolution was reversed. The result of these cases led to internal meetings within the government and the firing of some of those responsible for drafting the law.

Al-Haq, once again in coalition with other NGOs, also challenged a further decree expanding the jurisdiction of Palestinian military courts, circumventing civil courts and providing for serious violations of individual rights. While Al-Haq has addressed these decrees as individual cases, it has also struggled and argued for a broader examination of the trend visible in the passing of such decrees. Most notable is an emerging culture of those in positions of authority, *de facto* or otherwise, acting above the law. Rather than limiting their actions based upon respect for the rule of law both parties are cynically manipulating and interpreting existing laws and the gaps therein to further their political agenda. The rule of law is no longer seen as a restraint on executive power, but an irritation that must be paid lip service to or bend to serve a political purpose. If left unchecked, such a fundamental schism at the core of any authority exercising the functions of government will have grave consequences. Al-Haq has repeatedly stressed this message to numerous diplomatic missions, partner organisations and journalists that have sought Al-Haq's assessment of the situation.

In Gaza, On 11 September 2007, the deposed Prime Minister issued a decision to establish the Higher Justice Council to replace the Higher Judicial Council. Accordingly, the deposed Minister of Justice was tasked with the nomination of six members to sit on the new Council. The establishment of the Higher Justice Council and its entrustment with the duties of the Higher Judicial Council, the latter of which is constituted in accordance with the Law of the Judicial Authority, was a gross violation of both this Law and the Basic Law. The formation of this Council

represented the creation of a judicial body that was not regulated by the Law of the Judicial Authority or the Basic Law. Against the above backdrop, Al-Haq called on the de facto authority in the Gaza Strip to preserve the integrity and impartiality of the Palestinian judiciary calling on the authority to revoke all measures and decisions which adversely impact judicial independence and sovereignty.

While recent developments obviously warrant particular attention, it must be noted that Al-Haq's response fits clearly within a constant of our work at the national level. As the forum through which individual Palestinians can assert their rights and seek justice, the judiciary must remain staunchly independent and be allocated powers commensurate to its responsibilities. It is perhaps testimony to the ever changing work environment imposed by occupation that, at the beginning of the year, Al-Haq was advocating for the independence of the judiciary and seeking to strengthen it and now, less than half a year later, we are advocating for its very survival.

1.3 Integration of international human rights standards into Palestinian legislation

Although the Palestinian Legislative Council (PLC) has been largely paralysed throughout 2007, due to the arrest of Hamas PLC members by Israel and later, the internal political situation, Al-Haq has continued to consolidate its work as a reference point on the human rights aspects of legislation and the legislative process.

While the PLC did not enact legislation, the President stepped into this role through the issuance of Presidential decrees. Al-Haq studied these decrees and provided comments on them in order to address any human rights standards that were not being met.

Early in the year Al-Haq pushed the PLC to address the issue of vigilantism (private individuals taking the law into their own hands) and planned to carry out workshops on the incorporation of human rights standards into national legislation. Unfortunately the later activity was not carried out due to the intervening circumstances mentioned above. While no formal activities have been organised, in pursuit of a longer term strategy of continuity and confidence building, Al-Haq unfailingly supplied individual PLC members with legal analysis of pertinent issues. Al-Haq also, held meetings with civil society coalitions on draft laws that are on the shelf; including family status, the juvenile justice code, and the penal code.

1.4 Implementation of the provisions of the ICJ Advisory Opinion regarding the Annexation Wall

The international Court of Justice Advisory Opinion provides one of the most comprehensive statements on the legality of certain aspects of Israel's occupation of the West Bank, including East Jerusalem, and Gaza, and the application of international law to the OPT. Importantly it clearly lays out the international legal responsibilities of both Israel and the international community. It is therefore an invaluable tool in Al-Haq's work, although it remains largely ignored. Al-Haq's work in relation to the Advisory Opinion attempts to alter this position.

