



February 17, 2013

Terrorism and human rights: Shawan Jabarin, human rights organization director and Popular Front for the Liberation of Palestine terrorist activist, recently visited France to participate in the anti-Israeli campaign. His visit was another example of the integration of PFLP operatives in the campaign to delegitimize Israel.



Shawan Jabarin, director of a human rights organization and a terrorist activist in the Popular Front for the Liberation of Palestine (Photo from the cosmos.ucc.ie website)

Overview

1. On **February 1, 2013**, **Shawan Jabarin**, who heads the Palestinian human rights organization **Al-Haq**,¹ paid a visit to France. For several years the Israeli judicial authorities prevented him from leaving the country. The visit was part of the anti-Israeli campaign being waged by his organization in France, and was held under the aegis of several human rights and pro-Palestinian organizations, among them the Ligue des Droits de l'Homme (HDH), a French human rights NGO established in 1898; ACAT-France (a French organization which opposes capital punishment); the France-Palestine Solidarity Association; Amnesty International; and La Plateforme des ONG

¹ See the Appendix for further information about the organization.

françaises pour la Palestine, a French umbrella network of pro-Palestinian NGOs. During his stay in France Jabarin reportedly met with French diplomats and members of Parliament (whose identities are unknown to us).

2. Interviewed by the French Arabic-language TV channel **France 24**, Jabarin spoke about a variety of topics:

1) **Palestine's participation in the International Criminal Court (ICC)** –

Jabarin complained that while every European country that wanted to join the European Union was also required to join the ICC, Palestine was not allowed to join. That meant, he said, that despite the fact that the Palestinians suffered from a "violation of their rights" and "crimes," the ICC could not provide them with a defense. **He demanded that the French support Palestinian membership in the ICC, or at least not oppose it.**

2) **Boycotting Israeli goods** – Jabarin claimed that according to international law, goods manufactured in the settlements could not be marketed because that encouraged what he called the "crime of the settlements."

3) **Stopping administrative detentions** – Jabarin claimed that members of the French Parliament had promised him they would relay the matter of administrative detentions to the French foreign minister so that he could exert pressure on Israel to cancel the policy of administrative detentions and to release the imprisoned Hamas activists of the Palestinian Legislative Council.

4) **Imposing sanctions on Israel** – Any political process in which France was involved had to be based on international law and not on the principle of direct negotiations. **Jabarin asked France to turn words into action and impose sanctions on Israel.**



Invitation to a meeting in Paris attended by Shawan Jabarin and held under the aegis of French human rights and pro-Palestinian organizations (Saphirnews.com website, January 24, 2013).

Portrait of Shawan Jabarin



Shawan Jabarin

3. Shawan Rateb Abdallah Jabarin was born in the village of Sayeir, in the Hebron district, in 1960. He is a lawyer by training and began his activity in Al-Haq in 2006 as a field worker; since then has been its General Director. Jabarin **was an operative in the Popular Front for the Liberation of Palestine (PFLP), the notorious terrorist organization founded by George Habash** which has been involved in international terrorism, including plane hijackings and mass murder attacks. As a student at Beir Zeit

University he belonged to a PFLP student cell. He was later involved in recruiting operatives for training outside Israel, **for which he was imprisoned in Israel for nine months.**

4. In February 2011 was chosen to join the **Human Rights Watch's advisory committee.** ² He is also on the board of an NGO called the Union of Health Committees, which provides medical services in Judea, Samaria and the Gaza Strip and establishes medical centers (according to unverified information, the Union of Health Committees is affiliated with the PFLP).

5. In 2009 Shawan Jabarin was not permitted by the Israeli authorities to go to Holland for an award given to individuals or institutions fighting for democracy and against discrimination, tyranny and racism. **Jabarin appealed to the Israeli Supreme Court four times but his appeals were denied for reasons of security.** At the time the Court's decision resulted in a campaign of anti-Israeli propaganda from many human rights organizations. In February 2012 the order was temporarily lifted and he was permitted to go to Geneva to participate in a UN conference (HRW website, March 2, 2012).

6. The following are paragraphs from the Israeli Supreme Court decision (Case 1520/09, March 10, 2009), relating to the Shawan Jabarin's double identity as a terrorist operative and an activist in an organization identifying itself as a human rights organization (ITIC translation from Hebrew to English, ITIC emphases throughout):

1) "This is not the first time the appellant has appealed regarding his desire to leave the country. During previous appeals as well as during this one the Court examined classified material presented by the security authorities. All previous appeals were rejected. On June 6, 2007, the Court found that "[t]he **appellant is apparently a Dr. Jekyll and Mr. Hyde, some of his time spent in directing a human rights organization, and some as an activist in an organization which has no qualms regarding murder and attempted murder, which have no relation whatsoever to rights, quite the opposite, which reject the most basic right of all, without which there are no other rights, that is, the right to life...**" On July 7, 2008, the Court found that "**there is reliable information that the appellant is a senior activist in the Popular Front terrorist organization.**

² Shawan Jabarin's appointment to the HRW's advisory committee was criticized at the time, including by people within the organization. However, HRW stressed his "contributions to human-rights causes" (Thedailybeast.com website, February 17, 2011).

