



PCHR
Palestinian Centre
For Human Rights



**ISRAELI ATTACKS ON
HUMAN RIGHTS
ORGANIZATIONS
AND ACTIVISTS**

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Preface

From the moment we took it upon ourselves to defend human rights and civilians in times of war, we were conscious to both the dignity in our mission and the dangers it bears on our lives and security as human rights defenders. Nonetheless, human dignity and advocating for the rights of victims were at the heart of our mission, our life goal and purpose. We were armed with the international law's rules and mechanisms, which is the fruit of many peoples' experiences and struggles to identify justice from injustice, in our mission to protect humans and their rights to live a dignified life.

Decades passed and we fought via every legal route we had available tirelessly, without a single moment of hesitation in the face of the Israeli occupation's restrictions and threats. As the occupation continued without rest to put hurdles in our path, and enjoyed the illusion of depriving us from the means and mechanisms to defend the defeated and oppressed, our will never waned and we were never persuaded to drift from the path we chose to tread, because it is our deep belief that we have no choice but to stand tall and defend, as Palestinian people, our existence, dignity and right to self-determination.

In our journey to defend victims' rights via all legal means available, the Israeli occupation proved, and continues to, that it established a justice institution whose main goal was to deny Palestinians justice by imposing legal and financial hardships aborting any chance for redress. Having experienced the Israeli justice system and knowing its reality, we find ourselves still obliged to seek justice within it in order to expose it and to be able to access international legal mechanisms which stipulate exhausting all possible legal routes within the Israeli justice system as a first and compulsory step before seeking it.

As we succeeded in putting the Israeli occupation in its right place before international justice institutions as a war criminal, and perpetrator of crimes against humanity; and as we exposed its legal institution that covers for its crimes, the Israeli occupation and its tools launched a fierce and unethical attack on us to undermine our reputation and integrity through the spread of falsehoods and lies in an attempt to defeat our persistence through threats and restrictions. Nevertheless, their smear campaign backfired making a joke out of the occupation, who tried to assume the role of the judge while it clearly is the accused and the criminal. Meanwhile, we marched on without a moment's hesitation as we never expect a certificate of good standing from the occupation, but rather we are vigilant to its attacks. It is our firm belief that we are on the correct and moral side of history, and that our strength comes from our deep integration and belief in international human rights institutions, and from the many acknowledgments we received from across the globe and on several occasions, with many prestigious awards, that credit us as the sincerest and truest defenders of human rights and dignity.

As the report shows, the occupation continues to attempt to turn the table on us. While its natural position is in the seat of the defendant, as per crucial evidence available on its war crimes and crimes against humanity as verified in numerous international reports and investigations, the occupation want to play judge and falsely accuse anyone who tries to expose its crimes with a blind support from the United States. Its attacks were not limited to nongovernmental organizations that aim to promote and protect human rights and civilians' safety in times of work, it also took on the international legal mechanisms, most prominently of which were the public and direct threats by the US National Security Advisor, John Bolton, against the International Criminal Court and its judges, threatening to prosecute them and undermine the Court's work if it proceeded with investigations into American and Israeli crimes.

In conclusion, despite the hard times we are in and the uncertainty of the future that lies ahead, our only option is to continue unabated with our legal struggle to expose the Israeli occupation's crimes in the occupied Palestinian territory and to prosecute it internationally no matter the burden or the cost. Those who fear exposure should stop committing crimes rather than attempt to cover them up. From here, we stress that the occupation's desperate attempts to undermine our work and integrity only fuel our passion and faith in the justice of our cause, proving that we are on the right path. Even more, we consider it a testament of our success in rejecting the role of the helpless victim.

Introduction

Nongovernmental organizations (NGOs) in the occupied Palestinian territory (oPt) work to promote Palestinians' resilience in their lands, defend their rights and lives, and improve their living conditions through legal, developmental and humanitarian action. For their part, human rights organizations in the oPt focus on exposing the Israeli occupation's crimes before the international community, by prosecuting Israeli war criminals who committed crimes that amount to crimes against humanity in several military offensives on the Gaza Strip and the West Bank which killed thousands of Palestinian civilians and wounded hundreds of thousands more. Therefore, NGOs working in the oPt, especially those that criticize the Israeli occupation's practices, are subjected to continued smear campaigns by the occupation and its means in an attempt to undermine any and every humanitarian work.

The Israeli occupation authorities employ various strategies in its consistent work against NGOs in the oPt, recruiting the Israeli Ministry of Strategic Affairs, its embassies, lobbying groups around the world, and other governmental platforms that cover up as NGOs to undermine the work and integrity of all those who provide humanitarian and legal support to Palestinian people. These bodies use smear campaigns, restrictions on the freedom of movement, death threats, manipulation of funding in order to silence the critique of the Israeli occupation's crimes and to further worsen the humanitarian conditions in the oPt, pursued by political blackmail. All these efforts are channeled towards undermining the Palestinian people's right to self-determination in exchange of a living and cease of attacks on civilians. Therefore, the Israeli authorities made it its mission and policy weaken the work and existence of human rights organizations (HROs) that monitor, expose and hold Israeli violations to account. These attacks escalated as HROs proceeded with prosecuting

Israeli war criminals, particularly for the 2014 Israeli military offensive on the Gaza Strip and Palestine's accession to the International Criminal Court (ICC) in the same year. These Israeli policies are a clear violation of international standards, particularly those relevant to the protection of human rights defenders (HRDs), and silence in the face of these practices is complicit and an annihilation of the international humanitarian law and the rule of law on an international scale.

Human rights defenders are *“people who, individually or with others, act to promote or protect human rights.”* The Declaration on Human Rights Defenders emphasized that each State has an obligation to respect the work of HRDs, and stressed that individuals and groups have the right to conduct peaceful activities against all violations of human rights and fundamental freedoms of peoples and individuals. It also made it an obligation upon States not only to respect this right, but also to protect HRDs from harm from a third-party. The Declaration is based on a sum of universally recognized rights and freedoms in international human rights treaties that are obligatory to Israel, especially the International Covenant on Civil and Political Rights (ICCPR), and its stipulations on the freedom of opinion and expression, freedom of movement, freedom not to be subjected to torture, arbitrary arrest, and right to privacy among others.

The report adopts an analytical descriptive method, based on documented information from the Palestinian Centre for Human Rights' (PCHR) lengthy experience, especially as a target of such campaigns in its work. The report also uses Israeli governmental reports, human rights organizations' reports, official and journalistic websites as sources. It seeks to present the most prominent policies and tools the Israeli occupation employ in restricting the freedom of organizations

1. Office of the High Commissioner for Human Rights, who is a defender <<https://www.ohchr.org/EN/Issues/SRHR-Defenders/Pages/Defender.aspx#ftn1>>

in the oPt, particularly Palestinian HROs, in two parts:

- Part I: Shrinking Space for NGOs in the oPt by the Israeli occupation
 - » A. Smear campaigns against NGOs in the oPt;
 - » B. Restrictions on the freedom of movement;
 - » C. Manipulation of funding sources for HROs;
 - » D. Threats to HRDs.

- Part II: International standards relevant to Israeli violations against NGOs in the oPt, especially HROs.

Part I

Isolation of the Victim: Shrinking Space for NGOs in the oPt by the Israeli occupation

The Israeli authorities practice a systematic policy aims at intimidating and undermining the work of NGOs in the oPt, especially HROs, in an attempt to isolate the victim from defenders or rescuers. The target of this policy is to silence human rights organizations from exposing the crimes of the Israeli occupation and obstructing the work of development and relief institutions by intensifying the humanitarian crisis and undermining the resilience of the Palestinian people. The Israeli Authorities use various methods such as enacting laws and adopting policies to restrict the freedom of movement, smear campaigns against NGOs, manipulation of NGO funding, and threatening and intimidating human rights defenders. The frequency of these violations has increased after HROs started to prosecute the Israeli war criminals, and succeeded in acquiring arrest warrants against Israeli officers and leaders from States that operate under the principle of universal jurisdiction; and their role in monitoring and documenting the crimes of the Israeli occupation against the Palestinian civilians and sending submissions to the International Criminal Court.

The Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967 has often referred to the obstacles and violations against HRDs, as per the latest report in 2019, *“Of particular concern are the harmful practices employed by the political leadership and State authorities in Israel to silence the criticism by human rights defenders of certain government policies. Such measures include verbal attacks, disinformation campaigns and dele-*

gitimization efforts, as well as the targeting of civil society funding sources. For example, in the Money Trail reports, published in May 2018 and January 2019, the Ministry of Strategic Affairs of Israel accused the European Union of granting financial aid to organizations that allegedly promote boycotts against Israel. Those accused included respected European and Palestinian organizations such as Al-Haq, the Palestinian Centre for Human Rights and the Al Mezan Center for Human Rights.”² Furthermore, he highlighted in a previous report the serious obstacles that obstruct the work of human rights organizations, which have escalated as per the report. He also called upon the international community to assert the rights of those who confront these risks and difficulties, to guarantee respect and protection for them, and prevent their prosecution and criminalization, or undermining their work or credibility.³

The Israeli measures and policies that target HROs are in violation of Israel’s obligations under the international human rights law, as Israeli authorities are obliged to implement this convention in the oPt. Hence, Israeli authorities are obliged to respect, protect and fulfil human rights defenders’ rights and freedoms. The minimum Israeli could do in the areas under Palestinian autonomous rule is to respect HRDs by completely abstaining from taking actions or practices or enact any laws to undermine the work of HROs and HRDs. The following is an overview of the most prominent Israeli violations practiced against human rights defenders and HROs in the oPt.

2. General Assembly, Situation of human rights in the Palestinian territories occupied since 1967, 15 March 2019 (A/HRC/40/73)

3. General Assembly, Situation of human rights in the Palestinian territories occupied since 1967, 22 October 2018 (A/73/447)

I. The belligerent occupation attempts to criminalize the victim: Smear campaigns against human rights defenders

The official bodies of the Israeli occupation in cooperation with non-governmental organizations conduct smear campaigns against human rights organizations in the oPt, in an attempt to undermine their credibility as well as the integrity of its staff, to weaken their credibility in exposing Israeli crimes, and manipulate funding. Israeli authorities recruit all its diplomatic resources and all its pressure groups to conduct smear campaigns against the human rights organizations in the oPt and their supporters via several methods such as: reports, media statements, diplomatic letters, social media, and their pressure groups worldwide. Various attempts are carried out by the Ministry of Strategic Affairs and Public Diplomacy in Israel to undermine the Palestinian civil society through various objects, by using fallacies based on the connection between the civil society institutions and the Boycott Divestment and Sanctions⁴ (BDS) movement, and the Palestinian organizations and terrorism. Furthermore, the Israeli authorities retrieve to accusations of anti-Semitism against any criticism of its violations in the oPt from any party around the world, in constant pursuit to deflect attention and distort facts.

The Israeli Ministry of Strategic Affairs intensifies its work to smear HROs after every Israeli crime to silence them and undermine their credibility. The Ministry launched several reports attacking Palestinian HROs when they uncovered and exposed the dangerous and inhuman implications

4. Boycott, Divestment, Sanctions (BDS) defines itself as a Palestinian-led movement with global outreach that aims at resisting the occupation, the colonial settlements and Israeli apartheid, for the fulfilment of freedom, justice and equality in Palestine with the end goal of fulfilling the Palestinian people's right to self-determination in Palestine and the diaspora. BDS demands include the aspirations and rights of all Palestinian people from historical Palestine i.e. Palestinians from pre-1948 Palestine, the Gaza Strip, the West Bank including Jerusalem, refugee camps and the diaspora, who have been torn apart over many years and stages by the Israeli colonial settlements.

of the 2014 vicious military offensive on the Gaza Strip. The Israeli authorities attempted to hide the truth by smearing HROs as “terrorists” and accusing them of attempting to destroy the state of Israel, rather than defending human rights. In an effort to legitimize its work, Israeli authorities established several offices to serve their favors under the cover of Non-Governmental Organization” to support their smear campaigns. The Israeli right-wing newspapers are also involved in these campaigns by publishing or republishing false reports created by Israeli official bodies. Hereafter is a demonstration of three domains of Israeli authorities work: smear campaigns launched by Israeli official bodies; establishing organizations to distort the human rights work in the oPt; and distortion campaigns lead by Israeli right-wing media.

a. Smear campaigns launched by official Israeli bodies:

The varied official Israeli bodies publish false news and fabricated reports in an attempt to smear human rights organizations in the oPt, to undermine their credibility and manipulate their funding. In this context, the Israeli Ministry of Strategic Affairs and Public Diplomacy in Israel issued several reports against the human rights organizations in the oPt, the latest of which was “Terrorists in Suits.” The Ministry also uses a promotional website named “For Israel -4IL” which has several social media pages, and describes itself as an official page for the Israeli Ministry of the Strategic Affairs of Israel, with a mission to defend Israel against hate speeches and anti-Semitism online. The website focuses primarily on BDS movement and linking it to terrorism, and its pages are turned into a platform for . website has many pages on social media created only to attack the BDS movement and stigmatizing it’s supporters as terrorists, and sometimes they turn those pages into a battle by throwing insults, cursing, and threatened the civil society insti-

tutions, as happened lately against al-Haq⁵. Following is the last two reports published by the Israeli Ministry of Strategic Affairs to attack the NGO's in the oPt:

1. "Terrorists in Suits" Report:

On February 2019, the Israeli Ministry of Strategic Affairs released a report titled "Terrorists in Suits", accusing several Palestinian NGO's, especially the human rights organizations, that attempting to eradicate the State of Israel. And they also posted about the directors of these institutions as they have relations with Palestinian organizations as "terrorists", so they published Photoshopped pictures for some of them such as the Lawyer Raji al-Sourani, the director of PCHR, and Sha'wan Jabarin, general director of al-Haq.⁶

The report alleges that it exhibits the connections between dozens of the human rights organizations and the so-called "terrorists" groups. It also attempted to create a connection between human rights organizations, BDS, Hamas Movement, and the Popular Front for the Liberation of Palestine (PFLP). The report is based on fake information in a misrepresented context regarding the former and decades old activities of human rights activists with Palestinian political parties. The report also claims that BDS and human rights organizations are attempting to deceive the world and hide behind a humanitarian and human rights facade to destroy the State of Israel, as it alleges that those organizations do not recognize "Israel's right to exist as a Jewish state", and they aim to eradicate the State of Israel. The report used the membership of the Palestinian National and Islamic Forces, a political coalition of 15 Palestinian factions, in the BDS National Committee

5. Al-Haq, "Israeli Minister for Strategic Affairs Continues Attack on Al-Haq" Press release: <http://www.alhaq.org/advocacy/14703.html>

6. State of Israel, Ministry of Strategic Affairs and Public Diplomacy, Terrorists in Suits: The Ties between NGOs Promoting BDS and Terrorist Organizations, February 2019

(BNC), which includes the Palestinian NGO Network (PNGO)⁷, to paint its allegations as truths.

Upon the release of “Terrorists in Suits,” the closely connected Israeli right-wing media and certain American institutions promoted it, presenting it as a factual document, not in its truth as mere allegations. The Israeli Ministry of Strategic Affairs also released a video report on YouTube to promote this report on a wide-scale level.⁸ The American Center for Law and Justice (ACLU)-Washington presented the report in a manner that conveyed to audiences that it exhibited truths and uncovered dangerous facts.⁹ Meanwhile, the American Center for Democracy promoted this report and focused on the European support for Palestinian organizations, accusing them of terrorism.¹⁰ Furthermore, some parts of the report were republished and shared by several American and Israeli newspapers, in attempt to promote it at the widest scale, such as The Washington Times¹¹, YNETNEWS,¹² Jews Down Under¹³, and Metro Voice.¹⁴

7. State of Israel, Ministry of Strategic Affairs and Public Diplomacy, *Terrorists in Suits: the Ties between NGOs Promoting BDS and Terrorist Organizations*, February 2019

8. BDS: Terrorist in Suits <<https://www.youtube.com/watch?v=loPVVokcOmw>>

9. American Center for Law and Justice | Washington D.C.: *Terrorists in Suits: Exposing the Ominous Links Between Terrorists and BDS that Threatens Israel* <<https://aclj.org/israel/terrorists-in-suits-exposing-the-ominous-links-between-terrorists-and-bds-that-threatens-israel>>