2007 marked the 3rd anniversary of the ICJ Advisory Opinion. The only, notably small, victory of the past three years has been steps towards the creation of a 'register of damages' under the auspices of the UN Secretary General, for the losses

suffered by Palestinians as a result of the construction of the Wall. Taking this minor step Palestinian organisations, in cooperation with international partners, have actively monitored the establishing of the register, sought to address its shortcomings and have set up a working group to monitor developments and coordinate advocacy surrounding the register. Furthermore, Al-Haq is represented on the Palestinian National Committee for the register, mainly providing legal analysis, argument and advocacy on the creation and functioning of the register.

On the 9 July 2007, in commemoration of the 3rd anniversary of the Advisory Opinion, Al-Haq issued an intervention to the UN General Assembly calling upon member states to act where the Security Council has failed. This intervention is significant in that it demonstrates Al-Haq's continual efforts to use all available tools, promote progressive ideas and seek alternatives based in law, rather than simply criticise. The intervention was commended by the Palestinian Campaign for the Academic and Cultural Boycott of Israel, whose 2004 'statement of principles' has been endorsed by nearly sixty Palestinian academic, cultural and other civil society federations, unions, and organisations.

Pursuing effort to use all available tools, and think creatively about the implementation of the Advisory Opinion, Al-Haq noted with interest the suggestion by the UN Special Rapporteur on the Human Rights Situation in the OPT, in his 2007 reports, that a second advisory opinion might be sought in relation to the Palestinian question. Al-Haq has taken a leading role in promoting discussion of this issue amongst selected partners and individuals to assess whether this is a realistic possibility and a worthwhile endeavour. The Human Sciences Research Council in South Africa has taken an interest in this issue and has invited Al-Haq to participate in discussing and providing legal analysis on the issues of Prolonged Occupation, Colonialism, and Apartheid.

As a slight aside, Al-Haq has also sought to use the prominence of both the Wall itself, and the ICJ Advisory Opinion to highlight other trends prevalent in the West Bank, including East Jerusalem. In particular, in the course of its advocacy, Al-Haq has often described the pervasive restrictions imposed on Palestinians seeking to access the Jordan Valley as an 'invisible wall.' This analogy, when observed in parallel to the fact that the pattern of restrictions currently imposed by the Israeli authorities in the Jordan Valley is nearly identical to Israeli practice in East Jerusalem, has been particularly effective in highlighting the urgency of the situation, and the potential impact, especially on the right to self-determination, if the situation is allowed to persist.

1.5 Adherence by the international community to its international legal obligations regarding occupied East Jerusalem

Although East Jerusalem has remained a central issue to Al-Haq's work it did not, figure prominently as an individual area of study. The most significant difficulty surrounding the working on East Jerusalem is the unwillingness of Palestinians to give sworn statements, making documentation to Al-Haq's high professional standard almost impossible. However, Al-Haq has not been totally inactive, sending an open letter to the US Senate Committee on Foreign Relations regarding a Congressional resolution commending Israel on the 40 year anniversary of its "success" in the Six-Day War, as well as its annexation of Jerusalem and recommended moving the US Embassy in Israel to Jerusalem. This letter was forwarded by Human Rights Watch to individual prominent members of the Senate Committee in question. Also, to mark the 40th anniversary of the illegal annexation of East Jerusalem on 28 June 1967 to

Israel, Al-Haq released a detailed overview of the situation, and raised the illegality of the light rail that is currently being constructed to join the East Jerusalem settlements to the Western part of the city.

Al-Haq also issued an open letter to the members of the Quartet regarding a land expropriation order taken On 24 September 2007 by the Israeli military commander of the West Bank targeting occupied Palestinian land to the east of Jerusalem, in the West Bank. The immediate aim of these expropriations is to begin the construction of a road, for Palestinian use, linking the southern, eastern and northern areas of the West Bank. This letter shed light on the underlying aim to provide easier access to illegal Israeli settlements for settlers at the expense of Palestinian property rights, territorial contiguity and ultimately, self-determination.

