

12 December 2016

**Submission of NGO Monitor for Adoption of the
List of Issues Prior to Reporting for the Netherlands**

Recommendations:

- Include as part of the List of Issues for the Netherlands to comment on the increase in antisemitic and anti-Israel discourse in the political arena, the media, and NGOs funded by the Dutch government. Please indicate whether the Netherlands has conducted campaigns to raise public awareness and to combat antisemitic behavior and anti-Israel incitement.
- Include as part of the List of Issues what concrete steps have been taken by the Netherlands, including regulatory reforms and legislation, to prevent antisemitism and anti-Israel national origin discrimination in all settings, including funding to NGOs.
- Include as part of the List of Issues what efforts have been made by the Netherlands to provide effective remedies for victims of antisemitism and anti-Israel national origin discrimination.
- Include as part of the List of Issues what steps have been taken by the Netherlands to prohibit direct and indirect support to designated terrorist organizations, in all settings, including funding to NGOs linked to those organizations.
- Recommend to the Netherlands, in the concluding observations on the state party report, that legislation be enacted prohibiting the promotion of antisemitism and national origin discrimination in all settings, without exception.
- Recommend to the Netherlands in the concluding observations on the state party report, that legislation be enacted prohibiting any funding and/or support to designated terrorist organizations in all settings, including funding to NGOs linked to those organizations.

Introduction:

NGO Monitor, a project of the Institute for NGO Research (formerly the Amuta for NGO Responsibility), an NGO in Special Consultative with ECOSOC, respectfully submits the following information to the Human Rights Committee (“HRC” or “Committee”) in advance of its adoption of the List of issues Prior to Reporting for the Netherlands.

According to the International Covenant for Civil and Political Rights (“ICCPR”), the Netherlands is required “to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (Art. 2); “to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein” (Art. 5); to prohibit by law “any propaganda for war” and “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence” (Art. 20); and to “prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (Art. 26).

Yet, the Netherlands is currently not fulfilling these obligations by providing millions of euros in funding to NGOs that promote antisemitism, anti-Israel national origin discrimination, violent imagery and the erasure of Israel, and a so-called “right of resistance” (a euphemism for terrorism). Several of these groups also have links to the Popular Front for the Liberation of Palestine (PFLP), a terrorist organization designated by the EU, the U.S., Canada, Australia, and Israel. This destructive funding not only violates the Dutch government’s obligations under the ICCPR and international and domestic law, but creates and contributes to an environment of hate and incitement that endangers Jews and Israelis worldwide. In the interests of brevity, the following submission highlights several representative examples, but there are dozens more.

Human Rights & International Humanitarian Law Secretariat

The primary mechanism through which the Netherlands provides funding to the NGOs described above is via the Human Rights & International Humanitarian Law Secretariat (“IHL Secretariat”), a donor consortium of the Netherlands, Switzerland, Sweden, and Denmark managed by the Institute of Law at Birzeit University (“IoL-BZU”) in Ramallah.¹ This NGO framework, with a projected budget of \$17.6 million between 2013-2017, plays a central role in promoting the activities of terror-affiliated NGOs, as well as antisemitism and discriminatory BDS (boycott, divestment, and sanctions) campaigns.²

¹ http://www.ngo-monitor.org/article/human_rights_and_international_humanitarian_law_secretariat_denmark_sweden_switzerland_and_the_netherlands0; <http://lawcenter.birzeit.edu/iol/en/index.php?PHPSESSID=zvpfayls>

² On 7 December 2016, for instance, the ruling Christian Democratic Union party in Germany passed a resolution condemning the BDS movement as antisemitic: “Who today under the flag of the BDS movement calls to boycott Israeli goods and services speaks the same language in which people were called to not buy from Jews. That is nothing other than coarse antisemitism.”

<http://www.jpost.com/Diaspora/German-Chancellor-Merkels-party-labels-BDS-antisemitic-474715>. In December 2015, French Prime Minister Manuel Valls noted that “Behind the scenes, [those supporting BDS] are taking part in activities that are not criticism of one policy or another, but a condemnation of Zionism, which has truly become anti-Semitism.” <http://www.jpost.com/International/French-PM-Valls-condemns-BDS-Criticism-of-Israeli-policies-that-turned-into-anti-Semitism-437814>

The IHL Secretariat transfers millions of dollars to discriminatory BDS groups. In many instances, this funding is in direct contradiction to the foreign policies of the donor consortium countries (including the Netherlands), which explicitly oppose BDS efforts. Of the 24 core funding recipients, 13 support BDS. The 13 pro-BDS NGOs receive \$5.78 million from the IHL Secretariat. Another 15 out of the 34 NGOs that receive project funding support BDS; these groups received over \$1.2 million in 2014-2015.

