

Al-MARSAD's Narrative Report for 2009

Presented January 2010

1.1 INTRODUCTION

Al-Marsad was established six years ago, and with each passing year we look back to see what we have contributed to the issue of human rights in the occupied Syrian Golan. What have we succeeded to achieve as a legal organisation? Establishing a new organisation to deal with human rights issues in the occupied Golan was a courageous step which was confronted by numerous factual challenges. Al-Marsad has succeeded in the most part to solve and/or overcome these challenges.

The commitment of the founders, staff and the volunteers (local and international) over the previous years despite the difficult funding situation was the main reason behind the survival and continuation of Al-Marsad. This created a sense of credibility within the local population as activities became more visible and networks with other international human rights organisations grew stronger. Such organisations expressed their constant willingness to help and since we are the only human rights organisation in the occupied Golan, this is of special importance as we are the only resort for people who have had violations committed against them or their private properties.

During 2009 the funding opportunities became more accessible. This strengthened the legal credibility of the organisation, assisting the research projects that have been conducted as well as developing the training of local staff in order to improve their overall legal knowledge.

This report aims to provide a comprehensive review of the significant impact of Al-Marsad's activities in 2009 as well as an in-depth assessment of the organisations shortcomings.

1.1.1 Organisation Background

Al-Marsad - The Arab Center for Human Rights in the occupied Golan is an independent non-profit legal human rights organisation, 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. Al-Marsad is a member of a coalition of NGO's with OPGAI (Occupied Palestinian and Golan Advocacy Initiative) and we are also a member of Convenio Palestina 2015.

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

1.1.2 The focus of Al-Marsad

Since the beginning of the occupation political decisions are being taken every day by the Israeli authorities in order to create a *fait accompli* situation by changing the landscape and impose 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 subsequently eradicated. Israeli authorities built settlements on the remains of those towns and villages, into which Jewish settlers were transferred. These settlers then took control of the land and water, marginalising 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 practice these same policies under the guise of implementing the 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 the view of Al-Marsad 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 as such has 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.

1.1.3 Al-Marsad's Mission

Al-Marsad's mission remains as clear as ever working 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 international law; international humanitarian and human rights law.

Since its establishment, Al-Marsad has been attempting 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.

1.1.4 Al-Marsad's Vision

Al-Marsad seeks to establish a modern and efficient institution that struggles against war, colonialism and occupation and helps to develop a culture of respect for human rights and humanitarian law principles. We seek to achieve this by observing and documenting human rights 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.

1.1.5 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 organisations strategies and activities in the past years and will also in the coming periods. Al-Marsad concentrates on

- 1) Building a solid non-governmental, civilian and independent institution, whose members, contributors and staff have a clear picture of their role within, and 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 advice on human rights violations (since 1967) 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.

1.1.6 Opportunities and Threats of the current organisational status

Al-Marsad is a small and still relatively new organization, which has several opportunities but still faces 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 and passion of the volunteers in the organisation, both local and international, remains one of the biggest strengths of Al-Marsad.
- The endurance of staff and volunteers over the last few 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 organisations.
- The assistance and support of other Palestinian and international organisations who express their constant willingness to help.

- Al-Marsad is the only human rights organisation in the occupied Golan, which is of 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 organisation in the occupied Golan funding opportunities may be more accessible.
- Huge opportunity for building legal credibility through the initial research that has been conducted in 2007 and 2008.
- Positive development within local staff in terms of received training and legal knowledge.
- Three international volunteers from Ireland have 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

- There is 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 (due to visa and financial restrictions volunteers cannot stay all the time to do this job) therefore the personnel of the organisation are always at risk
- There is a risk of losing credibility locally because funding will not allow for employing a qualified lawyer to give pro bono legal services to the people (as promised)
- Frustration of staff, when funding will not suffice.

Al-Marsad carried out the following major activities in 2009:

- Continuous monitoring and documenting of 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 researchers (both employees and volunteers) conducted the following reports:
 - ‘Confiscating Land and Water Resources in the Occupied Golan as a tool for strengthening the Israeli Settlements in the Occupied Golan’ (Arabic Edition) by Jamel Abu Jabal and Nizar Ayoub;
 - ‘IDP’s and Separated Families in the Occupied Syrian Golan’ (Arabic Edition) by Jamel Abu Jabal and Nizar Ayoub;
 - ‘From Settlement to Shelf-The Economic Occupation of the Syrian Golan’ by Jonathan Molony, Michelle Stewart and Nancy Tuohy;
 - ‘The Economic Occupation-Illegal Settlement Production and the EU-Israel Association Agreement’ by Michelle Stewart;
 - ‘The Illegality of Israeli Settlements in the Occupied Syrian Golan under IHL’ by Jonathan Molony;
 - ‘Profiting from an Illegal Occupation: Eden Springs Water in the Syrian Golan’ by Nancy Tuohy.

