

PROTECTING THE RIGHT TO DEFEND HUMAN RIGHTS IN PALESTINE.

This document aims to briefly justify the need of recognizing the Popular Struggle Coordination Committee (PSCC) as a Human Rights Defenders (HRD) organization by the European Union. The arguments presented here are based in the Guidelines for HRD elaborated by the EU and the UN Fact Sheet No. 29, Human Rights Defenders: Protecting the Right to Defend Human Rights and the Declaration of Human Rights Defenders.

Who is the PSCC?

The Popular Struggle Coordination Committee is a Palestinian grassroots organization formed by prominent activists in the local popular committees from all over the Occupied Territories and across the Palestinian political spectrum. Popular committees present a unique form of community based organizing and nonviolent resistance against the Israeli occupation. These diverse, non-partisan committees lead popular resistance to Israeli occupation in various forms: through direct actions (such as marches, strikes and demonstrations) legal campaigns and legal representation for activist and HRD and as well through trainings in Human Rights, International Law and nonviolent struggle.

What is a HRD?

Following the Guidelines for Human Rights Defenders of the EU:

“Human rights defenders are those individuals, groups and organs of society that promote and protect universally recognized human rights and fundamental freedoms. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights. Human rights defenders also promote and protect the rights of members of groups such as indigenous communities. The definition does not include those individuals or groups who commit or propagate violence.”

Following the Declaration of Human Rights Defenders.

“To be a human rights defender, a person can act to address any human right (or rights) on behalf of individuals or groups. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights.”

However, both guidelines agreed that what characterizes HRD are their actions, including:

- ✓ Documenting violations
- ✓ Seeking remedies for victims of such violations through the provision of legal, psychological, medical or other support; and
- ✓ Combating cultures of impunity, which serve to cloak systematic and repeated breaches of human rights and fundamental freedoms.

Why the PSCC should be recognized as a HRD organization?

The Declaration of HRD recognizes the importance and relevance of the role of non-governmental organizations and institutions in contributing to making the public more aware of Human Rights violations-related questions. The PSCC as an organization, and its members as individuals fulfill the criteria exposed in all the above-mentioned guidelines, for their nonviolent character and for the nature of the activities they are implementing. Since the PSCC is a social movement, shifting from the individual recognition (on a case based approach) to the recognition from the EU of the whole organization as a HRD group or organization will have a direct positive impact on:

- i. *Increasing the visibility of the nonviolent movement in Palestine* and of the PSCC as such. This will lead to a better perception of the movement as a whole and it will be a great recognition of their work as a group. The achievements of the movement have been possible thanks to the work of hundreds of people, men and women, who are not always visible.
- ii. *Improving the protection system.* This will help to clarify the role and relations of the EU Missions with the PSCC and its members. Due to the current situation in Palestine and the legal framework applied in the West Bank, HRD are at a huge risk when defending the rights of the Palestinian people and the implementation of the international law. The Military Order No. 101 specifically forbids any kind of demonstration in the West Bank, this clearly violates the Rights of Freedom of Expression and Peaceful Assembly, beside this, the lack of fair trial, plus the policies of administrative detentions and arbitrary arrests create a dangerous environment for those people defending HR, in where the protection and support from EU Missions become an urgent need. Attending and monitoring trials of HRD has been proven as a positive strategy of protection. By recognizing the PSCC as a HRD organization, support and protection of activist participating within the movement will be ensured, and protection mechanisms will be implemented in a faster and better- organized way.