

**Adalah** The Legal Center for Arab Minority Rights in Israel

عدالة المركز القانوني لحقوق الاقلية العربية في اسرائيل

עדאלה המרכז המשפטי לזכויות המיעוט הערבי בישראל



**10 May 2010**

**Re: Urgent attention and action requested: Arrest and incommunicado detention of Ameer Makhoul, Director of Ittijah – Union of Arab Community-Based Associations**

Dear Mrs. Navi Pillay  
The UN High Commissioner for Human Rights

Adalah – The Legal Center for Arab Minority Rights in Israel is writing to express its alarm and to request your urgent attention and action regarding the arrest and incommunicado detention of Mr. Ameer Makhoul, the Director of Ittijah – Union of Arab Community-Based Associations.

Ameer Makhoul, a Palestinian Arab citizen of Israel, is a political activist and human rights defender. He is the General Director of Ittijah, a network of Arab NGOs in Israel, which is in special consultative status with the UN Economic and Social Council (ECOSOC). He is also an active member of several coalitions and networks of international and regional organizations. In addition, he serves as the Chairman of the Public Committee for the Protection of Political Freedoms in the framework of the High Follow-up Committee for the Arab Citizens of Israel. In this position, he engages primarily in monitoring restrictions on the political freedoms of Arab citizens of the state, including its leaders, denouncing these restrictions and voicing sharp and open criticism thereof in Israel and abroad.

According to Mr. Makhoul's family on 6 May 2010, at 3:10 am in the middle of night, sixteen GSS (Shin Bet or Shabak) agents and Israeli police officers entered the family home in Haifa and arrested him. They conducted an extensive search of the home, confiscating documents, maps, the family's four mobile phones (belonging to Mr. Makhoul, his wife and his two daughters), laptops, the hard drives from his daughters' desktop computers, a camera and a tape recorder. The arrest and search orders cited vague "security" reasons. On the same night, the police and security forces raided the office of Ittijah and confiscated documents and computers.

A detention hearing on Mr. Makhoul's case was held at the Magistrates' Court in Petah Tikva later that morning, on 6 May 2010, following which his detention was extended for six days. Shortly after he was arrested, the GSS imposed a prohibition order banning Mr. Makhoul from meeting an attorney for six days. An appeal brought by Adalah on behalf of Mr. Makhoul to the District Court in Petah Tikva against the prohibition order was rejected.

A sweeping "gag order" was placed on the case on 22 April 2010, two weeks before Mr. Makhoul's arrest, forbidding publication of any information relating to the interrogation and the arrest by Israeli media. A motion submitted to the court by Adalah to lift the media gag order will be heard in the coming days.

The arrest follows the imposition of a travel ban on Mr. Makhoul by the Ministry of the Interior on 21 April 2010 that prohibits him from leaving the country for two months. The decision to

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ban Mr. Makhoul from traveling abroad based on emergency regulations – Regulation 6 of the Emergency Regulations (Foreign Travel) of 1948 – and without conducting any prior suitable, transparent and fair hearing is illegal as it violates his rights to freedom of movement and due process.

A group of Palestinian human rights organizations has issued a statement condemning Mr. Makhoul's arrest and travel ban and calling upon the international community to take a strong stand opposing the Israeli campaign against human rights defenders. In the statement the organizations wrote that, "Makhoul's arrest warrant and travel ban order are based on 'secret' information that is never disclosed to the defense." These acts, they continue, constituted "arbitrary political actions in violation of fundamental principles of due process and human rights standards."

There is a grave suspicion that the decision to arrest and detain Mr. Makhoul was based on purely political considerations that pertain to his struggle against the permissive use of emergency regulations against Arab citizens of Israel, as well as the criticism he levels against all expressions of political persecution against the Arab leadership in Israel.

At no time since Mr. Makhoul's arrest has he been able to talk to or meet a lawyer or members of his family. To date, no charges have been lodged against him.

The arbitrary arrest of Mr. Makhoul comes at a time of heightened racism against Arab citizens of Israel, which has resulted in the recent indictment of two Arab Members of Knesset – MKs Mohammed Barakeh and Said Naffa', following the previous indictment of Sheikh Raed Salah, the Head of the Islamic Movement in Israel – for political activities, and of attacks against human rights organizations in Israel working to defend Palestinian rights.

Widespread statements of support have been received since the arrest from Palestinian, Arab and international organizations, including Ittijah's partner and donor organizations, many of which have undertaken intensive lobbying on Mr. Makhoul's behalf.

In light of the above we urge you to take the following actions:

1. To issue a public statement of concern about the arrest and incommunicado detention of human rights defender Amir Makhoul, and to keep apprised of the situation;
2. To express concern about the arrest and incommunicado detention of Mr. Makhoul to Israeli government officials and parliamentarians and seek guarantees, in all circumstances, of his psychological and physical safety and his right to meet an attorney and members of his family.

Yours sincerely,

Hassan Jabareen, Attorney  
General Director

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