



מנדוקף המדאפעסן ען חקוקף אל'נסאן
הקרן למגיני זכויות אדם
HUMAN RIGHTS DEFENDERS FUND



BY ALL MEANS

The Various Ways
Israel Targets
Human Rights Defenders

June 2019

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مندوقف المدافعون عن حقوق الإنسان
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In compliance with a law, intended to harm and silence organizations who criticize the Israeli Occupation and Israeli government's policies, we are proud to declare that the bulk part of HRDF's funding comes from "foreign state entities" - democratic states with whom we share the values of human rights.

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Introduction:

In 1998, the UN General Assembly adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (hereafter, Declaration on Human Rights Defenders).¹ This declaration constituted international recognition of the special status of human rights defenders (HRDs) and the general interest in protecting and promoting it given the realization that attacks on HRDs harm more than just the HRDs themselves but are also detrimental to society as a whole. Since the adoption of the declaration, its articles, which include both passive and active obligations, have found expression in judgments issued by various international and domestic courts.

Over the past decade, systems that protect human rights and work to realize substantive democracy have come increasingly under attack in

Israel. Some of the seminal events that set this process in motion were Israel's attack on Gaza (Operation Cast Lead) in the winter of 2008-9, and the Israeli public discourse surrounding it; the UN Fact Finding Mission that followed it, headed by Justice Goldstone, and Israel's refusal to cooperate with it; and the establishment of the second Netanyahu government in March 2009. The reduction of democratic space in Israel has many aspects including impingements on freedom of expression and the independence of the judiciary, and attacks on gatekeepers and on the rights of the country's Palestinian citizens. Despite the cumulative impact of each of these aspects and the inextricable links between them, this paper focuses on the targeting of HRDs, as individuals, groups and organizations.

Despite these developments, Israel may still not be one of the countries with the worst record of treating HRDs – the local process is largely part of a global trend toward authoritative,

populist regimes. Israel's gradual but consistent descent along this path is particularly alarming, however, precisely because – at least within its sovereign borders – its democratic tradition and institutions have been stronger than in most of the countries undergoing a similar process today.

The reports of the UN Special Rapporteur on the situation of HRDs and the relationship between the Special Rapporteur and Israel reflect the process underway. For instance, in her 2006 reports, Hina Jilani detailed the multiple risks facing HRDs in the Occupied Palestinian Territories (OPT), but also commended the respect and protection afforded to human rights organizations within Israel,² and the fact that the state responded to her communications.³ A decade later, in 2016, Israel failed to respond to any of the nine communications sent by current Special Rapporteur Michel Forst,⁴ and even denied his requests for an official visit.

Authoritative leaders often argue that the will of the majority is the criterion deciding nearly every issue and that it legitimizes limiting democratic space, while harming those working to defend democracy is presented as protecting the people. Setting aside the flaws in this statement per se, in Israel's specific case it is simply

irrelevant, as for more than five decades the country has been ruling millions of Palestinians who have no civil rights whatsoever, including the right to vote or run for office.

The realities of the occupation and its impact on attacks against HRDs run as a silver thread throughout this review. This is due in part to the fact that the unacceptable norms of Israel's military rule in the OPT have crept into Israel itself, and that the motivation for targeting HRDs largely stems from the desire to remove the occupation from the agenda and silence criticism against government policies in the OPT. The fact that the injurious measures of the type described herein are pursued specifically at a time when Israel's political agenda is largely geared toward solidifying the occupation, which is temporary by definition, as a permanent fixture, is no coincidence. Israel's political leadership seems to have identified a window of opportunity to pursue this agenda, which includes annexing territory without giving local residents equal rights and has been working to undermine those who stand in its way, primarily HRDs.⁵

In the face of these concerted efforts, the unwavering persistence and strength of Palestinian and

By all means

Israeli activists and civil society organizations who continue to fight for human rights is admirable. Despite the pressures put on HRDs and their ever-shrinking space for action, they maintain their professionalism and determination and continue to document, investigate, report, protest, advocate, and take legal action, using all the tools available to them to defend human rights. Given the worsening attacks against them, however, and in order to be able to remain focused on their work, HRDs are now, more than ever before, in need of support.

The Human Rights Defenders Fund (HRDF) was established in 2011 to support and defend HRDs who peacefully promote universal human rights. HRDF coordinates reviews and funds legal services and public advocacy for HRDs, and provides them training on various topics. In its early days, HRDF devoted its work to protecting individual HRDs facing legal proceedings launched against them in an attempt to curtail their work. Attacks on HRDs grew worse with time, and HRDF responded by expanding its work, currently directing a large part of its resources to legal and other services for human rights organizations and their staff members. HRDF also advocates

to increase global awareness of the situation of HRDs in Israel and the OPT and encourages the international community to use the means available to it to intervene in order to bolster the protection of Israeli and Palestinian HRDs.

This review provides a brief description of the main obstacles Israel currently places in the path of HRDs and the threats they face. The incremental deterioration in the status and protection of HRDs can make it difficult to fully identify the trend and assess the severity of its cumulative impact. Nevertheless, mutual support and solidarity among activists and organizations working in Israel and the territories it occupies is indispensable for HRDs' ability to carry on. Backing and assistance from international partners is equally important. This is the only way to ensure the provisions of the UN declaration on HRDs do not become a dead letter.



Palestinian HRD Muhammad Kh'atib at a demonstration against land confiscation by the separation wall at his village Bill'in.

Section I

Legitimate No More: Incitement, smear campaigns and defamation of HRDs

The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

Article 12(2) of the Declaration on Human Rights Defenders.

In the past decade, and with increasing momentum since the establishment of Binyamin Netanyahu's fourth government in May 2015, Israel's political establishment has been increasingly engaged in incitement and smear campaigns designed to divide Israeli society into those who are "loyal" and the "disloyal" or even "traitors". The latter, pushed outside the bounds of legitimate discourse are chiefly HRDs, be they individuals, human rights and other civil society organizations. Orchestrated from the very top, these campaigns aim at absolving the government and its supporters from addressing the allegations made by HRDs, and, by shifting the focus on the HRDs themselves, creating a chilling effect that would deny them the support of various groups in Israeli society and perhaps even deter them from working to defend human rights. In addition, facing constant attacks, HRDs are forced to divert time, energy and resources to deflecting these attacks, at the expense of their real work.

