

Addameer Prisoners' Support and Human Rights Association  
Al-Haq – Defending Human Rights  
Defense for Children International – Palestine Section  
Huryyat-Center for Defense of Liberties and Civil Rights  
Jerusalem Center for Legal Aid and Human Rights  
BADIL Resource Center for Palestinian Residency and  
Refugee Rights



Aldameer Association for Human Rights  
AL-Mezan Center for Human Rights  
Ensan Center for Human Rights and Democracy  
Ramallah Center for Human Rights Studies  
Women's Center for Legal Aid and Counseling  
The Palestinian Center for Human Rights  
Independent Commission for Human Rights (Observer)

Mr. Zeid Ra'ad Al-Hussein, UN High Commissioner for Human Rights  
[zraad@ohchr.org](mailto:zraad@ohchr.org)

Michel Forst, UN Special Rapporteur on the Situation of Human Rights Defenders  
[defenders@ohchr.org](mailto:defenders@ohchr.org); cc: Jamshid Gaziyez, [jgaziyez@ohchr.org](mailto:jgaziyez@ohchr.org)

Michael Lynk, UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967  
[sropt@ohchr.org](mailto:sropt@ohchr.org); cc: Ajith Sunghay, [asunghay@ohchr.org](mailto:asunghay@ohchr.org); Katharine Marshall, [kmarshall@ohchr.org](mailto:kmarshall@ohchr.org)

David Kaye, UN Special Rapporteur on the Freedom of Opinion and Expression  
[freedex@ohchr.org](mailto:freedex@ohchr.org)

Mr. Alfred de Zayas, UN Special Expert on the promotion of a democratic and equitable international order: [ie-internationalorder@ohchr.org](mailto:ie-internationalorder@ohchr.org), [spbconsultant13@ohchr.org](mailto:spbconsultant13@ohchr.org)

Ms. Virginia Dandan, UN Special Expert on Human Rights and International Solidarity  
[iesolidarity@ohchr.org](mailto:iesolidarity@ohchr.org); cc: [yba@ohchr.org](mailto:yba@ohchr.org), [kghezraoui@ohchr.org](mailto:kghezraoui@ohchr.org)

**Copy to:** AjithSunghay, OPT desk, OHCHR  
[asunghay@ohchr.org](mailto:asunghay@ohchr.org)

Jerusalem, 13 June 2016

**Re: Urgent appeal concerning human rights defenders working on OPT and Israel**

Dear High Commissioner,  
Dear Special Experts and Rapporteurs,

The Palestinian Human Rights Organizations Council (PHROC) is asking you to take action as a matter of urgency in order to ensure that the rights, safety and integrity of individuals, groups, associations and institutions defending the human rights of the Palestinian people are respected and protected.

PHROC is deeply concerned about rising attacks against human rights defenders (HRDs) for calling attention to Israeli violations of international humanitarian and human rights law, cooperating with the United Nations and the International Criminal Court (ICC), and carrying out peaceful protests and campaigns for non-violent boycotts, divestment and sanctions (BDS) as means for holding Israel accountable for its international obligations.

In the Occupied Palestinian Territory (OPT), Palestinian HRDs, including grass-roots associations, human rights NGOs, students, journalists and parliamentarians are targeted by the Israeli occupying power that is unaccountable to the standards of international humanitarian and human rights law, and by Israeli settlers and other right-wing Israeli civilians who enjoy impunity. Palestinian HRDs are subjected to armed violence and injury, arbitrary restrictions on movement, travel bans, forcible removal from their home towns, arrest, cyber attacks, online defamation campaigns, and confiscation of equipment. Restrictions on the movement of Palestinian HRDs are of particular significance as individuals are prohibited from freely moving between Jerusalem, the West Bank and the Gaza Strip, obstructing their work. Also, human rights lawyers are often subject to aggressive and degrading treatment by Israeli authorities at courts and police stations, as well as by settlers. In one case, a lawyer from the Jerusalem Legal Aid and Human Rights Center (JLAC) had his car torched by settlers, in an apparent revenge attack. The lawyer regularly works on cases related to settler violence. Many HRDs have also been arrested or detained. For example, lawyer Farid Al-Atrash, of the Independent Commission for Human Rights (ICHR) was arrested at a non-violent protest earlier this year. Foreign “protective presence” volunteers are frequently denied entry or renewal of visas by the Israeli authorities.

Death threats have also been issued to staff of Palestinian and Israeli human rights organizations. Since September 2015, Al-Haq has been subject to an extreme wave of intimidation and threats by anonymous sources. The threats have taken on several forms, including communications (phone calls, emails, and on social media) to staff members, partners and donors. Such organized attacks aim to deter Al-Haq from seeking justice, especially before the EU and ICC.<sup>1</sup> The emails and calls were filled with baseless accusations regarding Al-Haq's financial records, and attempted to sow discontent amongst its staff. The threats, however, reached a turning point when Al-Haq's Europe representative began to receive phone calls threatening her life, her home address was publicized in a false donations campaign, and a threatening letter was left at her doorstep.

