

# Norwegian Refugee Council and Legal Warfare – Update

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**NRC**





# Norwegian Refugee Council and Legal Warfare – Update

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NGO Monitor's mission is to provide information and analysis, promote accountability, and support discussion on the reports and activities of NGOs claiming to advance human rights and humanitarian agendas.

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This is an update to NGO Monitor's report "[Exploiting Justice: How the UK, EU, & Norway Fund NGO Lawfare vs. Israel](#)" (February 2014). The update will provide new information on UK funding to NRC's legal and advocacy project ("ICLA") and the NGO's implementing partners.

## BACKGROUND

Norwegian Refugee Council (NRC) [describes itself](#) as "an independent, humanitarian, non-profit, non-governmental organization, [which] provide[s] assistance, protection and durable solutions to refugees and internally displaced persons worldwide."

[NRC's objectives](#) vis-à-vis Israel are inherently and overtly political, including "Legal advocacy on legal issues and public interest cases."

One of NRC's principal projects in Israel, "**Information, counseling, and legal assistance (ICLA)**," exploits judicial frameworks to manipulate Israeli policy, bypassing democratic frameworks. NRC's legal projects are funded mainly by [Norway](#), the [EU](#), and the [UK](#); in [2014-2015](#) EU provided \$13,070,506; UK, \$5,224,441; and Norway, \$2,408,050.

There are serious questions about the legitimacy and sincerity of NRC's legal work vis-à-vis Israel.

According to [a report](#) by a Dutch national who attended a presentation by a lawyer apparently affiliated with this NRC program, cases in Israeli courts are an attempt to "try every possible legal measure to disrupt the Israeli judicial system... as many cases as possible are registered and that as many cases as possible are appealed to increase the workload of the courts and the Supreme Court to such an extent that there will be a blockage" (emphasis added, translation from original Dutch by NGO Monitor).

A number of NRC's partners are very active in anti-Israel legal campaigns, calling for a "Legal Intifada" against Israel, "expand[ing] and deepen[ing] the global BDS

movement,” and “an international action to combat the impunity enjoyed by Israel.”

According to the Israeli Ministry of Social Affairs, NRC has Humanitarian Visa status, allowing it to maintain an official office and its representatives to work legally in Israel.

## LEGAL ADVOCACY TARGETING ISRAEL: ICLA - INFORMATION, COUNSELING, AND LEGAL ASSISTANCE PROJECT

- NRC’s project plan for ICLA [in 2016](#) includes “Litigation of public interest cases ...through Israeli courts and international mechanisms...”
- Although the NRC has a declared a “[Low Visibility](#)” policy regarding its legal advocacy, it nevertheless has [issued](#) “several public statements during the Gaza conflict,...[and] organised diplomatic attendance at the August 2014 hearing at the Supreme Court on the Cremisan Wall case and a September diplomatic briefing on the risk of forcible transfer of Bedouin.”
- NRC’s partners, which “provided...legal representation in court for 4,069 cases” from [June 2009 until August 2014](#), included the political NGOs [St Yves](#), [JLAC](#), [HaMoked](#), [Yesh Din](#), [Community Action Centre](#), [Palestinian Centre for Human Rights](#) (PCHR), and Palestinian Centre for Democracy and Conflict Resolution ([PCDCR](#)),as well as “private lawyers providing legal aid services.”
- NRC demonstrates a lack of transparency and inadequate accountability. It does not provide information regarding amounts transferred to implementing partners. In addition, some of these NGOs are highly active in anti-Israel legal campaigns, including [Palestinian Centre for Democracy and Conflict Resolution](#) (PCDCR), which refers to “[victims of Gaza holocaust](#),” accuses Israel of “[state terrorism](#),” and signed (together with Al-

Mezan) on [a Joint Call to Action: July 2014 - Month against the Apartheid Wall](#) stating: "...it is time for a 'legal intifada', an intensified popular struggle and more boycotts, divestment and sanctions....We ask you to expand and deepen the global BDS movement for justice..." Another NGO partner, [Palestinian Centre for Human Rights \(PCHR\)](#), regularly accuses Israel of "[ethnic cleansing](#)," "[war crimes](#)," and refers to indiscriminate attacks on Israeli civilians as "resistance." On October 14, 2014, officials from PCHR met NRC Secretary General Jan Egeland and "called for an international action to combat the impunity enjoyed by Israel."

