



# Defending Human Dignity

Annual Report 2017

**Special thanks to the following photographers who donated their photos:**

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# **Defending** Human Dignity

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## Dedication

### Mahmoud Odeh: Absence of Justice on the Ground

#### Killed Before Heard in Court

In April 2015, JLAC first became aware of the intensified military orders plaguing large expanse of farmers' lands in the pivotal village of Qusra. Among the many orders, was one involving the land of **Mahmoud Ahmad Za'al Odeh**. A young man in his forties struggling to hold his ground; Mahmoud was quiet yet motivated, moral and dauntless. Sunlight from toiling in the field had turned his skin a beautiful tan, and he had turned the land into rich gardens of beautiful memories with family and community. His modest plot was within the Rabwat A'nqa' area of the village (the hillside), standing with pride against the settlement outposts scattered in the area and inhabited by strangers. Mahmoud's plot overlooked the Jordan Valley while rooted in his ancestral heritage. It was soon after, in mid-April of 2015 that we began to provide Mahmoud with the legal defense needed in protecting his land from colonial control and use by settlers, consumed with racism and hatred. We stood with him in the face of the long-standing systemized oppression whose various bodies permeate all aspects of our existence; starting from its colonial government and its dual-legal

system emanating from the Knesset, all the way through the unjust military courts, and so-called judiciary bodies, and its brutal Civil Administration and sub-committees.

Qusra exists as a microcosm of Israel's expansionist aims, through its militarized colonial policies on one hand, and radical and violent settlers on the other. In light of this open front against Qusra and Palestinian land, Mahmoud dedicated nearly three decades of his life to working his land towards safeguarding it. During the many times we met, Mahmoud's joy and pride could not be contained as to what his two hands were able to beautifully create from the land. He talked of the delight he felt while watching the trees he planted grow as if they were trees from heaven. Mahmoud's battle for existence and subsistence was waged both in his fields, through his dedication to the land, as well as before colonial committees and courts. This began with challenging the eviction order issued by occupation forces, a matter akin to moving mountains in retrieving one's rights from the heart of the impossible. While Mahmoud's case continued to circulate the halls of military courts, harassment from extremist settler groups persisted as did the new threat of the demolition of his home, under the guise of building without a permit (having received a demolition order in February 2017). You might ask; how can a simple farmer, continue in the face of such monumental obstacles? How can he not only etch out a life, but stand boldly in the face of

this injustice when his home is at risk of demolition, his land of confiscation, and he of physical harm? Regrettably, Mahmoud is merely a representation of the countless Palestinians struggling to preserve their lands and livelihoods and defend them through what little legitimate means are possible.

Mahmoud was scheduled to testify before the military court regarding his land which is threatened with confiscation, but the hearing was postponed from November 21st of this year to January 2018. During our last strategy meeting with Mahmoud, he was hopeful as he talked about his land. His eyes wrinkled as he smiled, alive with memories, resembling the roots running through his land, nurtured with his blood and his sweat. Unfortunately, Mahmoud never got the chance to testify before the courts of occupation. Rather, his testimony was given in his land; in the courtroom of settler impunity, under the headline of resilience, and articulated in blood. There in his land, on December 1st he was shot in the back by settlers, and he gave his life in the greatest possible act of devotion. His blood seeped into the earth, forever merged with and reigning over the paradise of his own creation, in a kingdom where time does not end.

**Written By:**

**Wa'il Qut**

JLAC Attorney overseeing Mahmoud's case







# Welcoming Message

## Joint letter from the Chairman and CEO

With the publication of this report, Israel's occupation of the Palestinian and Arab territories reached a half-century mark among the many other jubilee events, with 2018 standing on the threshold of others. 2017 saw 70 years pass since the Universal Declaration of Human Rights, which is based on equality between human beings, regardless of race, color, religion, gender, economic status, etc., while also ironically bearing witness to 70 years since the 1948 Nakba. The Palestinian people have since witnessed the most heinous ethnic cleansing since the end of World War II.

While the right of nations to self-determination is a guiding principle vested in the Charter of the United Nations, this year's promises have caused the Palestinian people additional injustice as a result of international actors favoring the aggressor and the ongoing crimes against the Palestinian people. The so-called Trump Jerusalem Declaration consequently served to expunge one of the five main negotiation points comprising the final status negotiations (i.e. Jerusalem, borders, refugees, settlements and water). By virtue of recognizing Jerusalem as the capital of Israel, Trump is in a clear defiance of the United Nations and its

resolutions, the resolutions of the Security Council and the principles of international law. In addition to the question of Jerusalem, the declaration also has bearings upon the issues of borders and settlements. Bordering and extending from Ramallah to southern Hebron, West Jerusalem and the Dead Sea, 15 settlements (housing nearly 300,000 settlers) completely or partially fall within occupied Jerusalem. Trump also attempted, though unsuccessfully, to expunge the right of return and compensation for refugees through threatening the UN and its agency mandated with servicing Palestinian refugees (i.e. Relief and Works Agency for Palestine Refugees).

Israel received the American declaration in a ceremonial atmosphere and considered it a green light to continue expansion, annexation and forced displacement of Palestinians, particularly surrounding the so-called settlement blocks in the Jerusalem periphery and the Jordan Valley; through legislation aimed at legitimizing plundering and eliminating the possibility of a two-state solution. Indeed, emanating legislation is serving to legitimize an apartheid regime more notorious than the apartheid system in South Africa, with measures

taken to shift the occupation from de facto to de jure. Expansionary legislation has narrowed the gap between security, legislative and judicial levels of the occupying power creating increased difficulties for the Palestinian people.

In the year 2018, we commemorate the 20th anniversary of the Universal Declaration of Human Rights Defenders. Decades later and this declaration remains pertinent on both a regional and international level, due to the advancement of right-wing parties, in Europe in particular, restricting civil society. Through the use of intelligence or so-called “research”, official Israeli institutions, with the highest level of governmental backing including the Prime Minister, are aiming to delegitimize Palestinian civil society with false accusations of corruption towards cutting off or limiting received international aid. These challenges require players such as JLAC to continue their programming in support and protection of fragile Palestinian communities towards ensuring their continued presence in their homes and lands.

Dually, JLAC recognizes that the PA’s social and economic policies fail to strengthen the steadfastness of the Palestinian people in the face of Israeli displacement measures. Palestinian legislation is likewise moving towards narrowing public freedoms, prompting a reconsideration of the role of the Authority, its programs, and priorities. The situation at hand is one in which

citizenship and the interests of the people come after that of the party and its narrow partisan interests. Democratic participation continues to be disrupted with the executive power dominating the other authorities and the judiciary further declining. Youth also continue to be marginalized as a group, with people under the age of 30 year (comprising nearly 72.4% of the Palestinian society) having never participated in elections. Lacking in electoral legitimacy, the government is failing to respect its social contract with voters.

Such are among the most significant challenges faced in entering 2018, challenges which exceed the capacity of any single institution and require concerted efforts and mobilization of energies across numerous civil society organizations, youth associations, coalitions, and campaigns in a coordinated and strategic manner. Additionally, adherence to international law can be pursued through international solidarity for justice in Palestine. For it is through such programs aimed at strengthening the steadfastness of citizens and ensuring their political and social participation, that the human rights situation may be made sustainable and our nation made a viable place to live and prosper.

**Ameen Annabi**

Chairman of the Board of  
Directors

**Issam Arouri**

Director



2017  
in Brief



The year 2017 witnessed a series of painful Jubilee events for the Palestinian people. A century has passed since the Balfour Declaration, which set the foundation of the establishment of Israel upon the ruins of the Palestinian people. It has been 70 years since the partition of historic Palestine and the existence of a two-state UN resolution, in which more than half the area was allotted for the planning of Israel. 40 years ago, the remainder of Palestine was occupied, with the legal definition of temporary military occupation evolving into complete colonial occupation perpetuated by discriminatory laws and regulations. Moreover, 2017 marked 25 years of on-going Palestinian-Israeli negotiations, which only saw a 600% increase in colonial settlements. The number of Israeli settlers living in occupied territories has surpassed 700,000 persons, with the clear and declared goal of preventing the establishment of a viable and contiguous Palestinian state. Moreover, this year also coincided with the 10-year anniversary of the internal Palestinian division, which is characterized by ruling parties placing the interests of their movements above the interest of the people and the nation.

Although the year began with the passage of Resolution 2334 by the UN Security Council, developments on the ground took a different course, reflecting the occupiers' intention to challenge international will.

## At the Israeli Policy Level

The parties comprising the Israeli ruling coalition are the most extreme and racist since the establishment of the State of Israel. They do not conceal their intentions to Judaize Jerusalem, ethnically cleanse Area C in preparation for its annexation, and expand settlement construction towards the clear objective of preventing the establishment of an independent Palestinian state with Jerusalem as its capital.

- **An Unprecedented Peak in Settlement Expansion**

A report by the Israel Central Bureau of Statistics (CBS) issued on June 19, 2017, stated that the recent increase in settlement activity was unprecedented, with the number of actual construction initiated during the period of April 2016 - March 2017 increasing by 70% from the same period a year prior (from April 2015 to 2016). Conversely, that period saw 423 Palestinian structures being demolished, displacing 664 persons from their homes and lands in the West Bank (including East Jerusalem).

- **Flood of Legislation Defying International Humanitarian Law and International Human Rights Law**

According to the Center for Israeli Studies, the current session of the Israeli Knesset witnessed the largest number of racist and discriminatory laws, with 136 laws or bills being discussed and

25 passing by final reading. This is a large jump from prior sessions. The 17th session (2006-2009) resulted in 6 laws being enacted in the final reading and the 18th session (2009-2013) enacted 8 laws. A quick analysis of the recent laws and bills reveals that 37 centered on support for settlements, another 28 targeted Palestinians inside Israel and the Israeli identity campaign, and 24 laws and bills targeted Palestinians as a whole.

