Israel’s Ongoing and Systematic Smear Campaign against Al-Haq and its Staff Members, Including Hate Speech and Death Threats

Submission to the United Nations Special Rapporteur on the Situation of Human Rights Defenders, Ms. Mary Lawlor, in Response to a Call for Input on the Killings of Human Rights Defenders

Submitted by:

Al-Haq, Law in the Service of Man

NGO in Special Consultative Status

with the United Nations Economic and Social Council

Date: 5 October 2020
1. Introduction

1. For decades, Israel has pursued a policy of silencing those who seek justice and accountability for violations committed against the Palestinian people as a tool to maintain its apartheid regime. Palestinian civil society organisations and human rights defenders have endured systematic intimidation, including death threats, arbitrary arrests, travel bans, residency revocation, and deportation, in an attempt to shrink civil society space, delegitimise, oppress, and dominate them. As Israeli impunity reigns unabated, the safety and rights of Palestinian human rights defenders are continually and frequently violated.

2. Critically, Israel through its official bodies within the government, such as its Ministry of Strategic Affairs, has coordinated efforts with several Israeli government-affiliated organisations to carry out ongoing, systematic, and organised attacks, targeted at Palestinian

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human rights organisations and defenders, in an attempt to construct a key narrative linking Palestinian human rights defenders with ‘terrorism.’

3. Implemented and reasserted through a number of reports by Israel and its government-affiliated organisations, such as NGO Monitor, this narrative is designed to obstruct the work of achieving justice and accountability, including by impeding the granting and award of funds from international donors to Palestinian organisations. The publishing of such reports should be understood within the broader context of Israel’s smear campaign orchestrated and led by the Israeli Ministry of Strategic Affairs aimed at organisations and individuals, including those advocating for accountability under international law, especially in relation to business and human rights, and at the International Criminal Court (ICC).

4. Since its establishment in 1979, Al-Haq, the mission of which is to protect and promote human rights and the rule of law in the Occupied Palestinian Territory (OPT), has faced various forms of attacks and smear campaigns, with the ultimate goal of delegitimising its work, and intimidating and silencing its staff members. Attempts to drawing links between Al-Haq with the Boycott, Divestment, and Sanctions (BDS) movement and with ‘terrorism’ have escalated in the past few years, following Al-Haq’s prominent work with regards to corporate accountability and international justice and accountability, including at the ICC.

5. While Israel has not been held accountable for its smear campaign, its systematic and organised efforts of delegitimising the work of Palestinian human rights defenders has not gone unnoticed. Highlighting Israel’s failure to adhere to legal obligations under the Declaration on Human Rights Defenders, the Special Rapporteur on the situation of human rights on the Palestinian Territories occupied since 1967, Professor Michael Lynk, observed: “[a]s the occupation becomes further entrenched,” human rights defenders “will continue to be among the prime targets of those who are intolerant of their criticisms, yet alarmed by their effectiveness.” More recently, a June 2020 joint statement on behalf of 47 of the United Nations’ (UN) independent Special Procedures mandates, which condemned Israel’s plans to de jure annex further parts of the OPT, underlined how “Palestinian and Israeli human rights defenders, who peacefully bring public attention to these violations, are slandered, criminalised or labeled as terrorists.”

6. Accordingly, Al-Haq provides this submission, indicating cases in which the Israeli occupying authorities, and its government-affiliated organisations, have targeted Al-Haq and its staff members, including through incitement to racial hatred, hate speech and death threats. This submission to the UN Special Rapporteur on the situation of human rights defenders (hereinafter the ‘Special Rapporteur’) comes in response to a call for input issued by the Special Rapporteur ahead of her upcoming report on the killings of human rights defenders.  

2. **Systematic and Ongoing Smear Campaign**

7. As a tactic to oppress and silence its opposition, and maintain its apartheid regime, and colonisation of Palestine, the Israeli government, including its official entities, individuals, and government-affiliated organisations, applies policies of both ‘violent’ and ‘non-violent’ domination of the Palestinian people, including by frequently and repeatedly smearing Palestinian human rights organisations and defenders (see Annex I for the list of Al-Haq staff members who were smeared).

