

TUPOCC-NLG: Statement in Support of Palestinian Liberation and Dissent from the National Lawyers Guild's Official Position on Palestine and Zionism

May 3, 2008

The founding *Alabama Manifesto* of The United People of Color Caucus (TUPOCC) calls on its members to “[d]emand that white and privileged Guild members take accountability for their racism and other oppressive behaviors by joining us in examining and effectively changing the culture of the NLG.” Upholding that call, TUPOCC, as a committee within the National Lawyers Guild, urges the NLG to condemn Zionism in all its forms and to address the marginalization of Palestinian Guild members, as well as non-Palestinian TUPOCC members and allies in support of the liberation of Palestine.

As our brief history has proved, TUPOCC remains steadfast in pressing the Guild to pass a resolution to condemn Zionism as a form of racism within the meaning of United Nations Resolution 3379 and to officially rescind the 1948 NLG Resolution supporting U.S. military and political aid for the creation of a colonial “Israel” constructed on 78% of occupied Palestine. TUPOCC objects to the denial of any people’s self-determination through the construction of colonial states.

I. TUPOCC Condemns Zionism as a form of Racism and Rejects Zionism *in toto*.

TUPOCC’s stake in this matter is simple and intrinsic: we are radical people of color who use the law to end the oppression of our communities. Our mission, as much as our inspiration, is not bound by national borders. For this reason, TUPOCC cannot temper its radicalism when it comes to the oppression of Palestinians and the brutally imposed apartheid in their occupied land. Accordingly, TUPOCC condemns Zionism as a form of racism and rejects Zionism, *in toto*, as a parcel of any action purporting to support Palestinians’ rights and liberation.

Richard Delgado long ago warned white radicals in the legal community: “Any acceptable theory must be radical, or at any rate progressive... since minorities want to change the world.” It is TUPOCC’s position that the Guild has held out a theory of Palestinian liberation that safeguards Zionism, the racist, imperialist ideology driving the brutalization of the Palestinian people since colonial times. This theory is neither radical nor progressive, and it is in no way acceptable.

II. TUPOCC Maintains a Position on Palestine Distinct from the NLG’s Position and Demands that Guild Members Institutionally Address Their Double Standard with Regard to Zionism.

TUPOCC categorically and institutionally distances itself from the NLG’s position as it stands today. We are deeply disturbed by what, from our perspective, is the Guild’s double standard on Palestine. . Historically, the Guild has proudly and defiantly implemented radical, untempered positions on Cuba, on immigrant rights, on labor, and on many other issues; yet, the NLG has withdrawn this brand of politics from its position on Palestinian liberation. This inconsistency causes TUPOCC members to question, whether, in the Guild’s institutional outlook, Palestinians fundamentally differ from other people who have been subjected to colonialism? Does the occupation they are being subjected to differ from that experienced in other former colonies in Asia and Africa? Does the Guild consider the

Palestinians' rights less demanding of total liberation and self-determination than those of other oppressed peoples? From our perspective in TUPOCC, there can be no institutionally consistent reason for the continued legitimization of "Israel," a colonial, settler state. It has become apparent to TUPOCC over time that the Guild's departure from radical politics in this context results directly from the failure of the organization's majority to condemn Zionism in all its forms.

To maintain unity with its own principled stand against all forms of oppression, the National Lawyers Guild must take immediate steps to recognize institutionally that Zionism is a form of racism and to address systemically its internalized Zionism. Until then, however, TUPOCC adamantly refuses to "compromise" on racism, remain silent on condemning Zionism itself as a form of racism, or allow Zionism a "safe space" in this radical legal community.

