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FLOODING THE COURTS:

THE NORWEGIAN REFUGEE COUNCIL'S EUROPEAN-FUNDED
PROXY WAR

NGO MONITOR



Flooding the Courts: The Norwegian Refugee Council's European-Funded Proxy War

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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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EXECUTIVE SUMMARY

- The UK, EU, and UN provide millions of dollars annually to the Norwegian Refugee Council (NRC) for massive and unprecedented political campaigns exploiting the Israeli legal system. In sharp contrast to NRC's ostensibly humanitarian agenda, this massive program focuses on some of the most complex and sensitive political issues in the Arab-Israeli context.
- NRC's intensive involvement in the Israeli legal system, if carried out directly by its governmental donors, would be considered an unacceptable violation of international norms, including the principle of national sovereignty.
- NRC also works closely with the Palestinian Authority (PA) in coordinating its advocacy campaigns, in violation of the principle of neutrality in humanitarian aid.
- In its flagship program, "Information, Counselling and Legal Assistance (ICLA)," NRC partners with and transfers funds to radical non-government organizations (NGOs). Through its Palestinian and Israeli partner NGOs and private lawyers, this program alone submits between 600-800 new cases to Israeli courts annually. In 2018, ICLA aims to pursue "5,399 opened and continuing cases for legal assistance in the West Bank (West Bank 1162 new and 4237 continuing)" as well as 10 cases to be submitted to the UN and/or other international mechanisms. From 2009-2014, NRC "provided legal representation in court for 4,069 cases."
- NRC is centrally involved in humanitarian aid implementation in the region through its leadership in a number of UN "clusters" officially mandated to focus on protection, food security, water, and other humanitarian sectors. These UN cluster projects are also avenues for NRC's legal advocacy.
- From 2016-2017, the EU provided approximately \$9.6 million, the UK provided approximately \$5 million, and Norway provided approximately \$6.3 million for NRC's legal activity. From 2013-2016, the UK provided NRC with £1.4 million specifically for cases that "challenged demolitions or evictions." The UK notes that as a result, "2,541 eviction or demolition orders were suspended."
- A number of DFID-funded cases for NRC's "policy change" programs have, as determined by the Israeli High Court, in fact been attempts to undermine mutual Israeli-Palestinian agreements such as the Oslo Accords.
- Donor governments and the NRC are highly secretive about their attempts to influence the internal affairs of Israel through the courts. The UK's Department for International Development (DFID) has repeatedly rejected Freedom of Information Requests (FOI) regarding meetings and coordination with NRC officials.
- In a 2017 DFID document, DFID stated that it will be transferring the "legal aid in the OPTs" portfolio to the Foreign and Commonwealth Office. In describing this transition of responsibilities, DFID states that the two organizations have "worked closely together to ensure a smooth transition in order to **link programmatic support for legal aid with our political messaging and diplomatic activity**" (emphasis added).
- Many of NRC's partners promote BDS (boycott, divestment, and sanctions) and lawfare campaigns against Israel and/or have ties to terrorist organizations.
- NRC's politicized activities and partnerships violate the humanitarian principles of neutrality, impartiality, independence, and humanity. Its extensive involvement in legal advocacy also raises questions about the humanitarian visa it receives from Israel.

RECOMMENDATIONS

To the Israeli Government:

- The Israeli government has the responsibility to its citizens of investigating and publicizing the details of the NRC's campaign to blatantly flood the courts and interfere with the policy making process in a democratic society.
- Engage NRC and its donor governments in direct discussions focusing on the anti-democratic nature of this political campaign, including the secrecy with which it is conducted.
- Address the abuse of humanitarian visas granted to the NRC and similar political organizations. The Israeli government should create a review mechanism to verify the humanitarian work of the organization and confirm that the visa is not being used for political purposes or to disrupt democratic processes and institutions.

To the Donor Governments:

- Discontinue funding to organizations that violate democratic principles and national sovereignty.
- Discontinue all funding provided directly or indirectly to NGOs with ties to terrorist organizations.
- Ensure full transparency in funding to NGOs, including information on the NGO recipients of NRC funding, and complying with FOI requests in a manner consistent with democratic practice.

To NRC:

- Adhere to the humanitarian principles of neutrality, independence, and impartiality, and humanity.
- Comply with the terms of its humanitarian visa.
- Cease all activities that are inconsistent with democratic principles and sovereignty, and which are not appropriate for humanitarian aid organizations.
- Immediately cease all partnerships and funding to organizations with ties to terrorist organizations.

INTRODUCTION

Since 2009, the Norwegian Refugee Council (NRC) has used millions of European taxpayer funds, primarily from the UK, for a campaign that exploits the Israeli justice system and is aimed at circumventing appropriate diplomatic channels. This program is unprecedented globally in its objectives, origins, methods, scope, and for its violation of sovereign and democratic norms.

With an annual budget of more than \$16 million, the majority of which originates with European governments, NRC submits between **600-800 cases to Israeli courts annually**. NGO Monitor research shows that many of the cases appear to be selected based on furthering NRC's (and its state funders') political goals, and not on humanitarian objectives. Some of these cases ask the court to inappropriately rule on political, rather than legal grounds, in a manner that would undermine Israeli-Palestinian agreements such as the Oslo Accords.

As reported by [an attendee of a presentation](#) given by a lawyer affiliated with the NRC, the number of cases and the political involvement in Israel's legal system embody a strategy seeking to use "every possible legal measure to **disrupt the Israeli judicial system...as many cases as possible are registered and that as many cases as possible are appealed to increase the workload of the courts and the Supreme Court to such an extent that there will be a blockage**" (translated from the original Dutch, emphasis added).

The extent of this foreign involvement in Israeli courts is staggering, as are the lengths that NRC and its government backers – primarily the EU, UK, and Norway– have gone to hide their roles.

When NGO Monitor submitted FOI requests to DFID, it refused to respond about its meetings with NRC, claiming the volume of related information was beyond their capabilities to respond. After repeated requests in which NGO Monitor drastically narrowed the scope of the request, DFID absurdly cited "commercial interests," "national security," and risk to UK foreign policy to justify withholding these documents. [According to DFID](#), NRC maintains a "low visibility policy."¹

In addition to legal advocacy, NRC is a major player in almost every aspect of humanitarian aid in the region, fulfilling functions often attributed to the UN. At the same time, NRC utilizes its legal capacity to influence policies related to education, "protection," and advocacy.

As the following documentation and analysis demonstrates, NRC's work in the context of the Arab-Israeli conflict exhibits blatant one-sided political advocacy that significantly deviates from its stated humanitarian mission and the internationally accepted humanitarian principles of humanity, impartiality, neutrality, and independence. According to these guidelines, humanitarian organizations are prohibited from taking sides in a conflict, or from immersing themselves in local political or ideological controversies. In addition to violating these norms through partisan involvement in the most contentious legal and political issues in the region, NRC also partners with overtly political and biased NGOs, as well as groups with links to terrorist organizations, as well as with the Palestinian Authority (a party to the conflict). NRC's blatant disregard of the humanitarian principles and its extreme political activity raises questions about compliance with the conditions of the humanitarian visa it receives from the Israeli Ministry of Social Services.

¹ In contrast, when DFID received an FOI request relating to NGO Monitor, the UK government had no concerns about "privacy" or "commercial interests" and did not hesitate in providing all documents related to our organization.

BACKGROUND

Founded in 1946, [Norwegian Refugee Council](#) (NRC) describes itself as an “[independent humanitarian organization helping people forced to flee](#).” With [global operating expenses](#) of \$300 million, the NGO works in 31 “protracted crises” around the world where it provides “camp management, food assistance, clean water, shelter, legal aid, and education.”

NRC has been active in Israel, the West Bank, and Gaza since 2009 and has offices in Jerusalem, Ramallah, Hebron, and Gaza. The organization employs [12 international staff](#) and 106 national staff. In Israel, NRC is registered with an “International Humanitarian Visa” authorized by the Ministry of Social Services.

FUNDING

In 2017, NRC’s overall [budget](#) for its Israel, West Bank, and Gaza specific programs was \$16.5 million (128 million NOK). According to UN-OCHA, during the period of 2016-2017, [NRC received \\$35.4 million](#) in government funding for projects in the region.

