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Marc Van Der Hout, Cal. Bar No. 80778
Johnny Sinodis, Cal. Bar No. 290402
Van Der Hout LLP
360 Post Street, Suite 800
San Francisco CA 94108
(415) 981-3000
[REDACTED]

Sadaf M. Doost, Cal. Bar No. 346104
Baher A. Azmy, admitted *pro hac vice*
Katherine Gallagher, admitted *pro hac vice*
Maria C. LaHood, admitted *pro hac vice*
Astha Sharma Pokharel, admitted *pro hac vice*
Samah Sisay, admitted *pro hac vice*
Pamela C. Spees, admitted *pro hac vice*
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
(212) 614-6464
[REDACTED]

Attorneys for Plaintiffs DEFENSE FOR CHILDREN INTERNATIONAL – PALESTINE, et al.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

DEFENSE FOR CHILDREN
INTERNATIONAL – PALESTINE; AL-
HAQ; AHMED ABU ARTEMA;
MOHAMMED AHMED ABU ROKBEH;
MOHAMMAD HERZALLAH; A.N.;
LAILA ELHADDAD; WAEIL ELBHASSI;
BASIM ELKARRA; and DR. OMAR EL-
NAJJAR

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., *President of the
United States*, ANTONY J. BLINKEN,
Secretary of State, LLOYD JAMES
AUSTIN III, *Secretary of Defense*, in their
official capacities,

Defendants.

Case No.: 23-cv-05829

**DECLARATION OF SUSAN POWER
FOR AL-HAQ IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION**

Hearing: January 11, 2024 at 1:00 p.m.

DECLARATION OF SUSAN POWER FOR AL-HAQ

I, Susan Power, under penalty of perjury declare as follows:

1. My name is Susan Power and I am the Head of Legal Research and Advocacy at Al-Haq. I have worked at Al-Haq for 10 years. I am usually based in Ramallah but relocated to Ireland because of the procedural difficulties obtaining a visa to work in the Palestinian NGO sector, which is a category of work not provided for under the Israeli military’s new procedures on entry into the West Bank published in 2022- COGAT’s “Procedure for Entry and Residence of Foreigners in the Judea and Samaria Area.”

2. Al-Haq is an independent Palestinian non-governmental human rights organization based in Ramallah, West Bank. Established in 1979 to protect and promote human rights and the rule of law in the Occupied Palestinian Territory (OPT), which includes the West Bank including East Jerusalem, and the Gaza Strip. The organization has special consultative status with the United Nations Economic and Social Council.

3. Al-Haq documents violations of the individual and collective rights of Palestinians in the OPT, irrespective of the identity of the perpetrator, and seeks to end such breaches by way of advocacy before national and international mechanisms and by holding the violators accountable. The United States’ support of Israel’s current attack on Gaza has disrupted Al-Haq’s mission and forced Al-Haq to divert significant capacity, attention, and resources away from its core programs to facilitate and strategize the survival of its staff, members, and the broader civilian population, including facilitating communication and evacuations.

4. This is the first time in the history of Al-Haq that we have been unable to document atrocities on the ground due to the intense and relentless nature of the hostilities.

5. Due to Israel’s military offensive on the Gaza Strip, Al-Haq completely restructured the work of two of its core departments, the Monitoring and Documentation Department and that of

1 the Legal Research and Advocacy Department. In the first days of the military offensive, Al-Haq
2 collaborated with Al Mezan Center for Human Rights and Palestinian Centre for Human Rights
3 (PCHR) to combine the three organisations' monitoring and documentation departments and legal
4 research and advocacy units into two large emergency response units. The focus of these two units is
5 directed fully to the documentation of the unfolding hostilities on the ground, including drafting field
6 reports, taking witness testimonies, and establishing the pattern of violations on the ground, in addition
7 to the legal and advocacy responses to the UN mechanisms and Third States.
8

9 6. All projects that Al-Haq previously worked on were suspended, and the core resources
10 of the organisation have been directed to the emergency response, putting us at risk of breaching our
11 immediate project commitments to donors.
12

13 7. As the conflict entered into its ninth day, Israel's bombing along with the widespread
14 and systematic attacks on infrastructure across the Gaza Strip meant that the joint emergency field
15 team in Gaza could no longer function. The field team was prevented from documenting and drafting
16 field reports or taking affidavits due to the danger and life-threatening nature of the bombardments.
17

18 8. Members and staff of Al-Haq have been subjected to indiscriminate bombardment and
19 displacement themselves.
20

21 9. Al-Haq has struggled to maintain daily contact with its two field researchers based in
22 the Gaza Strip and the hostilities have taken a catastrophic toll on the families of our colleagues. Our
23 legal researcher and advocacy officer Ahmed Abofoul, who is from Gaza but lives in The Hague, lost
24 five members of his extended family who were killed and several critically injured in airstrikes on the
25 Gaza Strip on 19 October, and on 23 October in another strike a sixth, his cousin's child, aged four,
26 died a day later from his critical injuries.
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1 10. Our field researcher Tareq Zaqout lost three family members when an airstrike on a
2 neighbouring home on 22 October killed his sister’s three children in Rafah. His sister was seriously
3 injured and it took three days to carry out her surgeries.

4 11. Before the blackout on 27 October, our colleague Mohammad Abu Rahmeh sent a
5 testimony, explaining how “death has become a routine with every morning and every evening. The
6 nights are no longer for laughter and chats, not even for sleep and dreams. Rather the night is now a
7 silent persistent murderer - a preferred time for our enemy to kill.” The previous week, Mohammad’s
8 family home was bombed and all his possessions, and the possessions of his wife and two children,
9 were destroyed. The family took refuge in his wife’s sisters house, and that too was bombed some
10 days later.

11 12. Al-Haq was also coordinating with phone companies in the West Bank to ensure both
12 Al-Haq colleagues from Gaza and directors of Gaza’s organisations Al Mezan and PCHR could
13 communicate from the Gaza Strip. However, due to the communication blackouts over the last week,
14 this has become more difficult to maintain.

15 13. As we write, our organisation is facing profound difficulty in trying to contact long-
16 standing human rights partners in Gaza, who face risks to their lives. Some have been trapped behind
17 Israel’s encirclement in Gaza City, unable to move south, which might be safer – but still brings no
18 guarantee of safety. Many of the roads from parts of northern Gaza are completely destroyed and
19 blocked off. We have tried to engage diplomatic channels to secure a humanitarian passage for our
20 partners safe evacuation.

21 14. Al-Haq has also had to shift focus from its broader programming to issue near daily
22 advocacy reports and statements to the international community urging immediate intervention to
23 prevent the further commission of genocide against the Palestinian population. Since 7 October, most
24 of our staff are now working 14-hour days, seven days a week to respond to the unfolding human
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1 rights and humanitarian crisis. We have broadly directed our advocacy and legal efforts internationally
2 at Third States, the EU and through UN mechanisms.

3 15. In particular we have called for the protection of the civilian population in the Gaza
4 Strip from forcible transfer, and urged the provision of basic humanitarian necessities vital for the
5 survival of the civilian population, along with the clear and emphatic call for an immediate ceasefire.
6 Israel's total siege of Gaza, alongside the statements of intent to starve and deny basic necessities to
7 the civilian population, point to genocidal acts and intent. Al-Haq has been amplifying the United
8 States' and other countries responsibility to intervene to prevent genocide and bring such acts to an
9 end.
10

11
12 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge
13 and belief.
14

15
16 *Susan Power*

17 _____
Susan Power

Executed this 12th day of November, 2023