



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2005/NGO/307  
9 March 2005

ENGLISH ONLY

---

COMMISSION ON HUMAN RIGHTS  
Sixty-first session  
Item 11 (c) of the provisional agenda

**CIVIL AND POLITICAL RIGHTS, INCLUDING QUESTIONS OF:  
FREEDOM OF EXPRESSION**

**Written statement\* submitted by Pax Christi International,  
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.

[15 February 2005]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## ON THE RESTRICTIONS ON FREEDOM OF EXPRESSION AND ASSOCIATION IN THE MIDDLE EAST

Pax Christi International and its member organisations<sup>1</sup> in the Middle East, would like to draw your attention to the constraints and obstacles that non-governmental organisations (NGOs) and individuals active in the non-violent struggle for peace and the promotion and protection of human rights in the Middle East face from the side of governments and from the side of certain sectors within the respective societies. Freedom of speech and freedom of assembly are cornerstones of the Universal Declaration of Human Rights (UDHR) and other human rights treaties. While the space and circumstances vary between the countries, enjoyment and fulfilment of these rights are impeded in the whole region.

Article 19 and 20 of the UDHR:

19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

20. 1. Everyone has the right to freedom of peaceful assembly and association. 2. No one may be compelled to belong to an association.

In its recent written interventions on the Middle East, Pax Christi International has focused on human rights violations committed by the Israeli occupation forces in the West Bank and Gaza and on human rights violations faced by the Palestinians inside the 1948 borders. The movement has consistently called for more international involvement and the deployment of human rights monitors in order to enforce and secure adherence to international human rights standards.

The war and occupation of Iraq, the occupation of Palestine and the so-called “war on terror” dominate politics and the political and public discourse. Pax Christi International and its members oppose occupation and the violations of international law and human rights that occupation brings with it. We believe that none of the above-mentioned circumstances can be an excuse to impede human rights and the freedom of expression and assembly. Fulfilment of these rights are a precondition for a more just and peaceful Middle East and for relations based on equality between the peoples of the region and other parts of the world. In this context the double standards used by western governments are unhelpful: criticising human rights violations when there is nothing to loose and turning a blind eye when they have certain interests.

Much has been said about the issue of freedom of speech and assembly in the Middle East<sup>2</sup>. We feel the need to address it from our own experiences. Inherent to the very nature of our work

---

<sup>1</sup> Organisations with membership status to Pax Christi International in the Middle East are amongst others: Association Justice et Misericorde in Lebanon, DarEmar in Syria, Arab Women Media Center in Jordan, Center for Conflict Resolution and Reconciliation, Library on Wheels for Non-violence and Peace and the Arab Educational Institute in Palestine.

<sup>2</sup> All international human rights organisations address these issues. See for example the annual reports of Amnesty International and Human Rights Watch as well as the UNDP Arab Human Development Report (2003) part 1.

there is opposition from governments or certain sectors of society. We would like to bring up recommendations that come from our own concrete needs.

In some countries the room to develop non-violent activities and promote issues of human rights and justice is considerably larger than in others, depending on the political system, on the level of conflict and (as a consequence) on the agenda and achievements of NGOs and individual activists. In some countries, such as Lebanon and Palestine, the room for activism is quite large, whereas in a country like Syria there is hardly any room to address human rights issues. However, in the whole region, no country excepted, taboo issues exist and addressing such issues can lead to being arrested. This also leads to a general atmosphere of fear and self-censorship imposed by other authorities.

The situation in Occupied Palestine has its own dynamics. NGOs are in the first place confronted with constraints and policies imposed by the occupying power and in the second place by restrictions imposed by the Palestinian authorities.

Security legislation is getting a larger problem in the Middle East. Security has in most countries of the region been an excuse for decades long of emergency law regulations and the use of military and State Security Courts. This severely constrains the freedom of the citizens and leads to violations of basic human rights<sup>3</sup>.

The “war on terror” is a major cause for tighter policies vis-à-vis NGOs and activists. In many cases the “war on terror” and related “security” laws and regulations have served as a legitimisation of existing policies negatively affecting civil society. “Anti-terror” measures, often imposed under large pressure from the US and the EU, make the work of NGOs more difficult. Organisations in the West Bank report that new regulations force them to submit for investigation to the local security services any financial contribution from abroad which exceeds a certain amount, before they can withdraw the money from the bank.