10. American Center for Democracy, «TERRORISTS IN SUITS – The Ties Between NGOs promoting BDS and Terrorist Organizations», <<https://acdemocracy.org/terrorists-in-suits-the-ties-between-ngos-promoting-bds-and-terrorist-organizations/>>

11. Washington Times, *Thwarting ‘terrorists in suits’ in the Israel boycott* <<https://www.washingtontimes.com/news/2019/may/21/thwarting-terrorists-in-suits-in-the-israel-boycot/>>

12. TNETNEWS, *Erdan presents ‘hate net’ of BDS organizations* <<https://www.ynetnews.com/articles/0,7340,L-5291824,00.html>>; TNETNEWS, *BDS: Terrorists in Suits*, <<https://www.ynetnews.com/articles/0,7340,L-5457517,00.html>>

13. Jews Down Under, *TERRORISTS IN SUITS – The Ties Between NGOs promoting BDS and Terrorist Organizations* <<https://jewsdownunder.com/2019/02/06/report-terrorists-in-suits-exposes-connections-between-human-rights-ngos-terror-orgs/>>

14. Metro Voice, *‘Terrorists in Suits’ aim to isolate Israel from world*, <<https://metrovoicenews.com/terrorists-in-suits-aim-to-isolate-israel-from-world/>>

2. “The Money Trail” Report: The Millions Given by EU Institutions to NGOs with Ties to Terror and Boycotts against Israel An In-Depth Analysis

On May 2018, the Israeli Ministry of Strategic Affairs released a report on EU funding to Palestinian NGOs. The report called upon the EU to stop the direct and indirect funding for Palestinian and international human rights organizations which are linked with terrorism (as described in the report), or those engaged in activities that for boycotting Israel. The report targeted Palestinian and international human rights organizations including Al-Haq, the Palestinian Centre for Human Rights, the Palestinian NGO Network, al-Mezan Center for Human Rights, the Applied Research Institute in Jerusalem, the Agricultural Development Association, the Norwegian People’s Aid, Trocaire Foundation, the Euro-Mediterranean Human Rights Network, and other organizations that the report claims to be financially supported by the EU.¹⁵

The report attempted to create connection between the global Israel boycott movement and the Palestinian human rights organizations, claiming that they have the same goal. The report was scripted in a manner that described BDS as a banned organization, and promoted it as a fact, then went further to prove its ties with Palestinian civil society organizations, especially human rights organizations, in an attempt to undermine its reputation and credibility, and condemn the financial support given by the EU. It also accused the EU of supporting terrorism by financing Palestinian institutions, claiming that these institutions aim at eradicating the State of Israel.¹⁶

Federica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy, re-

15. Ministry of Strategic Affairs and Public Diplomacy, THE MONEY TRAIL the Millions Given by EU Institutions to NGOs with Ties to Terror and Boycotts against Israel An In-Depth Analysis, <http://eipa.eu.com/publicaffairs/wp-content/uploads/The-Money-Trail_English.pdf>

16. Ministry of Strategic Affairs and Public Diplomacy, THE MONEY TRAIL the Millions Given by EU Institutions to NGOs with Ties to Terror and Boycotts against Israel An In-Depth Analysis, <http://eipa.eu.com/publicaffairs/wp-content/uploads/The-Money-Trail_English.pdf>

sponded to the report with a sharply worded letter sent to the Israeli government leaked by Haaretz Newspaper. She controverted the fake Israeli claims and confirmed the clear and transparent criteria of the EU in this matter, she added that the report has many errors and inaccuracies. She also described the information of the report as “unfounded and unacceptable” and claimed that the report contained errors as it claimed that 14 Palestinian organizations support the BDS movement against Israel with EU funding; meanwhile, 6 of those organizations did not receive EU funding and none of them receives EU funds for BDS activity.¹⁷

Mogherini confirmed that the EU stands firm in protection of the freedom of expression and freedom of association in line with the Charter of Fundamental Rights of the European Union and legal precedents by the European Court of Human Rights. She also confirmed that freedom of expression is also applicable to exchange of information and ideas, even those that offend, shock or disturb the State or any sector of the population. She added that the EU strongly rejects the accusations of its involvement in financing activities that support terrorism or terrorists, ensuring EU confidence that its funding has not been used to support boycott of Israel or BDS activities and certainly not to finance terrorism. At the end, she demanded Erdan, Israel’s Public Security Minister, to present proof of the allegations and said that the money provided from the EU’s budget is only paid for contractual purposes under strict and transparent rules and intensive monitoring.¹⁸

17. HAARTEZ NEWS, EU Blasts Israeli Minister: You Feed Disinformation and Mix BDS, Terror, 17 July 2018 < <https://www.haaretz.com/israel-news/.premium-eu-s-mogherini-to-israeli-minister-you-feed-disinformation-1.6280308> >

18. PCHR, “Mogherini’s Letter Foils the Israeli Attempts to Undermine the Work of Human Rights and Development Organizations in the oPt” <https://www.pchrgaza.org/en/?p=11186>

b. Establishing specialized organizations to distort human rights work in the oPt:

Israeli institutions have been established specialized in discrediting Palestinian civil society organizations, especially those that work on exposing the Israeli occupation crimes against Palestinian civilians, or those that call for boycott of Israel. The two most prominent of these institutions are: The NGO Monitor and Im Tirtzu. These institutions have close links with the Israeli government, as most of their staff are former Israeli officers or retired government employees. Those who follow the work of these organizations can recognize that they are just a cover for the work of Israeli occupation institutions, in an attempt to gain credibility in discrediting the work of organizations in the oPt.

1. NGO Monitor:

NGO Monitor was established in 2002, under the supervision of the Jerusalem Centre for Public Affairs,¹⁹ and became an independent center in 2007. The organization claims that it aims at enhancing transparency and accountability within NGOs, especially in the Arab-Israeli context. While in reality, according to the organization's activities and outputs in previous years, they were created with the aim of defending the Israeli occupation policies and criminalizing and distorting human rights organizations that uncover the violations and crimes of the Israeli occupation against Palestinians.²⁰ By glancing over the organization's staff, we find out that it includes a group of former army and security officers in Israeli governments, closely tied to the Israeli security services and ministries.²¹

19. NGO Monitor identifies itself as an independent research organization in the field of diplomacy and foreign policy. It was founded in 1967 and headed by Amb. Dore Gold, former Israeli Ambassador to the United Nations and General Director of the Israeli Ministry of Foreign Affairs. For more information, visit: < <http://jcpa.org/about/> >

20. Policy Working Groups, SPACE NGO Monitor: Defaming human rights organizations that criticize the Israeli occupation, September 2018

21. Policy Working Groups, SPACE NGO Monitor: Defaming human rights organizations that criticize the Israeli occupation, September 2018

Since its establishment, NGO Monitor targeted human rights and humanitarian organizations operating in the oPt, especially PCHR, al-Haq, Addameer, al-Mezan Center, the Palestinian Agricultural Relief Committee, international institutions including United Nations institutions, such as (UNRWA), the United Nations Development Program (UNDP), and the United Nations Children's Fund (UNICEF).²² NGO Monitor employs several methods in its work, including: publishing reports and videos, meetings with western diplomats, organized distortion campaigns, and using its online platforms (its official website and social media pages).