## OVERALL FUNDING (2014)

- [In 2014](#), NRC's income was NOK 2.4 billion (~\$400 million). According to its annual report from that year, "The organization's turnover has been increasing steadily, and has more than doubled over the past four years."
- Almost all of its income is from institutional donors, i.e. governments and inter-governmental organizations such as the European Union and the United Nations.
- Main donors in 2014 include [Norway](#) (more than \$90 million via Ministry of Foreign Affairs – 24% of total donations), United Nations High Commissioner for Refugees (~\$60 million – 16%), [European Union](#) (~\$60 million – 16%), [UK](#) (~\$40 million–11%), [Sweden](#) (\$28 million – 7%), and the [United States](#) (\$13.5 million).
- According to an [NRC financial statement from 2014](#) (see Appendix 1), NRC funded projects in 28 countries in the amount of NOK 2.36 billion. Jordan received 11% of the total budget, followed by Lebanon and Somalia, which constituted 8% each. The Palestinian Territories received 3%, ranked twelfth.

# NRC PROGRAMS IN THE WEST BANK, GAZA AND EAST JERUSALEM

- In [2014-2015](#), NRC spent about \$27 million (NOK 188 million) on projects in the West Bank, Gaza and East Jerusalem. The main donors were Norway, Sweden, EU, and the UK.
- Total [government donations in 2014](#) for NRC projects in the West Bank, East Jerusalem and Gaza was ~\$11M. DFID UK donated \$3.9 million, ECHO EU \$2.4 million, Norway’s Ministry of Foreign Affairs \$1.45 million, SIDA Sweden \$1.3 million (See Appendix 2 for full list of donors).
- Most of these funds are spent on NRC’s ICLA project and legal projects, which as mentioned above, have a massive presence in Israeli courts.

## Annual budget for projects in West Bank, East Jerusalem, and Gaza:

Year	2013	2014	2015	2016
NOK	56M	65.1M	123M	160M
USD <sup>1</sup>	~10M (5.6 )	~11M (6.1)	~16.5M (7.4)	~18.5M (8.7)

## NRC DONATIONS TO ICLA PROJECTS (2014-2015)

- The ICLA budget in [2015](#) was about \$13 million and \$9 million in [2014](#).

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<sup>1</sup> The amount in US dollars is based on the conversion rate for January at the beginning of the year.



- [The United Nations Office for the Coordination Affairs-Occupied Palestinian Territory](#) (UNOCHA-oPt) coordinates part of the grants to the ICLA and other legal aid projects. The following [numbers were compiled by OCHA-oPt](#) on the basis of information provided by donors and appealing organizations (amounts in USD).

Donor	2014	2015	Project
EU (ECHO)	2,849,389		ICLA - for the Protection of Palestinians Affected by or at Risk of Displacement
		5,892,256	Humanitarian Support to Contribute to the Protection of Palestinians in the West Bank (including East Jerusalem) from Forcible Transfer.
		1,178,451	Support to IDPs and those at risk of displacement in the Gaza Strip
EU (EuropeAid)	827,990		ICLA- for increased protection and access to justice for Palestinians affected by forced displacement in Palestine
		1,659,290	Legal AID Programme
EU (European Commission)	663,130		ICLA- for increased protection and access to justice for Palestinians affected by forced displacement in Palestine
Norway	1,707,437		ICLA- for increased protection and access to justice for Palestinians affected by forced