In addition to addressing governmental representatives on the issue of East Jerusalem, Al-Haq sought additional tools to bring to light the situation in East Jerusalem. Al-Haq issued an intervention to the French corporations Veolia Transport, and Alstom because of their involvement in the construction of the Israeli light rail or tramway project that is planned to link West Jerusalem with the ring of illegal Jewish settlements in the West Bank, including East Jerusalem. Highlighting the strength of Al-Haq's international capacity, the intervention was issued directly to the corporations in French.

Again demonstrating its commitment to openness, sharing of information and developing the Palestinian human rights community, Al-Haq was an instrumental member of a coalition of some 70 NGOs working on the issue of Jerusalem; not only providing training on documentation, but also highlighting the international legal framework that applies in Jerusalem.

GOAL 2: HOLD ACCOUNTABLE PERPETRATORS OF VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW COMMITTED IN THE OPT.

OBJECTIVES:

2.1 Perpetrators and accomplices of crimes committed in the Occupied Palestinian Territory (including Gaza and East Jerusalem) are held accountable before any viable judge, including civil courts.

Al-Haq's work in seeking to individual accountability for specific crimes through the judicial systems of third states is a new element of our strategic plan. This development was born through a commitment to seek justice, not only through monitoring and advocacy, but also through direct legal action. Such an objective requires not only a high standard of evidence, which Al-Haq has worked on developing, but also meticulous efforts in tracking and submitting cases to the Israeli Authorities. While Al-Haq, to say the least, does not place great faith in the Israeli judicial system, it is essential that before a case is taken to a third state jurisdiction local remedies must have been demonstrably exhausted.

Al-Haq has been consistently requesting the Military Advocate General and the Military Legal Advisor to open investigations and to re-assess their strategy in planning military operation in the OPT so as to spare civilians. In some cases our requests have received response and in one occasion our letter led to the opening of

an investigation. The majority of these letters, however, received no responses or dismissal of any possible need for investigation.

Also, a system of monitoring the letters sent and the required follow up has put in place, along with a meticulous filing of each intervention. In parallel to this groundwork, Al-Haq has been exploring potential third-state jurisdictions where an eventual case might be brought. Al-Haq has not limited such enquiries to criminal cases alone, but has also begun to explore the possibility of civil law actions against certain corporations involved in violating international law in the OPT.

The Hebron Rehabilitation Committee has also called upon Al-Haq to provide it with training and legal advice on the potential for bringing a case abroad regarding the closure of Hebron's old city since the beginning of the second intifada.

In 2007, Al Haq has allocated a significant amount of resources to the development and publication of a study documenting the continuing war crime of the Latroun villages in commemoration of the 40th year of Israeli occupation. On 6 June 1967, Israeli military forces entered the three Palestinian villages in what is known as the Latroun salient, namely 'Imwas, Yalo and Beit Nouba. As the Jordanian army had already withdrawn from the area, the Israeli forces met with no resistance and immediately began to expel the residents from their homes. By 7 June 1967, the majority of the residents had fled to Ramallah, where they would take temporary refuge. Unknown to them, however, the Israeli occupation forces had already started to implement their plan to raze the villages to the ground, and 40 years later the villagers remain displaced while Israelis utilize the ground where the villages once stood as a recreational area for rest and relaxation.

This Latroun study was completed in 2007 and will be published in early 2008. It will mark an important case study in the series of studies Al-Haq has published through the years. The study will serve as basis for any future litigation on the villages in Israel or abroad.

Al-Haq has also cooperated in bringing a case before the UK Royal Court of Justice, challenging the UK government on its arms trade policy with Israel. The case of R (Saleh Hasan) v Secretary of State for Trade and Industry went forward following the blanket refusal by the Secretary of State for Trade and Industry to respond to the claimant's request for a justification of UK policy on arms-related sales to Israel. On 10-11 October 2007, the High Court heard arguments in the claim filed by UK Solicitor Phil Shiner of Public Interest Lawyers (PIL), in cooperation with Al-Haq.

