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Woodfield House  
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Taunton  
Somerset  
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June 29, 2015

Dear Paula Sussex,

**THE WATERSHED ARTS TRUST LIMITED**  
**Charity 284188**

This letter is to register concerns about the oversight function at the Watershed Arts Trust Limited, a charity with registration number 284188, and to request that the Charity Commission takes measures to ensure effective oversight is restored at this charity.

This is a lengthy letter and to make it more readable I will break it down as follows, overleaf :

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## **Background**

### **What is the basis for this complaint?**

1. I consider that Watershed does not have effective measures to ensure that it does not engage in political activity unconnected to its charitable object; and
2. further, the charity has in fact allowed itself to be drawn into such political activity.

### **Have I taken it up with the Watershed Trustees?**

I have written to the Watershed Trustees, expressing my concerns and asking for reassurances in this regard and other concerns. This letter is Attachment A.

### **Have they responded?**

They responded with a lengthy letter, which is Attachment B.

### **Why am I writing to the Charity Commission if Watershed has already responded?**

The response from Watershed failed to address any of my concerns, failed to answer a single one of my questions and failed to explain and justify their oversight in this matter. It was a simple rebuttal. The letter also contained elements that were extremely misleading. It is clearly vital that charity trustees are open about their oversight function and act in good faith at all times.

## Basis of Complaint

### Two-fold complaint;

1. Failure by Watershed to recognise the potential pitfalls of engaging in activity which has the potential to be political, and ensuring they have controls checks and systems in place to prevent that, and
2. Allowing events under their control to become deeply partial and political.

### Breach of Charitable Objects

The Watershed's Charitable Objects are as follows:

*To advance education in and increase appreciation and understanding of the arts amongst members of the public, including the arts of drama, mime, opera, dance, ballet, singing, music, photography, the preparation, production, recording and exhibition of films (whether designed for exhibition in cinemas, on television or otherwise), the preparation, production and recording of radio programmes, sculpture, carving, pottery, painting, drawing, design and all other forms of artistic or creative works.*

This object of increasing appreciation and understanding of the arts does not contain any political campaigning object yet with the series of Palestine Film Festivals, something that can be said to have become a dominant feature of their offering, they are being drawn into a political role attempting to influence;

- a) the way attendees see the Middle East,
- b) governance of a foreign country (Israel), and
- c) the way the government of this country approaches Middle East Policy.

### Failure to take effective measures

From the Charity Commission guidance:

- It is a legal requirement that charities only pursue political activity in the context of supporting the delivery of its charitable purposes.
- trustees must carefully weigh up the possible benefits against the costs and risks
- Campaigning: awareness-raising and to efforts to educate or involve the public by mobilising their support on a particular issue, or to influence or change public attitudes
- Political activity, aimed at securing, or opposing, any change in the law or in the policy or decisions of central government, local authorities or other public bodies, whether in this country or abroad.

- Trustees must be satisfied on reasonable grounds that the activities are likely be an effective means of furthering or supporting the purposes of the charity; and are able to justify the resources applied.
- There are a range of ways which trustees might consider using to satisfy themselves of this, and to demonstrate that they have done so; for example by keeping a risk register, a business plan, and the minuting of meetings where such issues have been considered.
- As well as making an informed decision, trustees must be able to explain the reasoning behind it. They also need to be able to counter any criticisms that may arise Trustees must always have regard to their responsibility to use charitable funds and assets wisely, and only in furtherance or support of the charity's purposes.

When given the opportunity and requests contained in my letter Watershed gave;

- no indication that Trustees had engaged in any weighing up,
- no indication they had satisfied themselves in relation to the risk,
- no mention of a risk register or business plan, no minuted meetings,
- no identification or review of the risks,
- no explanation beyond simple rebuttal and
- no effective countering of criticism in relation to their potential breach of charitable objects.

