AL-HAQ

FIVE-YEAR STRATEGIC PLAN 2006-2010

PRESENTED
DECEMBER 2005

I. EXECUTIVE SUMMARY

The following five-year strategic plan for 2006-2010 is the fruit of Al-Haq's serious assessment of its work towards upholding the rule of law and ensuring the respect of human rights in the Occupied Palestinian Territories (OPT). The strategic planning process involved diligent commitment by all of the staff as well as Al-Haq's board of directors, with the belief that Al-Haq must conduct work that builds on its strengths and remains faithful to its mission and vision.

A major component of the strategic planning process was a comprehensive external evaluation of the organisation that was conducted in August by a team of experts – two international and one Palestinian. The goal of this evaluation was to maintain Al-Haq's standard of "good practice," and to help the organisation to continue to meet the many challenges it faces pursuing its vision of the rule of law while remaining relevant, competitive, and responsive. 1

The evaluation process enabled Al-Haq to realise what it does best as an organisation working towards upholding the rule of law and respect for human rights in the OPT. The work of the monitoring and documentation department is the foundation of the work conducted by the organisation, including the reports and legal analyses on pertinent human rights issues that have always been a core focus of Al-Haq's work.

The overall strategic planning process has helped Al-Haq to identify three major organisational goals for the following years, in line with its mandate: influence policy at the national and international levels; hold accountable perpetrators of violations of international human rights and humanitarian law; and strengthen Al-Haq's organisational capacity. It has decided to drop its legal services from its strategic plan, and the former legal unit will be incorporated into the legal research and advocacy department, which will be embarking on research and advocacy. Within the department, they will use their expertise to help create a war crimes file and prepare test court cases for patterns of human rights violations, and conduct human rights training in line with the organisation's mandate.

This strategic plan aims to keep Al-Haq's work focused on what it does best, and lays the groundwork for the execution and management of the organisation's tasks and staff, respectively.

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¹ A summary of the evaluators' conclusions and recommendations can be found in Annex 1 of this document. The full report is available upon request.

II. AL-HAQ'S VISION

Al-Haq's vision is to see the rule of law and standards of international human rights and humanitarian law implemented and adhered to, so that Palestinians can enjoy equal treatment with respect to their human dignity, free from occupation and with the full realisation of their right to self-determination.

III. AL-HAQ'S MISSION

Al-Haq is a Palestinian non-governmental, independent human rights organisation that works in the OPT to uphold the rule of law and respect for human rights. Al-Haq focuses on monitoring, documenting and advocating against the violations of the individual and collective rights of Palestinians under international law, irrespective of the identity of the perpetrator, using both national and international mechanisms to:

- influence policies at the national and international levels;
- and hold perpetrators accountable;

with the intention of promoting respect and adherence to the rule of law and remedying violations.

IV. AL-HAQ'S VALUES

Al-Haq has identified the following guiding values for its work that foster credibility and shape the overall structure for everything that the organisation does:

1. INDEPENDENT, OBJECTIVE, AND PROFESSIONAL ORGANISATION

Independence

Al-Haq values the principle of acting independently of the directions and influences of external actors, regardless of whether they are governments, political parties, other non-governmental organisations, funding agencies, or individuals. In this regard, Al-Haq seeks to maintain the autonomy of its decision-making processes and structures on programmatic, financial, and administrative levels to ensure that the organisation acts in accordance with its vision and mission at all times, and in a manner that promotes and contributes to its goals and strategic objectives. To do so, Al-Haq shall put in place transparent and clear mechanisms and structures of decision-making and accountability.

Professionalism

As Al-Haq's knowledge and experience in the human rights field accumulates over time, it seeks to maintain a continuous state of improvement. Al-Haq also strives to be consistent and transparent in its decisions and actions, and to fulfil the organisation's commitments to its various stakeholders and constituencies. To do so, Al-Haq aims to put in place sound decision support systems and mechanisms (administrative, financial, and programmatic) to ensure a result-oriented and quality-focused approach to its work. It will also enable Al-Haq to better assess its achievements and shortcomings, and accumulate work in a coherent manner towards achieving its goals.

Objectivity

Al-Haq seeks to ensure that its various activities focus on providing meticulous documentation and analysis of human rights violations as they take place, and that the information provided by the organisation, given a particular human rights situation or set of violations, is to the best of its knowledge accurate, clear, complete, reliable, and unbiased. In this regard, the only reference points for the organisation are the principles of international law, as reflected in international legal standards, most notably those of international human rights and humanitarian law.

Integrity

Both collectively and individually, the staff of Al-Haq works towards consistency and transparency in its decisions and actions. Al-Haq also seeks to fulfil its commitments and conduct itself in a way that is true to its identity and mission.

Transparency

Al-Haq is committed to the principles of good governance by enhancing the quality of lawmaking at the national level, and to improve Palestinian citizens' ability to participate in political, social, and economic life.

Internally, the organisation strives to ensure accessibility and availability of information related to its financial, administrative, and decision-making process to enhance the quality of decision making at all levels. This will foster responsiveness and accountability, both internally within the organisation and externally to its main constituencies and stakeholders.

2. DEMOCRACY AND THE RULE OF LAW

Democracy

Democracy is the basis for the rule of law and the separation of powers. While democracy can't be fully enjoyed while under occupation, human rights cannot flourish in an undemocratic environment. Stemming from this belief, Al-Haq seeks to contribute towards the development of a society where all its citizens can be represented in political life and the decision-making process without distinction, and where laws provide for strong protection of fundamental human rights and allow citizens to initiate decisions and actions on issues of concern.

Therefore, Al-Haq supports a governance model for the Palestinian society and future state that enables all of its citizens to articulate themselves in a peaceful and free manner, and where they actively participate in the governance of the country in a manner that contributes to a better socio-political and economic life and standards and promotes their fundamental human rights and freedoms.

Internally, Al-Haq strives to ensure that individuals are given the opportunity to engage both freely and effectively with its work, whilst upholding the organisation's values and adherence to its internal rules and regulations, decision-making process, and governing systems. Al-Haq aims to ensure that its staff has easily accessible, meaningful, and transparent ways to participate in the decision-making processes of the organisation when making decisions or taking

actions that affect them. It also strives to ensure that those individuals within the organisation who are responsible for making decisions and taking actions can and are held fully accountable if they violate fundamental human rights, or are unethical, unfair, secretive, inefficient, unrepresentative, unresponsive, or irresponsible. This helps promote a culture of accountability, and one where the staff shares in the decision-making process.

The Rule of law

Al-Haq has long considered and advocated the rule of law as a framework to govern and regulate the interaction between state organs and citizens. In this context, the rule of law ensures that freedoms of citizens are not restricted, nor are any favours granted according to groups and individuals except by law, and with due consideration given to the nature of this law.

Therefore, Al-Haq advocates for clear government- and state-related functions, and conflict resolution mechanisms that must be defined by law, and carried out under the ultimate control of the citizens through a process of representational democracy. Al-Haq believes that this would help foster a stable environment, and would optimise the conditions necessary for citizens to pursue available political, social, and economic opportunities. For the organisation, it is also important to stress that the rule of law includes working towards a well-functioning and independent judicial system capable of providing remedies for victims of human rights violations.

Al-Haq believes that its internal procedures, regulations, and by-laws are to be the only reference points governing the organisation's work at all levels. Al-Haq works to ensure that these rules are fair, transparent, and applied equally to all staff, and that the staff members' engagement in all aspects of its work is governed by responsibility and accountability for the strategic directions and outcomes of their work.

Separation of powers

Al-Haq advocates a division of powers between the legislative, the executive, and the judiciary powers as a fundamental principle of the exercise of authority by the Palestinian National Authority (PNA) or a future Palestinian state to ensure that no branch defines or assumes the functions of any other branch. Such a breach would undermine a pre-requisite to democracy -- the rule of law.

3. JUSTICE AND EQUALITY

Justice

Linked to the existence of democracy, Al-Haq strives towards the existence of a governing system and social contract between a Palestinian government and its citizens that is premised on the expectation that the state acts from the principles of fairness and justice. The organisation believes that there can be no respect for human rights and rule of law without promoting political, social, economic, and legal justice for the Palestinians in the West Bank and Gaza Strip.

Internally, Al-Haq will be guided by this value to ensure that all organisational procedures and regulations ensure fair treatment to the entirety of Al-Haq's staff.

Equality and non-discrimination

Al-Haq aims to guarantee that there is no discrimination as to nationality, race, religious beliefs, class or political opinions that would affect work ethics, dynamics and relations, and that any distinctions made between staff members are based solely on their different professional responsibilities, skills, and performance.

Similarly, in terms of Al-Haq's work and its target groups and individuals, the organisation endeavours to address the human rights violations of Palestinians in the OPT in a manner that does not draw distinctions on the aforementioned grounds, and is solely guided by international human rights and humanitarian law.

Gender sensitivity

Both individually and as a whole, Al-Haq's staff members will strive to be receptive and aware of the different situations and needs of women and men throughout the decision-making process. Al-Haq endeavours to promote the achievement of gender equality and ensuring that Al-Haq better searches, considers, addresses, and accommodates the specific needs and status of women in Palestinian society through the planning and implementation of its activities.

4. RESPECT FOR AND PROMOTION OF HUMAN RIGHTS

Al-Haq strongly believes in the fundamental right of every individual to enjoy the same civil, political, social, economic, and cultural rights to which he or she is entitled to as human beings, in order to preserve their dignity and humanity. Restriction of the freedoms and rights of the individual by any state- or non-state actor must only take place in accordance with international human rights and humanitarian law, or domestic legislation that adheres to the former, and only when this is deemed necessary in a democratic society. Individuals must be guaranteed access to effective means at the local and international levels for the recognition and enforcement of their rights and to challenge acts of state and non-state actors that constitute violations of international human rights and humanitarian law.

