

Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; 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 territory occupied since 1967

REFERENCE:
AL ISR 13/2019

7 October 2019

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; 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 territory occupied since 1967, pursuant to Human Rights Council resolutions 34/18, 41/12, 34/5 and 1993/2A.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **allegations of a raid on Addameer Prisoner Support and Human Rights Association in the town of Ramallah.**

Addameer is a Palestinian non-governmental organization that works to support Palestinian political prisoners held in Israeli and Palestinian prisons. It provides free legal aid to political prisoners, advocates their rights at the national and international level, and works to end torture and other violations of prisoners' rights through monitoring, legal procedures and solidarity campaigns.

The Special Rapporteur on the rights to freedom of peaceful assembly and of association and 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 have raised previous concerns regarding a similar raid on Addameer on 11 December 2012.

Moreover, more recently in August of this year, a number of special procedures' mandate holders expressed concerns regarding smear campaigns and threats directed against a number of human rights organizations including A-Haq and Al Mezan.

According to information received:

Around 2 am, on the 19 September, 2019, Israeli Security Forces, raided the Addameer association premises in the town of Ramallah. Israeli forces have reportedly confiscated various materials within the premises. Those materials included five laptops, one camera memory card, one laptop external memory and various files/publications. Other files and materials were tampered with or displaced while others appear to be missing. A number of laptops were also

disconnected from their power source and placed on a single table near the entrance. A hand-written note was left on the main desk listing the items that were confiscated.

It is alleged that these raids are part of a growing campaign to intimidate, restrict and ultimately silence human rights defenders and other civil society organizations.

While we do not wish to prejudge the accuracy of the allegations, we express our concerns that such raids, which have increased in frequency recently, may prevent associations from exercising their right to freedom of association and of expression. Concerns are also raised with regards to the fact that such raids seem to lack legal justification and may be part of a broader campaign aimed at intimidating and silencing associations working on human rights.

We also express our concern that these practices by the authorities may have a chilling effect on human rights defenders and civil society as a whole in the Occupied Palestinian Territory.

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.

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. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. If accurate, please provide details concerning the legal and factual motivations for the raid on Addameer, and how such 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.
3. Please provide the details, if any, on any investigation and judicial or other inquiries into the above-mentioned allegations. If no investigation has been initiated, please explain why.
4. Please provide information concerning any compensation in relation to the damages caused during the alleged raids.
5. Please indicate what measures have been taken to ensure that human rights defenders in the Occupied Palestinian Territory are able to carry out their

legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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(s) responsible for the alleged violations.

We may publicly express our concerns in the near future 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/s in question.

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

David Kaye
Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Clement Nyaletsossi Voule
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Michel Forst
Special Rapporteur on the situation of human rights defenders

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

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw your Excellency's Government's attention to articles 17, 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Israel on 3 October 1991, which guarantee the rights to privacy, freedom of expression and opinion and freedom of association.

We would also like to draw the attention of your Excellency's Government to article 19 of the ICCPR, which provides for the right to freedom of opinion and expression, as well as to Human Rights Council resolution 12/16 which calls on States to refrain from imposing restrictions that are not consistent with paragraph 3 of that article, including on: discussion of government policies and political debate; reporting on human rights, government activities and corruption in government and engaging in election campaigns, peaceful demonstrations or political activities, including for peace or democracy. Furthermore, the limitations included in article 19(3) must never be used as a justification for the muzzling of any advocacy of multi-party democracy, democratic tenets and human rights (CCPR/C/GC/34, para. 23).

The right to freedom of peaceful assembly under article 22 of the ICCPR requires States parties to take positive measures to establish an enabling environment for associations. It is crucial that individuals exercising this right are able to operate freely without fear that they may be subjected to, for example, any threats, acts of intimidation or violence. States additionally have a negative obligation not to unduly obstruct the exercise of the exercise of the right. Associations, pursuing objectives and employing means in accordance with international human rights law should benefit from international legal protection. (A/HRC/20/27, paras. 63 & 64). Authorities must also respect the right of associations to privacy as stipulated in article 17 of the Covenant on Civil and Political Rights (A/HRC/20/27, para 65).

We would also like to refer to Human Rights Council resolution 13/13, which urges States to put an end to and take concrete steps to prevent threats, harassment, violence and attacks by States and non-State actors against all those engaged in the promotion and protection of human rights and fundamental freedoms.

We would also like to refer your Excellency's Government to the duty to respect, protect, and fulfil the rights of individuals to engage in human rights work without fear of reprisal or harassment, as 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, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to article 12, paragraphs 2 and 3 of the Declaration, which provides that States shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the

Declaration. Furthermore, article 5 paragraph b of the Declaration provides for the right to form, join and participate in non-governmental organizations, associations or groups, and article 6 (a and b) provides for the right 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, and to freely publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.