III. TUPOCC Reaffirms Its Position Supporting the Palestinian People's Liberation

Accordingly, TUPOCC reaffirms its position contained in the TUPOCC *Open Letter to the National Lawyers Guild In Opposition to Resolution "Israel: Boycott and Divest!" and In Support of the Liberation of Palestine* and reiterates its support for the following resolutions:

- 1. Resolution Commemorating the 60th Year of Al-Nakba: Condemning Zionism as a Form of Racism;**
- 2. Resolution to Implement and Support a Campaign for Boycott, Divestment, and Sanctions Against Israel;**
- 3. Resolution Adopting Al-Awda Right of Return Points of Unity and Officially Joining Al-Awda's Coalition Committee; and**
- 4. Resolution in Support of the Campaign to Free Ahmad Sa'adat and All Palestinian Political Prisoners.**

Pursuant to the resolutions above, TUPOCC hereby:

Condemns Zionism as a form of racism and racial discrimination and re-affirms the merits of United Nations Resolution 3379;

Opposes the illegal occupation of all of Palestine, including the 78% of Palestine occupied by Zionist forces (later "Israel") in 1948, as well as the remaining 22% of Palestine occupied by the Zionist regime of "Israel" in 1967;

Supports the Arab Palestinian peoples' right to self-determination and liberation throughout all of Palestine (including both the 78% of Palestine occupied in 1948 as well as the remaining 22% of Palestine occupied in 1967). In doing so, TUPOCC refuses to normalize, legitimize, or recognize the Zionist regime of "Israel";

Supports a full and comprehensive campaign of Boycott, Divestment, and Sanctions against the Zionist regime of "Israel" as set forth in *Resolution to Implement and Support a Campaign For Boycott, Divestment, and Sanctions Against Israel*, previously adopted by TUPOCC; and

Urges the international community to avoid any recognition or normalization with “Israel” and to expel “Israel” from the United Nations.

Adopts Al-Awda, The Palestine Right To Return Coalition’s points of unity and proudly joins Al-Awda’s Coalition Committee.

TUPOCC is proud to stand in firm and genuine solidarity with the just Arab Palestinian peoples’ struggle for self-determination and liberation from Zionist colonization, genocide, apartheid, and racism.

TUPOCC urges other individuals and organizations to condemn Zionism directly as form of racism and racial discrimination and to join us in institutionalizing the basic and fundamental positions stated above.

NLG Resolution Commemorating the 60th Year of Al-Nakba: Condemning Zionism as a Form Of Racism

WHEREAS, in 1948, nearly sixty years ago, Palestine was cleansed of, at least, 75% of its indigenous Arab Palestinian population, in an on-going genocide, by Zionist forces seeking to establish the exclusivist colonial-settler state of Israel, an event known as al-Nakba (the Catastrophe) among Arab Palestinians; this took place through a deliberate, planned and military executed policy of the expulsion of over 800,000 Palestinians from their homes, lands, and properties in 78% of historic Palestine, the attempted destruction of Palestinian national identity and culture, and the imposition of military rule over the vast majority of historic Palestine, and over the objections and without the consent of the indigenous Arab people of Palestine, and

WHEREAS, Al-Nakba cannot be de-linked from Al-Naksa (the Setback) which occurred in 1967 when the remaining 22% of historic Palestine, the West Bank and Gaza Strip, as well as the Syrian Golan Heights and the Egyptian Sinai, were placed under Israeli military occupation, in an aggressive military assault which resulted in another wave of Palestinian refugees, and

WHEREAS, a 1948 NLG resolution expressly supported the Zionist forces, including, Haganah by seeking to: “*allow the shipment of arms to those [Zionist] forces within and without Palestine*” and “*equip Haganah and other recognized cooperating*

forces...to defend the Jewish State and help implement the partition plan.” This 1948 resolution also reveals the NLG “*sent a delegation to the UN Security Council to...declare the actions of the Arab states a threat to peace*” and “*demand Britain [hand over their] strategic positions*” to “*local [Zionist] militia...to prevent Arab infiltration of men and arms into Palestine.*” Further, this 1948 NLG resolution sought to permit U.S. based Zionists to travel to Palestine to fight with Zionist forces against the indigenous Palestinian Arab population resisting Zionist occupation. Even after the world witnessed the genocidal cleansing of Palestine the NLG issued resolution in 1950, buttressing its 1948 resolution by “*deploring US policy to prohibit arms sales to Israel,*” and