			displacement in Palestine
		700,613	ICLA West Bank and Jerusalem & Legal aid programmes
Sweden	280,000		ICLA- for increased protection and access to justice for Palestinians affected by forced displacement in Palestine
		232,585	Humanitarian assistance - ICLA Legal AID
Switzerland	441,379		ICLA- for increased protection and access to justice for Palestinians affected by forced displacement in Palestine
United Kingdom	2,265,861		ICLA- for increased protection and access to justice for Palestinians affected by forced displacement in Palestine
		2,958,580	Legal aid programmes
Luxembourg		216,685	Protection of Palestinians in the West Bank (including East Jerusalem) from forcible transfer
UN (Emergency Response Fund - OCHA)		241,514	ICLA- to protect the rights of Palestinians affected by the October 2015 conflict in East Jerusalem

## UK FUNDING OF LEGAL AND POLITICAL ADVOCACY

- [According to UK Development Tracker](#), UK's Department for International Development (DFID) funds NRC in order to provide legal aid to Palestinians in Area C of the West Bank, East Jerusalem, and Gaza. During fiscal years 2014-2016, the UK government provided GBP 5.5 million for those aims.
- UK funding is expressly geared toward legal and political advocacy - DFID ["recommended"](#) that NRC broaden its advocacy efforts to focus on a greater diversity of power holders, providing specific information that can be used to lobby for changes in policy and legislation." According to DFID, "Advocacy is built into the programme **to leverage international pressure** on the housing, land, property rights of vulnerable Palestinians" and in response to "the political priorities of the new Israeli government" that makes it "more difficult to positively influence policy change."
- NRC has **developed a close coordination plan with the PA on legal and advocacy issues related to Israel**, such as "[the forcible transfer of the Bedouin](#)." According to [DFID](#), this includes "increased dialogue with Palestinian authorities on planning and increased coordination with the Ministry of Justice to assist beneficiaries who do not have ownership titles in seeking documents that prove their connection to the land."
- Inadequate Accountability: [Many of the](#) legal aid and legal training activities are "carried out by downstream partners who have direct agreements with NRC," not with the British government. This results in inadequate accountability, as, according to DFID, "It is therefore not possible for DFID to directly monitor all aspects of NRC's work..." This is reflected on the British government Development Tracker website, which lists dis-

bursments via NRC as “Aid to civil society organizations / NGOs,” but the final recipients of the funds are “withheld” and unidentified.

Home > Occupied Palestinian Territor... > Norwegian Refugee Council (N...

Norwegian Refugee Council (NRC): Legal Assistance to prevent demolitions and displacement in the OPTs  
[GB-1-202443]  
Department for International Development

Summary Documents (3) Transactions [Report Fraud](#)

**Budget** i  
(Current approved budget) £5,500,000

Financial Year	Value
FY13/14	£1,450,000
FY14/15	£2,050,000
FY15/16	£2,000,000

**Commitment** i  
(Obligation to provide funding) £5,500,000

Activity Description	Activity ID	Date	Value
Legal Assistance to prevent displacement and demolitions in the Occupied Palestinian Territories (OPTs).	GB-1-202443-101	26 Apr 2013	£5,500,000

**Disbursement** i  
(Fund transfer to implementing agency) £3,883,446

Description	Receiver Org	Activity ID	Date	Value
Aid to civil society organisations / NGOs	Supplier Name Withheld	GB-1-202443-101	10 Aug 2015	£390,267
Aid to civil society organisations / NGOs	Supplier Name Withheld	GB-1-202443-101	18 May 2015	£632,069
Aid to civil society organisations / NGOs	Supplier Name Withheld	GB-1-202443-101	02 Mar 2015	£638,666

- Advocacy: Lobbying in Europe [includes](#) a January 2015 seminar on the “10 year anniversary of the ICJ Wall decision at SOAS University in London and [] briefings with DFID.” From January to March 2015 “briefings were provided to a large number of agencies on Palestine issues from the NRC office in Brussels. These included several EU institutions and EU member states.” [“In 2013.....](#) Verbal briefings have included a field trip for the UK Parliamentary under Secretary of State on the Middle East and other diplomatic briefings.”

