



Military Court Watch

Monitoring the treatment of children in Israeli military detention

**The systematic torture and/or ill-treatment of protected persons (children)
and their
unlawful transfer from occupied territory**

REPORT

Date: 29 November 2023

Table of contents

1.	Summary	5
2.	Introduction	5
3.	Background	6
4.	Report	8

Part I - Torture and/or Ill Treatment

1.	Introduction	11
2.	The journey from home to prison	13
A.	Night arrests	13
B.	Summons in lieu of night arrests	15
C.	Written notification of arrest	18
D.	Hand ties	20
E.	Blindfolds	23
F.	Floor transfer	25
G.	Verbal abuse	27
H.	Physical abuse	29
I.	Threats	32
J.	Excessive exposure to the elements and/or general neglect	34
K.	Medical care and complaints	35
L.	Strip searches	39
M.	Accompanied by a parent/guardian during interrogation	
	- audio visual recording	40
N.	Prompt access to a lawyer	42
O.	Right to silence	44
P.	Double interrogations and other features	45
Q.	Recruitment of child informants / informants generally	46
R.	Documentation written in Hebrew	47
S.	Release on bail	50
T.	Court proceedings, conviction rates and custodial sentences	52
U.	Administrative detention	53
V.	Education in prison	55
W.	Family contact in prison	56
X.	Going home	58
Y.	Domestic remedy	59

Part II - Solitary Confinement

1.	Introduction	61
-----------	---------------------	----

2.	Solitary confinement	.....	63
A.	Location of interrogation facilities	.....	64
B.	The cell	.....	65
C.	Physical conditions	.....	65
D.	Sleep deprivation	.....	66
E.	Food and water	.....	67
F.	Interrogation	.....	68
G.	Impact	.....	68
H.	Punishment	.....	70
I.	The collaborator's cell	.....	71
3.	Military Court Watch evidence - data	.....	72

Part III - The unlawful transfer of population groups

1.	Introduction	.....	75
	Section A		
2.	The unlawful transfer of Palestinian children out of occupied territory	.....	75
3.	Domestic remedy	.....	77
4.	Breach of duty and obstruction of justice	.....	78
	Section B		
5.	The unlawful transfer of Israeli civilians into occupied territory and its impact on children	.....	79

Part IV - General observations

1.	General observations	.....	84
	End notes	.....	86

Annexures

Annexure A	1,100 testimonies from Palestinian children held in Israeli military detention between 2013 and 2023.
Annexure B	108 testimonies from Palestinian children held in Israeli military detention and kept in solitary confinement between 2013 and 2023.
Annexure C	40 testimonies from mothers describing the impact of Israeli military night raids and arrests on their families in the occupied West Bank.
Annexure D	62 testimonies from former Israeli soldiers describing their service in the occupied West Bank.
Annexure E	Information sheet distributed by Israeli military authorities at Ofer Military Court, near Jerusalem (September 2022).
Annexure F	Lawyers' Report: Children in Military Custody - Recommendations
Annexure G	UNICEF Report: Children in Israeli Military Detention - Recommendations
Annexure H	Summons (Hebrew)
Annexure I	Notification of arrest (Hebrew)
Annexure J	Notification of rights under interrogation
Annexure K	Schedule of solitary confinement cases (2013-2023)
Annexure L	Schedule of Israel Prison Service data (2013-2023)
Annexure M	Yesh Din case (2010) - Transfer of protected persons
Annexure N	UN Security Council Resolution 2334 (23 December 2016)
Annexure O	Legal advice to the Ministry of Foreign Affairs (Israel) (18 Sep 1967)

1. Summary

1.1 Since June 1967, Palestinian children in the occupied West Bank have been living under Israeli military rule and subject to prosecution in military courts. It is estimated that in 56 years, between 39,000-56,000 children have been held in military detention. Eleven years after UNICEF concluded that "the ill-treatment of Palestinian children in Israeli military detention appears to be widespread, systematic and institutionalized", the evidence included in this submission suggests little has changed. This evidence also establishes that:

- (i) 98 percent of Palestinian children detained by Israeli forces in the occupied West Bank live within several kilometers of an illegal Israeli settlement (or related infrastructure, such as roads);
- (ii) Almost every child detained reports treatment in violation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including prolonged periods in solitary confinement whilst under interrogation;
- (iii) As many as 580 Palestinian children detained by Israeli forces in the occupied West Bank each year are unlawfully transferred to interrogation and detention facilities inside Israel in violation of the Fourth Geneva Convention. Since June 1967, as many as 32,000 children have been unlawfully transferred; and
- (iv) Signatories to the Fourth Geneva Convention and the Rome Statute of the International Criminal Court are failing to fulfill their treaty obligations and in some cases, are actively obstructing justice.

2. Introduction

2.1 This Report contains evidence relating to the treatment of Palestinian children detained by Israeli forces in the occupied West Bank with a focus on three areas of concern within the jurisdiction of the International Criminal Court (ICC):

- (i) The widespread and systematic use of torture or cruel, inhuman degrading treatment or punishment (torture and/or ill treatment) of Palestinian children detained by Israeli forces in the occupied West Bank;
- (ii) The widespread and systematic use of solitary confinement of Palestinian children detained by Israeli forces in the occupied West Bank as part of their interrogation amounting to torture and/or ill-treatment; and
- (iii) The widespread and systematic unlawful transfer of population groups, in and out of the occupied West Bank, with a direct connection to points (i) and (ii) above, namely:

- (a) The unlawful transfer of Palestinian child detainees from the occupied West Bank and their detention in interrogation centres and prisons located inside Israel and, in some cases, their subsequent torture and/or ill-treatment; and
 - (b) The unlawful transfer of Israeli civilians into settlements in the occupied West Bank leading to the extensive incarceration of the Palestinian civilian population, including children, who reside in the immediate vicinity of these settlements.
- 2.2 This Report relies on 1,100 testimonies collected from Palestinian children (9-17 years) detained by Israeli forces in the occupied West Bank between January 2013 and August 2023; 40 testimonies from their parents; 62 testimonies from former Israeli soldiers; and data from the Israel Prison Service (IPS). This Report also makes extensive reference to an independent UK government funded lawyers' report; a report by UNICEF; annual reports from the UN Secretary General; and annual reports published by the US State Department - along with other sources referred to herein.

3. Background

- 3.1 Over 56 years ago Israeli forces occupied, *inter alia*, the West Bank and imposed temporary military rule over the territory. Military laws were imposed and military courts established to prosecute Palestinian civilians, including children, who violated these laws. Israel based its legal justification for these actions on provisions contained within the Fourth Geneva Convention relating to temporary military occupations.¹ And while the Fourth Geneva Convention does not define "temporary", it is worth noting that other significant occupations in the past 75 years have all concluded within about 10 years.²
- 3.2 Three months into the military occupation, Israel's legal justification for its actions ran into difficulties when the Israeli government authorised and/or condoned the establishment of unlawful Israeli civilian settlements in the occupied West Bank³ - in violation of the Fourth Geneva Convention and contrary to the Israeli government's own internal legal advice.⁴ In response, the military authorities amended the order establishing the military courts and simply deleted references to the Convention - while maintaining the military courts themselves. Somewhat inconsistently, the military authorities continue to distribute an [information sheet](#) justifying the continued existence of these courts on the Fourth Geneva Convention. (**Annexure E**)
- 3.3 What started off as a trickle of Israeli civilians moving into the occupied West Bank in September 1967 has grown to a population of nearly 750,000 living in settlements the length and breadth of the territory, giving rise to a situation of *de facto* annexation contrary to basic legal norms.⁵ And while the military courts in the occupied West Bank technically have jurisdiction over Israeli settlers living in the territory, prosecutors have been granted discretion to pursue cases against this population group in civilian courts, which provide for far greater rights and protections. Meanwhile, the military courts are

reserved for Palestinians - two sets of laws in one territory based on race or national identity.

- 3.4 During the intervening 56-years, UN estimates, and data from the Israeli military authorities, suggest that well over 800,000 Palestinians have been detained by Israeli forces, including between 39,000-56,000 children (700-1,000 each year). These include short-term detentions, ranging from hours or days, where individuals are held at military bases across the occupied West Bank, as well as cases where individuals are indicted and convicted in military courts and subsequently serve custodial sentences ranging from a few months to life.⁶
- 3.5 The testimonial evidence indicates that over 98 percent of Palestinian children detained by Israeli forces in the occupied West Bank live within several kilometers of an illegal Israeli settlement (or related infrastructure, such as roads).⁷ In order for Israeli civilians to live in occupied territory as if residing in sovereign Israel, Palestinian communities adjacent to these settlements are subjected to a continuous military presence - with all that that entails.
- 3.6 The most common reasons Palestinian children find themselves in an Israeli military court generally arise out of the inevitable friction that comes with living next door to an illegal settlement. Offences commonly include: attending a protest and/or throwing stones - but can also include throwing Molotov cocktails or pipe bombs; incitement; membership in banned organisations; or weapons possession. Some children are detained at military checkpoints or on a village street, but most are arrested in the middle of the night in military raids on their homes - some at gunpoint while still in bed. Based on recent reporting by the UN and Israeli sources, over 3,000 night operations are conducted by the Israeli military in the occupied West Bank each year, or over eight operations every night.⁸
- 3.7 The process of arresting these children, transferring them to an interrogation centre either in an illegal settlement or inside Israel, and interrogating them, is generally abusive - prompting UNICEF in 2013 to conclude that: "the ill treatment of children who come in contact with the military detention system appears to be widespread, systematic and institutionalised throughout the process, from the moment of arrest until the child's prosecution and eventual conviction and sentencing." UNICEF went on to observe that: "It is understood that in no other country are children systematically tried by juvenile military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights."⁹
- 3.8 Once in custody, the majority of Palestinian detainees, including children, are transferred out of the occupied West Bank to interrogation centres and prisons located in Israel in violation of the Fourth Geneva Convention.¹⁰ The transfer of Palestinian detainees out of the occupied West Bank commenced in or about June 1967. Based on official data published by the Israel Prison Service (IPS), 83 percent of all detainees (adults and children) detained between January 2013 and June 2023 were unlawfully transferred (see **Annexure L**).¹¹ This would suggest that hundreds of thousands of adult detainees and tens of thousands of children have been unlawfully transferred since June 1967.

- 3.9 While this policy of transfer has been challenged in Israel's Supreme Court twice, both applications were rejected on the basis of the primacy of Israeli domestic law over international law where the laws are inconsistent. While this position is not maintainable under international law these rulings confirm the absence of a domestic remedy in circumstances where there is no dispute of fact.

4. Report

- 4.1 This Report is divided into four parts covering the following issues:

Part I The widespread and systematic use of torture and/or ill treatment of Palestinian children detained by Israeli forces in the occupied West Bank;

Part II The widespread and systematic use of solitary confinement of Palestinian children detained by Israeli forces in the occupied West Bank/Israel as part of their interrogation amounting to torture and/or ill-treatment;

Part III The widespread and systematic unlawful transfer of population groups, in and out of the occupied West Bank, with a direct connection to parts I and II above, namely:

- (a) The unlawful transfer and detention of Palestinian child detainees from the occupied West Bank to interrogation centres and prisons located inside Israel and, in some cases, their subsequent torture and/or ill-treatment; and
- (b) The unlawful transfer of Israeli civilians into settlements in the occupied West Bank resulting in widespread incarceration of the Palestinian civilian population, including children, residing in the immediate vicinity of these settlements.

Part IV General observations.

- 4.2 The evidence in support of this Report includes:

Annexure A 981 testimonies from Palestinian children held in Israeli military detention between 2013 and 2023.

Annexure B 108 testimonies from Palestinian children held in Israeli military detention and kept in solitary confinement between 2013 and 2023.

Annexure C 40 testimonies from mothers describing the impact of Israeli military night raids and arrests on their families in the occupied West Bank.

- [Annexure D](#) 62 testimonies from former Israeli soldiers describing their service in the occupied West Bank.
- [Annexure E](#) Information sheet distributed by Israeli military authorities at Ofer Military Court, near Jerusalem (September 2022).
- [Annexure F](#) Lawyers' Report: Children in Military Custody - Recommendations
- [Annexure G](#) UNICEF Report: Children in Israeli Military Detention - Recommendations
- [Annexure H](#) Summons (Hebrew)
- [Annexure I](#) Notification of arrest (Hebrew)
- [Annexure J](#) Notification of rights under interrogation
- [Annexure K](#) Schedule of solitary confinement cases (2013-2023)
- [Annexure L](#) Schedule of Israel Prison Service data (2013-2023)
- [Annexure M](#) Yesh Din case (2010) - Transfer of protected persons
- [Annexure N](#) UN Security Council Resolution 2334 (23 December 2016)
- [Annexure O](#) Legal advice to the Ministry of Foreign Affairs (Israel) (18 Sep 1967)

"To have rights, you need a system that enforces law and order, and [in the occupied West Bank] no one even acknowledges the [Palestinians] - This system - the system of repressing the [Palestinian] population - needs violence, that's its basis"

(Lieutenant, Israeli Army, occupied West Bank, 2015)¹²

PART I

The widespread and systematic use of torture and/or ill treatment of Palestinian children detained by Israeli forces in the occupied West Bank

1. Introduction

- 1.1 Part I of this Report follows the journey of a Palestinian child from the moment of arrest until their appearance in one of two Israeli military courts operating in the occupied West Bank.¹³ It is important to note that children who are processed through this system generally experience multiple events included in the categories of treatment listed below, particularly during the first 48 hours of detention; the cumulative impact of this treatment (ill treatment) should be considered when assessing the severity of the conduct in its totality (possible torture).¹⁴
- 1.2 For decades, reports of widespread torture and/or ill treatment and denial of basic legal rights within Israel's military detention system have been commonplace. For example:
- (i) For well over a decade, the UN Secretary General's Annual Report on Children and Armed Conflict has reviewed the treatment of Palestinian children held in Israeli military detention and has found widespread abuse and the systematic denial of due process rights. In 2010, the Secretary General noted that: "the high number of instances of such treatment reported and documented suggests that ill treatment of children is common in the Israeli military justice system." The following year, the Secretary General noted that in all 116 cases documented by the UN that year there was evidence of cruel and degrading treatment. In 2021, the Secretary General noted that 75 percent of Palestinian child detainees reported having experienced physical violence. The types of treatment reported by the Secretary General includes: excessive use of hand ties and blindfolds; beatings; solitary confinement; limited access to lawyers; administrative detention; forced confessions; and recruitment as informants. The Secretary General also noted the systematic transfer of children out of the occupied West Bank to prisons in Israel in violation of the Fourth Geneva Convention. (See UNSG reports: [2011](#), [2012](#), [2013](#), [2014](#), [2015](#), [2016](#), [2017](#), [2018](#), [2019](#), [2020](#), [2021](#), [2022](#))
 - (ii) In 2012, an independent delegation of lawyers funded by the UK Foreign and Commonwealth Office (as it then was), including a former Attorney General of England, Wales and Northern Ireland and a judge of the Court of Appeal of England and Wales as well as the European Court of Human Rights, issued a [report](#) on the treatment of Palestinian children held in Israeli military detention (Lawyers' Report).¹⁵ The report found undisputed evidence of six breaches of the UN Convention on the Rights of the Child (UNCRC) and two breaches of the Fourth Geneva Convention, including the unlawful transfer of children out of occupied territory.¹⁶ The report also noted that "to hold children routinely and for substantial periods in solitary confinement would, if it occurred, be capable of amounting to

torture in breach of UNCRC and other well-known international instruments." The report concluded, *inter alia*, "that much of the reluctance to treat Palestinian children in conformity with international norms stems from a belief, which was advanced to us by a military prosecutor, that every Palestinian child is a 'potential terrorist'. Such a stance seems to us to be the starting point of a spiral of injustice." The report made 40 recommendations - few of which have been substantially implemented as of November 2023. (See **Annexure F**)

