

Al-MARSAD's Narrative Report for 2008

Presented in January 2009

I. INTRODUCTION

Al-Marsad has been established five Years ago, and each year we look back to see what we have contributed to the issue of human rights in the Occupied Syrian Golan. What succeed to achieve as a legal organization? Establishing new organization for dealing with human rights issues in the occupied Golan was a courageous step which confronted by factual challenges. Al-Marsad mostly managed and succeeded to solve and/or overcome these challenges.

The commitment of the founders, staff and the volunteers (local and international) over the last years despite the difficult funding situation was the main reason beyond the surviving and functioning of Al-Marsad. This created a credibility within the local population as activities became more visible, enrich networks with other International Human Rights organizations who expressed their constant willingness to help since so that it the only human rights organization in the Occupied Golan, which gives special importance as we are the only resort for people to deal with violations committed against them or their private properties.

During 2008 the funding opportunities became more accessible and contributed in capacity building in addition to the strengthening legal credibility through the first researches that have been conducted, development within local staff in terms of received training and legal knowledge.

This report aims to provide a review of the significant impacts of Al-Marsad's activities in 2008 as well as an assessment of the organizations shortcomings.

Organization Background

Al Marsad - The Arab Center for Human Rights in the Golan is an independent non-profit legal human rights organization, located in Majdal Shams, in the Occupied Syrian Golan. The center was founded in October 2003 by a group of lawyers and professionals in the fields of health, education, journalism and engineering - mostly town-planners - as well as human rights defenders and other interested community members.

Our initiative has drawn thus far on local and individual resources and we commenced work on voluntary basis. We are continued to work away in strengthening ties with a number of local human rights organizations in the Occupied Palestinian Territories and with international human rights organizations. We believe these relationships are indispensable to our work, especially given the rich experience these organizations have in many fields of expertise, as well as their established international connections.

The focus of Al Marsad

Sine the beginning of the occupation political decisions is being taken every day by Israeli authorities in order to create a *fait accompli* situation by changing the

landscape and imposes new realities on the ground. Different tools are being used in this context: Hundreds of military orders were issued during the period prior to the annexation of the Golan on December 14, 1981. Such orders served to uproot the native inhabitants and prevent them from returning to their cities and villages, which were eradicated. Israeli authorities built settlements on the remains of those towns and villages, and Jewish settlers were transferred there, later controlling the land and water, marginalizing the Syrian Arabs who remained in the Golan and making life unbearable for them at all levels.

In the aftermath of the annexation of the Golan, Israeli authorities continued to practise these same policies, but they instead claimed to be implementing Israeli law that was now applicable therein. Israel continued its settlement policies and exploited all the natural resources of the area for the benefit of the settlements and the Israeli economy. Authorities also continue to restrict the rights of the Syrian inhabitants in contravention of the principles of international human rights and humanitarian law.

This situation in Al Marsad view necessitates the constant monitoring and documentation of human rights and humanitarian law violations. Al Marsad attempts to consider the possible implications of Israeli policies on the legal status of the occupied Golan and the fundamental rights of its indigenous Syrian population and therefore designed an ambitious but viable action plan.

In contrast to other societies, there is an absence of civil society institutions, in particular those addressing human rights concerns in the Golan. Al Marsad seeks to address this absence, monitoring and documenting the serious violations taking place in our community, and filling this gap so that the international community will have a greater awareness of the human rights situation in the Golan.

AL-MARSAD's Mission

AL-MARSAD works to protect and promote human rights and respect for the rule of law in the Occupied Golan with a commitment to the overall application of Modern International Law, international humanitarian and human rights law.

Since its establishment, AL-MARSAD has been trying to document human rights violations perpetrated by Israel (the occupying power) against civilians and their private properties. Special focus is given to civil, political, economic, social and cultural rights, as well as humanitarian law principles: expulsion of native Syrian population (ethnic cleansing), the control of land and water by Israel, separated families, settlement expansion, annexation, landmine problems, housing rights and planning restrictions. Through its work AL-MARSAD tries to monitor and document human rights and humanitarian law violations and urge the international community to pressure Israel to respect international law, stop its violations and end its occupation of the Syrian Golan.

AL-MARSAD's Vision

AL-MARSAD seeks to establish a modern and efficient institution that struggles against war, colonialism, occupation and helps to develop a culture of respect for human rights and humanitarian law principles by observing and documenting human right and humanitarian law violations, working to influence policies and pushing to

hold accountable those responsible for committing or condoning human rights violations and international crimes.

Al-Marsad also aims at developing itself so as to become a basic reference source for those seeking information on human rights violations in the Occupied Golan.

Al-Marsad will furthermore attempt to fortify both its presence and build awareness of human rights and humanitarian law on local, regional and international levels.

