



Shawan Jabarin, former PFLP operative and current head of a Palestinian human rights NGO, recently submitted a report to the prosecutor of the ICC accusing Israel of “war crimes,” expecting the prosecutor to launch an investigation against Israel.

October 22, 2017

Overview

► In September 2017, the **Palestinian organization Al-Haq** published an official statement on its website stating that **four Palestinian civil society organizations had submitted a fourth extensive report to the International Criminal Court in The Hague documenting the alleged “crimes” committed by Israel in Judea, Samaria and East Jerusalem. According to the statement, the 700-page report is to be submitted for review to ICC Prosecutor Fatou Bensouda.** The four NGOs that submitted the report were the Palestinian Center for Human Rights (PCHR), the Al-Mezan Center for Human Rights, the Al-Damir Organization, and Al-Haq (Al-Haq website, September 20, 2017).

Al-Haq is an important organization in the lawfare being waged against Israel under the cover of a Palestinian human rights organization. The organization is based in Ramallah. It is headed by **Shawan Jabarin, a former operative in the Popular Front for the Liberation of Palestine**, a terrorist organization that was founded by George Habash and was involved in international terrorism, including hijacking aircraft and mass killing attacks. **In recent years, Popular Front operatives, including Shawan Jabarin, have joined Palestinian human rights organizations operating in Judea, Samaria and the Gaza Strip and are taking part in the campaign to delegitimize Israel and in worldwide anti-Israel lawfare.** These operatives maintain ties with activists of human rights organizations and pro-Palestinian organizations in **Western countries** who consider them as “leftist Palestinian” organizations fighting for “human rights.” **Al-Haq has cooperated with the Palestinian Authority in all matters pertaining to its dealings with the ICC.** In 2015 Shawan Jabarin was appointed as a member of a supreme committee for monitoring the ICC **and assisting the Palestinian Authority in its dealings with this entity.**

► The report to the ICC was submitted by **Shawan Jabarin**, together with **Nada Kiswanson, a human rights lawyer based in The Hague who represents Al-Haq in Europe and before the International Criminal Court.** The present report was prepared by Nada Kiswanson and additional researchers from Al-Haq. According to Shawan Jabarin, in contrast to previous

reports on Israel's activities in the Gaza Strip that were submitted, **the present report deals with Israel's activities in Judea, Samaria and East Jerusalem**. He also noted that **the report provides a convincing and logical basis for the prosecutor to mount an investigation** (Al-Haq website, September 20, 2017).



Right: Shawan Jabarin, holding the report before submitting it to the ICC in The Hague (Al-Haq website, September 20, 2017). Left: Nada Kiswanson (frontlinedefenders, September 25, 2017)



The press conference in Gaza held by the four organizations that submitted the report to the ICC, headed by attorney Raji al-Sourani, director of the Palestinian Center for Human Rights (PCHR). PCHR, which operates from the Gaza Strip, plays a leading role in the lawfare against Israel (Al-Haq, September 21, 2017)

► The report submitted to the ICC by Shawan Jabarin deals with Judea, Samaria and East Jerusalem since the year 2014. The report claims that senior IDF officers and Israeli government officials committed “war crimes” and “crimes against humanity” in the period under review. The so-called crimes mentioned in the report include executions, apartheid, theft, destruction and looting of Palestinian property, and the killing and murder of hundreds of Palestinians since 2014 (Electronic Intifada, September 21, 2017).

A few days after the report was submitted to the ICC by Shawan Jabarin, **the Palestinian Authority was accepted as a member of Interpol** (September 27, 2017). Shawan Jabarin presented the acceptance of the Palestinian Authority as a member of Interpol **as a move designed to facilitate the arrest of Israelis abroad. According to Jabarin**, this move benefits the Palestinians, **since it enables them to pursue Israelis who committed crimes and war crimes against the Palestinian people and to request their extradition. He said that this holds true whether they carried out their actions in the Palestinian territories or in other countries, alluding to the killing operations carried out in Lebanon against the Palestinian people** (Madar News, September 27, 2017).

Appendix A

Profile of Shawan Jabarin

Shawan Rateb Abdallah Jabarin was born in 1960. He comes from the village of Sayeir, in the Hebron region. He is a lawyer by profession. He has a BA in Sociology from Bir Zeit University. In 2004 he went on to study law in Ireland, majoring in international law. During his studies at the university, he began his volunteer work as a field researcher for Al-Haq. **At the same time, he belonged to a student cell of the Popular Front for the Liberation of Palestine (PFLP).** He was subsequently **involved in recruiting PFLP operatives for training outside of Israel and was imprisoned in Israel on this charge.** After graduating from law school in Ireland, he was chosen to serve as director general of Al-Haq. Since 2010 he has also been a part-time lecturer at Bir Zeit University.

