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Wednesday, October 27, 2021

To:
The honorable Betty McCollum
Chair of the Defense Subcommittee
House Appropriations Committee

Dear Representative McCollum,

Re: Israel's Minister of Defense, Benjamin Gantz, illegal and baseless designations of six Palestinian human rights organizations as terror organizations

1. We apply to you on behalf of 'Combatants for Peace', an Israeli-Palestinian movement which acts to promote peace and to end the military control over the West Bank and the Gaza Strip. Our movement is based on the establishment of a bi-national partnership grounded in activism and non-violence.
2. We are writing to you after reading your brave and accurate statement concerning the designations of Palestinian rights groups as 'terrorist organizations' by Israel's Minister of Defense, Benjamin Gantz¹.
3. Attached the letter we sent to President Joseph R. Biden, in which we asked that he use his authority according to the Global Magnitsky Act, Title XII, Subtitle F of P.L. 114- 328², and impose sanctions as described in subsection (b) against Israeli Defense Minister Benjamin Gantz, for his political persecution of these six Palestinian Human Rights organizations and especially his flagrant denial of hundreds of their workers, legal advisors and activists right to liberty and for putting them at risk of torture, all of whom are by definition human rights defenders.

¹ <https://mccollum.house.gov/media/press-releases/mccollum-statement-designation-palestinian-civil-society-groups-terrorist>

² https://home.treasury.gov/system/files/126/glomag_pl_114-328.pdf

4. We also asked President Joseph R. Biden that he instruct the relevant officials in his administration and especially the Office of Foreign Assets Control to ignore the designations on these six Palestinian human rights organizations by the government of Israel, so that they may continue to do the vital work that they do.
5. As explained in the letter, the designations by the Defense Minister Benjamin Gantz are illegal and baseless, and the timing of their issuance is connected directly to Minister Gantz's personal political struggles within the current Israeli coalition.
6. From public complaints by the head of the Labor Party, Minister of Transportation Merav Michaeli³, and the head of the Meretz Party, Minister of Health Nitzan Horowitz⁴, it is clear that Defense Minister Benjamin Gantz hid from his partners in the coalition his decision to issue these designations. This conduct is strengthening the argument that these designations are based on Minister Gantz's political considerations.
7. Also, it is important to mention that MK Ruth Wasserman Lande from Minister Gantz's 'Blue and White' Party and an alternate member of the Knesset Foreign Affairs and Defense Committee, admitted in an interview to Haaretz that the designations were also based on information from non-governmental organizations that are monitoring other organization who get their funding from abroad⁵.
8. As we wrote in the letter to President Biden, apparently, the only "evidence" that Defense Minister Benjamin Gantz possesses, is so called investigations by the extreme right and quasi-governmental organization NGO-Monitor. This organization has lobbied Israeli officials and Ministries for years to politically persecute Israeli, Palestinian and global human rights organizations who are critical of Israeli government policies. NGO-Monitor took credit for some of the sanctions already imposed on Palestinian organizations in recent years⁶ and has taken credit for this order as well⁷.
9. Combatants for Peace considers Minister Gantz's decision an attack on all Israeli-Palestinian human rights movements as well as on the global human rights community, and reminiscent of measures imposed by dictatorial regimes in the Russian Federation, Belarus, Vietnam, Venezuela, China and Uganda.

³ <https://www.haaretz.co.il/news/politi/1.10323319>

⁴ <https://www.haaretz.co.il/news/politics/premium-1.10318473>

⁵ https://www.haaretz.co.il/magazine/premium.HIGHLIGHT-1.10322652?utm_source=App_Share&utm_medium=Android_Native&utm_campaign=Share

⁶ <https://www.ngo-monitor.org/visa-mastercard-and-american-express-shut-down-online-credit-card-donations-for-terror-linked-ngos/> ; https://www.ngo-monitor.org/ngos/defence_for_children_international_palestine_section/ ; <https://www.ngo-monitor.org/reports/belgian-funding-for-pflp-linked-ngos/> ; <https://www.ngo-monitor.org/ngos/addameer/>

⁷ <https://www.ngo-monitor.org/reports/analysis-israel-designates-6-pflp-linked-ngos-as-terrorist-organizations/>

10. **We hope that you and your colleagues will be able to get as soon as possible a clarification from the State Department and the White House if they are supporting the designations or not.**
11. **If the U.S. will announce that it will not join Israel's position, the designations will become weaker and the probability that they will get canceled will grow.**
12. **A delay in a clear position of President Biden's administration, which supports Palestinian rights organizations and rejects the designations and any other dictatorial measures, could lead to Defense Minister Gantz fortifying in his position, and in addition to directly harming the rights of hundreds of workers, legal advisors and activists of the six specific organizations, this will also have a chilling effect on other human rights organizations that should now be afraid to also being designated as terror organizations.**
13. **We will be grateful for your prompt action, including as Chair of the Defense Subcommittee.**



Rana Salman
Chief Executive Officer
(Palestine)
Combatants for Peace



Yonatan Gher
Chief Executive Officer
(Israel)
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Monday, October 25, 2021

