

## Al-Haq's 40<sup>th</sup> Anniversary Seminar

### The Palestinian Human Rights Movement

Ramallah Municipal Theatre

Sunday, 14 July 2019

#### Abstracts and Biographies of Speakers

##### Mr. Raji Sourani

*Raji Sourani has been dedicated to the promotion and protection of human rights in the Occupied Palestinian Territory throughout his professional career, despite the personal and professional sacrifices he has been forced to make in the process. He has been an active lawyer since his qualification in 1977, representing a wide variety of victims of human rights abuses. He received many honors in his career, most recent of which is the Right Livelihood Award for 2013.*

*Despite periods of political imprisonment in Israel; years of harassment and violence from the Israeli military; harassment from the Palestinian Authority; and even death threats from Palestinian fundamentalist parties, Raji has maintained an unwavering commitment to human rights. He has been an advocate for basic human rights standards both at a domestic and international level and has refused to curtail his outspoken criticisms of failures by Israel, the Palestinian Authority, political parties and other states to adhere to human rights standards.*

*Despite the obstacles faced, Raji continues to promote and protect human rights through the Palestinian Centre for Human Rights, which he founded in 1995 with a group of fellow lawyers and human rights activists in the Gaza Strip. Raji has spearheaded this award-winning centre since its establishment and continues to ensure that the centre provides legal and other services to victims of human rights abuses in the Gaza Strip, enabling them to seek justice and reparation.*

*A committed family man, Raji has been blessed with an equally committed and understanding family, providing love and encouragement through even the worst times. Raji's wife in particular has proved the strongest source of support, despite the often great sacrifices that his work has brought to their life.*

*Throughout the recent challenges presented during the years of the second Intifada and during the Israeli offensive on the Gaza Strip (Operation Cast Lead), Raji has remained stalwart in his determination that the centre will continue to provide services to the maximum number of victims. He has managed to achieve this aim and the centre continues to respond effectively to the challenges faced in the Gaza Strip and throughout the Occupied Palestinian Territory.*

##### Professor Lynn Welchman

##### "Writing Al-Haq"

This presentation comprises a reflection on the process of researching and writing Al-Haq: The Early Years, which is, fundamentally, an account of Palestinian voices on choosing to work with international law and human rights under occupation, despite the odds, and some time before human rights became a career choice. In the book, I set the memories of those who were involved next to public and non-public documents and records from the time, exploring how the

organisation formed, applied and explained its founding principles, methodologies and strategies. The writing process involved putting things together from a range of sources – besides its own substantial text production, al-Haq has been written about, in different ways, by its founders, by former staffers, and more recently by external researchers and external evaluators. It has also written about itself quite frequently; indeed, as an organisation, it was always very self-aware, perhaps self-conscious, sometimes even rather ponderous in its efforts to explain developments in the thinking processes on which it based its interventions, but this was in a context where such explanation was clearly aimed also at engaging publicly on principles of the rule of law and human rights as well as setting out organisational positions. In the book, I also drew on and was guided by my meetings, discussions and interviews with a wide range of individuals – colleagues and friends - who worked at and with LSM/al-Haq in its formative period, and whose considered reflections and memories are critical to any attempt at writing al-Haq.

*Lynn Welchman, a Professor in the School of Law at SOAS, University of London, specialises in law and society, Muslim family laws, women's rights and human rights in the Middle East and North Africa. Prior to joining SOAS she worked in human rights, primarily with al-Haq and then other Palestinian NGOs in the West Bank, but also with international human rights organisations, mostly in the MENA region. She has recently completed her book on Al-Haq: The Early Years (forthcoming 2020). She is a founding co-editor of the Muslim World Journal of Human Rights and the Oxford Islamic Legal Studies Series and has published widely in her areas of academic interest. Lynn is a Board member of the Euro-Mediterranean Foundation for the Support of Human Rights Defenders, a former Board member of INTERIGHTS, a member of the International Advisory Board of the OSF MENA Regional Office, and President of the Inaugural International Advisory Board of Lawyers for Justice in Libya.*

## Mr. Bahey eldin Hassan

### **“Mutual Influence between the Palestinian and Arab Human Rights Movements”**

While the Palestinian and Arab human rights movements are rooted in similar leftist political origins, the qualitative difference in their political contexts (struggle for national liberation and self-determination against an external oppressor in the case of Palestine, and the struggle for democratization and rule of law against internal oppressors across other parts of the Arab region) has shaped their strategies and priorities as well as their mutual influence.

