

# BADIL

## *Annual Report*



# 2002

**BADIL** Resource  
Center for Palestinian  
Residency & Refugee  
Rights

---

PO Box 728,  
Bethlehem, Palestine  
Tel/fax. 02-274-7346  
email: [info@badil.org](mailto:info@badil.org)  
website: [www.badil.org](http://www.badil.org)

**BADIL Resource Center was established in January 1998 and is registered as a Charitable Association under the Palestinian NGO Law.**

**BADIL's Board and Oversight Committee were elected by the first General Assembly convened on 10 March 2000 and affirmed in their position by the second General Assembly convened on 4 May 2001.**

### **BADIL's General Assembly Members**

Adnan Abelmalik (Nur Shams RC/Nablus) Adnan Ajarmeh (Aida RC/Bethlehem) Afif Ghatashe (Fawwar RC/Hebron) Ahmad As'ad (Al-Far'ah RC/Nablus) Ahmad Muhaisen (Deheishe RC/Bethlehem) Anwar A. Hamam (Balata RC/Nablus) Anwar Abu Lafi (Jerusalem) Ashraf Abu Kheiran (al-Arroub camp/Hebron) Atallah Salem (Deheishe RC/Bethlehem) Ayed Ja'aysah (Al-Far'ah RC/Nablus) Bassam Abu 'Aker (Aida RC/Bethlehem) Bassam Na'im Hawamda (Camp No.1/Nablus) Bilal Shaksheer (Nablus) Buthaina Darwish (Beit Jala/USA) Dr. Abdelfattah Abu Srour (Aida Camp/Bethlehem) Dr. Adnan Shehadeh (Arroub RC/Hebron) Dr. Nayef Jarrad (Tulkarem) Eyad Jaraiseh (Beit Sahour) Faisal Salameh (Tulkarem RC/Tulkarem) Fayyez H. Arafat (Balata RC/Nablus) Ghassan M. Khader (Balata RC/Nablus) Hassan al-Barmil (Aida RC/Bethlehem) Hussam M. Khader (Balata RC/Nablus) Ibrahim Abu Srour (Aida RC/Bethlehem) Imad Shawish (Al-Far'ah RC/Nablus) Ingrid Jaradat Gassner (Beit Jala) Issa Qaraq'a (Aida RC/Bethlehem) Issa Rabadi (Jerusalem) Jamal Ferraj (Deheishe RC/Bethlehem) Jamal Shati (Jenin RC/Jenin) Kamal al-Qeisi (Azza RC/Bethlehem) Khalil al-Azza (Azza RC/Bethlehem) Muhammad al-Lahham (Deheishe RC/Bethlehem) Muhammad Fdeilat (Aksar RC/Nablus) Muhammad Jaradat (Beit Jala) Mustafa Y. Shahab (Nur Shams RC/Nablus) Naji Odeh (Deheishe RC/Bethlehem) Najwah Darwish (Beit Jala) Rajeh al-Til (Dahariya/Hebron) Rifa' Abu Rish (al-Am'ari Camp/Ramallah) Sahar Francis (Jerusalem) Salem Abu Hawwash (Doura/Hebron) Samir Ata Odeh (Aida RC/Bethlehem) Shaher J. al-Bedawi (Balata RC/Nablus) Tayseer S. Nassrallah (Balata RC/Nablus) Terry Rempel (Bethlehem) Wajih Atallah (Kalandia Camp/Jerusalem) Walid M. Ja'arim (Balata RC/Nablus) Walid Qawasmeh (Ramallah) Wissal F. al-Salem (Nur Shams RC/Nablus)

### **Board**

*Head of Board:* Salem Abu Hawwash (Doura/Hebron)

*Deputy Head:* Tayseer Nasrallah (Balata Camp/Nablus)

*Board Secretary:* Adnan Ajarmeh ('Aida Camp/Bethlehem)

*Board Treasurer:* Bassam Abu Aker ('Aida Camp/Bethlehem)

Faisal Salameh (Tulkarem Camp)

Ahmad Ass'ad (al-Far'ah Camp/Nablus)

Afif Ghatashe (al-Fawwar Camp/Hebron)

Dr. Adnan Shehadeh (al-Arroub Camp/Hebron)

Dr. Nayef Jarrad (Tulkarem)

### **Oversight Committee**

Rajeh al-Til (Dahariyya/Hebron)

Samir 'Odeh ('Aida Camp/Bethlehem)

Wissal al-Salem (Nur Shams Camp/Nablus)

### **Executive Committee**

*Director:* Ingrid Jaradat Gassner

*Admin-Finance Officer:* Najwah Darwish

*Coordinator/Campaign Unit:* Muhammad Jaradat

*Coordinator/Resource Unit:* Terry Rempel

*Coordinator/Legal Unit:* Ingrid Jaradat Gassner and Terry Rempel (temporarily)

### **Special Board Committee, Community Emergency Projects**

*Head of Committee:* Salem Abu Hawwash

*Treasurer:* Bassam Abu Aker

Tayseer Nasrallah

Adnan Ajarmeh

Samir Odeh (Oversight Committee)

### **Organizational Affiliations**

BADIL is an affiliate of the *Child Rights Information Network* (CRIN) registered in the UK and *al-Awda/Palestine Right-to-Return Coalition* registered in the U.S.

# TABLE OF CONTENTS

---

<b>Introduction: BADIL's Environment in 2002</b>	<b>5</b>
<b>Part One:</b> Institutional Development and Public Relations	
1. Problems Encountered, Solutions Attempted (Summary)	7
1.1 BADIL Units and Staff	
1.2 Organizational Capacity Building	
1.3 BADIL Partners, Community and Expert Participation	
1.4 Organizational Affiliations	
1.5 Fundraising and Finances	
2. BADIL in Regional and International Awareness-Raising and Advocacy (Summary)	13
3. BADIL Services to Visitors and Delegations	14
<b>Part Two</b> Assessment Report - BADIL Regular Program (2002)	
1. Summary Progress Assessment	15
2. Project Activity Report, BADIL Refugee Rights Campaign	21
3. Project Activity Report, BADIL Research and Information	32
4. Project Activity Report, BADIL Legal Project	39
<b>Part Three</b> Progress Report: BADIL Special Community Emergency Projects	46
<b>Part Four</b> Financial Report	49



# INTRODUCTION

## BADIL's Environment in 2002

Jenin, 2002



In its new three-year plan (2002 - 2004) BADIL predicted correctly the major lines of the political and military developments in the current period: the unwillingness/inability of the international community (especially the United States and Europe) to intervene effectively into the renewed political crisis between Israel and the Palestinian people; the fact that non-enforcement of international law and human rights conventions would encourage Israeli governments to reassert direct military control over the 1967 Occupied Palestinian Territories; the strengthening of Israel's right wing forces and their efforts at de-legitimizing the Palestinian people and its elected leadership on both sides of the 'green line'; and, the re-invigoration of a global solidarity movement that stands up for justice, universality of international law and human rights and the rights of the Palestinian people.

The general scenario laid out in our three-year plan did not, however, help BADIL envisage the scope and concrete implications of Israeli re-occupation and violent repression of Palestinian resistance. The speed of events on the ground (March-April 'Operation Defensive Wall' followed by prolonged Israeli invasions in the context of additional and protracted

military operations code-named 'Operation Rigid Path,' 'Chain Reaction,' a.o.); the scope of destruction and deprivation in the Palestinian towns, villages and refugee camps; and, the level at which the US administration's dooms-day anti-terror policy undermined Palestinian legitimacy and supported Israel's military re-conquest, took many of us by surprise.

By the end of 2002, Israel's occupation army had effectively re-taken direct military control of all of the West Bank and major portions of the Gaza Strip. Freedom of movement between cities, towns and refugee camps was virtually non-existent, and around-the-clock curfews effectively placed under house arrest some one million Palestinians in the West Bank for most of the time since April 2002. Some 250,000 Palestinian children were unable to reach schools since September 2002. Between 60 and 80 percent of the population were lives on less than US\$2 a day. Palestinian institutions, including many ministries, hospitals and media became defunct or inaccessible for the population, and many of the symbols of Palestinian self-rule vanished from the ground.

The scenario for 2003 looks bleak. In the context of a likely US-led war

against Iraq and continued military occupation, forced displacement and racial discrimination, the Palestinian people are facing a future of life and struggle under conditions of apartheid. While the establishment of a full-fledged apartheid regime might not constitute the preferred option for many Israelis concerned about the 'democratic character of the Jewish state,' the establishment of an apartheid regime is the most likely scenario by default. Israeli elections in January 2003 are likely to produce a new Likud-led government, which - just like the current one - will be unable to rid Israel of the presence of the Palestinian people by military force. A (less likely) Labor-led government under Reserve General Amram Mitzna, on the other hand, will not have the courage to radically alter Israel's strategy and create the conditions required for a two-state solution, i.e. a full withdrawal from the 1967 OPT's, the dismantling of all Jewish colonies containing some 400,000 settlers and the re-admission, restitution and compensation of all those Palestinian refugees choosing to exercise their right of return.

Apartheid is the future scenario for the Palestinian people also because



official international efforts for ending the current crisis and re-launching political negotiations between Israel and the PLO continue to fail to address the root-causes (military occupation, displacement, denial of the right to self-determination) of the conflict between the Palestinian people and Zionist Israel. Rich in stages, time tables and demands for reform of the Palestinian leadership, and promising recognition of a 'temporary Palestinian state without borders' by late 2003, the 'road map' drafted by the 'Quartet' (United States, European Union, Russia, United Nations) is no more likely to succeed than the earlier 'Mitchel-Tenet-Zinni process'. The Quartet's initiative also avoids one of the most important lessons to be drawn from comparative research of international peace-making, i.e. the fact that peace plans must include clear reference to, and enforcement mechanisms for, international law and human rights conventions in order to have a chance of success.

Based on the above, the growing global solidarity movement will remain the only major ally of the Palestinian

people in the short term. Effective Palestinian (community) self-organization across borders and development of a broad and globally coordinated campaign against Israel's brand of apartheid, including Israel-boycott campaigns and campaigns for the indictment of Israelis responsible for war crimes, can convey a clear

message to Israel and official international actors. In the long term, they can help change the unfavorable balance of forces in favor of universal respect for international law as the foundation for building a just and durable solution to the Israeli-Palestinian conflict and Palestinian refugees.

BADIL Emergency Project, Aqbat Jaber Refugee Camp, Jericho, 2002



## **Part One:**

# **INSTITUTIONAL DEVELOPMENT and PUBLIC RELATIONS**

### **1. Institutional Development: Problems Encountered, Solutions Attempted (Summary)**

While BADIL was able to maintain a semblance of normal institutional operation in 2001, this was no longer possible in 2002. In particular, BADIL was little prepared to counter and operate under conditions of the long-term, around-the-clock military curfews, which paralyzed all major West Bank population centers in most of 2002.

Since the beginning of the second *intifada* military closure and curfews have hit refugees particularly hard. Closure and curfews continue to impact Palestinian refugees in camps, particularly in the northern West Bank. Ein Beit al-Ma' RC, Askar RC, Balata RC, Nur Shams RC, and Tulkarem RC were under curfew between 97-99 percent of the period from June to December 2002 (OCHA). Jenin RC was under curfew approximately 76 percent of the time, while the Bethlehem-area refugee camps - Aida, 'Azza, and Deheishe - were under curfew just under 50 percent of the time. Figures for towns and villages with large refugee populations under curfew are not available.

The curfew regime effectively paralyzed the functioning of BADIL's internal institutions and BADIL's community-network. While BADIL

and its local community partners were able to maintain coordinated activity under conditions of Israeli military closures in 2001, the prolonged, around-the-clock curfews introduced in 2002 represented an existential threat to institutional functioning and program implementation, especially in the local arena. In 2002 BADIL was hit especially hard on the following levels:

#### ***Paralysis of Board, Oversight Committee and General Assembly:***

BADIL's Board, represented by a limited number of members residing in the southern West Bank, was able to meet only four times in early 2002. The efforts of a special Preparatory Committee established to convene BADIL's third General Assembly failed in March and April, and efforts to set up a temporary body for guidance and supervision in the second half of the year were interrupted by the renewed Israeli invasion of Bethlehem in November. Throughout the year, several BADIL Board members were threatened with arrest by the Israeli occupation forces. One member of BADIL's Oversight Committee was held without trial in the Ansar-3 military detention center between July - November 2002. In most of 2002,

communication and decision making among BADIL's director and Board members were possible only via phone, fax and email. In this period, BADIL was administered mainly by the Staff Executive Committee, the director, BADIL's head of Board and the Board treasurer, with the occasional involvement of other Board members.

***Solutions:*** In order to stop further erosion of BADIL's supervisory institutions (Board, Oversight Committee, General Assembly) and communication with its local community network, BADIL purchased in October 2002 a wireless communication system (11 units) permitting regular low-cost communication with key-members and community partners. The wireless system was only partially operational in the last three months of 2002 due to technical problems. It is therefore yet too soon to evaluate its efficiency.

#### ***Lack of Staff Access to BADIL's Office:***

In 2002, staff was unable to access BADIL's office for almost half of the time (five of twelve months) due to the around-the-clock curfews imposed on the Bethlehem area. In the remaining seven months under



conditions of military closure of the area, numerous staff hours were lost at the Israeli checkpoints.

**Solutions:** *Work from staff homes in Beit Jala, Bethlehem and Jerusalem, initially an ad hoc response, became a routine by the second half of the year. It was facilitated by the fact that most of BADIL staff are technically skilled, ready to use personal office equipment, and dedicated and able to work without direct supervision. As a result, BADIL succeeded to continue program implementation almost without interruption. Administrative and financial management were maintained in good shape, and BADIL's 2001 annual report (including external audit) was completed in time. A series of technological improvements that will facilitate decentralized work under curfew is planned for early 2003.*

#### **Erosion of BADIL's Community-Network:**

Israeli-imposed closures and prolonged curfews, arrests, destruction, deaths, injuries and poverty in the refugee camps weakened BADIL's informal network with the West Bank refugee community. Personal meetings, especially vital for the implementation of BADIL's community-based Refugee Rights Campaign, could no

longer take place, and BADIL members, friends and community partners could not afford the cost of extensive phone-communication over a prolonged period of time. BADIL contributions to partners' phone bills could only solve part of this problem. In June 2002, the problem was aggravated by the detention without trial of BADIL's field worker in the northern West Bank (still detained by December 2002).

**Solutions:** *Key-partners of BADIL's informal community network were provided with wire-less communication sets in October 2002 (See above).*

#### **Programmatic Challenges:**

The question of how to maintain systematic advocacy work for a just and durable solution for Palestinian refugees in the context of a steadily growing political and humanitarian crisis in the 1967 occupied Palestinian territories posed an ongoing challenge to BADIL's program in 2002.

