

Al-Marsad's annual report of activities 2016

Issued January 2017



Workshop of student parental committees, Al-Marsad office, 12 June 2016 - Majdal Shams, Occupied Syrian Golan

TABLE OF CONTENTS

- 1. Introduction**
- 2. Changes in the organization's activities**
- 3. Important changes within Al-Marsad**
- 4. Research reports**
- 5. Advocacy promoting human rights in the Occupied Syrian Golan**
- 6. Field visits and reliable information to the media and NGOs**
- 7. Outputs delivered for the target group**
- 8. Litigations and legal consultations**
- 9. Staff members' implemented activities**
- 10. Interns**
- 11. Conclusions and highlights**
- 12. Al-Marsad members/General Assembly**
- 13. Composition of Al-Marsad's team**

1. INTRODUCTION

In the context of prolonged Israeli occupation and the ongoing armed conflict in Syria 'proper', Al-Marsad, as the only human rights organization in the Occupied Syrian Golan, has increased its efforts to ensure that policies at the national and international level reflect respect for international human rights law and international humanitarian law.



Workshop considering the destroyed Syrian village of Mansura (01 April 2016, Majdal Shams, Occupied Syrian Golan)

2016 witnessed developments in Al-Marsad's work performance in several areas which have reflected the organization's credibility and efficiency. The local community's confidence in the organization continued to increase as more people and groups approached Al-Marsad to obtain legal consultations and to file complaints against various Israeli authorities (Ministry of Interior, Ministry of Education, local councils, local planning Committees, and others) concerning policies and practices that violate their basic rights.

Al-Marsad continues to strengthen its relationship and cooperation with human rights organizations in Palestine and Israel. Al-Marsad maintains good relations with Al-Haq (Ramallah), Al-Mezan (Gaza), Civic Coalition for Defending Palestinian's Rights in Jerusalem (Jerusalem), Adalah (Haifa) and De-Colonizer (Tel Aviv). Al-Marsad maintains regular contact with these organizations with respect to consultation and cooperation in defending human rights in the Occupied Syrian Golan.

This report summarizes Al-Marsad's activities during 2016. Over the report period, Al-Marsad achieved successes in various areas, such as, legal research, advocacy and the provision of legal aid:

- A major success was local and international advocacy. Al-Marsad has increased

engagement with European parliamentarians, diplomatic missions in Tel Aviv, the United Nations, the local community and others.

- There has been a significant increase in the number of direct beneficiaries of legal advice and information concerning violations of basic human rights. Indeed, over 230 people received legal consultations on political, civil, economic, social and cultural rights (labour rights, housing rights, right to education, etc).
- Three of five cases which were brought before Israeli labour courts in 2015 were successfully closed under agreements between plaintiffs and defendants in 2016. Three new cases were brought before the labour courts.
- Administrative petitions were filed against the local council of Majdal Shams and the local planning and construction committee demanding to disclose information according to the Law of the Right to Obtain Information 1998 (See afterwards).
- An objection was filed to the district planning committee in Nazareth in the names of 42 local persons and groups against the new plan of "Hermon National Park" that would result in the appropriation of 20,000 acres of land used by the native Syrian population for housing and agriculture.
- Workshops were conducted for beneficiaries and one new test case on collective rights was prepared for submission to the Israeli courts including the High Court of Justice (HCJ) demanding the removal of landmines in and around the remaining Syrian residential areas.
- The international internship and field visits programs remained active.
- New publications were issued and distributed to audiences by hand, post, email and via Al-Marsad's website and social media platforms.

2. Changes in the organization's activities

As in previous years, the daily living situation of the native Syrian population in the Occupied Syrian Golan remains precarious and challenging. In addition, the armed conflict in Syria has meant that the native Syrian population in the Occupied Syrian Golan is completely isolated from Syria proper, and friends and families there. After a few years pause, dozens of students from the Occupied Syrian Golan travelled via Jordan to study at university in Damascus. However, the majority of students are still not going due the ongoing conflict. Family visits to Syria have stopped completely since 2012.

Meanwhile, Israel continues to attempt to benefit from the ongoing conflict in Syria to strengthen its control over the Occupied Syrian Golan, claim sovereignty over the Occupied Syrian Golan, expand settlements and natural resource exploitation, and accelerate 'Israelization' policies.