- **Judaizing Jerusalem in a Flagrant Violation to International Legitimacy**

Israeli policies continued to Judaize the city of Jerusalem through two important measures during 2017. The first turning point was in July, when the occupation authorities closed Al-Aqsa Mosque to worshipers and began installing surveillance cameras and electronic gates at the entrances to the mosque and the old city. The Israeli occupation authorities forced the government to abandon this decision. The second defining moment was the recognition by the US administration of Jerusalem as the capital of the State of Israel through Trump's declaration of his intent to move the US Embassy to Jerusalem in May 2018. Although this declaration is political and affirms the status quo in occupied Jerusalem, it provided a green light to occupation authorities to continue settlement expansion in Jerusalem (and area "C"), and to accelerate the pace of Judaization of the city.

In 2017, 132 structures were demolished in Jerusalem, 65 of which resulted in the displacement of 240 persons (half of them children). The number of structures which had to be self-demolished rose to 25, with families also facing fines or jail time.

Conversely, Palestinian demolitions were accompanied by hundreds of Israeli construction permits being issued for new settlement units in occupied Jerusalem and other Judaization projects, most notably; the cornerstone of the "Jerusalem Face" project known as Jerusalem Gate. The project is planned to be built on a 211 dunum area along the western entrance of Jerusalem and to include commercial and tourist centers, hotels and entertainment centers. Plans have also been made to turn the perimeter of the Al-Aqsa Mosque into a complex of Jewish synagogues and to obliterate and Judaize ancient Muslim sites by planning a large synagogue under the "Hamam Al-Ain" stand, meters from the western wall of the Al-Aqsa Mosque.

In addition, another synagogue is planned to be built near the "Buraq" wall, as well as fourth floor addition to the "Bait Shtruas" south of the Aqsa Mosque, which will lead to the destruction ancient artifacts and proof of the Islamic period. The Central Court of Administrative Affairs approved the project entitled "Bait al-Juhar" to be situated on 1.84 dunums, with a building area of up to 2985 square meters, including the construction of two

floors above the ground and another underground west of the Al-Aqsa Mosque.

Israeli occupation authorities are also finalizing the construction of the “Jewel of Israel” Synagogue in Al-Sharaf neighborhood in the heart of the Old City of Jerusalem, at a cost of approximately 48 million NIS. The total building area of the synagogue is about 1,400 square meters and consists of 6 floors. The synagogue will be built on ruins of Islamic historic construction dating from the Ottoman and Mamluk periods.

In addition, the Israeli Minister of Communications announced a plan to connect the city of Jerusalem with the surrounding settlements to the north and south of the city with a 22 km light rail network. The plan also includes commercial places and hotels along the light rail route.

Implications of the discriminatory Israeli planning and building system on the right of Jerusalemites to adequate housing

In addition to allocating hundreds of millions of shekels for the establishment of large-scale Judaic projects in Jerusalem neighborhoods, the Israeli occupation authorities likewise seek to demonstrate the Jewish character of Jerusalem through influencing the demographics of the city in favor of settlers.

According to the last census of Jerusalemites, their population stood at 315,633 from 857,752 total

population living in “unified” Jerusalem (comprising 37%). The population of Israeli settlers in Jerusalem in 1967 was 226,500 distributed among 15 settlements.

Israeli authorities announced, planned and approved the construction of more than 170 settlement units in the settlement of Neveh Tzion in the heart of Jabal al-Mukaber in Jerusalem and announced the intention of the government to build 14,000 new settlement units.

In contrast, Palestinians are prohibited from building in Jerusalem under the pretext of lacking suitable land for construction (i.e. available land being classified as “green land” or “open area”). Palestinians in Jerusalem are allotted 12.5% of the area of the city for construction. An area of land already heavily populated and exhausted.

Occupation authorities use the urban planning system as a tool to prevent the natural growth of the Palestinian population, by encircling Palestinian neighborhoods with settlements and limiting construction in their neighborhoods.

Such is in addition to excavation projects in the vicinity of the Aqsa Mosque aimed at changing the features of the holy city, two residential buildings were seized in the town of Silwan. Additionally, barriers were erected in preventing citizens from reaching the Al-Aqsa Mosque, Israeli occupation authorities are also restricting Palestinian citizens in



Jerusalem through imposing high taxes and fines.

In November 2017, JLAC issued a report entitled “Forced displacement Under the Law”, which addresses policies of ID confiscation, family reunification, and child registration. According to data received by JLAC from the Ministry of the Interior in Jerusalem, the Ministry had confiscated the residence of seventeen Jerusalemites, including two children during the first eight months of 2017. Between the first of January 2013 and 31 August 2017, 287 Jerusalemite IDs were confiscated, including the residence rights of seven children.

- **Collective Punishment**

Occupation authorities have continued to practice collective punishment, i.e. the punitive demolition of the family homes of those killed extra-judicially killed and the confiscation of their families’ IDs (in the case of Jerusalemites). The most barbaric form of collective punishment is the detainment of the victims’ bodies towards the prevention of their dignified burial, resulting in their use as political bargaining chips by Israel.

- **Continued Siege and Worsening Humanitarian Crisis in Gaza**

The humanitarian situation in the Gaza Strip is worsening as a result of the 10-year siege, with the continued control of crossings that open

intermittently and under tight restrictions. Poverty and unemployment continue to expand with the threat of reduced and drying up UNRWA funds. Further exacerbations could lead to an explosion in the Gaza Strip.

- **Delegitimizing of Palestinian Civil Society**

In the face of the growing international movement to hold Israel accountable for its violations of international humanitarian law (i.e. BDS) and resulting changes in international public opinion, Israel considers Palestinian civil society to be a strategic threat as evident in their establishment of a special ministry to counter the efforts of the BDS movement. A mixture of use of intelligence and misleading means to link Palestinian civil society to terrorism and anti-Semitism have been used as a means to stigmatize the Palestinian struggle. Many countries and parliaments have been pressured to enact legislation and measures to criminalize non-violent solidarity with Palestine, and to dry funds to political and international support for Palestinian civil society. However, these efforts are having a backlash on Israel, despite it having spent hundreds of millions for this purpose.

## At the Palestinian Policy Level

- **Political and Humanitarian Consequences of the Continued Division**

The political divide has crossed into its 10<sup>th</sup> year, despite the announcement of a reconciliation agreement. The reconciliation remains in process as consensus has not been reached on how key positions are to be divided and guarantees for each faction will be managed. Therefore, the goal of the negotiations ceased to be bringing an end to the division, poverty, and unemployment, but rather has become a means of meeting the demands of the conflicting parties. The rift is only worsening, as are debts and donor dependency; leaving us with an assortment of human rights violations and other harsh realities. For the division constitute political and intellectual bases for violations of human rights and narrow margins of public freedoms.

- **Legislation Leading to a Totalitarian Regime**

The flow of presidential decrees with a weight of law persists and done so in a secretive manner with limited dialogue and participation of a narrow circle of stakeholders towards controlling key governance. The number of laws and presidential decrees since the split has exceeded 210, with 49 laws passed by presidential decrees between 2016 and 2017 alone. Many of the decrees contradict

laws approved by the Legislative Council, the Basic Law, and the premise of the state of necessity that they are based upon, let alone international conventions to which Palestine became a party to. Examples include the Constitutional Court Act, Cyber Crimes Act, Criminal Court, etc.

- **Deterioration of the Judiciary**

The executive authority continues to dominate all Palestinian authorities, with the Legislative Council absent and legislation passed without any real community dialogue, including legislation affecting other authorities such as the decision to establish a non-independent constitutional court. The absence of the Legislative Council and the issuance of resolutions and administrative decisions have affected the independence of the judiciary, which continues to deteriorate. This demise is impacting the confidence of citizens in its effectiveness and independence, particularly regarding executive bodies such as security services who refrain from implementing judicial rulings without accountability. This situation is reflected in the increased tendency of citizens to take the law into their own hand or to resort to alternative means to resolve their disputes.

- **Narrowing Public Freedoms**

The inoperability of the Legislative Council and the dominance of the executive authority reflected

the state of public freedoms prevailing in the area, despite slight improvement in some indicators and declines in others. The right to peaceful assembly improved but freedom of expression worsened with the enforcement of the Cyber Crimes Law. Despite dialogue to amend the law, it continues to be applied against those expressing opposing opinions, be it activists and journalists or in courts on the grounds of charges based on this law. A recent negative indicator of the human rights situation has emerged with the use of administrative means (including the judiciary) aimed at preventing the right of unions to strike. Such suppression was witnessed often in 2017 as seen in efforts to prevent strikes by professors and university staff, lawyers, and other unions. Restrictions on civil society organizations also continued, whether through the NGO Law restricting freedoms therein or with the case of the Association of Judges Club and the clear message that even judges cannot protect themselves in this system.

- **Working to Protect and Strengthen the Foundations of State Building**

The ruling parties in Israel do not hide their expansionist aims to Judaize the occupied territory, so-called Judea and Samaria, especially Jerusalem and the Jordan Valley, and the so-called settlement blocs whose total area exceeds 45% of the total area allocated to the Palestinian state. Such has

left Palestinians with solely 10% of Mandatory Palestine instead of the 46% which the Partition Plan had stipulated for the Palestinian state. Therefore, JLAC's programs in areas classified as "C" and Jerusalem focus on confronting the policies facilitating settlement expansion as it stands as the major threat to establishing an independent, continuous and viable Palestinian state through the protection of groups vulnerable to displacement.

Towards this end, JLAC undertakes the following three strategies:



# Legal Interventions before Israeli & Palestinian Courts



**In 2017, JLAC adopted 316 cases in Area C as follows: 5 public interest, 160 house demolition, 55 demolition of agricultural facilities, 12 forced displacement, 24 confiscation of equipment, 16 travel bans, 2 prisoner visitations, 19 permits, 13 cases of withheld bodies, 1 land confiscation, and 8 settler violence.**

## Combating Settlement Expansion

JLAC works to address the practices and policies of settlement expansion carried out by the Civil Administration, which represents the military face of the Israeli occupation in areas classified as “C” and the basis of Israeli violations therein. Expansionist policies aim to control more areas of land in areas designated as “C” towards serving national and settler interests, as settlers have become the most powerful group in Israeli society due to their significant bearings on the strength and survival of right-wing Israeli government.