**Solutions:** *BADIL tried to give a balanced response to both urgent and immediate needs of the community and our strategic, long-term aims and objectives by:*

- **Agreeing to adopt** - on a more extensive scale than in 2001 - Special Emergency Projects which are not part of BADIL's regular mandate but

requested by the community. These emergency projects include reconstruction and repairs in the refugee camps, temporary job creation and individual aid. Small projects of this type are part of the regular activities of BADIL's Refugee Campaign. A large project (BADIL-Oxfam Solidarity-Belgian Government /DGCI) taken on in mid-2002 is implemented and supervised by a BADIL Board Committee established especially for this purpose, in order to avoid interference with BADIL's regular information and advocacy program. (For further detail see below, Part three: BADIL Special Emergency Projects.)

■ **Delegating the former assistant coordinator, BADIL Refugee Rights Campaign** to assist community organizations in the Bethlehem area refugee camps and BADIL's Special Board Committee with the implementation of community emergency projects.

■ **Integrating documentation and information dissemination about current human rights violations into systematic refugee rights advocacy.** While we assess that this effort has been fruitful so far, it has caused - and will continue to cause - **heavy strain on BADIL research staff and delays of projects** planned as part of our regular program.

For additional problem evaluation and recommendations, see below, Part two: Progress Report/Assessment of 2002 Program Impact.



## 1.1 BADIL Units and Staff

BADIL began 2002 fully staffed with 9 employees operating in one administrative support unit, three program units and in the Special Board Committee formed to implement and administer Community Emergency Projects.

A special administrative team (Special BADIL Board Committee) and financial system (i.e. separate BADIL bank account and book-keeping) were set up for management and implementation of the 2002-3 special Community Emergency Project of BADIL-Oxfam Solidarity-Belgian Government (For details see below, Part three: BADIL Special Community Emergency Projects).

In March 2002, BADIL's lawyer/coordinator, Legal Unit, decided to discontinue her work with BADIL and to take on a new position at Birzeit University. Unable to hire a new lawyer-coordinator, Legal Unit due to the emergency situation, BADIL decided to fill the vacancy temporarily from among existing BADIL staff (director; coordinator, Research and Information) and to continue implementation of the 2002 Legal Project with the help of its international voluntary Legal Support Network (LSN). In the second half of the year BADIL made significant progress in expanding and formalizing this Legal Support Network and succeeded to hire a new lawyer-coordinator, Legal Unit, who will start work with BADIL in January 2003. Moreover, a local law student was contracted temporarily (November-December 2002) for research assistance and potential training in BADIL's Legal Unit. In 2003, BADIL will continue to explore options for training local legal personnel as well as contracting international lobbyists.

### Administrative Support Unit:

Ingrid Jaradat Gassner, director;  
Najwa Darwish, admin-finance officer;  
Lama Ramadan, program secretary.

### Campaign Unit (Refugee Rights):

Muhammad Jaradat, coordinator;

#### Contracted Personnel:

Shaher Bedawi, field coordinator/Northern West Bank (January - December; under administrative detention, June - December);  
Daoud Badr, office coordinator contracted for *the Association for the Defense of the Rights of the Internally Displaced/ADRID* (January - December).

#### Volunteers:

Jamal Ferraj, journalist (January - December)  
Rosita, English teacher (March, discontinued)  
Pernille Kofod, media outreach assistant (March, discontinued)  
Mona Sadeq, English teacher (July - August)  
BADIL members (Board, GA), BADIL Friends (community activists), and partners in the global *Palestine Right of Return Coalition*.

### Resource Unit (Research and Information)

Terry Rempel, coordinator

Nehad Boka'ee project officer/research

Atallah Salem, project officer/technical support

#### Contracted Personnel:

Ellen Khouri, Jordan (editor, June - September)

#### Volunteers:

Aiman Adawi, web-assistant (July - August)

*Al-Majdal Editorial Advisory Board* (17 researchers and right-of-return activists in 10 countries).

### Legal Unit

Gail Boling, lawyer/coordinator (January - March)

Temporarily replaced by Ingrid Jaradat Gassner, director and Terry Rempel, coordinator, Research and Information (April - December);

#### Contracted Personnel:

Rayek Rezik, consultant, translator (February - July)

Shadi Abu Zarqa, research assistant/trainee (November - December)

#### Volunteers:

International *Legal Support Network* (expanded from 10 experts cooperating on a regular basis by mid-year to 40 experts and 20 activist partners at the end of 2002).

**BADIL Executive Committee** (director, admin-finance officer, unit-coordinators) is responsible for ongoing supervision, monitoring and adaptation of BADIL's regular program. In 2002, the EC was unable to hold weekly meetings, due to the frequent curfews in Bethlehem. Program implementation in this emergency situation was monitored, evaluated and adapted in the framework of irregular and extensive meetings convened whenever possible (14 EC meetings of this type were held in 2002). In periods between meetings program monitoring, follow-up and adaptation were handled via phone and email.

### BADIL Special Board Committee/Community Emergency Projects

In 2002, the Special Board Committee, composed of Salem Abu Hawwash, head of Board and head of Committee; Bassam Abu Aker, Board and Committee treasurer; Board members Tayseer Nasrallah and Adnan Ajarmeh and Samir Odeh, BADIL Oversight Committee supervised implementation of a special emergency project ("Repair, Renewal and Extension of Building in West Bank Refugee Camps") funded by the *Belgian government* (DGCI) through *Oxfam Solidarity*. The BADIL team composed for this purpose included:

#### Volunteers:

Salem Abu Hawwash, contact person for Oxfam Solidarity and DGCI

Committee members listed above (supervision of field implementation)

Muhammad Jaradat, consultant (coordinator, BADIL Refugee Rights Campaign)

#### Employees:

Ibrahim Abu Srou, special project coordinator

The demolished home of the al-Mughabi family in the Deheisheh camp and collateral damage to adjacent refugee homes.



## 1.2 Organizational Capacity Building (Training, Infrastructure Development)

For most of the year, it was not possible for BADIL to involve its staff members in professional capacity building or training. An institutional need assessment with an external expert (Judy Dueck) facilitated by the *Mennonite Central Committee* (MCC) and scheduled for July had to be cancelled, because Bethlehem was under curfew. In November BADIL was offered an opportunity for staff training by the *Norwegian People's Aid* (NPA), however implementation was delayed by yet another period of curfew. **BADIL's technical support officer, Resource Unit was able to start training with Hypertech/Bethlehem in late December 2002** (computer graphics, design, web-design), while two additional courses (advanced English; basic internet and email-networking) will be implemented in early 2003, if conditions improve.

No major infrastructure improvements were made in BADIL's office in 2002, due to fears that the office would eventually be raided by the Israeli army. Some defunct equipment was replaced (laser printer, scanner), a second hand VCR and satellite receiver, as well as a TV monitor were purchased. Electronic copies of all BADIL data were prepared and stored outside the office, in order to minimize losses in the case of an Israeli raid. Forced and unexpected decentralization of office work highlighted the need for a systematic plan of technology upgrading. This will be tackled - the curfew regime permitting - in early 2003.

## 1.3 BADIL Fundraising and Finances

### Fundraising

BADIL's expected core-budget for its 2002 *regular program* amounted to US \$312,000 (approximately US \$340,000 including special projects). For the first time in five years, BADIL succeeded to realize its budget as expected and raise grants for several longer-term projects (2002-3) and part of its 2003 program. A total of US\$385,740 was raised in 2002 for BADIL's *regular 2002-3 program*. In addition, BADIL succeeded to sign a contract (some US\$480,000) with Oxfam Solidarity for a *Special Community Emergency Project* to be implemented in 2002-3.

We attribute the success of our fundraising efforts mainly to the fact that the international community has responded to the political crisis between Israel and the Palestinian people with substantially increased funding of humanitarian projects operated, among others, by Palestinian NGOs in the 1967 OPT's. The quality of BADIL's work, and some increase in international interest in and awareness of the importance of the Palestinian refugee issue for a durable solution of the protracted Israeli-Palestinian

conflict, may have been additional factors. At the same time, we are deeply concerned about the fact that the absence of an effective international political intervention to halt Israel's re-invasion and the collective punishment of the Palestinian people (killings and injuries, destruction of public and private civilian infrastructure, closures, curfews, mass arrests, etc.) has created a situation where Palestinian NGOs, among them BADIL, face increasing difficulties with program implementation and effective and timely investment of donor funding. This problem is aggravated by prolonged closures of local banks and the interruption of banking procedures during curfews. Only the dedicated efforts of BADIL's administration enabled us to partially overcome these obstacles.

#### Financial Spending and Management:

**Separate and independent financial management and bank accounts were set-up for BADIL's *regular program* and the 2002-3 *Special Emergency Project*.**

Funding for BADIL's *Special Community Emergency Project* (2002-3) was received only in November 2002. A separate audit report is included in BADIL's 2002 audit report.

Actual 2002 BADIL spending for the *regular program* was some US \$20,000 less than expected, mainly because BADIL was understaffed for most of the year (see 1.1 above), and a series of public workshops/BADIL Refugee Campaign and release of some publications/BADIL Research Information had to be postponed to early 2003. At the same time, unplanned expenses derived from the administrative decision to allocate a staff position (12 months) for assistance to community emergency projects and to BADIL's *Special Community Emergency Project*. Expenses for this position caused a deficit of US \$13,080 to BADIL's administrative budget, which was not covered by project funding. This deficit is expected to be covered in 2003 by the *Special Emergency Project* and the balance of the 2002 grant provided by the Swiss Ministry of Foreign Affairs.

BADIL's financial planning, accounting and reporting proceeded as planned despite the difficult circumstances. Publication of BADIL's 2001 annual audit report and preparation of the 2002 annual audit report proceeded in a timely manner.

#### **1.4 BADIL Partners, Community and Expert Participation in BADIL Program Implementation**

BADIL efforts to recruit voluntary participation of local grass-roots activists and local, regional and international experts and advocacy partners are motivated by our vision of BADIL as a community-based organization, and by our firm belief in the effectiveness of collective action.

Based on the above, BADIL is deeply concerned about the fact that integration of local and international volunteers into our community-based Refugee Rights Campaign was practically impossible in 2002 for lack of physical safety and access. Several attempts to host international volunteers failed, and BADIL's ability to coordinate with its local volunteers (BADIL Friends Forum) and partners was more restricted than ever before.

**BADIL's Refugee Rights Campaign** maintained coordination and cooperation with its long-term community partners, such as the *Union of Youth Activity Centers* (West Bank and Gaza camps), the *Popular (Service) Committees*, the (Union of) *Women's Social Centers* and the

*Association for the Defense of the Rights of Internally Displaced in Israel* (ADRID). Additional community partners were local Palestinian TV and radio companies, leadership and guidance committees established in the context of the *al-Aqsa intifada* (e.g. *Emergency Committee of the National and Islamic Forces*; *National Emergency Committee for the Reconstruction and Rehabilitation of the Jenin Camp*) and Palestinian NGOs. Consultations with relevant official Palestinian institutions (e.g. *PLO Department for Negotiation Affairs*, *PLO Department for Refugee Affairs*, *PNA Ministry for International Planning and Cooperation*, *the new Refugee Secretariat*, *Palestinian Central Bureau of Statistics*) were held to the extent possible in the context of Israel's military operations.

Regional and international awareness-raising and advocacy for Palestinian refugee rights continued to be coordinated with the global *Palestine Right of Return Coalition* and its member groups in Lebanon, Jordan, Syria, Europe and North America; with international core-partners in Europe (e.g. *Oxfam Solidarity*, *Flemish Palestine Committee*, *ICCO*/Netherlands, *Norwegian People's Aid*/



NPA and solidarity committees in Switzerland); with the *Norwegian Refugee Council*, whose Banja Luka branch hosted BADIL's 2002 refugee Fact-Finding Visit to Bosnia-Herzegovina; and, with *Danchurch Aid* and the *Danish-Palestinian Friendship Association*, who supported and hosted the third annual strategy workshop of the Palestine Right-of-Return Coalition in Copenhagen.

**BADIL Research and Legal Advocacy** continued to benefit from regular advice of and cooperation with research and legal experts inside and outside Palestine, members of BADIL's *al-Majdal Editorial Advisory Board* and our growing international Legal Support Network. The Geneva based *Center on Housing Rights and Evictions* (COHRE) hosted a legal strategy workshop organized by BADIL. Networking and consultation with international agencies, especially UNRWA and UNHCR continued in 2002 (for further partner information, see below, Part Two: Project Activity Reports).

**BADIL Partner Nominations:** In 2002 BADIL's director successfully nominated the *Association for the Defense of the Rights of the Internally Displaced in Israel* (ADRID) for *The Body Shop 2002 Human Rights Award*. ADRID was one of the four winners of The-Body-Shop Award granted at the official award ceremony in London in October 2002. A 2001 BADIL nomination of UNRWA for the *2002 Conrad H. Hilton Humanitarian Prize* was less successful as UNRWA was not selected for this award in 2002. BADIL nominations are an expression of our recognition of the important role of our partners for the cause of Palestinian refugees.

## 2. BADIL in Regional and International Awareness-Raising and Advocacy (*Summary*)

### 1.5 Organizational Affiliations

BADIL became an affiliate of the *Child Rights Information Network*, (CRIN) in November 2002, and of the US-based *Palestine Right-to-Return Coalition* in December 2002. No formal answers were received to BADIL applications for membership with the local *Palestinian NGO Network* (PNGO) and "consultative status" with UN ECOSOC pending since 2001. Systematic follow-up by BADIL was not undertaken due to the emergency situation. An earlier decision to apply for membership in the regional *Arab NGO Network* in 2002 was not implemented for the same reason.

The closure of Israel's airport for holders of Palestinian passports and new entry restrictions to Jordan drastically reduced the number of BADIL members able to accept invitations to conferences and meetings abroad. In 2002 BADIL facilitated and/or participated in the following events:

■ **Consultation Workshop on the Middle East Crisis:** jointly sponsored by the *Royal Institute of International Affairs* and the *Centre for Lebanese Studies* (Oxford); Minster Lovell, UK, 27-28 April 2002 (Terry Rempel, coordinator, BADIL Research and Information).

■ **Public lecture:** "Israel's March-April Military Campaign and the Destruction of the Oslo Framework" organized at SOAS, London by Al-Awda UK, 30 April 2002 (Terry Rempel, coordinator, BADIL Research and Information).

■ **Fact-Finding Visit to Bosnia-Herzegovina (Return, Restitution):** organized for the Palestine Right-of-Return Coalition by BADIL and hosted by the *Norwegian Refugee Council*, Banja Luka; 10 - 17 June 2002 (Terry Rempel, coordinator; Nihad Boka'ee, project officer, BADIL Research and Information).

■ **International Conference:** "A Role for Europe" organized by the *International Dialogue Foundation*, *Clingendael Institute*, ICCO, *Novib and Cordaid*; Amsterdam, 14 June 2002 (Ingrid Jaradat Gassner, director, BADIL).

■ **Lobbying Meetings** with Dutch parliamentarians and representatives of political parties and unions organized by ICCO, *Novib and Cordaid*, De Hague and Amsterdam, 15 - 19 June 2002 (Ingrid Jaradat Gassner, director, BADIL).

■ **Public lectures** on the current situation in the 1967 occupied Palestinian territories and background on Israeli policies organized by the *Palestine Solidarity Committee* and the *Society Swiss-Palestine* in Basel and Solothurn, Switzerland, 21 and 22 June 2002 (Ingrid Jaradat Gassner, director, BADIL).