This type of state-sponsored incitement is characteristic of authoritarian regimes such as President Vladimir Putin's or Hungarian Prime Minister Viktor

Orban's. It focuses on branding activists and organizations who oppose government policies as "fifth columnists" serving "foreign interests", helping the "enemy" for money, and having no agenda of their own – activists and organizations that try to defame the state by "informing" on "our" troops in international tribunals, thus weakening the nation. As such, they should be monitored and investigated by security agencies,

In Israel, this incitement is directed mainly at activists and organizations working on documentation and public and legal advocacy regarding human rights violations against Palestinians in the OPT and discriminations against Israel's Palestinian citizens. The aim is to frame the occupation or discriminatory policies inside Israel as an internal matter with which the international community has no business intervening.

The incitement and smear campaigns are led by no other than PM Binyamin Netanyahu himself, who recently described B'Tselem's executive director as "an enemy collaborator".⁶ Netanyahu was also involved in a long demonization campaign against the New Israel Fund (NIF), which supports many HRDs, pledging to establish a

committee that would investigate its operations.⁷ These messages are echoed and amplified by the PM's ministers and close supporters. His son, Yair Netanyahu, called human rights organizations "traitors for all intents and purposes". Other examples include former Defense Minister Avigdor Lieberman ("B'Tselem and Breaking the Silence are traitors"; leftwing organizations are "terrorist collaborators pure and simple"); former Defense Minister Moshe Ya'alon ("Breaking the Silence is motivated by malice"); and Culture and Sports Minister Miri Regev ("B'Tselem has to be stopped").⁸

Netanyahu and his supporters are helped by pro-government NGOs that work in coordination with top government officials and with Netanyahu himself. These include rightwing movements Im Tirzu and NGO Monitor. The latter presents itself as an objective, credible research institute that provides information and analysis on human rights and humanitarian NGOs but devotes all its work to organizations that are critical of Israeli policies regarding the occupation and targets funding for human rights organizations. These organizations specialize in writing instant "reports" that point a finger at human rights and civil society

organizations and activists for allegedly undermining the interests of the State of Israel and providing information to parties seeking to harm Israeli soldiers. Im Tirzu has used imagery widely used in Nazi publications during an incitement campaign against former NIF President Prof. Naomi Chazan.⁹ It has referred to organizations and activists as "foreign agents"¹⁰ who help terrorists ("When we fight terrorism - they fight us") and that should be outlawed. To give another example out of many, a settler organization called the Shomron Settler Committee has gone so far as to compare human rights organizations to craven Nazi collaborators in a video released in 2015.¹¹ These organizations devote considerable resources to disseminating incitement, producing videos, banners and publications and pushing them widely on social media and through paid advertisements. The unmistakable similarity between the government's own messages and those of extreme rightwing organizations solidifies their public status as spokespeople for the government and its views. The rightwing organizations, in turn, boast their close connections with top government officials and members of coalition parties.¹²

These incitement and smear campaigns often translate into parliamentary initiatives designed to intimidate HRDs and curtail their freedoms of speech, association, and assembly. In 2011, political party Yisrael Beiteinu, with the support of the government, initiated proceedings for the establishment of a parliamentary inquiry committee to investigate leftwing organizations “seeking to undermine Israeli democracy”.¹³ Likud MK Yoav Kisch proposed a law that would prohibit government ministries and the military to cooperate with human rights and civil society organizations that receive funding from foreign countries and institutions.¹⁴

On a less formal level, Israel's social media scene is replete with verbal violence and threats at HRDs, including extremely graphic descriptions. Several far-right activists use social media to disseminate hateful and extremely violent messages that reverberate among hundreds of thousands of followers, receive thousands of comments and shares and often reach a much wider audience than traditional media outlets. The latter sometimes express their support for these activists (*Maariv*, a daily newspaper, invited one of them,

Yoav Eliasi, who goes by the name “The Shadow,” to speak at the “2018 Leaders Conference”, introducing him as a “rightwing justice activist”).¹⁵ These rightwing activists seem to be immune to investigation and prosecution despite the fact that their messages incite for immediate, severe violence, including express death and rape threats, even when police complaints are filed. In contrast, Palestinian citizens undergo intimidating interrogations by the police and the Israel Security Service (Shin Bet) over much tamer messages that express solidarity with resistance to the occupation.¹⁶ These persistent incitement and smear campaigns, as illustrated below, pave the way for and lend legitimacy to other, more oppressive measures that impede the work of HRDs.

Q: Do you really believe these guys are spies?

