Israel/Palestine: in search of the rule of law

25 & 26 May 2021
Free online conference
What is the Balfour Project for?

What brings us together is a clear aim: Peace, Justice and Equal Rights in Israel/Palestine.

Mission Statement

Acknowledging Britain’s historical and continuing responsibilities, through popular education and advocacy to uphold equal rights for the Israeli and Palestinian peoples. To persuade the British Government to recognise the state of Palestine alongside the state of Israel.

How you can help

The conference is free, but please consider a donation to help us keep going. www.peoplesfundraising.com/donation/balfour-project

We also seek sponsors for our Peace Advocacy Fellowship Programme. The Balfour Project plans to appoint up to 20 Balfour Project Peace Advocacy Fellowships for the academic year 2021/22. Successful candidates are mostly post-graduates or final year undergraduates with an interest in promoting peaceful solutions to the Israeli-Palestinian conflict.

Welcome from Sir Vincent Fean, Balfour Project Chair

The Balfour Project charity works for peace, justice and equal rights in Israel/Palestine, through education and advocacy. Britain governed Mandate Palestine for over 30 years.

What was done then in our name is still felt today. Aware of those historic responsibilities, we seek to advance equal rights for both peoples, Israeli and Palestinian. The British Government should now recognise the state of Palestine alongside the state of Israel, acknowledging the right to self-determination of both peoples. Britain can promote the cause of peace with justice, for the good of all.

Current policy towards Israel/Palestine is not working. The UK/EU/US shared aim of two sovereign states is undermined systematically, daily. The occupation is entrenched. We owe the two peoples parity of esteem, but we do not treat them equally. Policy needs re-shaping to be effective, rights-based, and to respect the law in deed as well as in word.

This conference compares the rule of law with “the law in these parts” – in the Palestinian territory occupied militarily by Israel in 1967. UN Security Council Resolution 242 affirms that acquiring territory by war is inadmissible. Britain helped to draft the Geneva Conventions, prohibiting the transfer by the occupying power of parts of its own civilian population into the territory it occupies. Israel’s state-sponsored settlement project breaches UNSCR 242, those Conventions and the statute of the International Criminal Court. Are there consequences?

We will measure the distance between international law and harsh reality in the Occupied Palestinian Territory; discuss developments at the ICC and on the ground; listen to concerned Palestinian and Israeli voices, and ask Parliamentarians how to set about positive change. Lasting peace will only come with equality.
Conference Schedule

Day 1—Tuesday 25 May 2021

3.45pm Welcome – Sir Vincent Fean & Rt Hon Dominic Grieve QC
3.50pm Why the rule of law matters – Rt Hon Baroness Hale of Richmond
4.15pm Israel/Palestine: recent developments at the ICJ and ICC – Philippe Sands QC
4.35pm Discussion between Philippe Sands and John McHugo, Balfour Project Trustee
4.50pm Q&A with Philippe Sands QC
5.15pm Why a rights-based approach makes a just, lasting political solution more likely, and why now – Zaha Hassan
5.45pm The dual legal system in the Occupied Palestinian Territory, and the role of the Supreme Court of Israel – Michael Sfard
6.15pm Discussion between Zaha Hassan and Michael Sfard, moderated by Dominic Grieve QC
6.40pm Remarks by Dominic Grieve QC
6.45pm Forward look to Day 2 with Sir Vincent Fean

Day 2—Wednesday 26 May 2021

2.00pm Welcome - Andrew Whitley, Balfour Project Trustee
2.05pm International Law: indispensable in the search for a just Middle East peace – Prof Michael Lynk
2.45pm Four case studies introduced by Michael Lynk:
   • The settlement project - Hagit Ofran
   • Palestinian children in Israeli military detention – Sahar Francis
   • Gaza – Issam Younis
   • Accountability – Nada Kiswanson
3.45pm Panel discussion and Q&A
4.45pm Parliamentary session, chaired by Lord Alderdice
4.50pm Can international law prevail in Israel/Palestine, and if so, how? The role of the UK - Rt Hon Jack Straw
5.15pm Panel discussion – Jack Straw, Wayne David MP, Layla Moran MP, Joanna Cherry QC MP, Baroness Sayeeda Warsi, moderated by Lord Alderdice
5.55pm Remarks by Lord Alderdice
6.00pm Conference conclusion—Andrew Whitley

Measuring the distance between international law — which Britain has pledged to uphold — and the lived reality in the Occupied Palestinian Territory.

To reserve your free place, visit
www.balfourproject.org/rule-of-law
Accessing the conference

To register for this online conference, please visit
www.tinyurl.com/ruleoflawconference

You will then receive an email with your personal joining link. The same link can be used to attend any or all of the sessions across this two-day conference. You are free to log in and out as you please using your personal link.

