



Human Rights and International Humanitarian Law Secretariat

*Denmark, Sweden, Switzerland, and the
Netherlands*

November 2015

**NGO Monitor's mission is to provide information and analysis,
promote accountability, and support discussion
on the reports and activities of NGOs claiming to advance
human rights and humanitarian agendas.**

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**NGO Monitor is a project of the Amuta for NGO Responsibility R.A.
(#580465508 ע"ר)**

**Organization in Special Consultative Status with the UN Economic and
Social Council since 2013**

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OVERVIEW

- Denmark, Sweden, Switzerland, and the Netherlands jointly fund Israeli and Palestinian NGOs (non-governmental organizations) through The Human Rights and International Humanitarian Law Secretariat (the "Secretariat").¹ This funding mechanism has a projected budget of \$17.6 million over four years, including \$13 million for NGOs (see Tables A & B below).² The funds are managed by the Institute of Law at Birzeit University (IoL-BZU) and a European multidisciplinary consulting company, NIRAS.
- The donor countries are responsible for "deciding on the general framework and policy for the Secretariat; approving its operational manuals and standard forms; approving its annual work plans and budget; approving funding as proposed by the Secretariat; deciding to open Calls for Proposals for project support; approving the Secretariat's annual narrative reports and audited financial statements; and the donor Steering Committee commissions the mid-term review or any other external evaluation of the programme."
- Until 2014, the NGO Development Center (NDC) in Ramallah managed these pooled government finances through its Human Rights/Good Governance (HR/GG) program.³ (See NGO Monitor's reports on the previous counterproductive funding via the NDC.)^{4,5}
- According to the Secretariat's website, the "overall objective of the programme" is to "contribute to the effective realization of adherence to human rights and international humanitarian law in the occupied Palestinian territory (oPt) and to influence the behavior of the relevant duty bearers, including Israel, the Palestinian Authority (PA) and the governing bodies/ authorities in Gaza."⁶
- Works "with and supports Palestinian and Israeli human rights (RH) civil society organizations (CSOs) active in the oPt, within the general parameters and context of ending the Israeli occupation of the oPt, and establishing an independent, democratic Palestinian state in which human rights are respected."⁷
- The Secretariat provides "core-funding" grants to select prequalified organizations. "Core funding" grants, with limited restrictions, support the general budgets of or-

¹ Human Rights & International Humanitarian Law Secretariat, "Human Rights & International Humanitarian Law Secretariat," <http://www.rightsecretariat.ps/index.php>

² NIRAS, "NIRAS Has Been Awarded a New Assignment in Palestine," August 5, 2013, <http://www.niras.com/current-events/news/2013/new-assignment-in-palestine.aspx>

³ NGO Monitor, "NGO Development Center (NDC)," September 14, 2014, http://ngomonitor.org/article/ngo_development_center_ndc_0

⁴ NGO Monitor, "Promoting Israel's Isolation: Switzerland, Sweden, Denmark, Netherlands Funding for NDC and NGOs," November 16, 2009, http://www.ngomonitor.org/article/promoting_israel_s_isolation_switzerland_sweden_denmark_netherlands_funding_for_ndc_and_ngos

⁵ NGO Monitor, "Continued Support for Radical Political Advocacy NGOs: Analysis of New Grants from the NGO Development Center," June 15, 2011, http://www.ngomonitor.org/article/continued_support_for_radical_political_advocacy_ngos_analysis_of_new_grants_from_the_ngo_development_center

⁶ Human Rights & International Humanitarian Law Secretariat, "Fund Management Manual," December 2013, http://www.rightsecretariat.ps/files/Fund_Management_Manual.pdf

⁷ Ibid.

ganizations and their full agendas.⁸ In March 2014, the Secretariat announced \$10.5 million in “core funding” grants, over three years, for 24 highly politicized Israeli and Palestinian NGOs active in the Arab-Israeli conflict.⁹ (See table below for complete list). The Secretariat also provides “project funding” grants. (See table below for funding amounts).¹⁰

- The evidence shows that despite the new managing partners and the official shift in focus to “both human rights and international humanitarian law,” the Secretariat funds highly politicized NGOs that engage in legal warfare¹¹ against Israeli officials and companies that do business with Israel, promote BDS (boycott, divestment, and sanctions) campaigns, advance a “1948 agenda,” exploit the false “apartheid” analogy to demonize Israel and even promote antisemitic propaganda.¹²
- During the major escalation of attacks on Israeli civilians, including stabbings and shootings, in October and November 2015, the IHL Secretariat Facebook¹³ page ignores Israeli victims while providing links to Israeli and Palestinian NGOs that condemn the responses of security forces to these attacks.
- NGO Monitor analysis of the IHL Secretariat 2015 Annual Report¹⁴ reveals fundamental problems with the funding mechanisms, including support for political warfare against Israel, adoption of extreme NGO demonization rhetoric, the singling out and targeting of Jewish communities abroad, and very limited focus on Palestinian human rights and alleged human rights violations by Palestinians.

Troubling Partnership with Institute of Law at Birzeit University

- At the March 2014 Launch Event, Secretariat Manager Mustafa Mari “...highlight[ed] the difficulties faced by the Palestinian people and the need for supporting the human rights and international humanitarian law CSO sector, **while reminding the audience of the apartheid-like realities that duty-bearers must address**” (emphasis added).¹⁵
- In February 2014, Institute of Law at Birzeit University (IoL-BZU) published a 15-page report, “Advocating for Palestinian Rights in conformity with International Law: Guidelines” (English and Arabic).¹⁶ This document is a strategic manual for exploiting legal terms and rhetoric to demonize and isolate Israel internationally (“lawfare”), as well as to emphasize that Israel regardless of its borders is among “racist regimes which are absolutely prohibited in their entirety.” This report was posted prominently on the Human Rights Secretariat Facebook page.¹⁷

⁸ Ibid.

