

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Secretary of State John Kerry
Public Communication Division
PA/PL, Rm. 2206
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

U.S. Senate Committee on Foreign
Relations
444 Dirksen Senate Office Building
Washington, DC 20510-6225

The House Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

Senate Budget Committee
624 Dirksen Senate Office Building
Washington, DC 20510

Committee on the Budget: U.S. House of
Representatives
207 Cannon House Office Building
Washington, DC 20515

United States Senate
Washington, D.C. 20510

United States House of Representatives
Washington, D.C. 20510

August 4, 2014

Dear President Obama, Secretary Kerry, and Members of the United States Senate and House of Representatives:

We write to ask that you demand Israel cease the practice of abuse and unlawful detention of Palestinians and conduct a full investigation into the beating and unlawful detention of U.S. citizen Tariq Abu Khdeir. Fifteen-year old Florida resident Tariq Abu Khdeir was released last month after Israeli police beat and kicked him unconscious, denied him medical treatment for five hours, and then held him under arrest without charge or trial for several days. On the day that Tariq was finally allowed to return to the United States, Israeli police raided his family's home in East Jerusalem, detained without charge his uncle and two cousins. Tariq's case and the inexcusably weak response by the U.S. government have brought to light several problems with Israel's detention practices—one of which is the subject of this letter.

Tariq's elected representatives in Congress and the White House failed to demand his release and return to the United States. The State Department announced it was "profoundly troubled by reports that [Tariq] was severely beaten" and called for an investigation, but to our knowledge did not address the inadequate legal process and illegal detention to which he was subjected.

Despite admittedly lacking a clear understanding of the case, Fla. Rep. Dennis Ross sent a letter to a member of the Abu Khdeir family suggesting that Tariq taking part in protest is justification for his assault and detention: "Though all of the facts surrounding the incident remain somewhat unclear, it is widely reported that Tariq was participating in a protest in Palestine in response to the kidnapping and murder of his cousin, a Palestinian teenager."

Tariq and witnesses have maintained that they were not participants in the protest. To our knowledge, the only party claiming such participation by Tariq is the Israeli government, which has failed to substantiate this claim. Even if Tariq had been involved in a nonviolent demonstration, he would have had every right to do so without being assaulted, beaten unconscious and denied due process by Israeli police. Freedom of speech and the rights to association and assembly, freedom from cruel and degrading treatment or punishment, and due process are guaranteed not only by the U.S. Constitution, but also by treaties such as the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, both signed and ratified by Israel.

Rep. Ross' statement reflects what we suspect to be the main motivation behind the tepid response to such a violent attack on a child: fear of openly criticizing Israel, which routinely and violently suppresses peaceful dissent against its occupation of Palestine.

This comes during the U.S. government's enabling of Israel's current, unprovoked bombing campaign that has overwhelmingly targeted Palestinian civilians, including women and children. While the UN has declared Gaza a "humanitarian disaster zone," the U.S. has continued support of the occupation and characterized Israel's violent campaign as "self-defense." Even once the bombing ceases, Palestinians in Gaza and the West Bank will continue to suffer under an oppressive military siege.

The United States has significant diplomatic leverage in Israel and an obligation to intervene when fundamental democratic and human rights of its citizens are threatened. We call on elected representatives and the State Department to conduct a full, independent investigation into Tariq's arrest and imprisonment, and, if warranted, demand compensation for Tariq's maltreatment. Such an inquiry should include testimony from Tariq himself regarding the circumstances surrounding his arrest and detention.

We also ask that the administration require, as a condition of further financial and military aid, an immediate end to Israel's use of indefinite detention without charge or trial, abuse, illegal arrest and imprisonment. Israel's torture of arrestees and detainees, and denial of due process to children and adults in its custody is well-documented and widespread. Children under occupation are routinely arrested without probable cause in the middle of the night, interrogated without the right of access to attorneys or their parents, and held without charge for days or months at a time.

About 6,100 Palestinians, including 38 members of the Palestinian legislature, are currently being held in Israeli jails, many of them for purely political offenses, such as participation in demonstrations.¹ About 400 are being held indefinitely without charge or trial. These practices are not anomalies, but rather authorized by military regulations that apply only to Palestinians living in the occupied territories. The State Department is well aware of these practices, some of which are documented in its own annual Country Reports, but has taken no meaningful steps to end or redress them. Intervention is long overdue.

We call on you to demand a full investigation into the abuse and unlawful imprisonment of Tariq as well as Palestinians currently detained pursuant to military orders; demand that Israel cease the practices of indefinite detention without charge or trial, torture, illegal arrest and imprisonment; and cease any provision of aid to Israel as long as such practices continue.

Signed,

National Lawyers Guild
Center for Constitutional Rights
Council on American-Islamic Relations
Council on American-Islamic Relations-Florida
Committee for Open Discussion of Zionism
Defense for Children International Palestine
International Association of Democratic Lawyers
Jewish Voice for Peace
US Campaign for the Academic and Cultural Boycott of Israel
US Campaign to End the Israeli Occupation

¹ For a detailed briefing on these abuses and others, see Addameer, *Palestinian Political Prisoners in Israeli Prisons* (January 2014), [http://www.addameer.org/files/Palestinian%20Political%20Prisoners%20in%20Israeli%20Prisons%20\(General%20Briefing%20January%202014\).pdf](http://www.addameer.org/files/Palestinian%20Political%20Prisoners%20in%20Israeli%20Prisons%20(General%20Briefing%20January%202014).pdf); also see Defense of Children International, *Bound, Blindfolded and Convicted: Children held in military detention* (April 2012), http://www.dci-palestine.org/sites/default/files/report_0.pdf