

SECRETARIAT NEWSLETTER

OCTOBER 2016

ISSUE ELEVEN

CONTENTS

PWWSD Conducts Lawyer Training	2
27 Cases of Suspected War Crimes in Gaza, 0 Indictments	3
JOINT STATEMENT: Israeli Government Must Avoid Vilifying the Vital Work of Aid Community in Gaza	
DWRC and Trade Unions Submit Request for Amendments to the Draft Law on Union Organizing	4
WSC opens Relocates Branch Office to Old City of Nablus	5
WATC Implements Three Day Training on Gender and Media	
BADIL Released Working Paper on Forced Population Transfer: The Case of Old City of Hebron	6
Additional Core Funding Approved to Partner COSs in 2016	7
Internship Program for Law Students Concluded	8

ONLINE:

WEBSITE: RIGHTSECRETARIAT.PS. VISIT OUR WEBSITE TO SUBMIT HUMAN RIGHTS AND IHL MATERIALS TO OUR PORTAL.

FACEBOOK: [FB.COM/HRIHLSecretariat](https://www.facebook.com/HRIHLSecretariat)

TWITTER: [@HRIHLPalestine](https://twitter.com/HRIHLPalestine)

INSTAGRAM: [@HRIHLPalestine](https://www.instagram.com/HRIHLPalestine)

CONTACT US:

FOR QUESTIONS, COMMENTS AND SUGGESTIONS, CONTACT THE SECRETARIAT VIA EMAIL AT:

INFO@RIGHTSECRETARIAT.PS OR VIA TELEPHONE AT 02 297 4563/4 (BIREH), 08 288 3115 (GAZA CITY).

Israel's New "Anti-Terrorism" Law: Antidemocratic, Draconian and Provides Sweeping Powers

The Israeli government has in late June 2016 passed into law the counter-terrorism bill, which is based on a text most Israeli parties have supported and advocated for a number of years. The law has not, however, enjoyed the support of Meretz party, or any of the members of the Joint List, comprising all Arab parties in the Israeli parliament, or Knesset.

The Law comes into effect on 1 November 2016, and does not apply, at least at this stage, to Gaza and West Bank (it applies to illegally-annexed Jerusalem). The Law has been subject of criticism by human rights defenders, leftist parties, and a number of human rights organizations, including Meezaan for Human Rights, and Secretariat partner Association for Civil Rights in Israel (ACRI). It is reported that more than 150 objections to the law were submitted, but all were rejected. Criticism has been directed at the Law as follows:

A. While on the face of it the Law aims to put in one place anti terrorism pieces of legislation currently dispersed in a number of laws, starting with the infamous British—Mandate Defense (Emergency) Regulations, this codification effort has been used to outlaw virtually all anti-occupation movements and activities. The text of the Law leaves no space for dissenting voice, or political or civil society activity in support of Palestinian rights, including the right to self-determination, and to ending the illegal decades-long occupation.

B. While the proponents of the law claim it applies to Israeli territory, it in fact applies to occupied and illegally-annexed East Jerusalem as well, contrary to international law. According to international law, Israel, as Occupying Power, should apply pre-occupation legislation in the oPt, including East Jerusalem.

C. The Law broadens definitions, and offers sweeping powers, so that under the new broad definitions, possession of a book, or sharing a post through social media, constitute a terror offense, and can be basis for prosecution. Also, the broad definition of a terrorist, terror organization, and act of terror, can be basis for targeting organizations and individuals involved in relief, education, and related legitimate efforts, when these efforts go against the wishes and plans of the Israeli authorities. For example, this could be used against organizations and activists involved in the rehabilitation or protection of the Al-Aqsa Mosque, or provision of relief to Gaza.

Given the above, no wonder why the law has been labelled draconian, and anti-democratic.

This is a call for democratic forces, local and international, to work for the abolition of the Law, and until then to monitor its impact on human rights in the oPt.

