



Israel: Repressive bills could severely undermine civil society

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Global civil society alliance, CIVICUS, expresses grave alarm over reports that members of the Israeli Knesset have proposed two Bills that, if approved, would place unprecedented and debilitating restrictions on the legitimate activities of civil society organisations (CSOs) operating in Israel. The Bills – titled “Obligation to Disclose Support by a Foreign Political Entity” and “Foreign Agents” - were introduced by members of the “Jewish Home” party on 16 and 23 June 2015 respectively.

Although the Bills are private member’s bills, CIVICUS is deeply concerned that they are part of a wider campaign by Israel’s political class to silence and delegitimise independent CSOs reporting on sensitive human rights issues in the country. In sum, the Bills prescribe a number of unwarranted restrictions on CSOs, including limiting vital access to international funding, preclusion of government-civil society cooperation, and stigmatising requirements to identify themselves as “foreign agents” in certain circumstances.

Under the Foreign Agents Bill, CSOs who secure more than 50,000 USD from a “foreign political entity,” which is defined as a state and/or organisations that receive more than 50 percent of their revenue from governmental sources, will be labeled as foreign agents. Specifically, civil society groups so designated will be required to indicate on all documents, web pages, signs, and publications, the words “foreign agent.” Moreover, the Bill seeks to place broad prohibitions on cooperation and coordination between NGOs who receive foreign governmental funding and all government ministries and the Israeli Defense Forces (IDF), including the transfer of budgets, national service regulations, the organisation of conferences and symposiums, and joint publications. If legislated, the above discriminatory provisions would place overwhelming barriers for CSOs and contribute to a climate of mistrust and misinformation among the general public by unjustifiably implying that CSOs that receive foreign funding are not independent.

The Foreign Agents Bill further stipulates burdensome tax restrictions on international funds to CSOs. All donations from a “foreign political entity” are sought to be subjected

to a steep tax of 37%. By design, these restrictions seek to reduce the amount of international funds available to CSOs and could force them to initiate crippling budget cuts.

The "Obligation to Disclose Support by a Foreign Political Entity" Bill, which was introduced a few days before the Foreign Agents Bill, includes a number of equally repressive and potentially disabling obstacles for civil society groups which receive international funding.

Of primary concern are discriminatory and stigmatising requirements to force civil society groups which receive foreign funding to wear an "identification tag" specifying the particulars of their foreign donor support. Persons representing groups supported by a "foreign political entity," which engage in advocacy on legislation or issues of policy, participate in discussions at Knesset committees meetings, or address a public servant or an elected official, in writing or in spoken communication, must "indicate conspicuously" their affiliation to the foreign political entity. Persons or groups deemed to have violated the law may be subjected to fines of up to NIS 29,000 (Approx. 6500 USD).

CIVICUS believes that such stipulations are inherently contrary to Israel's legal responsibility to protect and promote the right to freedom of association under international law. We remain concerned that these Bills have been introduced as part of the government's wider campaign to muzzle and enfeeble CSOs working to promote human rights in the context of the Israeli-Palestinian conflict. Worryingly, both Bills were announced within days of the official publication of the UN Independent Commission of Inquiry's report on the 2014 conflict in Gaza. In July 2015, Israel's Deputy Minister of Foreign Affairs reportedly met with several European ambassadors to discourage them from funding CSOs working on human rights issues related to the Israeli-Palestinian conflict. Such overt stigmatisation and obstructionism, coupled with the restrictive provisions found in both Bills, raise the specter of the institutionalisation of repression of dissent in the country.

CIVICUS urges the Knesset to uphold Israel's responsibility to create and maintain a safe and enabling environment for civil society by rejecting the proposed "Foreign Agents" and "Obligation to Disclose Support by a Foreign Political Entity" Bills. If adopted in their current form, the Bills would jeopardize the critical work of the civil society sector in Israel and cast a chill over democratic norms.