To:
Joseph R. Biden
President of the United States

Dear Mr. President,

Re: **A request to impose sanctions on Israel's Minister of Defense, Benjamin Gantz, through the Global Magnitsky Act, and to ignore his illegal and baseless designations of six Palestinian human rights organizations.**

1. We apply to you on behalf of 'Combatants for Peace', an Israeli-Palestinian movement which acts to promote peace and to end the military control over the West Bank and the Gaza Strip. The movement is based on the establishment of a bi-national partnership grounded in activism and non-violence.
2. During your presidential campaign you laid out your foreign policy vision for the U.S.: To restore its respected leadership on the world stage; To take immediate steps to renew U.S. alliances; And, to strengthen the coalition of democracies¹; The State of Israel's policies continue to be one of the Achilles' heel of this optimistic plan and therefore its credibility.
3. Despite the fact that the State of Israel and its armed forces and settlers are terrorizing the Palestinian population on a daily basis, on Friday 19 October 2021, Israel's Minister of Defense, Benjamin Gantz, designated six leading Palestinian human rights organizations as terror organizations², under the Anti-Terrorism Law of 2016.
4. Combatants for Peace considers this decision an attack on all Israeli-Palestinian human rights movements as well as on the global human rights community, and reminiscent of measures imposed by dictatorial regimes in The Russian Federation, Belarus, Vietnam, Venezuela, China and Uganda.

¹ <https://www.foreignaffairs.com/articles/ united-states/2020-01-23/why-america-must-lead-again>

² <https://nbctf.mod.gov.il/en/Pages/211021EN.aspx>

5. Defense Minister Benjamin Gantz's policy is similar to the one made by the Russian President Vladimir Putin to liquidate Alexei Navalny's organization by designating it as an "extremist organization"³. Gantz's intention is to annihilate what is left of Palestinian civil society organizations in the West Bank, after 54 years of cruel and violent occupation.
6. In contradiction to the bombastic announcements that the Israeli MOD sent to the press, when one reads the designations issued, it is clear that Defense Minister Benjamin Gantz's decision has no legal or factual grounding. Not one of the six organizations has been found to have had any actual involvement in terror actions as an organization:
 - a. The Union of Agricultural Work Committees (UAWC), is cited as engaging in assistance to Palestinian farmers and furthering agricultural research and development projects that promotes activity that serves the "Popular Front" objectives⁴.
 - b. Defense for Children International - Palestine (DCI-P), declares a mission to further the protection of children's rights, and is accused of serving as an arm of the "Popular Front" and acting to promote the goals of the organization, including the armed struggle destruction of Israel⁵.
 - c. Al-Haq is being accused of engaging on behalf of the "Popular Front" in the promotion of steps against Israel in the international arena⁶.
 - d. Bisan Center for Research and Development, is accused of engaging in the distribution of seemingly academic contents, the purpose of which is to further the "Popular Front's" goals⁷.
 - e. ADDAMEER - Prisoner Support and Human Rights Association, is accused of assisting prisoners convicted of security offenses and terror activity against Israel⁸.
 - f. Union of Palestinian Women's Committees (UPWC), is accused of organizing the activity of the "Popular Front" women in the organization's leadership and the Organization's districts in Judea and Samaria, and Jerusalem⁹.
7. All of these organizations are documenting the State of Israel and its military occupation's gross violations of international law, the colonialization and

³ <https://www.theguardian.com/world/2021/apr/16/russian-prosecutors-move-to-liquidate-navalnys-extremist-movement>

⁴ https://nbctf.mod.gov.il/he/PropertyPerceptions/Documents/Designation%20No.%20371-%20Union%20of%20Agricultural%20Work%20Committees%20_22.10.21.pdf

⁵ https://nbctf.mod.gov.il/he/PropertyPerceptions/Documents/Designation%20No.%20372-%20Defense%20for%20Children%20International%20-%20Palestine%20_22.10.21.pdf

⁶ https://nbctf.mod.gov.il/he/PropertyPerceptions/Documents/Designation%20No.%20373-%20Al-Haq_22.10.21.pdf

⁷ https://nbctf.mod.gov.il/he/Announcements/Documents/Designation%20No.%20374-%20Bisan%20Center%20for%20Research%20and%20Development_22.10.21.pdf

⁸ https://nbctf.mod.gov.il/he/Announcements/Documents/Designation%20No.%20375-ADDAMEER_22.10.21.pdf

⁹ https://nbctf.mod.gov.il/he/Announcements/Documents/Designation%20No.%20376-%20Union%20of%20Palestinian%20Women%27s%20Committees%20_22.10.21.pdf

apartheid policy in the West Bank and Gaza, and the terrible effects they have on the daily lives of millions of Palestinian elders, men, women and children.