2016 NRC Global Funding: Top Donors

Donor	Amount in USD (NOK)
Norway – MFA	\$97.9 (762 million NOK)
UN High Commissioner for Refugees (UNHCR)	\$54.6 million (425 million NOK)
EU – ECHO	\$40.6 (316 million NOK)
UK	\$26.7 (208 million NOK)
Sweden	\$24.4 million (190 million NOK)
US	\$20.1 million (156 million NOK)
Germany	\$6.69 million (52 million NOK)
UNICEF	\$19.0 million (148 million NOK)
OCHA	\$17.1 million (133 million NOK)

According to data published by UN-OCHA, NRC receives the majority of its funding for legal projects around the world from [Norway](#), the [EU](#), and the [UK](#). [In 2016-2017](#), the EU provided approximately \$9.6 million, the UK provided approximately \$5 million, and Norway provided approximately \$6.3 million.

[NRC’s annual report](#) states that in 2016, governments provided approximately \$12.6 million to programs in Israel, the West Bank, and Gaza, including \$3.3 million from the EU, \$2.2 million from the UK, and \$1.6 million from Norway.

In [2016](#), NRC received the following amounts from governmental and intergovernmental donors for its work in Israel, the West Bank, and Gaza:

Donor	Approx. Amount in USD (Exact amount, NOK)
European Union	\$3.3 million (23,422,452 NOK)
UK	\$2.2 million (17,915,000 NOK)
Norway	\$1.6 million (13,488,000 NOK)
UN-OCHA	\$856,964 (6,660,000 NOK)
Sweden	\$748,120 (5,812,000 NOK)
Switzerland	\$562,635 (4,371,000 NOK)
Norway	\$320,236 (2,488,000 NOK)
UNICEF	\$248,468 (1,931,000 NOK)
UN	\$86,211 (670,000 NOK)
UNHCR	\$5,000 (41,000 NOK)
Others	\$2.7 million (22,375,000 NOK)
Total	\$12.6 million (99,173,452 NOK)

LEGAL ADVOCACY: USING THE COURTS TO FORCE POLICY CHANGE IN ISRAEL

NRC operates in Israel, the West Bank, and Gaza ostensibly as a humanitarian organization, purportedly subscribing to various norms – most importantly, the principles of humanity, neutrality, impartiality, and independence. However, NRC's legal advocacy programs directly violate these principles, raising questions regarding the objectives of its and its donor governments' interests.

NRC's flagship program, known as "Information, Counselling and Legal Assistance (ICLA)," [provides](#) "legal information, training, counselling and representation for those affected by discriminatory policies and practices" [through](#) "NRC lawyers, partner organizations and private lawyers." As part of ICLA alone, partner NGOs submit between 600-800 new cases to Israeli Courts per year. [In 2018](#), "beneficiary targets" included "5,399 opened and continuing cases for legal assistance in the West Bank (West Bank 1162 new and 4237 continuing)." The project also involved "EU, UN and Third State lobbying."

In 2017, ICLA's "[beneficiary targets](#)" included "3628 opened and continuing cases for legal assistance in the West Bank (West Bank 612 new and 3016 continuing)," as well as "40 advocacy briefings given on specific HLP [Housing, Land, and Property] and residency issues (verbal or written), 10 of instances information is submitted to other UN mechanisms, and 75 public interest cases challenging unjust HLP issues."

From 2009-2014, NRC and its political NGO partners [St. Yves](#), [Jerusalem Legal Aid and Human Rights Center](#) (JLAC), [HaMoked](#), [Yesh Din](#), and Community Action Centre (CAC) as well as private lawyers "provided legal representation in court for [4,069 cases](#)."

As a major donor to ICLA, [DFID explained](#) that NRC “has exposed or challenged a range of laws, policies or practices that beneficiaries and other stakeholders consider either discriminatory and/or possible to legally challenge through public interest cases.”

Furthermore, DFID funding enabled ICLA to support “152 public interest cases in Area C of the West Bank through implementing partners or private lawyers” and expose “through public interest cases...[a] number of discriminatory and/or unfair laws, policies or practices.” DFID also claimed that “sometimes the lodging of a public interest case in itself can temporarily halt an unfair practice affecting a large number of persons (indirect beneficiaries) until the court has resolved the issue.”

Emergency Legal Response	Total 2014-2016
Opened and ongoing cases of legal assistance	4,015
Number of advocacy briefings given on specific housing, land, property and residency issues (verbal or written)	419
Number of discriminatory and/or unfair laws, policies or practices exposed through public interest cases	152
Number of direct issues of cooperation where NRC is actively working with UNDP and PA and legal aid partners on development of a sustainable legal aid system for housing, land and property law	87

Between April-September 2016, according to a DFID report, NRC and its partners were active on 29 public interest cases, a number of which took place in Area C. Cases included Abu Nuwar, Masafer Yatta Demolitions, Sa’ir, Atta Jaber, [Military Order 418](#), Cremisan Convent and School, Beit Al Baraka, Abu Rajab, Hebron Gold Market, Hebron Jewish Cemetery Area, and Al Ras Lan.

In addition to ICLA, NRC’s “legal assistance” and “policy change advocacy” is also part of a joint mechanism. This mechanism, known as the “West Bank Protection Consortium,” argues that “[bringing together international agencies](#) from different countries provides the potential to leverage more diverse political and financial support [collaborate] between the INGOs ... creates an opportunity to mobilize broader and coordinated political support from diplomats in country and in the capitals of respective INGOs....” Many ICLA cases are “[partially funded through the Consortium](#).”

NRC is further active throughout the UN’s humanitarian aid implementation framework, known as the cluster framework. In this capacity, NRC similarly focuses on legal advocacy and targets cases related to these specific political flashpoints of the conflict, and not necessarily where legal aid is needed most.

For example, NRC leads the “[Legal Task Force](#)” sub-group of the Protection Cluster, which coordinates legal responses by 14 Palestinian, Israeli, and international NGOs. The Legal Task Force is active in “channeling of relevant cases and questioning the legality of measures adopted in response to violence through various legal procedures: supporting individuals to file complaints with the relevant authorities; providing legal representation; and sharing of information with international human rights mechanisms on issues of concern.”

Throughout each of these areas – including through its ICLA program, the Consortium, and UN Clusters – NRC focuses legal efforts on the most politically controversial cases. For example, in the Consortium, NRC works with partner NGOs (see Appendix III below) to “[transform policies](#)

[and practices](#)" and to "ensure effective and timely political interventions by the UN and Third States." Such advocacy directly contravenes the humanitarian principles of neutrality and independence.

As reported by [an attendee of a presentation](#) given by a lawyer affiliated with the NRC, the number of cases and the political involvement in Israel's legal system embody a strategy seeking to use "every possible legal measure to **disrupt the Israeli judicial system...as many cases as possible are registered and that as many cases as possible are appealed to increase the workload of the courts and the Supreme Court to such an extent that there will be a blockage**" (translated from the original Dutch, emphasis added).

In further violations of the humanitarian principles, specifically of neutrality, NRC works with a narrow selection of political NGOs that promote a one-sided narrative of the conflict in implementing its legal aid and "public interest litigation" related programs (see Appendix III). In 2016 and 2017, [NRC partnered](#) with [HaMoked](#), [JLAC](#), [Society of St. Yves](#), [Terrestrial Jerusalem](#), [Yesh Din](#), [CAC](#), [Bimkom](#), [Palestinian Centre for Democracy and Conflict Resolution](#) (PCDCR), [Palestinian Centre for Human Rights](#) (PCHR), [Al Mezan](#), among others.²

For example, NRC provided the Israeli NGO [Hamoked](#) with approximately NIS 5.4 million (approximately \$1.4 million) from 2015-2017, with the [NGO partaking](#) in over [600 legal activities](#) during this time. In a number of these cases, Hamoked petitioned the Israeli High Court on behalf of family members of terrorists "[Against](#) the confiscation and demolition orders issued to the homes of Palestinians who are accused or suspected of committing murderous attacks." Hamoked represented the families of terrorists responsible for the kidnapping and [murder of three Israeli teens](#), the [Har Nof](#) massacre (together with the [PFLP affiliated](#) NGO [Addameer](#)), the Henkin family murder, and the murders of [Dani Gonen and Malachi Rozenfeld](#). It is unclear how these endeavors fit within a humanitarian aid framework.

