



The War on Gaza: Israel's detention and imprisonment of Palestinian students and academics

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The impact of Israel's war on Gaza on Palestinian students and university staff

Israel's war on the Gaza Strip since 7 October 2023, its increase in military operations in the West Bank and the escalation in settler violence, and its repressive policing practices inside the Green Line are having a devastating impact on Palestinian students, staff, and university/college campuses. Formal education has been interrupted, while in Gaza it has ceased completely.[1] International scholars have referred to this assault on Palestinian education as "[scholasticide](#)".

On 20 January 2024, the [Euro-Mediterranean Observatory for Human Rights](#) reported that Israel has killed 94 Palestinian university professors, 231 teachers and administrators, and 4,327 students. All Palestinian universities in the Gaza Strip have been bombed, many destroyed. All universities in the West Bank have switched to online learning to reduce the need for transport by staff and students as the West Bank experiences its highest level of Israeli repression since the Second Intifada (2000-2004).

In this, Fobzu Briefing No. 2 The War on Gaza: Israel's Detention and Imprisonment of Palestinian Students and Academics, detailed information on Israel's arrest and detention of Palestinian students and university staff since 7 October 2023 is provided. The briefing explains Israel's arrest and detention policies and practices, particularly its military orders and the military court system, and how these violate international law and Palestinian rights. It concludes by offering recommendations for parliamentarians.

Arbitrary arrest and military detentions since 7 October 2023

Since Israel's war on Gaza began on 7 October 2023, the number of Palestinians arrested by Israel has risen sharply.

In the period from [7 October 2023 until 23 January 2024](#) (the last date for which we have figures), Addameer, the Palestinian prisoner support and human rights association, reported that Israel has arrested 6,220 Palestinians in the West Bank and Israel, of which 200 are women, 355 are children, and 100 are recorded as university students. There is no accurate information on the Palestinians arrested in the Gaza Strip, because Israel has refused [the ICRC and lawyers access](#), but media sources have reported hundreds being detained in military camps inside Israel in harsh conditions. By refusing to provide information, Israel has conducted what amounts to "[enforced disappearances](#)", which is considered a crime against humanity.

By 23 January 2024, the total number of Palestinian prisoners in Israeli prisons exceeded 8,800 including more than 3,300 administrative detainees. Before 7 October 2023, the number of Palestinian administrative detainees held in Israeli prisons was around 1,320. Palestinians currently held under administrative detention include 32 children and 10 women.

[1] For further information on the wider impact of Israel's war on Gaza on Palestinian students and university staff, see [Fobzu Briefing No.1](#) The War on Gaza: The Assault on Palestinian Higher Education, published in December 2023.

Administrative detention is detention without charge or trial. It is usually used by repressive regimes to detain political dissidents and has been used extensively by Israel against Palestinians since 1967. Approximately 500 Palestinians have been detained “administratively” by Israel [every year since 1989](#).

[Because administrative detention is particularly used against political activists](#), Israel employs it widely to detain Palestinian students. [In 1985, for instance](#), half the Palestinians who received administrative detention orders were students. We have no exact figures for how many Palestinian students are currently being held under Israeli administrative detention, but these are likely to be substantial.

Palestinians in the West Bank, excluding East Jerusalem, are subject to Israeli military rule and the Israeli military court system, which are an essential part of the [infrastructure of Israel’s 57-year occupation](#). Since 2005, Israel has detained Palestinians from the Gaza Strip under its 2002 Unlawful Combatant Law. This is similar to administrative detention as it allows arrests without clear charges with an indefinite duration.

Palestinian citizens of Israel and Palestinians with East Jerusalem identity cards are subject to Israel’s civic penal code system but experience repressive policing practices facilitated by extremely elastic interpretations of what constitutes a “threat to Israeli security”. They are also at risk of administrative detention according to the Emergency Powers Act (Detention) 1979, albeit with more judicial oversight.

“In most cases, Palestinian students stand trial in Israeli military courts in Israel, outside the occupied territory which contravenes the Fourth Geneva Convention on the right to be tried in the occupied country and in their own language.”

Law For Palestine: [Israel's Arrest Policy against Palestinian University Students, 2023](#)



Layan Kayed (23), Elyaa Abu Hijla (21) and Ruba Asi (21) - Three female Palestinian students from Birzeit University in arbitrary detention by Israel’s military authorities.

A tool for eroding Palestinian national identity and undermining civic activity

Israel denies Palestinians the right to freedom of expression, assembly, or political affiliation. This has a particularly devastating impact on students and academics. To intimidate and silence Palestinians, Israel uses arrests and detention, particularly to remove activists and potential leaders from civil society. Law for Palestine, in its [April 2023 report](#) to the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, calls these practices “a tool for eroding Palestinian national identity and consolidating Israeli colonialism.”

