



Yesh Din

Volunteers for Human Rights

Protecting Civil Society and Human Rights in Israel: Urgent Action Required Against Two Dangerous Bills, Both of Which Passed Today at the Ministerial Committee for Legislation

General Background

Today, February 16, 2025, two dangerous bills passed at the Ministerial Committee for Legislation of the Knesset. If passed, they will not only diminish human rights in Israel and the OPT, but they will also endanger Yesh Din's existence, and that of many other Israeli human rights organizations. Unless halted, they are expected to pass the preliminary vote this Wednesday, February 19.

Background on Foreign Donations Tax Bill

The Israeli government's Ministerial Committee for Legislation has just greenlighted an amendment to the Law of Associations (1980) imposing severe financial and operational restrictions on NGOs receiving funding from foreign governmental entities. Initiated by MK Ariel Kallner (member of the ruling party *Likud*), who also chairs the Knesset delegation to the EU, the amendment can now be brought for a preliminary vote in the Knesset plenum. This bill is the latest in a series of attempts over the past decade to restrict civil society space in Israel, specifically targeting organizations critical of government policies regarding the occupation and settlement enterprise.

Similar proposals in the past sought to delegitimize human rights and peace organizations through restrictive funding regulations and punitive measures. Historically, these legislative efforts were met with strong opposition from the international community, which played a pivotal role in preventing their passage. These interventions underscored the importance of global partnerships in safeguarding Israel's civil society and protecting democratic values.

[Read the proposed bill \(English\)](#)

Key Provisions of the Bill

1. **Tax on Donations from Foreign State Entities** The current draft proposes an 80% tax on donations from foreign governmental entities. In fact, a tax of any amount would effectively eliminate foreign funding as a viable resource for NGOs, undermining their financial stability.
2. **Barred Access to Judicial Review** The draft bill also states that: "A court shall not consider any request submitted by an NGO whose primary funding comes from a foreign state entity if it is not funded by the state." It is important to note that virtually all Israeli organizations engaged in litigation on behalf of human rights rely on foreign funding, and few if any of them receive Israeli state funding. By preventing petitions and appeals to Israeli courts, this provision threatens one of the most important tools to promote democracy and human rights.

Implications for Israeli Civil Society

1. **Shrinking Civil Space:** The proposed law represents an escalation in a decade-long campaign to delegitimize, attack, and financially debilitate Israeli human rights organizations.

2. Human Rights Advocacy Under Threat: Organizations targeted by this bill serve as the primary monitors of Israel's actions in the OPT, advocating for accountability and engaging with the Israeli judiciary as well as international bodies such as the ICC and ICJ. Curtailing their work means limited access to justice for Palestinians whose human rights have been violated by the Israeli authorities, as well as silencing their voice against Israel's practices and policies.
3. Erosion of Democratic Norms: The bill undermines the principles of free expression and access to justice, both cornerstones of any democratic system. The legislation creates a discriminatory double standard by restricting foreign funding for NGOs critical of government policy while allowing private foreign funding aligned with government priorities.
4. International Precedent: In the past, authoritarian regimes in other countries have used similar attempts to restrict foreign funding as a means to suppress dissent and consolidate power, often under the pretext of transparency and national security. This proposed legislation is a troubling sign of a broader shift in governance and a deliberate effort to dismantle civil society in Israel.

[Read our joint position paper with 11 other HR NGOs](#)

Background on Protection for Israelis from the ICC Bill

On July 1, 2024, "Proposed Law: Protection of Israeli Public Officials from the Action of the International Criminal Court in The Hague against the State of Israel" was submitted to the Knesset secretariat by MK Amit HaLevy, a member of the *Likud* party. The law would prohibit all formal cooperation between Israeli authorities and the ICC, oblige state authorities to "act with all means at their disposal against the Court", "release any person held in detention or custody", and - most importantly- criminalize citizens who would assist the court in any

way, an offense punishable by up to 5 years imprisonment and in certain instances - life sentence.

The proposed bill is a blatant charge against the ICC, explicitly designed to intercept its ability to investigate and prosecute for crimes supposedly committed by Israeli leaders, citizens and “allies”; and at the same time, silence and prosecute human rights defenders from within the Israeli civil society, who express criticism of the government’s actions.

Operative components of the law

The operative section of the law is comprised of three central components:

1. A prohibition on all Israeli state authorities to cooperate with the ICC investigation into alleged crimes by Israeli leaders, citizens and “Israel’s allies”, including through providing the court information and documents, affording it other legal assistance, extraditing suspects to its custody and engaging with it financially (articles 4-7). Authorities presented with requests for assistance by the court must “inform the empowered function” if such requests are received (article 9). “The authorized entity” is defined as “the entity authorized by the minister for the purpose of this law” (article 2). The court may not hold assets in Israel, which may be seized by the state (articles 14-15); and its employees and other individuals recognized as assisting the court may not be granted entry visas to Israel, while visas already issued may be revoked (article 13).

2. An obligation by the state to act against the court, and to release any person held in its custody “with all means at its disposal”; an obligation by the state to “bear the defense expenses of a citizen, soldier, public worker or public representative” (articles 11-12). The explanatory note mentions “A parallel clause, which empowers and obliges the President to act for the release of any person arrested by the court, exists in American legislation”.

3. Criminalization of individuals who provide the court information, or grant it services, with a penalty of up to five years imprisonment. Individuals are instructed to notify “the authorized entity without delay, and not later than three days” on any approach made to them by the court to receive information.. “Information” is defined in the law as “including any testimony, document, computer file, photograph, photocopied information, database, object or identifying detail, and providing it is defined as “including by means of publication or transmission by another means”.

[Read the proposed bill \(English\)](#)

Call to Action

Given the current political climate in Israel and recent legislative trends aimed at weakening civil society, it is critical to act swiftly. We urge governments and institutions to Publicly oppose the proposed legislation and its devastating implications for Israeli democracy and human rights. The international community has played a pivotal role in preventing the passage of similar legislation attempts since 2012. A united and vocal stance against this bill is crucial to signal the international community’s commitment to upholding civil society and democratic norms in Israel.

The international community must categorically reject Israel’s assumption that it can enjoy the benefits of cooperation with liberal democracies without respecting the fundamental principles on which this cooperation is based. The European Union, for example, must make clear that politically-targeted taxation of donations to human rights organizations will necessarily affect its funding to all Israeli entities. This

approach, successfully used in previous cases, would demonstrate the financial and diplomatic costs of such legislation.

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For more information contact: Yahav Erez || Yahave@yesh-din.org || +972 (0)54.759.2456

For media inquiries contact: Uri Cirlin || +972 54-559-6178

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Yesh Din is proud to be funded by States that are committed to the rule of law, that believe the occupation is not an internal Israeli matter, and that support the defense of international humanitarian law and human rights.



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Israel

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