

THE OBSERVATORY
for the Protection of Human Rights
Defenders

a joint programme

fidh
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EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME
الشبكة الأوروبية - المتوسطية لحقوق الإنسان



AVOCATS SANS FRONTIÈRES
ADVOCATEN ZONDER GRENZEN

Gaza: Human rights Defenders in prison?

On 11 September 2008, four Human Rights Defenders (HRDs) from Gaza, including two winners of human rights awards, were prevented from travelling to Brussels to attend major conferences and meetings with counterparts in Europe. Since the siege on Gaza in June 2007 almost no HRD has been allowed to leave the Gaza Strip to participate in human rights events.

On 2 September 2008, the Israeli military informed the applicants (**Mr Issam Younis**, Director of the Al Mezan Center for Human Rights, who recently received the Weimar International Human Rights Award, **Mr Mahmoud Abu Rahma**, from Al Mezan Center for Human Rights, **Mr Raji Sourani**, Director of the Palestinian Center for Human Rights, and **Mr Iyad Nasr**, from the International Committee of the Red Cross), via the inviting organizations*, that their permits to exit Gaza were denied "as travel abroad was involved". No security argument was raised. Palestinian and European human rights organizations requested the European Union and Member States to intervene and facilitate the HRDs' participation in the events, where their presence, as representatives of the Palestinian civil society, was crucial. On 10 September following interventions by several EU Member States officials, Israeli officials said that the applications for permits of two out of the four HRDs were accepted. Despite this official agreement, the refusal to deliver the necessary authorizations to exit Gaza to all the HRDs was confirmed on 11 September 2008.

Israel frequently declines applications by Gazan HRDs to attend human rights related events in the West Bank and abroad, most of the time based on "security concerns" which are impossible to verify given that the evidence used by the relevant military bodies is not accessible. In order to exit the Gaza strip, an application must be submitted two weeks prior the intended exit date, but even with the right documentation, the application process is uncertain because of unannounced rules and procedures decided by the Israeli military. Moreover, many human rights defenders, who received a permit at one moment in time, have afterwards seen their permit refused, putting in doubt the security reasons invoked by Israel.

The Euro-Mediterranean Human Rights Network (EMHRN), Avocats Sans Frontières (ASF) and the Observatory for the Protection of Human Rights Defenders (a joint programme of the International Federation for Human Rights - FIDH and the World Organisation Against Torture - OMCT) strongly condemn the decision of the Israeli authorities. It not only denies the right of HRDs to freedom of movement, but prevents independent and widely recognized Palestinian members of the civil society to raise their voices and concerns in international fora. Preventing HRDs from carrying out their work freely is totally unacceptable and an important reason of concern. It is also all the more counter-productive in the current context of conflict and of political instability in the Palestinian Territories.

The EMHRN, ASF and the Observatory decided to raise their concern in an open letter to the Israeli authorities. In accordance with the EU Guidelines on Human Rights Defenders, which recognise the importance "to ensure the safety and protect the rights of human rights defenders", they also call upon the EU and its Member States to:

- ✓ Hold Israel accountable for this type of incident, and other incidents concerning the freedom of movement of HRDs.
- ✓ Request from Israel that, since it maintains its control on the movement of people travelling in and out of the Palestinian Territories, it ensures that permits are delivered at each and every legitimate request of HRDs to leave Gaza to carry out their work, including the participation in conferences within the OPT and abroad, in accordance with international conventions.

* The HRDs were invited by the Swedish organization Diakonia and the Belgian organization Avocats Sans Frontières (ASF) to take part in a conference on the enforcement of international humanitarian law with regard to the Occupied Palestinian Territories (OPT) on 13 and 14 September 2008. They were also invited by the Irish organization Trocaire to take part in a review session on its work on Israel and the OPT, scheduled to take place between 14 and 19 September. In addition, Mr Raji Sourani was also invited by the Euro-Mediterranean Human Rights Network (EMHRN) and the International Federation for Human Rights (FIDH) to take part in a delegation, composed of Israeli and Palestinian organizations that planned to meet officials from the European Union and member states, including cabinet members in Belgium, in order to raise human rights issues with them.