### Why is it an issue?

There is probably no more political issue in the world than the relationship between Israel and the Palestinians. To select one of the parties to that dispute and repeatedly run film festivals around them, and from their point of view, clearly and obviously runs the risk of drawing the charity into suggestions of political campaigning and activity.

Watershed does not appear to have considered such a risk at even the most superficial level, has no safeguards in place, no minuted discussions and no process for evaluating outcomes.

In addition Watershed was party to an incident involving Encounters Film Festival and Israeli film directors which they have brushed off in a manner that is deeply disingenuous and itself raises the same questions of governance as the handling of the Palestine Film Festivals

## Questionable Response

Since I have raised the point of questionable response by Watershed it is best I deal with it right away. Please note that I am not directly accusing Watershed of bad faith; I do not have sufficient grounds for that. I am suggesting that they have behaved in such a way that it is appropriate to raise it as a questionable issue.

## Website

All of my research regarding this letter of concern was conducted using publicly available resources, including the entire extensive backcatalogue of Bristol Palestine Film Festival events on the Watershed website. I was checking things just before I sent my letter to them and it was all there.

Once I received my reply and needed to consider what they said I went back to check and the page had gone. It had all gone. The archive of Palestine Film Festivals had vanished apart from a few Q&A sessions. The website was otherwise unchanged. The disappearing links included one to a BPF event at Watershed which I had seen a video of (transcription which is attached at C) and raised in my letter and which was seminar in anti-Israel activism. Here is the removed link: <http://www.watershed.co.uk/whatson/3888/5-broken-cameras-qa/>

Is that the action of an organisation which is proud of its record and secure in its actions or is it that of an organisation which feels it has something to cover up? It is the latter.

## Encounters

The other element which shows a less than open attitude is Watershed's comments in relation to the Encounters Film Festival (more detail on that later in this letter) which are disingenuous in the extreme.

I'll deal with the independence of Encounters in the relevant section of this letter, but here I'll mention the following from their response to me:

*"At no point were filmmakers told they would not be welcome to the festival due to how their travel was supported." And "There was no Israeli director boycott, Israeli cultural boycott or boycott of any kind.*

That seems pretty clear and straightforward. But it is not. One of the film directors involved has told me as follows;

*the festival rejected any sort of direct funding from the Israeli embassy to help with our traveling expenses. They usually get money from the embassy to finance that, this time they did not accept these funds or helped in any other way with our traveling, we had to take care of that ourselves.*

In other words Israeli Government funding was deemed unacceptable.

The fuss about the decision was widely reported:

<b>BBC -</b>	<b>Bristol film festival refuses Israeli Embassy funding<sup>1</sup></b>
<b>Bristol Post -</b>	<b>Top film festival in Bristol refuses Israeli funding<sup>2</sup></b>
<b>Electronic Intifada -</b>	<b>Bristol film festival rejects Israeli embassy funding<sup>3</sup></b>
<b>The Jewish Chronicle - Jewish News -</b>	<b>Cinema Boycott - take two<sup>4</sup> Bristol film festival refuses funding from Israeli Embassy<sup>5</sup></b>
<b>Haaretz -</b>	<b>Israeli filmmaker works around boycott to reach U.K. film festival<sup>6</sup></b>

Given the above, as well as extensive social media interaction and comment, and given the close links between Encounters and Watershed it is not credible that Watershed did not realise the quote they put in their letter was not the whole story.

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<sup>1</sup> <http://www.bbc.co.uk/news/uk-england-bristol-28981867>

<sup>2</sup> <http://www.bristolpost.co.uk/film-festival-Bristol-refuses-Israeli-funding/story-22852536-detail/story.html#ixzz3eGfwGdLf>

<sup>3</sup> <https://electronicintifada.net/blogs/sarah-irving/bristol-film-festival-rejects-israeli-embassy-funding>

<sup>4</sup> <http://www.thejc.com/news/uk-news/121595/cinema-boycott-take-two>

<sup>5</sup> <http://www.jewishnews.co.uk/second-film-festival-refuses-funding-israeli-embassy/>

<sup>6</sup> <http://www.haaretz.com/life/movies-television/1.614209>

## **Watershed Bristol Palestine Film Festival 2011, 2012, 2013, 2014, 2015**

I have already addressed the point that the annual (and twice this year) Palestine Film Festival needs to be approached with care by a charity and that such care was lacking. I will now address in detail how aspects of the festival provide ample evidence of acting beyond the scope of Watershed's charitable objects, of political activism and campaigning and serious potential damage to Watershed's reputation.