Al-Haq will be guided by this principle to ensure that its staff are treated equally and are provided with clear administrative and staff management policies that promote mutual respect.

5. PARTNERSHIPS

Responsiveness

Al-Haq wants to continuously improve its ability to respond pro-actively to events and changes taking place regarding the human rights situation in the OPT. The organisation will work on developing sound management tools at the administrative, financial, and managerial level that ensure flexibility and effectiveness of the work whilst ensuring that Al-Haq's strategic objectives or outcomes are achieved. Al-Haq endeavours to adopt procedures that will enable it to adapt tactically, operationally, and strategically to the changing political circumstances and the situation on the ground without shifting its focus.

Participation and cooperation

Al-Haq strives to maintain its function as a learning organisation, where all of its staff, partner organisations, and individuals that share the same values are perceived as sources of knowledge and skills to help Al-Haq better implement its activities and achieve its goals. The organisation will maintain and promote the ability of everyone within the organisation to contribute to the decision-making process and the broad policies of the organisation, and to be given opportunities to develop their professional skills and capacities by learning from each other.

Teamwork

Al-Haq will foster a spirit of cooperation and coordination of individually assigned tasks and responsibilities among its staff, so that they can collectively achieve the shared goals of the organisation, and strengthen the sense of staff's identification with and contribution to Al-Hag's vision and mission.

V. CHANGES AND DEVELOPMENTS: THE BASE OF THE PLANNING STRATEGY

1. OVERVIEW

Before considering the following plan, it is necessary to keep in mind that the political and human rights situation in the OPT is fluid and fast-changing. Every day, new uncertainties arise that affect all relationships relevant to Al-Haq's work: Palestinian-Palestinian, Palestinian-Israeli, and Palestinian-international. Travel restrictions, incursions into cities and villages, closures, and curfews have all disrupted daily life for Palestinians and at times can necessitate changes in programme timing or focus. Every day political decisions are made that threaten Palestinians' human rights or have far-reaching effects on their protection and on the rule of law. This situation necessitates a constant review of Al-Haq's strategic plan in order to meet any immediate or long-term challenges or emergency situations while maintaining the focus on achieving its strategic objectives and activities.

In designing this plan, Al-Haq has attempted to consider the possible implications of these changes on its work, and has tried to design a plan that will remain applicable in all situations. Below is a review of some of the points and concepts that have helped during the planning process, that will allow Al-Haq to maintain a certain margin of flexibility for adjustment and re-thinking as the situation evolves over the coming years.

2. AL-HAQ: LOOKING BACK AND MOVING FORWARD

While looking towards the future, Al-Haq realises that it is always important to remain aware of the achievements and failures of the past, in order to learn the lessons taught by experience. For this reason, Al-Haq has included a summary of major developments during its history as well as a brief analysis of its impact, successes, and failures over this time, charted in Annex 2 of this report.

Al-Haq was established in 1979 by a group of Palestinian lawyers to address the lack of human rights protective mechanisms in the OPT. Learning from the

successes and failures of its 26-year history, Al-Haq is able to assess its most important activities in which it is currently involved and in which it will remain during the coming five-year period.

Monitoring and documenting human rights violations is of central importance to Al-Haq's work. The organisation's work in this area is one of its most unique features, and has greatly contributed to Al-Haq's reputation of credibility and accuracy of information that it has earned over the years. Keeping a close ear to the ground has enabled Al-Haq to remain relevant. Indeed, information gathered by Al-Haq since the beginning of the current *intifada* paints a bleak picture of increased and more widespread Israeli violations of the fundamental rights of the Palestinian civilian population in the OPT, violations which have increased in both scale and intensity.

While some patterns of human rights abuses are only too familiar, new trends of violations are emerging on a regular basis, increasing the importance of Al-Haq's careful fieldwork and meticulous documentation to identify trends and attempts to build awareness of human rights issues. First-hand documentation gathered by Al-Haq's fieldworkers and categorised in the Al-Haq databank is used to develop the organisation as a major information resource for concerned individuals, human rights organisations, and media. Equally important, it serves as the impetus and backbone of the organisation's interventions and other advocacy activities.

Al-Haq's contacts both locally and internationally have repeatedly stressed to Al-Haq the importance of developing more work in this area. Without Al-Haq's first-hand, professionally compiled legal affidavits, it is impossible to pursue court cases, develop war crime files to remedy violations, advocate to the public, or reach the media and international bodies.

Furthermore, producing reports and legal analyses on human rights issues has always been a central part of Al-Haq's work. Since it was founded, Al-Haq has continually produced detailed legal studies and analyses in order to raise awareness of the legal and human rights situation in the OPT.

In the shadow of Israel's unilateral withdrawal from Gaza and evacuation of a handful of settlers from the northern West Bank (the Disengagement Plan), Israeli authorities have stepped up their flagrant disregard for international human rights and humanitarian law in the West Bank. As a result, Al-Haq's research will continue to shed light on the serious ongoing Israeli violations of its obligations as an Occupying Power in the OPT, most notably the construction of the Annexation Wall; its continued policy of targeted assassinations; movement restrictions; land confiscations; settlement construction; and neglect of its duty to provide protection to the Palestinian civilian population in the face of continued, if not increased, settler violence.

Furthermore, Al-Haq notes that Israel's control of Gaza's external borders, coastline and airspace, as well as its ability to launch military operations into the Strip at any time, maintains its effective control of the territory under international humanitarian law. Therefore, Al-Haq must avail itself as an important source of information and legal analysis to shed light on the emerging political and human rights situation, and to draw attention to the continued relevance and applicability of international human rights and humanitarian law. Al-Haq has a responsibility to continue to put its legal analyses at the disposal of interested parties such as

the international public, governments, international human rights organizations and NGOs, Palestinian solidarity groups, and the media.

Additionally, Al-Haq has a strong record of advocating and pushing for the development of legislation by the PLC that meets international human rights standards. Al-Haq works in this area by analysing draft legislation and laws and attempting to ensure that both conform to international human rights standards. The PLC human rights committee regularly consults Al-Haq, in partnership with other NGOs, regarding human rights issues, and individual PLC members often look to Al-Haq's analyses before making decisions on important rights-related legislation.

Its experience in the field, knowledge of human rights law, and its solid reputation gives Al-Haq the leverage to critique and influence policy and legislation and contribute to the promotion of an independent Palestinian judiciary. In addition, Al-Haq engages in activities that correspond to its vision and mission and work towards the rule of law vis-à-vis the PNA law-enforcement authorities. Al-Haq is working on new strategies to address and intervene regarding PNA violations, and promote the maintaining of public order and security.

In terms of international advocacy, Al-Haq is one of the few local organisations enjoying Special Consultative Status with the UN's Economic and Social Council. Therefore, its efforts to report on the human rights situation in the OPT, as well as on specific violations in front of UN treaty- and charter-based bodies, will be important to highlight that despite Israel's Gaza disengagement, human rights violations continue to take place unimpeded.

In this regard, Al-Haq will focus its efforts to ensure that international law will not just inform and facilitate the process of negotiating outstanding key political issues, but will form part of the very foundation on which this process is based. The importance of this comes at a point when at both the local and international levels, proposed settlement initiatives to bring about a resolution to the Israeli-Palestinian conflict fail to fully consider fundamental principles and standards of international human rights and humanitarian law. Al-Haq considers this framework as the only one that can serve as a basis to conflict resolution.

Furthermore, Al-Haq is a member to various prominent and active local and international networks of human rights NGOs, such as the Euro-Mediterranean Human Rights Network, the International Federation for Human Rights, the World Organization Against Torture, the Habitat International Coalition and the Palestinian NGO Network. With such relationships, Al-Haq can use its documentation findings and legal analyses to network, raise awareness, work with the media, and conduct advocacy regarding the human rights situation in the OPT. Al-Haq can play a leading role in reiterating the legal obligations of third-party states under the Fourth Geneva Convention to respect and ensure respect of the Convention, by exerting pressure on Israel to end its violations in the OPT.

3. Strengths, Weaknesses, Opportunities and Threats (SWOT Analysis)

As part of the strategic planning process, Al-Haq carried out a SWOT analysis of its work, listing the organisation's strengths, weaknesses, and opportunities for the future, and potential threats to its programme. Below is a summary chart and brief overview of Al-Haq's findings in each of these four areas.

STRENGTHS

- Credibility
- Impartiality
- Monitoring and documentation
- Institutional history
- Relations with the Palestinian community
- Sound legal analysis
- Professionalism
- Transparency
- Intra-organisational coordination
- Commitment of staff
- High level of core funding

WEAKNESSES

- Mission drift
- Work overload
- Not sufficiently pro-active
- Management, planning, and monitoring tools and systems
- Media and communication strategy
- Partnerships and cooperation with external actors in the field
- Gender sensitivity

THREATS

- Donor dependency
- International double standards and interest in Israeli human rights abuses
- Volatile political situation
- Work overload

OPPORTUNITIES

- Monitoring and documenting Palestinian human rights violations
- Lobbying and influencing the PNA
- Sustainability of funding
- Ongoing human rights violations in the OPT
- Media and communications strategy
- Advocacy and networking at the regional and international levels.

