

URGENT ACTION

DROP ALL CHARGES AGAINST AHMAD KHALEFA

Ahmad Khalefa, a Palestinian citizen of Israel, is a lawyer, human rights defender, community organiser and newly elected city council member. On 19 October 2023, Israeli police violently arrested him along with 10 other demonstrators from a peaceful protest in his native town of Umm al-Fahm in northern Israel. He was subsequently charged with “incitement to terrorism” and “identification with a terrorist group,” for chanting slogans against the war in Gaza. After nearly four months in prison, Ahmad Khalefa was put under house arrest under strict terms, including electronic tagging. His next hearing will be held before the Haifa Magistrate’s court on 8 April 2024. Israeli authorities must immediately and unconditionally release Ahmad Khalefa from house arrest, allow him to resume his work without intimidation and drop the baseless charges against him.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Adv. Amit Aisman
State Attorney
The Office of the State Attorney
Email: State-attorney@justice.gov.il

Dear Amit Aisman,

I am writing to express my grave concern over the indictment, silencing and intimidation of Palestinian human rights lawyer, Ahmad Khalefa, under the cover of Israel’s discriminatory counterterrorism law. A Palestinian citizen of Israel, Ahmad Khalefa is a prominent human rights defender, community organiser and an elected member of the Umm al-Fahm city council.

On 19 October 2023, Ahmad Khalefa was violently arrested, along with 10 other protesters, including four children, in Umm al-Fahm, during a peaceful demonstration against the Israeli military offensive in the occupied Gaza Strip. Despite injuries sustained from his arrest, Ahmad Khalefa was denied medical treatment and transported directly to Megiddo Prison.

On 6 November 2023, Ahmad Khalefa was charged with “incitement to terrorism” and “identifying with a terrorist organization” solely for leading a peaceful protest and for chanting peaceful, nonviolent slogans against the Israeli occupation. He is the first protester to be indicted and imprisoned for such slogans, which are common in protests by Palestinians in Israel, including in recent protests after 7 October. During the nearly four months he spent in prison, Ahmad Khalefa was subjected to torture and other ill-treatment, including beating, and witnessed the severe torture of other prisoners as well. Amnesty International’s researchers reviewed the slogans chanted by Ahmad Khalefa – and by other protesters - and concluded that none of them amounted to advocacy of hatred.

On 8 February 2024, Ahmad Khalefa was put under house arrest following a decision by the Israeli Supreme Court to accept his appeal, but he continues to face extreme restrictions, including electronic monitoring, being banned from using the internet, and spending the house arrest outside his hometown of Umm al-Fahm, where his children study. The court assigned his wife Lina as his guarantor who has to stay with him at all times. Consequently, Ahmad and Lina were forced to rent an apartment in Haifa and have been separated from their three young children.

Ahmad Khalefa’s next hearing before the Haifa Magistrate’s Court is scheduled for 8 April 2024. The baseless charges against him, part of a broader crackdown against Palestinian citizens of Israel and their freedom to protest against the war on Gaza, violate Israel’s obligations under Articles 19 and 21 of the International Covenant on Civil and Political Rights, which it has ratified.

I therefore urge you to act swiftly to drop all charges against Ahmad Khalefa and to immediately and unconditionally release him from house arrest and lift all associated restrictions of his rights. He must be allowed to resume his vital work and activism without reprisals or intimidation.

Yours sincerely,

ADDITIONAL INFORMATION

Ahmad Khalefa, 42, is a Palestinian citizen of Israel and human rights defender from Umm al-Fahm, a Palestinian city in northern Israel. As a human rights lawyer, he has been tirelessly defending the rights of Palestinians in Israel and the occupied territories, including administrative detainees, communities at risk of displacement in the Negev/Naqab and students facing criminalization over issues related to freedom of expression. Newly elected to the Umm al-Fahm city council, Ahmad Khalefa is also a prominent community organizer and a founding member of al-Herak al-Fahmawi, a local grassroots movement that campaigns against organized crime and gender-based violence within Palestinian communities in Israel.

In November 2023, Ahmad Khalefa was charged with "incitement to terrorism" and "identifying with a terrorist organization" under Article 24 of Israel's 2016 Counter-Terrorism Law, a law that contains numerous repressive and draconian measures designed to stifle dissent and consolidate Israel's apartheid system against Palestinians. The indictment is based on slogans that Ahmad Khalefa chanted in a peaceful protest and which have been commonly chanted by Palestinians for decades, including in protests after 7 October. These include:

"Gaza shall not surrender; to the tank or to the gun"; "There can be no other solution, except for an end to occupation."

Ahmad Khalefa spent nearly four months in prison. In one of the court hearings, he testified to the cruel and inhumane prison conditions inside Megiddo prison, describing systematic food deprivation, lack of clothing, and degrading abuse at the hands of prison wardens. Following that testimony, Ahmad Khalefa was subjected to reprisal, including physical violence, and transferred to another prison. On 15 January 2024, the Haifa District Court decided to detain Ahmad Khalefa until the conclusion of all proceedings, deeming him "too ideologically dangerous" to be released from prison in light of the security situation.

On 8 February, following a joint appeal submitted by Ahmad Khalefa's legal team, the Israeli Supreme Court overturned the Haifa District Court's decision and put him under house arrest, citing his clean criminal record. His wife Lina was assigned as his guarantor, tasked with ensuring his compliance with the conditions of the house arrest, which also include ban from using the internet, electronic tagging, and residing outside their hometown. The couple were forced to rent a house in Haifa, separating them from their three children and forcing Lina to take an open-ended leave from her job as a teacher.

Following Ahmad Khalefa's indictment, the disciplinary committee in Israel's bar association initiated procedures to revoke his license. The arrest and indictment of Ahmad Khalefa and the procedures to disbar him are part of a severe and unprecedented crackdown on the right to freedom of expression of Palestinian citizens of Israel and Palestinians from occupied East Jerusalem. Since the beginning of the war, the state of Israel has filed hundreds of indictments against Palestinians for expression-related offenses under the Counter-Terrorism Law. Most of the cases involve expressions made on social media. Additionally, a recent report to the Knesset's Constitution, Law, and Justice Committee on 5 February 2024 notes that 394 investigations based on allegations of incitement to terror have been initiated since 7 October 2023, the vast majority of them against Palestinian citizens or residents.

If the case against Ahmad Khalefa ends in a criminal conviction, this will have chilling and far-reaching effects on the rights to freedom of expression, association and peaceful assembly, particularly for Palestinians.

Protect the protest, take action and join Amnesty International in call on Israel's State Attorney, to drop the baseless charges against Ahmad Khalefa and to immediately and unconditionally release him from house arrest so he can resume his vital work and activism.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Hebrew and Arabic.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 16 May 2024.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Ahmad Khalefa (He/him).