2) "Today the appellant again seeks to leave the country for the purpose of receiving an award from an organization in Holland. His representative requested that in making our decision we take into consideration the need to achieve a proper balance between the concerns voiced by the security authorities – and regarding which the appellant's representative does not have sufficient information because of the privilege protecting the factual material on the one hand – and the basic right of the appellant to freedom of movement on the other. The overall position of the security authorities, in the appellant's opinion, is a violation of international humanitarian law and international human rights law. The appellant claims that what must be taken into consideration is the increased right to movement which those who defend human rights should be allowed to enjoy.

3) "...To that end we met in chambers twice, and at each meeting we held thorough, comprehensive deliberations, examining the possibility to provide an immediate answer for security constraints. **We found that the material indicating the appellant's involvement in the activities of terrorist groups is genuine and authoritative.** Moreover, **additional negative material regarding the appellant came to light after his previous appeal was rejected.** This negative foundation confirms the position of the security authorities, according to which preventing the appellant from leaving the country was in punishment for his forbidden activity, **but rather the result of relevant security considerations.** Thus the Court has not found a way to intervene in the decision given not to permit the appellant to leave the country."

PFLP Involvement in Political, Legal and Humanitarian Activities

7. The **PFLP** is a notorious terrorist organization which has been involved in hijacking planes and mass-murder terrorist attacks. The organization combined deadly terrorist attacks with ties with radical groups around the globe, adopting Marxist-Leninist ideology mixed with Palestinian nationalism. The PFLP is designated as a terrorist organization by both the United States and the European Union. In recent years its activists have become involved in Palestinian human rights organizations operating in Judea, Samaria and the Gaza Strip, and they also participate in the campaign to delegitimize Israel, including anti-Israeli lawfare.

8. In addition to Jabarin's visit to France, another PFLP activist visited the country in December 2012, invited by EuroPalestine.³ It was reported that a senior PFLP activist nicknamed **Abu Sami**, who also edits the PFLP's Ramallah-based organ *Al-Hadaf* visited France. An ITIC examination discovered that the operative Abu Sami is apparently **Omar Shhadeh, who lives in Ramallah and is a member of the PFLP's political bureau and edits its journal**. The examination also revealed that on December 12, 2012, Omar Shhadeh participated a rally held in Paris to mark the 45th anniversary of the PFLP's founding. **He gave a speech calling for extending the BDS campaign against of Israel and for trying senior Israelis in international courts** (*Dunia al-Watan*, December 12, 2012).⁴



Left: Abu Sami, PFLP activist, identified as Omar Shhadeh, editor of the organization's weekly *Al-Hadef*, as he appears on the organization's website. Right: Abu Sami (third from left) at the meeting in Toulouse; to his left is the PFLP poster (*Ladepeche.fr* website, December 9, 2012).

9. On December 27, 2012, a delegation of about 100 activists organized by EuroPalestine entered the Gaza Strip through the Rafah crossing. According to the members of the delegation (who aimed their arrival to coincide with the fourth anniversary of Operation Cast Lead) they came to break the so-called "illegal siege of the Gaza Strip." Before their departure for the Gaza Strip they campaigned in a number of cities in France, primarily to collect donations and contributions for the Gazans. As part of the campaign dozens of letters were sent to French President

³ EuroPalestine is an anti-Israeli French organization headed by **Olivia Zemor**, a French Jewish activist affiliated with the radical left. The organization has been behind two attempts to fly anti-Israeli activists to Israel's Ben-Gurion international airport (July 2011, April 2012) and one attempt to send them into Israel overland through the Allenby Bridge (auf 2012).

⁴ For further information see the December 31, 2012 bulletin "The French Anti-Israeli organization EuroPalestine sent a delegation to the Gaza Strip hosted by the Hamas administration."

Hollande demanding the imposition of sanctions against Israel (EuroPalestine website, December 17, 2012).

