

**HaMoked: Center for the
Defence of the Individual**



2020 Annual Activity Report





Note from the Executive Director

I don't need to tell you how challenging 2020 was: we were all impacted by the Coronavirus pandemic and its resulting restrictions. In the occupied Palestinian territories, the pandemic exacerbated existing problems, and those of us working to promote Palestinian rights faced even greater challenges than usual. Added to this was the threat of formal Israeli annexation of parts of the West Bank. This led, in May, to a freeze in coordination between the Palestinian Authority and Israel, creating additional problems for Palestinians' daily lives. As if this were not enough, public hostility towards our work continued to grow, and HaMoked faced increasing harassment from ultra-nationalists throughout the year.

Despite these challenges, HaMoked assisted 4,051 individuals in 2020, and conducted principled litigation to seek wider respect for rights. Notably, we continued to lead the battle against Israel's punitive home demolition policy, successfully cancelling two demolitions. We sought greater respect for the rights of Palestinian minors in Israeli detention, and petitioned the High Court of Justice to demand that the military stop arresting teenagers from their homes in the middle of the night. We challenged restrictions on access to the lands behind the Separation Barrier, and petitioned the High Court demanding that Israel dismantle a segment of the Barrier that cuts off three communities' access to their farmlands.

In addition to our "normal" work, we also responded to the needs created by the Coronavirus crisis, challenging Israeli policies that arbitrarily denied Palestinian rights, and disseminating vital information to the Palestinian public regarding Coronavirus policies.

I would like to thank everyone who supported our work during the past year: we could not have done so much without you. Looking back on 2020, I am so proud of HaMoked's dedicated staff, who rose to meet the challenges we faced, ensuring thousands of Palestinians could realize their basic rights.

Jessica Montell
Executive Director of HaMoked

2020 in Numbers

 3,079

Detainees traced, and their families informed of their whereabouts

 181

Palestinians assisted to access lands behind the Separation Barrier

 315

Families in East Jerusalem helped to realize their residency rights

 61

People helped to travel abroad from and return to the West Bank and Gaza

 8

Punitive home demolitions challenged in Israel's Supreme Court

 172

Families helped to reunite through visits to Gaza or the West Bank

20



Freedom of Information requests submitted to expose Israeli policy and practices that violate human rights

33

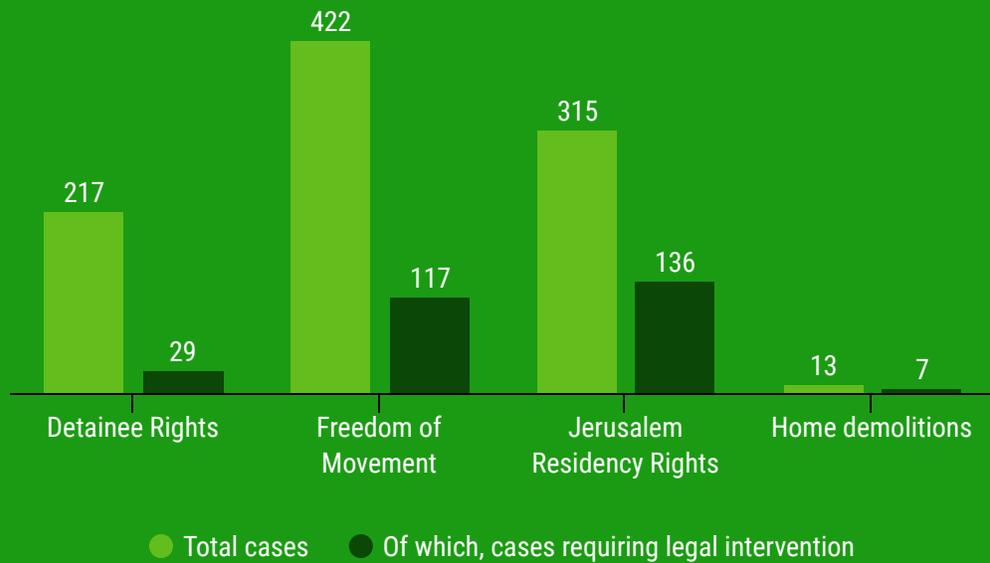


Principled cases litigated to demand greater respect for rights and changes to harmful laws and policies

2020 in Numbers

Cases by Type

Total individual cases (not including detainee tracing): 972



Success Rates

Cases closed during the year: 743



Success Stories

Military cancels quota on the number of days per year that farmers can access their lands behind the Separation Barrier

Since it illegally built the Separation Barrier deep inside the West Bank in the early 2000s, Israel has imposed a draconian permit regime on the lands trapped between the Barrier and the Green Line. Any Palestinian who wishes to access these areas for any reason, including to enter their own farmlands, must apply for a military permit. In September 2019, the military introduced an outrageous new policy, according to which even those few farmers who manage to obtain permits to access their lands would only be allowed to enter them a set number of days per year (in most cases just 40 days). HaMoked challenged this prohibition before the High Court of Justice, and in October 2020 the military informed us that following our petition, it had decided to cancel the quota policy.



