



**Middle
East
Studies
Association**
of North America, Inc

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20 March 2024

Joseph R. Biden
President of the United States

Volker Türk
UN High Commissioner for Human Rights

Ambassador Omar Zniber
President, UN Human Rights Council

Francesca Albanese
UN Special Rapporteur on the Occupied Palestinian Territories

Dear President Biden, High Commissioner Türk, Ambassador Zniber,
and Special Rapporteur Albanese:

We write on behalf of the Committee on Academic Freedom (CAF) of the Middle East Studies Association of North America (MESA) to express our deep concern regarding Israel's widening assaults on Palestinian universities and the targeting of students and faculty in the occupied West Bank since 7 October 2023. In the course of these raids, it is estimated that Israeli forces have killed at least 13 university students, indiscriminately attacked and imprisoned numerous faculty members, staff and students -- most notably elected student representatives -- forcibly entered and destroyed university property, and imposed movement restrictions on the West Bank Palestinian population that have made it nearly impossible to reach educational facilities. Palestinian universities already operate in a fraught environment, but Israel's current attacks on the education sector have made it all but impossible to fulfill its education mission. The right to education is an internationally protected human right, and educational institutions are protected under international law. Hence, not only are these Israeli attacks direct infringements on academic freedom, but their severity and the collective punishment they entail may constitute war crimes.

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 2800 members worldwide. MESA is committed to ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

Since 7 October 2023, Israeli forces have forcibly entered and destroyed the property of several universities, including: Birzeit University on at least three occasions; the Palestine Technical University – Kadoorie (PTUK)'s main campus and al-Aroub branch; al-Quds University, al-Tubas branch; and An-Najah National University in Nablus. During the

raid on Birzeit University on 8 November 2023, Israeli forces attacked a security guard, vandalized the student council office, confiscated Palestinian flags, and broke into student residences. On 16 November 2023, Israeli forces raided and destroyed property in the automotive engineering laboratories and workshops of PTUK's main campus in Tulkarm and of its al-Aroub branch. During the raids on Tubas, Israeli forces opened direct fire on the Al-Quds University's campus, substantially damaging the facilities. On 10 January 2024, Israeli forces fired live ammunition on the Birzeit University campus, injuring two students, and then imprisoned five more. On 15 January 2024, Israeli forces raided An-Najah National University in Nablus. During this raid, they severely beat two university guards and arrested twenty-five students who were participating in a non-violent sit-in against mandatory tuition fee payment terms; and on 22 February 2024, Israeli special forces (dressed in civilian clothes) invaded Birzeit University and abducted the current president of the student council, along with another elected council member.

The Palestinian Prisoners Society estimates that since 7 October 2023, the Israeli military has arrested more than 7,500 Palestinians in the West Bank, among whom are hundreds of faculty members, researchers, university students and staff. Most of these detainees are held under administrative detention, that is, detention without charge or trial. Most families, lawyers, and human rights organizations have been unable to determine the exact location of those detained. Human and civil rights groups have expressed growing concern about the deteriorating conditions in Israeli detention facilities since 7 October 2023, resulting from severe over-crowding, limited food rations, and increased ill-treatment and torture. Among those detained is the prominent astrophysicist Professor Imad Barghouthi of Al-Quds University (about whom we have written to the Israeli authorities on at least two previous occasions [30 July 2020](#) and [21 September 2020](#)), who was abducted from his home on 23 October 2023. There has been growing concern about Professor Barghouthi's deteriorating health, but he remains under administrative detention, and his family has not been able to communicate with him. Israeli forces have also targeted elected student representatives of university student councils. Among those detained are the student body presidents of Bethlehem University (Moatasim Omar Issa), An-Najah National University (Omar Sari), and Birzeit University (Saleh Hassan, and previous elected president, Mohammed Arman), along with six elected student council members of Birzeit University. According to Birzeit University's Right to Education Campaign, as of 14 March 2024, approximately 130 students were being held in Israeli prisons: 60 have been detained since 7 October, of whom 40 are being held in administrative detention.

