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L4L Statement on the arrest and detention of Palestinian human rights lawyer Diala Ayesh

Lawyers for Lawyers (L4L) raises concerns about the arbitrary arrest and detention of Palestinian human rights lawyer Diala Ayesh.

[Ms. Ayesh](#) is a practicing Palestinian lawyer and human rights defender. She is recognized for her advocacy for the freedom and fair treatment of Palestinian political prisoners and the assurance of fair trial guarantees and the right to freedom of expression. She has been heavily involved in the protection against arbitrary detention and fair treatment of Palestinian political prisoners in Israeli prisons and has faced threats, and harassment from authorities for her work.

In the latest action against her, Ms. Ayesh was arrested by Israeli military forces on 17 January 2024 as she passed through a military checkpoint, known as the Container, set up by the IDF near Bethlehem in southern West Bank. During her arrest, Ms. Ayesh was [reportedly](#) subjected to assault, threats, and intimidation by Israeli soldiers. Ms. Ayesh has since been sentenced to a four-month administrative decision order on 25 January 2024. The order was given without any charge or trial, and she did not appear before a court. The judicial review of this decision, required to take place within 12 days following its issuance, is currently still pending.

Following her arrest, she was then detained in Hasharon Prison, a facility [criticized](#) for its harsh conditions and ill-treatment of imprisoned human rights defenders, until 22 January 2024. Subsequently, she was transferred to Damon Prison where she is currently being held. Allegations of dire conditions at Damon Prison, notably of overcrowding, restrictions on lawyer visits, poor food quality, limited open-air time and inadequate access to protection from the weather and hygiene products, have been raised and reported on by the [United Nations \(UN\) Secretary General, Antonio Guterres](#). In addition, UN experts recently [expressed alarm](#) over credible allegations of Palestinian women and girls in detention being subjected to inhuman and degrading treatment, including multiple forms of sexual assault, by Israeli army officers.

She is currently being held under a set of military laws and orders, updated since 7 October 2023, which permits arrests without communication of charges, extended court appearances, stricter penalties and limited lawyer and family access. This has posed significant challenges to Palestinian lawyers monitoring detainees since its declaration, impeding the ability of the legal profession to carry out its legitimate work effectively by restricting access to information; and unduly suspending due process rights, legal representation and protections.

L4L also expresses serious concern over the alleged violation of Ms. Ayesh's right to fair trial, provided by article 14 of the [International Covenant on Civil and Political Rights](#) (ICCPR). Ms. Ayesh was only allowed access to her lawyers, from Addameer Prisoners Support and Human Rights Association, on 23 January 2024, 6 days after her initial arrest.



L4L emphasises that lawyers play a vital role in upholding the rule of law and the protection of human rights, including the rights to fair trial guarantees, freedom from torture and other inhumane or degrading treatment, and access to justice. Their work is indispensable for ensuring effective access to justice for all. To fulfill their professional duties effectively, lawyers should be able to practice their profession safely and in accordance with recognised laws, standards, and ethics.

Based on the [UN Basic Principles on the Role of Lawyers](#) principle 16: ‘Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (...) and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics’. Further, pursuant to principle 23 of the UN Basic Principles on the Role of Lawyers: ‘lawyers, like any other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights’.

Lawyers for Lawyers calls on the Israeli authorities to:

- Immediately and unconditionally release all political prisoners and human rights defenders, including human rights lawyer Diala Ayesh (pursuant to article 9 ICCPR);
- Ensure Ms Ayesh has access to a lawyer of her choosing, and is provided with adequate opportunities, time, and facilities to be visited by and to communicate with a lawyer, without delay and in full confidentiality (principle 8, UN Basic Principles on the Role of Lawyers and, article 14 of the ICCPR); and
- Ensure Ms Ayesh has access to medical treatment and facilities, and guarantee humane living conditions for prisoners as required by international law (principle 9, [UN Basic Principles for the Treatment of Prisoners](#) and article 12 of the [International Covenant on Economic, Social and Cultural Rights](#)).

L4L urges the Israeli authorities to stop the targeting all human rights defenders, including lawyers in the West Bank and across the Occupied Palestinian Territories and guarantee in all circumstances that they are able to carry out their legitimate work without restriction or fear, including of judicial harassment. L4L echoes the [UN Special Rapporteur on the situation of human rights defenders](#), Mary Lawlor, who said that ‘[t]he work of human rights defenders in times of armed conflict essential’ and that ‘[t]heir efforts are vital in documenting and preserving evidence of violations of international humanitarian and human rights law, and ensuring the possibility of accountability and justice’.