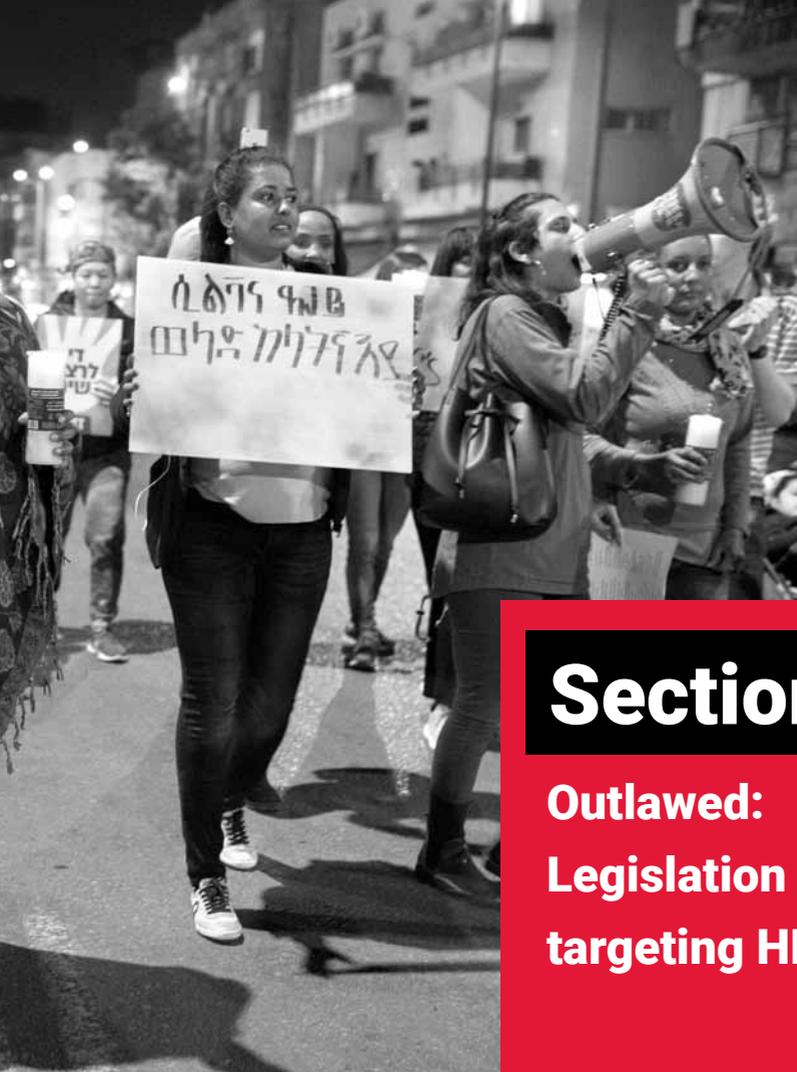
A: Absolutely. We can't play dumb. What we have here is a bunch of people working systematically, with foreign funding, for the express purpose of taking IDF soldiers, our sons and daughters who protect us and creating a situation where they are prosecuted abroad, where they can't leave the country, and, as a result, would be hesitant to carry out their missions. All of this is pursued while defaming Israel from every stage everywhere. This thing has only one name: it is called treason. [...] If this weren't enough, now it turns out that this doesn't satisfy them anymore, that they've taken it a step further, that they've started spying, spying proper.

Minister Yariv Levin, speaking about Breaking the Silence, Channel 2 News, March 2016

About two years ago, over the course of a few months, I turned from someone living a relatively normal life to the object of blatant and inflammatory, violent words uttered by cabinet members – into a person whose life is under daily threat, someone who has become the subject of a Shin Bet investigation by orders from the Prime Minister, someone who's under surveillance and subject to constant harassment. [...] This is not [only] my story but the story of the liberal democratic camp in Israel. What has happened to me and others will happen to more people who never thought they fit the bill – who, like me, will continue being true to themselves, acting and speaking in the light of their values while the regime demands that they desist.

Yuli Novak, Breaking the Silence Executive Director, Haaretz, January 2018





Section II

Outlawed: Legislation targeting HRDs

Women march in Tel-Aviv to protest violence against women, November 2018

Everyone has the right, individually and in association with others: To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

Article 6(c) of the Declaration on Human Rights Defenders.

Incitement and smear campaigns quickly evolved into waves of anti-democratic legislation. These legislative initiatives sought to control discourse and constrain freedom of association and speech as they pertain to parties opposing government policy, not only in Israel but abroad – chiefly HRDs. They were accompanied by public campaigns that drew media attention and caused significant damage, even when the proposed bill did not ultimately get enacted as law. The result was the shrinking of political discourse in Israel to the point of self-censorship of views that clashed with those of the government. The effect of these waves of legislation must be examined as a whole that, without making any explicit statements, is reshaping Israel's political regime and democratic ethos.

This legislation is attended by inflammatory rhetoric against HRDs, which forces them to devote time, energy and resources to the public and legal challenges posed by the legislative processes and their effects. Still, despite the intentions of those launching the attacks, activists and organizations often manage to leverage the attention these initiatives draw to them to bring their work to new audiences and enlist public support and donations to continue

their work. Below are some of the legislative initiatives designed to curtail HRDs.

The Nakba Law (officially named Prohibition on Marking Independence Day or the Day of Israel's Establishment as a Day of Mourning Law) of 2011 grants the Minister of Finance the power to deny public funding to any institution for the mere mention that the Nakba took place. The law imposes the Israeli narrative regarding the circumstances of Israel's establishment and the events of 1948 as the sole narrative. The High Court of Justice has rejected petitions against the law, saying a ruling on the legal questions it raises is premature since the law has hardly been used.

The Boycott Law (Law for the Prevention of Harm to the State of Israel through Boycott) of 2011 restricts those wishing to protest the Israeli occupation through a major tool used in non-violent struggles worldwide. The law constructs any public call for a boycott on individuals or bodies due to their affiliation with the State of Israel or the territories under its control as a civil tort that gives rise to civil claims for damages. The High Court of Justice upheld this law in 2015, holding that boycotts “seek to force views” and that a call for boycott “does not serve democracy”.

The Boycott Law has already resulted in a judgment in which the Jerusalem Magistrates Court ordered two activists from New Zealand to pay 45,000 ILS in damages because they had urged singer Lorde not to perform in Israel.¹⁷ In so doing, the Israeli court impinged on the freedom of expression of HRDs who are not Israeli citizens and who have never taken action inside Israeli territory.

The Entry into Israel Law was amended as a direct follow-up to the Boycott Law, such that other than in rare exceptions, the Minister of Interior would deny an entry visa to any foreign national who has publicly called for a boycott against the State of Israel (including against persons or bodies due to their affiliation to territories under Israeli control, such as against products made in the settlements), or has undertaken to participate in such a boycott. Since the amendment was passed in 2017, visitors who the Israeli authorities claimed were “boycott activists” were denied entry or deported from Israel and many others were interrogated about their involvement in activities to promote boycotts at the airport. With these actions, Israel in fact restricts entry into its territory and discriminates non-citizens based on political views.

The so-called **Breaking the Silence Law** was passed in 2018 as an amendment to the Public Education Law which denies access to schools to parties “that take action abroad to instigate legal or political action against IDF soldiers for acts carried out during their military service, or against the State of Israel”. Despite its moniker, it is doubtful whether the law does in fact apply to Breaking the Silence, since the organization does not strive to have legal proceedings launched against IDF soldiers abroad. However, it is not clear how the courts would interpret the phrase “political action against Israel”, which was a last-minute addition to the law. Either way, the law is designed to intimidate educators wishing to expose their students to the diversity of views within Israeli society and undoubtedly creates a chilling effect on discourse inside schools.

