



Mr. Benjamin Netanyahu, Prime Minister,
Office of the Prime Minister,
3 Kaplan Street,
PO Box 187,
Kiryat Ben-Gurion,
West Jerusalem, Israel.

2 September 2010

Dear Prime Minister,

Re: Implementation of recent recommendations by the UN Human Rights Committee

We are writing to you out of our deep concern at persistent and disturbing reports we are receiving of the continuing ill-treatment and abuse of children held in Israeli custody and detention.

We wish to draw your attention to the recent Concluding Observations and recommendations issued by the UN Human Rights Committee (the Committee) on 29 July 2010, following its review of Israel's Third Periodic Report under the Covenant on Civil and Political Rights (CCPR).¹

We note that the Committee reaffirmed its opinion that the CCPR applies to both Israel and the Occupied Palestinian Territories (West Bank, East Jerusalem and the Gaza Strip), and to all persons therein.

We specifically draw your attention to a number of concerns and recommendations raised by the Committee in relation to Palestinian children held in Israeli custody. We wish to enquire whether the appropriate Israeli authorities intend to implement the recommendations designed to limit the abuse of children held in custody, and if so, when, and if not, we would welcome receiving reasons why not? The specific concerns and recommendations we wish to bring to your attention are as follows:

1. Will the Israeli authorities refrain from prosecuting children under 18 in military courts?
2. Will the Israeli authorities refrain from issuing administrative detention orders to children under 18?
3. Will the Israeli authorities ensure that a family member is always present during the interrogation of every Palestinian child under 18? We note that Israeli children are afforded this protection under section 9(H) of the *Youth (Trial, Punishment and Modes of Treatment) Law* (1971).
4. Will the Israeli authorities ensure that a lawyer is always present during the interrogation of any child under 18? We note that neither Palestinian nor Israeli children are currently afforded this protection.



5. Will the Israeli authorities ensure that all interrogations of children under 18 are audio-visually recorded without exception? We note that Israeli children are afforded this protection for offences carrying a minimum penalty of 10 years imprisonment, under section 4 of the *Criminal Procedure (Suspects Interrogation) Law* (2002).

As you will be aware, many of these concerns and recommendations echo similar concerns raised by the UN Committee Against Torture in May 2009, following the review of Israel's Fourth Periodic Report under the Convention Against Torture.²

Due to the serious and urgent nature of this matter, we look forward to receiving your earliest response.

Yours sincerely,

Rifat Kassis
Director, DCI-Palestine Section

Dr. Ishai Menuchen
Director, PCATI

Abeer Baker
Senior Staff Attorney, Adalah

cc
The Minister of Justice
The Secretariat, UN Human Rights Committee, Geneva
The Secretariat, UN Committee Against Torture, Geneva
Ha'aretz Newspaper

¹ UN Human Rights Committee, Concluding Observations (Israel), 29 July 2010, CCPR/C/ISR/CO/3, available on the website of the Office of the United Nations High Commissioner for Human Rights at: <http://www2.ohchr.org/english/bodies/hrc/hrcs99.htm>

² UN Committee Against Torture, Concluding Observations (Israel), 14 May 2009, CAT/C/ISR/CO/4, available on the website of the Office of the United Nations High Commissioner for Human Rights at: <http://www2.ohchr.org/english/bodies/cat/cats42.htm>