WHEREAS, the United Nations Committee on Economic, Social and Cultural Rights: Israel. 04/12/98. E/ C.12/1/Add. 27 (Concluding Observations/ Comments) (excerpts), state: “*The Committee notes with grave concern that the Status Law of 1952 authorizes the World Zionist Organization/Jewish Agency and its subsidiaries, including the Jewish National Fund, to control most of the land in Israel, since these institutions are chartered to benefit Jews exclusively,*” and

WHEREAS, Israel’s definition of Zionism, is consistent with the World Zionist Organization (WZO), as expressed by Israel’s prime minister Ehud Olmert, who stated that: “*Zeev Jabotinsky defined the importance of a Jewish majority in his insightful and keen way: ‘The term ‘Jewish nation’ is absolutely clear: it means a Jewish majority. With this, Zionism began,*

and it is the basis of its existence, it will continue to work towards its fulfillment or it will be lost,” and

WHEREAS, the NLG, in its 1988 Report, defines Zionism as “*a movement dedicated to the establishment of a Jewish state*

in Palestine.” Further, a 2001 NLG Report also states, “*the common goal is to ‘Judaize’ space and to ‘implement the Zionist*

project of controlling the land solely for the benefit of Jewish citizens of the State,” and

WHEREAS, beyond the official definition of Zionism by the Zionist colony of Israel and its quasi-governmental agencies (i.e. WZO/JA/JNF), the genocidal practice of Zionism in occupied Palestine provides exceedingly sufficient evidence that Zionism is a form of racism and racial discrimination, and

WHEREAS, Section 7A (1) Basic Law of Israel explicitly prevents all of Israel’s “citizens” from using the so-called “democratic system” of Israel’s elections to challenge the inferior status of non-Jewish Palestinians under the law; it restricts who can run for political office with language stating: “*A candidates' list shall not participate in elections to the Knesset if among its goals or deeds, either expressly or impliedly, are one of the following: (1) The negation of the existence of the State*

of Israel as the State of the Jewish People,” and

WHEREAS, Zionist historian Benny Morris admits “*Transfer was inevitable and inbuilt into Zionism.*” For example, a 2006

poll conducted by the “Israel Democracy Institute” clearly reveals Zionism’s aim of “transfer” is supported by 62% of Israel’s Jewish majority, and

WHEREAS, United Nations (“UN”) Resolution 3379 determined “*Zionism is a form of racism and racial discrimination,*” citing several resolutions by various states, including resolution 77 (XII) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twelfth ordinary session, 28 July to 1 August noted “*that the racist regime in occupied Palestine and the racist regime in Zimbabwe and South Africa have a common imperialist origin,*

forming a whole and having the same racist structure and being organically linked in their policy aimed at repression of the dignity and integrity of the human being,” and

WHEREAS, the conditions of which gave rise to UN Resolution 3379, namely the Zionist colonial genocide, racism, and occupation of Palestine, continue to exist; and UN Resolution 3379 has never been rescinded on the merits; instead, Israel and the US exerted tremendous pressure upon economically vulnerable States who supported UN Resolution 3379 while Israel expressly conditioned any UN involvement in the so-called Oslo “peace process” upon the rescinding of UN Resolution 3379, and

WHEREAS, a review by the United Nations of Israel's performance under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in May of 2003 raises serious concerns regarding continuing institutionalized and systematic racism directed by the product of Zionism, Israel, against Palestinians: *"The Committee is deeply concerned about*

the continuing difference in treatment between Jews and non-Jews....and "reiterate[d] its concern that the excessive emphasis upon the state as a 'Jewish state' encourages discrimination and accords a second-class status to its non-Jewish citizens." Further, the United Nations recognizes that such institutionalized and systematic racism is intimately connected to Israel's persistent denial of the right of Palestinian refugees to return, stating: *"The Committee is particularly concerned about the status of 'Jewish Nationality' which is a ground for exclusive preferential treatment for persons of Jewish nationality under the Israeli Law of Return, granting them automatic citizenship and financial government benefits, thus resulting in practice in discriminatory treatment against non-Jews, in particular Palestinian refugees;"*