The NGO Law (Mandatory Disclosure of Foreign Entity Funding Law) of 2016 requires non-profits that receive more than 50% of their funding from “foreign political entities” to declare this fact in all publicly released documents and all communications with public and elected officials. Note that a “foreign political entity” is any institution that receives more than half its funding from a government

or another “foreign political entity”. In other words, independent foundations that are not government-controlled but do receive government funding may also be considered a “foreign political entity”. The deliberations around this law, which lasted years, were a key component in the smear campaign against organizations working to protect human rights, positioning them as agents of foreign governments serving foreign interests – the implication being that they do not work in good faith to further what they perceive as being the interests of Israeli society. The bill’s sponsors hoped it would limit or tax foreign entity donations. This initial goal failed due to scathing criticism by the international community as well as Jewish communities around the world, particularly in the US. The discrepancy between what the law promised to deliver and its final wording – which referred only to mandatory disclosure in communications – prompted Netanyahu and other leaders to vow they would pursue stricter legislation in the future.¹⁸

The novelty of this wave of legislation is not confined to its scope. As analyzed by the Israel Democracy Institute (IDI), the impingement on rights is not an ancillary outcome of a proposed law aimed at furthering a proper cause. The

harm is the purpose.¹⁹ Furthermore, the damage caused by these legislative initiatives is not reversed even when the law ultimately enacted is softer than the initial proposal and even when bills never do become law. There is a discernable pattern: a draconian bill is proposed, setting off and enflaming an incendiary discourse centered on accusations against those targeted by the bill; the initial proposal is softened, as it is unconstitutional; a softer version of the law is enacted, or, in some cases, the bill is dropped having achieved the desired public political impact.

It is too early to determine the concrete long-term impact of anti-democratic laws already enacted. The inventory of newly enacted laws and bills currently debated by Knesset committees may emerge as the foundation for more restrictive legislation. For instance, the proposed amendment to the Culture and Art Law, dubbed the “Loyalty in Culture Law” is largely the extension of the 2011 Nakba Law, which has yet to be invoked.

The dissolution of the Knesset in December 2018 halted similar bills promoted through various committees, but, in the absence of significant changes in the makeup of the next coalition, they are expected to resume.

Zionism need not, and I say here, will not, continue to bow its head to a system of individual rights that are interpreted universally, in a way that divorces them from the annals of the Knesset and the legislative history that we know.

Minister of Justice Ayelet Shaked lays out her vision during the Israeli Bar Association Conference, August 2017.

Legislative action has an immense chilling effect on discourse, even it does not end in enactment. It hurts HRDs and human rights organizations. It creates anxiety, a constant sense of danger, fear of sanctions. And obviously, it creates a clear sense of being “outside the fence”.

Adv. Michael Sfard, HRDF Legal Advisor, October 2018





Section III

When protest is a crime: Over-policing and criminalization of HRDs

Israeli HRD arrested during a protest marking ten years for the struggle against the Wall in the West Bank village Bil'in, February 2015

Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

Article 12(1) of the Declaration on Human Rights Defenders.

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Over-policing and criminalization have been a feature of Israeli policy toward Palestinians ever since the country's establishment. Since 1967, a more violent and oppressive strain of these practices has been used against Palestinians in the OPT, where Israel prohibits any protest and criminalizes public and political action against its policies of dispossession and oppression. Palestinian HRDs are subjected to violent crowd control measures, which have resulted in the death of several protestors. They are also subjected to arrest, often during nightly raids.

Palestinians living in the West Bank, including HRDs, are not subject to the Israeli justice system. Rather, they are subject to a criminalization policy pursued through military orders and the military justice system, which fails to comply with basic due process and fair trial requirements and normally sees them as enemies and security threats. Palestinian HRDs are usually detained, often without trial, much longer than their Israeli counterparts are, and receive significantly heavier penalties for similar offenses. Furthermore, the propensity of military courts to remand detainees in custody, which often leads to a longer incarceration than they would have received if

convicted, prompts HRDs to prefer plea bargains to proving their innocence. Military courts frequently convict HRDs and sentence them to prison and suspended prison terms, and generally create a situation that greatly limits their ability to continue with their actions on the ground, and deters others from doing so.

Over the past decade, the hostility toward freedom of expression and association for HRDs has crept into Israel. The police takes action to impede, suppress and punish protests against government policy, particularly if it is directed against human rights abuses in the OPT, including East Jerusalem and Gaza Strip, or discrimination against Palestinian citizens of Israel. This policy includes stipulating unreasonable conditions for protests or rallies, using severe, disproportionate violence against protestors, mass arrests of protestors, laying false criminal charges against activists and demanding that such activists and organizations be kept away from protest sites.

Enforcement actions against HRDs rely on the image of the police as a seemingly neutral law enforcement agency, which paints HRDs as lawbreakers. Police action,

therefore, bolsters incitement and smear campaigns against HRDs, driving away potential supporters and amplifying the chilling effect. This policy also makes organizing and staging protests difficult, neutralizes their possible impact on public discourse and invites repudiation and condemnation.

Furthermore, over-policing and criminalization result in heavy legal costs for targeted individual and organizational HRDs. Since its establishment in 2011 in response to increasing violations of the rights of HRDs and restrictions on the freedom of human rights organizations both in Israel and in the OPT, HRDF has provided and funded legal aid in about 550 cases involving the detention and trials of HRDs. This professional legal aid, provided by lawyers who specialize in defending human rights and HRDs, normally results in quicker releases from custody or more lenient legal sanctions for those tried.

For instance, in 2009 and 2010, the police attempted to suppress protests against the evacuation of Palestinians from the Sheikh Jarrah neighborhood in East Jerusalem through frequent mass arrests. More than 100 arrests were made, with 65 indictments served on false accusations of disrupting public

order, obstructing police work and assaulting police officers. The courts repeatedly dismissed the accounts provided by the police and their justifications for over-policing,²⁰ and almost all charges were ultimately dismissed. Not one of the officers behind this practice was punished or held back for promotion despite the scores of complaints submitted by activists to the Police Internal Investigations Department.