The ICA issued 13,000 demolition orders for 15,000 facilities between 1998 and 2016. In addition to the actual demolitions and deportation of Bedouin communities carried out, 10,000 Palestinians in 63 communities continue to live under threat of forced displacement, 62% of whom are originally refugees.

Additionally, 350,000 Palestinians living in 67

communities are vulnerable to settler violence (OCHA). The policy of expropriation and appropriation of lands for the benefit of settlers and settlement expansion has been a phenomenon inherent to the occupation since its inception, with the construction of 250 settlements and outposts throughout the West Bank (including occupied Jerusalem) since 1967. According to OCHA, such is in addition to the lack in such basic services as education, health, and water which impacts 270,000 Palestinians.

All these practices have severely and negatively affected the living conditions of the protected population in Area C, as result of demolition (or the threat there of) and restricted access to land, which is the most significant source of livelihood.

All these systematic and purposeful practices are intended to compel the protected population to forcibly leave their homes and lands, and thus are war crimes (as stated in Article 49 of the Fourth Geneva Convention) and crimes against humanity (as stated in Article 7 of the Rome Statute of the International Criminal Court). Indeed, forced displacement, can be either direct or indirect, as the systemic constraints imposed by successive Israeli governments in areas classified as “C”.

Expansionist policies are implemented through a series of racist practices and procedures in violation of international humanitarian law;

- 1) **The Israeli Planning and Building Law:** does not accommodate the needs of the natural growth of protected Palestinian citizens nor allows for their participation in the preparation of master plans as to reflect their needs, beliefs and culture. Such is not the case for settlers whom are avidly involved. This is not withstanding the complicated, bureaucratic, and impossible Israeli procedures to acquire building permits; resulting in the phenomenon of building “without” permits and consequent demolition of houses and agricultural structures in areas classified as “C”. Consequently, 2,664 structures were demolished and 3,977 persons were displaced between 2013 and 2017.
- 2) **Forced Transfer and Relocation Plans:** The E1 settlement project, which was announced by the Israeli government at the end of 2013. The plan aims to link the Israeli settlements scattered east of Jerusalem and the Jordan Valley to form so-called “Greater Jerusalem”, leaving 23 Bedouin communities in these vicinities (most of who are refugees from 1948 and have inhabited these areas prior to the occupation of the West Bank in 1967) under threat of forced displacement. If the plans are implemented, the Bedouin communities will be concentrated in camps which do not afford them with the means to maintain their traditionally herder way of life and livelihood (i.e. raising livestock, producing milk and selling it in the Palestinian market).
- 3) **Collusion of Israeli Forces and Police with Israeli settlers:** as opposed to fulfilling their obligation to protect occupied Palestinian civilians. Indeed, settler violence is not pursued by the Israeli police. Investigation is not carried out and cases often close on the pretext of insufficient evidence. 139 incidents of settler violence against persons and property were documented during 2017.
- 4) **Land Confiscation:** has been manifested recently in the enactment of the “Settlement Law” which legitimizes the retroactive confiscation of privately-owned Palestinian land and the transfer of ownership of land to settlers without giving Palestinians the ability to petition before the court.

### Our Strategy in Areas Classified as “C”

Our legal aid strategy in Area C begins with monitoring legal developments. Israeli legislation, amendments to laws, administrative / procedural regulations, and all new court decisions are first monitored, with the following legal action strategy emanating:

- First: To equip Palestinians with the needed legal knowledge of discriminatory Israeli legislation

and measures and the available legal mechanisms in confronting them as to be better prepared when faced with Israeli violations. Such takes the form of raising community awareness and providing legal training to community leaders in serving as local resources.

- Second: To provide direct legal consultation to victims of human rights violations, through various means including JLAC's mobile legal clinic which involves weekly field visits to various affected communities. Consultations are also provided in-house, in JLAC's various branches in the central and northern West Bank, including Jerusalem. Additionally, consultations are provided via phone by JLAC lawyers or paralegals.
- Third: Effective legal representation before various Israeli committees and courts. Initial stages of litigation often involve going before organizational committees of the Israeli Civil Administration, depending on the type of case, and the legal track and plan of the defense (in accordance with the laws and military imposed in place in the occupied Palestinian territory). If no positive response is received, a petition is then made before the Israeli Supreme Court to enact its administrative rule over the civil administration, and to consider all legal defenses involving Israeli laws or regulations or international humanitarian law (since Area C is pursuant to international law as an occupied territory). For instance, cases

of housing and agricultural facility demolition (JLAC's largest area of intervention) are followed up before the Civil Administration's secondary inspection committees, subcommittees, and the supreme planning council, and if still insisting on the demolition the case is then raised before the Israeli Supreme Court.

JLAC's beneficiaries of direct legal representation, legal services, training and awareness are spread all over the West Bank.

## JLAC's Legal Strategy in the Face of the Judaization of Jerusalem

JLAC's legal strategy in Jerusalem begins with monitoring legal developments affecting the lives of Jerusalemites. Israeli legislation, amendments to laws, administrative and procedural regulations, and all new court decisions are monitored. Weekly meetings are also held by the legal unit to clarify and discuss these legal developments, with necessary legal actions taken. Files are then reviewed to adopt the most effective legal mechanisms for intervention, and continuous follow-up on the progress of on-going cases is made.

In addition, legal consultations and services are provided either via telephone or at the JLAC Jerusalem office by paralegals (as a first step) and



then by lawyers if needed. As a further step, legal the lawyer following-up the case will send legal correspondences to the official institution (i.e. Israeli Ministry of the Interior, Jerusalem, National Insurance Institute, etc.), which has jurisdiction over the case. In the case of cases of public interest, such are initiated through field research as to gather as much information as possible, including testimonies of other affected persons and searching for potential partners.

Finally, in the event of a negative responses to correspondences, cases are brought to court before official authorities. The matter of going to court is discussed during weekly meetings, as to examine the strengths and weaknesses of each case and the legal claims that must be formulated towards ensuring the best results.

Confronting the policy of house demolition and violation of social and economic rights of Jerusalemites (i.e. family reunification, child registration, reduction of burdensome taxation, reinstating due national insurance transactions, etc.) are among the most urgent needs that JLAC responds to as a provider of legal aid in Jerusalem.

House demolition is addressed as part of the methodology aimed at maintaining the status quo and thus preventing any further deterioration to the situation at hand. For the negative impact of house demolition is not limited to the loss of

shelter and protection, but serves to devastate the psychological, economic and social state of the families involved.

## The Palestinian Human Rights Situation

### Deterioration in Rights and Freedoms

**Legal assistance efforts during 2017 included 350 legal consultations, 30 legal correspondences, 22 new cases and following-up 8 cases from previous years involving political detention, employment rights, rights of the disabled, and public interest issues.**

The deterioration of the Palestinian legislative, judicial and political systems continued; with the principles of democracy, constitutionalism, rule of law, and separation of powers continuing to be violated. As a result of the absence of the legislative authority for the twelfth consecutive year, the executive authority overtook control of the legislative authority, followed by the judicial authority. 24 presidential decrees were issued in 2017 in clear violation of Article 43 of the Palestinian Basic Law, which stipulates necessity in issuing laws by decree. The most prominent decisions among the laws issued in 2017 included; the Great Criminal Court, decree Law No. (4) for the year 2017 amending the Anti-Corruption Law,

and decree Law No. (16) for the year 2017 on Cyber Crimes to be later elaborated on.

A 2017 decree law regarding the Great Criminal Court vested it with the power to consider criminal offenses, in violation of the designation of the law and the purpose for which it came. The Public Prosecution Law likewise contradicts Palestinian criminal proceedings, as it sets the period of detention to 4 days as opposed to 48 hours. The broad powers given by the decree to the Attorney General undermines the guarantees of a fair trial granted to detainees, as guaranteed by the Palestinian Basic Law and the International Covenant on Civil and Political Rights ratified by the Palestinian Authority. Article 16 of the decree gives the Attorney General the power to transfer the case from one judicial body to another, a blatant interference to the work of the judiciary and clear evidence of the executive's control therein.

Decree Law No. 4 of 2017 amending of the Anti-Corruption Law expanded the definition of a public servant, contrary to its definition in Article 169 of the Penal Code. The decision gave the Anti-Corruption Authority the power to accept complaints and initiate public criminal cases, in blatant violation of Article 1 of the Palestinian Penal Procedures Law, which determined this as the power of Attorney General. Moreover, Article 5 of the decision allowed a special budget to be passed for the Authority, unlike other government bodies whose budgets are

within the general budget of the state. In addition, the decree also allowed for a special salary scale to be determined for the Authority's employees in an exaggerated manner, also a clear violation of the Palestinian Civil Service Law. The decree also allows the Authority to accept donations and financial assistance, facilitating financial corruption within the body.

In a serious precedent, Judge Abdullah Ghazlan was referred in 2017 to an investigation for legal opinions made on public interest issues. This contravenes Article 8 of the International Basic Law regarding the Independence of the Judiciary, to which the Palestinian Authority has acceded, which has given members of the judiciary, like other citizens, the right to freedom of expression, belief, association and assembly.

This is in addition to the numerous human rights violations committed by the Palestinian Authority, including political arrests, arrests by governors, the confiscation of citizens' private funds without legal basis, etc.

## JLAC's Strategy Involving Palestinian Judicial System

JLAC's legal methodology in PA areas is based on the provision of effective legal defense before various Palestinian courts, both involving individual

and collective cases (i.e. public interest cases). JLAC aims to confront the policies and legislations issued by the executive authority, represented by the President of the Palestinian Authority, that are in violation of local Palestinian laws and the international laws and treaties ratified by the State of Palestine in 2014.