■ **Strategy Workshop** organized for *BADIL's international Legal Support Network* by BADIL and the *Center on Housing Rights and Evictions* (COHRE), Geneva, 26 June 2002 (Terry Rempel, coordinator, BADIL Research and Information; Ingrid Jaradat Gassner, director, BADIL).



■ **Consultation Workshop on Refugees and Host Countries in International Law** organized by the *Royal Institute of International Affairs* and the *Centre for Lebanese Studies* at Minster Lovell (7-8 September).

■ **'The Experience of Expulsion,'** a pilot project workshop on oral history and the Nakba organized by Karma Nabulsi, Nuffield College/Oxford University and Ilan Pappé, University of Haifa (Terry Rempel, coordinator, BADIL Research and Information)

■ **'Recent Research Trends on Palestinian Refugees,'** a workshop organized by *Shaml*, Ramallah, 16-17 October 2002 (Terry Rempel, coordinator, BADIL Research and Information; Ingrid Jaradat Gassner, director, BADIL).

■ **3rd Annual Strategy Workshop, Palestine Right-of-Return Coalition**, Copenhagen, 12-15 December 2002: co-organized by *BADIL and the Palestinian Return Committee-Denmark* and hosted by the *Danish-Palestinian Friendship Association* (Muhammad Jaradat, coordinator, BADIL Refugee Rights Campaign).

■ **Council of Europe, Budapest Hearing on Palestinian Refugees in Europe**, Budapest, 16 December 2002: organized by the *CoE Committee on Migration, Refugees and Demography* (BADIL working paper, Terry Rempel, BADIL Research and Information).



Meeting with international delegation, BADIL 2002

### 3. BADIL Services to Visitors and Delegations

Tight military closures and curfews in the first half of 2002 led to the cancellation of visits of dozens of delegations and individuals. Some of them were partially compensated by phone interviews with BADIL staff. Only some 100 international visitors could reach BADIL's offices in the first half of the year. During Israel's March-April military operation senior BADIL staff were a focal point for international media concerned about the developments around Israel's siege of the Nativity Church (some 30 phone interviews). The number of visitors increased slightly in the period between 19 August to 19 November, when the tight curfew regime was lifted in the Bethlehem region. Many international solidarity delegations,

however, continued to cancel their missions due to fears for personal safety and curfews in other West Bank areas, or because their members were denied entry at the Israeli airport. Between 20 November and the end of December, when the curfew regime was re-imposed in Bethlehem, BADIL did not receive additional international visitors.

In total, an estimated number of 300 visiting solidarity activists and journalists were briefed on political developments, BADIL's approach to the Palestinian refugee issue and refugee rights, and taken on guided tours to refugee camps in the area. Hundreds of additional information requests were handled via the internet.

## Part Two:

# ASSESSMENT REPORT

## BADIL Regular Program and Projects (2002)

### 1. Summary Assessment

2002 program implementation proceeded pursuant to aims and objectives outlined by BADIL's new three-year plan (2002 - 2004).

**BADIL's Long Term Aim:** *Implementation, in the framework of a peaceful settlement of the Israeli - Palestinian/Arab conflict, of a durable solution to the Palestinian refugee question in accordance with UN Resolution 194 (return, restitution, compensation) and relevant international law that is accepted as just and adequate by the refugees themselves.*

#### Program Objectives and Focus (2002 - 2004)

##### a) BADIL Refugee Rights Campaign: Overcome the Marginalization of Palestinian Refugees -

**Local Component:** sustained awareness-raising and information for durable solutions based on international law and UN resolutions, especially UN Resolution 194; promote a unified Palestinian position and strategy; establish a formal framework of coordination among local refugee community and right-of-return initiatives; initiate a rational debate about Palestinian refugees' right of return with progressive sectors of Jewish-Israeli society.

**Regional-International Component:** Expand global right-of-return networks, including cooperation with similar initiatives of displaced and landless people world wide, for joint strategizing and effective advocacy.

**b) BADIL Research and Information: Contribute to the Establishment of Effective International Mechanisms to Remedy Violations of Palestinian Refugee Rights -** Map-out mechanisms for the implementation of a durable solution as well as mechanisms for day-to-day rights protection; conduct and information and awareness-raising campaign highlighting Palestinian displacement and dispossession as the root cause of the historical Israeli-Palestinian conflict and promote mechanisms of remedy based on relevant international law and UN resolutions among the Palestinian refugee community (via BADIL's Refugee Rights Campaign) and Arab and international experts and policy makers.

**c) BADIL Legal Project: Contribute to the Strengthening of International Law, UN Fora and UN Resolutions in Providing a Just and Durable Solution, a well as day-to-day Rights Protection for Palestinian Refugees -** Provide international law analysis of Palestinian refugees' rights (return, real property restitution, compensation) and document the scope of current rights violations; promote awareness among the Palestinian refugee community (via BADIL's Refugee Rights Campaign), the UN system, and Arab and international experts and policy makers; advocate and lobby among the UN system, international organizations, NGOs and policy makers for stronger resolutions, rulings and statements affirming Palestinian refugee rights, as well as proper enforcement strategies.

#### 1.1 Assessment of Impact, 2002 BADIL Program (based on BADIL indicators)

##### BADIL Refugee Rights Campaign:

a) Did not accomplish significant progress towards its major objectives with regard to the local Palestinian refugee community in the 1967 occupied Palestinian territories in 2002:

■ Awareness-raising; Developing Palestinian Consensus and Strategies: There is no doubt about the existence of a popular consensus on the right of return of Palestinian refugees. It has been expressed in numerous occasions, one of the most recent being the strong, community-based public protest against Sari Nusseibeh's proposal ('Nusseibeh - Ayalon Agreement'), which is based on the violation of this right. However, the current public consensus is still very much based on emotions. It lacks sophistication and in-depth rights-based analysis, a fact that represents an obstacle for the development of effective advocacy strategies. As in 2001, BADIL contributed far too little to clarifying rights and mechanisms available for refugee return and property restitution also in 2002. While we attribute this failure mainly to external factors beyond our control (cancellation of workshops and debates due to lack of physical safety

and military curfews; cancellation by invited expert speakers), delays in the production of needed research reports by BADIL's Resource Unit were an additional factor. BADIL's first Refugee *Fact Finding Visit* to Bosnia-Herzegovina was a step in the right direction, however video documentation about this visit and a series of legal workshops (scheduled for January 2003) must yet be used in order to trigger a broader debate.

■ Developing the Local Community Network: As in 2001, concrete steps towards a more effective and formal mechanism of coordination among refugee community organizations and stronger refugee women participation could not be launched in 2002. While objective external factors (e.g. physical restrictions of movement, economic deprivation, lack of physical safety) represented the major obstacle, several subjective factors were identified for discussion and solution in 2003:

- Lack of readily disseminable BADIL campaign tools to compensate for cancelled workshops and debates;

- Break-down of regular, program-related communication between BADIL and community partners. Email is not (yet) a substitute for personal meetings on the community level, because activists have no habit of email communication; BADIL's

fax-list was no longer operative in 2002; and, the wireless communication sets purchased at the end of the year were only partially useful (only some community partners used them for work-related networking);

- A new, negative "state of mind" among many community activists, most likely as a result of the frustration of hopes and human suffering. It is characterized by a loss of the ability to "think big" and in global terms, a focus on immediate issues and a very localized perspective of the Palestinian cause. It is an obstacle to creative collective thinking about long-term and global strategies.

- A new tendency (maybe related to the above) by veteran community activists to build - and by BADIL to support - local and isolated 'refugee projects' on the expense of the national bodies (e.g. *Union of Youth Activity Centers, Union of Women's Centers, Popular Service Committees*) that played a major role in country-wide refugee rights networking and organizing between 1995 - 2000. It will be BADIL's tasks in 2003 to challenge this tendency of localization and help rebuild effective community-based national unions and networks.

**b) Made significant progress on the level of regional and international networking/coordination and joint partner-advocacy for Palestinian refugee rights:**

■ Expanding the Regional and International Network and Coordination: unhampered by the negative factors outlined above, BADIL's regional and international partner network continued to grow steadily in 2002. In particular, BADIL was able to improve coordination and cooperation with civil society organizations in Arab countries, Europe and North-America. Also the third annual Strategy Workshop of the Palestine Right-of-Return Coalition (Copenhagen, December 2002) attracted more Palestinian and international delegates than ever before. It will be BADIL's task in 2003 to formalize communication with its partner network (e.g. by means of more frequent networking-meetings), in order to be better able to impact the global discussion about organizational and advocacy strategies.

■ Increasing the Scope and Effectiveness of Joint Refugee Rights Advocacy: although quantitative indicators are not available, we assess - based on partner feedback - that BADIL's information and advocacy efforts in 2002 have contributed to keeping Palestinian refugee rights on



Palestinian Refugee Fact Finding Visit to Bosnia-Herzegovina, June 2002

the regional and global agenda, despite ongoing Israeli and international political pressure to exclude them from future Middle-East peace efforts (e.g. 'Saudi Plan' and 2002 Beirut Summit of the Arab League; 'road map' drafted by the 'Quartet'). We also assess that BADIL networking and awareness-raising have contributed to the launching of the new global campaigns to end impunity for Israeli war crimes and boycott Israel until it abides by international law and UN resolutions (including UN Resolution 194), as well as to heightened public awareness of Israel's brand of apartheid.

**c) Could not Improve Refugee Access to the Palestinian and Arab Leadership, Policy Makers and Negotiators:** Despite sustained BADIL-initiated efforts, official Palestinian institutions directly relevant for Palestinian refugees (PLO Negotiations Affairs Department and Legal Support Unit, PLO Department for Refugee Affairs and the PNA Ministry for International Planning and Cooperation) were less accessible in 2002 than in the past. We attribute this mainly to the break-down of regular and systematic work on the refugee

issue on the leadership level caused by Israel's military and propaganda campaign against the Palestinian leadership and to the absence of political negotiations over final status issues, among them the refugee issue.

**d) Accomplished Some Initial Steps towards Building a Sustained Rational Dialogue with Jewish-Israelis about the need for and mechanisms of a rights-based solution for Palestinian refugees:**

In the autumn of 2002, BADIL compiled a selected e-mail list of Israeli individuals and organizations and informed of BADIL's forthcoming Hebrew-language Information Packet/ The Right of Return. Positive responses, including offers of future cooperation in dissemination and discussion of BADIL's Packet, were received from members of several Israeli initiatives and organizations, such as *Zochrot*, *New Israel Profile* and the *School for Peace/Neve Shalom-Wahat al-Salam*. Follow-up on these offers is currently being prepared by BADIL in cooperation with the *Association for the Defense of the Rights of the Internally Displaced in Israel* (ADRID) and will be implemented upon release of the BADIL Packet in January 2003.

## **BADIL Research and Information:**

### **a) Accomplished Initial Steps towards Clarification and Promotion of Effective Mechanisms for Remedy of Violations of Palestinian Refugee Rights:**

■ Produced valuable research on mechanisms of international protection available for Palestinian refugees. However, major additional effort is yet required in order to clarify the concrete meaning of 'mechanisms' for refugee return and property restitution and day-to-day rights protection. While the issue of international protection was tackled systematically, additional research is required with regard to regional mechanisms and mechanisms of refugee self-organization. Moreover, current 'protection gaps' affecting refugees in various geographic regions have yet to be identified systematically. A number of problems identified in 2002 will have to be addressed in 2003, in order to increase research output:

Our 2002 work plan included too many research projects requiring major conceptualization, which resulted in a workload impossible to accomplish. The result was a delay of all projects and publications, which had a negative affect on other BADIL units in need

of timely research/ publications in order to implement their activities (especially BADIL Refugee Rights Campaign).

The option of recruiting external experts to author some of BADIL's research/ publications was not used sufficiently, especially with regard to *al-Majdal* magazine, *Briefs* and study papers.

The need to work in decentralized fashion during the long periods of curfew when BADIL's office was not accessible highlighted the deficiencies in the technological infrastructure at BADIL. Too much valuable staff time was spent on problem solving. Office technology upgrading based on systematic need assessment must be a priority in 2003.

■ Produced Useful Campaign and Advocacy Tools: Timely awareness-raising and information tools were widely disseminated via the internet and BADIL email lists. Dissemination of information and advocacy tools among local community partners was not as wide as planned for the reasons mentioned above and because Resource Unit staff was too much involved in research production and too little in marketing and dissemination. Efforts at marketing must be increased in 2003, including installment of 'PAY PAL' for purchases of BADIL resources via the internet and international registration (ISSN, ISBN) of BADIL publications.

**b) Succeeded to Increase Interest in Rights-Based Research and Advocacy for Palestinian Refugees among the International Expert Community:** The high quality of BADIL research has remained one of BADIL's major assets also in 2002. It continued to motivate numerous international experts to revisit, critically, traditional research and positions regarding the Palestinian refugee question, and to take serious the merits of a rights-based approach. Professional recognition of and respect for BADIL's research and analysis facilitated the expansion of BADIL's expert support network and successful re-organization of BADIL's Legal Support Network in 2002 (see below, Legal Unit).

## **BADIL Legal Project**

**Despite the lack of a BADIL lawyer-coordinator, BADIL Unit for most of the year, BADIL's Legal Project accomplished important steps towards our mid-term objectives:**

■ Production of legal research and submissions: legal research proceeded as planned (with minor delays) and numerous legal papers/opinions were submitted to international fora (UNHCR, UN ECOSOC, Council of Europe, a.o.).

■ Developing the BADIL Expert Network: represents the major project achievement in 2002. Opportunities offered as a result of the productive BADIL-COHRE expert partner workshop held in Geneva in June were used successfully. Expert input facilitated the design of an improved and coherent project work plan for 2003/4. The informal expert partner network was transformed into a new Legal Support Network (LSN) with formal membership (40 legal and research experts and 20 core activists partners, also partners in BADIL's Refugee Rights Campaign). LSN members were introduced to the 2003 work plan/BADIL Legal Unit and by December 2002 many of them had made commitments to the implementation of specific projects in 2003. Special efforts must yet be made, in order to increase LSN membership of Palestinian/Arab experts. We regard BADIL-LSN as a model for regional-international networking and cooperation that should be followed by other BADIL program units in 2003.

■ Legal Awareness-Raising, Advocacy and Lobbying for the Affirmation of Palestinian refugee rights in accordance with international law and proper enforcement strategies: Due to the lack of a BADIL staff lawyer, lobbying of UN treaty bodies could not be implemented as planned. (However, no major sessions were on the agenda in 2002 and no major opportunities were missed.) BADIL's





International delegation visiting shelled refugee home, Aida Camp 2002

sustained dialogue with UN agencies, on the other hand, was very fruitful in 2002: a new and improved interpretation of the status of Palestinian refugees was issued by the UNHCR in September 2002, and BADIL was informed about plans by UN agencies to re-examine current 'protection gaps' affecting Palestinian refugees. While numerous legal issues pertaining to international protection of Palestinian refugees remain to be clarified (e.g. special restrictions on durable solutions deriving from UN Resolution 194), the fact that an organized debate was launched by UN agencies is encouraging. Moreover, Palestinian and other Arab NGOs showed increased interest and readiness to tackle the issue of Palestinian refugee protection and appropriate mechanisms. It is time, therefore, for BADIL to set an initiative for a professional debate among Palestinian and Arab NGOs and experts in 2003.

