

Middle East Studies Association of North America, Inc.

The University of Arizona • PO Box 210410 • Tucson AZ 85721-0410

17 December 1996

Mr. Oren Shahor
Coordinator of Activities in the West Bank and Gaza
Tel Aviv, Israel

Fax: 03-697-6306

Dear Mr. Shahor,

The Committee on Academic Freedom in the Middle East and North Africa write to respond to your letter of October 9 that you sent in regard to our letter of September 12, 1996 concerning the denial of permits for Gaza students to study in the West Bank. We respectfully point out that the letter authored by Capt. Caroline B. Glick fails to address adequately concerns we raised regarding the violation of students' legal rights to freedom of education and movement. Capt. Glick's response in fact restated the basis of our concern: that the Israeli government is violating the principle of due process protections by denying permits in a blanket manner and failing to justify such denials.

The Middle East Studies Association comprises 2600 academics worldwide who teach and conduct research on the Middle East and North Africa. The association publishes the respected *International Journal of Middle East Studies* and is committed to ensuring respect for the principles of academic freedom and human rights throughout the region.

We are concerned by the implications of Ms. Glick's statement: "Among the reasons for the denial of approval is the fact that many of the students were involved in terrorist activities against Israel." If this is the case, we ask why no legal procedures were initiated in the case of these students. Capt. Glick further states: "[W]e cannot and will not compromise the security of Israelis." If actual involvement in terrorism is the reason behind the denial of permits, then permits are no longer the significant issue; rather, bringing to justice of wrongdoers through an open legal process becomes the issue. However, since the people who have applied for and been denied permits have not, to our knowledge, been arrested and charged, we are forced to conclude that the blanket denial of permits to all Gaza students is a punitive measure rather than a necessary step to ensure the security of Israelis.

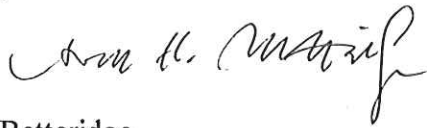
We fully acknowledge the difficult security issues facing Israel, but we respectfully suggest that international legal standards, including those regarding freedom of movement and education, were designed with difficult security situations in mind. It is under these circumstances that the standards are actually relevant, because when there is no challenging security situation, infringement of people's rights is less likely to occur. The cornerstone of the freedom of movement and education is the rights of the individual; individuals have certain guaranteed rights which the governing authorities should provide, and in this particular case the rights involve travel between Gaza and the West Bank for the purpose of education. The reverse side of these rights is individual responsibility; if people are

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responsible for violations of the laws of the governing authority, the rule of law requires that they be brought to justice as individuals, not punitively (or extra-judicially) punished as members of a collectivity.

We respectfully request that your office ensure that the treatment of students from Gaza conform to the larger standards that the Israeli government claims to abide by and uphold, namely the commitment to the rule of law principles.

Sincerely,



Anne H. Betteridge
Executive Director

cc: Capt. Caroline B. Glick
Benjamin Netanyahu, Office of the Prime Minister
Brigadier General Ilan Shiff, Judge Advocate General
Colonel Moshe Rosenberg, Legal Adviser for the Central Command
David Liba'i, Minister of Justice
Judge Yosef Harish, Attorney General
Ambassador Itamar Rabinovich