

Al-Haq

2008 Narrative Report

Introduction

Al-Haq's work in 2008 ended similarly to the way it began, with a focus on the Israeli occupation's violations in the Gaza Strip. Unfortunately, the situation in Gaza only deteriorated throughout the year with the culmination being marked by an unprecedented assault on the civilian population in Gaza causing the deaths of hundreds of Palestinian civilians and the massive destruction of civilian infrastructure.

2008 has been marked with increasing despair in Gaza, new successes with regard to the Palestinian Authority, and compounded frustration with the Israeli occupation. Al-Haq's activities in 2008 were very broad ranging and offered significant development to Al-Haq's role in Palestinian civil society, regionally, and internationally. 2008 has also marked a period of strengthened cooperation with Israeli human rights organizations and an increase in dialogue on a genuine level rarely seen before. Al-Haq's role at the regional level has been rejuvenated due in large part to the ability of our senior legal researcher finally being issued a Palestinian ID providing Al-Haq with the ability to participate actively in regional meetings on issues such as torture and the death penalty. Al-Haq has also had to deal with the difficulty of addressing frustration on the ground as to the value of human rights and confronting this frustration in a realistic way.

2008 marked 60 years of the Palestinian "Nakba," the "catastrophe" that led to the forcible transfer of more than half of the population of Historic Palestine. The year has also been a period of renewed catastrophe for the civilian population of Gaza which started the year in darkness because of the severe and illegal sanctions imposed on the Strip by the Israeli occupation as a form of collective punishment. In the West Bank, the Israeli occupation continues to strangle the Palestinian population with the continued construction of the annexation Wall and settlements paralleled with regular incursions for arrests and house demolitions. A new policy of attacking civil society organizations has also emerged further eroding any hope for peace as well as diminishing the respect for the Palestinian Authority.

With a freeze in the activity of the Palestinian Legislative Council, new laws have been developed through the office of the President creating new challenges for Al-Haq's role in ensuring respect for human rights standards and the rule of law by those creating the laws as well as those enforcing them.

From a national advocacy standpoint Al-Haq has seen its most tangible impacts through its activities focusing on the Palestinian Authority as well as other Palestinian civil society organizations. Al-Haq's role in Palestinian civil society has been reinforced in 2008 through the firmness with which it has challenged actions of the Palestinian Authority garnering respect from fellow organizations as well as the PA itself. Al-Haq has played a genuine role in defending fellow civil society organizations, taking cases on their behalf and developing the relationship with interior ministry as a result of these cases, where Al-Haq has been requested to provide training for representatives of the ministry on the Palestinian NGO Law and how to interpret it.

Al-Haq has also had significant impact on violations within the PA and other Palestinian factions with widely referenced reports on torture and the independence of the Judiciary in 2008.

Internationally, Al-Haq's role as a focal point of information for visiting delegations continued to develop with almost weekly requests for visits. The issue of litigation abroad has also gained momentum since last years case before the UK Royal Court of Justice with involvement in litigation in Canada and Switzerland. Al-Haq has also developed as the leading Palestinian NGO in relation with the UN, participating in the selection of the new Special Rapportuer for the OPT as well as training other NGOs on the new Universal Periodic Review (UPR) mechanism. Al-Haq also submitted reports utilizing UN special mechanisms procedure under both the UPR and Committee Against Torture (CAT).

Al-Haq has also organized a speaking tour in Canada and increased its advocacy work in Europe through the Euro-Mediterranean Human Rights Network. Our international advocacy has been limited, however, due to external restraints. First, our General Director continues to be banned from travel by the Israeli occupying authorities. Secondly, our head of legal research was denied a visa extension forcing him to end his tenure at Al-Haq. Despite these constraints, Al-Haq is on pace to meet or exceed its goals for 2008 thanks to team work, strong dedication, and a unique spirit found in Al-Haq's staff.

Al-Haq's Goals for 2008

- 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 and Gaza. The MDD continuously documents a wide variety of Israeli violations, including comprehensive coverage of killings, house demolitions, curfews, and deportations.

In 2008, Al-Haq's MDD unit has gathered nearly 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.

Our field researchers in Gaza deserve special recognition for their role throughout the year, but particularly in the end of 2008 when they risked their lives at times to gather information fulfilling their duties admirably under constant threat.

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

In 2008, Al-Haq was forced to shift its activities regarding law enforcement due to the increasing violations of the PA preventive security. Dealing with these new developments effectively demonstrated Al-Haq's strength and flexibility.

First, was the issue of torture. This was an issue we were monitoring closely, but it became more profound with the death of a Palestinian in custody. On the evening of Friday 22 February 2008, Majd Abdel Aziz Barghouti, aged 44, died after having been detained by the Palestinian General Intelligence Service (GIS) from 14 February 2008.

Al-Haq's investigations into the condition of detention and subsequent death of Mr. Barghouti show that members of the GIS ignored or disregarded the rules pertaining to the treatment of detainees. Additionally, the detainees were treated in a degrading and inhuman manner. It emerged that the Palestinian Attorney-General failed to exercise his legal duty to monitor detention centres, and in particular the application of the terms provided by law for custody before trial.

Al-Haq called on the Monitoring and Public Freedoms Committee of the Palestinian Legislative Council (PLC) to:

- 1- Immediately open an investigation into the conditions of arrest and detention of individuals by members of the Palestinian security authorities.
- 2- Implement an efficient monitoring system of the detention centres, which will be placed under the supervision of the PLC to ensure that the officers abide by the rules of procedure and human rights standards, in particular the time limits for detention prior to trial.
- 3- Investigate the reasons behind the inaction of the Attorney-General in adequately monitoring the detention centres of the GIS and the Preventive Security Forces, and the negligence in addressing the Office of Prosecutor when powers pertaining to its office have been abusively exercised by unauthorized officials.

On 3 April 2008, an *ad hoc* PLC Committee that was formed to investigate the death of Majd Abdel Aziz Barghouti released its findings, which confirmed Al-Haq's initial concerns.

Al-Haq fully endorsed the findings and recommendations of the Committee and called on the relevant authorities to immediately act upon the Committee's report. Al-Haq has been invited to visit detention facilities as a result of these findings and will continue to monitor developments.

