

Date: May 23<sup>th</sup>, 2018

## **PHROC Condemns Israel's Order to Deport Human Rights Watch Director, Omar Shakir, as a Grave Violation of Right to Freedom of Expression, and Systematic Shrinking of Civil Society Space**

The Palestinian Human Rights Organization Council (PHROC) strongly condemns Israel's arbitrary and undemocratic revocation of the work permit to deport the esteemed Director of Human Rights Watch (Israel and Palestine), Mr. Omar Shakir, on 7 May 2018.<sup>1</sup> Human Rights Watch, is an internationally revered human rights organization and recipient of the Nobel Prize for Peace. The order is a clear attempt by Israel to shrink civil society space in which respected human rights workers monitor the actions of the State amounting to a grave violation of the right of freedom of expression.

The Minister of Interior took the unprecedented step of reviewing Mr. Shakir's work permit only six months into that permit's validity period. The review was spurred not by any information gathered by Israeli authorities, but rather by information submitted to the court by the Tel Aviv-based ShuratHaDin. The mission statement of ShuratHaDin is "defending Israel, its leaders, and soldiers against claims of war crimes, and by battling lawfare, BDS and other efforts to delegitimize the Jewish State, ShuratHaDin is using court systems around the world to go on the legal offensive against Israel's enemies".<sup>2</sup> The latter describes its mission as protecting Israel against war crimes allegations, and as such is dedicated by its mission statement to attack human rights organizations such as Human Rights Watch and human rights defenders such as Mr. Shakir, who monitor and document human rights violations.

The Israeli Minister of Interior has based Mr. Shakir's deportation on section 2(d) of the Entry into Israel law, which prohibits the grant of a visa to a non-Israeli citizen who has

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<sup>1</sup> Human Rights Watch, "Israel Orders Human Rights Watch Official Deported Government-Compiled Dossier Accuses Organization of Promoting Boycotts" (98 May 2018), available at: <https://www.hrw.org/news/2018/05/08/israel-orders-human-rights-watch-official-deported>

<sup>2</sup> Shurat Hadin, "Bankrupting Terrorism - One Lawsuit at a Time", available at: <http://israelawcenter.org/>

publicly called for a boycott against Israel.<sup>3</sup> Accordingly, Israel's Population Authority's criteria for denying entry based on boycott activities requires that those activities be "active, continuous, and prolonged." Nevertheless, the criteria further notes that anti-Israeli positions, pro-Palestinian positions, or criticism of the Israeli Government are not, on their own, reasons to deny entry into Israel. Notably, Israel has willfully ignored its own criteria in its discriminatory targeting of Human Rights Watch and Mr. Shakir. Firstly, it is clear that Mr. Shakir, as the Director of Human Rights Watch, a world renowned and independent human rights NGO, is neither 'actively' nor 'continuously' engaged in any public boycott activities; and secondly, the Entry into Israel law provides no legal basis for revoking the visa of a person already permitted to enter the country.

On 16 May, Mr. Shakir filed a lawsuit against the Minister of Interior challenging the constitutionality of Amendment 28 to the Entry into Israel Law. As part of those proceedings, Mr. Shakir asked the court to delay his deportation order so that he may stay in the country while his lawsuit is litigated. The Jerusalem District Court denied that order, forcing Mr. Shakir to litigate his case from outside the country unless the Supreme Court intervenes, thus seriously prejudicing his case and violating his basic due process rights.

Instead, it is clear that the motivation for Mr. Shakir's deportation is to prevent Human Rights Watch from effectively carrying out its human rights work in the Occupied Palestinian Territory (OPT). Israel's decision is further intended to create a chilling effect for other human rights organizations critical of Israeli Government policies and, specifically, its activities in the OPT. As such, the deportation order is the latest in a long line of measures taken by Israeli authorities to systematically interfere with the work of human rights organizations.<sup>4</sup> For example, three weeks ago, both Vincent Warren, Executive Director for the Center for Constitutional Rights, and Katherine Franke, a Professor at Columbia University in New York, were held for 18 hours in Tel Aviv and denied entry with Israel alleging their association with the Boycott, Divest and Sanction (BDS) civil society movement. Both were traveling as part of a human rights delegation to Israel and the West Bank, working on domestic US justice issues who planned to meet

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<sup>3</sup> Entry into Israel (Amendment No. 28) Law 5777-2017 (Book of Laws 5777 No. 2610, p. 458).

<sup>4</sup>See Michael Lynk, *Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967*, UN Doc. A/HRC/34/70 (16 March 2017), ¶¶ 30-61 [hereinafter UN Report].



community leaders and human rights defenders in the OPT to conduct a closer observation of the human rights situation in the OPT.<sup>5</sup> In addition, Israel continues to deny United Nations experts entry to Palestine including Michael Lynk, the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.<sup>6</sup>

PHROC stands together with Human Rights Watch and Mr. Shakir in opposing the deportation of Mr. Shakir. The recent measures are an egregious attempt by Israel to prevent critical human rights work, which is “indispensable” to maintaining the rule of law and protecting the fundamental rights of all people.<sup>7</sup> PHROC calls on Israel to respect the rule of law and to immediately facilitate the continuation of Mr. Shakir’s work in Israel and the OPT with Human Rights Watch.

**END**

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<sup>5</sup>“Al-Haq condemns Israel’s entry denial and deportation of Vincent Warren and Katherine Franke of the US-based Center for Constitutional Rights” (2 May 2018), available at: <http://www.alhaq.org/advocacy/topics/human-rights-defenders/1225-al-haq-condemns-israels-entry-denial-and-deportation-of-vincent-warren-and-katherine-franke-of-the-us-based-center-for-constitutional-rights>

<sup>6</sup>“UN rapporteur: I’ll probe treatment of human rights groups in Israel  
Michael Lynk says Israel’s threatening response to criticism by B’Tselem is unacceptable; Israeli envoy says he represents a biased, discredited organization” (The Times of Israel, 28 October 2016), available at: <https://www.timesofisrael.com/un-rapporteur-ill-probe-treatment-of-human-rights-groups-in-israel/>; Al-Haq, “Denial of entry to UN Special Rapporteur demonstrates once again Israel’s duplicity in its relations with the UN, 17 December 2009. Available at: <http://www.alhaq.org/advocacy/targets/united-nations/205-denial-of-entry-to-un-special-rapporteur-demonstrates-once-again-israels-duplicity-in-its-relations-with-the-un>

<sup>7</sup> UN report at ¶ 33.

Addameer Prisoners' Support and Human Rights Association

Al-Haq – Defending Human Rights

Defence for Children International – Palestine Section

Hurryyat-Center for Defense of Liberties and Civil Rights

Jerusalem Center for Legal Aid and Human Rights

مجلس منظمات حقوق الإنسان الفلسطينية  
Palestinian Human Rights Organizations Council



Aldameer Association for Human Rights  
AL-Mezan Center for Human Rights  
Ramallah Center for Human Rights Studies  
BADIL Resource Center for Palestinian Residency and Refugee Rights  
The Palestinian Center for Human Rights  
Independent Commission for Human Rights (Observer)

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