

شبكة المنظمات الأهلية الفلسطينية
Palestinian Non-Governmental
Organizations Network



Attacks on Palestinian civil society organizations in occupied East Jerusalem:

A Matter of Illegal Annexation and of Repression of the Right to Self-determination



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**Attacks on Palestinian civil society organizations in occupied
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**A Matter of Illegal Annexation
and of Repression of the Right to Self-determination**

A research report

Including findings and analysis of

PNGO's survey of attacks on civic space and the rights to freedom of expression, assembly and association of Palestinian civil society organizations in occupied East Jerusalem

Prepared for PNGO by Ingrid Jaradat

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Introduction and Executive Summary

Freedom of expression, association and assembly are generally understood to be the basis of the full enjoyment of other individual rights and a cornerstone of democratic societies. For peoples under colonial rule or foreign occupation, such as the Palestinian people, these fundamental freedoms are also inherently connected with their collective right to self-determination, i.e., the right to “freely determine their political status and to freely pursue their economic, social and cultural development”.⁽¹⁾ Freedom of expression, association and assembly in this context stand for the right of the people to debate, organize, mobilize and develop the institutions required for ending foreign domination, and for exercising the right to self-determination.

In occupied East Jerusalem, however, Palestinians have faced a systematic attack on their institutions by Israeli authorities since Israel’s military conquest of the city in 1967. In the past decade, EU heads of mission in Jerusalem and Ramallah, for example, have repeatedly stated concern about Israel’s crack-down on Palestinian political institutions that has had serious negative effects of on “all spheres of life of Palestinians in East Jerusalem (political, economic, social and cultural), contributing to a growing fragmentation of society on all levels, isolation of local Palestinian communities, and a weakening of collective sense of identity.” In this context EU heads of mission have also alerted of Israel’s attack on Palestinian civil society organization that play a vital role in filling the institutional vacuum.⁽²⁾

With this paper, including the survey conducted in April 2018, the Palestinian NGO Network (PNGO) seeks to foster awareness and understanding of this attack on Palestinian civic space and the rights to freedom of expression, assembly and association, and to contribute to more effective protection of Palestinian civil society organizations that have been supporting East Jerusalem’s Palestinian population, and protecting the presence and rights of the Palestinian people in the occupied city.

The first section of the paper revisits the status of Israel’s regime in occupied East Jerusalem under international law. Defined as the system of laws, institutions and policies whereby Israel has governed the occupied city, this regime is the source of the current attack on Palestinian civic space and the rights to freedom of expression, association and assembly, and the context in which the attack is taking place. Guided by legal analysis presented in the December 2017 report of the UN Special Rapporteur on Human Rights in the OPT, the section explains why Israel’s regime in occupied East Jerusalem must not be confused with a regime of belligerent occupation, which would be lawful. As a regime of annexation that pursues the permanent conquest of occupied Palestinian territory and deprives Palestinians of the right to self-determination, Israel’s regime in occupied East Jerusalem is inherently unlawful and has been declared null and void by the UN Security Council and General Assembly on numerous occasions. Readers are reminded that for this reason, all Israeli policies and measures in occupied East Jerusalem are inherently illegal, irrespective of whether or not they violate certain provisions of the Fourth Geneva Convention, The Hague Regulations or human rights treaties signed by Israel, and that

1. *Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by General Assembly resolution 1514 (XV) of 14 December 1960.*

2. *EU Heads of Mission, 2017 Report on Jerusalem, paragraphs 64 – 66.*

this applies also to the Israeli policies and measures that have obstructed the exercise of the rights to freedom of expression, association and assembly by Palestinians, and the development of Palestinian institutions in the occupied city.

The above is followed by an overview of the main unlawful policies measures which have been employed by Israeli authorities since 1967 for the purpose of obstructing the exercise of these fundamental rights by Palestinians and the development of Palestinian institutions, and with the aim of enforcing the illegal annexation and transforming occupied East Jerusalem into a Jewish-Israeli city. These Israeli policies are categorized as: i) taking control of East Jerusalem's public institutions and changing their status and character from Arab-Palestinian to Zionist-Israeli; ii) making use of emergency and counter-terrorism laws to sweepingly outlaw or criminalize Palestinian political organizations, punish their members and forcibly close their institutions; iii) banning the institutions of the Palestinian Authority (PA) from the city; and, iv) enforcing restrictions and punitive measures against a wide range of Palestinian institutions on grounds of alleged affiliation with outlawed political organizations or the banned PA, including institutions of the PLO, the al-Quds University and, more recently, institutions of Palestinian civil society.

The paper demonstrates that these Israeli policies, which have severely undermined the rights of Palestinians to freedom of expression, association and assembly, have also resulted in a process of gradual and progressive forcible removal of at least 42 Palestinian institutions from occupied East Jerusalem since the year 2000 alone. Moreover, a listing of affected Palestinian institutions shows that since the mass forcible closure and eviction of Palestinian national (PLO) institutions from occupied East Jerusalem in 2001-2002, Palestinian civil society organizations (CSOs) that try to fill the institutional void, support Jerusalem's Palestinian population, and protect the presence and rights of the Palestinian people in the occupied city, have become a primary target of the attack by Israel's illegal annexation regime. Based on the partial information available, at least six Palestinian CSOs were forced to close down their Jerusalem offices permanently or temporarily in the period between May 2015 and April 2018.

Part three of the paper is dedicated to the survey which was carried out by PNGO in April 2018 in order to examine the scope and characteristics of this on-going attack on Palestinian CSOs in occupied East Jerusalem.

For the purpose of the survey, Palestinian CSOs in occupied East Jerusalem were defined as associations which are independent, i.e., without organizational affiliation with any Palestinian political organization, the PLO or the PA; registered as non-profit association with Israeli or Palestinian authorities; and, carrying out substantial, sustained and peaceful activities in occupied East Jerusalem in support of its Palestinian population and Palestinian human rights, with or without office presence in the city.

25 such Palestinian CSOs participated in the survey, providing quantitative and qualitative information about policies and measures that have undermined their ability to exercise the rights to freedom of expression, association and assembly, maintain institutions and carry out activities in occupied East Jerusalem. Whereas the group of CSOs surveyed is not a statistically representative sample of all Palestinian CSOs working in Jerusalem, the 25 CSOs reflect the diversity of work carried out by Palestinian civil society in the city in the fields of health, agriculture, social development, arts and culture, legal aid and human rights, through services for the general Palestinian public and for certain social sectors, in particular women and youth, or through awareness-raising, mobilization and advocacy.

The findings of PNGO's survey confirm that Palestinian CSOs working in Jerusalem face challenges mainly in the following areas:

- Restrictive Israeli policies pertaining to the registration and lawful presence (in terms of Israeli law) of Palestinian CSOs in occupied East Jerusalem;
- Israeli banks seeking to close the Jerusalem accounts of Palestinian CSOs, and banks in Israel, the OPT and abroad not handling fund transfers of/to Palestinian CSOs;
- The defamation campaign of Israel-lobby groups targeting Palestinian CSOs;
- Israel's restrictions on Palestinian access to occupied East Jerusalem (the 'Jerusalem closure' policy);
- Intimidating and punitive measures against staff and members of CSOs, including summons for questioning, as well as arrest, detention and punitive restrictions of the freedom of movement carried out by Israeli authorities under emergency/counter-terrorism laws;
- Physical attacks by Israeli authorities on CSOs (office raids, confiscation/destruction of equipment and materials), and forcible closure of certain peaceful activities or the entire operation of CSOs, on grounds of alleged terrorism and based on emergency/counter-terrorism laws, or for alleged affiliation with the PA;
- Intimidation and fear of Israeli reprisals among Palestinian society in Jerusalem, as well as Israel's restrictive and arbitrary visa policies targeting foreign staff and supportive visitors from abroad, as factors that indirectly target and undermine Palestinian civic space and the work of CSOs.

Overall, the findings of the survey also indicate that – in addition to the increasingly severe challenges resulting from restrictive and discriminatory policies of banks and the defamation campaign of Israel's lobby groups – the primary challenges for Palestinian civil society organizations are Israel's illegal restriction of Palestinian access to occupied East Jerusalem, and the arbitrary attacks of Israeli authorities on staff, members, offices and activities which target Palestinian CSOs because of their Palestinian identity, and because they resist Israel's illegal annexation regime by peaceful means:

Of the surveyed CSOs, for example, 62.5% have been facing difficulty recruiting qualified local staff for work in Jerusalem due to Israel's military closure of the city for Palestinians from the West Bank. Under Israel's emergency and counter-terrorism laws, 32% have had staff and/or board members arrested for short and longer periods, including detention without trial ("administrative detention"). 40% have experienced office raids, including confiscation or destruction of materials and equipment by Israeli police or intelligence, while 36% have received Israeli orders prohibiting various activities or all work in occupied East Jerusalem. A list of illustrative examples of peaceful cultural, educational and public awareness-raising activities prohibited and Palestinian CSO offices raided by Israeli authorities is included in the paper.

Orders prohibiting all work and office presence in Jerusalem have been issued by Israeli authorities against four of the surveyed Palestinian CSOs (16%). For these as well as other CSOs, the combination of multiple attacks and repressive measures over a long period of time has severely undermined their ability to stay and continue work in occupied East Jerusalem.

Conclusions and practical recommendations regarding efforts to protect Palestinian civil society organizations in occupied East Jerusalem are presented in the final part of the paper.

The main conclusions derived from PNGO's survey and the analysis in this paper are: First, that ending the attack on Palestinian freedom of expression, association and assembly in occupied East Jerusalem is an international obligation, and not merely a matter of voluntary commitments to ensure respect of human rights. It is part and parcel of the legal obligations of all states and international organizations in connection with flagrant violations of international law by any state, such as the permanent acquisition of occupied territory and violation of the right to self-determination of the Palestinian people by Israel with its annexation regime in East Jerusalem.

Another conclusion is the need for a broad and proactive international protection response, with a focus on preventive measures, because of the systematic and premediated character of the Israeli attack on Palestinian CSOs. Reactive responses to emergencies alone, such as advocacy or diplomatic interventions in response to the closure of Palestinian institutions, or the arrest of staff, have been largely ineffective: these tend to be ignored by Israeli authorities, while also being too late for preventing damage to the affected individual or organization, and too little for creating a safer and more stable environment for Palestinian CSOs.

Thirdly, attention is drawn to the fact that Palestinian CSOs in occupied East Jerusalem are not the only targets of the attack, to the common interest in the fight against defamation, de-legitimization, and restriction of the right to freedom of expression which is shared by everyone targeted and affected in Palestine and abroad, and to the need for partnerships, collaboration and strategies that provide mutual support and protection from the aggressive campaign of Israel's right wing government and lobby groups. Such partnerships should be based on, and give visibility to: the inherent unlawfulness of Israel's annexation regime and its attack on Palestinian CSOs in occupied East Jerusalem; the right of the Palestinian people to resist such unlawful occupation and domination by all means permitted by international law; and, the status of human rights defenders of all Palestinian CSOs that meet the criteria of CSOs surveyed by PNGO. A number of relevant expert reports and international resolutions and instruments are suggested for study and dissemination.

Based on these conclusions, specific practical steps for addressing the challenges identified by PNGO's survey are recommended to all of the following: Palestinian CSOs and their partners among civil society abroad; governments, the EU, UN and their diplomatic missions and representatives in Israel and the OPT; the Palestinian Authority, donors and aid agencies.

Finally, readers are reminded that effective protection of Palestinian CSOs and civic space in occupied East Jerusalem cannot be achieved, unless states, their regional organizations and the United Nations perform in parallel their international obligation to hold Israel accountable to international law by:

- Giving no recognition to Israel's illegal annexation regime, and by terminating all direct and indirect aid or assistance to its maintenance;
- Adopting measures, including sanctions, that will compel Israel dismantle its illegal annexation regime in occupied East Jerusalem;
- Assisting and facilitating the work of the International Criminal Court toward the speedy opening of a formal ICC investigation into war crimes and crimes against humanity committed in the OPT, including East Jerusalem.

I. The context: Israel's illegal annexation regime in occupied East Jerusalem

East Jerusalem is internationally recognized as a part of the Occupied Palestinian Territory (OPT). Therefore, the system of institutions, laws, jurisprudence and policies that constitutes Israel's regime in occupied East Jerusalem is often believed to be a regime of belligerent occupation. This perception, however, is mistaken. Belligerent occupation is governed by the rules of international humanitarian law, and it is in conformity with the right to self-determination of peoples and the prohibitions on the acquisition of territory by force, colonialism and apartheid, which are peremptory (absolutely binding) norms of general public international law. As such, belligerent occupation is the only regime that allows a state to be lawfully present in territory conquered in war. Israel's regime in occupied East Jerusalem, however, is the opposite of such a lawful regime of occupation.

UN Special Rapporteur on Human Rights in the OPT: Israel's entire occupation regime is illegal, violates core principles of lawful occupation⁽³⁾

For 50 years, the international community has considered Israel to be a lawful occupant in the Occupied Palestinian Territory (OPT). Although Israel is regularly criticized for violating international law in its conduct of the occupation, its occupation regime per se has never been declared illegal. The UN Special Rapporteur on Human Rights in the OPT has concluded that Israel's 50-years-old occupation is an entirely unlawful regime because it violates the core principles of lawful occupation. This conclusion certainly applies to Israel's annexation regime in occupied East Jerusalem.

