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A N T H R O P O L O G I C A L
A S S O C I A T I O N

June 2, 2008

The Honorable Condoleezza Rice
Secretary of State
Department of State
2201 C Street NW
Washington, DC 20520

Re: Prevention of students from Gaza from studying abroad

Dear Secretary Rice,

We are writing on behalf of Human Rights Watch, the Committee on Academic Freedom of the Middle East Studies Association of North America, and the Committee for Human Rights of the American Anthropological Association to welcome the State Department's decision to reinstate the Fulbright grants that had been awarded for the coming academic year to Palestinian students living in the Gaza Strip. We appreciated in particular your own objection to the department's earlier decision to "redirect" the awards because of Israel's blanket refusal to allow students in Gaza to travel abroad, or to the West Bank, to continue their education.

We remain concerned, however, about the sequence of decisions and the official statements that accompanied them. According to *The New York Times*, seven Palestinian students received letters on May 29, 2008, informing them that the grants awarded to them earlier for study in the United States had been "redirected" because Israeli authorities refused them permission to leave the Gaza Strip. State Department spokesman Tom Casey said that because the students "could not get visas," the State Department decided to transfer the awards to students in the West Bank "rather than lose them for this year."

On May 30, following disclosure of the State Department's actions, department spokesman Casey said that US officials "have been actively speaking to Israeli officials here in Washington" and "noted the secretary's personal concern about this issue." When queried further, Casey said, "I think the conversations that have been held today indicated that the Israelis appreciated and understood our concerns about this issue."

These statements, and the June 1 decision to reinstate the grants, do not explain why the State Department, over strenuous objections from the Fulbright program, "redirected" them in the first place. This action displayed a disturbing readiness on the part of the United States to actively support Israel's policy of strict closure on the Gaza Strip, a policy that has caused grave harm to the population there and constitutes collective punishment, a serious violation of international law. Rather than accommodate Israel's unlawful restrictions, the United States should vigorously challenge them at every opportunity.

We also want to call your attention to the fact that Israel's refusal to allow students to resume or begin university studies outside of Gaza has affected many more students than these Fulbright awardees. We urge you to take this opportunity to call on Israel to allow all students in Gaza, except where there are legitimate security concerns specific to particular individuals, to exercise their right to freedom of movement and access to education. At a minimum, the United States should clearly and publicly disassociate itself from Israel's policy of collective punishment as it affects students seeking to study abroad.

Both Human Rights Watch and the Middle East Studies Association have over the past year called on Israel to remove blanket restrictions that have prevented hundreds of Palestinian students from leaving the Gaza Strip to study abroad. In November 2007, Human Rights Watch called on Israel to cease its arbitrary denial of exit permits to some 670 students in Gaza from pursuing higher studies abroad. The Middle East Studies Association also raised this matter in letters to Prime Minister Ehud Olmert. By late 2007, the number of students and dependents in Gaza seeking to study abroad had risen to approximately 1,100. Israel allowed fewer than half of those to leave Gaza for Egypt and Jordan for exit to third countries, and hundreds remained cut off from the possibility of studying abroad. According to the Israeli human rights organization Gisha, the Legal

Center for Freedom of Movement, between one and two thousand students in Gaza seek to leave to study abroad each year, but since January 13 of this year none had been permitted to do so. Israel has also insisted that the Rafah crossing on Gaza's border with Egypt remain closed; during the several days in late January when the border was breached, Egypt allowed only persons who already had visas to third countries to proceed to Cairo.

Gaza's students need to have access to higher education abroad. Opportunities in the Gaza Strip are currently quite limited. Many degrees are not at all available in the four universities there. For instance, there are no undergraduate degrees in languages other than Arabic, English, and French, and no master's degrees in law, journalism, and information technology. Doctoral degrees are not offered at all. Israel rarely permits professors and lecturers from outside Gaza to enter to teach there.

Israel's restrictions on Gaza students seeking to study abroad are part of its more comprehensive and increasingly severe policy of closure. Since June 2007 Israel has enforced a strict blockade of the Gaza Strip, preventing, with very few exceptions, people and goods from entering or leaving the territory. Israeli officials say that the strict closure policy is intended to suppress rocket and other attacks by Palestinian armed groups, many of which hit civilian areas in Israel in violation of the international humanitarian law prohibition of attacks that target or cause indiscriminate harm to civilians. The strict closure's impact on the ability of the armed groups to carry out these attacks is highly debatable. What is clear is that the policy has had a grave impact on the access of Gaza's civilian population to essential goods and services, including education, and violates Israel's obligation under the Fourth Geneva Convention on occupations to protect the rights of Palestinians to, among other things, freedom of movement and to secure access to education.

International humanitarian law and human rights law permits restrictions on freedom of movement for security reasons, but the restrictions must have a clear legal basis, be limited to what is necessary, and be proportionate to the threat. Israeli restrictions clearly exceed these norms, and constitute collective punishment, a serious violation of international law.

With this in mind, we strongly urge you to use this opportunity to call on Israel to cease those restrictions on the movement of people and goods into and out of the Gaza Strip that constitute collective punishment, including restrictions that prevent Gaza residents from studying abroad, and to disassociate the United States from any inference of support for those policies.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Leah Whitson', with a long horizontal flourish extending to the right.

Sarah Leah Whitson
Executive Director
Middle East and North Africa division
Human Rights Watch

A handwritten signature in black ink, appearing to read 'Amy Newhall', written in a cursive style.

Amy Newhall
Executive Director
Middle East Studies Association of North America

A handwritten signature in black ink, appearing to read 'Setha Low', written in a cursive style.

Setha Low
President
American Anthropological Association