The presentation will highlight three historically significant dates: the birth of the Palestinian and Arab movements, Oslo agreements, and the Arab Spring.

*Bahey eldin Hassan is the director of the Cairo Institute for Human Rights Studies (CIHRS), an independent regional NGO which aims to promote human rights and democracy in the Arab region through analyzing the difficulties facing the application of international human rights law, the challenge of the dominant religious culture, as well as disseminating human rights and advocating for them in the Arab region and before UN bodies through CIHRS offices in Cairo, Tunisia, Geneva and Brussels. Hassan is a journalist by a profession, lecturer, author and editor of published articles, papers, and books on the challenges of implementation of human rights and democratic transformation in the Arab region. His articles were published at the New York Times the International New York Times Weekly, the Huffington Post, Sada Journal, and Orient XXI, as well as Egyptian and Arab newspapers.*

## Ms. Sahar Francis

*Since 2006, Sahar Francis has been the General Director of Ramallah-based Addameer Prisoner Support and Human Rights Association, a Palestinian NGO providing legal and advocacy support to Palestinian political prisoners in Israeli and Palestinian prisons. An attorney by training, she joined the association in 1998, first as a human rights lawyer, then as head of the Legal Unit. With over twenty years of human rights experience, including human rights counseling and representation, Ms. Francis also was on the Board of Defence for Children International – Palestine Section for 4 years, and in the Board of the Union of Agricultural Work Committees.*

*Sahar did her practice on Human Rights in the Society of Saint Yves in Jerusalem, on issues of Land confiscations, house demolitions, labor rights and freedom of movement. On 1997 worked in Badil Refugee Rights Center, in the legal unit. Sahar did her masters in International Studies at Bir Zeit University, and her Law degree at Haifa University.*

## Mr. Charles Shamas

*Charles Shamas is the Senior Partner and co-founder of the MATTIN Group, a voluntary partnership dedicated to activating processes of human rights and international humanitarian law peer enforcement that operationalise the customary duty of non-recognition. The MATTIN Group's work draws on the disciplines of law, economics, trade policy and cognitive science. It currently operates in Ramallah, Brussels and Washington DC.*

*In 1979 Mr. Shamas established a laboratory manufacturing venture in Ramallah. Over the next decade the MATTIN Group employed that venture to examine and document the institutional constraints on skilled labour-based manufacturing in the occupied Palestinian territories and to demonstrate how repositioning strategies could transform traditional low-wage manufacturing activities into internationally competitive engines of social welfare with relatively small investments.*

*In this context Mr. Shamas led a successful multi-year effort to coax the European Community, the US and EFTA to establish separate regimes for trading with Palestinian exporters and importing Palestinian products, including separate origin designators. In 1987 the manufacturing venture initiated direct Palestinian exports to the European Community and to the US. In 1988, at the MATTIN Group's urging, the European Parliament, Commission and Council acted decisively to end Israel's obstruction of Palestinian direct industrial exports and Israel's prohibition of direct Palestinian agricultural exports.*

*In 1996 Mr. Shamas and his MATTIN Group colleagues launched a multi-year process of investigation, consultation and dialogue with the EU institutions and Member States that brought to light the fact that Israeli settlement products were being regularly granted preferential treatment under Israel's free trade agreements with the EU in violation of existing EU legislation. This prompted a series of attempts between 2000 and 2012 to bring an end to those violations.*

*Over the past decade Mr Shamas and his MATTIN Group colleagues have brought to light other cases involving the deficient or irregular implementation of EU legislation that prompted corrective reforms of various areas of EU-Israeli dealings. The European Commission's issuance of guidelines on EU-funded support to Israeli entities and their activities in the occupied territories (July, 2013), and its more recent "Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967" (2015/C 375/05) have been among the most visible of the reforms made to date. To avoid such problems in the future and enable the EU "to fully and effectively implement existing EU legislation", in 2012 the Council concluded that "all agreements between the State of Israel and the EU must unequivocally and explicitly indicate their inapplicability to the territories occupied by Israel in 1967".*

*Mr Shamas co-founded Al-Haq, the first Palestinian human rights organisation, and co-founded the Palestinian Trade Promotion Organisation. He has advised the PLO/PNA on IHL-related diplomacy and is a member of the MENA advisory board of Human Rights Watch.*

*Mr. Shamas has authored and co-authored a number of studies and articles on international humanitarian law, EU external relations, sectoral industrial policies and development strategies and other trade-related subjects.*

**Ms. Abir Kopty**

### **“Modern Human Rights Activism Instruments”**

Palestinian online sphere is where most Palestinian youth are present, where conversations over politics society take place, but it is also a space where power dynamics are reproduced.

