



Mr. President,

Since 2015, an average of 310 Palestinian children are held each month in Israeli detention facilities and prosecuted in the Israeli military court system. Most of them are boys between 12 and 17. But young girls are also arrested and minors less than 12 can be detained for a few hours and released.

As of March 2018, 356 minors were incarcerated by Israel on so-called security offences. Nevertheless these figures do not reflect the global situation of the Palestinian minors and the persecutions towards them as they can be detained and interrogated for short periods of time and then released. As a result, many arrests are not monitored.

Most of the children are charged with stone throwing. Moreover, some minors are held in administrative detention, a policy that is a trend among adults and that breaches international law regarding the way the Israeli authorities use it.

Israeli authorities do not guarantee the protection provided by international law or by Israeli civil law: Palestinian minors are rarely accompanied by a parent nor properly informed of their rights, particularly the following ones: the right to remain silent and the right to access legal counsel prior to the interrogation.

In most of the cases, they sign statements coercively obtained, many of which written in Hebrew, a language they cannot read. According to a study led by Defense for Children International Palestine<sup>1</sup>, 74.5% of them undergo physical violence during their arrest (which happens at night in 40% of the cases<sup>2</sup>), transfer and interrogation. It's a way for the Israeli army to obtain confessions and denunciations, but also to maintain a certain control and pressure on the Palestinian families. UNICEF qualifies ill treatment on children detainees as “*widespread, systematic and institutionalized*”<sup>3</sup>.

Children from East-Jerusalem are officially under Israeli civil law and are tried in civil courts, but *de facto* they suffer the same violations of their fundamental rights as children from the West Bank.

<sup>1</sup> Based on the testimonies of 137 children from the West Bank detained in 2017, *Year-in-review: worst abuses against Palestinian children in 2017*, <http://bit.ly/dcipalestineyear>

<sup>2</sup> According to a B'Tselem study *Minors in jeopardy – violation of the rights of Palestinian minors by Israel's military courts*, march 2018 <http://bit.ly/bstelemreport>

<sup>3</sup> UNICEF, *Children in Israeli military detention, Observations and Recommendations*, February 2013, <http://bit.ly/unicefpalestine>

From the arrest until the trial, the Israeli authorities violate international law, in particular articles 37 and 40 of the International Convention on the Rights of the Child, a binding treaty that Israel ratified. By transferring Palestinian detainees in Israel, the authorities also violate article 76 of the Fourth Geneva Convention.

In addition to possible physical trauma due to ill-treatment, detention of children provokes important psychological traumas. They suffer isolation, a continuous feeling of insecurity, post-traumatic disorder and sometimes drop out from the school system.

Mister President, it seems hard to consider a short-term solution to the question of Palestine. By installing fear and feeling of injustice in the hearts of Palestinian youth, the Israeli policy of children's arrests and detention undermines the hope of a Middle East at peace. Therefore, France must act so a just and lasting peace becomes accessible again. In strongly committing in favor of Palestinian children's rights, France will prove its commitment to Human Rights.

That is why we ask the French government to:

- Set up visits of French diplomats in the Israeli prisons during court hearing of minors, according to the EU guidelines on the Rights of the Child;
- Send an observer mission in Israel to monitor the application of the French recommendations expressed during the 2013 Universal Periodic Review and the recommendations of the UN Committee against Torture of May 13<sup>th</sup> 2016 such as stopping the current practice of administrative detention and respecting the audio and video recording of interrogations and the presence of a parent and a lawyer during the interrogations;
- Ask the Israeli government to clarify the policy regarding routine shackling of children during interrogations, as well as its implementation;
- Reinstate the Palestinian prisoners' issue at the heart of bilateral discussions with Israel and of international conferences to come on the Israel-Palestine question.

Sincerely yours

**Signing organizations:**

**Addameer Prisoner Support and Human Rights Association, Defense for Children International-Palestine, Plateforme des ONG françaises pour la Palestine, Public Committee Against Torture in Israel (PCATI)**