JLAC's legal aid process begins with the provision of legal consultation regarding violations of public freedoms experienced by beneficiaries, either in JLAC's branches in Ramallah, Nablus and Salfit, by telephone, or through mobile legal clinic services. Following consultation, the JLAC lawyers go on to submit legal correspondences to the relevant governmental or private entities. In some cases, these correspondences are the basis for legal proceedings brought to the Palestinian courts, each according to their jurisdiction. In the absence of a response or in the event that a negative response is received, JLAC lawyers raise the cases before the competent courts, proceeding until adequate results are achieved.

## Legal Mobile Clinic

In view of JLAC's long experience in providing legal assistance to rights holders within its areas of operation and its emersion in and knowledge of the living conditions and needs of beneficiaries, JLAC decided to develop a legal mobile clinic.

The clinic aims to reach larger numbers of rights holders from a amongst the most marginalized areas as to provide them with legal assistance towards securing their rights. In addition, the clinic aims to reduce beneficiaries' financial burdens by otherwise needing to commute to JLAC's various offices by sending lawyers out to their communities. In coordination with local councils, governorates and grass-roots institutions JLAC attorneys are periodically hosted in their facilities and met with by large group of rights holders. Through the clinic, JLAC attorneys are able to provide tens of consultations and legal services in a single session. The clinic outreaches targeted communities in Nablus, Tubas, Qalqiliya and the Jordan Valley (in areas "C", alternating location weekly), as well as, the Issawi, Silwan and Amelison (in Jerusalem, weekly for 3 months at a time per community).

## Cases Undertaken before Israeli & Palestinian Courts

Type of case		Cases Treated		Closed						On-going	
		New Cases	Accum-ulated Cases	Positive	Negative	Other					
						Other power of attorney	Lack of cooperation with JIAC attorney	Failure to submit permit request	Failure to submit needed documents		Other
<b>Cases Before Israeli Courts</b>											
Public Interest (Israeli Courts)		<b>19</b>		<b>0</b>						<b>19</b>	
		5	14	0	0	0	0	0	0		0
Settler Violence	Cases	<b>52</b>		<b>0</b>						<b>52</b>	
		1	51	0	0	0	0	0	0		0
Settler Violence	Documentation	<b>7</b>		<b>7</b>						<b>0</b>	
		7	0	7	0	0	0	0	0		0
Housing & Displacement	Land Confiscation	<b>47</b>		<b>5</b>						<b>42</b>	
		1	46	0	0	0	0	0	0		5
	House Demolition (West Bank)	<b>1209</b>		<b>25</b>						<b>1184</b>	
		160	1049	5	1	1	0	18	0		0
	House Demolition (East Jerusalem)	<b>127</b>		<b>29</b>						<b>98</b>	
		24	103	10	2	5	1	18	11		0
	Agriculture Facility Demolition	<b>452</b>		<b>21</b>						<b>431</b>	
		55	397	1	0	1	0	15	4		0
Forced Displacement	<b>288</b>		<b>6</b>						<b>282</b>		
	12	276	1	2	0	0	4	0		0	
Confiscation of Equipment	<b>37</b>		<b>20</b>						<b>17</b>		
	24	13	15	2	2	1	0	0		0	
Social-Economic Rights	Social Rights Cases	<b>104</b>		<b>33</b>						<b>71</b>	
		46	58	18	1	0	0	0			14
	Social Rights Services	<b>643</b>		<b>643</b>						<b>0</b>	
		643	0	643	0	0	0	0	0		0
Economic Rights Cases	<b>65</b>		<b>28</b>						<b>37</b>		
	34	31	23	2	0	0	0	0		3	
Economic Rights Services	<b>3252</b>		<b>3252</b>						<b>0</b>		
	3252	0	0	0	3252	0	0	0		0	

Freedom of Movement	Travel Ban	17		13						4
		16	1	9	2	0	0	0	0	
	Prisoner Visitation	7		6						1
	2	5	2	0	0	0	0	0	4	
Permits	39		25						14	
	19	20	14	0	0	0	0	0		11
Retrieval of Bodies	146		0						146	
	13	133	0	0	0	0	0	0		0
Legal Correspondences	1		1						0	
	1	0	1	0	0	0	0	0		0
Miscellaneous	7		0						7	
	1	6	0	0	0	0	0	0		0
Cases Subtotal (Israeli Courts)	6519		4114						2405	
	4316	2203	4000	12	9	2	37	15		39
<b>Consultations</b>		<b>2577</b>								
Type of case	Cases Treated		Closed						On-going	
	New Cases	Accumulated Cases	Positive	Negative	Other					
					Other power of attorney	Lack of cooperation with JLAC attorney	Failure to submit permit request	Failure to submit needed documents		Other
Cases Before the PA										
Public Interest Cases	9		4						5	
	4	5	2	0	0	0	0	0		2
Public Freedoms	5		5						0	
	5	0	2	3	0	0	0	0		0
Political Detention	11		3						8	
	10	1	3	0	0	0	0	0		0
Miscellaneous	5		2						3	
	3	2	2	0	0	0	0	0		0
Cases Subtotal (PA)	30		14						16	
	22	8	9	3	0	0	0	0		2
<b>Consultations (PA)</b>		<b>350</b>								



خفا

يوم الارض



Humanitarian Aid  
and Civil Protection

الرو

# Outreach & Awareness

## **JLAC'S strategy to Support legal interventions through community awareness and legal training**

### **Our Methodology in Outreach and Awareness**

JLAC undertakes community awareness and legal training activities towards enhancing communities' access to justice in enabling them to defend their rights, as defined by domestic and international law. These interventions have demonstrated their positive impact in developing legal knowledge and actions as taken by target groups. This is evident in individuals increasingly opting to defend their rights through legal mechanisms when faced with threat of displacement, either by approaching JLAC or other institutions working in the human rights sector. A further testament is the speed in which beneficiaries are gathering documents required in raising objections before the courts.

JLAC's methodology in raising community awareness and providing legal training is based on the cooperation of local village councils in Area C, community based organizations in Jerusalem, and JLAC's volunteer base. These networks are essential in mobilizing the needed resources to allow JLAC to implement such a large number of sessions each year (i.e. venues, attendees, etc.).

Local village councils (in area C) and community based organizations (in Jerusalem) play an important role in facilitating and holding awareness and training workshops. They operate directly in the areas most

affected by Israeli violations, and raise pressing needs to our attention, invite beneficiaries and provide venue for the meetings in their small halls.

Training sessions also aim to expand JLAC's volunteer base through promoting its programming during specialized legal training sessions targeting fresh graduates.

### **Community Awareness Sessions**

In 2017, 32 community awareness sessions were held, 23 in the West Bank and 9 in the remainder of the Jerusalem.

Workshops in area C were held in Salfit, Nablus, Qusra, Einabus, Duma, Iraq Burin, Almatin Qalqiliya, Sanniriya and Beit Amin, Jit, Bardala, Beit Surik and Silwad. These meetings were collectively attended by approximately 345 people, including volunteers, activists and representatives from a number of grassroots institutions. The main issues discussed were methods of objecting to demolition and confiscation orders and legal procedures involved therein. In addition, methods in correctly documenting settler attacks and its importance in proving collusion by Israeli police and negligence on their part to investigate cases were likewise covered.

9 community awareness workshops were held in Jerusalem, 191 persons were collectively in attendance (63% of which were women). The workshops sought to familiarize Jerusalemites with their basic rights within the Israeli's legal system including; available civil, social and economic rights to claim.



## Legal Training

JLAC held 15 training sessions during 2017 from which 8 are in the West Bank and 7 in Jerusalem. 8 training sessions were held in West Bank. The trainings sought to enable target groups in defending and claiming their rights, as defined by local legislation and international treaties. The training covered the correct methods of documenting human rights violations, and the legal means available to claim rights. The trainings additionally covered different advocacy mechanisms and how to utilize them in the defense of rights. 160 young men and women (university students, new lawyers, volunteers and human rights defenders) participated in the trainings.

The most prominent trainings targeted JLAC's volunteer base (named Mudafe'on which means "defenders" in Arabic). JLAC believes in the importance of activating the role of youth in the advancement of social justice and the defense of human dignity. Two such training courses were held, with the first being an intensive training course in photo-documentation. 25 young men and women from among JLAC's human rights defenders participated in the 18 hour/ 3-day training. The second training covered the matter of advocacy campaigns and their role in impacting social change, with 32 men and women in attendance. The training course was also held over 3 days and provided 18 intensive hours of training.

The year 2017 was characterized by working with organized youth groups (such media clubs in Palestinian universities) active in the defense of human rights and operating in areas most vulnerable to Israeli violations.

For example, the Qusra village youth group (whom a number of their members participated in training opportunities) are subject to a variety of Israeli violations (i.e. house demolition, land confiscation, and settler violence). Among the trainings participated in by the group include: human rights and international law, photo-documentation, and designing electronic campaigns. A large number of participants have gone on to defend human rights via social networking sites. Others have been able to express the violations experienced by their communities from an international law perspective to visiting international groups towards recruiting their solidarity in advocacy efforts abroad

In Jerusalem, 4 intensive workshops targeting lawyers were held in 2017, benefiting 32 lawyers. 3 other legal courses (40 hours each) were likewise held for fresh graduate law students on the Israeli legal system, benefiting 30 lawyers (25 of them female).

## Field Visits

JLAC carried out 24 field visits in 2017 to the following localities; Arab Al Ramadin, Shufa, Deir Al Hatab, Qusra, Kikar Qaddum, Sinneria, Beit Amin, Kafr El Deek, Barda, Burqin, Ain al-Baydah, Bazaria, Beit Lid and Kor, Qaryut, Beit Dajan, Beit Furik, Burin, Iraq Burin, Aqraba and Duma. Field visits are carried out in an effort to raising the awareness of targeted communities of available legal remedies for the human rights violations they are experiencing, be it from the occupation authorities of the PA.