The claimant, Saleh Hasan, a 60-year old resident of Bethlehem, is one of tens of thousands of Palestinians who have found no effective remedy for Israel's unlawful acts. In 2005, Israel used military equipment to bulldoze agricultural assets and permanently confiscate his land in order to make way for the Wall. That same year, one year after the ICJ advisory opinion on the Wall, the UK's arms-related exports to Israel saw a two-fold increase.

On 19 November 2007, Mr. Hasan's claim was denied. While the outcome was a disappointment, the process showed the strength of pursuing litigation abroad not only as a means to accountability but also the use of such proceedings to highlight Israeli violations abroad. The feasibility of filing an appeal was being evaluated at the end of 2007. The case provided a great opportunity for Al-Haq to utilize the media both nationally and abroad to highlight its work and Israel's violations. The media component of Al-Haq's work in relation to this case is elaborated on further below in the media coordination section of this report.

It must be noted that, while Mr. Hasan's case did not turn out the way we would have liked, there was a significant impact on the sale of UK arms to Israel after the case was filed. George Conger, a Jerusalem Post Correspondent, wrote in an article on 14 August 2007, "that the British government blocked almost one third of British military exports to Israel in 2007, citing possible threats to regional stability and fears that the equipment might facilitate human rights violations."¹ While Al-Haq cannot claim this as an individual achievement, we feel very strongly that the case helped to highlight the issue to the relevant governmental authorities in the UK.

Al Haq has also submitted, jointly with other organisations, four petitions to the Israeli High Court. One, regarding the village of Al Nu'man, whose residents are facing increasing pressure to leave as a result of Israeli policy, two regarding Israeli attacks in the Gaza Strip during 2004, and a fourth regarding the Israeli decision to cut fuel supplies to the Strip in 2007. Al-Haq has also been very successful in developing a network of partners internationally that can support future litigation abroad.

2.2 Israel is held accountable before the UN for its violations and crimes committed in the OPT

The UN remains an important forum for Al-Haq's international advocacy, where its longstanding work in the OPT and strong legal analysis is a major asset in promoting and end to the occupation and the respect of the fundamental rights of the Palestinian people. Al-Haq's presence at the UN is all the more important as it is one of the few, and often only, voice of Palestinian civil society present.

In addition to continuing to actively engage the UN human rights mechanisms relating to Palestine and rights violations against the Palestinian people, as mentioned in the introduction in 2007 Al-Haq added the further dimension of participating in a discussion of the global value accorded to human rights protection. Al-Haq's maturity in human rights work at the UN was further demonstrated in consulting with various Palestinian partner NGOs on working with UN mechanisms.

Al-Haq participated in the Committee on the Elimination of All Forms of Racial Discrimination (CeeERD) in Geneva. Al-Haq specifically made presentations on three topics in a very limited time. These were: East Jerusalem – Discriminatory Physical and Administrative Measures; Family Unification; and the West Bank Separation Policy. The participation in the CeeERD was also a watershed in that, for the first time, the delegation was composed of both Palestinian and Israeli human rights NGOs.

We have also participated in the last three sessions of the UN Human Rights Council where we have issued written and oral interventions. Al-Haq also organized a parallel event in the second session on the situation after 40 years of occupation. Generally, Al-Haq focuses its advocacy towards the UN specifically regarding Israeli violations in the OPT, but in 2007 Al-Haq took the initiative to address members of the Human Rights Council on the importance of retaining the ability of the council to create country specific mandates. While the mandate regarding the OPT was never in doubt, Al-Haq felt it was important, as a member of the international human rights

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<http://www.jpost.com/servlet/Satellite?cid=1186557440717&pagename=JPost%2FJPArticle%2FShowFull>

community, to stand for the impartial protection of human rights throughout, placing no country outside the scope of criticism, and maintaining the integrity of the council. Al-Haq, along with other Palestinian NGOs, made an oral statement at an informal meeting on the subject, to the member states and received wide recognition in Geneva from organisations such as Human Rights Watch. The statement was also commended by state representatives as a courageous and professional initiative.

