



National Lawyers Guild International Committee www.nlginternational.org

Dear Ambassador Elizabeth Jones;

The National Lawyers Guild International Committee and its Free Palestine Subcommittee writes today with deep concern for Palestinian human rights defender Ayman Nasser, currently detained without charges and being held for interrogation by Israeli military authorities. We call upon the US State Department to take action to uphold its commitment to human rights defenders, and demand Nasser's immediate release..

Ayman Nasser, 42, is a researcher with the Addameer Prisoner Support and Human Rights Association, a major Palestinian non governmental human rights civil institution that provides legal representation, produces studies, and supports advocacy on behalf of Palestinian political prisoners held in Israeli jails. Established in Jerusalem in 1992 by Palestinian human rights advocates, Addameer offers support to Palestinian prisoners and detainees, advocates for the rights of political prisoners, and works to end torture and arbitrary detention and to guarantee fair trials through monitoring, legal procedures and advocacy campaigns.¹

Nasser was abducted from his home in Saffa village near Ramallah by Israeli troops in the early morning of October 15.² On October 18, he appeared in a Jerusalem military court, where his interrogation period was extended by seven days; on October 24, he was again brought to court and his interrogation extended for an additional nine days.³

On his October 18 appearance, Nasser addressed the court directly: "I believe that every human being has opinions and positions and if it's not violating the law he can freely think and speak these opinions. I am a human rights defender who supports the Palestinian prisoners and I represent my opinions in the public media. My thoughts are not secret, they are public, and everyone knows them."⁴

Nasser is being held at Moskobiyyeh detention centre in Jerusalem; the jail is infamous among Palestinian prisoners and the source of numerous reports of torture and abuse.⁵ Ayman Nasser reported to Addameer lawyers that he has been interrogated for up to 10 hours at a time during his detention, and that the subject matter of his interrogation has largely focused on his advocacy for Palestinian

¹ Addameer Prisoner Support and Human Rights Association, "Our Work," <http://www.addameer.org/etemplate.php?id=12>.

² Addameer, "Addameer researcher arrested and detained by Israel in latest attack on Palestinian civil society," <http://www.addameer.org/etemplate.php?id=523>

³ Addameer, "Update on continued detention of Addameer researcher Ayman Nasser," <http://www.addameer.org/etemplate.php?id=527>, and "Addameer researcher and human rights defender has interrogation period extended," <http://www.addameer.org/etemplate.php?id=529>.

⁴ Ibid.

⁵ HaMoked and B'Tselem, "Absolute Prohibition: The Torture and Ill Treatment of Palestinian Detainees," http://hamoked.org/items/13100_eng.pdf, for examples.

political prisoners as well as his involvement in the Handala Centre, a cultural and arts centre in Saffa, of which he serves as the chairperson.⁶

Prior to this most recent arrest, Ayman spent six years in Israeli prison as a political prisoner, from 1992 to 1997. He has worked at Addameer as a staff researcher since 2008, lectures in social work at Al-Quds Open University, and is chair of the board of the Handala Centre.⁷ On October 21, Nasser won a seat on the Saffa municipal council in the West Bank municipal elections, while being held in Israeli detention.⁸

“Human rights defender” is a term used to describe people who, individually or with others, act peacefully to promote or protect human rights.⁹ Ayman Nasser clearly falls into this category; he is a researcher with Addameer and is engaged in extensive work to defend Palestinian human rights, particularly against torture, arbitrary imprisonment and detention. His work with the Handala Centre is also work to support the cultural and social human rights of Palestinians in the West Bank.

The protection of human rights defenders is an individual and collective right and responsibility, as recognized by the United Nations and enshrined in such key international covenants as the International Covenant on Civil and Political Rights and the UN Declaration on Human Rights Defenders.

The rights of human rights defenders include the right to seek the protection of human rights at national and international levels; to conduct human rights education individually and with others; to form associations and nongovernmental organizations; to meet and assemble peacefully; to seek, obtain, receive and hold information relating to human rights; to develop and discuss new human rights ideas and principles and to advocate their acceptance; to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may impede the realization of human rights; to make complaints about official policies and acts relating to human rights and to have such complaints reviewed; to offer and provide professionally qualified legal assistance or other advice and assistance in defense of human rights; to unhindered access to and communication with non-governmental and intergovernmental organizations and to effective protection under national law in reacting against or opposing, through peaceful means, acts or omissions attributable to the State that result in violations of human rights.¹⁰

⁶ Addameer, “Update on continued detention of Addameer researcher Ayman Nasser,” <http://www.addameer.org/etemplate.php?id=527>,

⁷ Addameer, “Profile: Ayman Ameen Ahmed Nasser,” <http://www.addameer.org/etemplate.php?id=526>

⁸ Samidoun, “Free human rights defender Ayman Nasser,” <http://samidoun.ca/2012/10/action-alert-free-human-rights-defender-ayman-nasser/>

⁹ Office of the United Nations High Commissioner for Human Rights, “Human Rights Defenders: Protecting the Right to Defend Human Rights,” <http://www.ohchr.org/Documents/Publications/FactSheet29en.pdf>

¹⁰ Ibid.