NRC also regularly partners with [Jerusalem Legal Aid and Human Rights Center](#) (JLAC). Working together since 2009, NRC provides support to JLAC's "Legal Assistance for the Protection of Palestinians Affected by Forced Displacement" and "Legally Challenging Displacement in East Jerusalem, Combatting House Demolition" projects. In 2016, NRC provided \$576,431 for these programs, including support of staff salaries and benefits, as well as programmatic expenses.

² Due to a lack of transparency, there is limited information regarding amounts disbursed by NRC to its implementing partners. The amounts available taken from the Israeli Registrar of Non-Profits and compiled with additional NGO Monitor research. Government donors do not appear to disclose funding to this particular project, and refused to answer NGO Monitor's Freedom of Information Request.

	Norwegian Refugee Council		
	Legal Assistance for Protection of Palestinians Affected by force displacement	Legally challenging displacement in East Jerusalem	Protecting residency rights in East Jerusalem
Salaries and staff related benefits	273,774	125,340	17,927
Legal assistance	73,139	28,399	5,700
Building capabilities activities, conferences and legal advocacy services	-	-	-
Rent and utilities	9,161	6,318	499
Travel and communication	5,357	12,709	-
Maintenance	3,257	2,301	900
professional fees	2,379	1,069	-
Other administrative expenses	-	-	-
	1,662	1,664	-
	<u>368,729</u>	<u>177,800</u>	<u>25,026</u>

NRC Funding to JLAC (Source: http://www.jlac.ps/userfiles/file/Financial_Reports/FS%202016%20JLAC-Eng%20Final.pdf)

NRC further neglects the humanitarian principles by working with a number of organizations that have ties to terror groups. The Palestinian Center for Human Rights (PCHR) is one of such organizations. The group's [founder](#) and director, Raji Sourani, was "[prohibited](#) from leaving Palestine (sic) from 1977 to 1990." According to a [1995 article in the Washington Report](#), Raji Sourani served "a three-year sentence [1979-1982] imposed by an Israeli court which convicted him of membership in the illegal Popular Front for the Liberation of Palestine..." He was also [denied a US entry visa](#) in 2012. Sourani was imprisoned an additional three times "[in 1985 and 1986...](#)" and held in administrative detention in 1988. From 1986 to 1987 he was "[restricted from legal work](#) for one year by an Israeli military decision issued by the Israeli Military Governor." Furthermore, In February 2014, the PFLP organized a [ceremony](#) in Gaza honoring Sourani for winning the "Alternative Noble Prize"; [Rabah Muhana](#), a member of the [PFLP Political Bureau](#), delivered a speech at the prize ceremony. PCHR former Deputy Chairman of the Board of Directors [Jaber Wishah](#) is also a [PFLP military official](#) (see Appendix III for more details and other NRC partners with ties to the PFLP).

The sheer number of cases submitted by NRC annually further emphasizes the political, and not humanitarian, intentions of the organization and its donors. The bombardment of Israeli courts suggests that the NGO plays a [leading](#) role in the legal discourse on the Arab-Israeli conflict. Neither the Israeli public nor authorities appear to be aware to the extent of this foreign government-funded intervention.

NRC'S CLOSE WORKING RELATIONSHIP WITH EUROPEAN GOVERNMENTS AND THE PALESTINIAN AUTHORITY

The UK, Norway, EU, and other European countries provides millions of taxpayer dollars every year to NRC's political advocacy campaigns, alleging that they are funding humanitarian aid. This, along with NRC's close working relationship with the Palestinian Authority (one of the parties to the conflict), is seen as both a violation of the humanitarian principles of neutrality and independence as well as a violation of state sovereignty.

International Government Donors' Influence on the Local Legal System

The UK's Department for International Development (DFID) is one of the main donors to NRC's legal bombardment of the Israeli courts, providing approximately [£6.5 million](#) for ICLA from April 2013 to September 2016. [DFID](#) articulates that the purpose of this funding is to [change Israeli policy](#), whereby "Policies and practices causing displacement are highlighted, challenged and ultimately changed... Sometimes the lodging of a public interest case in itself can temporarily halt an unfair practice affecting a large number of persons (indirect beneficiaries) until the court has resolved the issue. Public interest cases can be complex, lengthy and can result in negative or positive precedents."

DFID also states that in 2013-2016, approximately £1.4 million was spent "directly on legal cases that challenged demolitions or evictions. 2,541 eviction or demolition orders were suspended as a result."

A number of DFID-funded cases that fall under this "policy change" category have, as determined by the Israeli High Court, in fact been attempts to undermine mutual Israeli-Palestinian agreements such as the Oslo Accords. For example, the Israeli Supreme Court ruled that a petition to cancel sections of the "Order concerning Towns, Villages and Buildings Planning in Judea and Samaria" ([418 sections 2\(2\) and 2\(4\)](#)) was essentially asking the Court to "change the status quo created upon the Interim Agreement from September 20, 1995 between the State of Israel and the Palestinian Authority concerning the West Bank and the Gaza Strip" (the Oslo Accords). The Court noted that "the petition exceeds the scope of activity under our purview as a court. It is an issue for the political echelon in its contacts between the State of Israel and the Palestinian Authority."

[According to a 2017 DFID](#) document, DFID will be transferring the "legal aid in the OPTs" portfolio to the Foreign and Commonwealth Office. In describing this transition of responsibilities, DFID states that the two organizations have "worked closely together to ensure a smooth transition in order to **link programmatic support for legal aid with our political messaging and diplomatic activity**" (emphasis added).

Close Cooperation with the Palestinian Authority

In clear violation of the humanitarian principles of neutrality and independence, NRC works closely with the PA, supporting it “both locally and nationally on casework.” This self-admitted “close cooperation” between a foreign-funded NGO and a party to the conflict is highly disturbing in the context of humanitarian aid, and results in an obvious politicization of humanitarian goals. As with NRC’s legal advocacy, NRC’s partnership with the PA is present in nearly every aspect of humanitarian aid provision, leading to questions regarding whether aid for education, protection, and shelter is actually being diverted to political anti-Israel campaigns.

In a [2018 funding appeal](#), the NRC noted that its “ICLA programme and the PA are jointly the largest provider of legal aid services within Area C. There exists a referral mechanism that enables ICLA and partners to receive referrals from the PA, notably cases involving demolition and eviction orders...”

In a 2017 funding appeal, NRC adds that it works in “[cooperation with the Palestinian Authority](#)” on projects for the Shelter Cluster, with the specific project activities including “policy change” and “advocacy.” NRC further describes the project output as “seeking to change policies & practices which lead to FT (Forcible Transfer),” “In support of the Area C Framework, provide specialized legal advice & public interest litigation in relation to IHL/IHRL obligations,” **“engaging the PA to take action to prevent the FT of the protected population,”** and **“advocate for measures to be taken by the UN & 3rd States to deter the settlement enterprise hampering Palestinians’ access to livelihoods & leading to FT”** (emphasis added).³

A [donor cooperation agreement between Belgium and NRC](#) further notes that “NRC has established close coordination with the PA’s Wall and Settlement Portfolio...A significant number of cases represented by NRC partners are referred by local authorities,” [working with](#) “lawyers employed by the Palestinian Colonization and Wall Resistance Commission (C&WRC)” and providing them with “technical support.” It is unclear how NRC’s provision of a PA institution with support falls within any bounds of humanitarian aid, nor is it clear how aiding the governing authority in its biased legal campaigns aids the targeted population.

[The main objective](#) of “C&WRC” is to “maintain good relations and open communication channels with the Government of Palestine (GoP) and its entities, in relation to case referrals, coordination of legal and/or technical responses in various areas of the West Bank and increasing accessibility of NRC and its partners to different vulnerable communities.” The [C&WRC](#) is an official PA body, headed by an official equivalent to a senior minister.

