

September 1, 2022

The Honorable Joseph R. Biden
The White House
1600 Pennsylvania Ave.
Washington, DC 20500

Dear Mr. President:

We, the directors of the six prominent Palestinian human rights and civil society organizations based in the occupied West Bank and arbitrarily outlawed by Israeli authorities over 10 months ago, write to express our indignation concerning your administration's subservient response to the outright and unabashed repression and criminalization of our work by Israeli authorities.

In the latest escalation, Israeli forces raided all of our Ramallah-area offices early on August 18, forcing entry to our premises, confiscating files and office equipment, and welding shut and taping notices on our doors that ordered the forcible closure of the offices. Then, on August 21, several of us were summoned via phone by the Israel Security Agency (Shin Bet) to appear for interrogation at Israel's Ofer military base. Israeli officials delivered a clear message: cease operations or we will be arrested, prosecuted, and pay the price for continuing our human rights and humanitarian work.

This development follows a yearslong campaign to delegitimize and criminalize our organizations culminating in Israel's Minister of Defense Benny Gantz signing an order last October designating our six Palestinian human rights and civil society organizations as "terrorist organizations" pursuant to a 2016 Israeli counterterrorism law; a law that is incompatible with human rights. Two weeks later, on November 3, 2021, Israel's Chief Military Commander in the West Bank declared the organizations to be "unlawful associations" in the occupied West Bank under Israeli military law.¹

The Israeli government's repressive move met international backlash as the designation effectively criminalized the activities of our organizations and authorized Israeli authorities to close our offices, seize our assets, and arrest and jail our staff members. The European Union, which funds some of our programming and as a result has been targeted by disinformation campaigns seeking to eliminate that funding, acknowledged that similar past allegations "have

¹ Nir Hasson, *Two weeks on, Israeli army extends Palestinian NGO terror designation to West Bank*, Haaretz.com, Nov. 7, 2021, <https://www.haaretz.com/israel-news/2021-11-07/ty-article/.premium/two-weeks-on-israeli-army-extends-palestina-n-ngo-terror-designation-to-west-bank/0000017f-f8e0-d460-afff-fbe6a14f0000>.

not been substantiated.”² United Nations human rights experts strongly and unequivocally condemned the decision, declaring that the “designation is a frontal attack on the Palestinian human rights movement, and on human rights everywhere.”³ Human Rights Watch and Amnesty International released a joint statement condemning the move noting that for decades “Israeli authorities have systematically sought to muzzle human rights monitoring and punish those who criticize its repressive rule over Palestinians.”⁴

In the days, weeks, and months that followed, your administration failed to act despite recognition by U.S. government officials and reports that Israeli authorities have for years pursued policies and tactics that work to constrain humanitarian and civil society space within all areas Israeli authorities exercise control.⁵ Your administration failed to act despite your own Central Intelligence Agency’s reported assessment that information passed on by Israeli authorities earlier this year did not substantiate the Israeli government’s claims.⁶

Now, over 10 months on, while all of us and our staff are under threat of imminent arrest and prosecution for allegations your own intelligence agency has reportedly deemed unsupported, your administration is still seemingly unwilling to substantively respond to the basic question of whether the Biden administration has any position, one way or the other, on the Israeli criminalization of our organizations. Your administration apparently will not even meet directly or respond to correspondence from us or our staff. The failure to reject or even rhetorically challenge the outright repression and criminalization of our work by Israeli authorities has enabled and propelled the Israeli government’s campaign to silence and eliminate our work.

Recently, we have been buoyed by other states such as Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Spain, Ireland and Sweden that released a joint statement in July on the Israeli designations stating that “no substantial information was received from Israel that would justify reviewing our policy towards the six Palestinian NGOs on the basis of the Israeli decision to designate these NGOs as ‘terrorist organizations.’”⁷ The nine countries declared, “in

² Joseph Krauss, *Israel outlaws Palestinian rights groups, alleging terrorism*, Associated Press, Oct. 22, 2021, <https://apnews.com/article/middle-east-israel-terrorism-96464d7d14c3a1a0b5adb75a45aa6a5e>.

³ UN experts condemn Israel’s designation of Palestinian human rights defenders as terrorist organisations, Oct. 25, 2021, <https://www.ohchr.org/en/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders>.

⁴ Human Rights Watch & Amnesty International, Joint Statement: Designation of Palestinian civil society groups as terrorists a brazen attack on human rights, Oct. 22, 2021, <https://www.amnesty.org/en/latest/news/2021/10/israel-opt-designation-of-palestinian-civil-society-groups-as-terrorists-a-brazen-attack-on-human-rights/>.