The US State Department has repeatedly expressed its commitment to supporting human rights defenders, including presenting an annual award for human rights defenders. In the announcement of the 2011 Awards, the State Department's official statement read, "The United States stands with these and all human rights defenders and civil society activists who work hard every day, in every part of the world, to make real the promise of the Universal Declaration of Human Rights."¹¹ At the presentation of the 2011 Awards, Secretary Clinton stated, "we have worked to elevate the role of civil society, and especially groups that promote human rights."¹²

Israel is the US' largest recipient of international aid dollars, and in particular military aid.¹³ Considering the US' expressed commitment to human rights defenders and their protection, it is particularly critical for the State Department's voice to be heard in pressuring the government of Israel to release Ayman Nasser and end its practices and policies of persecution of Palestinian human rights defenders. Indeed, if the US condones this conduct it is approving similar retaliatory action by all states against human rights defenders. The US State Department has a responsibility to condemn Israel's arbitrary detention of Ayman Nasser and other Palestinian human rights defenders.

States have the responsibility to protect the rights of human rights defenders, as well as to affirmatively implement human rights. In the case of Israel, not only is it maintaining an illegal military occupation, it has a long record of persecution of Palestinian human rights defenders, including arrests, detentions, travel bans and harassment, including the cases of Abdullatif Ghaith¹⁴, Shawan Jabarin¹⁵, Ahmed Qatamesh¹⁶, Yousef Abdulhaq¹⁷, Jamal Juma¹⁸, Abdallah Abu Rahmah¹⁹, and numerous others.

Ayman Nasser is a Palestinian human rights defender who is being detained in contravention of international law and human rights standards. We urge the State Department to act quickly to pressure

¹¹ Office of the Spokesperson, U.S. State Department, "Winners of the Human Rights Defenders Award," <http://www.state.gov/r/pa/prs/ps/2012/05/190315.htm>

¹² Hillary Rodham Clinton, Secretary of State, "Remarks at Presentation of Human Rights Defenders Award," <http://www.state.gov/secretary/rm/2012/08/196048.htm>

¹³ Jeremy M. Sharp, Congressional Research Service, "U.S. Foreign Aid to Israel," http://assets.opencrs.com/rpts/RL33222_20100916.pdf

¹⁴ Palestinian Council of Human Rights Organizations, "Yet another Palestinian civil society leader targeted by Israel," <http://www.alhaq.org/advocacy/topics/human-rights-defenders/615-yet-another-palestinian-civil-society-leader-targeted-by-israel-addameer-chairperson-abdullatif-ghaith-receives-ban-from-leaving-the-country>

¹⁵ Human Rights Watch, "Israel: Revoke Rights Defender's Travel Ban," <http://www.hrw.org/news/2012/03/02/israel-revoke-rights-defender-s-travel-ban>

¹⁶ Amnesty International, "Palestinian writer detained without charge," <http://www.amnesty.org/en/news-and-updates/palestinian-writer-detained-without-charge-israeli-authorities-2011-05-10>

¹⁷ Tanweer Forum, "Extension of administrative detention of Dr. Yousef Abdul Haq for the second time," <http://palsolidarity.org/2012/04/extension-of-administrative-detention-of-dr-yousef-abdul-haq-for-the-second-time/>

¹⁸ Palestinian Grassroots Stop the Wall Campaign, "Grassroots activist and human rights defender Jamal Juma arrested," <http://electronicintifada.net/content/grassroots-activist-and-human-rights-defender-jamal-juma-arrested/1012>

¹⁹ Mohammed Khatib, "Jailed for Activism," <http://www.zcommunications.org/jailed-for-activism-by-mohammed-khatib>

Israel for his immediate release. The National Lawyers Guild, founded in 1937, is the oldest and largest public interest/human rights bar organization in the United States. Its headquarters are in New York and it has chapters in every state.

Sincerely,

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