

Al-Haq

2011 Narrative Report

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Introduction

The year of 2011 began with great optimism as the popular will of the Arab street gave rise to the 'Arab Spring' and changes in the region that were once thought impossible. These changes reinforced two positions constantly held by Al-Haq; first, oppression cannot continue indefinitely, and second, the status quo of geopolitical influence in the region will eventually shift for the better. While time will tell how positive these changes will be, the fact that there are changes is enough to give us hope. We have already seen an impact internally with progress on the **reconciliation** front between Palestinian factions, which has also reflected on the rights and freedoms enjoyed on the street. Although a great deal of work remains ahead, there is a definite sense of optimism in Al-Haq for the long term.

Despite the recent positive changes in the region, the context within which Al-Haq's work is framed has once again been characterized by a lack of progress towards a just end to the occupation of the OPT, including East Jerusalem; ever expanding illegal Israeli settlements and worsening settler violence; and continued human rights violations by both the Occupying Power and the Palestinian authorities. Regrettably, Al-Haq does not anticipate an improvement in the situation over the next 12 months and is preparing for further Israeli recriminations as a result of the initiatives undertaken by the Palestinian Authority at the UN.

There has been a great deal of discussion of the importance of international law within the Palestinian leadership given the **emphasis on the initiatives at a UN level**. Al-Haq has always stated that any solution to this conflict must be based on international law and has always criticised the leadership for putting international law aside for the sake of negotiations. Al-Haq devoted a great deal of its energies in 2011 to promoting understanding of the implications of the UN initiatives and responding to demands from both the political establishment and civil society to explain the ramifications in terms of international law and human rights. Again, time will tell if these initiatives are genuine and principled or will be used as political leverage only to be thrown aside at the next politically opportune moment.

Al-Haq has had a very productive year in the environment addressed above. Internally, we feel we have reached a turning point in the respect for the rule of law with our interventions being taken into account and our input sought regularly by the PA. The situation in the Gaza Strip remains difficult to access with our limited field presence but we continue to remain engaged with regular interventions to leadership there as well.

Al-Haq again took a leading role in the **Palestinian Council for Human Rights Organisations** this year enabling its message to be amplified at both the national and international levels. Al-Haq also contributed to the regional human rights community, presenting at a number of conferences and hosting its own 4-day regional seminar, attended by 14 human rights NGOs from 10 Arab countries. In relation to the media, Al-Haq took a proactive stance by piloting a local training project designed to educate journalists in the basics of international law and documentation equipping them to more effectively report on human rights violations.

On the international front, Al-Haq has made great strides in Europe through its presence in Brussels, becoming a core source of information and at times the sole Palestinian voice supporting international Brussels-based organisations. Our **UN advocacy** has been very active as well, with both the "UN Fact-Finding Mission Report on the Gaza Conflict" and the

Palestinian initiatives at the UN, given the highest priority in terms of the time and resources of our legal research and advocacy department.

Lessons have been drawn from the failure to effectively push for the implementation of the recommendations regarding accountability for international crimes contained within the **UN Fact-Finding Mission Report**. The pursuit of justice for the victims of Operation Cast Lead has been hindered by the seeds of uncertainty sown by the Report's principle author in a Washington Post op-ed and the Palestinian leadership's reluctance to act with the necessary conviction. Al-Haq also learned a great deal from its first two advocacy missions to the US, which highlighted the importance of reliable US-based partners and detailed advanced preparation.

At the beginning of 2011, Al-Haq launched its **multimedia portal** in an effort to better showcase our work through maps, visual documentation, and social networks. These efforts have received a great deal of positive feedback from visiting delegations and the ever-increasing group of Facebook and twitter followers. Work on our **new full website** (internally designed and developed) also progressed well and the new platform was launched in early October.

Al-Haq moved to its **new offices** in 2011, creating a much more favourable working environment for its staff and a versatile space for meetings, while maintaining its strategic location in the heart of Ramallah. Although the move meant some additional expenses, it was impossible to have the growing staff of the organisation continue to maze through the small office space and expect the same level of outputs that our constituency has grown to expect from us. As a testament to our efficient administration, the move went through very smoothly with the staff not losing a single day of operation.

Finally, it is always better to hear what others think about Al-Haq, as opposed to the organisation speaking about itself. That is why Al-Haq was very honoured to be granted two awards in 2011. Firstly, in May, we received the "**NGO Achievement Award**", bestowed annually by the Welfare Association to the most distinguished Palestinian organisation. The award commends Palestinian civil society organisations that have excelled in service delivery and capacity building in various developmental fields while representing the values of their people.

Secondly, in September, Al-Haq was granted the **Danish Human Rights Award** bestowed annually by the Poul Lauritzen Foundation, which honours organisations and individuals who lead the fight for the respect for human rights and dignity. The award, which was presented at a ceremony in Copenhagen, was given jointly to Al-Haq and B'tselem. These awards not only lift morale but also open doors to new audiences. In Copenhagen, Al-Haq representatives were able to meet with Danish Foreign Minister, Villy Sovndal, who pledged Denmark's support for any bid to upgrade Palestine's status at the United Nations and at any other international venue.

I. Monitoring and Documentation Department

The Monitoring and Documentation Department (MDD) continued to fulfil the role of the backbone of the organisation as the source of information from the field. The MDD collects information through **questionnaires** in the following categories of violation: killing, house demolition (both punitive and administrative), deportation, and curfew. Other violations were documented through sworn statements and in some cases through field reports.

The second component of the MDD involves archiving the information collected from the field in a central computer **database** in addition to scanning all documents. The third component, involves Al-Haq's visual documentation unit, which continues to work closely with Al-Haq's legal researchers to produce powerful and accurate multimedia tools for advocacy purposes.

This year, following the Strategic Evaluation and Planning Process for 2011 to 2015, Al-Haq created distinct units within the MDD for fieldwork, database and visual documentation in order for the department to function more efficiently.

Fieldwork

In 2011, Al-Haq's field researchers in the West Bank and Gaza Strip collected **935 statements under oath**, addressing violations perpetrated by the Israeli Occupied Authorities, the PA and the de facto government in Gaza (see table below for more information).

These documents are the first-hand accounts of incidents from either victims and/or eyewitnesses. They are mainly used by Al-Haq's legal researchers as evidence in publications such as in-depth thematic studies, press releases and reports. They also form the basis for the **MDD quarterly report**. These documents are used for the purpose of advocating before national and international policymaking bodies.

One of the most important roles of the field researchers is the investigation process. In the case of any killing, for example, they have to visit the location of the incident; check the site; interview witnesses; and often return to the area multiple times before producing their field report. By being so conscientious in finalising any case, Al-Haq maintains its **credibility** as an objective and accurate source of information.

In addition to collecting information, the field researchers also act as representatives of Al-Haq in their different geographical areas. They attend meetings with various groups and networks in their districts and conduct interviews with local media agencies. The field researchers also occasionally visit Palestinian prisons and meet with officers of the security forces. The field researchers continue to face challenges in accessing victims within the 'seam-zone' behind the Wall and in the Gaza Strip.

Finally, Al-Haq's field researchers also allocate time to leading **field visits** for international delegations. This year they have accompanied over 40 groups visiting the West Bank, including parliamentarians, diplomats, academics and researchers. The main areas of interest have been Hebron, the Nablus area, Jerusalem, and the Jordan Valley.

Data Base

All the documents from the field were inputted into Al-Haq's databases. The questionnaires were transferred into code and entered into a special program designed for Al-Haq's

internal use. The affidavits were scanned and the metadata recorded in an excel sheet, so they are easily sorted and retrieved as and when they are required. All these documents as well as any accompanying photos are scanned in order to ensure a secure back-up system to the hard copies of our files.

In 2011, the database unit received 341 questionnaire reports on the topics mentioned above: 119 for killing by the Israeli Occupied Authorities; 4 for killing by Palestinians; 212 reports of house demolitions for lack of license; five reports of curfew; and one of expulsion.

Digitising these documents aims to facilitate their use in a number of ways:

1. Internal use by Al-Haq legal researchers and advocates who use them as evidence in our publications, such as press releases, UN reports, small studies and the MDD quarterly report. They also use the information for preparing advocacy presentation. We receive dozens of internal requests for information each month.
2. For litigation purposes, the information is used as primary source material in preparing legal files for our accountability project.
3. Al-Haq's MDD department also receives requests for information externally e. g. students, researchers, local and international organizations and media. This year we met the needs of almost everyone who approached us for information. The department responded to over 50 such requests.

Visual documentation:

The visual documentation unit worked on **nine short films** this year, seven of which have been completed, and two of which are in post-production. The films are produced completely in-house with field researchers doing the filming and interviews, and our visual documentation coordinator editing and producing the films. In most cases the films are planned out well in advance, however with the development of the capacity of the unit, we have been able to respond to some issues immediately. For example, the film about the killing of 'Umar Qawasmi in Hebron was produced at short notice and was completed to correspond with the release of our findings on the case.

Amongst the films made in 2011 were two were on house demolitions in East Jerusalem, one on the village of al-Nu'man, and one on settlement activity in the Old City of Hebron. Al-Haq also produced two films to correspond with Human Rights Calendar Dates: the 100th International Women's Day on 8 March and International Workers' Day on 1 May. Additionally Al-Haq was asked by WCLAC to produce a short film on violations of the rights of women, which we were happy to provide.

Al-Haq is also seeking to incorporate more of its own photos in reports and publications with the development of our fieldworker capacity in photography. The quality of our work on visual documentation continues to develop as we improve the skills and equipment of the field researchers.

The visual documentation unit also contributed to a number of **workshops** including the regional workshop on monitoring and documentation held by Al-Haq's Center for Applied International in Tunis. The MDD as a whole has become a resource to the wider Palestinian human rights community, consistently responding to requests for assistance relating to both expertise and equipment.

Training:

This year, four field researchers participated in IHL training workshops. In addition, Al-Haq's field researchers in the Gaza Strip joined the 'Anabtawi workshop, the second part of which took place in Tunisia in July with representatives from many other Arab countries.

The MDD also participated in the IHL project with the **Ministry of Education**. This training consisted of two parts; the first to train teachers and school counsellors in methods of documentation and field report writing skills; the second, to train the school students on how to document Israeli violations relating to the obstacles they face in their daily life and the effect on their education. Four field researchers held a total of 14 sessions in different schools all over the West Bank.

The field research coordinator ran three training workshops for the Qader organization on how to document violations against people with disabilities. Also, he gave four sessions on monitoring and documentation to the law students of the legal clinic at Al-Quds University.