In their letter, Watershed did not qualify their absolute defence of the way they have approached and operated these festivals in any way. Given that, they must be accountable for every single instance outlined below back to the very first festival. In my view if any detail of anything below gives cause for regulatory concern then the Charity Commission has grounds to intervene.

Examples of activity beyond the scope of Watershed's charitable objects:

### **2011 Watershed Bristol Palestine Film Festival**

#### **Opening remarks**

The initial 2011 Festival set the tone with an opening address by Ken Loach, who is well-known for being a longstanding and hardline opponent of Israel;

*I think it's hugely important that we keep Palestine on the agenda*

*They used to say there are no great causes left. I think the Palestinian cause is the great cause of our time and it's a great cause because the Palestinians live under massive oppression and it's completely unrecognised by the great powers of the world and while it is recognised by the United Nations their impotence to do anything about it is staggering.*

*We all know I guess about the ethnic cleansing in 1948. We know about the illegal settlements we know about the taking over of Palestinian land by the Israelis so that what began with the Israelis having 50% or 51% now I believe they have 78% and they occupy the rest. We know about the illegal wall. We know about the massacres in Gaza and these tend to be very generalised phenomena... . I think there are a number of things that we might talk about after seeing the films; the apartheid nature of Israel, Israeli rule, we might talk about the arms trade we might talk about the Russell Tribunal which has looked into a number of issues but two points of recent news I just thought I would end on. The first is the good news that Palestinians were elected to be full members of UNESCO so that they have now a presence at UNESCO the United Nations Scientific and Cultural*



*Organisation and that recognises them as being full participants. the response of the United States was to withdraw all their funding for UNESCO and the response from Israel was to build their settlements at an even faster rate and one point of today's news which just struck me and I don't know if it struck you. There was news today that Syria has killed 307 children in the course of their putting down demonstrations in Syria and because of this and because of the other oppression there is now a big cry for sanctions against Syria. In operation Cast Lead the Israelis killed I believe 317 children in about 3 weeks. No call for sanctions against Israel which is shocking.*

This is a political campaigning event with no balance and a clear agenda.

## **2012 Watershed Bristol Palestine Film Festival**

### **Broken Cameras**

In 2012 the agenda was again set with the opening event, this time a discussion between Ken Loach, Bidisha and Leila Sansour following the screening of the film *Broken Cameras*. Bidisha was invited by the Festival organisers to chair the discussion.

### **Bidisha**

So you can place Bidisha politically, she had previously written the following:

*I had seen the horrifying reality of military occupation, of social and political control, of pathological bullying and mindgames, of obfuscation, violence, violation, aggressive encroachment and nihilism. Israel's behaviour is both illegal and immoral. My one consolation at this time is that, following its siege and bombardment of Gaza and the increasing volume and number of critical voices globally, the eyes of the world are turned on Israel's propagandistic lies, disingenuous arguments and abusive behaviour.<sup>7</sup>*

Her book about the West Bank, published before this event, was reviewed by Spiked magazine;

*it is packaged as a noble challenge to Israel's dehumanisation of Palestinians, yet it positively drips with its own inhumane contempt for Israelis,*

*They are 'the most abnormal people', 'odd recluses', 'thugs', 'strange', 'completely unworldly'; they 'look like zombies' or 'aliens or ghosts, ranks of*