Also noted by the [Belgian government agreement](#), the founder of the NGO [Kerem Navot](#) (and former [Yesh Din](#) employee), was to provide “Technical assistance services will be provided by Land Expert Dror Etkes to the PA, NRC implementing partner NGOs.” Etkes is referred to as providing expertise in “land data collection, mapping, cartographic analysis, accessing governmental information and documenting changes in human settlements and patterns of land usage through the use of photographic and other informational evidence. This technical expertise is key to the success of many of the HLP cases and is regularly cited by the PA and lawyers as some of the most valuable information they receive.”

³ OPT-17/S-NF/97624

Additionally, in April-September 2016, NRC [provided](#) the PA with “33 technical services” including “Geographical Information System mapping and legal correspondence with Israeli governmental institutions for Public Interest and individual cases; Provision of technical assistance in the form of follow-up with beneficiaries in Hebron H2; Mobilisation of the PA to take actions aimed at curbing settlement expansion and coordinated cases referral and information sharing and gathering in relation to new and ongoing cases adopted by the Anti Wall and Settlement Commission lawyers.” NRC’s ICLA program further cooperated with the PA on 87 “direct issues.”

In 2017, [the Hebron municipality also signed a memorandum of understanding with NRC](#), agreeing to “a memorandum containing a joint strategy aimed at protecting the right to housing Land and property through the provision of legal services to citizens under the jurisdiction of the Hebron Municipality, especially citizens living in Area C and Area H2.” On April 6, 2017, [NRC also took part](#) in a [meeting with](#) the governor of Qalqiliya to discuss Israeli military actions related to the land permits behind the 1949 Armistice line.

Furthermore, an NRC funding appeal clearly notes the close relationship between the UN humanitarian aid cluster framework, the PA, and NRC, explaining that “**Legal aid interventions will be coordinated with the PA thru the Legal Task Force**” (emphasis added).⁴ This “legal response” [consists of](#) “channeling of relevant cases and questioning the legality of measures adopted in response to violence through various legal procedures; supporting individuals to file complaints with the relevant authorities; providing legal representation; and sharing of information with international human rights mechanisms on issues of concern.”⁵

NRC AND DONOR GOVERNMENTS’ SECRECY

NRC, its NGO implementing partners, and the numerous European government donors are not transparent as can be seen by donors failing to provide details regarding their level of political involvement in Israeli domestic affairs and failure to note which implementing partners are receiving their taxpayer funds. NRC also itself lacks transparency, noted by its parallel and overlapping activities labeled as “humanitarian aid,” regardless of whether the activity is in fact serving political goals.

For example, [DFID](#) states that “many of the activities funded – the provision of legal aid, training etc. – were carried out by **downstream partners who have direct agreements with NRC**” (emphasis added). However, DFID claims that it is “not possible for DFID to directly monitor all aspects of NRC’s work, although NRC works very closely with partners to ensure effective delivery of results.”

This lack of donor oversight is reflected on the [British government Development Tracker website](#), which lists disbursements from NRC as “Aid to international organizations” and “Aid to civil society organisations / NGOs” without mentioning the name of the NGO that actually receives the government funds.

⁴ OPT-17/S-NF/97624

⁵ A [2015 Protection Cluster Monthly Update](#) notes that NRC submitted an appeal regarding the Kedem Compound. The Kedem Compound is a cable car project in Jerusalem, meant to relieve traffic around the Old City. Numerous political [NGOs have complained](#) that the project will result in the “destruction and damage to the fabric of ancient Jerusalem” and contribute to the “Judaization” of East Jerusalem.

Based on this lack of transparency, NGO Monitor submitted a series of Freedom of Information (FOI) requests to DFID beginning in September 2017, asking about the scope of its partnership with NRC.⁶ These FOIs requested “details and documentation of all meetings about Israel and the occupied Palestinian Territories” held between DFID officials and NRC. However, with each FOI request, DFID responded by rejecting the request based on their cost limit, thereby indicating the vast number of meetings and documentation of such between DFID and NRC. DFID would then suggest that NGO Monitor narrow the requested time frame, which NGO Monitor did until reaching a six-month period between August and February 2016.

However, on April 23, 2018, DFID stated that it refused to release any information relating to its interactions with NRC. It attempted to justify this “withholding [of] further information ... under the exemptions at Section 27 (1) (a) (c) and (d) (International relations), section 38 (1) (a) and (b) (Health and safety), section 40 (2) (Personal information) and section 43 (2) (Commercial interests) of the Freedom of Information Act 2000,” arguing further that it needed to “consider the balance of public interest in disclosing the information.” Based on the fact that disclosing the information would serve to enhance transparency in the UK’s funding process, NGO Monitor is appealing DFID’s decision.

⁶ NGO Monitor made similar requests in 2014 that were denied by DFID.

APPENDIX I: FUNDING

Funding for NRC's ICLA and Legal Projects

Donor	2017	2016	Project	Implementing Partners
<u>Norway</u>		<u>\$4,600,000</u>	ICLA, to protect the rights of Palestinians in the West Bank and Gaza Strip affected by displacement. (OPT-16/P-HR-RL/86392)	Jerusalem Legal Aid Centre, Society of St Yves, HaMoked, Community Action Centre, Yesh Din, Bimkom, Palestinian Centre for Democracy and Conflict Resolution, Palestinian Centre for Human Rights, and Al Mezan
<u>Norway</u>		<u>\$910,534</u>	Humanitarian Support to Protect Palestinians in the West Bank (including East Jerusalem) from Forcible Transfer. (OPT-16/S-NF/87851/5834)	Consortium Partners: ACTED, Première Urgence Internationale (PUI) Gruppo di Volontariato Civile (GVC), Action Against Hunger (ACF) National Implementing Partners: Jerusalem Legal Aid Centre (JLAC), Yesh Din, Hamoked
<u>Norway</u>	<u>\$270,200</u> <u>\$481,000</u>		ICLA, to protect the rights of Palestinians and others in the Gaza Strip affected by displacement and lack of legal identity (OPT-17/P-HR-RL/98184/5834)	Al Mezan Center for Human Rights, Gisha, HaMoked, Palestinian Centre for Democracy and Conflict Resolution (PCDCR), Palestinian Centre for Human Rights (PCHR)
<u>Spain</u>	<u>\$128,452</u>			
<u>European Commission</u>	<u>\$182,481</u>			
<u>European Commission's Humanitarian Aid and Civil Protection Department (ECHO)</u>		<u>\$5,098,684</u>	Humanitarian Support to Protect Palestinians in the West Bank (including East Jerusalem) from Forcible Transfer. (OPT-16/S-NF/87851/5834)	Consortium Partners: ACTED, Première Urgence Internationale (PUI) Gruppo di Volontariato Civile (GVC), Action Against Hunger (ACF). National Implementing Partners:

				Jerusalem Legal Aid Centre (JLAC), Yesh Din, Hamoked
	<u>\$4,135,737</u>			
<u>Sweden</u>	<u>\$104,603</u>		Humanitarian Support to Protect Palestinians in the West Bank (including East Jerusalem) from Forcible Transfer (OPT-17/S-NF/97624/5834)	Consortium Partners Action Against Hunger (ACF), ACTED, Gruppo di Volontariato Civile (GVC), Première Urgence Internationale (PUI). Legal Aid Partners: Hamoked, Jerusalem Legal Aid Centre (JLAC), Yesh Din.
<u>Ireland</u>	<u>\$212,089</u>			
<u>France</u>	<u>\$434,783</u>			
<u>Denmark</u>	<u>\$107,671</u>			
<u>Belgium</u>	<u>\$1,179,245</u>			
<u>Luxemburg</u>	<u>\$159,067</u>			
<u>Spain</u>	<u>\$ 568,828</u>			
<u>Italy</u>	<u>\$249,299</u>			
<u>UK</u>	<u>\$4,000,000</u>		ICLA, to protect the rights of Palestinians in the West Bank including East Jerusalem affected by displacement (OPT-17/P-HR-RL/98197/5834)	Community Action Centre, HaMoked, International Peace and Cooperation Center (IPCC), Jerusalem Community Advocacy Network (JCAN), Jerusalem Legal Aid Centre (JLAC), Peace Now, Society of St Yves, Terrestrial Jerusalem, and Yesh Din
<u>European Commission</u>	<u>\$1,066,879</u>			
<u>Sweden</u>	<u>\$548,005</u>			
<u>Belgium</u>		<u>\$1,438,053</u>	ICLA, to protect the rights of Palestinians in the West Bank and Gaza Strip affected by displacement (OPT-16/P-HR-RL/86392)	Jerusalem Legal Aid Centre, Society of St Yves, HaMoked, Community Action Centre, Yesh Din, Bimkom, Palestinian Centre for Democracy and Conflict Resolution, Palestinian Centre for Human Rights and Al Mezan
<u>Luxemburg</u>		<u>\$170,068</u>		
Total	\$14,153,311	\$12,217,339		