⁹ Human Rights & International Humanitarian Law Secretariat, “Secretariat Holds Successful Launch Event in Jericho, Palestine,” March 30, 2014, http://www.rightsecretariat.ps/files/14.03.30_Secretariat_PR_Launch_Event_FINAL.pdf

¹⁰ Human Rights & International Humanitarian Law Secretariat, “HRIHL Secretariat Project Funding Recipients,” <http://www.rightsecretariat.ps/our-work/grantees/project-funding>

¹¹ NGO Monitor, “NGO Lawfare,” http://ngo-monitor.org/article/ngo_lawfare

¹² NGO Monitor, “Boycotts, Divestment, and Sanctions (BDS) Resource Page,” April 23, 2014, <http://ngo-monitor.org/article.php?viewall=yes&id=86>

¹³ <https://www.facebook.com/HRIHLSecretariat>

¹⁴ Human Rights & International Humanitarian Law Secretariat “Annual Report of the HRIHL Secretariat – 2015” <http://rightsecretariat.ps/category/item/100-annual-report> August 02, 2015

¹⁵ NGO Monitor, “‘Apartheid’ Remark Highlights Irresponsible Leadership of the Secretariat,” May 19, 2014, http://www.ngo-monitor.org/article/_apartheid_remark_highlights_irresponsible_leadership_of_the_secretariat

¹⁶ Birzeit University Institute of Law, “Advocating for Palestinian Rights in Conformity with International Law: Guidelines,” May 2013, <http://lawcenter.birzeit.edu/iol/en/project/outputfile/6/986afcc6c9.pdf>

¹⁷ Human Rights and International Humanitarian Law Secretariat, “Human Rights and International Humanitarian Law Secretariat,” <https://www.facebook.com/HRIHLSecretariat>

- According to the report, the accusation of “occupation” is insufficient for political purposes because “occupation per se is lawful, and an occupation regime may remain lawful even if certain policies and practices of the occupying power are illegal or constitute war crimes” and because it **“suggest[s] that Israeli violations of Palestinian rights under international law are limited to the OPT.”**
- Instead, activists are encouraged to allege Israeli “colonialism, apartheid and ethnic cleansing,” dating to 1948 and earlier, in an attempt to undermine the existence of Israel regardless of its borders. This language was also chosen to attract political allies (specifically Africans and Latin Americans) and to bolster campaigns for ICJ and ICC cases against Israel.¹⁸
- States are urged to use universal jurisdiction to prosecute Israeli officials for alleged “war crimes,” and **“Private entities, including business companies,”** are told that they “are legally, including criminally, liable (via their representatives, CEOs)” for alleged violations committed by Israel. This claim is a blatant distortion of international law. There is no international legal prohibition whatsoever on private businesses operating within occupied territory, nor is there any recognition of a claim for aiding and abetting liability for corporations.
- At the conference on which this report is based, Secretariat Manager Mustafa Mari, of IoL-BZU, chaired a session where participants discussed Israel’s “colonial policy that dated back at least to the 1930s” and the “need for new legal frameworks which make the occupation illegal, criminalize Israeli practices, and support unification of Palestine and Palestinians.”¹⁹ Mari previously worked at Al Haq, a leader in legal warfare against Israel and a Secretariat funding recipient.²⁰
- This one-sided advocacy demonstrates that there is no capacity to carry out the Secretariat objective to engage in “policy dialogue.” It further reflects continuing reliance on an extremely narrow and fringe group of NGOs. The failure to engage with a wider range of actors ensures that the work carried out by the Secretariat will be ineffective and will only serve to inflame the conflict.

Funding NGO “Documentation” for Lawfare Attacks

- On August 2, 2014, the Secretariat announced “emergency funding”²¹ to nine NGOs for use in documenting “large scale violations of human rights and international humanitarian law – the majority against Palestinian civilians and civilian objects” in Gaza.²² With this additional funding, the Secretariat is supporting “current and future documentation and investigation efforts by CSOs [civil society organiza-

¹⁸ Bizreit University Institute of Law, “Law and Politics: Options and Strategies of International Law for the Palestinian People,” July 2013, http://web.archive.org/web/20150326080038/http://lawcenter.birzeit.edu/userfiles/Public_Report_BZU_Conference_FINAL.pdf

¹⁹ Ibid.

²⁰ NGO Monitor, “Al Haq,” February 24, 2015, http://www.ngo-monitor.org/article/al_haq

²¹ Human Rights & International Humanitarian Law Secretariat, “Secretariat Approves 9 CSO Proposals for Documentation Efforts in the Occupied Gaza Strip,” <http://www.rightsecretariat.ps/events/112-secretariat-approves-9-cso-proposals-gaza-strip>

²² NGO Monitor, “European Government Funding NGO ‘Documentation’ for Lawfare Attacks,” October 6, 2014, <http://www.ngo-monitor.org/article.php?operation=print&id=4384>

- tions] for the purposes of assisting and supporting national and international mechanisms" such as the UN Human Rights Council's (UNHRC) investigation and the campaign to open cases against Israelis at the International Criminal Court (ICC).
- The nine NGOs (Al-Dameer,²³ B'Tselem,²⁴ Badil,²⁵ Breaking the Silence,²⁶ Defense for Children International-Palestine,²⁷ Al Mezan,²⁸ Palestinian Center for Human Rights,²⁹ Women's Affairs Center, Women's Affairs Technical Committee) have an extensive record of making unsubstantiated allegations of Israeli "war crimes," while disregarding clear Hamas violations. In addition, some of these NGOs played a pivotal role in providing dubious and inaccurate statements to the UNHRC Commission of Inquiry on the 2014 Gaza War and the discredited 2009 UN Goldstone inquiry.³⁰ (See Table C below for detailed information.)
 - None of these groups possesses the requisite military and legal expertise to assess potential violations of international humanitarian law. These NGOs, as demonstrated in their reports, do not have the capacity to address information pertaining to military objectives, war casualties, and other factors that are necessary to determine complicity in war crimes or crimes against humanity.
 - In parallel to this funding, the Secretariat, together with Konrad Adenauer Stiftung, the Institute of Law and Ibrahim Abu Lughod Institute at Birzeit University, the Office of the UN High Commissioner for Human Rights (responsible for staffing and logistics of the HRC Gaza inquiry), and the "lawfare" NGO Al Haq, organized an August 19, 2014 workshop on the "UN Independent Commission Inquiry to investigate violations of international humanitarian and human rights laws in the OPT."³¹
 - The emergency funding and workshop constitute additional European government support for efforts to de-legitimize Israel through "lawfare." The four Secretariat member states, which approve all calls for proposals and funding decisions per Secretariat policy (see below), bear responsibility for funding false and immoral NGO legal attacks against Israel and facilitating UN demonization frameworks.