THEREFORE BE IT RESOLVED, the National Lawyers Guild:

Apologizes, without excuses or justifications, to the Arab Palestinian People and all victims of Zionist colonization in Palestine for the NLG's role and responsibility in Al-Nakba and the illegal occupation of Palestine in 1948 by actively seeking to arm and support Zionist terrorist forces in 1948 and 1950. Further, the NLG shall institutionalize its commemoration of both Al-Nakba and Al-Naksa on May 15, Nakba Day, the 1948 catastrophe and on June 6, Naksa Day, the 1967 catastrophe.

Rescinds its 1948 and 1950 resolutions mentioned herein; and also rescinds all other NLG resolutions to the extent they expressly or impliedly partition Palestine or Palestinians or reduce the Palestinian struggle to a border dispute thereby pigeon-holing the Palestinian struggle for self-determination and liberation into a Bantustan.

Reaffirms the merits of United Nations Resolution 3379 declaring, “Zionism is a form of racism and racial discrimination.”

Condemns all manifestations of institutionalized and systematic Zionist racism, stemming from the First Zionist Congress in 1897 through today's present denial of the Palestinian right to return and perpetuation of ongoing genocide and crimes against humanity directed against the indigenous Arab Palestinian People

Insists, as the Free Palestine Alliance asserts, *“that while ending the occupation of the Palestinian West Bank and Gaza Strip*

is a right due to the Palestinian Arab People, it is not a substitute for liberating the Palestinian Arab People from Zionist settler-colonialism. Ending the 1967 occupation of Palestine does not displace or mitigate all of the Palestinian People's other inalienable rights, including but not limited to, the Palestinian right to return and the Palestinian right to self-determination

and liberation throughout all of Palestine.”

Resolves to integrate its policy against Zionist racism in practice by partnering with Palestinian communities and prioritizing the voice of Palestinians, while producing educational materials on in their struggle to resist Zionism, colonialism, occupation, oppression, and racism under the Zionist colony of Israel.

Implementation by NLG Middle East Subcommittee

Submitted by: Steering Committee of the NLG Middle East Subcommittee, Charlotte Kates, charlotte.kates@gmail.com and Michael Shahin, mashahin@gmail.com

RESOLUTION TO IMPLEMENT AND SUPPORT A CAMPAIGN FOR BOYCOTT, DIVESTMENT, AND SANCTIONS AGAINST ISRAEL

WHEREAS, in 1948, nearly sixty years ago, Palestine was cleansed of, at least, 75% of its indigenous Arab Palestinian population, in an on-going genocide, by Zionist forces seeking to establish the exclusivist colonial-settler state of Israel, an event known as al-Nakba (the Catastrophe) among Arab Palestinians; this took place through a deliberate, planned and military executed policy of the expulsion of over 800,000 Palestinians from their homes, lands, and properties in 78% of historic Palestine, the attempted destruction of Palestinian national identity and culture, and the imposition of military rule over the vast majority of historic Palestine, and over the objections and without the consent of the indigenous Arab people of Palestine, and

WHEREAS, since 1948, Palestinian refugees, a population that today numbers nearly six million, the world's largest refugee population, have been denied their right to return home, an individual, collective and national right that is affirmed by United Nations Resolution 194, the Fourth Geneva Convention, and the Universal Declaration of Human Rights, and