Since 1967, Israel has detained approximately [one million Palestinians](#), including tens of thousands of children. As a percentage of population this has meant that [four out of every ten](#) Palestinian men have spent time in Israeli jails. Every Palestinian family is affected by what Francesca Albanese, UN Special Rapporteur for Palestinian Human Rights, has called “[Israel’s unlawful carceral practices](#)”.

[Israel reports](#) that these arrests and detentions are for “security purposes” and to “counteract terrorism”. But Israel defines these widely to include expressions of Palestinian cultural and political identity, as well as membership of or support for organisations it has proscribed as “terrorist”.

In October 2021, Israel [outlawed six Palestinian civil society](#) organisations: [Addameer](#) which focuses on prisoner-support; [Al-Haq](#), the human rights organisation; the [Bisan Center for Research and Development](#) which campaigns for the social and economic rights of the poor and marginalised; the children’s rights organisation, [Defense for Children International-Palestine](#); the [Union of Agricultural Work Committees](#) which represents the interests of Palestinian farmers; and the feminist organisation, the [Union of Palestinian Women’s Committees](#).

Praising, sympathising, or supporting a proscribed organisation carries a prison sentence of up to 10 years. Anyone caught in possession of materials from a proscribed organisation can be arrested. Israel’s extremely loose interpretation of what it considers to constitute “terrorist material” includes [Palestinian literature and the Palestinian flag](#).



The impact on Palestinian academics and students since 1967

Since 1967, Israel has arrested and detained thousands of Palestinian students. These repressive practices are constant and not confined to times during wider Palestinian political mobilisation. For instance, between 1 January 2019 and 17 October 2022, Israel arrested 214 Palestinian university students in the West Bank. Israel also implements a [severe detention policy](#) against Palestinian students inside the Green Line who hold Israeli citizenship.

In the West Bank, Israel proscribes student associations, frequently arresting and detaining students for participating in campus activities. Students who are Palestinians citizens of Israel are also targeted, with the discretion given to Israel's police when it comes to "security" and "terrorism" entailing wide-ranging arrests, including [for playing Arabic music](#) at the Hebrew University of Jerusalem in March 2023.

University students in the West Bank are usually arrested at night during Israeli military raids. But they are also often detained and arrested at checkpoints on their way to university. In addition, Israel [regularly invades](#) Palestinian university campuses, arresting students (particularly active members of student unions) and causing widespread damage to infrastructure including confiscating student union equipment.

Sometimes these raids are caught on film, such as the storming of Birzeit University [on 7 March 2018](#), when six Israeli military operatives, disguised as Palestinian journalists, arrested Omar al-Kiswani, the president of the students' union. On this occasion, the Israeli undercover soldiers are seen beating and kicking al-Kiswani, and threatening to shoot other students. Al-Kiswani was sentenced to 50 months in prison, and [fined 55,000 NIS](#) (just under 12,000 GBP). He was the seventh president of the students' union arrested by the Israeli authorities since 2004. In 2021, following a submission by Lawyers for Palestinian Human Rights, the UN Working Group on Arbitrary Detention found that three female Palestinian students from Birzeit University, Layan Kayed (23), Elyaa Abu Hijla (21) and Ruba Asi (21), were being [arbitrarily detained](#) by Israel's military authorities. [Over 100 students from Birzeit University](#) are currently in prison.

Similar [Israeli raids](#) have been conducted at Al-Quds University in Abu Dis, Hebron University, An-Najah University in Nablus, the Palestinian Technical University in Tulkarm, the Arab American University in Jenin, Bethlehem University, and Ahli University in Bethlehem. Today, no Palestinian university campus is safe.

[Palestinian academics](#) in the West Bank have experienced arrest and administrative detention – some repeatedly, such as one of Palestine's most prominent scientists, [Imad Ahmed](#), a professor of astrophysics at al-Quds University, and [Ahmad Qatamesh of Birzeit University](#). [Amnesty International](#) designated Qatamesh a prisoner of conscience in 2017.

"While on campuses around the world, student activism tends to be accepted and welcomed, that same kind of activism is forbidden for [Palestinian students](#)."