STRENGTHS

- ➤ Al-Haq has built itself to be a successful and resourceful human rights NGO in the OPT, with a strong reputation of credibility and impartiality based most significantly on its documentation of human rights violations.
- ➤ Al-Haq's highly-regarded monitoring and documentation unit is the foundation of the organisation's success. Al-Haq is unique among human rights organisations in the OPT in that it provides systematic, objective, accurate, and timely documentation of human rights violations of human rights. The whole West Bank is practically covered through the monitoring of its fieldworkers, who collect information on a regular basis.
- Established in 1979, the organisation has acquired a well-established institutional history and long-standing tradition of working in the field of human rights and humanitarian law, documenting systematic violations of human rights and providing sound legal analysis to support lobbying and other advocacy-based activities at the local and international levels, including the introduction of human rights standards to the Palestinian legislation.
- ➤ Al-Haq's provision of assistance to the local community is another one of its strengths. Through its fieldworkers, legal services, and the provision of awareness, training, and capacity-building activities in the field of human rights and humanitarian law, Al-Haq has remained in touch with the grassroots Palestinian community.

- Al-Haq's expertise in and command of principles of international human rights and humanitarian law is another added organisational strength. Over the years, Al-Haq has played a central role in providing the local and international human rights community with sound legal analysis of ongoing human rights violations in the OPT, and has played a central role in shaping international discussions and debates regarding the applicability of these two bodies of law to the OPT and Israeli violations therein. Its legal analysis is highly regarded by academics, politicians, and professionals concerned with the status and development of the human rights situation in the OPT.
- ➤ The work and information provided by Al-Haq is of a highly professional quality. The organisation has transparent administrative, programmatic, and financial systems, decision-making processes, and reporting systems which must be recognised as good practice that strengthen accountability within the organisation, and which are appreciated by its partner organisations and funding agencies.
- ➤ Coordination between the various units of the organisation is very efficient, with a standing programmatic committee that facilitates information sharing.
- ➤ Al-Haq has a highly committed and resourceful board and staff, which are prepared to work well beyond the call of duty, and which adhere to a professional standard.
- ➤ The transparent and credible nature of the organisation makes the organisation and the work that it does highly appreciated by its funding agencies. This has manifested itself in an unusually high level of core funding for the organisation, and there seems to be no intention on behalf of Al-Haq's major donors to shrink or phase out their support to the organisation.

WEAKNESSES

- Mission drift constitutes the key internal weakness of the organisation. The increasing calls on Al-Haq by both the local and the international community as well as donors has resulted in an expandable human rights mandate and a tendency to take up and accept new tasks, without making a careful assessment of its internal capacity. As a result, there are few substantive limitations on the human rights mandate of the organisation, with the geographical limitations appearing to be the only constraint on activities.
- ➤ Linked to mission drift, there is increasing pressure on Al-Haq as a result of ongoing work on the internal management and governance structures of the organisation, without enough attention being paid to the overload this is creating on staff and financial resources.
- ➤ A lot of the work of the organisation is much more reactive than carefully planned, leaving little space for the allowance of emergencies in Al-Haq's plans.
- ➤ Al-Haq must work on improving the functional organisation of its work into departments and units by developing a better internal management, planning, and monitoring systems and tools to ensure that planned outputs and activities are being met, objectives are delivered, and corrective action is taken. In addition, tasks and responsibilities between the board and management are not clearly divided.

- Al-Haq lacks a clear media and communication strategy for its work. As a result, it has been difficult to link media activities with programmatic needs and initiatives.
- ➤ Given the pivotal natural of Al-Haq as a human rights organisation, there is more room for cooperation, coordination, and building of partnerships with other human rights organisations at the local, regional and international levels. This requires developing better knowledge of and working relationships with others in the field.
- ➤ The staff, particularly the fieldworkers, is not sufficiently gender sensitised. There is a need for the inclusion of gender awareness in all activities, particularly the fieldwork activities, where the field staff encounters difficulties in identifying or validating violations inflicted on women. Otherwise, there is a risk that violations inflicted on women will either not be adequately covered.

OPPORTUNITIES

- Al-Haq can conduct more work targeting the PNA in terms of monitoring and documentation of human rights abuses committed by its various branches, as well as influencing PNA policies and legislation by advocating and pushing the PNA to respect human rights standards. The may be partly facilitated by increased international pressure on the PNA to carry out reforms of its institutions, opening up opportunities for Al-Haq to increase its work pushing for the adoption and enforcement of international human rights standards by all branches of the PNA.
- ➤ That Al-Haq is the only mainstream human rights organisation based in the West Bank with an established history of working in the field and credibility of first-hand information could increase the interest of donors in supporting its work, thereby improving the opportunities of sustainable funding.
- As unfortunate as it may be, the ongoing nature of human rights violations in the OPT provides the organisation with new opportunities for its work. Although that they might change in their nature and patterns, it is highly unlikely that Israeli and PNA violations will cease in the West Bank and Gaza, which will provide a continuous pool of violations to monitor and document.
- A premier human rights organisation with a growing international network of contacts and partners, Al-Haq can develop its networks at both the regional and international levels. Advocacy possibilities, both locally and internationally, are opening up due to increased sharpened in the human rights violations occurring in the OPT. Additionally, increased work by Al-Haq on an international level has opened up new opportunities to coordinate in human rights networks in both the regional and international levels.
- Given that one of Al-Haq's primary functions is research and advocacy, media coverage could become a strategic tool for promoting and producing optimum impact.

THREATS

- Donor dependency and donors' shifting attitudes and increasing demands could undermine the sustainability of funding and possibly Al-Haq's core agenda.
- International double standards regarding Israeli policies in the OPT might serve to undermine the efforts of Al-Haq to highlight these policies and their deleterious effect on human rights. Both policy decisions and the manner in which the international community chooses to address the human rights situation in the OPT can pose a threat to Al-Haq's work, and make it difficult for Al-Haq to achieve its strategic objectives. In this regard, the promotion of political interests by individual member states at the expense of pressuring Israel to respect international legal obligations can also threaten to intensify, if not legitimise, human rights violations.
- ➤ The volatile political situations at both the Israeli and the Palestinian levels could result in political developments that would lead to the further deterioration of the human rights situation, or undermine the space in which human rights organisations can operate (similar to the situation that resulted from Israel's large-scale military incursions into the West Bank in 2002).
- Unless appropriately tackled through the management system, the overload experienced by staff may, in the long run, reduce the efficiency of the staff, and in lower the quality of their work, threatening Al-Haq's credibility.
- On the Palestinian level, if forces that are undemocratic or unreceptive to the discourse of human rights reach official or unofficial power, one may expect an increase of general interference by PNA governmental branches or bodies in the work of NGOs. This could result in more attempts by the PNA to interfere with the work of Al-Haq and to undermine it through legal or practical restrictions, measures of harassment, or intimidation of the organisation or its staff.

4. THE IMPLICATION OF THE POLITICAL CONTEXT ON THE HUMAN RIGHTS SITUATION AND AL-HAQ'S WORK

Considered separately in Annex 3, a strong, dominant political context emerges in all of the political scenarios considered by Al-Haq after examining the reality of the situation on the ground, official Israeli statements, and the actions (or lack thereof) of the international community, particularly the U.S.

The common denominator of Al-Haq's analyses is that there will be no significant change regarding the Israeli policies of unilateralism and imposing "facts on the ground." Such imposed "facts" are Israel's settlements, its control of the borders, the Annexation Wall, and severe movement restrictions. Israel's military occupation will continue in the same manner as it has for the last several years, perpetuating the conflict and most likely leading to a renewed explosion of violence – perhaps of a predominantly militant nature.

Internally, increased violations are also anticipated. Al-Haq foresees the increase of vigilantism by armed groups and a general lawlessness in the OPT. Al-Haq continues to be concerned with PNA violations to which the international community will likely turn a blind eye, including torture and the oppressing of

freedom of speech, and anticipates that such violations will increase with pressure from the Israelis, Europe, and particularly the U.S. to disarm resistance fighters.

Al-Haq bears in mind that during the second *intifada*, particularly in 2001, the Israeli occupying forces systematically destroyed the law enforcement infrastructure of the PNA. This brought new internal problems, especially the lack of rule of law and the proliferation of armed groups working for personal rather than political gain.

In all of the likely cases, civilians suffer the most from the continued rights violations and stagnated political situation. In any kind of political solution, Al-Haq's main concern will be whether the international community will call for an end to Israel's occupation and fully take into account international law and the human rights situation, and the realisation of the Palestinians' right to self-determination, rather than focusing only on political interests.

The main change in Al-Haq's work, given the above, is an increased focus on PNA violations. While they have always existed, they have been but a fraction of the violations experienced during the first few years of the second *intifada* when compared to the devastating Israeli violations that prompted Al-Haq to implement an emergency plan. Al-Haq will proceed cautiously as it monitors and documents internal violations, all the while continuing its work regarding Israeli violations.

This political context is the environment in which Al-Haq will be working. However, Al-Haq recognises that extreme and unanticipated changes may come about that will require the organisation to be adaptable and responsive, and which may cause the organisation to reassess its plan.

5. In Focus: Stakeholders

Al-Haq has good working relationships with an extensive network of other entities working in this area, including local and international partner organisations, donor agencies, and inter-governmental organisations. These diverse bodies have differing mandates and areas of expertise, and Al-Haq's relations with each of them vary accordingly.

Al-Haq appreciates that effective change in the area can only be realised through the concerted, and often cooperative, efforts of a broad range of civil society organisations. In order for the strategic planning of one organisation to be effective, it must consider not only its own activities, but also those of others. To this end, Al-Haq has undertaken a mapping process of the other organisations which play an active role in the human rights struggle in the OPT (A summary of the mapping analysis is attached as Annex 4 – the full mapping is available upon request). The goals of this mapping were to enhance Al-Haq's ability to determine where the organisation can best contribute and where it can offer value-added activities, as well as what activities would duplicate those of others. The mapping considered the focus of each organisation (activity, issue, and geographic), as well as their strengths. Al-Haq also considered its own strengths in this process.