Other Funding for Legal Advocacy Projects

Donor	2017	2016	Project	Implementing Partners
European Commission's Humanitarian Aid and Civil Protection Department (ECHO)		<u>\$907,029</u>	Protecting Education from Attacks in West Bank (OPT-16/E/88203/5834) "NRC aims to ensure ... improved access to a protective...educational experience in the most vulnerable MoEHE schools in East Jerusalem and Hebron through the implementation of the psycho-educational project 'Better Learning Program', and the 'Information, Counseling and Legal Aid Programme' (ICLA)."	Jerusalem Center for Human Rights partner
	<u>\$910,125</u>		"Protecting Education from Attacks in West Bank, specifically in East Jerusalem and Area C'(OPT-17/E/97658/5834) "NRC aims to ensure ... improved access to a protective...educational experience in the most vulnerable MoEHE schools in East Jerusalem and Hebron through the implementation of the psycho-educational project 'Better Learning Program', and the 'Information, Counseling and Legal Aid Programme' (ICLA)."	N/A
Norway	<u>\$109,258</u>			
Total	\$1,019,383	\$907,029		

Other NRC Projects

Donor	2017	2016	Project	Implementing Partners
European Commission's Humanitarian Aid and Civil Protection Department (ECHO)	<u>\$651,035</u>		Integrated approach to support vulnerable Palestinians in the Gaza Strip (OPT-17/S-NF/97901/5834)	N/A
		<u>\$1,925,255</u>	Repair/Upgrade for vulnerable households living below minimum shelter standards to achieve climate and physical protection in adequate living conditions (Gaza) (OPT-16/S-NF/87914)	N/A
Sweden		<u>\$586,304</u>	Repair/Upgrade for vulnerable households living below minimum shelter standards to achieve climate and physical protection in adequate living conditions (OPT-16/S-NF/87914)	N/A
	<u>\$221,263</u>		Emergency shelter Livelihoods and WASH to victims of demolition in Area C incl. East Jerusalem	N/A
UK	<u>\$1,051,690</u>		Build on education- Provision of psycho-educational support and WASH/Rehabilitation in most vulnerable schools in Gaza (OPT-17/E/97703/5834)	N/A
Norway	<u>\$481,000</u>		Improving shelter response in oPt through Shelter Cluster coordination (OPT-17/CSS/97419/5834)	Shelter Cluster Member Organizations
Sweden	<u>\$ 10,960</u>			
Spain	<u>\$327,885</u>		Repair/Upgrade for vulnerable households living below minimum shelter standards to achieve climate and physical	N/A
European Commission	<u>\$534,766</u>			

			protection in adequate living conditions (Gaza) (OPT-17/S-NF/98366)	
Private organization/foundation		<u>\$375,671</u>	NRC - Better Learning Program'- BLP in Gaza UNRWA schools (OPT-16/E/87989)	
		<u>\$306,500</u>	Improving Shelter Response in oPt Through Shelter Cluster Coordination (OPT-16/S-NF/88308)	
occupied Palestinian territory Humanitarian Fund		<u>\$384,391</u>	Emergency preparedness of 28 public schools to serve as collective centers (OPT-16/S-NF/88503)	
		<u>\$403,615</u>	Supporting Gazan Communities and Service Providers in Preparedness & Response to Seasonal Flooding OPT-16/WS/87962/5834	
Total	\$ 3,278,599	\$ 3,981,736		

APPENDIX II: NGO MONITOR CORRESPONDENCE WITH DFID



Department
for International
Development



Mr F. Goldberg
europe.desk@ngo-monitor.org

Tel: 0 1355 843366
foi@dfid.gov.uk

23 April 2018

Dear Mr Goldberg,

Freedom of Information Request F2017-443

Thank you for your Freedom of Information request dated 22 November 2017 in which you asked for the following information.

*"Details and documentation of all meetings and minutes about Israel and the occupied Palestinian Territories held between Department for International Development (DFID) officials (Ministers and civil servants) and representatives of the **Norwegian Refugee Council (NRC)**, between August 2014 to present.*

Specifically, I am requesting:

- 1) *The number of meetings held and the dates of these; and*
- 2) *Minutes of these meetings*
- 3) *Correspondences between DFID officials and members of the Norwegian Refugee Council"*

As previously explained, our searches of our electronic filing systems returned a large volume of data, particularly in relation to Norwegian Refugee Council over the time period requested. Following on from our email exchanges, thank you for therefore narrowing your request on 14 January 2018 to request the following information:

"Details and documentation of all meetings and minutes about Israel and the occupied Palestinian Territories held between Department for International Development (DFID) officials (Ministers and civil servants and representatives of the Norwegian Refugee Council (NRC), for the six months from August 2016".

The Department for International Development holds information relating to a meeting relevant to your request which took place on 25 August 2016. We are, however withholding further information relating to the meeting under the exemptions at Section 27 (1) (a) (c) and (d) (International relations), section 38 (1) (a) and (b) (Health and safety), section 40 (2) (Personal information) and section 43 (2) (Commercial interests) of the Freedom of Information Act 2000. I have set out our analysis of the public interest factors relating to the qualified exemptions overleaf.

Section 27 (1) (a) (c) and (d) (International relations)

Section 27 (1) (a) (c) and (d) provides that information is exempt if its disclosure would or would be likely to prejudice the relations between the United Kingdom and any other state, or the interests of the UK abroad, or the promotion or protection by the United Kingdom of its interests abroad.

In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosing it.

Factors in favour of disclosure include the general public interest in transparency and accountability. There is also a clear public interest in raising awareness and understanding of how the UK government works at a country level and in how we aim to engage with partner governments in seeking to reduce poverty.

Factors against disclosure include the strong public interest in ensuring that DFID and the UK Government are able to promote international development and protect UK interests abroad. To do this there must be good working relationships with other governments based on confidence and trust. Disclosing sensitive information relating to them would be likely to damage these relationships, harm the ability of DFID to work with and influence other donors in eradicating poverty and undermine the UK's ability to respond to international development needs. Disclosure could also significantly damage the UK's ability to deliver HM Government policy and to protect and promote UK interests overseas.

We have concluded that the balance of public interest in this case favours withholding the information.

Section 38 (1) (a) and (b) (Health and Safety)

We are withholding some information under Section 38 (1) (a) and (b) which provides that information is exempt if its disclosure would or would be likely to endanger the physical or mental health of any individual, or endanger the safety of any individual.

Factors in favour of disclosure include that it contributes to a better understanding of how DFID and the UK government works in difficult environments.

Factors against disclosure include the very real danger to individuals if we disclosed the information requested. Because of the difficult security situation in some overseas countries, we feel that the security of many individuals could be seriously compromised. Their safety is of paramount importance and we have, therefore, concluded that the balance of public interest in this case favours withholding the information.

Section 40 (2) (Personal information)

We are withholding some information under section 40(2) of the Act, which relates to personal information. We believe that disclosure would breach the legitimate expectation of the individuals' rights to protection of their personal information. This would not be fair to the individuals concerned and disclosure would therefore be in breach of the first principle of the Data Protection Act 1998. Section 40(2) is an absolute exemption and there is, therefore, no requirement to balance the public interest.

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Section 43 (2) (Commercial interests)

Section 43 (2) provides that information is exempt if its disclosure would be likely to prejudice the commercial interests of any person including the public authority holding it.

In applying this exemption, we have had to determine whether the public interest in withholding the information outweighs the public interest in disclosing it.

Factors in favour of disclosing this information include the general public interest in transparency in the use of public funds and in ensuring that commercial activities are conducted in an open and honest way. Disclosure could also help to improve public awareness and understanding of the workings of government and the government's dealings with commercial organisations.

