



General Assembly

Distr.: General
4 September 2019

English only

Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 8

Follow-up and implementation of the Vienna Declaration and Programme of Action

Written statement* submitted by Institute for NGO Research, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 August 2019]

* Issued as received, in the language(s) of submission only.

GE.19-15178(E)



* 1 9 1 5 1 7 8 *

Please recycle A small graphic of a recycling symbol, consisting of three chasing arrows forming a triangle.



French funding to NGOs with ties to terror

NGOs and “Terror Laundering”

The abuse of human rights organizations in conflict zones is a constant global concern. NGOs face significant challenges in achieving their humanitarian goals in areas controlled by terrorist organizations. Further, such NGOs themselves face the danger of infiltration by terrorist groups seeking to exploit their resources, as in the case of World Vision in Gaza. In other instances, the terrorist groups establish new NGOs in order to gain both political legitimacy and access to public resources.

The European Union has recognized this problem,¹ at least in theory, stating, “NGOs are considered ‘subjects at risk’ in the ML [money laundering] framework, either as fronts for terrorist organizations that raise and transfer funds, or as legitimate enterprises that indirectly support the aims of terrorist organizations.”

In the Arab-Israeli conflict, as in other conflicts, the lines between terrorist organizations and NGOs operating in Israel, the West Bank, and Gaza have been blurred, in part due to funding provided by the EU, European governments, and the UN.

The case of France

France is a leader in creating legislation and legal precedent to combat racism and hatred in the country. For instance, France has one of the strongest legal instruments outlawing discriminatory BDS (boycott, divestment, and sanctions) campaigns targeting Israel² and contractual guidelines in funding contracts with non-governmental organizations (NGOs) to prevent funding to terror.³ Importantly, and furthering this policy, in 2019 France endorsed the International Holocaust Remembrance Alliance’s (IHRA) working definition of antisemitism.⁴ The IHRA working definition clearly articulates what is and what is not antisemitism, as well as how to distinguish between legitimate criticism of Israel and antisemitism.

Despite this legal arsenal and corresponding apparent political support, France nonetheless faces significant challenges in the implementation of this policy, resulting in the provision of government funds to organizations that promote hatred, antisemitism, BDS, and/or that have ties to terror.

Specifically, in the past years, France provided multiple grants to Palestinian NGOs with ties to the Popular Front for the Liberation of Palestine (PFLP), a terrorist organization designated

¹ European Parliament, “NGOs and money laundering Adapting EU rules to engage NGOs better,” March 2015:

[http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/551323/EPRS_BRI\(2015\)551323_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/551323/EPRS_BRI(2015)551323_EN.pdf)

² Legifrance, “Code pénal - Article 225-1”,

<https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006070719&idArticle=LEGIARTI000006417828> ; Legifrance, “Loi du 29 juillet 1881 sur la liberté de la presse - Article 24,”

https://www.legifrance.gouv.fr/affichTexteArticle.do?sessionId=8CA5B3DA04B0C6DC1A822C7CA5ED70EB.tplgfr33s_1?idArticle=LEGIARTI000033975095&cidTexte=LEGITEXT000006070722&dateTexte=20190428

³ Agence Française de Développement, “Politique générale de l’AFD et de PROPARCO en matière de lutte contre la corruption, la fraude, les pratiques anticoncurrentielles, le blanchiment de capitaux et le financement du terrorisme,” January 2013: <https://www.afd.fr/sites/afd/files/2017-12/politique-groupe-afd-lutte-contre-corruption.pdf>

⁴ Délégation interministérielle à la lutte contre le racisme, l’antisémitisme et la haine anti-LGBT (dilcrh), “Qu’est-ce que la “définition de travail de l’antisémitisme” élaborée par l’International Holocaust Remembrance Alliance (IHRA) ? ” March 2019: https://www.gouvernement.fr/qu-est-ce-que-la-definition-de-travail-de-l-antisemitisme-elaboree-par-l-international-holocaust?fbclid=IwAR1u1xbStNqHVvfy8Ye_jVFeSHYicUa5P6xRDExNptL1cUIZO5bWDflUEg

as such by the EU,⁵ Canada,⁶ the US,⁷ and Israel.⁸ The PFLP is involved in suicide bombings, hijackings, and assassinations, among other terrorist activities targeting civilians.