PCHR has monitored many fake reports and misinformation published by NGO Monitor, including a periodic report published by the organization for each human rights organization in the oPt, which provides false information about these organizations in an attempt to distort their role. The organization issues periodic reports addressing international, global, Palestinian and Israeli organizations that criticize Israeli Authorities, or that NGO Monitor alleges have links with "terrorist" organizations. The organization focuses its attack on Palestinian left-wing parties and BDS movement, and it is systematically and consistently working to claim a link between these parties and any institution that criticize the Israeli occupation or tries to relieve Palestinians' sufferings. However, it is a clear attempt to undermine Palestinian society, silence any voice critical of occupation and undermine the relief and development efforts for the Palestinian people. Furthermore, NGO Monitor works extensively to discredit the states and organizations that support organizations working in the oPt, and accuses them directly of supporting terrorism via its website where it publishes its heavily falsified reports.²³

22. NGO MONITOR, The First 15 Years: Expanding Influence Generating Results (2017) <<http://www.ngo-monitor.org/nm/wp-content/uploads/2017/08/NGOMonitor-at-15-Years.pdf>>, NGO MONITOR, Publications, Reports < <https://www.ngo-monitor.org/reports/> >

23. NGO MONITOR, home, <<https://www.ngo-monitor.org/>>

In one its reports, NGO Monitor accused the EU of giving 120 million U.S. Dollars annually in aid to NGOs, that are used for anti-Israel campaigns that are covered as support for human rights, peace, and capacity building. Moreover, they claimed that they prevented the donation of 20 million Euros from the EU to anti-Israel NGOs in the past 15 years. The organization also claimed that they were behind the change in Canadian policies in supporting what they described as anti-Israel NGOs.²⁴ They also mentioned in the report several donor organizations that they succeeded in making them restrict funding procedures NGOs in the oPt such as: Ford Foundation and The New Israel Fund Organization. NGO Monitor takes pride in being the reason behind closing and decreasing funding of several Israeli and Palestinian NGOs.²⁵ In the Following part, we will exhibit the nature of distortion and discreditation conducted by NGO Monitor against the most prominent human rights organizations in the oPt: PCHR, al-Haq, Addameer Prisoner Support and Human Rights Association , and al-Mezan Center for Human Rights.

- **The Palestinian Centre for Human Rights (PCHR):**

In March 2018, NGO Monitor updated their periodic report about PCHR and they duplicated and repeated, as usual, the accusations against PCHR such as: lack of impartiality, filing lawsuits against Israel while denying the terror attacks against the Israelis, accusing Israel of apartheid and ethnic cleansing, highlighting the Israeli procedures as collective punishments, promoting the narratives of al-Nakba, and presenting biased recommendations. They also mentioned PCHR's director, lawyer Raji Sourani, who was arrested several times and he was arrested for 3 years in the 1980's on grounds of affiliation with an illegal organization, referring to the

24. NGO MONITOR, The First 15 Years: Expanding Influence Generating Results (2017) <<http://www.ngo-monitor.org/nm/wp-content/uploads/2017/08/NGOMonitor-at-15-Years.pdf>>

25. NGO MONITOR, The First 15 Years: Expanding Influence Generating Results (2017) <<http://www.ngo-monitor.org/nm/wp-content/uploads/2017/08/NGOMonitor-at-15-Years.pdf>>

PFLP. They also emphasized that Israeli Authorities issued a decision that banned Sourani from practicing law from 1986 – 1987, and that he was rejected a U.S. visa in 2012. NGO Monitor deliberately presents these half-truths in an attempt to convey that PCHR leadership is biased and to question the legitimacy of its goals. The report highlighted that PCHR condemned the Israeli military operations but did not condemn terrorist actions and that PCHR along with al-Mezan and B'Tselem provided the UN Envoy for the Coordination of Humanitarian Affairs with statistics issued by the Hamas-controlled Ministry of Health in the Gaza Strip, in an attempt to discredit the credibility of these institutions. Lastly, the website viewed in detail PCHR's financing sources and the sum funding it receives from each state, as to slander these states and incite them to cut funding.²⁶

- **al-Haq Human Rights Organization:**

In March 2018, the latest NGO Monitor report on al-Haq was released and updated in December 2018. The report classified al-Haq Organization as an anti-Israel and pro-boycott organization, and pointed at Maureen Clare Murphy, a former member of the organization who was summoned by the American Intelligence Services for questioning about her relationship with “Palestine Solidarity Movement”. The report added that the organization is leading a strategy to isolate Israel internationally, and the report mentioned the most prominent legal actions taken by Al-Haq against Israel. Furthermore, the report referred to the poet Manal al-Tamimi, and her relation with the organization, who was described as anti-Semitic and that she was honored as a “prominent human rights activist” by a group of NGOs under the sponsorship of al-Haq. The report also referred to the impartiality and lack of objectivity in al-Haq's publica-

26. NGO Monitor, Palestinian Centre for Human Rights (PCHR): Profile <https://www.ngo-monitor.org/ngos/palestinian_center_for_human_rights_pchr/>

tions, and noted that it turned a blind eye to “Palestinian terrorism” and incited the world to condemn the “Israeli reactions.”

The report also specified part of it to detail al-Haq’s relationship with the international boycott movement of Israel, and showed the organization’s support sources, explaining the countries that contribute to this support and its sum. At the end, the report claimed that there is a link between al-Haq director, Shawan Jabarin, and PFLP; claiming that Visa, MasterCard and American Express cancelled the cards used for the purpose of donating to al-Haq as a result of its connection with PFLP.²⁷

- **Addameer Prisoner Support and Human Rights Association :**

NGO Monitor Organization Addameer of terrorism, relying on falsehoods, such as the organization’s reference to those who were killed by the Israeli Authorities as martyrs, and talk about the Palestinians’ right to resistance. NGO Monitor accuses Addameer Association of lacking integrity and transparency by claiming that they do not publish their financial reports. It has worked to list the international parties that support Addameer in an attempt to portray funding it as a mistake that must be corrected; they also claimed that Addameer was tied to the boycott movement against the Israeli occupation, simply because it called on European countries to stop supporting Israel for its violations of international law and UN resolutions, or to sign petitions considering the illegal existence of some companies in the oPt as a violation of Palestinian rights.²⁸

27. NGO Monitor, Al-Haq: Profile <https://www.ngo-monitor.org/ngos/al_haq/>

28. NGO Monitor, Addameer: profile < https://www.ngo-monitor.org/ngos/al_dameer/>

- **al-Mezan Center for Human Rights:**

On 26 April 2018, NGO Monitor published its latest report on al-Mezan Center for Human Rights, and classified it as an anti-Israel organization that lacks transparency, as it does not publish its financial reports. The report also indicated that the center is not objective, as they do not use impartial terms, and always try to prosecute Israeli officials claiming their responsibility for war crimes. The report also confirmed that the center passed information issued from the “Ministry of Health affiliated with Hamas” to international authorities, in an attempt to question the credibility of the Center and accused them of lacking objectivity. The Center was also accused of using rhetorical phrases biased against Israel. Finally, the report indicated the Center’s ties with the global boycott movement against Israel, and the center’s sources and amounts of support it receives.²⁹

2. Im Tirtzu (IMTI)- Right-wing Israeli organization

Im Tirtzu (IMTI) is a non-profit Zionist organization working to strengthen the values of Zionism in Israel as a Jewish and democratic state. IMTI was set up in 2006 and its values has always been dual pronged: to advance the good and to confront the bad. Simultaneously, IMTI aims to protect Zionism by safeguarding Israel as there are widespread efforts to delegitimize it, whether it is in the form of BDS or subverting sovereign policies. IMTI claims that it has earned a widespread reputation for its fearless calling out of anti-Zionist Israeli NGOs funded by foreign governments, who have been seeking to harm Israeli soldiers³⁰. IMTI’s staff includes officers and soldiers who have served in the Israeli occupation forces (IOF)³¹. IMTI issued several reports against the BDS movement, accusing it of being a terrorist movement that tries to destroy Israel.