Whereas belligerent occupation is a regime under international humanitarian law, its core principles are derived from peremptory norms of public international law. The latter are pillars of the international order and, therefore, absolutely binding on all states. Among these peremptory norms are the right to self-determination of peoples, as well as the prohibitions on permanent acquisition of territory by force, colonialism, and apartheid. Belligerent occupation, therefore, merely suspends self-determination until the territory conquered in war is returned to its sovereign. The occupying power can never become the sovereign in occupied territory; it also does not have the full powers of the sovereign, but rather the more limited powers of a temporary administrator.

Lawful occupation is thus characterized by the following core principles:

- The absolute prohibition of annexation of occupied territory, and the limited role and powers of the occupant as non-sovereign administrator
- Temporariness
- The obligation of the occupant to administer occupied territory in the best

3. *Report of the UN Special Rapporteur on Human Rights in the OPT Michael Lynk, A/72/43106 (23 October 2017)*

interest of its population as a way of facilitating the restoration of sovereignty and self-determination.

Specific provisions of the Hague Regulations and the Fourth Geneva Convention were adopted by states in order to ensure that these core principles will be upheld during occupation. Examples are the obligation of the occupying power to restore the public order and civil life, and to respect the local law (Article 43, Hague Regulations); the prohibition on introducing changes in the occupied territory that deprive the local population of the protections of the Fourth Geneva Convention (Article 47, Fourth Geneva Convention); the prohibition on individual or mass transfer of local population, and on the transfer of civilians of the occupying state into the occupied territory (Article 49, Fourth Geneva Convention); the obligation to respect family honor and rights, the lives of persons, private property and religious convictions and practice, including the prohibition on the confiscation of private property (Article 46, Hague Regulations), and the prohibition on the destruction of private and public property (Article 53, Fourth Geneva Convention).

Israel has never considered the predominantly Arab Jerusalem it conquered in the 1967 war to be occupied territory, or a city that is part of any occupied Palestinian territory. It has also never considered itself to be an 'occupying power' or recognized a duty to respect any international law in the city, neither the Fourth Geneva Convention and Hague Regulations, nor the core principles of belligerent occupation, and not the peremptory prohibition on the acquisition of territory through war and right to self-determination of the Palestinian people under general public international law.

To the contrary, on 27 June 1967, only three weeks after the military conquest, Israel annexed approximately 71km² of occupied West Bank territory, including eastern Jerusalem (6.5km² at that time) and land of 28 adjacent Palestinians towns and villages, by incorporating this entire area, which became known as East Jerusalem, into the boundaries and jurisdiction of its West Jerusalem municipality.

Israel carried out this illegal annexation based on legislation which was adopted by the Knesset on the same day and provided that "The law, jurisdiction and administration of the State shall extend to any region of Eretz Israel [Israel and OPT] designated by the government by order".⁽⁴⁾ With the annexation, Israel had thus sweepingly replaced all local law in the city with its own domestic law and separated occupied East Jerusalem administratively from the remainder of the occupied West Bank. An inter-ministerial committee subsequently determined that Israel's "united Jerusalem" should have a "demographic balance" of 70% Jewish population.⁽⁵⁾ In 1980, Israel gave constitutional status to the illegal annexation under its Basic Law: United Jerusalem, Capital of Israel.

On this basis, Israel has for 50 years systematically pursued the declared objective of making occupied East Jerusalem a permanent part of 'Israeli Jerusalem' whose population and character is predominantly Jewish. The policies and measures carried out by consecutive

4. *Law and Administration Ordinance, Amendment 11 B (27 June 1967)*

5. *Inter-ministerial Committee to Examine the Rate of Development for Jerusalem (Gafni Committee), in: B'tselem, A Policy of Discrimination: Land Expropriation, Planning and Building in East Jerusalem, 1995, p. 30 – 38, 45 – 48*

Israeli governments at the national and municipal level for this aim, and the associated violations of IHL and human rights of the Palestinian population, have been monitored, documented and condemned internationally: the appropriation of Palestinian land and the construction of the illegal Israeli settlements in it; the installation of the so-called 'closure of Jerusalem', i.e., a system of permanent military checkpoints, the illegal Wall and pass permits that physically separates occupied East Jerusalem from the West Bank and deprives Palestinians of the right to freely access the city; the denial of a legal right to stay and unite with family members to the Palestinian inhabitants of the city and revocation of their residency permits; the systematic withholding of adequate public services and housing; urban planning and zoning that confines Palestinian construction to an area of no more than 13% of East Jerusalem, as well as the demolition of Palestinian homes, mass arrests and excessive use of force against peaceful Palestinian protests. Human rights organizations have characterized these Israeli measures, when considered in aggregate, as a policy of forcible population transfer,⁽⁶⁾ and as a policy of persecution of Palestinians.⁽⁷⁾

Whereas the above Israeli policies and measures are unlawful or even criminal because of the breaches of particular IHL and human rights obligations involved, they are also inherently unlawful because they are part and parcel of Israel's annexation regime. As a regime that amounts to permanent conquest of occupied Palestinian territory and deliberately deprives Palestinians of the right to self-determination, Israel's annexation regime in occupied East Jerusalem per se is illegal. For this reason, it has been declared null and void by the UN Security Council and General Assembly on numerous occasions.⁽⁸⁾

Also part of the illegal annexation regime and therefore inherently unlawful are the laws, policies and measures that have been applied by Israeli authorities in occupied East Jerusalem with the purpose and effect of restricting the freedom of expression, association and assembly of Palestinians, and of obstructing the development of Palestinian institutions that could support Jerusalem's Palestinian population and the pursuit of the right of Palestinians to self-determination in the occupied city.

6. CCPRJ Brief: "Population Transfer including Settler Implantation in Jerusalem" (July 2016). See also: "Residency Revocation: Israel's Forcible Transfer of Palestinians from Jerusalem", al Haq, BADIL, CAC-Al-Quds University, CCPRJ, JLAC, al Shabaka, St. Yves and Visualizing Palestine (July 2017).

7. Al Haq, *Special Focus on Jerusalem* (2015).

8. See, for example, UNSC Resolutions 252 (1968), 476 (1980) and 478 (1980); also: UNGA Resolution ES 10/L.22 of 21 December 2017, rejecting US president Trump's statement recognizing Jerusalem as Israel's capital.

II. Palestinian institutions in Jerusalem under Israel's illegal annexation regime (1967 – present)

If Israel had administered occupied East Jerusalem by means of a regime of belligerent occupation, it would have sought to restore the local public order and civil life city as fast as possible, and it would have allowed Palestinians to develop their institutions as a way of facilitating self-determination and the release of the occupied city into Palestinian sovereignty.

Israel, however, has done the opposite. In pursuit of the aim of enforcing the illegal annexation and transforming occupied East Jerusalem into a Jewish-Israeli city, Israeli authorities have since 1967 actively and systematically prevented the restoration of public order and Palestinian civil life, and obstructed the development of Palestinian institutions.

The main policies and measures employed by Israeli authorities for this purpose are the following:

- **Changing the status and character of East Jerusalem's public institutions from Palestinian to Israeli:**

Considering itself the sovereign successor state of Jordan by virtue of the illegal annexation, Israel took control, immediately after the military conquest, of East Jerusalem's public institutions that had been administered by Jordan until the 1967 war. Israel then dissolved some of them permanently and replaced them by its own. Among these are Palestine's Jerusalem Municipality which was ordered closed and substituted by Israel's Jerusalem Municipality located in West Jerusalem, as well as the local courts which were closed and replaced by Israel's courts.

East Jerusalem's public schools were left operational but incorporated into Israel's domestic system of public administration,

Palestinians have been denied the rights to freedom of expression, association and assembly and self-determination for more than a century. Their political leaders and activists have been imprisoned, murdered and exiled, and their organizations and institutions outlawed, destroyed and forced to relocate on multiple occasions.

British Occupation and Mandate Administration (1918 – 1948):

Jerusalem was the seat of the British administration whose mandate and mission was primarily to facilitate the colonization of Palestine by the European Zionist settler movement. The latter was granted internal autonomy, political representation and participation in the economic and political development of the country while Palestine's indigenous population was denied collective political rights. In Jerusalem, the British administration appointed mayors to the Municipality that had governed the city since 1863, including a first mayor from among the Zionist settler colonial movement in 1937. When Palestinians boycotted the municipal council over a second appointment of a Zionist mayor, an all-British commission was nominated in 1945 to govern the city.

Western Jerusalem was then the center of economic, social, cultural and political activity. Palestinians had established their own educational institutions, unions and cultural, social and political associations and, in 1936, the Jerusalem-Arab Chamber of Commerce and Industry and the Arab Higher Committee (outlawed in 1937) as bodies to lead the Palestinian resistance against Zionist colonization.

10% of the adult Arab male population was killed, wounded, imprisoned or exiled as Britain repressed the uprising of Palestine's indigenous population in 1938-9 based on emergency laws which would later be adopted by Israel for a similar purpose.

including supervision and administration by the Israeli Ministry of Education and the Department of Arab Education of Israel's Jerusalem Municipality. In control of Palestinian public schools, Israeli authorities have not only severely neglected maintenance and development of the latter, but also repeatedly censored school books, erasing content concerning Palestinian history and culture. Since 2011, East Jerusalem public schools and Israel-subsidized private schools have been required to use Palestinian school books that have undergone Israeli censorship, while pressure is being imposed on schools to replace the Palestinian curriculum with the Israeli one.⁽⁹⁾

- **Repression of freedom of expression, association and assembly based on Israel's emergency and counter-terrorism laws:**

Declaration of Palestinian political organizations as 'illegal organizations'; depriving Palestinian individuals of physical liberty and fundamental human rights; forcible closure of Palestinian institutions

Israeli governments have declared most Palestinian political organizations to be illegal organizations under Israel's emergency laws. These declarations and emergency laws have allowed Israeli authorities, among other, to deprive Palestinian individuals of fundamental rights and physical liberty, and raid and forcibly close Palestinian institutions and activities, without due process, and not because of what they actually did, but because of who they were allegedly in contact with ('guilt by association'). In 1986, Israel declared illegal the Palestine Liberation Organization (PLO) and its member organizations which have been leading the struggle for self-determination and are commonly referred to by Palestinians as "national organizations". Also declared illegal were the popular

Expulsion from western Jerusalem:

In 1947-8, Zionist militias and Israeli armed forces expelled the entire Palestinian population of urban western Jerusalem and nearby villages (60-80,000 people) in the shadow of armed conflict and war that followed Britain's decision to withdraw its Mandate administration and General Assembly Resolution 181 recommending the partition of Palestine into a 'Jewish' and an 'Arab' state. All Palestinian land, homes and businesses in western Jerusalem were appropriated, and institutions and associations dissolved, by Israel.

Many among the expelled found shelter in eastern Jerusalem that came under Jordanian rule, and Palestinians rebuilt their institutions and associations in the eastern part of the city, including Palestine's Jerusalem Municipality and the Jerusalem-Arab Chamber of Commerce and Industry. New associations, unions and political organizations were created, moreover, in the context of the formation of the Palestine Liberation Organization (PLO) whose establishment was declared by the Palestinian National Council in eastern Jerusalem in 1964, shortly before Israel's military conquest.

Sources:

A Survey of Palestine: prepared in December 1945 and January 1946 for the Information of the Anglo-American Committee of Inquiry, Vol. I; reprinted by the Institute for Palestine Studies, Washington DC, 1991; p. 3 - 11; 132-133.

Rashid Khalidi, "The Palestinians and 1948: the underlying causes of failure", in: Eugene L. Rogan & Avi Shlaim, *The War for Palestine: Rewriting the History of 1948*, Cambridge University Press, 2007 (2nd ed.)

Salim Tamari (ed.), *Jerusalem 1948. The Arab Neighbourhoods and their Fate in the War*, Institute of Jerusalem Studies and Badil Resource Center, 2002.

9. "De-Palestinization of Education in Jerusalem", *Fact Sheet, Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)*, 2016

committees of the first intifada as well as many Islamic political groups and charities. ⁽¹⁰⁾

More recently, Israel has declared as illegal Palestinian civil society associations that promote human rights whilst not being associated with any political organization. This has been done under the same emergency laws, or the new and even more sweeping and draconian Combatting Terrorism Law (2016).⁽¹¹⁾

Israel's emergency laws⁽¹²⁾

Israel maintains dozens of emergency laws and regulations; many have been used almost exclusively to control and punish the Palestinian population in Israel and the OPT, including by means which are absolutely prohibited under international law, such as collective punishment, arbitrary deprivation of physical liberty, and deviation from fundamental principles of fair trial. Emergency laws are of two kinds:

Emergency laws based on the state of emergency - The state of emergency was declared by Israel's Provisional Council in May 1948 in accordance with Section 9 of the Law and Administration Ordinance (1948). It remained in force unexamined until 1996, when the Knesset passed the Basic Law: The Government under which the state of emergency must be reviewed and approved annually. Since then, the Knesset has routinely extended the state of emergency, without seriously considering whether Israel's situation warrants such an extension. In 2012, the Supreme Court rejected a petition for cancellation of the state of emergency which had been submitted by ACRI in 1999.⁽¹³⁾ Israel has thus remained under a continuous state of emergency for the past 70 years. Based on the state of emergency, emergency regulations have been enacted by the government (or the prime minister) for the defense of the state, public security and the maintenance of supplies and essential services, and laws have been passed by the Knesset in response to emergency situations. Among these laws is the Prevention of Terrorism Ordinance (1948), which defines numerous offenses that permit conviction of an accused even where no consequences result from the prohibited conduct, such as mere membership in, or expression of sympathy with, an organization declared to be an illegal organization. The Ordinance was replaced in 2016 with Israel's new and even more sweeping and draconian Combatting Terrorism Law.