WHEREAS, in 1967, the remaining 22% of historic Palestine, the West Bank and Gaza Strip, as well as the Syrian Golan Heights and the Egyptian Sinai, were placed under Israeli military occupation, in an aggressive military assault; the illegal military occupation of the West Bank, the Gaza Strip and the Golan continues today, and the occupying forces regularly engage in gross human rights violations, including a military and economic siege upon the Gaza Strip, a system of checkpoints, roadblocks and systematic denials of freedom of movement, the construction of an 8-meter-high Apartheid Wall severing Palestinian communities from one another and from their land, the use of live ammunition against Palestinian civilians, men, women and children, a policy of the assassination of Palestinian political leaders and organizers, often utilizing US-made and US-funded weaponry, such as the Apache helicopter, the political imprisonment of over 11,000 Palestinian political organizers, leaders and activists, including dozens of elected members of the Palestinian legislative council; the ongoing theft and confiscation of agricultural land; the aggressive and illegal building of "settlement" colonies on Palestinian land; the demolition of Palestinian homes, often using US-made and US-funded Caterpillar bulldozers; the theft of Palestinian water resources and the deprivation of water access to Palestinian communities; economic isolation that has led to extraordinarily high rates of unemployment, poverty and malnutrition; the denial of medical services to sick and wounded Palestinians and pregnant Palestinian women; and many more human rights violations and abuses not listed above, and

WHEREAS, those Palestinians living in the areas of historic Palestine occupied in 1948 (Israel) are subject to institutionalized racism and systematic discrimination in employment, housing, land ownership, marriage and immigration policies, the denial of land rights and the rights of internally displaced persons to return to their homes, lands, and villages, policies of home demolition and land confiscation, as well as the fundamental denial of self-determination and national rights inherent in the creation of a self-defined "Jewish state" on Palestinian Arab land, and

WHEREAS, the Palestinian people in exile (shatat) and diaspora, in the West Bank and Gaza, and in the areas of Palestine occupied in 1948 are one people facing different manifestations of the same project and with a shared interest in liberation, self-determination and return for the Palestinian people, and

WHEREAS, hundreds of Palestinian organizations, in all sectors of the Palestinian community, have called for a campaign of international Boycott, Divestment and Sanctions against Israel, including but not limited to the economic, cultural, and academic boycott of Israeli institutions, companies, and products, and the imposition of economic sanctions upon Israel, and

WHEREAS, the continued denial of Palestinian rights is undertaken and funded by U.S. economic aid, including \$3 million annually in military aid, in violation of the U.S. Arms Export Control and Foreign Assistance Acts, and the United States government has, and continues to provide massive political and diplomatic, as well as economic and military support to the Israeli state, and

WHEREAS, within the United States, a campaign against the academic and intellectual freedoms of Palestinian and solidarity intellectuals, as well as government repression of Palestinian activists,

including the trials of Sami al-Arian and his co-defendants, Mohammad Saleh and Abdelhaleem Ashqar, the Holy Land Foundation leadership, and the ongoing immigration persecution of the Los Angeles 8, is being waged that threatens fundamental personal liberties, freedom of speech, association and advocacy, as well as academic and intellectual freedom more broadly, and

WHEREAS, the National Lawyers Guild in 2004 adopted the "Resolution to Divest, in Principle and Practice, from Israel," and as the NLG defines itself as seeking to become an "effective political and social force in the service of the people," and as the NLG has a history of supporting the international isolation of apartheid states, as in the case of South Africa;

THEREFORE, BE IT RESOLVED, that the National Lawyers Guild shall in principle and practice support international and Palestinian campaigns for Boycott, Divestment and Sanctions from Israel, and

BE IT FURTHER RESOLVED, that the NLG will boycott all Israeli products, commercial services and tourism, and support the academic and cultural boycott of Israel in its events and programming, and

BE IT FURTHER RESOLVED, that the NLG will support and actively organize events in commemoration of the 60th anniversary of al-Nakba in 2008, and support events and organizing for justice in Palestine in our communities, and