Al-Haq found through this review that the main areas in which the organisation should focus its work are in monitoring and documentation, legal research and advocacy, and the development of law-based strategies towards accountability.

The organisation will focus its programmatic activity in these areas, continuing to be responsive to the needs of its partners, and working jointly as well as individually in order to consolidate the human rights sector. Al-Haq strives to ensure that its activities will complement the work of the broader civil society movement in its effort to ensure that human rights and rule of law are implemented.

VI. THE FIVE-YEAR STRATEGY

Working towards its mission and keeping in the spirit of its vision, in the next five years Al-Haq aims to influence policies at the national and international levels and hold accountable perpetrators of violations of international human rights and humanitarian law committed in the OPT. Al-Haq has identified following goals and objectives as necessary to realising the upholding of the rule of law in the OPT and respect of human rights. Through the strategic planning process, Al-Haq has developed the following goals and objectives.

1. GOAL: Influence policies at the national and international levels

OBJECTIVES:

1. A Palestinian society in which the respect for the rule of law is upheld, and individual and collective security is maintained

One of Al-Haq's fundamental values, the promotion of the rule of law, is embodied in this objective. This is intrinsically linked to promoting the principles of justice, democracy, and the separation of powers, in order to ensure that Palestinians enjoy rights and freedoms according to the provisions of the Palestinian Basic Law and other legislation.

Al-Haq does not neglect new political developments underway, and the everemerging phenomenon of vigilantism and the threat of the disintegration of law and order. Such challenges necessitate a closer monitoring of the performance of the PNA institutions, government representatives, and lawenforcement officials to ensure that they will respect and promote international principles of human rights and humanitarian law (to the maximum of their available resources and capacity), and develop sound governmental structures and institutions.

To achieve this objective, Al-Haq envisions that it will continue to keep a close eye on the activities and practices of the PNA's various bodies and representatives which pertain to the issues of the administration of justice, ill-treatment and torture, human rights defenders, and attacks on Palestinian private property. Al-Haq will monitor the extent to which these practices are compatible with these actors' obligations, responsibilities, and privileges established by law.

Given the important role that law-enforcement officials can and will play at the national level to uphold the rule of law and to maintain individual and collective security, Al-Haq will be focusing a considerable number of activities on monitoring the performance of these officials whilst carrying out their

duties. This is to ensure that they do not infringe their privileges and that the authorities are working towards promoting the security and well-being of Palestinian citizens in a manner in accordance with international human rights standards and principles. Such means include human rights training and awareness-raising activities that will increase officials' understanding of the relevance of international and local standards and legal provisions intended to promote the fundamental human rights and freedoms of Palestinian citizens.

In the case of the OPT, the Palestinian Supreme Court, which acts as an administrative court, is entitled to examine cases related to restrictions on fundamental rights and freedoms. During the upcoming years, Al-Haq intends to make use of this venue to bring forward cases to test the constitutionality of laws and to ensure the separation of powers.

Furthermore, Al-Haq will endeavour to influence Palestinian policies and legislation related to the independence of the Palestinian judiciary, to ensure that it is independent, fair, and transparent to effectively safeguard the rule of law and fundamental rights of Palestinian citizens.

2. Palestinian policies are in compliance with international legal standards

This objective revolves around Al-Haq's efforts to influence Palestinian policies and legislation to comply with international legal standards, and incorporate principles of international human rights and humanitarian law, which will promote and protect the rights of Palestinian citizens. To achieve this objective, Al-Haq will closely monitor and follow up on the status of existing legislation or draft legislation and the extent of their incorporation of international legal standards. The organisation will also provide careful legal analysis in the form of interventions, memos, and briefs that will raise to relevant PLC committees and other PNA officials and representatives the various issues of concern and the extent to which specific legislation or draft legislation incorporate human rights standards.

To multiply the effects of Al-Haq's expertise in the area of Palestinian legislation, and advocacy-based activities, it is vital for the organisation to work on improving the ability of civil society organisations and lobby groups to influence the PLC to incorporate human rights standards into existing or draft legislation, and to carry out training activities that will increase their understanding of the lobbying and advocacy process, in addition to principles of international and national laws.

3. Implementation of the provisions of the ICJ Advisory Opinion regarding the Annexation Wall

The ICJ Advisory Opinion (AO) clarifies the legal obligations related to the illegal construction of the Annexation Wall in the West Bank. Essentially, they stipulate that Israel must remove the Wall and compensate for damages, while other states must not aid the Wall in any way, and must put an end to Israeli violations. These obligations must enjoy a prominent place in Al-Haq's advocacy at the national and international levels.

In light of the official Israeli rejection of the AO, it will be hard to move Israeli authorities by words alone, so advocacy efforts should be focused on other states, both proactively and reactively. Al-Haq should act as a watchdog to observe the respect of other states of their passive obligations to not aid or

contribute to the continued construction of the Wall, and serve as a catalyst to implement their active obligations to put an end to Israeli violations.

Compensation may be pursued, *inter alia*, through the UN registry of damages that the General Assembly asked the Secretary General to establish. However, there is resistance at the diplomatic level to developing such a registry, and Al-Haq will consider political developments regarding this when planning activities related to the registry.

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

This objective has two main components, both centred on advocacy. The first is that violations of international human rights and humanitarian law occurring in East Jerusalem are brought to the attention of the international community. The second is aimed at informing the international community of their obligations under international law in regard to Israel's unlawful annexation of East Jerusalem and its policies therein. Both of these components necessitate a solid understanding of relevant international legal principles by Al-Haq, and an understanding of the situation on the ground, which must then be effectively combined towards ensuring that international law is prioritised in the international community's stance on East Jerusalem and its Palestinian population.

When carrying out advocacy on East Jerusalem on the international level, Al-Haq's efforts will focus on addressing relevant stakeholders on two levels. The first is the representative bodies of the international community of states locally within the OPT, in the form of consulates, representative offices, development co-operations, humanitarian agencies, and the like. To these parties, Al-Haq will emphasise the deteriorating human rights situation of Palestinian East Jerusalemites, and the international legal obligations arising out of international human rights and humanitarian law on their respective governments to take effective and concrete measures to put an end to Israeli violations.

The second component would be the forums representing the international community of states as a whole, concerned with upholding international law, in the form of the various UN bodies, the European Commission, the Organization of Islamic Countries, and the Non-Aligned Movement, amongst other organisations. At this level, Al-Haq will make extensive use of its Consultative Status with the UN Economic and Social Council, to submit written and oral interventions to various human rights treaty monitoring bodies that make reference to Israeli violations in East Jerusalem.

Specific advocacy activities and strategies must be adopted that rely on monitoring and documenting violations taking place in East Jerusalem, sound legal analysis, the development of regular channels of information sharing, networking and cooperation with the various stakeholders (including local and international human rights organisations), and devising effective media and awareness-raising activities. As a result, Al-Haq will be making use of different combinations of available options and activities depending on whether Al-Haq is dealing with the representatives of the international community at the local level or at the various international forums.

2. <u>GOAL</u>: Hold accountable perpetrators of violations of international human rights and humanitarian law committed in the OPT

OBJECTIVES:

1. Individual perpetrators are held accountable before national courts

This objective relies on international criminal law, as implemented in the national legislations of certain countries, to seek to put an end to the prevailing impunity of Israeli forces in the OPT. Theoretically, it encompasses both pressing for better legislation in selected countries across the world and actually using these laws, where they already exist, to prosecute Israeli war criminals.

In practice, the first prong of the objective may be outside of Al-Haq's grasp as a local NGO with limited resources. The second prong demands that Al-Haq builds ready-to-be-used case files that meet evidentiary demands of criminal trial, ready to be activated in the courts of a number of third-party states when the opportunity presents itself.

For this purpose, Al-Haq will focus on building a database of Israeli crimes and criminals in the OPT dating from the beginning of the current *intifada*, based on the organisation's meticulous and credible documentation efforts. The organisation will also conduct a number of activities that will help ensure that the complete documentation can be quickly and easily linked to a specific alleged war criminal, and that a file of incriminating statements made by responsible officials since 2000 is also compiled, ready to be used in order to link evidence of crimes to specific officials.

Subsequently, it intends to identify a handful of countries in which successful cases can most likely be brought. This subsequently requires the organisation to have a full and continuously-updated legal knowledge and understanding of all relevant national legislation (including universal and active and passive personality) for selected countries with favourable legislation, and that it maintains a close supervision of the movement of suspects so that case files can be activated when these peoples find themselves under the jurisdiction of a given state.

Furthermore, Al-Haq will be focusing its efforts on networking with persons and organisations at the local level of third-party states, such as lawyers, bar associations, human rights activists, solidarity groups, and human rights organisations to share information regarding the relevant laws and evidence that needs to be compiled to submit successful files in the future.

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

This objective will rely on and make extensive use of Al-Haq's Special Consultative Status with the UN Economic and Social Council to work towards holding Israel accountable for its violations and crimes in the OPT before the UN's various treaty and non-treaty bodies. To do so, Al-Haq will make extensive use of its monitoring and documentation and legal analysis to bring the attention of these bodies to the human rights situation in the OPT, and the applicability of international law to these territories and to Israeli violations therein.

Al-Haq will therefore focus its energy on increasing its visibility at the UN level by addressing various UN bodies and representatives through oral and written interventions, shadow reports and meetings, and networking and cooperating with members of international civil society organisations that conduct work on this level on joint activities that will help ensure that key human rights concerns remain in the UN spotlight at its various forums. Where possible and relevant, the organisation will also be cooperating with partner organisations at the local level to raise issues and concerns, and/or submit joint interventions and reports, in order to achieve increased accountability for Israeli human rights violations and crimes.