The location of the IHL Secretariat within Bir Zeit University (BZU) is also a reflection of the discriminatory aspects of the program. In February 2014, IoL-BZU published, "Advocating for Palestinian Rights in conformity with International Law: Guidelines" (English and Arabic).³ This document is a strategic manual for promoting anti-Israel campaigns and to emphasize that Israel is a "racist regime[]which are absolutely prohibited in their entirety." This report was posted prominently on the IHL Secretariat Facebook page.⁴

NGOs funded by the IHL Secretariat include Addameer (IHL Secretariat core-funding: \$325,000), campaigns in support of Palestinians convicted of security offenses and imprisoned by Israel. Addameer is an official PFLP "affiliate."⁵ The NGO's chairperson and co-founder, Abdul-latif Ghaith,⁶ was banned by Israel from travelling internationally due to his alleged membership in the PFLP; he was also banned from entering the West Bank from 2011 to 2015.⁷ Abdul-latif Ghaith was described in an article posted by Miftah (another Secretariat-funded NGO) as a representative of the PFLP.⁸

Khalida Jarrar, Addameer's vice-chairperson, is a senior PFLP official.⁹ On April 1, 2015, Jarrar was placed in administrative detention 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 Palestinian prisoners."¹⁰ Jarrar accepted a plea bargain and, according to reports, was convicted on "one count of belonging to an illegal organization and another of incitement."¹¹ She received a

³ <http://lawcenter.birzeit.edu/iol/en/project/outputfile/6/986afcc6c9.pdf>

⁴ <https://www.facebook.com/HRIHLSecretariat>

⁵ http://www.fatehorg.ps/index.php?action=show_page&ID=11455&lang=ar

⁶ <http://www.addameer.org/about/board-general-assembly>;

<http://www.alhaq.org/advocacy/topics/human-rights-defenders/615-yet-another-palestinian-civil-society-leader-targeted-by-israel-addameer-chairperson-abdullatif-ghaith-receives-ban-from-leaving-the-country>

⁷ <http://samidoun.ca/2014/10/prisoner-rights-leader-abdul-latif-ghaith-banned-from-entering-the-west-bank-or-leaving-palestine/>

⁸ <http://www.miftah.org/Display.cfm?DocId=4181&CategoryId=11>

⁹ <http://pflp.ps/english/2013/06/jarrar-on-the-66th-anniversary-of-the-naksah-the-way-forward-is-unity-and-resistance/>; <http://www.addameer.org/about/board-general-assembly>

¹⁰ <http://www.law.idf.il/163-7238-he/Patzar.aspx>

¹¹ <http://www.haaretz.com/israel-news/1.690481>

15-month prison sentence with an additional 10-month suspended sentence. Jarrar was released from prison on June 3, 2016.¹²

Addameer board member, Yousef Habash, is apparently the nephew of PFLP founder George Habash and is a member of the BDS National Committee, which advocates for discriminatory campaigns targeting Israeli businesses and those doing business with Israel.¹³ Ayman Nasser, an Addameer researcher, was arrested on October 15, 2012 for alleged links to the PFLP.¹⁴ An indictment was filed attributing a number of offenses relating to membership in the PFLP and activities on behalf of the organization.¹⁵ On June 3, 2013 the Judea Military Court convicted Nasser, who admitted to being a member of the terrorist organization and for providing services to the organization.¹⁶ Sumoud Saadat, Addameer's documentation officer, is the daughter of PFLP general secretary Ahmad Saadat – who is serving a 30 year prison sentence in Israel due to his terrorist activity.¹⁷ Suha Al Bargouti, Addameer's treasurer, is the wife of alleged PFLP member Ahmed Qatamesh.¹⁸

Another IHL Secretariat-funded NGO, Badil (IHL Secretariat core-funding \$370,000), promotes a Palestinian “right of return”, uses “resistance” rhetoric and is a leader of discriminatory BDS campaigns. BADIL holds annual “right of return contests” and has published antisemitic cartoons on its website, as well as propagandistic imagery promoting violence and the elimination of Israel, which is a widely recognized form of antisemitism. A cartoon that won a monetary prize for 2nd prize in BADIL's 2010 Al-Awda Nakba caricature competition is a blatant representation of classic antisemitic tropes, including a Jewish man, garbed in traditional Hasidic attire, with a hooked nose and side locks. He stands above a dead child and skulls, holding a pitchfork shaped as a menorah dripping with blood.¹⁹ In 2015, BADIL published a cartoon depicting a tsunami of keys rising up and washing over what is supposed to be the “negotiation table” and two people, one of whom is wearing a kippah with a Jewish star on it. Another 2015 cartoon shows a clenched fist rising up through a map of the State of Israel with the caption reading “Return is our Right and our Destiny.”