Factors against disclosure include the strong public interest in protecting the legitimate commercial interests of those who share information with DFID. Disclosure of sensitive information would make it less likely that companies or individuals would provide DFID with commercially sensitive information in the future, as our disclosure of this information would be likely to damage their reputation and thus their ability to compete in the market place. Disclosure could also damage DFID's reputation in the international community and could consequently undermine the department's ability to fulfil its role and to achieve value for money in the use of public funds.

We have concluded that the balance of public interest in this case favours withholding the information.

Please contact me, quoting reference number F2017-443, if you have any questions about this letter. Please accept my apologies for the delay there has been in issuing your FOI response and working through the information initially thought to be in scope of the request.

If you are unhappy with the service we have provided and wish to make a complaint or request a review of our decision, you should write to the Information Rights Team at the address shown in the footnote below or email foi@dfid.gov.uk within two months of the date of this letter.

If you do make a complaint and are not content with the outcome, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted DFID's complaints procedure. You can contact the Information Commissioner at the following address: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Alison Marshall
Information Rights Team
Department for International Development

DFID, Abercrombie House, Eaglesham Road, East Kilbride, Glasgow G75 8EA | www.gov.uk/dfid | +44 (0) 1355 844000

APPENDIX III: NRC'S NGO PARTNERS

Due to a lack of transparency, there is limited information regarding amounts disbursed by NRC to its NGO implementing partners. Details regarding NRC's partnership and funding of Israeli NGOs are available based on financial documents submitted by the recipients to the Israeli Registrar of Non-Profits. Details on Palestinian NGOs are based on independent research.

NGO Implementing Partners

Hamoked (5,357,356 NIS, 2015-2017):

- Hamoked makes inaccurate and inflammatory allegations of Israeli "[apartheid](#)," "[deportations](#)," "[torture](#)," and "[forcible transfers](#)." The NGO accuses Israel of "[collective punishment](#)" and the "[ghetto-ization of the West Bank](#)" (translated from original Hebrew).
- According to Hamoked, the NGO took part in 301 new legal activities in [2016](#) and another 305 in [2017](#). In several cases, Hamoked petitioned the Israeli High Court in the name of family members of terrorists "[Against](#) the confiscation and demolition orders issued to the homes of Palestinians who are accused or suspected of committing murderous attacks." For example, Hamoked represented the families of terrorists responsible for the kidnapping and [murder of three Israeli boys](#), the [Har Nof massacre](#) (together with the PFLP affiliated NGO Addameer), the Henkin family murder, and the murders of [Dani Gonen and Malachi Rozenfeld](#).

Jerusalem Legal Aid and Human Rights Center (JLAC) ([\\$576,431 in 2016](#)):

- JLAC is highly active in promoting BDS campaigns, lobbies international bodies, and utilizes highly inflammatory rhetoric, including accusations of "collective punishment," "ethnic cleansing," and "apartheid," as well as supporting a Palestinian "right of return."
- [JLAC's partnership with the NRC](#) began in 2009. The NRC has renewed its two project agreements with JLAC (in the West Bank and in East Jerusalem), respectively titled "Legal Assistance for the protection of Palestinians Affected by Forced Displacement," and "Legally Challenging Displacement in East Jerusalem, Combating House Demolition." NRC funding for JLAC for these projects included support for salary and staff related benefits, activities, conferences, and legal advocacy services.
- In 2015, [the Palestinian Bar Association](#), in cooperation with the NRC, had training course for lawyers on housing, land and property issues in Area C and East Jerusalem. The training was implemented through lawyers from NRC and the JLAC.

Palestinian Center for Human Rights (PCHR):

- PCHR is a leader of anti-Israel lawfare campaigns, ignores the existence of terrorism against Israeli civilians, and presents a distorted version of the conflict based only on the Palestinian narrative.
- Regularly describes Israel's policies as "apartheid" and accuses Israel of "ethnic

- cleansing," "war crimes," and the "Judaization of Jerusalem."
- PCHR has submitted various documents to the International Criminal Court (ICC), accusing Israel with committing war crimes and crimes against humanity.
 - PCHR's [founder](#) and director, Raji Sourani, was "[prohibited](#) from leaving Palestine (sic) from 1977 to 1990." According to a [1995 article in the Washington Report](#), Raji Sourani served "a three-year sentence [1979-1982] imposed by an Israeli court which convicted him of membership in the illegal Popular Front for the Liberation of Palestine..." He was also [denied a US entry visa](#) in 2012. Sourani was imprisoned an additional three times "[in 1985 and 1986...](#)" and held in administrative detention in 1988. From 1986 to 1987 he was "[restricted from legal work](#) for one year by an Israeli military decision issued by the Israeli Military Governor." Furthermore, In February 2014, the PFLP organized a [ceremony](#) in Gaza honoring Sourani for winning the "Alternative Noble Prize." [Rabah Muhana](#), a member of the PFLP Political Bureau, delivered a speech at the prize ceremony. On November 14, 2017, the [PFLP](#) hosted a book launch for a book about their "leader" Ahamad Saadat. Numerous PFLP commanders and senior members attended the event and Raji Sourani also gave a speech.
 - PCHR's Deputy Chairman of its Board of Directors, [Jaber Wishah](#), is a [senior military official in the PFLP](#). He [was sentenced to life in prison](#) and spent 15 years in Israeli prison [from 1985-1999](#).⁷ Wishah [expressed his happiness](#) for the release of his "former cellmate," Hezbollah terrorist Samir Kuntar. In [2014](#), [Wishah participated in a PFLP event](#) "honoring the families of more than 90 martyrs of the Popular Front for the Liberation."

Palestinian Center for Democracy and Conflict Resolution (PCDCR) ([\\$60,000](#) in 2016):

- Refers to Palestinians as "victims of Gaza holocaust," accuses Israel of "state terrorism," and participates in discriminatory campaigns.
- Together with Al Mezan, signed a "[Joint Call to Action: July 2014 – Month against the Apartheid Wall](#)," that states "it is time for a 'legal intifada', an intensified popular struggle and more boycotts, divestment and sanctions. It is time for accountability...to overcome Israeli apartheid, colonialism and occupation. We ask you to expand and deepen the global BDS movement for justice..."

Al Mezan:

- Highly active in anti-Israel lawfare campaigns, exploiting courts and international legal bodies to seek arrest warrants against Israeli government officials; files lawsuits against companies and governments doing business with Israel, and lobbies for cases against Israelis at the International Criminal Court (ICC).

Yesh Din (NIS 2,519,363 in 2015-2017):

- Yesh Din [regularly petitions the High Court of Justice](#) to alter Israeli policy (for example, [to cancel the law prohibiting the transportation of Palestinians in Israeli vehicles within the West Bank](#) and to [gain access to military court records](#)).

⁷ It appears that Wishah was released as part of the [Sharm el-Sheikh agreement](#).

- Engages in advocacy campaigns, such as [briefings to foreign diplomats](#) and encouraging Palestinians to claim [compensation for seized land](#).
- Publishes [statistics and findings](#) related to what it calls “ideologically-motivated crimes” against Palestinians, as well as what it claims is a lack of Israeli law enforcement in the West Bank. According to NGO Monitor research, these oft-cited statistics are [misleading and misrepresentative](#) when taken in context.
- Yesh Din’s categorizations are not used by Israel or other jurisdictions around the world, thus making it impossible to properly evaluate the claims and compare the rates to other areas.

Society of St. Yves

- [St. Yves](#) attends Legal Task Force meetings and “conducts joint activities with NRC legal advisers as required.”
- [Accuses](#) Israel of “discriminatory policies” and “breach[ing] international law,” and claims that “[Palestinian] land [is] [swallowed up](#) by the Israeli armed forces.”
- Founder Michel Sabbah authored (together with Naim Ateek of Sabeel and Atallah Hanna) the 2009 [Kairos Palestine document](#), which calls to mobilize churches worldwide in the call for BDS, compares Israel with the South African apartheid regime, and denies the Jewish historical connection to Israel in theological term.
- St. Yves [petitions Israeli courts](#) and represents defendants in cases relating to “Jerusalem Residency,” “Freedom of Movement,” “House Demolitions,” “Land Demolitions,” and “Clergy Visa.”
- In describing these issues, St. Yves accuses Israel of enforcing laws aimed at “[limiting the number of Palestinian in Jerusalem](#).”
- Condemns “[restricting Israeli measures](#) such as roadblocks, checkpoints and the separation barrier as well as arbitrary and punitive practices of closures within the West Bank,” completely ignoring the context of violence and terror, as well as Israel’s right to defend its citizens.