In general, BADIL is dissatisfied with the fact that 2002 progress towards some of our objectives was significantly slower than expected. However, we also assess that due to program adaptations undertaken, BADIL succeeded to remain an address for the concerns and needs of the local refugee community in this period of existential political and humanitarian crisis. For a small professional advocacy organization with very limited resources like BADIL this is an achievement, which will facilitate implementation of our community-based program in the future.

## 1. 2 Assessment of General Trends (based on BADIL indicators of trends beyond direct control by BADIL's program)

Increased awareness and interest result in international statements and actions affirming Palestinian refugee rights: Rising frustration with Israel's policies and growing interest in and awareness of the merits of a rights-based approach to the Palestinian refugee issue among international agencies and organizations do not (yet) find their expression in international policy recommendations. In 2002, there was no major international initiative in favor of the rights of Palestinian refugees, and efforts by think tanks, policy makers and politicians to resolve the refugee issue by violating Palestinian refugee rights - especially their rights of return and real property restitution - continued as in the past. A major problem remains the fact that western public opinion continues to perceive Israel as a 'normal' (i.e. legitimate, lawful and democratic) state and a refuge for the persecuted Jewish people. While the international community also recognizes that the Palestinian people have rights, the perception of Israel as a state with 'special moral standing deserving special treatment by the international community' represents a major obstacle to the recruitment of international public opinion in favor of implementation of universal standards and international law also in the case



2nd Annual Meeting of the Palestine Right-of-Return Coalition, Brussels, 2001

of Israel. This and the unfavorable balance of power, lead, among others, to the widely held position that Palestinian refugees may have a right of return, but that implementation of this right is 'not practical.' Since Palestinian NGOs like BADIL do not have the means to change the balance of power, our efforts must focus on changing how Israel is perceived. BADIL can have a significant input in the emerging global Israel-boycott campaign and campaigns against Israel's war crimes and apartheid regime.

An expected right-wing back-lash among Israeli society can be challenged successfully and rights-based dialogue with an influential sector of the Jewish-Israeli public about rights-based solutions for Palestinian refugees can be launched: On the local level, the combined awareness-raising and advocacy efforts of Palestinian (and very few Israeli) civil society organizations were unable in 2002 to prevent implementation of new racist Israeli policies and legislation aimed at preempting a future rights-based solution of the conflict in general, and the Palestinian refugee question in particular. The year 2002 has witnessed an unprecedented public campaign aimed at marginalizing and de-legitimizing the Palestinian leadership in Israel and the 1967 occupied territories and the growth of Israeli public support for forceful evictions and population transfers. Palestinian fears that the future Israeli government will exploit the likely US-led war against Iraq, in order to forcefully change the demographic and political balance on the ground are therefore justified.

## **Project Activity Report:**

### **BADIL Refugee Rights Campaign**

#### **Activities Planned for 2002**

##### Lectures/Public debates:

■ A Series of public workshops on international mechanisms and experience with real property restitution in the context of a visit to Palestine by Scott Leckie, Center on Housing Rights and Evictions (COHRE) Geneva, planned for May 2002;

■ Public presentations and press briefings around new BADIL publications (2001 Survey: Palestinian Refugees; Comparative Study on Refugee Return and Restitution; Palestinian Refugees' Individual Right to Restitution - Legal Analysis) and BADIL's 2002 Refugee Fact-Finding Visit to Bosnia-Herzegovina;

■ Fact-Finding Visit to Bosnia: Preparation and implementation.

■ Disseminate BADIL Hebrew-language Information Packet/ The Right of Return and start follow-up debates.

##### Media Projects and Campaign Tools:

■ Launch 2002 media projects: weekly TV-series "194" (with al-Rou'ah TV, Bethlehem) and weekly radio program "Awaiting Return" (with Radio Bethlehem 2000);

■ Production and presentation of an educational video documentary about return and real-property restitution in Bosnia.

##### Community Capacity Building and Training:

■ Training courses for refugee children

■ A series of community consultations towards the improvement of communication and a more formal mechanism of coordination among refugee community organizations and right-of-return initiatives in Palestine (including pilot project/newsletter in Arabic).

■ Continue support of institution building/Yafa Cultural Center and Association for the Defense of the Internally Displaced in Israel; jointly prepare presentation and dissemination of BADIL's new Hebrew information packet/Right of Return among the Jewish Israeli public.

##### Support Refugee Community Initiatives:

■ Facilitate public events raising the issue of refugee rights, especially events in the context of the 2002 anniversary of Land Day (March), the Palestinian Nakba (May), Memorial of the Sabra-Shatila massacre (September), UN Day of International Solidarity with the Palestinian People (November), anniversary of UN Resolution 194 (December);

■ Facilitate refugee children's summer camps

■ Provide emergency assistance to refugee community organizations according to the means available at BADIL for this purpose.

##### Regional and International Networking and Advocacy:

■ Regular dissemination and exchange of information; develop new advocacy tools;

■ Design and discuss with European partners a plan for systematic and more effective lobbying for Palestinian refugee rights among the EU and EU member states;

■ Joint launching of BADIL 2001 Survey: Palestinian Refugees with partners in Britain and North America;

■ Conduct 3rd Annual Strategy Workshop of the Palestine Right-of-Return Coalition

## 2002 Project Implementation: Adaptations and Achievements

### 1. Local Community Awareness Raising and Empowerment

#### ■ Initiating Public Debate

Workshops and Briefings on Mechanisms of Return and Restitution: Despite repeated rescheduling and preparations throughout 2002, none of the planned workshops for/debates with the Palestinian public could be implemented. The first series of expert workshops on international principles guiding refugee return and property restitution scheduled with Scott Leckie/*Center on Housing Rights and Evictions* (Geneva) in May had to be cancelled due to the massive Israeli military operations. A second attempt to hold at least one of these workshops outside of the 1967 occupied territories (with the *Association for the Defense of the Rights of Internally Displaced* failed, because our expert speaker had to cancel his visit to Palestine. A third attempt at a series of workshops on lessons to be learned from international refugee repatriation and property restitution with Paul Prettitore/Legal Advisor to the OSCE in Bosnia-Herzegovina had to be postponed due to the re-imposition of the curfew in the Bethlehem area; it was rescheduled for January 2003. Public briefings and debates about

BADIL research reports and BADIL's 2002 Fact-Finding Visit to Bosnia-Herzegovina had to be postponed to 2003 due to delays in production.

Refugee Fact-Finding Visit to Bosnia-Herzegovina (BiH): BADIL's first fact-finding visit to study the experience of refugee return and real property restitution in BiH was implemented as planned between 10 -17 June 2002. The *Norwegian Refugee Council* agreed to host BADIL's delegation in Bosnia and provided valuable logistic assistance (visa, program, etc.). Additional help was provided on personal basis by friends of BADIL in BiH. A 13-member delegation was composed (2 BADIL staff, 2 refugee community activists/West Bank, 1 delegate/Internally Displaced/Israel, 8 delegates of refugee rights initiatives in Lebanon, Jordan, Syria and Europe), and background information about the conflict/peace process in BiH was disseminated. Ten of the 13 delegates finally succeeded to leave for Bosnia on 10 June. The study tour took delegation members from Sarajevo in the Federation of Bosnia-Herzegovina, through various villages, to Banja Luka in the Republica Srpska. For one week, the delegation, headed by BADIL's research coordinator, met with international officials (OHR, CRPC, UNHCR, and OSCE) and BiH government officials responsible

for the implementation of refugee return and restitution (Minister for Refugees and Displaced in the Sarajevo Canton, Deputy Minister for Refugees of the Republica Srpska). Meetings and field visits were also held with refugees and displaced persons from the Bosniac, Serb and Croatia communities in BiH, among them the Association of Refugees and Displaced Persons (a multi-ethnic NGO established in 1992 based on the initiative of various refugee unions) and with returnees in Banja Luka and the village of Grahovo. Reports about the 2002 Fact-Finding visits were written by several delegates and published by the Arabic press in Lebanon and Israel.

Dissemination and Debate with the Jewish-Israeli Public: In the autumn of 2002, while BADIL's Hebrew-language Information Packet/*The Right of Return* was still under production (see below, Activity Report, BADIL Research and Information), BADIL compiled a special email list of some 50 Israeli organizations and individuals and informed them of the forthcoming Hebrew-language Information Packet. Several positive responses, including offers of future cooperation in dissemination and discussion of the BADIL Packet, were received from individual members of Israeli initiatives and organizations, such as

*Zochrot, New Israel Profile* and the *School for Peace/Neve Shalom-Wahat al-Salam*. Zochrot requested permission to use the BADIL manuscript for its Hebrew-language web-site and published sections of the BADIL Packet in November 2002 (see: [www.gush-shalom.org/Nakba](http://www.gush-shalom.org/Nakba)). Systematic follow-up of the initial offers of cooperation as well as broader publicity will have to wait until the release of the BADIL Packet in 2003.

#### Media Projects and Campaign Tools:

TV Series "194": was launched as planned in January but discontinued in April, when *Al-Rou'ah TV* was closed-down by the Israeli military occupation. Six parts of the series were broadcast twice weekly and received much positive feedback from the public (especially the permanent section featuring questions about refugee rights to the public in the street). *Al-Rou'ah TV* gradually re-started broadcasting in the autumn of 2002, however production and broadcasting of the joint TV series was not resumed.

Radio Series "Natreen Awda": launched in 2001, the radio series continued on a weekly basis between January - April 2002. It was discontinued after 10 broadcasts in April, when operation of *Radio Bethlehem 2000* was interrupted by the Israeli invasion. Broadcasting of the radio series was resumed in early June, first irregularly then weekly, until November. It was discontinued in

December 2002 (total number of broadcasts: 20).

Educational Video Documentary, "*Experiencing Return: BADIL Fact Finding Visit to Bosnia-Herzegovina, June 2002*": Production of this 20-minute documentary was undertaken as planned in the context of the June visit of BADIL's fact-finding delegation. A draft edit prepared in Bosnia by a contracted video-journalist was completed in Palestine (ISIS Productions, Beit Sahour) by BADIL. In response to partner requests, an English version of the film was produced in addition to the Arabic original. A first public screening was organized in the framework of the 3<sup>rd</sup> annual Strategy Workshop of the Palestine Right of Return Coalition in Copenhagen (December). Due to the

need to produce accompanying materials (fact sheet, video cover), **official release of this BADIL video was postponed until early 2003**, when it will serve as an information and advocacy tool for BADIL and partners.

**Note:** Additional advocacy tools, including a poster and a 2003 Calendar/'We Will Return,' were produced for the BADIL Campaign by BADIL Research and Information (see Project Activity Report below). An International Media Outreach Project designed in March with the help of a volunteer provided by Danchurch Aid could not be launched due to the Israeli invasions in March-April, when BADIL was forced to close down its office.

Graduation ceremony at the UNRWA school, Aida refugee camp, 2002





## ■ Community Capacity Building and Training

### Training:

English-language Training for Community Organizations: An English language training course planned in the Aida refugee camp (with *al-Rowwad Children's Center*) was stopped after one preparatory meeting by Israel's April-May invasion. In late May, *al-Rowwad Center* was raided by Israeli soldiers and equipment was destroyed. Four English courses were implemented under conditions of curfew in the Aida camp in July-August with the help of a dedicated BADIL volunteer teacher. Each course (children beginners; children advanced; basic course for adults; special course for the administrative staff of *al-Rowwad Center*) was composed of 13 sessions. 100 refugee children and adults benefited from training.

Training Program, al-Rowwad Summer Camp: BADIL supported al-Rowwad's summer camp program for the children of Aida refugee camp (computer training, theater and Dabka-dance training, language courses in Arabic, French and Hebrew). Approximately 200 children and youth benefited from this activity.

First Aid Training, Women's Activity Center/al-Am'ari Camp (Ramallah): BADIL facilitated implementation of a course in first aid and psychological health organized by the Women's Center for 60 women participants in November 2002.

### Community Network Building:

Community consultation about a new mechanism for communication and coordination among refugee community initiatives in Palestine could not be implemented due to the emergency situation. A number of key issues of concern were identified by BADIL in the course of 2002 for in-depth debate and assessment with members and community partners at the earliest possible date in 2003 (see above, Summary Assessment).

Coordination with Community Partners: Throughout 2002 the traditional way of coordination by means of personal meetings was no longer feasible due to Israel's military attacks on refugee camps, closures and curfews. Massive Israeli arrests among refugee activists since the late spring of 2002, including BADIL's field worker in the Balata camp (Nablus), further weakened BADIL's ability to maintain regular communication with refugee community partners across areas. Phone, fax and email proved to be inefficient substitutes. BADIL's community partners could not afford the expenses of phone-communication over a prolonged period of time; BADIL contributions to phone bills could only solve a minor part of the problem. In September 2002 BADIL decided to purchase wireless sets for communication with key partners and members: *Yafa Cultural Center* and BADIL Board (Balata camp, Nablus); *Popular Committee* and BADIL Board (Tulkarem); *Union of Youth Activity Centers* (Kalandia camp, Jerusalem);

*Union of Women's Centers* (al-Am'ari camp, Ramallah); *Popular Committee* and BADIL Board (Bethlehem); BADIL Board (Hebron); *Popular Committee/Union of Youth Activity Centers* (Gaza); *Association/Internally Displaced* (Galilee) and one set for BADIL's Bethlehem office. The wire-less system became operational in October 2002. Unexpected technical problems (early introduction of pay-cards by the providing company and user problems) created a situation where the system was only partially operative between October - December 2002. Final assessment of its efficiency was therefore postponed until early 2003.

### Capacity Building/Association of Internally Displaced in Israel (ADRID)

Throughout 2002, BADIL **continued as planned** to contribute to the salary expenses of ADRID's office coordinator (the only paid staff) and provided advice in activity planning and fundraising. A special opportunity for the promotion of the case of internally displaced Palestinians in Israel and ADRID was provided by the BADIL director's successful nomination of ADRID for the 2002 Human Rights Award granted by the British cosmetics retailer The Body Shop. ADRID was selected as one of the four award-winners, together with grass-roots housing rights initiatives from Bulgaria, Honduras and Kenya. The occasion of the official award ceremony held in London on 29 October 2002 was used for an



Al-Rowwad Children's Center, 'Aida Refugee Camp 2002

awareness-raising and information campaign about internally displaced Palestinians in Israel by BADIL and ADRID (press articles and internet dissemination). Moreover, BADIL succeeded to arrange for the continuation of institutional support for ADRID: *The Body Shop* grant provided as part of the award will enable the Association to undertake overdue improvements in infrastructure and administrative management in 2003, and BADIL will administer a 2003-4 project grant provided to ADRID by the *Norwegian People's Aid*. Several attempts were made in the second half of 2002 to hold a daylong BADIL-ADRID work meeting, in order to assess past and plan future cooperation (including cooperation around BADIL's Hebrew-language Information Packet). Such meeting, however, was not feasible in 2002 and was rescheduled for January 2003.