²³ NGO Monitor, "Al-Dameer," December 2, 2013, http://www.ngo-monitor.org/article/al_dameer

²⁴ NGO Monitor, "Badil – Resource Center for Palestinian Residency and Refugee Rights," March 23, 2015, http://www.ngo-monitor.org/article/b_tselem

²⁵ NGO Monitor, "Badil – Resource Center for Palestinian Residency and Refugee Rights," March 23, 2015, <http://www.ngo-monitor.org/article/badil>

²⁶ NGO Monitor, "Breaking the Silence (Shovrim Shtika)," May 25, 2015, http://www.ngo-monitor.org/article/breaking_the_silence_shovirm_shtika

²⁷ NGO Monitor, "Defence for Children International – Palestine Section," April 23, 2014, http://www.ngo-monitor.org/article/defence_for_children_international_palestine_section

²⁸ NGO Monitor, "Al-Mezan Center for Human Rights," December 2, 2013, http://www.ngo-monitor.org/article/al_mezan_center_for_human_rights

²⁹ NGO Monitor, "Palestinian Center for Human Rights (PCHR)," August 10, 2014, http://www.ngo-monitor.org/article/palestinian_center_for_human_rights_pchr

³⁰ Richard Goldstone, "Reconsidering the Goldstone Report on Israel and War Crimes," April 1, 2011, http://www.washingtonpost.com/opinions/reconsidering-the-goldstone-report-on-israel-and-war-crimes/2011/04/01/AFg111JC_story.html

³¹ Human Rights & International Humanitarian Law Secretariat, "Events," https://web.archive.org/web/20150322085703/http://www.rightsecretariat.ps/component/jevents/icalrepeat_detail/2014/08/19/20/83/workshop-un-independent-commission-of-inquiry-to-investigate-violations-of-international-humanitarian-and-human-rights-laws-in-the-opt?Itemid=1

NGOs Funded by Sweden, Switzerland, Denmark, and The Netherlands through the Secretariat include:

- **BADIL**³² - Founded to promote a Palestinian “right of return” and a leader of international BDS campaigns.^{33,34} BADIL holds annual “right of return” contests and has published antisemitic cartoons on its website, as well as imagery promoting a one-state agenda and denying Israel's right to exist.³⁵ A cartoon that won a monetary prize in BADIL's 2010 Al-Awda Nakba caricature competition is a blatant representation of classic antisemitic tropes, including a Jewish man, garbed in traditional Hasidic attire, with a hooked nose and side locks.³⁶ He stands above a dead child and skulls, holding a pitchfork dripping with blood. After the antisemitic cartoons were publicly revealed by NGO Monitor, Switzerland froze Secretariat funding for this NGO. There is no public documentation suggesting that an in-depth investigation was conducted regarding the explicitly antisemitic imagery or that controls were established to prevent such images from being published in the future. Indeed much of the offensive imagery remains on BADIL's website.³⁷
- **Palestinian Center for Human Rights (PCHR)**,³⁸ a leader in the anti-Israel “lawfare” movement, has tried to have Israelis arrested in the UK, the Netherlands, Switzerland, Spain, and New Zealand.³⁹ The group has filed for punitive damages against Israeli officials and companies doing business with Israel in the US. All of PCHR's cases have been dismissed in the preliminary stages. PCHR regularly describes Israel's policies as “apartheid”⁴⁰ and accuses Israel of “ethnic cleansing,”⁴¹ “war crimes,”⁴² and the “Judaization of Jerusalem.”⁴³ Following stabbing attacks in Jerusalem, PCHR ignored video evidence⁴⁴ of the Palestinians carrying out the terrorist attack

³² NGO Monitor, “Badil – Resource Center for Palestinian Residency and Refugee Rights,” March 23, 2015, <http://www.ngo-monitor.org/article/badil>

³³ Badil, “About Badil,” <http://www.badil.org/en/about-badil>

³⁴ NGO Monitor, “Boycotts, Divestment, and Sanctions (BDS) Resource Page,” April 23, 2014, http://www.ngo-monitor.org/article/ngo_leadership_in_boycott_and_divestment_campaigns

³⁵ NGO Monitor, “Badil's Antisemitic Cartoon: Questions for Danchurchaid, Trocaire and Funders,” October 11, 2010, http://www.ngo-monitor.org/article/badil_s_antisemitic_cartoon_questions_for_danchurchaid_trocaire_and_funders

³⁶ NGO Monitor, “Badil – Resource Center for Palestinian Residency and Refugee Rights,” March 23, 2015, <http://www.ngo-monitor.org/article/badil>

³⁷ Palestine Poster Project “BADIL Poster Contest – 2015” May 2015 <http://www.palestineposterproject.org/poster/badil-poster-contest-2015-abu-znada>

³⁸ NGO Monitor, “Palestinian Center for Human Rights,” August 10, 2014, http://www.ngo-monitor.org/article/palestinian_center_for_human_rights_pchr_

³⁹ NGO Monitor, “NGO Lawfare,” http://www.ngo-monitor.org/article/ngo_lawfare

⁴⁰ Palestinian Center for Human Rights, “Fact Sheet: Settlements and Apartheid in the OPT,” <http://www.pchrgaza.org/facts/fact3.htm>

⁴¹ PCHR, “Continued Ethnic Cleansing and Measures Aimed at Creating Jewish Majority in Occupied Jerusalem,” June 22, 2010, http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=6764:continued-ethnic-cleansing-and-measures-aimed-at-creating-jewish-majority-in-occupied-jerusalem&catid=36:pchrpressreleases&Itemid=194

⁴² PCHR, “The War on Gaza,” February 1, 2014, http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=category&layout=blog&id=74&Itemid=217

⁴³ IMRA, “Palestinian NGO Opposes WHO Conference Hosted by Israel Anywhere in Jerusalem,” November 28, 2012, <http://imra.org.il/story.php3?id=54619>

⁴⁴ “Police release footage of Pisgat Ze'ev attack after Palestinians deny teens were terrorists” Jerusalem Post October 14 2015 <http://www.jpost.com/Arab-Israeli-Conflict/Police-release-footage-of-Pisgat-Zeev-attack-proving-that-Palestinian-teens-were-terrorists-424938>

and falsely claimed⁴⁵ that a number of Palestinians were killed or wounded “on the grounds of **suspicion** of carrying out stabbings”.