Please type any questions you have to the speakers in the chat box. The speakers are not monitoring this, but some questions will be taken forward to the Q&A session at the end of the day.

Recordings and transcripts of the sessions will later be available on the Balfour Project website.

Day 1—Tuesday 25 May 2021

3.45pm
Welcome by Sir Vincent Fean & Rt Hon Dominic Grieve QC

Sir Vincent Fean (Balfour Project Chair) was a member of the British Diplomatic Service (1975-2014). His last post was as Consul-General, Jerusalem (2010-14). He has also been Ambassador to Libya and High Commissioner to Malta.

Vincent advocates equal rights for Israelis and Palestinians, and British Government recognition of the state of Palestine alongside Israel on pre-June 1967 lines.

Dominic Grieve is a barrister and a visiting professor on Law, Politics and Human Rights at Goldsmiths, University of London. From 1997-2019 he was MP for Beaconsfield. He was Shadow Home Secretary from 2008-09 and Shadow Justice Secretary from 2008-10. He was Attorney General of England and Wales from 2010-14. From 2015-19 he was chair of the Intelligence and Security Committee of Parliament.

Dominic will be chairing Day 1 of the conference.
Why the rule of law matters

Rt Hon Baroness Hale of Richmond

Brenda Hale, Baroness Hale of Richmond, retired in January 2020 as President of the Supreme Court of the United Kingdom, the apex court for England, Wales, Scotland and Northern Ireland.

She was educated at Richmond High School for Girls, in North Yorkshire, and Girton College, Cambridge, where she is now Visitor, and called to the Bar by Gray’s Inn. After graduating, she spent 18 years teaching, researching and writing in Law at the University of Manchester, also practising for a while at the Manchester Bar. She then became a member of the Law Commission, a statutory body which makes proposals for the reform of the Law.

Her proudest achievement there was the Children Act 1989. In 1994, she was appointed a High Court Judge, the first to have made a career as an academic and public servant rather than as a top barrister. In 1999 she was promoted to the Court of Appeal of England and Wales and in 2004 became a Lord of Appeal in Ordinary in the House of Lords, the first and sadly the only woman ever to hold that office.

In 2009 the ‘Law Lords’ were transformed into Justices of the newly established Supreme Court of the United Kingdom. She became Deputy President in 2013 and President in 2017.
Day 1—Tuesday 25 May 2021

4.15pm
Israel/Palestine: recent developments at the ICJ and ICC
Philippe Sands QC

Philippe Sands QC is Professor of Law at University College London and a practising barrister at Matrix Chambers. He appears as counsel before international courts and tribunals, and sits as an international arbitrator.


4.35pm
Discussion between Philippe Sands and John McHugo, Balfour Project Trustee

4.50pm
Q&A with Philippe Sands QC

John McHugo
In his books, John McHugo (Balfour Project trustee) tries to explain how we in the West have contributed to the catastrophic state of affairs that currently obtains in the Middle East. He is the author of A Concise History of the Arabs, Syria: A Recent History and A Concise History of Sunnis and Shi’is. During his legal career, he worked on international boundary disputes in the Middle East for over ten years.
Day 1—Tuesday 25 May 2021

5.15pm

Why a rights-based approach makes a just, lasting political solution more likely, and why now

Zaha Hassan

Zaha Hassan is a human rights lawyer and visiting fellow at the Carnegie Endowment for International Peace. Her research focus is on Palestine-Israel peace, the use of international legal mechanisms by political movements, and U.S. foreign policy in the region. Previously, she was the coordinator and senior legal advisor to the Palestinian negotiating team during Palestine’s bid for UN membership, and was a member of the Palestinian delegation to Quartet-sponsored exploratory talks between 2011 and 2012.

She regularly participates in track II peace efforts and is a contributor to The Hill and Haaretz. Her commentaries have appeared in the New York Times, Salon, Al Jazeera English, CNN, and others.
Michael Sfard is an international human rights lawyer with a special emphasis on the law of belligerent occupation. He has served as counsel in numerous important cases on these topics in Israel, including the successful litigations for the removal of settlements built on private Palestinian lands (such as Migron and Amona), petitions concerning the Separation Barrier (among them the "Alfei Menashe" and the Bil’in cases), the challenge to the Israeli policy of targeted killings and the challenge to the constitutionality of the “Regularisation” law which ordered the confiscation of private Palestinian lands and allocated them for the use of Israeli previously unpermitted settlements (so-called “outposts”). He is the legal adviser to several Israeli human rights and humanitarian organisations, as well as peace groups, such as Yesh Din, Peace Now, Breaking the Silence, Comet Middle-East and the Human Rights Defenders Fund.

He was a conscientious objector and spent three weeks in military prison because of his refusal to serve in Hebron.