8. Notably, the attacks of the Israeli Ministry of Strategic Affairs have intensified since 2015, when Gilad Erdan assumed his ministerial position, and Al-Haq, and other Palestinian human rights organisations, submitted their first communication to the Prosecutor of the ICC.  

9. In May 2018, the first report of the Israeli Ministry of Strategic Affairs, the Money Trail 1, was published, as it was soon followed by a second report, Money Trial 2, on 23 January 2019, which was claimed to be “updated research.” Both of these reports mount a number of attacks against organisations and named individuals, under the pretext of interrogating the funding sources of Palestinian and European civil society organisations which promote a “delegitimization and boycott campaign” against Israel. In February 2019, the Ministry of

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Strategic Affairs published another defamatory report, titled ‘Terrorists in Suits,’ focusing on allegations of ‘terrorist’ affiliations. As a follow-up report, the Israeli Ministry of Strategic Affairs published a report titled “Terrorists in Suits: Bloody Money, European-Funded Palestinian NGOs & their Terror Operatives,” in May 2020. While having Addameer as its ‘case study,’ the Israeli Ministry of Strategic Affairs did not fail to take on the opportunity to smear Al-Haq and its General Director.

10. The Israeli Ministry of Strategic Affairs’ reports use ‘terrorism’ as an undefined term to attack organisations and individuals. While there is yet no legal definition of terrorism in international law, Israel frequently uses ‘terrorism’ in an ostensibly legal context. Failing to put forward a methodology section that clarifies what is meant by the term ‘terrorism,’ these reports rely on utilising it in a rhetorical and ultimately empty manner.

11. NGO Monitor, an Israeli proxy organisation which purports to be “an independent and nonpartisan research institute dedicated to promoting transparency and accountability of NGOs claiming human rights agendas, primarily in the context of the Arab-Israeli conflict,” is a leading entity in targeting Al-Haq, among other Palestinian civil society organisations. In an attempt to delegitimise Al-Haq’s legal work, NGO Monitor maintains and continuously updates a profile page in relation to Al-Haq’s activities and staff members, affiliating Al-Haq with ‘terrorism’ and associating it with the BDS movement.

12. Inciting against Palestinian human rights organisations and defenders, NGO Monitor further produces dishonest and inaccurate reports. In its ‘Al-Haq and GLAN’s Not-So-Subtle BDS Agenda: Analysis of Submission on “Business and Human Rights in Occupied Territory”’ report, NGO Monitor continues its efforts to associate Al-Haq with the BDS movement. Denying the Business and Human Rights legal framework Al-Haq assumes in its work, including with regards to corporate accountability in which Al-Haq is a prominent actor in

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17 NGO Monitor, Official Website, FAQs Section, available at: https://www.ngo-monitor.org/about/faqs/.


and has been recognized internationally for its work.\textsuperscript{20} NGO Monitor continues to label Al-Haq as “a leader in BDS and lawfare campaigns targeting Israel, with its advocacy focusing on anti-Israel activities.”\textsuperscript{21}

13. While Al-Haq supports the rights of other organisations and individuals to support the BDS movement, the organisation has never endorsed the 2005 call for BDS. Rather, Al-Haq continuously advocates for Third States to uphold their obligations under international law in relation to trade and investment with illegal Israeli settlements in the occupied West Bank, including East Jerusalem, including by taking measures to ensure that multinational corporations are not involved in gross human rights abuses, to protect and promote the rule of law, equal access to remedy and adequate accountability, and to protect against human rights abuses within their territory and/or jurisdiction by business enterprises.\textsuperscript{22}

14. Similarly, Al-Haq’s prominent work with regards to the ICC has also been met with smears. NGO Monitor, similar to the Israeli Ministry of Strategic Affairs, rigorously attempts to link Al-Haq with ‘terrorism,’ with the aim of delegitimising the need for international accountability for the crimes committed against the Palestinian people, including at the ICC.\textsuperscript{23}