Reports:

In addition to the quarterly reports, which are written by the legal researchers, the MDD produces a **monthly report** in Arabic for our website and a weekly report for internal use. More recently the weekly report has been used as the basis for the Weekly Focus (more details below).

Affidavits are sometimes also translated, principally for the quarterly MDD report, but also for in-depth legal briefs and for submissions to UN bodies, such as the recent shadow report to the Council on Economic, Social and Cultural Rights. The translation process is wholly coordinated by the MDD department.

Affidavits Received from the field Researchers

January – December 2011

Total number of affidavits received for this period: **935**

The sex of the person giving the affidavit: Male: **792** Female: **143**

Subject of Affidavits	Number
Violations by Israelis	
Deaths	93
Soldiers harassment	117
Settlers harassment	205
Arrests and prison conditions	47
Property demolition for lack of license	52
Wall - Gates	21
Checkpoints	30
Jerusalem	30
Children	46
Curfew	10
Harassment against Palestinian workers	16
Land confiscations	11
Travel ban	8
Family reunification	4
Freedom of expression	18
Unexploded ordnance	6
Others	15
Sub-Total	729
Violations by PA and De facto Government in Gaza Strip	
Attacks by the de-facto government in Gaza	24
Arrests and detain by de-facto government in Gaza	18
Attacks by PA – Different security parties	49
Arrests and detain by PA – Different security forces	73
Internal Conflict -Vigilantism	12
Freedom of expression	28
Medical negligence	2
Sub-Total	206
Total	935

II. Legal Research and Advocacy Department (LRAD) – National Unit

Goal 1: Laws and Policies at the national and international levels that respect and comply with international law are promoted

Objective 1: To contribute towards the respect for the rule of law, access to justice, and the independence of the judiciary in the OPT (West Bank and Gaza).

Al-Haq has seen a considerable increase in the amount of **complaints** received by its national advocacy team -from 67 in 2010 to 140 in 2011. At first glance this may indicate that the level of internal violations has increased, however, is not the case. While Al-Haq still does not provide an open legal aid mechanism for any complaint, we continue to intervene in select cases, which represent a broader policy of violations. The increase in complaints received by Al-Haq is attributable primarily to our success in the interventions we choose to make. The individuals concerned tell others about the positive experience they had going to Al-Haq and the word has spread that we are able to make a tangible difference through our interventions. There were many instances in which individuals came to us after other organisations had failed to successfully pursue their case. They put their last hopes in Al-Haq, and we did our best to ensure that they are not disappointed.

The rise in the number of complaints has led Al-Haq to expand its **interventions** in both frequency and target. In 2011, the targets of Al-Haq's interventions included such institutions as the President's office, the Minister for Education, the Governor of Tubas, Al-Najah University, and the various security services.

The most visible impact in this regard has been Al-Haq's ability to obtain **the release of 60 individuals** who were being detained by various security services for arbitrary reasons. This is a significant increase to the number (15) whose release Al-Haq secured in 2010. These successes are testament to Al-Haq's professional legal team and the respect that the organization commands from the security services and Palestinian Authority in general. From the nature of the responses of the security services it is possible to conclude that, in comparison to 2010, the security services have paid far greater attention to our interventions this year.

In some instances however, officials have admitted that they prefer not to respond in writing for fear of making a mistake that Al-Haq could use against them. Another telling sign as to the impact that Al-Haq has had on the **security services** is that some members actually came to us to file complaints for violations that they felt had been committed against themselves, such as arbitrary dismissal or demotion.

Despite the increase in complaints, Al-Haq can say that 2011 has signalled a marked improvement in many areas of Palestinian rights and freedoms. A main indicator is the reduced amount of complaints we received with regard to **torture and ill-treatment** by the security services. While these practices have certainly not ceased completely and one complaint is one to many, we can say that it is no longer a trend or policy. There has definitely been an improvement in the extent to which the security services follow the Palestinian Procedural law, which provides for the protection of due process, but there is still a great deal yet to be achieved.

While the trend of torture has ended, we have noted a new and disturbing trend of individuals repeatedly being left to wait all day in the offices of the security services having been requested to come in for questioning. When people are forced to take time to leave their jobs and families to come in for questioning, their economic and social life is impacted

in much the same way as if they were in detention. This trend has increased in the second half of 2011 along with the confiscation of personal items such as money, passports, and computers without the presentation of proper documentation detailing the items and stating the justification for the confiscation. These are examples of how the security services have modified their tactics from overt detention and ill treatment to **more indirect ways of depriving individuals of their freedoms.**

Another testament to Al-Haq's success at the level of individual complaints was the request by the **Council of Ministers** to participate in a workshop on developing the coordination of an effective complaints mechanism for the decision-making body. Ministerial representatives as well as security service representatives were present. Al-Haq was asked to represent civil society at the workshop and as such presented a paper on the role of human rights organizations and facilitated a seminar on Al-Haq's experiences in dealing with complaints. Al-Haq suggested developing a legislative framework for institutionalizing the complaints mechanism within various ministries.

A major success in 2011 resulted from Al-Haq's cumulative efforts since 2008 to address the **illegal prosecution of civilians by the military judiciary.** This issue reached a turning point on 15 January 2011 when the Palestinian General Intelligence Service (GIS) in the West Bank called for another meeting with the General Director of Al-Haq, as a representative of the Palestinian Council of Human Rights Organisations. The Head of the Legal Division, Mr. Fawaz, stated that after consultations with both the political leadership and the security agencies in the West Bank, a formal decision was made to prohibit military courts from prosecuting civilians. Starting from 16 January 2011, all security agencies operating in the West Bank have been ordered to strictly abide by civil procedural law when civilians are involved in alleged violations. Military arrest warrants can no longer be issued against civilians, and civilians illegally detained as a result of military arrest warrants will be released. The Chief of the Military Judiciary, Mr. Mobaied, confirmed that from now on civilians will not be tried in military courts and those awaiting trial will have their case transferred to civilian courts.

The decision to put an end to the illegal practice of issuing military arrest warrants against civilians and trying them before military courts is the result of the combined efforts of Palestinian human rights organisations and foreign diplomatic representatives in lobbying Palestinian policy-makers. While the decision issued by the Head of the Legal Division of the Palestinian GIS represented a positive measure with regard to respect for the rule of law and human rights, Al-Haq called upon the President of the PA, Mahmoud 'Abbas, to promptly issue the required Presidential Decree to institutionalise the decision in order to avoid any future abuse of power against civilians. This request, however, was not heeded, regretfully leaving the door open for a reversion to the previous trend.

A main issue in relation to the military judiciary is the **extended detention** of those tried and sentenced prior to 15 January 2011. Many of these individuals continue to be held illegally. Al-Haq's interventions in this regard have yielded an unfortunate response. Officials have told Al-Haq that while they recognize the impropriety of their continued detention, releasing all those detained would be an unacceptable admission of guilt as to the initial illegality of the action. At the same time, there is a sense that detainees could be released as part of the reconciliation process anyway. This is very concerning as it appears that the individuals are being used as political bargaining chips in the reconciliation discussions.

In July 2011, Al-Haq was able to secure permission for surprise **visits to all six GIS detention facilities in the West Bank.** The visits were a strong indicator of the success of

the pressure Al-Haq has placed on the security services. The visits allowed for an investigation into the circumstances and conditions of detention. After the visits, Al-Haq prepared a report on both the positive and negative aspects of the detention facilities and held meetings with the legal advisor of the intelligence services to address these issues. We also sent legal memorandums calling for an investigation by the Attorney General into continued detention by the GIS. Al-Haq is still in the process of securing similar visits to the Preventive Security detention facilities.

One of the main challenges at the national level continues to be a lack of political will to seriously address human rights violations by holding perpetrators accountable. Despite verbal commitments to respect judicial decisions, many civilians continue to be detained while the attorney general's office remains reluctant to act in an objective manner, free from political bias. Al-Haq feels that the **Attorney General** is a key element to developing the rule of law and access to justice for Palestinian civilians; however, he has thus far failed to fulfil his obligations by failing to investigate complaints against the security services, despite commitments to do so early in the year. He is turning a blind eye to important issues impacting rights and freedoms. The office of the Attorney General will be a key target for our advocacy work in 2012.

Another significant obstacle to Al-Haq's work can be attributed to the **President's Office**, which is connected to violations, such as arbitrary detention and firing from public service employment, through the various security services under its authority. An example of such connections is the decision by the Minister of Education to dismiss dozens of teachers. Despite being in clear contravention of the Palestinian Basic Law, the Minister implemented these firings at the behest of the security services. Al-Haq took a strong position in this matter and issued a number of legal interventions to the Minister who unfortunately did not respond. There have also been incidents of continued intervention into NGO functioning and assets in clear violation of the **Palestinian NGO Law**. The fact that the security services has been able to infiltrate such a basic aspect of Palestinian life as education continues to raise concerns as to the genuine nature of the progress that has been made in other areas, and makes Al-Haq fearful that all progress made thus far could be quickly reversed.

Al-Haq has continued its efforts to make use of the **media** to highlight some of the complaints we receive should there be no appropriate response from the relevant authorities. The media, both locally and regionally, have developed an open door policy with little notice required for Al-Haq to give a statement. When asked to report on a particular issue, the media responds very quickly. In many instances soon after the media report on an issue is published, the response posture of the public official or security service concerned changes and we are able to make more headway on the case.

At the judicial level, Al-Haq has tried to maintain a policy of balance between criticism and guidance, which has been respected by all levels of the judicial authority. In addition to seeking for judicial decisions to be respected by the security services, Al-Haq has been active in the functioning of the judiciary itself. Our concern after the announcement of the end to the use of the military judiciary for civilians was the potential interference and manipulation of the civilian judicial system to achieve the same ends as the military judicial system. This was evident in different ways. Firstly, Al-Haq received documentation from internal sources that principled judges were being asked by the Office of the President to step aside from deciding some cases. Secondly, judges were declining to hear certain cases and instead issuing decisions that they be transferred to the military judiciary as a case of national security. This would result in the case ending up back in the military courts,

but with a 'legal' cover. Al-Haq issued a paper, entitled '**The Militarisation of the Judiciary**' in October 2011, which highlighted these concerns, and presented it to the Chief of Justice. He denied that such actions were taking place but Al-Haq reminded him of our awareness and monitoring of the issue.

An indicator of the respect for Al-Haq's input in the judicial sector was the invitation to participate in a workshop in August aimed at improving the legislative framework governing the judicial sector. As it currently stands there is a lack of clarity on the roles and responsibilities of the Ministry of Justice, the High Judicial Council and the Attorney General's office. This has led to allegations of interference by the different parties and has generating ambiguity in the functioning of the sector. Al-Haq was able to provide input into the ways the current legislative framework can be improved in order to clarify these roles and institutionalize them so to make for a more efficient sector and ensure the independence of the judiciary. Another indication of the confidence placed in Al-Haq, was the request by the High Judicial Council to receive our input into the development of its new strategic three-year plan.