# Advocacy Strategy



## **JLAC's Strategy in Local and International Advocacy**

Given the discriminatory nature of the occupation's legal regime in place in the occupied territory, which means more to institutionalize oppression that afford justice, JLAC has increasingly been compelled to seek out non legal remedies as international mechanisms. In some cases, which are deeply politically entrenched, legal remedies alone are not capable of achieving desired results on their own. For instance, the issue of "resettlement plans", require more than JLAC's legal aid provision and objections to the plans. Such also required that legal aid be reinforced with local and international advocacy activities, encompassing; advocacy campaigns, position paper, high level legal correspondences, and speaking tours abroad towards pressuring the Israeli government to stop the implementation of such schemes in violation of international humanitarian law (i.e. Article 49 of the Fourth Geneva Convention).

Violations specific to Jerusalem were also addressed through such advocacy efforts; accompanying diplomatic delegations to hot spots in the city, developing position papers, translating court reports and rulings into different languages, and their cooperating with relevant international institutions.

Furthermore, in an effort to strengthening the Palestinian Authority's accountability in the absence

of the Legislative Council, harmonizing civil efforts in this regard and avoiding overlap, JLAC carried out a number of lobbying activities in coalition with other civil society organizations (i.e. PNGO and PHROC), as well as through campaigns which JLAC leads or contributes to their implementation.

## **Media as a Tool for Raising Awareness and Outreach**

During 2017, JLAC carried out a series of awareness raising interventions to confront the Palestinian Authority's violation of citizens' rights, as guaranteed by the Palestinian Basic Law and international treaties. These interventions were reflected in more than 500 radio spots aired on 4 different radio stations in the northern, central and southern West Bank regarding freedom of express and the right to peaceful assembly. The obligation of parties to preserve the rights not to be affected was emphasized through these radio broadcasts. These radio spots on public freedoms were part of a series of educational radio spots presented by JLAC under the title "You are Not Alone". Additionally, JLAC's staff provided 20 community awareness sessions and training workshops related to human rights issues under the Palestinian Authority. Topics address by the sessions and workshops included; the Social Security Law, the Cyber Crimes Law, freedom of expression, the right to peaceful assembly, and freedom of associations.

## International Advocacy

JLAC's performance in 2017 was characterized by several meetings and workshops pertaining to international advocacy, most notably in Brussels through the Euro-Mediterranean Human Rights Network (EMHRN), where the danger of Israeli legislation was defined as the Greater Jerusalem Law and the inclusion of Gush Etzion and Ma'aleh Adumim settlements.

Such in addition to a number of statements and position papers which were published on pressing violations such as the closure of the Al-Aqsa mosque in July 2017 and US President Trump's declaration recognizing Jerusalem as capital of the occupation.

JLAC representatives participated in coordination and cooperation with international partners in tours and meetings that included the parliaments of England, the Netherlands, France, Germany and the US, focusing on the volume of Israeli violations and forced displacement practices aimed at eliminating the two-state solution through the legitimization of colonial settlement and Judaization policies. Third parties were called upon to assume their international responsibilities and obligations under the Geneva Conventions, to end the immunity granted to the occupying Power and to impose sanctions on for their violations of international law, international humanitarian law, international human rights law, and UN charters.

## Tours

12 field visits were held in 2017 for visiting parliamentarians, diplomatic delegations, journalists, representatives of international institutions and foreign activists, during which the geopolitical and legal reality of the West Bank, including Jerusalem were discussed. The following were among the visits held;

- A British Consul visit to Beit Dajan and the Bedouin communities in Jiftlik and Fasayel, covering house and agricultural facility demolition, forced displacement, and confiscation of land and equipment.
- Debrief with British parliamentary delegation on the geopolitical situation in Jerusalem and tour of the Old City to view scattered settlement outposts.
- A Dutch Consulate tour of Duma and Qasara towards feeding their advocacy messaging urging the Israeli government to cease their violations in areas C.
- New Head of Mission at the Swiss Consulate taken to the Jordan valley and various vulnerable communities there in towards briefing him of pressing concerns and JLAC's legal interventions.
- A tour with the Head of the Swiss Agency for International Development (SDC) and an accompanying delegation, briefing them on the geopolitical situation in Jerusalem and the danger of annexing E1 settlements to Jerusalem, along with a tour of the Bethlehem military checkpoint and the Jabal Abu Ghneim settlement.

- Later in the year, SDC briefed on the living conditions in the Shu'fat refugee camp and settlement expansion in the Pisgat Ze'ev settlement, as well as the danger of annexing the E1 area to Jerusalem.
- JLAC's long term partners, CAFOD (the Catholic Agency for Overseas Development), briefed and taken to the villages of Qaryut, Deir al-Hatab and Khirbet Sarra.
- Tour for a German delegation from the Rosa Luxembourg foundation to a wastewater purification plant in Al Bireh . JLAC has adopted the case as a matter of public interest, after it received a demolition order by the Civil Administration on the grounds that it was harming a nearby settlement.
- A tour for international activists in the villages of Frush Beit Dajan and Beit Furik, covering house demolitions and land confiscation.
- A series of tours in Jerusalem for both the UNDP and the EAPPI program.

## Coalitions

The advantage of working in coalition lies in the ability to pool knowledge and avoid duplication, while promoting positive competition between the various members. Towards these ends, JLAC continued its important role in a number of key local and international coalitions. One prominent coalition is PENGO (Palestinian None Governmental Organizations Network), which JLAC is the chair of and which plays an important role in supporting

Palestinian civil actions, protecting its independence, and leading broader civil coalitions (i.e. NGO Code of Conduct Coalition). PHROC (the Palestinian Human Rights Organizations Council) serves to unite and augment the voice of human rights organizations. Additionally, participation in the National Committee for the Defense of Public Freedoms, the National Committee for Monitoring Legislation, the Jerusalem National Coalition, the Jerusalem Coordinating Committee, National Coalition to Support Transparency, and the establishment of the Popular Protection Coalition for the Judiciary likewise allowed for pooling local capacities in addressing subjects of concern, especially in influencing governmental and donor policies.

## Campaigns

Certain interventions require building popular momentum towards sustaining them and effectuating change. Towards this end, JLAC continued to lead a number of national advocacy campaigns, as follows;

### Campaign to Ensure Handicap Accessibility of Public Facilities

#### Under the Slogan "Nablus is Handicap Friendly"

This campaign was launched at the end of 2016, towards emphasizing the need to apply Palestinian and international laws concerning persons with disabilities on the ground. Chapter 3 of Law No. 4 of 1999 concerning the rights of persons with disabilities

stipulates that public places should accommodate the needs of persons with disabilities as to ensure their ease, independence of movement, safe use of public facilities. Such is also confirmed by Article 9 of the Convention on the Rights of Persons with Disabilities.

During 2017, the campaign carried out a number of activities, which ranged from efforts to publicize the campaign through; the dissemination of publications, field visits to a number of public institutions, and media interviews. Legal consultations to a number of persons with disabilities were also provided. A number of community awareness sessions and trainings for campaign volunteers were also held.

The most prominent campaign achievements in the city of Nablus included the accommodation of several city sidewalks with ramps (Al-Adl Street, Al-Barid Street, Al-Alul Street and Abu Salha, the entrance to the Nablus Municipality Library). Several public facilities were also accommodated, such as schools, places of worship, the Al-Quds Open University campus, and more recently JLAC is consulting the Arab Bank in their plan to accommodate their Al-Duwar branch.

The campaign seeks decentralize its efforts to include efforts in villages falling outside of city plans, with efforts underway to accommodate facilities in the village of Beit Dajan, for instance at the local school. Preliminary interviews have been held with persons with disabilities and their families from the community towards determining needs and priorities.

## **The National Campaign for the Retrieval of Palestinian and Arab War Victims' Bodies and the Disclosure of the Fate of Those Missing**

2017 witnessed a series of developments involving cases of Palestinians' withheld remains. After returning to its policy of detaining the bodies of those extra-judicially killed in 2015, occupation forces buried four bodies in military graves. The Israeli cabinet also issued a decision to not extradite the bodies of five victims back to the Gaza Strip who were killed during Israeli shelling of a tunnel.

Where over the past year, the Israeli occupation authorities issued extreme decisions against this issue through the decisions of the Capitan that the bodies of the martyrs were not handed over to their families and used as a negotiating file with Hamas to determine the fate of the soldiers detained in Gaza. This was stated publicly in responses made by the Israeli prosecution to the Israeli Supreme Court during various hearings held involving cases filed by JLAC throughout the year. Procrastinations in holding hearings and pleadings before the Israeli Supreme Court were also experienced, contributing to delays in handing over the bodies in question and the detention of a number new victims' bodies over the year and a half.

In regards to the remains of victims withheld and buried in cemeteries of number prior to 2015, the year began with the process of undertaking DNA testing of victims' families. Two victims' families

have been tested thus far out of the 116 families (the family of the late Hanadi Jaradat from Jenin and Anwar al-Sukkar from the Gaza Strip). JLAC, however, has yet to receive a response from the prosecution regarding the results of the tests. JLAC is also awaiting a response from the Israeli Supreme Court regarding a pending hearing involving victims withheld in the cemetery of numbers. JLAC in 2017, as has been the case each year prior, has continued to be made aware of new cases of victims remains being withheld for decades, adding to the growing numbers of victims yet to receive dignified burials.

On the occasion of the national day honoring victims whose remains continue to be withheld (August 27), 8 simultaneous public events were held throughout the West Bank and Gaza Strip during which demands were raised for their retrieval and the Israeli Cabinet's decision and punitive demolitions were denounced.

## Medical Malpractice

Lack of awareness coupled with a legislative vacuum as left the matter of medical malpractice to be considered merely an administrative issue of professional responsibility, negligence, and error as a posed to a punitive mater subject to the law. Such is inadequate to address the grave violation at hand. Moreover, this leaves us with limited knowledge of the number of medical errors which have occurred,

especially in the absence of a national database of such cases. Here is the criminal offense, which is worse than the medical error itself.

Health institutions, particularly governmental ones, are characterized by weak facilities and shortages in key staff; resulting in long working hours, increasing the incidence of medical mal practice. Specifically attributing to medical malpractice is the imbalance in the distribution of the national budget leaving the sector neglected and prone to failures.

