



**Middle
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June 5, 2017

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Minister of Education Naftali Bennett
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Dear Prime Minister and Ministers,

We write to you on behalf of the Committee on Academic Freedom of the Middle East Studies Association of North America (MESA) to condemn the arbitrary arrest and unlawful “administrative detention” of Dr. Ahmad Qatamesh by the Israeli occupation authorities as well as by the Israeli state prison service.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, MESA publishes the International Journal of Middle East Studies and has nearly 3,000 members worldwide. MESA is committed to ensuring academic freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

On Sunday, May 14, Dr. Qatamesh was arrested as part of a broader sweep targeting over a dozen Palestinian intellectuals and civil society activists in the Occupied Palestinian Territories. Although the Israeli government cites security concerns in taking such measures, the timing of these punitive actions suggests a link between the crackdown on academics and the suppression of Palestinian civil society and political activity generally speaking.

A professor of political science at al-Quds University, Dr. Qatamesh is author of works including *I Shall Not Wear Your Tarbush*, in which he describes his long history of imprisonment in Israeli jails. Dr. Qatamesh is no stranger to arrest and what is termed “administrative detention” by the Israeli government. Since the 1970s, he has been held in Israeli institutions for upwards of 13 years, over half of which were spent in administrative detention. Dr. Qatamesh therefore holds the unfortunate distinction among Palestinians of having served one of the longest sentences in Israeli custody. His arrest without charge on this occasion, which prevents him from continuing his scholarship and his teaching, represents a violation of his academic freedom.

The State of Israel’s ongoing practice of holding Palestinians arrested in the Occupied Palestinian Territories inside of Israel is cruel and unusual, and thereby illegal under the Fourth Geneva Convention. Palestinians living under Israeli occupation are “protected persons,” entitled to certain rights under international law. The



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deportation of protected persons from the Occupied Palestinian Territories into the occupying state of Israel is an “unlawful deportation” according to Article 49 of the Fourth Geneva Convention. Further, Article 76 stipulates, “Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein.” In addition to constituting a “grave breach” under Article 147, this action is considered a war crime pursuant to Article 8 of the Rome Statute of the International Criminal Court. In other words, Israeli authorities are not within their rights when they transfer Palestinian prisoners and detainees from the Occupied Palestinian Territories into Israel. Besides, given the restrictions on Palestinian movement imposed by the Israeli occupying authorities, Palestinian prisoners and detainees are often deprived of the opportunity to see or communicate with their families.

In addition to the fact that the incarceration (“administrative detention”) of Dr. Qatamesh inside of Israel is a violation of international law, this campaign of punitive action against prominent Palestinian individuals is taking place in the context of a growing movement of resistance to practices of Israeli administrative detention, most recently expressed in a forty-day hunger strike among Palestinian political prisoners. Currently there are over 6,000 Palestinians in Israeli jails. About 500 are in “administrative detention,” held without access to legal counsel or personal visits.

We are deeply concerned by the fact that the occupation regime continues to violate the academic freedom and personal rights of Palestinians throughout the West Bank and East Jerusalem. We therefore call upon you to either charge or release Dr. Qatamesh, as well as all administrative detainees who are currently being held without charge. Furthermore, we demand that the Israeli authorities respect the international agreements to which they are signatories and put an end to the unlawful practice of deporting Palestinian prisoners and detainees from the Occupied Palestinian Territories to Israel. Finally, we insist that Palestinian prisoners and detainees are entitled to visitation by family members. Therefore, we call upon the occupation authorities, which are part of the Israeli government, to live up to their legal and moral responsibilities by recognizing the visitation rights of the families of Palestinian prisoners and detainees, both inside Israel and in the Occupied Palestinian Territories.

We look forward to your response.

Sincerely,

A handwritten signature in black ink that reads 'B. Baron' with a long horizontal flourish extending to the right.

Beth Baron
MESA President
Professor, City University of New York

A handwritten signature in black ink that reads 'Amy W. Newhall' in a cursive style.

Amy W. Newhall
MESA Executive Director
Associate Professor, University of Arizona