



Euro-Med Monitor
FOR HUMAN RIGHTS

Subject: **Palestinian Authority's Violent Crackdown on Dissent, Freedom of Speech and Expression**

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Addressed to:

Mr. Clément Nyaletsossi VOULE, Special Rapporteur on the rights to freedom of peaceful assembly and of association

Mr. Diego García-Sayán, Special Rapporteur on the independence of judges and lawyers

Mr. Fabian Salvioli, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

Mr. Morris Tidball-Binz, Special Rapporteur on extrajudicial, summary or arbitrary executions

Mr. S. Michael Lynk, Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967

Ms. Irene Khan, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Ms. Mary Lawlor, Special Rapporteur on the situation of human rights defenders

Prof. Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Working Group on Arbitrary Detention

28 June 2021

I'm writing on behalf of my team at Euro-Mediterranean Human Rights Monitor (a Geneva-based organization) and the undersigning group of organizations to raise an issue of paramount importance that relates to the critically endangered safety of a number of Palestinian activists following last Thursday's gruesome death of prominent activist Nizar Banat. This case falls within a wider and deeply concerning pattern of growing repression targeting human rights defenders, journalists, and activists in Palestine. We believe international justice and accountability for the killing of Nizar Banat would be a crucial countermeasure to deter the continuity of such grave violations.

Mr. Banat was a well-known critic of the Palestinian Authority (PA), who had publicly campaigned against PA corruption for the last seven years and ran in the



Euro-Med Monitor
FOR HUMAN RIGHTS

now-postponed parliamentary elections of 2021. His activism and dissent, in full accordance with his rights to freedom of opinion and expression, had rendered him subject to relentless campaigns of defamation, harassment, torture, intimidation and arbitrary arrests by the PA security forces and its partisans.

Last November, for instance, Mr. Banat was arbitrarily arrested for simply criticizing the PA's decision to resume relations with Israel. Last May, our team observed a visible increase in PA threats and intimidation – and online smear campaigns – against Mr. Banat after he had criticized the PA's decision to postpone general elections and called on the EU to suspend PA funding.

Such arbitrary measures had always raised serious concerns about the safety and well-being of Mr. Banat, prompting us to warn international decision-makers that those PA practices may pose a serious risk to Mr. Banat's life. Last Thursday, few hours after Mr. Banat was violently beaten and arrested from his house in Hebron by PA security forces, he was announced dead at the local Hebron hospital.

Although, the PA announced an investigation into the incident, we can confidently deduce from several similar precedents that such investigation will solely be a performative gesture aimed at assuaging public anger and rage, buying time, and eventually burying the case. This assessment is further validated by the fact that the PA did not take any serious measures giving practical effect to this investigation announcement, such as suspending the security officers that carried out the arrest and their superior commanders. Additionally, our concerns are compounded by the dangerous ongoing deterioration in the Palestinian judiciary and justice system, due to blatant interference from the executive branch, namely PA President Mahmoud Abbas, as documented by numerous Palestinian human rights organizations. Such deterioration has lately prompted widespread demonstrations against the attacks on the independence of the judiciary.

We are gravely concerned that Mr. Banat's brutal death in broad daylight will further exacerbate the already shrinking spaces for dissent and freedoms of speech and expression in PA-controlled areas of the occupied Palestinian territories as fear of meeting a similar grim fate amongst activists will now dramatically increase.

We also have credible and serious concerns over the safety and well-being of prominent Palestinian activists and critics of the PA who in recent months have been subject to similar PA intimidation, arbitrary arrests,



Euro-Med Monitor
FOR HUMAN RIGHTS

defamation, harassment, and silencing. In addition, there has recently been a campaign of arbitrary arrests targeting peaceful demonstrators calling for accountability, journalists, and further critics, in particular.

For instance, the Hebron-based well-known activist, Mr. Issa Amro, has similarly been subject to PA intimidation, arbitrary arrests and other abuses for years. In 2017, the PA arrested Mr. Amro on charges of violating its infamous "electronic crimes" law, where his offense was "denouncing on Facebook the arrest of a journalist calling for the resignation of PA head." Mr. Amro was released on bail and put on trial for four years until he was cleared of charges in 2021.

Our team at Euro-Med Monitor learned that PA security forces have interrogated Mr. Amro on multiple occasions on why he is receiving attention from foreign public figures.