Dr. Mustafa Mari
Secretariat Manager

PWWSD Conducts Lawyer Training On "Supervising the Implementation of International Standards When Providing Legal Services"

The Palestinian Working Woman Society for Development (PWWSD) conducted a training course in its Ramallah headquarters, titled “mechanisms of supervising the implementation of international standards when providing legal services”. This came as part of the project entitled “Strengthening Women’s Access to Justice in the Occupied Palestinian Territories” implemented with funding from UN Women, through Sawasya (the UN Women/UNDP joint program - Strengthening the Rule of Law: Justice and Security for the Palestinian People 2014-2017).

The 4-day training (including 20 training hours) was conducted by Ms. Haleema Abu-Sulb, and targeted 10 practicing female lawyers from Ramallah, Nablus, Tulkarm, Hebron, Jenin, and Bethlehem.

The training aimed to enrich the trainees’ knowledge of human rights concepts and women’s rights in particular, as well as providing them with skills specific to connecting and implementing international standards related to women’s rights, when implementing local and international laws.

Trainees were introduced to the current laws, namely the penal code and personal status law, observing women’s reality through them. In addition, the training addressed family violence and legal protection and the national referral system for battered women, as well as the Palestinian penal code and personal status law project.

The course also worked on raising the



PWWSD conducts lawyer training on “supervising the implementation of international standards when providing legal services.”

knowledge of the target group regarding local law, particularly court proceedings from a gender perspective, as well as invoking International Human Rights Law, CEDAW in particular, and connecting it to local laws, in order to honor the international conventions and agreements signed by Palestine.

Project Coordinator, Hana Qaisi said that practicing female lawyers were targeted, in order to build their capacities, develop their performance, and strengthen their positive role in carrying out the rule of law. This course came to improve their performance, strengthen and deepen their awareness of applied laws and court proceedings in Palestine, all from a gender and human rights perspective. These principles are considered essential indicators of meaningful justice in dealing with Palestinian women’s basic rights, based on gender equality and nondiscrimination.

Abu-Sulb noted that the training focused on the needs and experiences of the

target group, and worked on preparing awareness plan for empowering female lawyers. This plan includes all training activities organized sequentially according to a unified approach to cover all essential content. An interactive and participatory approach was taken to create training sessions and activities, including live testimonies on women issues and rights in the eyes of the law.

One participant, Majd Assaf said that the training helped her develop her ideas and capacities, and to gain in depth knowledge of human rights and applicable laws, particularly the applicable personal status law. Another participant, Lina Jallad, talked about the importance of this kind of training, and that it deepens the knowledge and awareness of trainees of applicable laws in Palestine from a gender perspective, and contributes to developing their skills in dealing with implementing international standards.

Source: PWWSD.

27 Cases of Suspected War Crimes in Gaza, 0 Indictments

Two years have passed since Israel's military offensive in the Gaza Strip that killed 2,251 Palestinians – the vast majority civilians – including 299 women and 551 children, and destroyed 18,000 homes and other civilian structures.

From the outset of the war, Adalah and Al Mezan Center for Human Rights filed a series of complaints* to the Israeli authorities demanding independent investigations and criminal prosecutions for suspected violations of international law committed by the Israeli military in Gaza. But two years on, there has not been a single indictment in the cases we filed – Israeli authorities are still investigating or have yet to even respond to 48 percent of our complaints.



Demolished house in Gaza Strip. Photo Credit: Adalah.

As our cases shows, Israel is unwilling to conduct genuine investigations* into suspected war crimes or to hold perpetrators to account. In fact, Israel deliberately places numerous obstacles to investigations aimed at protecting its armed forces – thereby allowing impunity to prevail.

*Series of complaints: https://www.adalah.org/uploads/uploads/Adalah_Gaza_Case_List_English_FINAL.pdf?mc_cid=c73d900eee&mc_eid=0455bda52e

*Unwilling to conduct genuine investigations: https://www.adalah.org/uploads/uploads/REPORT_Gaza_Obstacles_English_28_Aug_2016.pdf?mc_cid=c73d900eee&mc_eid=0455bda52e

Source: Adalah

JOINT STATEMENT: Israeli Government Must Avoid Vilifying the Vital Work of Aid Community in Gaza

We urge the Israeli government to refrain from impeding the activities of humanitarian aid organizations, and to avoid vilifying the vital work of the aid community.