15. In a similar effort, the Jerusalem Center for Public Affairs, “a leading independent research institute specializing in public diplomacy and foreign policy,”\textsuperscript{24} published a report in May 2020, which aims to discredit the Prosecutor of the ICC, her office, Al-Haq and other Palestinian civil society organisations.\textsuperscript{25} Critically, the report, which is authored by a former Director General of Israel’s Ministry of Strategic Affairs, and a former Secretary General of the World Jewish Congress, fails to provide information on the Situation before the ICC, and


\textsuperscript{23} NGO Monitor, Key Issue: International Criminal Court (ICC) and NGOs, available at: https://www.ngo-monitor.org/key-issues/international-criminal-court-icc-and-ngos/which-ngos-are-involved-in-lobbying-the-icc/.

\textsuperscript{24} The Jerusalem Center for Public Affairs, About the Jerusalem Center for Public Affairs, available at: https://jcpa.org/about/.

\textsuperscript{25} The Jerusalem Center for Public Affairs, “Legal Assault: How the ICC Has Been Weaponized Against the U.S. and Israel,” 5 May 2020, available at: https://jcpa.org/legal-assault-how-the-icc-has-been-weaponized-against-the-u-s-and-israel/.
instead reuses claims and allegations previously made by the Israeli government, and its proxy organizations, while openly naming Al-Haq staff.  

16. Alarmingly, the Israeli government, including its Ministry of Strategic Affairs, go beyond publishing reports, as they also lobby politicians and donors, urging and pressuring them to halt their funding to Al-Haq. In 2015, false letters, allegedly sent by the Palestinian Authority (PA), were sent to several European donors that funded Al-Haq, claiming that Al-Haq was being investigated by the consulting firm Ernst & Young for “financial irregularities, corruption, fraud and misuse of donations and 37 funds.” Later on, these allegations were refuted by the Ernst & Young and the PA.

17. The Israeli Prime Minister, Benjamin Netanyahu, has repeatedly called on European government officials to halt their funding of Palestinian human rights organisations, including Al-Haq, which he claimed were involved in “anti-Israel incitement and promoting boycotts of the Jewish state,” and thanked Denmark for tightening the conditions for providing its funding. Following this, he met with European officials, including the Norwegian, Irish, and Dutch foreign ministers, smearing the work of Al-Haq.

18. On 10 June 2019, Israel’s Ministry of Strategic Affairs claimed to have succeeded in efforts to convince banks in Europe and the United States to close 30 financial accounts associated with Palestinian NGOs, allegedly including those of Al-Haq. Despite the sweeping claims

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made by the Ministry of Strategic Affairs, Al-Haq as an organization does not hold credit card accounts. As such, there was never an account open that could be closed to begin with.  

19. Responding to these attacks, Professor Lynk further noted, with particular concern, in his March 2019 report to the UN Human Rights Council, “the harmful practices employed by political leadership and States authorities in Israel to silence human rights defenders’ criticism of certain government policies. This includes verbal attacks, disinformation campaigns and de-legitimization efforts, as well as targeting of civil society funding sources…Those accused included respected European and Palestinian organizations such as Al-Haq, the Palestinian Centre for Human Rights and Al-Mezan.”

3. Death Threats and Incitement Targeting Al-Haq Staff

20. While these aforementioned attempts to silence Al-Haq and its staff members can be labelled as ‘nonviolent,’ it is essential to note that the Israeli-led smear campaign also included ‘violent’ attempts. Alarming, Al-Haq’s work for international justice and accountability has been met with intimidation tactics, including arbitrary arrests, imposition of travel bans, office raids, incitement, hate speech and death threats.

21. In 2016, coinciding with, and as a result of, the progress achieved at the ICC and decisions at the European Union (EU) level regarding the labelling of settlement products, Ms. Nada Kiswanson, Al-Haq’s, Legal Advocacy Officer in the Hague at the time, and Mr. Shawan Jabarin’s, Al-Haq’s General Director, received death threats. Delivering the death threat from a blocked number, the anonymous caller directly connected the death threat with Al-Haq’s work regarding the ICC. Highlighting the human rights abuses and systematic cyber violence Palestinian human rights defenders endure as a result of challenging Israel’s unlawful occupation, Al-Haq delivered a statement at the 38th Regular Session of UN Human Rights Council.


