

Urgent Appeal to the United Nations Special Procedures

Re: Israeli Occupying Forces Close Seven Civil Society Organisations, General Directors of Al-Haq, Shawan Jabarin and DCI-Palestine, Khaled Quzmar, Threatened with Arbitrary Arrest and Imprisonment for Human Rights Work

Date: 21 August 2022

For the attention of:

- The United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian territory occupied since 1967, Ms. Francesca Albanese;
- The UN Working Group on Arbitrary Detention, Mr. José Guevara Bermúdez (Chair Rapporteur);
- The United Nations Special Rapporteur on the Situation of Human Rights Defenders, Ms. Mary Lawlor;
- The United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, Ms. Fionnuala Ní Aoláin;
- The United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Mr. Clément Nyaletsossi Voule;
- The United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Ms. Irene Khan;
- The United Nations Special Rapporteur on the Independence of Judges and Lawyers, Mr. Diego García-Sayán;
- Working Group on Business and Human Rights, Anita Ramasastry.

Introduction

1. On 18 August 2022, at approximately 3:00 am, Israeli Occupying Forces (IOF) entered Ramallah, targeting, forcibly entering, raiding the offices of the six designated Palestinian civil society organisations Al-Haq, Addameer, the Bisan Center for Research & Development, Defence for Children International-Palestine (DCI-P), Union of Agricultural Workers Committees (UAWC), and the Union of Palestinian Women's Committees (UPWC). Private property and information was seized from three of these organizations by the IOF, and the office of the Health Workers Committees was also raided. The organisations had been designated by Israel under its Counter Terrorism Law, 2016, and under military order of 3 November 2021, as “terrorist” and “unlawful associations”.
2. Last Thursday, 18 August 2022, following a [decision](#) by Benny Gantz, the military order has taken full effect in the OPT, whereupon Yehuda Fox, the Israeli military commander, led an armed incursion into Ramallah to forcibly close the six



organisations, in an attempt to quash the work of human rights defenders, in serious violation of the right to freedom of expression and association.

3. Today, 21 August 2022, at 9:31 am, the Israeli Occupying Forces summoned the General Director of Al-Haq, Mr. Shawan Jabarin for interrogation at the Ofer Military Base, located near Ramallah. The caller, who introduced himself as Captain Fahed, informed Mr. Jabarin that Israel and the Israeli army have declared Al-Haq to be an illegal entity and a terrorist organization that was shut down, stating that Israel will not allow the organization to remain open and functioning. The caller then falsely claimed that Al-Haq has ties to the Popular Front for the Liberation of Palestine (PFLP) and that Mr. Jabarin is one of its members.
4. Today, at 14:25, lawyer and General Director of Defence for Children International, Palestine (DCI-P), Mr. Khaled Quzmar was summoned for interrogation at the Ofer military base by a Shin Beta agent. At 15:20 an eyewitness reported seeing Mr. Quzmar escorted into Shin Bet premises. Mr. Quzmar was not allowed to have legal counsel accompany him. At the time of writing, he has been released.
5. Notably, in November-December 2021, Al-Haq sent two urgent appeals to the United Nations Special Procedures calling on the UN Special Rapporteurs to protect Palestinian human rights organizations and individuals. The first urgent appeal, submitted on 16 November 2021, urged intervention on the Israel's campaign of mass surveillance against Palestinian Human Rights Defenders. The second urgent appeal submitted on 21 November 2021, brought by the SOAS Centre for Human Rights Law on behalf of the six designated organizations, provides a legal analysis of Israeli's Counter-Terrorism Law of 2016 and concluded its blatant illegality concerning international human rights and humanitarian law.
6. The situation has significantly deteriorated and the staff of the six designated organisations and the Health Work Committee are under grave and immediate risk of arbitrary arrest, prosecution on secret evidence, administrative detention, and appropriation of their financial and banking assets. Further, the human rights and humanitarian work of the organisations, is gravely threatened by these closures.

