



“THE LEGAL STRUGGLE IN SUPPORT OF THE PALESTINE CAUSE” CHALLENGES AND OPPORTUNITIES

The Palestinian legal struggle has gained renewed significance in the wake of the 2024 advisory opinion of the International Court of Justice (ICJ), the UNGA Resolution of September 17, 2024 and the ongoing investigations by the International Criminal Court (ICC). The ICJ’s opinion, which reaffirmed the illegality of Israel’s occupation and the violation of Palestinians’ right to self-determination, has provided a stronger legal foundation for Palestinian claims on the global stage. Following the AO of the ICJ, the UNGA Resolution of September 17 overwhelmingly voted for imposing sanctions on Israel, triggering the legal obligations of all states end complicity with Israel’s illegal occupation. Alongside this, the ICJ is also hearing the case on Genocide against Israel, marking a critical legal avenue to address the mass atrocities being committed by Israel. All this has opened new legal avenues not only at international bodies like the United Nations and the ICC but also at the state and regional levels. Countries, particularly within Europe, Africa, and the Middle East, now have the duty of restricting trade related to illegal settlements, imposing embargos on arms trade as well as lawful and targeted sanctions and support Palestinian efforts through their own legal and diplomatic mechanisms. The ICC’s investigation into potential war crimes, including those tied to settlement expansions and military operations in Gaza, adds further international scrutiny. However, all these legal developments are unfolding against the backdrop of an ongoing genocide in Gaza, where the humanitarian crisis has reached a critical point, and the situation in the West Bank continues to deteriorate, with increasing violence and displacement. The regional risks are also escalating, as the violence in the Occupied Palestinian Territories has spilled over into neighboring areas, threatening broader instability in the Middle East.

Despite the UNGA Resolution and the ICJ’s legal ruling, their non-binding nature means that enforcement depends largely on the political will of states and international organizations, many of whom are reluctant to take concrete actions that might disrupt alliances or economic ties with Israel. Similarly, while the ICC investigation holds promise for accountability, it faces significant challenges, including Israel’s rejection of the court’s jurisdiction and the risk of external political pressure limiting its scope. In this deteriorating context, while legal victories in international courts offer symbolic and strategic leverage, the path to meaningful change remains fraught with political and diplomatic practical challenges that require coordinated international and regional legal and diplomatic efforts to increase the pressure so that a lasting peace based on International law and principles is achieved. It is time to act!

**NOVEMBER 16, BILBAO
BASQUE COUNTRY
BIZKAIA BAR ASSOCIATION**



PROGRAMME:

November 16, Saturday

09.00.- 9.15 **Presentation**

- Gernika-Gaza Palestine Solidarity Initiative Spokesperson.
- Professor Mr. Bill Bowring (ELDH Honorary President).

09.15.- 10.00. **The International Law and the Struggle for Palestine**

- UN Special Rapporteur on Palestine, Mrs. Francesca Albanese (Online Intervention)
- Mrs. Monique Chemillier-Gendreau (Honorary President of the French Association of Democratic Lawyers and ELDH) (Online Intervention)

10.00.-11.30. **The IJC Advisory Opinion and the Genocide case: Challenges & Opportunities**

- Mr. Raji Sourani (Palestine Center of HHRR)
- Mr. Issam Younis (Al Mezan, Human Rights Organization)
- Mr. Hussein Ali Qassem (Union of Arab Lawyers)
- Mr. Marco Bona (Turin Bar Association)

Moderator: Mrs. Barbara Spinelli (Co-President of ELDH)

11.30.-12.00. **Coffee Break**

12.00.-13-00. **Israel under the ICC: Challenges and Opportunities**

- Mrs. Lamis J Deek (PAL Law Commission)
- Mr. Fadi Abbas (President of the Palestine Lawyers Bar Association)
- Mr. Fouad Baker (Member of the European Anti-apartheid Initiative)

Moderator: Mr. Thomas Schmidt (Co-Secretary General ELDH)

13.00.-13-30. **Presentation of the report about Palestine Lawyer's situation**

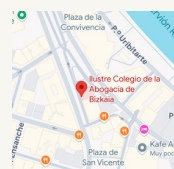
- Mrs. Mai Attallah (Palestine Bar Association)
- Mrs. Ceren Uysal (ELDH Co-Secretary General)

Moderator :Mrs. Lorraine Leete (Legal Centre Lesvos)

13.30. **Closure**

- ELDH Co-Presidents Barbara Spinelli & Urko Aiertza Azurtza

VENUE:
BIZKAIA BAR ASSOCIATION
RAMPAS DE URIBITARTE, 3. 48001
BILBAO- BASQUE COUNTRY



SPEAKERS:



Monique Chemillier-Gendreau is Professor Emerita of Public Law and Political Science at the University of Paris-Diderot. She is the honorary president of the French Association of Democratic Jurists (founded by René Cassin) and ELDH. She was a member of the sponsorship committee of the Russell Tribunal on Palestine, chaired by the Palestinian Authority Ambassador to Europe, Leila Shahid, whose work was presented on March 4, 2009. She has a significant practice of law before international courts. She pleads in particular before the International Court of Justice of the UN in The Hague. She contributed greatly to the legal framework of the undocumented immigrants movement in France in the late 1990s, just as her work as a practitioner of international law led her to get involved in countries of the South in their disputes with other more powerful countries. She is a signatory of the petition initiated by the association "France-Palestine", intended to condemn the State of Israel for the attacks against the civilian population in January 2009 during Operation Cast Lead.



