

Open Letter to Members of the UN's General Assembly Regarding the ECOSOC Committee on NGOs

7 April 2022

To: Member States of the UN General Assembly

Cc: President of ECOSOC, President of the General Assembly, President of the Human Rights
Council, UN Secretary General

Excellencies:

We are less than a week away from elections to the United Nation's (UN) Economic and Social Council (ECOSOC) Committee on non-governmental organizations (NGOs). If your State is a member of ECOSOC, they will get to vote on 13 April 2022 to elect members of the NGO Committee. The Committee on NGOs plays a key role in enabling the partnership between States and civil society, by recommending approval of the participation of NGOs in a range of UN bodies and processes. It is essential that the Committee members are committed to fulfilling such a task fairly and judiciously. We are writing to you as an ECOSOC member to ask you to vote with integrity at the upcoming elections and only give your support to candidates with positive track records regarding civil society access and participation.

The Committee on NGOs has been criticized by UN officials, experts, States, and civil society representatives for deferring some applications through perpetual questioning and for making baseless accusations against some applicants. This practice robs the UN of critical civil society experience and expertise to deal with the huge challenges we face globally. It is with this in mind that we wish to bring to your attention the ongoing human rights violations of Israel and to warn against Israel's candidacy to the ECOSOC Committee on NGOs.

Israel has run a long-term and [systematic campaign](#) of harassment and intimidation against Palestinian civil society organizations (CSOs) and human rights defenders (HRDs). These campaigns include various forms of intimidation and institutionalized harassment ranging from death threats, arbitrary detention, torture, and other ill-treatment to collective punishment, travel bans, residency revocation, deportation, and Government-led smear campaigns. The intent is to delegitimize, repress, drain capacity, and cut off vital resources to prevent these organizations from carrying out essential human rights work, [restrict civic space](#) and further oppress the Palestinian people, thereby [entrenching Israel's apartheid](#).

The latest attack in its long-term and systematic smear campaign culminated in Israel's designation of six [leading](#) Palestinian human rights and CSOs as "terrorist organizations"

under Israel's Anti-Terrorism Law of 2016. On 3 November 2021, Israel's military Commander-in-Chief issued a military order extending the designations to the West Bank, effectively [outlawing](#) the six Palestinian organizations. Further, it transpired that the phones of six staff members from the designated organizations were [infiltrated](#) by "Pegasus" spyware, the surveillance software sold by the Israeli NSO Group. Pegasus spyware has been used as a mass surveillance tool to target and facilitate the [systematic repression](#) of human rights activists, lawyers, journalists and political figures worldwide.

In response, on 3 November 2021, the US Department of Commerce [announced](#) the placement of the NSO Group on its "entity list," effectively banning the business, noting that "these tools have also enabled foreign governments to conduct transnational repression [...]. Such practices threaten the rules-based international order". The findings of an investigation carried out by the New York Times specifically highlighted how Israel reaped diplomatic gains around the world from NSO's Pegasus spyware. The [investigation](#) further raised serious concerns about the lengths Israel will go to undermine the integrity of democratic systems globally and use cyberweapons "as a currency with which to buy influence around the world".

This unprecedented [designation](#) is the latest escalation in Israel's widespread and systematic campaign to silence and discredit Palestinian individuals or organizations seeking accountability for Israel's apartheid regime, human rights and international law violations, and places serious obstacles on their ability to document and monitor human rights violations, and to carry out their legal work and advocacy.

At the 49th session of the UN Human Rights Council (HRC) in March 2022, Michelle Bachelet, the UN High Commissioner for Human Rights, [stated](#):

"These designation decisions were based on vague and unsubstantiated allegations; my Office remains unaware of any credible evidence to support these accusations. A number of Member States, notably those providing financial support to these organizations, have also questioned the basis for these decisions. After the end of the reporting period, the Israeli military denied a request by human rights organizations to share the evidence justifying the decisions, citing threats to national security.

These designations and declarations by Israeli authorities raise serious concerns that counter-terrorism legislation and military orders are being used to halt, restrict or criminalise legitimate human rights and humanitarian work, including important work on accountability. These measures, adding to a series of actions undermining civil society organizations working for the human rights of Palestinians, constitute an attack on human rights defenders, and seriously inhibit freedoms of association, opinion and expression and the right to public participation.

I call upon Israel to revoke the designations against Palestinian human rights and humanitarian organisations as terrorist or unlawful organisations, absent sufficient evidentiary basis for them."

The UN High Commissioner [stated](#) that she was “concerned by the deteriorating situation in the Occupied Palestinian Territory” and in particular with “the arrests of Palestinians [by Israel which] almost doubled in 2021, with administrative detention – without charge or trial – up 30 percent.” The UN High Commissioner was “also deeply concerned by repressive measures taken by Israel against human rights defenders and civil society actors based on vague and unsubstantiated allegations, and with potentially far-reaching consequences for their activity.” The UN High Commissioner’s [report](#) highlights new repressive measures taken by the Israeli authorities against civil society through arbitrary arrests and criminal prosecution of human rights defenders, including women human rights defenders. Moreover, Israel restricted the movement of people, carried out searches and closures of civil society organizations, dispersed peaceful demonstrations, undertook attacks against journalists and restricted online civic space.

In a side event organized by Al-Haq and partners in parallel to the 49th session of the UN HRC The UN Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor, and the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Professor Fionnuala Ní Aoláin, both [denounced](#) the designations and were alarmed by Israel’s misuse of counterterrorism measures and escalation of attacks on civil society.

That being said, and considering all actions undertaken by Israel that seriously undermine civil society organizations working to protect and promote the human rights of the Palestinian people, we reiterate our grave concern over Israel’s candidacy to the ECOSOC Committee on NGOs. We further urge that ECOSOC candidates are assessed using indicators such as support for relevant UN resolutions, for example, those on civil society space and human rights defenders; on responses to cases of intimidation and reprisals; and on national level initiatives to safeguard civic space, press freedom – online as offline – and the right to defend human rights.

We call on Member States of the UN General Assembly to:

1. Encourage candidates to make public the reasons for their candidacy and their commitment to fulfil their responsibilities as members of the Committee, as per ECOSOC Resolution 1996/31.
2. Encourage all regions to put up competitive slates, as the Asia-Pacific and GRULAC regions did in the last elections for the Committee in 2018. Competitive elections are important to create buy-in to the process and encourage states to be accountable for their commitments.

3. Ensure that the Committee on NGOs is composed of members committed to fulfilling the Committee's mandate, and that these members facilitate civil society access so that the expertise and experience of civil society partners can enrich and inform UN debates.