Defense (Emergency) Regulations (1945) - These are the emergency laws adopted by the British Mandate for the repression of the Palestinian uprising in 1938-9; they were incorporated into Israeli law under section 11 of the Law and Administration Ordinance. The Regulations grant authorities extremely broad powers for the purpose of maintaining public order and suppressing protests. Among other, they enable the destruction and sealing of houses, administrative detention, infringements of the freedom of movement, deportation, censorship, expropriation of private property, the outlawing and prosecution of 'hostile' organizations, and restrictions on the use of telecommunications. The Emergency

10. List of organizations declared as unlawful associations (1964 – 2010), Israeli Ministry of Defense: <http://nolegalfrontiers.org/military-orders/mil089ed2.html?lang=en>

11. See for example: <https://www.haaretz.com/israel-news/knesset-passes-sweeping-anti-terrorism-law-1.5396526>

12. Source, unless stated otherwise: Adalah, "State of Emergency", Information Sheet No. 1 – Submitted by Adalah to the United Nations Human Rights Committee, 22 July 2003.

13. Association for Civil Rights in Israel (ACRI): <https://www.acri.org.il/en/2012/05/08/state-of-emergency-petition-rejected/>

Regulations (1945) formed the main source of law for the Israeli military regime that governed and oppressed Palestinian citizens of Israel from 1948 to 1966. With few exceptions and amendments, they remain in force today and are a part of Israel's ordinary legislation. Moreover, as noted by the human rights organization Adalah, most disturbingly, they are not dependent on Israel's declared state of emergency.

- **Banning the institutions of the Palestinian Authority from occupied East Jerusalem:**

At Israel's behest, occupied East Jerusalem was excluded in the agreements signed between Israel and the PLO in the early-mid 1990s ('Oslo agreements') from the area slated for limited Palestinian self-rule in advance of a final peace agreement. Issues pertaining to the future status of Jerusalem were relegated to the negotiations of the final peace agreement. Therefore, the Palestinian Authority (PA), which was created to administer limited Palestinian self-rule in certain areas of the OPT under the interim agreements, was not permitted to operate in occupied East Jerusalem. The interim period was to last no more than five years. Nevertheless, Israel has banned PA institutions from occupied East Jerusalem for almost 25 years.

Moreover, Israeli authorities have enforced this ban not only on institutions of the PA. Since 2001, the year that marked the end of the Oslo peace process in terms of Israeli governments, alleged cooperation or association with the PA has also been used as a pretext for prohibiting and forcibly closing a wide range of Palestinian activities and institutions in occupied East Jerusalem, first of all the Palestinian national institutions affiliated with the PLO that had established themselves in the city.

- **Mass forcible closure and eviction of PLO-affiliated national institutions from occupied East Jerusalem in 2001-2002:**

By the 1980s, and in particular during the first intifada, Palestinians had made East Jerusalem their political center, with all national organizations and civil society present and operating through a multitude of institutions. The Orient House had become the de facto headquarters of the PLO, providing services to the population and acting as an umbrella for institutions and political groups in the city. It also hosted the Palestinian negotiating team in preparation for the Madrid peace conference in 1991. The subsequent Oslo peace process was based on mutual recognition between Israel and the PLO; unlike the Palestinian Authority, the PLO was thus not banned from East Jerusalem. On the contrary, the Oslo agreements affirmed that the PLO is mandated to operate in and conduct foreign relations from the city. In parallel, Israeli governments expanded the illegal settlements, tightened restrictions of Palestinian freedom of movement, and created an increasingly oppressive environment for the Palestinian population in the OPT. In 2000, the second Palestinian intifada began, peace negotiations failed, and Israel's Labor-led government declared that there was no partner for peace.⁽¹⁴⁾ In August 2001, hundreds of Israeli armed forces stormed the Orient House and other Palestinian national institutions in East Jerusalem, stole documents and archives and forced them to close down. Between August 2001 and February 2002, all Palestinian national institutions in East Jerusalem were issued closure orders and forced to leave the city under the pretext that they were de facto entities of the PA.⁽¹⁵⁾ Diplomatic

14. *Statement by Prime Minister Ehud Barak, 7 October 2000 (published on the website of Israel's Ministry of Foreign Affairs)*

15. "Altering the Character of Jerusalem: The Forced Closure of Palestinian Institutions in Palestine's Capital",

interventions with Israel for their reopening have failed; to this day, the closure orders are renewed regularly every six months.

- **Preventing Palestinian higher education in occupied East Jerusalem: the attack on al-Quds University**

By means of a combination of the above-mentioned methods, Israeli governments have also been waging a multipronged attack on al-Quds University, seeking to prevent the existence of a Palestinian institution of higher education in occupied East Jerusalem, and to obstruct the ability of the University and its graduates to contribute professionally, socially and culturally to the development of Palestinian society in the city.

Israel's attack on Palestinian higher education in occupied East Jerusalem: The case of Al Quds University⁽¹⁶⁾

Established as Jerusalem's Palestinian public university in 1995 through the amalgamation of Palestinian colleges that had been founded in the 1970s, al-Quds has two principal campuses: one in the Old City and its environs inside the Israel-annexed East Jerusalem, and a larger one in Abu Dis, a suburb of the city located outside of the annexed area and on the West Bank-side of Israel's illegal Wall. The University provides educational services for 13,000 students up to the Masters level; its academic work and graduation certificates are internationally recognized.

On 10 July 2002, Israeli police forcibly closed the University's administrative offices and the office of its president in the center of occupied East Jerusalem under the pretext that the University serves as "the long arm of the PA" in the city.⁽¹⁷⁾

Since then, Israel has changed the status of the University in occupied East Jerusalem from Palestinian to Israeli by threatening to close it down permanently, unless it registers its East Jerusalem-based faculties and departments as a separate Israeli entity. The University has thus become split into an 'Israeli' and a Palestinian part.

Israel upholds its policy of denying recognition of the University's graduation certificates, although the Israeli Ministry and Council of Higher Education had agreed informally to recognize all degrees held by graduates as soon as the University submits to Israeli jurisdiction. For Palestinian graduates this means that they cannot work and make a life in Jerusalem, especially in the vital sectors of health and education in which there is a dire shortage, and which are regulated by Israeli authorities. A number of medicine graduates have been able to obtain an Israeli license, but only after prolonged battles in Israeli courts. Court decisions in their cases have no effect on the general Israeli policy of non-recognition of al-Quds University degrees.

PLO Negotiations Affairs Department: https://www.nad.ps/sites/default/files/final_web_eng_jerusalem_inst.pdf Also:

"The Looted Archives of the Orient House", in Jerusalem Quarterly File, Issue no. 13 (2001), Institute of Palestine Studies: http://www.palestine-studies.org/sites/default/files/jq-articles/13_Editorial_1.pdf

16. *Main sources: al-Quds University website: www.alquds.edu/en ; EU HOMS, 2017 Report on Jerusalem, para. 43*

17. <https://www.haaretz.com/1.5219155>

Frequent Israeli denial of Jerusalem access permits to both students and professors, police raids of al-Quds premises in the Old City, and intimidating summons of students and staff have forced the University to severely curtail its educational activities in occupied East Jerusalem.

At the same time, the University's Abu Dis Campus has been the target of repeat raids by the Israeli military, for example, 12 times in 2016, twice in 2017, and once until April 2018. Each time students were attacked with tear gas and rubber-coated steel bullets, causing injuries as well as damage to University facilities. 40-50 students have been arrested annually; in 70% of the cases, students were sentenced and punished by Israeli military courts in connection with activities carried out inside the University.⁽¹⁸⁾

Since the year 2000, Israeli authorities have forcibly closed at least 42 Palestinian institutions in occupied East Jerusalem by means of the methods and measures described in this section. The cumulative effect of Israel's policy of depriving Palestinians of the rights to freedom of expression, association and assembly by closing down their institutions is illustrated in Table 1 (see below). It is a process of gradual and progressive forcible removal of Palestinian institutions from the city that is induced deliberately and systematically by Israel for the purpose of preventing Palestinian self-determination, and with the aim of making the illegal annexation permanent.

Moreover, the list of affected Palestinian institutions shows that since the mass forcible closure and eviction of Palestinian national (PLO) institutions from occupied East Jerusalem in 2001-2002, Palestinian civil society organizations that try to fill the institutional void, support Jerusalem's Palestinian population, and protect the presence and rights of the Palestinian people in the occupied city, have become a primary target of the attack by Israel's illegal annexation regime.

18. Source: Al-Quds University Legal Aid Clinic

Table 1:

Palestinian institutions and associations in occupied East Jerusalem forcibly closed by Israel *(April 2018 – 1997)		
Institution	Date of Closure	Details
Jerusalem (sports) Clubs Union – رابطة الأندية المقدسية	1997	
Jerusalem Arab Chamber of Commerce and Industry – الغرفة التجارية الصناعية العربية (Nur al-Din Str.)	10-08-2001	Palestinian national institutions. Israel's official reason for closing their offices and prohibiting their activities in Jerusalem: these are de facto PA entities whose presence and operation is not permitted in Jerusalem under the Oslo agreements.
Orient House - بيت الشرق & office of the national institutions – المؤسسات الوطنية مكتب	10-08-2001	
The Office of National Institutions	10-08-2001	6-month closure orders renewed regularly since then.
Palestinian Prisoners Club - نادي الأسير الفلسطيني (offices in the Orient House)	10-08-2001	Most of these institutions have relocated and opened offices in Jerusalem, outside of the Israel-annexed area (al Dahia) or elsewhere in the occupied West Bank, mainly in Ramallah.
Jerusalem Institute for Planning	10-08-2001	
Arab Studies Society - جمعية الدراسات العربية :offices and departments located in the Orient House, including: Dpt. of Cartography and Information Systems - دائرة الخرائط ونظم المعلومات	10-08-2001	Many continue to carry out some activities in Jerusalem; however, their ability to operate effectively in the city is severely limited.
Arab Studies Society, offices in al-Mas'oudi Str., including: Al-Quds Center for Planning مركز القدس للتخطيط	10-08-2001	
Dpt. of Social Services دائرة الخدمات المجتمعية		
Dpt. of Prisoners and Detainees دائرة الأسرى والمعتقلين		

Arab Studies Society, Youth Development Dpt. – دائرة تنمية الشباب	10-08-2001	
Arab Studies Society, Land Research Center – مركز أبحاث الأراضي	08-02-2002	
Higher Council of Tourism - مجلس السياحة الأعلى (Wad al-Joz)	08-02-2002	More on: The closure of Palestinian National Institutions: https://www.nad.ps/sites/default/files/final_web_eng_jerusalem_inst.pdf
Palestinian Center for Micro-Projects Development (PCMD) – مركز تطوير المشاريع الصغيرة (Wad al-Joz)	08-02-2002	The Looted Archives of the Orient House: http://www.palestine-studies.org/sites/default/files/jq-articles/13_Editorial_1.pdf
General Union of Arab Chambers of Commerce, Industry and Agriculture – اتحاد الغرف العربية للصناعة والزراعة (Bab al-Zahera)	05-06-2002	A private sector/civil society union
Al-Quds University: administrative offices and office of its president, Sari Nusseibeh	10-07-2002	Reason given by Israel: The university acts as “the long arm of the PA”: https://www.haaretz.com/1.5219155
Arab Graduates’ Club - نادي الخريجين العرب (Sheikh Jarrah; also called the Alumni Club Forum)	04-04-2004	Closed permanently; Israeli settlement established in the place of the former office
Society for Promotion of the Arab Woman (also called Welfare Association of Arab Women) – جمعية الرعاية للمرأة العربية (Isfahani Str.)	04-04-2004	Closed permanently based on declaration as unlawful association; seizure order under regulations 84 and 120 of the Defense (Emergency) Regulations (1945)
Friends of the Emirates Society - جمعية أصدقاء الإمارات (al-‘Izariyeh)	26-06-2004	As above
Wafada Charitable Society - جمعية الوفاة الخيرية (Isfahani Str.)	15-01-2006	As above
Zakat Committee of al-‘Izariyeh - لجنة زكاة العيزرية	31-05-2006	As above

Center Project-Sectoral Studies – مركز مشروع- الدراسات القطاعية (Beit Hanina)	07-07-2006	Closed (for ‘association with PA/ Orient House’)
Iqra Society - جمعية اقرأ - (Isfahani Str.)	11-07-2006	Closed permanently based on declaration as unlawful association and seizure order under the Defense (Emergency) Regulations (1945)
Cultural Forum - المنتدى الثقافي (Sur Baher)	15-04-2007	Including kindergarten; closed down (as above): http://www.maannnews.com/Content.aspx?id=260490
Zakat Committee of al Ram - لجنة زكاة الرام	04-02-2008	As above
Cultural Forum Society - جمعية المنتدى الثقافي (Sur Baher)	05-02-2008	As above
“Our Prisoners” - أسرانا	22-04-2008	Closed down permanently
Samed Social Center - مركز صامد المجتمعي (Old City)	02-05-2008	Center for drug education and rehabilitation; closed down permanently (for association with PA)
Housing Council - مجلس الإسكان (Sheikh Jarrah)	03-07-2008	Closed down temporarily (for association with PA); has reopened.
Al Quds Society for Arab Culture and Heritage – جمعية القدس للثقافة والتراث العربي	[2008/9]	Based in Damascus: http://alqudslana.com/index.php?action=page&id=1
Muslim - Christian Brotherhood Center – مركز الإخاء الإسلامي المسيحي (Musrara)	[2008/9]	
Zeid Bin Thabet Center - مركز زيد بن ثابت (Sur Baher)	02-02-2009	Closed for two years (for ‘affiliation with an illegal organization)
Nidal Center/Palestinian Health Work Committees (Old City)	07-2009	Closed under Prevention of Terrorism Ordinance (1948) until late 2012; has remained inactive
Sa’ed Center for Education - مركز ساعد التعليمي	25-10-2011	

Shu'aa Women's Society - جمعية شعاع النسوية - (Shu'fat)	25-10-2011	Closed permanently (declared as illegal organization)
Jerusalem Foundation for Development – مؤسسة القدس للتنمية (Beit Hania/al-Dahia)	25-10-2011	Closed permanently (declared as illegal organization)
Palestinian Health Work Committees – لجان العمل الصحي	07-05-2015	Closed down permanently under the Prevention of Terrorism Ordinance (1948)
Palestinian Youth Union - اتحاد الشباب الفلسطيني	10-05-2015	Closed down permanently (declared as illegal organization)
Dpt. of Cartography and Information Systems, Arab Studies Society (relocated office, Beit Hanina/al-Dahia)	14 -17 March 2017	Closed and sealed by Israeli authorities for 3 days, materials confiscated and director detained for alleged cooperation with the PA. Reopened and materials returned (the association is located in East Jerusalem but outside of the Israel-annexed area)
Handala Cultural Center, Jabbel Mukkaber	28-06-2017	Closed down permanently under the Prevention of Terrorism Ordinance (1948)
Union of Agricultural Works Committee (UWAC)	1-2018	Registration in Jerusalem cancelled by the Israeli registrar and office closed down permanently based on court order
Elia for Media	17-04-2018	Closed down based on temporary declaration as illegal organization under the Combatting Terrorism Law (2016)

* The data presented in this table is illustrative; a comprehensive record of all Palestinian institutions closed in this period is not available.