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<sup>7</sup> <http://artistsforpalestine.org.uk/a-pledge/signatories-statements/>

*spectres'. And don't get Bidisha started on Israeli soldiers - they are 'sick fucks' who wear 'the creamy smiles of liars'; they are 'sunburnt, wiry, mean'. They 'throw faeces and urine' at Palestinians; their sewage 'destroys the soil as it flows down to the occupied territory [in the West Bank]... lines of shit and piss sinking into the land.'*

*She approvingly quotes her travel guide's description of settlers and their kids as 'the most abnormal people you will ever see in the world'.*

*The one group of foreigners it is acceptable for respectable people to heap opprobrium on and to discuss in the same way Victorian colonialists might have discussed weird tribes in Africa*

*Bidisha questions whether Israeli settlers are proper Jews. 'To be utterly blunt', she says, 'they don't look remotely Jewish'. Which immediately raises the question of what Bidisha thinks a Jew should look like.<sup>8</sup>*

All three speakers used the event as a campaign rally for their, and it seems the Festival's and Watershed's, views; Israel repugnant bully, pressure on the UK government, pressure on the Israeli government, boycott and sanctions. There was literally no other discussion; I attach a full transcript of the relentlessly politicised agenda as Attachment C.

### **2013 Watershed Bristol Palestine Film Festival**

In 2013 and 2014 for some reason the introductory talks were not recorded. To get a flavour of the politicised agenda, in 2013 the event kicked off with an event, not at the Watershed, entitled '*Resistance Recipes*'<sup>9</sup>. The colours nailed to the mast; the theme of the Palestinian Film Festival is resistance. Which, when it is not violent, is political.

### **When I Saw You**

Then "*When I Saw You*", a film by Annemarie Jacir, who has had an increasingly important role in the Watershed festival, with a film that pays homage to the Fedayeen. She has spoken of her admiration of the Fedayeen and her belief the American system of government is inherently corrupt;

*"The fedayeen were like the rock stars of the decade. They were young, revolutionary and beautiful and they were people who decided not to be victims anymore. Like so many freedom fighters in the world.*

*The fact that Americans are obsessed with labelling other people terrorists and all kinds of other descriptions has never been my problem. Anyone who*

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<sup>8</sup> <http://www.spiked-online.com/newsite/article/13292#.VPYINELMLRU>

<sup>9</sup> <http://www.bristolpff.org.uk/2013/10/10/resistance-recipes/>

*studies American history can see how this is the modus operandi of a corrupt system which hopes to keep its own people ignorant."*<sup>10</sup>

Whether or not one believes, like historian Sir Martin Gilbert, that the Fedayeen were terrorists<sup>11</sup>, or prefer to think of them as 'militants', or like Jacir, freedom fighters, it is not for the Watershed charity to be allowing itself to be used as a vehicle to promote any view.

For the record, attached at D is a list of attacks prior to 1967 by those 'rock stars' with Kalashnikovs, grenades, semtex and knives. Almost all targets were civilian.

### 2013 Programme

Elsewhere in the Festival programme for 2013 we are told about

- chilling absurdity of the Wall
- strictest naval blockades on the planet
- a village turned prison
- their steadfastness and rootedness to the land in the face of occupation
- a metaphor for the destruction of colonisation

That is from the Watershed festival programme, which I can no longer give you references for, or links to, because they have been deleted by Watershed in response to my letter to them raising concerns.

### Red Stone

In the programme for a film called Red Stone we were told that *"The Red Stone is symbol like no other in the world and is only found in the Jerusalem area in Palestine."*

That is a strongly, overtly, political statement; the Jerusalem area is currently under Israeli jurisdiction and they consider it as part of Israeli territory. Not everyone agrees with that, but that just underlines what a contentious issue it is, one not covered by Watershed's objects.