Anat Matar - Senior Lecturer of philosophy at Tel Aviv University

Arrests and detention of Palestinian students and academics since 7 October

Since 7 October, there has been a reported escalation in the arrest and detention of Palestinian [academics and students](#) by Israel. At Birzeit University, these include Ferouz Salameh, a postgraduate female student in the Israeli Studies Programme; [Dr Hudhaifa Nabil Jabar](#) from the Accounting Department; as well as the [two brothers](#) Muhammad Zuhair Al-Zuhairi, a student at its Faculty of Law and Public Administration and Ibrahim Al-Zuhairi of the Media Department. On 24 October, Bethlehem University announced the arrest of its student union head, Moatasim Omar Issa. On 9 November, An-Najah National University in Nablus reported the arrest of several of its staff and students, including the head of the student union, Omar Sari.

Universities have also reported Israeli military raids on their campuses. This is one of the reasons for the switch to online learning. Israel's most recent military raid on Birzeit University on [8 November 2023](#) resulted in one Palestinian being shot by Israeli soldiers. This was the second raid on Birzeit University since the academic year began, the first took place on [24th September](#), resulting in the arrest of eight students including student council president Abdelmajid Hassan.

Inside the "Green Line", intimidation, surveillance, and incitement against Palestinian students in Israeli universities has hugely increased since 7 October 2023. Palestinian [students have reported](#) the excessive use of force by Israeli police, including physical assaults and unsubstantiated accusations of resisting arrest. In a letter to Israeli government officials in January 2024, the [Middle East Studies Association](#) in the United States condemned these practices, including the suspension without due process of nine Palestinian students at Haifa University for social media activity.

[At least six academics at Israeli universities have faced disciplinary action since 7 October](#). Warda Sada was fired from her post at Kaye Academic College of Education in Be'ersheva for social media posts, as was Uri Horesh at the Achva Academic College near Ashdod. Nadera Shalhoub-Kervorkian of the Hebrew University in Jerusalem was threatened with legal action and urged to resign by the university president for signing a petition calling for a ceasefire and an end to Israel's genocide in Gaza; she also faced death threats.

The [British Society for Middle East Studies](#), which represents students and academics researching and teaching on the Middle East, has repeatedly condemned the targeting of Palestinian students and academics.

"An-Najah National University denounces the campaign of arrests launched by the occupation in the West Bank against our people, which has affected a number of academic colleagues and students, the most recent of which was the arrest of the head of the Student Union Council, Omar Sari"

An-Najah [University press release](#), 9 November 2023.

International law and the right to liberty

The protection of liberty and against arbitrary arrest and detention is a fundamental right enshrined in international law. The prohibition against arbitrary deprivation of liberty is a peremptory norm of international law. This means that there are no circumstances under which it can be ignored, including during war or states of emergency. This also applies to prohibitions of torture, racial discrimination, and apartheid.

Further, the deprivation of liberty in situations of belligerent occupation is governed by the Hague Regulations, the Third and Fourth Geneva Conventions, and customary international humanitarian law. These outline guarantees and procedures for captured combatants and protection for civilians arrested or detained in occupied territory.

Israel's military laws have criminalised fundamental freedoms such as protection of liberty, freedom of dissent, association, and assembly. Israeli forces' widespread use of administrative detention may amount to a grave breach of the Fourth Geneva Convention and the war crimes of unlawful confinement of a protected person.

Under international criminal law, unlawful deprivation of liberty and the denial of the right to a fair trial may amount to crimes against humanity and war crimes under certain circumstances.

Palestinian universities, student associations, and academic trade unions are appealing to the international community to support their rights to education and against arbitrary arrest and detention by Israel.



Birzeit University Raid - 8 November 2023

Recommendations for Parliamentarians

To ensure the UK fulfils its legal and ethical duties to the Palestinian people, and Palestinian students and educators in particular, Parliamentarians must urgently:

1. Support calls for an immediate and permanent ceasefire to prevent further indiscriminate bombardment, the killing of civilians and destruction of civilian infrastructure, including educational facilities.
2. Support the implementation of the provisional measures ordered by the International Court of Justice to ensure the pursuit of justice and accountability.
3. Call for the illegal siege on Gaza to be lifted and ensure unrestricted access to food, water, fuel, electricity, and humanitarian aid.
4. Work for the international protection of Palestinian civilians, including students and educators, from any further attacks and displacement, ensuring safe return to their homes.
5. Urge the UK's adoption of and adhere to the "[Principles of State Responsibility to Protect Higher Education from Attack](#)" developed by the Global Coalition to Protect Education from Attack.

Further Reading

- [War on Want Report - Judge, Jury and Occupier](#)
- [Amnesty International](#)
- [Al-Haq](#)
- [Military Court Watch](#)
- [Right to Education Campaign](#)
- [Addameer](#)
- [Lawyers for Palestinian Human Rights Student Protection Project](#)