Bill Bowring is Professor of Law at Birkbeck College, University of London, where he teaches public international law, human rights and minority rights. He has more than 70 publications: his recent book is "The Degradation of the International Legal Order?" (Routledge, 2008). As a practising barrister he has taken many cases to the Strasbourg Court. In 2003 he founded and is now Chair of the European Human Rights Advocacy Centre (EHRAC), representing many Chechen victims against Russia, as well as cases against Azerbaijan, Georgia, Estonia, Latvia and Spain. He is also International Secretary of the Haldane Society of Socialist Lawyers, and Honorary President of the European Association of Lawyers for Democracy and Human Rights. He is active in the Bar Human Rights Committee of England and Wales; and is a Trustee of the Redress Trust, and of Lawyers for Palestinian Human Rights (LPHR). He is an expert on a joint EU-Council of Europe programme on minority rights in Russia.



Francesca Albanese is the Special Rapporteur for Palestine in the UN. She is an Affiliate Scholar at the Institute for the Study of International Migration at Georgetown University, and a Senior Advisor on Migration and Forced Displacement for the think tank Arab Renaissance for Democracy and Development (ARDD), where she co-founded the Global Network on the Question of Palestine (GNQP), a coalition of renowned professional and scholars engaged in/on Israel/Palestine. She has published widely on the legal situation in Israel/Palestine; She regularly teaches and lectures on International Law and Forced Displacement in European and Arab universities, and speaks frequently at conferences and public events on the legal situation of Palestine. She worked for a decade as a human rights expert for the United Nations, including the Office of the High Commissioner for Human Rights and the Relief and Work Agency for Palestine Refugees. She holds a Law Degree (with honors) from the University of Pisa and an LLM in Human Rights from the University of London, SOAS.



Raji Sourani is founder of the Palestinian Center for Human Rights (PCHR). He has dedicated all his professional career to the promotion and protection of human rights in the Occupied Palestinian Territory. He is active lawyer representing a wide variety of victims of human rights abuses and bringing the perpetrators before the ICC. He received many honors in his career, most recent of which is the Right Livelihood Award, Stockholm (2013); the Knight of France's National Order of Merit, France (2021) and the Honorary Human Rights Award (2022) by the Association for Human Rights for Spain (APDHE). In 2022, he was appointed as an Arbitrator of the International Permanent Court of Arbitration in Netherlands. In addition, Raji has been recipient of the Joint Laureate for Robert F Kennedy Memorial for Human Rights (1991), Washington; the France Republic Human Rights Award from President Jacques Chirac, Paris (1995); the Bruno Kreisky Prize for Outstanding Achievements in the field of Human Rights, Vienna (2002); and the International Service Human Rights Award, London (2003).



Lamis J. Deek is a Palestinian, internationally-practicing, attorney based in New York. She represents and advises sitting and former government and party representatives on policy, legislative, legal, U.N., and diplomatic strategy for matters related to Palestine, and their own internal legal and political matters. Lamis is partner at Deek, Dictor, Adi and simultaneously serves as the Director of Legal and Diplomatic Affairs for the PAL Law Commission On War Crimes, Justice, Reparations, and Return. Since October 2023, Lamis filed the first Notice and Demand against US government officials, launched the first multi-government ICJ Pro Bono Legal Support Project which helped secure some of the first notices of intent to join the South African case by four governments, advises several governments on matters related to Palestine for UN, and for government-coalition and internal government execution. She also crafted and launched the first effective legal campaigns to shut down stolen land sales and deter Zionist colonization. Since December 2023, she has been training dozens of legal teams across several continents, and has helped advance the legal-discursive landscape for Palestine globally.

SPEAKERS:



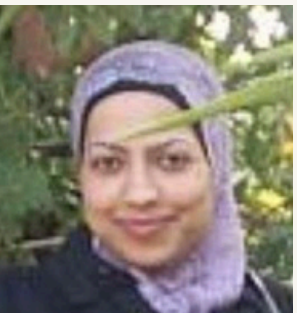
Issam Younis is the General Director of the Gaza-based Al Mezan Center for Human Rights, a Palestinian non-governmental organization with consultative status with the United Nations Economic and Social Council (UN ECOSOC). He served as a member of the Board of Trustees at Al-Azhar University in Gaza from 2008 and 2018. Between 2018 and 2021, he held the position of Commissioner General of the Palestinian Independent Commission for Human Rights (ICHR) and was also a member of the Palestinian Higher Education Council from 2019 to 2021. He received several human rights awards and has published numerous articles on human rights and international law.