- **Al Haq**⁴⁶ – also a leader in the anti-Israel BDS⁴⁷ and “lawfare” campaigns and has proposed sabotaging the Israeli court system by “flooding the [Israeli Supreme] Court with petitions in the hope of obstructing its functioning and resources.”⁴⁸ The Israeli Supreme Court has identified Al Haq’s general director Shawan Jabarin as “among the senior activists of the Popular Front [for the Liberation of Palestine-PFLP] terrorist organization.” The PFLP is designated a terrorist organization by the EU, but there is no record indicating that due diligence was conducted by donor countries to ensure that Secretariat funding is not diverted to terror groups in violation of domestic and international terror financing laws.
- **Adalah**⁴⁹ - One of the most politically active NGOs in opposing Israeli policy and delegitimizing Israel, labels Israel a “racist” state, and is involved in legal warfare against Israeli leaders. Following the 2014 Gaza War, Adalah submitted a report to the UN Commission of Inquiry falsely alleging that “Israel’s investigations...fall far short of the international standards.”⁵⁰ In 2009 following the Goldstone report, Adalah urged governments to “re-evaluate their relationship with Israel.”⁵¹ In 2007, Adalah published a “Democratic Constitution” that called for supplanting the Jewish foundation of Israel with a “democratic, bilingual and multicultural” framework in which Jewish immigration would be restricted to “humanitarian reasons.”
- **Addameer** appears to have close connections to the PFLP.⁵² Addameer’s ties with PFLP potentially violate both international and domestic law.
 - Addameer’s chairperson and co-founder, **Abdullatif Ghaith**, was banned by Israel from travelling internationally because of his alleged membership in the PFLP.⁵³
 - **Khalida Jarrar**, Addameer’s vice-chairperson, has been alleged to be a senior PFLP official.⁵⁴
 - **Suha Al Bargouti**, Addameer’s treasurer, is the wife of alleged PFLP member **Ahmed Qatamesh**.⁵⁵

⁴⁵ PCHR “Child Killed and His Cousin Seriously Wounded Amidst Settlers’ Cry “Die” and “David Red Star” Ambulance Deliberate Delay” October 13, 2015

http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=11320:child-killed-and-his-cousin-seriously-wounded-amidst-settlers-cry-qdieq-and-qdavid-red-star-q-ambulance-deliberate-delay&catid=36:pchrpressreleases&Itemid=194

⁴⁶ NGO Monitor, “Al-Haq,” February 24, 2015, http://www.ngo-monitor.org/article/al_haq

⁴⁷ NGO Monitor, “Boycotts, Divestment, and Sanctions (BDS) Resource Page,” April 23, 2014, <http://ngo-monitor.org/article.php?viewall=yes&id=86>

⁴⁸ NGO Monitor, “NGO Lawfare,” http://www.ngo-monitor.org/article/ngo_lawfare

⁴⁹ NGO Monitor, “Adalah,” November 24, 2014, <http://ngo-monitor.org/article/adalah>

⁵⁰ Adalah, “Adalah Submits Report to UN Commission of Inquiry on Gaza,” February 3, 2015, <http://www.adalah.org/en/content/view/8417>

⁵¹ Adalah, “Palestinian Human Rights Organizations Support Work and Recommendations of UN Fact Finding Mission: Demand Effective Judicial Redress and the Protection of Victims’ Rights,” September 9, 2009, <http://www.adalah.org/eng/Articles/980/Palestinian-Human-Rights-Organizations-Support->

⁵² NGO Monitor, “Addameer,” April 28, 2014, <http://www.ngo-monitor.org/article/addameer>

⁵³ Hadar Sela, “BBC Reveals the ‘Secret’ Detention Which Wasn’t,” November 18, 2013, <http://bbcwatch.org/tag/addameer/>

⁵⁴ Popular Front for the Liberation of Palestine, “Jarrar: On the 46th Anniversary of the Naksah, the Way Forward is Unity and Resistance,” <http://pflp.ps/english/2013/06/jarrar-on-the-46th-anniversary-of-the-naksah-the-way-forward-is-unity-and-resistance/>

- Sumoud Sa'adat, an Addameer staffer, is the daughter of PFLP general secretary Ahmad Sa'adat.⁵⁶
 - Yousef Habash, an Addameer Board member, is allegedly the nephew of PFLP founder George Habbash.⁵⁷
 - Ayman Nasser, an Addameer research staff-member, was arrested on October 15, 2012 for alleged links to the PFLP.⁵⁸
- **Breaking the Silence (BtS)**⁵⁹ - describes its mission as “expos[ing] the Israeli public to the routine situations of everyday life in the Occupied Territories...” Although the group claims to address Israeli society, its lobbying and media advocacy focuses primarily on international audiences where speakers and publications present a highly distorted perspective, distributing unverifiable “testimonies” by former IDF soldiers, accused the IDF of “collective punishment,”⁶⁰ causing “unreasonable harm to Gazan civilians,” and “functioning as executioners who have lost respect for human life.”^{61,62} Co-founder Yehuda Shaul defended the practice of generating international pressure: “Sometimes, when you want to deliver messages to the inside, you must go outside.” After the January 2009 Gaza conflict, Breaking the Silence promoted allegations of Israeli “war crimes” and “violations of international law” based on anonymous and unverifiable “testimonies.”⁶³
 - **Stop the Wall**⁶⁴ – Another leader of the international BDS campaign. The group received a grant for an overtly political project: “to contribute to a situation of accountability and respect for human rights by all duty bearers by creating mechanisms to implement ICJ decisions related to the separation Wall.” Stop the Wall claims that “The Wall is an integral part of the Zionist project to remove Palestinians from Palestine,” and considers “The Wall to be an integral part of the racist ambitions of Zionism” and “Israel's occupation, colonialism and apartheid” policies.⁶⁵

⁵⁵ Patrick O. Strickland, “Israel Detains Palestinian Leftist Without Trial,” November 2013, <https://electronicintifada.net/content/israel-detains-palestinian-leftist-without-trial/12937>

⁵⁶ Popular Front for the Liberation of Palestine, “Sumoud Sa'adat: Negotiations Do Not Free Prisoners,” <http://pflp.ps/english/2012/01/sumoud-saadat-negotiations-do-not-free-prisoners/>

⁵⁷ Hadar Sela, “BBC Reveals the ‘Secret’ Detention Which Wasn’t,” November 18, 2013, <http://bbcwatch.org/tag/addameer/>