Al-Haq issued a report on torture by PA and Gaza security branches in order to further raise awareness of the issue and put further pressure on the parties to ensure proper treatment of detainees. The report titled, "***Torturing Each Other: The Widespread Practices of Arbitrary Detention and Torture in the Palestinian Territory***" documents and analyses arbitrary arrests, acts of torture and other cruel, inhuman or degrading treatment or punishment against individuals in the West Bank and Gaza Strip by various Palestinian security or military agencies and personnel. These illegal practices have had a horrific physical and psychological effect on hundreds of Palestinian citizens and the society at large.

Al-Haq found that the use of torture is driven primarily by political interests within the fractured political context of the OPT, and most often as a form of revenge against perceived political enemies. In the past year alone, Al-Haq has taken more than 150 sworn statements and documented over 2000 arrests in the Gaza Strip and the West Bank. This documentation confirmed that the use of torture and ill-treatment against detainees has clearly become a widespread trend. And while there are some discrepancies between the intensity and rate of these practices in different areas, this trend prevails throughout the entire OPT.

In the immediate aftermath of the creation of the de facto Hamas authority in the Gaza Strip, when political tension was most severe and peace most fragile, virtually all security groups in the West Bank shared in arresting, and then using torture or ill-treatment against, Hamas-affiliated targets. Although after the first three months many of these groups stopped these practices, torture, ill-treatment and arbitrary arrests continued to be used by the General Intelligence Service and the Preventative Security Force. Meanwhile, in the Gaza Strip, the Executive Force and the Hamas-affiliated Izz-al-Din al-Qassam Brigades were using similar tactics against Fateh targets. The practices have been vicious and inhuman, even leading to the deaths of at least three detainees in the Gaza Strip and one in the West Bank. As Al-Haq reports in detail, they are all in violation of Palestinian law, human rights law and the basic standards of humanity as embodied in international law.

This widespread use of torture to terrorize, extract information from, and intimidate perceived political enemies within the OPT decreased in intensity by the end of 2007 and early 2008, but it still continues today. New trends have included an increase in psychological torture, an increase in arbitrary arrests, and arrests and detention carried out in violation of the Palestinian Basic Law and penal procedural laws. And while government officials have pledged to bring the security forces into line with the law and punish those responsible, the reality on the ground remains bleak. By not taking action against the perpetrators, and in the absence of legitimate and sustained monitoring – internally and externally – of their security forces, these officials are encouraging these illegal practices.

With this report, Al-Haq highlights and exposes this horrifying and blatantly illegal trend, and to bring to light an aspect of Palestinian life that is spreading fear amongst the population and undermining the legitimacy of the authorities throughout the OPT. Most importantly, Al-Haq calls upon the respective Palestinian authorities in the West Bank and the Gaza Strip to put an end to arbitrary arrests, torture and ill-treatment of detainees and to punish those responsible.

Al-Haq's credibility played a strong role in ensuring wide spread coverage increasing the pressure on the perpetrators to cease the activities with reference in media outlets world wide.

In addition to the issue of torture, Al-Haq has confronted multiple cases of illegal detention by PA preventive security. In some incidents, Al-Haq was able to intervene and have those that were detained released through interventions to the PA Attorney General. Through Al-Haq's investigation, it became clear that the security personnel were relying on a previously cancelled presidential decree and the military judiciary was being used to implement and extend these detentions in violation of the Palestinian basic law. Upon Al-Haq's intervention, we were assured that these violations would not continue. Al-Haq will continue to monitor the implementation of these assurances and intervene as necessary. Al-Haq has also visited two detention facilities in 2008.

Additionally, a new trend began to emerge, that of preventive security entering Palestinian NGOs and seeking information on employees and board members. This is clear violation of the Palestinian NGO law. Al-Haq was immediately contacted by these NGOs and instructed them not to comply with these requests. Al-Haq will continue to monitor these developments.

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

Al-Haq's role in ensuring compliance with the rule of law and independence of the judiciary has been very active in 2008. The year began with continuation of judicial challenges regarding the closure of Palestinian NGOs by the Ministry of Interior. In 2007 the ministry ordered the closure of 103 NGOs and charitable institutions in violation of the Palestinian Basic and NGO laws. Al-Haq successfully challenged the closure of three organizations in 2007 and in 2008 continued with another successful challenge. As a result of these successful challenges, the minister withdrew his orders to close these organizations acknowledging the error of the ministry in their closures.

These successful challenges and subsequent withdrawal of the orders to close the organizations not only reinforced Al-Haq's role in ensuring compliance with the rule of law but also strengthened the role of Palestinian judiciary by providing it an important opportunity to establish its independence and ability to disagree with actions of other branches of government. This helped to also place more faith in the judiciary on the part of Palestinian society. As a result of these successes, many other organizations expressed regret that they had not come to Al-Haq to challenge their closure, while others asked Al-Haq to provide training on the NGO Law for them.

In 2008, Al-Haq challenged the increased exercise of jurisdiction by the military judiciary over civilians. Al-Haq registered an alarming increase in arrest warrants issued by the military judiciary against civilians, and the subsequent detention of these civilians by Palestinian security forces. Palestinian security forces are totally disregarding any attempt made by the civil judiciary to exercise any form of control over their actions, capitalizing on the unconditional support provided by the military judiciary to their misconduct. In particular, the fact that the military judiciary does not require the security forces to give written justification for arrest, detention and extension of detention of civilians, amounts to *de facto* endorsement of their illegal conduct.

Subjecting civilians to military jurisdiction severely infringes upon the fundamental rights of Palestinians and the rule of law as set forth in the Palestinian Basic Law, as they should be brought before the civil judiciary. Article 101(2) states that "military courts shall be established by special laws. Such courts may not have any jurisdiction beyond military affairs." Article 6 provides: "the principle of the rule of law shall be the basis of government in Palestine. All governmental powers, agencies, institutions and individuals shall be subject to the law."