### ■ Facilitation and Support of Community-Initiated Activities

Numerous events were planned and prepared in early 2002 by refugee community organizations and BADIL around this year's anniversaries of Land Day (March) and Nakba (May) memorial. Preparations for special media projects, campaign tools and a special Arabic language newsletter (pilot project) were well under way, when Israel's March-April military invasions put an end to public organizing in the West Bank. As a result of the re-instatement of direct Israeli military occupation, community initiated organizing and mobilization for refugee rights remained at a lower than average level throughout 2002.

BADIL support was requested mainly for urgently needed out-of-school activities for refugee children and youth during curfews and summer

holidays. In addition, BADIL was urged to upgrade its involvement in emergency relief projects among the local refugee community.

### Support: Community Awareness-Raising, Education and Advocacy

BADIL book table at the *Dar El-Tifl El-Arabi* Book Exhibition in Jerusalem (16 - 19 February 2002): BADIL contributed more than 120 Information Packets/Right of Return to this initiative which aimed to re-invigorate Palestinian cultural life and debate in occupied Jerusalem.

Children's Activity Week/Photography Workshop (6-11 March): BADIL supported the purchase of photographic supplies for this event organized by the *Yafa Cultural Center* at the kindergarten in Balata camp, Nablus. 15 children aged 13 were trained in basic photographic skills and discussed the current situation and living conditions in the camp. This was followed by three days of fieldwork, when the children documented camp life on film and conducted interviews with residents. Photos and interviews were then divided into categories and analyzed. In a follow-up session, the children were asked to write a short story about their experience in the preceding Israeli invasion.

Jenin Camp War Crimes Memorial: Following the destruction of the center of the Jenin refugee camp in April 2002, BADIL took up discussion with the *National Emergency Committee for*



*the Reconstruction and Rehabilitation of Jenin Camp* and UNRWA about a War Crimes Memorial Project in the Jenin Refugee Camp. This initiative was eventually discontinued for lack of interest of the camp residents.

Refugee Children and Youth Summer Camps: In July - August, BADIL supported the summer camp organized by the *Dawaymeh Charitable Society in the Jalazoun camp/Ramallah*; a 10-day summer camp operated by the UNRWA school in al-Fawwar camp/Hebron (BADIL provided in notebooks, pens and paints in-kind as well as small-scale financial support); the summer camp organized by an ad-hoc committee for the coordination of summer youth- and children activities in the *Deheishe camp*, Bethlehem (BADIL covered the expenses of one day of swimming); and, the summer camp organized by the *Voluntary Youth Department/Tulkarem District* (including personal counseling and a course in journalism).

Public Opinion Statements on the Right of Return: In late September a renewed initiative by Dr. Sari Nusseibeh (then PLO Jerusalem portfolio) and former head of Israeli intelligence Ami Ayalon against refugees' right of return ('Nusseibeh-Ayalon agreement') triggered angry protest and a (temporary) revival of local community organizing for the defense of the right of return as enshrined in international law and affirmed by UN Resolution 194. Numerous statements were issued by refugee organizations in Palestine. BADIL assisted in dissemination and coordinated a joint memorandum with partners in exile (see also below, 2. Regional/International Networking and Advocacy).

Additional Community Initiatives Designed to Help Refugee Children Cope with Fear and Tension Caused by Israel's Military Assaults: BADIL contributed to the expenses of a Children's Festival in the Balata and Askar camps/Nablus (*Yafa Cultural Center* and *Askar Camp Women's Activity Center*, 31-10 to 1-11-2002); upgrading of the children's computer center operated by *Al-Laji* in the Aida camp/

Bethlehem; recreational activities organized during Ramadan by *Al-Dawaymeh Society* in the Jelazoun camp/Ramallah; and the purchase of video equipment for the kindergarten operated by the *Women's Activity Center* in al-Am'ari camp/Ramallah.

Educational Exhibition (*Ibda'a for Arts and Culture*, Dura/Hebron, December 2002): BADIL contributed Information Packets and posters, as well as small-scale financial support.

As the voices of the Palestinian refugee community were increasingly silenced by Israel's massive military operations in 2002, BADIL responded by upgrading information dissemination locally and internationally (mainly via email and internet), in order to raise awareness of war crimes committed by Israeli governments and of Palestinian displacement, dispossession and refugee rights. (For details see on these information campaigns see below, Activity Report, BADIL Research and Information).

Support: Community Emergency Projects:

Responding to the community demand, BADIL decided to increase its involvement in emergency relief projects, both in the framework of its Refugee Rights Campaign (small projects) and in the framework of the new Special BADIL Board Committee

established for this purpose (large-scale projects; see also above, Part One: Institutional Development, and below, Part Three: Special Emergency Projects). BADIL's 2002 Refugee Rights Campaign coordinated/facilitated the following emergency projects:

Repair of Refugee Community Centers:

With the help of special funding provided by ACT (Netherlands) following the massive Israeli military campaigns in the spring of 2002, BADIL was able to support the repair of damages incurred to five refugee community centers (UYAC Kalandia camp; Center of the Popular Committee/Tulkarem Camp; *Yafa Cultural Center*/Balata Camp; Youth Center/Al-'Ain Camp; *Milad Center*/Askar Camp). Repairs proceeded slowly, as frequent Israeli re-invasions of the camps prevented completion and caused additional damages. The project was eventually completed in December 2002 with partial success: *Milad Center* reported additional major damages, the center in Tulkarem stopped operation, while the remaining centers operating and damages were repaired as planned. The special fund also permitted BADIL

contributions to higher-than-average communication expenses of refugee community organizations and popular committees caused by the emergency situation (*Al-Rowwad Center*, Aida camp, host of international solidarity activists engaged in media work; *Popular Service Committees*-Bethlehem; families trapped in the Jenin camp during Israel's April assault; and, *National Emergency Committee for the Reconstruction and Rehabilitation of the Jenin Camp*).

Logistic Assistance to a Refugee Family

Support Scheme launched by the *Welfare Association and the Association for the Defense of the Right of Internally Displaced*. BADIL and partners (*Popular Service Committees* and local community centers) assisted in the selection of needy families, documentation and coordination with the project organizers. Some 500 refugee families were adopted by this scheme in early June to receive a monthly allowance of US \$100 over a one-year-period. By December, 296 of them had started receiving their allowances. In some cases funds had not yet been received as local bank operations were obstructed by military curfews.

Assessment of Refugee Family Profiles and Socio-economic Status, a project launched by the *Popular Service Committee* in the Deheishe camp in the summer of 2002: BADIL contributed to the expenses of processing the data gathered by means of a family questionnaire.

Operational Support to Local Emergency Committees and Community Centers:

BADIL provided stationary in kind and copy services free of charge to community centers and emergency committees operating in the Bethlehem area.

Emergency Aid for Families of Palestinian

Political Prisoners: In the autumn of 2002, BADIL provided a financial contribution to an emergency aid scheme of the *Palestinian Prisoners Society* for needy prisoner families, many of them refugees.

Al-Rou'ah TV Campaign for Families in

Need: During the month of Ramadan, institutions and individuals in the Bethlehem area were called to sponsor a special TV-series aimed at raising awareness for poverty and support for families in need. BADIL made a contribution allowing for the support of four families.

## 2. Regional and International Networking and Advocacy

### ■ Networking and Dissemination

#### Expansion of Partner Network and Dissemination:

Some 1,000 print copies of most publications (*BADIL Briefs; Information Packet/Right of Return; Report: Second Annual Strategy Workshop of the Palestine Right-of-Return Coalition, Brussels, 2001, a.o.*) were sent whenever postal services were accessible to members of the *Palestine Right-of-Return Coalition* and partners in Jordan, Lebanon, Syria, Europe, and the United States. In the first half of the year, BADIL information and advocacy materials were also disseminated electronically via a special email list (some 400 subscribers). In mid-2002, operation of the special list/Refugee Rights Campaign was discontinued, and electronic information and advocacy materials were disseminated via BADIL's larger general dissemination list (1,200 subscribers; BADIL Resource Unit). This step was motivated by the need for clear separation between broad information and awareness-raising on the one hand, and systematic strategizing within a formal partner-network on the other. An improved mechanism for joint strategizing (e.g. more frequent networking-meetings) will have to be developed in 2003.

#### Networking and Coordination Meetings:

BADIL - Al-Awda UK (London, 30 April - 1 May 2002): Ideas for increasing public outreach of research and advocacy materials were discussed with Al-Awda UK by Terry Rempel, BADIL Research and Information (e.g. joint public launching of studies and reports; joint promotion of the 2002 Report "The Right of Return" prepared by the *Joint British Parliamentary Commission of Enquiry on Palestinian Refugees, a.o.*). A joint public launching of BADIL's 2001 Survey: Palestinian Refugees was postponed to 2003, due to delays in BADIL production.

Networking with the Solidarity Movement in Belgium and Switzerland (June and December 2002): A series of meetings were held by BADIL's director in the framework of a large public event ("Six Hours For Palestine," Brussels, 16 June) and a subsequent work visit to Switzerland. In two public lectures (Basel and Solothurn) and discussions with solidarity activists, BADIL emphasized the important role of international law and human rights standards in the search for a durable Israeli-Palestinian peace and a just solution for the Palestinian refugees. Follow-up meetings with BADIL partners in Belgium were held by

BADIL's coordinator, Refugee Rights Campaign in December 2002. Progress and perspectives of refugee rights advocacy and the Israel-Boycott Campaign in European countries were reviewed and evaluated jointly.

A BADIL Networking Visit to Lebanon, based on the invitation by the NGO Forum - Lebanon and facilitated by the *Norwegian People's Aid* in the framework of the September memorial of the 1982 Sabra and Shatila massacre, could not be implemented because the visa of BADIL's delegate Salem Abu Hawwash (head of Board) was not issued in time. Preparations for a networking visit to Lebanon will be resumed in 2003.

3<sup>rd</sup> Annual Strategy Workshop of the Palestine Right-of-Return Coalition (St. Helene Conference Center, Copenhagen, 12 - 15 December 2002; coordinated by Muhammad Jaradat, coordinator, BADIL Refugee Rights Campaign): For the third time since 2000, BADIL coordinated preparations and supported the participation of refugee grass-roots delegates from the Middle East. The Copenhagen workshop was hosted by the *Danish-Palestinian Friendship Association* and co-organized by the *Palestinian Right of Return Committee, Denmark*. Hundreds of requests for participation by





Deheisheh Refugee Camp, 2002

Palestinian activists in exile in the Middle East and Europe were received, strained financial and logistic capacities, and resulted in some organizational shortcomings (e.g. poor follow-up of visa applications submitted by delegates from Syria and the 1967 occupied Palestine led to their exclusion from the workshop). 40 delegates - almost twice as many as in previous years - finally participated in the three-day event, which included assessment of political trends and organizational affairs pertaining to the Palestinian communities in Europe and global coordination, discussion of working papers and reports presented by the delegates and screenings and assessment of video documentaries ("Experiencing Return," BADIL Fact Finding Visit to Bosnia 2002; "The Grandfather's Land," Danish Public Television and Radio/DR, 1995).

Final recommendations issued by the workshop included: a call for the establishment of Right-of-Return committees in additional European countries; the need for democratic structures and procedures of decision making; and, the establishment of a "Return Fund" that will guarantee sustainability of annual coordination meetings on a broad scale. BADIL and the *Palestinian Return Committee-Denmark* were mandated to organize the fourth annual workshop in 2003. Proceedings and papers of annual

strategy workshops of the Palestine ROR Coalition are documented by BADIL. The report of the 2001 annual workshop (Brussels) was published by BADIL in 2002 (for details see below, Special Reports/BADIL Research and Information). Follow-up networking meetings were held by the coordinator, BADIL Refugee Rights Campaign with Palestinian community activists in Berlin (Germany) and the Netherlands between 16 - 23 December.

### ■ Development of New Advocacy Tools

Production of a Joint Arabic-language Newsletter, an advocacy tool frequently suggested to BADIL by local community partners and the *Palestine Right-of-Return Coalition*, was not implemented in 2002 mainly because systematic follow-up by BADIL on unresolved editorial and procedural questions and involvement of local community partners were not possible in the emergency situation prevailing in Palestine. The need for an Arabic newsletter was re-affirmed by the delegates to the 3<sup>rd</sup> annual Strategy Workshop of the Palestine Right-of-Return Coalition in Copenhagen, and BADIL will resume efforts at establishing a collective mechanism for production and cost sharing in 2003.

Booklet, Shatila Camp Children's Stories: In early 2002, BADIL was asked to assist community partners in the Shatila camp (*Aidun*-Lebanon) in production and publication of a booklet containing stories written by children in the camp. Editing at BADIL was begun but interrupted due to Israel's military campaigns in the spring and early summer. In late 2002, BADIL informed its partner in Lebanon that we will not be able to take on editing due to other priorities deriving from the ongoing emergency situation and offered to contribute to the expenses of a substitute editor.

Mobile Exhibition, Palestinian Village Life Before 1948: In late 2002, BADIL decided to support preparation of an ethnographic exhibition about the social and cultural life of Palestinian villages before 1948. The exhibition project is based on oral history documentation and photo- and cartographic materials compiled by Palestinian researcher Dr. Mahmoud Issa, mainly of the destroyed and depopulated village of Luby (Galilee). It is co-sponsored by the *Carsten Niebuhr Institute of Near Eastern Studies* (University of Copenhagen) and the *Danish Refugee Council* and scheduled to open in late 2004 at the *Moesgaard*

*Museum* (Aarhous, Denmark), in order to be then hosted in other European countries. In Palestine, BADIL will assist with project promotion and provide logistic and small-scale financial support (collection of exhibits, documentation of villages sites in Israel/Palestine, etc.).

## ■ Advocacy and Lobbying Activities

### Public Statements and Petitions

Open Letter to the Summit of the Arab League and the parallel NGO Forum convened in Beirut, March 2002: the letter, calling for respect of Palestinian refugees' right of return, was prepared, endorsed and submitted in the framework of the *Palestine Right-of-Return Coalition*.

Call for Boycott of Israel: In September 2002, BADIL coordinated the release of a joint statement by Palestinian NGOs (PNGO) and Palestinian unions calling for a global boycott of relations with Israel. The call was issued in response to requests by European partners, in order to clarify the position of Palestinian civil society regarding a global boycott campaign.

Memorandum of Public Opinion Concerning the Right of Return: In October BADIL facilitated a joint memorandum of protest against a renewed Palestinian-Israeli effort at undermining Palestinian refugees' right of return ('Nusseibeh-Ayalon Agreement'). The memorandum of the *Palestine Right-of-Return Coalition* was circulated locally, regionally and internationally and endorsed by more than eighty Palestinian refugee community organizations and hundreds of individuals (copy available at BADIL). Excerpts of the memorandum were published by the Arabic press in Lebanon, Bahrain and London.

