

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

### The Palestinian Human Rights Movement

*Ramallah Municipal Theatre*

*Sunday, 14 July 2019*

#### Concept Note

**Background:** This year marks 40 years of tireless and persistent efforts by Al-Haq, the first human rights organisation in the Middle East, in promoting and protecting human rights and the rule of law in the occupied Palestinian territory (OPT). Al-Haq takes its 40<sup>th</sup> anniversary as an opportunity to organize a seminar to shed light on the Palestinian human rights movement, including by studying the conditions under which this movement emerged and developed, the mutual influence between Palestinian, Arab and international human rights movements, challenges that face the movement as well as its achievements. In addition, the seminar aims to discuss the overlaps and gaps between institutional human rights activism carried out by human rights organisations in the OPT and popular-grassroots human rights activism.

In the early 1970s, human rights advocacy and activism did not exist in the OPT, unless one considers popular protests against the occupation as a form of human rights activism, given their nature and calls for freedom and justice. Considering the special status of Palestine, as a territory subjected to belligerent occupation, popular scepticism towards the international human rights regime and cultural preconceptions of human rights persisted.

Even after the establishment of Al-Haq, the first human rights organisation in the Middle East, in the late 1970s, reluctance in recognising human rights activism continued. Nonetheless, and at the same time, there was a growing need to counter Israel's occupation and systemic violations of Palestinian human rights through an international legal framework and platform. This is probably when first steps began to establish professional human rights organizations and human rights movement started to take shape in the OPT.

At that time, the legal environment was characterized by secrecy and alterations of legislation and laws by Israel, the Occupying Power, in violation of international law. In Al-Haq's first publication, *The West Bank and the Rule of Law*, Niall Macdermot, Secretary General of the International Commission of Jurists(ICJ) in 1980, underscored in the preface of the book that, "this is the first case to come to the attention of the ICJ where the entire

legislation of a territory is not published in an official Gazette available to the general public.”<sup>1</sup>

The first Intifada in 1987 might have influenced the development of the human rights movement. The widespread human rights violations committed by the Israeli occupying authorities in the OPT functioned as a driving force to further human rights activism and for the Palestinian society to accept it. Palestinians felt the need for an entity, a movement or an organization, that would defend their rights. The targeting of human rights activists by Israeli occupying authorities might have given rise to further acceptance of the human rights regime as the public started to believe that defenders are sincere in their endeavours with respect to the defence of Palestinians’ rights.

In the mid-1990s, the Palestinian Authority was created. The politically-imposed realities and structures as a result of the Oslo agreement and the approach followed by the PLO in managing the negotiations with Israel, disregarding principles of international law and human rights, pushed for stronger human rights activism to defend the collective and individual rights of the Palestinians. According to Lisa Hajjar, “the biggest blow for the human rights movement was the direction the negotiations took, namely the emphasis on security.”<sup>2</sup> This direction obliged human rights organizations to dedicate much of their attention to ensuring that human rights of Palestinians are protected, regardless of the duty bearer. As such, human rights organisations have sought to monitor and counter the violations committed by the Palestinian Authority. This situation created challenges which might have functioned as catalyst for stronger human rights movement.

**Aim of the Seminar:** This seminar will provide an ideal platform among scholars, researchers, practitioners and human rights defenders and activists to critically study and evaluate the development of the Palestinian human rights movement including its discourse and instruments in order to learn from past experiences. The seminar aims to lead-off a discussion on what is the Palestinian human rights movement's strategy today to counter the shifting paradigm/political reality imposed, the continued deteriorating human rights situation and the reality for human rights defenders and the Palestinian people.

**Themes:** The general theme of the seminar hinges around the Palestinian human rights movement, its emergence, development, achievements and challenges. The seminar will go through the origins of the Palestinian human rights movement from different lenses. It will also highlight the contribution of women in shaping the Palestinian human rights movement. Additionally, the seminar will focus on the mutual influence between the Palestinian movement and its Arab counterpart. Critical questions will be addressed to

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<sup>1</sup> Raja Shehadeh and Jonathan Kuttab, *The West Bank and the Rule of Law*, 1980, 7

<sup>2</sup> Lisa Hajjar, *Human Rights in Israel/Palestine: The History and Politics of a Movement*, (*Journal of Palestinian Studies*, 2001), 28.

evaluate the definition of the Palestinian human rights movement and the human rights defender in the Palestinian context.

The seminar will go through the development of the movement's discourse and instruments and how it was affected by many factors on the ground such as the Oslo era and the Palestinian Authority. It will also explore nonstandard instruments in human rights activism such as digital activism and the internationalisation of the Palestinian human rights movement.

The seminar will wrap up with presenting the challenges that face the Palestinian human rights movement, including shrinking space for the civil society and human rights defenders as well as violations on freedom of speech, association and assembly. Notably, the Palestinian human rights movement is at risk today, given the shifting paradigm, exemplified in accelerating policies and measures, carried out by Israel as Occupying Power and other international actors in perpetuating the occupation, including through annexation of what has remained from Palestine, and erasing the Palestinian national identity and presence from mandate Palestine and the OPT. Decades of Israeli impunity have created a culture of distrust in international law, among the Palestinian people, as an ineffective tool for protection, accountability and justice. This has doubled the challenge faced by defenders given that this tool has not succeeded so far in bringing about justice.

Lastly, the seminar will present the sources of strength of the movement's experience. The future of the movement will be addressed through exploring approaches to counter these challenges, including through a legal strategy.