

**Mandates of 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 ISR 3/2017

3 March 2017

Excellency,

We have the honour to address you in our capacity as 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 25/18 and 1993/2A.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the situation of Human Rights Watch, whose request for a work permit for one of its staff members was denied last week by the Government of Israel.

Human Rights Watch is a non-profit, non-governmental human rights organization. Its staff consists of human rights professionals including country experts, lawyers, journalists, and academics of diverse backgrounds and nationalities.

According to the information received:

On 20 February 2017 Human Rights Watch received a letter from Israel's Interior Ministry denying a work permit for the organization's Director for Israel and Palestine. The letter stated as the reason for refusing the visa, an opinion from the Ministry of Foreign Affairs. This opinion alleged that Human Rights Watch engages in "politics in the service of Palestinian propaganda, while falsely raising the banner of 'human rights'". According to the letter from the Interior Ministry, it was on this basis that the application was denied.

Human Rights Watch has a long history of working in both Israel and the Occupied Palestinian Territory. The organization and its staff members have been granted access for nearly three decades preceding this recent case. According to the organization, throughout these past three decades, they have maintained regular contacts with Israeli government officials. The organization has also notably engaged in reporting human rights violations or alleged violations carried out by the Palestinian Authority and Hamas in addition to violations allegedly attributed to the Government of Israel.

Subsequent reports initially suggested that the Israeli Ministry of Foreign Affairs was ready to allow the concerned Human Rights Watch staff member to enter

Israel on a tourist visa, and the Ministry reportedly noted that the denial of the work permit may be appealed. The latter comments were made to the press by public officials. However, subsequent statements from Israel's Population and Immigration Authority on 2 March have indicated that the work visa denial will be upheld.

Human Rights Watch intends to appeal the decision in an Israeli district court.

While we do not wish to prejudge the accuracy of these allegations, we are concerned that this permit denial demonstrates a wavering commitment to both protecting and promoting human rights, as well as to respecting and preserving the democratic space in which civil society operates.

Limiting the access of internationally recognized human rights defenders is a worrying development. Civil society groups must be afforded access and protection in order to carry out their work, which is essential to maintaining a free and open democratic society. We express additional concern regarding the fact that these developments are accompanied by discussion of restricting draft legislation in the Knesset, which may be particularly detrimental for the operation of human rights organizations.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

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 observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide additional information on the grounds for denial of access to the staff member of Human Rights Watch.
3. Please provide information regarding the measures taken by the Israeli Government to ensure that civil society is afforded the rights and protections to which they are entitled under international law.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We intend to publicly express our concerns as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue in question.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

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

Michel Forst  
Special Rapporteur on the situation of human rights defenders

Michael Lynk  
Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

**Annex**  
**Reference to international human rights law**

In connection with above alleged facts and concerns, we would like to draw your attention to the following human rights standards:

The above mentioned allegations appear to be in contravention with articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Israel on 3 October 1991, which provide for the rights to freedom of expression and opinion and freedom of peaceful assembly and association.

We would also like to refer to Human Rights Council resolution 24/5 (operative paragraph 2), in which the Council “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.”

We would also like to refer to 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, also known as the UN Declaration on Human Rights Defenders, in particular articles 1 and 2 which provide that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. Articles 5 and 6 of the Declaration provide for the rights of freedom of expression and peaceful assembly and association.