## NRC FUNDING TO POLITICAL NGOS:

- A number of NGOs serve as NRC’s [Implementing Partners](#), including: Jer-

Jerusalem Legal Aid Centre (JLAC), Society of St Yves, HaMoked, Community Action Centre, Yesh Din, Bimkom, Palestinian Centre for Democracy and Conflict Resolution (PCDCR), Palestinian Centre for Human Rights (PCHR), and Al Mezan.

- Due to a lack of transparency, there is limited information regarding amounts disbursed to NRC's implementing partners. Details on Israeli NGOs are available based on financial documents submitted by the recipients to the Israeli Registrar of Non-Profits. Details on Palestinian NGOs are based on independent research.
- [Hamoked - \(2012-2014: NIS 3,901,317\)](#). In 2015, NRC provided Hamoked with NIS 200,456 for "Protection of residency for Palestinians in East Jerusalem" and NIS 285,581 for "Protection of the freedom of movement for Palestinians."
- Funding for Hamoked also highlights the "revolving door" of personnel between the NRC and its grantees: [Alon Margalit](#) works as a Legal Research Coordinator for the NRC in Jerusalem, and was an editor and additional researcher in the NRC's report "[The Bedouin Rights Under Occupation](#)" (November 2015); in the past, he worked as a lawyer for Hamoked. [Yotam Ben Hillel](#) worked for six years at Hamoked, and then moved to NRC; he was also an editor and additional researcher for the NRC report "[Restrictions on Residency Rights and Family Reunification in Occupied Palestine](#)" (December 2015). [Jehad Arafat](#), who previously worked at PCHR (see below), is a Legal Officer at the NRC and co-authored a report titled "[A Guide to Housing, land and property, Law in the Gaza strip](#)" (October 2015).
- [Bimkom](#) - [\(2012-2014: NIS 628,105\)](#). In 2015 Bimkom received NIS 40,180 for "Filing objections regarding planning in Area C."
- [Yesh Din](#) - [\(2012-2014: NIS 1,904,763\)](#) In 2015 Yesh Din received NIS

735,493 for projects on Jerusalem, law enforcement, and land issues.

- [Jerusalem Legal Aid and Human Rights Center \(JLAC\)](#) – according to JLAC annual report, it received \$527,284 from NRC in [2013](#) and \$517,552 in [2014](#). NRC has [renewed](#) its two project agreements with JLAC “entitled: ‘Legal Assistance for the protection of Palestinians Affected by Forced Displacement,’ and ‘Providing Legal Representation on House Demolition in East Jerusalem’” respectively. According to JLAC financial statements, NRC provided \$22,396 ([2013](#)) and \$15,205 ([2014](#)) for “High court expenses,” with most of the funds earmarked for “Salaries and staff related benefits.”
- NRC employs pro-BDS, anti-Israel activists to compose some of its reports on the region:
- [Shir Hever](#) authored the NRC report “[The Economic impact of Displacement](#)” (April 2015). Hever is an economic researcher at the [Alternative Information Center](#), which [accuses](#) Israel of “ethnic cleansing,” “apartheid-like discrimination,” of being a “settler colonialist... intransigent, racist and militarized... regime,” and implementing a “multi-tiered system of oppression.” Hever is [a pro-BDS](#) political activist, and accuses Israel of being “a [colonialist regime](#), in which there's apartheid.” He also participated in the [2010 London Session](#) of the [Russell Tribunal of Palestine](#).
  - [Diana Buttu](#) authored a December 2015 NRC publication about “[Restrictions on Residency Rights and Family Reunification in Occupied Palestine](#).” Buttu is the former spokesperson for the Negotiations Support Unit for the Palestinian Liberation Organization and was also involved in promoting the discredited advisory opinion against Israel’s security barrier at the [International Court of Justice](#). Buttu has accused Israel of “[war crimes](#),” “[ethnically cleans\[ing\]](#) [75% of the Palestinian population](#),” “a [massacre](#) against Palestinian

civilians,” and [promotes BDS](#) campaigns. She also participated in [the Russell Tribunal on Palestine](#) in New York (2012).