29. NGO Monitor, Al-Mezan: Profile <https://www.ngo-monitor.org/ngos/al_mezan_center_for_human_rights/>

30. IM Tirtzu (IMTI), Who We Are, < <https://imti.org.il/en/about-us/movement/>>

31. IM Tirtzu (IMTI), Our Staff, <<https://imti.org.il/en/about-us/staff/>>

The Israeli newspaper Maariv published excerpts from a report issued by IMTI accusing Palestinian organizations of funding associations in occupied East Jerusalem with millions of US dollars to implement activities aim at dividing the city in the future. IMTI claims in its report that between 2014 and 2016, USD 12 million was transferred from Ramallah to Palestinian and Israeli organizations and institutions that seek to delegitimize Israeli policy in Jerusalem; USD 3.7 million of which received by Israeli organizations³². In a video published by IMTI, it accuses prominent figures from left-wing human rights organizations in Israel of collaborating with foreign countries to block Israel's efforts to combat terrorism. In a video published by IMTI, it accused prominent figures from left-wing human rights organizations in Israel of collaborating with foreign countries to block Israel's efforts in combating terrorism³³.

c. Smear campaigns led by the right-wing pro-Israel press

Israeli occupation authorities employ the right-wing pro-Israeli newspapers to participate in the smear campaigns they launch against Palestinian civil society organizations (CSOs) and stigmatize them with terrorism, as part of the campaign led by the Israeli occupation authorities to undermine CSOs' work in the oPt before the international public opinion. These newspapers adopt the same fallacies used by the Israeli government against organizations, such as the illogical

32. Al-Jazeera Network, Israeli incitement on organizations active in Jerusalem, News: <https://www.aljazeera.net/news/alquds/2016/6/9/%D8%AA%D8%AD%D8%B1%D9%8A%D8%B6-%D8%A5%D8%B3%D8%B1%D8%A7%D8%A6%D9%8A%D9%84%D9%8A-%D8%B9%D9%84%D9%89-%D9%85%D9%86%D8%B8%D9%85%D8%A7%D8%AA-%D8%AA%D9%86%D8%B4%D8%B7-%D8%A8%D8%A7%D9%84%D9%82%D8%AF%D8%B3>

33. The Times of Israel, «Right-wing Organization Accuses Left Activists of Collaborating with Foreign Countries: <http://ar.timesofisrael.com/%d9%85%d9%86%d8%b8%d9%85%d8%a9-%d9%8a%d9%85%d9%8a%d9%86%d9%8a%d8%a9-%d8%aa%d8%aa%d9%87%d9%85-%d9%86%d8%a7%d8%b4%d8%b7%d9%8a%d9%86-%d9%8a%d8%b3%d8%a7%d8%b1%d9%8a%d9%8a%d9%86-%d8%a8%d8%a3%d9%86%d9%87>

linking between CSOs, the BDS movement and terrorism; as well as the systematic smear of all CSOs' supporters by accusing them of supporting terrorism.

PCHR has monitored several reports that attempted to smear Palestinian CSOs, most of which were within a campaign launched by the pro-Israel newspapers in 2017. In subsequent years, the pro-Israel newspapers repeated smear campaigns led by the Ministry of Strategic Affairs. Following are examples of right-wing newspapers that smeared CSOs in the oPt:

- On 03 August 2017, (Audiatur Online) website published a report in French, titled” *European-backed NGOs launch a campaign to defend the policy of funding terrorists*”. This report accused al-Haq organization and PCHR of using their revenues to fund terrorism, clarifying that in the 1980s PCHR’s director, Raji Sourani, was convicted of being a member of the illegal Popular Front for the Liberation of Palestine (PFLP), a terrorist organization. The report pointed out that PCHR received \$1 million from European countries, including Switzerland, Finland and Spain.” Also, the report referred to a statement by al-Haq organization’s director, Mr. Sha’wan Jabarin, in which he said, as per the website: ““If the rights of “ terrorists “ in the Israeli jails are eroded, we are heading for a real crisis in Palestinian society and in due course toward an explosion.”³⁴.”
- On 02 August 2017,(Jewishpress.com) website published a report titled: “ *European-Funded NGOs Promote “Right” to Be Paid for Terror.*” The report stated that PCHR, al-Haq, Hurriyat, and al-Dameer human rights organizations argue that terrorists have a ‘right’ to receive salaries and that suspending these payments is a violation of international law. Also, the report

34. Audiatur Online, Von Europa unterstützte palästinensische NGOs starten Kampagne zur Verteidigung der Terror-bezahlungs politik, 3 August 2017 <http://www.audiatur-online.ch/2017/08/03/von-europa-unterstuetzte-palaestinen-sische-ngos-starten-kampagne-zur-verteidigung-der-terrorbezahlungs politik/>

pointed out that PCHR and al-Haq’s directors were convicted of being members of a terrorist organization- PFLP-, and also indicated that Sourani was imprisoned by the Israeli occupation authorities, as an attempt to question the objectivity of the center³⁵.

- On 19 June 2017, (Frontpage) website published a news titled: “ *Some European Countries Take Firmer Stance Against Anti-Israel NGOs* “. As it was stated in this news that PCHR is hardly an unbiased Palestinian “human rights” NGO, portraying Israel as an “apartheid” state. Also, PCHR was accused of having links with a terrorist organization (PFLP)³⁶.
- On 27 April 2017, (Jerusalem Post) newspaper published a report titled: “ *European states fund NGOs that incite to violence against Israelis*”. The report stated PCHR and its director, Raji Sourani, who has served multiple jail sentences, including for his alleged illegal membership ties to the PFLP. The reported also reviewed Sourani’s remark: “I think resistance is our right and our obligation³⁷.”
- On 21 March 2016, (Algemeiner) newspaper issued a report titled: “ *The International Community Justifies, Funds Palestinian Terrorism*”. The report reviewed examples of Palestinian NGOs, which were accused of supporting terrorism, non-objectivity and non-neutrality, including al-Haq organization for Human Rights and PCHR. The report pointed out that both

35. Jewish Press, European-Funded NGOs Promote “Right” to Be Paid for Terror <http://www.jewishpress.com/news/eye-on-palestine/european-funded-ngos-promote-right-to-be-paid-for-terror/2017/08/02/>

36. Front page, Some European Countries Take Firmer Stance Against Anti-Israel NGOs, 19 June 2017 < <https://www.frontpagemag.com/fpm/267034/some-european-countries-take-firmer-stance-against-joseph-puder>

37. The Jerusalem Post, Report: European states fund NGOs that incite to violence against Israelis, 27 April 2017 < <https://www.jpost.com/Israel-News/Politics-And-Diplomacy/NGO-Monitor-European-governments-fund-NGOs-that-incite-to-violence-489091>

mentioned organizations denied stabbings had taken place, calling the incidents “alleged” and dehumanizing the civilian victims as “settlers”. (Algemeiner) newspaper mentioned numbers, claiming that these numbers constitute the amount of funding reaching these institutions from the international community³⁸.

- On 06 March 2017, (Jerusalem Post) newspaper published a report titled: “*Switzerland funds NGOs that call for Israel’s destruction.*” Al-Haq organization for human right and PCHR were mentioned in this report³⁹.
- On 26 February 2017, (Jerusalem Post) newspaper published a report in which Renowned Harvard University jurist Alan Dershowitz calls on banks to close accounts that boycott Israel.” Prof. Gerald Steinberg, the head of the Jerusalem-based NGO Monitor, spoke about the pseudo-legal claims adopted by institutions that lead the boycott movement and its partner in Gaza (PCHR), accusing it of having links with a terrorist organization- PFLP.”⁴⁰

38. Algemeiner, The International Community Justifies, Funds Palestinian Terrorism, 21 March 2016 < <https://www.algemeiner.com/2016/03/21/the-international-community-justifies-funds-palestinian-terrorism>

39. The Jerusalem Post, Switzerland funds NGOs that call for Israel’s destruction, 26 February 2017 <<http://www.jpost.com/Israel-News/Switzerland-funds-NGOs-that-call-for-Israels-destruction-483406>

40. The Jerusalem Post, Dershowitz calls on banks to close accounts that boycott Israel, 6 March 2017 <http://www.jpost.com/Arab-Israeli-Conflict/Dershowitz-calls-on-banks-to-close-accounts-boycotting-Israel-482596>

II. Sanctions and the Restrictions on Freedom of Movement

Israeli occupation authorities practice a systematic policy to restrict freedom of movement in the oPt, by enforcing laws, imposing procedures and establishing hundreds of military checkpoints that make transportation between Palestinian cities extremely difficult. In the Gaza Strip, the matter is getting worse, as the Strip is subject to greater restrictions on freedom of entry and exit, whether through the Rafah Egyptian-Palestinian crossing, or the Beit Hanoun (Erez) Israeli-Palestinian crossing.

These restrictions significantly contribute to obstruct NGOs work in the oPt, like other residents and institutions. In the Gaza Strip, civil society representatives often cannot attend the conferences and meetings abroad due to the extremely difficult travel procedures that may take at least two months; whereas, in the West Bank, individuals movement between Palestinian cities takes long hours due to passing through Israeli military checkpoints established on main streets that obstruct their work and increase the costs of transportation.