- (iii) In 2013, UNICEF issued a [report](#) (UNICEF Report) following an extensive review of the treatment of Palestinian children held in Israeli military detention, including 400 affidavits, and concluded that: "the ill-treatment of children who come in contact with the military detention system appears to be widespread, systematic and institutionalized throughout the process, from the moment of arrest until the child's prosecution and eventual conviction and sentencing."¹⁷ Following the release of the UNICEF Report, the UN agency published two updates ([October 2013](#) / [February 2015](#)) detailing progress made in implementing the report's recommendations.¹⁸ While noting some positive developments UNICEF concluded that: "The data demonstrates the need for further actions to improve the protection of children in military detention, as reports of alleged ill-treatment of children during arrest, transfer, interrogation and detention have not significantly decreased in 2013 and 2014." The UNICEF Report made 38 recommendations few of which have been substantially implemented as of November 2023. (See **Annexure G**)
- (iv) For over a decade, the US State Department has been reporting on the treatment of Palestinian children in Israeli military detention in its Annual Country Reports on Human Rights. The US State Department has noted that: Israel has used military courts to prosecute Palestinian civilians from the occupied West Bank since 1967, with a 95 percent conviction rate; most children are arrested in night raids; 67 percent of Palestinian children arrested in the occupied West Bank in 2022 reported various forms of physical abuse during arrest, transfer and interrogation; Israel continues to apply two legal systems in the occupied West Bank depending on whether a person is Palestinian (military law) or an Israeli settler (civilian law); and 67 percent of Palestinian child detainees continue to be unlawfully transferred and detained in prisons located outside the occupied West Bank. (See USSD reports: [2010](#), [2011](#), [2012](#), [2013](#), [2014](#), [2015](#), [2016](#), [2017](#), [2018](#), [2019](#), [2020](#), [2021](#), [2022](#))
- (v) Significantly, reports of widespread abuse are corroborated by former Israeli soldiers who served their military service in the occupied West Bank and subsequently provided testimonies to the Israeli organisation, [Breaking the Silence](#). Sixty-two of these testimonies are included in this Report. (**Annexure D**)

- 1.3 In response to the Lawyers' Report and the UNICEF Report, Israel's Ministry of Foreign Affairs stated in 2013 that it "would study the conclusions and work to implement them through on-going cooperation with UNICEF."¹⁹ Israel's Military Advocate General (MAG) then designated the "Military Prosecutor for Judea and Samaria (West Bank) as

the focal point for dialogue on this issue with UNICEF." Perhaps the *bona fides* of this engagement can best be assessed by the fact that the military prosecutor appointed to liaise with UNICEF was himself a resident of an illegal Israeli settlement in the occupied West Bank.²⁰

- 1.4 The following narrative is based on 1,100 testimonies collected by Military Court Watch (MCW) from Palestinian children detained by Israeli forces in the occupied West Bank between 2013 and 2023 ("the Reporting Period"). This represents a sample of approximately 10-14 percent of the total number of children detained during the Reporting Period (7,700-11,000 children). The percentages referred to below are based on this sample. This evidence is included in **Annexures A and B**.²¹ It is relevant to note that approximately 98 percent of these children live within several kilometers of an illegal Israeli settlement or a road used by settlers in the occupied West Bank. (See Part III of this Report)

2. The journey from home to prison

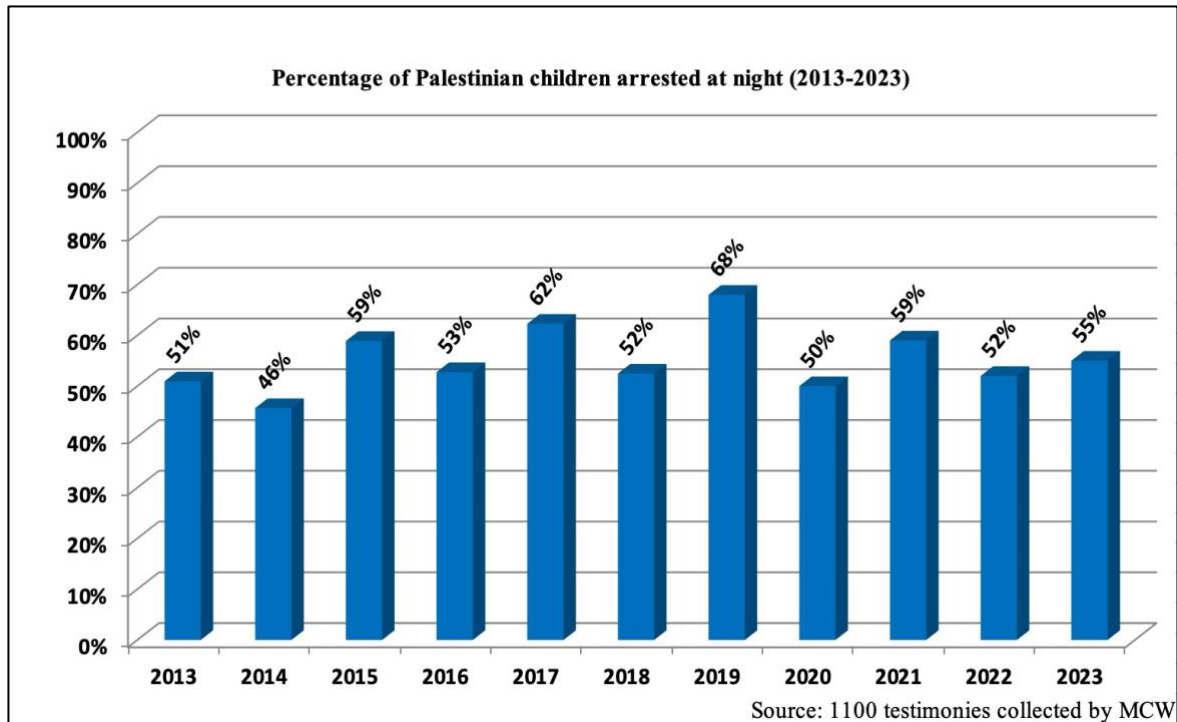
A. Night arrests

2.1 UNICEF's Recommendation (2013):

All arrests of children should be conducted during daylight, notwithstanding exceptional and grave situations.

- 2.2 Based on recent reporting by the UN and Israeli sources, the Israeli military conducts over 3,000 night operations in the occupied West Bank each year, or over eight operations every night.²² Between 385-550 children are arrested in these night-time operations annually.²³ Israel justifies this practice on operational grounds and on the basis that the territory is subject to a temporary military occupation and as such it has a duty to maintain public order and safety in the area under its control.²⁴ Israeli military law authorizes any officer to order a home invasion for the purposes of a search without a warrant or judicial review - although these measures are not applied to the Israeli settler population.²⁵
- 2.3 During the Reporting Period, **55 percent** of Palestinian child detainees reported being arrested in military raids on their homes between the hours of 22:00 and 05:00. These operations [intimidate](#) targeted communities and children report being "[scared](#)", "[shocked](#)" or "[terrified](#)" when confronted with soldiers in their homes or [bedrooms](#). This sense of fear only increases in cases where the front door is [broken in](#) or blown open using [explosives](#). In some cases [hydraulic jacks](#) are used to open [doors quietly](#) while families remain asleep. Sometimes houses are searched and property [damaged](#). Physical [confrontations](#) are not uncommon and in some cases [dogs](#) are deployed. In cases where children are not at home, family members have been held [hostage](#) until the child turns himself in. In other cases, children report being used as [human shields](#) by soldiers when leaving the village. When [describing](#) his night arrest, one boy said: "This is what usually happens in the village;

whenever an incident happens, soldiers round up all the boys who have recently been in prison."



- **Number of children affected annually:**²⁶ **385 - 550 children**
- **Number of children affected since June 1967:** **21,560 - 30,800 children**

Sample of evidence

- **Children - Annexure A:** [7](#), [17](#), [70](#), [97](#), [104](#) (H)²⁷, [138](#), [156](#), [157](#), [175](#), [185](#), [207](#), [211](#), [212](#), [219](#), [230](#), [240](#), [242](#), [244](#), [247](#), [248](#), [255](#), [256](#), [258](#), [279](#), [281](#), [282](#), [288](#), [290](#), [297](#), [299](#), [300](#), [303](#), [304](#), [305](#), [320](#), [321](#), [334](#), [335](#), [353](#), [357](#), [359](#), [367](#), [372](#), [375](#), [376](#), [377](#), [398](#), [401](#), [407](#), [410](#), [416](#), [423](#), [424](#), [430](#), [433](#), [435](#), [436](#), [438](#), [441](#), [450](#), [452](#), [455](#), [461](#), [465](#), [468](#), [478](#), [481](#), [484](#), [490](#), [491](#), [494](#), [498](#), [499](#), [507](#) (H), [510](#), [523](#) (H), [524](#), [532](#), [534](#), [539](#), [543](#), [546](#), [547](#), [548](#), [551](#), [553](#), [554](#), [556](#), [558](#), [560](#), [571](#), [574](#), [579](#), [582](#), [589](#), [590](#), [591](#), [593](#), [594](#), [596](#), [597](#), [598](#), [599](#), [602](#), [603](#), [613](#), [627](#), [650](#), [652](#), [653](#), [659](#), [661](#), [666](#), [675](#), [677](#), [678](#), [681](#), [682](#), [686](#), [687](#), [688](#), [690](#), [696](#), [697](#), [699](#), [701](#), [719](#), [721](#), [731](#), [734](#), [735](#), [742](#), [743](#), [748](#), [749](#), [756](#), [757](#), [761](#), [762](#), [763](#), [767](#), [771](#), [772](#), [773](#), [776](#), [779](#), [780](#), [784](#), [789](#), [790](#), [793](#), [805](#), [823](#), [827](#), [839](#), [849](#), [856](#), [861](#), [868](#), [875](#), [877](#), [884](#), [885](#), [888](#), [895](#), [900](#), [904](#), [906](#), [907](#), [912](#), [914](#), [916](#), [917](#) (H), [921](#), [925](#), [926](#), [927](#), [928](#), [929](#), [937](#), [939](#), [940](#), [947](#), [951](#), [952](#), [958](#), [964](#), [972](#), [973](#), [976](#), [979](#). **Annexure B:** [983](#), [985](#), [986](#), [987](#), [990](#), [991](#) (H), [992](#), [993](#), [997](#), [998](#), [999](#), [1001](#), [1005](#), [1012](#), [1014](#), [1016](#), [1018](#), [1022](#), [1026](#), [1027](#), [1033](#), [1036](#), [1039](#), [1050](#), [1059](#) (H), [1060](#), [1067](#), [1069](#), [1073](#), [1074](#), [1075](#), [1079](#).

"My older brother woke me up at around 2:30 a.m. and told me soldiers were surrounding our house. By the time I was out of bed there were about 30 soldiers already inside our home. They had broken our front door before we managed to open it. My younger brothers, who are 4-and 9-years-old, were terrified."

[H.U.H.L.](#) (15 years) – Beit Sira, occupied West Bank – 14 February 2023

- **Parents - Annexure C:** [1](#), [2](#), [3](#), [5](#), [6](#), [7](#), [8](#), [9](#), [10](#), [11](#), [12](#), [13](#), [14](#), [15](#), [16](#), [17](#), [18](#), [20](#), [21](#), [22](#), [23](#), [24](#), [25](#), [26](#), [27](#), [28](#), [29](#), [30](#), [31](#), [32](#), [33](#), [34](#), [35](#), [36](#), [37](#), [38](#), [39](#), [40](#).

"At around 2:30 a.m. I woke up to the sound of commotion outside our house and the sound of soldiers speaking in Hebrew ... Our 8-year-old daughter was terrified when a soldier brought the dog close to her and the dog started to sniff. She was so scared that she wet herself. For months afterwards, our daughter would not leave my side. She wouldn't let me leave her for a second, not even to go to the bathroom. She is also too scared to sleep in her own bedroom now."

[Khitam T.](#) (40 years) - Al 'Arrub refugee camp, occupied West Bank - 1 Jan 2017

- **Soldiers - Annexure D:** [27](#), [30](#), [34](#), [39](#), [42](#), [45](#), [46](#), [47](#), [48](#), [49](#), [51](#), [52](#), [54](#), [61](#).

"The parents get angry and confused, and the children cry and often pee their pants; you actually see them peeing their pants. Screaming, crying, and you have to get them to quiet down as fast as possible: if it's an arrest - you can't have them waking up the whole area .. And, you like find yourself either yelling at children or trying to calm children down, or you order the parents to shut their kids up. It was always a super stressful, super complicated situation. But you see, again and again, every time you enter a house, whether it's an arrest or mapping, what it does to the kids ... Your weapon is your most powerful means for successfully handling the situation."

Israeli soldier ([Testimony 27](#)) - occupied West Bank - 2008

B. Summons in lieu of night arrests

2.4 UNICEF's recommendation (2013):

Copies of all relevant documentation, including arrest warrants and summons for questioning, should be provided to the child's legal guardian or close family member

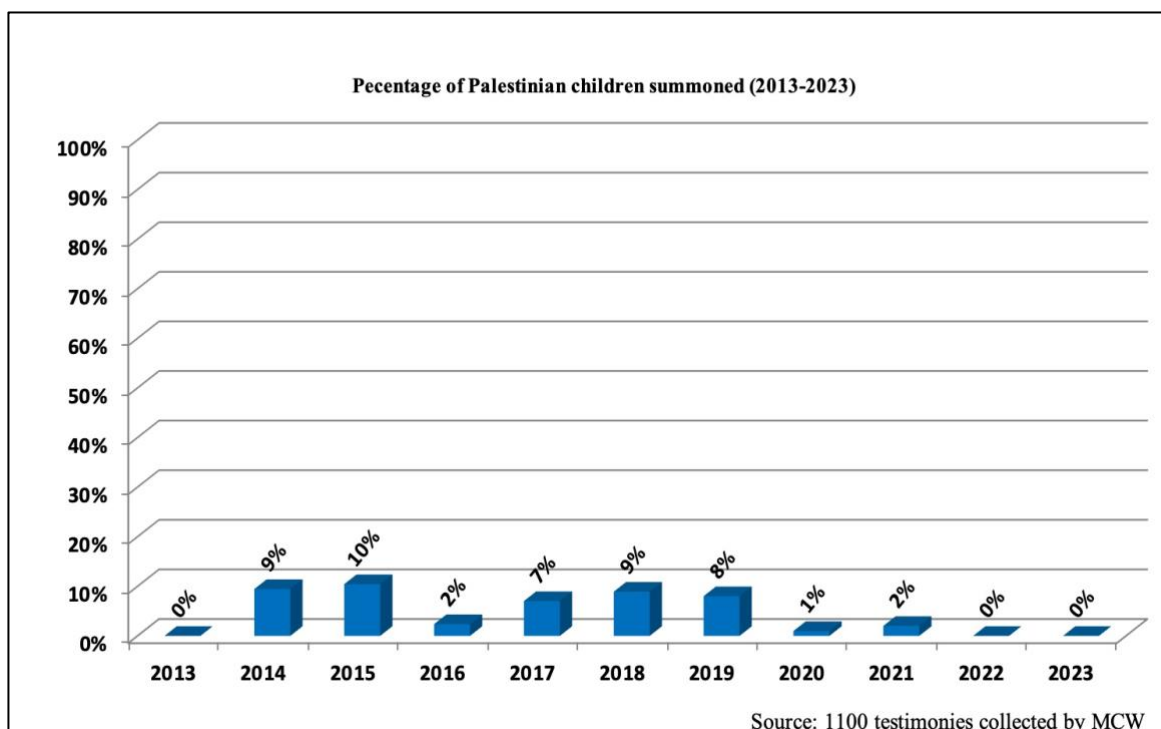
at the time of arrest or as soon as possible thereafter, and all documentation should be provided in Arabic.

- 2.5 A pilot study to issue written summonses in lieu of arresting children at night was [introduced](#) in 2014. The study's introduction followed a recommendation made in the Lawyers' Report after years of [widespread criticism](#) of the practice of arresting children in military [night-time](#) raids.²⁸ The study reached its height in 2015, with summonses being issued in 10 percent of cases. By 2020, the study was largely defunct with summonses being issued in just one percent of cases.
- 2.6 Since the introduction of the study, just **4.8 percent** of Palestinian child detainees reported to MCW being issued with a written summons (2014-2023). No cases of written summonses have been documented since 2021. From its inception, there were a number of problematic features regarding the study:
- (i) Most summonses were delivered in military raids on family homes in the middle of the night - largely defeating the purpose of using a summons (e.g. **Annexure A**: [714](#), [730](#), [735](#), [738](#), [740](#), [764](#), [828](#), [902](#));
 - (ii) Many summonses included hand written notes in [Hebrew](#) - a language the recipients generally do not understand (e.g. **Annexure A**: [735](#), [740](#), [828](#), [902](#)) (see also **Annexure H**); and
 - (iii) In 2019 the authorities confirmed that [no records](#) were maintained relating to the study making any internal assessment impossible and casting doubt on its *bona fides*.

In some cases the authorities dispensed with the requirement that summonses be in writing and either [phoned](#) parents demanding that they bring their child to a settlement for interrogation the following day, or issued a [verbal summons](#) in cases where a house was raided and the child absent. In cases where verbal summonses are issued, they were frequently accompanied by [threats](#). In other cases a [hostage](#) was taken to compel attendance.