Approximately 1.8 million people live in the Gaza Strip. After almost a decade of siege and repeated rounds of bombardments, the economic situation is on the verge of collapse. The unemployment rate is one of the highest in the world, civilian infrastructure is in ruins, water supply is contaminated, and poverty is widespread. International aid organizations have addressed this reality for years, displaying tireless commitment in extremely difficult conditions. Given that Israel imposes conditions of poverty and isolation on residents of the Gaza Strip, the activities of humanitarian organizations are vital. Approximately 70 percent of Gaza residents are dependent on humanitarian aid. The Israeli authorities recently indicted two employees of international aid organizations active in the Gaza Strip.

On the basis of these indictments, Israeli authorities have made sweeping, far-reaching, and irresponsible allegations claiming that humanitarian operations in the Gaza Strip as a whole are connected to Hamas and serve the organization. Any use of funds intended for humanitarian aid to support violence is illegal and is an extremely grave matter. Even if the defendants are found guilty – at present they should benefit from the presumption of innocence – this will not detract from the importance, integrity, and dedication of international humanitarian organizations assisting residents of the Gaza Strip. We, the undersigned Israel-based human rights organizations, attach great importance to the work of international aid organizations active in assisting residents of Gaza, so many of whom live in extremely dire conditions. We urge the Israeli government to refrain from impeding the activities of these organizations, and to avoid vilifying the vital work of the aid community.

Amnesty International Israel, HaMoked, Yesh Din, Adalah, Coalition of Women for Peace, PHRI.

DWRC and Trade Unions Submit Request for Amendments to the Draft Law on Union Organizing to the Minister of Labor

Since the adoption of the Palestinian labor law no 7 of the year 2000, legal protection of freedom of association and the right to organize has been insufficient in the West Bank, while union laws in the Gaza Strip severely restrict the exercise of this right. Over the past fifteen years, DWRC has been engaged in promoting the adoption of a law in line with the rights guaranteed by international conventions. The draft law on union organizing has now reached the stage of the second reading in the Palestinian Cabinet, and may be adopted before the end of 2016. While this draft law includes significant improvements from previous versions, since it guarantees the right to trade union pluralism



DWRC and trade unions submission for amendments to draft law on union organizing to the Minister of Labor. Photo credit: DWRC

in the public and private sector (i.e. the right of workers to join and form the unions of their own choice), and would provide enhanced protection for trade union work, some dispositions should be canceled or modified as they infringe on the rights of trade unions.

Over the past two years, DWRC organized a series of workshops and meetings on the draft law for union organizing and international standards, and prepared recommendations for amendments with partner trade unions in West Bank and Gaza. On August 10, 2016, DWRC and a delegation of union representatives submitted an alternative draft law for union organizing and justifications for amendments endorsed by 22 unions in the West Bank and Gaza Strip to the Minister of Labor, Mr. Mamoun Abu Shahla. On October 1st, 2016, during the trade union forum organized by DWRC with representatives of 38 unions and sectorial federations in Bethlehem, the unions appointed a committee to follow-up on the adoption of their recommendations with the Minister of Labor.

Based on international labor conventions 87 and 151, and relevant articles of the international human rights conventions ratified by the State of Palestine, main recommendations concern:

- Removing the articles that predetermine the organizational structure and denominations of workers' representative bodies in the private and public sector (such as the composition of a "general union" or a "federation"), and infringe on matters that should be solely determined by each representative body in their internal statute. In its current draft, the law places restrictions on the manner unions can organize among themselves.
- Contradictions between articles of the law that concern the recognition process of unions; it should be immediately granted to unions, when they deposit their constitutive documents with the Ministry of Labor as stated in the law, and any additional dispositions should be removed
- The competence of a court of law should be limited to dissolving the administrative committee of a union, leaving the matter of dissolution of the union solely to its members
- The law should not maintain or enhance restrictions on the right to strike, particularly in the public sector; the modalities for its exercise should be revised, in particular concerning the condition of the signature of 51% of workers on the strike notification.

Source: DWRC.

Women Studies Center Relocates Branch Office in Old City of Nablus

In the presence of the mayor of Nablus, and representatives from different public and private organizations, a grand opening of the Women Studies Center in the Old City of Nablus was organized, on 4 October 2016.