Beyond the risk of terror financing incurred in such support, the funding of such organizations contributes to the “whitewashing” of terror and radical discourse, and blurs the lines between terrorist organizations and humanitarian NGOs operating in conflict zones.

Support of such organizations raises serious questions about due diligence and the level of oversight on part of the Government of France.

The following examples illustrate this problematic funding:

French Government supports youth project involving convicted PFLP member

The French government currently supports a 2019-2021⁹ youth project involving a convicted terrorist. Daoud Ghoul, the individual listed as the official contact person for the program, was convicted in 2015 of membership in the PFLP terrorist organization while he was serving as “the director of youth programs”¹⁰ of a Health Work Committees. Health Work Committees is a Palestinian NGO that in 2015 was declared the same year “an unauthorized association” by Israel’s Defense Minister.¹¹

According to a Jerusalem District Court verdict [67637-03-16,¹² translation by NGO Monitor], Ghoul “acted in order to bring the Palestinian public closer to the [PFLP] organization.” He “organized - among other things- trips, extra-curricular activities and summer camps for youth- some of which were named for terrorists that were active in the organization- and organized visits to the families of fallen and incarcerated members of the organization” (emphasis added).

AFD funds a Palestinian NGOs with ties to terror

In February 2019, the French Agency for Development (AFD) approved a €232,000¹³ grant to a French organization for an agriculture project in Area C of the West Bank. The project partners with the Union of Agricultural Work Committees (UAWC), a Palestinian NGO linked to the PFLP terror group.

⁵ Official Journal of the European Union, “Council Decision (CFSP) 2016/1136”: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D1136&qid=1474969819578&from=EN>

⁶ Government of Canada, “Currently listed entities”: <https://www.publicsafety.gc.ca/cnt/ntnl-scrnt/cntr-trrrsm/lstd-ntts/crrnt-lstd-ntts-en.aspx#2042>

⁷ U.S. Department of State, “Foreign Terrorist Organizations”: <https://www.state.gov/j/ct/rls/other/des/123085.htm>

⁸ Israel Ministry of Defense, “Fighting Terror”: https://www.google.com/url?q=http%3A%2F%2Fwww.mod.gov.il%2FDefence-andSecurity%2FFighting_terrorism%2FDocuments%2Fterror%2520-%2520%25203.8.16.xls&sa=D&sntz=1&usq=AFQjCNFVM1uGZetnuCo2HB_3dEd4PVcNCw%2520%25203.8.16.xls&sa=D&sntz=1&usq=AFQjCNFVM1uGZetnuCo2HB_3dEd4PVcNCw

⁹ Commission nationale de la coopération décentralisée, https://pastel.diplomatie.gouv.fr/cncdext/dyn/public/atlas/detailProjet.html?criteres.prjId=15338&fbclid=IwAR04Ni0k5ltAIROGA7EduPHZCjL_3czDcf167jdLhmcEwxc14ifsFOUg_4U

¹⁰ Samidoun, “Palestinian youth activist Daoud Ghoul released from Israeli prison,” November 28, 2016: <https://samidoun.net/2016/11/palestinian-youth-activist-daoud-ghoul-released-from-israeli-prison/>

¹¹ Israel Justice Minister, “Book of Publications” (Hebrew), June 18, 2015: <https://www.justice.gov.il/SitePages/OpenFile.aspx?d=oX70rjW7QvPCgGdZVmYAI9mt9bXHLnpzHIA7RQT/5cM%3d>

¹² Takdin, “Daoud Ghoul against the State of Israel” (Hebrew), September 27, 2016: http://www.takdin.co.il/searchg/%D7%A2%D7%A4%20%D7%92%20%D7%99%D7%A8%D7%95%D7%A9%D7%9C%D7%99%D7%9D%2067637%2003%2016%20%D7%93%D7%90%D7%95%D7%93%20%D7%92%D7%95%D7%9C%20%D7%A0%20%D7%9E%D7%93%D7%99%D7%A0%D7%AA%20%D7%99%D7%A9%D7%A8%D7%90%D7%9C_hd_5463814.html

¹³ AFD, “Twelve new NGO projects funded by AFD” (French), February 5, 2019: <https://www.afd.fr/sites/afd/files/2019-02-01-37-16/communiqu-ong-5-fevrier-2019.pdf#page=4>

UAWC is identified by Fatah as a PFLP “affiliate”,¹⁴ and by USAID as the “agricultural arm” of the PFLP.¹⁵ According to academic work published by l’Institut Français du Proche-Orient, “UAWC is an agricultural NGO linked to the Popular Front for the Liberation of Palestine.”¹⁶ Several UAWC board and staff members have reported ties to the terrorist group.