Sources: Documentation of JLAC, Civic Coalition for Palestinian Rights in Jerusalem, and the Land Research Center: 6) إغلاق مؤسسات القدس تطهير عرقي لمدينة القدس العربية (Oct. 2009); Najat Hirbawi and David Helfand, "Palestinian Institutions in Jerusalem", Palestine-Israel Journal Vol. 17, No. 12 (2011), at: <http://www.pij.org/details.php?id=1306>; PNGO Survey (April 2018); List of organizations declared as unlawful associations (1964 – 2010), Israeli Ministry of Defense: <http://nolegalfrontiers.org/military-orders/mil089ed2.html?lang=en>

III. The attack on civic space and the rights to freedom of expression, assembly and association of Palestinian civil society organizations in occupied East Jerusalem

PNGO's Survey

PNGO's survey is a first attempt at a systematic assessment of the scope and characteristics of the infringements against the rights to freedom of expression, assembly and association experienced in recent years by Palestinian civil society organizations (CSOs) under Israel's illegal annexation regime in occupied East Jerusalem.

Methodology

The survey was carried out in April 2018. Data gathering tools consisted of an on-line questionnaire and follow-up meetings with CSOs for the gathering of additional and more detailed qualitative information. The focus was on the period since 2014, because Israel has since then responded to waves of popular Palestinian protests by re-introducing in East Jerusalem, under the pretext of security, repressive measures that have been typical of its military regime over Palestinians elsewhere in the OPT, including excessive use of force, administrative detention and collective punishment.⁽¹⁹⁾ Data and information available from earlier periods were considered where relevant for the interpretation and presentation of the survey's findings.

All findings resulting from the survey are of an illustrative nature. Statistically representative surveys of the infringements faced by Palestinian civil society associations in occupied East Jerusalem are currently not feasible because a comprehensive record of Palestinian CSOs working in Jerusalem is not available.

Selection of participating CSOs:

For the purpose of the survey, Palestinian CSOs working in Jerusalem were defined as associations which are independent, i.e., without organizational affiliation with any Palestinian political organization, the PLO or the PA; hold registration and status as non-profits with Israeli or Palestinian authorities; and, carry out substantial, sustained and peaceful professional work in occupied East Jerusalem to support its Palestinian population and protect Palestinian human rights, with or without office presence in the city.

Approximately 50 organizations meeting the above definition of Palestinian CSOs working in occupied East Jerusalem were identified and invited to participate in the survey by PNGO, as well as by the Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ) and the Union of Charitable Societies. The group of actual participants in the survey is composed of the 25 CSOs that responded positively and filled out PNGO's online-questionnaire.

Although the 25 CSOs surveyed are not statistically representative of all Palestinian CSOs working in Jerusalem, the sample reflects the diversity of work carried out by Palestinian civil society in the city in the fields of health, agriculture, social development, arts and culture, legal aid and human rights, through services for the general Palestinian public and for certain social sectors, in particular women and youth, and through awareness-raising, mobilization and advocacy. (See Annex-1: List of CSOs surveyed)

19. Al Haq, "Special Focus on Jerusalem" (2015)

The online questionnaire:

Design of the questionnaire was guided by the experience and documentation available among PNGO and its members, as well as by materials issued by others, such as the Palestinian Human Rights Organizations Council (PHROC), Amnesty International and the UN Special Rapporteur on Human Rights in the OPT, who have monitored, documented and alerted of increasing levels of repression of peaceful Palestinian protests and the freedom of expression, assembly and association of individuals and organizations defending Palestinian human rights by Israel's right wing governments. ⁽²⁰⁾

Based on these sources, the following themes/issues were identified with the assumption that – in the particular context of Israel's illegal annexation regime in occupied East Jerusalem – these are the main factors undermining the ability of Palestinian CSOs to exercise their rights to freedom of association, assembly and expression, and to carry out their missions: i) registration with Israeli authorities; ii) office presence in Jerusalem; iii) banks and bank accounts, iv) restrictions on Palestinian freedom of movement; v) threats, cyber-attacks and defamation campaigns of Israel-lobby groups; vi) intimidating and punitive measures against staff and members because of their work for the CSO; vii) physical attacks and closure orders against CSOs and their activities; viii) the environment of intimidation and fear of Israeli reprisals among Palestinian society in Jerusalem, and, ix) Israeli entry bans on supportive visitors coming from abroad.

The questionnaire itself posed 20 closed (multiple choice) questions and one open question with the aim of exploring to what extent, and in which ways, presence and work of the surveyed Palestinian CSO in occupied East Jerusalem has been obstructed in practice by the issues identified in the desk research, and whether there are other issues related to Israel's illegal annexation regime that CSOs consider to be major obstacles. Respondents were asked to fill out the questionnaire as applicable to their organization in the time period since 2014. (See Annex-2: Survey questionnaire)

Follow-up consultations and meetings:

Meaning and consequences of the quantitative results were clarified, and issues of special concern were explored in depth, in follow-up meetings and conversations with ten CSOs.

Main findings

Overall, PNGO's survey confirmed that Palestinian CSOs working in occupied East Jerusalem face challenges mainly in the following areas:

- Restrictive Israeli policies pertaining to the registration and lawful presence (in terms of Israeli law) of Palestinian CSOs in occupied East Jerusalem;
- Israeli banks seeking to close the Jerusalem accounts of Palestinian CSOs, and banks in Israel, the OPT and abroad not handling financial transfers of/to the CSOs;
- Israel's restrictions on Palestinian access to Jerusalem (the 'Jerusalem closure' policy);
- The defamation campaign of Israel-lobby groups targeting Palestinian CSOs;
- Intimidating and punitive measures against staff and members of CSOs, including summons

20. PHROC, "The situation of human rights defenders in the OPT", submission to the UN Special Rapporteur on Human Rights in the OPT, 7 November 2016; Amnesty International, "Israeli Government must cease intimidation of human rights defenders, protect them from attacks", public statement, 12 April 2016; Report of the UN Special Rapporteur on Human Rights in the OPT, A/HRC/34/70 (13 April 2017), para. 30 – 61.

- for questioning, as well as arrest, detention and punitive restrictions of the freedom of movement carried out by Israeli authorities under emergency/counter-terrorism laws;
- Physical attacks by Israeli authorities on CSOs (office raids, confiscation/destruction of equipment and material), and forcible closure of peaceful activities or the entire operation of CSOs, on grounds of alleged terrorism and under emergency/counter-terrorism laws, or for alleged affiliation with the PA;
 - Intimidation and fear of Israeli reprisals among Palestinian society in Jerusalem, as well as Israel's restrictive and arbitrary visa policies targeting foreign staff and supportive visitors from abroad, as factors that indirectly target and undermine Palestinian civic space and the work of CSOs.

The findings of the survey also indicate that – in addition to the increasingly severe challenges resulting from restrictive and discriminatory policies of banks and the defamation campaign of Israel's lobby groups – the primary challenges for Palestinian civil society organizations are Israel's illegal restriction of Palestinian access to occupied East Jerusalem, and the arbitrary attacks of Israeli authorities on staff, members, offices and activities, which target Palestinian CSOs because of their Palestinian identity, and because they resist Israel's illegal annexation regime by peaceful means.

The most important and more detailed findings of PNGO's survey are presented in the remainder of this section, including quantitative findings and additional explanatory information obtained from CSOs and, where needed, from additional relevant sources. (See also Annex-3: Summary report of responses received to the questionnaire)

Registration with Israeli authorities in Jerusalem

- 60% of the surveyed CSOs have Israeli registration in Jerusalem
- 40% do not have Israeli registration
- 16% do not have Israeli registration because their association's mission is rejected by Israeli authorities

Related relevant information⁽²¹⁾

Under Israel's illegal annexation regime, registration with the Israeli Ministry of Justice is a condition for 'lawful' presence and operation of Palestinian associations in occupied Jerusalem, including opening an office and bank account. Palestinian associations without Israeli registration are considered 'unlawfully' present in occupied East Jerusalem by Israeli authorities. When they carry out activities in the city, they risk forcible shut-down of activities by Israeli authorities.

Palestinian CSOs wishing to preserve or obtain Israeli registration in order to safeguard their presence in occupied East Jerusalem have to submit to restrictive conditions that deprive them of status and identity as Palestinian organizations. It is common knowledge, for example, that CSOs should not identify themselves as "Palestinian" in their applications for non-profit status in order to have a chance for approval with the Israeli registrar. Moreover, for Palestinian NGOs that maintain an office and activities also elsewhere in the occupied

21. The names of CSOs that contributed relevant information to this and subsequent sections, including information about attacks they have faced, are kept confidential for privacy and security reasons. Documentation of sources is preserved by PNGO.

West Bank, Israeli registration in Jerusalem comes at the cost of having their organization split into two separate legal and administrative entities: one Palestinian (registered with the Palestinian Authority), the other an 'Israeli' entity in occupied East Jerusalem.

Some of the CSOs surveyed and currently without Israeli registration had obtained status with the Israeli registrar in the 1980s or early 1990s, when Israel's registration policy was still less restrictive than today, but had their registration subsequently cancelled. In one such case, an Israeli court ordered the Palestinian NGO to close down its Jerusalem office at the end of 2017. Formally, the court order came to enforce the decision of the Israeli registrar of NGOs to cancel the organization's license and status in Jerusalem on technical grounds ("lack of activity and reports"). The organization, however, believes that the real motive was political because it has been attacked in parallel by Israeli authorities for the reclamation of Palestinian land in the so-called Area-C of the occupied West Bank. Another NGO had its Israeli registration cancelled back in 1998. The organization was notified that its registration had been terminated because "it was not performing in accordance with its stated mission as two of its members were imprisoned for activity with an illegal organization". The NGO decided not to challenge the measure in an Israeli court; it rather relocated its office from Jerusalem to Ramallah from where it has since then continued to provide legal support to Palestinian political prisoners and detainees in Jerusalem by means of a team of lawyers.

Office presence in Jerusalem

- 84% of the surveyed CSOs have offices of varying sizes in Jerusalem
- For 52% the Jerusalem office is their head office
- 16% do not have an office in Jerusalem

Related relevant information

Maintenance of an office in a location that is part of occupied Palestinian Jerusalem but outside the Israel-annexed area of the city has been a coping strategy of Palestinian CSOs that want to maintain office presence in Jerusalem without seeking Israeli registration.

The number of Palestinian CSOs maintaining an office in Jerusalem is larger than the number of those registered and licensed by Israel. This is because several CSOs not holding an Israeli registration have opened offices in an area that is part of occupied Palestinian Jerusalem but located outside the Israel-annexed area, such as the al-Dahia neighborhood of Beit Hanina. Among these CSOs are formerly PLO-affiliated institutions, such as departments of the Arab Studies Society, which re-established themselves as independent NGOs after their offices in the center of occupied East Jerusalem were closed down by Israeli authorities in 2001-2.

CSO accounts with Israeli banks in Jerusalem; problems with banks

- 60% of the surveyed CSOs have a bank account in an Israeli bank in Jerusalem
- 28% of CSOs with a bank account in Jerusalem report problems with their Israeli bank.
- The main problems faced are of two types: banks freezing accounts or telling CSOs to close their account, and banks not handling transfers from CSO accounts
- 56% of all CSOs surveyed also report difficulties accessing funds transferred to them from abroad, irrespective of whether their bank account is in East Jerusalem or elsewhere in the occupied West Bank.