Lorraine Leete is a lawyer and coordinator of the Legal Centre Lesvos, an organisation that, since 2016, has been providing free legal information and assistance to migrants arriving by sea on the island of Lesvos. After graduating from law school in USA, she worked providing legal support and representation to migrants arriving in the United States. She also worked against human rights violations by multinational companies, and it was precisely this that led her to settle in Colombia, where she lived for five years. After Colombia, she spent some time in Palestine to “see first-hand what was happening, and to observe the involvement and responsibility of the United States and European countries in the violation of the rights of the Palestinian population”.



Fadi Abbas is the President of the Palestine Bar Association. Mr. Abbas is a Palestinian lawyer, Managing Partner at the *Abbas & Associates, attorneys and law firm*. As lawyers he has litigate in Palestinian Courts as well as abroad. He is also Part Time lecturer at the Faculty of Law of the Birzeit University. Previously he has taught at the Al Quds University and the Al A'sreye University College. Before that he acted as Independent attorney of the Ministry of Prisoners Affairs, following up the situation of the palestinian prisoners in Israel jails.



Mai Attallah is Head of the president office of the Palestinian Bar Association and media, public relations, She is also the Coordinator for the activities and events of the International Association of Democratic Lawyers (IADL). She has worked as attorney in diverse law firms in Palestine. She is graduated at the Al-Quds University, faculty of law and hold a Master Degree in Law at the Birzeit University.



Fouad Baker is member of the European Anti-Apartheid Initiative. Member of the Palestine Jurist Union and the anti-apartheid department of the PLO, he has acted as legal advisor at the ICC, the non-aligned movement parliament network or the Palestinian National Council. He has authored more than 100 peer-reviewed studies and articles published in the most important European and Arab studies research centers.

SPEAKERS:



Thomas Schmidt is the Co-Secretary General of ELDH, of which he is one of the founders together with Bill Bowring and Monique Chemillier-Gendreau. A retired trade union labour lawyer. Member of the Advisory Board of the Vereinigung Demokratischer Juristinnen (VDJ). He is one of the coordinators of the European Lawyers for Workers Network (ELW-Network).



Barbara Spinelli is Co-President of ELDH and a human rights lawyer, banned from Turkey for her activities as international observer. Co-president of the European Association of Lawyers for Democracy & World Human Rights. Member of the Bologna Bar Council' Human Rights Committee and of the Commission for Relations in Mediterranean Area of the Italian Bar Council (CNF). Femicide expert for UN. Awards: SEN Prize for standing out in defense of women's right, CNF medal of merit for her activities as international observer.



Avv. Marco Bona is a personal injury & human rights lawyer from Italy, Turin. Ph.D. in Comparative Private Law at Trento University. In 2020 he secured a landmark decision from the Court of Justice of the European Union regarding state compensation to victims of violent intentional crimes according to the Directive 2004/80/EC (case C-129/19). He also secured another important decision from the CJEU regarding the State immunity of a classification and certification Italian company in the Al Salam Boccaccio '98 (case C-641/18). Chair of the Tort Reform & Access to Justice Group of PEOPIL (The Pan European Organisation of Personal Injury Lawyers).



Şerife Ceren Uysal is a human rights lawyer from Istanbul. She is based in Vienna since 2016 August. An executive board member of the Progressive Lawyers Association since 2015, Ceren Uysal was awarded the Dr.Georg Lebiszczyk Prize for Freedom of Speech in Austria in 2016 December. She is currently the co-secretary general of The European Lawyers for Democracy and World Human Rights (ELDH). Ceren is working as PEN Norway's Legal Adviser on Turkey.



Urko Aiertza Azurtza is an esteemed member of the Gipuzkoa Lawyers Bar, and has represented numerous human rights groups and individuals as a lawyer in national and international courts and institutions, which include the ECHR and UN. He also holds the position of Co-President of the European Lawyers for Democracy and World Human Rights. Hailing from the Basque Country, he previously served as a senator (2011-2015) in Madrid, where he held the position of Spokesperson in the Justice, Foreign Affairs, Iberoamerican, and Standing Senate Committees. In recent years, he has been actively providing consultancy on peace and mediation to public and private international institutions in Latin America, Africa, and Asia. Aiertza is Senior Advisor of the European Institute of Peace and Fellow of the Armed Groups Centre of Geneva. Since 2019, he has taken also on the role of director at the Olaso Dorrea Foundation and its "TM eLab", a centre for generating innovative ideas in the Basque Country, his birthplace and current residence.

SPEAKERS:



Hussein Shabaneh is the Vice-President of the Arab lawyers Union With over 35 years of experience practicing law, Hussein has specialized in criminal, civil, and commercial law at his private firm. Hussein is executive member of the Mediterranean Lawyers. Additionally, he chairs and serve on advisory boards for various human rights and medical organizations, including the Khalil Abu Raya Rehabilitation Centre and the International Committee of the Red Crescent. Hussein also co-founded Palestinian Bar Association, the Palestinian Center for Development and Media Freedoms (MADA) and the Palestinian International Arbitration Chamber, and served on the Palestinian Central Election Committee in 2007. He is member of the PLO Central Committee and the National Council.