Restricting movement is one of the main tools that Israel employs to enforce its regime of occupation over the Palestinian population in the oPt. Israel restricts the movement of Palestinians within the oPt, between the West Bank and the Gaza Strip, into Israel, and abroad. In attempting to obtain movement permits, Palestinians face an arbitrary, entirely non-transparent bureaucratic system. In addition, permits already granted are easily revoked, also without explanation⁴¹. This state of affairs forces Palestinians to live in constant uncertainty, making it difficult

41.The Israeli Information Center for Human Rights in the Occupied Territories, restrictions on movement: https://www.btselem.org/arabic/topic/freedom_of_movement

to perform simple tasks and make plans. The restrictions on movement and the uncertainty they generate also bear implications for the Palestinian economy and its development potential.⁴²

The Israeli occupation authorities recently made an amendment to the Entry into Israel Law, Amendment No. 28, which prohibits the entry into Israel of any foreigner who makes a “public call for boycotting Israel”. The following is an explanation of the most prominent restrictions on the freedom of movement of human rights defenders in the oPt, through two requirements: restricted Israeli laws; and confiscation of freedom of movement through the crossings controlled by the Israeli occupation authorities.

A. Restricted Israeli Laws

Over the past years, Israel has fought the boycott movement that aims to end the occupation and promote equality by using peaceful political and economic pressure on Israel by enacting laws that restrict freedom of opinion and expression and freedom of movement. The most prominent of these laws were: The Anti-Boycott Law of 2011, and amendment No. (28) of the Entry into Israel Law.

The Law for Prevention of Damage to State of Israel through Boycott, which is also commonly known as the (Anti-) Boycott Law, was passed by the Knesset in July 2011. This law prohibits the public promotion of academic, economic or cultural boycott by Israeli citizens and organizations against Israeli institutions or illegal Israeli settlements in the West Bank. The law enables Israel to prosecute persons, organizations, or entities that call for the boycott of products made in Israel’s West Bank settlements before the civil courts. The law also enables the affected Israeli bodies

42. The Israeli Information Center for Human Rights in the Occupied Territories, restrictions on movement: https://www.btselem.org/arabic/topic/freedom_of_movement

to file compensation claims against these entities. Israeli human rights organizations considered it an unconstitutional law, as it contradicts constitutional principles in Israeli law⁴³.

The Human Rights Committee is concerned at the chilling effect that the Boycott Law (5771-2011), which provides that a call for economic, cultural, or academic boycott of people or institutions in the State party or the oPt for political reasons is a civil offence, and the so-called “Foreign Funding Law” (5771-2001), which imposes mandatory disclosure of foreign funds received by any association or company, may have on the freedom of opinion and expression and freedom of association⁴⁴.

The Amendment No. 28 to the Entry into Israel Law prohibits the entry into Israel of any foreigner who makes a “public call for boycotting Israel” or “any area under its control”. The Amendment denies entry, visa and residency permits to these affected foreigners.

The Amendment Law: *“ prohibits the grant of a permit for entry to and residence in Israel to any person who is not an Israeli citizen or alternatively does not hold a license for permanent residence in Israel if he or she, or the organization or the body for which he or she operates, has knowingly published a public call to engage in a boycott against the State of Israel (5771-2011) or has made a commitment to participate in such a boycott⁴⁵.”*

43. Palestinian News and Information Agency (Wafa), Human Rights Organizations: The Anti-Boycott Law is unconstitutional http://www.wafa.ps/ar_page.aspx?id=WC2cTCa579783182022aWC2cTC

44. Human Rights Committee, concluding observations on the fourth periodic report of Israel (2014)

45. Unofficial Translation, The Entry into Israel Law (Amendment No. 28), 2017 [5777] <http://www.alhaq.org/en/wp-content/uploads/2018/02/P-20-1906.pdf>

The Amendment Law contradicts Israel's obligations under Article 19 of the International Covenant on Civil and Political Rights, in accordance with the criteria set forth in Comment 34 issued by the Human Rights Committee, as the exercise of freedom of opinion and expression should not be a reason to prevent freedom of movement, whether within the state or across borders. This law was used to deport human rights activists, among them was Omar Shakir, the Director of Human Rights Watch (HRW) in the oPt, who was ordered to leave the country based on allegations that he supported a boycott of Israel⁴⁶.

B. Confiscation of Freedom of Movement on Israeli-controlled crossings

Israeli occupation authorities follow an unclear or declared policy in dealing with human rights defenders, as there are no specific criteria on the reasons for their refusal or acceptance to grant permits for them to leave the oPt or to cross from the Gaza Strip to the West Bank, or vice versa. Also, Israeli occupation authorities selectively prevent Palestinian human rights organizations' workers in the Gaza Strip from reaching the West Bank or leaving the oPt through the Karama crossing (King Hussein Bridge) or through the Beit Hanoun (Erez) crossing. Israel arbitrarily uses this policy without clear criteria, as the same person may be allowed to cross and then prevented from returning and allowing him again, and so on. Most of human rights organizations' workers were exposed to these movement restrictions⁴⁷.

46. Palestinian Centre for Human Rights, Silence or Deportation...Israel's Message to Human Rights Defenders, 21 April 2019 <https://pchrgaza.org/en/?p=12364>

47. Members of the Palestinian Centre for Human Rights and the Al-Mezan Center for Human Rights are denied the right to obtain a permit to cross through the Beit Hanoun crossing. Recently, the Press House Chairman was prevented from travelling via Erez Crossing to participate in a conference on press freedoms in London, United Kingdom.

The International Human Rights Committee expressed concern over the restrictions on freedom of movement and recommended Israel in its concluding observations to lift restrictions on freedom of movement, stating: “The State party should take all necessary measures with a view to ensuring respect for the right to freedom of movement for Palestinians throughout the OPT , comprising the West Bank , including East Jerusalem and the Gaza Strip , and ensure that any restrictions on freedom of movement are in line with its obligations under the Covenant. It should also ensure respect for the rights of Palestinian residents in East Jerusalem to freedom of movement and freedom to choose residence.”⁴⁸

III. Attempts to Defund Human Rights Organizations

Israel pursues a systematic policy to restrict Palestinian human rights organizations by putting pressure on states and international institutions to stop funding these organizations. The Israeli occupation authorities are trying to implement this policy by launching the smear campaigns and exerting political pressure on the donors. A report issued by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), warned of the danger of Israeli attempts to criminalize CSOs’ humanitarian work in the oPt. The report reviewed Israeli attempts led by political bodies and Israeli civil society organizations to delegitimize human rights organizations operating in the oPt.. The report emphasized that the Israeli allegations are baseless, and that they directly contribute to undermining civil and humanitarian work in the oPt. Also, the report highlighted the negative impacts on the Palestinian CSOs’ work, such as withhold and stop funding these organizations⁴⁹.

48. Human Rights Committee, Concluding Observations on the Fourth Periodic Report of Israel (2014).

49. OCHA, Humanitarian operations undermined by delegitimization, access restrictions, and administrative constraints <https://www.ochaopt.org/content/humanitarian-operations-undermined-delegitimization-access-restrictions-and-administrative>

On 23 December 2017, Danish Foreign Ministry decides to stop funding for 14 Palestinian organizations in the wake of an internal investigation that found these groups used the money to promote terrorism and the boycott against Israel⁵⁰. The Danish government also forced the organizations to return the money that was actually transferred to them. Israel hailed the move as a victory and urged other European governments to follow suit. *“This is a welcome, moral, and crucially-important decision. Palestinian NGOs that have ties to internationally-designated terrorist organizations and that promote boycotts against Israel should not receive European governmental funding,”* said Israel’s Minister of Strategic Affairs Gilad Erdan.⁵¹ According to an Israeli newspaper, Netanyahu, the Israeli Prime Minister, gave Samuelsen a list of organizations which receive Danish funds that Israel says are linked to the Boycott⁵². Israel was able to create a state of anxiety among Palestinian CSOs’ donors, who imposed strict procedures on the CSOs’ activities, including punitive measures.