- 2.7 On 1 August 2021, the military authorities announced that they had introduced [new procedures](#) for summonsing children. While the procedures remain classified, the authorities have indicated that summonses will not be used if:
- (i) The child is wanted for interrogation by an agency other than the police; or
 - (ii) The child is suspected of a "severe offence" (undefined) or has a record of committing "severe offences".

Since August 2021, MCW has documented [one case](#) where a written summons was issued - the summons was served at 3:15 a.m. during a military raid on the child's home.



Sample of evidence

- Children - Annexure A:** [18](#), [45](#), [87](#), [91](#), [93](#), [96](#), [102](#), [103](#), [104](#), [110](#), [111](#), [113](#), [139](#), [167](#), [221](#), [226](#), [231](#), [252](#), [267](#), [269](#), [270](#), [271](#), [272](#), [275](#), [276](#), [278](#), [280](#), [281](#), [309](#), [315](#), [319](#), [374](#), [409](#), [434](#), [488](#), [507](#), [509](#), [523](#), [529](#), [530](#), [536](#), [551](#), [571](#), [589](#), [606](#), [615](#), [625](#), [626](#), [637](#), [638](#), [639](#), [640](#), [641](#), [656](#), [657](#), [658](#), [662](#), [682](#), [686](#), [696](#), [709](#), [714](#), [723](#), [730](#), [734](#), [735](#), [738](#), [740](#), [764](#), [768](#), [783](#), [828](#), [854](#), [873](#), [874](#), [945](#), [966](#). **Annexure B:** [994](#), [1013](#), [1032](#), [1038](#), [1046](#), [1068](#), [1070](#), [1076](#).

"My father woke me up at around 3:15 a.m. and told me Israeli soldiers were in our home. I got up and saw five soldiers in our living room. One of them told my father to collect all the mobile phones ... Then he checked our ID cards and called my name. A soldier then gave my father a document summoning me to the police station in the morning. The summons was written in Hebrew and we could not read it but the soldier explained it to us. He did not give us any reasons as to why I was being summonsed."

[N.N.R.T.](#) (14 years) – Beit Fajjar, West Bank – 24 October 2021

- **Parents - Annexure C:** [4](#), [35](#).

"About five months ago I received a phone call from an Israeli policeman who told me my husband had to bring our 12-year-old son to the police station in the settlement of Beitar Illit for questioning. He did not give details but said my husband had to bring our son to the police station immediately. My husband and son did as instructed and were at the gate to the settlement by 10:00 a.m. ... Hours later a policeman told them to go home and come back the following day ... This happened three times ... On the fourth occasion my husband decided not to go as it was a waste of his time."

[Fatima A.A.](#) (48 years) - Beit Fajjar, West Bank - 27 July 2022

- **Soldiers - Annexure D:** [45](#).

"We had this night of [distributing] summons and arrests and such, some three summonses and an arrest – or more, I don't remember – when we passed through two villages. And then, when we arrived at the second village I tried to recall what happened half an hour ago, or an hour ago at the first village, and I, like, couldn't remember ... I didn't remember whom I arrested, whom I summoned and it ate at me. How can I not remember? I just ruined four families' night, or week, or whatever, how can I not remember their faces? You really suppress it, you suppress the whole situation."

Soldier ([Testimony 45](#)) - occupied West Bank - 2014

C. Written notification of arrest

2.8 UNICEF's recommendations (2013):

- (i) **All children shall be informed of the reasons for their arrest at the time of arrest and in a language they understand.**
- (ii) **The competent military authority shall, on its own initiative, notify the legal guardian or close family member of the child about the arrest, reasons for arrest and place of detention, as soon as possible after the arrest, and in Arabic.**
- (iii) **All children and their legal guardian or close family member should be provided with a written statement in Arabic informing them of their full legal rights while in custody.**

- 2.9 In April 2013, the military authorities [informed](#) UNICEF that a standard form written in Arabic and Hebrew must be given to parents of children arrested at home in every case ([Arabic/English](#)). The pro-forma document includes a field for the insertion of information on: the time and place of arrest; details of the accusation; and the police station where the detainee will be taken (with phone number). The form provides no information about the child's legal rights while in custody. In some cases family members are also asked to sign a document stating that the child was [not mistreated](#) during the arrest or no [property](#) was damaged. (**Annexure I**)
- 2.10 During the past six years for which there is data (2018-2023), **43 percent** of parents of Palestinian child detainees arrested from home were provided with this document - in a majority of cases no information was provided as to why the child was being arrested or where he/she was being taken. In cases where this document was provided there were a number of problematic features:
- (i) In 59 percent of cases the document was filled out by the arresting officer in [Hebrew](#);
 - (ii) In many cases the document was [not filled](#) out in full;
 - (iii) In some cases parents were given a [copy](#) of the document; in other cases the officer in command requested a parent [sign](#) or [look](#) at the document but [did not](#) leave a [copy](#) for the family;
 - (iv) In no cases were parents or children informed, verbally or in writing, of their legal rights while in custody, at the time of their arrest; and
 - (v) In every case where a parent phoned the number of the interrogation centre included in the document, [no one answered](#) the phone. Further, many children are transferred to [multiple](#) interrogation centres, without additional notice being provided to parents.

Sample of evidence

- **Children - Annexure A:** [40](#), [47](#), [48](#), [54](#), [55](#), [59](#), [85](#), [95](#), [96](#), [100](#), [109](#), [118](#), [120](#), [122](#), [125](#), [132](#), [133](#), [135](#), [137](#), [138](#), [152](#), [153](#), [155](#), [159](#), [161](#), [175](#), [189](#), [190](#), [227](#), [229](#), [231](#), [232](#), [233](#), [234](#), [236](#), [237](#), [240](#), [241](#), [245](#), [255](#), [268](#), [312](#), [323](#), [375](#), [390](#), [391](#), [410](#), [423](#), [476](#), [499](#), [502](#), [505](#), [510](#), [523](#), [524](#), [532](#), [539](#), [540](#), [541](#), [543](#), [545](#), [574](#), [575](#), [581](#), [590](#), [597](#), [598](#), [600](#), [601](#), [608](#), [613](#), [618](#), [666](#), [668](#), [672](#), [679](#), [681](#), [684](#), [687](#), [690](#), [697](#), [700](#), [701](#), [705](#), [706](#), [711](#), [720](#), [727](#), [742](#), [751](#), [762](#), [854](#), [897](#), [900](#), [904](#), [919](#), [924](#), [926](#), [941](#), [944](#), [945](#), [951](#), [952](#), [956](#), [958](#). **Annexure B:** [996](#), [999](#), [1000](#), [1001](#), [1012](#), [1014](#), [1022](#), [1026](#), [1039](#), [1060](#), [1073](#).

"I woke up at 3:00 a.m. to the sound of aggressive banging at our front door. Then I heard the sound of breaking glass and I rushed to the living room. My father rushed to open the door and about 10 soldiers came into our house. They broke the glass on the front door and were about to break the door but my father got there just in time. One of the soldiers called my name and I identified myself. He told me to get dressed because I was under arrest ... They gave my mother a document filled out in Hebrew and they asked her to sign it. Then a soldier blindfolded me and tied my hands..."

[N.A.Z.A.](#) (15 years) - Beit Ummar, occupied West Bank - 3 August 2023

- **Parents - Annexure C:** [9](#), [13](#), [14](#), [27](#), [31](#), [35](#), [37](#),

"I barely had time to wake our son before there was loud banging at our front door A female soldier took me and my daughter to the bathroom and searched us. She was rough and humiliated us in the way she touched our bodies. Then the commander told me, my husband and our two children to sit on the couch ... A soldier aimed his gun at us for about two-and-a-half hours. During this time I was so scared my knees were shaking ... I felt dizzy and found it hard to breathe ... Meanwhile the soldiers searched my son's bedroom but did not find anything. The commander gave my husband a document filled out in Hebrew and told him they wanted to arrest our 12-year-old son. He circled a phone number on the document and told my husband to call the number if he needed to check on our son ... My husband called the number but no one answered; he tried many times ..."

[Fatima A.A.](#) (48 years) - Beit Fajjar, occupied West Bank - 27 July 2022

D. Hand ties

2.11 UNICEF's recommendations (2013):

- Children should only be restrained for the time that is strictly necessary. Use of restraining methods and instruments should respect the child's dignity and not cause unnecessary pain or suffering.**
- The use of single plastic hand ties should be prohibited in all circumstances, and the prohibition must be effectively monitored and enforced.**
- Except in extreme and unusual circumstances, children should never be restrained during interrogation, while detained in a cell or while attending court.**

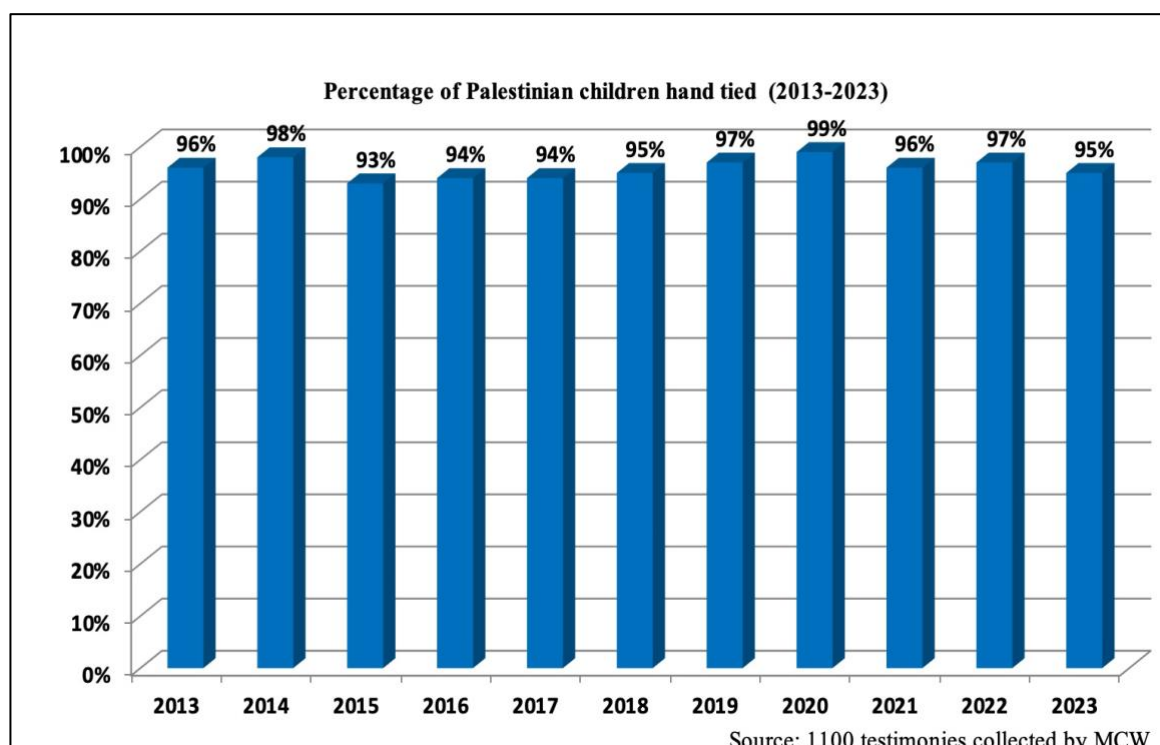
2.12 In 2010, following a petition to Israel's Supreme Court, the military authorities amended the [standard operating procedures](#) for the use of plastic hand ties due to the high incidents of pain and injury caused by the use of a single plastic ties behind the back. The new procedures require that:²⁹

- (i) Hands should be tied from the front, unless security considerations require tying from behind;
- (ii) Three plastic ties should be used, one around each wrist, and one connecting the two;
- (iii) There should be the space of a finger between the ties and the wrist;
- (iv) The restraints should avoid causing suffering as much as possible; and
- (v) The officer in charge is responsible for ensuring compliance with these regulations.

2.13 During the Reporting Period, **96 percent** of Palestinian children detained by the Israeli military in the occupied West Bank continued to be restrained upon arrest. In 84 percent of these cases, the military's own standard operating procedures for the use of restraints were ignored.³⁰ In most cases, single or multiple plastic ties behind the back continue to be used with many children describing the ties as "[painful](#)", "[very tight and painful](#)" or causing "[severe pain](#)". In some cases blood flow to the wrists is restricted causing [swelling](#) and the hands to [turn blue](#). There are also reports of ties cutting into the wrists resulting in [bleeding](#). Many children remain tied for [5](#) to [10 hours](#) or [more](#), remain tied during [interrogation](#), and appear in the military courts wearing leg shackles. In cases where children are taken to hospital they generally remain [shackled](#). Occasionally restraints are [loosened](#), but most complaints are [ignored](#).

"I was on my way home at 6:30 p.m. when military jeeps entered our town. There were no clashes at the time and things were quiet. One of the jeeps pulled over next to me, a soldier stepped out, grabbed me and pushed me into the back of the jeep and threw me on the metal floor. A soldier blindfolded me and tied my hands behind my back with two plastic ties on top of each other. The ties were very tight and painful and cut into my wrists until I was bleeding."

[F.N.D.A.](#) (17 years) - Al Mughayyer, occupied West Bank - 16 December 2022



- **Number of children affected annually:**³¹ **672 - 960 children**
- **Number of children affected since June 1967:** **37,632 - 53,760 children**

Sample of evidence

- **Children - Annexure A:** [5](#), [6](#), [14](#), [22](#), [24](#), [25](#), [27](#), [36](#), [37](#), [45](#), [46](#), [60](#), [62](#), [64](#), [65](#), [66](#), [67](#), [71](#), [74](#), [76](#), [78](#), [79](#), [83](#), [85](#), [89](#), [97](#), [100](#), [101](#), [104](#), [106](#), [108](#), [112](#), [116](#), [121](#), [124](#), [126](#), [129](#), [130](#), [131](#), [137](#), [147](#), [151](#), [152](#), [163](#), [170](#), [176](#), [177](#), [185](#), [191](#), [198](#), [208](#), [210](#), [211](#), [222](#), [223](#), [231](#), [239](#), [240](#), [243](#), [246](#), [247](#), [251](#), [258](#), [259](#), [260](#), [265](#), [302](#), [314](#), [317](#), [326](#), [331](#), [338](#), [344](#), [347](#), [351](#), [353](#), [356](#), [359](#), [361](#), [363](#), [365](#), [367](#), [369](#), [375](#), [377](#), [387](#), [389](#), [395](#), [401](#), [403](#), [420](#), [427](#), [430](#), [445](#), [454](#), [467](#), [468](#), [478](#), [490](#), [503](#), [507](#), [516](#), [518](#), [521](#), [524](#), [532](#), [533](#), [541](#), [544](#), [552](#), [560](#), [566](#), [567](#), [574](#), [580](#), [585](#), [591](#), [593](#), [595](#), [607](#), [608](#), [613](#), [620](#), [627](#), [629](#), [632](#), [636](#), [643](#), [645](#), [660](#), [664](#), [669](#), [676](#), [686](#), [688](#), [691](#), [693](#), [703](#), [710](#), [711](#), [718](#), [726](#), [730](#), [739](#), [743](#), [749](#), [751](#), [767](#), [769](#), [772](#), [773](#), [788](#), [816](#), [822](#), [825](#), [826](#), [834](#), [836](#), [838](#), [862](#), [863](#), [877](#), [878](#), [881](#), [882](#), [889](#), [897](#), [899](#), [906](#), [907](#), [909](#), [912](#), [913](#), [926](#), [933](#), [937](#), [939](#), [944](#), [946](#), [953](#), [969](#), [975](#). **Annexure B:** [984](#), [992](#), [997](#), [1000](#), [1002](#), [1004](#), [1009](#), [1010](#), [1012](#), [1015](#), [1016](#), [1017](#), [1021](#), [1027](#), [1028](#), [1030](#), [1031](#), [1033](#), [1036](#), [1041](#), [1046](#), [1048](#), [1049](#), [1050](#), [1052](#), [1055](#), [1056](#), [1057](#), [1062](#), [1063](#), [1065](#), [1075](#), [1076](#), [1080](#), [1081](#), [1082](#), [1085](#).

- **Parents - Annexure C:** [4](#), [7](#), [18](#), [19](#), [20](#), [26](#), [31](#), [34](#), [40](#).

"The soldiers dragged J. outside where they aggressively twisted his arms behind his back and tied them with a plastic tie. I lost my mind when I saw this and realized my son was being taken away while I watched helplessly. The soldiers did not have any documents and didn't give us any details about where they were going to take J. That night the soldiers also arrested another boy, M., who was also 13-years-old."