10. The delegation, headed by Olivia Zemor, held a display near the border fence (keeping a low profile and without provocation), and promised to promote Hamas' political agenda in French public opinion and in French and international legal forums. The delegation was accompanied by other networks involved in the campaign to delegitimize Israel, including nine members of an anti-Israeli network called Freedom Flotilla Italia, which is active in the project to send flotillas to the Gaza Strip.

11. The network's activists were received in the Gaza Strip by officials of the de-facto Hamas administration. They also **met with senior figures in the PFLP** and with representatives of other terrorist organizations. In our assessment the meetings were not random but rather another manifestation of the relations between them.

Profile of Al-Haq



Overview

1. Al-Haq is a Palestinian human rights organization **based in Ramallah**. It is headed by Shawan Jabarin, a senior PFLP terrorist operative. Al-Haq was founded in 1979 **by a group of lawyers with the express purpose of providing legal defense** for human rights issues in the Palestinian Authority (PA)-administered territories and **to use legal measures to wage a campaign against Israel**.
2. According to Al-Haq, its activities focus on providing legal help in dealing with what it calls "Israel's violations of Palestinians' rights." The organization deals with, among other things, documenting "violations" of Palestinians' rights and suing Israeli individuals and organizations in national and international courts. The organization particularly emphasizes issues such as killing, the settlements and property. It is all done through "instructing and coordinating with foreign lawyers" (according to Al-Haq's "Action Plan"). In **1999 the organization was granted consultative status by the UN's Economic and Social Council (ECOSOC)**.
3. **Al-Haq plays an important role in the lawfare against Israel as part of the overall campaign to delegitimize it,⁵ in a variety of ways:** encouraging the PA to attempt to bring suit against Israel in the International Criminal Court (ICC); anti-Israeli activity in various countries and international forums, among them the UN Human Rights Council; asking for arrest warrants for Israelis and instituting legal suits against governments, companies and corporations because of their relations with Israel (the BDS campaign). In the past the organization supported the Goldstone Commission and has used the Goldstone Report against Israel.

⁵ The organization leading anti-Israeli lawfare is the Gaza Strip-based Palestinian Center for Human Rights (PCHR), headed by a lawyer named **Raji Khader Mousa Surani**. Two other organizations which play important roles in the anti-Israeli lawfare are **Al-Haq and the Al-Mizan Center for Human Rights**. The organizations, but especially the PCHR, were an important source of false information adopted and issued in the Goldstone Report.

Al-Haq's Place in the Campaign to Delegitimize Israel

4. Like other such organizations, **in principle Al-Haq rejects the two-state solution for the Israeli-Palestinian conflict.** Izzat Abd al-Hadi, a senior member of the organization, wrote that **"If there cannot be two states, there will be one, and it will have a Palestinian majority."** Jonathan Kuttub, also a senior Al-Haq figure, supports a one-state solution. Lisa Taraki, another senior figure in the organization, is an enthusiastic supporter of the BDS campaign and was a cofounder of the BDS steering committee in Ramallah (Al-Haq Factsheet, NGO Monitor, April 4, 2011).

5. Al-Haq was one of the NGOs which participated in the **first Durban Conference** (2001) and called for a boycott of Israel (from which the BDS campaign evolved). The organization has been integrated into the campaign to delegitimize Israel since its inception and participates in all its aspects, propaganda, economic and legal. As part of its propaganda campaign it frequently accused Israel of **"war crimes"** and **"crimes against humanity."** For example, In May 2009, Al-Haq, together with an organization called Adalah issued a document entitled "Occupation, colonialism, apartheid?: a re-assessment of Israel's practices in the occupied Palestinian territories under international law." The document refers to Israel as a colonial enterprise which employs a policy of apartheid. It also appeals to the International Court of Justice (ICJ) to issue an opinion according to which Israel is a "racist apartheid colonial state" (Al-Haq Factsheet, NGO Monitor, April 4, 2011).

Al-Haq's Involvement in Anti-Israeli Lawfare

6. **Al-Haq has an important role in the lawfare the Palestinian NGOs are waging against Israel** based on the false, distorted and biased information it disseminates around the world. **The organization is active in various international forums, among them the UN's Human Council (an agency known for its hostile anti-Israeli attitude). It also attempted to act through the ICC.** In 2009 Al-Haq exerted pressure on the ICC prosecutor's office to initiate criminal investigations of Israelis. Al-Haq activists also assisted the PA in its appeals to the ICC to promote bringing Israelis to trial (Al-Haq Factsheet, NGO Monitor, April 4, 2011).

7. In the past Al-Haq examined the idea of having the PA appeal to UN agencies and gave the PA its legal opinion on the matter. The organization also **raised the suggestion to subvert the credibility of the Israeli judicial system.** The proposal included a campaign to flood the Israeli judicial system with appeals which would represent it as ineffective and unreliable, and thus the international community would

force Israel to accept international legal experts as observers during its legal deliberations.

