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Israeli Government must cease intimidation of human rights defenders, protect them from attacks

The Israeli authorities must end their long-standing attacks on Palestinian human rights defenders (HRDs) and halt the climate of intimidation of HRDs in Israel and the Occupied Palestinian Territories (OPT), Amnesty International said today. Israeli authorities must take immediate steps to provide protection necessary for HRDs in Israel/OPT to carry out their work freely and without fear of attacks and harassment. Attacks and threats against HRDs must be investigated and those responsible must be held to account.

An escalation of acts of intimidation by the government and attacks and threats by settlers and other non-state actors have created an increasingly dangerous environment for HRDs in Israel and in the OPT. Israel is routinely violating Palestinians' rights to freedom of expression and freedom of association in the OPT and are targeting HRDs, including by arbitrary arrest and detention, imprisonment, injury and torture. Israel authorities also are failing to protect HRDs from attacks by Israeli settlers and other extreme right wing activists, and in some cases they have been complicit in such attacks. Israel has also taken steps to curtail freedom of expression inside Israel with officials using intimidation to target HRDs. Recent legislative initiatives that are apparently aimed at constricting freedom of expression have gone hand in hand with an ever-darkening public mood against those who criticise the Israeli government, and have increasingly come to affect Jewish Israeli critics of the Israeli government and its practices.

Israeli Government intimidation of Omar Barghouti

Amnesty International is concerned for the safety and liberty of Palestinian human rights defender Omar Barghouti, and other Boycott, Divestment and Sanctions (BDS) activists, following calls alluding to threats, including of physical harm and deprivation of basic rights, made by Israeli ministers at an anti-Boycott Divestment and Sanction conference in Jerusalem on 28 March 2016. Omar Barghouti is a founding member and a prominent spokesperson of the BDS movement. He campaigns to hold Israel accountable for human rights and other international law violations and advocates for the use of non-violent means in doing so. He was personally attacked in comments and statements by conference participants including ministers, including by describing him as a threat who should be stopped.

An especially alarming statement came from Israeli Minister of Transport, Intelligence and Atomic Energy Yisrael Katz who called on Israel to engage in "targeted civil eliminations" of BDS leaders with the help of Israeli intelligence. The term alludes to "targeted

assassinations” which is used to describe Israel’s policy of targeting members of Palestinian armed groups. Other ministers including Gilad Erdan the Minister of Public Security, Strategic Affairs and Minister of Information described BDS activists and leaders as threats and called for them to “pay the price” for their work following this with a clarification that he does not mean “physical harm”. Omar Barghouti was attacked by Ariah Deri, the Minister of Interior, who said he is considering revoking Omar Barghouti’s permanent residency in Israel and depriving him from the right to travel freely. Omar Barghouti has told Amnesty International that he is gravely concerned about his safety and that of his family.

Government ministers and other government officials have a particular responsibility to consider carefully the adverse consequences that can arise from portraying human rights defenders as security threats for carrying out their peaceful and legitimate work. Such public statements will have strong and dangerous resonance in Israel/OPT, particularly given the increasingly perilous environment in which human rights defenders there are working, under constant threats and attacks by the state and by settlers and other extreme right wing activists.

This is not the first time that Omar Barghouti has faced threats and intimidation, but these statements have been the most serious to have come from government officials. Ministers have a responsibility to uphold human rights and should avoid making inflammatory public remarks against Omar Barghouti and other HRDs. And they should withdraw threat to arbitrarily restrict his freedom of movement and cancel his permanent residency In Israel.