Additional NGO Partners

Addameer

- Addameer is a leader of campaigns in support of Palestinians prisoners convicted of security offenses, referring to them as “political prisoners” and altogether omitting the context of violence and terror.
- Addameer is a Popular Front for the Liberation of Palestine (PFLP) “[affiliate](#).” The PFLP is a terrorist organization designated as such by the [US](#), [EU](#), [Canada](#), and [Israel](#).
- Addameer’s [chairperson and co-founder](#), [Abdul-latif Ghaith](#), was banned by Israel from travelling internationally due to his alleged membership in the PFLP. He was also [banned](#) from entering the West Bank in 2011-2015.
- [Khalida Jarrar](#), Addameer’s former [vice-chairperson](#), is a senior PFLP official. Jarrar was administratively detained on April 1, 2015 by Israeli security forces. On April 15, 2015 she was [indicted for various offenses](#) including active membership in a terrorist organization (the PFLP) and inciting violence through a call to kidnap Israeli soldiers to be used as “bargaining chips for the release of Pales-

tinian prisoners.” Jarrar accepted a plea bargain and was reportedly [convicted](#) on “one count of belonging to an illegal organization and another of incitement” receiving a 15-month prison sentence with an additional 10-month suspended sentence. She was [released from prison](#) on June 3, 2016. According to Addameer, Jarrar was [re-arrested](#) in July 2017 for six months. In December 2017, the detention was [extended by another six months](#) to July 2018. On July 2, 2018, Jarrar's detention was again extended for another four months due to her remaining a “[threat to the security of the state](#).”

- In August 2017, Addameer [petitioned the President of France](#) for the release of its field researcher Salah Hamouri who was arrested on August 23, 2017. Hamouri was [previously arrested in 2005](#) for “attempting to assassinate Ovadia Yosef...and for his involvement with the Popular Front for the Liberation of Palestine.”
- Yousef Habash, the public relations officer of the [Union of Health Work Committees](#), serves as an [Addameer board member](#), and is apparently the nephew of PFLP founder George Habbash. Israel [prevented](#) Habash from leaving the West Bank in [2011-2012](#). He is also a member of the [BDS National Committee](#).
- Ayman Nasser, an Addameer [researcher](#), was [arrested on October 15, 2012](#) for links to the PFLP. An [indictment](#) was filed attributing a number of offenses relating to membership in the PFLP and activities on behalf of the organization. On June 3, 2013 the Judea Military Court [convicted](#) Nasser, who admitted to being a member of an unlawful organization, the PFLP, and for providing services to the organization.
- [Sumoud Saadat](#), an Addameer [staffer](#), is the daughter of PFLP general secretary Ahmad Saadat who is serving a 30 year prison sentence in Israel due to his terrorist activity.
- Suha Al Bargouti, Addameer's [treasurer](#), is the wife of reported PFLP member Ahmed Qatamesh.
- On February 23, 2017, Anas Barghouthi, a lawyer for Addameer, [pleaded guilty to membership](#) in the PFLP.
- According to [Amnesty International](#), “Five staff members from the organization [Addameer] are [banned](#) from travelling outside Israel and Palestine.”

Defense for Children International – Palestine (DCI-P)

- [Supports BDS \(boycotts, divestments and sanctions\) campaigns against Israel](#) and is an active participant in [lobbying the UN](#), [EU](#), and other international bodies to promote this agenda.
- In 2015, DCI-P and [American Friends Service Committee](#) (AFSC) initiated a campaign, entitled “[No Way to Treat a Child](#),” to “[challenge Israel's prolonged military occupation of Palestinians by exposing widespread and systematic ill-treatment of Palestinian children in the Israeli military detention system](#).” The groups call upon the United States government to pressure Israel to end “abuse of Palestinian children,” and encourage supporters to write members of congress on behalf of their cause.
- Several DCI-P [board members](#) have close ties to the PFLP. Mahmoud Jiddah, a “[PFLP member](#),” was imprisoned by Israel for [17 years](#) for carrying out “grenade attacks” against Israeli civilians in Jerusalem in 1968. [Hassan Abed Aljawad](#) is

similarly described as a Bethlehem-based “[PFLP activist](#),” or “[leader](#),” representing the PFLP at [public events](#). Fatima Daana, an attorney and board secretary, is the [widow of Raed Nazzal](#), the former [commander](#) of the PFLP’s armed wing (the Abu Ali Mustafa Brigades) in Qalqilya. Nazzal was responsible for several terrorist attacks and was [killed](#) in 2002 in a shootout with IDF forces. Previous board members had demonstrable PFLP ties as well. From 2007 to 2014, Shawan Jabarin – a reported [PFLP activist](#) and director of Al-Haq (see below) – was a member of DCI-P’s [Board of Directors](#). Alleged [PFLP affiliates](#) [Nassar Ibrahim](#) and [Dr. Majed Nassar](#) were also on the Board.

- Hashem Abu Maria, a [DCI-P employee](#), was [hailed](#) by the PFLP as a “[Comrade](#)” and a “leader” after his death in 2014.

Al-Haq

- Leader in the anti-Israel “[lawfare](#)” and [BDS](#) (boycotts, divestments and sanctions) campaigns.
- In July 2017, Al-Haq asserted that convicted terrorists have a “right” to receive salaries from the PA, and General Director Shawan Jabarin [stated](#) that “if their rights are eroded we are heading for a real crisis in Palestinian society and in due course toward an explosion.”
- Regularly files lawsuits and submits [politically motivated reports](#) to the UN Human Rights Council and other international bodies seeking to impose BDS and other sanctions on Israel.
- [Proposed](#) sabotaging the Israeli court system by “flooding the [Israeli Supreme] Court with petitions in the hope of obstructing its functioning and resources.”
- Al-Haq’s General Director Shawan Jabarin has [alleged ties to the PFLP terrorist organization](#) and [has been denied exit visas by Israel](#) and [Jordan](#).
 - According to a 1995 [Israeli submission to the UN](#), Jabarin was [convicted](#) in 1985 for recruiting members for the PFLP. Jabarin was also found guilty of arranging PFLP training outside Israel and was sentenced by Israeli courts to 24-months imprisonment, of which he served nine. In 1994, Jabarin was again arrested for alleged links and placed in administrative detention for six months. [An Israeli statement to the UN notes](#) that he “had not discontinued his terrorist involvement and maintains his position in the leadership of the PFLP.”
 - [In 2007](#), the Israeli Supreme Court rejected his appeal to go abroad stating that “The objections by security forces are all rooted in security concerns based on classified information, showing that the petitioner is a senior activist in the PFLP terror group....the current petitioner is apparently acting as a manner of Doctor Jekyll and Mister Hyde, acting some of the time as the CEO of a human rights organization, and at other times as an activist in a terror organization which has not shied away from murder and attempted murder, which have nothing to do with rights...”

APPENDIX IV: NRC'S ROLES IN HUMANITARIAN AID IN THE WEST BANK AND GAZA

Information, Counselling, and Legal Assistance (ICLA) Program:

- NRC's flagship program in the West Bank and Gaza.
- Governments provide funding to NRC for "legal advocacy," amounting to exploiting judicial frameworks in order to manipulate policy and bypass democratic and diplomatic frameworks.
- NRC then provides funding to numerous partner organizations for "legal aid" and "public interest litigation." In 2016 and 2017, [NRC partnered](#) with and provided funding to a number of highly political NGOs, including [HaMoked](#), [Jerusalem Legal Aid Centre](#) (JLAC), [Society of St. Yves](#), [Terrestrial Jerusalem](#), [Yesh Din](#), [Community Action Centre](#), [Bimkom](#), [Palestinian Centre for Democracy and Conflict Resolution](#) (PCDCR), [Palestinian Centre for Human Rights](#) (PCHR), and [Al Mezan](#).⁸
- This program alone submits between 600-800 new cases to Israeli Courts per year.
- Included in [ICLA's program goals](#) is "supporting the PA both locally and nationally on casework."

