

3 October 2022

Dear Member of European Parliament;

Dear Mr. Josep Borrell, High Representative of the European Union for Foreign Affairs;

We write to you today on behalf of Samidoun Palestinian Prisoner Solidarity Network with serious concern and, indeed, outrage, regarding the resumption of the EU-Israel Association Council and today's meeting in Brussels, which featured the participation of Israeli Intelligence Minister Elazar Stern in person and the virtual participation of Israeli Prime Minister Yair Lapid. By hosting this meeting today, and in particular reactivating the EU-Israel Association Council after 10 years of inactivity, the European Union is providing a stamp of approval to Israel's ongoing crimes against the Palestinian people.

We greet with thanks the letter of 47 Members of European Parliament who, in their letter of 22 September 2022, urged the cancellation of this meeting and highlighted the numerous ongoing war crimes and crimes against humanity of the Israeli occupation against the Palestinian people, including:

- The forced expulsion of over 1,000 Palestinians in Masafer Yatta
- The ongoing expansion and construction of illegal settlements in the occupied West Bank of Palestine
- The confiscation and destruction of land, resources, homes, civilian buildings, infrastructure and water resources by the Israeli occupation
- The over 15-year-long blockade of Gaza
- The arrest and imprisonment of Palestinian prisoners, particularly child prisoners
- The ongoing and rampant violations of international humanitarian and human rights law throughout occupied Palestine and the disregard and rejection of international mechanisms of justice and accountability.

As this meeting takes place today, there are 30 Palestinians, all jailed with no charge and no trial, who have been on hunger strike for nine days against the Israeli policy of administrative detention. On multiple occasions, representatives and spokespeople of the European Union have expressed [concern and criticism of the Israeli policy and practice](#) of routine detention of Palestinians without charge or trial, often renewed for lengthy periods, including years at a time. The EU has even referred to this concern as a “long-standing” matter. Nevertheless, while 30 Palestinians are on hunger strike to bring an end to this policy, EU officials have seen fit to convene the Association Council and promote greater interaction and trade with the Israeli occupation rather than boycott and accountability.

One of those 30 Palestinians on hunger strike is Salah Hamouri, the French-Palestinian citizen who is not only imprisoned without charge or trial but who is also being threatened with forcible expulsion and deportation from his home city of Jerusalem. Mr Hamouri is a lawyer and human rights advocate with Addameer Prisoner Support and Human Rights Association, one of seven large Palestinian non-governmental organisations that have been labeled “terrorist” by the Israeli government of Lapid. While multiple European governments have denounced and rejected these designations, Mr Hamouri remains imprisoned without charge or trial, the organisations remain subject to sanction and repression – and, yet, the EU-Israel Association Council is convened. Mr. Hamouri has been isolated in Hadarim prison after announcing his hunger strike, thrown in solitary confinement in unsanitary conditions, as an attempt to pressure him to end his struggle for justice. If the EU intends to make a serious critique of administrative detention, an illegal form of torture and collective punishment, it must not be limited to asides in memos that then go on to [condemn the boycott of Israel](#).

Israel’s use of administrative detention is conducted in violation of international humanitarian law. Under such law, administrative detention may only be justified on an urgent and individualized basis, for “urgent reasons of security.” There are currently 743 Palestinians jailed without charge or trial under administrative detention, many of them for a year or more. They comprise a substantial proportion of the 4,650 Palestinian political prisoners in Israeli occupation jails.

The Israeli use of administrative detention against the Palestinian population, a civilian population under occupation, is routine, systematic and used regularly at the whim of military officials. It serves only as a mechanism for political imprisonment in cases that are too weak even to be brought before the extensive system of Israeli military courts, which convict over 99% of the Palestinians brought before them, allow evidence obtained through torture and operate as part and parcel of the military occupation.

