

# PEN International Resolution on Israel / oPT

*Assembly of Delegates of PEN International, meeting virtually at its 87th World Congress, 20 to 25 September 2021*

Building on the statements of PEN International from May 2021<sup>[1]</sup>, PEN International is gravely concerned by the mounting violations of freedom of expression in Israel and the occupied Palestinian territory, during the conflict in May 2021 and since the ceasefire on 21 May 2021. These violations have included assaults on journalists,<sup>[2]</sup> destruction of media offices,<sup>[3]</sup> destruction of cultural institutions,<sup>[4]</sup> excessive use of force against peaceful demonstrators,<sup>[5]</sup> and mass arrests of activists. <sup>[6]</sup> The vast majority of these violations have been carried out by the Israeli forces.

Assaults and destruction of cultural institutions and media outlets offices are serious violations of international law, whether deliberate or due to a failure to take preventive measures. These require a thorough and independent investigation, and PEN believes that all such violations should also be investigated by the International Criminal Court (ICC) as part of their ongoing investigation in relation to crimes committed that fall within the Court's jurisdiction, irrespective of who the perpetrator may be.

In May 2021 such attacks included:

- the targeting of the Al-Jawhara building,<sup>[7]</sup> Shorouk tower,<sup>[8]</sup> and the Al-Jalaa building<sup>[9]</sup> by the Israeli airstrikes, all of which housed numerous national and international media organisations;
- the destruction of the Samir Mansour bookshop in Gaza (destroyed by Israeli missile fire on 18 May 2021);<sup>uu</sup>
- the extensive damage to the Dar Yusuf Nasri Jacir for Art and Research, an art residency space in Bethlehem (raided by the Israeli military on 16 May 2021).<sup>uu</sup>

PEN is also concerned by the targeting of individual journalists and activists. In May 2021, Israeli forces injured at least eight local and international journalists covering protests at the Al-Aqsa Mosque,<sup>[12]</sup> and arrested reporter Zeina al-Halawani and cameraman Wahbi Mikeh while covering a protest in Sheikh Jarrah, Jerusalem.<sup>[13]</sup> In June, Israeli soldiers arrested Al Jazeera Arabic journalist Givara Budeiri while she was live reporting on a demonstration in Sheikh Jarrah,<sup>[14]</sup> despite her wearing a vest with a clear 'press' tag on it.<sup>[15]</sup> She was later released, having suffered a fractured arm.<sup>[16]</sup> Nizar Banat, the human rights activist and outspoken critic of the Palestinian Authority, died in custody of the Palestinian Authority forces on 24 June 2021,<sup>[17]</sup> following his violent arrest earlier the same day. Over the weekend of 27/28 June 2021 at least 12 journalists and human rights workers were assaulted by Palestinian police whilst covering protests sparked by his death.<sup>[18]</sup> Journalists, activists and human rights defenders play a crucial role in informing the public, which is no less vital in times of conflict, and should never be targeted for doing their jobs.

The Assembly of Delegates of PEN International calls for:

- All parties to support and participate in the ICC investigation into any potential war crimes that fall within the jurisdiction of the Court, including attacks on media and cultural infrastructure; and for Israel to become a State Party to the Rome Statute of the International Criminal Court
- All parties to support the independent, international commission of inquiry to investigate abuses of international human rights law in the Occupied Palestinian Territory, including East Jerusalem, and in Israel as proposed by the UN Human Rights Council<sup>[10]</sup>
- The unconditional release of all those arrested as result of their participation in peaceful demonstrations
- All parties to ensure the right to freedom of expression is respected and protected, and that journalists, activists, human rights defenders and those engaged in peaceful protest do not have that right curtailed

[1] See <https://pen-international.org/...> and <https://pen-international.org/...>

[2] <https://cpj.org/2021/05/israeli-security-forces-injure-at-least-8-journalists-covering-protests-in-jerusalem/>

[3] <https://www.independent.co.uk/news/world/americas/media-demand-israel-explain-destruction-of-news-offices-hamas-gaza-city-new-york-ceo-american-b1848213.html>

[4] <https://www.facebook.com/samirmansourbookshop/posts/4799474236735883>

[5] <https://www.france24.com/en/live-news/20210511-amnesty-international-israel-using-unlawful-force-in-jerusalem>

[6] <https://www.haaretz.com/israel-news/.premium-israel-police-arrested-over-2-000-people-since-mixed-city-riots-91-percent-of-them-are-arab-1.9872019>

[7] <https://www.middleeastmonitor.com/20210512-israel-targets-residential-buildings-leaving-gazans-homeless/>

[8] <https://www.middleeasteye.net/news/israeli-air-strikes-level-third-high-rise-gaza-strip>

[9] <https://www.facebook.com/aljazeerachannel/videos/136303405157390/>

<sup>[10]</sup> <https://www.latimes.com/world-nation/story/2021-06-01/missiles-destroy-gaza-bookshop-war-israel-hamas>

<sup>[11]</sup> <https://twitter.com/SBalaghi/status/1394146321838182408>

[12] <https://cpj.org/2021/05/israeli-security-forces-injure-at-least-8-journalists-covering-protests-in-jerusalem/>

[13] [https://www.facebook.com/permalink.php?story\\_fbid=2931423800479742&id=1431598080462329](https://www.facebook.com/permalink.php?story_fbid=2931423800479742&id=1431598080462329)

& <https://mail.alkofiya.com/post/114961>

[14] <https://www.aljazeera.com/news/2021/6/5/israeli-police-arrest-al-jazeera-journalist-in-sheikh-jarrah-east-jerusalem>

[15] <https://www.youtube.com/watch?v=apv21cOTTAU>

[16] <https://www.aljazeera.com/news/2021/6/6/al-jazeera-journalist-leaves-hospital-day-after-israeli-arrest>

[17] <https://www.aljazeera.com/news/2021/6/25/palestinians-hold-funeral-for-activist-nizar-banat-in-hebron>

[18] <https://www.middleeasteye.net/news/palestine-nizar-banat-death-protests-journalists-covering-attacked>

<sup>191</sup> <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=27119&LangID=E>