- **Society of St Yves (amount unknown)** – Accuses Israel of “discriminatory policies” and “breach[ing] international law,” and claims that “[Palestinian] land [is] swallowed up by the Israeli armed forces.” Issued a joint statement (May 15, 2013) commemorating the 65th anniversary of “the Nakba” and claiming that the “Israeli colonization, occupation and apartheid” regime had “targeted the indigenous presence of Palestinians.”
- **[Palestinian Centre for Human Rights \(PCHR – amount unknown\)](#)** – Regularly accuses Israel of “[ethnic cleansing](#),” “[war crimes](#),” and the “[Judaization of Jerusalem](#),” refers to indiscriminate attacks on Israeli civilians as “resistance” and rockets that fall short of their Israeli civilian targets and cause injuries to Palestinians as “[misuse of weapons](#).” [Calls upon](#) the international community to “bring suspected Israeli war criminals before justice” and “preparing all necessary information, documents and evidence for any future investigations that may be conducted by the International Criminal Court in crimes committed by Israel in the oPt.” On October 14, 2014, officials from PCHR met Secretary General of NRC Jan Egeland and “called for an international action to combat the impunity enjoyed by Israel.”
- **[Palestinian Centre for Democracy and Conflict Resolution \(PCDCR\)](#)** – Refers to Palestinians as “[victims of Gaza holocaust](#),” accuses Israel of “[state terrorism](#),” and participates in discriminatory [campaigns](#) such as “Love in the Time of Apartheid Campaign: The Palestinian Campaign for Repealing Israel’s Racist Law Denying Family Reunification.” (JLAC and [Society of St Yves also participated in that campaign.](#)) PCDCR, together with Al-Mezan, signed on [a Joint Call to Action: July 2014 - Month against the Apartheid Wall](#), stating: “...it is time for a ‘legal intifada’, an intensi-

fied popular struggle and more boycotts, divestment and sanctions. It is time for accountability.... to overcome Israeli apartheid, colonialism and occupation. We ask you to expand and deepen the global BDS movement for justice..."

- [Al-Mezan](#) - Highly active in anti-Israel lawfare campaigns, exploiting courts and international legal bodies to seek arrest warrants against Israeli government officials; files lawsuits against companies and governments doing business with Israel, and lobbies for cases against Israelis at the International Criminal Court (ICC).

### Appendix 1 - Project revenue by countries and regions, [2014](#)

% of total	Amount in NOK 1000	Country
11	250,887	Jordan
8	194,636	Lebanon
8	194,094	Somalia
6	133,406	Afghanistan
6	147,401	Ethiopia
6	149,562	Congo D.R.
5	123,775	Iraq
5	110,955	Pakistan
5	119,881	Turkey



5	107,896	South Sudan
4	93,099	Kenya
3	67,671	Palestine
3	61,088	Yemen
2	37,937	Myanmar
2	50,313	Mali
2	38,472	Switzerland (IDMC)
2	36,546	Norway
2	56,596	Colombia
1	15,161	Iran
1	29,565	Central African Republic
1	29,724	Ivory Coast
1	23,425	Liberia
1	20,092	Uganda
1	18,858	Zimbabwe
	856	Georgia
	11,008	Djibouti
	2,254	Eritrea

	1,330	Ukraine
	101,436	Secondments (Europe))
	63,221	Secondments (Asia)
	51,584	Secondments (Africa)
	8,541	Secondments (America)
	8,494	Other
	1,179,474	Total Asia
	928,875	Total Africa
	177,784	Total Europe
	65,137	Total America
	2,359,864	TOTAL PROJECT