The extension of military jurisdiction over civilians severely impairs the principle of judicial independence, as provided by Article 97 of Palestinian Basic Law: "the judicial authority shall be independent and shall be exercised by the courts at different types and levels. The law shall determine the way they are constituted as well as their jurisdiction. They shall issue their rulings in accordance with the law..." The lack of effective oversight by the civil judiciary of these illegal practices gravely impacts upon their credibility and amounts to complicity. Detaining and trying civilians under such circumstances constitutes arbitrary detention, which is prohibited under Article 32 of Palestinian Basic Law.

Under Palestinian law, the victims of these abuses of power have the right to an effective remedy under criminal and civil law, namely to see those criminally responsible brought to justice and to receive adequate compensation.

Al-Haq denounced the negligence of the Palestinian Executive and Judicial authorities in putting an end to such illegal practices and holding accountable those responsible for the above violations. Al-Haq expressed its concern over the widespread application of military jurisdiction over civilians, which might lead towards an authoritarian regime, at the expenses of the fundamental rights and freedoms of Palestinians, the rule of law and the independency of the judiciary and made the following calls:

1. The President of the PNA:

- to unequivocally repeal the Presidential Decree on Military Justice in order to reinstate the exclusive application of civil jurisdiction over civilians, and to put an end to the illegal exercise of jurisdiction by the military judiciary.
- as the Commander in Chief of the Palestinian Security Forces, must hold accountable the Military Judiciary and the Military Attorney General for their infringements upon the Basic Law, in relation to the illegal application of military jurisdiction to civilians.

2. The Palestinian Bar Association:

- to proactively defend the principle of the rule of law and independence of the judiciary.

- to initiate judicial proceeding on behalf of victims, to restore the legitimate implementation of Palestinian law in the OPT.

3. International organisations concerned with the independence of judicial systems:

- to pressure the Palestinian Executive to take actions to protect the independence of the Palestinian civil judiciary.

4. The United Nations Working Group on Arbitrary Detention:

- to address, within its mandate, cases of arbitrary detention in the areas under PNA civil control in order to confront this dangerous trend.

Al-Haq is also actively involved in a project in cooperation with Birziet University and Windsor University Canada on developing the dignity of the judiciary. The organization has been involved in activities and provided input towards the development of this project.

In further enforcement of Al-Haq's reputation in Palestinian civil society, the Palestinian Trade Unions challenging the PNA's decision to punish striking teachers and other public employees by reducing their pay called upon Al-Haq along with Mussawa to assist them in their challenge. Al-Haq also organized a press conference with the Independent Commission for Human Rights (ICHR) to jointly confront threats faced by ICHR from militant groups.

Also, the EU coordinating offices for Palestinian police support (EUCOPPS) met with Al-Haq in order to hear our suggestions on issues of judicial and legal reform.

1.3 Integration of international human rights standards into Palestinian legislation

The role of Al-Haq in ensuring that Palestinian legislation meets international human rights standards has been reinvigorated in 2008 despite the halt in activity by the Palestinian Legislative Council. This is due in fact to the attempts by the President's office to push through new legislation using presidential powers. Al-Haq has led the initiative to counter this effort by intervening to the President's office and requesting that such efforts not continue without the input of Palestinian civil society. In this regard, Al-Haq has met with the President and Prime Minister. Al-Haq's request was met positively and Al-Haq along with other members of civil society have been provided with drafts of the pending legislation for review and comments.

Al-Haq has been actively engaged in numerous drafts of legislation including the penal code, procedural law, personal status and family laws. The organization has hosted numerous roundtable discussions with other civil society organizations to provide the opportunity for a collective push of incorporation of civil society input into any legislation prior to its issuance.

In 2008 Al-Haq, in coordination with the Palestinian Coalition Against the Death Penalty, held the first ever Palestinian Conference against the Death Penalty. The Conference was very well attended and broadly covered by the media. It was meant to provide a venue for advancement of the discourse that Al-Haq has been pushing for over the past few years in an attempt to eliminate the death penalty from Palestinian criminal legislation.

Al-Haq has also developed its regional activity in order to further the development of regional issues, such as the death penalty. For example, Al-Haq attended a conference in Alexandria, Egypt where Al-Haq played a strong role in the final draft of the statement from the conference and received acknowledgement from both Arab and European representatives. This regional role will continue to develop, as Al-Haq has been invited to participate in an initiative through the Arab League on documentation on war crimes in the OPT.

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.

In 2008 Al-Haq began a new initiative of taking visiting delegations on tours of the Wall in order to give them a first hand account of the magnitude of the impact it has on Palestinian lives. The tours, accompanied by legal researchers, have been very well received, and in one instance, a British Parliamentary delegation promised to raise issues they have seen on the Parliament floor.

Al-Haq has also been actively involved in the development of the UN 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. Al-Haq is represented on the Palestinian National Committee for the register, mainly providing legal analysis, argument and advocacy on the functioning of the register. Al-Haq met with the director of the register in 2008 and provided important comments on the first draft of the claim form.

Pursing 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.

The international community has identified three regimes as inimical to human rights - colonialism, apartheid and foreign occupation. Israel is clearly in military occupation of the OPT. At the same time, elements of the occupation constitute forms of colonialism and of apartheid, which are contrary to international law. What are the legal consequences of a regime of prolonged occupation with features of colonialism and apartheid for the occupied people, the occupying Power and third States? It is suggested that this question might appropriately be put to the International Court of Justice for a further advisory opinion.¹

Al-Haq took 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

¹ A/HRC/4/17, 29 January 2007, 3.

endeavor. The Human Sciences Research Council (HSRC) in South Africa also took an interest in this issue and invited Al-Haq to participate in discussing and providing legal analysis on the issues of Prolonged Occupation, Colonialism, and Apartheid. As a result, Al-Haq along with the HSRC and other leading scholars and organizations spent much of 2008 drafting a report which considers whether the UN General Assembly has grounds for requesting the International Court to issue an advisory opinion on whether Israel's conduct of its occupation of the Occupied Palestinian territories is unlawful on grounds of colonialism or apartheid, and, if so, with what implications for the international community. The International Court of Justice ruled upon similar issues in the case of South Africa's occupation of Namibia and has recently dealt with some specific aspects of Israel's practices as an occupying power in its advisory opinion, *Legal consequences of the construction of a wall in Occupied Palestinian Territory*.