NGO Monitor claims that it mainly contributed to withholding funding for many organizations operating in the oPt. NGO Monitor stated that it was behind the European Union and Canada’s adoption of new guidelines on funding organizations, especially those operating in the oPt. NGO Monitor also clarified that it contributed to opening investigations in several countries on the financial support provided to organizations criticizing Israel, including Germany, Denmark, and Sweden. NGO Monitor considered that Denmark leads European Union in Officially Ending Funding to BDS and Terror-Tied Groups⁵³.

50. Y.net, Denmark halts aid to Palestinian NGO over terror ties, published in 23 December 2017 < <https://www.ynet-news.com/articles/0,7340,L-5060877,00.html> >

51. The Time of Israel, After investigation, Denmark to cut funding from some Palestinian NGOs, 23 December 2017 < <https://www.timesofisrael.com/after-investigation-denmark-to-cut-funding-from-some-palestinian-ngos/> >

52. The Time of Israel, After investigation, Denmark to cut funding from some Palestinian NGOs, 23 December 2017 <https://www.timesofisrael.com/after-investigation-denmark-to-cut-funding-from-some-palestinian-ngos/>

53. NGO MONITOR, Annual Report 2018 (2019) http://www.ngo-monitor.org/pdf/2018AnnualReport_Web.pdf

IV. Threatening human rights defenders

Human rights defenders in the oPt are exposed to threatening and intimidating from unknown destinations, believed to belong to the Israeli occupation forces. There are objective reasons for this belief, as those who were subjected to threats and intimidation are the most prominent activists involved in preparing the legal memoranda sent to the International Criminal Court regarding Israeli crimes in the oPt since the Israeli offensive on the Gaza Strip in July 2014. Human rights defenders were threatened to be killed by these entities through several means, including anonymous calls and anonymous messaging and emails. These entities also hacked human rights defenders' devices and emails. One of the most prominent victims, that were exposed to threatening and intimidation campaigns, was Nada Kiswanson, representative of al-Haq Center in Europe. Kiswanson has continuously received death threats since February 2016. Her right to privacy is also being severely hampered - all her channels of communication are compromised. In addition, Kiswanson and her family have received frequent phone calls, emails and messages through other means that explicitly and indirectly threaten her life and security. Kiswanson also received a bouquet of flowers at the doorstep of her house with a message expressing a veiled threat. These developments and threats came after she redoubled her efforts to pursue Israeli war criminals before the International Criminal Court⁵⁴.

54. Front Line Defenders, Nada Kiswanson HRD, Legal Researcher <<https://www.frontlinedefenders.org/en/profile/nada-kiswanson>>; Al-Haq , Attacks against Al-Haq's representative in Europe, Ms. Nada Kiswanson < <https://www.fidh.org/en/issues/human-rights-defenders/attacks-against-al-haq-s-representative-in-europe-ms-nada-kiswanson> >

In March 2016, General Director of al-Haq Center, Shawan Jabarin, and the representative of the Center in Europe, lawyer Nada Kiswanson, received anonymous calls, including death threats, because of their direct work on the International Criminal Court's (ICC) file. Moreover, unknown sources led a smear campaign against al-Haq Center by sending emails to the center's donors and partners. These emails included fabricated information that aim to defame the center and its staff members.

These developments come in the context of the ongoing attacks that al-Haq Center is exposed to since late 2015 when it began working with the ICC to pursue Israeli war criminals involved in the 2014 Gaza offensive.⁵⁵

On 22 July 2019, al-Haq center published a press release about exposing its general director to a smear and threat campaign by 4IL - Defending Israel Online- Official website of Israel's Ministry of Strategic Affairs, which published inflammatory articles against al-Haq center, accusing its general manager of terrorism. Deformation campaigns are usually launched with every prominent activity or event undertaken by al-Haq. The (4IL - Defending Israel Online) and its pioneers aim at creating an incitement atmosphere against the center and call for killing its general director. The comments on the social media site, as stated in the center's press release, contained many calls to kill its general director. Examples of these comments: "When do we put a bullet in the head?", "Why are such people still breathing?", " why he does not execute?", and many other comments that fall under incitement and hate speech⁵⁶.

55. Palestinian Centre for Human Rights, Expresses Solidarity with Al-Haq Organization in Confronting Defamation and Threats Campaign < <https://pchrghaza.org/en/?p=7907> >

56. Al-Haq, Israel escalates its attack on Palestinian human rights organizations, Press Release <http://www.alhaq.org/arabic/index.php?option=com_content&view=article&id=1002:-qq-&catid=82:2012-05-09-07-27-45 &Itemid=197> «

In 2016-2017, PCHR was also exposed to a protracted threat and smear campaign carried out by unknown sources when PCHR activated its work before the ICC. These sources published fabricated information about PCHR's director and sent emails to PCHR's donors and partners in an attempt to defame the center. In addition, PCHR's director and his family received veiled threats from unknown sources through call phones and emails.

Moreover, staff members of Al Mezan Center for Human Rights have been subjected to a protracted campaign of intimidation, harassment, and threats since the end of 2015. On 10 August 2016, a senior staff member of al-Mezan received a death threat via email directed to himself and to his family with recent pictures of his house from a close range. Also, emails were sent to al Mezan donors and partners carrying threats and false allegations about the integrity of the center and its staff members.⁵⁷

57. Al Mezan Center for Human Rights, Al Mezan Condemns Continued Death Threats to Staff Members and Calls on the International Community to Intervene < <http://www.mezan.org/en/post/21475>>

Part II

International Standards for Human Rights Defenders

International human rights law and international standards relating to its application, including universal declarations and the recommendations of commissions on the application of human rights conventions, are one of the sources of states' commitment on national and international levels. The Israeli state is a state party to the basic human rights conventions, including the International Covenant on Civil and political Rights (ICCPR). The Israeli occupation state is therefore obliged to respect, protect and fulfill all the rights mentioned in these conventions in the territories under its control, including the occupied territory in 1967. This was confirmed by the latest concluding observations on the Israeli report submitted to the UN Commission on Human Rights, which stated:

“The Committee expresses its regrets that the State party continues to maintain its position on the non-applicability of the Covenant to the Occupied Territories, by claiming that the Covenant is a territorially bound treaty and does not apply with respect to individuals under its jurisdiction, but outside its territory, despite the interpretation to the contrary of article 2, paragraph 1, supported by the Committee’s established jurisprudence, the jurisprudence of the International Court of Justice (ICJ) and State practice⁵⁸.”

The Committee on Economic, Social and Cultural Rights (CESCR) stressed more than ones on this issue, most recently in its concluding observations submitted by the Israeli occupying power in which the committee called upon the Israeli state to “include in its fourth periodic report,

58. Human Rights Committee, concluding observations on the fourth periodic report of Israel (2014).

information about enjoying the economic, social and cultural rights in the occupied Palestinian territories as provided for in the Covenant.”

The Committee recalls the Israeli occupying power of its advisory opinion issued on 09 July 2007, by the International Court of Justice, as the principal judicial organ of the United Nations, that Israel is obliged under the ICCPR not to place any obstacles in the exercise of these In the fields under the jurisdiction of the PA⁵⁹. This confirms Israel’s international obligation to apply human rights conventions in the occupied Palestinian territory. Following is a statement of the two main sources of international standards for human rights defenders: International Conventions, and Universal Declarations.

I. International Conventions

Human rights Conventions did not provide any direct reference to human rights defenders, but international contractual and non-contractual bodies have consistently stressed the need to give special consideration to them with regard to the rights necessary to enable them to work, particularly the right to freedom of expression, right to access to information, freedom of movement, and freedom of association. The freedom of expression, including the freedom of access information, is the key pillar of the work of human rights defenders, as the ICCPR affirmed this right, in Article 19 of it, which stated:

“1. Everyone shall have the right to hold opinions without interference.

59.The committee on economic, social and cultural rights, concluding observations of the committee on economic, social and Cultural Rights: Israel, (2011).

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (order public), or of public health or morals.”

The Commission on Human Rights on the Application of the ICCPR emphasized in the General Comment (34) the relationship between freedom of expression and freedom of movement and stressed the need to pay special attention to human rights defenders, as their work requires the exercise of these freedoms significantly. The Comment stated that:

“ It is not compatible with paragraph 60 3, for instance, to invoke such laws to suppress or withhold from the public information of legitimate public interest that does not harm national security or to prosecute journalists, researchers, environmental activists, human rights defenders, or others, for having disseminated such information.”