BE IT FURTHER RESOLVED, that the NLG, its chapters and members, will provide legal support wherever possible to organizations, individuals, and academics who are targeted, prosecuted, fired or in any way subject to repression for their activities, position and work in support of the Palestinian people, and will actively be involved in activities to oppose the attempts to silence voices in support of Palestine and to oppose repression directed against Palestinian and solidarity organizing and activity, and

BE IT FINALLY RESOLVED, that the NLG expresses its support and solidarity with the entire Palestinian people in their struggle for liberation, self-determination and return, including the dismantling of all structures of Zionist apartheid, racism and colonialism in all of historic Palestine, the end to occupation of all Arab and Palestinian land, and the immediate implementation of the right to return of Palestinian refugees to their original homes, lands and properties.

Implementation by the NLG Middle East Subcommittee.

Submitted by the Steering Committee of the NLG Middle East Subcommittee, Charlotte Kates, charlotte.kates@gmail.com and Michael Shahin, mashahin@gmail.com

Resolution Adopting Al-Awda Right of Return Points of Unity and Officially Joining Al-Awda's Coalition Committee

WHEREAS the National Lawyers Guild, in 2003 adopted a "Resolution Affirming the Individual and Collective Palestinian Right To Return;”

WHEREAS the National Lawyers Guild acknowledges that all resolutions are only as powerful as their implementation;

WHEREAS TUPOCC and the Steering Committee of the Middle-East Subcommittee has already adopted Al-Awda's points of unity thereby joining Al-Awda's Coalition Committee.

WHEREAS Al-Awda – The Palestine Right to Return Coalition is a broad-based, non-partisan, and democratic organization of grassroots activists committed to comprehensive public education on the rights of all Palestinian refugees to return to their homes and lands of origin, and to full restitution of all their confiscated and destroyed property in accordance with the Universal Declaration of Human Rights and international law;

WHEREAS Al-Awda's Coalition Committee consists of organizations who adopt Al-Awda Points of Unity in solidarity with Palestinian refugees and to organize for their right to return;

WHEREAS joining the Coalition Committee is a concrete step towards a full and genuine solidarity with the Palestinian struggle for self-determination and liberation throughout all of historic Palestine.

THEREFORE, BE IT RESOLVED, THE NATIONAL LAWYERS GUILD:

Adopts Al-Awda's points of unity which state:

“Al-Awda, the Palestine Right to Return Coalition affirms that the Palestinian Arab people, regardless of their religious affiliation, are indigenous to Palestine. Therefore, they are entitled to live anywhere in Palestine which encompasses present-day "Israel", the West Bank and Gaza Strip. Al-Awda regards the "Israeli" definition of Jewish nationals, granting exclusive rights to citizenship and land to any Jew from anywhere in the world, as part of the racism and discrimination inherent in Zionist ideology which underlies the policies and laws of the settler state of "Israel".

Al-Awda unequivocally supports the fundamental, inalienable, individual and collective rights of all Palestinian refugees to return to their original towns, villages and lands anywhere in Palestine from which they were expelled. Al-Awda also unequivocally supports the rights of all Palestinian refugees to compensation for damages inflicted on their property and lives, and to restitution of all destroyed and confiscated property. All Palestinians are entitled to the rights to self-determination, to political, economic and civil equality, and to live in a single democratic state for all its citizens in all of Palestine. The Palestinian national identity encompasses more than 5.5 million people living in exile, more than 2.5 million living in the West Bank and Gaza Strip, and more than 1.2 million living within the areas of Palestine controlled by "Israel" since 1948.

Al-Awda firmly stands against the continued displacement of Palestinians, the construction of illegal Jewish-only colonies in the form of residential settlements, the racist confiscation of land and the demolition of homes since 1948. Al-Awda firmly stands against the collective punishment of Palestinians, and all violations of Palestinian civil, economic, political, national and human rights. Al-Awda abhors and condemns the use of massacres and abuse of civilians to further the expansion of "Israel" to the detriment of Palestinian society.