Occupation in itself is not an unlawful situation. It is acknowledged and accepted as a natural and inevitable consequence of armed conflict. However, international humanitarian law, as set forth in both the Hague Regulations and the Geneva Conventions, presupposed that occupation is a temporary state of affairs that will naturally draw to a close after the cessation of hostilities, or at the latest upon the conclusion of a peace agreement. Any other outcome is precluded by the norms of international law which prohibit the annexation or acquisition of territory as a result of the use of force.

The legal nature of an occupation that has lasted four decades therefore must come into question and call for review about the intentions of the Occupying Power. Dugard's comments provided an impetus to engage in a more holistic legal approach, which aims to assess the cumulative effect of four decades of belligerent occupation by Israel. In particular, the study examines this situation through the lens of three specific elements of international law — the prohibitions of annexation, colonialism, and apartheid — in order to ascertain whether the occupation as such is unlawful on these grounds. The report is due to be released in 2009.

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

In marking the 41st year of Israel's occupation Al-Haq called on the international community to take immediate and concrete action in response to Israel's continued policy of settlement expansion in the Occupied Palestinian Territory (OPT). Al-Haq stressed that Palestinian self-determination, the prerequisite to a just and lasting peace, cannot be meaningfully realized without the removal of the settlements. Instead of removing them, however, the Israeli government has consistently expanded settlements, despite repeated guarantees during peace negotiations to, at a minimum, freeze settlement construction. The most recent promise to stop construction was made by Ehud Olmert in the wake of the Annapolis Conference in November 2007. Notwithstanding this promise, a further 1,920 new housing units have been approved in East Jerusalem.

Al-Haq called upon UN member States to use the powers granted to the General Assembly under the 'Uniting for Peace' resolution to reconvene the 10th Emergency Special Session under agenda item five (Illegal Israeli actions in Occupied East Jerusalem and the rest of the OPT). Israel must be subjected to the full weight of

collective measures, including diplomatic and economic sanctions, until the settlements are removed from the OPT, including East Jerusalem, the occupation is ended and the right of the Palestinian people to self-determination is meaningfully exercised.

In order to highlight the problems with regard to housing rights in East Jerusalem a two-day workshop was presented by the Centre on Housing Rights and Evictions (COHRE) and Al-Haq in Ramallah. The workshop included participants from both international and local organisations interested in addressing the deteriorating housing situation in the Occupied Palestinian Territory (OPT).

The principal objective of the workshop was to bring together NGOs and other organisations or individuals working on human rights and/or housing issues, to understand the relevance of the human right to adequate housing to their work; and to develop an understanding of the standards, enforcement strategies and mechanisms that are necessary to implement this right in the context of their work.

Thousands of Palestinian houses have been demolished since the beginning of the Israeli occupation in 1967. House demolitions are a policy tool used to maintain and expand illegal Israeli settlements, the Annexation Wall and their associated regimes.

Further, house demolition is a policy employed during military operations where there are no grounds of military necessity, and as a punitive measure against individuals who are alleged to have committed a crime but who have not been tried for the alleged crime. In the latter case, it is usually the families of these individuals who suffer. Palestinian houses also continue to be demolished on the basis that they have been built without the necessary Israeli building permit, which is nearly impossible to obtain.

The consequences of these policies have become increasingly visible in occupied East Jerusalem. Since the Annapolis Conference was held in November 2007, Israeli occupying forces have demolished dozens of homes in East Jerusalem under the pretext of lack of building permits, while during the same period plans for thousands of additional settlement housing units have been approved.

Palestinians are slowly being expelled from Jerusalem under the eyes of the international community. These measures taken by the Israeli occupying forces constitute a sustained, systematic and flagrant breach of Israel's obligations under international human rights and humanitarian law, including the International Covenant on Economic, Social, and Cultural Rights and the Fourth Geneva Convention.

Following an engaging two days of discussion, COHRE, Al-Haq, and the other participants decided to work toward a concerted campaign addressing the Israeli occupation policies that prevent Palestinians from enjoying their right to adequate housing, which in some cases amounts to cruel, inhuman or degrading treatment or punishment under Article 16 of the Convention Against Torture, particularly the ongoing policy of house demolition in East Jerusalem, as well as seek to hold those responsible accountable for their actions.

Al-Haq is also actively involved in the Jerusalem coalition by providing support through legal analysis and strategy.

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 has continued to develop in 2008. 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, 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 also 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.

It must be noted that individual accountability is a long and daunting process that requires a combination of evidence and opportunity. That is why, in parallel with our work on individual accountability, Al-Haq has been exploring different methods of accountability.

In 2008, Al-Haq has been developing its cooperation with an organization in Geneva for the purpose of pursuing legal action against a private corporation whose products are used for human rights violations in the OPT. This has involved a planning and strategizing session in Geneva as well as the involvement of the International Commission of Jurists. In preparation for this potential case, Al-Haq has placed great importance in the development of case files and meetings with victims to explain to them the potential benefits and costs of such a case. Our hope is that this case will proceed in late 2008.

The legal expertise of Al-Haq has also been called upon by the Bil'in Village Council in its case before the Superior Court of Quebec against Green Park International Inc. and Green Mount International Inc. The defendants are Canadian corporations registered in the Province of Quebec who have been involved in constructing, marketing and selling residential units in the illegal Jewish-Israeli settlement of Modi'in Illit in the occupied West Bank, on the land of the village of Bil'in.

Al-Haq conducted a two-week speaking tour in Canada to coincide with the case. In keeping with Al-Haq's work on universal jurisdiction and accountability of individual,

State, and non-State actors, an integral element of the speaking tour focused on Canada as a forum for holding perpetrators, and their accomplices, of crimes and violations of international law against Palestinians in the OPT accountable. To this end, Al-Haq met with a number of actors working in this field. We also organised public events to discuss the case Al-Haq is involved in Quebec regarding settlement construction by two Canadian companies, Green Park International Inc. and Green Mount International Inc., on appropriated land belonging to the West Bank village of Bil'in.

Furthermore, the speaking tour allowed for numerous screenings of Al-Haq's documentary film, *Memory of the Cactus*, in various venues such as universities, as well as the Toronto-Palestine Film Festival.