Background

7. On 19 October 2021, the Israeli Ministry of Defense designated Al-Haq and five fellow Palestinian civil society organizations as “terrorist organizations”,¹ under its domestic Counter Terrorism Law, 2016 (see Annex 2) and, two weeks later, as “unlawful associations” under Article 84 of the Defense (Emergency) Regulations, 1945 in the occupied Palestinian territory. Over the past decade, Israel's smear campaigns have labelled Palestinian human rights defenders as ‘terrorists,’ incited racial hatred and

¹ The six outlawed civil society organizations are: Addameer Prisoner Support and Human Rights Association, Al-Haq Law in the Service of Man, 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. s



violence, hate speech, arbitrary arrests, torture and ill-treatment, death threats, travel bans, residency revocations and deportations.²

8. For decades, these organizations have been at the forefront of Palestinian civil society and have significantly contributed to the advancement of human rights, representing Palestinian voices, around the world. Addameer provides legal support to Palestinian political prisoners, exposing human rights violations committed against them by Israel, the Occupying Power. Al-Haq works to protect human rights and the rule of law, documenting human rights violations and seeking accountability for Israel’s war crimes and crimes against humanity.² Bisan Center defends the socio-economic, political, and civil rights of the poor and marginalized in Palestinian society.³ DCI-P supports the rights of Palestinian child through national and international advocacy, as well as the provision of legal services to the most vulnerable.⁴ UAWC seeks agricultural development through the empowerment of Palestinian farmers within a sustainable community-based framework.⁵ UPWC is a feminist organization aimed at empowering Palestinian women to build a progressive Palestinian society, free from all forms of discrimination.⁶
9. Israel’s designations of the six leading Palestinian civil society organisations in October 2021, have been castigated by the UNSR on Countering Terrorism, Ms. Fionnuala Ní Aoláin, who highlighted that “[Israel’s](#) wholesale designation” epitomises a trend in global “counterterrorism misuse against civil society but in a way, to a striking and more serious degree than we have seen elsewhere”. The designations, described as an “attempt at civic death”, have been similarly condemned in the highest international echelons, including by the [UN Special Procedures](#), the [UN High Commissioner for Human Rights](#), Michelle Bachelet and the [European Union High Representative](#), Josep Borrell.
10. On 12 July 2022, the spokespersons of the Foreign Ministries of Belgium, Denmark, France, Germany, Ireland, Italy, Spain, Sweden, and The Netherlands issued a joint [statement](#) in support of the six organizations. The statement rejects Israel’s designation of the six organizations as “terrorist organizations” and states that “[n]o substantial information was received from Israel that would justify reviewing our policy towards the six Palestinian NGOs on the basis of the Israeli decision to designate these NGOs as ‘terrorist organizations’”. The statement further reinstates that the nine EU member states will continue to cooperate and support Palestinian civil society, especially for their indispensable rule in promoting democratic values. This was followed by a statement from [Norway](#) pledging to restore funding to the designated organisations after finding Israel’s so-called evidence, “not sufficient”.

² See also Al-Haq, “Designated Shrinking Space: Israel’s Systematic Harassment Campaigns Against Al-Haq, are the Acts of an Illegal Apartheid Regime” (October 2021), https://www.alhaq.org/cached_uploads/download/2021/11/01/briefing-paper-attack-on-palestinian-csos-sp-1635752788.pdf



The Counter Terrorism Law, 2016

11. Israel's [Counter Terrorism Law, 2016](#) provides a long list of penalties for those designated as terrorist organisations, or for those supporting a designated terrorist organisation. Chapter Three on Penalties carries a number of heavy penalties for membership, including imprisonment for up to 25-years. Even broader, any satellite organisations and individuals providing services to the designated terror organisation may themselves face up to seven years of imprisonment.³ This is buttressed by an appeal process permitting the usage of secret evidence, hearings in absentia and a lack of due process and fair procedure. In brief, the prospect of a fair hearing in Israel's legal system for the six organisations, their staff, or satellite members are slim.⁴
12. On 30 March 2021, the United Nations Human Rights Committee (the Committee) issued its [concluding observations](#) on its review of Israel's implementation of the International Covenant on Civil and Political Rights (ICCPR). The Committee called on Israel to ensure that the six Palestinian organizations designated as "terrorists" and declared "unlawful" are provided with procedural safeguards, including access to evidence, and the right of appeal to an independent body. Moreover, it called for Israel to "guarantee effective protection of journalists and human rights defenders against any kind of threat, pressure, intimidation, attack and arbitrary arrests and detention", and review its laws, "that may restrict the exercise of freedom of expression with a view to bringing them into line with article 19 of the Covenant."
13. The Committee specifically advised that Israel review its Counter Terrorism Law 5776-2016 to ensure that the definitions of 'terrorist organization' and 'terrorist act', as well as the powers conferred by and the limits on the exercise of the Law, are in full compliance with the Covenant and the principles of legal certainty, necessity, proportionality and the rule of law". These concerns were echoed by the UN Commission of Inquiry in its first [report](#) published in May 2022.