Rights Council,\textsuperscript{35} and Front Line Defenders submitted a report to the 29th Session of the Universal Period Review,\textsuperscript{36} urging and calling for the protection of human rights defenders.

3.1. Threats Against Mr. Shawan Jabarin

22. Critically, this attack is not an isolated incident, as Mr. Jabarin has been - and is continuously and constantly targeted by the Israeli government and its affiliated organisations. The reports of the Israeli Ministry of Strategic Affairs, and other similar reports, deliberately distort and omit crucial information and fail to mention that Mr. Jabarin was administratively detained without charge, during which time he was repeatedly tortured by Israeli officials.\textsuperscript{37} Purposely ignoring these facts, the Israeli Ministry of Strategic Affairs continues to smear Mr. Jabarin, promoting hate speech and incitement against him.

23. Most recently, Al-Haq staff members, specifically Mr. Jabarin, have endured an online Israeli-led campaign of hate speech and incitement, which resulted in hate speech and death threats by Zionists and supporters. Initiated after Al-Haq marked its 40th anniversary, an event which brought together, \textit{inter alia}, dozens of distinguished international diplomatic representatives, eminent academics and representatives from different UN and EU bodies, offices and international organisations, 4IL, the official social media account of Israel’s Ministry of Strategic Affairs and calls on members to “be on the front line of defense against Israel hate and antisemitism online,” publicised allegations and misinformation against Al-Haq and its General Director, allowing for unfiltered defamatory comments on its public platforms.\textsuperscript{38}

24. In four posts on its Facebook page, the Israeli Ministry of Strategic Affairs continued its smear campaign and incitement to violence, including death threats, pursuant to its ‘Terrorists in Suits’ report (\textit{see Annex II}). The fourth post is of particular concern, including a picture of Mr. Jabarin with his face violently torn down from the middle, portraying him as a terrorist and associating him and Al-Haq with the BDS movement (\textit{see Annex II}).

25. On the 4IL Facebook page, Facebook users launched into unconstrained hate speech against Al-Haq and its staff, including Mr. Jabarin, where they have called for his and the staff’s...
imprisonment and deportation, while numerous uncensored comments called for the killing of Mr. Jabarin (see Annex III). Addressing this grave threat, Al-Haq submitted an urgent appeal, urging the Special Procedures to take immediate and collective action to halt the ongoing online incitement by Israel, and to intervene directly with Facebook to remove the content that violates international human rights law and Facebook’s own community standards.39

4. Conclusion and Recommendations

4.1. Conclusion

26. Al-Haq offers the following conclusions:

i. The Israeli-led large-scale smear campaign, which has been carried out for years by the Israeli government and its aligned and proxy organisations, is designed to silence Palestinian and other human rights organisations and human rights defenders, maintain its apartheid regime, and frustrate their efforts to monitor and document Israeli violations, and ensure accountability, particularly for perpetrators of war crimes and crimes against humanity, including at the ICC, failing to adhere to its legal obligations, as an Occupying Power.

ii. As enshrined in Article 13 of the UN Declaration on Human Rights Defenders, everyone has the right to solicit, receive and utilise resources to protect and promote human rights through peaceful means.40 Yet, Israel continues to repress, silence and intimidate anyone advocating and challenging Israel’s institutionalised regime of racial domination and oppression. Critically, the UN Commission on Human Rights adopted resolution 1993/45, providing that “the International Covenant on Civil and Political Rights states that any propaganda for war or any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”41 Further, the UN Human Rights Committee considered in its General Comment No. 34 of 12 September 2011 on the freedoms of opinion and expression that “[i]n the harassment, intimidation or stigmatization of a person… for reasons of the opinions they may hold,

39 Ibid.
40 UN Declaration on Human Rights Defenders (8 March 1999), Article 13.
41 UN Commission on Human Rights, Resolution 1993/45 on the right to freedom of opinion and expression, 5 March 1993, third preambular paragraph.
constitutes a violation of article 19, paragraph 1” of the International Covenant on Civil and Political Rights.42

iii. Accordingly, and in light of Israel’s culture of impunity, Al-Haq reasserts the need for States to take effective measures to address and put an end to the root causes of Israel’s widespread and systematic violations, including those with regards to human rights defenders.