Inside Israel, freedom of expression is increasingly curtailed by intimidating and discriminatory legislation, such as the "Nakba Law," the "Anti-Boycott Law" and the "Foreign Government Funding Law." Palestinian HRDs, citizens of Israel and those carrying an Israeli residency permit, are particularly affected because the above laws provide penalties for activities that essentially shed light on Israel's treatment of Palestinians and Palestinian history. Moreover, Israel applies these laws in occupied East Jerusalem in the context of the city's illegal annexation and the Ministry of Interior uses its powers of discretion to intimidate and punish Palestinian HRDs by threatening to revoke/revoking their Israeli residency permit on grounds of "lack of center of life in Israel" and, newly, for "breach of loyalty to the State of Israel."<sup>2</sup> Public incitement and threats by Israeli officials that undermine the safety and integrity of prominent Palestinian HRDs, including members of the Knesset and a leader of the BDS movement, are also rampant.

Israel's Supreme Court has upheld the above laws and more similar bills are being debated by the Knesset. This comes despite repeated recommendations by UN human rights treaty committees to Israel to refrain from implementing and abolish legislation that has a "chilling effect" on the rights to freedom of opinion, expression, and association.<sup>3</sup> Further, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression confirmed that "Calling for or participating in a boycott is a form of expression that is peaceful, legitimate and internationally accepted."<sup>4</sup>

In this context, we draw your attention to the unprecedented campaign against the BDS movement. On 28 March, four Israeli ministers publicly threatened "BDS leaders" with "targeted civil elimination." Since then, the Ministry of Interior has denied a travel permit to Omar Barghouti, a prominent Palestinian activist in the movement, thereby imposing a *de facto* travel ban. The Minister has also stated that he is considering revoking Omar's Israeli permanent residency permit.<sup>5</sup> It is further concerning that a number of western governments have also provided support to Israeli rhetoric and attacks by passing legislation against BDS actions, which further undermine freedom of expression and threaten the civil liberties of their own citizens. We accordingly commend statements by the Swedish, Dutch, and Irish governments which uphold the right to participate in and call for BDS as part of the right to freedom of expression.<sup>6</sup>

We enclose in this letter materials compiled by PHROC and the Palestinian BDS National Committee (BNC) illustrating the on-going attacks on HRDs in the OPT and beyond, as well as statements by Amnesty International and FIDH. We also

<sup>1</sup> Al-Haq Under Attack- Staff Member's Life Threatened, 3 March 2016, <http://www.alhaq.org/advocacy/topics/human-rights-defenders/1026-al-haq-under-attack-staff-members-life-threatened>

<sup>2</sup> See for example: JLAC, "Punitive Residency Revocation: the most recent tool of forcible transfer": <http://www.jlac.ps/index.php?page=inside&pid=415&parentId=0&sectionid=8>

<sup>3</sup> Human Rights Committee, Concluding Observations: Israel, CCPR/C/ISR/CO/4 (21 November 2014), para. 22.

<sup>4</sup> Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, Addendum, Mission to Israel and the occupied Palestinian territory, A/HRC/20/17/Add.2 (11 June 2012), para. 34: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-17-Add2\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-17-Add2_en.pdf)

<sup>5</sup> See the BNC's case file/Omar Barghouti enclosed to this letter.

<sup>6</sup> PHROC welcomes statements by European officials to uphold the right to participate in and call for BDS actions, 30 May 2016, available at <http://www.alhaq.org/advocacy/targets/palestinian-human-rights-organizations/1047-phroc-welcomes-statements-by-european-officials-to-uphold-the-right-to-participate-in-and-call-for-bds-measures>

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enclose PHROC's earlier call regarding respect of the right to boycott, as well as an appeal of 23,000 citizens worldwide to the High Commissioner to act to protect this right and HRDs of the BDS movement.

We urge you to study these materials and to take action as a matter of urgency. Specifically, we ask you to:

- Issue public statements affirming unambiguously the duty of all states to respect and protect the rights of freedom of expression, association, and assembly, amongst other rights, while affirming the right to participate in and call for BDS actions;
- Investigate and report, by means of country visits or otherwise, attacks against HRDs in the OPT, Israel, and other countries where HRDs working on issues related to Palestine face intimidation or arbitrary legislative or administrative restrictions;
- Intervene with all states concerned for guarantees of the safety and integrity of HRDs currently at risk or under attack, and for an immediate halt and reversal in state policies which facilitate these attacks;
- Request the office of the OHCHR and the delegation of the European Union in the OPT and Israel to extend their protection to all HRDs, including those active in the BDS movement.

Should you require further information, please do not hesitate to contact us.

Yours sincerely,

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## Palestinian Human Rights Organizations Council



**Addameer Prisoners' Support and Human Rights Association**  
 Sahar Francis  
 General Director



**Aldameer Association for Human Rights**  
 Hala Jaber  
 General Director



**Al-Haq**  
 Shawan Jabarin  
 General Director



**Al Mezan Center for Human Rights**  
 Issam Younis  
 General Director



**Badil Resource Center for Palestinian Residency and Refugee Rights**  
 Nidal Azza  
 General Director



**Defence for Children International Palestine Section**  
 Khaled Kuzmar  
 General Director



**Ensan Center for Human Rights and Democracy**  
 Hasieb Nashashibi  
 General Director



**Hurryyat - Centre for Defense of Liberties and Civil Rights**  
 Helmi Al-araj  
 General Director



**Jerusalem Center for Legal Aid and Human Rights**  
 Issam Aruri  
 General Director



**Ramallah Center for Human Rights Studies**  
 Suhaib Sharif  
 General Director



**Women's Centre for Legal Aid and Counselling**  
 Randa Sanyora  
 General Director



**The Palestinian Center for Human Rights**  
 Raji Sourani - General Director