The rights of civil society members are being violated by all entities in Israel and the Occupied Palestinian Territory, UN Commission of Inquiry says; Israeli Government restrictions intrinsically linked to occupation

June 8, 2023

Office of the High Commissioner for Human Rights

<https://www.ohchr.org/en/press-releases/2023/06/rights-civil-society-members-are-being-violated-all-entities-israel-and>

The rights of civil society members in Israel and the Occupied Palestinian Territory are being violated by authorities in all areas through harassment, threats, arrests, interrogations, arbitrary detention, torture and inhuman and degrading treatment, according to a [**report**](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fundocs.org%2Fen%2FA%2FHRC%2F53%2F22&data=05%7C01%7Cohchr-infodesign%40un.org%7C3121abfe6ace4e081ebf08db681f9600%7C0f9e35db544f4f60bdcc5ea416e6dc70%7C0%7C0%7C638218257880696916%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=YoO6XJyeDhS82G1myXLShIhVlmUr4MENqvOBNOIj4OY%3D&reserved=0) to the Human Rights Council issued today by the UN Independent International [**Commission of Inquiry**](https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index) on the Occupied Palestinian Territory, including East Jerusalem, and Israel.

The report examined attacks, restrictions and harassment of civil society actors in Israel, and the Occupied Palestinian Territory including East Jerusalem. It found that the majority of violations are being committed by Israeli authorities as part of the Israeli Government’s goal of ensuring and enshrining its permanent occupation at the expense of the rights of the Palestinian people.

The report found that the Israeli Government has increasingly restricted civic space through a strategy of delegitimizing and silencing civil society. This includes criminalizing Palestinian civil society organizations and their members by labelling them as “terrorists,” pressuring and threatening institutions that give a platform for civil society discourse, actively lobbying donors, and implementing measures intended to cut sources of funding and support.

This strategy is being implemented in Israel and the Occupied Palestinian Territory against Israeli and Palestinian civil society organizations and activists, and internationally against international advocates of Palestinian rights.

The report determined that the designations by Israeli authorities of six Palestinian NGOs as “terrorist” organizations and a seventh Palestinian NGO as unlawful were unjustified and violated fundamental human rights, including the rights to freedom of association, expression, opinion, peaceful assembly, privacy and the right to a fair trial.

Palestinian authorities in both the occupied West Bank and in Gaza were also found to be targeting Palestinian human rights defenders and civil society activists with the aim of silencing dissenting opinions. The arrest and detention of Palestinian activists by both Israeli and Palestinian authorities was noted as a particularly harsh reality for many Palestinian activists.

“Today we issued a report that focuses on the silencing of civil society in the Occupied Palestinian Territory and Israel, and we concluded that all duty bearers are engaged in limiting the rights to freedom of expression and peaceful association,” said Navi Pillay, Chair of the Commission. “We were particularly alarmed by the situation of Palestinian human rights defenders, who are routinely subject to a range of punitive measures as part of the occupation regime. These measures also have far-reaching consequences for children, contributing to family fragmentation and to increased psychological trauma and fear.”

The Commission conducted more than 127 interviews with victims and witnesses, experts and others for the report; these included public and closed hearings in Geneva held in November 2022 and March 2023. Its call for submissions issued on 2 November 2022 resulted in 21 submissions being received.

The Commission dedicated a significant part of the report to reviewing restrictive policies and practices, and their impact on different civil society groups, including journalists, women human rights defenders, artists and cultural activists and Palestinian cultural centres promoting diversity and the inclusion of LGBTQ persons.

The report found that Palestinian journalists are particularly targeted and subjected to frequent harassment and punitive measures, seemingly as part of an effort to deter them from continuing their work. Israeli journalists are also being monitored and harassed, and increasingly practise self-censorship out of fear of attacks and losing employment.

Women human rights defenders face significant and distinct risks due to their visibility and role in fighting for societal and political change. They have been specifically targeted by Palestinian State actors and anti-gender rights groups because they are perceived as challenging religious and cultural norms and the status quo.

The report also found that actions by Israeli and Palestinian authorities that shrink freedom of expression in the cultural space, affecting artists and cultural activists, constitute violations of cultural rights.

“We assigned significant importance to understanding the impact of the shrinking civic space on specific groups of activists, some of whom are more vulnerable to attacks and have suffered substantial personal harm as a result of being targeted,” said Commissioner Miloon Kothari.

“Women human rights advocates and protesters have been subjected to distinct gender-based stigmatization and isolation compared to their male counterparts, including sexual and gender-based violence during protests and online harassment and smear campaigns with the sole intent to discredit them and deter them from activism in public places,” Kothari said. “We are also troubled with restrictions imposed on the right to cultural life and cultural and artistic expression which we outlined in our report, and we are extremely concerned with statements made by Israeli politicians aimed at erasing elements of Palestinian culture and identity.”

Although the report focused primarily on actions undertaken by authorities, it also found that certain non-governmental organizations play key roles in silencing civil society in the Occupied Palestinian Territory and Israel and pressuring those advocating for Palestinian rights around the world. Right-wing organizations operating in Israel and abroad effectively implement and promote the Israeli Government’s strategy against civil society. Palestinian anti-gender rights groups operating in the occupied West Bank, have targeted Palestinian women human rights defenders. Both Israeli and Palestinian authorities allow, and in some cases encourage and support, the actions of non-governmental organizations targeting civil society actors.

The report found reasonable grounds to conclude that several Israeli actions undertaken against civil society organizations amount to violations of international human rights and humanitarian law and may constitute crimes under international law. These include the arbitrary detention of civil society organization members and their forcible transfer from the Occupied Palestinian Territory to Israel, in violation of the Fourth Geneva Convention, the revocation of East Jerusalem residency permits and the deportation of a human rights defender from East Jerusalem.

“We have no doubt that the revocation of Salah Hammouri’s East Jerusalem residency permit based on an alleged ‘breach of allegiance’ to the State of Israel constitutes a war crime,” said Commissioner Chris Sidoti. “Demanding allegiance from protected people in occupied territory is a reprehensible violation of international humanitarian law. We have preserved information about the individuals who bear responsibility for what may amount to the war crime of unlawful deportation, including third parties such as airlines and their staff that assisted in the deportation.”

The report recommended that all duty bearers ensure that the rights to freedoms of association, expression and opinion and peaceful assembly, and economic, social and cultural rights including health, housing and education, are respected and protected and that civil society actors, including human rights defenders, journalists and women human rights defenders, are able to conduct their activities safely, freely and without harassment or retribution.

The report also recommended that the Office of the Prosecutor of the International Criminal Court prioritize the investigation into the situation in the Occupied Palestinian Territory, including the identification of direct perpetrators, those exercising command responsibility and individuals who aid or abet the commission of crimes under the Court’s jurisdiction.

The Commission’s 22-page report will be complemented by a more detailed document in the form of a [**conference room paper**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session53/A-HRC-53-CRP1.pdf) (CRP), to be distributed during the upcoming 53rd session of the Council in June.