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ILF-West Bank Reaches Agreement With Public Prosecutor to Gain Access to Clients in Pre-Trial Detention

NEW YORK – In a positive development for clients of the ILF-West Bank, the Public Prosecutor has agreed to contact ILF-West Bank as soon as a person is brought in for questioning, and agreed to allow ILF-West Bank lawyers to advise their clients and be present at the investigation phase of the criminal proceedings. ILF-West Bank lawyers will be on call 24/7 to answer the calls. With this agreement, the Public Prosecutor reaffirmed the importance of the right to counsel for those facing criminal charges and acknowledged that effectively guaranteeing this right requires that lawyers have access to defendants at the earliest possible stage of the process.

This new agreement builds on ILF-West Bank's existing agreement with the Ramallah Juvenile Detention Center, which calls ILF-West Bank as soon as a child is brought to the center. With the cooperation of the Public Prosecutor, the ILF-West Bank is now able to expand its coverage and protect the rights of more Palestinians.

The right to effective legal counsel for persons accused of crimes is a fundamental element of a fair trial. Without the assistance of a lawyer, accused persons are not able to assert and protect all of their legal rights. For the right to counsel to be meaningful, it is essential that defense lawyers have access to their clients immediately upon their detention or arrest.

While there is a broad right to counsel in Palestine, the right to free counsel is limited to felony cases and only from the time of indictment. Felonies in Palestine are defined as offenses carrying

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a possible sentence of more than three years. Ninety percent of crimes carry a sentence of less than three years. As a result, most indigent defendants receive no representation. Recognizing this critical gap in services, ILF-West Bank is working to provide free, quality criminal defense services to all indigent accused persons accused of crimes under the jurisdiction of the Palestinian civilian court system.

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About the International Legal Foundation:

Created in 2001, the ILF is an international nongovernmental organization that assists post-conflict and transitional countries in establishing public defender systems that provide effective, quality criminal defense services for the poor. It is guided by two fundamental principles: that laws must be drafted with an appreciation of the cultural realities of the country in which they will function; and that defense lawyers—as guardians of due process—are indispensable to any fair system of justice and must be provided to anyone accused of a crime.