⁵ See U.S. State Department 2021 Country Reports on Human Rights Practices: Israel, West Bank and Gaza, <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/israel-west-bank-and-gaza/>; U.S. State Department 2020 Country Reports on Human Rights Practices: Israel, West Bank and Gaza, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/israel-west-bank-and-gaza/>; U.S. State Department 2019 Country Reports on Human Rights Practices: Israel, West Bank and Gaza, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/israel/>; and Letter from Naz Durakoglu, Department of State Bureau of Legislative Affairs, to Rep. James McGovern (Jan. 20, 2022) (on file).

⁶ Isaac Scher, CIA unable to corroborate Israel’s ‘terror’ label for Palestinian rights groups, *The Guardian*, Aug. 22, 2022, <https://www.theguardian.com/world/2022/aug/22/cia-report-israel-palestinian-rights-groups>.

⁷ Joint statement on the Israeli designation of six Palestinian civil society organisations as terrorist organisations, Jul. 12, 2021,

the absence of such evidence, we will continue our cooperation and strong support for the civil society in the oPT.” Members of Congress also called on your administration to publicly reject the Israeli designations and urge the Israeli government to reverse its decision.⁸

The Israeli government’s repressive tactics deployed against us seek to dismantle crucial mechanisms that work to uphold human rights and end Israel’s settler colonial and apartheid regime that systematically denies the Palestinian people their right to self-determination and the right of refugees to return. It is an attack against the global human rights movement.

Our organizations do vital human rights and humanitarian work that is necessary due to Israel’s decades-long belligerent occupation of Palestinian land that is actively and robustly supported by your administration. We work directly with Palestinian women and girls, children, peasant families, prisoners, and civil society activists, providing direct services and monitoring and exposing human rights abuses. We are researchers, social workers, lawyers, and advocates working to secure basic and fundamental human rights and accountability for the crimes of apartheid and persecution, war crimes, and other serious breaches of international law.

Emboldened and enabled by billions of dollars in unconditional United States military funding and weapons and unquestioning diplomatic efforts that obstruct any meaningful accountability, rather than end the persecution of the Palestinian people or end discriminatory policies and practices that privilege Jewish Israelis and systematically repress Palestinians, the Israeli regime is undoubtedly committed to authoritarian control of Palestinians and a belligerent occupation with no end in sight.

We call on you and your administration to immediately:

- 1) Condemn the latest Israeli government actions aimed at delegitimizing and criminalizing Palestinian human rights defenders and civil society organizations;
- 2) Reject the Israeli government’s unsubstantiated allegations against our Palestinian civil society organizations and demand Israeli authorities rescind the designations under both Israeli civilian law and military law;
- 3) Work collectively with other states to demand Israel rescind the designations and take diplomatic action, in concert with European counterparts, that serves to protect our targeted Palestinian organizations, our staff, premises, and assets;

<https://www.government.nl/documents/diplomatic-statements/2022/07/12/joint-statement-on-the-israeli-designation-of-palestinian-civil-society-organisations-as-terrorist-organisations>.

⁸ See Letter from Rep. Ayanna Pressley et al. to Secretary of State Antony Blinken & Director of National Intelligence Avril Haines (Jul. 18, 2022),

<https://pressley.house.gov/media/press-releases/pressley-leads-letter-state-dept-regarding-israeli-government-s-criminalization>; and *Condemning the repressive designation by the Government of Israel of six prominent Palestinian human rights and civil society groups as terrorist organizations*, H.Res. 751, 117th Congress (2021), <https://www.congress.gov/bills/117th-congress/house-resolution/751>.

- 4) End any U.S. efforts to undermine the right of Palestinians and Palestinian civil society organizations to pursue justice and accountability, including at the International Criminal Court; and
- 5) End complicity and financial and diplomatic support to the Israeli apartheid regime.

While the Israeli government's latest unlawful and aggressive incursion targeting each of our civil society organizations poses an existential threat to Palestinian civil society, we know that our work investigating and exposing human rights violations can never truly be stopped.

Sincerely,

Khaled Quzmar
General Director
Defense for Children International - Palestine

Shawan Jabareen
General Director
Al-Haq

Sahar Francis
General Director
Addameer Prisoner Support and Human Rights
Association

Ubai Aboudi
Executive Director
Bisan Centre for Research and Development

Fuad Abu Saif
General Director
Union of Agricultural Work Committees

Tahreer Jaber
General Director
Union of Palestinian Women's Committees

CC: Secretary of State Mr. Antony Blinken