Even more evidence of the contentiousness of that as an issue is the result of a poll of Arab residents of Jerusalem; only 30% said that if their neighbourhood ended up under Palestinian control and they were given the choice of citizenship

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<sup>10</sup> [https://www.middleeastmonitor.com/resources/interviews/12260-filmmaker-anne-marie-jacir-on-palestine-the-fedayeen-and-arab-cinema-](https://www.middleeastmonitor.com/resources/interviews/12260-filmmaker-anne-marie-jacir-on-palestine-the-fedayeen-and-arab-cinema)

<sup>11</sup> Sir Martin Gilbert (2005). *The Routledge Atlas of the Arab-Israeli Conflict*. Routledge. p. 58.

they would opt for Palestinian citizenship over Israeli (35% said they would opt for Israeli citizenship, 35% were not sure or had no answer).<sup>12</sup>

### Dervla Murphy

2013 also saw the attendance of Irish writer Dervla Murphy, promoting her book 'A Month By The Sea'. What could be more apolitical and objective than a simple cyclist? A cyclist with a political agenda who believes the world has 'a moral duty to be hostile' to Israel. Murphy had planned to travel on a 'flotilla' to Gaza in 2011 but pulled out. In early 2012 she wrote the following letter to the Irish Head of State:

*Were you, as President, to visit Israel, you would be signalling to all the world that this country approves of a truly vicious regime.*

*The BDS movement acquired a coherent strategy in 2005, following a Palestinian Civil Society call for a global support group that would steadily concentrate on the essential coloniser-colonised relationship at the root of Palestine's tragedy.*

*Therefore, neutrality is not an option. We all have a moral duty to be hostile to a government that deliberately and relentlessly inflicts so much suffering on successive generations of a people who did nothing to deserve the Zionists' colonisation of their territory.*

*By condoning the actions of a government that consistently flouts international law, you would be betraying the citizens of this country, the defenceless Palestinians and the many non-Zionist Jews who are so deeply ashamed of the state of Israel as present constituted.<sup>13</sup>*

Someone else nailing her colours to the mast and wholly consistent with the Festival worldview.

The book she was attending the festival to talk about was reviewed in the following terms, unsurprising given the above:

*But make no mistake, this is no mere travelogue. It's also Murphy's declamation. Even before she arrives, she has Israel in her sights, and the book is a fierce indictment of Zionism. Here, Israel ('a pseudo-democracy') is guilty of atrocity, and its army is criminal.<sup>14</sup>*

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<sup>12</sup> <http://www.haaretz.com/news/diplomacy-defense/would-east-jerusalem-arabs-rather-be-citizens-of-israel-or-palestine-1.336758>

<sup>13</sup> <http://www.irishexaminer.com/viewpoints/analysis/michael-reject-this-invitation-183133.html>

<sup>14</sup> <http://www.spectator.co.uk/books/8833711/gaza-stripped-bare/>

## 2014 Watershed Bristol Palestine Film Festival

The 2014 event was sponsored by the Barry Amiel and Norman Melburn Trust, dedicated to advancing the study of Marxism. Here are some quotes from descriptions in the programme;

- still reeling from the horrific bombardment of Gaza
- ongoing and systematic persecutions of Palestinians
- Under Israeli rule they are considered “infiltrators” in their own country
- When we say “Crimes Against Humanity”... Here is the humanity of the Gaza Strip in Palestine
- foreign invaders
- ruthless occupation
- lost to all mankind through war, destruction, greed and power
- ethnically cleansed
- freedom fighter
- deadly act of resistance
- Isolation Wall
- in Jerusalem both sides are occupied
- giving a voice to the Palestinian case
- fighting for Palestinian freedom
- sealing off or destroying biblical sites and pilgrimage routes
- strangling and imprisonment of the little town of Bethlehem, soon to be encircled by a wall

Again I cannot give references or links for these because they have been removed from the website in response to my letter of concern.

They all betray a relentless anti-Israel agenda which is the leitmotif of the Bristol Palestine Film Festival.