In 2016, the Israeli authorities demolished a Syrian home in Majdal Shams. This is the first time that the Israeli authorities have demolished a home in the Occupied Syrian Golan for over thirty years. Further, another 80-90 Syrian home owners have been issued with demolition orders for their houses.

In addition, the Israeli authorities are currently seeking to appropriate 20,000 acres of land under the guise of the 'Hermon National Park' plan from around two of the remaining Syrian villages, Majdal Shams and Ein Qynia, that has been used by the native Syrian residents since Ottoman rule for agriculture and urbanization.

Further, the Israeli Finance Ministry approved plans for the construction of 1600 settlement units in the illegal Israeli settlement of Katzrin

As a result, Al-Marsad has committed additional resources to bringing these issues to the attention of the international community.

Al-Marsad urges the Israeli occupying authorities to abide by their obligations stipulated in international human rights and humanitarian law treaties, ensure the rights and freedoms of the native Syrian population in the Occupied Golan are protected, as well as end discriminatory policies against the native Syrian population.



Workshop comprising of lawyers, civil engineers and activists regarding land use and discriminatory policies in planning and construction (16 April 2016, Al-Marsad)

In 2016, Al-Marsad continued to conduct broader legal research with regard to the ongoing armed conflict in Syria. Two studies were finalized, one on the qualification of the Syrian conflict (under editing), and one on justice, accountability and reconciliation.

Israeli settlement expansion due to the ongoing civil war in Syria proper demonstrates the occupier's will to retain its occupation of the Syrian Golan. Therefore, Al-Marsad is putting greater emphasis on settlement activities by conducting detailed legal reports; issuing statements, making legal submissions right to obtain information, engaging with the diplomatic missions in Tel Aviv and UN human rights bodies, and issuing press releases.

In addition, Al-Marsad has established a new program of legal consultations and litigation, focusing on labour rights to empower the human rights of the native Syrian population. 8 cases were brought before the Israeli labour courts at the end of 2015 and during 2016 as a pilot project.



Workshop for local community on objections against “Hermon National Park” (10 September 2016, Majdal Shams, Occupied Syrian Golan)

As mentioned in previous reports, the ongoing armed conflict in Syria proper has direct impacts on the native Syrian community, and the future of the Occupied Syrian Golan has become more ambiguous as a result of the civil war. As a human rights institution that works under occupation, Al-Marsad feels responsible to address the conflict in Syria and conducts legal research/advocacy activities (legal reports, statements, press releases) despite limited resources and geographical obstacles.

Our limited work in this field calls on warring parties to abide by international human rights and humanitarian law and refrain from targeting civilians, journalists, medical and religious services, prisoners of war, wounded and sick combatants.

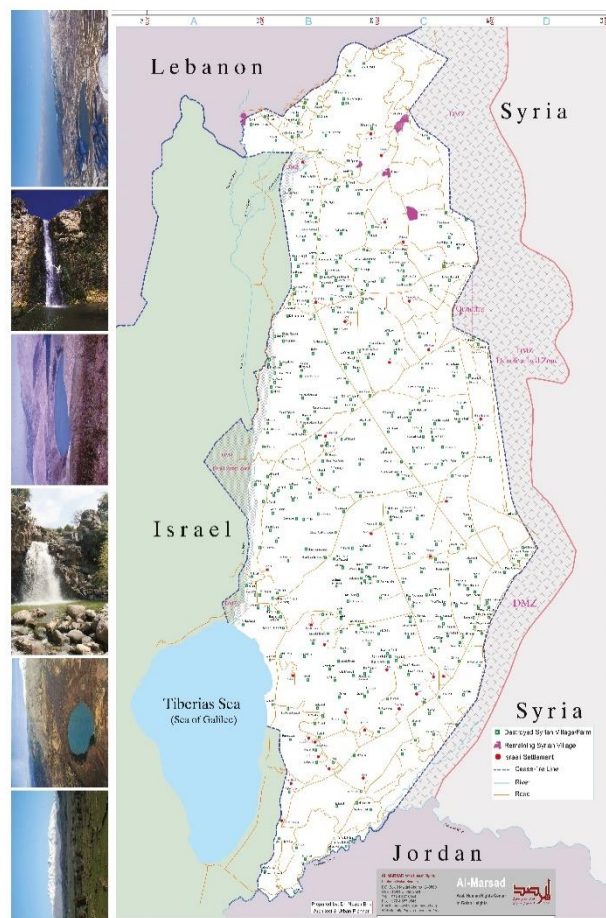
Important changes within Al-Marsad 2016 witnessed huge developments in the provision of legal services for the native Syrian population of the Occupied Syrian Golan; bringing cases before Israeli courts; correspondence with various authorities and the appointed five local councils of the remaining 5 Syrian villages regarding policies and practices that violate the human rights of the native Syrian population. Moreover, resources were secured for conducting a new project on labour rights violations. In addition, Al-Marsad focused more on issues, such as, settlement expansion, planning discrimination and housing rights.