With regard to the situation in the Gaza Strip, Al-Haq has sent many interventions relating to security service violations. There has been no response. Al-Haq focused particular attention on the peaceful protests being held in Gaza as well as the cases of execution and death in custody. Al-Haq expressed its criticism through the press.

In addition to the numerous legal memorandums and position papers produced by the National Advocacy Unit, they have also published three reports:

1. Illegal Trial of Palestinian Civilian Persons before Palestinian Military Courts

Al-Haq has repeatedly voiced its rejection and condemnation of prosecuting civilians before military courts. Al-Haq further deems that extending military jurisdiction to try and hold civilian persons to account is a clear and grave usurpation of civil jurisdiction and authority by the military judicial authorities. To this end, Al-Haq presented the study in order to address the issue of military justice in the OPT from three main perspectives:

1. The set of regulations that govern the operation of military justice;
2. Legality of trying civilians before military courts; and
3. Legal liability arising from detaining and trying military personnel and civilians before military courts.

This study was the first genuinely comprehensive study to analyse the use of the military judiciary in the Arab world using international human rights standards. Its importance is now even clearer with the pervading role of the military in internal issues throughout the Arab world. The study was requested for use by Egyptian organisations earlier this year and subsequently distributed to human rights organizations around the Arab world. The study was a key component of a conference held in Cairo in December 2011, where Al-Haq was able to present the study to human rights activists and organizations from across the region.

2. Palestinian Division: A Dark Page in the Path of Rights and Freedoms

This report is the first in a series of reports on the reality of the internal human rights situation in the Occupied Palestinian Territory the series will be used as a tool for analysing of the situation on the ground and its compatibility with public rights and freedoms

guaranteed under Palestinian law and international human rights principles. The reports are based on information collected by Al-Haq's Monitoring and Documentation Department.

As this report is the first in this series, we decided to focus on the internal Palestinian division from its onset in 2007 through to 2011. This phase had an undeniable impact on human rights and freedoms revealed the weakness in the underlying foundation of the Palestinian security services in the West Bank and the Gaza Strip with regard to human rights values and the prioritisation of political affiliation over ensuring security and respect for the rule of law.

3. Limits to the powers of Palestinian Security Agencies to detain Palestinian civilians

This study came about as a result of a thorough review of the complaints documented by Al-Haq of alleged violations by the Palestinian security services during the period of Palestinian division. Al-Haq's interventions and follow-up revealed broad ignorance of the law in addition to indifference from both the security services themselves and Palestinian civilians. Therefore the study sought to clarify the relevant legal issues arising from detention and the inherent rights guaranteed within Palestinian legislation from the moment of detention until presentation before a competent court. The study also addresses the detention centres recognized by law and the legal safeguards during detention. Through this study Al-Haq's seeks to raise awareness among the Palestinian security services and the general public and to promote rule of law and good governance in the security sector.

The study has been requested and praised by both civil society organizations and the security services themselves. There have even been requests by the security services for Al-Haq to provide training to their members, but Al-Haq has not taken up these requests as is consistent with of the policy to focus on the political level responsible for the violations.

Objective 2: Integration of international human rights standards into Palestinian legislation and policies

The absence of a functional **Palestinian Legislative Council** (PLC) meant that the most representative institution within the PA remained undeveloped while the Executive branch continues to take a more proactive role in the law making process. Al-Haq has played a significant role in trying to ensure that the development of legislation continues despite the defunct PLC and stays in line with international human rights standards.

Today Al-Haq has become a reference for all emergent legislation with requests for consultation from both civil society and the Palestinian Authority. There is both recognition on the part of the authorities that Al-Haq has the expertise to address the issues and also a willingness to accept human rights standards in legislation. In late 1999 and early 2000 there was an attempt to push through legislation prohibiting torture, but it was rejected by the legislature. They argued that it was an attempt to tie the hands of the security services and an initiative put forward by NGOs supported by foreign funding. Today the same arguments are no longer made and there is much more of an acceptance that human rights standards must be considered when developing legislation.

After final incorporation of comments, a final draft of the **Palestinian Penal Code** was delivered to the office of the President in April 2011 and still awaits his approval. In May 2011, one of the central issues addressed by the new draft Penal Code came to light with

the discovery of a so-called 'honour killing' in Hebron. The outrage caused by this crime led the President to issue a decree freezing parts of the parts of the Jordanian Penal Code currently in use, which mitigate such cases and allow for limited punishment.

While this step was welcomed by civil society, after careful research of the presidential decree and the parts of the code it cancelled, Al-Haq found that the decree had been misrepresented. One of the frozen sections had not been used since 1967. This led Al-Haq to produce an in-depth study into the issue of so-called 'honour killings' and the measures needed to truly address the issue. The study which was released in July 2011, was applauded by civil society organizations, primarily women's organizations who requested copies of the study and used it as an advocacy tool for campaigning for further measures on the issue. It is important to note that Al-Haq was the only organization to look beyond the initial support of the decree and conduct the necessary research to uncover the weak points.

Al-Haq called on the President to take this opportunity to adopt the draft Palestinian Penal Code, which deals with the issue of 'honour killings' more comprehensively. Unfortunately the political timing was not seen as appropriate for the adoption of the new code.

Al-Haq's work on the Draft Penal Code led the **Ministry of Justice** to invite Al-Haq in November 2011 to give a presentation to representatives from the British judiciary as well as to EU representatives on the integration of international human rights standards. Al-Haq has also been asked to give presentations to member of the Palestinian Legislative Council on the issue.

Political considerations have continued to stifle the progress of the draft **Palestinian Personal Status Law**. After extensive work, it was to be submitted to the Prime Minister's office and distributed to the Council of Ministers in early 2011. However, the Coalition working on the draft was dissuaded from making the submission by the Prime Minister and President's Office. Their justification was that that the political climate was not conducive to the discussion of the draft.

With the use of Presidential decrees or decisions by law serving as the means for developing legislation, Al-Haq held a meeting with legal representatives of the Ministry of Justice in July 2011 to address the issue of ensuring that decisions coming out of the President's office are in line with international human rights standards. Al-Haq advocated for increased opportunity for input from civil society and cooperation between civil society, the President's office and the Council of Ministers.

Al-Haq's work on the issue of the use of the military judiciary to try civilians and the related report encouraged a discussion on the lack of existing legislation to address the role of the military judiciary. As a result Al-Haq was invited on numerous occasions to provide insight into the possibility of a new draft law that would address the role of the military judiciary. This is in line with Al-Haq's call for clear legislation prohibiting the use of the military judiciary to try civilians.

Al-Haq also intervened in the case of a Presidential Decree, which allowed for the seizure of NGO assets by the 'State' in the case of the NGO's dissolution. Given the issues of forced closure of NGO's by the PA in previous years this was a concerning development. Al-Haq submitted a legal memorandum on behalf of PNGO affirming the illegality of the decree; outlining how it conflicts with the Basic Law and the NGO Law; and calling for its cancellation.

Al-Haq is still assessing the steps necessary to address the **Constitutional Court Law**, which, following research conducted by our team was found to conflict with the Palestinian Basic Law, by limiting the scope of the Court's ability to make interpretations regarding legislation. Currently, the Law allows for interpretation to take place only in the case of conflict between branches of the government. In contrast the Basic Law, allows for interpretation of any issue within the Basic Law or other Palestinian legislation. Al-Haq is considering pursuing the case in 2012.

Al-Haq continued to play a role in development of the **NGO Law** and the relevant regulations that are being formulated in cooperation with other human rights organizations as well as the Palestinian Bar Association and the Ministry of Interior. Al-Haq has been able to ensure emphasis on the necessity of the regulations to conform to the Basic Law and the removal of sections that give the Ministry of Interior or other Ministries powers of jurisdiction not granted them under the law. Al-Haq was also able to ensure an emphasis on the right of association as a constitutional right that must be granted and not restricted. The work on these regulations was finished in late 2011 and is currently awaiting approval.

Despite the work accomplished under this objective, we attribute the reduction in activity on the legislative front to the distraction of the UN initiatives. This unexpected deviation is commonplace in Al-Haq's work and we worked very hard to play a central role in the development and understanding of the UN initiatives in the second half of the year, as will be described further below.

III. Legal Research and Advocacy Department (LRAD) – International Unit

Identifying impact on an international level remains very difficult given the environment in which we operate. We are just one among multitude actors who both share and oppose our long-term objectives and, as ever, political will remains the key to any progress.

As such Al-Haq has to be realistic in defining its circles of control and influence and their relative size in relation to the vast arena in which we are but one player. In so doing we must define our impact the same way and register progress in terms of cumulative gains and subtle shifts in the response to our work.

It is also vital to recognize the joint work carried out through the **Palestinian Council of Human Rights Organizations (PCHRO)**. Al-Haq takes a leading role in the Council and appreciates that by utilising the network; its message can be amplified at both the national and international levels.

Objective 3: Adherence by the international community to its international legal obligations regarding Israeli breaches of international law in the OPT

In an effort to raise awareness regarding Israeli breaches of international law in the OPT, Al-Haq's international legal research and advocacy unit has decided to focus more on in-depth legal reports as opposed to frequent press releases. This has come as a result of recognition that Al-Haq's strength in having high quality researchers can be put to better use with such reports where other organisations may not have the same capacity. Al-Haq planned to release reports this year on the increase in settler violence through the 'Price Tag' policy; the Gaza Buffer Zone; as well as one on the status of the Oslo Agreement. Although these topics remained on Al-Haq's agenda for 2012, developments on the ground forced Al-Haq to re-prioritize the reports.

One such development led to the publication of an unplanned report entitled, **Collective Punishment in 'Awarta: Israel's Response to the Killing in Itamar Settlement.**

Many of the measures carried out in 'Awarta allegedly in support of the Israeli investigation for suspects to the killing in Itamar, violated the obligations of the Occupying Power, under international humanitarian and human rights law and must be considered within the context of Israel's policing and law enforcement powers in occupied territory.

The report examines the measures taken by the Israeli army in 'Awarta under international humanitarian and human rights law, on the basis of the documentation collected by Al-Haq's field researchers. The report concludes that the measures constitute a form of collective punishment and a long list of other HRL and IHL violations that could also entail individual responsibility.

Al-Haq launched the report with a public presentation in order to initiate discussion on the findings. The public event was well attended by press and representatives from Palestinian civil society. Despite the sensitivity of the case, Al-Haq felt it was important to make a distinction between the crime of killing and the policy of collective punishment that followed.