## Director's blog

Even before the 2014 Festival took place the Director of it was blogging on the Watershed site about a visit to an event in London. The post is headed with a picture of a man with a headscarf and a Kalashnikov<sup>15</sup> and we are told about;

- the liberation movement,
- passionate movement,
- clearly driven by their own idealism, optimism, resoluteness and a quiet righteousness

In this blog the Director reveals his naiveté; he reports he found it illuminating when someone asked the question about why there were no credits for the films about PLO fighters and was told it was such a small world everyone knew each other.

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<sup>15</sup> <http://www.watershed.co.uk/filmhub/blog/the-world-is-with-us-david-owen/>

That's one answer but it is also unwise to identify yourself when your organisations are engaged in terror attacks across the world. Earlier this year a US court found the PLO complicit in terrorist attacks<sup>16</sup>. For a full list of the attacks carried out by these, in his words, '*optimistic, resolute and quietly righteous*' fighters in the relevant period see Attachment E.

Watershed Festival Director Owen mentions a film called "*The Fifth War*"; which seems to be inspired from the quote by Yasser Arafat who boasted that "*the 1973 war has given us part of Palestine and the fifth war will give us Tel Aviv*"<sup>17</sup>. So much for the two state solution; is that a view condoned by Watershed?

The Trustees have a responsibility to ensure the man they have chosen to be the Festival Director's partisan naiveté does not have a deleterious effect on their charitable status.

#### Saken

One of the films on show in 2014 was Saken, "*capturing the reflections of Ibrahim Salameh who was paralyzed while fighting for Palestinian liberation*", a film described by the Festival Director on the Watershed website as "*...amongst the most beautiful and intimate documentaries that I have seen for a long, long time*"<sup>18</sup>.

Here is part of the description of that beautiful film;

*We see Ibrahim with some of his old friends sitting around him remembering stories from their heroic past, friends like Khaled Abu Usba'a, who is famous for several Fedai'i operations*<sup>19</sup>.

Some of the Fedayeen operations that Annemarie Janecir, who now has a major role in organising this Watershed Festival, waxes lyrical about.

And here is a Fedayeen operation featuring Ibrahim Salameh's old comrade Khaled Abu Usba'a who featured in what David Owen called a "*most beautiful and intimate documentary*";

*Possibly the most infamous among them was Khaled Abu Usba, a long-time Fatah member...who was one of the 12 terrorists responsible for the 1978*

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<sup>16</sup> <http://www.newsweek.com/us-jury-finds-palestinian-organizations-liable-terrorism-case-308804>

<sup>17</sup> Revolution Until Vicotry? The Politics and History of the PLO, Barry Rubin, Harvard University Press, 1994, p.45

<sup>18</sup> <http://www.watershed.co.uk/news/programming-palestine>

<sup>19</sup> <http://www.aflamnah.com/en/saken/>

*Coastal Road Massacre, which left 38 Israeli civilians dead - 13 of them children - and 71 wounded. The attack, included the shooting death of American photographer Gail Rubin, who was taking nature photographs nearby, and the hijacking of two buses - one of which was commandeered by the terrorists with the intent of driving it to Tel Aviv. Throughout the ordeal, Usba and his accomplices...fired indiscriminately at vehicles traveling on the highway, killed hostages on board the bus and threw their bodies onto the road before ending the killing spree in a wild shootout with security forces at a police roadblock near Herzliya<sup>20</sup>.*

To politics and campaigning we must add, at the very least, romanticising, idealising, and whitewashing terrorism.

### **International Campaign**

The political campaigning continued in 2014 with the use of the Watershed, at an event under the auspices of the Watershed, explicitly for the launch of an international political campaign:

*"The festival closes with the launch of "Open Bethlehem", an international campaign to keep Bethlehem open to the world. Director Leila Sansour will be here to introduce the screening and answer questions."<sup>21</sup>*

It does not get more political than using the event that Watershed hosts, supports and promotes to launch a political campaign.