Death threats against Imad Abu Shamsiyeh

On 24 February 2016 Imad Abu Shamsiyeh, a Palestinian resident of Tel Rumeida, Hebron, filmed the apparent extrajudicial execution of Abed al-Fatah al-Sharif by an Israeli soldier. The footage was released by the Israeli human rights organization B’tselem and led to the arrest of the soldier, who remains under investigation. Since the publication of the footage, B’tselem has reported that Imad Abu Shamsiyeh has been subjected to death threats made by Israelis living in the nearby illegal settlements and through phone calls and messages. Stones were also thrown at his house by Israeli settlers. He has previously been attacked on numerous occasions by Israeli settlers who live nearby and in retaliation for documenting abuses. The Palestine News Network also reported that Imad Abu Shamsiyeh’s home was raided by Israeli soldiers on the night of 29 March, ostensibly to check the identities of local and international HRDs who were staying with him in the wake of threats. The Israeli authorities must immediately bring to justice those who have threatened and attacked Nidal Abu Shamsiyeh and protect him from any further attacks.

Death threats against al-Haq staff

Al-Haq is one of the most prominent and respected of Palestinian human rights NGOs. In recent months, it has been the target – along with other Palestinian NGOs – of a sustained campaign attempting to undermine its work through the use of anonymous phone calls and emails. In February and March 2016, a staff member of Al-Haq and its director were subjected to a number of death threats. These are directly connected to the organization’s

work with the International Criminal Court in The Hague. The right of organizations to work with the International Criminal Court and promote accountability must be respected, and the relevant authorities must investigate and bring to justice those who have issued these egregious threats.

Arrest and imprisonment of Issa Amro and Farid al-Atrash

Israeli authorities arbitrarily arrested Palestinian human rights defenders Issa Amro and Farid al-Atrash following a peaceful demonstration in Hebron on 26 February 2016 calling for lifting of discriminatory restrictions in their city. Both were charged by a military court and later released. Amnesty International believes both were arrested and charged solely for exercising their rights to freedom of peaceful assembly and free expression.

Palestinian residents and activists in the city of Hebron, in the occupied West Bank, organized a non-violent protest march on 26 February 2016 to mark 22 years since the Israeli authorities first closed al-Shuhada Street in the Old City and to call for the removal of discriminatory restrictions. Israeli forces met the demonstration with excessive force and threw sound grenades at the crowd and fired tear gas. Lawyer Farid al-Atrash along with a photo journalist were arrested. While the journalist was released some hours later al-Atrash was presented to a military court in Ofer military base near Ramallah and charged with participating in an illegal demonstration and attacking officers. Video footage of the arrest shows Farid al-Atrash standing peacefully in front of soldiers when he was pushed and dragged and then violently arrested by a number of Israeli soldiers. He was released on bail on Tuesday 1 March 2016 and awaits a date for his first court hearing to be confirmed.

The Israeli army arrested the activist Issa Amro, whose group Youth Against Settlements organized the demonstration, on the afternoon of 29 February 2016 from in front of his house in the city's Tel Rumeida neighbourhood and charged him in a military court with organizing an illegal demonstration and incitement. He was released on 1 March 2016 and he is waiting for his trial, the date of which is yet to be confirmed. Amnesty International believes that both Issa Amro and Farid al-Atrash have been arrested solely for their peaceful exercise of their rights to freedom of expression and assembly.

Arrest and imprisonment of Khalida Jarrar

Palestinian parliamentarian and HRD Khalida Jarrar was sentenced to 15 months imprisonment on 6 December 2015 after unfair proceedings before a military court and during which it appeared that pre-trial detention – including the use of administrative detention -- was being used to punish her and pressure her into accepting a guilty plea. She finally pleaded guilty to two charges, not believing that she would ever receive a fair trial, but her lawyers say that the authorities never supported their accusations with evidence. Amnesty International believes that the detention of Khalida Jarrar, the proceedings against her and her sentence appear to be punitive measures used to suppress her right to free and peaceful expression.

Israeli Government intimidation of Breaking the Silence

Breaking the Silence is an Israeli organization of Israeli soldiers that aims to educate the Israeli public about Israeli military practices in the OPT, including those which are abusive or criminal. Since December 2015 it has been subjected to a concerted government campaign to undermine its work. The Defense Minister Moshe Ya'alon banned the organization from speaking to Israeli soldiers on 14 December. This was followed by a ban from the Education Minister Naftali Bennett on speaking to high school students that was enacted on 15 December. Both ministers alleged that the organization spread "lies" against the army, despite the fact that no evidence of fabrication has ever been found in any of the testimonies published by the organization.