[Fatima M.](#) (46 years) - Deir Nidham, occupied West Bank - 22 May 2014

- **Soldiers - Annexure D:** [22](#), [23](#), [29](#), [32](#), [38](#), [39](#), [42](#), [44](#), [57](#),

"When these detainees asked to go to the bathroom, and soldiers took them, they beat them to a pulp and cursed them for no reason, and there was nothing that would legitimize hitting them. An Arab was taken to the bathroom to piss, and a soldier slapped him, took him down to the ground while he was shackled and blindfolded. The guy wasn't rude and did nothing to provoke any hatred or nerves. Just like that, because he is an Arab. He was about 15 years old, hadn't done a thing ... There are soldiers who know what the point of the [plastic] handcuff is, and then there are others who think it is meant as a device to stop blood flow from the wrist to the fingertips."

Israeli soldier ([Testimony 29](#)) - Salfit, occupied West Bank - 2009

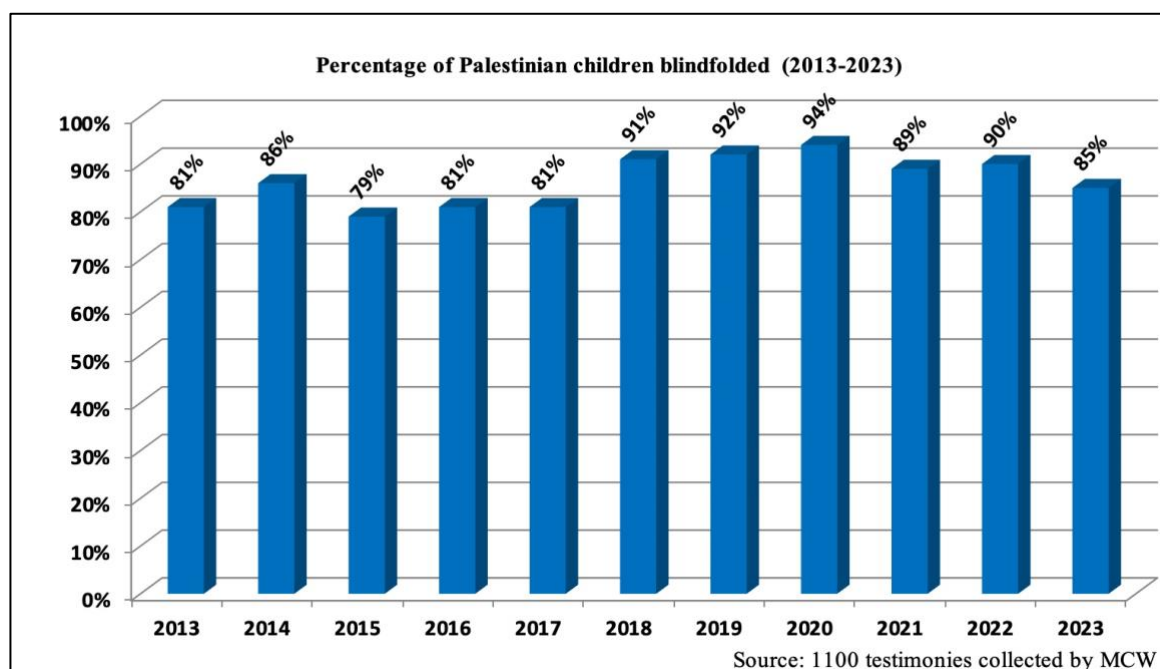
E. Blindfolds

2.14 UNICEF's recommendation (2013):

The practice of blindfolding or hooding children should be prohibited in all circumstances.

- 2.15 During the Reporting Period, **86 percent** of Palestinian children detained by the Israeli military in the occupied West Bank continued to be blindfolded or [hooded](#) upon arrest. While there does not appear to be any legitimate security reason for blindfolding these children, the evidence does suggest that the practice effectively "softens them up" for interrogation, making it easier to obtain confessions. Most children are blindfolded soon after their arrest and remain blindfolded for [many hours](#) and in some cases remain blindfolded during [interrogation](#). Some children report [falling over](#) or [walking into objects](#) because they are blindfolded - in other cases they experience [difficulty breathing](#). In one case, a child was told to cross a [main road](#) at approximately 2:00 a.m. unassisted while blindfolded.

- 2.16 In August 2019, lawyers for the military authorities [informed](#) Israel's Supreme Court "that military orders and regulations forbid blindfolding of detainees, and action to clarify the rules has been taken and will continue to be taken on a continuous basis." This statement cannot be reconciled with the evidence.



- **Number of children affected annually:**³² **602 - 860 children**
- **Number of children affected since June 1967:** **33,712 - 48,160 children**

Sample of evidence

- **Children - Annexure A:** [17](#), [22](#), [25](#), [32](#), [35](#), [36](#), [38](#), [43](#), [46](#), [60](#), [74](#), [76](#), [78](#), [85](#), [88](#), [105](#), [109](#), [126](#), [157](#), [168](#), [171](#), [174](#), [176](#), [204](#), [206](#), [227](#), [231](#), [244](#), [266](#), [278](#), [281](#), [314](#), [326](#), [336](#), [352](#), [355](#), [363](#), [365](#), [368](#), [375](#), [376](#), [381](#), [387](#), [399](#), [400](#), [436](#), [444](#), [447](#), [450](#), [451](#), [469](#), [472](#), [476](#), [478](#), [481](#), [490](#), [491](#), [493](#), [516](#), [517](#), [519](#), [523](#), [524](#), [530](#), [532](#), [534](#), [540](#), [541](#), [543](#), [544](#), [546](#), [548](#), [549](#), [553](#), [555](#), [559](#), [564](#), [570](#), [575](#), [582](#), [589](#), [593](#), [599](#), [600](#), [611](#), [615](#), [617](#), [627](#), [631](#), [634](#), [638](#), [643](#), [644](#), [653](#), [659](#), [664](#), [670](#), [671](#), [673](#), [677](#), [709](#), [711](#), [717](#), [744](#), [748](#), [757](#), [762](#), [770](#), [827](#), [838](#), [843](#), [850](#), [852](#), [872](#), [889](#), [892](#), [897](#), [916](#), [928](#), [940](#), [945](#), [960](#), [968](#), [970](#), [974](#). **Annexure B:** [980](#), [991](#), [1000](#), [1009](#), [1022](#), [1028](#), [1029](#), [1037](#), [1047](#), [1052](#), [1,057](#).

"When we arrived at the settlement a soldier blindfolded me and led me on foot for about 200 meters. On the way the soldiers called me "a son of a whore". They also slapped me a few times. I was led on foot all the way to the police station in Etzion settlement. I walked for about 1.5 hours. It was hard to walk because I was blindfolded. When I arrived at Etzion I was taken for interrogation."

[S.H.R.Q.](#) (14 years) - Beit Ummar, occupied West Bank - 18 April 2023

- **Parents - Annexure C:** [14](#), [19](#), [20](#), [26](#), [31](#), [34](#), [40](#).

"I woke up at around 3:00 a.m. to the sound of heavy vehicles around our house ... The soldiers then blindfolded our son and took him outside where a military jeep was waiting. I could not go back to sleep; I was shaken and worried. We received a call the following day telling us that our son was being interrogated in the police station in Etzion settlement."

[Fatima A.](#) (56 years) - Tuqu', occupied West Bank - 25 July 2017

- **Soldiers - Annexure D:** [8](#), [11](#), [23](#), [32](#), [38](#), [39](#), [44](#), [57](#).

"The way it's done is that the first thing you do is gather the family from all the rooms and separate them, the women and the men, and if it's necessary to handcuff some of them – you handcuff them. And the children who are there, it's the most terrifying and traumatic thing for them, maybe for me too, but especially for them. It's waking up children and babies, all kinds of toddlers in the middle of the night, and seeing women in their pajamas, without their hijabs or whatever it is. You know, waking them from sleep, and I remember the scared look and that sense of helplessness ... we take the guy [who was arrested], handcuff him, separate him, blindfold him and put him in the jeep."

Soldier ([Testimony 39](#)) - occupied West Bank - 2010

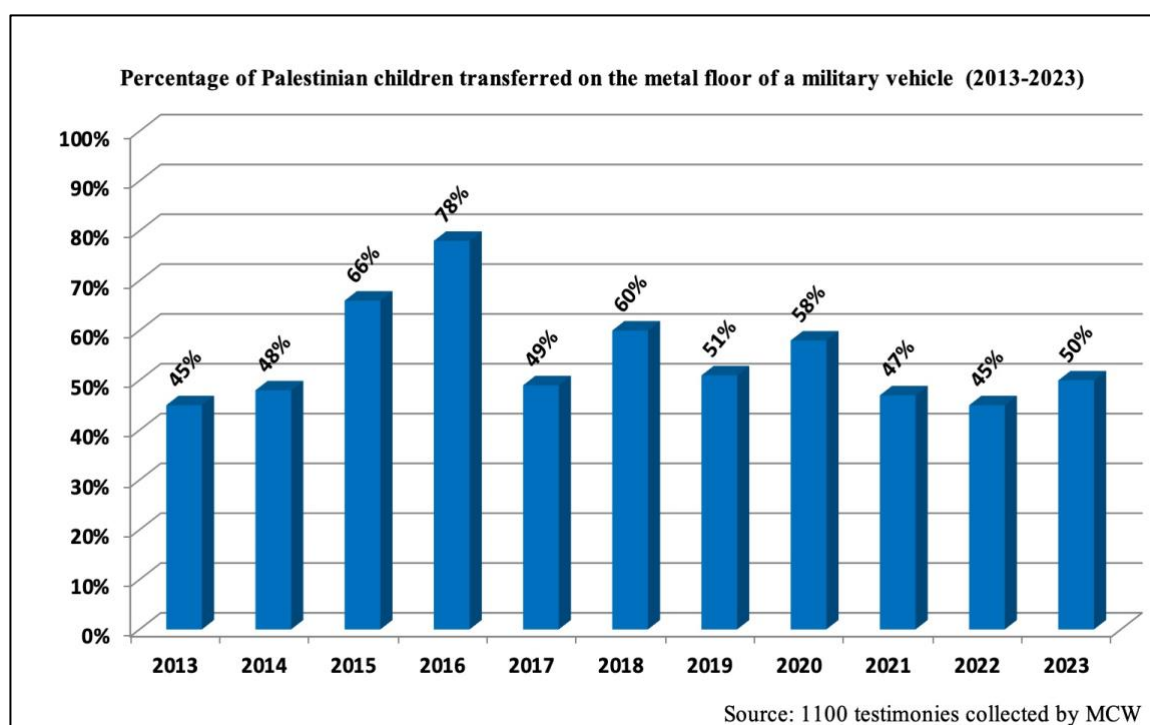
F. Floor transfer

2.17 UNICEF's recommendation (2013):

At all times during transfer, children should be properly seated, not blindfolded and treated with dignity.

- 2.18 During the Reporting Period, **54 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported being transferred from the place of arrest to an interrogation centre on the metal floor of a military vehicle, generally while tied and blindfolded. The evidence indicates that children are sometimes placed on the floor because there are no available seats, while on other occasions it appears that [seats are available](#). Once on the floor children are sometimes [pushed](#), [kicked](#), [slapped](#), [struck with rifle butts](#), [thrown on top](#) of other detainees and [verbally abused](#). Occasionally children report that the floor is wet and smells of [urine](#).

- 2.19 In 2011, the delegation who published the Lawyers' Report raised the issue of Palestinian child detainees being transferred on the floor of Israeli military vehicles following their arrest in the occupied West Bank with officials from Israel's Ministry of Defence and COGAT.³³ The delegation was informed by these officials that while this was not part of approved procedure, "soldiers are soldiers" - a comment that the delegation noted "caused us concern".³⁴



- **Number of children affected annually:**³⁵ **378 - 540 children**
- **Number of children affected since June 1967:** **21,168 - 30,240 children**

Sample of evidence

- **Children - Annexure A:** [4](#), [10](#), [16](#), [24](#), [26](#), [40](#), [65](#), [67](#), [74](#), [86](#), [101](#), [104](#), [119](#), [122](#), [124](#), [129](#), [130](#), [131](#), [159](#), [170](#), [171](#), [176](#), [177](#), [178](#), [182](#), [183](#), [185](#), [192](#), [197](#), [204](#), [209](#), [230](#), [245](#), [288](#), [301](#), [310](#), [313](#), [315](#), [317](#), [318](#), [325](#), [326](#), [328](#), [334](#), [338](#), [340](#), [362](#), [365](#), [370](#), [373](#), [378](#), [381](#), [393](#), [410](#), [411](#), [424](#), [440](#), [450](#), [452](#), [455](#), [458](#), [465](#), [469](#), [472](#), [474](#), [478](#), [482](#), [490](#), [491](#), [494](#), [519](#), [525](#), [530](#), [531](#), [545](#), [574](#), [583](#), [588](#), [591](#), [592](#), [599](#), [603](#), [613](#), [616](#), [622](#), [629](#), [631](#), [635](#), [643](#), [644](#), [646](#), [650](#), [655](#), [665](#), [668](#), [672](#), [700](#), [710](#), [718](#), [719](#), [731](#), [746](#), [749](#), [769](#), [778](#), [805](#), [827](#), [836](#), [837](#), [840](#), [842](#), [860](#), [865](#), [879](#), [885](#), [888](#), [897](#), [901](#), [919](#), [920](#), [930](#), [936](#), [937](#), [952](#), [960](#), [979](#). **Annexure B:** [981](#), [984](#), [985](#), [990](#), [1001](#), [1002](#), [1017](#), [1019](#), [1027](#), [1048](#), [1054](#), [1060](#), [1062](#), [1065](#), [1066](#), [1071](#), [1079](#).

"The soldiers took me the back of a jeep and made me bend down on the metal floor as if I was praying. A soldier put his boots on my head and pushed me down. I was left in that position for about two hours. Then a soldier tied my hands to the front with one plastic tie which was tight and painful. It left marks on my wrists for days. I was also blindfolded with a rag that smelled of tear gas."

[A.I.A.S.](#) (16 years) - Beit El, occupied West Bank - 20 October 2022

- **Soldiers - Annexure D:**

"There's no place to put the boy inside the patrol jeep, so what he does is throw him in the back, my friend and I were in the back of the patrol jeep and the boy is on our legs and our equipment and the grenades, and he's crying the whole time, lying on us and on the equipment and our feet. I could feel through his pants that he'd peed out of fear ... After we'd driven 10 kilometres from the village ... the commander decided it was enough, we could let him out. He stopped the jeep ... pulled the kid out, threw him at the side of the road, the kid's crying again, and now he has wet pants and a 10-kilometre walk back, and we keep going to the settlement down the road."

Soldier ([Breaking the Silence](#)) - occupied West Bank - 2000

G. Verbal abuse

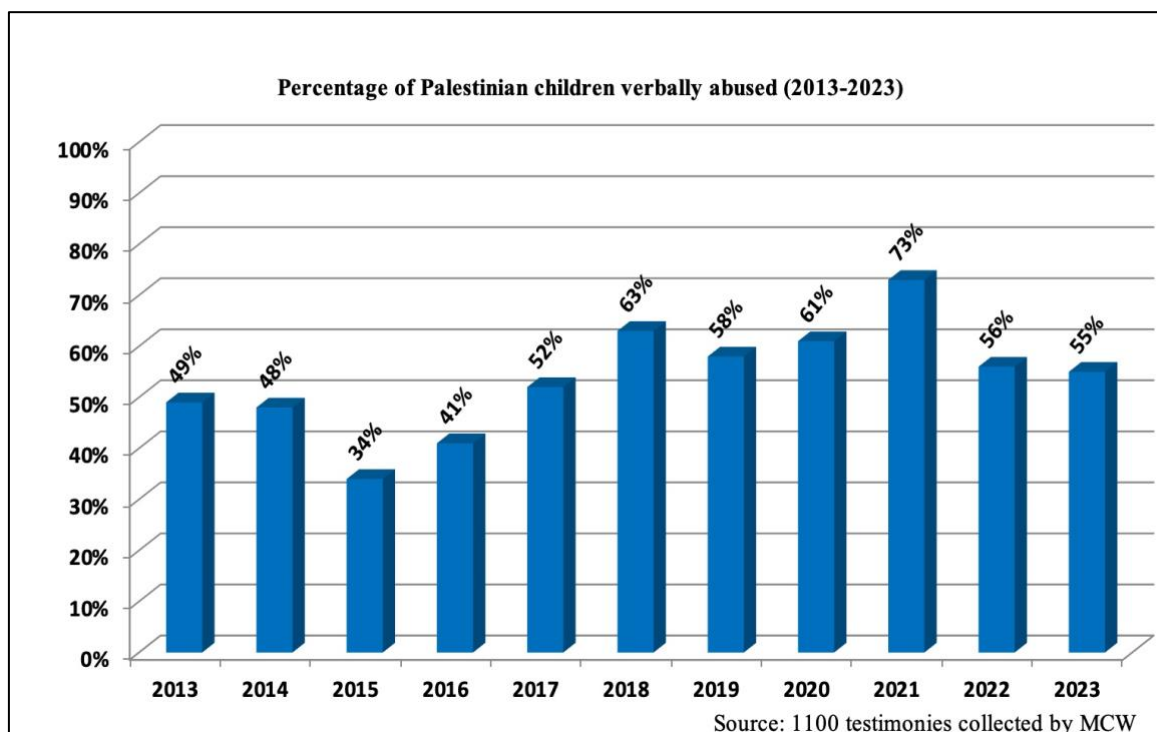
2.20 UNICEF's recommendation (2013):

In all actions concerning children the best interests of the child shall be the primary consideration.

