

**THE IMPORTANCE of
LEGAL DEFENSE
for
POPULAR RESISTANCE ACTIVISTS**



**Support to Human Rights Defenders
in Palestinian Territories and Israel**

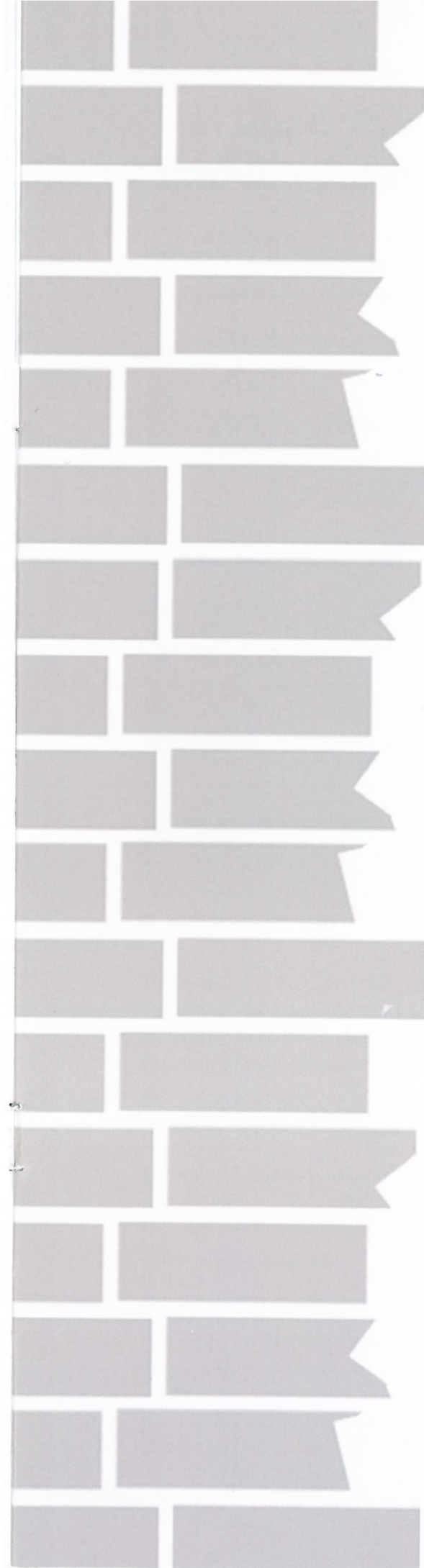


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The Importance of Legal Defense for Popular Resistance Activists

This report will examine the increasing use of arrest and detention by IOF (Israeli Occupation Forces) of Palestinian activists linked to the activities of popular non violent resistance and it will analyze how the Israeli legal instruments are used to repress the resistance.



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The Israeli Occupation Government puts a huge effort on international level in order to describe the Palestinian resistance as a terror phenomena. Partially they succeeded: a good example in this regard could be the justification to the last Gaza massacre (July August 2014). In spite of the dominant and mainstream Israeli narrative, it is recognized by the international law that people under colonial and foreign domination have the right to use, legitimately, all kind of struggle against their oppressors.

The Israeli Occupation Forces are doing their best to look for all the ways and means to criminalize peaceful acts and present them to the world as simple riots and disorders provoked by some outlaws groups. And this system has also been perpetuating on a legal level within the Israeli military courts.

It is known that the right to peaceful protest has been guaranteed by all international laws and conventions to claim the most basic human rights, nevertheless the occupation suppresses every kind of claim brutally and often violently.

During the last 10 last years of popular resistance, in the active villages against the wall and

the settlements, more than 50 activists have been killed, while hundreds injured and other hundreds jailed. For all that above the rule of a lawyer has been coming in parallel to the demand of people to defend their rights and to protect those who adopted the popular resistance in order to achieve their rights.

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It is important not to give the opportunity to the occupation forces to extend the detention of these detainees. Even the illegitimacy of the army orders, it is still necessary to use the tools of occupation in order to fight the army by reviling the discrimination, the apartheid, the segregation system through the tools that we have.

Therefore, the rule of the lawyers in following the files of the prisoners is becoming more and more important, especially after the end of investigation and the complete claims against the prisoners. This was visible and successful in many cases where lawyers succeeded to release many prisoners through financial bails avoiding for the indicted to spend long periods in jail. All these things have a positive effects on the detainees strengthening their resilience because they will feel protected both legally and morally by a lawyer, and will be encouraged to continue their peaceful activities in the popular resistance.

For example, there was the case of three people who were arrested during a Friday demonstration in Al Manatir village, close to Nablus. The files of the arrested needed to be completed by investigating some people that witnessed the event but the Israeli police omitted deliberately to complete the investigation and when the lawyers intervened in the right way they managed to clarify the image of the court and show the fact that those young people were just self-defending and therefore they were released even before the submission of an indictment against and the files were closed without continuing the investigation. .

Another case that the lawyer followed up was in July 2014; a young man from the village of Quffr Qaddoum was claimed by the persecutor in the court based on a certificate from a soldier saying that he was throwing stones. But after studying his file deeply the lawyers manage to release him because of the existence of differences between reality and the existing image and the contradiction in the statement of the soldier.

The popular non violent resistance is an effective way to reveal the fallacy of the occupation and its arrogance. Over the past years, the popular non violent resistance has been the only force able to expose the practices of the occupation and plans to take control of the land under rights of the people. Therefore popular non violent resistance constitute the medium to embrace the occupation on the local and international level.

So the Israeli occupation escalate to deal with the popular resistance not only on the battle field but on the legal and judicial level in military courts where the Israeli Military persecutors

attacked the activists in coordination with the Israeli intelligence service in order to eliminate this phenomena. All the attacks on the activists and the lawyers that are defending their rights increased in the military courts where the prosecutors become experts in making the procedures more complicated in front of the lawyers that are defending the activists.. Thus, it is important to counter this complicity between the courts, intelligence and army in order to provide a necessary protection and defense for the detainees.



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In May 2011 one activist from Al Ma'sara village was arrested for participating in the demo during the workers day, the soldiers claimed that he attacked soldiers, the prosecutor demanded to detain him for one week. The judge accepted, the lawyer objected against that asking analyze the video which proved his innocence. The judge refused to show the video because of lacknig of a dvd device. Te detained person spend three days in jail while waiting for the video.



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Project co-funded for the European Union