Also, the appeal in the UK case of *Saleh Hasan v Secretary of State and Industry*, heard on 21-22 October 2008 in the Court of Appeal, was dismissed on 25 November 2008. To correspond with the appeal, Al-Haq held three speaking engagements along with Public Interest Lawyers and the claimant, Mr. Saleh Hasan, at the London School of Economics, School of Oriental and African Studies (SOAS), as well as a meeting at the Garden Court Chambers in London. The engagements provided us an opportunity to raise awareness of the involvement of the UK in the occupation and the responsibilities it has as a state.

In November 2007, the UK High Court of Justice initially denied the claim of Mr. Saleh Hasan, filed by Public Interest Lawyers (PIL) in cooperation with Al-Haq, requesting the UK government to clarify its position on its arms-related licensing agreements with Israel. In particular, the claim sought to require the UK government to reveal how it satisfies its own criteria that material sold under these agreements is not used in the commission of human rights abuses in the OPT.

In his written judgment, Mr. Justice Collins found that while the UK government could provide the information requested, it would involve a "considerable amount of work" and that through the Quadripartite Committee, the UK Parliament already exercised a sufficient level of oversight of arms-export licensing, making the claim unnecessary. The High Court therefore dismissed the claim. The Court of Appeal, however, found there to be strategic questions with regard to the High Court's dismissal of the claim and granted an appeal on 11 February 2008.

The PIL position advocated throughout the course of the appeal, argued that the State has a public interest obligation under UK law to provide evidence demonstrating how licence applications are assessed in terms of their compliance with relevant human rights criteria. The court, however, determined that:

"the subject matter is generally sensitive, such that unguarded publication is likely to be on occasions damaging. Parliamentary scrutiny, with a possibility of receiving information in closed session, is thus to be seen as preferable."

Al-Haq expressed its concern that such political considerations have triumphed over principled issues of law, and have undermined the importance of the common law obligation to disclose information in the public interest, particularly where it may pertain to the violation of Palestinian human rights.

Despite the dismissal of the appeal, PIL was of the view that public law in the UK must accept that in these exceptional public interest contexts a decision-maker should be required to give evidence of compliance with human rights guidelines, even if no particular individual may appear to be directly affected by the decision in question. Accordingly, PIL, with the full support and cooperation of Al-Haq and Mr. Saleh Hasan have decided that *Saleh Hasan v Secretary of State and Industry* is an appropriate case to take before the House of Lords, the supreme court of appeal in the UK.

In January 2008, the Israeli High Court of Justice rejected the petition filed by Israeli and Palestinian human rights organizations regarding the cutting of fuel and electricity supplies to Gaza. In a vague statement in the ruling, arguably setting a judicial precedent, the HCJ declared an end to Israel's "effective control" of the Gaza Strip and thus the end of Israel's occupation of the Gaza Strip. As a result of this conclusion and an incomplete and erroneous factual analysis of the impact of the cuts in fuel and the then proposed cuts in electricity, the HCJ then declared that the implementation of reductions in fuel and electricity supplies to the resource dependent Gaza Strip, were lawful according to Israel's "humanitarian" obligations under international law.

Based on this decision, Israeli and Palestinian human rights organizations, for the first time, sat down together to genuinely discuss a joint strategy for dealing with the Israeli High Court. Al-Haq hosted a meeting between all organizations involved in the case where a genuine discussion arose on how we can work together to overcome the lack of justice offered by the HCJ. Among the ideas discussed was a short and prolonged boycott as well as using the failure of the court to deliver justice as an advocacy tool both locally and abroad. The discussions were very fruitful and all parties agreed for the need to continue this joint initiative. Unfortunately, the year ended without any real follow-up on this initiative.

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.

2008 marked the end of the tenure for Professor John Dugard as the UN Special Rapportuer (SR) for the Occupied Territories. Al-Haq was actively involved in the nomination process for the new SR. Our activities included:

- Writing to five international law experts to inquire into their interest in being nominated as the next SR on the OPT.
- Liaising with the International Commission of Jurists in submitting letter of nomination in ICJs name for Professor William Schabas – the only individual contacted who expressed interest with the exception of Professor Richard Falk who was already nominated.
- Writing a letter of support to the UN Human Rights Council President signed by nine Israeli and Palestinian human rights organisations including Al-Haq.

- Writing a letter of support for the strengthening of the mandate of the UN Special Representative to the Secretary General on Human Rights Defenders co-signed by 8 Israeli and Palestinian human rights organisations, including Al-Haq. The letter was sent during the review process of the HRD mandate at the HRC. It asked Representative Offices and Consulates (in Tel Aviv through Adalah) and asked country representatives to communicate their support for the strengthening of the HRD mandate to their counterparts in Geneva.

Al-Haq also continued its involvement in the Human Rights Council by attending the seventh and eighth session of the Council. In preparation for the seventh session, Al-Haq submitted one written intervention on the subject of the recent Israeli High Court of Justice decision on fuel and electricity cuts. The intervention was co-signed by Defence for Children International, Adalah, Palestinian Center for Human Rights, Al-Mezan Center for Human Rights, Physicians for Human Rights – Israel, Gisha: Legal Center for Freedom of Movement, Ramallah Center for Human Rights Studies, Addameer Prisoner' Support and Human Rights Association, Defence for Children International – Palestine Section, Ensan Center for Democracy and Human Rights, Jerusalem Legal Aid Center and Al-Dameer Association for Human Rights – Gaza

Al-Haq also delivered an oral intervention on Thursday, 6 March referring mainly to the follow-up from the Sixth Special Session of the Council held in relation to the Israeli siege on the Gaza Strip. Adalah and the Palestinian Center for Human Rights co-signed the oral statement.

Al-Haq's legal researcher responsible for UN advocacy also met with the Chairman of the Working Group on the use of mercenaries as a means of impeding the right of peoples to self-determination

Three main issues raised during this meeting were: 1) accountability for private security personnel, 2) the use of private security personnel in maintaining the illegal situations resulting from Israeli settlements and the Wall and 3) abuse of Palestinians by private security personnel, mainly at West Bank checkpoints.