4.2. Recommendations

27. Al-Haq offers the following recommendations:

i. Examine Israel, as Occupying Power, and the manner in which it is acting, notably through its Ministry of Strategic Affairs and government-affiliated organisations, to smear human rights defenders and activists, restrict their work, the right to freedom of expression, and threaten their right to life, among others, both online, including on social media platforms, and offline; and

ii. Urge Israel to immediately cease any and all practices and policies intended to intimidate and silence human rights defenders, in violation of their right to freedom of expression, including through arbitrary detention, torture and other ill-treatment, institutionalised hate speech and incitement, residency revocation, deportations, and other coercive or punitive measures.

42 UN Human Rights Committee, General Comment No. 34 on Article 19: Freedoms of opinion and expression, UN Doc. CCPR/C/GC/34, 12 September 2011, para. 9.
5. Annexes

### Annex I: List of Al-Haq Staff Members and Former Staff Members Who Have Been Smeared

<table>
<thead>
<tr>
<th>Name</th>
<th>Nationality</th>
<th>Report</th>
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<tr>
<td>Mr. Shawan Jabarin</td>
<td>Palestinian</td>
<td><strong>Death threats</strong></td>
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<td></td>
<td></td>
<td>The Money Trail: the Millions Given by EU Institutions to NGOs with Ties to Terror and Boycotts against Israel, page 29</td>
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<td>Terrorists in Suits: the Ties between NGOs Promoting BDS and Terrorist Organizations, page 37 and throughout</td>
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<td>Legal Assault: How the ICC Has Been Weaponsized Against the U.S. and Israel, page 28 and throughout</td>
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<td>Terrorists in Suits: Bloody Money, European-Funded Palestinian NGOs &amp; their Terror Operatives, page 27</td>
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<td>Bias in ICC Prosecutor Bensouda’s Meetings and Citations</td>
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<td>Special Rapporteur on Israel: The UN’s Weakest Lynk</td>
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<td>Ms. Nada Kiswanson</td>
<td>Palestinian-Swedish</td>
<td><strong>Death threats</strong></td>
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<td>Legal Assault: How the ICC Has Been Weaponsized Against the U.S. and Israel</td>
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<td>Mr. Majed Abbadi</td>
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Mr. Raja Shehadeh  
Palestinian  
NGO Monitor website: [https://www.ngo-monitor.org/ngos/al_haq/](https://www.ngo-monitor.org/ngos/al_haq/)

Mr. Jonathan Kuttab  
Palestinian-American  
NGO Monitor website: [https://www.ngo-monitor.org/ngos/al_haq/](https://www.ngo-monitor.org/ngos/al_haq/)

Ms. Maureen Clare Murphy  
American  
NGO Monitor website: [https://www.ngo-monitor.org/ngos/al_haq/](https://www.ngo-monitor.org/ngos/al_haq/)

Ms. Marya Farah  
Palestinian-American  
Al-Haq and GLAN’s Not-So-Subtle BDS Agenda: Analysis of Submission on “Business and Human Rights in Occupied Territory”

### Annex II: Impugned Facebook Posts

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<td><a href="https://www.facebook.com/4IL.org/posts/2236892646621890">https://www.facebook.com/4IL.org/posts/2236892646621890</a></td>
<td>19 July 2019 at 9:00 am (local time)</td>
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<td>15 July 2019 at 2:34 pm (local time)</td>
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Post 1:

4il
10 July 2010 -

The Minister of Strategic Issues at the government, Shin Bet, revealed that charges against the terrorist in the suit ‘Abu Mazen’, not only inciting terrorism, but also supporting and commemorating terrorists, but now he and the Shin Bet are tightening the support of BDS. Anti-Semites have we told yet?