Al-Haq also released a report on the Buffer Zone entitled '**Shifting Paradigms: Israel's Enforcement of the Buffer Zone in the Gaza Strip**'. Al-Haq has documented a sharp increase from 2009 to 2010 in the number of rubble collectors and fishermen killed or injured due to Israel's use of live ammunition to enforce the buffer zone within the Gaza Strip. Since Israel has not made any efforts to demarcate the buffer zone and has provided the population with misleading information, the limits of the area and the associated regime are uncertain.

The report highlights the urgent need for the application of human rights standards in policing the Israeli-imposed buffer zone in order to prevent harming civilians working in and around. The report was sent to a number of UN bodies that were expecting it due to the debate and different meetings held on the matter.

The Buffer Zone report was presented alongside another report published by Diakonia at a public event in East Jerusalem. The event provoked a lively discussion about the applicability of certain aspects of IHL in the Gaza Strip and was well attended by representatives from both local and international NGOs.

Due to the events in Awarta in April and the importance of responding to the UN initiatives in September the reports on the 'Price Tag' policy and the Oslo Accords have been rescheduled for 2012. Meetings have been conducted relating to the research on the Oslo Accords with a number of senior officials from the PLO, UN and Third Party States.

The paper on the '**Price Tag**' policy is expected to be one of the first in the recent past to engage in a more thorough critical discussion of the relationship between the Israeli state and the settlement/settlers movement, invoking the relevant legal questions, including the rights and obligations of both parties.

Settler violence is an increasingly worrying and threatening aspect of daily life in the OPT. This became particularly apparent in the run up to the September UN initiatives when Al-Haq documented an escalation of violence against Palestinians by Israeli settlers. This trend continued throughout October during the Palestinian olive harvest season and was recorded on Al-Haq's website with the first in a series of **interactive maps**. The maps display Al-Haq's documentation as well as other features such the Annexation Wall, illegal Israeli settlements, checkpoints and Areas A and B. The map of settler violence was

welcomed by the OHCHR as a useful advocacy tool and builds on Al-Haq partnership with the UN agency, which this year saw Al-Haq requested to contribute to field reporting for the Qalqilya, Tulkarem, and Jenin governorates, with a specific focus on accountability.

Two more **interactive maps** were published on Al-Haq's website this year; the first as a companion to the buffer zone report described above and the second to complement Al-Haq's study, "Repression of non-violent protest in the Occupied Palestinian Territory", which focused on the village of al-Nabi Saleh and was published in December. The report concluded that some of the measures adopted by the Israeli forces in the village amounted to several violations of Israel's international law obligations, including those to respect and protect the right to life and freedom of expression in the occupied population.

This particular piece of research also engendered a response by the international human rights community. In a meeting with Frank La Rue, the **Special Rapporteur on Freedom of Expression**, Al-Haq presented the al-Nabi Saleh report and advised the UN expert to visit the village to see the situation for himself. On the day that the Special Rapporteur visited al-Nabi Saleh, a young Palestinian man, Mustafa Tamimi, was tragically and unlawfully killed when he was struck by a tear gas canister, fired at very close range by an Israeli soldier. The Special Rapporteur, in a subsequent meeting with Al-Haq vowed to follow up this case and requested that we keep him informed of all developments.

A second new report released towards the end of the year focused on the legal implications of **'land swap' agreements**. The position paper concluded that such agreements between Israel and the Palestinian representatives were illegal whilst Israel's occupation of the West Bank, including East Jerusalem and the Gaza Strip, is ongoing. Given the recent calls by the international community for a kick-start to the peace process between Israel and Palestine based on the 1967 borders with 'mutually agreed land swaps,' Al-Haq took this opportunity to emphasise that agreements involving land swaps are not compatible with the law of occupation. The issue will be the focus of campaigning and lobbying, including with international organisations and the local diplomatic community, in early 2012.

Al-Haq is also in the final stages of completing a set of reports on the **Jordan Valley** and the **Dead Sea** addressing Israeli policies of land and resource acquisition. The first report explains how Israel's annexationist policies in the Jordan Valley are adversely affecting the right to self-determination of the Palestinian people. Since the beginning of the occupation, Israel has appropriated vast expanses of territory and implemented restrictive measures limiting the use of land and natural resources by Palestinians.

In addition to our more in-depth reports, Al-Haq has launched a new initiative this year to provide weekly online updates based on its ongoing monitoring and documentation. As such, since June, Al-Haq has published 29 short **'Weekly Focus'** reports, which concentrate exclusively on factual analysis and the impact on the victims of human rights violations. Each report looks at a specific issue and we hope to maintain this process as a balance between our in-depth reports and regular updates.

Al-Haq also organized a large number of **field visits** for visiting delegations as well as partners in the region. Notable examples include two trips arranged with CAABU, The Centre for the Advancement of Arab-British Understanding, for two groups of British parliamentarians. There was also a visit to al-Nabi Saleh with a delegation of American women community and faith leaders and two tours of Hebron for delegations of young students from McGill Law School in Canada and the Young Fabian's Society in the UK. The McGill students were so happy with the tour that they offered to make a donation. Al-Haq

also arranged field visits for two groups from Sweden; the first, a party of diplomats who visited East Jerusalem and the second, a delegation of Swedish parliamentarians who Al-Haq took on a tour around the Jordan Valley.

The feedback from all these field visits was very positive and CAABU's liaison expressed his interest in repeating the visits with other delegations. In fact, he described the Jordan Valley trip 'the most striking field visit' he had ever been a part of. The MPs showed great interest and a positive attitude to act due to the evidence we showed of the substantial involvement of British companies in the exploitation of the population and resources in the Jordan Valley.

Presenting to the numerous **delegations** who come through Al-Haq's doors with only a limited time in their schedule is another valuable opportunity to reach people and inform them of the human rights situation in the OPT. The multimedia tools developed by Al-Haq over the course of the year have proven very useful in this regard enabling Al-Haq staff to present complex features of the occupation in a clear and engaging way. Whether students or diplomats, activists or parliamentarians, all the groups leave having been given both a comprehensive insight into the violations committed against Palestinians and with the tools with which to advocate for the rights of Palestinians before their own constituencies.

Goal 2: Accountability of perpetrators and justice for victims of international human rights and humanitarian law violations in the OPT is pursued.

Objective 1: Pursue cases against individuals and corporations through local and international judicial mechanisms

Al-Haq has continued to develop its work in the pursuit of accountability, with work ongoing regarding two cases – one public and one not yet publicised. Al-Haq's work in the area of accountability has led to the organisation developing as a reference for other NGOs interested in exploring these avenues. This is particularly true with regard to corporate accountability since Al-Haq's experience in supporting the case in Canada against two Canadian construction companies for their role in constructing settlements and the case in Holland against the Dutch crane operator **Riwal**, have received a great deal of publicity. The second case is a criminal complaint for alleged corporate complicity in war crimes. It has been filed in April but is still confidential due to a gag order imposed by the Prosecutor. After filing the case, Al-Haq had to provide further factual evidence to strengthen the claim that the alleged crime is extensive. A new case was included in the file of an incident occurred in the Gaza Strip, which entailed a significant amount of research and coordination with the field.

As a result, Al-Haq has received many requests for meetings on exploring potential cases against other companies in different countries. These requests have resulted in significant legal research, which is essential to explore the potential of a case for litigation purposes. For example, Al-Haq, in cooperation with a Dutch lawyer and a law clinic has been exploring the legal framework applicable to dual citizens involved in the commission of violations of international law in the OPT. Similarly, we are working in cooperation with lawyers in the UK to ascertain the relevant legal norms related to cases of property confiscation in the OPT, with a particular focus in East Jerusalem. Al-Haq has reviewed the legal opinion received and provided further legal analysis and factual information. It is important to mention that land cases in the OPT are particularly complex due to the

interplay of different legal regimes, such as Ottoman Law, British Mandate Law and Israeli Military orders.

Al-Haq is happy to coordinate with selected external actors and to provide the general legal principles used in pursuing such cases and the process that occurs, however we are cautious not to take on too many potential cases at once. This is because these types of cases are very difficult from a legal point of view and time consuming with few tangible outputs. In addition, the expenses associated with such cases, including those to obtain initial legal opinions, can be difficult for an organization such as Al-Haq to maintain.

Another example of the demand for Al-Haq's expertise with regard to corporate accountability is the invitation to present to Bard College and NYU law school at the **Center for Global Justice and Human Rights** in February. The presentation was entitled, 'Criminal Venture or Business as Usual: Corporate Accountability for Violations of International Law'.

In order to raise further awareness of our case in Holland, Al-Haq held two public seminars in Brussels on the Riwal case and the general issue of corporate accountability in March 2011. One seminar was held at the Belgian International Law Association and the other at the Free University of Belgium. The meetings were well attended by policy makers and others in the field of international law.

In October, Al-Haq instructed Van den Biesen Boesveld advocates, in Amsterdam, to submit a formal objection against the decision of **Stadsregio Arnhem Nijmegen**, a Dutch local authority, to award a one billion Euro public transport concession to Hermes, the Dutch subsidiary of French multinational company, **VeoliaTransdev**. The objection was based on Veolia's involvement in Israel's violations of international law in the Occupied Palestinian Territory (OPT).

VeoliaTransdev, as part of the Veolia group, has been involved in a number of projects in the OPT, including the construction of a **light rail tramway** linking West Jerusalem to settlements in occupied East Jerusalem, which are illegal under international law. Such infrastructure helps entrench Israel's illegal annexation of East Jerusalem. Other companies within the Veolia group provide transport and services such as refuse collection to illegal Israeli settlements in other parts of the West Bank.

The Dutch civil society organisations, Palestine Committee Nijmegen (also representing the Network Working Together for Palestine) and United Civilians for Peace (UCP), together with A Different Jewish Voice have taken similar initiatives to challenge the decision. A hearing of the Committee that decides the objection was held on 31 October 2011. Al-Haq gave oral evidence at the hearing and reiterated that to award the public transport contract to **Hermes** is tantamount to awarding a contract to the Veolia group as a whole. The Dutch local authority should have used its wide discretion to award the public transport contract to a company that does not provide crucial infrastructural support for the continual violations of international law by Israel.

The case is part of Al-Haq's on-going efforts to ensure accountability for the many corporations that are involved in violations of international law in the OPT, and to enforce the legal duty that exists on third states to refrain from rendering assistance to Israel's violations of international law. The case is still pending and, although it is unlikely to progress further than the Committee of Appeals, the media attention (Al-Haq's intervention was featured in two Dutch national newspapers) together with the experience gained from

testing such a procedure for pursuing cases of corporate accountability means that it was a very worthwhile exercise.