6.15pm
Discussion between Zaha Hassan & Michael Sfard, moderated by Dominic Grieve QC

6.40pm
Remarks by Dominic Grieve QC

6.45
Forward look to Day 2 with Sir Vincent Fean
Andrew Whitley (BP Trustee) is founder and executive director of Geo-Political Advisory Services (GPAS), a UK-based consultancy that works on the alleviation of armed conflict in the Middle East and Asia. He was previously Policy Director and interim Chief Executive of The Elders, the organisation of global figures founded by Nelson Mandela. Andrew has worked as a journalist with the BBC and Financial Times and with the United Nations. He was the founding director of Human Rights Watch’s Middle East and North Africa division.
Michael Lynk is Associate Professor at the Faculty of Law, Western University, London, Ontario, Canada. He joined the Faculty in 1999, and has taught courses in labour, human rights, disability, constitutional and administrative law. He served as Associate Dean of the Faculty between 2008-11.

In March 2016, the United Nations Human Rights Council appointed him as Special Rapporteur for the human rights situation in the Palestinian Territory occupied since 1967 for a six-year term. In this capacity, he delivers regular reports to the UN General Assembly and the Human Rights Council on human rights trends in the OPT.

He has served as a labour arbitrator since 2000. Since 2007, he has been a vice-chair and arbitrator with the Ontario Grievance Settlement Board.
2.45pm

Four case studies

The settlement project
Hagit Ofran

Hagit Ofran works at the Settlement Watch project at the Israeli peace movement, Peace Now. Her work includes travelling daily throughout the West Bank, examining aerial photos and studying official Israeli documents. The Settlement Watch project serves as a resource for Israeli politicians, diplomats, international media organisations, and—first and foremost—for the Israeli public.

Palestinian children in Israeli military detention
Sahar Francis

Sahar Francis is the General Director of Ramallah-based Addameer Prisoner Support and Human Rights Association. She joined the association in 1998, first as a human rights lawyer, then as head of the Legal Unit. With over twenty years of human rights experience, Sahar also was on the Board of Defence for Children International – Palestine Section for 4 years, and on the Board of the Union of Agricultural Work Committees.

Sahar gained experience in Human Rights in the Society of Saint Yves in Jerusalem, on issues of land confiscations, house demolitions, labour rights and freedom of movement.
Issam Younis is the General Director of Al Mezan Centre for Human Rights in Gaza. He is also General Commissioner of the Palestinian Independent Commission for Human Rights-ICHR (The Palestinian National Human Rights institution). Issam is a member of the board of the Arab Organisation for Human Rights – Cairo, and a member of the Palestinian High Education Council. In 2008, he won the Weimar Human Rights Award, and in 2020 he won the Franco-German Human Rights and Rule of Law Award.

Nada Kiswanson is a Swedish lawyer of Palestinian origin. She serves as counsel for hundreds of Palestinian victims before the International Criminal Court. Nada has worked on the occupation of Palestine for over a decade, for and alongside human rights organisations. During that time she has explored numerous justice and accountability mechanisms for violations committed in Palestine.

3.45pm
Panel discussion and Q&A
John, Lord Alderdice has been a Liberal Democrat peer for twenty-five years and was formerly the Convenor of the Liberal Democrats in the House of Lords. Previously, as Leader of the Alliance Party of Northern Ireland, he played a significant role in the negotiation of the 1998 Good Friday Agreement and was then the first Speaker of the Northern Ireland Assembly. He stepped down in 2004 and was appointed to the Independent Monitoring Commission (IMC), put in place to close down the operations of the paramilitary organisations and monitor security normalisation.

Long active in international liberal politics, Lord Alderdice was President of Liberal International and is now a Presidente d’Honneur. A retired psychiatrist, he is currently a Senior Research Fellow at Harris Manchester College, Oxford, and Director of the Centre for the Resolution of Intractable Conflict. His areas of interest include religious faith, fundamentalism and long-standing violent political conflict.
4.50pm

Can international law prevail in Israel/Palestine, and if so, how?

Rt Hon Jack Straw

Jack Straw was Foreign Secretary (2001-2006), Home Secretary (1997-2001), Leader of the Commons (2006-7), and Lord Chancellor and Justice Secretary (2007-10).

He served for six months as Shadow Deputy Prime Minister, and then stood down from the Shadow Cabinet, having served on Labour’s Front Bench for thirty years.

Before becoming an MP, Straw practised as a Barrister, and then worked as a Special Adviser in the 1974-79 Labour Government.

He is a Visiting Professor at University College London School of Public Policy. Since 2015 he has been Chairman of the Blackburn Youth Zone, and from 2017 a Trustee of the Star (Tauheedul) Education Trust, which runs over twenty mainly Muslim state-funded schools. He is a Trustee of the Global Strategy Forum, and of the Atlantic Partnership.