In fact, two days before Mr. Banat's death, the PA arrested and questioned Mr. Amro without presenting clear charges. We believe this is related to Mr. Amro's meeting with US State Secretary Anthony Blinken in May, after which Mr. Amro became subject to harassment, intimidation and defamation from PA affiliates. This indicates that the PA is not only trying to silence its critics from expressing themselves publicly, it also wants to prevent them from meeting or holding contact with foreign public figures.

Similarly, Dr. Isam Abdeen, a well-reputed Jerusalem-based Palestinian human rights defender, university lecturer, and former head of the Local and Regional Advocacy Department at the renowned Palestinian human rights organization Al-Haq, fell victim this March 2021 to PA harassment, defamation, incitement to killing, and smear campaigns that tried to frame him as a "collaborator with Israel" and "a seller of Palestinian lands in Jerusalem to Israel." Previously, Dr. Abdeen has seen his Facebook account hacked and blocked in an effort to silence him for his human rights advocacy and campaigning.

Prominent Palestinian journalist, Mr. Alaa Al-Rimawi, who has also been subject to arbitrary arrests, intimidation, and harassment by the PA, has informed our team that he received threats to his life shortly following the death of Mr. Banat.

Eminent Palestinian journalist, Ms. Naila Khalil, who works for the Al-Araby Al-Jadeed newspaper and has produced a number of investigative reports, has also



Euro-Med Monitor
FOR HUMAN RIGHTS

been receiving threats and has been targeted with defamation and smears by the PA.

Other Palestinian journalists and activists such as Ms. Fatima Mashala, Mr. Akil Awawda, Mr. Emad Abu Awad, and Ms. Samar Hammad (a candidate for the Palestinian Legislative Council) have all reported to us being subject to PA-sanctioned threats, intimidation, smears, harassment and other arbitrary and punitive abuses.

With widespread human rights violations increasing in the absence of accountability and effective remedies for the victims, we are sensing a growing state of despair, rage and fear amongst Palestinian activists and civil society organizations, and significant skepticism with respect to the PA's will to take practical actions to serve justice to Mr. Banat's family and end such practices and violations. In addition, there is a growing lack of trust in the justice system itself, after repeated interference by the executive authority, primarily over the past three years. This situation is compounded by the prolonged absence of the Palestinian Legislative Council (PLC) and recent delays in the 2021 elections due to a unilateral decision by the President of the PA.

The longer the death of Mr. Banat continues to pass without accountability, the more severe will be the chilling message that activists, journalists and dissenting voices will receive that exercising their most fundamental and basic freedoms might put their lives in critical danger. This is all despite Palestine's accession since 2014 to a series of international human rights law treaties without reservations, in addition to the Rome Statute of the ICC. Yet, since Palestine's accession to human rights treaties, the human rights situation has continued to deteriorate on the ground, as widely documented by human rights organizations.

Therefore, the Euro-Med Monitor calls on you as UN Special Rapporteurs to:

- 1- **Issue a public statement** on the recent death of Mr. Banat and the PA's widespread and systematic human rights violations, including intimidation, harassment, and arbitrary arrests, particularly targeting human rights defenders, activists, peaceful demonstrators, and journalists, and its general crackdown on human rights and fundamental freedoms with impunity;
- 2- **Directly address these violations** with the PA, **demand an immediate and clear cessation** to all such grave violations, and call for justice,



Euro-Med Monitor
FOR HUMAN RIGHTS

accountability, and effective remedies for victims, as well as **for the provision of necessary protection to human rights defenders, activists, journalists and other persons at risk** through **guarantees and assurances for their safety and well-being and that of their families.**

We would like to also invite you, at your earliest convenience, for a virtual meeting with representatives of Palestinian civil society and some of the aforementioned human rights defenders, activists, and journalists, to discuss more intimately the reality on the ground, the threats they face and the way forward.

Please accept the assurances of our highest consideration.

Kindest Regards,

Dr. Ramy Abdu

Chairman of Euro-Med Monitor

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Co-signing Organizations:

- Lawyers for justice
- Skyline International for Human Rights
- Geneva Council for Rights and Liberties
- HuMENA for Human Rights and Civic Engagement
- Solidarity for Human Rights
- Alliance for Freedom and Dignity
- The International Institute for Rights and Development- Geneva (IRD-GE)
- MENA Rights Group
- United towns agency for north south cooperation, Switzerland
- Broad National Movement (BNM) London