In May, as a result of our work on the Palestinian declaration before the **International Criminal Court** (ICC), Al-Haq was invited by the Coalition for the ICC to attend their conference in Qatar. Al-Haq took this opportunity to meet with representatives from the ICC and other interested organizations. Al-Haq distributed its position paper on Issues Arising from the Palestinian Authority's Submission of a Declaration to the Prosecutor of the International Criminal Court under Article 12(3) of the Rome Statute, which it published in late 2009.

Additionally, at the request of the Corrie family, Al-Haq representatives have continued to attend the **Rachel Corrie hearings**, with the latest being held in July.

Towards the end of 2011, Al-Haq's legal researchers started drafting a brief **legal overview on third party responsibility** relating to settlement activities as the issue is to be presented at a local legal conference on international accountability scheduled for early January 2012. The resulting document is intended to provide a general legal framework in order to generate discussion about the approach among international practitioners and to explore prior Palestinian efforts of attaining accountability and reviewing successes, failures, and common challenges. If successful, the paper will serve to raise the awareness of local stakeholders on the legal basis of international accountability, and strengthen their advocacy uses of the same. The paper should be published in both English and Arabic in early 2012.

Objective 2: Engage with UN mechanisms to highlight Israeli violations and hold Israel accountable.

This year has been a very active one for Al-Haq at the UN level. In addition to continuing to follow-up the UN Fact-Finding Mission Report, we have been actively engaged with the Human Rights Council and UN Special Procedures.

The year began with a visit by the **United Nations High Commissioner for Human Rights**, Navanethan Pillay. As this was her first official visit to the OPT, we felt it was essential that the local human rights community delivered a unified message. Therefore, an open letter endorsed by 13 Palestinian and Israeli human rights organisations was delivered to her highlighting the stagnation of domestic investigations required by the UN Fact-Finding Mission on the Gaza Conflict, and making a number of recommendations to the High Commissioner in order to bring attention to the plight of the victims.

The letter was sent to the High Commissioner before her visit, and was also published online on a number of websites including Man News, Mondoweiss, and Relief Web. Ms. Pillay brought the letter up at her meeting with Palestinian civil society in Ramallah on February 7, and reassured Al-Haq that she considered the UN Fact-Finding mission's report a serious issue that she would continue to track and raise during her meetings with political leaders. In her statement at the end of her mission, she clearly stated, "International human rights law and international humanitarian law are non-negotiable. No individual or state can be considered exempt, if they violate the law." She said of "paramount concern" is that "the politics of conflict, peace and security are constantly leading to the downgrading, or setting aside, of the importance of binding international

human rights and humanitarian law.” During a meeting in Amman with the **UN Committee of Independent Experts on Domestic Investigations**, mandated to monitor and assess domestic investigations, in February, Judge Lennart Aspegren also mentioned the letter.

During the visit Al-Haq presented briefing papers to High Commissioner on settler violence and self-determination, focussing on the Jordan Valley, containing excerpts from Al-Haq’s affidavits. In a statement issued at the end of her visit, the High Commissioner highlighted settler violence and described how “settlers receive massive protection from Israeli security forces, but hardly any protection is being provided to the Palestinians living next door.” As a result of our work, the OHCHR expressed their interest in continuing to work with us on this issue, and as mentioned above, Al-Haq is now the lead agency in field reporting for Qalqilya, Tulkarem, and Jenin governorates.

The February meeting with the UN Committee of Independent Experts on Domestic Investigations was arranged to answer their questions on the status of investigations by both the Palestinian Authority and Israel. We presented our information and proceeded to answer their questions. We made a strong appeal to the Committee about the perception of victims that justice had yet to be done. Subsequently, we sent them more information on the current status of some specific cases. In particular, the Committee was concerned about the status of investigations, and asked us to follow up on investigations by Israel in the West Bank. In the Committee’s final report to the HRC, Al-Haq was listed as a contributor. Furthermore, the Committee’s report reaffirmed that domestic investigations have not met international standards, in line with Al-Haq’s position on the matter. The expert committee’s report provides the factual basis for moving forward with the UN Fact-Finding mission’s recommendations and, in particular, for moving the international justice process forward.

As a testament to Al-Haq’s international presence and reputation, Professor William Schabas, Director of the Irish Centre for Human Rights at the National University of Ireland in Galway has submitted a legal Expert Opinion analysing the most appropriate forum within the United Nations system to ensure implementation of the recommendations contained in the **Report of the UN Fact-Finding Mission on the Gaza Conflict**. The submission was made at the request of Al-Haq and prepared with the assistance of scholars from the Irish Centre for Human Rights. Professor Schabas’ Opinion examined the necessary steps for the pursuit of accountability with respect to the alleged international crimes committed in the context of Operation ‘Cast Lead’. The Opinion holds that for the Mission’s recommendations regarding accountability for international crimes to be acted upon, it is necessary for the Mission’s Report to be addressed by the UN Security Council with a view to referring the situation in Occupied Palestinian Territory to the International Criminal Court.

Al-Haq’s work towards accountability based on the UN Fact-Finding Mission Report was called into question after Justice Goldstone issued an Op-Ed in the Washington Post in April asserting that with hindsight sections of the report should have been written differently. This led to a flurry of media activity and the demand for the Palestinian Human Rights community to respond. Al-Haq put together a response in the form of an open letter in response to the Goldstone op-ed. The letter aimed to highlight the problems with Goldstone’s assertions and to bring attention back to the fact that justice had yet to be achieved for the victims of Cast Lead and the people of the Gaza Strip. The letter was endorsed by all members of the Palestinian Council of Human Rights Organisations (PCHRO), as well as the Jerusalem Coalition. The letter was published in The Guardian in

the UK and received a great deal of positive feedback suggesting that it was a significant contribution to the debate rekindled by Goldstone.

In May, Al-Haq's representatives met with **Prof. Richard Falk**, the Special Rapporteur on the occupied Palestinian territories occupied since 1967, in Amman as he is banned from entering the OPT and Israel. During the meeting, aimed at collecting more information to formulate a solid legal argument on the illegality of prolonged occupation with focus on children, Al-Haq provided information and analysis on violations of human rights and international humanitarian law. This included the illegal exercise of sovereign rights by the Occupying Power in relation to residency rights and family rights, as they mostly impact on children.

Al-Haq also attended the 16th, 17th and 18th sessions of the **UN Human Rights Council in Geneva**. The 16th Session was focused on the adoption of a resolution with regard to the status of domestic investigations. Al-Haq felt it essential to travel to the first week of the session to take advantage of the opportunity to meet with States while they were still determining their positions.

This was the first time Al-Haq has travelled to Geneva for the first week of the HRC session. We had meetings with representatives from Palestine, Brazil, Argentina, Pakistan, Ireland, the USA, France, UK, Switzerland and Belgium. The meetings were much appreciated by the diplomats, since the Committee of Experts report had yet to come out, and member States were largely in the dark about the issue. However, while there may have been a measure of success in our influence over the Palestinian mission in formulating the resolution, many of the EU missions used the excuse that they could not tell us their position because they had not seen a resolution yet. It appeared that despite our best efforts with EU states in Geneva, Brussels and in the OPT, decisions are ultimately made in their capitals.

Al-Haq returned to Geneva for the last week of the 16th session of the HRC to deliver its oral statement in support of a strong resolution calling for the full implementation of the UN Fact-Finding Mission (FFM) report's recommendations. During the second trip, we met with a number of foreign missions, including the UK, Belgium, Poland, Italy, Switzerland, Germany and the EU representative. We also held meetings with the representative of the World Council of Churches, as well as the OHCHR desk officer for the OPT. Throughout the week, we were in constant contact with the Palestinian mission, and they provided us with information about the proposed changes to the draft resolution. Our presence was very important during this session, as we were able to understand the political pressure that was being exerted on the Palestinian mission to "water-down" the language of the resolutions, particularly the resolution on the FFM report. The insight we obtained helped us advocate more strategically, as we discovered that the Swiss and the Norwegians were going to abstain from the FFM resolution.

After alerting Al-Haq in Ramallah, our General Director worked to notify contacts in Switzerland and Norway. Although our efforts did not help change the vote; the resolution did pass, our role was essential in understanding and exposing the political dynamics behind the changes to the resolution; pressuring the Palestinian mission with suggestions for the draft – which they considered and accepted; and keeping civil society organizations informed of the developments. By attending the session, we understood that the Palestinian mission did everything it could to compromise. As a result of our work in Geneva, the PCHRO addressed open letters to the European states that abstained or voted against the resolution, to expose the double standards in their human rights practice.

Al-Haq's written statement for submission to the 17th session of the HRC in June focused on the **silent annexation of the Jordan Valley** as a focal point to highlight Israel's annexationist policies in this region, as well as throughout the West Bank. The statement highlighted Israeli violations of the right to self-determination of the Palestinian people, particularly over the economy and natural resources. We coordinated with other local NGOs and submitted the written statement to the HRC with the endorsement of all PCHRO members, four of which have ECOSOC status.

We also held a joint side event entitled "**Denial of the Right to Self-Determination in the Palestinian Context**". The event was held jointly with BADIL and the Jerusalem Center for Legal Aid and Human Rights (JLAC) and was supported by FIDH. The focus was the topic of denial of the right to self-determination, and we presented a Google Earth presentation on the situation in the Jordan Valley, providing an overview of the region and describing the violations being committed by the Israel occupying forces in the area. The presentation was well received by audience of 25-30 people, including members of the Palestinian mission; one representative from the Israeli ministry of foreign affairs; and representatives of diplomatic missions and NGOs.

In making optimal use of its presence in Geneva, Al-Haq along with other representatives from Palestinian NGOs, met with three ambassadors from the Special Committee to Investigate Israeli Practices. Al-Haq provided the ambassadors with an overview of three key human rights issues including settler violence; the targeting of civilians in the buffer zone in Gaza; and the denial of self-determination, specifically in the Jordan Valley. We also passed on Al-Haq's most recent reports: **The Jerusalem Trap, Awarta, and Legitimising the Illegitimate**. The members of the Committee, which writes a report that is presented to the General Assembly every year, expressed their appreciation for our presentations and asked if they could contact us for more information.

During the week, Al-Haq also had meetings with staff representatives for the Working Group on Arbitrary Detention and the Special Rapporteurs on Adequate Housing, Education, Extra-Judicial Summary or Arbitrary Executions; and Internally Displaced Persons. In addition we sent our report on the violent repression of non-violent protests in al-Nabi Saleh to the Special Rapporteur on Extra-Judicial Summary or Arbitrary Executions.