3. Third-party states prioritise international law, including international human rights and humanitarian law, in their relations with Israel

The crux of this objective is to relay how Israeli violations in the OPT are relevant to the international legal obligations of third-party states, and to strategically pressure these states to practically consider these obligations in their political, economic, and strategic relations with Israel. The bulk of Al-Haq's work in this regard is to undertake activities such as lobbying and providing documentary and legal materials to relevant individuals and organisations in third-party states concerned with the human rights situation in the OPT, and with ensuring that their respective governments adhere to their international legal obligations in their relations with other states.

Given Al-Haq's limited resources, it will identify a set of key countries for a set of activities that will motivate such states to uphold their obligations under international law, which will then increase the opportunities for the perpetrators of Israeli violations to be held accountable. In this regard, Al-Haq will then rely on maximising resort to the opportunities for lobbying and advocacy that are available through existing local and international networks or organisations of which Al-Haq is a member. It will also target the diplomatic missions of those countries in the OPT and Israel in an effort to raise their awareness of the human rights situation, and constructively engage them on their obligations towards ensuring respect for the fundamental rights of the Palestinian civilian population by Israel.

Other components will clearly require that Al-Haq survey existing pools of solidarity groups, human rights, and civil society organisations in key countries and reach out and cooperate with some of them in carrying activities out. It is also vital that the organisation explores effective media venues in third-party states to maximise the dissemination of information and knowledge regarding Israeli practices in the OPT and to advocate that these

states respect their international legal obligations by putting an end to such practices.

In some instances, Al-Haq's activities may need to focus on highlighting the relevant international legal principles that are relevant to ongoing Israeli violations in the OPT, whilst in others, providing first-hand documentation of specific human rights violations committed by Israel, in order to catalyse the application of those laws.

Civil society is also an important actor outside the OPT and can function to exert pressure on governments of third-party states to alter their political priorities, and put pressure on them to uphold their obligations under international law in relation to those who commit grave breaches of the Fourth Geneva Convention. In this regard, Al-Haq can provide legal analysis on specific trends of violations and carry out advocacy and awareness-raising activities, targeting civil society organisations and individuals that are interested in ensuring the accountability for Israeli violations of international law.

For example, Al-Haq will work on surveying various divestment, boycott, and sanctions activities, outlining where the organisation can make the most effective contributions, as well as providing sound legal analysis that will help examine and establish a framework grounded in international law for such activities, to be used as a reference by other local and international partner organisations.

3. GOAL: Strengthen Al-Haq's organisational capacity

OBJECTIVES:

1. Institutional capacity to support and implement the work of the organisation

The administrative department is responsible for supporting all the various groups in Al-Haq to ensure that work is completed in the most effective manner. The administrative department works within regulations and policies that assist the staff to most efficiently complete their tasks.

In order to clarify expectations, the administrative department will create a manual that establishes in detail Al-Haq's financial and administrative regulations, policies, and procedures. This manual will be circulated to Al-Haq staff and be made available to different stakeholders. The manual will reflect financial and administrative procedures and will be based on the Palestinian Labour Law, which is already applied in Al-Haq as well as most other Palestinian NGOs. The manual should be approved after consultation with an attorney, Al-Haq's executive committee, as well as its board.

Other activities will focus on securing access to good technology and computer facilities, as well as meeting staff needs for adequate and sufficient workspace and equipment. Efforts will also be made to develop the skills and capacities of Al-Haq's administrative staff in order to fulfil the support needs that may arise in the organisation's different departments.

The library aims to support this objective by creating an online library and follow the latest publication of materials related to international law and Al-Haq's core business. It will also work on developing the library staff to better support Al-Haq's internal needs as well as enhance its public services.

2. Individual staff members acquire the skills and knowledge needed to effectively implement the work of the organisation

Job training and skills enhancement of the Al-Haq staff are amongst the administrative department's duties. To fulfil this task, the administrative department, in cooperation with other staff members, will look for training courses and activities on the local and international levels that will benefit and improve the skill set while developing the knowledge of the staff to insure work effectiveness.

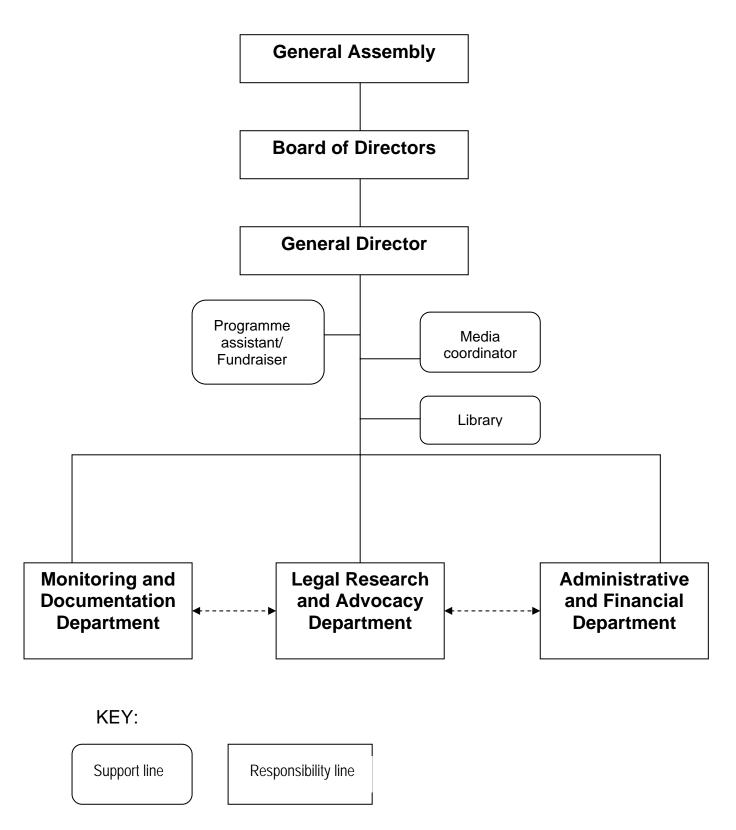
A one-year plan for staff development will be built upon receiving the plans that identify training needs and requirements of different departments' staff. Participation in such activities and training courses will be studied to ensure they fall within the financial capabilities and the internal policies of the organisation.

3. Create and sustain a transparent financial system that guarantees adequate financial controls

The financial system will support Al-Haq's work in an appropriate and transparent manner through the revision of existing financial policies and the development of a financial policies and procedures manual.

Al-Haq will also work to develop a system that allows for the continuous review of budges versus expenditures where Al-Haq's regular reporting to its partners and donors will be perceived as sufficient, professional, and transparent.

VII. PROPOSED STRUCTURE OF AL-HAQ



^{*}This may become a position of "deputy director"

VIII: CONCLUSION

The implementation of this strategic document heavily relies on the commitment of the Al-Haq staff, who will endeavour to carry out the plan in the spirit of teamwork and with a solid allegiance to the field of human rights. We realise that the plan will be implemented in a fast-changing and uncertain political environment that might require regular assessment of major political developments that might impact the work of the organisation.

Al-Haq, with its proven record and its professional and sober approach to the problems at hand, is well positioned to translate the above broad strategies into specific and effective programme plans on a year-to-year basis. Guided by this plan, the organisation hopes to be as effective as possible in continuing to implement its mandate: that of the protection and promotion of human rights and the rule of law. Al-Haq remains convinced that developing respect for human rights and a democratic civil society are the only guarantees of a stable future, and of a long-lasting and just peace in our area.

ANNEX 1: SUMMARY OF CONCLUSION AND RECOMMENDATIONS OF THE EXTERNAL EVALUATION REPORT

CONCLUSION

- 1. Al-Haq is a successful human rights organisation that has managed to build strong reputation, credibility, and impartiality, as well as a strong network.
- 2. Al-Haq has a committed and resourceful management and staff with departments producing extensive amounts of work.
- 3. The organisation has good potential for funding.
- 4. Al-Haq has good experience in strategic and operational planning with implementation and reporting to achieve objectives. However, reporting formats are not standardised and reporting to the board does not address policy issues or problems.
- 5. The organisation has an ambitious strategic plan, which is expandable to virtually all areas of human rights protection and promotion. Such a mandate requires vigorous management of tasks and planning of staff resources, which Al-Haq has not always been able to accomplish.
- 6. Al-Haq faces an overload of its staff and financial resources brought about by a tendency to mission drift, which has several potentially detrimental effects on the organisation, including reducing its efficiency, lowering the quality of its work, and eroding the credibility and image of the organisation.
- 7. To make the organisation more effective, there might be a need to add clear management posts at both the programme and finance/administration levels.
- 8. The NGO Law stipulates extensive power and responsibility for board members that have far-reaching effects. Al-Haq cannot ignore the law, but needs to form coalitions with other NGOs to lobby for the law's improvement.
- 9. Al-Haq has a highly committed board, one that effectively governs the organisation and that is being held accountable, vis-à-vis government.
- 10. Al-Haq is well-placed to take effective remedial action. The organisation is familiar with the concepts and processes of strategic planning, and has already identified such a process as key to its success.

RECOMMENDATIONS

- Successful planning would require that Al-Haq concludes ongoing discussions about the identity and shared vision for the organisation, that it revisits its mission and objectives, that it takes effective steps to prioritise and manage any expansion of its activities, and that it engages in annual activity budgeting.
- 2. Al-Haq needs to better address the issue of identity and program targets, and review existing personnel skills in light of such programs.