Internet has had a dramatic impact on how Palestinians communicate. On the one hand, it is believed to have pulled people from the street and kept them in front of screens, and hence created the phenomena of “clicktivism”. On the other hand, and in a reality where Palestinians are physically segregated and separated due to the long Israeli colonialism, and politically divided without a unifying leadership that leads a true liberation movement, many Palestinians, especially youth, found in the Internet their resort where they managed to unite and coordinate actions.

Similar to other movements, Internet and especially Social Media Networks has become an important tool for Palestinian Human Rights movement. Online activists take to the Social networks to express anger at Bahrain “economic peace” summit, or campaign for the freedom of a prisoner, lobby against a corporation that benefits from the occupation or call Madonna to cancel a Tel Aviv performance. Some may use it to spot and expose media bias against Palestinians, some may use it to share updates from the ground and others may use it to share Intifada songs and stories.

However, Palestine online does not function in the vacuum. Online platforms have become a battle field of narratives and a space where offline power dynamics unfold online. Those under Israel’s direct reach are at risk of being prosecuted for their online activity, and both them and those that are not under its direct reach, are censored. Well organized and well budgeted efforts by the Israeli governments are trying to dominate the narrative online.

While Palestinian online movement(s) has proven powerful and effective in exposing Israeli crimes and campaigning for Palestinian rights, they might be losing the battle soon. There are two pressing threats: 1) Poor organization and; 2) Power dynamics among Palestinian communities and activists themselves. The battle on who owns the cause and who knows best is unfolding online, too.

*Abir Kopty is a Palestinian writer and researcher based in Berlin. She holds an MA in Political Communication at the City University of London and is currently a PhD candidate in the Institute for Media and Communication Studies, Freie Universität Berlin where she researches power dynamic in Palestinian online communities. Before moving to Berlin, she worked in the field of media and communication in Palestinian civil society organizations.*

**Mr. Fadi Quran**

*Fadi Quran is a Campaign Director at Avaaz, with a focus on mobilizing communities around the world to fight for human rights. He previously served as Advocacy Officer with Al-Haq’s legal research and advocacy unit, and as a popular resistance community organizer. Apart from his work in advocacy and international*

*law, Fadi is also an entrepreneur in the alternative energy field, where he has founded two companies bringing wind and solar energy to Palestine and other countries in the region. Fadi holds degrees in Physics and International Relations from Stanford University.*

**Mr. Issam Aouri**

### **“The Palestinian Human Rights Movement: Sources of Strength and Weakness”**

- The Palestinian human rights movement developed in line with the general struggle against the occupation.
- Struggle paved the way to launching grassroots initiatives for civil society action in Palestine. The oldest civil society association dates back to 1904.
- Since the mid-1970s, volunteerism has developed in a conscious and organised ways across the occupied Palestinian territory. It became a prerequisite for graduation from a number of Palestinian universities.
- Volunteerism then saw a qualitative progress. It took the form of specialised action, particularly among professionals and university graduates.
- Women’s associations were established. Even before the concept of gender existed, these associations shifted from a traditional charitable pattern, nobly led by senior ladies of rich and feudal families, to initiatives taken by young women. Involving some social characteristics that were premised on the concepts of equality, the well-established feminist movement’s struggle was linked to liberation from the occupation.
- It was no coincidence that Al-Haq was born in the midst of this popular and mass movement, which was later accompanied by a transformation of the Palestinian national struggle. At this stage, the labour and union movement were developed. Student movements were born and played a leading role at the level of secondary schools and universities.
- There were two important milestones in the Palestinian popular and community actions:
  1. In the aftermath of Israel’s war on Lebanon and expulsion of the PLO, then current intellectual propositions were reviewed. These mostly believed that liberation of Palestine could only be attained by military action from abroad.
  2. As a culmination of all past events, the great popular Intifada (1987-1993) took place.
- Palestinian community initiatives stepped up and developed both professionally and creatively. Still, these were restricted by military legal frameworks of the Israeli occupation.
- At the end of the 1980s and beginning of the 1990s, the Berlin Wall fell and the Cold War came to an end. A number of states withdrew from the Warsaw Camp following peaceful revolutions, partly led by civilian movements. Some of these movements came to power.