The same General Comment also stressed the importance of the right to movement for human rights defenders, including movement from one state to another, and not just within the borders of the State itself, stating:

“ It is normally incompatible with paragraph 3 to restrict the freedom of journalists and oth-

60. It is the paragraph that allows imposing restrictions on freedom of expression under certain conditions.

ers who seek to exercise their freedom of expression (such as persons who wish to travel to human rights-related meetings) to travel outside the State party, to restrict the entry into the State party of foreign journalists to those from specified countries or to restrict freedom of movement of journalists and human rights investigators within the State party (including to conflict-affected locations, the sites of natural disasters and locations where there are allegations of human rights abuses).”

The General Comment stressed the need to hold those responsible for violations against human rights defenders accountable, as the abovementioned comment states:

“Under any circumstance, can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, be compatible with article 19. 45 Journalists are frequently subjected to such threats, intimidation and attacks because of their activities.46 So too are persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers. 47 All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted,48 and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress.

On the other hand, forming associations is one of the most significant methods used by human rights defenders, as these organizations solidify and sustain human rights work and to enhance its continuity. Since the right to form associations is one of the rights enshrined in both international conventions, Israeli authorities are obliged to respect Palestinian’s rights to form associations and

not to impede their freedom to this right, in any way, otherwise they violate their obligations on the international level. Despite that exercising the right to form associations could be restricted on the grounds of protecting the rights and freedoms of others, national security and public order, these restrictions must be minimal and not inconsistent with democratic systems. The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association issued an objective report in 2012,⁶¹ outlining the main rights related the right to form associations, including:

First: Right to Form and Join an Association:

This right is guaranteed for everyone whether they hold the states' nationality or were foreigners. Israeli authorities must therefore refrain from any action that undermines this right.

Second: The right to operate freely and to be protected from undue interference:

The Special Rapporteur affirmed that the associations should practice their activities freely without intervention and considered that threatening and targeting association and those working in it as well as defaming them to undermine their work is a flagrant violation of human rights. The association must also enjoy freedom of expression and publication and freedom of peaceful assembly.⁶² Therefore, any campaign carried out by the Israeli occupation authorities to target associations in the oPt is a violation of Israel's obligations under the Covenants.

Third: The right to access funding and resources:

The Special Rapporteur considered the ability for associations to access funding and resources as

61. General Assembly, Human Rights Council, 20th Session, Special Rapporteur's report on the right to freedom of peaceful assembly and the right to freedom of association, Maina Kiai (A/HRC/20/27)

62. General Assembly, Human Rights Council, 20th Session, Special Rapporteur's report on the right to freedom of peaceful assembly and the right to freedom of association, Maina Kiai (A/HRC/20/27)

an integral and vital part of the right to freedom of association.⁶³ Administrating or using funds must not be restricted as long as they are used in legitimate works in a democratic state. The Special Rapporteur stressed that any associations, both registered or unregistered, should have the right to seek and secure funding and resources from domestic, foreign, and international entity.⁶⁴ Therefore, any Israeli measures aimed at withholding funding from institutions operating in the occupied territories are a violation of Israel's obligations under the Covenants.

1. Universal Declarations

At its 53rd session, the UN General Assembly issued a declaration on human rights defenders containing 20 articles on the rights that states must provide to human rights defenders so that they can do their work. Article (5) of it affirmed the right to form associations to defend human rights:

“ For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: (a) To meet or assemble peacefully; (b) To form, join and participate in non-governmental organizations, associations or groups; (c) To communicate with non-governmental or intergovernmental organizations.”

Article (12) of the same declaration affirmed the right to fight against human rights violations:

“Everyone has the right, individually and in association with others, to participate in peaceful

63. General Assembly, Human Rights Council, 20th Session, Special Rapporteur's report on the right to freedom of peaceful assembly and the right to freedom of association, Maina Kiai (A/HRC/20/27).

64. General Assembly, Human Rights Council, 20th Session, Special Rapporteur's report on the right to freedom of peaceful assembly and the right to freedom of association, Maina Kiai (A/HRC/20/27).

activities against violations of human rights and fundamental freedoms. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.”

The Human Rights Council responded to the Declaration on Human Rights Defenders of the General Assembly by creating a monitoring mechanism for the human rights defenders in 2000 to guarantee implementing the declaration. The Special Rapporteur’s work is to receive petitions about violations against human rights defenders and procedures of field visits, and issue substantive and country reports. In his last report, the Special Rapporteur highlighted the importance to enable human rights defenders to access international funding resources and provide them full protection of attacks and defamation campaigns targeting them.⁶⁵

II. States’ Obligations towards Human Rights Defenders

States members in human rights conventions have three main obligations regarding human

65. Human Rights Council, Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst, (A/HRC/28/63), (2014)

rights in general, including human rights defenders, which are the protection, respect and fulfillment of human rights. From above, it is clear that human rights defenders do not have special rights, although the international standards and the universal declaration sought for special consideration to ensure that they enjoy the rights and freedoms necessary to enable them to work that usually includes criticizing governments and exposing the state's violations. The following shows the state's three obligations in light of the above-mentioned international standards:

- **Respect Right of Human Rights Defenders:** states, under this obligation, must not persecute human rights defenders by withholding information from them, denying them the right to form associations, or banning them from exercising their freedom of movement. States also should refrain from subjecting human rights defenders to arbitrary arrest, torture, inhuman and degrading treatment, threats and intimidation. Any act by the state that violates these obligations is a violation under international human rights law.
- **Protections of Human Rights Defenders:** the state should protect human rights defenders from a third-part attack, by enacting laws for their protection and providing them with the necessary security to do their work, in addition to any attempts of intimidation, threats or physical abuse that they might face in their work or because of their work.
- **Fulfillment of the Human Rights Defenders:** the state is obliged to provide all means and mechanisms to respect and protect human rights defenders. The state also must review its legislation and policies to ensure they do not impose restrictions on human rights defenders. Fulfillment further includes providing security potentials for the protection of human rights defenders.

Conclusion and Recommendations

PCHR and its partners have followed the Israeli campaigns that aim at undermining the human rights work in the oPt for many years. For their part, these organizations have chosen not to respond to avoid distraction from its primary function in protecting human rights as is intended through these campaigns. However, PCHR noticed an increase in these campaigns lately as Israel and its organizations launch aggressive attacks against human rights organizations, working tirelessly by employing parliamentary and media allies to reach their goals. Unfortunately, these deceptive campaigns succeeded in convincing states and supporters to change their funding policies as some of them tended to tighten their measures and conditions to provide the needed support for human rights cases, while others reached the point of withholding funding from some human rights organizations.

Israeli official authorities and their allies covering as civil society organizations intensified their campaigns against human rights organizations in the oPt. This included issuing reports by the Israel Ministry of Foreign Affairs accusing Palestinian human rights organizations of terrorism and attempting to incite donor countries against these organizations to cut their funding. Simultaneously, Israeli authorities reinforce arbitrary restrictions and measures against human rights defenders in the oPt, including restricting freedom of movement and criminalizing any call for boycotting the Israeli occupation. Israeli authorities also exert efforts to withhold funding from human rights organizations, and some human rights defenders have been threatened by unknown parties. PCHR's preliminary investigations indicate that Israeli authorities are behind these threats.

PCHR affirms that these campaigns will not deter it from promoting human rights and protecting Palestinian civilians in times of armed conflicts. PCHR also stresses that its objectivity and commitment to human rights standards are nonnegotiable or questionable, as PCHR believes of the universal, fairness and importance of human rights in preserving human dignity, in addition to Palestinian people's right to a dignified life and their other inalienable rights, particularly the right to self-determination.

Therefore, PCHR:

1. Stresses its full support for all its national partners and will strengthen cooperation with them internationally to prosecute Israeli war criminals, as it is the only way to stop Israeli violations and war crimes committed against Palestinians;
2. Calls upon the various international bodies, particularly the European Union, to continue supporting Palestinian organizations, particularly at this difficult stage and not to be misled by suspicious Israeli propaganda; and
3. Calls on international human rights organizations to counter the Israeli campaign aiming at silencing any human rights voice in the oPt to deter Israeli authorities from to launch unleashed attacks on Palestinian civilians.