- 2.21 During the Reporting Period, **54 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported being verbally abused during [arrest](#), [transfer](#) and/or [interrogation](#). The majority of this abuse either relates to the child's [mother](#) and [sister](#), or is directed towards the child's [religion](#).

"A soldier pressed his knee on my neck and I felt I was going to pass out. Soldiers swore at me and called me "a fucking son of a whore". I passed out for a few seconds but the soldiers woke me up. I think I nearly choked on my tongue but a paramedic soldier made sure I was ok."

[K.M.A.N.](#) (17 years) – Habla, West Bank – 18 May 2021



- **Number of children affected annually:**³⁶ **378 - 540 children**
- **Number of children affected since June 1967:** **21,168 - 30,240 children**

Sample of evidence

- **Children - Annexure A:** [2](#), [5](#), [8](#), [32](#), [33](#), [45](#), [68](#), [76](#), [86](#), [93](#), [104](#), [108](#), [111](#), [118](#), [123](#), [125](#), [129](#), [139](#), [145](#), [149](#), [151](#), [156](#), [161](#), [169](#), [171](#), [178](#), [194](#), [198](#), [212](#), [217](#), [220](#), [222](#), [232](#), [238](#), [240](#), [243](#), [260](#), [284](#), [299](#), [307](#), [317](#), [330](#), [336](#), [343](#), [352](#), [357](#), [363](#), [384](#), [393](#), [408](#), [445](#), [446](#), [457](#), [468](#), [469](#), [483](#), [493](#), [496](#), [509](#), [514](#), [520](#), [521](#), [529](#), [530](#), [537](#), [539](#), [544](#), [581](#), [601](#), [611](#), [622](#), [633](#), [659](#), [667](#), [675](#), [690](#), [719](#), [723](#), [725](#), [730](#), [745](#), [750](#), [774](#), [830](#), [831](#), [879](#), [884](#), [898](#), [910](#), [919](#), [925](#), [929](#), [932](#), [935](#), [942](#), [956](#), [959](#), [967](#), [975](#).
Annexure B: [986](#), [995](#), [997](#), [1000](#), [1001](#), [1003](#), [1008](#), [1021](#), [1022](#), [1030](#), [1043](#), [1046](#), [1048](#), [1051](#), [1073](#), [1076](#), [1080](#).
- **Parents - Annexure C:** [6](#), [21](#).

"I woke up at around 2:30 a.m. to the sound of an explosion ... Then the soldiers told us they wanted to arrest our 16-year-old son and they immediately blindfolded him. They verbally abused him and called him "a son of a whore". Then they dragged him down the stairs and I heard them banging his head against the wall. I tried to calm my son down and told him to be strong and brave."

[Itidal J.](#) (51 years) - Al 'Arrub refugee camp, occupied West Bank - 3 April 2017

- **Soldiers - Annexure D:** [17](#), [33](#), [36](#), [40](#), [57](#).

"I remember there was a procession of settlers and we blocked off a Palestinian road. We stopped the Palestinians who wanted to drive through the junction. About 15 cars stood there ... And then all the kids and youth (the settlers) arrived and just started cursing them and spitting at the Palestinians who were made to stand on the side. I was shocked that 5-year-old [settler] kids were screaming curses: 'burn, sons of bitches' - horrible things ... And then they [settlers] say to you, 'you're supposed to defend me, not them', stuff like that."

Soldier ([Testimony 40](#)) - Nablus, occupied West Bank - 2012

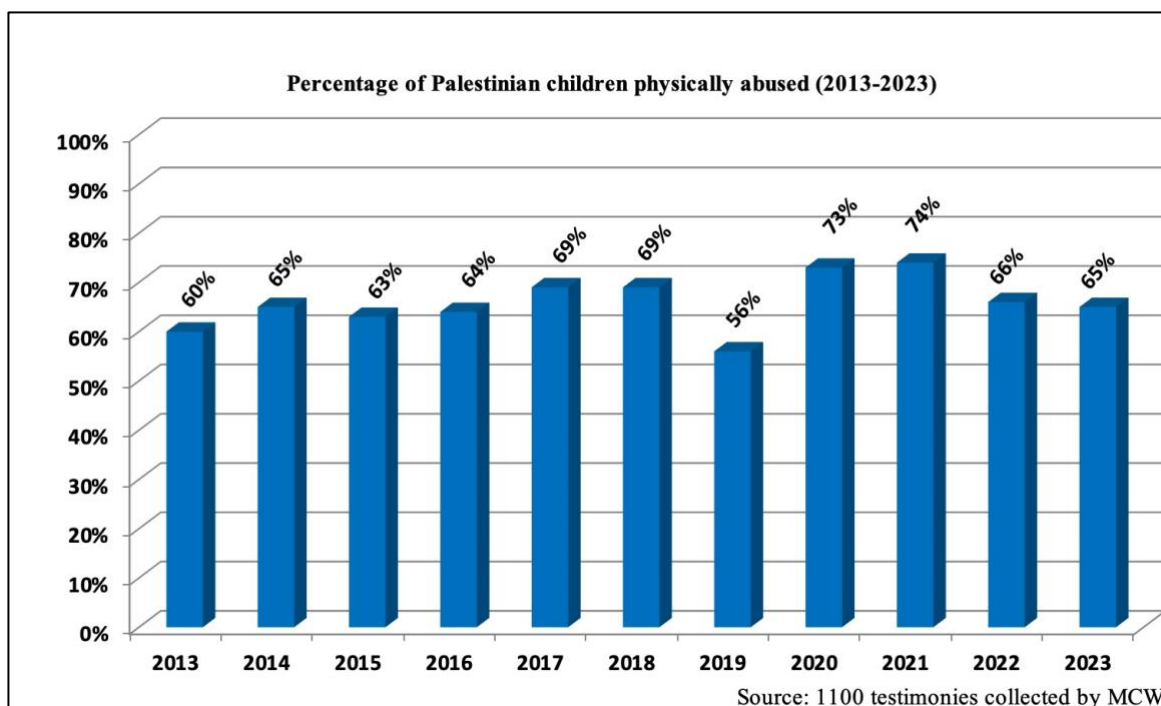
H. Physical abuse

2.22 UNICEF'S Recommendations (2013):

- (i) **In all actions concerning children, the best interests of the child shall be the primary consideration.**
- (ii) **Any complaint by a child, at any stage of his or her detention, regarding any form of violence and unlawful treatment, shall be promptly, diligently and independently investigated in accordance with international standards. All perpetrators shall be brought promptly to justice.**
- (iii) **Child victims of ill-treatment should obtain redress and adequate reparation, including rehabilitation, compensation, satisfaction and guarantees of non-repetition.**
- (iv) **The Israeli authorities should consider establishing an independent investigation into reports of ill-treatment of children in the military detention system, in accordance with the 2002 recommendations made by the UN Special Rapporteur on the situation of human rights on Palestinian territories occupied since 1967.**

2.23 During the Reporting Period, **66 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported various forms of physical abuse during arrest, transfer and/or interrogation. The types of reported abuse include: [punching](#); [slapping](#); [position abuse](#); [shooting](#); [choking](#); [kicking](#) including [kicking genitals](#); [striking with objects](#), such as guns; banging heads against objects, such as [walls](#), [metal cabinets](#), [windows](#) or the [heads of other detainees](#); [spat on](#); deliberately beaten on a [pre-existing injury](#); or injuries sustained as a result of being used as a [human shield](#). Some children were attacked by [service dogs](#). In some cases children required [medical attention](#) and/or [hospitalisation](#) after being assaulted. Most of the abuse occurs whilst the child is being

[transferred](#) from the point of arrest to an interrogation centre, with some abuse also occurring in the [interrogation](#) room - one child [reporting](#) that an interrogator switched off an audio-visual device before starting to slap and punch him. Occasionally a commanding officer [intervenes](#) to stop the abuse. Sometimes children report being physically assaulted by Israeli [settlers](#) whilst in the custody of soldiers.



- **Number of children affected annually:**³⁷ **462 - 660 children**
- **Number of children affected since June 1967:** **25,872 - 36,960 children**

Sample of evidence

- **Children - Annexure A:** [7](#), [9](#), [10](#), [17](#), [20](#), [23](#), [32](#), [37](#), [42](#), [44](#), [45](#), [46](#), [48](#), [49](#), [56](#), [59](#), [60](#), [61](#), [67](#), [69](#), [70](#), [78](#), [81](#), [105](#), [106](#), [107](#), [108](#), [109](#), [113](#), [126](#), [127](#), [128](#), [129](#), [130](#), [131](#), [134](#), [138](#), [139](#), [143](#), [144](#), [145](#), [147](#), [148](#), [149](#), [153](#), [156](#), [158](#), [169](#), [170](#), [171](#), [174](#), [175](#), [178](#), [182](#), [183](#), [186](#), [190](#), [194](#), [202](#), [209](#), [210](#), [222](#), [226](#), [232](#), [233](#), [234](#), [240](#), [241](#), [244](#), [248](#), [258](#), [259](#), [262](#), [271](#), [281](#), [284](#), [292](#), [294](#), [295](#), [296](#), [304](#), [307](#), [309](#), [311](#), [317](#), [318](#), [322](#), [323](#), [326](#), [336](#), [341](#), [346](#), [352](#), [354](#), [359](#), [370](#), [378](#), [385](#), [395](#), [399](#), [404](#), [406](#), [419](#), [424](#), [426](#), [427](#), [431](#), [435](#), [442](#), [445](#), [447](#), [451](#), [456](#), [458](#), [460](#), [462](#), [466](#), [470](#), [474](#), [477](#), [480](#), [489](#), [491](#), [493](#), [497](#), [498](#), [503](#), [505](#), [506](#), [509](#), [512](#), [519](#), [521](#), [528](#), [531](#), [532](#), [533](#), [534](#), [542](#), [544](#), [552](#), [554](#), [558](#), [564](#), [568](#), [572](#), [575](#), [577](#), [579](#), [583](#), [587](#), [600](#), [605](#), [607](#), [612](#), [617](#), [620](#), [623](#), [624](#), [627](#), [632](#), [645](#), [647](#), [649](#), [651](#), [652](#), [653](#), [665](#), [669](#), [670](#), [684](#), [688](#), [694](#), [696](#), [710](#), [713](#), [717](#), [729](#), [733](#), [739](#), [742](#), [746](#), [750](#), [754](#), [758](#), [766](#), [770](#), [776](#), [782](#), [788](#), [789](#), [791](#), [795](#), [806](#), [825](#), [830](#), [835](#), [836](#), [839](#), [840](#), [842](#), [865](#), [871](#), [876](#), [883](#), [886](#), [890](#), [891](#), [895](#), [903](#), [907](#), [912](#), [920](#), [923](#), [926](#), [927](#), [931](#), [932](#), [934](#), [952](#), [955](#), [959](#), [964](#), [966](#), [970](#), [972](#), [977](#). **Annexure B:** [981](#), [989](#), [997](#), [1001](#), [1002](#), [1008](#), [1014](#), [1015](#),

[1016](#), [1017](#), [1020](#), [1028](#), [1034](#), [1035](#), [1038](#), [1039](#), [1040](#), [1042](#), [1043](#), [1045](#), [1048](#), [1054](#), [1055](#), [1056](#), [1058](#), [1061](#), [1070](#), [1071](#), [1073](#), [1076](#), [1085](#).

"I woke up to the sound of a loud explosion at around 4:00 a.m. I got out of bed and found about 30 Israeli soldiers spread all over our home. My mother asked them what they wanted and things immediately got out of hand. One of the female soldiers twisted my sister's arm and pushed her to the floor; another punched me in the face when he asked me for my identity card and I told him I did not know where it was ... Another tried to lock my mother in the bedroom and then punched her in the chest when she resisted."

[M.I.R.H.](#) (17 years) - Azzun, occupied West Bank - 29 October 2022

- **Parents - Annexure C:** [6](#), [13](#), [25](#), [37](#), [38](#),

"I woke up to loud banging at our front door and my daughter frantically calling me. It was 3:30 a.m. My husband and I got up to see what was going on. Then we heard footsteps in the stairwell and a voice shouting 'open up, it's the army' ... The soldiers went straight to the bedroom of our 13-year-old son without saying a word. My son was still in bed and thought he was having a nightmare when he woke and saw soldiers over his head. He later told me a soldier kicked him in the knee while he was in bed and grabbed him by his T-shirt and pushed him against the wall. He then passed out."

[Nadine A.](#) (38 years) - Beit Sira, occupied West Bank, 12 October 2022

- **Soldiers - Annexure D:** [2](#), [3](#), [6](#), [12](#), [14](#), [15](#), [16](#), [18](#), [19](#), [20](#), [22](#), [23](#), [24](#), [29](#), [36](#), [37](#), [38](#), [48](#), [50](#), [62](#).

"First of all he faced the kid, who was this close to the wall. He looked at him for a second, then held him like this, pushed him with his elbow, choking him against the wall. The kid went totally wild, the commander kept screaming at him in Hebrew, not in Arabic. Then he let go, the kid lifted his hands to wipe off his tears, and the commander goes boom at the kid, who lowers his hands to stop wiping his tears, keeping them at his sides. Then the slaps came, more and more slaps ... This was a second phase of hitting and yelling. Then the kid began to really scream, it was frightening ... He called the squad commander at the checkpoint, stood facing the kid and said: 'This is how they should be treated,' gave the kid another two slaps and let him go ... I joined the army to stop such things and here I am, not doing a thing, choosing not to do anything. Am I fine with this? I remember answering myself: 'Yes, I'm fine with this. He's beating an Arab and I'm doing nothing about it.'"

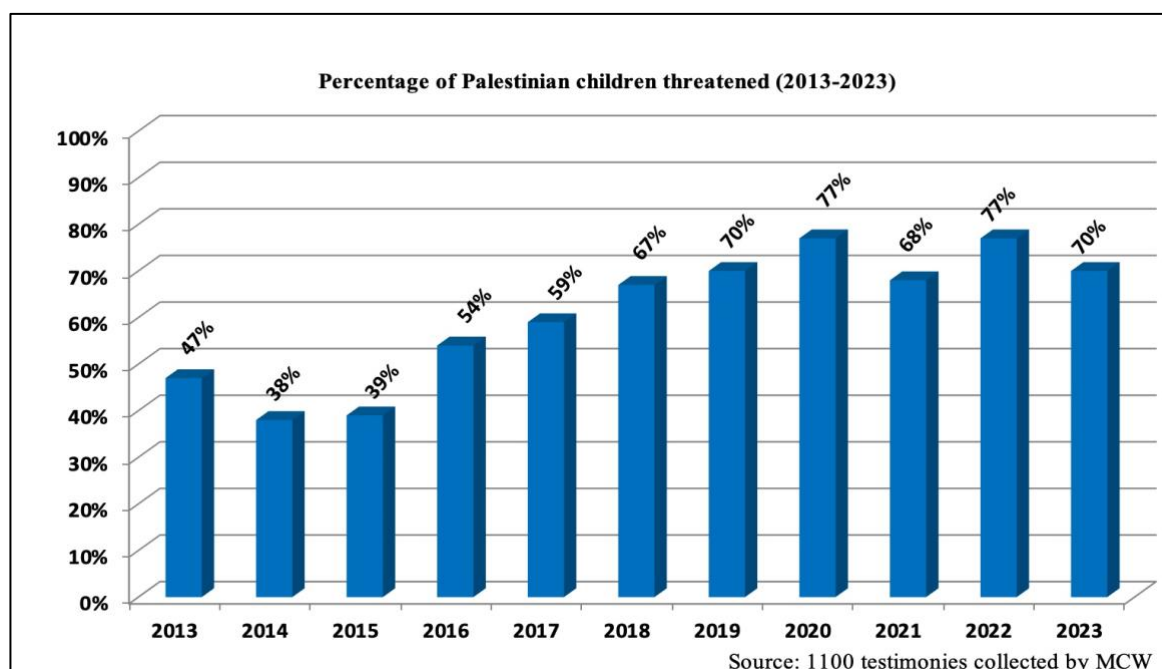
Soldier ([Testimony 37](#)) - Hebron, occupied West Bank - 2010

I. Threats

2.24 UNICEF's recommendations (2013):

In all actions concerning children, the best interests of the child shall be the primary consideration.

