



Mrs. Els Debuf  
Head of Mission  
International Committee of the Red Cross (ICRC)  
Nablus Road 26 (Sheikh Jarrah) - 91202 Jerusalem  
East Jerusalem, Occupied Palestinian Territory

Date: 8 November 2021

**Re: Al-Haq along with the Five Fellow Organisations Call on the International Committee of the Red Cross (ICRC) to Use its Good Offices to Pressure Israel into Rescinding its Designation of the Six Palestinian Civil Society Organizations as “Terrorist Organizations”**

Dear Mrs. Els Debuf

On behalf of the six targeted Palestinian civil society organizations,<sup>1</sup> I address this urgent letter to you in relation to the Israeli Defense Minister’s decision, on 19 October 2021, to designate the six Palestinian civil society organizations as “terrorist organizations” under Israel’s Anti-Terrorism Law of 2016, and the latest military orders issued on 3 November 2021 by Israel’s commander-in-chief of the Central Command transposing the unlawful designation of the six organisations within the occupied Palestinian territory (OPT), and request the employment of your good offices to pressure Israel into rescinding its designations, and stopping the attack on the advocates of international human rights and humanitarian law.

The allegations made by the Israeli government are baseless and represent an alarming and unjust escalation of attacks against the Palestinian people in their struggle for freedom, justice and the right to self-determination. For decades, Israel has carried out widespread and systematic smearing of Palestinian human rights NGOs and human rights defenders aimed to delegitimize, oppress,

<sup>1</sup> The targeted organisations are: Addameer Prisoner Support and Human Rights Association, Al-Haq, Law in the Service of Man (Al-Haq), Bisan Center for Research and Development, Defense for Children International-Palestine (DCI-P), the Union of Agricultural Work Committees (UAWC), and the Union of Palestinian Women’s Committees (UPWC).

silence and drain their work and resources. Further, the unlawful application of Israel’s domestic law to occupied and illegally annexed East Jerusalem, and the deep encroaching effect of the military orders into the heart and functioning of Palestinian civil society in violation of international humanitarian law (IHL),<sup>2</sup> serve to entrench the maintenance of its settler-colonial and apartheid regime of institutionalised racial discrimination and domination over the Palestinian people as a whole.

Since its foundation in 1979, Al-Haq has worked relentlessly to uphold the rule of law in the OPT through monitoring, documenting both Israeli and Palestinian violations of international law, including human rights law and IHL. For more than four decades, Al-Haq has strived to end Israeli impunity and hold perpetrators accountable for international crimes, including grave breaches of the Geneva Conventions of 1949 and its Additional Protocols of 1977, spanning from the mistreatment of prisoners, the appropriation and pillage of the Palestinian natural resources, the illegal settlement building and expansion, to the commission of practices of apartheid.<sup>3</sup> The branding of Al-Haq and fellow Palestinian organizations as “terrorist” is the heavy price of these imperative efforts.

As one of the leading Palestinian civil society organizations in the OPT, Al-Haq carries out important work in terms of disseminating IHL.<sup>4</sup> Through its Center for Applied International Law, Al-Haq continues to convene summer schools, courses and training for both professionals and the general public on IHL.<sup>5</sup> Further, Al-Haq reminds third states of their obligations under IHL to ensure observance of the law.<sup>6</sup> Given the lack of effective enforcement mechanisms of IHL,

<sup>2</sup> Article 43, *Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land* (The Hague, 18 October 1907).

<sup>3</sup> Article 147, Geneva Convention IV. Article 85, Additional Protocol I.

<sup>4</sup> Al-Haq, “Al-Haq Online International Law Orientation Course - April 19th – 21st 2021”, <https://www.alhaq.org/alhaq-center/18024.html>.

<sup>5</sup> Al-Haq, “The Al-Haq Center for Applied International Law concludes the Online International Law Summer School Program 2021” (16 June 2021), <https://www.alhaq.org/media/14614.html>; Al-Haq, “Al-Haq Calls on Third States to Publicly Condemn and Call for the Full Rescinding of Israel’s Designation of Palestinian Human Rights NGOs as ‘Terrorist Organisations’” (24 October 2021), <https://www.alhaq.org/advocacy/19050.html>.

<sup>6</sup> Al-Haq, “Open Letter: The Marginalization of Third State Responsibility in IHL is a Threat to the Rule of Law-Based System of International Relations” (19 December 2019), <https://www.alhaq.org/advocacy/16318.html>.