## Appendix 2 - Total Sum of 2014 donors for Palestine via NRC

	MFA Norway	ECHO EU	DFID UK	Sida Sweden	Norad Norway	Europe Aid EU	SDC Swiss	Other UN	Others
NOK	9,000,000	14,931,000	24,237,000	8,038,000	3,367,000	4,769,000	841,000	1,700,000	780,000
\$	1,450,000	2,400,000	3,900,000	1,300,000	550,000	770,000	135,000	275,000	126,000

### Appendix 3 - NRC Donors for other projects for Palestinians 2014, 2015

Donor	2014 Amount \$	2015 Amount \$	Project
Norway	221,600		Improving Shelter Response in oPt Through Shelter Sector Coordination
	325,575		Better Learning' - Emergency Education Response
		803,630	Education
		1,231,638	Shelter/NFI
		62,555	WASH
Sweden	612,557		Emergency response to new displacement related shelter/NFI needs in Gaza Strip
	327,370		Increasing Learning Capacity for Children in Chronic Crisis (Better Learning Programme)
	656,250		Education Project in Palestine - Our Schools, Our Communities
		116,293	Humanitarian assistance - Shelter/NFI
		232,585	Education

OCHA		249,444	Enhancement of Preparedness and Response to seasonal flooding emergencies
		249,984	Shelter/NFI
Belgium		1,342,282	Humanitarian support to contribute to the protection of Palestinians in the West Bank (including East Jerusalem) from forcible transfer
Spain		561,167	Addressing housing needs and security of tenure for the most vulnerable households
Switzerland		788,885	Humanitarian Support to Protect Palestinians in the West Bank from Forcible Transfer - Shelter/NFI
Various Donors	297,265		Rapid response to emergency WASH needs in Gaza Strip
	304,739		Young Women Leadership in Gaza
		50,949	Shelter/NFI

## Appendix 4

Indicator(s)	Milestones 2014/15	Progress by March 2015
Number of households receiving legal counselling on HLP issues (cumulative total)	West Bank: 2,370 ; Gaza: 1,140	West Bank: 2,478 Gaza: 1,300
Number of opened and ongoing cases of legal assistance	West Bank: 645 opened West Bank: ongoing 320 (all HLP).	781 opened West Bank: ongoing 320 (all HLP).
Number of Palestinians who receive legal counselling and/or representation following potential HLP violations in the Gaza Access Restricted Area	400	421
Number of advocacy briefings given on specific housing, land, property issues (verbal or written).	135	155
Number of instances reported where NRC research, advocacy, and information documents have been used.	25	25
Number of discriminatory and/or unfair laws, policies or practices exposed through public interest cases.	45	57
Number of technical services provided to the PA to strengthen their capacity.	4	11
Number of direct issues of cooperation where NRC is actively working with UNDP and PA and legal aid partners on development of a sustainable legal aid system for housing, land and property law	5	6

# NGO Monitor Publications

Filling in the Blanks: Documenting Missing Dimensions in UN and NGO Investigations of the Gaza Conflict (June 2015)

Sabeel's Theology of Contempt: Injecting Anti-Israel and Atisemitic Activism into Churches (June 2015)

Water Myths and Facts: NGOs and the Destructive Water Campaign against Israel (March 2015)

Exploiting Justice: How the UK, EU and Norway Fund NGO Lawfare VS Israel (February 2014)

Catholic Aid Societies and Political Campaigns Directed at Israel (June 2014)

NGO Malpractice: The Political Abuse of Medicine, Morality, and Science (September 2013)

Bad Investment: The Philanthropy of George Soros and the Arab-Israeli Conflict (May 2013)

Spanish Government Funding for NGOs: 2009–2011 (May 2013)

The Negative Impact of U.S. Government Funding for Mideast Political NGOs (May 2013)

The Goldstone Report "Reconsidered" A Critical Analysis (February 2012)

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