JLAC will continue to pursue undertaken cases until justice is ascertained and will continue to cooperate with relevant parties in reform efforts.

## Campaign against the Cyber Crimes Law

Decree Law No. 16 of 2017 on cybercrimes was approved by President Mahmoud Abbas despite heavy opposition. JLAC's position echoed sentiments from the Palestinian street and civil society institutions working in the field of human rights, as the law does not constitute a valid basis for legislation dealing with electronic crimes threatening security. Maintaining the safety and interests of society and its institutions is the alleged intent of this law, yet its enforcement will do the contrary; that of legitimizing the violation of freedom of expression, freedom of the press





work, and the right information and personal privacy, which are fundamentally inconsistent with the existing legislation. The amended Palestinian Basic Law, and with the obligations of the State of Palestine under the international conventions to which it acceded without reservation, which jeopardizes the system of rights, freedoms and civil peace.

JLAC was active in the committee formed to amend the law which was comprised of a number of civil society organizations, (the Journalists Syndicate, the Independent Commission for Human Rights, among others), which ended its work in protest against the arrest of seven journalists based on the provisions of the Cyber Crimes Law on September 14, 2017.

Additionally, JLAC's staff participated in demonstrations and public events organized in protest against the decision by the National Coordinating Committee for the Defense of Public Freedoms or by the Journalists Syndicate. Staff also participated in the handing-over of a note by young activists to the Office of the High Commissioner for Human Rights in protest against the provisions of the law. Meetings were also attended discussing the terms of the decision, whether held by PHROC, PNGO, or the Journalists Syndicate.

JLAC also participated in awareness, dissemination, and social media campaign efforts rejecting the decision launched at the end of October.





JLAC attaches great importance to its internal working environment, whether in terms of integrating various units' work or continuing to develop the working conditions and systems and providing continuous education opportunities to its staffers (either locally or abroad). In 2017, 18 employees participated in specialized training courses in a variety of fields including; Hebrew, English, results-based management, digital security, international humanitarian law and its applications, improved means of communication and modernization of systems, training of trainers, and the use of electronic and modern media.

### External Evaluation and Strategic Plan

An integral part of JLAC's planning and development lies in periodic external evaluations and strategic plan formations that serve to review beneficiaries' needs, identify opportunities and threats, review JLAC's internal working environment, and its strengths and weaknesses. General Consulting & Training were contracted by JLAC in 2017 to fulfill this mission.

The evaluation began with a literature review of JLAC's materials and several meetings with staff, benefices, and stakeholders. The evaluation came out with several recommendations, some of which were adopted by JLAC and a five-year strategic plan (2018-2022) developed in partnership with the consulting firm. Within the framework of the strategic planning process, JLAC held a two-day workshop in the city of Nablus, which was attended by the staff, members of the General Assembly and Board of Directors.

The workshop reviewed the proposed new Vision and Mission and the strategic objectives for the next five years, as well as the Center's strengths and weaknesses towards considering new interventions to be reflected in the strategic plan for the years 2018-2022.

### Review, Amendment, and Ratification of Administrative Systems

Continuous efforts are made to maintain the internal institutionalization process, with periodic review of internal systems and evidence carried out. This year, the administrative system was reviewed and amendments were discussed with the Board of Directors and presented to the Ministry of Labor, which in turn ratified the proposed amendments. JLAC also obtained exemption approval from the Ministry of Finance and the Ministry of Labor.

### Board of Directors

JLAC held Board Meetings as scheduled towards endorsing annual work plans and budget and to oversee needed institutional and programmatic matters. JLAC's Board of Directs is comprised of the following persons; Mr. Amin Inabi –Chairman; Director at the Ministry of Social Affairs, Mr. Nasfat Al Khofash – Vice Chairman; Social Activist. Ahmed Samarah – Treasurer; Social Activist, Salem Khilleh– Secretary; Political Activist, Haneen Zaydan- Member; Feminist Activist, Maysa Salem- Member; Human rights researcher, Nael Taha- Member; Law lecturer at Najah University.



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
مِنَ الْمَوْتَى حَيَاءٌ عَسَى  
عَسَى اللَّهُ عَسَى اللَّهُ كَلِيمًا  
الشهداء الأبطال:  
عبدالله عيسى السليبي  
فايزه نجاد اساميليا الصغير  
باسم جمعية حسن علاقاته  
عمر محمود محمد الشافعي  
بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
مِنَ الْمَوْتَى حَيَاءٌ عَسَى  
عَسَى اللَّهُ عَسَى اللَّهُ كَلِيمًا  
الشهداء الأبطال:  
عبدالله عيسى السليبي  
فايزه نجاد اساميليا الصغير  
باسم جمعية حسن علاقاته  
عمر محمود محمد الشافعي

# Sources of Funding

## Core Donors



### Irish Representative Office (Irish Aid):

The partnership between JLAC and Irish Aid began in 2007 towards partially funding main programming. Core funds have been annually renewed since, with 77,918 USD contributed in 2017



### EED (Evangelischer Entwicklungsdienst)/Brot für die Welt:

Another of JLAC's donors which have cooperated with the Center since its inception is the EED/BfW, whom contributes to JLAC's core funds in the defense of Palestinian victims of human rights. The current grant provided 430,000€ over 3 years (2016-2018).



### Catholic Agency for Overseas Development (CAFOD):

JLAC's partnership with CAFOD dates back to its separation from the Quaker's American Friends Service Committee in 1997. CAFOD annually contributes to JLAC's core programming towards rendering protection to vulnerable Palestinians and victims of violations and injustice, with 30,000 £ awarded in 2017.



### United Nations Development Program (UNDP):

In 2011; JLAC began its partnership with the UNDP, whom have continued to support the Center's key programs over the years, particularly activities related to settler violence and violations by the PA. JLAC was awarded 73,560 USD in 2017.



## Human Rights and International Humanitarian Law Secretariat:

JLAC's partnership with the Secretariat began in 2014, with partial funding being provided towards the Center's core programming. The 2017 grant amounted to 201,700 USD.

## Project- based Support



### Norwegian Refugee Council (NRC):

JLAC first partnered with the NRC in 2009, with funds continually provided on a nearly annual basis. The NRC's support is provided in the form of two projects, in the West Bank and in East Jerusalem, collectively amounting to 531,371 USD in 2017.

### European Union:



JLAC launched a three-year project funded by the European Union in mid-2016. The project aims to contribute to strengthening the resilience of marginalized Palestinian communities in East Jerusalem and areas classified as "C" facing human rights violations. 561,100 € in funds will be provided over the course of the three-year project.

### Spanish Cooperation:



A recent partner of JLAC's, the Spanish cooperation has contributed 94,732 € towards and 18-month project (2016-2018) aimed at protecting the economic and social rights of Jerusalemites.

# Financial Report

01.01.2016–31.12.2016	
Name	Total (\$)
<b>Revenues</b>	
Norwegian Refugee Council	534,788
United Nation Development - UNDP	57,850
European Commission	180,425
Human Rights & IHL Secretary	201,700
Cafod	14,930
Irish Aid	79,416
Bort / EED	115,637
AECID - Spanish Cooperation	72,504
Other Revenue	151,569
Differd Revenue Recognized	20,946
Unrestricted Donation	58,706
<b>Subtotal</b>	<b>1,488,470.67</b>
<b>Expenses</b>	
<b>Personnel Cost ( salaries &amp; other related )</b>	
Admin Staff Salaries & Diff, Currency	128,422
Program Staff Salaries & Diff, Currency	634,300
Provident Fund	50,821
Severance pay	57,351
Staff Insurance	24,804
Other Staff Exp.	8,793
<b>Subtotal</b>	<b>904,491</b>
<b>Operational / Admin. Cost</b>	
Rent Offices	29,957
Utilities	21,339
Admin & General Expenses	12,081
Repair & Maintenance	20,553
Professional Expenses	13,754
Communications & Internet Expenses	11,665
Transportation & Travel Expenses	778
Bank Charges	3,982
<b>Subtotal</b>	<b>114,109</b>



<b>Legal Aid</b>	
Public awareness announcements	2,664
Court Fees Maps, Application, Expert Reports,..ect	51,878
Public Awareness Sessions	5,431
Public Awareness Informative Material	0
External Legal Consultants	64,699
Intensive Workshop	90
<b>Subtotal</b>	<b>124,762</b>
<b>Advocacy</b>	
Local & International Advocacy(case , Events, Conf	18,232
International & Local Networking & Collations	8,351
International Interns	4,105
Printing & Publications	5,601
National Campaign for Retrieving Palestinian & Arab	1,217
Transportation for Advocacy Activities	16,610
Media Campaign	18,386
<b>Subtotal</b>	<b>72,503</b>
<b>Capacity Building</b>	
Staff Training Expenses	3,904
Registering and developing of permanent JLAC	3,676
institutional Development	27,014
<b>Subtotal</b>	<b>34,594</b>
<b>Investment Cost</b>	
Office Furniture	3,156
Office Equipment	8,705
Apartment	22,918
<b>Subtotal</b>	<b>34,778</b>
<b>Others</b>	
Depreciation	26,393
Other (Tax Installment, Provisions..etc)	34,256
<b>Subtotal</b>	<b>60,649</b>
<b>Total</b>	<b>1,345,885</b>
<b>Change in Net Assets</b>	<b>142,585</b>



742C

# Annexes to the Report





## Impact

Service provision has left a positive impact on beneficiaries' lives in the medium and long term. Beneficiaries have indicated that they feel safe and stable and can focus on their daily lives without much sense of threat as a result of JLAC's presence and interventions. In an effort to better assist beneficiaries in overcoming efforts by occupation forces to undermine their rights and property, JLAC undertook the following five-indicator analysis of its programmatic impact on a personal, community, and institutional level.

