

Leiden, 1 July 2015

Subject: report 'Palestinian Children and Military Detention'

To whom it may concern,

In April 2014 a Dutch multidisciplinary expert group published the original (Dutch language) version of its report 'Palestinian Children and Military Detention'. This report addresses the practices and consequences of arrest, interrogation, detention and trial of Palestinian children by the Israeli military authorities, from a multidisciplinary perspective. In the conclusions of the report, the expert group expressed its great concern about the violations of the rights of the children involved that many of these practices amount to, and about the negative impact of these practices and violations on the well-being of Palestinian children, families and communities.

Through the report, the expert group has requested the Dutch government, and in particular the Dutch Minister of Foreign Affairs, to pay special attention to these practices – and in particular to the child rights violations involved – in his contacts and communications with the Israeli and Palestinian authorities, where possible in the context of the European Union. In order to find support for this request, the expert group officially presented the report last year to the Dutch Parliamentary Commission on Foreign Affairs and to the Human Rights Ambassador of the Dutch Ministry of Foreign Affairs.

With this letter the expert group announces the release of the English translation of the report 'Palestinian Children and Military Detention' in July 2015. The expert group is aware of the developments that have taken place since April 2014. The expert group wants to highlight five developments in particular:

- On 15 January 2015 the Dutch Minister of Foreign Affairs, Bert Koenders, sent a letter to parliament with an update on the treatment of Palestinian children in the Israeli military court system. In this letter the Minister reports about his meeting with the Chief Prosecutor of the Israeli military courts on the West Bank, Lt. Col. Hirsch, and addresses the alleged Israeli efforts to bring the treatment of Palestinian children in the military court system more in line with the standards of the Israeli domestic juvenile justice system. Still, the Minister explicitly acknowledges the importance of improving the treatment of Palestinian children in Israeli military detention. The Minister also articulates his interest in being informed of the findings of UNICEF's – at that time forthcoming – 2015 follow-up report.

- In February 2015 UNICEF published its follow-up report ('Children in Israeli Military Detention: Observations and Recommendations', Bulletin No. 25). This report recognizes that the Israeli government has introduced some legislative and policy changes, but shows that the vast majority of UNICEF's recommendations regarding the practices of arrest, interrogation, detention and trial of Palestinian children by Israeli military authorities are not (yet) implemented and that children's rights violations are still widespread.
- On 3 April 2015, in response to the letter of Minister Koenders and UNICEF's follow-up report, the Dutch Coalition for Palestinian Children in Israeli Detention sent a letter to the Dutch Parliamentary Commission on Foreign Affairs. In this letter the Coalition concludes that Israel is seemingly unwilling to bring the practices of arrest, interrogation, detention and trial of Palestinian children in conformity with international children's rights standards. The Coalition strongly requests the Dutch Minister of Foreign Affairs to explicitly and directly urge the Israeli government to respect the rights of the Palestinian children as laid down in the UN Convention on the Rights of the Child, which is ratified by Israel.
- From 11 to 14 May 2015 the Dutch Human Rights Ambassador Kees van Baar visited Israel and the Occupied Palestinian Territories. During this visit he expressed his concerns towards the Israeli authorities about the situation of Palestinian children in Israeli military detention. In a public statement of 8 May 2015, the Dutch Coalition for Palestinian Children in Israeli Detention welcomes said involvement of the Dutch government in the subject matter. Yet, the Coalition also emphasizes that in the past four years, despite the international pressure, no major improvements have been achieved when it comes to Israeli policy and practice regarding the arrest, interrogation, detention and trial of Palestinian children. Therefore, the Coalition urges the Dutch government to send a strong message to the Israeli authorities that a continuation of violations of international agreements (including the CRC) will not be without consequences for the collaboration between the two countries.
- On 20 June 2015 a motion of MP Harry van Bommel was discussed in parliament, in which he calls for a change in the bilateral relations between The Netherlands and Israel as long as the Israeli authorities keep violating the rights of Palestinian children. Ultimately, the motion was rejected. In his official response to the motion the Minister of Foreign Affairs Bert Koenders refers to the measures that the Israeli authorities implemented over the last months to improve the situation of the Palestinian children, but he also acknowledges that the improvements are very minimal. Moreover, he calls the situation of Palestinian children in military detention an issue of serious concern and the related children's rights violations unacceptable. As a concluding statement, Koenders declares his willingness to keep reporting on this issue to parliament.

Overall, the expert group is convinced that the findings and recommendations as presented in report ‘Palestinian children and military detention’ are still up-to-date and of utmost relevance.

The expert group will maintain its efforts to encourage the Dutch Minister of Foreign Affairs, in his contacts and communications with the Israeli and Palestinian authorities and where possible in the context of the European Union, to promote that arrest, interrogation, detention and trial of Palestinian children by the Israeli military authorities will only take place in accordance with the internationally recognized rights of the child and related standards.

Yours sincerely,

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