► In an interview with France24 TV, Jabarin spoke about his childhood. He said that his mother died when he was five. His original name was Khalil. In elementary school, he decided to change his name to Shawan after his late brother and his uncle who had fought against British rule. He said that his father also fought against the British in the 1930s. When asked by the interviewer about his activities in the PFLP, he replied that these were allegations by Israel. He said that he was proud of all the Palestinian organizations, and that he had no connection with the organization. He claimed that his activity in the 1980s was “democratic” and took place within the framework of student organizations at the university (France24, July 23, 2015).



Shawan Jabarin in an interview with France24 TV, in which he speaks about his childhood (France24 TV, July 23, 2015)

Shawan Jabarin appealed to the Israeli High Court of Justice four times when the Israeli authorities did not permit him to go to the Netherlands to accept an award given to those fighting for democracy and against discrimination, tyranny and racism (2009). All four of his appeals were denied for security reasons. **The High Court of Justice's decisions clearly illustrated the fact that Jabarin wears two hats, one as a terrorist operative and the other as an activist in an organization that presents itself as a human rights organization.** For example, in its decision of June 20, 2007, the Court found that **“The appellant [Shawan Jabarin] is apparently a Dr. Jekyll and Mr. Hyde. Some of his time is spent in conducting a human rights organization, and some as an operative in an organization which has no qualms regarding murder and attempted murder, which have no relation whatsoever to rights. Quite the opposite, they reject the most basic right of all, without which there are no other rights, that is, the right to life.”**

- ▶ **In February 2011, Jabarin was elected to serve on the advisory committee of Human Rights Watch (HRW).** His appointment was criticized at the time, including by people within the organization itself. However, HRW claimed that Jabarin was doing “important work for peace” (thedailybeast.com, February 17, 2011). He was 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).
- ▶ **On February 22, 2012, the order forbidding Jabarin from traveling abroad was temporarily lifted.** In consequence, **Jabarin went to Geneva** (February 2012) under strict

conditions to attend a special UN meeting. During his visit to Geneva, he met with **Frank La Rue**, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression at the UN Office of the High Commissioner of Human Rights (Front Line Defenders website, February 23, 2012). Subsequently, **following the lifting of the Israeli ban, Jabarin traveled extensively around the world to promote the lawfare and propaganda campaign against Israel:**

- ◆ **On February 1, 2013, Jabarin visited France.** The visit to France was held under the aegis of several human rights and pro-Palestinian organizations, including the Ligue des Droits de l'Homme, a French human rights NGO established in 1898; ACAT France; the France-Palestine Solidarity Association; and Amnesty International. During his stay in France, Jabarin reportedly met with unnamed French diplomats and members of Parliament¹.
- ◆ **Shawan Jabarin participated in a session of the Russell Tribunal** in October 2012 devoted to the subject of Palestine. The tribunal was identified by many as a kangaroo court whose goal was to label Israel as an apartheid state. Jabarin was one of the 24 witnesses who testified against Israel at the tribunal (NGO Monitor, August 14, 2014).
- ▶ **On May 27, 2013, Shawan Jabarin was elected as one of the Vice Presidents of FIDH**, the International Federation for Human Rights (an independent civil society organization based in France that works to protect the political, economic, social and cultural rights of citizens). He was elected during the organization's 38th Congress, which was held in Turkey. In the same Congress, the Al-Mezan Center for Human Rights (another Palestinian organization participating in the lawfare against Israel) was also made a member of FIDH. Jabarin was also elected as a representative of the International Commission of Jurists, an international organization working to develop and implement human rights worldwide (Al-Haq website, May 28, 2013). In August 2016, FIDH held its 39th Congress in Johannesburg, South Africa. **At the Congress, Jabarin was elected as the organization's secretary-general, after previously serving as one of its 15 vice presidents.**

¹ See the ITIC's Information Bulletin from 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." See also the ITIC's Information Bulletin from March 4, 2013: "Popular Front for the Liberation of Palestine Cooperation with European Anti-Israeli Networks: Freedom Flotilla Italia as a Case Study."

In January 2015, by a presidential order issued by Mahmoud Abbas, Jabarin was appointed as a member of a Supreme National Committee for Monitoring the International Criminal Court (ICC) in The Hague. The committee has 40 members **and is intended to assist the Palestinian Authority in its dealings with the ICC** (Bir Zeit University website, February 7, 2015).