In an effort to increase understanding of UN human rights mechanisms, increase the availability of information suited to the mechanisms, and promote their use in monitoring violations, Al-Haq provided a workshop to Palestinian lawyers in cooperation with the Office of the High Commissioner for Human Rights in Ramallah.

Meetings with UN Special Rapporteurs have been a regular occurrence, greatly facilitated by the addition of a new legal researcher dedicated UN advocacy. Al-Haq has met with, or provided material for numerous UN Special Rapporteurs. A specific impact of our work with the Rapporteurs is exemplified in the 2007 report of Martin Scheinin, the Special Rapporteur on the promotion and protection of human rights while countering terrorism. Mr. Scheinin's report to the UN Human Rights Council incorporated much of the material that Al-Haq provided him on his visit to the OPT. Al-Haq also sent one of our fieldworker to testify before the UN Special Committee on Israeli Practices in the OPT.

Al-Haq also met with the International Labor Organization, which is a UN specialized agency, in order to discuss the difficulties facing Palestinian workers, and was cited in the subsequent ILO report.

2.3 Compel third-party states prioritise international law, including international human rights and humanitarian law, in their relations with Israel

Al-Haq released over 30 interventions within the framework of our international advocacy covering topics such as targeted assassinations, abuse of ambulance personnel and the use of Palestinian villages for military training exercises. The diversity of these interventions not only reflects Al-Haq's scope of legal expertise, but also our most important attribute, the ability to identify and effectively advocate against violations of fundamental rights in the OPT. In releasing these interventions, Al-Haq was often joined by partner organisations. Al-Haq considers the importance of providing a unified voice from NGOs in the OPT and regularly calls on them join us in signing on to an intervention rather than submit it only in Al-Haq's name.

One intervention in particular, dealing with joint development projects in the Jordan Valley, received a great deal of attention. Adopting a principled legal position, Al-Haq argued that under international law, third states are prohibited from participating in any act that would aid or assist illegal Israeli practices in the OPT. The Jordan Valley is home to numerous settlements, and is subject to extensive military control that limits Palestinian movement, building and agriculture in violation of international law. Such development projects run a serious risk of further entrenching this system.

As a result of work carried out by Al-Haq in relation to the situation in the Jordan Valley Al-Haq was asked to make a presentation to a group of diplomatic missions, the EU and international aid organisations, (Friday Group) in Jerusalem outlining our concerns. The presentation highlighted Israeli practices in violation of international law in the Jordan Valley, the legal responsibilities of the third-party states in relation

to these violations and what steps could be taken to uphold these obligations. Once again Al-Haq adopted a position of not only criticising, but actively engaging the concerned parties to bring their practice in line with international law, also seeking to outline the longer term implications, particularly in relation to the right of the Palestinian people to self-determination.

Based on our initial presentation to the missions Al-Haq received an open invitation to meet with the group whenever there were issues of concern we wanted to raise. Al-Haq took advantage of this invitation and was granted the opportunity to make a second presentation on the deteriorating situation in Gaza and Israel's attempt to obscure its obligations under international humanitarian law by labelling Gaza an "enemy entity."

The Japanese government, the second largest donor to the OPT and working extensively in the development of the Jordan Valley, expressed particular interest in our work regarding Jordan Valley, sending a delegation to Al-Haq to discuss legal aspects of their projects, as well as inviting us for a field visit. Numerous Japanese journalists also contacted Al-Haq in relation to our release on the Jordan Valley. Al-Haq took advantage of the invitation and sent a delegation to the Jordan Valley in order to see the situation on the ground first hand and meet directly with those involved in the project implementation.