Al-Marsad became a member of International Federation of Human Rights (FIDH) during its last congress held in Johannesburg in August 2016.

3. Research reports

Al-Marsad legal research in 2016 focussed on the issues of discriminatory policies against the native Syrian population; settlement expansion; land mines; natural resource exploitation, such as water and oil; planning and housing rights; forcible transfer and property destruction. In addition, legal research was conducted on the armed conflict in Syria proper.

- Settlement activities: Al-Marsad is monitoring Israeli settlement expansion and activities in the Occupied Golan.
- Landmines: Legal research and ongoing contact with Israeli civil and military authorities for the removal of military camps situated inside and around the occupied Syrian villages as well as the clearing of land mines.
- Planning and land rights: Discriminatory policies against the Syrian native population with regard to land, planning and housing rights. An initial report on the reality of planning and housing rights is being conducted in order to highlight the current situation and identify the community needs (ongoing).
-



A revised map of Syrian villages and farms destroyed by Israel, and the Israeli settlements built in their place, in the Occupied Syrian Golan.

- Following extensive research, an updated map has been created that shows the true levels of destruction of Syrian villages and farms following the Israeli occupation, and the Israeli settlements built in their place (see above).
- Legal report on the referral of the Syrian situation to the International Criminal court (ICC). Published in August 2016.
- Legal report on the Syrian refugees in Europe: Protection in Principle, Chaos in Practice. Published in March 2016
- A brochure ('Know Your Rights') on female workers' rights. Published in January 2016.

- A brochure about the work of Al-Marsad was published in November 2016.



4. Advocacy raising awareness of the human rights situation in the Occupied Syrian Golan

During 2016, Al-Marsad significantly increased its advocacy work on both local and international levels. More effective advocacy tools have been used to disseminate Al-Marsad's work more broadly to educate local and international audiences on the human rights situation in the Occupied Syrian Golan; the ongoing military conflict in Syria proper and Israeli discriminatory practices against the native Syrian community and Israeli policies to strengthen its control over the Golan and its native Syrian population.

Al-Marsad became a member of the International Federation for Human Rights (FIDH), Paris. Al-Marsad began to develop joint advocacy work with FIDH and contribute to human rights statements on issues related to human rights in the Middle East and the occupied territories.

Al-Marsad has been in regular correspondence with diplomatic missions in Tel Aviv regarding human rights violations such as home demolition orders, settlement expansion and land appropriation. Al-Marsad has also been in direct contact with a number of politicians in Europe regarding these and other human rights violations, in addition to providing updates to politicians, government officials, NGO and IGO representatives, through its mailing list and social media platforms.

As a result of Al-Marsad's work to raise awareness of the situation in the Occupied Syrian Golan, parliamentarians from Britain, the Netherlands and Ireland have asked questions in their national parliaments about their governments' responses to human rights concerns in the Occupied Syrian Golan.

During 2016, Al-Marsad has organized various workshops to discuss human rights issues with the local community for raising awareness about their right – see below.



