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Department
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Sarah Champion MP
House of Commons
London
SW1A 0AA

Dear Sarah,

Thank you for your letter of 22 February and for the questions that you raised in your comprehensive and forensic speech at the Westminster Hall debate on the topic of Palestinian children in Israeli military detention on 7 February. As promised, I respond below to a number of your questions. I am happy to make this letter available to any colleague.

Will the Minister therefore please request from his Israeli counterparts confirmation as to whether the pilot scheme is still operational? Will he also request data on the use of summonses since the pilot scheme was announced in 2014, and will he urge that children should not be arrested at night except in extreme and unusual circumstances?

The pilot scheme is no longer operational. We recognise the security concerns of the Israel Defense Forces (IDF) and note their preference for night arrests. We believe that alternatives to night arrests should be pursued and that this practice should only be used in exceptional circumstances.

We encourage the Israeli Government to share more timely and accurate information with the international community in the interests of transparency.

I further ask the Minister to urge the Israeli authorities, as my Hon. Friend the Member for East Lothian (Martin Whitfield) suggested, to allow a parent or guardian to accompany the child during questioning—a right afforded to Israeli children when questioned by the Israeli police.

We encourage the Israeli authorities to ensure that every child has the right to counsel and to consult a lawyer before interrogation, as well as access to a relative.

I ask the Minister to urge the Israeli authorities to remove the security offence exception from the military order providing for audio-visual (AV) recording of detainees and to ensure that all interrogations of children are audio-visually recorded and the tapes made available to the child's lawyer before the first hearing.

We agree with the importance of audio visual (AV) recording in all interrogations. The UK's experience in Northern Ireland showed that the introduction of AV recording equipment helped to improve the interview process and afforded interrogators protection against false accusations, as well as protecting the rights of the child during the questioning process.

Officials at our Embassy in Tel Aviv most recently raised this with the Israeli authorities on 7 February and underlined that children in detention is a top human rights priority for the UK, particularly the use of AV recording.

It would be helpful if the Minister gave an update on commitments the Israeli Government have made?

We remain committed to working with Israel to secure improvements to its practices surrounding children in detention. We welcomed progress made in Israeli policy amendments, including: a reduction in the number of detainees aged between 12 and 14 years old; the increase in the age of maturity from 16 to 18 years old; the establishment of separate juvenile courts; and the enactment of a special statute of limitations for minors. Initial detention periods have also been shortened. That said, we remain extremely concerned about the treatment of Palestinian children detained in Israeli prisons. We are particularly concerned by reports of the continued heavy use of painful restraints and the high number of Palestinian children who are not informed of their legal rights, in contravention of Israel's own regulations.

Has the Minister or anyone in his Department had any conversations that would shed light on Israel's decision to explicitly reject the specific UNICEF recommendation?

This is a matter for the Israeli Government to answer, but we regularly raise the issue of minors in detention and have an on-going dialogue with UNICEF too.

What further steps does he intend to take to encourage Israel to meet its international legal obligations on the transfer of prisoners out of occupied territory?

The Government remains concerned over the continued transfer of Palestinian child and adult detainees to prisons inside Israel in violation of the Fourth Geneva Convention. Officials at the British Embassy in Tel Aviv will continue to raise this issue with the Israeli authorities.

Can the Minister ascertain how many UK citizens are currently involved, directly or indirectly, with the unlawful transfer and detention of Palestinian prisoners outside the occupied territory? What measures will he take in respect of those individuals in accordance with the law?

We do not hold information on this issue. It would be extremely difficult, if not impossible, to ascertain this information. British citizens are subject to the laws of the country in which they are either resident or visiting, as well as international law, and we do not propose setting up any other measures.

The issues around children in detention continue to be a human rights priority for the UK. I raised our concerns with the Israeli Ambassador personally on 27 February. I assure you that the Government remains committed to working with Israel to secure improvements to the practices surrounding children in detention.

*Thank you for raising the debate
warm regards
Alistair*

THE RT HON. ALISTAIR BURT MP
Minister of State for the Middle East and North Africa

