



BAR HUMAN RIGHTS  
COMMITTEE OF  
ENGLAND AND WALES

**President Shimon Peres**  
President of the State of Israel  
The Office of the President  
3 Hanassi Street, Jerusalem 92188  
Israel

London, 4 November 2008

Dear President,

**Re: The administrative detention of Salwa Salah and Sara Siureh**

The Bar Human Rights Committee of England and Wales is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with defending the rule of law and internationally recognised legal standards relating to the right to fair trial.

The Bar Human Rights Committee of England and Wales is contacting you to express its deep concern regarding the administrative detention of **Salwa Salah and Sara Siureh**.

On 5 June 2008, Salwa Salah and Sara Siureh, both minors, were arrested from their homes in the West Bank town of Bethlehem. On 12 June 2008 they were issued with military administrative detention orders, and are currently being held with adult female detainees in Addamoun prison in Israel. **This is the first time that girls under the age of 18 have been put into administrative detention.**

The Bar Human Rights Committee of England and Wales is deeply concerned that two minors are being held in administrative detention contrary to international human rights standards. **Neither Salwa nor Sara have been informed of any charges against them, not the reason for their arrest and detention**, thereby violating fundamental due process and rendering their detention illegal and arbitrary under international law. **Article 9 of International Covenant on Civil and Political Rights** (which Israel has ratified) states that, "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."

According to the **Convention on the Rights of the Child** to which Israel is signatory and to relevant Israeli law, a child is defined as a human being under the age of 18 years. This is reiterated in the **UN Rules for the Protection of Juveniles Deprived of their Liberty**, adopted by General Assembly Resolution 45/113 of 14 December 1990. Notwithstanding those provisions, Palestinian children from the age of 16 years, like Salwa and Sara, are treated as adults under Israeli military regulations governing the Occupied Palestinian Territory in violation of Israel's commitments under international law.

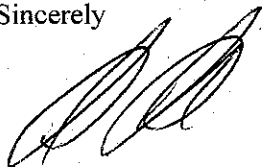
Under **Article 37** of the **Convention on the Rights of the Child**, Israel has committed to ensure that no child shall be deprived of his or her liberty unlawfully or arbitrarily, that every child deprived of liberty shall be treated with humanity and respect and in a manner which takes into account the needs of his or her age including the separation from adults; and shall have the right to prompt access to legal assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court, and to a prompt decision on any such action.

While Salwa and Sara remain under administrative detention, Israel remains in breach of the **Fourth Geneva Convention**, established in 1949 for the Protection of Civilian Persons in Time of War, to which Israel ratified on 6 July 1951. **Article 76** provides that persons accused of offences shall not be detained outside their territory. In contravention to Article 76, Israel is detaining Salwa and Sara in Israeli jails, thereby violating international humanitarian law.

**We appeal urgently to the Israeli government, military and legal authorities to:**

- immediately and unconditionally release Salwa Salal and Sara Siureh in the absence of valid legal charges, or, if such charges exist, bring them promptly before an impartial, independent, competent and fair tribunal and guarantee their procedural rights at all times;
- to ensure that proper regard shall be paid to the special treatment due to Salwa Salal and Sara Siureh as minors, including their separation from adult detainees;
- to immediately cease the practice of holding minors in administrative detention; and
- to immediately cease the practice of holding Palestinian detainees in the territory of Israel.

Yours Sincerely



**Mark Muller QC**

**Chairman**

**Bar Human Rights Committee of England and Wales**