- Under the guidance of Abulkher Abu Jabal Al-Marsad took a high profile media case regarding a child born in Syria, whose parents were from Majdal Shams. Israel refused to register him and numerous letters were written to the Ministry of Interior, all of which were rejected. An appeal followed to the Magistrates Court in Nazareth which was eventually successful on the 15th of July to register the child.
- Continuous intervention with Israeli authorities, as well as communication with the international community to draw attention to specific human rights violations through oral and written interventions.
- We took part in various meetings regarding planning and actions of BDS in respect to the human rights situation in the occupied Golan.
- Arranged dozens of speaking tours around the destroyed villages, settlements and minefields.
- Took part in the planning and organization of a voluntary international youth summer camp in Beit Sahur in Palestine which included a photograph exhibition for 3 days. In addition to this there was a lecture, presentation and art exhibition in the Jadal cultural centre in cooperation with AIC in Beit Sahur.
- Took part in the Madrid seminar in December making a presentation regarding the human rights situation in the occupied Golan, distributing reports and books relating to our work.
- Provided legal advice and counseling to victims of human rights violations, and intervened on their behalf to the relevant authorities.
- We were active in the celebration of Jerusalem as a cultural and Arab capital.
- 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.

1.2 INTERNAL DEVELOPMENTS WITHIN AL-MARSAD

A. Appointment of staff on part time basis:

Mr. Salman Fakher-Eldden continued his employment with Al-Marsad as a coordinator and public relations officer. His human rights speaking tours of the Golan have grown in popularity with numerous international groups attending weekly tours. He also arranges the translations of reports. Mrs. Majdoleen Safadi began her position as administrative officer in October 2009 for an initial trial period of 3 months. This is a part time position whereby she has studied the system of the office and how it runs and has began the general running the office. Her job will be evaluated at the end of December by the administrative committee. Mrs. Areen Sabaq Halabe (BA in English and Education) has been hired and is due to take up her position in January 2010 as executive secretary and programme coordinator. Between January and June 2009

Abulkher Abu Jabal worked as a part time advisor to people who needed legal advice, especially regarding violations of residency rights and civil rights.

B. Voluntary staff

During the year 2009 Abulkher Abu Jabal started his research on the winery, drawing up detailed maps and lists of countries importing Golan wine. He also helped the field workers and researchers with their reports, and continued updating the files, protocols and papers for the registrar of associations in the ministry of justice. In addition to this he also prepared testimony to the committee investigating the human rights situation giving testimony in Amman in August 2009 about Israeli policy in Golan and settlements.

Dr. Abu Jabal continued his networking work with donors, local and international human rights organisations. Mr. Atef Safadi a news photographer and who is also a board member remained committed to keep Al-Marsad equipped with up-to-date photographs. Both board members, coordinated their voluntary work with Mrs. Samia Abu-Jabal, Al-Marsad board member and president.

C. Interns

Between September and December 2009 Al-Marsad hosted three interns from Ireland, Jonathan Molony, Michelle Stewart and Nancy Tuohy who supported Al-Marsad by

- undertaking legal research,
- conducting interviews with Majdal Shams residents,
- assisting with the drafting of the annual report,
- preparation of a new proposal for funding in order to monitor the settlements and settlement products,
- monitoring the English-language press,
- editing and helping with translating affidavits.

Also, during this time Jonathan, Michelle and Nancy prepared a comprehensive report on the settlements and their products in the occupied Golan paying specific attention to the Golan Winery and Eden Springs Water. They also participated in the OPGAI and AIC Conference ‘United in Struggle against Israeli Colonialism, Occupation and Racism: Economic Perspectives and Advocacy Seminar’ in Bethlehem on the 24th and 25th of October 2009 presenting a workshop on the occupied Golan, and attended Al-Haq’s 30th anniversary conference in Ramallah on the 10th and 11th of December.