Note that this heavy hand is not limited to HRDs active in the OPT. The police employed a similar policy during the countrywide protests against the cost of living in 2011 and against the Attorney General's incompetency in corruption investigations in 2016, this time resorting to confiscating equipment and protest materials, as well as fines, on top of the arrests.

The police and the Israel Security Service also harass HRDs with summons to interrogations and cautionary interviews designed to deter them from participating in legitimate public and political activities, and sometimes detain and arrest them on false allegations. For instance, Jawad Siam, a community leader from Silwan in East Jerusalem and one of the prominent figures in the struggle against the actions of the settler organization El-Ad, was

called in for multiple interrogations in which he was accused of nothing, and arrested numerous times with no substantive cause.²¹

In addition, the police stipulates unreasonable conditions for HRDs who plan to hold protests. These include holding rallies far away from the targets of the protest, thereby undermining its relevancy and effectiveness; appointing an excessive number of ushers; obtaining

approvals from the fire department and emergency medical services, and other requirements that place heavy costs and a disproportionate burden on parties seeking to exercise their democratic right to protest human rights violations.²² In so doing, the police violates the rights of HRDs instead of fulfilling its duty and mission as a neutral institution expected to allow non-violent protests and protect protestors against disruption or threats.

It appears, as the officer who handled the Plaintiff's case explicitly wrote in his report of that day, that all police action against the Plaintiff was carried out given his political views. There is a reason why the Plaintiff was described in the police report as a "left-wing activist" [...]. All measures against the Plaintiff were taken solely in view of the fact that he is involved in activism to protect human rights and due to his political views.

Justice Bassam Kandalfalt, holding that Ta'ayush activist Guy Hirschfeld's driver's license had been suspended "in view of the fact that he is involved in activism to protect human rights and due to his political views, in an apparent bid to intimidate him and deter him from carrying on in the future".

The Accused, who participates in the protests every Friday, in a partisan manner, who leads the public disturbances and incites others to clash with soldiers, arrived at the assembly by way of a bicycle procession from Ramallah to said site".

From the indictment served in May 2016 against HRD 'Abdallah Abu Rahma, who was later convicted and sentenced to a prison term (which was annulled in a later appeal)





Section IV

Passport Control: Cutting HRDs off from supporters worldwide

Palestinian HRD Issa Amro at a Hebron demonstration against the expansion of Israeli settlements in the city, March 2013

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels... To form, join and participate in non-governmental organizations, associations or groups; To communicate with non-governmental or intergovernmental organizations.

Articles 5(b,c) of the Declaration on Human Rights Defenders.

Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.

Article 13 of the Declaration on Human Rights Defenders.

The Israeli government and its allies focus their efforts on harming HRDs and positioning them as hostile in Israeli public opinion. To do so, they highlight the connections HRDs maintain with international human rights and other organizations, the diplomatic community in Israel and the OPT, and civil society around the world, as well as the fact that they share information with these actors and worldwide public opinion through the media, public events, and private communications. The government and its partners ignore the fact that such reciprocal relationships form a substantive aspect of the work and obligations of the human rights community anywhere in the world.

In keeping with this approach, the government and quasi-state organizations affiliated with it deny, delay or reduce funding from third countries and international organizations and foundations and presents any such funding as marred by “foreign interests”. This policy compromises the efforts of Western countries that insist on continued support for human rights and civil society organizations and disrupts

their relations with the government of Israel, which has previously taken the extreme step of boycotting senior foreign officials who had met with human rights organizations during visits to Israel.²³

Spokespeople for the government, who object to what they see as “airing the country’s dirty laundry abroad”, consider Israel’s decades-long rule over the Palestinian people in the West Bank and Gaza, with its systematic, well-documented human rights abuses, an internal Israeli affair rather than a matter of universal importance in which all countries have an interest as partners. This is an attempt to shield Israel from criticism regarding breaches of international law, including treaties and conventions it has undertaken to uphold. The same people voice no objection to foreign funding or public campaigning abroad on the part of settlers and rightwing organizations that strive to perpetuate the occupation and that go abroad to justify it, fundraise, or echo the government in smearing HRDs working in Israel and in the OPT.

The publication of the Goldstone Report in 2009 was a milestone in the development of hostility toward HRDs. The Fact Finding Mission headed by Justice Goldstone investigated suspected violations of the laws of war during Operation Cast Lead in the Gaza Strip in late 2008 and early 2009. Israel had refused to cooperate with the mission, forcing it to rely in part on information collected and published by Israeli and Palestinian HRDs – individuals and organizations. Rightwing figures and government ministers were swift to respond by branding these HRDs as motivated by a desire to harm Israeli soldiers and commanders. Subsequently, as mentioned in previous sections, parliamentarians called for a commission of inquiry to look into the funding of these organizations and even the possibility of outlawing them. These efforts also included attempts to prevent exposure and documentation of human rights violations, whether by denying researchers entry into the Gaza Strip; denying international activists entry into Israel or the West Bank or deporting them for their actions; and preventing Palestinian activists from travelling abroad to conferences and meetings with sister organizations.²⁴

The escalation in this campaign against HRDs was partly seen in demands by the government and

organizations affiliated with it to Western governments and legislators to withhold support for human rights organizations. NGO Monitor, for instance, claims in its publications that activists in these organizations have ties to terrorist organizations by relying on guilt-by-association. This means HRDs are falsely accused because of the views and actions of parties that have used their publications, attended their lectures or met with them. The government and its satellites put heavy pressure on donor countries, and the latter, in turn, often put pressure on human rights organizations in Israel and Palestine to help them respond to the questions and demands they receive.