⁵⁸ Prisoner Support and Human Rights Association, “Ayman Ameen Ahmad Nasser,” <http://www.addameer.org/etemplate.php?id=526>

⁵⁹ NGO Monitor, “Breaking the Silence (Shovrim Shtika),” May 25, 2015, http://www.ngo-monitor.org/article/breaking_the_silence_shovrim_shtika_

⁶⁰ Phillip Weiss, “The Horror, ‘Breaking the Silence’ Releases Women’s Frightful Testimonies of Occupation,” June 9, 2013, <http://mondoweiss.net/2013/06/frightful-testimonies-occupation>

⁶¹ Breaking the Silence, “Breaking the Silence: Israeli Soldiers Talk about the Occupied Territories,” <http://www.breakingthesilence.org.il/inside/>

⁶² Yehuda Shaul, “Hamas is the Enemy, But What Have We Become?,” August 4, 2014, <http://www.thejewishweek.com/editorial-opinion/hamas-cruel-enemy-what-have-we-become>

⁶³ Peter Beaumont, “Gaza War Crime Claims Gather Pace As More Troops Speak Out,” March 22, 2009, <http://www.guardian.co.uk/world/2009/mar/22/israel-palestinian-territories-war-crimes>

⁶⁴ NGO Monitor, “Stop the Wall – Palestinian Grassroots Anti-Apartheid Wall Campaign (PGAAWC),” October 20, 2014, http://ngo-monitor.org/article/stop_the_wall_palestinian_grassroots_anti_apartheid_wall_campaign_pgaawc_

⁶⁵ Stop the Wall, “About Us,” <http://www.stophthewall.org/about-us>

Dissonance between Secretariat activities and declared foreign policies of the donor governments in Secretariat - 2015 Annual Report.

The IHL Secretariat describes its objective as attempting to “influence the behavioural change of the Palestinian and Israeli duty bearers.” However, with the exception of women’s rights issues, the Secretariat’s 2015 Annual Report ⁶⁶ targets Israel almost exclusively. Although it funds 42 different NGOs, the Secretariat fails to present the complex reality and the multiple and diverse positions within Israeli and Palestinian narratives. The narrow spectrum of NGOs supported offers a distorted picture of the reality on ground and fails to bring the two parties closer in meaningful dialogue:

- There is limited focus on human rights violations committed by the PA and Hamas violations. Of the over 40 NGOs funded by the Secretariat and discussed in the 2015 annual report, only 3 provide services or assistance relating to Palestinian human rights violations.
- NGOs that deal with intra-Palestinian violations are described as interacting constructively with the Palestinian Authority and other institutions. There is no evidence of international advocacy or demonization in these NGO campaigns.
- “The War on Gaza”
 - Reflecting the anti-Israel bias of the Secretariat, the 2015 annual report refers to the 2014 Gaza War between Israel and terror groups (recognized as such by the European Union) as “The War on Gaza.”
 - The report offers absolutely no context or background to what triggered the operation in Gaza. There is no mention of Hamas or other armed groups, nor was there mention of rockets, or tunnels. The Israeli military is referred to as the “**Israeli occupation army.**” The Secretariat cites “2,203 deaths amongst Palestinians,” failing to note that hundreds of these were combatants exploiting civilian areas to shield their military operations.⁶⁷
 - The publication demonizes Israel, alleging that “the war on Gaza (8 July – 26 August 2014) **outstands as the most infamous, significant, and intensive set of HR and IHL violations in terms of scale, destruction and brutality.** It constitutes the third war on Gaza within the past six years, and is widely marred as the **worst war in recent years against Palestinian civilians and properties,** and even against IHL principles and rules of engagement in time of war”⁶⁸.
 - The report encouraged “all partner CSOs [to] exercise a level of coordination to avoid redundancy, **or worse, contradictions.** Therefore partner CSOs were requested to actively cooperate, cross check data, and **avoid negative over-**

⁶⁶ Human Rights & International Humanitarian Law Secretariat “Annual Report of the HRIHL Secretariat – 2015” August 02, 2015 <http://rightsecretariat.ps/category/item/100-annual-report>

⁶⁷ Ibid page 61

⁶⁸ Ibid page 79

lap"⁶⁹. It is unclear how many omissions or changes were made due to this directive, or how this affected NGO "fact-finding" publications.

- Breaking the Silence (BtS)
 - BtS received emergency funding during the 2014 Gaza war, even though BtS officials "were not even sure they would be able to interview soldiers or even feel safe to issue testimonies. The Secretariat was ready to accept **even one testimony**"⁷⁰.
 - One of BtS' "achievements" was the self-reported "small but significant **shift in the opinion of liberal Jewish communities in the U.S.** regarding the Israeli army's policies in Gaza and the occupation as a whole"⁷¹.
 - Further impact was seen in "references to the work of Breaking the Silence in a **U.S. State Department Report and in the British Parliament before the vote on recognition of Palestine**"⁷².
- Errors, Discrepancies, and Demonization
 - Alleges that "the Israeli forces carried out attacks on at least three UNWRA schools **killing hundreds of civilians**" (80). Contradicting this claim, the UN report on the topic found "Israel was responsible for striking seven United Nations sites used as civilian shelters during the 2014 Gaza war in which 44 Palestinians died and 227 others were injured."⁷³
 - Refers to stone throwing and other criminal behaviors as "politically charged actions" and prisoners in Israeli facilities (ostensibly including those convicted of murder and other violent crimes) as "Palestinian **political detainees**."⁷⁴
 - Claims that the West Bank is "divided into multiple 'blocks' or '**Bantustan**'-like units."⁷⁵ This use of "apartheid"-related rhetoric follows a 2014 reference by Secretariat Manager Mustafa Mari to "apartheid-like realities."⁷⁶
 - On June 12, 2014, Gilad Shaar, Eyal Yifrach and Naftali Frankel, Israeli teenagers, two of them minors, were abducted and murdered in the West Bank. After their burial three weeks later, Mohamed Abu Khdeir was murdered by Israeli extremists. The IHL Secretariat refers to the three Israelis as "**three settlers**" with no mention of their names, their murderers, or their manner of death (or that only one resided in a settlement). However, they provide this information to describe "the subsequent brutal killing of Mohamed Abu Khdeir, who was burned alive by Israeli settlers."⁷⁷

