



EuroMed Rights
EuroMed Droits
الأورو-متوسطية للحقوق



Frederica Mogherini, High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission

Johannes Hahn, EU Commissioner for the European Neighbourhood Policy and Enlargement Negotiations
Heads of EU Member State Missions in Tel Aviv

Brussels, 7 June 2016

Re: Israel-Occupied Palestinian Territory – Continued hostility towards human rights organisations

High Representative Mogherini, Commissioner Hahn, Your Excellencies,

Today, 7 June 2016, the so-called “NGO Transparency Bill” may be brought for a final reading at the Israeli Parliament. This bill is only one of many other measures being taken against human rights and civil society organisations in Israel and the Occupied Palestinian Territory (OPT). The bill is being advanced amidst a disturbing series of attacks on human rights organisations and heightened efforts aimed at silencing dissent. Local organisations have documented a sharp increase of [arbitrary arrests](#) and [the excessive](#) use of force against Palestinian demonstrators both in the OPT and in Israel.

As the Knesset moves toward its final vote on this bill, EuroMed Rights and its member organisations, as well as the Observatory for the Protection of Human Rights Defenders (joint FIDH-OMCT partnership), call on the EU to issue a firm and unambiguous statement to defend both the “shared values” said to underwrite its relations with Israel and civil society as a key partner in promoting these values.

On 8 February 2016, the “**NGO Transparency Bill**” passed the first of three readings in the Israeli Knesset. The bill singles out NGOs that receive more than 50% of their funding from foreign public sources – including the EU, EU Member States and the UN. It would require NGOs to register themselves as “foreign agents” and to indicate the sources of their funding on all publications, public advertisements and in all correspondence with public representatives. This law would disproportionately affect human rights NGOs who conduct crucial monitoring and reporting activities: reportedly [25 of the 27 NGOs affected](#) are human rights NGOs. This includes many EuroMed Rights, FIDH and OMCT members that are funded by, and regularly cooperate with, the EU and EU Member States and whose activities are already subject to stringent transparency requirements.

Meanwhile, the Israeli government has [explicitly rejected](#) proposals to apply similar transparency requirements to organisations that receive funding from private sources, including foreign private sources or from the Israeli State. As a result, many [right-wing](#) organisations typically not eligible for EU or EU Member

State funding, due to the nature of their work, are exempt from these requirements. Far from increasing transparency, this bill will only bolster less transparent, privately funded organisations, while attempting to stigmatise organisations that promote democracy, the rule of law and respect for human rights.

Beyond legislative efforts to stymie the work of these NGOs, unprecedented **smear campaigns and other forms of harassment have targeted human rights defenders recently**. Branding Israeli human rights defenders as “[foreign agents](#)” and “traitors”, right-wing organisations and settler groups have launched public defamation campaigns and [infiltrated NGOs](#), including allegedly through [private detective companies](#). Although non-governmental, these right-wing organisations and their activities are often explicitly supported by Israeli [cabinet Ministers](#)¹.

Indeed, rather than condemning such activities, public officials have adopted similarly inflammatory rhetoric, contributing to the already widespread hostility against human rights defenders. Statements by Israeli Justice Minister Ayelet Shaked and [other Knesset members](#), regularly reinforce the sense that EU funding of human rights NGOs amounts to illegitimate “foreign intervention”.

NGOs are compelled to divert their time and resources away from addressing the human rights violations that are their primary concern, and instead to invest them into staving off false accusations and ensuring the safety of their staff.

More disturbing yet are the **intimidation campaigns, threats and physical attacks against** human rights defenders by settlers, non-state actors and possibly the Israeli authorities themselves. In recent months, EuroMed Rights, FIDH and OMCT members Al-Haq and the Al Mezan Center for Human Rights have been subjected to anonymous emails, phone calls and Facebook posts aimed at undermining their work, funding base and credibility within their communities. These tactics culminated in the harassment of the organisations’ staff and family members and death threats. The threats, which have been expressly linked to the organisations’ work with the International Criminal Court, are [believed](#) to be orchestrated by the Israeli government or its supporters.

In January 2016, B'Tselem field researcher, Nasser Nawajah, was detained by the Israeli Police after a popular Israeli television show reported that Nawajah and two other human rights defenders were purportedly involved in “unscrupulous activities”. These claims relied on information provided by right wing organisation, Ad Kan that had employed undercover infiltrators to monitor the work of these human rights defenders. After one week, Nawajah was released from custody when a military judge criticised the Police for failing to provide evidence that he was even suspected of a crime.

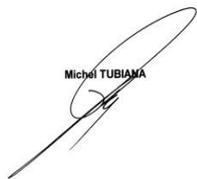
On 28 March 2016, the Israeli Minister Yisrael Katz called on Israel to engage in **“targeted civil eliminations” of Boycott Divestment and Sanctions (BDS) leaders including Omar Barghouti**. Portraying him as a security threat, the Israel authorities have officially refused to renew Barghouti’s travel document, meaning that he is no longer able to leave Israel. He has also reportedly been informed that his residency status in Israel is under review by the Minister of Interior. These acts and similar efforts to criminalise BDS activities in Europe curtail the rights of individuals to express non-violent opinions and to advocate for change. As previously affirmed by the [EU](#) and more recently by [the Netherlands, Ireland and Sweden](#), such activities are protected by the **right to freedom of expression and freedom of assembly**.

As the EU moves to renegotiate its Partnership Priorities with Israel, continued support for human rights values through a vibrant civil society remains essential to achieving peace and stability for the Palestinian and Israeli people. In line with its commitments in the [2015 EU Action Plan on Human Rights and Democracy](#), EuroMed Rights calls on the EU and its Member States to:

¹ In hyperlink, Im Tirtzu website quoting Israeli Justice Minister Ayelet Shaked saying: “It is our responsibility, the Members of Knesset sitting here and Im Tirtzu to expose the mask that these organisations [Israeli human right organisations], are wearing (...) I think our goal is to expose these organisations, their funding, and to try to stop this funding”

- Call on Israel to withdraw the “NGO Transparency Bill” and cease the further introduction and enactment of legislation aimed at limiting the space of civil society;
- Condemn all threats and attacks against human rights defenders through public statements and demarches and ensure regular reporting by the EU Heads of Mission on the situation of human rights defenders in Israel and the OPT, providing recommendations for EU action in accordance with the [EU Guidelines on Human Rights Defenders](#);
- Urge Israeli officials to refrain from issuing, inciting or supporting threats and/or attacks against human rights defenders and call for the prompt and thorough investigation of all such cases backed by criminal charges where appropriate;
- Call on Israel to issue a standing invitation and accept requests for country visits by all UN Special procedures, including the UN Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of expression, the Special Rapporteur on the rights freedom of assembly and association and the Special Rapporteur on the situation of human rights in the OPT as well as other visits by European Parliamentarians and international NGOs;
- [Reaffirm](#) the EU’s previous position that peaceful demonstrations and non-violent political opinions are protected by the right to freedom of expression, freedom of speech and freedom of assembly.

Yours sincerely,



Michel Tubiana
President of EuroMed Rights



Karim Lahidji
President of FIDH, in the
framework of the
Observatory for the
Protection of Human Rights
Defenders



Gerald Staberock
Secretary General of the World
Organisation Against Torture
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