In another instance, in 2016, AFD granted a leading French BDS organization with €320.000 for a three year agricultural project in partnership with the Palestinian NGO Ma'an Development Center.¹⁷

On May 15, 2018, Ahmad Abdallah Aladini, a Ma'an Development Center employee was killed in the violence on the Gaza border.¹⁸ Aladini was a “member of the leadership of the PFLP in Deir al-Balah” (Gaza).¹⁹ Following a journalistic exposé²⁰ of Aladini's PFLP affiliation and the revelation that a second Ma'an Development Center employee had links to the PFLP,²¹ the Australian government, an indirect funder of Ma'an Development Center, announced it would conduct an investigation of the incident.²² France made no such announcement.

Recommendations

- The clear affiliation between NGOs and the PFLP requires immediate attention and concrete measures on the part of France in order to ensure that funds are not provided to groups affiliated with the PFLP or other terrorist entities.
- France should launch an independent investigation to determine how allocations were authorized, despite clear contractual counter-terror obligations. Reviews must be conducted in conjunction with national and international policing and security services as well as with Israeli counterparts.
- All ongoing funding to NGOs with ties to terror groups must be frozen immediately until funders undertake independent reviews.

¹⁴ Fatah, “Popular Front for the Liberation of Palestine,” (Arabic):

https://web.archive.org/web/20150924010641/http://www.fatehorg.ps/index.php?action=show_page&ID=11455&lang=ar

¹⁵ USAID, “Palestinian institutional configurations in the West Bank and Gaza under four autonomy scenarios,” 1993: https://pdf.usaid.gov/pdf_docs/PNABY769.pdf

¹⁶ Presses de l'ifpo, “ONG palestiniennes et construction étatique,” 2007: <https://books.openedition.org/ifpo/167?lang=en>

¹⁷ Assemblée Nationale, Question parlementaire de Mme La députée Constance Le Grip: <http://questions.assemblee-nationale.fr/q15/15-13572QE.htm>

¹⁸ APHEDA, “APHEDA condemns killing of Palestinians, including our colleague from MA'AN Development Centre”, May 15, 2018: http://apheda.org.au/wp-content/uploads/2018/05/180515_Union-Aid-Abroad-Media-Release-on-the-Killing-of-Palestinians-including-MAAN-colleague.pdf

¹⁹ Popular Front for the Liberation of Palestine, “PFLP mourns comrade Ahmad al-Adaini,” May 16, 2018: <https://web.archive.org/web/20190413205130/http://pflp.ps/english/2018/05/16/pflp-mourns-comrade-ahmad-al-adaini/>

²⁰ Daily Telegraph, “Palestinian terrorist leader in Gaza funded by union-backed charity”, June 27, 2018: https://www.dailytelegraph.com.au/subscribe/news/1/?sourceCode=DTWEB_WRE170_a_GGL&dest=https%3A%2F%2Fwww.dailytelegraph.com.au%2Fnews%2Fnews%2Fcharity-channelled-millions-of-dollars-to-development-centre-that-employed-leader-of-terrorlisted-group%2Fnews-story%2F4c22c9cf025d902b4fe62331a38487d6&memtype=anonymous&mode=premium&v21suffix=19-a

²¹ Daily Telegraph, “Union Aid funding halted after links revealed between Palestinian charity recipient and terror group,” September 12, 2018: https://www.dailytelegraph.com.au/news/nsw/union-aid-funding-halted-after-links-revealed-between-palestinian-charity-recipient-and-terror-group/news-story/8b78f4c870fac36d18bad77c8daf4a65?utm_source=DailyTelegraph&utm_campaign=EditorialSF&utm_content=SocialFlow&utm_medium=Twitter

²² Senator Eric Abetz, Foreign Aid-funded terrorism investigation welcome, June 28, 2018: <https://abetz.com.au/news/foreign-aid-funded-terrorism-investigation-welcome>