مركز الدراسات النسوية
Women's Studies Centre

Women Studies Center (WSC), a Jerusalem-based Palestinian women rights organization, decided to locate its Nablus branch to the Old City of Nablus, in order to stay close to the marginalized groups which the organization seeks to serve, so that it is better able to provide its service to women and children in the said neighborhood. This move was welcomed by the Mayor of Nablus, who offered a renovated location in the heart of the Old City for this purpose.

The Grand Opening, which was attended by officials from the public and civil society, witnessed calls for more support to women and children in the city, and provide programs that to ensure their reintegration in the community.

The Mayor of Nablus, in his speech congratulated WSC for this proactive move, and for their strategy towards providing better services to the local community.

It's worth mentioning that WSC provides services to marginalized women in Nablus, through multiple programs which include support to divorced women, bereaved women, and support to children against violence.

Source: WSC

WATC Implements Three Day Training on Gender and Media

The Women's Affairs Technical Committee (WATC) implemented a three day training for 27 women who are members of local councils, from the different governorates of the West Bank. The training covered three areas; mass communication and how to communicate with the media and how to put forward women's issues in the local councils. At the same time there was training for media professionals within the Media Coalition (Palestine TV, Ma'an Network, Raya Radio, Nisa FM, Voice of Palestine Radio, Wafa News Agency, Falastiniat, and a local radio from Jenin). Participants have been trained on sensitive coverage of issues of gender in the media.

The training included the following aspects:

1. Media professional's mechanisms used to deal with women issues and problems.
2. The role of media institutions and in the adoption of women's issues.
3. The role of the Journalists Union in the adoption of procedures that are supportive to gender.

Groups worked through the revision of earlier produced work by the journalists themselves in order to find the flaws and learn from them.

Source: WATC



Participants at the training conducted by WATC. Photo Credit: WATC

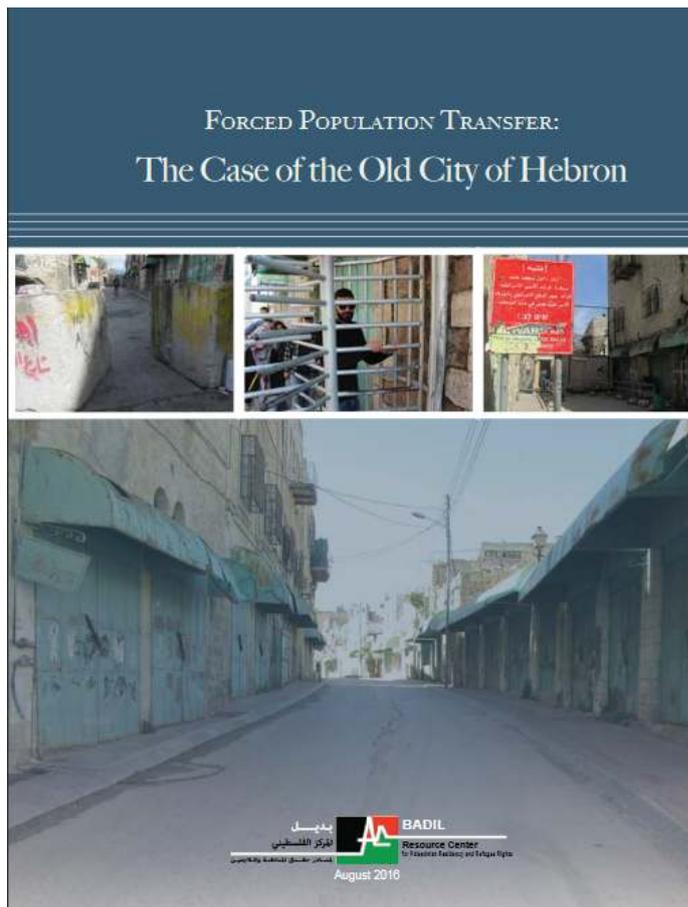
BADIL Resource Center for Palestinian Residency and Refugee Rights Released a Working Paper on Forced Population Transfer: The Case of the Old City of Hebron

BADIL Resource Center for Palestinian Residency and Refugee rights released a [Working Paper on Forced Population Transfer: The Case of the Old City of Hebron](#). This case study supplements BADIL's 10-paper Series on Forced Population Transfer: The Case of Palestine and examines how Israeli policies of forcible transfer work in Hebron's Old City.