Al-Marsad's overall Goals

In the course of its strategic planning work Al-MARSAD has discussed and now adheres to three overall goals. These goals have guided all the organizations strategies and activities in the past years and will also in the coming periods. Al-MARSAD concentrates on

- 1) Bbuilding a solid non-governmental, civilian and independent institution, whose members, contributors and staff have a clear picture of their role in it, can develop their and their volunteer's capacity and abide to a shared internal governance structure.
- 2) Becoming the No'. 1 resource for research and legal advise on human rights violations (from 1967 on) in the occupied Golan.
- 3) Working and thriving within a regional and international network, which disseminates knowledge and expertise, raises awareness about basic human rights (locally) and the humanitarian situation (internationally) as well as markets its research and ideas according to an internally and commonly developed advocacy strategy.

Opportunities and Threats of the current organizational status (October 2007)

Al-Marsad is a small and still relatively new organization, which has several opportunities and still facing threats that need to be addressed in the course of a strategic planning exercise. In the latest planning the following SWOTS were identified and updated:

Strengths and Opportunities

The commitment of the volunteers in the organization remains the biggest strengths of AL-MARSAD, both local and international

The endurance of staff and volunteers over the last years despite the difficult funding situation

The credibility within the local population grows as activities became more visible

The rich networks with other International Human Rights organizations

The willingness of other Palestinian and international organizations who are expressing their constant willingness to help

Al-Marsad is the only human rights organization in the Occupied Golan, which gives special importance as we are the only resort for people to deal with violations committed against them or their private properties.

As the only human rights organization in the Occupied Golan funding opportunities may be more accessible.

Huge opportunity for building legal credibility through the first researches that have been conducted in 2007 and 2008

Huge positive development within local staff in terms of received training and legal knowledge

An international long term volunteer from Ireland and the USA has conducted professional legal reports and greatly enhanced the opportunity for funding resources because of commitment, professional legal knowledge and English language skills.

Threats and Weaknesses

A danger that certain donors may attempt to impose their own agenda in return for funding.

There may be Double-standard policy used by the international community to deal with violations of the international law.

There may be an absence of guarantees for future funding

There may be the failure of the international community to speak out and to act against ongoing human rights abuses

Most of the work is done on voluntary basis (volunteers cannot stay all the time to do this job) and that therefore the personnel of the organization is always at risk

Risk to lose credibility locally because funding will not allow employing a qualified lawyer to give pro bono legal services to the people (as promised)

Frustration of staff, when funding will not suffice

I. AL-MARSAD carried out the following major activities in 2008:

- Continuo monitoring and documenting specific human rights violations in a professional way, through the gathering of first-hand accounts by eyewitnesses and victims.
- Based on that, Al-Marsad legal researches (both employees and volunteers) conducted the following legal researches and reports:
 - Changing the Landscape: Israel's Gross Violations of International Law in the Occupied Syrian Golan. Written by: Dr. Ray Murphy, Senior Lecturer, Irish Centre for Human Rights, National University of Ireland, Galway and Declan Gannon LLM in International Peace Support Operations, Legal Researcher, Al Marsad - Arab Centre for Human Rights in the Occupied Golan, **English**.
 - Israeli settlements in the Occupied Syrian Golan, initial report. Written by: Michelle Struck and Declan Gannon.
 - Israeli ambitions in Golan and the control over land and water resources. Written by: Dr. Jamil Abu Jabal, Al-Marsad board member, Arabic.
 - Separated families in the Occupied Golan as a result of forcible transfer policy: General background. Written by: Dr. Nizar Ayoub. Consultant and legal researcher, Al-Marsad, Arabic.
 - Review of the fulfilment by Israel of its human rights obligations and commitments. UN Universal Periodic Review Submission- UPR. Submitted for the UN Human rights Council 3rd Session 1-12 December 2008.
- Keeping Intervening with Israel authorities, as well as the international community to draw attention to specific human rights violations through oral and written interventions.
- Provided legal advice and counseling to victims of human rights violations, and intervened on their behalf to the relevant authorities.
- Conducted local media activities to increase awareness of Al-Marsad's work and the human rights discourse.

- Carried out human rights education and awareness-raising activities targeting such groups as lawyers, women, and human rights activists regarding international human rights laws and principles.
- Undertook legal research and developed study reports, briefs, press releases, interventions, and alerts for action on different human rights issues of concern, to raise awareness of the human rights situation.