In September, Al-Haq attended the 18th session of the HRC. Our oral statement, presented on behalf of the Palestinian Council of Human Rights Organisations emphasised the opportunity provided by the Palestinian Liberation Organisation's application for UN membership to renew efforts to promote the right of self-determination and access to international justice for all Palestinians.

In Al-Haq's written statement, "**Shrinking Space: Appropriation, Fragmentation and Colonisation of the Occupied Palestinian Territory as a Means of Denying the Right to Self-determination**", we highlighted how Israel's illegal practices of settlement construction and transfer of its civilian population into occupied territory risk irreversibly transforming the physical geography and demographics of the region. The statement examined how Israel's creation of 'facts on the ground' through concerted policies of land appropriation, fragmentation and colonisation is fundamentally denying the right of the Palestinian people to self-determination.

In November, Al-Haq presented two parallel reports to the **UN Committee on Economic, Social and Cultural Rights**, to shed light on Israel's failure to uphold the basic rights enshrined in the International Covenant on Economic, Social and Cultural Rights (the Covenant). The first report, endorsed by Addameer Prisoners' Support and Human Rights

Association, Defence for Children International – Palestine Section, JLAC, and the Women’s Centre on Legal Aid and Counselling, highlighted the detrimental effects of a number of Israel’s occupation policies on Palestinian rights to non-discrimination, work, housing, education, health and culture. In light of the ongoing violations, Al-Haq asked the Committee to urge Israel to reduce barriers to Palestinians’ enjoyment of these rights by dismantling the Annexation Wall to allow for unhindered freedom of movement across the OPT; limiting the size of the buffer zone in the Gaza Strip to a strict minimum; and freezing its settler-colonial project while abolishing the extra-territorial application of Israeli civil law to the settler population in the OPT.

The focus of the second parallel report, submitted jointly by Al-Haq and the Emergency Water Sanitation and Hygiene group (EWASH), a group of nearly 30 international and national NGOs and UN agencies, concentrated on Israel’s grave violations of Palestinians’ right to water in the OPT. The report emphasised the gross disparities between water allocated to illegal Israeli settlements and Palestinian communities and also described the water and sanitation crisis resulting from Israel’s illegal closure of the Gaza Strip. As a result, Al-Haq and EWASH recommended that the Committee urge Israel to take immediate steps to ensure equitable access to and distribution of water to Palestinians living in the OPT, and to lift the closure on the Gaza Strip, which is a root cause of the attendant violations concerning the right to water.

As the information collected in these two reports indicates, Israel has failed to fulfil its obligations under the Covenant. Al-Haq called upon the Committee to adopt the recommendations of both reports to ensure that Israel must answer for its continuing violations of the Covenant in the OPT. Overall the CESCR’s concluding observations, published in December, on Israeli were disappointing. However, the Council did adopt Al-Haq’s recommendations on workers in the Gaza Strip ‘Buffer Zone’; urging Israel to ensure that Palestinians enjoy unimpeded access to their agricultural lands; clearly demarcate the buffer zone to the extent strictly necessary to address its security concerns; and effectively inform the civilian population in the Gaza Strip of the extent of its applicable regime.

Objective 3: Advocate third-party states to prioritise international law, including international human rights and humanitarian law, in their relationships with Israeli and Palestinian Authorities.

Through our presence in Brussels, Al-Haq has become a central reference point for European institutions seeking input into the situation on the ground, while at the same time serving as a source of information for other Palestinian organizations on developments at the EU level. Having a permanent presence in Brussels and being on the Executive Committee of the Euro-Mediterranean Human Rights Network, Al-Haq has been able to be a very active voice for Palestinian human rights at the EU level. The organisation is invited to participate in events in Europe and also gains insider information into developments. Al-Haq is also called on for advice and training on EU advocacy considering the experience it has built through its presence in Brussels.

One example of this advantage concerns the development of discussions regarding the EU’s position on the situation in East Jerusalem. Al-Haq had learned that one of the main issues to be discussed at the **EU-Israel Association Council** meeting in February was Israeli practices in East Jerusalem. As a result of this information, Al-Haq was able to put

together an advocacy briefing entitled ‘**Vanishing East Jerusalem**’ and rallied the endorsement of the PCHRO to support the briefing.

The purpose of the briefing was to channel a unified message of Palestinian civil society to policy makers in the EU ahead of its Association Council with Israel. The briefing further illustrates how EU policies have failed to positively impact the human rights situation in East Jerusalem and urges the EU to adopt a new strategy with regards to Jerusalem, while providing concrete recommendations for EU action in this regard.

The briefing was published and disseminated a couple of weeks ahead of the EU-Israel Association Council, shortly after the EU Heads of Missions in the OPT had published their (confidential) report on East Jerusalem and at a time when the EU was discussing the adoption a new policy regarding Jerusalem. The briefing reached the desk of the Council for European Palestinian Relations with Palestine (CEPR) and Al-Haq was asked to meet to discuss the briefing and its recommendations. Our presence in Brussels enabled Al-Haq to take up this invitation and follow-up the submission of the report.

As a follow-up to the briefing, Al-Haq participated in a joint “advocacy mission week” in Brussels ahead of the EU-Israel Association Council meeting. The other NGOs included EMHRN and Crisis Action partners such as Oxfam, Amnesty International, Aprodev and CIDSE. The purpose of the meetings was to channel a strong and unified message from Brussels-based civil society to EU policymakers. The advocacy targets for the mission were EU institutions and member States including Denmark, Belgium, Germany, UK, Italy, Spain, Sweden, France, Poland, and the Czech Republic. Al-Haq’s representative was contacted by the Polish Mission the week following our meeting with them for further information regarding human rights violations in the OPT.

Al-Haq’s presence in Brussels meant that we could be represented at a hearing on the UN Fact-Finding Mission on the Gaza Conflict organized by the **Subcommittee on Human Rights in the European Parliament** (EP). The purpose of the hearing was to provide an update on domestic investigations in Israel/OPT and to generate a debate on the role of the EP in advancing the “Goldstone process”. Al-Haq was able to meet with EP members and journalists at the hearing. Following the hearing, Al-Haq attended a reception organised by EMHRN in light of the revolutions ongoing in the Arab world. Al-Haq’s representative met with the Slovakian representative to the EU, who was interested in hearing more about EU-Israel relations and their impact on the Middle East Peace Process (MEPP).

Al-Haq also met with the Israel and Palestine (Co-) Desks of the European Commission in order to update them on the human rights situation in Israel and the OPT and to provide input ahead of the drafting of the Commission’s progress reports on the implementation of the ENP. Al-Haq critiqued the content and scope of the previous progress reports, suggesting human rights matters and priorities that should be included in this year’s reports with regard to both Israel and the Palestinian Authority.

In November, in light of the EU’s “New and Ambitious Neighbourhood Policy”(ENP) and the upcoming review by the **European External Action Service** (EEAS) of the progress made in the implementation of the EU-Israel Action Plan, Al-Haq, together with nine other Palestinian Human Rights Organisations, made a submission to the EEAS in which it highlighted several issues of concern. The paper emphasised that the EU is inconsistent in reporting on violations of international human rights and humanitarian law in its progress reports on Israel; an inconsistency which undermines the ENP review process. The submission also drew attention to a key human rights issue, which the EU has failed to consider in previous progress reports on Israel: the right to water. Al-Haq urged the EEAS

to take these issues into consideration in the drafting of the Progress Report on Israel for 2012.

These issues were also raised with Christian Berger, Middle East Director of the EEAS in a meeting attended by Al-Haq, EMHRN, Aprodev, CIDSE, Oxfam and Crisis Action. He was urged to raise the issue of water and to condemn Israel's illegal practices in this regards during the EU-Israel Subcommittee on Political Dialogue and Cooperation.

As a follow up to the **EU-PA Subcommittee Meeting on Human Rights**, Al-Haq met with the European Commission who provided a debriefed on the outcome of the meeting. We used this opportunity to update the Commission on human rights violations committed by the PA. Later in the year, Al-Haq met with the Palestine Desk of European External Action Service (EEAS) to update them on PA violations in view of the upcoming adoption of a new EU-PA Action Plan. The outcome was a further information request by the Palestine Desk for updated statistics on rights violations.

In March, Al-Haq participated in a 3-day **advocacy mission to London** organised by the EMHRN (participating organisations: Al-Haq, PCHR, PCATI and Adalah) where we met with Middle East Directorates; relevant Desks in the Foreign and Commonwealth Office; various MPs as well as with a group of lawyers interested in OPT issues. Al-Haq also spoke at a public event sponsored by EMHRN and Amnesty International (UK), during which we discussed the "Goldstone process" and the EU's role in promoting accountability.

In June, Al-Haq participated in a four-day **advocacy mission to Berlin**, which was organised by EMHRN and Medico International. Other NGOs who joined the mission included Al-Mezan, B'tselem, Adalah and Physicians for Human Rights. We met with the Foreign Office and the Chancellery as well as various journalists and two of Germany's political foundations: The Freidrich Ebert Foundation and the Rosa Luxemburg Foundation. Al-Haq also briefed a hearing at the Human Rights Committee of the Bundestag (the German Parliament) attended by representatives of all German parties. Al-Haq's briefing focused on the political and territorial fragmentation of the OPT on the ability of the Palestinian people to exercise their right to self-determination.

In December, Al-Haq participated to a workshop organised by the EEAS and the EU Commission on the implementation of the EU Guidelines on the Implementation of IHL adopted by the EU in 2005, which are one of the tools Al-Haq has continuously referring to in its EU advocacy since its implementation.

Al-Haq's representative in Brussels was also a regular reference for international organizations following the Palestinian reconciliation efforts and was asked for information on developments as well as for advice on formulating positions.

In November Al-Haq participated in a 3-day meeting of the **EMHRN's PIP Working Group** to exchange information and coordinate EU advocacy efforts between Palestinian, Israeli, Arab and European NGOs. Outcomes included enhanced visibility of Al-Haq's EU and UN advocacy efforts amongst local and international NGOs and coordination of joint work for 2012.

While the bulk of Al-Haq's work under this objective continues to be focused at the EU level through our representative in Brussels, Al-Haq has sought to develop its engagement at the US level as well. Our growing partnership with **Project Engage**, a US-based initiative aimed at increasing the discourse of the human rights situation in the OPT, is a positive step towards conducting effective advocacy in the US. At their invitation, Al-Haq

participated in an advocacy visit to Washington DC and North Carolina to raise the situation of East Jerusalem.