On 16 December the Israeli Prime Minister Benjamin Netanyahu said in the Knesset that the organization "tarnishes the image of IDF soldiers around the world, trying to tie Israel's hands in its attempts to defend itself." These statements took place at the same time as a pro-government NGO released a video declaring that Yuli Novak, the director of the organization, was a foreign agent who was working to aid "terrorists". (A number of other heads of prominent Israeli NGOs also featured in the video.)

On 17 March 2016 an Israeli television program broadcast footage that showed Breaking the Silence researchers asking questions related to Israeli military deployments and equipment as part of their interview process. The footage was taken covertly by a settler-related pro-government group. The footage drew harsh condemnation from the Prime Minister and other government officials. The Defense Minister accused the group of being "traitors" on 21 March, although he later qualified that statement.

A preliminary Israeli army investigation found that the group had not collected any information of a secrecy higher than "confidential", a low level of classification. The group pointed out that all information published by Breaking the Silence passes through the military censor before it is published. The seeking of background information about military equipment, operating practices and deployments is a vital part of analyzing the conduct of military operations in order to assess their adherence to international humanitarian and human rights law.

The vicious tone and frequency of invective aimed at Breaking the Silence from top government officials is completely at odds with their responsibilities, and appears to be aimed at intimidating the organization and dissuading soldiers from speaking to its staff. The Israeli government should not portray human rights defenders as security threats for the work they do. The climate that has been created by government statements appears to have played a role in the threats and harassment aimed at Breaking the Silence staff and their family members by individual Israelis. Israeli government officials must immediately stop their intimidation of Breaking the Silence. They should also recognise the right of individuals and organizations to investigate allegations of human rights violations and work to bring violations to light both within Israel and abroad. They should investigate threats made against and harassment of Breaking the Silence staff and their family members and bring the individuals responsible to justice.

Israeli legislation aimed at curtailing freedom of expression

In recent years, the Israeli authorities have passed a number of laws that restrict the space for opposition to Israeli government policies and actions. These include laws that deny government funding to organizations that commemorate the Nakba (catastrophe), the mass forced displacement of Palestinians that occurred during the founding of Israel in 1948, and that make it a “civil wrong” for any Israeli citizen or institution to call for a boycott of Israeli institutions or companies in response to Israel’s occupation or illegal settlements.

There are also a number of pending pieces of legislation that appear to be aimed at curtailing freedom of expression and freedom of association. The Israeli justice ministry gave preliminary approval to the “Loyalty in Culture” bill on 24 February, which would give the government power to retroactively withdraw funding from cultural activities that “contravene the principles of the state”. The bill is now clear for its first reading in the Knesset. On 10 February 2016 the Israeli Knesset approved the first reading of the so-called “NGO Transparency Bill”, which imposes new funding reporting requirements on organizations that receive more than 50% of their funding from foreign governments. This would adversely affect most Israeli organizations that scrutinise human rights violations in Israel and the OPT and/or oppose the occupation.

Israeli rights groups have argued that this law is unfair and discriminatory, as they are already required to disclose their sources of funding, and it leaves unaffected the vast majority of pro-government NGOs, whose funding is mostly from private sources (and on which there are less pre-existing reporting requirements). Amnesty International is concerned that the bill appears to be less about transparency and more about a politically-motivated stigmatising of organizations that oppose Israeli government policies and practices. Such a bill appears designed to have a chilling effect on freedom of expression and association inside Israel. The Israeli government should cease its support for these bills and make it clear that criticism of it and its policies is an inalienable part of the right to freedom of expression and that it is legitimate for human rights organizations to seek funds from abroad for their work.

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