Relevant information: problems with bank transfers in general

Banks operating in occupied East Jerusalem are Israeli banks and some Israel-licensed foreign banks; no Palestinian banks or other Arab-owned banks are operating in the city, with the exception of the Cairo-Amman Bank. All Israeli banks provide services to the illegal Israeli settlements in the occupied West Bank; their branches are located in the Israeli settlements. As such, Israeli banks do not provide services to the Palestinian population in the occupied West Bank outside of East Jerusalem. Banking services for Palestinians there are provided by Palestinian, other Arab and foreign banks.

Palestinian CSOs participating in the survey confirmed that timely access to funds transferred to their bank accounts by donors is crucial for their ability to carry out effective programs, projects and activities. Moreover, many CSOs also require frequent transfers between their bank account in Jerusalem and another organizational account in a Palestinian locality elsewhere in the occupied West Bank (e.g., Ramallah), because their activities extend beyond Palestinian Jerusalem and/or because they are headquartered in that West Bank locality .

To some extent, the problems faced by CSOs with bank transfers are attributable to the increasingly demanding standards and controls of banking enforced by the international banking system with the aim of preventing money laundering, tax evasion, the financing of terrorism, illicit arms trade and other prohibited business. These standards and controls regulate banking globally; they affect Palestinian CSOs in a similar way, irrespective of whether their bank is in East Jerusalem or elsewhere in the occupied West Bank.

According to information verified with the director of a branch of the Arab Bank in the West Bank, each and every transfer in foreign currency (US\$, Euro, or other), including transfers between a Jerusalem and a West Bank account of an organization, are scrutinized by, and require the approval of, certain large financial institutions which serve as intermediary banks and are located abroad, in the United States, Europe or elsewhere (depending on the currency). Control of transfers to and from accounts in Israel and the OPT is, moreover, especially strict as both areas are internationally rated as high-risk areas for banking, foremost in connection with money-laundering (Israeli banks) and financing of terrorist activities (banking in the OPT). Transfers will not be approved by the controlling intermediary bank unless fully documented. Mistakes made by any bank cause damage to its reputation, and there is a high risk of lawsuits and fines. The situation is similar for bank transfers in Israeli Shekel (NIS) between Jerusalem and PA-administered areas in the West Bank. Although such transfers are conducted – based on the Oslo agreements – between local banks via an Israeli intermediary bank, local banks are nevertheless likely to apply the same international standards, because their overall operations are subject to the same international control and scrutiny.

The above goes a long way to explain why more than half of the CSOs participating in the survey face problems, in Jerusalem and elsewhere in the West Bank, with accessing funds transferred to them from abroad. It also explains in part why Israeli banks refuse to handle, or delay, transfers from the Jerusalem account of Palestinian CSOs, asking lots of questions and requesting a multitude of supporting documents. Local banks, whether Israeli or other, will not process transfers or accept transfers from abroad, unless these are fully documented in accordance with the extremely demanding international standards.

A case apart: Israeli banks harassing Palestinians CSOs, seeking to close their Jerusalem accounts⁽²²⁾

Global control of banking, however, cannot explain certain measures by Israeli banks, such as those experienced by participants in the survey: Starting from late 2016, Israeli banks have repeatedly requested at least 30 Palestinian CSOs to close their Jerusalem accounts. In many cases, this request came from the Mercantile Bank where many Palestinian NGOs had opened accounts in the 1980s and 1990s. In one case, the CSO brought a lawsuit against this bank in 2017, after months of fruitless efforts for clarification that had ended with the bank closing down the account and informing the CSO to come collect the cash balance. In court, the bank was unable to present evidence of violations banking-related law or rules by the CSO; instead, it sought to justify its measure by emphasizing that the CSO is “Palestinian”, and by claiming it is affiliated with the PLO and terrorism. The court ruled that the bank has no valid grounds and ordered it to reopen the account. The bank did so in early 2018, but harassment has not ceased. Amongst other incidents, the bank refused to accept and returned a grant from the EU to a Jerusalem project of the CSO, explaining that it did so because “the EU is funding projects in Gaza”. In another case, the same (Mercantile) bank also gave no reason for its repeated demand to a CSO to close its account, aside from mentioning in an informal conversation that it was because the association presents itself as a Palestinian organization. Eventually, the NGO handed over the matter to a lawyer, and the bank has not repeated the demand since October 2017. In two additional cases, the Israel bank froze the accounts of CSOs until the latter met certain banking-related demands, such as additional documentation of transfers receivable/requested or addition of a member authorized to sign financial transactions of the CSO. Even then, however, these apparently technical demands included, in one case, the requirement for the CSO to remove its full organizational name that includes the word “Palestinian” from documents submitted to bank, and to use instead the abbreviated, five-letters-name under which it had obtained Israeli registration in Jerusalem in 1987.

Whereas concrete evidence is not available, and although not addressed by Palestinian CSOs in this context, it is reasonable to assume that the problems faced by Palestinian CSOs with their Israeli banks in Jerusalem, as well as banks in general, are attributable in part also to the aggressive campaign of defamation of NGOs spearheaded by Israel’s right wing government and lobby groups. The reasons for this conclusion are explained below.

The defamation campaign of Israel’s right-wing government and lobby groups

- 44% of CSOs surveyed have faced defamatory attacks by Israel lobby groups (such as the NGO

Cyber-attacks and threats

- 44% of CSOs surveyed have been the target of cyber-attacks on their IT system
- 16% have received threats via email or social media against the organization or staff/board members

²². Among the affected CSOs that provided information for this section are two organizations that did not fill out the survey questionnaire.

The defamation campaign: background

Hasbara (in Hebrew: explanation), i.e., the promotion of a discourse that justifies, in particular among Israel's Western allies, the policies adopted to create and maintain a 'Jewish state' that replaces Palestine's indigenous population, has necessarily been a core component of Israeli foreign policy for decades in an era in which colonialism is no longer accepted, and in which an endeavor of this kind is an anomaly and contrary to modern international law and ethics. The model of Israel's current defamation campaign targeting NGOs and everyone defending Palestinian human rights, however, is to a large extent the brain-child of the NGO Monitor.

The NGO Monitor was established during the second Palestinian intifada in 2002 by a group of US- and Israel-based advisers of the Netanyahu government, as part of a right-wing think tank and network of lobbyists that would relieve Israeli governments from international criticism and pressure to respect international law. According to the NGO Monitor's founders, such criticism and pressure on Israel is driven by the advocacy messages and campaigns of international human rights organizations and their Palestinian and Israeli partner NGOs, while European funding is 'the oxygen that keeps the anti-Israel campaign alive'.⁽²³⁾ Based on this analysis, the NGO Monitor has been seeking to protect Israeli governments and their illegal settlement and annexation enterprise in the OPT by publishing a myriad of reports that brand NGOs as antisemitic because they allegedly "abuse the language of human rights" to "demonize the Jewish state of Israel", while also constructing a "chain of association" linking NGOs to what the Monitor defines as "terrorist states and organizations".⁽²⁴⁾ Equipped with these reports, lobbyists then exert pressure on European non-governmental donors, governments and the EU, shaming them for supporting NGOs that promote "antisemitism and the destruction of Israel, the state of the Jewish people", and seeking to compel them to withdraw their funding.

In the meantime, Israel's ever more extreme right-wing governments have developed the NGO Monitor's model at a much wider scale. Seeking to disrupt attempts to hold Israel accountable for its illegal settlement-annexation policy and oppression of Palestinians, Israel's Ministry of Strategic Affairs, Foreign Ministry and intelligence services have been activating and financing lobby groups, private law firms, spies, IT specialists and social media activists to carry out – on behalf of the government – an aggressive campaign in particular in Europe and North America, including public defamation, lawsuits and lobbying of politicians, donors and banks, all with the aim of cutting off political and financial support, and restricting, outlawing and criminalizing, criticism of Israeli policies and efforts for Palestinian human rights, including non-violent Palestinian resistance.⁽²⁵⁾

23. Gerald Steinberg, "The centrality of NGOs in promoting anti-Israel boycotts and sanctions", *Jerusalem Center for Public Affairs*, 7 May 2009 at: <http://jcpa.org/article/the-centrality-of-ngos-in-promoting-anti-israel-boycotts-and-sanctions/> (Steinberg is the NGO Monitor's director).

24. Michael Sfard, "How I stopped ignoring NGO Monitor and started fighting back", 30 August 2017, at: <https://972mag.com/how-i-stopped-ignoring-ngo-monitor-and-started-fighting-back/129492/>

25. See, for example, Uri Blau, "Inside the Clandestine World of Israel's 'BDS-busting' Ministry", *Haaretz*, 26 March 2017: <https://www.haaretz.com/israel-news/MAGAZINE-inside-the-clandestine-world-of-israels-bds-busting-ministry-1.5453212> Also: Chaim Levinson and Barak Ravid, "Israel Secretly Using U.S. Law Firm to Fight BDS Activists in Europe, North America", *Haaretz*, 26 October 2017: <https://www.haaretz.com/israel-news/reveled-israel-s-top-secret-global-legal-operation-to-fight-bds-1.5460218>

Impact on Palestinian CSOs

Conversations with some of the 11 Palestinian CSOs (44%) participating in the survey and targeted by the NGO Monitor confirmed the strong concern about these attacks and their consequences, including efforts for damage control with donors, loss of funding, and the intimidating effect of the fear of losing funding. While there was support in principle for a concerted initiative of Palestinian civil society to challenge the defamation campaign, consulted organizations also pointed at the problem that Palestinian civil society and partners abroad do not have at their disposal in Europe or North America financial resources or a network of experienced lobbyists with easy access to decision makers similar to the network of Israel lobby groups.

Banks have been a target of the defamation campaign as Israel-lobby groups seek to achieve ever more restrictive international banking policies for financial transactions with Palestinian public and private institutions, including NGOs, by means of sustained propaganda accusing them of terrorism. As illustrated by the message from the UK (see box), this has resulted in the refusal of banks to transfer donations from abroad to the accounts of Palestinian CSOs, including NGOs participating in the survey.

Moreover, one of the many tactics employed by Israel's lobbyists abroad is to put pressure on banks to close certain accounts, by claiming that account holders support terrorism or 'hatred against Jews and Israel', stressing the business risks involved, and threatening banks with lawsuits. This method has already resulted in the arbitrary closure of bank accounts of individuals and charities defending Palestinian human rights, including Jewish individuals and associations, in particular in the UK, Ireland, Germany, Austria and France.⁽²⁶⁾

Cyber-attacks and threats

Although the level of cyber-attacks on IT systems is substantial, Palestinian associations consulted did not state major concerns or report damage caused, most likely due to the technical support provided by the many young IT-savvy Palestinian staff and consultants. Threats via email or social media, although received by some, did also not feature as a priority concern among the group of Palestinian associations working in occupied East Jerusalem that participated in the survey.

In addition to the problems faced with banks and the challenges resulting from Israel's defamation campaign, the primary challenge for the Palestinian CSOs working in occupied

Hello,

Recently I tried to send donations to [Palestinian CSO X, a participant in the survey]. My bank (London branch of a Swiss bank) refused to do so on vague grounds of reputational risk. When I complained asking for more details, the same was repeated.

I see that NGO Monitor has been very active in trying to prevent donations to Palestinian human rights NGOs and has attacked [CSO X] inter alia. That may be the cause of the bank refusal. No doubt you are aware of this apparently very effective lobbying.

I am considering an appeal to the Financial Ombudsman UK, but it is likely to take a considerable extended effort and doubt if there is any point. Your view?

Regards XXX

26. See for example: Benjamin Weinthal, "Exclusive: Major French Bank Closes Anti-Israel BDS Account", *Jerusalem Post*, 19 May 2016: <http://www.jpost.com/International/Exclusive-Major-French-bank-closes-anti-Israel-BDS-account-454436>

Jerusalem are the harsh, restrictive and repressive Israeli measures which violate fundamental freedoms and put at risk the existence of their organizations, and which target them because of their Palestinian identity, and/or because they resist Israel's illegal occupation-annexation regime by peaceful means. This conclusion is supported by the following findings:

Israel's restrictions of the freedom of movement targeting Palestinians: 'Closure of Jerusalem', travel bans, denial of visa to foreigners working with Palestinian CSOs

- 48% of CSOs surveyed have had one or more members (staff and board) prevented from coming to Jerusalem for work due to Israel's military closure of Jerusalem for Palestinians from the West Bank
- 62.5% have been facing difficulty recruiting qualified local staff for work in Jerusalem due to Israel's military closure of Jerusalem for Palestinians from the West Bank
- 20% of CSOs have had a travel ban imposed on at least one staff or board member scheduled to travel abroad for work

Related relevant information

The survey confirms the continuing severe negative consequences for Palestinian CSOs of Israel's military 'closure of Jerusalem', i.e., the system of Israeli military checkpoints, access permits and the Wall that has deprived most of the Palestinian population of the OPT of their right to freely enter occupied East Jerusalem since the early 1990s.

For Jerusalem-based CSOs in particular, Israel's 'closure policy' has resulted in chronic staffing problems because of the inability to recruit qualified Palestinian candidates from the West Bank. Moreover, associations consulted explained that the problem is aggravated by the fact that they also have to compete for the limited pool of skilled and experienced Jerusalem-Palestinian candidates with UN agencies and international NGOs that offer salaries and benefits that cannot be matched by local organizations.

Travel bans are imposed on staff and board members of Palestinian CSOs under Israel's emergency laws in East Jerusalem and elsewhere in the occupied West Bank. In Jerusalem, de facto travel bans are moreover imposed by the Minister of Interior, simply by not issuing or extending in time the Israeli travel document (laissez passer) which Palestinian residents of the city need to obtain for travel abroad. CSOs consider these travel bans to be motivated by Israel's attempt to isolate them from urgently needed international support, and a measure that is part of the Israeli policy of intimidation and punishment which is discussed below.