II. INTERNAL DEVELOPMENTS WITHIN AL-MARSAD

1. Human resources

A. Appointment of staff on part time basis:

Following the new developments, Al-Marsad hired during 2008 several staff employees on part time basis to work in different projects in particular: Separated families project which is supported by **International Solidarity- SI**, Spain and Israeli Settlements in the Occupied Golan Research Project which is supported by **MISEREOR**. This became available in October, 2007 regarding the generous support received from Euro-Mediterranean Human Rights Foundation (EMHRF). A committee of three members of Al-MARSAD board of directors considered the applications for these available positions. On 15 October 2007 Mr. Salman Fakher-Eldden began his employment with Al-Marsad as a coordinator. In May, 2008 Mr. Naif Fakher-Eldden began his position of public relation and subsequently administrative officer. Dr. Nizar Ayoub began his position of consultant and legal researcher in January 2008. Also Advocate Abu Alkheir Abu Jabal began his employment of lawyer on part time basis in January 2008. Mr.s Mai Abuzed started her work of administrative secretary in January 2008. Dr. Munir Fakherdeen and Mr. Jalla Maray (photographer) were commissioned for 2-5 months by Al-Marsad to conduct specific work for limited time.

B. Voluntary staff

During the year 2008 Al-Marsad's work and activities continue relying on volunteers. Dr. Jamil Abu Jabal who is a board member was committed to conduct a legal report under the title: "Israeli ambitions in Golan and the control over land and water resources". In addition, Dr. Abu Jabal kept up his networking work with donors, local and international human rights organizations. Mr. Atef Safadi a news photographer and who is also a board member committed keep equipping Al-Marsad with photos. Both board members, coordinated their voluntary work with Mrs. Samia Abu-Jabal, Al-Marsad board member and president.

C. Interns

During 2008 Al-Marsad continued to host Mr. Declan Gannon who supported Al-Marsad by undertaking legal research, assisting with the drafting of the annual report, and regularly drafting interventions, press releases, short memos, as well as monitoring the English-language press, editing affidavits translated into.

Al-Marsad hosted also Mr.'s Michelle Struck from USA for three months. During this period, Michelle prepared in cooperation with Declan initial report on Israeli settlement in the Occupied Golan.

D- Composition of Al-Marsad's Board of Directors

1. Dr.Samia Abu Jabal, president. Gynecologist
2. Majeed Safadi, LL.M Journalism. Director of Aljazeera camera staff Israel/Palestine
- 3.Jamel Abu Jabal, ph.D Jurist Prudence
4. Atef Safadi, press photographer EPA.
5. Naif Fakhreldeen, LL.M veterinary
6. Madad Kalani, LL'M communications
7. Madad Ewidat, farmer

E- Composition of Al-Marsad's team

1. Dr. Nizar Ayoub, Consultant/Legal researcher. PhD international law, institute of State and Law, Moscow. Lawyer-Member of Israel Bar
2. Abualkeir Abu Jabal, M.A jurisprudence, sanktpetesrburg University, Lawyer-Member of Israel Bar.
3. Dr. Nazih brek, PhD urban planning, Auxburg university, Germany.
4. Mai Abu zed, Secretary, M.A Agriculture, University of Damascus
5. Salman Fakherldeen, Public Relation Officer

3. External consultant

As was mentioned in 2007 narrative report, in 2006 Al-Marsad began to cooperate with Susanna Kruger who expressed readiness to volunteer, conducting external consultation and helping in capacity building of Al-Marsad. Susanna is a specialist in consultancy and evaluation and preparing her PhD on this field. Susanna's help to Al-Marsad still is very crucial for the development of the organization and its structure and members. The work with Susanna for over three years made Al-Marsad more successful and professional human rights organization, building itself a strong reputation of credibility and impartiality based most significantly on its documentation of human rights violations.

Susanna has been recently founding her organization in Germany and she doing Monitoring and Evaluation work now. Al-Marsad is planning to conduct with Susanna an external evaluation in the course of 5 years of its establishment. Also we plan to organize with her organization, 2-3 days, strategic planning session in order to prepare a strategic plan for the coming 5 years.

III Objectives

The following section lays out the objectives A-Marsad set to accomplish during 2008, and assesses their outcomes.

Objective one: Al-Marsad attempts to become a reference point regarding international human rights and humanitarian law in the Occupied Golan for concerned organizations and individuals at the local and international levels

One of the main objects of Al-Marsad's work in 2008 is to keep striving in order to make the organization a unique source of information by monitoring and documenting certain types of violations. Fieldworker's document violations in specific cases take surveys and affidavits and are archived in a way that allows for the preparation of legal studies, reports, position papers, submissions, open letters and press releases. Many interviews were conducted by the organization's fieldworker's, lawyer and legal researchers as a preparatory step for studies and reports conducted in 2008 concerning separated families, settlements, forcible transfer and property destruction on order to change the existed landscape before 1967 and Israeli control over land and water resources in the Golan. Furthermore, press releases and open letters were prepared and disseminated to local, UN and international organizations and individuals.