Al-Awda supports the struggle for the liberation of Palestine and views it as a struggle against all forms of colonialism. This struggle is inseparable from the universal and labor struggles for social, economic and national equality, development, justice and freedom against an imposed global new world order. Al-Awda upholds all of the values enshrined in the Universal Declaration of Human Rights, the Fourth Geneva Convention, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Political Rights of Women, and the International Convention on the Suppression and Punishment of the Crime of

Apartheid. Al-Awda also upholds the African Charter of Human and People's Rights, the Comprehensive Anti-Apartheid Act (Pub. L. 99-440) and the American Convention on Human Rights.

Al-Awda respects, recognizes, and supports the central role of Palestinian women in the struggle for national liberation and the right to return. This includes the leadership of Palestinian women in the right to return movement.

Al-Awda will work to educate the public about "Israeli" injustices the US government subsidizes with billions of dollars annually. Until the dismantlement of the exclusionary and racist character of "Israel", and until all Palestinians are granted the right to return and achieve equality, Al-Awda is united in working for and demanding:

- An end to all US political, military and economic aid to "Israel"
- The divestment of all public and private entities from all "Israeli" corporations and American corporations with subsidiaries operating within "Israel"
- An end to the investment of Labor Union members' pension funds in "Israel"
- The boycott of all "Israeli" products
- The right to return for all Palestinian refugees to their original towns, villages and lands with compensation for damages inflicted on their property and lives
- The right for all Palestinian refugees to full restitution of all confiscated and destroyed property
- The formation of an independent, democratic state for all its citizens in all of Palestine.”

BE IT FURTHER RESOLVED that the National Lawyers Guild officially will join Al-Awda's Coalition Committee, and with a representative on committee, work in solidarity with Al-Awda in furtherance of the right of return and divestment from Israel, and in accordance with National Lawyers Guild resolutions and international law.

To be implemented by TUPOCC and the Steering Committee of the Middle-East Subcommittee of the National Lawyers Guild

Submitted by TUPOCC (Matt and Ann, tupocc@gmail.com), and the Steering Committee of the Middle-East Subcommittee of the National Lawyers Guild

RESOLUTION IN SUPPORT OF THE CAMPAIGN TO FREE AHMAD SA'ADAT AND ALL PALESTINIAN POLITICAL PRISONERS

WHEREAS, Israel currently holds over 11,000 Palestinians as political prisoners, including men, women and children, and one out of every four Palestinians living in the West Bank and Gaza has been subject to political arrest or detention, including 40% of Palestinian men from the West Bank and Gaza, and

WHEREAS, the arrest, detention and imprisonment of Palestinians is directed by a series of over 1500 Israeli military regulations that can be changed at any time by the regional military commander, and Palestinians arrested by the Israeli military are often relocated to Israeli military prisons outside the West Bank and Gaza, in violation of the Fourth Geneva Convention, and as the Israeli military continues to abduct Palestinians on a daily basis and imprison them in these military prisons, and

WHEREAS, Palestinians abducted by the Israeli military are subject to psychological and physical torture and abuse, especially during the period of interrogation, which can last for up to 180 days, including up to sixty days in which a Palestinian prisoner may not be seen by an attorney, and

WHEREAS, over half of all Palestinian political prisoners and detainees have not been tried, and

WHEREAS, nearly one thousand Palestinians are held in "administrative detention," a system of detention without charge or trial, that is indefinitely extensible for successive six-month periods, confronted only by secret evidence that is impossible to refute, and

WHEREAS, those Palestinian detainees that are tried are brought before an Israeli military court, in which Palestinians' rights to a fair trial are systematically violated, presided over by three judges, only one of which is required to have any legal training, and

WHEREAS, the Israeli military courts exist only as a function of the illegal military occupation, and thus can never provide a legitimate or fair trial to Palestinian political prisoners, and