Intimidation and violation of the physical liberty of staff/board members because of their work or affiliation with the CSO

- 32% of CSOs surveyed have had staff and/or board members arrested and detained for short and longer periods, including prolonged detention without trial ("administrative detention")
- 12% of CSOs have had staff or a board member, residents of Jerusalem, temporarily banned and deported from the city by Israeli authorities
- 44% have had staff or board members summoned for questioning about the association by Israeli intelligence or police

Physical attacks and closure orders against CSOs and their activities

- 40% of CSOs surveyed have had their office raided and materials/equipment confiscated or destroyed by Israeli police or intelligence; 32% have been the target of such raids more than once
- 36% of CSOs have been ordered by Israeli authorities to stop certain activities (20%) in occupied East Jerusalem or to close down their office and all work (16%) in the city

Related relevant information

The above data demonstrates the oppressive character of the Israeli regime applied to Palestinian civil society organizations working in occupied East Jerusalem. CSOs are being outlawed, criminalized and punished by Israeli authorities for their engagement in peaceful activities for Palestinian human rights and development in the city. Although none of the CSOs is associated with any political organization or the PA, this is being done, by means of the same Israeli emergency/counter-terrorism laws and ban-policy on the PA as used to outlaw, criminalize and evict from the city Palestinian political organizations and all national institutions affiliated with the PLO.

In follow-up discussions, Palestinian CSOs emphasized the discriminatory character of this oppressive regime. As pointed out by the representative of one NGO, Israel's 'Anti-boycott law' (2011), Foreign Government Funding Law (2011) and NGO Transparency Law (2016), which have been strongly criticized by the UN Office for Human Rights because they intimidate against legitimate criticism and opposition to Israeli policies that violate international humanitarian and human rights law,⁽²⁷⁾ are civil laws, and violations are civil offenses. These laws target Israeli human rights organizations. For Palestinian organizations, Israeli authorities use other means for much more draconian and sweeping intimidation, criminalization and repression in form of emergency and counter-terrorism legislation. As a rule of thumb, the Defense (Emergency) Regulations (1945) have been used to target Palestinians outside of the judicial process, for example with bans from Jerusalem, administrative detention or forcible closure of institutions by the Israeli intelligence service. When authorities preferred to involve Israeli courts, individuals have been arrested, and organizations declared illegal and closed, under the Prevention of Terrorism Ordinance (1948) or, since 2016, under Israel's Combatting Terrorism Law. The situation is similar in East Jerusalem and elsewhere in the occupied West Bank, the main difference being that in the occupied West Bank, such repressive measures can be adopted based on approval by any Israeli district military commander, whereas in occupied East Jerusalem approval of the Minister of Defense is required.

One third of the CSOs surveyed have had staff arrested and detained for shorter and longer periods, including one case of administrative detention. Three organizations (12%) have had staff temporarily banned from Jerusalem and deported either to a city inside Israel or in the occupied West Bank. An additional and different case of a ban was identified in the consultations: one NGO pointed out that one of its board members, a resident of Jerusalem, has been confined to the city for years due to a ban preventing him from entering the West Bank.

27. OHCHR, "UN rights office raises concern about Israel's 'NGO Transparency Law'", 19 July 2016:

<https://news.un.org/en/story/2016/07/534812-un-rights-office-raises-concern-about-israels-ngo-transparency-law>

Ten of the 25 associations (40%) have undergone at least one if not repeat raids of their offices, usually accompanied by damage, destruction or confiscation of materials and equipment. Nine CSOs (36%) have faced various forms of prohibitions of activities, work and presence in Jerusalem – mainly for alleged criminal (terrorist) activity or affiliation, and in some cases for alleged cooperation or affiliation with the Palestinian Authority. 20% of CSOs surveyed reported that these prohibitions concerned certain activities. Illustrative examples of activities of Palestinian civil society outlawed and prevented from taking place, and of incidents of CSO offices raided by Israeli authorities in recent years are presented in table 2.

Table 2:

Palestinian CSO activities prohibited and offices raided in occupied Jerusalem by Israeli authorities: Illustrative examples, December 2016 – October 2017		
Description of Activities and Incidents	Date of Incident	Affected CSOs
YEAR 2016		
Prohibition and close-down of an evening event with popular songs at the Palestinian National Theater (al-Hakawati)	08-12	Al Quds University, al-Milad Fund for Students
Office raid; confiscation of a computer and arrest of a journalist	08-12	Elia for Media
YEAR 2017		
Office raid; reason given: search for stone throwers	05-03	Wadi Hilweh Information Center, Silwan
Forcible close-down of a public drawing/painting activity in support of Palestinian political prisoners at the Damascus Gate on Prisoners' Day	17-04	Prisoners' support groups
Forcible close-down of the public debate: "Palestine in the Israeli curriculum and the culture of incitement" at the Legacy Hotel	26-04	Passia (organizer)
Office raid and search	21-05	Madaa - Silwan Creative Center
Prohibition of an activity of the "Squirrel" scouts squad and imposition of fine for disturbing Israeli settlers in the area	08-06	Handala Cultural Center, scouts program, Jabbel Mukkaber; Center closed-down permanently

Raid of the Dar al-Eitam orphanage and school; search of the students and arrest of two of them	24-08	Dar al-Eitam orphanage and school, Old City
Students prevented from entering the schools; confiscation of Palestinian school books; reason given: the Palestinian flags on the books	24-08	Al-Aqsa schools, Old City
Raid of Yabous Center, preventing public debate of the study “Custodianship of the al-Aqsa Mosque Compound under the status quo”; reason given: involvement on an illegal organization	28-08	Yabous Cultural Center (host) Mazen al-Ja’bari (organizer)
Forcible prevention of a football match with a team from the U.K. the members of the British team were not even allowed to enter the Old City	25-09	Burj al-Luqluq Social Center, Old City
Prohibition of art performance (“al-Taghriba”). Reason given: organized by the PA	27-09	Palestinian National Theater (host) Jerusalem Clubs Union (organizer)
Forcible prevention of a public debate about Waqf property at the St. George Hotel; summons issued to several participants	25-10	Educational Book Store & Civic Coalition for Palestinian Rights in Jerusalem (co-organizers)
Sources: JLAC documentation; media reports; PNGO Survey (April 2018).		

Orders prohibiting all activity, work and office presence in Jerusalem were issued by Israeli authorities against four (16%) of the Palestinian CSOs surveyed, including, most recently against Elia for Media whose office is located in the center of occupied East Jerusalem.

The Case of Elia for Media – an attack on free speech of East Jerusalem’s Palestinian youth

Elia for Media trains and works with youth in (social) media, journalism, photography and videography, documenting the Palestinian character of occupied East Jerusalem and the social, economic, cultural and political life of the city’s Palestinian population. Established in 2004, Elia for Media holds non-profit status with the Israeli and Palestinian authorities; it is operated by five staff and approximately 30 youth volunteers.

On 12 April 2018, Israeli police sealed the NGO’s office doors and taped on them a copy of the “temporary declaration of Elia for Media as a terrorist organization under the Combatting Terrorism Law (2016)” signed by Israel’s Defense Minister Avigdor Lieberman. No one was in the office at that time.

A few days later, Lieberman explained on Twitter: “According to information gathered by the Israeli intelligence service, this is an institution which disguises itself as a youth center, while in practice it is recruiting terrorists and training

them to produce inciting videos and support terrorist activity. We will uproot every attempt at strengthening terrorist elements in Jerusalem, Israel's united capital."⁽²⁸⁾

Elia for Media is legally represented by the human rights organization Adalah. Arguments challenging the decision may be submitted within two months, i.e., until 12 June.

The NGO's offices have been raided more than once, including in 2017 when materials were also confiscated. Its director, a journalist himself, has been summoned and arrested numerous times on similar grounds by Israeli police and intelligence.

It is important to highlight in this context, that the problems faced by Palestinian CSOs -- with Israeli registration; their banks; the defamation campaign of Israel-lobby groups, cyber-attacks and threats; Israeli restrictions on Palestinian freedom of movement, and the direct attacks carried out by Israeli-authorities, including arrests and detention of staff or board members, office raids, destruction and confiscation of material and equipment, prohibition of activities and forcible close-down of offices and work in Jerusalem -- are not single incidents or affecting organizations separately. In practice, most of the CSOs surveyed have been facing four, five or more of these challenges, often at the same time and on multiple occasions. For some, the combination of multiple attacks and repressive measures over a long period of time has severely undermined their ability to stay and continue work in occupied East Jerusalem.

The case of the Health Work Committees (HWC)

The HWC has held non-profit status with the Israeli registrar and worked in occupied East Jerusalem for more than two decades. In the early 2000s, the HWC's main programs were a youth development program, and a school health program that provided health services and vaccinations to Palestinian students in more than 60 East Jerusalem schools, filling the gap caused by Israel's ban of the Palestinian Ministry of Health from the city. These programs were funded in part by the EU and European governments. HWC's office was located in the Nidal Center for Culture and Development in East Jerusalem's Old City.

In July 2007, Israeli intelligence and police raided and closed the Nidal Center under the Prevention of Terrorism Ordinance (1948) for hosting the offices of the HWC. The HWC relocated its office to the Shu'fat neighborhood and continued to carry out its programs.

In December 2014, HWC's youth organizer was banned from Jerusalem and the West Bank for four months on grounds of alleged membership in an illegal organization; all evidence was kept secret. The ban was later extended to six months.

In May 2015, Israeli intelligence and police raided the HWC's office in Shu'fat and handed out an order to close the office, again under the 1948 Prevention of Terrorism Ordinance. Police officers confiscated all computers and summoned the director of the school health program and the administrative assistant to one of Israel's intelligence centers for questioning. The organization was also

28. <https://twitter.com/AvigdorLieberman/status/985845422739607558>

told that it would never again be allowed to operate in Jerusalem, not under the name of HWC or any other name.

In June 2015, HWC's youth organizer who had just returned from Haifa, where he had spent the period of the ban from his hometown, was summoned for questioning at the Israeli interrogation center in Jerusalem known as the Russian Compound and subsequently arrested. Seven months later, in February 2016, an Israeli court convicted him of membership in an illegal organization and sentenced him to 18 months in prison.

By April 2018, the HWC was still carrying out, to the extent possible, its youth development and school health programs. However, it had no more office space in Jerusalem, and funding for its programs had dwindled.

Finally, PNGO's survey confirmed that Palestinian civic space and the ability of Palestinian CSOs to carry out activities in occupied East Jerusalem is being undermined in addition by the coercive environment created by Israel's illegal annexation regime for Jerusalem's Palestinian population at large, and by Israel's arbitrary and restrictive visa policies targeting their foreign staff and supportive visitors coming from abroad.

Intimidation and fear of Israeli reprisals among Jerusalem's Palestinian society limiting the ability of CSOs to carry out activities

- 28% of CSOs surveyed have faced difficulties accessing venues (e.g. conference halls in hotels) for public activities because owners of the venues feared Israeli reprisals
- 32% of the CSOs have faced difficulties carrying out activities with Jerusalem communities (beneficiaries) because people were intimidated and feared Israeli reprisals

Israel's restrictive and arbitrary visa policies targeting foreign staff and supportive visitors from abroad, as measures obstructing the work of Palestinian CSOs

- 48% of CSOs surveyed have had difficulty recruiting/keeping qualified foreign staff because Israeli authorities do not issue work visa, deny extension of tourist visa and restrict the freedom of movement of foreign staff into occupied East Jerusalem
- 24% of CSOs surveyed have had to cancel meetings or activities with visitors from abroad because visitors were banned from entering the country by Israeli border authorities

Related relevant information

In discussions about the effects of intimidation and fear among Jerusalem's Palestinian society, Palestinian CSOs recalled situations in which owners of private venues or certain communities in occupied East Jerusalem had been reluctant to cooperate because of the coercive environment created by Israel's illegal annexation regime. Having experienced Israeli police raids of their own communities, witnessed the violent repression of popular protests, or observed raids of Israeli police and intelligence on CSOs, many people are afraid of facing Israeli reprisals, if they are seen as taking part in social or political organizing. Parents, moreover, are worried about their children getting involved and arrested. CSOs

emphasized that these concerns are well-founded, because Israeli authorities have at their disposal - and make use of - many means to inflict punishment on people, including, among others, summons for questioning, night-time searches of homes, sudden campaigns of tax collection or fines on businesses, or stopping a process of family unification. One CSO participating in the survey and hosting activities in its own facilities also confirmed that renting out space and being a host entails a high risk of fines, summons or even forced closure of the hosting institution. As a way of protection, the CSO has thus adopted a policy of seeking early legal advice, and of not renting out its facilities to any Palestinian political group.

Almost half of the CSOs surveyed face difficulties with keeping foreign staff needed for the development of specific technical expertise, or international public relations, due to Israel's restrictive and arbitrary visa policies. In general, visa issues of foreigners in Israel and the OPT are handled by Israel's interior ministry. The Israeli military government handles visa and visit permits of foreign citizens who are spouses or otherwise related to Palestinian residents of the occupied West Bank (outside of East Jerusalem). As a matter of policy, both Israeli authorities do not issue visa for the purpose of work in the OPT ('work visa'), if the employer is Palestinian. Palestinian CSOs, as well as Palestinian academic institutions and businesses, are thus compelled to recruit foreign staff holding tourist visa. More and more frequently, extension of staff tourist visa is granted for short periods only or denied altogether.⁽²⁹⁾ Involvement of foreign staff in CSO activities in occupied East Jerusalem is obstructed in addition by the fact that the tourist visa issued by Israel's military government in the West Bank are stamped "Judea and Samaria only", i.e., not valid for crossing into Jerusalem via Israel's Wall and military checkpoints.