The focuses of the advocacy trip were the threats faced by residents of Jerusalem, including revocation of residency rights; denial of family unification; and the increasing isolation from the rest of the West Bank by the Annexation Wall. Al-Haq was able to effectively contribute to this mission through its report published in 2010 entitled **The Jerusalem Trap**. Al-Haq also held meetings with Congressional representatives, the National Security Council at the White House, the State Department and think tanks, including the Cato Institute and the Centre for American Progress, Churches for Middle East Peace, American Conservatives, and the Open Society Institute.

In North Carolina, Al-Haq gave a presentation to a group from the Coalition for Peace with Justice, and a talk at the University of North Carolina at Chapel Hill. It was a very successful advocacy trip, with fruitful meetings at the State Department and with the National Security Council. We were told that they would contact their Consulate about Al-Haq and that we should also make contact and provide the representatives there with information. In our meeting with the State Department, we were informed that they had had no idea about the protests in al-Nabi Saleh. One of the editors of the US annual human rights report asked us if the tear gas used was made in the USA and invited us to send all of our information on this issue.

As a follow-up to this visit, Al-Haq contacted the **US Consulate** in Jerusalem to invite them to Al-Haq's launch of the Awarta report on collective punishment. Although a representative could not attend the launch, we were thanked for sending the report and asked if we could meet to discuss other issues, as he had heard "great things" about our visit to the US. During a subsequent meeting, the Consulate representative expressed that he had been instructed to consult with us after receiving calls from both the State Department and the National Security Council. We were asked to comment on what Al-Haq considered to be the three most pressing human rights issues in the OPT this year, to which we responded: settler violence; denial of self-determination generally, but particularly in the Jordan Valley the Gaza Strip and East Jerusalem; and freedom of movement. It was an important meeting to establish contact with the US Consulate, which Al-Haq has not had in at least two years, and presents an opportunity to have the Consulate include additional information in the State department's annual human rights report.

A further development in Al-Haq's relationship with the US Consulate came in November when their new political officer requested a meeting with one of Al-Haq's legal researchers. This Consulate officer is responsible for writing the human rights report on Palestine and Israel and wanted some information. Although it was encouraging that the officer said she regularly uses Al-Haq's website for updates and statistics she made it clear that her reporting is restricted by policy decisions made at a higher level.

Al-Haq undertook a second advocacy mission to the US in September in relation to the **Palestinian initiatives at the UN**. These initiatives could offer new and important opportunities for accountability with potential access to international mechanisms as well as enhanced political leverage. The bid created an important momentum for advocacy and although Al-Haq does not take a position on the bid as such, it was crucial to be present on the ground to seize this historic momentum in order to reiterate the urgency of accountability and to raise awareness about violations of international law committed in the OPT. During the mission, Al-Haq representatives attended the sessions of the UN General Assembly (GA) and met with a number of diplomatic missions, including UK, France,

Germany, Brazil, The Netherlands, and Egypt. We also had meetings with UN officers, such as the UN Assistant Secretary General for Human Rights and some Senior Political Officers. The presence of a Palestinian human rights organisation at the GA generated media attention, Al-Haq representatives participated to some 10 radio programs on the issue of Palestinian membership to the UN. Al-Haq's presence in the US at such a crucial time not only made it possible for a Palestinian perspective to be promoted in the midst of pro-Israeli discourses but also meant that a unified voice from the Palestinian human rights community could be heard by stakeholders in New York and Washington D.C. on behalf of the PCHRO.

Al-Haq has been a leader in the response of Palestinian civil society to the initiatives of the PA and PLO at the UN. Our two legal briefs on statehood and representation were the only documents providing in-depth legal analysis of the issue and became key reference documents for diplomats, NGOs and the media.

The first paper took the form of a **Q&A on Palestine's September Initiatives at the United Nations** and adhered to a strict application of international law and contemporary legal practice. The paper addressed four main issues: (i) Palestine's September initiatives; (ii) Palestine's statehood status in international law; (iii) the procedure for admission as a Member State of the UN; and (iv) the potential implications of these initiatives.

After having received very positive feedback on the first brief, many donors, international and local organisations and individuals urged Al-Haq to respond to the representation debate. As a result Al-Haq drafted a second **Q&A on the Representation of the Rights of the Palestinian People**. This legal brief analysed the legal and political implications of the Palestinian UN initiatives on the protection of the rights of the Palestinian people under international law. Al-Haq acknowledged the importance of upgrading Palestinian representation in the UN, provided that these steps are taken in a cautious and responsible manner, by undertaking firm measures to ensure the utmost protection of the rights of all the Palestinian people and, therefore, preserving the role and functions of the PLO. Al-Haq also highlighted the responsibility of the international community towards the Palestinian people, in particular the Palestinian refugees, to ensure that their representation is maintained and facilitated both inside and outside the UN system. Importantly, the future undertaking of internal reforms of the Palestinian representative bodies must guarantee the legal protection of all the Palestinian people, and ensure their political participation in accordance with their civil and political human rights.

Al-Haq also contributed to two **conferences** in relation to the UN initiatives, the second of which was held jointly by Al-Haq with Diakonia and was attended by around 120 people, representing a broad range of international and local human rights organisations. In addition, Al-Haq's legal research team held numerous meetings with PA and PLO officials as well as international legal experts in order to articulate and present its opinion.

Furthermore, Al-Haq has conducted research and consultation on an Arabic brief on the benefits and prospects of Palestine's **UNESCO membership**. This will be used to advocate for protective action from stakeholders such the Ministry for Tourism and Antiquities. Research into security council voting criteria has also been conducted with a letter and brief to be published and sent to Security Council members in early 2012.

As an indicator of the ongoing resonance of the **Occupation, Colonialism, and Apartheid** report, which Al-Haq contributed towards in June 2009, we were invited to participate in the **Russell Tribunal** held in South Africa in November. The session considered whether

Israel's treatment of the Palestinian people fitted the international legal definitions of the crime of apartheid. Prior to the session, Al-Haq presented a written submission on the legal and administrative measures impacting residency rights and the freedom of movement of Palestinians in the OPT. The testimony focused on Israel's institutionalised discriminatory policies that have resulted in the overarching fragmentation of the Palestinian population into sub-groups – West Bank, East Jerusalem and the Gaza Strip. These divisions prevent Palestinians from participating in the political, social, economic and cultural life in the OPT, thus impeding their full development as a group.

On the second day of the Russell Tribunal, Al-Haq provided an oral testimony, highlighting the factual restrictions on Palestinians living in the OPT. Today, more than 580 obstacles, such as roadblocks, checkpoints, trenches and road gates, obstruct Palestinian movement within the West Bank, including East Jerusalem. In addition to these restrictions, Palestinians with West Bank IDs are prohibited from entering East Jerusalem without a permit from the Israeli authorities, which is virtually impossible to obtain. Most of the movement restrictions imposed on Palestinians aim to privilege over 500,000 Israeli settlers living in settlements established, in contravention of international humanitarian law, throughout the West Bank. Al-Haq's testimony to the Russell Tribunal on Palestine attracted significant media attention and our representative was interviewed by a number of local journalists.

The tribunal concluded that Israel's rule over the Palestinian people collectively amounts to an integrated regime of apartheid as defined under customary international law. Al-Haq welcomed the findings of the Russell Tribunal on Palestine as they represent an important step towards mobilising public opinion and putting pressure on decision makers with regard to Israeli practices against the Palestinian people in breach of the prohibition on apartheid.

Also in November, in response to the publication by the Israeli human rights organisation Gisha of a position paper, '**Scale of Control: Israel's Continued Responsibility in the Gaza Strip**', Al-Haq prepared a rejoinder in order to clarify the applicable legal framework setting out Israel's responsibilities towards the population in the occupied Gaza Strip.

The rejoinder seeks to examine these conclusions by reiterating the applicable framework to Israel's continued responsibility as the Occupying Power in the Gaza Strip in accordance with what is prescribed by international law and widely accepted by the international community, including the United Nations, the ICRC and individual states.

IV. The Centre for Applied International Law

Goal 3: Develop Al-Haq's work as a centre for applied international humanitarian and human rights law.

Objective 1: To transfer, deepen and exchange the applied knowledge and experience of Al-Haq in IHL and human rights law locally regionally and internationally.

Al-Haq added this goal in 2011 in order to encompass the various training and capacity building activities Al-Haq carries out. The Goal also reflects the two major projects in which is currently involved; firstly, with Diakonia, on IHL training, and secondly, with the Ford Foundation and the Al-Haq Center for Applied International Law. Although training and capacity building activities have always been a part of Al-Haq's work, we felt it was important to institutionalise this aspect of our work and position it in our five year strategy and action plan in order to give the issue the importance and focus it merits. Due to Al-Haq's long experience the organisation has become a natural reference for individuals and organizations wishing to understand international law and its application. We have found that there is a strong need to develop this capacity within Palestinian society as a way not only to promote understanding and raise awareness but also to ensure social sustainability of the reforms for which Al-Haq advocate.

Through the Al-Haq Center for Applied International Law, a number of trainee lawyers were selected as the primary target group. They were provided with three weeks of training on the application of international and local laws. Al-Haq also worked with NGOs and human rights activists to provide them with similar training. It is important to note that these trainings are carried out by our own national and international legal research team, allowing Al-Haq to share our own practical experiences with the participants.

Through the Diakonia project, Al-Haq worked with the **Palestinian Ministry of Education** to hold 16 awareness raising workshops for students. The 'Trained Trainers' from the previous phases conducted these workshops as well as separate trainings for academic supervisors and teachers that will be supervising the students' work. The participating students submitted projects relating to IHL to their teachers who evaluated and selected the top from each group. Al-Haq along with representatives from the Ministry of Education selected the top two and announced them at an end-of-term event. Al-Haq also held training for supervisors in the Ministry of Education on documentation of IHL and Human Rights Law violations. The logic behind working with supervisors as well as students is that they work with the teachers regularly and can transfer their knowledge to the various teachers under their supervision.

Outside of the scope of these specific projects, Al-Haq is regularly called upon to present legal interventions to **local and international workshops**. Although at times we have had to turn down requests because of our limited capacity, if we feel there is an opportunity to include a strong legal perspective in the discussion and open the other participants' eyes to important issues, we will participate. What is important to note is that Al-Haq does not simply attend workshops; it seeks to provide a genuine added value to its contribution by presenting a paper or facilitating a session. This is why we receive so many invitations to participate.

For example, the **Ministry of Local Government** asked us to participate in a discussion on the development of executive regulations, particularly with regard to its role in monitoring

and accountability, or good governance. Al-Haq was able to provide important insight into the need for the regulations to conform to the Basic Law and legislations applicable to the Ministry, a fact that many were not aware. The Ministry assured us that once the regulations are drafted they would be sent to Al-Haq for review and comments. Other workshops in 2011 covered topics including the judiciary, legislation, and the complaints mechanisms discussed earlier in the report.