⁶⁹ Ibid page 81

⁷⁰ Ibid page 84

⁷¹ Ibid page 85

⁷² Ibid page 47-48

⁷³The Guardian: "Israel responsible for Gaza strikes on UN schools and shelters, inquiry finds: April 27, 2015 <http://www.theguardian.com/world/2015/apr/27/israel-responsible-gaza-strikes-un-schools-ban-ki-moon>

⁷⁴ Ibid page 56

⁷⁵ Ibid page 75

⁷⁶ Human Rights & International Humanitarian Law Secretariat: "Secretariat Newsletter" April 2014 http://www.rightsecretariat.ps/files/Newsletter_1_April.pdf

⁷⁷ Ibid page 61

- Lack of transparency
 - Financial reports are not included in the annual report that was posted online.
 - The Secretariat states that one of its funded projects was cancelled, but does not reveal details. All the original projects⁷⁸ are still listed on the Secretariat website.
 - Claims that “Lists of core funding, emergency funding and project funding partners, including their amounts and summary of interventions, are available online at the HR/IHL IHL Secretariat website.”⁷⁹ However, “amounts and summary of interventions” are not publically available for emergency funding.
 - A group of “5-7 independent, impartial individuals”⁸⁰ comprise the IHL Secretariat's Reference Group (RG), which was “‘established to provide independent HR/IHL expert advice’ and to ultimately contribute to the process of IHL Secretariat programme alignment to sector needs”⁸¹. RG members, who shape calls for proposals, help set IHL Secretariat priorities, and review and advise IHL Secretariat strategies, are anonymous.

⁷⁸ Human Rights & International Humanitarian Law Secretariat: “HRIHL Secretariat Project Funding Recipients”
<http://rightsecretariat.ps/our-work/grantees/project-funding>

⁷⁹ Ibid page 24

⁸⁰ Human Rights & International Humanitarian Law Secretariat: “About Us”
<http://rightsecretariat.ps/aboutus/2013-09-23-07-15-54>

⁸¹ Ibid page 17

TABLE A: Secretariat Core Funding Recipients (2014-2016)

NGO	Total Grant (USD)	August 2014 Emergency Funding
Adalah ⁱ	\$190,000	---
Addameer ⁱⁱ	\$325,000	---
Al Dameer ⁱⁱⁱ	\$230,000	Amount Unknown
Al Mezan ^{iv}	\$415,000	Amount Unknown
Al Haq ^v	\$710,000	
B'Tselem	\$710,000	Amount Unknown
BADIL ^{vi}	\$260,000	Amount Unknown
Bimkom ^{vii}	\$251,000	---
Breaking the Silence ^{viii}	\$300,000	Amount Unknown
Defence for Children International- Palestine Section ^{ix}	\$578,000	Amount Unknown
Democracy and Workers' Rights Center in Palestine (DWRC)	\$300,000	---
Gisha ^x	\$483,000	---
Hamoked ^{xi}	\$710,000	---
Palestinian Center for Human Rights (PCHR) ^{xii}	\$710,000	Amount Unknown
Palestinian Working Women Society for Development	\$532,000	---
Physicians for Human Rights - Israel (PHR-I) ^{xiii}	\$300,000	---
Public Committee Against Torture in Israel (PCATI) ^{xiv}	\$356,000	---
The Jerusalem Legal Aid & Human Rights Center	\$410,000	---
MIFTAH ^{xv}	\$330,000	---
Women Affairs Technical Committee	\$500,000	Amount Unknown
Women Studies Center	\$350,000	Amount Unknown
Women's Center for Legal Aid and Counseling	\$710,000	---
Women's Affairs Center	\$520,000	---
Yesh Din ^{xvi}	\$300,000	---

TABLE B: Project Funding Recipients

NGO	Amount	Project Objective
Al-Quds Human Rights Clinic	\$25,000	Upgrading the capacity of the Human Rights Clinic, to be more independent in teaching and supervising documentation of human rights violations in Jerusalem.
The Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)	\$50,000	To empower Palestinian civil society stakeholders in education in occupied East Jerusalem, including parents, students, school teachers and administrators, to play an effective role in combating De-Palestinization and protecting and promoting Palestinian culture and identity in East Jerusalem education.
Community Media Center	\$65,000	To contribute to promoting and protecting youth rights in the Gaza Strip through developing youth capacity in using media and social media in advocating for and protecting their rights and developing community awareness and a culture that respects human rights.
Centre for Women's Legal Research & Consulting	\$45,000	To contribute to promoting women's rights and gender equality in the Gaza Strip based on IHRL and IHL.
Hurryyat	\$50,000	To strengthen the culture of respect for HR and IHL towards a torture-free Palestinian society, enhanced by the rule of law.

Ibrahim Abu-Lughod Institute of International Studies - Birzeit University	\$70,000	To improve political processes that underpin human rights, in particular representation, in the refugee camps of the West Bank and Gaza Strip.
Kav LaOved ^{xvii}	\$60,000	To uphold Israeli labor law and protect and promote the rights of Palestinian workers employed by Israelis in Israel and in the Occupied Palestinian Territories.
Land Research Center	\$72,000	To provide technical and legal support to victims of land confiscation and house demolition in five villages in the Hebron governorate to access the Israeli justice system.
Ma'an Development Center ^{xviii}	\$68,211	To empower 140 young community leaders in the Gaza Strip to mainstream HR and IHL into their social actions and influence duty bearers to fulfill their obligations towards the rights- holders through addressing and advocating for specific human rights violations in policy dialogue.
Ma'an Network ^{xix}	\$56,000	To establish a Palestinian culture that demands government accountability for and protection from human rights abuses, through raising awareness of citizens' legal rights and establishing a channel through which the public can demand transparent investigations into human rights violations and the systematic reform of government institutions abusing human rights.
Musawa - The Palestinian Center for the Independence of the Judiciary and Legal Profession	\$45,000	The project adopts a holistic approach in working towards a justice section of the Palestinian constitution based on HR/IHL and societal consensus.
Muwatin- The Palestinian Institute for the Study of Democracy	\$80,000	To empower citizens to exercise accountability over the laws produced in the absence of a legitimate and functioning PLC.
The Palestinian Farmers Union as hosting organization of the Stop the Wall Campaign	\$65,000	To contribute to a situation of accountability and respect for human rights by all duty bearers by creating mechanisms to implement the ICJ decision related to the separation Wall.
PARC - The Agricultural Development Association	\$97,850	To contribute to protecting the agriculture farmlands and farmers' rights based on IHRL and IHL.
Palestinian Bar Association	\$55,000	To strengthen the Palestinian Bar Association constituency and Gaza legal community engagement in civilian protection to uphold human rights and promote access of victims to justice.
PCS - The Palestinian Consultative Staff for Developing NGOs	\$65,000	To contribute to institutional and policy reforms that advance the rights of people with disabilities through documenting violations of persons with disabilities rights, advocating for the adherence to the Palestinian Disability Law and the International Convention on the Rights of People with Disabilities.
PSCCW - Psycho Social Counselling for Center for Women	\$50,000	To contribute to ending violence against women in the Palestinian society, particularly killing under the pretext of the so-called honor, through enhancing the application of human rights and international law principles.
Rabbis for Human Rights ^{xx}	\$70,000	To address the ongoing human rights violations taking place in the oPt in general and in the so-called 'Gush Etzion' region specifically, by providing legal representation to enable victims of human rights violations to seek redress and ensure protection of their rights.