According to UNRWA (unofficial) data, there are 14 checkpoints in the West Bank which are partially or totally controlled by private security personnel. From media sources, it appears that Israel will be increasingly moving towards the privatization and civilianization of checkpoints. As such, we have a good opportunity to begin working with this mechanism as a means of addressing this issue. It is also important to note that this is the only special procedures mechanism, save the SR on the OPT, where we can squarely raise the issue of physical realities of the occupation as a threat to Palestinian self-determination.

The Chairman expressed a strong interest in receiving a formal letter from Al-Haq sooner rather than later addressing, in particular, items 1 and 2 above. He explained that he would then send a formal "allegation letter" to the Israeli government. Any answer he received from the Israeli government would then be shared with Al-Haq and we would have the opportunity to respond.

We agreed that documentation with regard to abuse of Palestinians by private security personnel could be transmitted to the Working Group at a later date as Palestinian and

Israeli human rights organisations become more accustomed to distinguishing between perpetrators (soldiers vs. private security personnel) in affidavits.

In the eighth session of the Human Rights Council, Al-Haq Wrote letter to the new Special Rapporteur on the OPT to present to him in a joint NGO meeting at the Human Rights Council in Geneva. The letter highlighted issues that have not been adequately addressed by the former Special Rapporteur, such as private Israeli security companies operating in the OPT. A handful of affidavits were also provided to the Special Rapporteur. The Special Rapporteur said that “our contribution is exactly the kind of information he needs.”

In preparing written submissions for the review of Israel (December 2008) under the Human Rights Council’s Universal Periodic Review Mechanism, Al-Haq coordinated a coalition of Palestinian NGOs including Defense for Children International-Palestine, Addameer, The Jerusalem Coalition, JLAC, The Right to Education Campaign, and Adalah. Al-Haq provided workshops to the coalition explaining the mechanism and the role they can play. Al-Haq also provided comments to the members of the coalition on their submissions in addition to preparing our own. These organizations have expressed gratitude at the assistance Al-Haq provided them in this new process.

Al-Haq’s UPR submission highlighted the impunity with which Israel, the Occupying Power, continues to impose harsh conditions of life on Palestinians, resulting in their forcible transfer through indirect means in violation of the Fourth Geneva Convention. Forcible transfer is one of the lesser-known means through which Israel *de facto* annexes occupied territory in violation of the UN Charter and precludes the meaningful exercise of the Palestinian right to self-determination.

As a follow-up to the submission, Al-Haq and Adalah organized an advocacy trip to Geneva in order to highlight our concerns with regard to the UPR. Adalah and Al-Haq met with representatives of the permanent missions of France, the UK, Switzerland, Argentina and Brazil. The goal of these meetings was to emphasise a select group of issues that had not already been dealt with by the Human Rights Council. These States were chosen based on research (conducted by Al-Haq) on how States have engaged thus far in the UPR process and on advice from International Service for Human Rights and Human Rights Watch.

Adalah and Al-Haq prepared short “key issues” briefs (one per organisation), each with three issues mainly derived from the written UPR submissions of Adalah, Al-Haq and other Palestinian NGOs. Additionally, topics were chosen based on our assessment of the likelihood of States being willing to raise the issue as a question or recommendation to Israel. Adalah raised the unrecognised villages, impunity in relation to the October 2000 killings and the citizenship law. Al-Haq raised the issue of fair trial rights in Israeli military courts, Israeli investigations in relation to allegations of torture and ill-treatment and coercion of Gaza medical patients.

Several States commented that our visit was timely in that they were beginning to consider their interventions to Israel for the UPR. Additionally, several delegations commented on the fact that the way our “key issues” briefs were presented would facilitate their attempts to raise our issues at their capitals. Several States noted that

they were pleased to receive information about Palestinian minority rights in Israel. All States gave us from an hour to an hour and a half of their time.

Although all of the State representatives with whom we met expressed sympathy for the situation, each one of them stressed the sensitivity of the issue of Israel/Palestine at the HRC. They also noted that they would have to send the information we presented to their capitals for approval. Argentina noted that it was not sure if they were going to ask any questions or make any recommendations about the OPT as it was not part of its sovereign territory.

Additionally in 2008, Al-Haq in coordination with the United Against Torture Coalition submitted a shadow report to Israel's Fourth Periodic Report to the Committee Against Torture (CAT) expressing its concern that torture and other cruel, inhuman or degrading treatment or punishment (torture and ill-treatment) are still systematically used against Palestinians starting from the point of arrest, through interrogation and detention as well as in non-traditional circumstances of detention. Torture and ill-treatment are systematically used to obtain information and confessions, as well as to intimidate, humiliate and terrorise.

Al-Haq, along with Adalah, combined our trip for the UPR along with meetings with regard to CAT in an attempt to make efficient use of our resources. We explained the UAT Alternative Report to Israel's Fourth Periodic Report to the Committee Against Torture to the Human Rights Officer. We explained that we were aware that Special Rapporteur Nowak had commented on a handful of individual cases of alleged ill-treatment and torture of Palestinians by Israeli authorities, but that he had not yet had the opportunity to visit Israel/Palestine due to the fact that Israel had not responded to his request in 2002 and 2007 for a visit. We asked the Human Rights Officer how, given that we have a report for CAT with a lot of good information, we can work with the mandate of the SR on Torture in order to raise the issue of the institutionalised nature of the practice. She indicated that in the absence of a visit, and given their lack of resources, it would be difficult for the mandate to deal with the systematic nature of torture/ill-treatment in Israel. She recommended sending individual cases to the Special Rapporteur that are particularly illustrative of the policy of torture and ill-treatment.

Due to the fact that, unlike other UN treaty bodies, there is no procedure/system for NGOs to participate in the pre-sessional working group, meeting with the Secretariat of the Committee Against Torture as well as the two Rapporteurs assigned to Israel proved difficult.

Although the Secretary for the Committee Against Torture had agreed, in principle, to meet with us upon our arrival in Geneva, he declined to do so. This was unfortunate in that we had been told by OMCT (in advance of our visit) that the Secretary for the Committee Against Torture is responsible for drafting the list of issues.