This specific paper focuses on the most affected areas by these policies in the Old City, where the implantation of Israeli colonies and colonizers, among other practices, has resulted in the forcible transfer of significant numbers of Palestinians from their homes. The particular circumstances of Hebron's Old City make this paper a very strong case study that shows the implementation and interaction of different Israeli policies of forcible transfer, not only in the area covered by the research, but throughout the oPt.

In light of the escalating aggression against the Palestinian people by the Israeli military, BADIL has embarked on a campaign to highlight the excessive use of force as a component of the Israeli policy of oppression.

BADIL has issued two statements on the use of excessive force against Palestinian youth by the Israeli occupying forces with the intention to cause significant injury; the [first statement](#) was published in August and a [follow-up statement](#) in September. For example, Dheisheh refugee camp was raided three times by Israeli forces between the end of July and mid-August. During these three incursions 18



Cover of report. Credit: Badil.

youth aged between 14 and 27 were shot in their legs, 8 of which were shot directly in the knee and several more in both legs. Four other youth from areas around Dheisheh were also shot in their legs during these incursions.

Since the beginning of 2016, 30 people have been shot with live ammunition in Dheisheh camp, the majority in their legs and knees. Medical sources have reported that these injuries cause both permanent and temporary disabilities. In addition, at least 83 people have been shot with live ammunition in the Bethlehem area during this period.

The escalating use of excessive force against Palestinians by Israel is alarming and illegal, according to both international humanitarian and human rights law. The topic has found significant resonance with a number

of media outlets and organizations, including UNRWA. The initial statement was picked up by dozens of national, international and alternative media networks: in [French by the Euro Med Monitor](#); in [Italian by InfoPal News Agency](#), in [Spanish by Argentina Today](#), in addition to [Ma'an News Network](#), [Electronic Intifada](#) and [Mondoweiss](#), just to name a few.

BADIL also raised the issue in its [legal advocacy interventions](#) in the 33rd session of the UNHRC. BADIL intends to do a more extensive research on the issue of excessive use of force in the coming months and is considering bringing this matter to the attention of the ICC. BADIL's previous engagement with the ICC was in February through a submission on the crimes of forcible transfer and persecution which can be found [here](#).

Source: Badil.



OUR OVERALL OBJECTIVE “...to contribute to the effective realisation of and adherence to human rights and international humanitarian law in the occupied Palestinian territory and to influence the behaviour of the relevant duty bearers...”

Additional Core Funding Approved to Partner COSs in 2016

Over the past few months, the Secretariat team has conducted discussions with donors and partner CSOs, regarding the funding gaps a number of the Secretariat’s core funding partner CSOs have reported earlier in the year. Discussions also included how additional funds Secretariat donors could make available during the year can be strategically used to meet existing needs and priorities of partner CSOs.

The Secretariat and the lead donor, Sweden, have developed a process and criteria for the possible topping up of core funding to existing partners. At the core of these is the understanding that the topping up is geared towards addressing serious funding gaps core grantee partner CSOs have reported in 2016, and that in addition to factoring the funding gap, the programmatic and thematic focus of the work of partner CSOs will also be factored.

Sweden has informed the Secretariat of its decision to contribute to the Secretariat grant fund for 2016 an additional amount of 9,000,000 SEK, equivalent of 1,030,000 USD. This will be used exclusively for the topping up of existing core grants.

According to communication the Secretariat team had with partner CSO teams, CSOs have reported an accumulated funding gap in 2016 of nearly 3 million USD. The data collected was analysed, and programs, priorities, and measures taken by CSOs to deal with the reported funding gaps have been examined, and core funding partner CSOs have been divided into two lists:

- a. A list of 11 CSOs, with secured funding totaling 9.9 million USD, and a gap of 2.4 million dollar (funding gap of 19%), for which group the Secretariat proposed to provide additional funding totaling 1.03 million. This increases the average contribution of the Secretariat to the budget of the said CSOs, in 2016, from 14% to 22%.
- b. A list of 13 CSOs, with secured funding in 2016 totaling 16.6 million, and a total funding gap of 0.5 million (average gap of 3%, 97% of the funding required for 2016 already secured).