Moreover, six Palestinian CSOs working in occupied East Jerusalem (24%) also reported recent incidents in which they had to cancel activities scheduled with visitors coming from abroad because visitors were denied entry into the country at Israel's borders. In the past, 'unwelcomed tourists' headed for the OPT were denied entry mainly based on a policy of racial profiling and allegations of security or technical (visa) reasons, which was justified by Israeli authorities with reference to the discretion of states in matters of immigration. Recently, however, a growing number of foreign citizens has also been detained and turned back at Israel's borders based on a law adopted in March 2017. Targeting the global, Palestinian civil society-led BDS movement, this amendment of Israel's immigration law prohibits the grant of visa or residency permits to foreigners who publically call for or participate in a boycott of the State of Israel, defining the "state" as including occupied East Jerusalem and the illegal settlements elsewhere in the OPT.⁽³⁰⁾ Individuals banned under this law include staff and consultants of Palestinian and international human rights organizations, grass-roots activists, and members of civic fact finding missions, among them many Jewish individuals active for Palestinian rights abroad. Implementation of the law is spearheaded by Israel's Ministry of Strategic Affairs, whose vast and secret network of spies abroad identifies the individuals to be targeted.⁽³¹⁾ Execution of the entry ban at Israel's borders requires prior authorization and instruction of border authorities by the Israeli Minister of Interior. .

Palestinian CSOs understand these arbitrary and restrictive visa policies as an Israeli

29. *On the recent spike in denials of visa extensions, see for example:* <https://www.aljazeera.com/news/2018/07/foreign-residents-palestinian-territories-denied-visa-renewals-180713112441505.html>

30. *The Entry into Israel Law (Amendment No. 28), 2017 [5777]. For an unofficial translation into English see:* <http://www.alhaq.org/en/wp-content/uploads/2018/02/P-20-1906.pdf>

31. *On these covert tactics, see:* <https://forward.com/news/national/407279/canary-mission-s-threat-grows-from-u-s-campuses-to-the-israeli-border/>

attempt to intimidate those who defend Palestinian human rights abroad, and to stop the flow of foreign witnesses and supporters into the OPT. CSOs also consider these arbitrary restrictions on the entry and stay of foreigners to be part and parcel of Israel's attempt to weaken Palestinian society, by targeting Palestinian institutions, including CSOs, and isolating them from vital international solidarity and support, because they are Palestinian, and because they oppose Israel's illegal occupation-annexation regime. This conclusion is supported by the fact that Israeli authorities have been facilitating long-term work visa for staff of UN agencies, aid agencies of foreign governments, and international NGOs that coordinate with and abide by the rules of Israel's unlawful regime in East Jerusalem or elsewhere in the OPT. Finally, in discussions about the 2017 law, CSOs reminded of the fact that many foreign citizens targeted by Israel's entry ban have been able to visit as planned, , and expressed the hope that partners and supporters abroad would continue to plan and organize visits to Palestine despite the intimidating law.

Concluding observations and recommendations

The quantitative and qualitative findings of PNGO's survey illustrate the broad spectrum of policies and measures that make up the current attack on the rights to freedom of expression, association and assembly of Palestinian civil society in occupied East Jerusalem. It has also been demonstrated in this paper that this attack on Palestinian CSOs is being carried out by Israel's annexation regime which has violated the prohibition on territorial conquest through war and the right to self-determination of the Palestinian people for many decades.

In light of these flagrant violations of international law, one conclusion necessarily concerns the question of international responsibilities. In occupied East Jerusalem, where Palestinian CSOs are being attacked by Israel's inherently unlawful annexation regime, ending this attack, and protecting the rights to freedom of expression, association and assembly of Palestinian civil society, is clearly not a matter for which the international community may or may not assume responsibility. It is rather a legal duty of all states and international organizations, part and parcel of their international obligations in situations of serious violations of customary public international law, i.e., the obligation to cooperate and adopt measures in order to ensure that Israel ceases these flagrant violations by dismantling its annexation regime, and the obligation to not recognize this unlawful regime, and to give no aid or assistance to its maintenance.⁽³²⁾

Another conclusion is that in light of the systematic and premeditated character of the Israeli attack, efforts at protecting Palestinian CSOs from physical attacks and forcible closure and removal from occupied East Jerusalem require a broad, proactive international response, with a focus on preventive protective measures. This is because reactive responses to emergencies alone, such as advocacy or diplomatic interventions in response to the closure of Palestinian institutions, or the arrest of staff, have largely been ignored by Israeli authorities. Even when successful, they are too late to prevent damage to the affected individual or organization, and too little for creating a safer and more stable environment for Palestinian CSOs. Core components of a proactive and preventive response should include, for example, measures that guarantee the financial security and stability of Palestinian CSOs and their work in occupied East Jerusalem, protective diplomatic/international sponsorship and presence in CSO offices and activities, and implementation of the full set of protective measures recommended in relevant EU guidelines.

32. *ILC Draft Articles on State Responsibility for Internationally Wrongful Acts, Articles 40-41; ICJ Advisory Opinion on Israel's Wall in the OPT, para. 159, 163*

Finally, as illustrated by the findings of PNGO's survey, Palestinian CSOs in occupied East Jerusalem are not the only ones targeted by the multi-pronged attack. Therefore, the fight against defamation, de-legitimization, and restriction of the right to freedom of expression is a common interest of everyone affected, including Palestinian CSOs and their partners among civil society in the region and abroad, UN agencies, the PA, the EU, and all governments that respect international law. This shared interest can and should be translated into partnerships, collaboration, and strategies that provide mutual support and protection from the aggressive campaign of Israel's right wing government and lobby groups. Such partnerships should be formed based on shared principles, including: the inherent unlawfulness of Israel's annexation regime, with the policies and measures that constitute the attack on Palestinian CSOs, in occupied East Jerusalem; recognition of the right of the Palestinian people to resist such unlawful occupation and domination by all means permitted by international law; and, recognition as human rights defenders of Palestinian CSOs such as those surveyed by PNGO.

Relevant expert studies, as well as international instruments and resolutions, should be examined for the purpose of developing such principled partnerships and common strategies, and for public awareness-raising. With regards to the unlawfulness of Israel's occupation-annexation regime, of particular interest is the October 2017 report of the UN Special Rapporteur addressed in the first section of this paper, as well as an earlier study of renowned scholars of international law pertaining to apartheid and colonialism.⁽³³⁾

Their study confirms that Israel's systematic targeting of Palestinian political leaders, community activists and human rights defenders, including CSOs and the BDS movement, with measures that restrict the freedom of expression and/or violate the right to life and liberty of person, goes clearly beyond what can be justified by reference to state security. It concludes that these measures constitute "persecution for opposition to Israel's regime of domination within the meaning of Article 2 (f)" of Anti-Apartheid Convention.⁽³⁴⁾ This conclusion is also supported by the findings of systematic and widespread Israeli policies of racial segregation, including in law-enforcement, by the UN Committee on the Elimination of Racial Discrimination (CERD).⁽³⁵⁾ Also relevant are the repeated calls of the UN Human Rights Committee on Israel to repeal its state of emergency, and the Committee's criticism of Israeli counter-terrorism laws and policies for lack of conformity with international standards.⁽³⁶⁾ Moreover, the numerous UN General Assembly resolutions affirming the right of Palestinians and other oppressed peoples to resist foreign occupation and domination by all means permitted under international law should be revisited because it is a right which was recognised by UN member states in light of the inherent unlawfulness of regimes of colonialism and apartheid, including Israel's occupation.⁽³⁷⁾ Finally, the UN Declaration on Human Rights Defenders,⁽³⁸⁾ as well as a number of EU instruments, shed light on the rights and obligations of individuals and associations who are human rights defenders in occupied East Jerusalem or elsewhere. Of particular interest are the EU Guidelines on

33. John Dugard and John Reynolds, "Apartheid, International Law, and the Occupied Palestinian Territory", *European Journal of International Law (EJIL)* 24 (2013), at: <http://www.ejil.org/pdfs/24/3/2421.pdf>

34. *Supra*; p. 901-3. The reference is to Article 2(f) of the *International Convention on the Suppression and Punishment of the Crime of Apartheid* (1973).

35. *Committee on the Elimination of Racial Discrimination, CERD/C/ISR/CO/14-16* (9 March 2012).

36. *Human Rights Committee, CCPR/C/ISR/CO/3* (3 September 2010); *CCPR/C/ISR/CO/4* (21 November 2014).

37. See for example, *UNGA resolutions 3236* (1974), *3246* (1974), *33/24* (1978) and *37/43* (1982).

38. "UN Declaration on Human Rights Defenders", *General Assembly Resolution A/RES/53/144* (1998).

Human Rights Defenders,⁽³⁹⁾ IHL,⁽⁴⁰⁾ and Freedom of Expression⁽⁴¹⁾ because they provide information about the practical measures which can and should be carried out abroad by the missions of the EU and member states in order to promote respect of all of these by third parties, such as the State of Israel.

Based on these conclusions, the following practical steps are recommended in order to address the challenges identified by PNGO's survey:

To Palestinian CSOs and partners among civil society abroad

- Work in partnership to develop and implement mutually supportive strategies that protect and empower Palestinian CSOs in occupied East Jerusalem, while also safeguarding the freedom of expression of advocates for Palestinian human rights abroad, and enabling policy makers in governments and non-governmental donor organizations to uphold international law, and political and financial support of Palestinian CSOs, despite the inevitable political pressure. PNGO, the Palestinian Human Rights Organizations Council (PHROC), and their partners in Palestine and abroad are well placed to initiate consultations and workshops for this purpose, and to invite participation and support from UN agencies and diplomatic missions committed to the protection of human rights defenders.
- Undertake a collective and sustained effort at educating in particular western journalists, parliamentarians and policy makers about the unlawfulness of Israel's annexation regime in occupied East Jerusalem and its attack on Palestinian CSOs; the right of Palestinians to resist unlawful occupation and domination; the status and rights of Palestinian CSOs as human rights defenders, and the legal obligations and commitments of states, the UN and EU in connection with all of the former. Revisit, study, and give visibility to international resolutions and expert studies that support this agenda of awareness-raising.

To governments, the EU, UN and their diplomatic missions and representatives in Israel and the OPT

- Recognize Palestinian CSOs working in occupied East Jerusalem, including staff and members, as human rights defenders within the meaning of the UN Declaration and the EU Guidelines. Reject and condemn all allegations of terrorism or antisemitism raised against Palestinian CSOs, unless action not permitted under international law has been investigated and confirmed by a qualified and impartial source.
- Provide preventive diplomatic/international protection, including protective sponsorship and presence, to Palestinian CSO offices and activities in occupied East Jerusalem in order to prevent arbitrary physical attacks, forcible closures, or arrests of staff by Israeli authorities. Examine practical options for supporting the work of Palestinian CSOs in East Jerusalem with the full set of measures laid out in EU guidelines relevant for ensuring respect of IHL and the right to freedom of expression, and protection of human rights defenders.
- Publicly condemn the campaign of defamation and de-legitimization led by Israel's right-wing government and lobby groups, such as the NGO Monitor. Also condemn the abuse of sweeping Israeli emergency and counter-terrorism laws, Israel's ban of the

39. https://eeas.europa.eu/sites/eeas/files/eu_guidelines_hrd_en.pdf

40. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52009XG1215%2801%29>

41. https://eeas.europa.eu/sites/eeas/files/eu_human_rights_guidelines_on_freedom_of_expression_online_and_offline_en.pdf

PA from occupied East Jerusalem, and the legislation of civil laws for the purpose of intimidating, restricting, criminalizing and penalizing the exercise of the right to freedom of expression by Palestinian CSOs in occupied East Jerusalem.

- Urge Israel to repeal all such arbitrary laws, policies and practices in bilateral meetings and international fora as recommended, for example, by the EU Guidelines on the Freedom of Expression, including in meetings under the EU Association Agreement and Neighborhood Policy with Israel, and in the UN General Assembly and Human Rights Council.
- Governments whose citizens are denied an Israeli visa because of their role as human rights defenders should apply the principle of reciprocity and suspend Israel's privileged status as a visa-waiver country, until Israel repeals the March 2017 law prohibiting the grant of visa to individuals and organizations promoting peaceful boycotts.

To the PA, donors and aid agencies

- Prioritize support, including financial aid and advocacy, for Palestinian CSOs and institutions in occupied East Jerusalem in development planning, and in the framework of humanitarian and development programs.
- Allocate long-term core funding to Palestinian CSOs for work in occupied East Jerusalem, rather than grants for projects only. CSOs are in need of financial security and stability in order to cope with the multiple challenges to their presence and activities in Jerusalem. The PA in particular, should channel Arab and Islamic funds to CSOs in the city.
- The Palestinian Ministry of Interior and Monetary Authority, as well as donors, should undertake all necessary measures to ensure that their legal requirements and administrative and financial procedures facilitate, and do not obstruct, the presence and activity of Palestinian CSOs in occupied East Jerusalem. As a matter of priority, Palestinian CSOs must be enabled to receive and transfer funds required for their operation in occupied East Jerusalem in a timely and un-bureaucratic manner.
- The PA and aid agencies should include Palestinian CSOs in needs assessments, as well as in the planning, implementation, monitoring and evaluation of humanitarian and development efforts in occupied East Jerusalem, with the aim of establishing meaningful partnerships in the provision of services, including legal aid, to Jerusalem's Palestinian population., as well as partnerships in advocacy for respect of the fundamental human rights, including the right to self-determination, of the Palestinian people in the occupied city.