### Participation in Partner-Initiated Lobbying Activities

Lobby Initiative for Palestinian rights in the Netherlands (organized by ICCO, Novib, Cordaid, 15 - 19 June): As part of a four-member delegation, BADIL's director had an opportunity to meet with Dutch parliamentarians and representatives of political parties and unions. In these meetings, BADIL emphasized the important role of international law and human rights standards in the search for a durable Israeli-Palestinian peace and raised the urgent need for a European/EU

initiative for international protection of the Palestinian people and sanctions against the Israeli government.

### Participation in Regional/International Advocacy-Oriented Conferences

International Conference on Civil Resistance: BADIL's Campaign coordinator participated as member of the Board of Conveners in a series of preparatory meetings for this conference organized by the *Rapprochement Center* (Beit Sahour). Preparations were interrupted in April by Israel's military campaign and resumed in November 2002.

Public Lecture at SOAS (London, 31 April; Terry Rempel, coordinator, BADIL Research and Information): the lecture, organized by *Al-Awda UK*, was based on BADIL's Special Report, *Israel's March-April Military Campaign in the 1967 Occupied Territories and the Destruction of the Oslo Framework released on 15 April 2002* (approximately 20 participants).

Conference, "A Role for Europe" (organized by the *International Dialogue Foundation*, *Clingendael Institute*, *ICCO*, *Novib* and *Cordaid* in Amsterdam, 14 June; approximately 100 participants): The

program included an opening session with Palestinian and Israeli speakers (Dr. Haider Abdelshafi, Dr. Khalil Shekaki, Dr. Menachem Klein); a workshop on the Palestinian refugee question (Ingrid Jaradat Gassner, BADIL; Jeff Halper, ICAHD; Rosemary Hollis/RIIA); a workshop on requirements of a viable Palestinian state (Dr. Khalil Shekaki, and Dr. Shimshon Bichler); and, a panel with representatives of Dutch political parties and the European Commission. While many speakers called for an immediate European intervention based on international law, human rights conventions and UN resolutions, the conference showed once more that neither Dutch parliamentarians/politicians nor the European Union are ready to implement sanctions against Israel in the short term, and will be ready to

do so only as a result of sustained pressure from European civil society.

#### Towards a Mechanism for Sustained Lobbying for Palestinian Refugee Rights in Europe/EU

In the first half of 2002, systematic discussion about a mechanism for more sustained lobbying for Palestinian refugee rights in Europe could not be started, due to travel restrictions on BADIL staff, and because BADIL's partners in Europe were overwhelmed with a wide range of solidarity work related to the political and humanitarian crisis in Palestine.

In the second half of the year, BADIL (and PWWSD and *Bisan*) partnered with the *Belgian Action Platform for Palestine*, in order to jointly implement

the Action Platform's **Solidarity Schoolbag Campaign**', i.e. an initiative aimed at raising public awareness and solidarity in Belgium by means of donations for schoolbags (including content) to be sent to Palestinian children in need. In 2003, BADIL will be responsible for the selection of needy refugee children and the distribution of schoolbags in the Bethlehem area. Moreover, BADIL succeeded to obtain long-term commitments to joint advocacy work from several European partners in the framework of the **BADIL Expert Forum**' initiative 2003-4 (see below, Activity Report, BADIL Legal Project). Additional 2003 awareness-raising, lobbying and advocacy initiatives in Europe (e.g. speaking tours, participation in the Belgian Social Forum) have yet to be finalized with our partners.

Al-Awda UK, London 2002





## Project Activity Report:

### Research and Information

#### Activities Planned for 2002

##### Research and Information (Production)

- Research Publications
  - *Al-Majdal* Quarterly (four issues)
  - *2001 Survey: Palestinian Refugees*
  - Comparative Study: Refugee Return and Real Property Restitution
  - Hebrew-language *Information Packet/The Right of Return*
  - Information Packet/The Right of Return: fourth revised English and Arabic edition
  - Series of Commentated Maps Illustrating Feasibility of Return
  - *BADIL Briefs* (UNHCR; Internally Displaced; Refugee Women's Rights; Refugee Children's Rights)
  - *Occasional Bulletins*
  - *Jerusalem 1948*: 2<sup>nd</sup> English edition (BADIL & IJS)
  - *Jerusalem 1948*: 1<sup>st</sup> Arabic edition (BADIL & IPS)
- Special Reports and Advocacy Materials: posters, stickers, know-your-rights materials.
- BADIL Institutional Reports and Legal Papers/Legal Unit (design, layout and printing)

##### Information Dissemination

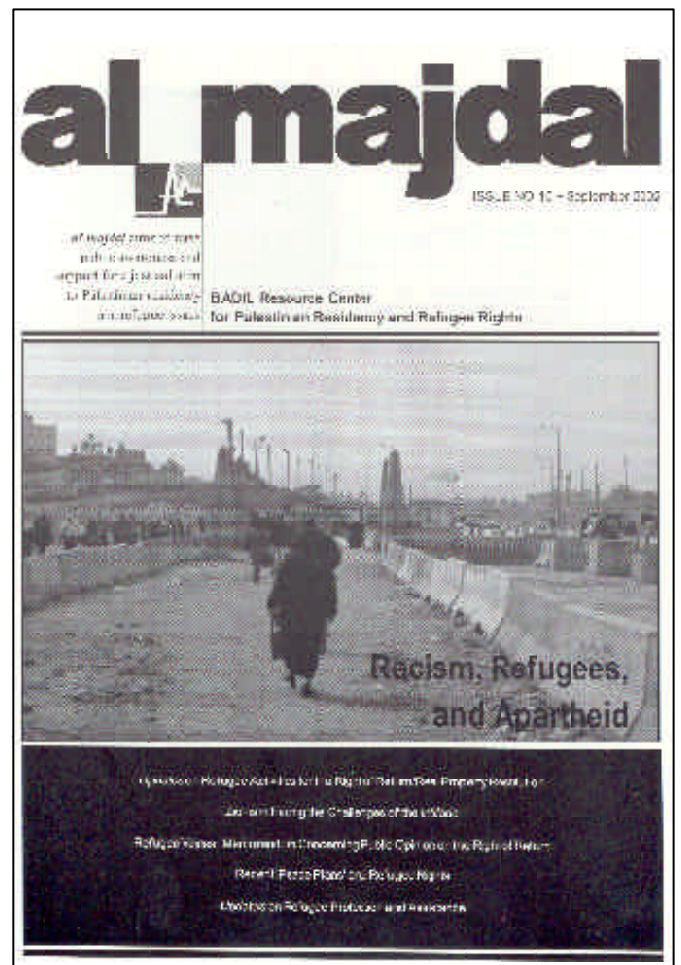
Press releases; website updates and new webpages; public briefings about strategic BADIL publications.

##### Documentation

- Summary Report: Luby Village (oral history documentation)
- Library and archive development (condition: availability of part-time librarian).

##### Networking and Advocacy among the Expert Community

Working papers, opinion papers and participation in conferences/seminars



## Project Implementation: Adaptations and Achievements

### 1. Research and Information Production

■ **Research Publications** : the 2002 work plan included too many research projects requiring major conceptualization. This resulted in a workload impossible to accomplish. Release dates of several projects were postponed to 2003 as listed below:

#### Al-Majdal Magazine

*BADIL English-language quarterly published since March 1999 (previously Article 74), 36 - 40 pages; circulation: 1,200 copies.*

Issues No. 13 (March), 14 (June) and 15 (September) were completed and issue no. 16 (December) is in production. Production of the quarterly in its current form (comprehensive update on events, international protection and assistance to Palestinian refugees) consumed too much staff-time, especially since external contributions (e.g. by members of the Editorial Advisory Board) were minor. In order to resolve this problem in 2003, BADIL will slightly revise the format and involve additional staff and external authors in article writing.

A limited number of bound collections of *Al-Majdal* (Issue Nos. 1 -12) with introduction and index were completed in summer.

#### Survey: Palestinian Refugees 2001-2

*A new BADIL publication to be updated and released annually; presents the status of Palestinian refugees with regard to their day-to-day protection rights (civil, political; social, economic and cultural rights) as well as their durable solution rights (return, real property restitution, compensation); aims to encourage a rights-based approach to the Palestinian refugee issue, especially by human rights organizations, researchers, and policy makers.*

By mid 2002, a final draft (English and Arabic) was almost completed and BADIL planned a parallel launch of the 2001 Survey in Palestine, Britain and the United States in cooperation with partners of the *Palestine Right of Return Coalition*. However, completion was interrupted by the need to meet other deadlines until it was too late to publish the 2001 Survey. BADIL thus decided to launch its new survey as a combined 2001/ 2002 Survey in early 2003.

#### Comparative Study on Refugee Return and Restitution

*A research project ongoing since 2000. Research materials gathered as well as draft reports have served as a database for BADIL working papers and commentary since 2001. Draft research reports were revised several times as*

*BADIL received valuable input from expert partners.*

In 2002, BADIL re-assessed the need for publication of a summary research report. Given the ongoing lack of substantive information in Palestine about international principles and mechanisms guiding solutions to refugee questions worldwide, BADIL decided to publish its comparative research report at the earliest date possible. Lack of time for focused writing prevented its completion in 2002; it is scheduled for release in 2003.

#### Hebrew-language Information Packet/ The Right of Return

*Based on BADIL's English and Arabic language information packet (published since 2000), the Hebrew language packet will serve as a tool to explore the potential of a rational and rights-based dialogue with Israeli peace/human rights activists, experts and journalists in the framework of BADIL's Refugee Rights Campaign.*

Writing of the Packet's main brochure required more time than expected due to the need to relate to propaganda, questions and concerns raised in the Israeli debate about Palestinian refugees' right of return. An English draft was prepared in June 2002. Hebrew translation and editing by an external translator/editor were



completed in the fall. By December 2002 BADIL's Hebrew-language information packet was in the final stages of production (final language edit, design and printing) with Andalus, a progressive Israeli publisher. It is scheduled for release in January 2003. The Packet includes:

- a) Basic Brochure/Right of Return (facts and figures and overview of the legal framework applicable to Palestinian refugees; responses to frequently asked questions and the Israeli debate);
- b) Legal Brief: Palestinian Refugees' Right of Return under International Law (translation of BADIL Brief no. 8);
- c) Executive Summary of the Findings of the British Joint Parliamentary Commission of Enquiry: Palestinian Refugees (translation of excerpts of the original report published in English in 2002);
- d) BADIL public relations brochure;
- e) Feedback sheet.

Information Packet/The Right of Return, Arabic and English Edition: Updating and Revision for the fourth edition was not begun due to lack of staff time (re-scheduled for 2003).

#### Mapping Project/Palestinian Displacement - Refugee Return

*Maps and supplementary commentary will illustrate visually and in concrete terms a scenario for the return of Palestinian refugees and internally displaced to their places of origin.*

*Research for this project was begun in 2001 towards the preparation of maps showing among other: location of Palestinian refugees after the Nakba and today; location of Palestinian refugee villages in relation to current built-up areas in Israel; case study of return of a single village (Lubya). Maps will be designed by a professional cartographer; existing historical maps (e.g. Israeli update of the last British map of Palestine; UNCCP map illustrating land ownership in Palestine) will be added to the extent available.*

The basic project outline was completed with the exception of the case study. The project required additional follow-up and conceptualization time, which was not available in 2002.

#### BADIL Information and Discussion Briefs

*BADIL Briefs is a publication series launched in 2000, in order to enrich the Palestinian/Arab and international debate about strategies for the promotion of Palestinian refugee rights. Briefs are written by BADIL research and legal staff, interns and expert partners. Briefs are designed in language and scope (24 pages) as easy-to-read booklets for activists. Electronic copies of the Briefs are disseminated via BADIL email lists; hard copies are disseminated in BADIL meetings and workshops and as part of the BADIL Information Packet/The Right of Return.*

The following Briefs (1,000 print copies of each language edition) were completed in 2002:

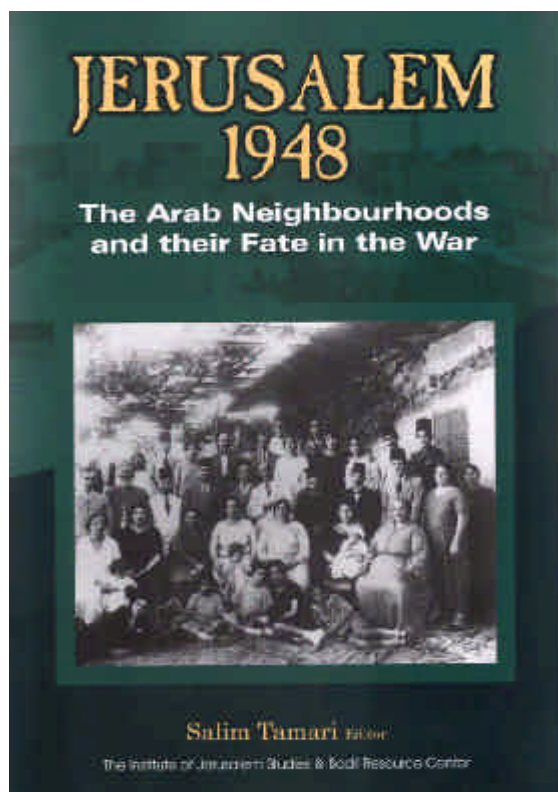
Brief No. 7, "UNHCR and a Durable Solution for Palestinian Refugees:" completes a series of three *Briefs* (nos. 5-7) examining existing UN agencies (UNCCP, UNRWA, UNHCR) with regard to their potential role in the search for a just and durable solution for Palestinian refugees. A draft was circulated for comments among experts of the PLO, UNRWA and UNHCR and BADIL's Legal Support Network. Valuable feedback was integrated and Brief-7 was published in August (English) and November (Arabic).

Brief No. 9, "Internally Displaced Palestinians, International Protection and Durable Solutions": published November 2002 (English); Arabic and Hebrew editions are scheduled for publication in early 2003.

Work on additional *Briefs* on Palestinian refugee children's rights, Palestinian refugee women's rights and a summary of UN mechanisms available for Palestinian refugee protection could not be started in 2002.

#### BADIL Occasional Bulletins

*Bulletins in four-page format were launched in November 2000 as a means to address current issues relevant to the strategic debate about Palestinian refugee rights.*



## In 2002, BADIL produced:

Occasional Bulletin No. 11, "The Meaning of UN Resolution 194:" electronic copies and print copies in English and Arabic (April 2002; 1,000 print copies).

### Study, "Jerusalem 1948: The Arab Neighborhoods and their Fate in the War"

The Second Revised and Expanded English-language Edition of the original study (1999) was completed and 2,000 copies were published jointly by BADIL and the Institute of Jerusalem Studies (IJS) in Palestine. Marketing via local bookshops is handled by the IJS, profit from sale will be shared by the IJS and BADIL.

The First Arabic Edition, produced by the Institute of Palestine Studies (IPS) was published jointly by BADIL and IPS in Beirut. Marketing is handled by the IPS from Beirut. 500 copies were received by BADIL for local dissemination.