Another example was Al-Haq's input into the work of the **Anti-Corruption Commission**. We were actively involved last year in having international anti-corruption standards integrated into Palestinian law. As the Commission began developing its strategic plan, it called upon Al-Haq for assistance and we chaired a working group on the cooperation with the international judiciary. Al-Haq was later asked to be part of a smaller group responsible for the evaluation and development of the Commission's strategic plan.

Journalists were another target group for our trainings. In cooperation with **Ma'an News Agency**, Al-Haq provided training for journalists on media freedoms in light of international standards and Palestinian legislation as well as mechanisms for the protection of these rights. The training has helped Al-Haq build an even stronger relationship with journalists leading many to seek feedback from Al-Haq on their stories.

A further training conducted by Al-Haq this year was particularly sensitive. This involved providing training to members of the **General Intelligence Services** at their new security facility in Jericho. In 2009, Al-Haq made a decision to no longer train the security services and focus on the political level to achieve the change we sought. However, after the announcement by the GIS that the military judiciary would no longer be used to try civilians, we felt that we should not turn away this from particular request. We saw it as an opportunity to test the policy changes; deliver our message as to why we pushed so hard for the reform; and explain what we view as the problems in the security services. This still falls in line with Al-Haq's strategy to address human rights issues at multiple levels and to try to both guide and criticise simultaneously. Following this exceptional instance we have denied further requests for training.

A significant development in 2011 has been Al-Haq's impact at the regional level through the organization of and participation in conferences in Qatar, Cairo, Tunis, and Jordan.

In May, Al-Haq was invited by the **World Bank** to the launch of the 2011 World Development Report (WDR) on 'Conflict, Security and Development' for the Middle East and North Africa Region in Cairo, Egypt. Al-Haq was also invited by the Coalition for the **International Criminal Court** to attend the Regional Conference on the International Criminal Court (ICC) in Doha, Qatar.

Al-Haq's first **regional seminar** through the Center for Applied International Law took place in Tunis in September. The seminar, which was conducted in partnership with the Arab Institute for Human Rights, brought together NGOs from 12 Arab countries and provided a unique opportunity to share experiences and expertise at this important time of change in the Arab world. Almost 40 human rights defenders participated in the 6-day seminar. In addition to training relating to the monitoring and documentation of human rights violations, the participants also engaged in panel discussions addressing the recent Arab revolutions and questions of democratic transition.

Al-Haq participated in a conference in Jordan addressing the rights and freedoms of journalists and the media. Al-Haq presented a paper at the conference and was later asked by a representative of the Qatari delegation for assistance in drafting legislation concerning

the media in Qatar. This is a strong indicator of the professionalism and quality of work Al-Haq brings through its participation in such events. Another example was a conference in Cairo late in the year that allowed Al-Haq to highlight its work on the use of the military judiciary against civilians. After the conference, representatives from Cairo University asked if Al-Haq would attend and provide trainings on human rights, in cooperation with university.

At the international level, Al-Haq has been very active as well in developing the understanding and application of international law.

In September, Al-Haq's Center for Applied International Law hosted Australian legal expert, **Roy Abbot** and arranged for him to run five IHL workshops for law students at four Palestinian Universities on 'A Normative Paradigm for Targeting'. Similarly the Center organised meetings at universities for arbitration specialist, **Dr. Kathleen Rogers** from Pen State University in the US. Also in September the Center arranged for a four-day tour for 15 academics from various Italian universities. They visited universities and went on field visits to Hebron, Jenin, Nablus and East Jerusalem.

In October, Al-Haq hosted esteemed **Prof. John Quigley**, professor of law at the Moritz College of Law at the Ohio State University. We arranged for him to give a public lecture in Statehood and self-determination and to present a paper on the role of international courts in achieving Palestine's statehood at a Birzeit University conference.

In November, Al-Haq was invited to participate in a workshop on '**New Approaches to the Palestine/Israel Conflict**' at the London School of Economics. Al-Haq gave a presentation on the importance of ICC jurisdiction and the possible establishment of a Palestinian ICC coalition. In the same month, Al-Haq presented a paper on the imperative of accountability before negotiations at a conference held by the **Al-Quds Human Rights Clinic** (AQHRC), Al-Quds University and the ICTJ.

In December, Al-Haq held a **Panel Discussion on international criminal law** with Professors Fionnuala Ní Aoláin and Kai Ambos. The titles of their presentations were, respectively, 'Criminal Liability under the International Criminal Court's Statute and Possible Application to the Occupied Palestinian Territory' and 'Addressing Access to Justice, Accountability and Reparations in the Context of International Criminal Law Enforcement'. Al-Haq also arranged for Prof. Kai Ambos to visit several villages situated near the Green Line to get a greater understanding of the situation of the Palestinian residents.

V. Administrative Issues

Goal 4 - Strengthen Al-Haq's Organizational Capacity.

As mentioned earlier, Al-Haq has moved to a **new office** location in 2011 in a very efficient manner. This is testament to the skills and dedication of Al-Haq's administration staff. The new office has helped to improve the working environment for the staff and has contributed to a renewed, energetic atmosphere. The organisation still plans to make use of its old location as a training venue in the future in order to avoid using external halls.

Al-Haq's **Board of Directors and General Assembly** met on regular basis and continue to play an expressly supportive role with regards to the organisation's work. Dr. Lily Feidy was elected as the new Chair of the Board.

Al-Haq's **internship program** remains very active with applications coming in on a regular basis. Unfortunately our capacity allows for a maximum of only three interns at a time. Our interns not only provide volunteer spirit, they contribute genuinely to our work and upon leaving serve to develop a support network for Al-Haq. Occasionally our interns make exceptional contributions to organisation and join the full-time staff, as was the case at the end of 2011 when Al-Haq appointed a former intern as our new **Media and Outreach** officer. Al-Haq decided to reinstate this position after following our organisational evaluation in October at which it became clear that there is a need to direct additional resources to communicating our work with the outside world in a coordinated and strategic manner.

One of the organisational difficulties we continue to face is the ability to keep our international staff for prolonged periods of time due to visa issues. That is why we are working to develop the capacity of local staff's to be able to take on the role of international staff should they be denied entry. This is one of the reasons Al-Haq is supporting one of its staff members in a fellowship training program in pursuit of an LLM in International Human Rights Law to begin September 2011. Additional capacity building activities include our two Gaza field researchers participating in the 21st edition of "**Anabtawi**", the summer school for Arab human rights defenders. "Anabtawi" traditionally consists of a two-week intensive training workshop that takes place in Tunis in July and is organised by the Arab Institute for Human Rights (AIHR). There is now an online component, which has been completed successfully by our field researchers.

Other than those caused by the policies of the occupation the major operational challenge facing Al-Haq is the increasingly difficult financial situation. With **core funding** becoming more unreliable as a secure source of funding, Al-Haq has to search for projects that support our activities while avoiding drifting from our core objectives. Projects create additional administrative difficulties for any organisation and detract from the organisation's ability to focus on the substantive issue of defending human rights.

Al-Haq also made moves in 2011 to ensure the sustainability of its physical presence in **Brussels**. Both infrastructure and institutional memory will be essential in this regard. With this in mind Al-Haq has been working to secure a reasonably priced co-working space in the centre of Brussels. Al-Haq's current representative in Brussels has also been researching and drafting a briefing entitled '**Introduction to the EU**' which explains the set-up, functioning and competencies of EU institutions and gives an overview of EU Foreign Policy Objectives relevant to Al-Haq's EU advocacy. She is also in the process of creating an Al-Haq/EU advocacy database, which will archive Al-Haq's EU advocacy material (including interventions, background information, contacts etc.) and a briefing describing Al-Haq's lessons learned in Brussels over the last two years.

VI. Multimedia and Social Media

At the beginning of 2011, Al-Haq launched its **multimedia portal** in an effort to better showcase our work through maps, visual documentation, and social networks. These efforts have received a great deal of positive feedback from visiting delegations and the ever-increasing group of Facebook and Twitter followers.

Following the success last year of the interactive **Virtual Field Visits**, our multimedia team pushed this initiative forward by rendering two of the Virtual Field Visits as narrated videos. The most successful Virtual Field Visit (covering the Annexation Wall) has been viewed over 9,000 times. In July, a new Virtual Field Visit was designed to complement Al-Haq's

report on the Buffer Zone in the Gaza Strip and has also been very successful in helping to explain the situation there. It has been used in dozens of presentations, including at the public launch of the report, and has received almost 2,000 hits on both YouTube and Al-Haq's multimedia portal.

A new development this year has been the innovation of **interactive maps** as advocacy and communication tools. Covering issues such as settler violence, the Buffer Zone, and the violent suppression of the peaceful demonstrations, the maps are invaluable tools for graphically explaining the situation to visiting delegations of diplomats and parliamentarians. They always receive a very positive response from audiences and are by far the most visited pages on Al-Haq's website. Most importantly, they have been used by other organisations and networks in order to inform and educate an even wider group of stakeholders.

In addition to the graphical tools, Al-Haq has produced **nine short documentary films**, designed to disseminate the stories of the individual victims at the centre of the human rights violations occurring in OPT. Subjects of the videos include movement restrictions affected Palestinians living in the seam zone; the difficulties faced by Palestinian workers and; the specific affects of the occupation on women.

In order to effectively communicate these stories together with our factual and legal analysis, Al-Haq has recognised the power of **social media** in 2011 and now has a healthy following on Facebook and Twitter. These community pages were given a boost in October when Al-Haq was able to launch the English language version of its new website. Although very time-consuming, work on the **new website**, which was internally designed and developed, progressed very well and the new platform has received considerable attention from the human rights community in Palestine. We appreciate that it is important to reach a broader audience and although there has already been a notable increase in the number of visitors to the website, we will be making use of web analytics to more effectively monitor the response to differing reports and releases in order to fine tune our outreach in 2012.

VII. Lessons learned for 2012

Al-Haq made a concerted effort in 2011 to critically review and evaluate its work and our plans for 2012 were made with a deliberate effort to build on this work and learn from the progress made and challenges faced. From the recent annual evaluation and planning phase Al-Haq identified a number of key lessons from last year that will be the focus of our learning and development for next year. They include the importance of taking advantage of external peer networks; the value of visual documentation and multimedia for advocacy; and the significance of defining and implementing a clear media and outreach strategy. Al-Haq will also strive to enhance organizational capacity in 2012 by encouraging sustainable staff skill development and consolidating institutional memory. (See 2012 Al-Haq's Action Plan for more details).