Workshop for discussing Al-Marsad objection to District Planning Committee

- Workshop for lawyers, civil engineers and activists to discuss restrictions on land use and discrimination policies of planning, zoning and construction plans (16 April 2016, Al-Marsad);
- Workshop in cooperation with Golan for developing Arab Villages and De Colonizer – Tel Aviv on destroyed villages and land appropriation (1 April 2016, Majdal Shams, Occupied Syrian Golan);
- Workshop and memory and action tour - returning to Mansura – in cooperation with Golan for developing Arab Villages and De Colonizer – Tel Aviv (2 April 2016, destroyed village of Mansura, Occupied Syrian Golan);
- Workshop with schools parental committees to discuss impact of construction failures in school buildings and its impact on students' lives, health and safety (12 June 2016, Al-Marsad);
- Workshop for lawyers, civil engineers and activists for discussing the impact of the new adopted plan of “Hermon National Park” on the land and planning rights of the native Syrian community of the occupied Golan (13 August 2016, Al-

Marsad);

- Workshop for discussing the objection submitted by Al-Marsad to the District Planning Committee in Nazareth against “Hermon National Park” (10 September 2016).



Workshop for young leaders and human rights activists from Shfa -Amr – Galilee, (Al-Marsad, 16 October 2016)

5. Field visits and reliable information to the media and NGOs

Al-Marsad presented at meetings and conducted field visits for various media agencies, journalists, groups, delegations, international and local NGO's. Below some of these activities are listed as examples:



Field visit of destroyed village of Mansoura – School of Mansoura, 02 April 2016

- 24 February 2016, interview with Musawa TV, Nazareth;
- 10 March 2016, meeting with a group of international and local journalists – Majdal Shams, Occupied Syrian Golan;
- March 12 2016, meeting with a group of American academics and field tour, Majdal Shams, Occupied Syrian Golan;
- Several field tours for international interns;
- Field tour and workshop for young leaders and human rights activists from Shfa-Amr – Galilee, 16 October 2016;
- Field tour for Ohalo College students, 6 September 2016;
- Field tour for a journalist who works on a brochure on 50 years of occupation and meeting with Al-Marsad staff, (on behalf of Misereor and Bread for the World joint advocacy initiative – 17 September 2016);
- Joint workshop in cooperation with a group of young leaders from Galilee and grassroots activists from the Occupied Syrian Golan, 28 September 2016;
- Field visit for a group of students who specialized in planning/ Columbia University USA, 10 November 2016.



– A group from Germany, Al-Marsad 2016

7. Outputs delivered for the target group

The native community of the Occupied Syrian Golan has been identified as a main target group of Al-Marsads' work in addition to other target groups such as, the Israeli audience/authorities and the international community (UN, EU). In 2016, outputs delivered for the target groups are as follows:

- Al-Marsad is a more credible and efficient human rights organization;
- It has a stronger relationship with the local community as a result of legal consultations, raising awareness (workshops) and litigations before Israeli courts;
- An increased number of legal consultations;
- Increased correspondence challenging human rights violations before Israeli authorities and ministries (Ministry of Defence, Ministry of Education, Ministry of Interior, State Comptroller, Land Mine Authority, planning committees and others);
- Approaching local councils (designated by the Minister of Interior) regarding their practices of human rights violations, corresponding with the relevant authorities to stop these violations;
- Increased engagement with international politicians, government officials, NGOs & IGOs, and journalists
- Legal research on the human rights situation in the Occupied Syrian Golan and the living conditions of the native Syrian community;
- Legal research on the ongoing armed conflict in Syria proper;
- Stable program of settlement observation (settlement expansion, international investment, exploitation of natural resources, discrimination between settlers and native Syrian residents).
- Greater use of social media and growing social media following;

- Legal advice (about 100 legal consultations for the local community);
- Raising awareness on workers' rights (about 60 legal advices and eight cases of labour rights (four cases still pending in the court and four cases settled without having to go to court);
- Launching a new project of labour rights, including bringing litigations before the labour court to challenge violations of workers' rights. Exploring the importance of implementing new project of labour rights;
- Petitions to the High Court of Justice (two case are being prepared which challenge the land mines inside and around the Arab villages and defences in the schools buildings);
- Diplomats, journalists, groups, individuals and activists visiting Al-Marsad for field visits on human rights situation in the Occupied Syrian Golan;
- Strong relationship with the Palestinian and Israeli human rights organizations;
- An efficient internship program for international lawyers and human rights activists.
- Increasing visibility, however there is a need to put more effort on advocacy;
- Stable relations with ICRC, the UN Committee on the investigation of human rights situation on the occupied Arab territories, International Labour Organization (ILO), International Federation for Human rights (FIDH);
- Al-Marsad became a member of FIDH.