Sansour said of making her film that the title and subject matter of Bethlehem *"was in many ways it was simply a strategic choice"*, that using an iconic name helped further her campaign, her political campaign, in places like the United States.

### **2015 Watershed Palestine Film Festival Presents...**

Barely three months after the previous Bristol Palestine Film Festival (in December 2014), Watershed held another Palestine Film Festival, called *Palestine Film Festival Presents...* in March 2015.

In their response letter to me Watershed say it was not a Palestine Film Festival, but had an entirely different context.

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<sup>20</sup> <http://www.jpost.com/Israel/Coastal-Road-Massacre-survivor-talks-about-PA-parlay>

<sup>21</sup> <http://www.watershed.co.uk/whatson/season/315/bristol-palestine-film-festival>

Here is the relevant context: It lasted a week, it was heavily promoted by Watershed on the website and via email as Palestine Film Festival Presents (see Attachment F for a relevant page from the Watershed website), featured only Palestinian films, was programmed by the Bristol Palestine Film Festival. It was another Watershed Bristol Palestine Film Festival.

### Festival Programmer

Worryingly the person chosen to programme the March 2015 festival was Annemarie Jacir who has lauded the Fedayeen, who targeted civilians in their attacks, as '*rock stars*', while acknowledging that others consider them to be terrorists but dismissing it as '*never my problem*'<sup>22</sup>

### Return to Haifa

One of the films shown in March 2015, Return to Haifa, was paid for by an unarguably bona-fide terrorist organisation - The Popular Front for the Liberation of Palestine<sup>23</sup>. The most recent attack acknowledged by PFLP took place in a synagogue in November 2014. Four worshipers and a Druze policeman were killed with axes, knives, and a gun, while seven were injured.<sup>24</sup>

The film was based on a book written by a leading member of the PFLP, Ghassan Kanafani, who was linked to the Japanese Red Army Faction team recruited by the PFLP to carry out the Lod Airport massacre in which 26 people were killed<sup>25</sup>. Most of whom were Christian pilgrims from Puerto Rico.

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<sup>22</sup> Annemarie Jacir 2015 Festival co-programmer:

*"The fedayeen were like the rock stars of the decade. They were young, revolutionary and beautiful and they were people who decided not to be victims anymore. Like so many freedom fighters in the world.*

*The fact that Americans are obsessed with labelling other people terrorists and all kinds of other descriptions has never been my problem. Anyone who studies American history can see how this is the modus operandi of a corrupt system which hopes to keep its own people ignorant."*

<https://www.middleeastmonitor.com/resources/interviews/12260-filmmaker-anne-marie-jacir-on-palestine-the-fedayeen-and-arab-cinema->

<sup>23</sup> <http://www.britannica.com/EBchecked/topic/470229/Popular-Front-for-the-Liberation-of-Palestine-PFLP>

<sup>24</sup> <http://www.bostonglobe.com/opinion/2014/11/20/the-jewish-state-newest-hero-wasn-jewish/SYsoM3nFijQk2VGUfjVy0I/story.html>

<sup>25</sup> [http://en.wikipedia.org/wiki/Lod\\_Airport\\_massacre](http://en.wikipedia.org/wiki/Lod_Airport_massacre)



There was no discussion of the organisation behind the funding for the film, no acknowledgement of the background of the writer. The Watershed website told us that it was a '*rarely seen gem*'.<sup>26</sup>.