Al-Haq has also developed strong relationships with specific diplomatic missions, allowing us to have a much greater impact on their contribution to the development of policy and practice within their own governments. For example, at the request of the Irish Representative Office, Al-Haq prepared a comprehensive file on targeted assassinations for use in a presentation to the Council of Europe, including statistics, legal analysis, affidavits, interventions to Israeli military authorities and advocacy interventions. Further, after issuing an intervention regarding the extrajudicial killing of a Palestinian man in Ramallah, the Dutch Representative Office brought up the issue with Israeli authorities.

It must however also be noted that Al-Haq regularly hosts parliamentary and EU delegations, for which Al-Haq has become a reference point to convey not only a sense of the overall situation, but also highlighting specific violations and trends based on first hand information. This reputation was further supported by the fact that Al-Haq was called upon by the Portuguese mission to provide it a report on the situation of human rights defenders in the OPT.

The reputation of Al-Haq reaches prestigious international organizations such as the International Commission of Jurists in Geneva (ICJ) as well as academic institutions such as the School of Oriental and African Studies (SOAS) in London. The ICJ called on Al-Haq, as its affiliate in the West Bank, host its Eminent Jurists Panel on Terrorism, Counter-Terrorism and Human Rights and provide presentations and material to the Panel. SOAS has called on Al-Haq to be one of its partner organizations in its Human Rights Clinic.

Al-Haq was also actively involved in the Euro-Mediterranean Human Rights Network (EMHRN) as a member of the executive committee of EMHRN as the Palestinian representative. EMHRN has continuously referenced Al-Haq's work on its website in 2007.

A great success of Al-Haq's continued engagement with third-states, and in this particular instance the EU, was the long awaited release of our fieldworker, Ziyad Hmeidani after 22 months of administrative detention. With the help of partner

organisations, Al-Haq repeatedly engaged diplomatic missions on the ground, as well as in various European capitals to lobby for Ziyad's release. Ultimately Ziyad's case was raised by the EU during an official bi-lateral procedure between Israel and the EU. It was the first time a case of administrative detention has been so raised. We feel that it is only with the active involvement of our partners that the issue of administrative detention, especially for human rights defenders, was able to be raised so frequently and gain the attention of Israeli officials.

III. International Humanitarian Law (IHL) Project

While most of Al-Haq's work is program rather than project based, Al-Haq has a special project with Diakonia on IHL monitoring and education that began in 2004. The project is entirely consistent with Al-Haq's ongoing efforts to help foster a culture where not only are fundamental rights understood, and the violation documented, but the importance of these rights as a tool for advocacy and change is also brought to bear. The project operates at primarily a grass roots level, taking the issue of IHL out of academic theory and political rhetoric, and making it relevant to the lives of Palestinians. Through education, the project will develop Palestinian grassroots and other civil society organisations' understanding of what humanitarian law is, and enables recognition of its violation. Selected trainers will be empowered to raise awareness of IHL in their communities creating a trickle down effect. A Palestinian population better educated in IHL will create a larger knowledge base, facilitating the monitoring of violations and awareness raising within the general public.

As a sign of Al-Haq's commitment to the defence of fundamental principles of international law, even outside the OPT, the IHL project has also included a partner organisation from the occupied Golan Heights, Syria.

IV. Media Coordination

While Al-Haq has been widely covered in the local media, including television, radio and print, up until 2007 our work was largely absent from mainstream international media, although often featured on 'specialist' websites. In 2007 Al-Haq has been cited in The Guardian, the Independent, and the Irish Times,² as well as our reports appearing on the massively viewed electronicintifada.net. Meetings with foreign journalists and appearances on independent national radio stations have become a constant fixture of Al-Haq's work. Al-Haq has also received numerous requests for

² <http://business.timesonline.co.uk/tol/business/law/article1861282.ece>
http://commentisfree.guardian.co.uk/khaled_diab/2007/05/a_better_weapon.html
http://news.independent.co.uk/world/middle_east/article2582180.ece
<http://www.ireland.com/newspaper/world/2007/0531/1180483510224.html>
<http://www.humania.tv/noticias.php?id=17332&fecha=2007/05/30&palabra=Ramallah&tipo=1>
http://www.ft.com/cms/s/7658ab24-0eca-11dc-b444-000b5df10621,dwp_uuid=fc3334c0-2f7a-11da-8b51-00000e2511c8.html
<http://www.imemc.org/article/49332>
<http://www.aljazeera.net/NR/exeres/4FE0A49D-3F10-488C-86AE-5B1F00982109.htm>

interviews and participation in documentary films regarding the occupation and its impact after 40 years.

