

FOI 0710-17: DIGEST OF INFORMATION TO BE RELEASED

EMAIL CORRESPONDENCE

From: [NAME REDACTED]
Sent: 06/04/2017 16:42
To: [NAME REDACTED]
Cc: [NAME REDACTED]
Subject: OHCHR briefing on HR situation in OPTs

[NAME REDACTED]

- ii) Detention and ill-treatment, including of children.
 - Widespread use of admin detention. 800 Pals in admin detention: highest since 2008. Includes 15 children held without charge during reporting period.

[NAME REDACTED]

British Consulate General Jerusalem

From: [NAME REDACTED]
Sent: 05/05/2017 13:18
To: [NAME REDACTED]
Cc: [NAME REDACTED]
Subject: RE: MEPP Lobbying Priorities (May/June) - comments by COP tomorrow?

[NAME REDACTED]

Israeli authorities had demolished 235 structures, displacing 429 people including 242 children.

[NAME REDACTED]

British Consulate General Jerusalem

DOCUMENTS

Examples of possible excessive use of force by ISF

Drawing on reports from OHCHR, B'Tselem and our own reporting, please find below a list with some examples of possible excessive use of force by ISF:

Khaled Bahar, Beit Ummar, 20 Oct 16: Male 15 year-old Bahar was shot and killed by an ISF soldier from a distance of about 20 meters, striking him in the back as he was running away. According to B'Tselem, the shooting was entirely 'unjustified', and the soldiers shot him in the back while he was running away from them, while not endangering them in any way. The military internal inquiry determined the soldiers were not in lethal danger at the time of the shooting. IDF Spokesperson stated that the "incident is being investigated by the Military Police Investigation Unit, and after its conclusion the findings will be forwarded to the MAG corps for investigation".

Fares al-Bayed, Al-Jalazun Refugee Camp, 15 Oct 16: Male 15 year-old Bayed was shot in the upper front of his head by an ISF soldier while he was about to throw a Molotov cocktail at ISF. According to B'Tselem, the shooting of Bayed was 'unlawful' as the Molotov had not been ignited, and because from his position at the bottom of the hill, Bayed did not pose lethal danger to the soldiers who were standing on the top hill. An internal military inquiry found the soldiers' conduct justified.

Hadeel Wajih Awwad, West Jerusalem, 23 Nov 15: Female 14 year-old Awwad was shot repeatedly by an off-duty police officer in West Jerusalem while she lay wounded on the ground after having attacked bystanders with scissors. Publicly available video footage showed repeated lethal use of firearms, which continued even after any possible threat had ended, raising concern over 'extrajudicial execution'.

Dania Irshied, CP in Hebron old city, 25 Oct 15: According to witnesses, after searing the bag of female 17 year old Dania, an ISF soldier began shouting at her, repeatedly ordering her to reveal the knife that he alleged she was hiding. The girl continually denied that she was carrying a knife but was shot with several bullets in the upper part of her body while allegedly holding her empty hands in the air. According to witnesses, Irshied was reportedly left wounded on the ground without medical assistance for approximately 25 minutes. She died at the scene. Irshied's case is one of the most disturbing because OHCHR found no evidence she was shot within the context of a stabbing or attempted stabbing attack.

EMAIL CORRESPONDENCE

From: [NAME REDACTED]
Sent: 25/05/2017 18:09
To: [NAME REDACTED]
Cc: [NAME REDACTED]
Subject: March-April data on minors in detention

30 April:

Minors

Male:

	Admin	Detained Until the conclusion of legal proceedings	Other	Illegal Combatants Law	Serving Sentence	Total Number of Male Security Prisoners: Minors

16-18	2	129	34	0	66	231
14-16	0	31	12	0	19	62
under 14	0	0	0	0	0	0

Female:

	Admin	Detained Until the conclusion of legal proceedings	Other	Illegal Combatants Law	Serving Sentence	Total Number of Female Security Prisoners: Minors
16-18	0	4	0	0	5	9
14-16	0	0	0	0	1	1
under 14	0	0	0	0	0	0

Total Number of Security Prisoners: Minors	2	164	46	0	91	303
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Criminal Prisoners: Minors

	Detainees	Serving Sentence
Male:	4	5
Palestinians who entered Israel without permits:	2	0
Female:	0	0
Palestinians who entered Israel without permits:	0	0
Undefined (Not including Palestinians who entered Israel without permits):	0	0
Palestinians who entered Israel without permits:	0	0
Total Number of Criminal Prisoners: Minors	4	5
Palestinians who entered Israel without permits:	2	0

31 March:

Minors

Male:

	Admin	Detained Until the conclusion of legal proceedings	Other	Illegal Combatant s Law	Serving Sentence	Total Number of Male Security Prisoners: Minors
16-18	1	125	18	0	78	222
14-16	0	26	5	0	23	54
under 14	0	0	1	0	1	2

Female:

	Admin	Detained Until the conclusion of legal proceedings	Other	Illegal Combatant s Law	Serving Sentence	Total Number of Female Security Prisoners: Minors
16-18	0	4	0	0	4	8
14-16	0	1	0	0	2	3
under 14	0	0	0	0	0	0

Total Number of Security Prisoners: Minors	1	156	24	0	108	289
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Criminal Prisoners: Minors

	Detainees	Serving Sentence
<i>Male:</i>	1	5
Palestinians who entered Israel without permits:	4	3

Female:	0	0
Palestinians who entered Israel without permits:	0	0
Undefined (Not including Palestinians who entered Israel without permits):	0	0
Palestinians who entered Israel without permits:	0	1
Total Number of Criminal Prisoners: Minors	1	5
Palestinians who entered Israel without permits:	4	4

B'Tselem

DOCUMENT

To Mr Ellwood
 From [NAME REDACTED], Levant Team
 Date 11 October 2016

ISRAEL/OPTS: CHILDREN IN DETENTION

Defence for Children International (NGO) estimate that 8000 Palestinian children have been prosecuted under Israeli military law since 2000. The latest Israeli figures (from June) indicate 260 children are in military detention in the OPTs (including seven in administrative detention), as well as 114 in East Jerusalem. The high numbers are partly explained by the increase in violence since last year. But the number of children affected remains a concern, as is their treatment in custody: of the 40 recommendations in the 2012 report, Military Court Watch judge Israel has only implemented one – the separation of children from adults whilst in custody.