So for anyone who still lives in illusions, you should watch the article and also share the truth about the ‘partner’.

https://www.mako.co.il/.../Article-E5e86a2fa2efbb51026.htm
Post 2:

When groups like @hrw give a "well-deserved tribute" to @alhaq_org and their leaders who were senior officials in the PFLP, a designated terror organization, you have to wonder how they can call themselves a "human rights" NGO.

#TerroristsInSuits

Post 3:
Meet Shawan Jararin:
- Former senior activist in the terrorist organization "The People's Front for the Liberation of Palestine."
- A number of prison sentences were running in the Israeli prison for his involvement in terrorist acts and against Israel and was involved, among other things, in recruiting activists for training outside Israel.
- The Supreme Court defined Jararin as "Dr. Jekyll and Mr. Hyde." "In some hours of his activity he is the director of the [human rights organization], and in another part he is active in a terrorist organization that does not abide by murders and attempts to murder."
- Heads of the boycott organization on Israel El Haq, and employs other activists organization of the terrorist organization the People's Front.
- The organization indicating this month 40 years of its activities, among other things led the campaign against the Orange Company in Israel; acts against the banking system; and acts against international infrastructure projects in Israel.

For the full article: https://bitly/2XXzuyO

See original. Rate this translation

941 likes 130 comments 191 shares
Annex III: Hateful Comments

Comments on Post 3:

Comment 1

Itzhak Gilboa
May their home be destroyed
Like · Reply · See original (Hebrew) · 1 y

Comments 2, 3, and 4

Ruty Kimor
May your memory be cursed
Like · Reply · See original (Hebrew) · 1 y

ארית שוקר
Remove them from the areas of the country.
Like · Reply · See original (Hebrew) · 1 y

אני זאוד
May God take them and fast.
Like · Reply · See original (Hebrew) · 1 y

Comment 5

Miryam Rohman
Should go to hell.
Like · Reply · See original (Hebrew) · 1 y

Comment 6

יהודה גלגר
God take them haters israel go to hell lame
Like · Reply · See original (Hebrew) · 1 y
Comment 7

איציק גט
To take a plane and tire them out of the country to hell......
Like · Reply · See original (Hebrew) · 1 y

Comment 8

Joseph Farkash
Traitors - to the hanging stand
Like · Reply · See original (Hebrew) · 1 y

Comment 9

אבודר שורדו
Where is the Mossad? Trim a little in all the haters of israel abroad like they did to the Nazis after World War II! A little scare them won’t hurt!
Like · Reply · See original (Hebrew) · 1 y

Comment 10

Miki Alon
All the terrorists to the sea
Like · Reply · See original (Hebrew) · 1 y

Comments on Post 4

Comment 10

Roberto Nachshon
He should be closed in Gaza and not put him in the country. A terrorist remains a terrorist in the soul.
Like · Reply · See original (Hebrew) · 1 y
Comment 11

ב"ז אייסט
You had endless opportunities to send this bad terrorist to "heaven" where 72 old virgins are waiting for him wrapped in Burka and you still dare to tell that he has been a few times in the Israeli prison?? Are you sure you're normal????

Like · Reply · See original (Hebrew) · 1 y

Comments 12 and 13

Liora Ben
Cold-blooded murderer terrorist can't be the manager of a human rights organization

Like · Reply · See original (Hebrew) · 1 y

משה אمشاركة
A dog

Like · Reply · See original (Hebrew) · 1 y

Comment 14

Shimon Meisels
I haven't heard that a dog can be human rights activist, dog???

Like · Reply · See original (Hebrew) · 1 y

Comment 15

נמר בדין
You have regards from Satan... He keeps you a place of fire in hell.

Like · Reply · See original (Hebrew) · 1 y
Comment 16

Top fan
Moshe Ganon
Terrorists in suits, your day will come.

Like · Reply · See original (Hebrew) · 1 y

Comment 17

שופט דובר
Where the hell is the authority to kick him out?

Like · Reply · See original (Hebrew) · 1 y

1 reply