Based on the above, the lead donor has approved the proposed additional funding for the 11 CSOs, to be seen as part and parcel of existing core funding, subject of existing reporting requirements, to cover any or all elements of the respective CSO’s approved 2016 work plans. Below is a list of all 11 CSOs, with the additional funding approved for each.

#	Name of CSO – Existing Core Grantee	Additional Funding (\$)
1	HaMoked – Center for the Defense of the Individual	160000
2	Al-Haq “ Law in the Service of Man”	160000
3	Defense for Children International (DCI)	160000
4	Breaking the Silence	120000
5	BADIL -Resource Center for Palestinian Residency and Refugee Rights	110000
6	Al Mezan Center for Human Rights	80000
7	The Palestinian Initiative for the Promotion of Global Dialogue and Democracy - MIFTAH	60000
8	Palestinian Working Women Society for Development (PWWSO)	50000
9	Women Studies Center-Jerusalem	50000
10	Al Dameer Association for Human Rights	50000
11	Women Affairs Technical Committee (WATC)	30000
	Total amount of approved additional funding/increase (\$)	1030000

The Secretariat website provides updated information regarding partner CSOs, and updated grant amounts for each.

Please follow the link for more details:

<http://www.rightsecretariat.ps/our-work/grantees/core-funding>

Internship Program for Law Students Concluded

A training program, organized to develop the capacity and skills of law students, in order to fill a gap in the education and orientation of young lawyers, has been concluded. The program targeted, in order for its development and testing and updating, students of the faculties of law at Birzeit University and Azhar University.

In its second and last round, 11 students from both universities in the West Bank and Gaza Strip benefited from the program, 82% of them were female law students.

The training program represented an important intervention, not only in terms of the knowledge gain of the students, but also from the perspective of the mechanisms employed throughout its design and implementation. The program was designed in response to CSO's own needs, and in a participatory manner, involving CSOs, students and law schools together in the detailed design of the program, its duration, selection of students, identification of outputs, and assessment.

The internship program was one of the benchmarks of the joint work between Secretariat partners as a platform for the exchange of expertise and enhancing of research and analysis in the field of human rights.

The long process of program design and piloting is necessary to take into account the needs and interests and requirements of the various institutions involved: the universities that looked for space where their students can apply and sharpen their acquired knowledge, and partner CSOs whose interests included expanding the culture of HR/IHL within the academia and research worlds, to ensure efforts to promote human rights are complementary. As for the students, the program presented a unique opportunity to be placed in professional environment where many hope to kick start their practical life. The Secretariat worked closely with all actors to meet all of these concerns and interests, and in the latest round, two, has introduced improvements identified in the conclusion and assessment of round one.

In their own words: students' concluding remarks about the program

“The training was perfect with no difficulties, it was interactive and inclusive.”

“It was better if the duration of the training is longer as the allocated time was not enough.”

“There is need for more practical work in the field of human rights.”

“I believe that the acquired skills will help the participants in their future practical life, mainly through the following gained skills: research methodology, report writing, calculation of employee compensation and follow up employee issues, receiving clients, and taking statements under oath (affidavits)”.

CSO perspective: the program was equally a success, in that it:

- contributed to promoting volunteer work amongst CSOs and students;
- improved the research skills of students,
- integrated youth, and young lawyers especially, in human rights issues; and,
- provided students with opportunity to gain practical experience, to complement the theoretical part at the law school.



The Human Rights and International Humanitarian Law Secretariat in the occupied Palestinian territory (hereafter The HR/IHL Secretariat or “Secretariat”), is a project implemented by NIRAS NATURA AB – Sweden, and the Institute of Law, Birzeit University, Birzeit, Palestine, with generous support from the governments of Sweden, Denmark, the Netherlands and Switzerland.

Disclaimer:

The views expressed in this publication reflect those of their respective author(s), and do not necessarily reflect those of the Secretariat or the donor governments.



Netherlands Representative Office to the Palestinian Authority