2.25 During the Reporting Period, **61 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported being threatened during arrest, transfer and/or interrogation. Threats are most commonly used during interrogation to obtain a confession and are frequently mixed with [shouting](#) and [aggressive behavior](#). The types of threats reported include: [denial](#) or [cancellation](#) of relatives' work permits; [home demolition](#); [administrative detention](#); [night arrest](#); [arrest of parents](#) or a [brother](#); [harsher interrogation](#) if the child does not confess; [long-term detention](#) or [life imprisonment](#); [death threats](#); [threats of torture](#); [solitary confinement](#) or [locking-up family members in solitary confinement](#); [threat of rape](#); threat to [rape mother and sister](#); [taser](#); [electrocution](#); a threat to impose [travel restrictions](#); [no release until confession](#); threats of [physical violence](#); a threat to pull out a child's [dental braces](#); [cocking a rifle](#) near the child; [denial of food and drink for a month](#); [spraying with gas](#) if the child continued to bang on the cell door while in solitary confinement; and a threat to [paralyze a brother](#) who was also in custody. It should be recalled that these threats are generally made whilst the child is restrained, hungry and sleep deprived - in such circumstances some children report being [terrified](#). In some cases, the threats actually materialize, such as the [cancellation](#) of relatives' [work permits](#).



- **Number of children affected annually:**³⁸ **427 - 610 children**
- **Number of children affected since June 1967:** **23,912 - 34,160 children**

Sample of evidence

- **Children - Annexure A:** [1](#), [3](#), [11](#), [19](#), [20](#), [30](#), [34](#), [40](#), [41](#), [42](#), [47](#), [48](#), [50](#), [57](#), [58](#), [77](#), [78](#), [79](#), [81](#), [83](#), [86](#), [87](#), [95](#), [96](#), [97](#), [101](#), [113](#), [125](#), [126](#), [148](#), [150](#), [152](#), [164](#), [175](#), [176](#), [190](#), [195](#), [196](#), [202](#), [211](#), [217](#), [234](#), [235](#), [245](#), [246](#), [247](#), [250](#), [258](#), [272](#), [277](#), [311](#), [315](#), [323](#), [324](#), [339](#), [340](#), [342](#), [352](#), [355](#), [356](#), [357](#), [365](#), [367](#), [375](#), [421](#), [434](#), [436](#), [453](#), [456](#), [473](#), [476](#), [479](#), [489](#), [498](#), [501](#), [515](#), [528](#), [532](#), [534](#), [535](#), [536](#), [537](#), [539](#), [541](#), [544](#), [551](#), [559](#), [561](#), [569](#), [580](#), [583](#), [601](#), [606](#), [612](#), [616](#), [627](#), [640](#), [645](#), [654](#), [656](#), [657](#), [663](#), [666](#), [673](#), [677](#), [684](#), [688](#), [691](#), [696](#), [698](#), [700](#), [704](#), [709](#), [712](#), [722](#), [727](#), [730](#), [735](#), [741](#), [744](#) (H), [759](#), [761](#), [766](#), [773](#), [774](#), [778](#), [785](#), [789](#), [790](#), [797](#), [803](#), [818](#), [826](#), [828](#), [831](#), [840](#), [869](#), [872](#), [874](#), [878](#), [883](#), [889](#), [900](#), [911](#), [918](#), [923](#), [925](#), [927](#), [931](#), [940](#), [943](#), [946](#), [967](#), [971](#), [976](#). **Annexure B:** [990](#), [993](#), [997](#), [998](#), [1004](#), [1005](#), [1012](#), [1013](#), [1016](#), [1017](#), [1018](#), [1019](#), [1020](#), [1021](#), [1022](#), [1027](#), [1028](#), [1030](#), [1038](#), [1040](#), [1042](#), [1044](#), [1,046](#), [1051](#), [1055](#), [1057](#), [1061](#), [1066](#), [1067](#), [1070](#), [1071](#), [1074](#), [1075](#), [1076](#), [1078](#), [1079](#), [1083](#).

"The 2nd interrogator repeated the same questions as the 1st interrogator and spoke to me in a loud and aggressive voice. He threatened to keep me in prison for a long time if I did not confess. He also told me he was going to deny me a permit to enter Israel for 7 years if I did not confess. He reminded me that they had revoked the work permits of my father, 2 older brothers and 3 uncles soon after I had been shot and told me I would never be allowed to have a work permit. My father lost his job in Israel where he had worked for 17 years and was earning a good income."

[D.S.A.A.](#) (14 years) - Husan, occupied West Bank - 16 May 2023

- **Parents - Annexure C:** [21](#), [26](#).

"I was up at around 4:00 a.m. getting ready to visit one of my sons who is in an Israeli prison when I heard a noise at the front door. Suddenly my front door was broken open and I was shocked to see around 12 Israeli soldiers enter my home. One of the soldiers was wearing a mask. I was terrified ... Then one of the soldiers asked me to hand over my mobile phone. When I told him I did not have a mobile phone he threatened to demolish our house with us inside if I did not hand it over immediately."

[Ruqaya D.](#) (58 years) - Dheisha refugee camp, occupied West Bank - 25 Sep 2017

- **Soldiers - Annexure D:** [6](#), [12](#), [28](#), [29](#), [47](#).

"There are young children there and all they'll remember for the rest of their lives is how much they hate the soldiers because they were at home with their mom and [soldiers] came in the middle of the night and put them in one room and a soldier stood over them, threatening them with a weapon when they were 4 years old. And they won't forget it for the rest of their lives, and that's what will lead them in how they think about Israelis – this is it."

Soldier ([Testimony 47](#)) - occupied West Bank - 2014

J. Excessive exposure to the elements and/or general neglect

2.26 UNICEF's recommendation (2013):

In all actions concerning children, the best interests of the child shall be the primary consideration.

2.27 The journey from the place of arrest to the interrogation room (usually located in a settlement in the occupied West Bank) is often indirect involving stops at [military watchtowers](#), [checkpoints](#), [army bases](#) and [smaller settlements](#) throughout the occupied West Bank. Accordingly, the journey to interrogation can take many hours or [days](#). During this time children frequently report being left [tied and blindfolded](#) in [shipping containers](#), [tents](#) or [left outside](#) sitting or [kneeling](#) on the [ground](#) or in [cages](#) for [extended periods](#) exposed to [summer](#) and [winter](#) elements. In some cases [air-conditioners](#) appear to be unnecessarily turned on causing children discomfort prior to interrogation. Some children report being treated with [dignity](#), but in most cases, children report [physical violence](#), [humiliation](#), denial of [food](#) and [water](#), and limited or no access to [toilets](#). There also appears to be a deliberate policy of ensuring that many children are [sleep deprived](#) prior to interrogation. The result is that by the time children are interrogated, they are in a state of physical and mental exhaustion.

Sample of evidence

- **Children - Annexure A:** [1](#), [3](#), [4](#) (S)¹, [6](#) (A/S)², [9](#), [13](#), [17](#) (A), [24](#) (S), [25](#), [27](#), [32](#), [34](#), [37](#), [43](#), [45](#) (S), [46](#) (S), [49](#), [52](#), [62](#) (S), [65](#) (S), [77](#) (A), [82](#), [86](#) (S), [97](#), [115](#) (S), [117](#) (S), [119](#) (A), [120](#), [135](#), [146](#), [162](#), [163](#), [169](#), [179](#), [180](#), [186](#), [200](#) (S), [201](#), [213](#) (A), [216](#), [217](#) (A), [220](#), [225](#) (S), [230](#), [231](#), [236](#), [237](#) (S), [240](#), [241](#) (S), [247](#), [253](#), [258](#), [303](#), [307](#), [308](#), [311](#), [317](#), [320](#), [321](#), [331](#), [336](#), [341](#), [345](#), [353](#), [357](#), [361](#), [363](#) (A), [365](#) (S), [372](#), [373](#) (A), [378](#) (S), [391](#), [396](#), [398](#) (S), [408](#) (S), [417](#), [421](#), [427](#), [447](#) (S), [452](#), [461](#), [462](#), [464](#), [466](#),

¹ S - Intentionally sleep deprived.

² A - Excessive use of air conditioners causing discomfort.

[467](#), [472](#), [475](#), [479](#), [503](#), [507](#), [509](#) (A), [510](#), [516](#), [521](#) (A), [526](#), [531](#), [538](#), [553](#) (A), [558](#) (A), [559](#) (A), [568](#), [583](#) (A), [603](#) (S), [613](#) (S), [616](#), [631](#), [635](#) (A), [638](#), [641](#) (S), [642](#) (A), [643](#), [646](#), [648](#) (A), [670](#) (S), [672](#) (S), [674](#) (S), [685](#) (S), [688](#) (S), [728](#), [737](#), [748](#), [767](#) (S), [771](#) (S), [774](#), [775](#), [777](#) (S), [812](#) (A), [813](#) (A), [825](#), [827](#) (A), [840](#), [849](#), [857](#) (A), [862](#), [872](#), [883](#), [887](#), [890](#) (S), [892](#), [899](#), [905](#), [909](#) (A/S), [928](#), [933](#), [934](#), [935](#), [942](#) (A), [961](#) (S), [962](#) (S), [966](#). **Annexure B:** [985](#) (S), [986](#) (S), [988](#) (S), [989](#) (A), [999](#) (S), [1002](#) (S), [1004](#), [1008](#), [1009](#), [1010](#) (A), [1016](#) (A), [1019](#) (A), [1020](#), [1021](#), [1022](#), [1023](#) (A), [1025](#) (A), [1026](#), [1027](#) (S), [1029](#) (S), [1031](#), [1034](#) (S), [1036](#) (S), [1043](#), [1056](#) (A/S), [1057](#), [1059](#), [1060](#), [1064](#) (S), [1068](#) (A), [1069](#) (A), [1071](#) (A), [1072](#) (S), [1081](#) (A), [1085](#) (S).

"The jeep took me to Atarot police station. I arrived there at about 8:00 p.m. I was tired and sleepy. At Atarot I was left in an outdoor cage until 3:00 p.m. the next day. It was cold and a soldier made me take off my warm jacket and took it away from me. When I told him I was cold he refused to give it back. They did not give me any food or water and did not allow me to use the toilet. At around 3:00 p.m. a soldier removed the blindfold and took me to the interrogation room."

[B.S.A.L.](#) (16 years) - Atarot police station, occupied East Jerusalem - 2 Nov 2022

- **Soldiers - Annexure D:** [5](#), [29](#), [32](#), [35](#), [36](#), [38](#), [58](#).

"There are those annoying moments when you're on an arrest mission, and there's no room in the police station, so you just take the kid back with you to the army post, blindfold him, put him in a room and wait for the police to come pick him up in the morning. He sits there like a dog ... We did try to be nice and find a mattress for them, some water, sometimes some food, and they'd sit there blindfolded and shackled, left like that until morning. Those were the instructions. Or just to leave them in the war-room. That was also standard procedure. Until morning, until someone came to pick them up."

Soldier ([Testimony 32](#)) - Hebron, occupied West Bank - 2010

K. Medical care and complaints

2.28 UNICEF's recommendation (2013):

- Both prior to and after questioning, as well as upon transfer to another place of detention, the detained child should undergo a medical inspection by an independently qualified medical doctor. The medical inspection should abide by**

the highest standards of medical ethics, document objectively any complaints and findings, and assess the child's physical and psychological state. Any immediate medical needs should be attended to.

- (ii) Subject to the consent of the child's legal guardian, all medical records should be made available to the child's lawyer.**
- (iii) Children deprived of their liberty shall have access to prompt and adequate medical care at all times.**
- (iv) Any complaint by a child, at any stage of his or her detention, regarding any form of violence and unlawful treatment, shall be promptly, diligently and independently investigated in accordance with international standards. All perpetrators shall be brought promptly to justice.**
- (v) Unless the allegations are manifestly unfounded, the personnel allegedly involved in the unlawful treatment of children should be suspended from duties involving contact with children, pending the outcome of an independent investigation and any subsequent legal or disciplinary proceedings.**

2.29 Israeli military [regulations](#) provide that following the arrest of a minor, he/she must be brought without delay to a medical examination. The physician will examine the detainee's medical fitness, and then the detainee has to be transferred without delay to an interrogation. It should also be noted that "Unnecessary physical and verbal violence" is strictly forbidden.

2.30 Evidence collected during the Reporting Period indicates that children are generally given medical checks shortly after their arrest. However, there are a number of problematic features regarding these checks:

- (i) The medical checks generally occur in shipping containers or the back of military vehicles in settlements or military bases in the occupied West Bank. They tend to be cursory in nature and leave the impression that they are performed for internal bureaucratic reasons, rather than out of any genuine concern for the child's welfare. No consideration appears to be given to the child's psychological state. (See **Annexure A**: [10](#), [32](#), [125](#), [872](#)).

"At the settlement I was given a medical examination. I told the person who examined me that I was beaten up when he asked me whether I was beaten - but I saw he circled the wrong answer."

[H.H.I.Z.](#) (16 years) - Israeli settlement, occupied West Bank - 21 May 2021

- (ii) Most children remain tied, and in some cases, blindfolded during their medical check or hospitalization. (See **Annexure A:** [36](#), [47](#), [56](#), [170](#), [356](#), [977](#). **Annexure B:** [1086](#))

"Then a military ambulance arrived and took me away. I passed out because I lost a lot of blood. I was shot on Sunday and I remained unconscious until Tuesday. I regained consciousness and found myself at a hospital, handcuffed and shackled to the bed by my other leg."

[H.A.U.L.](#) (16 years) - Jerusalem - 28 May 2023

- (iii) In some cases violence against the child occurs in the presence of the doctor without comment or intervention. (See **Annexure A:** [209](#))

"I was then taken to see a doctor. As soon as we entered the doctor's room a soldier held my head and banged it against the wall in front of the doctor who didn't say or do anything."

[I.M.B.H.](#) (17 years) - occupied West Bank - 10 February 2015

- (iv) Complaints by children as to how they were treated by the arresting soldiers, or about an obvious injury or pre-existing medical condition, are frequently ignored (See **Annexure A:** [3](#), [6](#), [19](#), [55](#), [56](#), [75](#), [80](#), [111](#), [121](#), [129](#), [130](#), [140](#), [171](#), [469](#), [503](#), [542](#), [733](#), [739](#), - also by military judges (See **Annexure A:** [43](#)).

"I told the military judge I was beaten by the interrogator and that I confessed because he beat me. The judge didn't say or do anything when I told him this."

[J.M.](#) (16 years) - Ofer military court, occupied West Bank, 6 November 2013

- (v) In some cases children are provided with medical care for an injury or medical condition (see **Annexure A:** [183](#), [489](#). **Annexure B:** [1048](#), [1055](#)) while in other cases no care at all is provided. (See **Annexure A:** [160](#), [496](#), [533](#), [806](#)).

"I was taken to a nearby military checkpoint where the soldiers continued to slap and kick me. One of them struck me hard with his gun on my back and caused me severe pain. Inside the checkpoint a soldier blindfolded me and swore at me. The soldiers beat me so hard that I passed out and the soldiers called an ambulance. I woke up when soldiers poured Coca Cola on my face. The paramedics examined me but did not look at my back which hurt the most."

[A.M.T.H.](#) (14 years) - Hebron, occupied West Bank - 5 October 2021

"The inmates yelled for the sergeant on duty to arrive, and after 20 minutes of yelling, a 15-year-old boy was brought out of the prisoners' cell ... The medical protocol requires that anyone suffering pain in his testicles must go to the hospital, see a doctor. I was stressed out and tried to speak with the battalion doctor to ask him to make a call. He said he'd be there two days later, and that I should give him an aspirin."

Israeli soldier ([Testimony 5](#)), Salem detention centre, occupied West Bank, 2005

- 2.31 Evidence collected during the Reporting Period indicates that children frequently complain to the arresting soldiers about their physical condition, including pain caused by over-tightened restraints. Generally these complaints are ignored or the child is told to "shut up". Occasionally the painful ties will simply be tightened more. (See **Annexure A**: [4](#), [9](#), [11](#), [28](#), [60](#), [79](#), [100](#), [108](#), [125](#), [230](#), [302](#), [351](#), [367](#), [448](#), [470](#), [508](#), [518](#), [608](#), [612](#), [659](#), [768](#), [780](#), [927](#), [939](#), [973](#). **Annexure B**: [989](#), [997](#), [1046](#), [1061](#), [1063](#), [1081](#)).