BADIL Chapter for a COHRE Book, Case Studies on Refugee Return and Restitution: This project was not part of the initial work plan. "Housing and Property Restitution: The Palestinian Case," a 39-page chapter in a book to be published in 2003 by the Geneva-based Center on Housing Rights and Evictions (Scott Leckie, editor) was completed after considerable delay in the summer of 2002.

■ **Special Reports and Advocacy Materials for BADIL's Refugee Rights Campaign:** Substantial adaptation of the initial work plan was required due to the need to respond to events and human rights violations in the context of Israel's 2002 military campaigns in the 1967 occupied territories. Delays in the production of regular and planned advocacy materials were the result.

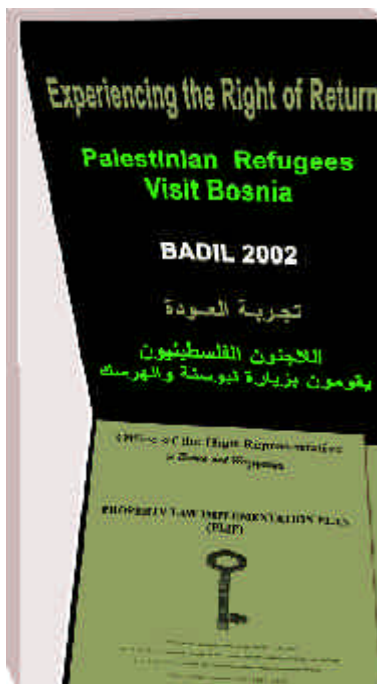
BADIL Special Report: "Israel's March-April Campaign in the 1967 Occupied Palestinian Territories and the Destruction of the Oslo Framework: International Law, Protection of Fundamental Rights and Freedoms, and a Comprehensive and Durable Solution to the Israeli-Palestinian Conflict" (English, 22 pages, 15 April 2002; prepared in cooperation with BADIL's Legal Unit): this report was submitted

to the Office of the UN High Commissioner on Human Rights Mary Robinson, to the Cyprus Conference on Palestine organized by the UN Division for Palestinian Rights and disseminated among BADIL partners. The report, prepared prior to Israel's attack against the Jenin refugee camp, was a first effort to analyze Israel's human rights violations during "Operation Defensive Wall" as war crimes in the framework of the Fourth Geneva Convention and the new Rome War Crimes Statute. A similar framework was later applied by *Amnesty International and Human Rights Watch*.

Report, 2<sup>nd</sup> Annual Workshop of the Coalition for the Palestinian Right of Return: print copies of the proceedings and recommendations of the November 2001 Brussels workshop **were published** with some delay in the summer of 2002 (Arabic with English summaries, 500 copies).

Fact Sheets on the War and Refugee Return in Bosnia-Herzegovina: four fact sheets were prepared for BADIL's delegation/2002 Fact-Finding Visit to BiH and will serve as the basis for a guide to accompany BADIL's video documentary about this visit.

Know-your-rights Booklet, Refugee Return and Restitution (Arabic translation of UNHCR check-lists on



BADIL Fact Finding Visit to Bosnia-Herzegovina, Office of the High Representative, Sarajevo, June 2002

return and restitution; 1,000 copies; prepared in cooperation with BADIL's Legal Unit): **published** in October 2002 as an information and advocacy tool to accompany public workshops.

A 2003 BADIL Photo Calendar/'We Will Return' (1,000 copies) and one poster (3,000 copies) **were produced and disseminated** as additional advocacy materials for the BADIL Refugee Rights Campaign.

Publication of an additional special report about Internally Displaced Palestinians in Israel, planned in cooperation with *Association for the Defense of the Rights of the Internally Displaced*, was **postponed due to the extensive workload**.

■ **BADIL Institutional Reports and Legal Papers:** *Final production (design, layout, printing) of BADIL annual reports and PR brochures, as well as publications of the BADIL Legal Unit.*

#### BADIL 2001 Annual Report

A combined English-Arabic edition of the 2001 annual report **was published** in the summer of 2002 (500 copies).

## 2. Information Dissemination

### ■ **Regular BADIL Information Dissemination** was conducted via:

BADIL Web-site ([www.badil.org](http://www.badil.org); English and Arabic):

Both web-sites were updated regularly to include brief introductions to key aspects of the Palestinian refugee issue, BADIL research publications and press releases. Publication of Arabic materials was slow due to the lack of work force for translation and editing. In 2002, BADIL web-sites were visited by 16,000 persons/hits, i.e. an average of 44 hits per day (total number of hits since November 1999: 47,000).

#### BADIL Press Releases

In 2002, BADIL disseminated 69 English-language and 30 Arabic-language press releases to some 1,200 subscribers (English distribution list) and 180 subscribers (Arabic list).

Al-Majdal Magazine Mailing List (600 Subscribers): Mailings were substantially delayed by restrictions of movement. Copies were published on the BADIL web-site, in order to compensate for late mailings. No special marketing efforts could be

launched in 2002 due to the emergency situation.

Public (press) Briefings about strategic BADIL research reports: No such briefings were held in 2002 due to the delay of research production.

In general, BADIL advocacy tools were not disseminated widely enough, because of delays in production, but also because BADIL staff was too heavily involved in producing research and not in marketing. In 2003, equal time must be allocated to both.

### ■ **Special BADIL Information Campaigns**

Awareness-Raising about Israeli War Crimes in the context of the March-April-May Military Operations:

Press releases: Between March - May, BADIL issued 18 press releases aimed at drawing international attention to current Israeli war crimes in the 1967 OPT and Israel's impunity (especially around the abortive UN Fact Finding Mission to Jenin). BADIL called for a global Israel-Boycott campaign and provided resources to the international solidarity movement.

Interviews with International and Arab Media: At least thirty interviews for international and Egyptian media were given by BADIL staff from their homes during Israel's military siege of the Bethlehem Nativity Church, and two news articles were written for and published by the press in Switzerland.

Special web-pages (Israeli war crimes, Jenin refugee camp; documentation and relevant links to other web-sites) are under construction. Valuable materials were prepared in the summer of 2002 with the help of an intern; final editing and publication were delayed due to the heavy workload.

Commemoration of the 54<sup>th</sup> anniversary of al-Nakba (1948): a series of 7 press releases were disseminated in April-May in order to raise awareness of past and current forceful displacement and dispossession of the Palestinian people.

Awareness-raising about the Situation and Rights of Internally Displaced Palestinians in Israel: On the occasion of the 2002 The Body Shop Human Rights Award received by the *Association for the Defense of the Rights of the Internally Displaced in Israel* (ADRID), three press releases

and BADIL Brief no. 9 (Internally Displaced Palestinians) were disseminated between 30 October - 4 December, in order to raise awareness about history, current situation, rights and struggle of this particular group of displaced Palestinians whose cause is widely unknown to the international public.

Awareness-raising about the War Crimes Suit Against Ariel Sharon in Belgium: As part of the global campaign to "Indict Sharon Now" (ISN), BADIL continued throughout 2002 to raise awareness and inform of the progress of this strategic suit still pending with the Belgian judiciary (9 press releases).

### **3. Documentation**

#### **■ Oral History Documentation**

Reconstructing Palestinian Village Life, the Case of Lubyā (oral history documentation of pre-1948 life in the village, forceful displacement and exile): Production of the 200-page summary report of extensive oral history documentation compiled by Palestinian researcher and descendent of Lubyā's people, Dr. Mahmoud Issa, was continued in 2002. A first edit of

the manuscript was completed in the summer with the help of an external editor. Final production and release of the report were delayed for financial reasons, and due shortage of staff time for the extensive final editing yet required. BADIL and the author are planning a parallel release of the English and Danish edition in late 2003, to be followed by Arabic and Hebrew language editions produced by BADIL. The Lubyā oral history study will, among others, serve as background information for a traveling exhibition about pre-1948 Palestinian village life currently under preparation in Denmark (see above, Activity Report, BADIL Refugee Rights Campaign).

#### **■ BADIL Library and Archives Development**

In 2002, systematic archiving and library development could not be tackled as BADIL struggled with irregular (and lost) work hours caused by the military curfew. Staff was forced to invest numerous hours with securing BADIL archives and data from destruction in the context of a possible Israeli military raid, and BADIL remained unable to hire an urgently needed, professional part-

time librarian. However, BADIL was able, in the second half of the year, to upgrade the value of its research library by purchasing a substantial amount of valuable (second-hand) books, documents and legal resources for low cost (e.g. back issues of the *Journal of Palestine Studies*, research classics and historical documents on Palestinian refugees and UNCCP peace efforts).

#### **4. Research-related Networking, Advocacy and Guidance**

■ **Participation in Professional Seminars, Conferences and Consultation** (Terry Rempel, coordinator, BADIL Research and Information)

Consultation Workshop on the Middle East Crisis jointly sponsored by the *Royal Institute of International Affairs* (IIA) and the *Centre of Lebanese Studies* (Oxford); Minster Lovell, UK, 27-28 April 2002.

Consultation Workshop on Refugees and Host Countries under International Law organized by the *Royal Institute*

*of International Affairs* IIA and the *Centre for Lebanese Studies* at Minster Lovell, 7-8 September 2002.

'The Experience of Expulsion,' a pilot project workshop on oral history and the Nakba organized by Karma Nabulsi, Nuffield College/Oxford University and Ilan Pappé, University of Haifa: discussion of methods and means for oral history research, as well as of intellectual and practical difficulties involved in establishing the relationship between the oral history of the Nakba with the current political, social, and civil situation of the refugees today. BADIL contributed experience from its own oral history research and was able to identify relevant research and training agenda for the future. BADIL will remain a partner in the informal working group resulting from this workshop also in 2003.

'Recent Research Trends on Palestinian Refugees,' a workshop organized by Shaml, Ramallah, 16-17 October 2002: this workshop highlighted the differences between a research agenda guided by a rights-based approach to the Palestinian refugee issue promoted by many speakers (among them BADIL), and

the academic, sociological approach pursued by the organizers. These two current trends in Palestinian research could not be reconciled at the workshop and will continue to coexist and compete with each other also in the future. (Terry Rempel, coordinator, BADIL Research and Information; Ingrid Jaradat Gassner, director, BADIL).

#### **■ Guidance and Research Assistance**

Dozens of - sometimes labor intensive - requests for information and research assistance by international students, scholars and journalists were handled via the internet. Academic research was provided to a group of ten Palestinian students at local universities.

BADIL's 2002 Fact Finding Visit to Bosnia-Herzegovina was led by two staff members of BADIL Research and Information, who provided professional and logistic guidance to the visiting delegation and the local (Bosnian) director of BADIL's video documentary (see also above, Activity Report, BADIL Refugee Rights Campaign).





Field Visit with Norwegian Refugee Council staff, BADIL Fact Finding Visit to Bosnia-Herzegovina, June 2002

## 2002 Project Activity Report:

### BADIL Legal Project for the Promotion of Palestinian Refugee Rights

#### Activities Planned for 2002

##### Production of Legal Research and Analysis

- Documentation, Land Confiscation, 1948 - 2002 (Israeli laws and court rulings)
- Submissions to UN fora
- Legal Paper-2, legal analysis and opinion papers
- Library and Legal Resource Development

##### Networking and Cooperation with the Expert Community

- Expand network and cooperation with international experts, UN/international organizations, and NGOs

##### Advocacy and Lobbying

- Present submissions and lobby at UN fora (Committee/Rights of the Child, CESCR)
- Encourage Sustained International Initiatives toward more effective Palestinian Refugee Protection (land

confiscation submission; advocacy among UNHCR, UNRWA and other international agencies)

- Start implementation of BADIL-COHRE UN Lobbying initiative

Assist BADIL dialogue with the Palestinian (refugee) community as well as dialogue and advocacy among PLO, League of Arab States, Arab governments

#### Project Implementation: Adaptations and Achievements

Implementation of BADIL's Legal Project faced two major obstacles in the first half of 2002: lack of staff access to the office and the decision, in March 2002, of Gail Boling, lawyer-coordinator, BADIL Unit to discontinue her work with BADIL. Faced with a situation where team-work in the office was not possible, BADIL decided not to attempt to re-staff the vacant position, but to delegate project implementation to existing senior staff (BADIL director and coordinator, BADIL Research-Information, April - December 2002).

In the second half of 2002, BADIL began selection of candidates for the vacant lawyer-coordinator position. With the help of legal expert partners, Carolyn Buff (previously work as senior human rights officer with UNHCR and OHR in Bosnia-Herzegovina, as well as in Haiti and South Africa) was selected and invited for a final interview with in Palestine in October 2002. She is scheduled to start work in the position of lawyer-coordinator, BADIL Legal Unit, in January 2003. In addition, Shadi Abu Zarqa, a Palestinian law student was contracted in November - December 2002 for urgently needed research assistance. Although his contract was discontinued at the end of December, BADIL will continue to explore options for training Palestinian law graduates in the framework of its Legal Unit.

## 1. Production of Legal Research and Analysis

### ■ Documentation: Israel's Confiscation of Palestinian Lands (1948 - 2002)

In 2002, relevant Israeli land laws in official English translation were compiled. An external consultant was contracted to review and summarize two decades of Palestinian land cases in the Israeli high court (1980 - 2001). 30 brief summaries of illustrative Palestinian (and some comparative Jewish) cases, including court argument and ruling, were prepared and archived. From among these, ten cases representative of the major Israeli land laws were selected for full translation with the help of Palestinian lawyer, expert in Palestinian land claims. Translations of the sample cases were completed in the summer of 2002; precedent-setting cases of the earlier period (1950s - 1960s) were selected from the professional literature. A preliminary summary documentation was presented for review to expert partners of BADIL's international Legal Support Network. The documentation compiled in 2002 will serve as a resource for legal advocacy in 2003.

### ■ Submissions to UN Fora

Legal Analysis and Documentation, Palestinian Refugee Children's Rights: a chapter contributed by BADIL (Gail Boling, lawyer-coordinator, Legal Unit) to a joint Palestinian NGO shadow report coordinated by *Defense of Children International - Palestine Section*. The NGO report was submitted to the UN *Committee on the Rights of the Child* for its September 2002 review of Israel.

Note to UN ECSOC: On 17 December 2002 BADIL submitted the requested update on the impact of Israeli occupation and repression on Palestinian refugees in the 1967 OPT for consideration by the UN *Economic and Social Council* pursuant to the implementation of ECOSOC Resolution E/2002/L.22 of 23 July 2002.

### ■ Legal Analysis and Opinion Papers

#### BADIL Legal Papers

*Legal Papers are written by BADIL's legal staff or partners in BADIL's Legal Support Network, in order to promote Palestinian refugee rights among the expert community, policy makers and international organizations. They*

*include detailed legal analysis of core issues of the Palestinian refugee question with extensive references (scope: 50-80 pages) and are published in English and Arabic.*

2002 Reprint of BADIL Legal Paper-1 (2001), *The 1948 Palestinian Refugees Right of Return under International Law* (English and Arabic, 500 copies each).