- 3. There is a need to make more profound recognition of other players in the human rights arena, and to encourage more creative options for coordination and cooperation with others.
- 4. Al-Haq should provide more administrative support to field workers, as well as gender training to help promote gender equity.
- Standardise planning and reporting formats to improve Al-Haq's effectiveness, transparency, and accountability. Reports should be used as monitoring and intervention tools and plans must be better linked with budgets. Heads of departments must become more accountable for delivery.
- 6. The mission of the board needs to be more clearly identified. The board must also find ways to delegate more tasks to the management, and to ensure a clearer division of labour between it and the Al-Haq staff, which requires the articulation of a clear policy framework.
- 7. Al-Haq is adequately staffed in the office, but might need to consider strengthening its field structure as well as its senior management structure and provide more support there.
- 8. To make the organisation more effective, there might be a need to add clear management posts at both the programme and finance/administration levels. Structural adjustments for posts that are not well-defined or functional should be instituted: e.g. titles should reflect real job content.

ANNEX 2: AL-HAQ'S MILESTONES

- 1979 Al-Haq: Law in the Service of Man is established, and becomes an affiliate of the International Commission of Jurists based in Geneva.
- 1983 Al-Haq's first fieldworker is hired.
- Legal research focus expands: seminal papers on the issues of administrative detention and the British Defence Regulations are produced, stimulating debate at the local and international levels regarding Israeli policies in the OPT.
- The first *intifada* erupts. Al-Haq expands staff to meet the challenge of addressing increased violations arising from Israeli policies to quell the *intifada*.
- 1988 Al-Haq hosts an international conference on the administration of the OPT.
 - The "Enforcement Project", focusing on calling upon the international community to uphold international law, is launched.
 - Al-Haq publishes its first annual report.
 - Al-Haq's lawyers establish the right of Palestinian representatives to be present at autopsies performed on people killed by Israeli occupying forces in unclear circumstances.
 - Five of Al-Haq's fieldworkers are administratively detained.
- An external evaluation of Al-Haq's structure is carried out. Discussions begin regarding administrative, financial, and managerial policies and structures.
 - Al-Haq's general director resigns. Internal debates and conflicts begin over the successor.
 - Al-Haq receives the Carter-Menil Human Rights Prize
- Al-Haq's monitoring and documentation efforts results in opening up new Israeli investigation into the events of the Al-Aqsa massacre.
- 1991 Al-Hag launches its family unification campaign
- Al-Haq monitors the first Palestinian legislative elections to take place following the signing of the Oslo Accords and the establishment of the PNA.
- 1997 Internal conflicts at Al-Haq snowball, causing the Board of Directors to terminate the contracts of its entire staff.
- The board changes from being a policy-oriented one to an administrative one. Internal structures and mechanisms are frozen.
 - A new staff plus one of the previous staff members are hired by Al-Haq, and focus is placed on legal research.
 - Al-Haq's fieldwork and database activities are frozen.
 - The organisation moves from project to core funding.
 - Work on developing Palestinian legislation and influencing the PLC becomes a major area of focus.
- 1999 Al-Hag continues to work on a project basis.
 - Emphasis is placed on increasing funds channelled to Al-Haq and diversifying funding sources. Several long-term donor organisations renew their relationships with Al-Haq.

- Al-Hag's fieldwork and database activities remain frozen.
- Al-Haq is the first Palestinian human rights organisation to be granted Special Consultative Status with the UN Economic and Social Council.

2000

- Al-Haq's Monitoring and Documentation Unit is revived.
- The second intifada breaks out.

2001

- Al-Haq's general director resigns in August, and a new one is appointed before the end of the year.
- Renewed emphasis is placed on Al-Haq's traditional areas of strength: legal research, fieldwork, and documentation.
- Al-Haq's Monitoring and Documentation Unit becomes fully operational and its activities serve as Al-Haq's backbone.
- Work at the beginning of the year is carried out on an ad-hoc basis in response to Israeli violations in the face of the *intifada*.
- The new general director begins a process of programme planning. Emphasis is put on integrating Al-Haq's various departments and strengthening cooperation and information sharing between them.

2002

- The *intifada* continues and Israeli human rights violations increase in scale and intensity with Israel's incursions into PNA-controlled Palestinian areas.
- Israeli incursions require the development of an emergency plan.
- Al-Haq begins to move away from working on a project basis to working on a core program basis.
- Al-Hag's board resumes its function as a policy board.

2003

Al-Haq holds the first conference on Palestinian legislation, entitled, "Towards the Establishment of a Palestinian Legislative Strategy."

2004

- Al-Haq celebrates its 25th anniversary and issues its 2004 annual report "Waiting for Justice."
- The organisation launches its campaign against collective punishment from Ramallah and at the World Social Forum in Mumbai, India.
- Al-Haq registers as a non-governmental society under the Palestinian NGO Law No. 1 for the year 2000.
- The organisation elects nine new members to the board of directors for the next three years, as well as 28 members to the general assembly.

2005

- Al-Haq jointly participates in monitoring the Palestinian presidential elections with international observers from the International Commission of Jurists, and publishes its main observations in a separate report.
- Al-Haq commissions an in-depth external evaluation of its organisational structure and policies to identify overall strengths, weaknesses, and major challenges facing Al-Haq, and to asses the relevance and quality of its various programs and activities. External evaluators publish a joint evaluation report highlighting their main conclusions and recommendations.
- The organisation begins a process of strategic planning that culminates in Al-Haq's next five-year strategic plan.
- Al-Hag's fieldworker in the Bethlehem area is administratively detained.
- The organisation convenes an expert seminar titled "From Theory to Practice: Upholding International Humanitarian Law in the Occupied Palestinian Territories" in November.

ANNEX 3: IN-DEPTH OVERVIEW OF POLITICAL SCENARIOS

Scenario 1: Semi-state in Gaza, unilateral decisions regarding West Bank

A very probable situation considered by Al-Haq is that of a Palestinian semi-state in the Gaza Strip, while the West Bank (excluding East Jerusalem) will be treated as a *de facto* or Israeli-declared Palestinian autonomy. Gaza will be considered a semi-state because Israel will control the air, land, and sea borders, and the PNA will be limited in terms of authority and sovereignty. Unlike in the West Bank, Gaza Palestinians will have the ability to establish a military and police force as they see fit. The situation in Gaza, however, will soon become dire as residents will have no access to the West Bank and little to no work opportunities.

Meanwhile in the West Bank, autonomy will be granted by Israel, but ultimately the military and security power will remain in their hands. The PNA will have limited security powers that will depend on coordination with the Israelis, and their ability to impose the rule of law will be weakened. Israeli violations will continue as they have during the current *intifada*, i.e., movement restrictions, land confiscation, settlement expansion, and settler violence (perhaps intensified in Hebron). Arrangements will be made for the PNA to take civil responsibility in the areas outside of the Annexation Wall, so that Palestinians who hold East Jerusalem residency status will lose their privileges, and Israel will strengthen its grip on the city.

In this scenario, it is possible that the situation will explode in the West Bank because of the continued violations, ushering in a round of renewed struggle. The PNA's ability to impose the rule of law will continue to erode as its authority is limited to civil affairs and the Israelis will continue to have the ultimate power and the ability to further destabilise the situation by invading Palestinian population centres whenever they want.

If the situation deteriorates to this point, armed resistance may be launched from Gaza. In this case, the Israelis may respond severely and indiscriminately against Palestinian civilians and the refugee camps in the Gaza Strip, with high casualties. The Israelis are not likely to deploy to Gaza's cities and camps as before, but instead attack from a distance. They may continue their policy of extra-judicial killings, and sometimes enter Gaza with tanks for a while and then leave. However, they will not be permanently present as in the West Bank. Whether or not such deployment occurs depends on the improvement of the situation in Gaza.

The situation will deteriorate into a significant round of violations and violence. Most of the violations will come from the Israeli side and Al-Haq should continue its documentation as it has done in the past, increasing its international advocacy efforts. If need be, Al-Haq will implement an emergency plan outlining how the organisation can continue its work should some of its staff be arrested or its offices closed in the event of an Israeli incursion into the West Bank, particularly Ramallah.

The largest potential for a change regarding Israel's "facts on the ground" is if Israel evacuates settlements on the eastern side of the wall, and declares a border along the wall and thus incorporates into Israel its larger settlements, especially those around Jerusalem. The Israelis may give Palestinians on the eastern side of the wall control over those lands, but keep its rule over and settlements in the Jordan Valley. The Israelis may make a deal with the Jordanians for a PNA-Jordanian administered

crossing, perhaps with international monitoring, using Rafah as a model. However, such a border crossing is not likely to happen immediately, but after several years.²

In such a scenario, Israel will remove its presence from the cities and concentrate its redeployment to strategic points and on the main roads. Israel will treat the gates in the Wall and around Jerusalem as international crossings.

Another possibility within this scenario is that the situation will continue with "relative calm" in the West Bank. The economy will improve and the PNA will deal with civil affairs and start to control the internal situation in Palestinian society, all the while with fewer violations from the Israeli side. In this case, Al-Haq should give attention to and monitor violations committed by both sides.

Another likelihood is that the internal situation will deteriorate with increased vigilantism. The citizenry's general law and order will be threatened, in part by the weakness of the Palestinian judiciary, exacerbated by the instability brought on by Israeli violations. In such a situation, AI-Haq should carefully and sensitively document such internal violations and highlight trends as they happen. However, AI-Haq might face threats or attacks from those who take the law into their own hands, and once again it may become necessary to implement an emergency plan.

And because of the unilateral nature of Israel's actions, which seem to indicate an Israeli desire to pre-empt a negotiated political resolution, Al-Haq should concentrate its advocacy on the international level, calling states parties to their obligation to hold Israel accountable for its violations.