NGOs and individual activists report the constant annoyance of warnings, threats or “critical questions.” Government representatives and opponents within their society spread rumours and accusations that they are implementing a “western agenda”, that they do not represent anybody, that they are receiving funding from institutions that implement US and Israeli policies or that they are “normalisers”. We know examples of such rumour spreading in Palestine and Jordan.

Restrictions to the work of non-violent human rights and peace activists seem to be politically motivated. Existing legislation is only arbitrarily applied, which adds to the general lack of rule of Law in the region and the lack of protection for those struggling for human rights and peace.

This leads to the situation where many people choose not to touch upon certain issues as to prevent problems with the authorities or with certain groups within their societies.

In certain cases it is well possible to openly work on sensitive issues, but only when protection or support is ensured from within governmental circles or otherwise influential personalities and/or organisations.

---

<sup>3</sup> See for example Human Rights Watch world report 2003, which mentions that emergency laws are in force in Algeria, Egypt, Iran, Iraq, Israel and the occupied West Bank and Gaza Strip, and Syria. Special security courts, and military courts where civilians are tried exist in Egypt, Iran, Jordan, Lebanon, Syria, Tunisia, the Israeli-occupied West Bank and Gaza Strip, and the territories under Palestinian control.

This lack of a human rights climate has partly to do with the educational system and the lack of free and transparent media in the region. Human rights education is absent from the official curricula. A large part of society lacks a basic understanding of the concept of human rights and the universality of these rights. It is a duty of governments to protect and to promote human rights. NGOs through the nature of their work can positively contribute to human rights education and by direct involvement in the development of human rights curricula or by being able to provide extracurricular education to school pupils and educate other target groups.

In order to be successful, organisations and individuals active in the non-violent struggle for human rights and peace have to be able to be part of an international network and to co-operate on a regional and an international level. Pax Christi's member organisations in the Middle East express the need to co-operate and meet structurally and openly in order to learn from each other's experiences and contribute to positive changes within their own countries. Due to the conflict between Israel and its neighbours and due to the ongoing occupation of Palestine, there are physical blockades to exchanging information and co-operating on a regional level. Pax Christi International and its member organisations in the Middle East face these difficulties on a daily basis during their efforts to build a regional network.

For Palestinians from the West Bank and Gaza it is difficult to travel to Syria and Lebanon, for the 1948 Palestinians it is virtually impossible. Syrians and Lebanese cannot visit Palestine and for Jordanians it is difficult to get visa although there is a peace agreement. Palestinian refugees residing in Lebanon, Syria and Jordan cannot travel freely between those countries. From Lebanon and Syria it is not possible to phone or fax Palestinian colleagues in the West Bank and Gaza. Palestinians inside Israel are even more isolated from the other countries in the region. The Israeli occupation policies make travelling within and between the West Bank and Gaza very difficult. Foreign human rights activists who want to visit the West Bank and Gaza are often kept for hours at the border by Israeli security forces or even denied access. This all makes co-operation between people who are neighbours, share the same language, past and future complicated without the mediation and facilitation of a third party.

### Conclusion and Recommendations

Human rights are universal. There is a wide felt need for improvement of the human rights situation in the region. Freedom of speech and assembly is a precondition for progress. The restrictions that NGOs and individual activists face concerning these freedoms, stand in the way of the positive contributions they can make to their society and beyond.

We call on the authorities of the respective states in the Middle East to:

- Reform legislation, including lifting of emergency regulations and laws and incorporating human rights treaties in the national laws, and strengthen law enforcement and the rule of law.
- Promote (a culture of) human rights by integrating human rights education in the official curricula and by allowing NGOs to provide and support such education.
- Facilitate exchange of ideas and people in the Middle East and exchange with the wider international community.
- Facilitate monitoring of and reporting about the human rights situation in their country.

We urge the members of the UN Commission on Human Rights and members of the international community to:

- Support local human rights initiatives and activists, listen to their needs, engage in exchange and co-operation with them.
- Not to let the “security” discourse dominates dialogue with the Middle East on human rights issues.
- Establish an international, transparent and independent system to monitor the human rights situation in the whole region and report publicly.

-----