¹² <http://samidoun.net/khalidajarrar/>

¹³ <http://www.addameer.org/about/board-general-assembly>; <http://www.cpgb-ml.org/index.php?art=434&secName=proletarian&subName=display>;
<https://www.bdsfrance.org/levident-place-de-bds-dans-le-forum-social-mondial/>

¹⁴ <http://www.addameer.org/about/our-staff>;
<https://www.amnestyusa.org/sites/default/files/uaa27613.pdf>

¹⁵ <http://www.psakdin.co.il/Court/%D7%94%D7%97%D7%9C%D7%98%D7%94-%D7%91%D7%AA%D7%99%D7%A7-%D7%A2%D7%9E-2715-12#.V71715h96M9>

¹⁶ <http://www.law.idf.il/261-5815-he/Patzar.aspx>

¹⁷ <http://pflp.ps/english/2012/01/sumoud-saadat-negotiations-do-not-free-prisoners/>;
<http://www.addameer.org/about/our-staff>

¹⁸ <http://www.addameer.org/about/board-general-assembly>;
http://www.addameer.org/files/NGO_Action_UA_I/amnesty-international-urgent-appeal-ahmad-qatamish.pdf

¹⁹ http://www.ngo-monitor.org/nm/wp-content/uploads/2013/05/badil_cartoon.jpg

Dutch funding for Interchurch Organization for Development Cooperation (ICCO):

The Netherlands also provides €72 million to the Interchurch Organization for Development Cooperation (ICCO). Some of this funding (precise amounts are unknown due to lack of transparency) is used to promote antisemitism and discriminatory BDS campaigns. In turn, this group also supports NGOs that engage in similar activities.

ICCO supports the Kairos Palestine document, which minimizes Palestinian terrorism, calling it “legal resistance.”²⁰ It states, “Some (Palestinian) political parties followed the way of armed resistance. Israel used this as a pretext to accuse the Palestinians of being terrorists and was able to distort the real nature of the conflict, presenting it as an Israeli war against terror, rather than an Israeli occupation faced by Palestinian legal resistance aiming at ending it.” The document also calls for BDS against Israel and denies the Jewish historical connection to Israel.

ICCO has also provided funding to the Electronic Intifada (EI) propaganda website (current amount not available due to lack of transparency – ICCO has refused our repeated requests to obtain this information). Electronic Intifada is active in promoting antisemitism, discriminatory boycott campaigns, and a destructive “one-state” agenda. In January 2011, the then Dutch Foreign Minister Uri Rosenthal had a “frank and open discussion” with ICCO, noting that EI’s activities are “directly contrary to Dutch government policy.”²¹ Yet, ICCO defended its support for this organization and it does not appear that the government has followed up on Minister Rosenthal’s concerns.

Ali Abunimah, EI’s founder, regularly promotes antisemitism and discriminatory rhetoric. For instance, Abunimah has called Zionism “one of the worst forms of anti-Semitism in existence today,” claiming that it “dehumanizes its victims, denies their history, and has a cult-like worship of ethnoracial purity” (Twitter; October 26, 2010).²² He further wrote, “That is something Zionism shares with anti-Semitism, a disdain for actual Jewish culture and life as it existed.”

Holocaust references appear frequently in his Abunimah’s comments. He calls Gaza a “ghetto for surplus non-Jews,” compares the Israeli press to “Der Sturmer,” and claims “Supporting Zionism is not atonement for the Holocaust, but its continuation in spirit.”²³ In order to actualize his “one-state solution,” Abunimah has said “coercion is necessary” and dismisses Jewish concerns of living under an Arab

²⁰ http://www.ngo-monitor.org/article/dutch_support_for_bds_campaigns_icco;
<http://www.kairospalestine.ps/>

²¹ <http://www.ngo-monitor.org/article.php?operation=print&id=3134>

²² <http://commentisfreewatch.files.wordpress.com/2010/10/ali-1.jpg>

²³ <http://electronicintifada.net/v2/article10215.shtml>; <http://twitter.com/avinunu/status/27868373240>;
<http://twitter.com/avinunu/status/28726521563>

majority as “irrational, racist fears.”²⁴ During the 2014 Gaza War, Abunimah tweeted: “I again call on the EU to send guidance and targeting systems to defense forces in Gaza so resistance can hit ‘IDF’ terror bases accurately.”²⁵

Following the kidnapping of three Israeli teenagers in June 2014, Rana Baker, a writer for EI, posted on Twitter: “Wonderful wonderful news that three settlers have been kidnapped. Celebrations celebrations. Cheers everybody (Zionists excluded!)”²⁶

Conclusion:

The examples presented in this submission represent just a few of the many destructive and discriminatory activities being carried out by organizations funded by the Netherlands. The support for these organizations stands in sharp contrast to the government’s obligations mandated by the ICCPR, particularly those in Articles 2, 5, 20, and 26. We hope that the Committee will raise these important concerns in its adoption of the List of Issues for the Netherlands at its March 2017 session.

²⁴ <http://electronicintifada.net/v2/article10883.shtml>

²⁵ <https://twitter.com/AliAbunimah/status/486314313359949825>

²⁶ <http://www.algemeiner.com/2014/06/15/supporting-terrorism-and-bigotry-at-the-electronic-intifada/> ; <http://blogs.timesofisrael.com/robert-mackey-pulls-new-york-times-to-the-extremes-of-bias/>