Scenario 2: Oslo-like negotiations experience

In this situation, the Palestinians will enjoy sovereignty in Gaza, and society will witness political final-status negotiations between the PNA and Israel. Such a dialogue will take time and may simply be a repeat of the Oslo negotiations experience, producing no real results. Within this scenario, there might be a quiet period and pressure from the international community on the PNA to act against the opposition groups, especially the Islamic groups. Opposition groups might be oppressed, and the PNA might violate the freedom of assembly and freedom of speech, and they may commit arbitrary arrest and torture. If the situation goes in this direction there might be internal military conflict amongst the Palestinians, and civilians will suffer the most as a result.

In this case, Al-Haq should also concentrate its monitoring on such violations, for which Al-Haq must closely coordinate its fieldworkers, lawyers, and researchers, who typically work on more obvious cases of abuses perpetrated by Israel. On the local level, Al-Haq should advocate the respect of human rights by the PNA. On the international level, Al-Haq should promote awareness of Palestinians' rights and emphasise that any real solution must allow for the realisation of the Palestinians' right to self-determination.

Scenario 3: Intervention of Egypt and Jordan

Widespread internal conflict in Gaza will spill over into the West Bank, and Egypt might intervene in Gaza to control the situation, with the agreement of Israel and the PNA. This might set a precedent for the Jordanians to do the same in the West

² These are the general terms of Israel's complete separation from the Palestinians, as proposed in September 2005 by Israeli Major General Uzi Dayan

Bank, with the acceptance of the Palestinians, giving the Israelis the opportunity to make arrangements directly with the Egyptians and Jordanians, bypassing the Palestinians. This will cause Al-Haq's work to move in new dimensions. Al-Haq would focus on the rule of law and respect of human rights, regardless of whether the power is Egyptian or Jordanian, while not ignoring Israel's responsibilities.

Scenario 4: Half-hearted negotiations and internal collapse

Opposition groups, particularly the Islamist parties, will meet with success during the legislative elections and enjoy a majority in the PLC and will try for a new reference point for negotiations with Israel, i.e., one founded on international law and UN resolutions.

Not accepting such a development, Israelis will likely re-enter the whole West Bank and destroy the infrastructure of the PNA and reinvade Gaza, but without building new settlements there, all the while justifying its actions in the name of security. In this case, Al-Haq will work similarly to how it did before Oslo, documenting Israeli violations and demanding that it act in compliance with the Fourth Geneva Convention.

Political negotiations will begin between the PNA and Israel, accompanied by some developments on the ground, such as the removing of some checkpoints and settlements, and an Israeli withdrawal from the main Palestinian cities. However, Israel will complete the Wall, annex its larger settlements to Israel, and establish a unilateral, *de facto* political solution on the ground with the Palestinians. The negotiations will probably take three to five years, during which Jerusalem will continue to be isolated. The Israelis will redeploy to the strategic areas of the West Bank, and there is the possibility of internal conflict in Gaza and the continued deterioration of the situation and increased vigilantism in the West Bank.

This is the most likely political scenario. In all the cases considered by Al-Haq, there is the possibility of internal conflict and the continued deterioration of the situation, and the protraction of the *status quo* in the West Bank, including the continued imposition of Israel's movement restrictions. Furthermore, the Annexation Wall will continue to profoundly affect Palestinians. Al-Haq's documentation will focus on both Israeli and PNA violations in the West Bank. On the international level, its advocacy work will concentrate on the international community's obligations to hold Israel to human rights standards and international law, and locally, it will advocate the respect of international law by the PNA.

Al-Haq will especially keep its eyes open to Israeli violations in and around East Jerusalem, and should also concentrate on Israeli policy and planning, more than just their manifestation as facts on the ground. There will likely be a collapse of the PNA if it is left unsupported and continually undermined by Israel, leaving a vacuum in which opposition groups will vie for power. Without a central authority, the internal security situation will be dire, with lawlessness and increased vigilantism as the likely results. In any of the scenarios, should such a severe internal collapse occur, Al-Haq must carefully reconsider its work, as it will have to deal with new vulnerabilities to Palestinian perpetrators who may threaten Al-Haq to stop its work.

ANNEX 4: STAKEHOLDERS

Al-Haq works with a broad range of partner organisations, donors, intergovernmental agencies, and other stakeholders in its work. The organisation's precise relationship with each stakeholder varies, but follows key general trends.

Palestinian National Authority (PNA): These bodies include ministries, the Palestinian Legislative Council, the Higher Judiciary Council, and the Central Election Commission, as well as the PLO's Negotiation Support Unit. Generally speaking, Al-Haq works with these bodies through information exchange, training and lobbying, submission of interventions, and advocacy regarding draft legislation.

Intergovermental organisations (IGOs): Amongst these IGOs are the UN Office of the High Commissioner for Human Rights (OHCHR), the Office for the Coordination of Humanitarian Affairs (OHCA), the UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), and numerous other UN agencies, as well as the local representative offices of the European Union and European Commission. Al-Haq's relationship with these bodies is as a project funding recipient and training partner; the organisation also undertakes advocacy, exchanges information, and provides regular briefings. Special activities such as consultations and briefings have taken place in regard to the issue of elections. Al-Haq works with IGOs (including both UN bodies and EU entities) externally as well as locally. The organisation focuses on them as a lobbying point, seeks financial support when appropriate, and exchanges information.

Diplomatic representatives: There are nearly 40 states with a formal diplomatic presence (either a consulate or permanent representative office) in the OPT. Some of these provide funding to Al-Haq. The organisation also focuses on them as a point of advocacy, provides briefings, and undertakes consultations on issues of common interest.

Non-governmental organisations (NGOs): This is by far the largest category of Al-Haq's stakeholders. The mandates of locally-based NGOs vary considerably, some are national and other international, some are general in focus while others are specific, and some conducting research whilst others provide services. Al-Haq's relationship with them is focused on several areas: networking; training; joint activities (lobbying, advocacy, and training); information exchange; referrals; and coalition-building. Al-Haq works in coalition with these partners whenever possible, either individually or as part of the Palestinian Non-governmental Organisations Network. As for NGOs based internationally, Al-Haq's relationship is similar to that with local NGOs, with the additions that the organisation also works with them to raise issues to different audiences and receives training from them.

Political parties: Al-Haq's primary activities vis-à-vis the political parties are interventions and information exchange.

Academic institutions: Al-Haq works with local academic institutions at both the secondary and university levels. The primary forms of interaction are in the areas of information exchange and outreach/education. Moreover, the organisation also works with international academic institutions, both in regard to consultation on legal concerns and as a means of recruitments of staff and interns.

Municipalities: Al-Haq undertakes information exchange with municipality officials throughout the West Bank.

Donor agencies: Al-Haq's relationship with donor agencies is twofold: first, as a funding recipient, and second, as a partner organisation with which to undertake advocacy and/or joint projects. The organisation also exchanges information with them and provides briefings as necessary.

Private lawyers: The primary means in which Al-Haq's work with private lawyers focuses is in the area of legal consultation on cases or possible litigation. Such consultations may include lawyers based in Israel, the OPT, or outside. Al-Haq also exchanges information with many jurists regarding Israeli practices and policies here as well as third-party state legislation.

Media: Al-Haq works with local and international media (based here and abroad) to exchange information and to advocate regarding coverage of various human rights concerns in the OPT.

A detailed breakdown of the stakeholder mapping is available upon request.

ANNEX 5: THREE-YEAR PLANNING FRAMEWORK 2006-2008

GOAL 1: INFLUENCE POLICY AT THE NATIONAL AND INTERNATIONAL LEVELS				
OBJECTIVE	RISKS & ASSUMPTIONS	OUTPUTS & TARGET GROUPS	INDICATORS	ACTIVITIES
OBJECTIVE 1 A Palestinian society in which the respect for the rule of law is upheld, and individual and collective security are maintained	The current situation of pervasive vigilantism will continue No emergency law will be declared that would restrict many human rights and freedoms of the Palestinians The PNA and government-affiliated institutions and branches, including law enforcement officials, continue to cooperate with civil society organisations Civil society organisations are free from efforts by governmental and non-governmental actors to influence their work or prevent them from doing their work	- Four-six training workshops for law- enforcement officials with 25-30 participants each Target Groups (TG): Prison officials, criminal and other investigating officers - Three brochures addressing specific laws, fifteen interventions to Palestinian officials, and one legal study addressing the rule of law based on Al-Haq's documentation TG: Police and other officials, prisoners, civil society - One test case taken to the Palestinian Constitutional Court TG: Group affected by law challenged - A civil society interest group regarding the judicial system TG: Civil society	- Workshops are effectively carried out - Feed back from target groups of workshops and written materials - Test case successfully taken to court - Degree to which civil society concerns are expressed regarding the judiciary	- Compile and prepare training material - Run training sessions - Draft and disseminate written materials to target groups - Monitor and documents human rights violations committed by the PNA - Prepare the factual and legal material relevant for the submission of a test case - Hold regular meetings with members of the interest group
OBJECTIVE 2 Palestinian policies and legislation are in compliance with international legal standards	Palestinian society upholds respect for the rule of law as well as individual and collective security The majority of PLC members are in favor of promoting human rights and fundamental freedoms The political situation at the Palestinian level is stable enough to allow the PLC to convene Israel imposes no stringent measures that prevent the PLC from convening Al-Haq legislative priorities remain	- Six to eight televised discussions on developments in Palestinian legislation TG: Palestinian public - Fifteen newsletters, interventions and brochures regarding draft or existing legislation targeting the PNA and/or the general public TG: PNA officials, Palestinian public - Three to four lobbying groups addressing specific legislation with PLC members through legal memos and group discussions TG: PLC members	Round-tables, televised discussions, and training sessions effectively carried out. Feedback from target groups of training sessions and written materials The PLC adopts several legislative recommendations and human rights concerns by Al-Haq. Request for copies of Al-Haq's memos and interventions by concerned members of Palestinian civil society	- Assemble and prepare for roundtables, discussions, and trainings - Run roundtables, training sessions and discussions. - Develop contacts with PLC members. - Draft the legal material and analyses for written documents. - Monitor and research the specific legislation currently debated or reviewed by the PLC