Al-Haq's Designation Appeal to the Military Commander

14. Immediately, following the designations, Al-Haq entered into legal proceedings to appeal the designation, communicating directly with the Israeli Military Attorney in the occupied territory. The legal team is headed by renowned and eminent Israeli lawyer Adv. Michael Sfar. On 16 December 2021, the organizations' legal team sent a letter to the military, demanding the disclosure of all the evidence that form the basis for the designations. In June, the [Military Attorney](#) responded that "the core of the declarations [are] based on classified, cross-checked and reliable intelligence information that cannot be disclosed" as it may harm national security. At the time of writing, this "evidence" still remains secret and proceedings are ongoing.

³ Article 23, The Counter-Terrorism Law, 5776-2016.

⁴ Adaleh, Position Paper, Israel's Counter Terrorism Law (29 November 2021) para 47, available at: <[https://www.adalah.org/uploads/uploads/Adalah's%202021%20Position%20Paper%20on%202016%20Counter-Terrorism%20Law%20\(Updated\)%20EN%20.pdf](https://www.adalah.org/uploads/uploads/Adalah's%202021%20Position%20Paper%20on%202016%20Counter-Terrorism%20Law%20(Updated)%20EN%20.pdf)>



15. On 17 August 2022, at around 10:00 pm, a [decision](#) by Benny Gantz was published, stating that the appeal had been lost and that the military order had taken full effect in the OPT. Yehuda Fox, the Israeli military commander, then led an armed incursion into Ramallah to forcibly close the six organisations, in an attempt to quash the work of human rights defenders, in serious violation of the right to freedom of expression and association. Such orders infringe upon and overreach into the work of human rights organisations and civil society, exceeding the competence of the military commander under Article 43 of the Hague Regulations (1907), in addition to violating fundamental humanitarian rights guarantees of protected persons under Article 27 of the Fourth Geneva Convention (1949).

Israel's Closes Seven Palestinian Civil Society Organisations, 18 August 2022

16. On 18 August 2022, at approximately 3:00 am, Israeli Occupying Forces (IOF) entered Ramallah, targeting, forcibly entering, raiding the offices and confiscating property from the six designated Palestinian civil society organisations: Al-Haq, Addameer, the Bisan Center for Research & Development, Defence for Children International-Palestine (DCI-P), Union of Agricultural Workers Committees (UAWC), and the Union of Palestinian Women's Committees (UPWC). Private property and information was seized from three of these organizations by the IOF, and the IOF also raided the offices of the Health Workers Committees.
17. At 3:23 am, IOF forcibly blasted through the locked security door of Al-Haq's offices, bursting the door from its hinges and raiding the premises, setting off the alarms. Below the premises of Al-Haq, the IOF bludgeoned and broke the front door of the Episcopal Church, leaving long shards of exposed broken glass, sponge-grenades, and several teargas canisters, rubber coated and live bullets around the property. Armed military forces broke into Al-Haq, systematically raiding each room and blasting the hinges off the locked doors of the finance department, the administrative office, the General Director's office, and the main server room, causing material damage. The military rummaged through files, scattered and displaced accounting folders to the ground, knocked over coffee cups leaving spillages, ransacked offices, and trashed bathrooms.
18. In Al-Haq's meeting room, raiding soldiers tore an Irish flag to the ground, which had been symbolically placed in recognition of the Occupied Territories Bill, prohibiting the import of settlement goods and services. In addition, the IOF tore down large maps of 1948 Palestine, maps which depict an unfragmented Palestine, free from the tyranny of settler colonialism and apartheid and the infliction of international crimes. The IOF also removed from the wall at reception, the framed certificate of the prestigious Geuzenpenning Prize for Human Rights Defenders, awarded to Al-Haq in 2010, for Al-Haq's commitment and excellence in documenting and monitoring Israel's widespread and systematic violations of human rights against the Palestinian people.
19. After raiding and rampaging through Al-Haq's offices, the IOF welded an iron slab to the outside of Al-Haq's office, completely sealing off the office and preventing any entry, affixing to it a military order, and another copy of this order on the main entrance



door. The military order states that, under Article 319 of the Emergency Regulations of 1945, and following the declaration on 3 November 2021 of Al-Haq as an unlawful association, the Israeli military commander orders the closure of Al-Haq's offices for the safety and security of the area, the IOF and public order. The military order further warned that "those administering the organisation, must shut down the organisation, refrain from managing it and keep it shut, from the moment of receipt of this order". According to the military order, Al-Haq's office is considered to be illegal or is used to conduct activities that are considered illegal.