He is a Trustee of the Royal United Services Institute (RUSI), and a Bencher of the Inner Temple.
Day 2 — Wednesday 26 May 2021

5.15pm
Panel discussion— Jack Straw, Wayne David MP, Layla Moran MP, Joanna Cherry QC MP, Baroness Sayeeda Warsi, moderated by Lord Alderdice

Wayne David MP
Wayne David is Shadow Minister for the Middle East and North Africa. He previously served as the Shadow Minister for the Armed Forces and Defence Procurement in the Shadow Defence team. He was briefly a member of the Defence Select Committee. Wayne has been the Labour Member of Parliament for Caerphilly since June 2001.

Layla Moran MP
Layla Moran has been the Member of Parliament for Oxford West and Abingdon since 2017. She is the Liberal Democrats’ Foreign Affairs and International Development Spokesperson. She was previously, as an ex-teacher, the party’s education spokesperson. She has campaigned to tackle climate change, make our education system world-class and protect and promote internationalism, including as a member of the Public Accounts Committee between 2017 and 2019.
Joanna Cherry QC MP

Joanna Cherry QC is the MP for Edinburgh South West and deputy chair of the joint House of Lords and Commons Committee on Human Rights. She was the Shadow Home Secretary for the SNP Group at Westminster from 2015-2021. In 2019 she led the successful ‘Cherry Case’ against Boris Johnson’s unlawful prorogation of Parliament. She was also part of the Article 50 Case against the UK Government at the EU Court of Justice, which established that Article 50 could be unilaterally revoked. Before entering Parliament, Joanna had been in practice as an Advocate for 20 years. She became a QC in 2009 and is ranked by the Legal 500 as one of the leading QCs in Scotland.

Baroness Sayeeda Warsi

Sayeeda Hussain Warsi is a British lawyer, politician and member of the House of Lords who served as co-Chairwoman of the Conservative Party from 2010 to 2012. She served in the Cameron–Clegg coalition, first as the Minister without portfolio, then as the Minister of State at the Foreign and Commonwealth Office and as the Minister of State for Faith and Communities. In 2014, she resigned from the government, saying its policy on the crisis in Gaza was "morally indefensible".

5.55pm
Remarks by Lord Alderdice

6.00pm
Andrew Whitley concludes the conference
Upcoming Events

Balfour Project

Use this link to register:
tinyurl.com/nadiahijab

Thurs 6 May
3pm UK

Moving beyond statehood debates and on to how we get there

Nadia Hijab

is co-founder and President of Al-Shabaka: The Palestinian Policy Network, the transnational Palestinian think tank.

This talk is free, but please consider a donation to support our work.
www.tinyurl.com/donatetobp

Balfour Project is a Scottish Registered Charity (SC 647090)
Upcoming Events

Balfour Project

Use this link to register:
tinyurl.com/eugenerogan

Neither pro-Zionist nor pro-Arab but pro-Empire: a re-assessment of British policy in the Palestine Mandate

Thursday 3 June 2021
3pm UK

Eugene Rogan

is Professor of Modern Middle Eastern History at Oxford University, where he has taught since 1991, a Fellow of St Antony’s College and Director of the Middle East Centre.

This talk is free, but please consider a donation to support our work.

www.tinyurl.com/donatetobp

Balfour Project is a Scottish Registered Charity (SC 047090)
What is the Balfour Project?

The Balfour Project was born when Monica Spooner, a retired doctor in Edinburgh, visited Israel and Palestine in 2008 with her husband, Roger.

‘I saw the achievement of a Jewish homeland, but discerned great anxiety and fear,’ she recalls. ‘I saw the pain of the Palestinians, and discovered their anger towards Britain. They felt betrayed by the 1917 Balfour Declaration, in which the British Government promised support for a homeland for Jews in Palestine so long as this did not prejudice the rights of the existing inhabitants, 90% of whom were Arab at that time.

‘Now that homeland is a reality. But the Palestinians have no freedom. ‘Studying this history, I realised that we British acted with duplicity, making several contradictory promises, and finally washed our hands of Palestine, leaving the Jews and the Palestinians to an undeclared war for domination. We in Britain are not taught these shameful episodes. I met others who felt similarly, and together we launched the Balfour Project. We have been joined by academics, politicians, clergy and citizens from all parts of the UK.

‘We are discovering a vast network of people throughout the country who are equally committed to peace and justice for both Palestine and Israel.’
For more information and to send us any comments, please email us at info@balfourproject.org or visit www.balfourproject.org

Balfour Project is a Scottish Charitable Incorporated Organisation (SCIO). Charity number SC047090