For instance, in August 2018, PM Netanyahu phoned the Swiss Foreign Minister and demanded he withdraw funding for Akevot Research Institute, which engages in documentation, research and promotion of human rights in the context of the conflict. A week later, Israel's ambassador to Switzerland sent a letter to foreign ministry officials, saying, inter alia, that Akevot pursues "legal warfare against Israel, both domestically and abroad. We believe the Swiss government's involvement exceeds the legitimate, accepted norms of bilateral diplomatic relations and we ask that the funding be stopped immediately". This demand was

based on a campaign launched by a rightwing Israeli organization called Ad Kan several weeks prior.²⁵

The government campaign to constrain the work of HRDs and their organizations was echoed in the responses to B'Tselem's Executive Director Hagai El-Ad's appearances before the UN Security Council in 2016 and 2018. El-Ad's speeches were met with condemnations in the Israeli public, most vocally by rightist and centrist politicians. Major daily newspaper Yedioth Ahronoth amplified the government's incitement and gave its coverage of El-Ad's 2016 speech the title: "B'Tselem Versus the

State of Israel." Israel's Ambassador to the UN shouted "collaborator" at El-Ad. Minister of Justice Ayelet Shaked accused him of "theatrics that will bring him lots more money", while former Coalition Chairman MK David Bitan (currently investigated for bribery) threatened to strip him of his citizenship. PM Netanyahu said B'Tselem's conduct would be remembered as a disgrace and as a short-lived episode in Israel's history. Shortly afterwards, he attempted to stop a prestigious French government award from being given to B'Tselem and Palestinian human rights organization Al-Haq.

[El-Ad's remarks at the UN Security Council were an] explicit breach of trust by an Israeli citizen against the state, and as such he should find himself another citizenship.

Former Coalition Chairman David Bitan in response to Hagai El-Ad's speech before an informal forum of the UN Security Council, October 2016.²⁶

will be buried here. I care about the fate of this place, the fate of its people and its political fate, which is my fate, too. And in light of all these ties, the occupation is a disaster [...]. Intervention by the world against the occupation is just as legitimate as any human-rights issue. It's all the more so when it involves an issue like our ruling over another people. This is no internal Israeli matter. It is blatantly an international matter.

Hagai El-Ad, Haaretz, October 2016.





Section V

Marginalization: Reducing public space

Protest against police brutality in Tel-Aviv, January 2019

[E]veryone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Article 12(3) of the Declaration on Human Rights Defenders.

Everyone has the right, individually and in association with others: [...] freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; [...] to draw public attention to those matters.

Articles 6(b, c) of the Declaration on Human Rights Defenders.

In addition to the attempts to prevent HRDs from presenting their work in international forums, the state breaches its obligations and takes action to reduce their freedom of expression, the freedom to protest and their ability to take action and form collaborations within the Israeli public sphere. The ability to engage in discourse and share information in the local public arena is an essential aspect of the work of HRDs to raise awareness and provide information about human rights violations. Government policy seeks to constrain political public discourse in Israel and keep it obedient and contained within boundaries that maintain the current order as dictated by the government.

This policy puts pressure on governments, institutions, organizations and communities that rely on government funding, as well as on top officials within ministries, to refrain from collaborating with HRDs, deny them a platform and avoid meetings with them, thus preventing them from presenting their positions and criticisms and, in turn, obviating

the need to address their allegations in public. It also forces organizations to allocate resources to legal action to ensure public events do proceed. Additionally, in many cases, the measures taken against HRDs inflame threats against organizers, who in some cases, must pay for security for the events to go ahead.

The section on legislation covered the law designed to prevent Breaking the Silence lectures in schools. However, the government's incitement and smear campaign against this organization have also resulted in increasing numbers of communities in Israel refusing to host their lectures in public buildings. Jerusalem's Barbur Gallery was punished by the City of Jerusalem, with the encouragement of Culture Minister Miri Regev, for hosting lectures and other events by human rights organizations. It now faces the threat of evacuation from the municipal building it has operated in for more than a decade on the allegation that it has held "political" events at the site.²⁷ In Beersheba,

the Magistrates Court granted a request by the police to issue an order forbidding a lecture by Breaking the Silence at a local pub, after the pub failed to comply with the police's inflated security requirements.²⁸

Note that the police often makes it difficult for human rights organizations to hold events by claiming threats had been made and demanding the organizations pay for security arrangements, thus abdicating its basic obligation to protect them. As noted in the section concerning incitement and smear campaigns, the police does not monitor these threats, despite their prevalence on social media networks, nor does it interrogate the rightwing organizations and figures that disseminate these threats, let alone bring them to justice.

The City of Beersheba, like the City of Jerusalem, sought to remove the Negev Coexistence Forum for Civil Equality from a public shelter it had been allowed to use for the past ten years for hosting a lecture by Hamushim, a Coalition of Women for Peace project advocating against Israeli arms sales to countries that abuse human rights and similar events. After the Beersheba District Court accepted the City's position and ordered the Forum to vacate

the shelter, the Association for Civil Rights in Israel (ACRI) appealed to the Supreme Court, which reversed the decision and ordered that the Forum remain at the site. However, it stands to reason that the lease would not be renewed.²⁹

As suggested above, the attempt to boycott Breaking the Silence actually generated considerable interest in its activities. Following the attacks, Breaking the Silence held more lectures, mostly in private homes, the number of Israelis registering for its tours grew, and donations from Israel increased as well. The Negev Coexistence Forum and Akevot also managed to leverage the attacks against them into public support and fundraising campaigns.

The policy of the government and its allies pushes senior public service officials to refrain from participating in events held by human rights organizations, sometimes forcing them to cancel at the last minute. Former Minister of Education Naftali Bennett cancelled the participation of Education Ministry staff in an ACRI conference on labor rights, after receiving communications from rightwing organizations attacking ACRI for "defending terrorists". Legal Advisor to the Israel Police, Brigadier General Shaul Gordon, and the

military's West Bank Legal Advisor, Colonel Doron Ben-Barak, canceled their participation in a conference marking Yesh Din's tenth anniversary just hours before it began on the instructions of Public Security Minister Yariv Levin and the IDF Spokesperson. Gordon's participation in an ACRI conference on local government responses to human rights violations was cancelled on the instructions of

the Chief of Police and Public Security Minister Gilad Erdan. Similarly, the Prime Minister's Office forbade Chief State Archivist Ya'akov Lazovik to participate in a conference organized by Akevot. In response, ACRI contacted the Attorney General asking him to protect the "public resource" of senior public servant participation in public events from the political views of the ministers in charge.³⁰

Regev and [Mayor] Barkat's attempt at silencing us with a show trial has failed. They will not be grief commissars. We will continue to follow the path of reconciliation and promote recognition that grief is not the sole purview of any side. Barkat and Regev are invited to come to the event at Barbur Gallery tonight and listen to those seeking a way out of grief and onto a path toward understanding and reconciliation rather than hate and separation.