Al-Haq has also been more proactive in reaching the media in 2007. This is most clearly visible in the media coverage of the Saleh Hasan case in the UK. Al-Haq organized two press conferences, one in Ramallah and one in London. Both were very well attended resulting in media coverage ranging from the BBC to Al Jazeera through both print and televised news mediums. Through coordination with organizations in London, we were also able to arrange a meeting with other UK lawyers as well as organize a demonstration outside of the Court.

This increased coverage can be attributed to both Al-Haq's technical efforts in securing greater coverage, through constantly expanding our mailing list, and our new website in English, and importantly for recent developments, Arabic; as well as the recognition of the value of Al-Haq's sustained, structured and principled advocacy.

Currently our mailing list has reached over 1300, providing an extended network for our advocacy activities. The mailing list is one of primary sources of feedback. The following is an excerpt from one of our recipients:

Just to say thank you for the press releases. They continue to be extremely useful for us working our end. This week Minister Kim Howells came and met with the All-Party Britain-Palestine group and what came up again and again is the issue of human rights abuses. It is extremely helpful to us to be able to refer to reliably sourced and detailed information from a Palestinian human rights organisation.

Constantly seeking new ways to highlight the rights abuses suffered by the Palestinian people, and address not only the immediate cause of these violations, but also their genesis and future implications, Al-Haq is producing its second documentary. This documentary will address the continuing crime of the destruction of the Latroun villages in 1967, with Al-Haq's activities commemorating 40 years of occupation.

While our overall media coverage has improved, a clear failure in terms of Al-Haq's work in 2007 has been issuing quarterly newsletters publicising the work of the organisation. In large part this failure has been the strain placed on other areas of Al-Haq's work, and in particular a number of staff members not being able to meet the deadlines for submitting documents for the newsletter.

V. Publications

In addition to our regular release of interventions and press releases, we have also released more detailed studies on particular issues this year, which include:

1. Al Nu'man case study
2. Prisoner's rights pamphlet
3. Ramallah Raid position paper
4. Latroun Study

VI. Library

Al-Haq's library continues to expand and develop as a centre for legal and academic research. In 2007, Al-Haq acquired over 200 new titles for its library. In addition to being a valuable resource for Al-Haq's own staff, we have also received over 300 visitors ranging from university students to legal researchers. To promote use of our library, and make it more accessible to interested individuals and groups, Al-Haq has nearly completed establishing an online searchable catalogue of all the library publications, in English and Arabic.

VII. Administrative

Administratively, Al-Haq has made great improvements in technological capacity and staff development in 2007. Al-Haq has completed the acquisition and installation of a new server which allows for increased efficiency and security of Al-Haq operations. A new security system with required ID entry has also been installed following the developments in Gaza.

Al-Haq has continued to develop its staff capacity in 2007 with various workshops and other activities for administrative, research, and documentation staff. Through the IHL Project, Al-Haq provided an advanced documentation standards workshop for our field workers resulting in a noticeable improvement in Al-Haq's field research and the breadth and scope of our documentation.

The work environment in Al-Haq continues to be energetic and positive. The operation of the organization is not just overseen by the general director, but collectively by the entire Al-Haq team, with a special executive committee made up of all department heads.

In 2007 three staff members left Al-Haq to pursue other career opportunities; one in the ICTY, one with the UN in Nepal, and another to return home to work in Ireland. An additional legal researcher, focusing on UN advocacy, has been added to the team through our relationship with United Nations Association for International Service (UNAIS). Additionally, as already noted we have added a female field researcher and a field researcher in Gaza as part of our IHL project.