BADIL Legal Paper-2, *Palestinian Refugees Right to Real Property Restitution under International Law* (working title); format and scope as Legal Paper-1): this paper is currently being written by Paul Prettitore (legal advisor to the OSCE, Bosnia-Herzegovina; partner of BADIL's Legal Support Network). The final analysis will be discussed in January 2003 during the author's visit to Palestine. The paper is scheduled for completion in the spring of 2003.

Background Paper and Legal Analysis on Internal Displacement in the 1967 Occupied Palestinian Territories: prepared on the request of the Norwegian Refugee Council (NRC) in January 2002 for the Global IDP Project launched by NRC and the Oxford University Center of Refugee Studies.

Special Report: Israel's March-April Campaign in the 1967 Occupied Palestinian Territories and the Destruction of the Oslo Framework: International Law, Protection of Fundamental Rights and Freedoms, and a Comprehensive and Durable Solution to the Israeli-Palestinian Conflict" (Arabic edition; for details see also above, BADIL Research and Information).

BADIL Brief no. 7, "UNHCR, Palestinian Refugees, and Durable Solutions" August 2002 (for details see above, Activity Report, BADIL Research and Information).

Critical Commentary on the 2002 Middle East Policy Papers issued by the International Crisis Group (ICG): two BADIL notes communicated to the ICG in the fall of 2002 raise the lack of the international-law based approach commonly used by the ICG in its policy proposals regarding future peace-making in Palestine/Israel in general, and durable solutions for Palestinian refugees in particular. (As of December 2002, no response was received from the ICG.) A BADIL critique of the ICG approach was also prepared for the Egyptian *Al-Ahram Weekly* and published partially.

Know-your-rights Booklet, Refugee Return and Restitution (Arabic translation of UNHCR check-lists on return and restitution; 1,000 copies; prepared jointly with BADIL Research and Information).

Legal Resource and Library Development: A special CD (PEDOR) including Israeli high court cases and court rulings between 1980 - 2001 was purchased as a research tool. In the second half of 2002, BADIL succeeded to purchase valuable (second hand) legal documents and publications at low cost, among them the standard setting works of Ian Brownlie, John Quigley and Raja Shehadeh (see also above, Activity Report, BADIL Research and Information).

## **2. Networking and Cooperation with the Expert Community**

### **■ First Legal Strategy Workshop for BADIL Expert Partners**

A first meeting and workshop with eight core BADIL expert partners hosted in Geneva by the *Center on Housing Rights and Evictions*

(COHRE) between 25-26 June 2002 was extremely beneficial for BADIL. Partner input helped to refine BADIL's program of legal advocacy for Palestinian refugee rights and clarify strategies, division of work and time tables for the core projects of BADIL's Legal Unit in 2002-4. Participants strongly recommended that BADIL organize meetings of its Legal Support Network on an annual basis.

### **■ Expansion and Re-organization of BADIL's Legal Support Network (LSN)**

Based on the productive June workshop, BADIL was able, in the second half of 2002, to expand its partner relations and to transform the previously informal legal support network into a network built on formal membership. By December 2002, BADIL's Legal Support Network (LSN) counted 40 legal and research experts and 20 core activist partners, also partners in BADIL's Refugee Rights Campaign. All LSN partners were introduced to the 2003-work plan/BADIL Legal Unit, and many of them made commitments for the implementation of specific projects. In the second half of 2002, BADIL and LSN cooperated in the



implementation of the revised advocacy program described below, which will remain the backbone of BADIL legal advocacy for Palestinian refugee rights also in 2003.

(*Note:* names of experts, partners in BADIL-LSN are not reported here for reasons of confidentiality.)

### 3. Legal Advocacy and Lobbying on the International Level

#### ■ Present Submissions and Lobby at UN Fora

Due to the shortage of qualified staff, BADIL was unable to lobby UN treaty bodies and other UN Human Rights Fora as planned. No BADIL lobbyist was present, for example, at the 2002 session of the UN Commission on Human Rights, the Committee on the Rights of the Child (for follow-up of the joint Palestinian NGO shadow report) and at the NGO session of the UNHCR Excom. At the same time, no important opportunity was missed as UN Human Rights fora did not hold sessions of strategic importance for Palestinian refugees in 2002.

#### ■ Launch/Facilitate Sustained Initiatives toward more effective Palestinian Refugee Protection

##### Establish the Illegality of Israel's Land Confiscation Policy and Palestinian Refugees' Right for Restitution

*Based on research and documentation about Israel's illegal laws, court rulings and policies of land confiscation from Palestinian refugees and citizens in mandatory Palestine (including Israel), UN fora, as well as domestic, regional and international courts, will be encouraged to issue clear statements/rulings affirming the illegality of such laws and practice under international law (Fourth Geneva Convention, Rome War Crimes Statute) and the entitlement of Palestinian owners to effective remedies, (i.e. restitution and compensation).*

In 2002, a BADIL-LSN team was formed to implement this project over the coming two-year period (BADIL, COHRE, Susan Akram, Boston University of Law, and additional LSN partners). **Additional legal strategizing is required**, in order to implement a combined and systematic lobbying initiative including: lobbying the *UN General Assembly to issue a resolution* including the clearest possible language regarding the illegality of Israel's land confiscation and the Palestinian right to restitution; *lobbying the Committee for Economic, Social and Cultural Rights* to issue strong "Concluding Observations" in this regard in its upcoming 2003 session (follow-up and strengthen BADIL's 2001 submission); and, presentation of submissions to domestic courts and/or regional/international courts.

##### Obtain More Effective International Protection for Palestinian Refugees

*Sustained dialogue and advocacy among relevant UN agencies and international organizations (e.g. UNHCR, UNRWA, UNCCP) aim to encourage re-examination - based on international law and UN Resolution 194 - of principles and mandates guiding current international protection, as well as improvement of international protection mechanisms available for Palestinian refugees in the framework of a professional inter-agency dialogue in partnership with Palestinian NGOs.*

Professional Dialogue with UNHCR and UNRWA: In 2002, BADIL continued informal meetings and consultations with UNRWA and UNHCR staff. In September 2002 UNHCR issued a new and improved



interpretation of the status of Palestinian refugees under the *1951 Geneva Refugee Convention*. The revised UNHCR interpretation was critically commented by BADIL and disseminated widely among regional and international partner networks. BADIL is encouraged by the fact that both UN agencies and Palestinian/ Arab human rights organizations show clear signs of interest in a renewed and systematic debate about ways to improve international and regional protection mechanisms available for Palestinian refugees, thus preparing the ground for more intensive, structured and professional debate in 2003.

Advocacy among the Council of Europe: The CoE, composed of 44 European states and mandated, among others, to promote the rule of law and

human rights, has been actively involved in Middle East peace-making by means of visits and reports issued by special rapporteurs and resolutions. Unfortunately CoE resolutions, while emphasizing the need of European support for UNRWA services to Palestinian refugees, have persistently called for the violation of Palestinian refugee rights (return and restitution) in the context of a durable solution of the Israeli-Palestinian conflict. Moreover, the CoE *Committee on Migration, Refugees and Demography* debates and issues recommendations for European policies regarding Palestinian exiles in Europe. In the summer of 2002, BADIL initiated a motion to the CoE Subcommittee and was invited, in December 2002, to participate at the CoE "Budapest Hearing on Palestinian Refugees in Europe." BADIL

encouraged the CoE to review its earlier resolutions pertaining to Palestinian refugees in line with international law and UN Resolution 194 and to organize a Europe-wide seminar for in-depth study of the case of Palestinian refugees. (BADIL's paper to the CoE Budapest Hearing entitled "The Status of Palestinian Refugees and Stateless Persons in Europe" is archived on the BADIL website.)

Advocacy in the framework of the Declaration of The Hague on the Future of Refugee and Migration Policy (an initiative launched in 2001 by the *Society for International Development/Netherlands Chapter* (SID): BADIL contributed to the drafting of the Declaration by emphasizing the need for a durable solution in accordance with UN

Graffiti on the walls of Deheisheh Refugee Camp, Bethlehem





Resolution 194, current protection gaps and special protection needs of Palestinian refugees. Language submitted by BADIL was partially adopted in the final Declaration launched officially in The Hague on 22 November 2002 (see: [www.sidint.org](http://www.sidint.org)).

BADIL Expert Forum for the Promotion of a Rights-Based Approach to the Palestinian Refugee Question: Based on recommendations by the June 2002 BADIL-LSN strategy workshop, BADIL decided to launch in 2003 an initiative aimed at challenging politically biased "blueprints" and "road-maps" promoted by the current international expert debate. The BADIL Expert-Forum initiative aims to build a critical mass of experts, professionals and politicians worldwide, who support a rights-based approach to the Palestinian refugee case. The new BADIL Expert Forum will be launched in 2003 by means of two seminars; additional seminars and a large concluding public conference are scheduled to follow in 2004. In 2002 basic logistic preparations were completed with the help of LSN partners. The *University of Ghent* (Belgium) agreed to host the first Expert Seminar on 22 - 23 May 2003, and hosting of the second Seminar by the *University of Geneva* in October/November is currently being

negotiated. A special team for on-the-site logistic support of the Ghent Seminar is composed of *Oxfam Solidarity*, the *Flemish Palestine Solidarity Committee*, a legal expert of the *Free University of Brussels/VUB* and the APRODEV lobbyist in Brussels. Working papers and proceedings of the seminars/Expert Forum will be documented and disseminated by BADIL. (A more detailed outline and budget proposal for the 2003-2004 BADIL Expert Forum Project are available upon request).

Sustained UN Lobbying in Geneva: Based on our experience, also in 2002, BADIL remains convinced that a permanent lobbying presence in Geneva is required for sustained impact among the UN system. In the spring of 2002, a tentative agreement was reached with the Geneva-based *Center on Housing Rights and Evictions* (COHRE) on cooperation in a joint UN Lobbying project for Palestinian refugee rights. BADIL and COHRE planned to hire a part-time lobbyist, and COHRE agreed to provide office space, training and on-the-site supervision. However, the project was not implemented in 2002, mainly because BADIL decided to give priority to staffing its strategic position of lawyer-coordinator, BADIL Legal Unit. As COHRE's offer will remain valid also in 2003, efforts at improving the efficiency of UN lobbying in Geneva -

whether by means of a special, part-time lobbyist, or with the help of BADIL staff or LSN partners - will remain on the agenda.

#### **4. Assist BADIL Dialogue with and Advocacy among Palestinian/Arab Policy Makers and the Palestinian (Refugee) Community**

##### **■ Legal Expert Input into BADIL Awareness-raising, Consultation and Advocacy on the Palestinian/Arab Level**

In 2002, BADIL's Legal Unit was unable to provide major expert input into community workshops, Palestinian leadership consultations and meetings with Arab politicians and policy makers, because implementation of these activities in the framework of BADIL's Refugee Rights Campaign was prevented by Israel's military closures, curfews and the general situation of emergency in Palestine (see above, Summary Assessment Report and Activity Report, BADIL Refugee Rights Campaign).

##### **■ Drafting a Rights-based "Blueprint" for Palestinian Refugee Return and Real Property Restitution**

Following partner consultation and recommendations by the June BADIL-LSN Legal Strategy Workshop in Geneva, BADIL and the Center on Housing Rights and Evictions (COHRE) decided to take on a joint project for drafting a rights-based "blueprint" for Palestinian refugee return and real property restitution. This project is motivated by the fact that existing Palestinian proposals (including a Palestinian proposal presented at the 2001 Taba negotiations) are far too general in order to guarantee that the Palestinian refugees' right to return and real property restitution will be adequately represented in future political negotiations. The "blueprint" prepared by a legal expert team led by BADIL and COHRE will hammer out all of the necessary detail. The document will serve as an advocacy tool directed both at the Palestinian leadership and the refugee community. In June 2002, BADIL and COHRE offered to prepare this document for the Palestinian Negotiations Support Unit, if public access and funding are guaranteed (a response was still pending by December 2002). If an agreement cannot be reached BADIL and COHRE will - following renewed assessment of need and timing in 2003 - search for special funding for this "blueprint" project. (A BADIL-COHRE project proposal is available.)

## ***Part Three***

# **SPECIAL COMMUNITY EMERGENCY PROJECTS**

## **2002 Project Progress Report:**

### **"Repair, Renewal and Extension of Building in West Bank Refugee Camps"**

#### **A 2002 -3 Special Emergency Project Implemented in Cooperation with Oxfam Solidarity and the Belgian Government**

In 2002, the Special BADIL Board Committee supervised implementation of one special emergency project ("Repair, Renewal and Extension of Building in West Bank Refugee Camps") funded by the *Belgian government* (DGCI) through *Oxfam Solidarity*.

This 2002-3 Project aims to provide temporary income to unemployed Palestinian refugees and their families and strengthen refugee community organizations and restore public facilities in the refugee camps, thereby enhancing social justice and relations of solidarity.

Based on preliminary preparations throughout the year (preliminary selection of project sites, design of implementation mechanism with local partners), project implementation started in November 2002. 12 repair/renewal projects were selected and a memorandum of understanding was signed with community partners responsible for their implementation. Six additional projects at other sites required additional clarification and implementation was postponed. Field visits by BADIL and the local Oxfam representative were conducted to the

projects proposed in the area of Jericho (Aqbat Jaber and Ein Sultan), Ramallah (Am'ari, Qalandia, Deir Ammar, Jalazoun) and Hebron (Fawwar and Samo'). In late 2002, start-up funding was provided to 12 community partners and repair and construction work, was begun as following:





### Projects under implementation (12)

Location	Area	Description	Community Partner
Aida Camp	Bethlehem	Repair of 12 homes and walls	Popular Committee
Beit Jibrin Camp	Bethlehem	Repair of 7 homes	Popular Committee
Fawwar Camp	Hebron	Repair of 11 homes	Popular Committee
Shu'fat Camp	Jerusalem	Repair of 5 homes	Popular Committee
Jalazoun Camp	Ramallah	Repair of 8 homes	Popular Committee
Deir Ammar	Ramallah	Repair of 9 homes	Youth Activity Center
Am'ari Camp	Ramallah	Repair of 10 homes	Popular Committee
Aqbat Jaber Camp	Jericho	Repair of 14 homes	Popular Committee
Ein Sultan Camp	Jericho	Repair of 9 homes	Popular Committee
Askar Camp	Nablus	Rehabilitation of kindergarten	Committee for the Rehabilitation of the Disabled
Tulkarem Camp	Tulkarem	Repair, Youth Center	Popular Committee
Nur Shams Camp	Tulkarem	Building two rooms and sanitation	Popular Committee

### Projects in process of clarification (6)

Arroub Camp	Hebron	no project submitted	----
Kalandia Camp	Ramallah	Repair, playground	Youth Activity Center
Balata Camp Center	Nablus	Expansion of Yafa Cultural	Yafa Cultural Center
Samo' Village	Hebron	Finishing, 5 school classes	Special Committee, School Construction
Camp No. 1	Nablus	Repair, Youth Center	Youth Activity Center
Far'a Camp	Nablus	Repair, Youth Center	Popular Committee

The special emergency project will directly benefit some 400 workers by providing temporary income to them and their families. More than 5,000 refugee children, youth and adults will benefit indirectly from the repair and improvement of homes and public facilities.