1. Beneficiaries (rights holders) of JLAC services have great confidence in its work. Such is reflected in increased case loads and return visitation by beneficiaries upon experiencing new violations. For instance, in 2017 alone, JLAC's Jerusalem branch office served to provide 4,372 different legal services (including consulting, filling out forms, processing certificates, collecting cases, petitions, etc.).
2. JLAC has emerged as an address for local communities in the fields of its specialty, particularly in the northern and central West Bank and occupied Jerusalem. JLAC's contact information was even found posted on a bulletin board in the Jiftlik village council for use in emergencies. Moreover, a number

JLAC's staff are also known by name in these communities.

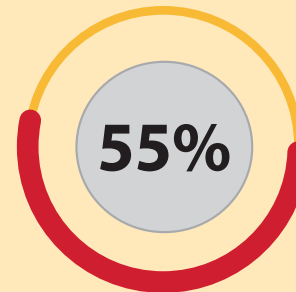
3. Over the last five years (2013-2017), JLAC adopted more than 50% of all demolition orders issued in Area C and occupied Jerusalem within its areas of operation (i.e. Ramallah, Salfit, Nablus, Tulkarm, Jenin, Tubas, Jericho, and Jerusalem).
4. Moreover, during the last five years, JLAC adopted 1,487 new cases of housing and displacement cases, in addition to following-up 1,028 cases from previous years, totaling 2,515 cases. This means that JLAC served to protect approximately 13,078 Palestinians in their homes and lands. Note that these figures are approximate as some cases do not represent a single establishment or family and may represent a facility consisting of more than one floor or more than one family in the same establishment.
5. Between 2013 - 2017, JLAC adopted 2,241 new cases in other areas than housing and displacement and follow up around 2204 cases Area C, Jerusalem, and under the PA.

No. of Demolition Orders Issued by the ICA  
Vs. No. of Demolition Cases Adopted by JLAC  
2013-2017



**2691**

demolition orders issued by the ICA

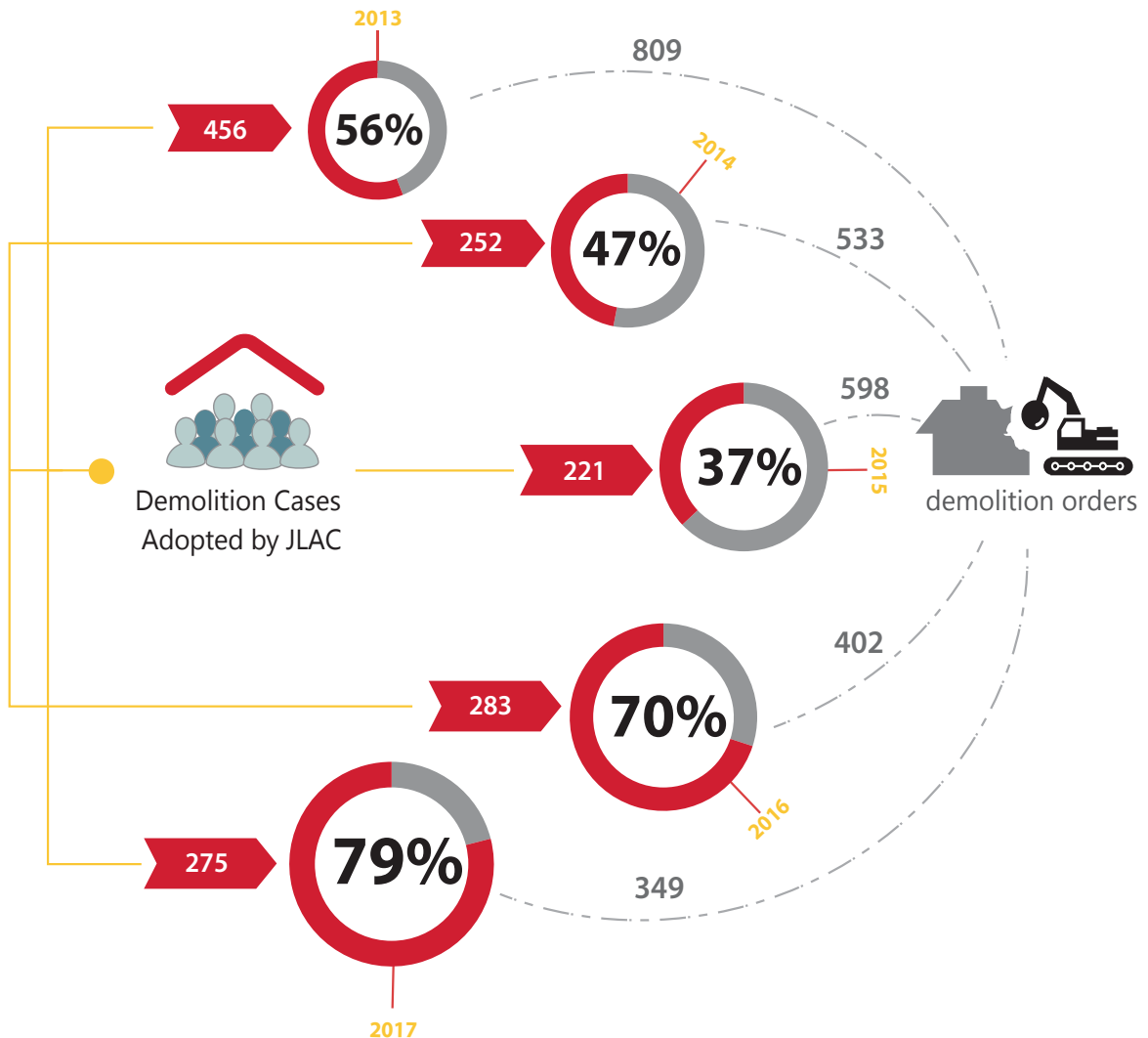


**1487**

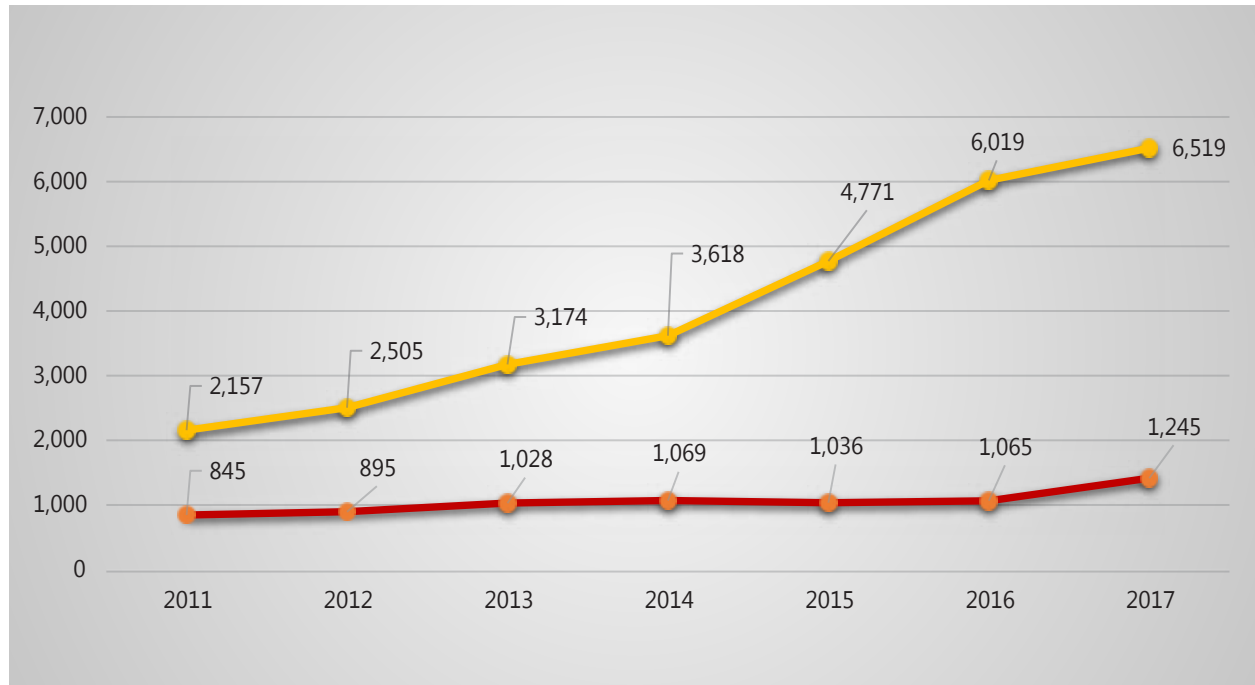
Demolition Cases Adopted  
by JLAC



**No. of Demolition Orders** Issued by the ICA  
**Vs. No. of Demolition Cases** Adopted by JLAC (2013-2017)



## No. of cases per annum (new & accumulated) Vs. Expences (per 1000)



—●— No. of cases per annum (new & accumulated) —●— Expences (per 1000)

## Efficiency Indicators:

Comparing the cost JLAC's 2017 caseload with "conservative" costs in the private sector.

	Case Type	Number of Cases	Cost/ Case in the Private Sector (US Dollars)	Total
Israeli Courts	Public Interest	5	10,000	50,000
	Land Confiscation	1	5,000	5,000
	Settler Violence	1	2,000	2,000
	House Demolition	184	1,500	276,000
	Agricultural Facility Demolition	55	1,500	82,500
	Forced Displacement	12	3,000	36,000
	Confiscation of Equipment	24	1,000	24,000
	Social Rights	46	4,000	184,000
	Social Legal Services	643	Average 250	160,750
	Economic Rights	34	Average 300	10,200
	Economic Legal Services	3252	Average 100	325,200
	Travel Ban	16	500	8,000
	Prison Visitation	2	300	600
	Permits	19	300	5,700
	War Victims' Remains	13	5,000	39,000
	Miscellaneous	1	700	700
	<b>Total</b>	<b>4308</b>	<b>-</b>	<b>1,209,650</b>



Case Type		Number of Cases	Cost/ Case in the Private Sector (US Dollars)	Total
Palestinian Courts	Public Interest	4	10,000	80,000
	Political Detention	10	1,000	8,000
	Public Freedom	5	2,000	2,000
	Miscellaneous	3	700	1,400
	<b>Total</b>	<b>22</b>	<b>-</b>	<b>67,600</b>
<b>Petitions in Israeli Courts</b>		27	3,000	81,000
<b>Total</b>		<b>27</b>	<b>-</b>	<b>81,000</b>
<b>Grand Total</b>				<b>1,358,250</b>

## Behind Every Case There's a Story and a Dream, Whether Big or Small

“ I did not know that Israel considered the mere existence of my family as a threat to its security. ”

The subject of this story lives in a small village in the Tulkarm governorate, home to nearly 300 families (approximately 1500 people). In an interview with him, he explained how a significant portion of its terrain was confiscated to build the annexation wall, with what land remaining being subject to stringent control. The Israeli Civil Administration has not allowed the expansion of the village's master plan since 2009; a measure depriving the population of participation, urban expansion, and keeping pace with the natural growth of the village.