Palestinian civil society organizations constitute popular frontline defenders for victims' rights and the rights of the protected population in its entirety. Obliterating them means silencing victims and confining the law to the books and away from effective practice.

The ramifications of this decision are severe. Israel's Anti-Terrorism Law of 2016 provides for a sweeping catalogue of extraordinary and mandatory penalties for leadership, management and membership of a designated terrorist organisation. By equating the essential, independent and nonpartisan work of these organisations with that of terrorist organisations, anyone working for or providing services for the six targeted civil society organizations, or even expressing support for them, is placed at immediate risk of arrest and prosecution on terrorist charges. Financial assets of these organizations will face confiscation and Israeli banks may stop any funding from reaching them.

By issuing the military orders declaring the Palestinian organisations “unlawful associations”,<sup>7</sup> Israel is strongly disregarding statements of condemnation emanating from the international community over the past two weeks, and is determined to execute and implement its designation decision, placing the six organizations, their staff members and their property, at imminent risk of raid, arrests and reprisals.

By targeting the six leading and longest established Palestinian civil society organisations in the occupied West Bank, Israel is effectively attempting to re-order the institutions of the occupied territory, in violation of Article 47 of the Fourth Geneva Convention, while further carrying out a direct attack on the rights of protected persons in violation of their human rights under Article 27 of the Fourth Geneva Convention, to which they are entitled, “in all circumstances”.

<sup>7</sup> Based on the repealed British Mandate Defense (Emergency) Regulations of 1945, Article 84 (1945), chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fwww.imolin.org%2Fdoc%2Ffamilid%2Frael%2FThe\_Defence\_Emergency\_Regulations\_1945.pdf&clen=353416&chunk=true.

The primary aim of this decision is to silence, cripple and discredit and obstruct the work of Palestinian civil society organizations, as part of Israel’s long orchestrated smear campaign.<sup>8</sup> This means depriving the protected population in the OPT of the essential services provided by these organizations, including legal aid for prisoners and detainees, and those who enjoy special protection status under IHL in situations of armed conflict, such as women and children.

The alarming consequences of this decision include impeding the indispensable work of these organizations, notably that of Addameer and DCI-P, with regard to conducting regular prison visits documenting the violations committed against Palestinian prisoners and detainees, as well as monitoring their arbitrary detention conditions, which serve as the basis of our legal work with the United Nations Special Procedures and Human Rights Council in this regard. We emphasize that without third-party supervision of Israeli Prison Services policies, the rights of over 4,600 Palestinian prisoners and detainees will continue to be violated with impunity, and their detention conditions will only worsen.

As the leading impartial, neutral, and independent humanitarian body, the ICRC is mandated to ensure that IHL is disseminated and respected in areas of conflict. As the longest occupation in the world, the ICRC has an especially crucial role toward protecting the lives and dignity of victims of armed conflict and strengthening IHL. To that end, and given the urgency of the situation, and as Israel is preparing to take concrete actions to implement its designation decisions, we call on the ICRC to use its right of initiative and exercise pressure on Israel to rescind its designations, and stop the attack on the advocates of international law, especially IHL in the OPT.

More specifically, the six organisations call on the ICRC to safeguard the rights of all Palestinian prisoners and detainees held inside Israeli prisons and detention centers, including women and children, following Israel’s designations. Israel must be reminded that it is bound to respect the

<sup>8</sup> Al-Haq, “Israel’s Ongoing and Systematic Smear Campaign against Al-Haq and its Staff Members” (22 October 2020), <https://www.alhaq.org/advocacy/17466.html>.

Affiliate , International Commission of Jurists - Geneva فرع لجنة الحقوقيين الدولية ، جنيف  
تتمتع الحق بصفة استشارية لدى المجلس الاقتصادي والاجتماعي في الأمم المتحدة  
NGO in Consultative Status with the Economic and Social Council of the United Nations



Geneva Conventions in the OPT, notably concerning the treatment of prisoners and detainees, and the rights of the protected population generally.

The six organizations appreciate your willingness to contribute to these efforts. To this end, the six organizations are also looking forward to cooperating with you in any way possible.

Yours sincerely,

Shawan Jabarin  
General Director, Al-Haq, Law in the Service of Man

On behalf of Addameer Prisoner Support and Human Rights Association, Bisan Center for Research and Development, Defense for Children International-Palestine, the Union of Agricultural Work Committees, and the Union of Palestinian Women's Committees