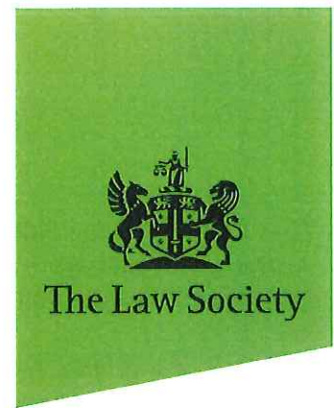


From the President

President of the State of Israel
Mr. Reuven Rivlin
3 Hanassi St., 92188 Jerusalem
Israel



17 April 2015

Your Excellency

Israel – Ms Shireen Issawi – Human Rights Lawyer at risk

The Law Society is the professional body representing more than 145,000 solicitors in England and Wales. Its concerns include upholding the independence of the legal profession, the rule of law and human rights throughout the world.

The Law Society is concerned by reports of the arrest, imprisonment and ill-treatment of the Palestinian human rights lawyer, Ms Shireen Issawi. It is reported that the Israeli Army entered Shireen Issawi's house on 6 March 2014 and arrested her without warrant, and one of her brothers as well as another individual believed to be a lawyer who was present in her house. The Israeli forces confiscated some of her personal items. According to the UN Working Group on Arbitrary Detention, she has been held for two months in solitary confinement in Al Maskubieh Complex of Jerusalem, with no family visits and severe questioning for more than a month. She has been subsequently transferred to the Hasharon prison.

Shireen has been charged with offences relating to the transmission of "information from political prisoners to parties hostile to Israel", allegedly on false facts. Shireen's trial was set for three days of hearings in October 2014 but has been postponed several times and the court ordered continued detention until further notice.

Since her transfer to the Hasharon prison, Shireen has allegedly been a victim of ill-treatment and harassment from the Israeli forces, and has occasionally been denied water and food. It is understood that she remains in solitary confinement. The Special Rapporteur on Torture reports that Ms Issawi has been denied the opportunity to challenge the lawfulness of her detention.

The Working Group on Arbitrary Detention sent a communication to the Israeli government in July 2014 to get further information on Shireen's arrest and detention but never got any reply, *"thereby failing to cooperate with the mandate issued by the Human Rights Council in its resolution 25/13, and to comply with its obligation, under international customary law, to investigate, prosecute and punish all acts of torture and other cruel, inhuman or degrading treatment or punishment, as codified, inter alia, in the Convention against Torture"*. (Special Rapporteur's report dated 5 March 2015).

Regarding Ms Issawi's right to liberty and security, we recall the following international standards:

The International Covenant on Civil and Political Rights (ICCPR)(1966), **which Israel ratified in 1991** states in Article 9.1 that:

“Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”

Article 3 of the UN Universal Declaration of Human Rights (UNDHR) states: *“Everyone has the right to life, liberty and security of person.”*

Regarding Ms Issawi’s right to a fair trial:

The ICCPR states in Articles 9.2 and 9.3:

“2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.”

Article 14 of the ICCPR states: *“All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.(...)”*

Article 9 of the UNDHR states: *“No one shall be subjected to arbitrary arrest, detention or exile”.*

Article 10 of the UNDHR states: *“Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.”*

Regarding the allegations of ill-treatment and the use of solitary confinement:

Principle 1 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment states:

“All persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person.”

Principle 7 of the UN Basic Principles for the Treatment of Prisoners states:

“Efforts addressed to the abolition of solitary confinement as a punishment, or to the restriction of its use, should be undertaken and encouraged.”

General Comment no.20 of the UN Human Rights Committee states:

“6. The Committee notes that prolonged solitary confinement of the detained or imprisoned person may amount to acts prohibited by article 7.”

Additionally, we draw your attention to The Istanbul Statement on the Use and Effects of Solitary Confinement.

As for Ms Issawi’s rights as a human rights lawyer:

Principle 18 of the UN Basic Principles on the Role of Lawyers states that:

"Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions."

Article 1 of the UN Declaration on human rights defenders states:

"Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels."

We respectfully request that you use all the powers vested in your office to:

- ensure that Ms Issawi is released immediately or that her trial commences immediately and is conducted in accordance with international human rights standards;
- that if her trial cannot commence immediately she is bailed pending trial;
- ensure that an immediate, impartial and thorough investigation on her ill treatment during detention is carried out ;
- work to safeguard all human rights defenders in Israel, and ensure that they are free to carry out their activities without being persecuted or fearing for their lives.

Yours sincerely,



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President

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