According to estimates by the Palestinian Authority Ministry of Education and Higher Education, Israeli forces have also killed approximately 13 university students (although not on university campuses) in the West Bank since 7 October 2023. Among those killed are Mohammed Awadh Jarbou, a graduate student of banking and finance at Birzeit University and [Ahmed Ashraf Khalaf Zaqiq](#), a physical therapy student at Ahliya University in Bethlehem. On 6 October 2023, Israeli settlers killed Labib Muhammad Labib Dhamidi, a student at PTUK.

Due to Israel's heightened restrictions on movement, as well as its harassment of Palestinians at military checkpoints, faculty, staff and students have been unable to reach their respective campuses, or are able to do so only after significant delays and with considerable threat to their physical security. Israeli settlers, with the protection of the Israeli military, have also imposed their own movement restrictions throughout the West Bank, preventing Palestinian communities from accessing essential services, including educational institutions. Settler attacks on Palestinian civilians have reached unprecedented levels, averaging, according to the U.N. Office for the Coordination of Humanitarian Affairs, seven attacks per day.¹ As a result, in October 2023, thirty-four institutions of higher education in the West Bank, which serve 138,800 students, halted in-person instruction and turned to online learning to continue academic instruction while trying to safeguard the security of their faculty, staff and students. Yet, even online learning has been seriously obstructed by Israel's regular, complete shut-downs of mobile and broadband services, which has directly affected 34,000 individuals in the West Bank, many of whom are university students.² Since 22 February 2024, Palestinian universities have been attempting to return to in-person learning on a part time basis, with an online remote option available when necessary and for those unable to access campuses.

Israel's collective punishment practices predate the beginning of the current war. They are systematic and ongoing, and an extension of decades-old military occupation policies that seek to undermine the education sector. Routine restrictions on travel to university, physical harassment of students at military checkpoints, and the Israeli military's forced entry into university campuses make the every-day reality of Palestinian students one of insecurity, instability and risk. Further, these policies and practices have long severed critical organic ties between the West Bank and the Gaza Strip, disproportionately affecting students from

¹ <https://www.unocha.org/publications/report/occupied-palestinian-territory/other-mass-displacement-while-eyes-are-gaza-settlers-advance-west-bank-herders-enhe>

² <https://www.accessnow.org/publication/palestine-unplugged/>

Gaza, who have faced myriad obstacles to studying in West Bank universities for years.

As evidenced by the many letters our committee has written (among them letters dated , 13 April 2021; 21 July 2021; 8 February 2022; 26 May 2022; 22 November 2023 and 25 January 2024) the Government of Israel, its armed forces and the settlers it protects have engaged in persistent, gross violations of international legal norms in their unrelenting attacks against Palestinian academics and students. As an occupying authority, Israel's targeting of Palestinian educational institutions through incursions, raids, attacks and abductions of students and faculty constitute violations of the Fourth Geneva Convention of 1949, relating to the protection of civilians in times of war. The Government of Israel and its military's resultant obstruction of education is also a clear violation of the right to education enshrined in Article 26 of the 1948 Universal Declaration of Human Rights, and Article 13 of the 1966 International Covenant on Economic, Social, and Cultural Rights. The right to education is binding in all circumstances and is to be protected in all situations, including during crises and emergencies resulting from civil strife and war. Israel is a party to the UDHR and a signatory to the ICESCR and is therefore obligated to uphold them.

These cumulative attacks on higher education are part of the broader genocidal campaign now being waged against the Palestinian people. The ongoing assaults on the academic sector must stop, and measures must be taken to ensure that Palestinian universities can carry out their educational mission and Palestinian students can continue their education undisturbed.

Recommendations

To the United States:

1. Support an immediate and permanent ceasefire and call for an end to Israel's blockade on the Gaza Strip so that food, water, medicine, fuel, and other life-saving necessities can enter the territory, and the educational sector can begin to be rebuilt, and the right to education can be upheld.
2. Enforce the federal Leahy Law, which prohibits the United States from providing military assistance to a foreign military unit suspected of committing "gross human rights violations."³
3. Demand that the Government of Israel, its armed forces, and the settlers it protects halt their violent and arbitrary attacks against

³ <https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet/>

Palestinian universities, and/or faculty, staff, and students, and that settler violence be penalized. At the same time, the role of the Government of Israel in permitting and abetting this violence should be raised as a serious concern in all bilateral discussions, and consequences should be imposed if the aiding and abetting of these attacks persist.