Al-Haq has also provided seven hours of stress management for MDD staff to help them cope with the rigors of their work. Additionally, Al-Haq has held numerous field visits for its legal research team in order to develop their understanding of the situation on the ground, enhancing their writing and advocacy.

Al-Haq's internship program continued to be very active in 2007. Interns in Al-Haq are treated as a part of the team and incorporated immediately into the organization. Al-Haq seeks to give as much as it receives from its interns in order for them to have a memorable experience and serve as ambassadors for the organization in the future. The organization hosted 8 interns throughout the year adding to our capacity and building relationships that will extend into the future. Interns continued to support Al-Haq by undertaking legal research, regularly drafting interventions, press releases, short memos, as well as monitoring the English-language press, and editing affidavits translated into English. Al-Haq also hosted a Canadian professor of human rights who will spend time with Al-Haq while on sabbatical from teaching at Carleton University in Ottawa.

Understanding the multilingual nature of Al-Haq's work, we have developed Arabic language courses for our English speaking staff and English language courses for our Arabic speaking staff. These courses have received a very good response from our staff. Our Arabic website continues to be developed, but due to the heavy workload of our translator and media coordinator we have fallen behind schedule in this area.

Al-Haq prides itself on the diversity of its staff. The staff consists of personnel covering numerous nationalities, both Muslim and Christian. Females make up 50% of our staff, including three legal researchers, a field researcher and the heads of two of three of Al-Haq's departments. Al-Haq works to ensure equal protection of all people and starts at home by ensuring equal treatment for its entire staff.

Finally, in an additional effort to ensure the health and well being of our staff, Al-Haq's office is now a smoke free facility.

VII. Concluding Remarks

Al-Haq's approach has always been one of viewing the organisation as greater than the sum of its individual parts. Al-Haq is an institution dedicated to the defence of the fundamental legal rights of Palestinians, and not a cult of personality nor a means to attract funding. The organisation enjoys steady independence from its board of directors allowing it a free hand to select the most effective means of carrying out its work. These characteristics of Al-Haq are vital to its success in the current climate. 40 years of occupation, the isolation of an openly and democratically elected government and the ever diminishing prospect of effective self-determination for the Palestinian people, have caused many to question the human rights movement in Palestine. Human rights NGOs, with their ample funding and intellectualised ideas, are becoming detached from the constituency it attempts to serve. Al-Haq's effort in 2007 have sought to counter this trend; organising trainings in the field, where costs can be minimised and direct benefits increased, taking only such funding as is required to carry out our work and emphasising cooperation towards the achievement of common goals.

From an overall observation of Al-Haq's work in 2007, two broad aspects are particularly worthy of note. The first is Al-Haq's efforts to not only foster a strong culture of respect for human rights and international humanitarian law, but also to provide a model of co-operation, information sharing and networking amongst Palestinian and Israeli NGOs. Second has been the relentless dedication, in all of our international advocacy, whether before the UN, EU, diplomatic missions or general public, to the message that international law must be the basis of any political solution and not merely a bargaining chip that can be cast aside for the sake of political expediency. Al-Haq has continued to address the violations committed through the Israeli occupation from this perspective, while responding to a greater need to engage in those committed by Palestinians on the same basis.

The current political instability was not entirely unexpected and Al-Haq took this risk into consideration at the beginning of the year, which allowed for a stronger ability to adapt our efforts. Al-Haq is increasingly sought after to take a key role in terms of providing legal analysis to various Palestinian civil society initiatives, as well as a reference point for international stakeholders. Internal challenges are expected to be of growing concern for the rest of the year, but we must not lose sight of the core issue, which is the occupation. Al-Haq will continue to work tirelessly in the promotion of the rule of law and the remedying of violations in the OPT, regardless of where these violations may arise.