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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Institute for NGO Research, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 March 2019]

* Issued as received, in the language(s) of submission only.

The Exploitation of Palestinian Women's Rights

In his report, the Special Rapporteur on the situation of human rights defenders importantly reviews the situation of women human rights defenders and the “additional gendered risks and obstacles” they face. Unfortunately, in his discussion of the state of affairs for Palestinian women human rights defenders, the Special Rapporteur provides misleading information to proclaim individuals who have promoted and engaged in violence and antisemitism as human rights defenders in violation of the eligible criteria.

Under Resolution 5/1 establishing special procedures, Special Rapporteurs are required to exhibit personal integrity, expertise, independence, impartiality, and objectivity.¹ These criteria demand that Special Rapporteurs and other mandate holders must uphold the principles of universal human rights and are to refrain from the dissemination or aiding and abetting of expressions of discrimination, including antisemitism, promotion of violence, or incitement to violence. In order to meet the UN's definition of “Who is a defender,” two of the criteria are “accepting the universality of human rights” and “peaceful action.”⁴ An individual may not be considered a human rights defender if she denies “some human rights” but claims “to be a human rights defender because he or she is an advocate for others.”

The United Nations High Commissioner for Human Rights' report on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan is similarly flawed.

Today, there are dozens of local Palestinian NGOs meant to serve the needs of women from various sectors of society. However, NGO Monitor research and analysis reveals that many of these organizations unfortunately utilize their platform on women's issues to promote politicized narratives that are often rejectionist and violent, many times to the detriment of gender equality within Palestinian society. This trend can be largely attributed to a subordination of gender equality and/or female empowerment to Palestinian political agendas. This problematic phenomenon frequently leads to a disproportionate and exclusive focus on Israel as the cause of gender inequality, while not paying adequate attention to internal, systemic practices within Palestinian society that are discriminatory against women.

For example, the Special Rapporteur claims that “In the Occupied Palestinian Territory, women defenders have faced severe restrictions on their activities, **including limitations on funding**, and have been subject to the excessive use of force when they engage in peaceful protests” (emphasis added). In May 2017, the WATC inaugurated a youth center in the town of Burqa, near Nablus. The center is named after Dalal Mughrabi, a terrorist who in 1978 murdered 37 civilians, including 12 children.¹ Funding for this building was provided by Norway, United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and the Palestinian Authority Ministry of Local Government. Both Norway and UN Women strongly condemned the use of their funding for this center.² Norwegian Minister of Foreign Affairs Børge Brende stated that “We have asked for

1 TOI Staff, “Norway demands PA return funds for women's center named after terrorist,” *Times of Israel*, May 27, 2017: <https://www.timesofisrael.com/norway-demands-pa-return-funds-for-womens-center-named-after-terrorist/>

2 TOI Staff, “UN chief pulls support for Palestinian women's center named after terrorist,” *Times of Israel*, May 28, 2017: <http://www.timesofisrael.com/un-chief-pulls-support-for-palestinian-womens-center-named-after-terrorist/>

the logo of the Norwegian representation office to be removed from the building immediately, and for the funding that has been allocated to the centre to be repaid.”³ Denmark – which provided funding to the NGO via the Human Rights and International Humanitarian Law Secretariat – pulled funding and demanded that WATC return the Danish aid.⁴

WATC, which was responsible for rehabilitating the building and attended the inauguration, received \$530,000 (2014-2016) in core funding from the Ramallah-based Secretariat.⁵ In response, on June 2, 2017, the Danish Foreign Minister stated, “I am outraged that WATC, claiming to work for human rights, not just glorified a terrorist, but also abused the trust of a generous people like the Danish. It is totally unacceptable, and I cannot too strongly denounce it. Denmark and Danish tax money should under no circumstances be used for anything that in any way glorify or promote terrorism. Therefore, we now require of WATC that they pay Danish support back.”⁶ There are all too many similar examples in the Palestinian Authority.

The Special Rapporteur should revise his report to reflect the disturbing reality of misuse of funds by Palestinian women’s groups to promote violent actors as role models to women and girls, and the implications of doing so on women’s rights. This overly simplified version of events that claims that funding has simply been cut from women because they are “human rights defenders” is highly tendentious and does nothing to promote equality and peace in the region.

It is also imperative that the Special Rapporteur correct his characterization of Ahed Tamimi, referred to in his report as being “detained in connection to her human rights work against the Israeli occupation, land confiscation and settlement construction.” In stark contrast to this wildly inaccurate and sanitized characterization, Tamimi was detained as a result of her conviction for assaulting a soldier, and incitement to violence, among at least nine other charges. Some of her activities were caught on video, others on social media, including comments that “Whether it is stabbings or martyrdom operations or throwing stones, everyone must do his part and we must unite in order for our message to be heard that we want to liberate Palestine.”⁷ Regardless of the Special Rapporteur’s description of her motivations, her actions and remarks bar her from consideration as a “human rights defender” under the UN definition and it was an abuse of his position for the Special Rapporteur to label her as such.

Additionally, the High Commissioner’s report exhibits similar flaws, providing an overly simplified narrative of Palestinian women’s rights through unverified or inaccurate assertions. For example, the report claims that “settler-related violence has been reported as one of the reasons why some families prevent girls from going to school, particularly in Area C.” The High Commissioner’s 2019 report cites a 2013 (!) Office of the High Commissioner for Human Rights report, which states that “Fear of settler-related violence has been reported as one of the reasons why girls are prevented from accessing school, particularly in Area C.” This report links to a 2012 (!!) report authored by the Swedish group Kvinna Till Kvinna – an organization that regularly promotes a narrative based

3 Government of Norway, “Unacceptable glorification of terrorist attacks,” May 26, 2017:

<https://www.regjeringen.no/en/aktuelt/unacceptable-glorification-of-terrorist-attacks/id2554704/>

4 Ministry of Foreign Affairs of Denmark, “Samuelsen interrupts cooperation with Palestinian NGO,” June 2, 2017:

<http://um.dk/da/nyheder-fra-udenrigsministeriet/NewsDisplayPage/?newsID=4581CF05-DD68-45BB-8FB0-B28AA0A4F1D0>

5 Allan Sorensen, “Palestinian recipients of donor funds pay tribute to the terrorist,” Berlingske, May 30, 2017:

<https://www.berlingske.dk/internationalt/palaestiniske-modtagere-af-donormidler-hylder-terrorist>

6 Ministry of Foreign Affairs of Denmark, “Samuelsen interrupts cooperation with Palestinian NGO,” June 2, 2017:

<http://um.dk/da/nyheder-fra-udenrigsministeriet/NewsDisplayPage/?newsID=4581CF05-DD68-45BB-8FB0-B28AA0A4F1D0>

7 Legal Insurrection, “Ahed Tamimi Message to the World,” January 2, 2018:

<https://www.youtube.com/watch?v=7QYIEu7SJVE&feature=youtu.be&t=38s>

solely on the Palestinian narrative of victimization and sole Israeli aggression. In addition to ignoring other factors that might contribute to the drop-out rate of girls in the West Bank, it is highly disturbing that the High Commissioner levied wide-sweeping accusations based on citations of citations of reports (themselves making highly generalized and unverified claims) seven years out of date.

For too long, reports on Israel emanating from the Office of the High Commissioner for Human Rights have exhibited a pattern of including false or grossly misleading information based on unverified and outdated claims from NGOs. This practice must end if such reports are to serve as a useful basis for improving government policy and human rights protections. Otherwise, they are just meaningless political propaganda.