	on the agenda of the PLC	- Three training sessions for concerned members of civil society regarding specific legislation <i>TG: Civil society</i>		
OBJECTIVE 3 Provisions of the ICJ AO regarding the Annexation Wall are implemented	The Annexation Wall continues to exist in the Occupied Palestinian Territories (OPT) The International Court of Justice's Advisory Opinion (ICJ AO) continues to be seen by the international community as a valuable reference document Al-Haq views the Wall as an issue of particular importance There is inadequate awareness of the effects of the Wall	- Three to six written interventions on the state of the implementation of the ICJ AO to Israeli and international target groups TG: Israeli and third-party state officials - Highlight the implementation of the ICJ AO in three op-eds in third-party state media outlets TG: International civil society - Prominently include the implementation of the ICJ AO in three to six meetings with strategic diplomatic missions TG: Israel and OPT based diplomatic missions	Feed back from target groups regarding written materials. Publication of op-eds Feed back and follow up activities from diplomatic missions during and after strategic meetings	Draft and disseminate written interventions to identified target groups Network with relevant diplomatic missions; prepare for and effectively carry out meetings with diplomatic missions Conduct follow-up activities as necessary
OBJECTIVE # 4 Adherence by the international community to its international legal obligations regarding the East Jerusalem	- Sustained international consensus that East Jerusalem is still occupied territory to which international human rights and humanitarian law apply - Continuation of Israeli practices aimed at consolidating the illegal annexation of East Jerusalem, and ongoing Israeli violations of the fundamental rights of Palestinian East Jerusalemites - Al-Haq fieldworkers in East Jerusalem are able to effectively gather information for monitoring and documentation purposes	- Four to six detailed legal studies and four to six interventions to diplomatic missions regarding specific violations of international law in East Jerusalem, based on Al-Haq's documentation TG: OPT based diplomatic missions, international NGOs - Three briefing with the consuls general and permanent representative offices to discuss East Jerusalem-oriented human rights issues TG: OPT based diplomatic missions - At least three visiting tours for diplomats TG: OPT based diplomatic missions	Feedback from target groups regarding written materials Increased attention on East Jerusalem on behalf of third party states.	- Use focused fieldwork to identify and gather in-depth information on violations of international law relevant to East Jerusalem - Draft and disseminate written interventions to identified target groups - Network with relevant diplomatic missions; prepare for and effectively carry out meetings with diplomatic missions. - Conduct follow-up activities as necessary - Carry effective visiting tour

GOAL 2: HOLD ACCOUNTABLE PERPETRATORS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW IN THE OPT				
OBJECTIVE	RISKS & ASSUMPTIONS	OUTPUTS & TARGET GROUPS	INDICATORS	ACTIVITIES
OBJECTIVE # 1 Individual perpetrators are held accountable before national courts	No justice is provided before local national courts or international courts capable of restoring justice before foreign national courts. The continued existence of legislation in foreign countries that accommodates justice for crimes of war committed in the OPT, and is not limited by statute in accordance with international law That Al-Haq has the capability and resources to build files and track movement of suspects and the ability to find local partners	- Database of selected crimes and criminals (inc. command structure and relevant statements) in the OPT dating since 2000, based on comprehensive Al-Haq documentation TG: Those pursuing international litigation - Database of relevant national legislation in third party states TG: Al-Haq, other researchers - Fifteen to twenty fieldworkers and lawyers are trained to collect evidence that can be used in court cases TG: Al-Haq, other selected Palestinian fieldworkers and lawyers - Complete file on selected killings in the OPT since 2000 TG: Law based NGOs in third-party states	- Fieldworkers collect affidavits that are up to the necessary international standards - File is up to the evidentiary standards of criminal trial - Databases can be effectively used to access information on crimes committed in the OPT for use before national courts	Train fieldworkers on standards of evidence for war crimes Liaise with appropriate organisations to build capacity for project Update the file and collect relevant materials Develop databases and charts Continued assessment of materials and work done
OBJECTIVE # 2 Israel is held accountable before the UN for its violations and crimes committed n the OPT	- The UN continues to provide fora before which Israel can be held accountable for its violations in the OPT - Continued political will of members of the UN to address Israeli violations in the OPT before UN fora - Al-Haq has the capability and resources to effectively use UN fora	- Twenty to thirty written and oral interventions to UN bodies regarding specific types of violations in the OPT TG: Relevant UN bodies, attending diplomatic and NGO delegations - Participation in UN HR mechanisms to advocate respect for HR in the OPT, and development of further HR protections TG: Relevant UN bodies, attending diplomatic and NGO delegations - Three information-gathering trips to build strategic alliances for UN advocacy work with a diverse range of partners	Inclusion of Al-Haq concerns, information, or statistics in material released by and follow-up and feedback from UN, member states, and NGO representatives Increased contact with UN and NGO representatives Requests for information from UN and NGO contacts Number of meetings with UN and NGO delegations	Identify partner organisations with whom to undertake advocacy Draft and submit strategic interventions Review Israel's submissions to UN bodies Participate in meetings with UN HR mechanisms and bodies Prepare for and undertake effective information-gathering trips

OD IECTIVE # 2	Political interact and will by third	TG: Al-Haq, UN-based NGOs and diplomatic representatives	Foodback and offeetive follow up	Dropare for and corry out
OBJECTIVE # 3 Compel third-party states to prioritise international law, including international human rights and humanitarian law, in their relationships with Israel	- Political interest and will by third-party states to uphold their legal obligations vis-à-vis Israel - Sufficient interest by targeted media outlets in key countries to publish opeds related to the human rights situation in the OPT - Availability of civil society organisations interested in working with Al-Haq to carry out joint activities - Al-Haq has sufficient time and resources to carry out activities	 Involvement in three speaking tours in third party states, highlighting Israeli violations in OPT TG: CSOs, governmental representatives in targeted states Six to nine Al-Haq reports focusing on trends identified through documentation TG: International CSOs Six to nine media pieces submitted to international media outlets TG: International civil society, governmental representatives in targeted states Six meetings with diplomatic missions addressing specific Israeli violations and their inter-state obligations TG: Israel and OPT based diplomatic officials Legal volume of papers presented at Al-Haq "From Theory to Practice" (2005 expert seminar) TG: International CSOs, international legal and academic community Four to six legal studies on specific violations and other issues pertinent to the OPT TG: International CSOs 	- Feedback and effective follow-up on involvement in speaking tours - Distribution of Al-Haq publications to civil society organisations and actors at the national and international levels - Timely publishing and wide dissemination of media pieces - Improved cooperation with targeted diplomatic missions - Increased consideration of international legal obligations by third-party states in their relationships with Israel - Legal volume "From Theory to Practice" published	- Prepare for and carry out effective speaking tour in coordination with partner organizations and ensure follow-up - Carry out effective meetings and follow-up with diplomatic and civil society representatives. - Editing and finalizing publication of "Form Theory to Practice" - Draft and disseminate all Al-Haq's written material

GOAL 3: IMPROVE AND ENHANCE AL-HAQ'S ORGANISATIONAL CAPACITY*				
*target group for this objective is Al-H		OUTPUT?		1.0711/17/17
OBJECTIVE OBJECTIVE #1 Improve Al-Haq's institutional capacity to support and implement the work of the organisation	RISKS & ASSUMPTIONS - Al-Haq will get the approval of its board and staff regarding its policies and procedures manual - The budget allows for the development of Al-Haq's office infrastructure	OUTPUTS - Al-Haq has administrative policies and procedures in place to effectively support the work of the organisation - Al-Haq's infrastructure (library, technological capacity, website/mailing list) and work environment enables the staff to effectively implement the work of the organisation	INDICATORS - Manual is circulated to and applied to the entire staff, who are satisfied with it - Al-Haq's library users are satisfied with its resources - Al-Haq has an updated and accessible website and mailing list - Al-Haq staff are satisfied with the electronic equipment in the office - Al-Haq staff are satisfied with the office environment	ACTIVITIES - A policies and procedures manual is drafted and circulated amongst the staff - Manual is regularly reviewed - Regular assessment of the office infrastructure and improvement when needed
OBJECTIVE #2 Ensure that individual staff and interns acquire the skills and knowledge to effectively implement the organisation's work	Training is available and accessible for Al-Haq's staff The budget allows for staff development Al-Haq continues to attract strong interest by prospective interns	- Al-Haq's staff capacity is continuously strengthened - Al-Haq has a strong internship programme	- Al-Haq staff effectively implement the work of the organization - Reports by heads of departments reflecting staff performance - The internship programme is mutually beneficial to both the interns and the organisation	-Twice-yearly staff evaluation - Regularly assess for any needs of staff training - Regularly review intern applications and take on interns and develop work plans for each intern
OBJECTIVE #3 Create and sustain a transparent financial system that guarantees adequate financial controls	- Al-Haq has the capacity to develop a strong financial system	- An approved financial policies and procedures manual is used at Al-Haq - Regular reports reflecting expenditures vs. budget - Issue adequate financial reports to funders as according to agreements	- Al-Haq has a clear and transparent financial system - Heads of departments and the general director can regularly check the departments' budgets - Funders are satisfied with Al-Haq's financial reports	- Design and update when needed a financial regulations manual for Al-Haq - Issue quarterly financial reports with combined expenditures vs. budget per department - Issue financial reports corresponding to funders' requirements