8. Al-Haq is also **involved in the campaign to boycott Israel and harm its political and economic relations with the British government**. Al-Haq was behind petitions to the British government to stop issuing permits to British companies to export weapons to Israel. The petitions were filed by a legal firm called **Public Interest Lawyers**. Al-Haq was also involved in bringing suit against a **company in Canada** (2008) and a **Dutch corporation** (2010) for their commercial ties with Israel.⁶

9. Al-Haq, along with other Palestinian NGOs, was involved in **having arrest warrants issued in Britain for Israelis**:

1) In **2002** Al-Haq and the PCHR had an arrest warrant issue for **Israeli Minister of Defense Shaul Mofaz**.

2) In **September 2009** Al-Haq and Al-Mizan lodged a criminal complaint in Britain against **Israeli Minister of Defense Ehud Barak**. The complaint was lodged by a British law firm.

Al-Haq's Involvement in the Goldstone Report

10. **Al-Haq claims to have made a great contribution to the Goldstone Report**: "The majority of Al-Haq's work at the UN level in 2009 **can be summed up in one word – Goldstone**" (NGO Monitor, September 15, 2011). The information Al-Haq provided the Goldstone Commission **dealt particularly with the activities of the Israeli security forces and the PA in Judea and Samaria** from a viewpoint hostile to both Israel and the PA. The information was used in writing the section of the Gaza Strip dealing with the "historical context" of Operation Cast Lead. The section reviewed the Israeli-Palestinian conflict beginning with the Six Day War in 1967.

11. Al-Haq activists met with members of the Goldstone Commission who were gathering data for the Report (July 2, 2009). The members of the Commission also conducted telephone conversations with Al-Haq representatives (July 15, 2009), and held a hearing in Geneva with its head, Shawan Jabarin (July 6, 2009). The organization's name appears in the list of NGOs which supplied information used by the Commission members to write the Report.

12. Al-Haq describes its involvement in the writing of the Goldstone Report as follows (NGO Monitor, September 15, 2011):

⁶ From the Al-Haq Factsheet, NGO Monitor, April 4, 2011.

"Upon the initiation of the mission led by Justice Richard Goldstone, **Al-Haq was called upon numerous time** [sic] to make submissions to the mission. As a testament to the scope of Al-Haq's work, the mission met with Al-Haq's fieldworkers in Gaza where affidavits were also submitted. Additionally, one of Al-Haq's legal researchers attending a session in Amman, Jordan, **addressing PA violations in the West Bank during the attacks on Gaza**. Finally, Al-Haq's General Director submitted an intervention via video conference to Geneva detailing the issue of movement restriction in the West Bank via the Israeli occupying forces (ITIC emphasis)."

13. In an article in the Washington Post, Judge Goldstone retracted several severe accusations leveled against Israel appearing in the Report (Washington Post, April 1, 2011). In response **Al-Haq** and ten other Palestinian organizations **published an open letter attacking the article**. It said that "many civilian casualties and the extensive destruction of the civilian infrastructure during Operation Cast Lead cannot be attributed to human error alone...The failure of domestic investigation necessitates recourse to international justice mechanisms, including the referral by the UN security council to the international criminal court (NGO Monitor, September 15, 2011). Al-Haq continued its activities to use the Goldstone Report to defame and demonize Israel.

Sources of Funding

14. Al-Haq's website (February 13, 2013) lists the organization's core donors, among them the following:

- 1) **The Ford Foundation**
- 2) **EED, Germany** (Church Development Service)
- 3) **Christian Aid** (a Christian organization founded in the 1940s in Britain and Ireland)
- 4) **Irish Aid** (the Irish foreign ministry)
- 5) **Representative Office of Norway**
- 6) **Arab Human Rights Fund** (Lebanon)
- 7) **Medico International** (Germany)
- 8) **The People Fund of the Swiss Agency for Development** (SDC)
- 9) **The Royal Danish Representative Office of the PA**
- 10) **Swedish International Development Cooperation** (SIDA)

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- ▶ Irish Aid (Department of Foreign Affairs)
- ▶ Medico International – Germany
- ▶ Open Society Institute - US
- ▶ The Representative Office of Norway
- ▶ The pooled funds of the Swiss Agency for Development and Cooperation (SDC), the Royal Danish Representative Office to the PA, the Swedish International Development Cooperation (Sida) and the Netherlands Representative Office to the PA channelled through the NGO Development Center (NDC) - HR/GG secretariat.

The list of donors (Al-Haq website, February 13, 2013)