The small family consists of the young couple and their two daughters, eight and ten years old. The father is a simple clerk and the mother a school teacher, and any family in the world they dream of owning their own home. The family began to build a small house on the only plot of land they own in their village in 2010. After the construction was completed and all their savings spent, they found a demolition order hanging on its door. The plot is part of the 60% of the West Bank classified as “C”, falling under full Israeli control including security,

urban planning and construction. The Israeli Civil Administration prevents building in 70% of these areas and impose strict restrictions in the remaining 30%.

The family was not the only one to receive a demolition order that day, but three other families did as well that day. The four families immediately approached to the Tulkarm governorate office, which referred them to JLAC as its known for providing legal protection to vulnerable populations in the area.

Three of the families chose to have JLAC represent their case, while one (for reasons unknown) decided to go with a private sector attorney. The three families met with a JLAC attorney, who explained to them the legal means available to intervene and asked them to prepare the necessary papers to start following-up the case and submitting a building permit request. During the interview he went on to explain how “JLAC's attorney reached out to us more than 10 times during the first few days and months

of the case.” The fourth family, who opted not to follow-up their case with JLAC, unfortunately faced the demolition of their house in 2015. “ That day was the hardest day for the rest of us as we thought our homes were going to be next, but thankfully this did not happen as we followed up our cases with JLAC from the beginning”. “JLAC’s provision of probono legal aid is critical in protecting our homes, as anyone in the midst of constructing a home and its associated debts will not be in the position to afford private sector fees”.

He went on to describe how the threat to his home compelled him to move to the city of Ramallah, changing his job and that of his wife and putting his girls in new schools. “The occupation authorities left me no choice but to move. I had no hope for myself. We dreamed of having our own home and felt as though we were getting closer to it with every stone added. However, I could not even bring myself to lay eyes on the house in over a year and a half, despite going weekly to visit my visit to my family home in Tulkarm. It was painful to see the house, my life savings (80,000 USD) possibly being thrown in the trash”. “However, each session with the JLAC lawyers in which the legal strategy and progress therein was explained increased my hope, especially after learning that my case is before the Israeli Supreme Court”. He concluded; “Now I feel motivated to finish my house from the inside and move in, come what may. And if I receive a new demolition order for doing so, I will go to JLAC to protect me”.



# Success stories

## **Series of Successes Achieved by JLAC's team in 2017.**

### **Cancelation of Demolition order against Arab Al-Rashaydeh School in Al-Nu'aymah Bedouin Community**

JLAC succeeded in canceling the demolition order against the Arab Al-Rashaydeh School in Al-Nu'aymah area, west of Jericho, where the ICA issued the order in June 2016 arguing that there was no building permit for the school. After exhausting legal proceedings before the Civil Administration whom continued to insist that the demolition be carried out, JLAC petitioned the Israeli Supreme Court. An immediate injunction was issued preventing the ICA from carrying out the demolition order until a court orders otherwise. The school serves some 85 families from Nu'aymah community and neighboring Bedouin communities.

JLAC's petition was premised on the obligations owed by the occupying Power in accordance with international humanitarian law to provide and facilitate access to protected populations to such services as education, health, water, etc. Additionally, stressed was the right of Palestinian children to receive education in accordance with

article 28 of the Convention on the Rights of the Child, which states; "States Parties recognize the right of the child to education and to achieve the full realization of this right gradually and on the basis of equal opportunities". The right of the Arabs of Rashaida to stay in their land and protect their property from demolition and displacement schemes threatening their presence in the region was also stressed.

The population of the Arab Rashaida community in the Nuweima area of Jericho stands at approximately 320 inhabitants. This community, and the many Bedouin communities dotting the Palestinian hillside, are target of Israeli occupation measures aimed at their displacement in facilitating expansionist aims. The community was first displaced from Ein Jedi in Beersheba in 1948, which led to the dispersion of the population in several areas of the West Bank. Some came to settle in the area of Bethlehem with others in Ramoun east of Ramallah.

In 1997, a large part of the Arab of Rashaydeh settled in the Nuweima area. However, they continued to be subject to harassment by Israeli forces placing their herder lifestyle at risk, by way demolition orders against housing, agricultural and public facilities as the school.



## Petition against the Settlement Law

JLAC, in partnership with Adalah, petitioned the Israeli Supreme Court on behalf of 17 village councils (15 village councils and 2 municipalities) to cancel the discriminatory “Settlement Law” presented by the right-wing parties in the Israeli Knesset. This law vests the Israeli Civil Administration with the power to confiscate private Palestinian land in a legal way, according to the Israeli point of view; while prohibiting Palestinians from objecting the confiscations and only allows for requesting compensation. This law is in violation of Article 46 of the Fourth Hague Convention of 1907 and Article 33 of the Fourth Geneva Convention, which states: “ Reprisals against protected persons and their property are prohibited”.

## Reinstating of Jerusalem ID

JLAC succeeded in reinstating the withdrawn Jerusalem ID of a 57-year-old woman from Jerusalem. Her ID had been withdrawn in 2002, following a return trip from the UK during which she had acquired British citizenship. After returning to Jerusalem in 2015, she worked to submit a request for reinstating her identity (i.e. reunification) to the Israeli Ministry of Interior in March 2015. Seven months later, the ministry rejected the request, and she was given a visa for up to three months. On May 25, 2016, she approached JLAC, with



attorney Ghassan Abu Khudair promptly taking on her case. Abu Khudair sent a number of requests and correspondence to the ministry, raising required documentation and quoting prior court decisions. JLAC recently succeeded reinstating the beneficiary's Jerusalem ID.

### Preventing Issuance of Unjust Parking Tickets in Silwan and Al Thawri

JLAC has succeeded in having the Jerusalem Municipality issue a decision to cease the application of the parking law in Silwan and Al-Thawri areas. Previously, the municipality had issued parking tickets to residents of the area who park their cars on the sidewalks adjacent to their homes.

Dozens of residents from Silwan and Al-Thawri approached the Wadi Hilwa Information Center to appeal their parking tickets in an attempt to get them cancelled and to find solutions for the parking situation in the area. JLAC attorney Mohammed Mahmoud Abbasi sent a correspondence to the municipality and all the competent authorities in this regard, including the mayor, municipal control, the head of the municipal parking department, the head of the municipal transport department and the municipal legal advisor. In this correspondence, he called on them to immediately stop the issuance

of parking tickets in the residential areas and under the pretext of parking on the sidewalks. And then what happened?

### Arbitrary Arrest Challenged

JLAC adopted 7 cases pertaining to arrests made by the governor, involving 7 citizens from the Qalqiliya governorate. The periods of the detentions ranged from three to four months and were made under false political pretexts. Legal correspondences were sent to the governor of Qalqiliya stating that no one should be held or be subject to the competent court without charge, as per Part Two of the Palestinian Basic Law, Penal Code No. (3) of 2001. The legal correspondences continued that if the citizens in question are not released, the matter will be raised before the High Court towards challenging the decision of the detention. An indictment went on to be filed against 7 citizens by the Qalqiliya Prosecution. The court approved the extension of their detention, and until now the cases are still pending before civil courts. JLAC requested their release more than once as no justification for their detention was made and the investigation (based on the indictment) have since been closed. An appeal has recently been filed against their continued detention at the Court of Appeals and JLAC continues to await a response.

## Working with Youth

JLAC's rationale for working with youth in university-based clubs is to arm participating youth with knowledge of human rights and practical legal skills prior to their graduation as to become sound human rights defenders in a variety of issues. 60 participants were trained in human rights, photo-documentation, and lobbying and advocacy campaigns. When JLAC initially began to plan for the social media and campaigns training program targeting the human rights defenders, it was hoped that 20 trainees would be outreached through the program. However, more than 110 requests for participation were submitted online through JLAC's social media sites. Such is a positive indicator of the public's trust in its services, whether in Jerusalem or the remainder West Bank. Therefore, the number of participants was raised to the maximum capacity of 32, taking into account geographical distribution and gender balance. The 3-day workshop provided 22 hours of intensive training, during which participants displayed high commitment to the rich and stimulating information.

Among the most important outputs of the training were the selection of advocacy topics for the groups to work on during the coming year, namely; forced displacement in Jerusalem and Area C, handicap accessibility of public facilities, arrests

by the governor, and adapting local legislation to international conventions signed by the State of Palestine. It was unanimously decided in the end of the workshop that special focus will be given to the handicap accessibility campaign which began in 2017 in Nablus, as to continue in its achievements to the other West Bank governorates, along with forced displacement which is already being address by the Center.



دولة فلسطين



وزارة التربية والتعليم العالي الفلسطينية  
مديرية التربية والتعليم ضواحي القدس  
مدرسة بادية القدس الاساسية المختلطة

This school was rebuilt with the support of the European Union  
Humanitarian Aid and Civil Protection  
المدرسة تم بناؤها بدعم من الاتحاد الأوروبي  
المساعدات الإنسانية والحماية المدنية في الضفة الغربية (أحاف)  
من قبل مؤسسة أيس سي سي (ACEF International) في القدس  
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من قبل مؤسسة أيس سي سي (ACEF International) في القدس



Humanitarian Aid and Civil Protection







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