Around the world, some human rights movements evolved in parallel to globalised movements. In the Palestinian context, human rights movements came to being as a natural outcome of the national struggle against the occupation. It was the occupation that posed

the greatest threat to human rights, including the right to life, right to housing and property, and rights to freedoms of movement, expression, and association, among others.

Against this backdrop, the Palestinian human rights movement is genuine, deep-rooted and operates from within a grassroots hub, which provided needed support and protection. This is why the existence and discourse of the movement is targeted in an attempt to link it with terrorism. Forms of terrorism have also been invented, such as terrorism using the law, and terrorism by international resolutions, etc.

The main challenge ahead of the Palestinian human rights movement is to triumph in the battle of de-legitimisation. It needs to be characterised by deepness, wisdom, foresight, and a high level of coordination and organisation. It should seek to diversify sources of support and funding and use immense human resources in Palestine, including volunteers, activists, and intellectuals. Palestinian human rights movement should also cleverly and wisely use technology and ensure timely transfer and validation of information. It can benefit from the low cost of these technologies and declining role of the TV and other expensive means of communication.

Together with their allies in the exile, Palestinians can engage with progressive movements around the world and use their knowledge of the communities, in which they live, to mobilise support for the legitimate rights of the Palestinian people. A long-term strategy will be used to isolate and turn the occupation into a loss-making enterprise. This requires building broad alliances with anti-war, environmental and progressive social movements around the world. In this context, the occupying Power is building alliances with proliferating racist right-wing movements and with the most oppressive and backward-looking regimes in our region.

**Advocate Soheir Assad**

### **“Challenges of the Palestinian Human Rights Movement: Ending the Dichotomous Discourse”**

My presentation wishes to challenge the dichotomist discourse used by leading Palestinian and international human rights organizations to analyze the laws, policies, and practices used by Israel to deny and violate Palestinian human rights. This dichotomist discourse frames the violations faced by Palestinians inside the Green Line primarily as challenges of democracy and citizenship rights based on International Human Rights Law. Meanwhile, the violations faced by Palestinians in the Occupied Territory of 1967 are framed as questions of occupation under International Humanitarian Law.

I argue that this fragmented discourse fails to capture the full scope of Israel's policies and practices, which are rooted in the existence of a single legal and political Israeli regime in all of historic Palestine, and which controls all Palestinians on both sides of the Green Line as well as Palestinian refugees in exile – regardless of the different tools used.

This is especially the case after the passing of the Jewish Nation-State Basic Law, which amounts to a clear declaration by the state of Israel to entrench its single regime in what the law refers to as "the land of Israel". And while Israel is asserting its unified control on the ground and making Jewish supremacy its constitutional value, it is also carrying out policies to make the fragmentation and oppression of all Palestinians a permanent fact – in Gaza, the West Bank, in refugee camps, and inside the Green Line.

Therefore, in light of the major legal and political developments in recent years, the need to end the dichotomy of the Palestinian human rights discourse has become more crucial than ever.

Although some organizations have begun developing "crossover" analyses that go beyond the discourse dichotomy, these attempts remain limited, inconsistent, and unsystematic. I conclude that the Palestinian human rights movement must begin a more concerted discussion to redefine the nature of the Israeli regime in a way that accurately reflects the lived reality of the Palestinian people.

*Soheir Asaad is International Advocacy Coordinator at Adalah – The Legal Center for Arab Minority Rights in Israel. She is an attorney with an LL.M. from the Center for Civil & Human Rights at the University of Notre Dame (US), with a focus on international human rights law; and with an LL.B. from Hebrew University in Jerusalem. Soheir was a Fulbright scholar at Notre Dame, and later a research fellow with a scholarship at the Cairo Institute for Human Rights Studies in Tunisia. Soheir also previously worked as parliamentary advisor to Knesset Member Haneen Zoabi, focusing on the rights of Palestinian women citizens of Israel.*