Teacher Creativity Center	\$99,290	To promote the role of education in the formation of informed, responsible and active citizenry prepared to abide by, defend and promote human rights culture, humanitarian law and the principle of respect for life and human dignity.
Women for Life Organization	\$35,000	To contribute to reduce all kinds of violence against women and empower divorced women (before consummation) in Salfit and Qalqilya, socially and legally so that they are able to defend their rights.

TABLE C: NGO Recipients of the Secretariat's "Emergency Funding"

Organization	Role in Goldstone	Role in Gaza 2014
Al Haq ^{xxi} is a leader in anti-Israel lawfare and BDS activities. Al Haq's general director is allegedly linked to the Popular Front for the Liberation of Palestine, designated as a terrorist organization by the U.S., EU, and Canada. ^{xxii} Al Haq did not receive emergency funding; however, it participated in the Secretariat workshop.	<ul style="list-style-type: none"> • Goldstone report references: 40 • Met with Goldstone mission in July 2009. • The 2009 Al Haq narrative report states: "The majority of Al Haq's work at the UN level in 2009 can be summed up in one word- Goldstone."^{xxiii} 	<ul style="list-style-type: none"> • 19 references in the UN Gaza Report • Al Haq was active in the delegitimization campaigns calling for an arms embargo, international investigations, and BDS against Israel. • According to Al Haq, the Schabas Mission is important because "the Commission would be able to look at the root causes, violations and alleged responsibilities that led to the escalations of the events in the Gaza Strip, including the continued denial of the Palestinian right to self-determination."^{xxiv}
Al-Mezan Center for Human Rights consistently refers to the Israeli army as the "Israel Occupation Forces" (IOF), erasing the context of Palestinian terror and delegitimizing Israeli self-defense. ^{xxv}	<ul style="list-style-type: none"> • Goldstone report references: 5 • Provided inaccurate and false fatality statistics to Goldstone Mission.^{xxvi,xxvii} 	<ul style="list-style-type: none"> • 29 references in the UN Gaza Report • Central role in lobbying UNHRC for establishing investigative committee. • Accused the IDF of "massacres," "war crimes," and "criminal" attacks against civilians during the fighting.^{xxviii}
Palestinian Center for Human Rights (PCHR) is a leader in anti-Israel lawfare ^{xxix} .	<ul style="list-style-type: none"> • Goldstone report references: 50 • Provided assistance and met with members of the mission. Testified before the mission, "present[ing] a 75-minute testimony." • PCHR also "prepared the agenda" for the prejudicial Independent Fact Finding Committee on Gaza to the League of Arab States, which "found that members of the IDF committed war crimes, crimes against humanity and, possibly, genocide" in the 2009 conflict. 	<ul style="list-style-type: none"> • 50 references in the UN Gaza Report • Repeatedly called for the establishment of a fact-finding mission on alleged Israeli crimes in Gaza. • Accused the Israeli army (what PCHR labels the "Israeli Occupation forces") of "massacres,"^{xxx} "war crimes,"^{xxxi} and "criminal" attacks against civilians during the fighting.^{xxxii}

Al-Dameer ^{xxxiii}	<ul style="list-style-type: none"> • Goldstone report references: 2 • Called from prosecution of Israel, but not of Hamas or other armed Palestinian groups. 	<ul style="list-style-type: none"> • 14 references in the UN Gaza Report • In a letter to Catherine Ashton, Al Dameer was 1 of 12 NGOs to openly reject Israel's right to self-defense, aiming to isolate Israel politically and lay the foundation for international prosecutions of Israel officials.^{xxxiv}
B'Tselem ^{xxxv}	<ul style="list-style-type: none"> • Goldstone report references: 56 • Met with Goldstone mission in July 2009. • Claims to have "provided assistance to the investigative staff of the Goldstone mission from the beginning to the end of its research." 	<ul style="list-style-type: none"> • 69 references in the UN Gaza Report • Prioritizes informing "the public about events in Gaza" despite the acknowledgement that their reports on the ongoing conflict might be "incomplete or contain errors."^{xxxvi}
Breaking the Silence ^{xxxvii}	<ul style="list-style-type: none"> • Goldstone report references: 27 • The Goldstone report referenced "Israeli soldiers' testimonies collected by the Israeli NGO Breaking the Silence" to demonstrate that "they had no encounters with Palestinian combatants," as well as to corroborate allegations of Israeli war crimes. 	<ul style="list-style-type: none"> • 8 references in the UN Gaza Report • BtS officials published opinion articles in the European press, alleging Israel prevents terror "through the collective punishment of innocent Palestinians," "Israel [] cannot sincerely argue that it is doing everything in its power to spare the innocent," and "Homes of Hamas members have become legitimate targets, regardless of the number of people within their walls... no one bothers to justify or make excuses."^{xxxviii,xxxix}
Badil ^{xl} promotes resistance" and martyr" rhetoric, anti-peace initiatives, and a "one-state" framework. ^{xli} The NGO has engaged in blatant antisemitic activities, including awarding a monetary prize to an antisemitic cartoon as part of Badil's 2010 Al-Awda Nakba caricature competition. ^{xlii}	<ul style="list-style-type: none"> • Badil did not actively contribute to the Goldstone report but strongly lobbied for its implementation. 	<ul style="list-style-type: none"> • According to the UN Gaza Report, Badil was a "stakeholder [] consulted by the commission of inquiry" and provided a submission to the commission. • In a letter to Catherine Ashton, Badil was 1 of 12 NGOs to openly reject Israel's right to self-defense, aiming to isolate Israel politically and lay the foundation for international prosecution of Israeli officials.^{xliii}
Defence for Children International – Palestine Section (DCI – PS) ^{xliv}	<ul style="list-style-type: none"> • Goldstone report references: 27 • Met with the Goldstone delegation • Provided information based on statements given by Palestinian "eyewitnesses." • Asserted that "the abuse of Palestinian children by Israeli authorities is systematic and institutionalized." 	<ul style="list-style-type: none"> • At the UNHRC, DCI-PS falsely accused Israel of deliberately attacking civilians and baselessly asserted that "more children have been killed by Israeli fire than Palestinian militants." • In its press releases and publications, cited unverifiable information on children casualties, without noting some of them were participating in hostilities. Also fails to condemn Hamas tactics such as using children to shield terrorist and military infrastructure and equipment, and the practice of using child soldiers.