4. Pressure Israel to lift its restrictions on movement that have prevented Palestinian universities from resuming in-person education and carrying out their educational mission.

To the United Nations

1. Uphold the United Nations' responsibilities in accordance with international law and relevant UN General Assembly and Security Council resolutions to protect the Palestinian people from the ongoing genocidal war and demand the lifting of Israel's blockade of the Gaza Strip so that food, water, medicine, fuel, and other life-saving necessities can enter and the right to education can be upheld.
2. Demand full access to the Occupied Palestinian Territories to ensure that the UN can carry out independent monitoring and documentation, and all necessary humanitarian coordination.
3. Implement concrete measures to ensure the protection of the Palestinian people from Israeli military attacks and arbitrary police actions, including the protection of academic institutions, and faculty, staff and students so that universities can carry out their educational mission.
4. Demand that Israel lift its restrictions on movement that have prevented Palestinian universities from resuming in-person education and carrying out their educational mission.
5. Call on all United Nations Member States to take all necessary measures to ensure that UN operations to protect and provide humanitarian assistance to the Palestinian people can proceed unimpeded, and demand assistance to ensure the implementation of all relevant UN Security Council resolutions, including UNSC Resolution 2720 (2023) (22 December 2023) concerning the provision of humanitarian assistance, including food, fuel and medical supplies to the Gaza Strip.

We look forward to your response.

Sincerely,



Re: Academic freedom violations in the West Bank

20 March 2024

Page 6

A handwritten signature in black ink, appearing to read 'Asli Ü. Bâli'.

Aslı Ü. Bâli
MESA President
Professor, Yale Law School

A handwritten signature in black ink, appearing to read 'Laurie Brand'.

Laurie Brand
Chair, Committee on Academic Freedom
Professor Emerita, University of Southern California

cc:

Antony Blinken, U.S. Secretary of State

Jacob Sullivan, U.S. National Security Advisor

Lloyd Austin, US Secretary of Defense

Linda Thomas-Greenfield, Representative of the United States to the UN

Samantha Power, Administrator, United States Agency for International
Development

Ahmed Abul Gheit, Secretary General of the League of Arab States

H.E. Hissein Brahim Taha, Secretary General of the Organization of
Islamic Cooperation

Riyad Mansour, Permanent Observer of the State of Palestine to the United
Nations

Cheikh Niang, Chair of UN Committee on the Exercise of the
Inalienable Rights of the Palestinian People

Ajith Sunghay, Head of Office of the UN High Commissioner for Human
Rights in the Occupied Palestinian Territory

Farida Shaheed, UN Special Rapporteur on the Right to Education



Re: Academic freedom violations in the West Bank

20 March 2024

Page 7

Navanethem Pillay, Commissioner of the UN Human Rights Council's Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Miloon Kothari, Commissioner of the UN Human Rights Council's Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Chris Sidoti, Commissioner of the UN Human Rights Council's Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel

Audrey Azoulay, Director-General, United Nations Educational, Scientific and Cultural Organization (UNESCO)

Noha Abdul-Aziz Bawazir, Head of UNESCO Office in Ramallah and UNESCO Representative in Palestine,

Jonah Kokodyniak, Senior Vice President of Program Development and Partner Services, U.S. Institute of International Education

Nina Smith, Senior Vice President, Chief Philanthropy Officer, U.S. Institute of International Education

Benjamin Netanyahu, Prime Minister of Israel

Yoav Gallant, Minister of Defense, Israel

Yoav Kisch, Minister of Education, Israel

Yariv Levin, Minister of Justice, Israel

Ghassan Alyan, Major General, Head of Civil Administration in the West Bank, Coordination of Government Activities in the Territories (COGAT)