Finally, as evident from the analysis in this paper, effective protection of Palestinian CSOs and civic space in occupied East Jerusalem cannot be achieved, unless states, their regional organizations and the United Nations perform in parallel their international obligation to hold Israel accountable to international law by:

- Giving no recognition to Israel's illegal annexation regime, and by terminating all direct and indirect aid or assistance to its maintenance;
- Adopting measures, including sanctions, that will compel Israel dismantle its illegal annexation regime in occupied East Jerusalem;
- Assisting and facilitating the work of the International Criminal Court toward the speedy opening of a formal ICC investigation into war crimes and crimes against humanity committed in the OPT, including East Jerusalem.

ANNEX-1:

List of CSOs surveyed

Addameer – Support of Prisoners and Human Rights
Agricultural Relief Committee (PARC) – Jerusalem
Burj al-Luqluq Social Center
Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)
Defense for Children International (DCI) - Palestine
Department of Cartography and Information Systems/Arab Studies Society
Elia for Media
Health Work Committees (HWC)
Human Rights Clinic, al-Quds University
Jerusalem Legal Aid and Human Rights Center (JLAC)
Land Research Center/Arab Studies Society (LRC)
Medical Relief Society-Jerusalem
Palestinian Counselling Center (PCC)
Palestinian Family Planning and Protection Association (PFPPA)
Al-Saraya Center for Community Services
SAWA – Women together today and tomorrow
Shafak - Jerusalem Arts Network-Shafaq (and Palestinian National Theater)
Society of St. Yves
Union of Agricultural Works Committee (UWAC)
Union of Charitable Societies –Jerusalem (USC)
Women Center – Shu'fat Refugee Camp
Women's Center for Legal Aid and Counseling (WCLAC)
Women Studies Center – Jerusalem Office (WSC)
Yabous Cultural Center
Youth Development Department/Arab Studies Society

ANNEX-2:

Questionnaire, PNGO Survey (original in Arabic)

Attacks on Palestinian civil society organizations in Jerusalem

This questionnaire is a tool for the study of measures of Israeli authorities that obstruct the work of Palestinian civil society organizations in occupied East Jerusalem. We thank you for your cooperation by providing information about attacks faced by your organization since 2014.

General information (for internal purpose only; not for publication)

Name of your organization

Name of person filling this form

Job title

Email

Does your organization have suitable office space in Jerusalem?

- Yes, head office
- Yes, a main branch
- Yes, an office
- Yes, an office but it is small
- No office in Jerusalem

Is your organization registered with the Israeli authorities in Jerusalem?

- Yes
- No, because our mission is rejected by Israel
- No, for other reasons

Has your organization faced problems with its Israeli bank in Jerusalem?

- Yes, bank refuses to make transfers
- Yes, bank told us to close our account
- Yes, bank froze our account
- No, no problems
- We don't have an account in an Israeli bank

Have you faced problems accessing funds transferred to your organization from abroad?

- Yes
- No

Has staff or board members been denied access to Jerusalem (for work-related purpose)?

- No
- Yes, a member of staff
- Yes, more than one staff member
- Yes, one or more members of the board

Has your organization faced difficulties recruiting qualified local staff for work in Jerusalem because of Israel's system of closure and access permits?

- Yes
- No

Has your organization faced difficulties hiring/keeping qualified international staff because of the restrictive Israeli visa policy?

- Yes
- No

Have staff/board members of the organization been banned from work-related travel abroad?

- Yes
- No

Have threats been received by (members of) your organization via email/social media?

- Yes
- No

Has your organization's IT system been the target of one or more cyber-attacks?

- Yes
- No

Has your organization or members been the target of defamatory attacks by Israel-lobby groups (such as the NGO Monitor or other)?

- No
- Yes, in social media
- Yes, defamation among international partners/donors
- Yes, in social media and among donors

Have members of the organization been detained or imprisoned by Israeli authorities in connection with work for/membership in the organization?

- No
- Yes, administrative detention
- Yes, detained and released shortly after
- Yes, house arrest
- Yes, imprisonment based on trial in court
- Yes, more than one of the above

Has any member of the organization, resident of Jerusalem, faced a (temporary) ban from the city in connection with his/her work for the organization?

- Yes
- No

Has staff or board members been summoned for questioning about the work of the organization by Israeli authorities?

- Yes
- No

Has the organization been ordered to pay a fine for violation of Israeli law?

- Yes
- No



Have Israeli authorities raided the organization's office and/or confiscated or destroyed materials and equipment?

- No
- Yes, one time
- Yes, more than once

Has the organization received Israeli orders requiring (temporary) closure of the organization or prohibiting any of its activities in Jerusalem?

- No
- Yes, ordered to close the organization in Jerusalem
- Yes, an order prohibiting an indoor activity
- Yes, an order prohibiting an out-door activity
- Yes, more than one of the above

Has your organization faced difficulties with access to venues (conference halls, etc.) for public activities in Jerusalem – because owners of facilities (e.g. hotel owners) fear reprisals from Israeli authorities?

- No
- Yes, because of fear of reprisals
- Yes, but for other reason

Has your organization faced difficulties to carry out activities – because Jerusalem communities (beneficiaries) are intimidated and fear Israeli reprisals, or lack confidence in NGOs?

- No
- Yes, because of intimidation and fear of reprisals
- Yes, because of lack of confidence in NGOs
- Yes, but for other reason

Has your organization been forced to cancel meetings/activities with visitors from abroad because visitors were denied entry into the country by Israel?

- No
- Yes, one time
- Yes, more than once

Do you have additional information you would like to share on this topic? If yes, please write here:

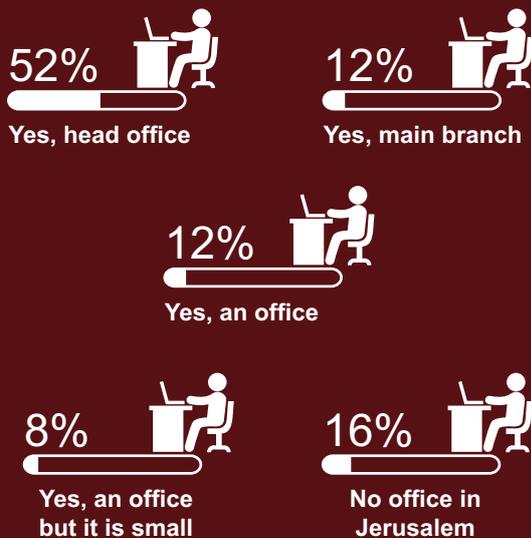
[Submit]

ANNEX-3:

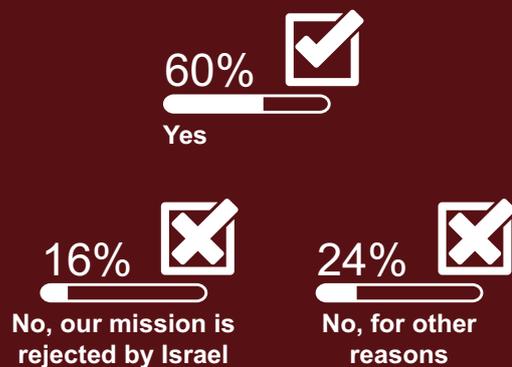
Summary report of responses received to the questionnaire (Original in Arabic)

Number of respondents (unless stated otherwise): 25

1. Does your organization have suitable office space in Jerusalem?



2. Is your organization registered with the Israeli authorities in Jerusalem?



3. Has your organization faced problems with its Israeli bank in Jerusalem?



4. Have you faced problems accessing funds transferred to your organization from abroad?



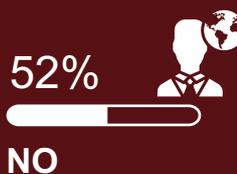
5. Has staff or board members been denied access to Jerusalem (for work-related purpose)?



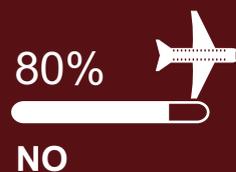
6. Has your organization faced difficulties recruiting qualified local staff for work in Jerusalem because of Israel's system of closure and access permits? (24 respondents)



7. Has your organization faced difficulties hiring/keeping qualified international staff because of the restrictive Israeli visa policy?



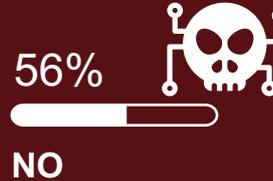
8. Have staff/board members of the organization been banned from work-related travel abroad?



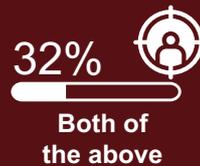
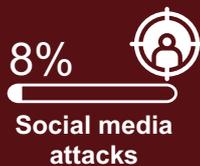
9. Have threats been received by (members of) your organization via email/social media?



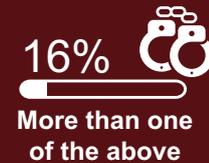
10. Has your organization's IT system been the target of one or more cyber-attacks?



11. Has your organization or members been the target of defamatory attacks by Israel-lobby groups (such as the NGO Monitor or other)?



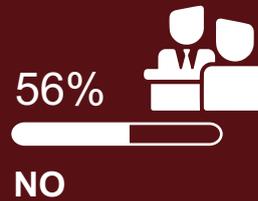
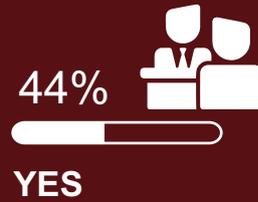
12. Have members of the organization been detained or imprisoned by Israeli authorities in connection with work for/membership in the organization?



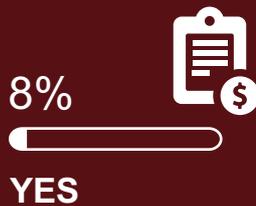
13. Has any member of the organization, resident of Jerusalem, faced a (temporary) ban from the city in connection with his/her work for the organization?



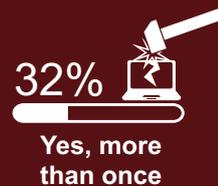
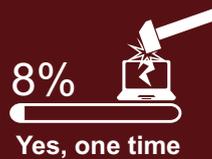
14. Has staff or board members been summoned for questioning about the work of the organization by Israeli authorities?



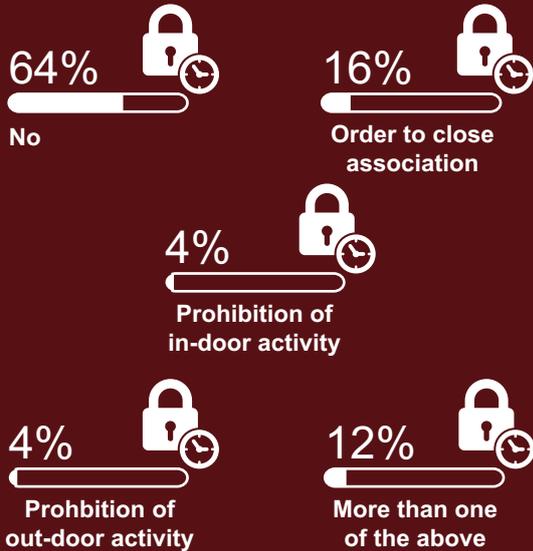
15. Has the organization been ordered to pay a fine for violation of Israeli law?



16. Have Israeli authorities raided the organization's office and/or confiscated or destroyed materials and equipment?



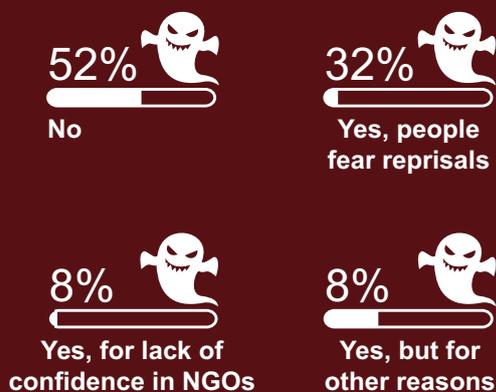
17. Has the organization received Israeli orders requiring (temporary) closure of the organization or prohibiting any of its activities in Jerusalem?



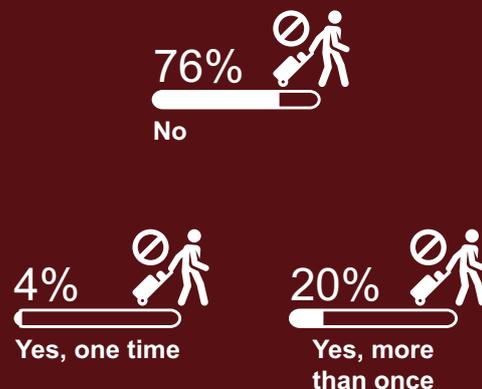
18. Has your organization faced difficulties with access to venues (conference halls, etc.) for public activities in Jerusalem – because owners of facilities (e.g. hotel owners) fear reprisals from Israeli authorities?



19. Has your organization faced difficulties to carry out activities – because Jerusalem communities (beneficiaries) are intimidated and fear Israeli reprisals, or lack confidence in NGOs?



20. Has your organization been forced to cancel meetings/activities with visitors from abroad because visitors were denied entry into the country by Israel?



Developed for:



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