



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

عدالة المركز القانوني لحقوق الأقليات العربية في إسرائيل  
עזאלה המרכז המשפטי לזכויות המיעוט הערבי בישראל

13 March 2024

For the Attention of:

Professor Tamir Shafer, Rector of the Hebrew University  
Professor Asher Cohen, President of the Hebrew University  
Mr. Yishai Fraenkel, Vice President and Director General  
Mr. Yossi Gal, Vice-President for Advancement and External Relations  
Professor Aharon Palmon, Vice President for Research and Development  
Professor Oron Shagrir, Vice President for International Affairs  
Professor Mona Khoury, Vice President for Strategy and Diversity  
Professor Avi-Hai Hovav, Vice Rector  
Professor Lilach Sagiv, Vice Rector

Greetings,

**Re: Revocation of decision to suspend Professor Nadera Shalhoub-Kevorkian**

We hereby address you with a request to cancel the decision by the administration of the Hebrew University of Jerusalem (hereinafter: the University) to suspend Professor Nadera Shalhoub-Kevorkian from her teaching position at the university. As detailed below, the decision of the University is arbitrary and unreasonable, infringing both on freedom of expression and academic freedom, as well as inciting, in contravention of international legal principles, unauthorized, contrary to the University's own regulations, and unjust.

1. On 12 March 2024, Professor Shalhoub-Kevorkian received notice from the University of her suspension from her position at the University worded as follows:

Professor Shalhoub-Kevorkian, greetings.

Since the beginning of the war you have expressed yourself in a disgraceful, anti-Zionist, and inciting manner.

At the beginning of the war, you signed a petition that labeled Israel's actions in Gaza genocide, and characterized it as an occupying entity from 1948. In response, we sent (on 29 October 23) an exceptionally serious letter, in which

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we called on you to consider resigning from your position at the Hebrew University of Jerusalem.

Since then, you have continued to take advantage of the reputation of our esteemed institution, and to harm it and Israel both locally and internationally. **Your expressions take freedom of expression and academic freedom to the extreme, and cynically exploit them to the point of division and incitement.** The Hebrew University is proud to be an Israeli, public, and Zionist institution, and condemns with disgust your shocking and outrageous statements. As before, we reiterate our call for you to find another academic home that is aligned with your positions.

At this stage, and in order to maintain a safe climate on campus for our students, the University has decided to suspend you from teaching.

Professor Tamir Shafer” (emphasis in original).

2. We are concerned about the decision, which is based on ideological positions that seek to align with the Jewish-Zionist consensus expressed in this war. The decision therefore creates a one-dimensional university and academic space, wherein there is no space for diversity of opinion, which then becomes an unsafe and dangerous space, in which anyone who expresses critical positions towards the policy of the State of Israel in this war on Gaza is incited against. This affects a large segment of the staff and students at the University, especially Arabs.

3. Thus, the position implied by the decision places this institution among the ranks of the darkest regimes in the world. Instead of encouraging the development of critical positions, as every academic institution is required to do, the decision implies blind support for the official and military policies of the State of Israel, and a willingness to engage in policing of opinions, as an active part of a policy of political control and repression.

4. The University’s decision represents a continuation of your extreme stance, as expressed clearly in your previous letter to Professor Shalhoub-Kevorkian dated 29 October 2023, in which you requested her to consider resigning from her position at the University, solely because she signed a petition warning against genocide in Gaza. In this context, one may refer to the decision of the International Court of Justice (ICJ) from 26 January 2024, according to which an interim resolution was issued to the effect, inter alia, that at least some of the acts and omissions that South Africa alleges that Israel carried out in Gaza may fall within the scope of the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

The decision is available at the following link: <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>

5. Therefore, your decision is in conflict with international values enshrined in the orders given in the aforementioned decision by the ICJ. Instead of positioning

yourselves as those struggling against those who incite genocide in Gaza, as required by international law, you are now fighting against those who warn against such an occurrence, in violation of international law and contrary to international law and the [Israeli] Law Regarding the Prevention and Punishment of the Crime of Genocide, 1950.

6. It should also be mentioned that your decision is discriminatory, inter alia, due to the fact that the University did not take a position against staff members who incited to the commission of war crimes in Gaza, by expressing opinions in favor of killing Palestinian residents of Gaza, regardless of whether or not they were involved in the fighting.

7. Moreover, the University's decision was made without proper authority. The Disciplinary Regulations for Academic Staff at the University do not grant authority to make such a suspension. The lack of authority in the decision is at two levels: **first**, the lack of authority to impose any sanctions for statements made by Professor Shalhoub-Kevorkian outside the walls of the University that have no direct connection to the University or its academic community. The **second** level relates to the absence of any disciplinary proceedings taken against her. According to the Disciplinary Regulations, the temporary suspension of a faculty member is possible only within the framework of disciplinary proceedings, after a hearing, and by the head of the Disciplinary Committee (Articles 19 and 48 of the Disciplinary Regulations).

**In light of the above, you are hereby requested to immediately revoke the University administration's decision to suspend Professor Shalhoub-Kevorkian.**

Yours sincerely,

Attorney Dr. Suhad Bishara,

Attorney Dr. Hassan Jabareen,

Cc:

- Prof. Asher Ben-Arieh, Dean of the School of Social Work and Social Welfare
- Prof. Tomer Broude, Dean of the Faculty of Law