This form of imprisonment has been used systematically a mechanism to arbitrarily detain numerous Palestinians and hold them without charge or trial for years on end, as detention orders may be indefinitely renewed, again, by military order. While the occupation states that Palestinians can challenge their detention, they are jailed under “secret evidence” denied to their lawyers, meaning they have no practical ability to challenge administrative detention. This is why hundreds of Palestinians have launched hunger strikes against this form of imprisonment in the past decade, including the 30 currently on hunger strike.

While the Israeli practice of administrative detention fundamentally violates the Fourth Geneva Convention, we further note that Palestinian prisoners, including administrative detainees, are transferred routinely to prisons inside the territory of the occupier, in violation of the Convention’s Article 76. Further, the use of “secret evidence” denies Palestinians the right to mount a meaningful defense or face a fair hearing in violation of Article 9 and Article 14 of the International Covenant on Civil and Political Rights (ICCPR). This convention guarantees

people's rights to know the reason for their arrest and be free of arbitrary arrest or detention. Of course, the Israeli military court system also violates the provisions of the ICCPR.

As noted by the International Association of Democratic Lawyers, “Administrative detainees are also denied the ability to know when their sentence will end, as their detention orders are subjected to indefinite renewal. This inability to plan for the future is in itself a form of cruel, inhuman and degrading treatment amounting to psychological torture, as well as a method of collective punishment against the families of Palestinians detained by Israel.”

By hosting the EU-Israel Association Council meeting, the responsible parties in the European Union are lining up with these ongoing violations and providing justification and support to the ongoing detention of Palestinian political prisoners, including the 30 Palestinian prisoners on hunger strike against administrative detention, such as Mr. Hamouri.

We further draw your attention to the statement of the National and Islamic Forces in Gaza, Palestine, today: “We consider the statements of war criminal Lapid in his speech at the United Nations and his reference to the ‘two state solution’ came to facilitate precisely this event, because the Zionist entity wants to achieve economic gains and considers the European Union its first economic partner. The so-called ‘two-state solution’ is just a deceitful liquidationist slogan employed to achieve gains for Zionism and to provide excuses and justifications for the ‘friends of Israel’ in Europe to circumvent reality and European and international law.” We are deeply disturbed that Palestinians imprisoned without charge or trial, jailed by military courts, struggling to live under siege, facing expulsion from their land and denied their right to return home for the past 74 years are being completely disregarded in the pursuit of the renewal of the EU-Israel Association Council.

We also express our deep concern and outrage at the pursuit of multiple gas deals and pipeline agreements with the Israeli occupation, particularly as this is the extraction and plunder of Palestinian natural resources. The occupation regime is already planning to extract gas from the besieged Gaza Sea, while attempting to threaten Lebanon with the extraction of its resources. The Palestinian and Lebanese resistance have been very clear in rejecting the attempts of the occupier to steal their wealth and resources,. Rather than respecting Palestinian and Lebanese sovereignty, just as in Syria and Yemen, pursuit of such gas deals indicates that the EU is instead interested in extracting these resources in partnership with the colonial occupier and in bolstering a warm relationship facilitated by this trade.

In conclusion, we urge you to join those 47 MEPs who have already spoken up, not only about today’s meeting, but about the urgent need to cancel the EU-Israel Association Agreement overall. By providing the Israeli occupation with access to EU funding, academic sponsorship and open markets, the European Union is implicating itself in the full array of crimes against the Palestinian people conducted by this occupying power.

On 29 October, Samidoun Palestinian Prisoner Solidarity Network will join with many other organizations, including the Palestinian Alternative Revolutionary Path Movement, Collectif Palestine Vaincra, CAPJPO-EuroPalestine, Classe Contre Class, Secours Rouge and the Plateforme Charleroi-Palestine for a march from Lumumba Square to the European Parliament in Brussels. Among the demands of this march is ending the EU-Israel Association Agreement and putting an end to the ongoing European support for occupation crimes while criminalizing the legitimate Palestinian resistance. We urge you and your office to join us in raising your voice against this manifest injustice, and to speak out for the liberation of the Palestinian prisoners currently putting their lives on the line to bring an end to detention without charge or trial.

