

**Mandates of the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; 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 and the Special Rapporteur on the situation of human rights defenders**

REFERENCE:  
AL ISR 8/2021

10 August 2021

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; 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 and Special Rapporteur on the situation of human rights defenders, pursuant to Human Rights Council resolutions 1993/2A, 43/4, 41/12 and 43/16.

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 the offices of Defense of Children International Palestine (DCIP) in Ramallah on 29 July**.

DCIP is an independent, local Palestinian child rights organization dedicated to defending and promoting the rights of children living in the West Bank, including East Jerusalem and the Gaza Strip.

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 have raised previous concerns regarding attacks on human rights organizations in the Occupied Palestinian Territory, including similar raids on organizations like Addameer, defending Palestinian prisoners rights, the latest of which was in September 2019.

According to information received:

Around 5.15 a.m. on 29 July 2021, Israeli Security Forces, including more than a dozen Israeli soldiers, raided and broke into DCIP's offices in the town of Ramallah in the occupied West Bank. Six desktops, two laptops, hard drives and client files related to child detainees represented by DCIP's lawyers in Israel's military courts were confiscated. No justification was provided as to the reason for the raid.

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 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 DCIP, 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 for DCIP 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.

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

Irene Khan  
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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

## **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.

Article 19 of the ICCPR provides for the right to freedom of opinion and expression, which includes the right to seek, receive and impart information and ideas of all kinds. As interpreted by the Human Rights Committee in General Comment No. 34 (CCPR/C/GC/34), such information and ideas include, inter alia, political discourse, commentary on one's own and on public affairs, cultural and artistic expression, and discussion of human rights (Paragraph 11). In this regard, we would like to draw the attention of your Excellency's Government 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 association 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.