The only way to try to schedule a meeting with the Rapporteurs on Israel was to try to approach them when they were entering or leaving a Committee session. Eventually, we managed to schedule a meeting with one of the Rapporteurs – Mr. Marino. The other Rapporteur declined to meet with us citing the fact that she was the Rapporteur for China which was currently being reviewed by CAT and as such she was too busy.

The meeting with the Rapporteur was useful. Adalah and Al-Haq presented two “big picture” issues that we hoped the Rapporteurs would keep in mind as they prepared the list of issues. Those issues were impunity for torture and the relationship between the use of torture and the aim of the military justice system to obtain information, secure a confession, get an indictment and finally a prosecution. The former UAT coordinator raised the contempt of court petition that PCATI, ACRI and Hamoked submitted three days prior in relation to the 1999 torture ruling. The fact that this petition had just been submitted and that this issue had not been included in PCATI’s and the UAT Alternative Report proved to be a useful entry point in order to convince the Rapporteur to meet with us.

The Rapporteur spent about a half hour with us. Based on what he told us, the list of issues had already been drafted by the Secretariat before our arrival. He was totally unfamiliar with our Alternative Report. However, he indicated that he needed to read all of the materials he had been given in relation to the review of Israel, including the draft list of issues, over the weekend. Therefore our timing was good. He said that he would take into consideration what we had said and that more issues could certainly be added to the list. He was particularly interested in the contempt petition. The Rapporteur noted that the list of issues for Israel will be long.

Although not taking a leading role, Al-Haq has participated in meetings with other organizations in preparation of a shadow report on the Convention on the Elimination of Discrimination against Women.

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

Al-Haq released nearly 50 interventions within the framework of our national and international advocacy covering topics such as the attacks on Gaza, as well as the siege of Gaza, torture, and settler violence. 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 to join us in signing on to an intervention rather than submit it only in Al-Haq’s name.

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, Al-Haq was asked to prepare a comprehensive file on issues relevant to Gaza for a visiting delegation of the Joint Foreign Affairs Committee of the Irish Oireachtas (Parliament & Senate).

Al-Haq’s study and documentary on the Latroun villages has garnered high level of interest in Canada. Our work on Latroun has led to the Canadian representative to the PNA and ambassador in Israel to request a tour of Canada Park in July. Al-Haq has also intervened with regard to the Jewish National Fund and its role in the Canada Park, which has developed momentum in Canada in cooperation with Canadian partners and will be followed up in the purposed speaking tour in Canada.

In 2008, the House of Commons International Development Committee conducted research for its report on development assistance and the OPT. Al-Haq was one of the organizations in the OPT that submitted a background memorandum to the committee. This was the second time the committee requested information from Al-Haq.

It must 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. For example, in 2008, delegations from Sweden and Norway visited Al-Haq for briefings of the situation on the ground in order to assist them in developing their policy on asylum seekers.

The reputation of Al-Haq continued, in 2008, to reach prestigious international organizations such as the International Commission of Jurists in Geneva (ICJ) as well as academic institutions such as The Human Sciences Research Council (HSRC) of South Africa, and the University of New South Wales in Australia.

The ICJ sent its second high level delegation of eminent jurists to visit the area in 2008. Al-Haq coordinated the West Bank leg of the visit providing the jurists with field visits and a press conference. ICJ Commissioners Professor Pedro Nikken and Professor Rajeev Dhavan led the mission. In the West Bank, they met with senior Palestinian officials, the Chief Justice of the Supreme Court, Mr. Issa Abu Sharar, the Public Prosecutor, Mr. Ahmed Maghni, and representatives of local NGOs and the legal community. They also visited illegal settlements and the wall of separation in the West Bank and Jerusalem.

Al-Haq continued to develop its relations internationally by hosting a retired judge and professor of the University of New South Wales (UNSW) in Australia. Al-Haq provided professor Hal Wooten with a base of operation to develop his understanding of the situation in the OPT as well help to develop relations between Palestinian universities and UNSW.

Fitting also under the umbrella of its international advocacy regarding third-party states' obligations under international law in relation to Israel's policies and practices in the Occupied Palestinian Territory (OPT), Al-Haq carried out a speaking tour in Canada from 20 October - 4 November 2008.

The aim of the speaking tour was to raise awareness of the specific legal and factual issues relating to the human rights situation in the OPT. The prevalent issues of forcible displacement/transfer of Palestinians, Jewish-Israeli settlement in the West Bank, ongoing construction of the Annexation Wall and the continuing closure of the Gaza Strip were presented to illustrate the overarching effects of the occupation: annexation and fragmentation of the Palestinian territory, and denial of the Palestinian right to self-determination. This analysis was used to highlight the obligations incumbent on Canada as a member of the international community of nations and a High Contracting Party to the Geneva Conventions, as well as the essential role civil society must play in shaping the debate and diplomatic efforts in relation to Israel and the OPT.

The speaking tour involved meetings with the various civil society and Palestine solidarity groups, members of the legal community, university students and professors and government officials, screenings of “Memory of the Cactus”, public lectures and media interviews.

The speakers presented on broad issues relating to the human rights situation in the OPT, particularly through the lens of international law, supported by materials prepared by Al-Haq for the purpose of the speaking tour, as well as the documentary “Memory of the Cactus.” They focused specifically on Canada’s legal responsibilities vis-à-vis Palestinian human rights, Israel’s policies and practices in the OPT, and Canada’s complicity in specific instances of human rights violations, particularly with regards to Canada Park and the *Bil’in* case.

Al-Haq met with a wide range of relevant actors, in an environment in Canada that is often critical of Palestinian groups, enables skewed perceptions of the conflict and the Palestinian side, and is ignorant of the issues facing Palestinian civilians. They found, however, that by presenting the issues dispassionately and with a focus on law and facts, audiences – public and private – were responsive, engaged and most often sympathetic. The tour was a success and resulted in a strong foundation of partners and alliances with which Al-Haq can and should work in the future.

