

OPEN LETTER - THE OBSERVATORY

H.E. Secretary General of the United Nations (UN)
Antonio Guterres

CC. UN High Commissioner for Human Rights Zeid
CC. Andrew Gilmour, Representative of the UN Secretary General on Reprisals
CC. Michel Forst, UN Special Rapporteur on the Situation of Human Rights Defenders

July 4, 2017

RE: Israel-Palestine: Slandering statements against Palestinian human rights NGOs AI-Haq and AI-Mezan Centre for Human Rights

Your Excellency,

We wish to request your intervention in response to the public attacks¹ against Palestinian human rights NGOs formulated by the Permanent Representative of Israel to the UN, Ambassador Danny Danon, on the occasion of a media stake-out in front of the Security Council on June 29, 2017.

In his speech, Ambassador Danon said that “*AI Mezan is an organisation which cooperates with Hamas, an internationally recognised terror group*”, and linked “*AI Haq (...), led by Shawan Jabareen*” to the so-called “*PFLP terrorist organisation*”. Ambassador Danon went on falsely characterising both human rights groups as “*supporters of terrorism*”, and “*inciters of violence*.”

The attack against legitimate human rights organisations and activists, who are working tirelessly to monitor and act against violations of human rights by all duty-bearers, comes as human rights defenders advocating and working on Palestinian human rights from around the world are facing intensifying threats and are increasingly targeted for their work.

Over the past years, Palestinian organisations **AI-Haq** and **AI-Mezan Center for Human Rights** have had staff members receive death threats, and have also been the targets of a wider campaign that attempts to discredit and destabilise the organisations.² These campaigns have included the hacking of emails, intimidating phone calls to staff, and efforts to alarm donors; all of which seek to distract organisations from their primary human rights work. While the Office of the Prosecutor of the International Criminal Court³, the UN Special Rapporteur on the situation of human rights in the OPT⁴, and other stakeholders have recognised these threats, acts of intimidation have persisted.

We are shocked that the smear campaigns target human rights defenders and organisations that are internationally renowned for their promotion of human rights and international law. We are equally shocked that such baseless attacks are made at a UN platform, and directed at human rights defenders invited by the UN, based on their years-long consultative status with ECOSOC, to provide information and analysis regarding the human rights situation in Palestine.

¹ <http://webtv.un.org/watch/danny-danon-israel-on-terrorism-and-other-matters-security-council-media-stakeout-29-june-2017/5487255078001>

² *AI Mezan Condemns Continued Death Threats to Staff Members and Calls on the International Community to Intervene*, AI Mezan, 11 August 2016, available at <http://www.mezan.org/en/post/21475/AI+Mezan+Condemns+Continued+Death+Threats+to+Staff+Members+and+Calls+on+the+International+Community+to+Intervene>; Update: Attacks Against AI-Haq Continue, 4 June 2016, available at <http://www.alhaq.org/advocacy/topics/human-rights-defenders/1050-update-attacks-against-al-haq-continue>

³ Report on Preliminary Examination Activities 2016, Office of the Prosecutor, International Criminal Court, para. 144, 14 November 2016, available at https://www.icc-cpi.int/iccdocs/otp/161114-otp-rep-PE_ENG.pdf

⁴ Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 13 April 2017, available at <https://unispal.un.org/DPA/DPR/unispal.nsf/0/265EDDCECC8AA035852580E900664CB7>

As the UN commemorates the 50th anniversary of the occupation, we believe the UN system as a whole should be particularly alerted by the statement of the Israeli Ambassador, especially as it comes in the context of Israel campaigning for being a member of the Security Council. These attacks aim to silence and undermine any resistance to Israel's unlawful policies, and fuel an atmosphere of hostility against human rights defenders working on Palestine. More broadly, Israel also regularly prohibits access to the OPT for missions by UN experts and investigative bodies, in violation of its duties under the UN Charter⁵. Accordingly, such statements should not be viewed in isolation, but examined within the broader context of impunity in Israel itself, as well as the failure of States to hold Israel accountable for its commission of internationally recognised crimes.

Citizens and organisations have internationally and domestically recognised rights to engage in alternative means for accountability and advocate for justice for Palestinians. Our organisations underscore the universality of human rights, including the right to "*participate in peaceful activities against violations of human rights and fundamental freedoms*", as highlighted in the UN Declaration on Human Rights Defenders⁶.

Therefore we call on you to:

- Protect all human rights defenders working on issues related to Palestine and ensure that they are able to carry out their legitimate activities without any hindrance and fear of reprisals;
- Publicly voice support for - and respond to the above-mentioned attack against - human rights organisations Al-Haq and Al Mezan Center for Human Rights, human rights defender Mr. **Shawan Jabareen**, who is also Secretary General of FIDH, and to all human rights defenders in Palestine; and
- Address all instances of reprisals by Israeli officials against human rights defenders working on issues related to Palestine.

In the hope that you will take all these elements into account, we remain at your disposal for any further information.

Yours sincerely,

Dimitris Christopoulos
President of FIDH

Gerald Staberock
Secretary General of OMCT

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this program is to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

⁵ UN-established bodies, including the 2012 UN Fact-finding Mission on Israeli settlements and the UN Independent Commission on Inquiry on Gaza in 2014, have been similarly prevented from entering the OPT by Israel. Mandate holders for the UN Special Rapporteur on the OPT have not gained access to the OPT since 2008. The former Special Rapporteur, Makarim Wibisono, resigned as a result. See Special Rapporteur on Occupied Palestinian Territory resigns due to continued lack of access to OPT, UN Office of the High Commission for Human Rights, 4 January 2016, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16922>

⁶ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, Article 12(1), available at <http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>.