"At the front door a soldier blindfolded me and tied my hands behind my back with two plastic ties on top of each other. The ties were tight and very painful. When I asked the soldier to loosen them he tightened them even more until my wrists bled."

[K.I.N.D.](#) (17 years) - Beit Fajjar, occupied West Bank - 8 June 2022

- 2.32 In some cases, the evidence discloses small acts of kindness by a soldier towards a detained child, within the limited circumstances afforded to them by the military procedures and day to day realities of indefinite military rule. (See **Annexure A**: [478](#), [851](#). **Annexure B**: [999](#)).

"After about 30 minutes I was taken to an office where there were soldiers. One of the soldiers removed the hood and scolded the other soldiers for tying my hands so tightly. He cut off the tie and replaced it with a looser tie to the front. He asked me whether I was beaten and whether I had any pain and I told him I was ok. Then he hooded me again and took me to a room where I remained until 9:00 a.m."

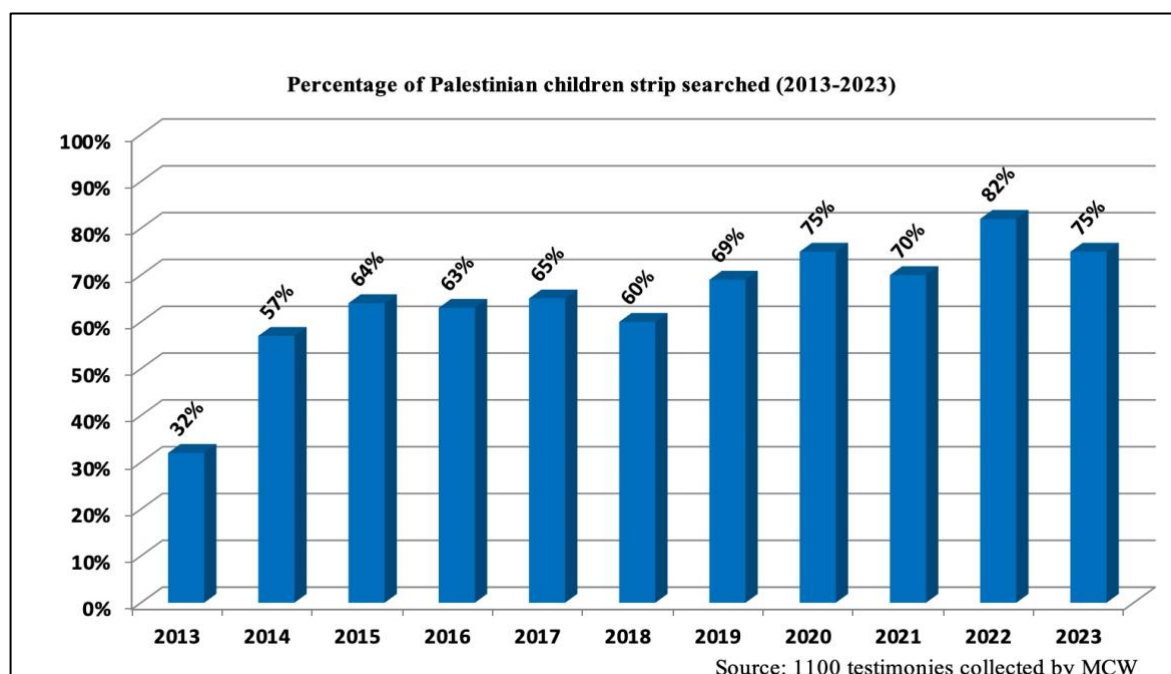
[A.N.A.R.](#) (14 years) - Zufin settlement, occupied West Bank - 23 January 2017

L. Strip searches

2.33 UNICEF's recommendation (2013):

Strip searches should be carried out only under exceptional circumstances and used only as a last resort. When conducted, strip searches should be done with full respect for the dignity of the child and be conducted by more than one person of the same gender as the child, in the presence of a parent, guardian, or other responsible adult, wherever possible. The strip search should be done in a private location and should not involve the removal of all garments at the same time.

- 2.34 During the Reporting Period, **65 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported being strip searched on arrival at an interrogation centre or prison. Some children report being told to [crouch up](#) and [down](#) naked while being searched. Unsurprisingly, children find this procedure [humiliating](#) and [embarrassing](#). Some children report being [physically assaulted](#) or [threatened](#) if they refuse to strip. In no case did the military or prison authorities conduct a search in accordance with UNICEF's recommendation.



- **Number of children affected annually:**³⁹ **455 - 650 children**
- **Number of children affected since June 1967:** **25,480 - 36,400 children**

Sample of evidence

- **Children - Annexure A:** [9](#), [70](#), [82](#), [94](#), [100](#), [112](#), [113](#), [114](#), [119](#), [120](#), [125](#), [126](#), [133](#), [158](#), [169](#), [171](#), [176](#), [178](#), [182](#), [186](#), [211](#), [228](#), [230](#), [232](#), [234](#), [240](#), [263](#), [267](#), [270](#), [274](#), [357](#), [363](#), [367](#), [475](#), [491](#), [497](#), [500](#), [501](#), [513](#), [523](#), [525](#), [537](#), [539](#), [540](#), [546](#), [559](#), [561](#), [563](#), [568](#), [579](#), [627](#), [646](#), [670](#), [671](#), [696](#), [731](#), [735](#), [737](#), [741](#), [747](#), [754](#), [765](#), [766](#), [771](#), [830](#), [860](#), [862](#), [879](#), [881](#), [885](#), [890](#), [895](#), [902](#), [933](#), [943](#), [969](#), [977](#). **Annexure B:** [980](#), [985](#), [998](#), [999](#), [1002](#), [1027](#), [1047](#), [1051](#), [1055](#), [1056](#), [1061](#), [1063](#), [1074](#), [1086](#).

"After the interrogation I was taken to Al Mascobiye police station, in West Jerusalem. By this time I was exhausted and sleep deprived. On arrival I was strip searched in a humiliating manner. When I objected I was beaten up while completely naked. Then I was put in a cell with two other detainees. I thought they were informants and did not trust them. I spent 18 days at Al Mascobiye."

[F.N.D.A.](#) (17 years) - Al Muscobiye, Israel - 16 December 2022

M. Accompanied by a parent / guardian during interrogation - audio-visual recording

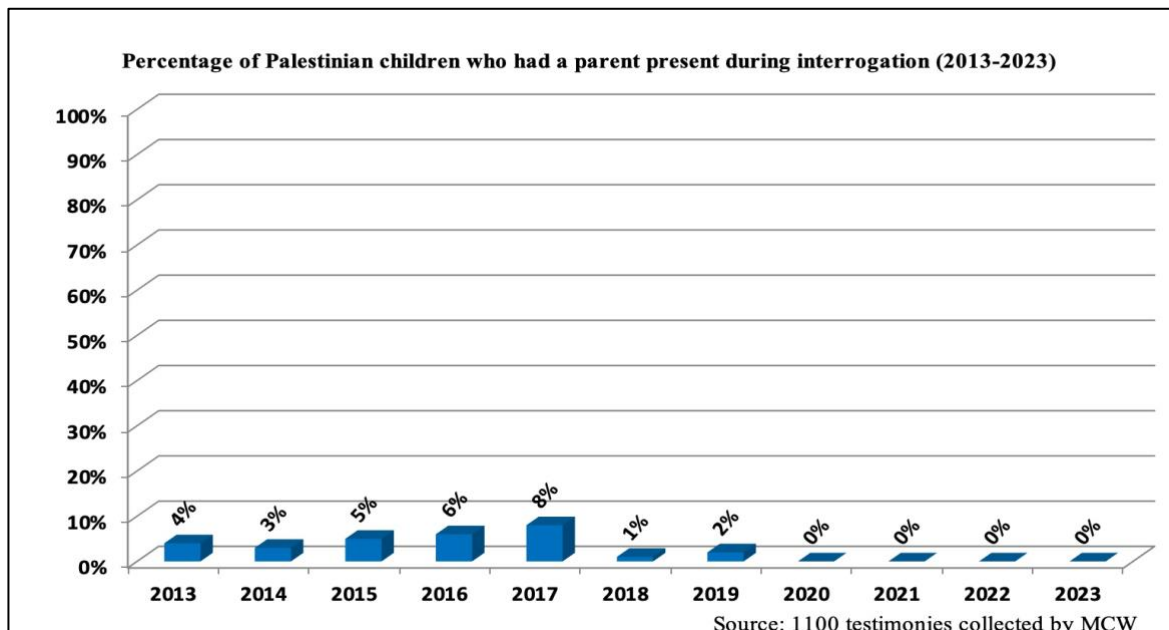
2.35 UNICEF's recommendation (2013):

The questioning or interrogation of a child should always take place in the presence of a lawyer and a family member, and should always be audio-visually recorded for the purpose of independent oversight.

2.36 During the Reporting Period, **97 percent** of Palestinian children detained by the Israeli military in the occupied West Bank were interrogated in the absence of a parent or family member. While there is no legal right under Israeli military law for a parent to accompany a child during interrogation in security offences, the military authorities have acknowledged a [discretion](#) to permit parents to be present. In some cases [parents](#) or [grandparents](#) took their children to an interrogation centre after being ordered to do so by an intelligence officer but were prevented from attending the interrogation even though they were present on site. No cases of accompaniment have been documented since 2019.

2.37 While some interrogations are audio-visually recorded, this is done solely for internal purposes. In no cases are audio-visual recordings of a child's interrogation provided to defence counsel prior to the first hearing - as recommended by the Lawyers' Report. In

September 2014, the military law was amended to provide for the audio-visual recording of police interrogations in the occupied West Bank in "non-security related offences".⁴⁰ MCW has not documented any cases in which any such tapes have been provided to defence counsel prior to the first hearing.



- **Number of children affected annually:**⁴¹ **679 - 970 children**
- **Number of children affected since June 1967:** **38,024 - 54,320 children**

Sample of evidence

- **Children - Annexure A:** [8](#), [9](#), [14](#), [19](#), [55](#), [59](#), [70](#), [72](#), [84](#), [87](#), [91](#), [93](#), [103](#), [110](#), [114](#), [144](#), [147](#), [160](#), [162](#), [163](#), [164](#), [165](#), [167](#), [221](#), [226](#), [239](#), [252](#), [260](#), [261](#), [267](#), [268](#), [269](#), [270](#), [271](#), [272](#), [275](#), [276](#), [278](#), [309](#), [315](#), [316](#), [319](#), [321](#), [332](#), [334](#), [335](#), [375](#), [404](#), [405](#), [406](#), [420](#), [421](#), [424](#), [427](#), [432](#), [439](#), [457](#), [458](#), [459](#), [467](#), [470](#), [471](#), [479](#), [482](#), [485](#), [486](#), [488](#), [492](#), [497](#), [504](#), [511](#), [513](#), [520](#), [551](#), [553](#), [556](#), [558](#), [559](#), [565](#), [568](#), [571](#), [573](#), [576](#), [602](#), [606](#), [613](#), [615](#), [622](#), [625](#), [630](#), [637](#), [638](#), [639](#), [641](#), [642](#), [647](#), [656](#), [662](#), [682](#), [686](#), [709](#), [714](#), [716](#), [730](#), [735](#), [738](#), [740](#), [752](#), [762](#), [801](#), [874](#), [889](#), [979](#). **Annexure B:** [994](#), [995](#), [1006](#), [1013](#), [1024](#), [1032](#), [1038](#), [1046](#), [1070](#), [1076](#).

"The soldiers then took us to the back of a jeep. I sat on the metal floor and my father sat on seat. We were then driven to a nearby military base. We were left in the jeep for a short while before being driven to the police station in Binyamin settlement where I was separated from my father. I was taken to a room where I was left for about 5 hours, tied and blindfolded. I found it hard. I was not given any food but I was given some water and I could use the toilet. After about 5 hours I was taken for interrogation. They did not allow my father to attend."

[M.F.S.L.](#) (17 years) - Binyamin settlement, occupied West Bank - 7 June 2023

- **Parents - Annexure C:** [3](#), [9](#), [27](#), [40](#).

"I woke up at 3:30 a.m. to very loud banging at our front door ... The commander gave my husband a document asking him to go to an Israeli police station inside a settlement in the morning ... My husband went to the police station in the morning and asked to see our son but the soldier refused. Then a soldier showed my husband a photograph and told him our son was involved in throwing stones. When my husband denied this, the soldier told him he could see our son if he confessed against him."

[Sana I.](#) (42 years) - Qalqiliya, occupied West Bank - 1 February 2018

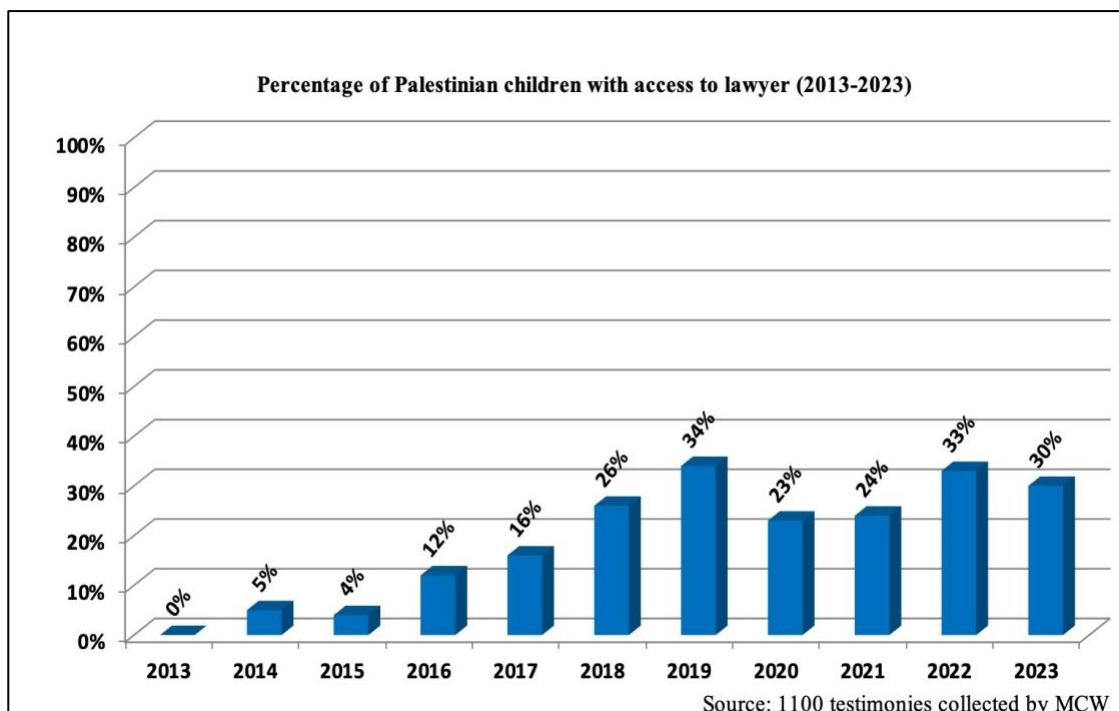
N. Prompt access to a lawyer

2.38 UNICEF's recommendations (2013):

- (i) All children in detention shall have prompt and regular access to an independent lawyer of their choice.**
- (ii) The questioning or interrogation of a child should always take place in the presence of a lawyer and a family member, and should always be audio-visually recorded for the purpose of independent oversight.**
- (iii) No statement or confession made by a child deprived of his or her liberty, other than one made in the presence of a judge or the child's lawyer, should have probative value at any stage of the criminal proceedings, except as evidence against those who are accused of having obtained the confession by unlawful means. Cases involving children in military courts should not be determined solely on the basis of confessions from children.**

2.39 During the Reporting Period, **81 percent** of Palestinian children detained by the Israeli military in the occupied West Bank were interrogated without prior access to a lawyer. Under Israeli military law a detainee has the right to consult with a lawyer prior to interrogation. There are exceptions but generally these do not apply to children. Although Israel's Supreme Court has identified this to be a fundamental right, it is denied to the overwhelming majority of Palestinian children.⁴² In cases where a child does consult with a lawyer prior to interrogation, this usually amounts to a [brief phone conversation](#) lasting several minutes or less, sometimes while the interrogator [listens](#) on speaker phone. Many children report only being informed of the right [half-way through](#) or at the [conclusion](#) of the interrogation. In some cases children are [handed a document](#) in the interrogation room about their rights even as these rights are being [withheld](#). In some cases a child is informed of the right to consult with a lawyer but given [no opportunity](#) to do so. In almost no cases did a child [physically meet](#) with a lawyer prior

to interrogation. It is not uncommon for children to be informed of their right to consult with a lawyer but [no consultation](#) takes place. In some cases children are informed of their legal rights but then [physically assaulted](#) if they attempt to exercise them. Most children continue to consult with a lawyer for the [first time](#) in a military court.