WHEREAS, Palestinian national leaders, including Ahmad Sa'adat, General Secretary of the Popular Front for the Liberation of Palestine, Marwan Barghouti, Abdelaziz Dweik, Speaker of the Palestinian Legislative Council, and 39 other members of the PLC, are systematically targeted for political arrest and imprisonment, and

WHEREAS, the most basic of political activities, including simply being a member of most Palestinian political parties, are sufficient to serve as "charges" against Palestinian political prisoners and are met with substantial sentences, and

WHEREAS, Ahmad Sa'adat and five other Palestinian political prisoners were arrested by the Palestinian Authority in 2002, and were transferred to Jericho Prison under U.S. and British guard as a condition of a settlement between then PA President Yasser Arafat and Israel in May 2002, and

WHEREAS, during his time in PA prison, Sa'adat was never charged with any crime nor tried for any offense; his release was ordered by the Palestinian High Court, and supported by numerous international organizations, including Amnesty International, and

WHEREAS, on March 14, 2006, the U.S. and British monitors at Jericho Prison left their posts, shortly before the inception of a ten-hour siege of the prison by the Israeli military that ended in the death of two Palestinians, the injury of twenty-three more, and the abduction of Ahmad Sa'adat and five other political prisoners from Jericho to Israeli military prisons, and

WHEREAS, Ahmad Sa'adat is currently facing trial for 19 political offenses, including membership in a prohibited organization, holding a post in a prohibited organization, and incitement, for giving a speech after the Israeli assassination of his predecessor, Abu Ali Mustafa, in 2001, and his trial on these charges has been repeatedly delayed and postponed, often meeting for one day and not reconvening for periods of up to three months before continuing, and

WHEREAS, Ahmad Sa'adat and his attorneys refuse to recognize the authority of a military court that is an instrument of occupation, and

WHEREAS, political imprisonment has been one part of a deliberate strategy to deprive Palestinians of their leaders, educators, writers, journalists, clergy, unionists, and popular activists from all political orientations, as part of the dispossession and repression of the Palestinian Arab people in the interests of colonialism and occupation for over sixty years, including the denial of millions of Palestinian refugees' right to return home, and

WHEREAS, as Ahmad Sa'adat said in his statement to the court of January 14, 2007, " This trial cannot be separated from the process of the historical struggle in Palestine that continues today between the Zionist

Movement and the Palestinian people, a struggle that centers on Palestinian land, history, civilization, culture and identity," and

WHEREAS, there is an international campaign to free Ahmad Sa'adat, and all Palestinian political prisoners, and as the National Lawyers Guild has a history of supporting political prisoners' struggles for justice and freedom, and

WHEREAS, the political imprisonment of thousands of Palestinians is made possible by the billions of dollars in economic and military support as well as the vast political and diplomatic support given to Israel by the United States,

THEREFORE, BE IT RESOLVED, that the National Lawyers Guild calls for the immediate freedom of Ahmad Sa'adat and all Palestinian political prisoners and detainees, and

BE IT FURTHER RESOLVED, that the National Lawyers Guild shall actively support the Campaign to Free Ahmad Sa'adat and all campaigns to free all Palestinian political prisoners and detainees, and

BE IT FURTHER RESOLVED, that the NLG shall endeavor to issue statements, hold events and otherwise publicize the cases of Palestinian political prisoners and detainees, and

BE IT FURTHER RESOLVED, that the NLG shall endeavor to support the struggles and organizing of Palestinian political prisoners, and the work of activists and organizations on the ground working for justice and freedom for Palestinian political prisoners, and

BE IT FINALLY RESOLVED, that the NLG shall support, through events, statements, delegations and advocacy, the cause of freedom for which these thousands of prisoners are held - of self-determination, liberation and return for all Palestinians in exile and in all of historic Palestine.

Implementation by the NLG Middle East Subcommittee.

Submitted by the Steering Committee of the NLG Middle East Subcommittee, Charlotte Kates, charlotte.kates@gmail.com and Michael Shahin, mashahin@gmail.com