Regards,

Charlotte Kates, International Coordinator, Samidoun Palestinian Prisoner Solidarity Network

Mohammed Khatib, Europe Coordinator, Samidoun Palestinian Prisoner Solidarity Network

Names of the 30 Palestinian Prisoners on Hunger Strike Against Administrative Detention

1. Nidal Abu Aker, 54, of Dheisheh refugee camp, imprisoned without charge or trial under administrative detention since 1 August 2022.
2. Ehab Masoud, 50, of Ramallah, imprisoned without charge or trial under administrative detention since 17 October 2021.
3. Asim Al Kaabi, 44, of Balata refugee camp, imprisoned without charge or trial under administrative detention since 24 August 2022.
4. Ahmed Hajjaj, 44, of Ramallah, imprisoned without charge or trial under administrative detention since 24 August 2022.
5. Thaer Taha, 43, of Ramallah, imprisoned without charge or trial under administrative detention since 1 May 2022.
6. Rami Fadayel, 43, of Ramallah, imprisoned without charge or trial under administrative detention since 5 September 2022.
7. Lotfi Salah, 43, of Bethlehem
8. Salah Hammouri, 37, of Jerusalem, imprisoned without charge or trial since 7 March 2022.
9. Ghassan Zawahreh, 40, of Dheisheh refugee camp, imprisoned without charge or trial since 19 August 2022.
10. Kanaan Kanaan, 30, of Hizma, imprisoned without charge or trial under administrative detention since 3 August 2022.
11. Ashraf Abu Aram, 36, of Ramallah, imprisoned without charge or trial under administrative detention since 7 June 2021.
12. Ghassan Karajah, 32, of Ramallah, imprisoned without charge or trial under administrative detention since 11 August 2022.
13. Saleh Abu Alia, 32, of Ramallah, imprisoned without charge or trial under administrative detention since 4 March 2022.
14. Awad Kanaan, 32, of Hizma, imprisoned without charge or trial under administrative detention since 2 February 2022.
15. Leith Kassaberah, 31, of Beit Anan, imprisoned without charge or trial under administrative detention since 1 February 2022
16. Saleh Al-Jaidi, 30, of Dheisheh refugee camp, imprisoned without charge or trial under administrative detention since 4 August 2022.
17. Basil Mezher, 29, of Dheisheh refugee camp, imprisoned without charge or trial

under administrative detention since 12 November 2021.

18. Majd Al-Khawaja, 28, of Ramallah, imprisoned without charge or trial under administrative detention since 14 June 2022.

19. Jihad Shreiteh, 28, of Ramallah, imprisoned without charge or trial under administrative detention since 8 May 2022.

20. Haitham Siyaj, of Ramallah, imprisoned without charge or trial under administrative detention since 3 November 2021.

21. Mustafa Al-Hasanat, 29, of Bethlehem, imprisoned without charge or trial under administrative detention since 3 February 2022.

22. Azmi Shreiteh al Barghouthi, 23, of Ramallah, imprisoned without charge or trial under administrative detention since 8 May 2022.

23. Muhammad Abu Ghazi, 22, of Arroub refugee camp, imprisoned without charge or trial under administrative detention since 13 March 2022.

24. Ahmed Al-Kharouf, 22 of Ramallah, imprisoned without charge or trial under administrative detention since 13 June 2022.

25. Nasrallah Barghouti, 22 of Ramallah, imprisoned without charge or trial under administrative detention.

26. Muhammad Fuqaha, 22, of Ramallah, imprisoned without charge or trial under administrative detention since 15 March 2022.

27. Tamer Al-Hajouj, 22, of Ramallah, imprisoned without charge or trial under administrative detention since 15 March 2022.

28. Raghad Shamroukh, of Dheisheh refugee camp, imprisoned without charge or trial under administrative detention since 12 September 2022.

29. Zaid Qaddoumi, of Beit Jala, imprisoned without charge or trial under administrative detention since 16 September 2022.

30. Senar Hamad, 20, of Ramallah, imprisoned without charge or trial under administrative detention since 18 April 2022.