West Bank Protection Consortium (Consortium):

- NRC is the lead international NGO partner of the Consortium. The other Consortium members are Action Contre la Faim (ACF), Agency for Technical Cooperation and Development (ACTED), Gruppo Volontariato Civile (GVP), and [Première Urgence Internationale](#) (PUI).
- Established in 2015 by DG-ECHO, Belgium, Italy, Luxembourg, Spain, and Sweden.
- The [program aims](#) to address a "wide range of humanitarian vulnerabilities and protection threats that trigger forcible transfer in the West Bank context."⁹
- Like NRC's ICLA program, the [Consortium](#) also is involved in legal and political advocacy focused on transforming "policies and practices."
- [The Consortium's stated goals include](#): "Support Community empowerment and mobilization for communities living in an environment in which IHL violations are prevalent"; "Households and communities at risk of forcible transfer have access to essential services, material assistance, **legal aid** and emergency support"; "Seeking to **promote changes in policies and practices**" (emphasis added).
- Implementing partners include Jerusalem Legal Aid Centre (JLAC), Yesh Din, and Hamoked.

⁸ Due to a lack of transparency, there is limited information regarding amounts disbursed by NRC to its implementing partners. The amounts available taken from the Israeli Registrar of Non-Profits and compiled with additional NGO Monitor research. Government donors do not appear to disclose funding to this particular project, and refused to answer NGO Monitor's Freedom of Information Request.

⁹ NRC's ICLA program receives [funding](#) from the Consortium.

Association of International Development Agencies (AIDA):

- NRC is one of the leading members of AIDA and [provides it with administrative support](#).
- AIDA coordinates humanitarian and development international NGOs in Israel, the West Bank, and Gaza under the "Humanitarian Country Team (HCT)," and also participates in selecting beneficiaries of emergency pooled funding.¹⁰
- Engages in lobbying and advocacy, such as its [#OpenGaza campaign](#), launched in 2017 to mark "50 years of occupation. 10 years of illegal blockade." This social media campaign alleges "collective punishment of Palestinians in Gaza" and describes Gaza as "an open-air prison."
- In July 2015, [NRC uploaded](#) a [video](#), "End the Nightmares," promoting AIDA's #OpenGaza campaign. The propaganda film does not provide any context about the conflict or about violent attacks perpetrated by Hamas in Gaza and implies that Israel attacks only peaceful individuals without reason.

Protection Cluster:

- NRC leads the "[Legal Task Force](#)" sub-group of the Protection Cluster.¹¹
 - The Legal Task Force coordinates legal responses by 14 Palestinian, Israeli, and international highly political NGOs,¹² including those with ties to the [Popular Front for the Liberation of Palestine](#) (PFLP) terrorist group. NGO members include [Defense for Children International – Palestine](#) (DCI-P) and [Addameer](#) (both closely connected to the PFLP), [Jerusalem Legal Aid and Human Rights Center](#) (JLAC), [Adalah](#), [Al-Haq](#), [B'Tselem](#), [Community Action Centre](#) (CAC), [Hamoked](#), [Ir Amim](#), [Society of St. Yves](#), and [Yesh Din](#).
 - NRC coordinates "legal aid interventions" with the PA under this sub-group.¹³
- NRC is also [part of the Legal Advice Group](#), which coordinates on issues related to international human rights and humanitarian law, and, given the political nature of NRC's legal advocacy, is often involved in anti-Israel lawfare campaigns against Israel.¹⁴
 - Activities include "legal aspects in relation to the inputs of the [Working](#)

¹⁰ The [Humanitarian Country Team](#) (HCT) is a "forum of humanitarian organizations operating in the occupied Palestinian territory (oPt). It includes national and international actors involved at the country level in the provision of humanitarian assistance and protection, and was established in the oPt in 2008. The HCT is the policy-making forum on issues related to humanitarian access in the oPt. The HCT comprises, inter alia, the Association of International Development Agencies (AIDA), [membership body](#) and coordination forum of international non-governmental and non-profit organizations (INGOs)."

¹¹ On a global scale, the [Protection Cluster focuses](#) on "strengthening system-wide preparedness and technical capacity to respond to humanitarian emergencies." In Israel, the West Bank, and Gaza, however, the Protection Cluster's [goals](#) are less humanitarian and much more political and include "increased respect for IHL [international humanitarian law] and IHRL [international human rights law] and accountability for possible violations, while ensuring vulnerable Palestinians in the most affected areas have access to protection and other multi-sectoral services that prevent and mitigate the effects of the Occupation and conflict-related violence."

¹² OPT-17/CSS/97428

¹³ OPT-17/S-NF/97624

¹⁴ OPT-17/CSS/97428

[Group on Grave Violations against Children to the Secretary-General's Annual Report on Children in Armed Conflict](#) for 2014. In particular, LAG members considered various legal dimensions regarding the criteria for listing of parties in the annexes to the SG's Annual Report."¹⁵

- The Group also "met to discuss the [lawfulness of 'targeted killings'](#) under international law, in light of three ...incidents in Gaza" in 2014 and to "discuss whether the [heightened restrictions on the movement](#) of people and goods to and from the Gaza Strip, imposed by Israel since 21 March in response to rocket fire from the Gaza Strip, constitute collective punishment."

Shelter Cluster:

- NRC has led the Shelter Cluster in Gaza since 2009 and has led the Shelter Cluster in the West Bank and East Jerusalem since 2014.¹⁶
- [Works with the PA](#) on "policy change" and "advocacy" under this framework.
- An [NRC project](#) under the Shelter Cluster, according to NRC, included "seeking to change policies & practices which lead to FT (Forcible Transfer)," providing "specialized legal advice & public interest litigation in relation to IHL/IHRL obligations," and advocating "for measures to be taken by the UN & 3rd States to deter the settlement enterprise hampering Palestinians' access to livelihoods & leading to FT."¹⁷

Education Cluster:

- NRC is active in the Education Cluster, where it NRC "maintains an [active presence in the Education Cluster](#). Within the Cluster, NRC is a strong advocate...for maintaining the position of education within humanitarian responses." It is noted that "NRC was one of the only actors bringing funding into the Cluster."¹⁸
- Also a [member](#) of the "Global Coalition to Protect Education from Attack," an "[inter-agency coalition](#) formed in 2010 to address the problem of targeted attacks on education during armed conflict." Members of the Coalition's [steering committee](#) include Human Rights Watch, Save the Children, UNICEF, and UNESCO. A 2016 funding appeal "Protecting Education from Attacks in the West Bank" notes that in 2016, the project would target 50 schools in East Jerusalem and Hebron.¹⁹
- In 2017, NRC [received \\$109,258 from Norway](#) for a project "protecting education from attacks in West Bank, specifically in East Jerusalem and Area C."²⁰

¹⁵ Jan 2015 (See: [UNICEF and its NGO Working Group: Failing Children](#)).

¹⁶ Globally, [the Shelter Cluster](#) supports "people affected by natural disasters and internally displaced people affected by conflict with the means to live in safe, dignified and appropriate shelter."

¹⁷ OPT-17/S-NF/97624

¹⁸ [The Education Cluster is described globally](#) as bringing together "NGOs, UN agencies, academics, and other partners under the shared goal of ensuring predictable, well-coordinated and equitable provision of education for populations affected by humanitarian crises."

¹⁹ OPT-16/E/88203

²⁰ OPT-17/E/97658

- In the 2018-2020 Humanitarian Response Plan, [NRC appealed](#) for \$1.1 million for a project that, among other things, would provide ICLA intervention that will focus on “legal awareness sessions to teaching, non-teaching staff and parents on legal issues including Housing, Land and Property, residency related issues, freedom of movement, and settler violence; Provision of counseling and legal referrals to teachers, parents and students affected by violation/attacks to education; Provision of legal sessions on children’s legal rights in schools; Documentation and data collection through the ‘Alert Mechanism to respond legally to attacks against education.’”²¹

²¹ OPT-18/E/115417; https://ops.unocha.org/Reports/daily/CAPProjectSheet_633_115417_2018412.pdf