- ▶ **On November 22, 2016, Jabarin submitted the third report on the “siege” on the Gaza Strip** to ICC Prosecutor Fatou Bensouda, (PCHRGAZA website, November 22, 2016).



Shawan Jabarin meeting with ICC Prosecutor Fatou Bensouda in The Hague and submitting the third anti-Israel report on the subject of the siege on the Gaza Strip (PCHRGAZA website, November 22, 2016)

- ▶ **In April 2017, Jabarin visited Norway** as a guest of Norwegian People Aid, an organization that promotes development and cooperation and is funded mainly by the Norwegian government. In his speech on April 5, 2017, Jabarin called on the Norwegian government to recognize the Palestinians as an independent state **and to impose sanctions on Israel**. On April 6, 2017, he spoke at the Peace Research Institute in Oslo about the risks involved in the Israeli annexation of Palestine (NGO Monitor, May 14, 2017).

Appendix B

Al-Haq



Al-Haq defines itself as a Palestinian human rights NGO and is based in Ramallah. Al-Haq was founded in 1979 by a group of lawyers with the purpose of providing legal defense and employing legal measures to wage a campaign against Israel. It is headed by Shawan Jabarin. **Al-Haq plays an important role in the lawfare campaign against Israel as part of the overall campaign to delegitimize it, in a variety of ways:** dealings with the International Criminal Court (ICC); assisting the Palestinian Authority in its dealings with the ICC; anti-Israeli activity in various countries and international forums, among them the UN Human Rights Council; assistance in writing the Goldstone Report and using it for delegitimizing Israel; asking for arrest warrants for Israelis and instituting legal suits against governments, companies and corporations because of their relations with Israel (as part of the BDS campaign). This activity is carried out **in cooperation with other Palestinian organizations involved in the lawfare campaign against Israel.**

Characteristics of the organization's activity



Shawan Jabarin signing a cooperation agreement between the Al-Haq organization and the Faculty of Law at Al-Najah University in Nablus in May 2015 (University website, May 25, 2015)

► According to Al-Haq, **its activities focus on providing legal help in dealing** with what it calls “Israel’s violations of the Palestinians’ civil rights.” The organization deals with, among other things, **documenting “violations” of Palestinians’ civil rights and filing lawsuits against individuals and organizations in national and international courts.** The organization particularly emphasizes issues such as killing, the settlements, and property matters. All this is carried out **by “instructing and coordinating with foreign lawyers”** (from Al-Haq’s Action Plan on its website). In 1999, the organization was granted **special advisory status by the UN Economic and Social Council (ECOSOC).**

► **Al-Haq is active in various international forums, including the UN Human Rights Council** (an agency known for its hostile anti-Israeli attitude). **In the past, Al-Haq examined the idea of the Palestinian Authority addressing UN institutions and provided the Palestinian Authority with a legal opinion on this matter.** Al-Haq is also active at the International Criminal Court (ICC). **The organization has a permanent representation in the court in the form of attorney Nada Kiswanson.** In 2009, Al-Haq exerted pressure on the ICC prosecutor’s office to initiate criminal investigations of Israelis. Al-Haq activists also assisted the Palestinian Authority in its dealings with the ICC to promote bringing Israelis to trial (Al-Haq Factsheet; NGO Monitor, April 4, 2011).

Al-Haq’s activity in Britain, which serves as an important center for the lawfare campaign against Israel

As part of the lawfare campaign in Britain, Al-Haq, along with the PCHR (an NGO leading the lawfare campaign against Israel), attempted to have an arrest warrant issued for **Minister of Defense Shaul Mofaz (2002); In September 2009,** Al-Haq and Al-Mezan Center lodged a criminal complaint in Britain against **Minister of Defense Ehud Barak.** The complaint was lodged by two British law firms, Irvine, Thanvi, Natas and Imran Khan & Partners. The prosecution team was headed by Michel Abdel-Massih, a British lawyer of Palestinian descent who specializes in filing lawsuits against Israelis.

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

Al-Haq's involvement in the Goldstone Report

► **Al-Haq claims to have made a great contribution to the Goldstone Report.** According to the organization, the information that it provided was used in writing the section of the Goldstone Report dealing with the “historical context” of Operation Cast Lead. The section reviewed the Israeli-Palestinian conflict beginning with the Six Day War in 1967. 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 interviews with Al-Haq representatives (July 15, 2009). The Goldstone Commission also held a hearing in Geneva with the organization's head, Shawan Jabarin (July 6, 2009). The organization's name appears in the list of NGOs which supplied information used by the Commission members in writing the Report.