

Brussels, 10 March 2010

RE: RESTRICTING THE SPACE OF ISRAELI HUMAN RIGHTS DEFENDERS AND ORGANISATIONS WORKING IN ISRAEL AND THE OPT

Dear Minister Moratinos,
Dear High Representative Ashton,

Aprodev, CIDSE, Front Line, the Euro-Mediterranean Human Rights Network (EMHRN), the International Rehabilitation Council for Torture Victims (IRCT) and the Observatory for the Protection of Human Rights Defenders, a joint program of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), are concerned about the recent attempts of the Israeli government to restrict the space and freedom of Israeli civil society organisations to operate in Israel and the Occupied Palestinian Territories (OPT). These attempts are aimed at de-legitimising and severely restricting the work of civil society organisations. They represent a clear threat to democratic standards in Israel and the unimpeded work of human rights defenders. As such, we believe that the EU and its Member States must address this situation with urgency.

Proposed legislation to curtail foreign funding to Israeli NGOs

On 14 February 2010, a government-backed bill passed preliminary reading at the Israeli Knesset. Under the pretext of increasing transparency of foreign funding of NGOs, the bill restricts the freedoms of Israeli civil society organisations. It stipulates that any organisation “seeking to influence public opinion in Israel”, should be deemed a “political organisation” rather than one serving a charitable purpose. Such organisations will be required to register with the Political Party Registrar, and lose tax-exempt status. Furthermore, the bill requires any spokesperson of such an organisation to declare in all public appearances that they represent an organisation that receives funding from a “foreign political entity”. Non-compliance with the bill will result in fines or imprisonment.

This new bill seeks solely to intimidate and publicly de-legitimise these organisations and increase state monitoring of NGO activities. Indeed, there is no need for such a legislation as each NGO in Israel is already required to list its donors and other financial information on its website and to report annually to the government, specifying donations from foreign governments and their purpose. Furthermore, this bill will limit the NGOs’ capacity to receive foreign funding.

The Constitutional Committee of the Knesset plans to hold a vote on the bill on 17 March 2010. Given the political composition inside the Knesset, it is highly probable that the bill will be adopted.

Other forms of harassment against human rights organisations

This bill follows a broader de-legitimation campaign orchestrated by extreme right-wing organisations. It comes in addition to other forms of harassment of and restrictions on the work of civil society organisations. This includes the arrest of those participating in peaceful demonstrations against the war on Gaza, the separation wall in the West Bank, and the practice of house demolition and the eviction of Palestinians in East Jerusalem. Of particular concern is also the government-backed Infiltration Prevention Bill, which is currently discussed in the Knesset. The new

provisions would allow prison sentences of up to 7 years for staff and volunteers of Israeli aid organisations who have provided assistance to asylum seekers or migrants who have irregularly entered the country.

These recent efforts to interfere with the work of Israeli and international human rights defenders and organisations follow a pattern of continued acts of harassment by the Israeli government against Palestinian human rights defenders, encompassing arbitrary arrests and detentions and restrictions to their freedom of movement, including international travel bans.

In accordance with the EU Guidelines on Human Rights Defenders, which recognise the importance “to ensure the safety and protect the rights of human rights defenders”, and Article 2 of the EU-Israel Association agreement which provides that “Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement”, we call on the EU and its Member States to urge Israel to:

- Stop impeding and criminalising the work of civil society organisations in Israel and to respect their freedoms of association and expression.
- Withdraw the “foreign funding” bill and refrain from introducing any law under which independent organisations would be redefined as “political” and/or jeopardising their foreign funding.

We, the undersigned organisations urge the EU to raise the above mentioned issues with Israel at the highest political level, including during the visit of High Representative and Vice-Commissioner Ashton to Israel in mid-March and at the EU-Israel Association Council due to take place on 23 March 2010. We may recall that when other Mediterranean countries have adopted measures aiming at restricting the funding and work of civil society organisations, the EU has raised its concerns and condemned these measures. We also invite the High Representative Ashton to meet with civil society organisations during her visit to Israel.

We express our sincere hope that you will take these considerations and requests into account.

Yours Sincerely,

Rob Van Drimmelen <i>Secretary General - APRODEV</i>	Brita Sydhoff <i>Secretary General - International Rehabilitation Council for Torture Victims</i>
Bernd Nilles <i>Secretary General - CIDSE</i>	Souhayr Belhassen <i>President - International Federation for Human Rights</i>
Kamel Jendoubi <i>President - Euro- Mediterranean Human Rights Network</i>	Eric Sottas <i>Secretary General - World Organisation Against Torture</i>
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