8. Defense Minister Benjamin Gantz was not ashamed to state that Al-Haq was designated as a terror organization, due to promoting the right of the Palestinian people to demand justice in the ICC. It should be remembered that on March 3rd 2021 the former Chief Prosecutor of the ICC decided to open a criminal investigation into the situation in Palestine¹⁰, after the Honorable Judges decided on February 5th 2021 that the ICC has territorial jurisdiction in Palestine¹¹.
9. Defense Minister Benjamin Gantz was also not ashamed to state that the ADDAMEER organization was designated as a terror organization because it gives legal representation to Palestinian prisoners. It should be remembered that according to article 14 of the International Covenant on Civil and Political Rights (1966)¹², everyone shall be entitled to a fair trial and legal assistance of his own choosing¹³. In practice, there is no alternative to representation by ADDAMEER, since there are very few lawyers, especially Israelis, who are willing to represent Palestinians in the Israeli Military Courts.
10. The Israeli Ministry of Defense is never shy when it holds serious evidence in hand. If there was indeed evidence, the Military Prosecutor would have filed charges against individuals working in these six organizations and would not have collectively designated hundreds of their workers, legal advisors and activists as terrorists.
11. Seemingly, the only "evidence" that Defense Minister Benjamin Gantz has, are so called investigations by the extreme right and quasi-governmental organization NGO-Monitor. This organization has lobbied Israeli officials and Ministries for years to politically persecute the Israeli-Palestinian and global human rights movement who are critical of Israeli government policies. NGO-Monitor took credit for some of the sanctions already imposed on Palestinian organizations in recent years¹⁴.
12. One of the key false accusations of NGO-Monitor is that the human rights organizations lack transparency on their funding sources and actions. However, the Israeli Ministry of Justice has been delaying the publication of its decision on a freedom of information request concerning its relationship and coordination with NGO-Monitor for the past 3.5 years. Absurdly, on September

¹⁰ <https://www.icc-cpi.int/Pages/item.aspx?name=210303-prosecutor-statement-investigation-palestine>

¹¹ <https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/18-143> ; <https://www.icc-cpi.int/Pages/item.aspx?name=pr1566> ; <https://www.icc-cpi.int/itemsDocuments/palestine/210215-palestine-q-a-heb.pdf>

¹² <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹³ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹⁴ <https://www.ngo-monitor.org/visa-mastercard-and-american-express-shut-down-online-credit-card-donations-for-terror-linked-ngos/> ; https://www.ngo-monitor.org/ngos/defence_for_children_international_palestine_section/ ; <https://www.ngo-monitor.org/reports/belgian-funding-for-pflp-linked-ngos/> ; <https://www.ngo-monitor.org/ngos/addameer/>

3, 2019, an official in the Israeli Ministry of Justice reported that NGO-Monitor objected to some of the documentation relating to the FOI being publicly shared.

13. Defense Minister Benjamin Gantz must be required to clarify the involvement of NGO- Monitor in his designations.
14. The intention of Defense Minister Benjamin Gantz's decision is the denial of the basic rights of hundreds of Palestinian citizens to freedom of movement, freedom of expression, freedom to work and freedom of association. The workers, legal advisors and activists of these organizations will be under constant threat to their liberty and of being detained in administrative detention without trial.
15. Once these hundreds of Palestinians are designated collectively as terrorists, they are not only under threat of being detained but also of torture by the Israeli General Security Service (GSS), in order to obtain false confessions by force, which will help to "fix" the poor evidentiary infrastructure for declaring these organizations as terror organizations.
16. Not only are the rights of these hundreds of Palestinians who are directly associated to these six organizations under threat, but also the rights of their family members and friends who face the risk of being detained and tortured in order to obtain false confessions that will incriminate those associated directly with these organizations.
17. Defense Minister Benjamin Gantz is the person who should be investigated and put on criminal trial, regarding the war crimes he was responsible for as chief of staff during the war in Gaza in 2014.
18. It appears that Gantz is in a position of personal political distress, following his demotion from a prime ministerial nominee to a marginal partner in the current coalition. He has chosen to take this extreme and shameful step against the Palestinian civil society to appease and win favor with right-wing voters. It is clear that without personal sanctions on him, he will not change his decision.
19. **Because of the above mentioned, we ask that you use your authority according to the Global Magnitsky Act, Title XII, Subtitle F of P.L. 114-328¹⁵, and to impose the sanctions described in subsection (b) against Defense Minister Benjamin Gantz, for his political persecution against these six Palestinian organizations and especially his flagrant denial of hundreds of workers, legal advisors and activists right to liberty and for putting them at risk of torture.**
20. **These six Palestinian organizations were designated as terror organizations because they seek to expose illegal activity carried out by Israeli government officials, security forces and settlers, and because they seek to obtain, exercise, defend, or promote internationally recognized human**

¹⁵ https://home.treasury.gov/system/files/126/glomag_pl_114-328.pdf

rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections (Articles (a)(1)(A) and (a)(1)(B) of the Global Magnitsky Act).

21. For example, personal sanctions were already imposed by the previous administrations on Alexander Bastrykin, the director of the Investigative Committee of the Russian Federation, that is responsible for political persecution of the human rights, anti-corruption and pro-democracy organizations in Russia¹⁶.
22. Because of the above mentioned, we also request that you instruct the relevant officials in your administration and especially the Office of Foreign Assets Control to ignore Defense Minister Benjamin Gantz's illegal and baseless designations on these six Palestinian human rights organizations, so that they may continue to do the vital work that they do.
23. We will be grateful for your prompt action.



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¹⁶ <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20170109>