D. Composition of Al-Marsad’s Board of Directors

1. Dr. Samia Abu Jabal, President. Gynecologist.
2. Majeed Safadi, LLM Journalism. Director of Al Jazeera camera staff Israel/Palestine.
3. Jamel Abu Jabal, PhD Jurisprudence.
4. Atef Safadi, press photographer EPA.
5. Naif Fakhreldeen, LLM Veterinary.
6. Madad Kalani, LLM 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. Abulkher Abu Jabal, MA Jurisprudence, St. Petersburg University, Lawyer Member of Israel Bar.
3. Dr. Nazih Brek, PhD Urban Planning, Augsburg University, Germany.
4. Mai Abu Zed, Secretary, MA Agriculture, University of Damascus
5. Salman Fakherldeen, Public Relations Officer

1.3 OBJECTIVES

The objectives of Al-Marsad remain the same with each passing year; to develop, grow stronger and raise awareness for the human rights situation in the occupied Syrian Golan. This section will assess 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 organisations and individuals at the local and international levels

One of the main objects of Al-Marsad's work in 2009 is to keep striving in order to make the organisation 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 organisations fieldworkers, lawyer, legal researchers and interns as a preparatory step for studies and reports conducted throughout the year concerning such topics as; separated families, settlements, forcible transfer, property destruction and confiscation of natural resources in the occupied Golan. Furthermore, press releases and open letters were prepared and disseminated to local, UN and international organisations 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 meet Al-Marsad's objective to document and monitor human rights and humanitarian law violations by conducting fieldwork in order to establish an extensive databank by the end of 2010.

Information has been gathered from monitoring and documentation disseminated to officials, academics, human rights and civil society organisations, 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 2009, much of Al-Marsad's efforts continued 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's internship program from its office in Majdal Shams continued in 2009 and it is envisaged will go from strength to strength in 2010. 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 Israel's illegal occupation in three-month blocks. It is expected that 3 new interns will join in January 2010 with a further 3 joining in April. The much anticipated opening of the new office adjacent to the current premises in early 2010 will increase the profile of Al-Marsad and help with the further expansion of this programme.

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 2009 Al-Marsad was engaged in an advocacy plan, which raises awareness in the international community, media and international organisations regarding the human rights situation in the occupied Syrian Golan and its legal status. In this regard, Al-Marsad is about to launch its first comprehensive multi-lingual campaign related to Israeli practices of forcible transfer and separation of families and its impacts on Syrian population. Concerning the suffering of separated families Al-Marsad is currently conducting research on this issue in spite of the financial limitations, which is a challenge that will continue throughout 2010. It is expected that a report will be published in the first half of 2010.

Al-Marsad was more active at the international level during 2009. Salman Fakherldeen, Public Relations Officer for Al-Marsad attended an international conference in Madrid in December where he made a presentation, distributed publications and reports and networked extensively. The conference served to increase links with Iepala, Acsur and the Spanish research centre as well as various other Spanish groups. We are planning to translate our publications into various languages including Spanish. Next year we will continue all these efforts and try to develop them, focusing on the speaking tours and further networking. In the face of all this we are facing financial problems because we are so far from Jerusalem and every tour needs to incorporate 2 days thus increasing costs.

Also during 2009 Atef Safadi and Jalaa Maray documented all the political and social activities in the Golan as part of the plan to publish a photo album about the daily political life of the local people in the Golan. It is also planned to document the destroyed villages and the settlements as well as the nature of the area. There may be a focus on Druze issues as a minority. It is hoped the album will be ready in early 2010. The idea is to get between 150 and 200 photos and text. This is already in progress and will delve into Atefs personal archive. Each picture will cost between \$75 and \$100 including transportation costs and this is the first time such a comprehensive project has been attempted to be exclusive to the Golan.

The organisation's work in this area has caused Al-Marsad to become a reference point for human rights organizations and other NGO's regarding human rights situation in occupied Golan.

Objective three: Develop the institutional capacity of Al-MARSAD

Al-Marsad is keen to continue to build itself as a sustainable organisation 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 Acting 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. A 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 2009, Al-Marsad proceeded with efforts to develop and acquire a library space in its offices to serve its employees and volunteers 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 continue to seek the financial resources to undertake such a project. It is envisaged that the new office will include a substantial space for a library which in turn makes it easier to conduct research projects without having to rely on borrowing resources from Al-Haq.

1.4 CONCLUDING REMARKS

Al-Marsad is proud of all that it accomplished in 2009 but the financial restraints are always evident. The conduction of legal research, monitoring and documentation, capacity building of the organisation and workload management has been a constant struggle in all levels with modest resources. This always creates an unstable environment in which Al-Marsad conducts its work.

In the coming year it is expected that the internship programme will expand further and build on the foundations of previous years. The new office space will provide a higher profile for Al-Marsad to achieve this and a full roster of interns has been lined up for three month stints.

The year 2009 was an important and crucial for Al-Marsad and its team. The organisation 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 organisation. The focus of 2010 will be on an increase in national and international networking, an extensive report based campaign highlighting the suffering of separated families and an expansion of the speaking tours, both in volume and in profile. One of the big challenges of the coming year will be the enlarging of the function of the office and the workload is expected to increase in the coming year.

END