Success Stories



The Jerusalem District Court rules that a woman cannot be denied residency status as punishment for acts she did not commit

In July 2020, the Jerusalem District Court accepted HaMoked's petition to grant residency status to a Palestinian woman who has lived in Jerusalem for some 20 years with her husband. Although Mrs. Khatib met all the conditions for receiving temporary residency, her status was not upgraded due to allegations regarding the couple's eldest son, who was suspected of stabbing an Israeli Border Police officer and was killed by security forces in the incident. On March 1, 2020, the Ministry of Interior refused to give Mrs. Khatib temporary residency on the grounds that it was impossible to separate her request from her son's deed. HaMoked petitioned the District Court on Mrs. Khatib's behalf, and the court accepted our position that she must be given residency status, noting that the Ministry's decision contradicted the basic legal principle that a person cannot be punished for someone else's actions.

This ruling sets an important precedent, which HaMoked has already used in subsequent litigation against attempts to deny residency as a form of collective punishment.

Success Stories

Palestinian minors in Israeli prisons given access to phone calls during the Coronavirus pandemic

One of the first Coronavirus restrictions introduced in Israel in late February, was a freeze on all prison visits by detainees' attorneys and families. For the approximately 4,000 Palestinian "security" prisoners, this meant complete isolation from the outside world, as they are generally barred from making phone calls while in prison. No exception is made for minor detainees, who can be as young as 12. In April HaMoked petitioned the High Court of Justice, demanding that all Palestinian detainees, and especially children, be given regular access to phone calls until prison visits are reinstated. As a result of our petition, the Israel Prison Service announced it would grant all detained minors a fortnightly call to their parents until visits are resumed; and that adult detainees would be allowed to make a single call to their families to exchange Ramadan holiday greetings. We are monitoring the issue to ensure this commitment is implemented in practice, and continue our litigation to obtain phone calls for adults as well.



Challenges

HaMoked closely monitored **the impact of Israel's Coronavirus policies on the Palestinian population**, and found that many of the policies did not take the needs of the Palestinian community into consideration, and in some cases the authorities seemed to deliberately take advantage of the crisis to further violate Palestinian rights. We challenged several of these harmful policies, for example by demanding that the military re-open two checkpoints it had closed without advance notice, cutting two communities off from the outside world.

The threat of annexation further destabilized the situation in the occupied territories. In May, **the Palestinian Authority announced it was freezing its coordination** with Israel, and HaMoked soon began receiving complaints from Palestinians who had attempted to leave the West Bank with their newborn babies, and were told they could not leave because their babies weren't registered in the population registry. In "normal" times, the PA makes routine changes to the Palestinian population registry, and then updates Israel on these changes. Israel views its copy of the registry as definitive, and therefore treated babies born while coordination was frozen as unregistered. HaMoked intervened with the Israeli authorities in over 20 such cases, demanding that these families be allowed to leave the West Bank. All our cases were resolved successfully. The freeze in coordination also made it difficult for Palestinians to obtain any of the many permits they need in order to travel within the West Bank or to leave the Gaza Strip. HaMoked mobilized during the olive harvest to ensure Palestinians with lands behind the Separation Barrier could harvest their groves despite the freeze in coordination. In November, the PA resumed its coordination with Israel.

The climate for HaMoked's work remained hostile. We met with frequent protests by ultranationalists outside our court hearings, and on one occasion the Supreme Court security evacuated three HaMoked lawyers to the Court's basement to avoid harassment. Ultranationalist attacks both on HaMoked and on the judiciary were especially pronounced following the High Court's decision to accept our petition and cancel the punitive demolition of the home of a woman and her eight children (the father of the family is accused of killing a soldier). The ruling met with a chorus of populist rhetoric from the highest-ranking figures in Israeli politics, including Prime Minister Netanyahu, who questioned the court's authority to overturn government decisions. As a result, the State submitted a request to hold a second hearing in the case before an expanded panel of judges. The President of the Court, Justice Hayut, ruled there were no grounds for a second hearing, but this case is illustrative of the current climate in Israel.

Change

The initial outbreak of the Coronavirus pandemic caught us unprepared for the need to **shift most of our staff to remote work**. In the first few weeks of the crisis, our IT and administrative department set up a remote phone hotline for our client intake department, purchased laptops and cell phones for our staff, and set up secure remote connections to our computers and filing system. We are now able to conduct all or most of our work remotely, as required by Ministry of Health guidelines and restrictions.

The pandemic also highlighted the need to **increase our digital outreach to members of the Palestinian public**, making ourselves more available to potential beneficiaries through digital media. Since March, we have significantly scaled up our information dissemination through our [Arabic Facebook page](#), posting regular updates on the pandemic and the policies introduced to halt its spread; and responding to questions and requests for assistance received through the page. We have even initiated litigation in individual and principled cases in response to requests received through the page – a first for HaMoked. More recently, we have made ourselves available to the Palestinian public via WhatsApp, and are now receiving inquiries through this channel as well.

Separately, for the past three years HaMoked has focused on **increasing the organization's public profile**, in an effort to help us expand our fundraising from individual donors and to develop new tools for our casework. As part of this strategy, in June HaMoked hired a spokesperson, and our work has since been covered in over 150 news items in the local and international press. In several instances, interventions by journalists helped us resolve individual cases more quickly, and we are now holding an internal assessment of how best to continue working with this new tool. HaMoked has also decided to increase its social media presence, and we recently launched an [English Facebook page](#) and a [Twitter account](#), to help us reach out to a wider audience.