Combatants for Peace and the Parents Circle-Families Forum welcoming the court's dismissal of a City of Jerusalem petition for an injunction against a Remembrance Day event at Barbur Gallery, April 2018.

In a civilized country like our own, lawbreakers and squatters cannot use municipal property unlawfully. Barbur Gallery has given a platform to those seeking to undermine our values and symbols and I can only welcome its closure.

Culture Minister Miri Regev expressing satisfaction with the court's decision to close Barbur Gallery, August 2018.





Section VI

Exposed to violence: Attacks against activists and protestors

Ultra-Orthodox protest against the detention of a member of their community who refuses to serve in the Israeli army, September 2017

The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

Article 12(2) of the Declaration on Human Rights Defenders.

The elements covered in the previous sections – incitement, over-policing and criminalization, and shrinking space – expose HRDs to violence, whether from security forces or from civilians working individually or in groups. This is another example of how the unacceptable norms widely practiced under Israeli rule in the OPT have crept into Israel proper, a country that boasts its democracy. The result is that HRDs who organize protests against government policies, and policies affecting the OPT in particular, must consider the safety of participants, and often make arrangements for their protection.

Most commonly, security forces use violence against HRDs when dispersing protest rallies – even when these events proceed according to legal guidelines, and even when the situation does not call for the use of force. The police and the military use physical force against participants and activists, as well as crowd control weapons such as stun grenades, tear gas, Skunk, pepper spray, Taser guns and rubber-coated metal bullets. Sometimes violence is used on orders and directives from above, and sometimes without them or even in defiance of law and procedure. It sometimes leads to injuries, and in some cases even death. Many women

report severe sexual harassment by police officers and soldiers during arrests or interrogations.

The Military Advocate General's Corps (MAGC) and the Police Internal Investigations Department (PIID) do not hold those responsible for the violence to account. The MAGC generally avoids instructing the Military Police Criminal Investigation Department (MPCID) to launch investigations into suspected harm to HRDs, and the PIID closes the vast majority of the complaints without investigating or crosschecking the accounts given by the police against other testimonies.

In the same vein, police brass back violent officers and officers who give false accounts. All of these create impunity and encourage the continuation and spread of violence. In evidence, in recent years, officers have used severe violence against HRDs involved in the social justice protests, in protests by Israel's Ethiopian and ultraorthodox communities and more.

The authorities will not bring assailants to justice even in the most egregious cases. Nearly a decade ago, a soldier killed Palestinian HRD Bassem Abu Rahma by firing a tear gas canister directly at his

chest from close range during the weekly demonstration in the West Bank town of Bil'in. For years, various parties within civil society, led by Adv. Michael Sfard and human rights NGO Yesh Din, have gone to great lengths to try to bring those responsible for the killing to justice. They failed. The authorities, from MPCID through MAGC to the Attorney General, and all the way to the High Court of Justice, stood in the way. After the final decision to shelve the case, Adv. Sfard wrote: "This case proves more than any other that MPCID and the Attorney General are the enemy of the notion of enforcing the law on soldiers who harm Palestinians. Each in its own way has sealed the fate of this case in its own way, killing the investigation in the former case and killing the prosecution in the latter.... It should also be recognized that the High Court of Justice has completely failed to supervise the investigation and prosecution of soldiers in connection with the conflict".

Violence inflicted by civilians, in groups or as individuals, was particularly noticeable during Israel's military attack on Gaza in 2014 ("Operation Protective Edge"). At the time, HRDs held protest rallies against the military action throughout the OPT and Israel, including in the heart of Tel Aviv

and Haifa, which, until then, were considered sympathetic and relatively safe zones for voicing dissenting opinions. Counter protestors arrived at the sites and attacked the protestors, using violence to try to disperse them. Some needed medical attention. Police forces repeatedly failed to carry out their mission and did not protect the protestors, either standing idly by, or themselves using violence against the targets of the attack and even arresting them. Threats of violence against HRDs did not stop on the street, but, on several occasions, reached the offices of human rights organizations, which had to take security measures and in certain cases, make sure their staff had protection.

The situation in areas around Israeli settlements in the OPT is worse still. In an attempt to create "HRD and Palestinian free" areas, armed and unarmed settlers routinely attack Israeli activists, who are mostly there to serve as a protective presence for Palestinian farmers and shepherds. The violence has turned large areas around settlements into danger zones for HRDs. In this case, too, the authorities do little to protect the victims and as such, effectively collaborate with the aggressors. They generally refrain from intervening on behalf of the victims in real time

and do not arrest suspects or bring anyone to justice after the fact. This trend was evident, for example, in the attacks on HRDs at the entrance to the settlement of 'Anatot in 2011,³¹ near the outpost of the Baladim in 2017,³² and on the outskirts of the settlement of Mitzpe Yair in 2018.³³ In all three cases, human rights activists were attacked by groups of settlers while the authorities failed to stop the attack and bring the perpetrators to justice after the fact. As a result, protests in and around settlements have declined sharply, as has Palestinian farming activity in these areas.

While the main victims of violence are field activists, other HRDs are also vulnerable to violence and threats of violence. In recent years, activists have received explicit, graphic death and rape threats online. They have been subjected to phone harassment, and their personal information, such as their families, address and place of work, have been posted to social media with a call to disrupt their lives or have them fired. In these cases, too, the authorities often fail to live up to their obligations and protect the victims.



There were police officers around us, officers whose job it is to protect me. They didn't protect me. They were part of it. They saw them breaking bones, making death and rape threats, breaking cars and cameras. They let the settlers use the cruiser's loudspeakers to shout abuse. They saw them drag me by the hair to the fields and did nothing. Some of them even looked pretty amused.

Alma Biblash on a violent assault by dozens of settlers from 'Anatot. HaOkets, October 2011. As far as we know, none of the assailants were arrested or tried (Alma Biblash now serves as HRDF Executive Director).