Al-Marsad gathered tens of affidavits from victims and eye-witnesses of human rights violations in the Occupied Golan. These affidavits pertained to violations associated with the aforementioned studies and researches. These efforts meets Al-Marsad's objective to document and monitor human rights and humanitarian law violations by conducting fieldwork in order to put the basis of establishing a databank by the end of 2009.

The gathered information from monitoring and documentation disseminated to officials, academics, human rights and civil society organizations, human rights activists, and other concerned parties. This makes Al-Marsad a main resource for information-sharing through meetings and contacts with UN Special committee for the investigation of Israeli practices in Palestinian and Occupied Arab Territories, and representatives of different UN human rights Mechanisms like (Committee for Elimination of Racial Discrimination (CERD), UN-OHCHR and other UN officials.

During 2008, much of Al-Marsad Lawyer efforts continuo to focus on providing free legal aid and counseling for individual victims of human rights abuses regarding such issues as prisoners, uprooting of trees, separated families, travel restrictions, landmines.

Al-Marsad over the past number of years has run an internship program from its office in Majdal Shams. This program has provided a great opportunity for recently graduated students to learn both about the situation of the Golan in general and also about the international humanitarian law and human rights law violations occurring in the Golan under the illegal Occupation of Israel.

Al-Marsad has also, when possible, provided advocacy and free legal service to the Arab local community of the Syrian Golan who have been subjected to both violations of international humanitarian law and international human rights law by Israel the occupying power; this is an area which the organisation would like to build on for the future.

Objective two: To raise awareness about human rights situation in the Occupied Golan at the national and international levels

During 2008 Al-Marsad was engaged in an advocacy plan, which raises awareness in the international community, media and international organizations regarding human rights situation in the Occupied Syrian Golan and its legal status. In this regard, Al-Marsad is yet able to launch his first campaign related to Israeli practices of forcible transfer and separated families and its impacts on Syrian population late 2008 beginning 2009.

Al-Marsad was more active at the international level during 2008. To date the Al Marsad members have participated in various human rights training course. Such training courses have been held in Geneva at the ISHR, and the UN-OHCHR training course for minorities and indigenous people in Geneva.

The organization's work in this area has caused Al-Marsad to become a reference point for human rights organizations and other non-governmental organization regarding human rights situation in Occupied Golan.

Objective three: Develop the institutional capacity of Al-MARSAD

A major aspect of the third objective was the development of Al-Marsad's future strategic plan for 2008-2009, which was at first anticipated to be a two-year. The strategic planning process was conducted under the guidance and supervision of Mrs Susanna Krueger who is international consultant. The plan ultimately allowed Al-Marsad to reassess its mission and vision, its values, mandate, goals, and objectives, and how it conducts its work in the field of human rights and the rule of law. The strategic plan aims to keep Al-Marsad's work focused on what it does best, and lays the groundwork for the execution and management of the organization's tasks and staff, respectively.

The result was a well-considered plan that was drafted after staff workshops, and input by its board and partner. As part of the plan, Al-Marsad also developed a two-year action plan that will allow it to manage its time and human resources, and allow the organization to be held accountable by its donor organizations.

Al-Marsad is keen to continue to build itself as a sustainable organization by ensuring the timely submission of fundraising proposals, reports, and work plans to its donors. It held regular meetings and contacts with representatives of the donor community, and its Acing Director worked continuously to seek long-term core-funding opportunities for Al-Marsad. The result is that Al-Marsad is becoming more comfortable in its funding for the near future. The two-year strategic plan also helps attract the attention of potential donor organization as it demonstrates that Al-Marsad has a sound plan and is thus a good local partner for international organizations.

Also during 2008, Al-Marsad proceeded with efforts to develop and acquire a library space in its offices to serve its employees and volunteers who dealing with legal research. For the meantime, Al-marsad managed to obtain the main reference books related to international law, Human rights and humanitarian law and keeping looking for the financial resources to undertake such a project.

IV. CONCLUDING REMARKS

While Al-Marsad is proud of all that it accomplished in 2008 and is enthusiastic to continue carrying out the two-year strategic plan that it worked hard to develop, it

realizes that certain lessons have been learned. The conduction of legal research, monitoring and documentation, capacity building of the organization and workload management was a constant struggle in all levels with modest resources. This always creates a reality for unstable environment in which Al-Marsad conducts its work. This reality was kept in mind during the planning process, which hopefully contributed for its solving.

The careful strategic planning Al-Marsad undertook in 2007 and 2008 results will propel it towards pilot period in the two years to come. During 2008 which is first year of the strategic plan, the organization was able to overcome most of the challenges and become more democratic, professional and sustainable in the future regardless the small resources.

The year 2008 was an important and crucial for Al-Marsad and its team. The organization continues to evolve and became more professional and well known pursuant to the essential work in the Occupied Golan as strong and professional human rights organization.

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