

Obstacles to Mr. Yusuf Qawariq's freedom of movement

ISR 002 / 0708 / OBS 127

Obstacles to the freedom of movement / Harassment

Israel / OPT

July 29, 2008

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

Description of the situation:

The Observatory has been informed by Al-Haq about obstacles to freedom of movement imposed on Mr. **Yusuf Qawariq**, an Al-Haq fieldworker.

According to the information received, on July 24, 2008, at approximately 2 p.m., Mr. Qawariq was arrested by Israeli forces as he was leaving the city of Nablus (in the West Bank) through the Huwara checkpoint.

As he went through the checkpoint, he identified himself to the soldiers manning the checkpoint by showing his Palestinian Identity Card (ID), as well as his Al-Haq employee card. However, he was immediately accused of having presented a false United Nations ID on the grounds that the Al-Haq ID mentions that the organisation enjoys "Consultative Status with the Economic and Social Council of the UN".

Mr. Qawariq was subsequently detained for three hours near the checkpoint in a cell of four square metres. Bystanders who tried to approach Mr. Qawariq were pushed away by Israeli soldiers. When the mayor of Awarta village attempted to intervene, one of the soldiers argued in Arabic that Mr. Qawariq was carrying a fake UN document and that his arrest was also due to the nature of his work as someone monitoring and documenting the actions of the Israeli military.

The Observatory recalls that it is not the first time that Al-Haq members' freedom of movement have been hindered[[1](#)], and firmly denounces this abusive practice of the Israeli authorities which prevents human rights defenders from carrying out their work freely. The Observatory points out that this practice contradicts Article 11 of the United Nations Declaration on Human Rights Defenders adopted

by the UN General Assembly on December 9, 1998, which states that “everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession”.

The Observatory urges the Israeli authorities to put an end to any kind of harassment against Mr. Yusuf Qawariq, as well as to conform, inter alia, with Article 1 of the United Nations Declaration on Human Rights Defenders, 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”.

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 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 Mr. Yusuf Qawariq;
0. refrain from hindering Mr. Yusuf Qawariq's freedom of movement, as it sanctions his human rights activities;
0. put an end to any kind of harassment against Mr. Yusuf Qawariq and all human rights defenders in Israel and the Occupied Palestinian Territory and ensure in all circumstances that they are able to carry out their work without unjustified hindrances;
0. comply with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, in particular above-mentioned Articles 1 and 11, as well as Article 12(2), which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually or in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
0. more generally, ensure in all circumstances the respect for human rights and fundamental freedoms throughout the country and the Occupied Palestinian Territories in accordance with international human rights instruments ratified by Israel, including the International Covenant on Civil and Political Rights and the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

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, Hakiryra, 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 29, 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:

E-mail: Appeals@fidh-omct.org

Tel and fax FIDH + 33 (0) 1 43 55 20 11 / +33 1 43 55 18 80

Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29

[1] See Observatory Urgent Appeal ISR 001/0607/OBS 069.1, issued on July 16, 2008, as well as Observatory Annual Report 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