

ELSC ACTIVITY REPORT 2023

MESSAGE FROM THE EXECUTIVE DIRECTOR

We are proud to fight alongside the Palestine solidarity movement and our dedicated community of supporters. Our collective mobilization in 2023 and in the last three months particularly has been yet another testament to the power of solidarity and we are determined to move onward.

As Israel's genocidal onslaught on Gaza and attacks all over Palestine continue, we know that the time to act is NOW and we reiterate our promise to safeguard the Palestine solidarity movement that will not be deterred - no matter the efforts to silence and fragment it. Let us stand together firmly and boldly. We will not be deterred nor silenced! Our collective mobilisation is crucial, powerful, and unrelenting. We hope to keep fighting alongside you next year.

Giovanni Fassina - December 2023

ABOUT THE ELSC

The [European Legal Support Center](#) (ELSC) is a registered charity (*stichting*) in the Netherlands, our head-office is in Amsterdam and we are on our way to open new offices in Berlin and London. The ELSC is the first and only independent organisation of movement lawyers defending and empowering the Palestine Solidarity Movement in Europe through legal means. Established in 2019 by the Palestinian civil society network PNGO, the ELSC has provided legal assistance in over 600 cases in seven different jurisdictions.

VISION

Our vision is for an empowered Palestinian solidarity movement in Europe, where workers, academics, activists, students, artists, organisations and journalists do not face reprisal for their advocacy for Palestinian rights. We envision a future political and legal environment in which profiting from war crimes and genocide in Palestine is untenable for both public and private actors in Europe.

The ELSC works to:

1. **Defend the Palestinian solidarity movement** from restrictions to fundamental freedoms and violations of the rights of freedom of expression and assembly.
2. **Expose and challenge the repression** in Europe by documenting incidents & countering the mechanisms of silencing.
3. **Challenge impunity of public and private actors** who profit from genocide and are complicit in the colonial apartheid system.

HOW DO WE WORK?

- **Monitor and Research:** Our Monitor and Research Department document and analyse incidents of repression against advocates for Palestinian rights across Europe to produce an index of mechanisms of silencing and provide Know Your Rights training to groups and individuals targeted by repression.
- **Legal:** We have five work teams across Europe who provide legal support and advice to those falsely accused of antisemitism or terrorism, among other things, because they speak out for Palestine. We go on the offensive engaging in strategic litigation against actors who are responsible for the repression in Europe and those complicit in colonialism, apartheid and genocide in Palestine.
- **Advocacy and Communications:** Our Advocacy and Communication Department ensures that the movement knows that resisting repression and fighting impunity is possible. We run public campaigns and amplify our victories on social media, in the mainstream media and at in-person events.

2023 IN REVIEW

In 2023 we expanded our team and at the end of 2023 we had 21 professional staff members giving their all into tackling the anti-Palestinian repression in Europe and providing legal support to Palestinian civil society organisations as well as engaging in strategic litigation. We increased the number of volunteer opportunities and we were able to handle more cases than any year before. We are incredibly grateful for everyone's energy and commitment.

KEY ACHIEVEMENTS

We have exposed racist policies such as the IHRA definition of antisemitism and anti-BDS resolutions and provided the movement with tools to challenge them.

We have expanded our [monitoring](#) database that tracks and reveals all forms of repression in numbers, patterns, mechanisms, actors, and detrimental effects. Thanks to that, we were able to [expose patterns](#) and [scandalise anti-Palestinian racism](#), [colonial narratives](#), and Zionist disinformation.

We published two [new reports](#) in 2023;

- Freedom of Speech and Academic Freedom in UK Higher Education: The Adverse Impact of the IHRA Definition of Antisemitism
- Suppressing Palestinian Rights Advocacy through the IHRA Working Definition of Antisemitism - Violating the Rights to Freedom of Expression and Assembly in the European Union and the UK

DE-RISKING & DE-FUNDING CASES

After October 7th, several civil society organisations (CSOs) in receipt of development funds from an institutional donor received clarification letters from the donor, requesting proof of compliance with restrictive/counter-terrorism measures and with the so-called incitement to hatred clause in order to be able to receive funds. In specific instances, the donors asked for clarification regarding social media posts shared by the organisation and/or its employees. We assisted these CSOs by drafting responses to the donor, emphasising the right of the organisations and the individuals to freedom of expression on matters of general interest and when it comes to political speech. As a result, the NGOs received a positive response from the donor and continued to receive funding.

On October 25th, 2023, the Swiss Federal Department of Foreign Affairs (FDFA) suspended financial support to 8 Palestinian and 3 Israeli NGOs supporting Palestinian rights to “*make it possible to carry out an in-depth analysis of the compliance of these organisations’ communications with the FDFA’s Code of Conduct and anti-discrimination clause, to which external partners are subject.*” While it resumed funding to 8 of these organisations, the FDFA publicly mentioned it would not renew the contract with 3 Palestinian organisations. The decision, and the explicit naming and shaming, including the publication of false information, caused material and reputational damages to the organisations. Together with our Swiss lawyers, we are supporting PNGO and Al-Shabaka and engaging in discussions with the FDFA, with the aim of unmasking the strategy behind the attack on them and defending the space for action of Palestinian organisations.

DEFENDING THE MOVEMENT IN EUROPE

From pushing back against arrests, police repression, suspensions or [smear campaigns](#) in Britain to supporting student activists against [unfounded investigations](#) at Sciences Po in France, our impact is global. A student shares:

I thank ELSC for what they did for me and for other students in my case, trying to be a voice against the ongoing genocide of the Palestinian people.

Since 7 October 2023 and the ongoing genocide in Gaza, our workload has increased considerably. We have registered over 550 cases of repression, provided legal advice or support in 237 cases, and referred a further 52 cases to other lawyers or civil society organisations.

FROM THE RIVER TO THE SEA CASES 2023

We have helped challenge Orwellian attempts to criminalise slogans of solidarity with Palestine in The Netherlands, where a [court recalled](#) that the slogan “From the river to the sea, Palestine will be free” is fully legitimate and not punishable.

Recently, lawyers from our network and activists in Germany won similar [crucial victories](#) in the administrative courts of Münster, Mannheim and Cologne, reaffirming that slogans such as the one mentioned above or “Stop the genocide in Gaza” are protected by freedom of expression!

Learn more about lawyers from our network Nadija Samour and Ahmed Abed in this [Al Jazeera documentary](#).

SPOTLIGHT ON THE NETHERLANDS

Another recent victory in court - The [lawsuit](#) brought by The Rights Forum, with our support, against 9 Dutch universities, on behalf of student activists and scholars who want their institutions to be held accountable for their complicity with Israel's apartheid and colonial regime.

ESTABLISHED EU CASES WORK TEAM

Our collective achievements extend to fighting against harmful and racist policies, such as the IHRA definition of antisemitism: see our [latest success](#) where we helped the movement in Belgium oppose its adoption in the Brussels Parliament.

KNOW YOUR RIGHTS TOOLKITS

Since October 7th, we have also pooled 'Know your Rights' resources together, including a toolkit for [employees of UK Higher Education Institutions](#), a toolkit for [demonstrators in Italy](#), and we have organised [know your rights online sessions](#) for activists in Germany. Our lawyers, legal officers and volunteers are working on other tools for 2024, for activists in Germany, the Netherlands, for cultural workers in the UK and Germany, and to protect against doxxing.