IOF Summon Al-Haq General Director Mr. Jabarin, for Interrogation, 21 August 2022

20. On Sunday, 21 August 2022, the General Director of Al-Haq, Mr. Shawan Jabarin received a phone call at 9:31 am from a person introducing himself as Captain Fahed of the Israeli Security Service, the Shabak, who ordered that Mr. Jabarin present for interrogation at the Ofer Military Base of the Israeli Occupying Forces (IOF), located near Ramallah. Mr. Jabarin refused to comply and told the person he had no guarantees that he is a real person from the Shabak. The person then said that he would send Mr. Jabarin a message on WhatsApp. Mr. Jabarin responded that, as an individual whose work is done in accordance with international law, he will not take the call seriously and that an official letter through a lawyer would need to be sent or that the Israeli army could visit him in Ramallah, but that he would not go to Ofer.
21. The caller then informed Mr. Jabarin that Israel and the Israeli army have declared Al-Haq to be an illegal entity and a terrorist organization that was shut down, stating that Israel will not allow the organization to remain open and functioning. The caller then falsely claimed that Al-Haq has ties to the PFLP and that Mr. Jabarin is one of its members. The caller threatened Mr. Jabarin that if Al-Haq continues to work, a price, including a personal price from Mr. Jabarin, will be paid through imprisonment, interrogations and other measures.
22. During the phone call, which lasted around five minutes, Mr. Jabarin asked the caller if he was being threatened and the caller confirmed and reiterated that a personal price will be paid, and that Israel will not allow Al-Haq to continue its work.

IOF Summons Khaled Quzmar, Director of Defence for Children International, Palestine

23. Today, 21 August 2022, at 14:25, lawyer and General Director of Defence for Children International, Palestine (DCI-P), Mr. Khaled Quzmar was summoned for interrogation at the Ofer military base by a Shin Beta agent. At 15:20 an eyewitness reported seeing Mr. Quzmar escorted into Shin Bet premises. Mr. Quzmar was not allowed to have legal counsel accompany him. At the time of writing he has been released.



Recommendations

Al-Haq urgently demands that the international community immediately take targeted and effective action to protect the General Directors of Al-Haq, Mr. Shawan Jabarin, and DCI-Palestine, Mr. Khaled Quzmar, Palestinian civil society organizations and human rights defenders, who are now facing existential threats. Specifically, Al-Haq calls upon the international community to:

- Immediately intervene to protect Mr. Shawan Jabarin and Mr. Khaled Quzmar from interrogation, arbitrary arrest and detention;
- Call on Israel to urgently and immediately rescind the designations labelling the six organizations as ‘terrorist’, which violates Palestinian freedoms of opinion and expression, and freedom of association, and amount to acts of apartheid prosecutable under Article 7(2)(h) of the Rome Statute;
- Condemn and urge the rescinding of the Counter Terrorism Law, 2016 as incompatible with the principles of legality, necessity and proportionality;
- 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;
- Call on the international community to pressure Israel to immediately reverse the military order commanding the closure of closing the organisations’ premises, criminalising the work of the six organisations and their staff;
- Take concrete measures, such as trade restrictions and arms embargoes, to ensure that Israel is held internationally responsible for its ongoing systematic inhumane acts of apartheid, including the persecution of Palestinian human rights defenders;
- Calls on the intervention of the Assembly of States Parties and the Prosecutor of the International Criminal Court, to protect and ensure the viability of organisations working to submit evidence to the Court;
- Calls on Third States to continue their support and increase funding, including core funding to the six organisations, and engage with financial institutions in their home States to ensure the uninhibited transfer of funds to the six organisations;
- Recognise and address Israel’s silencing efforts as part of an apartheid regime imposed over the Palestinian people as a whole, and endorse the December 2019 concluding observations on Israel of the United Nations Committee on the Elimination of Racial Discrimination, which recognised Israeli policies and practices of racial segregation and apartheid over Palestinians on both sides of the Green Line;
- Recognise the state of impunity existing in Israel, which decisively renders the State unable and unwilling to hold itself accountable to international law, and call for international justice and accountability, including at the International Criminal Court, for Israel’s widespread and systematic human rights violations, war crimes, including the crime of population transfer, and the crime of apartheid, which constitutes a crime against humanity;
- Calls on international community to end Israel’s occupation of Palestine and dismantle its settler-colonial apartheid regime.