



Rt Hon James Cleverly MP
Minister of State for Middle East and North Africa
Foreign, Commonwealth and Development Office
London SW1A 2AH

24 January 2022

Dear Minister Cleverly,

Re: Urging the UK government to call for an end to the unlawful administrative detention of Amal Muamar Nakhleh, 17 year-old Palestine refugee

As lawyers committed to the protection and advancement of Palestinian human rights, we write to express our deep concern at Israeli authorities' ongoing practice of placing children in administrative detention. Amal Muamar Nakhleh is a 17-year-old Palestinian refugee who, as of 21 January 2022, will have been held in administrative detention for precisely one year. On 18 January 2022, a decision to extend his administrative detention was confirmed. In light of this, we urge the UK government to call for an end to Amal's administrative detention and, more broadly, for an end to the overall use of administrative detention against children.

The case of Amal Nakhleh

LPHR has grave concerns about the indefinite detention of Amal Nakhleh. Amal was first arrested and placed in administrative detention by Israel's military authorities on 21 January 2021. The details of the charges against him were not disclosed to either Amal or his family, who have simply been informed it is a "confidential administrative case". Amal's legal representatives have stated that this is one of the most prolonged cases of administrative detention of a child that they have experienced.

Amal suffers from poor health, having been diagnosed with a severe autoimmune disease at birth. His condition requires ongoing treatment and regular monitoring. Prior to his detention, Amal underwent surgery to remove a cancerous mass. His condition means that he cannot be vaccinated against Covid-19. Amal must also take immune-suppressants and so is particularly high risk if he contracts Covid-19. Conditions in prisons are not conducive either to adequate healthcare or to [protection against Covid-19](#). At the recent military court proceedings on Amal's case, his family observed that he had difficulty talking and breathing, both signs that his medical condition had deteriorated. Given his medical condition, it is clear that Amal faces a greater risk than most. At the proceeding, Amal informed the judge that he would instigate a hunger strike if his detention were to be extended.

Administrative detention of children

In October 2015, Israeli authorities placed a child in administrative detention for the first time since December 2011. Israeli authorities have since exercised the use of administrative detention against children on a number of cases. Military Court Watch (MCW) [statistics](#) show



that in 2021, a monthly average of 5.6 children were held in administrative detention, which is the highest recorded average since 2016 according to MCW data. The practice of administrative detention, whilst permitted under international human rights law and international humanitarian law, is recognised by the UN Human Rights Committee as one which poses “severe risks of arbitrary deprivation of liberty”. Its use should therefore be limited to very exceptional cases of emergency, where there is no other way to prevent the threat posed by the detainee. It cannot be credibly said that the use of administrative detention against children adheres to the very high threshold imposed under international law.

The UN Convention on the Rights of the Child (CRC) requires that States Parties ensure that the “arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”. Furthermore, in accordance with the Convention “[e]very child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age”.

LPHR has previously raised concerns over the Israeli authorities’ renewed use of administrative detention against children since October 2015, particularly in the context of the legal framework highlighted. The practice of administrative detention against children is a stark example of the failure of the Israeli authorities to guarantee the protections provided for under the CRC; neither Amal nor many of the other children who have been held in administrative detention since 2015, have been accorded such rights.

Urgent intervention required by the UK government

We welcome the UK government's previous expressions of concern with regard to the use of administrative detention in Israel. In view of the renewal of Amal Nakhleh’s administrative detention and, more generally, the ongoing practice of administrative detention of children, we would kindly ask that you consider making the following representations to the government of Israel:

1. Urgently raise the case of Amal Nakhleh and prompt for his immediate release from administrative detention or prosecute in accordance with the standards of fair due process for any offences allegedly committed; and
2. Urgently end the use of administrative detention against children.

We are grateful for your careful consideration of this urgent matter and for your written reply.

Yours sincerely,

Tareq Shrourou (Director) and Alamara Khwaja Bettum
Lawyers for Palestinian Human Rights