Conclusion

The government's assault on HRDs in Israel, aided and abetted by NGOs sympathetic to its worldview, has been going on for a decade, while as its ongoing assault on HRDs in the OPT has grown even more aggressive. Its main elements are incitement and smear campaigns; legislation; over-policing and criminalization; cutting local HRDs off from the international community; reducing public space; and sheer violence. However, these elements, reviewed in this document, fail to reveal the full picture as the overall chilling effect of this trend is greater than the sum of its parts.

International recognition of the rights of individuals and groups to defend human rights, as expressed in the UN declaration adopted twenty years ago, stems from the fact that often, HRDs are the rearguard against severe and systemic abuse of the rights of major groups in society, primarily minorities discriminated against by the state. This is evidenced by the fact that efforts to weaken

HRDs, along with measures to limit the independence of the judiciary and the freedom of expression of gatekeepers, journalists and others, are pursued in tandem with injurious, discriminatory policies. This trend includes shrinking democratic space within Israel and the perpetuation of its control over the OPT, without giving its residents any civil rights. And so, at a time when the legal status of HRDs worldwide grows stronger, the ability of HRDs in Israel and the OPT to carry out their work and make an impact only wanes.

In December 2018, Humanitarian Coordinator for the Occupied Palestinian Territory Jamie McGoldrick, one of the top international community emissaries in the area, made similar statements: "There is also continued pressure on human rights defenders, including arrest and detentions, harassment and legislation aimed at constricting humanitarian civil space, and not allowing us to afford the people the

level of protection required". The coordinator also addressed the issue of NGOs working to delegitimize humanitarian action, adding: "We don't mind as humanitarians any type of scrutiny, but it has to be evidence-based. Any scrutiny or auditing is meant to improve performance but in this case it is meant to block our performance, so it's important that we push back on that".³⁴

Deflecting the attacks described in this document is a challenge that requires reorientation from everyone concerned with safeguarding human rights. Israeli authorities must respect the spirit of the Declaration on HRDs and obey its articles. The human rights communities in Israel and in the OPT must continue to choose peaceful action to advance their goals, and practice coordination and mutual support between organizations and activists. The international community must show in words and actions that human rights are a universal issue that must be promoted.

In order to take practical measures to ensure the safety and freedom of HRDs, the human rights community both inside and outside Israel must first recognize the alarming process that has been underway over the last decade. HRDs in Israel and the OPT are strong, professional and resilient. The growing human rights violations in the region are making their work increasingly critical. They need broad and full support, solidarity and protection so that they can continue to carry out their work for a better future in Israel and Palestine.



Palestinian, Israeli and international HRDs protest against the forced demolition of the West Bank village Khan Al-Akmar, July 2018



Annex A

Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly, Reaffirming the importance of the observance of the purposes and principles of the Charter of the United Nations for the promotion and protection of all human rights and fundamental freedoms for all persons in all countries of the world,

Reaffirming also the importance of the Universal Declaration of Human Rights and the International Covenants on Human Rights as basic elements of international efforts to promote universal respect for and observance of human rights and fundamental freedoms and the importance of other human rights instruments adopted within the United Nations system, as well as those at the regional level,

Stressing that all members of the international community shall fulfil, jointly and separately, their solemn obligation to promote and encourage respect for human rights and fundamental freedoms for all without distinction of any kind,

including distinctions based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and reaffirming the particular importance of achieving international cooperation to fulfil this obligation according to the Charter,

Acknowledging the important role of international cooperation for, and the valuable work of individuals, groups and associations in contributing to, the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals, including in relation to mass, flagrant or systematic violations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination or occupation, aggression or threats to national sovereignty, national unity or territorial integrity and from the refusal to recognize the right of peoples to self-determination and the right of every people to exercise full sovereignty over its wealth and natural resources,

Recognizing the relationship between international peace and security and the enjoyment of human rights and fundamental freedoms, and mindful that the absence of international peace and security does not excuse non-compliance,

Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

Stressing that the prime responsibility and duty to promote and protect human rights and fundamental freedoms lie with the State,

Recognizing the right and the responsibility of individuals, groups and associations to promote respect for and foster knowledge of human rights and fundamental freedoms at the national and international levels,

Declares:

Article 1

Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

Article 2

1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.
2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

Article 3

Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion,

protection and effective realization of those rights and freedoms should be conducted.

Article 4

Nothing in the present Declaration shall be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as restricting or derogating from the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments and commitments applicable in this field.

Article 5

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: (a) To meet or assemble peacefully; (b) To form, join and participate in non-governmental organizations, associations or groups; (c) To communicate with non-governmental or intergovernmental organizations.

Article 6

Everyone has the right, individually and in association with others: (a) To know, seek, obtain, receive and hold

information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems; (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

Article 7

Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.

Article 8

1. Everyone has the right, individually and in association with others, to have effective access, on a nondiscriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.

2. This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

Article 9

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.

2. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority

a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.

3. To the same end, everyone has the right, individually and in association with others, inter alia: (a) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay; (b) To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments; (c) To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.

4. To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.

5. The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction. Article 10 No one shall participate, by act or by failure to act where required, in violating human rights and fundamental freedoms and no one shall be subjected to punishment or adverse action of any kind for refusing to do so.

Article 11

Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others

should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.

Article 12

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by

groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Article 13

Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.

Article 14

1. The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights
2. Such measures shall include, inter alia: (a) The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments; (b) Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary

records of discussions and the official reports of these bodies.

3. The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.

Article 15

The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.

Article 16

Individuals, non-governmental organizations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as

education, training and research in these areas to strengthen further, inter alia, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.

Article 17

In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Article 18

1. Everyone has duties towards and within the community, in which alone the free and full development of his or her personality is possible.
2. Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human

rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.

3. Individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

Article 19

Nothing in the present Declaration shall be interpreted as implying for any individual, group or organ of society or any State the right to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms referred to in the present Declaration.

Article 20

Nothing in the present Declaration shall be interpreted as permitting States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organizations contrary to the provisions of the Charter of the United Nations.

Endnotes

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מנדוף המדפועו ען חקוף الإنسان
הקרן למגיני זכויות אדם
HUMAN RIGHTS DEFENDERS FUND

Our vision is that Human Rights Defenders will be free to carry out their peaceful and legitimate work to promote human rights without fear of attack and harassment by the authorities.

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