EMAIL CORRESPONDENCE

From: [NAME REDACTED]
 Sent: 20/07/2016 09:51
 To: [NAME REDACTED]
 Cc: [NAME REDACTED]
 Subject: Protect: Update on Palestinian minors in Israeli military detention

- High number of minors in detention including administrative detainees. According to the ICRC, as of mid-April 2016, there were 440 minors held in military detention – including 401 security detainees of which ten were administrative detainees. The number of minors detained in East Jerusalem - 114 minors as of the end of June – has exploded from previous years. [REDACTED – SECTION 27] They claimed this has led to the high number of minors arrested from October 2015 onwards but that the number had decreased to approximately 260 children by June, including seven in administrative detention. The reintroduction of the use of administrative detention of minors – not used since 2010 – is a worrying trend.

- Arrests or presentation of a summons between midnight and 5:00 a.m. by armed soldiers. UNICEF's data shows that 35% of children were presented with a summons during the night. This is an improvement from a reported 51% of minors in 2013 but still a major concern. [REDACTED – SECTION 27] The NGO, Military Court Watch, added that summons are also presented in Hebrew or without full information.

- No legal requirement to use AV equipment in ISA facilities during time of interrogation. Two-thirds of investigations at police stations are now audio-visually recorded but all Israeli Security Agency (ISA) investigations continue to be exempted from the legal requirement by a Knesset sub-committee. [REDACTED – SECTION 27]

- Lack of compliance to Israeli procedure prohibiting blindfolding and the tying of children's hands behind their back. Despite military regulations forbidding them, UNICEF's data shows 87% of children arrested in 2015 have reported the use of painful restraints and single hand ties and 84% reported the use of blindfolds during the arrest process.

- Non-applicability of legal protections to those held on security charges, resulting in lack of access to these rights by almost all Palestinian minors in detention. Both Palestinian minors held on security charges under the Israeli Military Law in the West Bank and East Jerusalem minors held on the same charges under the Israeli Youth Law are exempted from the legal protections afforded by these laws. This means that unlike their counterparts held on criminal charges, they do not have the right to parental accompaniment to the interrogation facility and can be prevented from consulting with a lawyer for days. UNICEF's data also shows that 71% of minors were not informed of their legal right to silence and 92% denied access to lawyer and their parents prior to questioning.

- Limited progress in adopting Children in Military Custody report recommendations: Overall, one of the 40 recommendations from the 2012 Children in Military Custody report has been substantially implemented: the separation of children from adults in custody.

[NAME REDACTED]
British Embassy Tel Aviv

PRESENTATION

The Public Committee against Torture in Israel
October 2016

Briefing to the Member states hosted by the Delegation of the European Union to Israel

The Case of A.S.

Background:

- A.S., a 17-year old resident of Eisawiyah
- Trying to escape tear gas in a demonstration with his mother
- Shot in the head, lost his eye
- Not allowed to get a prosthesis
- Called in and arrested by ISA Jan 2016
- Admitted to some of the allegations following 30 days solitary confinement

Unfolding

- Imprisoned with no access to medical treatment for 5 months; still detained until trial
- Court ruling requesting medical help ignored
- Complaint against border police closed
- Complaint against IPS – no answer to date (9 months)

Problems:

- Brutal assault by 2 IPS wardens: kicked, choked, dashed his head against wall
- Medical maltreatment
- Severe temperature conditions in interrogation
- Multiple security forces abusing violence
- Readiness to detain minors as default response
- Lack of safeguards
- Lack of support for the family
- Impunity of the security forces

Violations and Impunity

POLICE

- The Youth Law (Adjudication, Punishment, and Means of Treatment) including procedural safeguards - not applied:
 - o Interrogation only by an officer trained in working with youth presence of a parent
 - o House arrest not allowed
- Overwhelming majority of Palestinian children are “security detainees”:
 - o Interrogation systematically includes violence and ill-treatment
 - o Physical (37%), verbal, psychological violence
 - o exempt from audio-visual documentation (CCTV is not documentation)
- Painful shackling

EMAIL CORRESPONDENCE

From: [NAME REDACTED]

Sent: 11/02/2016 12:01

To: [NAME REDACTED]

Cc: [NAME REDACTED]

Subject: PQ 26446 about what information the FCO holds on the number of Palestinian children imprisoned in (a) Palestine and (b) Israel in 2015. I would appreciate an answer by 1500hrs 11 February.

According to the Israeli NGO, Military Court Watch, 422 Palestinian children were held in Israeli military detention as of 31 December, 2015. 35% (148 children) are held inside detention facilities inside of Israel in violation of Geneva IV and Rome Statute. The rest (65% or 274) are held in the OPTs. Detention figures are provided by the Israeli Prison Service (IPS).

In the case of children there was a 4 per cent increase in the number compared with November and an annual increase of 15 per cent compared with 2014. These figures include 6 children held under administrative detention orders. Military Court Watch said the 422 minors include those held only for a few hours or those held and immediately released to the PA. According to UNICEF, 180 minors were detained for a longer period time on average monthly rate in 2015.

[NAME REDACTED]
British Consulate General Jerusalem