

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association;**  
**the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on**  
**the situation of human rights in the Palestinian territories occupied since 1967**

REFERENCE: AL Assembly & Association (2010-1) G/SO 214 (107-9) G/SO 214/79-9  
ISR 13/2012

20 December 2012

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 pursuant to Human Rights Council resolutions 15/21, 16/5, and 5/1.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the alleged illegal raids of several human rights associations in Ramallah.**

According to the information received:

On 11 December 2012, Israeli soldiers raided the offices of Addameer Prisoner Support and Human Rights Association, the Union of Palestinian Women's Committee and the Palestinian NGO Network in Ramallah.

Israeli forces reportedly destroyed several files, documents, furniture and office appliances of the concerned associations. Four laptops, one hard disk and a video camera were reportedly seized from the offices of the Addameer Prisoner Support and Human Rights Association. Seven laptops, three hard disks, the main server, two memory cards, some documents and 3,000 NIS (approximately 785 USD) of the Union of Palestinian Women's Committee were also confiscated. Three outside doors as well as an interior door of the Union of Palestinian Women's Committee were reportedly forced open.

It is reported that the military searches have been justified by the fact that the concerned associations were believed to be affiliated with the Popular Front for the Liberation of Palestine (PFLP). According to reports received, the concerned associations are not affiliated with the PFLP. It is reported that one staff member

of the Addameer Prisoner Support and Human Rights Association had previously been charged with violating a military law by attending a memorial ceremony for a PFLP leader, but that the Israeli Government has provided no evidence to substantiate the claim that the three organizations were PFLP-affiliated.

It is further noted that Ramallah is in area A, where the Palestinian Authority has full responsibility for internal security and public order, as well as full responsibility for civil affairs. It is indicated that any search warrant would have had, as a result, no legal effect.

It is alleged that these raids constitute a form of intimidation and threat against Palestinian human rights defenders aimed at intimidating and silencing them.

Concern is expressed that these seizures and investigations may prevent associations, particularly those working on human rights, from exercising their right to freedom of association. Serious concerns are also expressed that such raids lack legal justification. Concerns are further expressed that such incidents may be part of a broader campaign aimed at intimidating and silencing associations working on human rights.

We would like to recall the right to freedom of association, as recognized in article 22 of the International Covenant on Civil and Political Rights (ICCPR), which provides that “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests”.

In this connection, we would like to refer to Human Rights Council resolution 21/16, and in particular operative paragraph 1 that “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

The Special Rapporteur on the rights to freedom of peaceful assembly and of association makes reference to paragraphs 65 and 98 of his thematic report A/HRC/20/27, in which he emphasized that “[a]uthorities must also respect the right of associations to privacy as stipulated in article 17 of the Covenant on Civil and Political Rights”.

We would further like to refer your Excellency's Government to the fundamental principles set forth in 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, and in particular articles 1 and 2 which state that “everyone has the right individually or 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” and that “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”.

Furthermore, we would like to bring to the attention of your Excellency’s Government the following provisions of the Declaration:

- article 5 points b) and c) which provide that for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right to form, join and participate in non-governmental organizations, associations or groups, and to communicate with non-governmental or intergovernmental organizations.
- article 6 point a) which provides that everyone has the right, individually and in association with others 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.

As it is our responsibility under the mandates provided to us by the Human Rights Council to seek to clarify all cases brought to our attention, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the cases accurate? Please provide the details of the associations concerned.
2. Has a complaint been lodged by or on behalf of the concerned associations?
3. Please provide information concerning the legal grounds for these raids and how these measures are compatible with international norms and standards as stated, inter alia, in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.
4. Please provide information concerning any compensation in relation to the damages caused during the alleged raids.

We would appreciate a response within sixty days. Your Excellency’s Government’s response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency’s Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the

above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of our highest consideration.

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and  
of association

Margaret Sekaggya  
Special Rapporteur on the situation of human rights defenders

Richard Falk  
Special Rapporteur on the situation of human rights in the Palestinian  
territories occupied since 1967