6. Litigations and legal consultations

Based on recommendations from an external evaluation conducted in 2015: Al-Marsad initiated a program to investigate, report, and challenge discrimination by the Israeli authorities by bringing lawsuits before the Israeli courts regarding labour rights, right to education, security of school buildings, the clearing of landmines in Syrian residential areas and the illegality of the exploitation of oil.

At this stage we are still corresponding with the relevant authorities as a procedural step to exhaust all avenues before filing a petition to the high court on these issues.

Several letters were sent to various authorities and local councils to request the disclosure of information in line with the Law of the Right to Obtain Information 1998.

Moreover, about 230 legal consultations for the local community were provided during 2016, including 100 consultations on labour rights. Furthermore, eight cases of labour rights were filed to district labour court in Nazareth, four of which are still pending and four other cases settled without reaching the court.

7. Staff members' implemented activities

During 2016 the staff members have implemented the following activities:

I- Majdoleen Safadi, Administrative Assistant/executive Secretary

- Prepares salaries and transfers them to employee's bank accounts;
- Follows daily administrative and financial issues;
- Pays taxes and office bills, monitors the bank account, follows-up on financial issues with the accounting office and the project auditor;
- Follows-up with administrative issues for Al-Marsad projects;
- Prepares financial reports in coordination with the project auditor;

- Works with the project auditor on the 2014 annual financial report;
- Updates the organization's website, entering data on a regular basis;

II- Salman Fakher-Eldeen, Field Researcher

Salman is responsible for the human rights field visits program. During 2016 he was engaged along with the rest of the team in the reception of international and local delegations. During the reporting period Salman, mostly in cooperation with the rest of the staff has carried out several field tours.

Salman also organizes interviews for the international researchers/interns so they can conduct their legal research. He participates in meetings with Israeli and Palestinian NGO's in Palestine/Israel and coordinates meetings for raising awareness among the local community.

III- Karama Abu Saleh, Lawyer

Karama is a lawyer and member of Israel's Bar Association. Karama has been conducting various activities, including:

- Providing legal advice to the Arab population of the Golan (around 100 consultancies were given to local community groups and individuals during 2016);
- Correspondence with various Israeli ministries and authorities (Ministry of Defense, Ministry of Interior, state comptroller, the local committee for planning, the authority of land mine cleaning, Ministry of Education, Israeli Water Company – Mekorot, local councils, Israeli local and district planning committees);
- Following up on Al-Marsad's file with the Israeli non-profit registrar office in Jerusalem (approval of the meeting's minutes of the organization's committees, preparing narrative and financial forms and sending them to the non-profit registrar office in Jerusalem);
- Following up on the clearing of land mine fields with the Israeli Comptroller Office;
- Bringing cases from a labour project to the labour courts (implementing a project on labour rights);
- Registration of a Golani child in the population registry with the Ministry of Interior;

IV-Dr. Nizar Ayoub, Director

- Leads the organization's daily work;
- Leads the internship program (Contacts interns, chooses interns, supervises the interns' daily work and assists them conducting their research);
- Conducts legal research (drafting statements, position papers and legal reports);
- Follows-up with Al-Marsad's applications for consultative status with ECOSOC and The Euro-Mediterranean Human Rights Network (EMHRN);
- Conducts fundraising (contact donors, draft funding proposals and establishing relationships with donors);
- Reports to the donors;
- Networks with local, regional and international human rights NGOs.

V- Dr. Nazeh Brik

- Leads the settlements program;
- Observes and documents settlements activities;
- Conducts an initial report on planning and housing rights;
- Produced a map of destroyed villages and farms and illegal settlements which were built on their ruins.

8. Interns

During 2016, four interns have contributed to Al-Marsad work. The interns conducted their work in cooperation with the local staff, under the daily supervision of the director.

9. Conclusions and highlights

2016 witnessed increased levels of cooperation with local and international human rights organizations. Al-Marsad participated in more collaborative meetings than any previous year and cooperated in specific fields. Some examples include: the collaboration with “Adalah” on litigation before the Israeli Court of Justice and with Al Haq regarding international advocacy (Al-Haq voted for Al-Marsad and explained the importance of Al-Marsad’s membership to the FIDH).

