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Written statement* submitted by Al-Haq, Law in the Service of Man, 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.

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



Israel's Full-Fledged Assault on the Palestinian Civil Society #StandWithThe6

Almost a year has passed since Israel's designation of six leading Palestinian civil society organizations (CSOs) as 'terrorist' under its counter-terrorism law (2016), and as 'unlawful associations' under the British Mandate's Defense (Emergency) Regulations (1945). Since then, Israel has escalated its attacks against Palestinian civil society, and against anyone who dares to resist and oppose its 74-year settler colonialism and apartheid to alarming levels. From journalist Shireen Abu Aqleh,¹ to Gazan children, Israel has resorted to repressive measures to suppress Palestinian voices, including through, inter alia, killings, excessive use of force, continuous military incursions, arbitrary detention, torture and other ill-treatment, collective punishment, as well as delegitimizing campaigns of CSOs.

This statement aims to provide an update since the last reporting to the Human Rights Council on the situation of the six designated Palestinian CSOs.³ Absent concrete and effective action by the international community, especially States, to counter such attacks, Israel will continue to target the very existence of Palestinians and shape it in molds of 'counter-terrorism' and 'anti-Semitism'.

Background to the latest attacks on Palestinian Civil Society

For decades, Palestinian CSOs and human rights defenders (HRDs) have borne the brunt of Israel's systematic persecution for their humanitarian and human rights work in documenting and advocating against Israeli crimes, and providing legal and other essential humanitarian services to different sectors of the Palestinian society. From death threats, arbitrary detention, travel bans, residency revocation,⁴ deportation, spyware attacks,⁵ and Government-led smear campaigns,⁶ Israel intends to delegitimize, repress, and drain the resources of CSOs and intimidate HRDs, recalling that 'persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid'⁷ is yet another materialization of Israel's apartheid system.

When these attempts failed to silence Palestinian voices, the Israeli 'Defense' Minister decided, on 19 October 2021, to designate Al-Haq, Addameer, Bisan Center for Research and Development, Defense for Children International-Palestine (DCI-P), the Union of Agricultural Work Committees and the Union of Palestinian Women's Committees as 'terrorist organizations.'⁸ The designation was followed by military orders on 3 November 2021, declaring the organizations as 'unlawful associations'.⁹ Israel bases these designations, which place the organizations, their staff, and their supporters in danger of criminal charges, and subject their assets to confiscation, on 'secret' evidence, which it refuses to reveal, thereby denying the designated organizations the right to fair trial and due process.¹⁰

From the outset, these designations were met with international condemnation from UN member states, bodies and experts, organizations, and politicians from around the world,¹¹ while it took several months for European donor states to conclude that "no substantial information was received from Israel that would justify reviewing our policy towards the six Palestinian NGOs."¹²

The latest Israeli attack against Palestinian civil society – Raids, pillage, closures; HRDs are in serious danger

On 18 August 2022, at approximately 3:00 am, Israeli Occupying Forces (IOF) carried out an armed incursion into Ramallah, occupied West Bank, raiding the offices, confiscating and damaging property and closing the offices of the six designated Palestinian CSOs, following Israeli 'Defense' Minister's ratification of the designation of the six organizations as 'terrorist.'¹³ The IOF also raided the offices of the Health Work Committees. These draconian actions infringe upon and overreach into the work of CSOs, exceeding the competence of the military commander under Article 43 of the Hague Regulations (1907), in addition to violating fundamental humanitarian rights guarantees of protected persons under

Article 27 of the Fourth Geneva Convention (1949), as well as the right to freedom of expression and association.¹⁴

The violent enforcement of these designations materialized in heavily armed military forces bashing through the front doors of the offices, welding iron slabs over their entrances, and affixing to each a military order for the immediate closure of the organization and their offices, deeming their operations illegal, as per the military orders. Private property and information from three of the offices were seized, adjoining properties damaged and military debris, including sponge-grenades, teargas canisters, and rubber coated and live bullets, were left around the properties.¹⁵

Nine European states, the U.S.,¹⁶ UN experts, the OHCHR, and many CSOs have immediately condemned these attacks as unacceptable, arbitrary, and unjustified,¹⁷ stressing the importance of a free and strong civil society for promoting democratic values.¹⁸

Events are unfolding rapidly since IOF's raids and closures of seven Palestinian CSOs. Al-Haq's General Director, Shawan Jabarin, received a phone call from Israeli Intelligence on 21 August 2022, summoning him for interrogation and threatening that a personal price from Shawan, will be paid through imprisonment, interrogations and other measures, if Al-Haq continues to operate. Mr. Jabarin refused to comply.¹⁹ On the same day, Mr. Khaled Quzmar, General Director of DCI-P, was also summoned for interrogation by Israeli Intelligence at the Ofer military base, to which he appeared while denying him to be accompanied by legal counsel. Quzmar was released from Israeli custody few hours later.²⁰

Israel's full-fledged assault on Palestinian civil society seeks to dismantle crucial mechanisms that work to uphold the Palestinian narrative, and human rights and end Israel's settler colonialism and apartheid, which systematically denies the Palestinian people their right to self-determination. It is an assault on the global human rights movement.

In light of these alarming violent developments, previous efforts by the international community have proven to be insufficient to pressure Israel into rescinding its baseless designation. We therefore call on HRC member states to

- Take immediate, targeted, and effective action to pressure Israel to rescind its baseless designation and military orders commanding closures, cease its attacks intended to silence Palestinian CSOs and HRDs, and comply with international law, including the UN Declaration on Human Rights Defenders, to which Israel agreed;
- Urgently intervene and pressure Israel to protect Palestinian HRDs who are facing threats of arbitrary arrests, prosecution based on secret evidence, and imprisonment or administrative detention, in particular General Directors of these CSOs, and ensure the viability of Palestinian CSOs, whose human rights and humanitarian work and assets are gravely threatened, including the safety of the staff and the communities they serve;
- Take concrete measures to counter these attacks, including trade restrictions and arms embargoes, to hold Israel responsible for these systematic inhumane acts of apartheid;
- Recognize the state of perpetual Israeli impunity as an underlying cause for Israel's escalated assault on Palestinian CSOs and HRDs, and take concrete efforts to bring it to an end;
- Support and increase funding to the targeted Palestinian CSOs, and ensure the easy flow of funds;
- Support the efforts advocated for by the targeted Palestinian CSOs, including, inter alia, the Commission of Inquiry established in May 2021 to look into the root causes of Israel's systematic discrimination on both sides of the Green Line; recognizing Israeli apartheid;²¹ the annual updating of the UN Database on Business Enterprises with Activities Related to Israeli Settlements; and holding perpetrators accountable, including before the International Criminal Court.

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