### Villa Touma

The anti-Israel tone, narrative, and partisan agitation is clear from the first film of the Festival. The Director Suha Arraf had this to say, on a Twitter discussion, promoted by Watershed, about *Villa Touma*; "*The film to me is very, very political without a single frame about the occupation. Everything is in metaphor.*"<sup>27</sup>

In an interview on Watershed's website Arraf claimed that Israeli officials "*called me a prostitute and a suicide bomber*"<sup>28</sup>. No semblance of even an attempt at balance. As happened when Bidisha chosen to host the launch of *Bristol Palestine Film Festival* in 2012, explained to the Watershed audience that everyone going through checkpoints is called "*pigs and dogs*" by the Israelis. That's what someone told her anyway.<sup>29</sup>

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<sup>26</sup> <http://www.watershed.co.uk/whatson/6444/return-to-haifa-with-discussion/>

<sup>27</sup> <http://www.conversationsaboutcinema.co.uk/ioc/villa-touma/549/yes-absolutely-villa-touma-is-a-feminist-film-read-live-twitter-chat-with-suha-arraf/>

<sup>28</sup> <http://www.watershed.co.uk/news/telling-stories-about-palestine-an-interview-with-writerdirector-suha-arraf/>

<sup>29</sup> <http://www.bristolpff.org.uk/festival-highlights-2012/opening-night-with-bidisha-ken-loach-and-leila-sansour/>

## Encounters

In response to my questions about Watershed's role in the Encounters Film Festival episode involving Israeli travel funding, Watershed said as follows:

*Encounters Festivals Ltd is an independent cultural organisation based at 1 Unity Street, Bristol BS15HH with its own governance*

*We are assured by Encounters that "At no point were filmmakers told they would not be welcome to the festival due to how their travel was supported." And "There was no Israeli director boycott, Israeli cultural boycott or boycott of any kind. In fact both Israeli directors screening in competition attended the festival*

Watershed noted they had taken legal advice and this response is more like the answer to a contractual dispute than one of an organisation dedicated to openness. It is deeply disingenuous.

## Independence

Encounters is not independent of Watershed: Watershed is the mailing address for Encounters, two Watershed staff comprise half the Encounters advisory board in their capacity as Watershed staff members, Watershed hosts Encounters, promotes Encounters, and is a crucial partner of the event.

Given that Watershed dominates the advisory board, Watershed participated in Encounters decisions and approved of them as host, partner and promoter.

Watershed would have been intimately aware of both the exact nature of the decision which is described by one of the film directors involved as follows;

*the festival rejected any sort of direct funding from the Israeli embassy to help with our traveling expenses. They usually get money from the embassy to finance that, this time they did not accept these funds or helped in any other way with our traveling, we had to take care of that ourselves.*

It is a relevant consideration to question what other funding of this sort has been turned down by Encounters or Watershed and what the potential impact of hosting a Festival which seems to turn down funding only from one source and only when it suits them. As I noted in my letter, a few months later an overtly political and anti-Israel film which received £230,000 in Israeli public funding is selected to be shown at Watershed and the Director is feted. I have no idea how

her travel or that of any of the numerous film directors attending in the Watershed Palestine Film Festivals is funded; it is not revealed.

### **Awareness**

Watershed would also have been intimately aware of the furore this decision caused.

They failed to answer any of my questions relating to how their involvement in this was safeguarded to ensure they were not dragged into something beyond their Objects that could damage their reputation and charitable status. No minuted discussions, no risk assessment, no safeguards of any sort. It is as if Watershed is using the fact Encounters does not have charitable status to allow Watershed to act in ways that are not compatible with its charitable Objects. The same could be said about Conversations about Cinema, which they try to use to deflect questions about the 2015 *'Bristol Palestine Film Festival Presents...'*

In the light of all the above I submit that Watershed Arts Trust is in breach of its charitable objects. Having written to the Trustees to explain my concerns I have had a reply that discloses that they appear to have none of the systems and procedures in place to prevent such breaches of their objects. I request that the Regulator takes action in relation to the governance of this charity.

Yours sincerely,

## **Attachments:**

- Attachment A - My Letter Raising Oversight Concerns**
- Attachment B - Response of Watershed Trustees**
- Attachment C - Transcript of Panel Discussion 2012**
- Attachment D - Fedayeen Attacks on Israel Prior to 1967**
- Attachment E - Attacks 1968 - 89**
- Attachment F - PFLP Attacks**