2016 experienced an increase in the number of field visits which were requested and carried out in the Occupied Syrian Golan. The increase in the number of individuals and groups requesting a human rights field tour is an indicator of how successful the program has been for local and international audiences and how knowledge of this service that we offer is growing in popularity through word of mouth. Some groups continue to return to Al-Marsad for a visit on an annual visit every year, for example, various solidarity groups with Palestine, journalists and the International Labour Organization.

Al-Marsad was able to establish a closer relationship with the local community. As Al-Marsad’s fundamental goal is to assist the local community, forming tangible ties with the community has always been our goal. As the external evaluation noted, a weakness of Al-Marsad (up until 2015), was not engaging the public enough and one way to rectify this was to begin operating as a free legal advice clinic. The recommendation of the external evaluation was to take lawsuits on behalf of local clients as a good method of moving the current work of Al-Marsad forward.

Al-Marsad was able to make a progress in the **next stage of its institutional development**. Hence, Al Marsad should expand its work to include human rights issues concerning civil, political, economic, social, cultural, and land rights of the native Syrian community in the Occupied Syrian Golan. Al Marsad also proceeds to work on IHL and IHRL violations due to the policies of the occupation, focusing on investigating and reporting discriminatory policies against native Syrian community.

In 2016, Al Marsad began to work on strategic litigations and test cases before the Israeli courts and other state agencies/institutions to assist the community to promote and defend its rights. Al Marsad needs to show the discrimination faced by the Syrians in the Occupied Syrian Golan at different levels compared with the Israeli Jewish settlers living in nearby illegal settlements. Accordingly, Al-Marsad began to bring impact litigation to Israeli courts and various authorities to challenge gross human rights

violations and discriminatory policies against the native Syrian community of the Occupied Syrian Golan.

While the legal research remains a crucial part of Al-Marsad's work, in 2016 Al-Marsad brought another skill to its arsenal: a stable strategy for legal advice and representation. It is now our goal to conduct 200-300s of consultations a year on various human rights issues.

2016 saw Al-Marsad's realization of the importance of legal consultations and litigations. Special focus was given to labour rights issues through giving more legal advice to the local population which we serve in order to progress to the next level as a human rights organization.

Finally, Al-Marsad has been able to greatly increase its engagement and relationships with international politicians, government officials, NGOs, IGOs and journalists.

10. Al-Marsad members/General assembly

1. Randa Mdah, an artist and social activist (New member);
2. Ni'mat Maryy, design engineer and community activist (New member);
3. Shada Safady, an artist and social activist (New member);
4. Ehab Tarabieh, camera project coordinator, B'TSELEM (New member);
5. Dr. Munir Fakher Eldin, Assistant Professor of Arab Studies at Birzeit University
6. Jamel Abu Jabal, PhD Jurisprudence
7. Atef Safadi, press photographer EPA.
8. Naif Fakhreldeen, Masters in veterinary.
9. Madad Kalani, LLM Communications, (Board of director's chairperson).
10. Madad Ewidat, farmer.
11. Nizar Ayoub, PhD International Law, Lawyer, member of Israel Bar Association
12. Abulkher Abu Jabal, MA Jurisprudence, Lawyer, member of Israel Bar Association
13. Salman Fakher Eldeen, human rights activist

14. Composition of Al-Marsad's team

1. Nizar Ayoub, Director (full time), PhD International Law, Institute of State and Law, Moscow. Lawyer-Member of Israel Bar.
2. Karama Ab, (full Saleh). LL.B, Lawyer Member of Israel Bar.
3. Salman Fakherldeen (full time), Human rights activist, Field worker.
4. Mrs Majdoleen Safadi (part time – 75%), Executive Secretary.
5. Dr. Nazeh Brik (part time 30%), PhD urban planning, senior researcher

15. The Board:

A. Committee

1. Atef Safadi, press photographer EPA.
2. Naif Fakhreldeen, M.A Veterinary.
3. Madad Ewidat, farmer.

B. Audit Control Committee

4. Dr. Munir Fakher Eldin, Assistant Professor of Arab Studies at Birzeit University
5. Madad Kalani, M.A Communications.