Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Detention of Palestinian minors in Israeli prisons

Motion for a resolution
tabled by Ms Annette GROTH and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

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A sharp increase in the number of Palestinian children in Israel prisons has been noted by several human rights organisations.

In Israel, those aged under 18 are considered children, which is also officially the case under the military jurisdiction in the West Bank. However, in reality, according to Unicef, among other sources, only individuals up to the age of 15 are treated as children, meaning that 16 and 17 year-olds are treated as adults and punished as such. Children aged 12 to 13 can also be sentenced to six months' imprisonment under military law and those aged 14 to 15 can receive up to a year. From age 12, children throwing stones are subjected to administrative detention and sentenced to up to 20 years in prison. Like adults, children can also be denied access to lawyers for up to 90 days under military law. Unlike parents in Israel, parents in occupied Palestinian territories do not have the right to be present while their child is interrogated.

Human Rights Watch investigations indicate that existing laws are insufficient to safeguard the rights of Palestinian children in the custody of the Israeli police and the Israel Defense Forces (IDF), and that officials often adhere to legal requirements and procedures in a manner that undermines the protections they aimed to guarantee.

Taking into account the Parliamentary Assembly Campaign to End Immigration Detention of Children, the Assembly should therefore investigate how Israel – and other countries as well – could better safeguard the rights of children in custody and thereby would be able to fully abide the UN children's rights conventions. The Assembly should also look into ways in which the Israeli government could co-operate in this respect with the Committee on the prevention of torture and inhuman or degrading treatment or punishment (CPT).

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
SOC: Socialist Group
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NR: Representatives not belonging to a Political Group