- ⁱ NGO Monitor, "Adalah," November 26, 2014, <http://ngo-monitor.org/article/adalah>
- ⁱⁱ NGO Monitor, "Addameer," April 26, 2014, <http://ngo-monitor.org/article/addameer>
- ⁱⁱⁱ NGO Monitor, "Al-Dameer," December 2, 2013, http://ngo-monitor.org/article/al_dameer
- ^{iv} NGO Monitor, "Al-Mezan Center for Human Rights," December 2, 2013, http://ngo-monitor.org/article/al_mezan_center_for_human_rights
- ^v NGO Monitor, "Al-Haq," February 24, 2015, http://ngo-monitor.org/article/al_haq
- ^{vi} NGO Monitor, "Badil- Resource Center for Palestinian Residency and Refugee Rights," March 23, 2015, <http://ngo-monitor.org/article/badil>
- ^{vii} NGO Monitor, "BIMKOM," August 20, 2014, <http://ngo-monitor.org/article/bimkom>
- ^{viii} NGO Monitor, "Breaking the Silence (Shovrim Shtika)," May 25, 2015, http://ngo-monitor.org/article/breaking_the_silence_shovirm_shtika
- ^{ix} NGO Monitor, "Defence for Children International – Palestine Section," April 23, 2014, http://ngo-monitor.org/article/defence_for_children_international_palestine_section
- ^x NGO Monitor, "Gisha," August 20, 2014, <http://ngo-monitor.org/article/gisha>
- ^{xi} NGO Monitor, "HaMoked – Center for the Defense of the Individual," August 20, 2014, http://ngo-monitor.org/article/hamoked_center_for_the_defense_of_the_individual
- ^{xii} NGO Monitor, "Palestinian Center for Human Rights (PCHR)," August 10, 2014, http://ngo-monitor.org/article/palestinian_center_for_human_rights_pchr
- ^{xiii} NGO Monitor, "Physicians for Human Rights-Israel (PHR-I)," August 20, 2014, http://ngo-monitor.org/article/physicians_for_human_rights_israel
- ^{xiv} NGO Monitor, "Public Committee Against Torture in Israel (PCATI)," September 14, 2014, http://ngo-monitor.org/article/public_committee_against_torture_in_israel_pcati
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- ^{xvi} NGO Monitor, "Yesh Din – Volunteers for human Rights," August 20, 2014, http://ngo-monitor.org/article/yesh_din_volunteers_for_human_rights
- ^{xvii} NGO Monitor, "Kav Laoved," http://ngo-monitor.org/article/kav_leoved
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- ^{xix} NGO Monitor, "Ma'an Network," http://ngo-monitor.org/article/ma_an
- ^{xx} NGO Monitor, "Rabbis for Human Rights (RHR)," March 2, 2015, http://ngo-monitor.org/article/rabbis_for_human_rights
- ^{xxi} NGO Monitor, "Al-Haq," February 24, 2015, http://www.ngo-monitor.org/article/al_haq
- ^{xxii} NGO Monitor, "HRW/FIDH/OMCT Statement on NGO Official Linked to PFLP," May 14, 2007, http://www.ngo-monitor.org/article/hrw_fidh_omct_statement_on_ngo_official_linked_to_terror_group
- ^{xxiii} The Palestinian Human Rights Organizations Council, "Nakba at 67: The Ongoing Crime of Forcible Population Transfer and Secondary Displacement," May 14, 2015, <http://www.alhaq.org/images/stories/PDFz/Al-Haq-Narrative-Report-2009.pdf><http://www.alhaq.org/pdfs/al-haq-2009-narrative-report.pdf>
- ^{xxiv} Al Haq, "Briefing note V: An Unprecedented Mandate for Accountability – The UNHRC Commission of Inquiry into Violations of International Law Committed Since 13 June 2014," August 14, 2014, <http://www.alhaq.org/advocacy/topics/gaza/842-briefing-note-v-an-unprecedented-mandate-for-accountability-the-unhrc-commission-of-inquiry-into-violations-of-international-law-committed-since-13-june-2014>
- ^{xxv} NGO Monitor, "Al-Mezan Center for Human Rights," December 2, 2013, http://ngo-monitor.org/article/al_mezan_center_for_human_rights
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- ^{xxvii} Avi Mor, Tal Pavel, Don Radlauer and Yael Shahr, "Casualties in Operation Cast Lead: A Closer Look," http://www.ict.org.il/images/ICT_Cast_Lead_Casualties-A_Closer_Look.pdf
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- ^{xxx} Palestinian Center for Human Rights, "Heinous Crimes Against Humanity, on the 26th Day of the Israeli Offensive: Massacre in Rafah, Most Violent Since the Beginning of the Offensive; Rafah Isolated and Unprecedented War Crimes Committed," August 2, 2014, http://www.pchrgaza.org/portal/en/index.php?option=com_content&id=10558:heinous-crimes-against-humanity-on-the-26th-day-of-the-israeli-offensive-massacre-in-rafah-most-violent-since-the-beginning-of-the-offensive-rafah-isolated-and-unprecedented-war-crimes-committed&Itemid=194
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- ^{xxxvi} B'Tselem, "Two al-Brejij Municipality Employees Killed in Bombed and 9-year-old Sisters in a Nearby Home Injured," August 18, 2014, http://www.btselem.org/gaza_strip/20140727_al_burej
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