



Closing down of the Nafha Society for the Defence of Prisoners and Human Rights

ISR 001 / 0708 / OBS 119

Closing down of an NGO

Israel / OPT

July 15, 2008

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in Israel and the Occupied Palestinian Territory (OPT).

Brief description of the situation:

The Observatory has been informed by several reliable sources, including the Public Committee Against Torture in Israel (PCATI), Al-Haq, the Al Mezan Centre for Human Rights and Defence for Children International - Palestine (DCI-PS), about the closing down of the Nafha Society for the Defence of Prisoners and Human Rights.

According to the information received, on July 8, 2008, the Israeli authorities closed down the Nafha Society for the Defense of Prisoners and Human Rights, on the basis of a military order issued by the Israeli Army Commander in the West Bank. The order alleged that the grounds for the closure of Nafha, together with six other organisations for a period of two years, were due to the fact that they were being used to “finance terrorist organisations”. Nafha strongly denied this allegation.

Legally established and registered with the Palestinian Authority in 2006, Nafha is one of several NGOs that represent Palestinian detainees in Israeli courts and advocate on behalf of Palestinians in Israeli prisons and detention centres. Nafha, which was headquartered in Nablus for two years, also works with released prisoners to help reintegrate them into daily life and offers prisoners' families, in particular their children, psychological and social support. Finally, Nafha is a member of the United Against Torture Coalition (UAT), a network of Palestinian, Israeli and international human rights NGOs who cooperate in the struggle to end torture and abuse in Israel and the Occupied Palestinian Territory (OPT).

The Observatory recalls that this is not the first time that Israeli authorities have targeted Nafha. Indeed, on August 2, 2007, Israeli soldiers arrested Mr. **Mohammad Bsharat**, Nafha Executive Director, in Nablus, without an arrest warrant. Mr. Bsharat was then taken to the Huwara detention centre (Nablus),

which is sadly known for its poor conditions of detention, and where he would have been questioned about his human rights activities. On August 26, 2007, the Salem Military Court ordered that he be detained administratively for six months. According to the Israeli law, the status of administrative detention denies all civil and political rights to the detainees. In particular, the authorities are not bound to charge the prisoner, or to bring him to trial^[1] . Mr. Bsharat was finally released on February 24, 2008.

The Observatory expresses its deep concern about the closing down of the Nafha Society for the Defence of Prisoners and Human Rights as it seems to merely aim at sanctioning its human rights activities, which notably consist of seeking remedies for victims of human rights violations through the provision of legal, psychological, medical or other kinds of support.

The Observatory urges the Israeli authorities to put an end to any kind of harassment against all human rights defenders in Israel, as well as to conform with the United Nations Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”, article 9.3.c which states that “Everyone has the right, individually and in association with others, to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms” and Article 12.1, which provides that “everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms”.

Furthermore, and in accordance with article 11 of the European Union (EU) Guidelines on Human Rights Defenders, the Observatory urges the EU missions in Israel to urge Israeli authorities to comply with the relevant international norms and standards, and in particular the UN Declaration on Human Rights Defenders, adopted by the General Assembly 9 December, 1998, in order to create an environment where human rights defenders can operate freely.

Actions requested:

Please write to the authorities in Israel urging them to:

0. Guarantee in all circumstances the physical and psychological integrity of all human rights defenders in Israel;
0. Put an end to all forms of harassment against the activities of the Nafha Society for the Defence of Prisoners and Human Rights, repeal the decision to close it down and ensure in all circumstances that its members are able to carry out their work freely without any hindrances;
0. Put an end to any kind of harassment against all human rights defenders in Israel;
0. Comply with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, in particular with above-mentioned Articles 1, 9.3.c and 12.1;
0. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with

international human rights instruments ratified by Israel.

Addresses:

- Mr. Ehud Olmert, Prime Minister, Office of the Prime Minister, 3 Kaplan Street, PO Box 187, Kiryat Ben-Gurion, Jerusalem 91919, Israel. Fax: + 972 2 651 2631 / 02-670-5475, E-mail: rohm@pmo.gov.il, pm_eng@pmo.gov.il
- Mr. Ehud Barak, Minister of Defence, Ministry of Defence, 37 Kaplan Street, Hakirya, Tel Aviv 61909, Israel. Fax: +972 3 691 6940, Email: minister@mod.gov.il.
- Mr. Tzipi Livni, Minister of Foreign Affairs, Ministry of Foreign Affairs, 9 Yitzhak Rabin Boulevard, Kiryat Ben-Gurion, Jerusalem 91035, Israel. Fax: +972 2 628 7757 / +972 2 628 8618 / + 972-2-5303367. Email: sar@mfa.gov.il
- Mr. Daniel Friedmann, Minister of Justice, Ministry of Justice, 29 Salah al-Din Street, Jerusalem 91010, Israel. Fax: + 972 2 628 7757 / + 972 2 628 8618 / + 972 2 530 3367. Email: sar@justice.gov.il / tifereth@justice.gov.il
- Ambassador Itzhak Levanon, Permanent Mission of Israel to the United Nations in Geneva, Avenue de la Paix 1-3, CH-1202, Geneva, Switzerland, E-mail: mission-israel@geneva.mfa.gov.il, Fax: +41 22 716 05 55
- Embassy of Israel in Brussels, 40 avenue de l'Observatoire, 1180 Uccle, Belgium, Fax: + 32 2 373 56 17, Email: brussels@israel.org

Please also write to the diplomatic mission or embassy of Israel in your respective country as well as to the EU diplomatic missions or embassies in Israel.

Geneva-Paris, July 15, 2008.

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

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[1] See Observatory Urgent Appeals ISR 003/0807/OBS 106 and OBS 106.1, issued on August 30 and October 30, 2007.

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : omct@omct.org