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. Al-Haq was constantly called upon to provide input on EMHRN submissions and participated in numerous advocacy meetings in Europe. In 2008 the focus was on the “upgrading” process between the EU and Israel and how to ensure compliance with human rights requirements incorporated into the EU-Israel Association Agreement. Given the weakness of the current Action Plan on human rights issues, the lack of progress made on the human rights issues raised in the current Action Plan and the deterioration of the human rights situation inside Israel and in the OPT since the adoption of the EU-Israel Action Plan in 2005, we felt that it was of utmost importance that the EU reinstate human rights at the center of its relations with Israel and condition upgrading of its bilateral relations with Israel, with concrete engagement from Israel to improve the human rights situation inside Israel and in the OPT. EMHRN has continuously referenced Al-Haq’s work on its website in 2008.

Following the beginning of the Gaza offensive, Al-Haq was able to quickly organize a briefing for diplomats with representative offices in the West Bank updating them with the facts we have collected and advocating their role as state parties to the Fourth Geneva Convention and within the Human Rights Council.

III. Media Coordination

Al-Haq has been widely covered in the local media, including television, radio and print in 2008. International media outlets have also repeatedly called upon Al-Haq to provide commentary on developing issues and breaking news stories, including Al-Jazeera International and the BBC.

One of Al-Haq's greatest media events in 2008 was the screening of its new documentary, *Memory of the Cactus*, revealing the true story behind Israel's "Canada Park" – a story of dispossession, destruction and continuing displacement. The 42 minute documentary film combines the cactus and the memories it stands for. The film addresses the story of the destruction of the Palestinian villages of Latroun in the Occupied West Bank and the forcible transfer of their civilian population in 1967. Over 40 years later, the Israeli occupation continues, and villagers remain displaced.

The screening was held at the Ramallah Cultural Palace with over 700 in attendance, including former residents of the destroyed villages, diplomats, and prominent figures in Palestinian society. The film is now being distributed internationally to be screened at film festivals as well as universities. The film has been screened around the world, including Canada, Australia, Ireland, and the UK. The film has also received international recognition by claiming first prize in category of best documentary at the Dubai International Film Festival.²

Al-Haq's media attention has not been limited to violations of the Israeli occupation with an unprecedented media flurry resulting from Al-Haq's report on torture within the OPT by Palestinian factions. The attention reached news outlets never previously reached by Al-Haq, particularly in the US increasing Al-Haq's outreach and credibility.³

In addition to a continuing expansion of our mailing list, Al-Haq's website now incorporates a YouTube channel for viewing Al-Haq interviews as well as our documentaries.

² <http://irishantiwar.org/node/251>
<http://www.tpff.ca/program-by-date.htm#cactus>
<http://sydney.indymedia.org.au/event/ahrc-movie-screening-memory-cactus-thursday-14-08-08-unsw>
<http://www.indymedia.org.uk/en/2009/01/417281.html>
<http://www.dubaifilmfest.com/en/films-explorer/?id=2847>

³ <http://www.ynetnews.com/articles/0,7340,L-3574256,00.html>
<http://www.jpost.com/servlet/Satellite?cid=1215331122903&pagename=JPost%2FJPArticle%2FShowFull>
http://news.bbc.co.uk/2/hi/middle_east/7530700.stm
http://www.usatoday.com/news/world/2008-07-28-palestine-prison-torture_N.htm?csp=34
<http://www.msnbc.msn.com/id/25886908/>
http://www.khaleejtimes.com/darticlen.asp?xfile=data/middleeast/2008/July/middleeast_July679.xml§ion=middleeast&col
<http://www.chicagotribune.com/news/nationworld/sns-ap-palestinians-torture.0,5089395.story>
http://www.nzherald.co.nz/section/2/story.cfm?c_id=2&objectid=10524238
<http://www.guardian.co.uk/commentisfree/2008/jul/30/middleeast.humanrights>
<http://www.cbsnews.com/stories/2008/07/28/ap/world/main4298234.shtml>
<http://www.smh.com.au/news/world/hamas-fatah-guilty-of-torturing-opponents-reports/2008/07/29/1217097241154.html>
<http://www.npr.org/templates/story/story.php?storyId=92982297>
<http://www.aol.in/news-story/report-torture-widespread-in-palestinian-jails/2008072814140001089916/index.html>
<http://www.independent.co.uk/news/world/middle-east/palestinians-use-torture-regularly-879423.html>
<http://www.cbc.ca/cp/world/080728/w072837A.html>
<http://www.time.com/time/world/article/0,8599,1827043,00.html?xid=rss-topstories>

IV. Capacity Building

Al-Haq has continued to develop the capacity of its staff in 2008 by sending legal researchers to workshops abroad on torture and the death penalty,, as well as holding regular seminars during its staff meetings on developing issues, such as the use of private security contractors and the banning of the death penalty.

One of Al-Haq's legal researchers attended a two week training course University of Leiden in the Netherlands on International Criminal Law. Field researcher Ziad Hmeidan, who was released from administrative detention in 2007, enrolled in a six month course on human rights at York University. Additionally, our other field researchers in the West Bank attended a one week advanced training on IHL in Cairo as well as workshops on video and evidence gathering through our IHL project with Diakonia.

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. 60 Years of Nakba - Israel's Continuing Policy of Forcible Displacement
2. "Torturing Each Other" – in editing process
3. Use of Military Judiciary by the PA
4. Quarterly Monitoring and Documentation Reports
5. UPR Submission
6. CAT Shadow Report in coordination with the United Against Torture Coalition

VI. Library

Al-Haq's library continues to expand and develop as a centre for legal and academic research. In 2008, Al-Haq acquired 100s new titles for its library. In addition to being a valuable resource for Al-Haq's own staff, we have also received over 400 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 finally completed an online searchable catalogue of all the library publications, in English and Arabic.

VII. Administration & Financial Department

The administrative department continued its work as a facilitator of other department's activities, implemented the financial needs of the organization. In 2008 the department facilitated the purchase of sophisticated copy machine and a new email server in addition to pcs, laptops, cameras and barcode systems for the library's use. The department also continues to follow the maintenance contracts and communication with those who provide services to the organization. Furthermore the department continued its work with regard to staff needs for health insurance, staff meetings, and social activities insuring a positive work environment. Also the department accommodated the needs of interns during their period in Al- Haq. In maintaining Al-Haq's system of transparency the department also prepared all necessary financial documentation for auditors and partners.