- **Number of children affected annually:**⁴³ **567 - 810 children**
- **Number of children affected since June 1967:** **31,752 - 45,360 children**

Sample of evidence

- **Children - Annexure A:** [10](#), [16](#), [18](#), [23](#), [27](#), [29](#), [36](#), [37](#), [41](#), [55](#), [60](#), [61](#), [70](#), [71](#), [74](#), [75](#), [76](#), [80](#), [82](#), [86](#), [91](#), [92](#), [95](#), [96](#), [97](#), [99](#), [102](#), [103](#), [104](#), [105](#), [106](#), [107](#), [110](#), [112](#), [113](#), [117](#), [120](#), [121](#), [122](#), [124](#), [125](#), [130](#), [131](#), [132](#), [141](#), [154](#), [165](#), [178](#), [182](#), [186](#), [194](#), [201](#), [205](#), [215](#), [228](#), [232](#), [236](#), [237](#), [238](#), [239](#), [240](#), [241](#), [244](#), [247](#), [255](#), [258](#), [263](#), [264](#), [267](#), [268](#), [271](#), [272](#), [285](#), [289](#), [290](#), [301](#), [311](#), [313](#), [321](#), [331](#), [342](#), [345](#), [350](#), [375](#), [391](#), [392](#), [394](#), [402](#), [407](#), [416](#), [421](#), [423](#), [430](#), [442](#), [447](#), [452](#), [464](#), [470](#), [474](#), [491](#), [492](#), [497](#), [498](#), [499](#), [500](#), [501](#), [508](#), [510](#), [514](#), [519](#), [521](#), [522](#), [523](#), [531](#), [533](#), [536](#), [539](#), [541](#), [544](#), [545](#), [554](#), [570](#), [572](#), [575](#), [582](#), [584](#), [586](#), [587](#), [589](#), [590](#), [591](#), [592](#), [603](#), [609](#), [612](#), [614](#), [615](#), [616](#), [619](#), [624](#), [637](#), [642](#), [651](#), [652](#), [658](#), [659](#), [667](#), [705](#), [706](#), [711](#), [739](#), [740](#), [742](#), [763](#), [820](#), [851](#), [865](#), [886](#), [916](#), [917](#), [921](#), [923](#), [930](#), [934](#), [952](#), [957](#), [966](#), [979](#). **Annexure B:** [987](#), [988](#), [989](#), [992](#), [993](#), [995](#), [996](#), [999](#), [1001](#), [1002](#), [1003](#), [1004](#), [1006](#), [1007](#), [1008](#), [1009](#), [1013](#), [1015](#), [1017](#), [1018](#), [1021](#), [1022](#), [1027](#), [1028](#), [1030](#), [1032](#), [1035](#), [1049](#), [1051](#), [1060](#), [1071](#), [1073](#), [1081](#).

"After confessing the interrogator phoned a lawyer and handed me the phone. The lawyer told me not to confess because if I did I would go to prison and if I didn't I would be sent home. When I said I had already confessed, the line was cut off."

[J.M.J.H.](#) (14 years) - Binyamin settlement, occupied West Bank - 12 October 2022

O. Right to silence

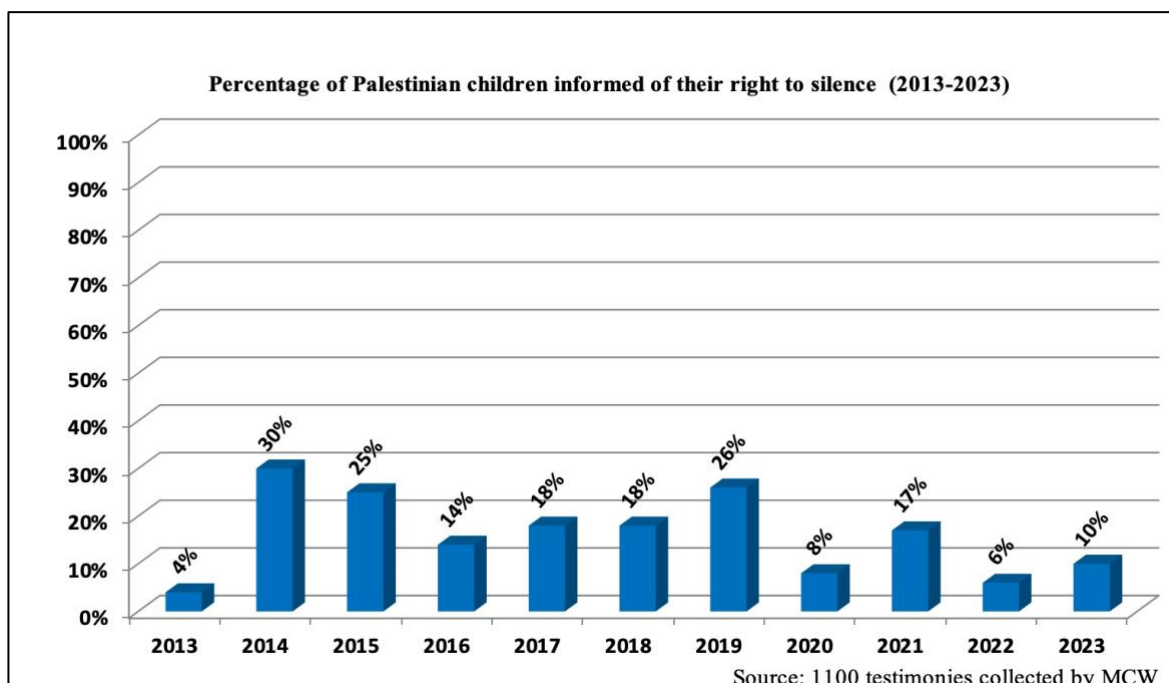
2.40 UNICEF recommendation (2013):

At the commencement of each interrogation session, the child should be formally notified of his or her rights in Arabic, and in particular, informed of the privilege against self-incrimination.

- 2.41 During the Reporting Period, **84 percent** of Palestinian children detained by the Israeli military in the occupied West Bank were interrogated without first being informed of their right to silence under Israeli military law. Most children are not informed of this right and/or are told they [must confess](#) or "[you're a terrorist and not entitled to any rights](#)". In other cases children are informed of their right to silence but then [threatened](#), making the right all but illusory. In other cases children are informed of the right but the statement is then immediately qualified with comments such as: "[if you remain silent I will arrest you again](#)"; or "[it's not in your interests to remain silent](#)"; or "[if you do remain silent it will be interpreted as guilt](#)". In other cases children are only informed of the right on one occasion even though they are interrogated [multiple times](#) over the course of days or weeks. In some cases children are informed of their right to silence but simply [do not understand](#) what it means. A copy of a document (Arabic) provided to children [during some interrogations](#) regarding their legal rights is included in **Annexure J**.

"My first interrogation was on the second day. The interrogator removed the blindfold but kept me handcuffed and shackled. He did not call a lawyer for me but he gave me a document in Arabic which said I had the right to remain silent. Then he warned me if I decided to remain silent and did not confess I would be sentenced to six years in prison."

[D.H.H.Z.](#) (17 years) - Al Jalama interrogation centre, Israel - 15 November 2022



- **Number of children affected annually:⁴⁴** **588 - 840 children**
- **Number of children affected since June 1967:** **32,928 - 47,040 children**

Sample of evidence

- **Children - Annexure A:** [46](#), [47](#), [54](#), [80](#), [87](#), [91](#), [92](#), [105](#), [106](#), [118](#), [127](#), [184](#), [211](#), [226](#), [242](#), [247](#), [256](#), [257](#), [270](#), [301](#), [336](#), [388](#), [390](#), [417](#), [424](#), [426](#), [435](#), [445](#), [452](#), [456](#), [463](#), [469](#), [473](#), [476](#), [477](#), [480](#), [481](#), [491](#), [493](#), [499](#), [500](#), [501](#), [502](#), [503](#), [509](#), [517](#), [524](#), [532](#), [534](#), [535](#), [538](#), [540](#), [541](#), [543](#), [545](#), [547](#), [548](#), [551](#), [556](#), [557](#), [588](#), [596](#), [597](#), [599](#), [601](#), [606](#), [613](#), [615](#), [623](#), [629](#), [649](#), [654](#), [664](#), [681](#), [698](#), [719](#), [720](#), [731](#), [733](#), [735](#), [736](#), [737](#), [743](#), [753](#), [778](#), [779](#), [784](#), [803](#), [810](#), [836](#), [851](#), [856](#), [862](#), [883](#), [901](#), [902](#), [932](#), [935](#), [938](#), [973](#). **Annexure B:** [990](#), [1006](#), [1014](#), [1029](#), [1031](#), [1036](#), [1037](#), [1048](#), [1062](#), [1084](#), [1085](#).

P. Double interrogations and other features

2.42 UNICEF's recommendation (2013):

In all actions concerning children, the best interests of the child shall be the primary consideration.

2.43 A common interrogation technique disclosed by the evidence is the use of double interrogations. In general terms what happens is a child will first be interrogated by a man in civilian clothes. These interrogations tend to be coercive and the child will not be informed of his/her legal rights. The intention appears to be to conduct an unofficial interrogation with a view to obtaining a confession or at least to degrade the child's

psychological ability to resist questioning. Once a confession has been obtained, or the child's will is degraded, the child will be taken to see another interrogator and told to repeat the confession, or to confess. The second interrogation is usually conducted by a [policeman](#) in uniform and recorded. The child will often be informed of his/her legal rights but is expected to confess or to [repeat](#) his/her earlier confession - failure to do so may result in being [returned](#) to the first interrogator. Only a record of the second interrogation is included in the military court file.

- 2.44 The process of arrest, transfer and interrogation is exhausting, with some children being interrogated in the middle of the [night](#). Children report being worn down and, in some cases, confessing simply in order to bring the [ordeal](#) to an [end](#).

Sample of evidence

- **Children - Annexure A** (Double interrogations): [177](#), [188](#), [190](#), [209](#), [214](#), [216](#), [230](#), [232](#), [283](#), [303](#), [476](#), [477](#), [517](#), [539](#), [544](#), [653](#) - (Other features): [3](#), [4](#), [29](#), [43](#), [100](#), [252](#), [582](#), [589](#),

"The interrogator did not inform me of any rights. He kept me tied and blindfolded and told me if I was straight with him he was going to be straight with me ... When I told him my father had a job inside Israel he told me if I did not cooperate with him he was going to revoke my father's work permit and destroy his livelihood ... He slapped me on the face and hit me on the head and told me I had to confess to throwing stones at soldiers. I was beaten so hard and I was so scared that I confessed to throwing a stone ... Then I was taken to see another interrogator who had a camera and a tape recorder in the room. He gave me a document informing me of my right to silence and the right to consult with a lawyer. Then he phoned a lawyer who told me not to confess. I told the lawyer I had already confessed. The second interrogator asked me to repeat what I had told the first interrogator. Then he printed out my statement in Hebrew and asked me to sign it and I did after he translated it for me."

[A.W.M.A.](#) (16 years) - Etzion interrogation centre, occupied West Bank - 9 Aug 2017

Q. Recruitment of child informants / informants generally

- 2.45 UNICEF's recommendation (2013):

In all actions concerning children, the best interests of the child shall be the primary consideration.

- 2.46 Children are generally cautious about discussing attempts to recruit them as informants although some are forthcoming. It is difficult to estimate how widespread this issue is but

estimates of [collaboration](#) rates provided to MCW by families in towns and villages across the occupied West Bank range from 20-60 percent. Whether these estimates are accurate or not, the fact that residents of these communities believe two, or possibly six out of 10 people in their community are collaborating, has a profound psychological impact on the residents. It should be noted that attempts to recruit children as informants potentially violates article 31 of the Fourth Geneva Convention and article 2 of the Optional Protocol to the Convention on the Rights of the Child.

Sample of evidence

- **Children - Annexure A:** [14](#), [43](#), [173](#), [361](#), [367](#), [390](#), [496](#), [510](#), [530](#), [548](#), [551](#), [560](#), [659](#), [763](#), [808](#), [816](#), [869](#), [877](#), [903](#), [904](#), [952](#), [969](#). **Annexure B:** [980](#), [981](#), [983](#), [984](#), [985](#), [998](#), [999](#), [1000](#), [1002](#), [1006](#), [1010](#), [1011](#), [1012](#), [1017](#), [1019](#), [1020](#), [1021](#), [1023](#), [1025](#), [1027](#), [1030](#), [1031](#), [1033](#), [1036](#), [1050](#), [1064](#), [1074](#), [1077](#), [1085](#).

"During one of the interrogations the interrogator tried to recruit me. He told me when I'm released he wanted me to get his number from a Facebook page and call him to tell him my whereabouts. He kept insisting that was all he wanted from me, and that it was no big deal. He threatened if I did not call him he was going to put me in administrative detention for 6 months. He told me he had already revoked my father's work permit but promised to give it back if I agreed to call him. Then he put his hand on my shoulder and told me not to be a fool and that everyone else was happy while I was rotting in prison - all I had to do was call him."

[A.A.N.Z.](#) (17 years) – Al Jalazun refugee camp, West Bank – 21 June 2021

- **Parents - Annexure C:** [11](#), [16](#), [17](#), [31](#), [34](#), [39](#),

"I woke up suddenly at around 5:00 a.m. when I heard loud banging at our front door ... Our son was released at around 6:00 p.m. later that day without charge. I was very happy when he came home but I also worried that he might be seen as a collaborator by people in the camp because he was released so quickly."

[Najah B.](#) (33 years) - Al 'Arrub refugee camp, occupied West Bank - 4 June 2017

R. Documentation written in Hebrew

2.47 UNICEF's recommendations (2013):

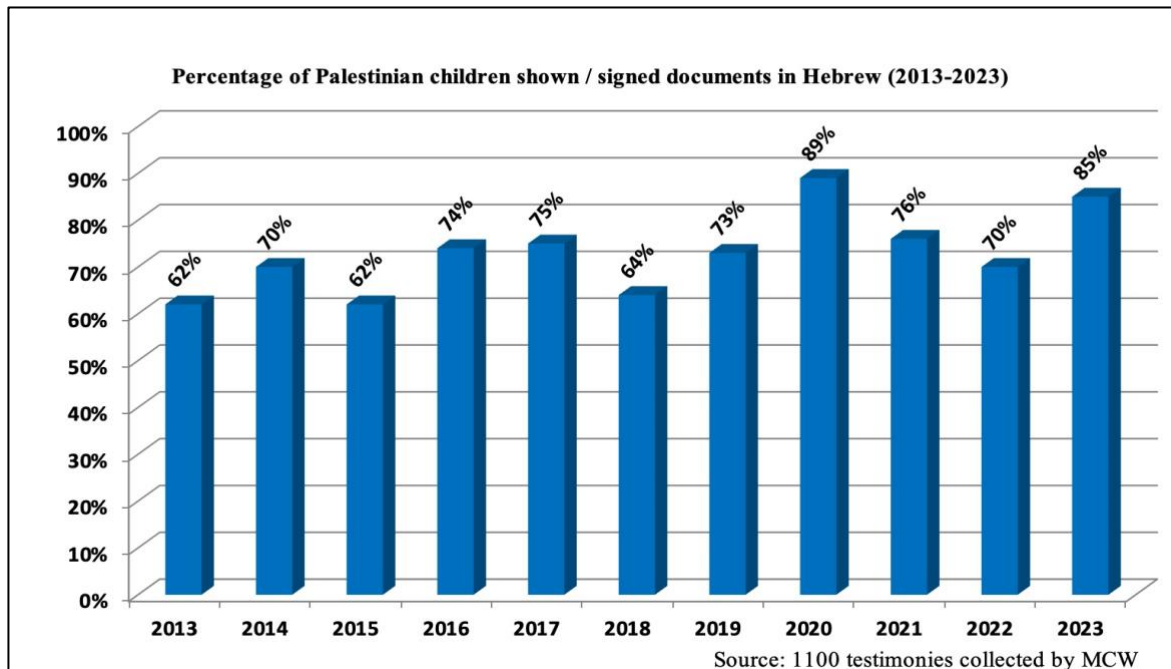
- (i) **All children shall be informed of the reasons for their arrest at the time of arrest and in a language they understand.**

- (ii) **The competent military authority shall, on its own initiative, notify the legal guardian or close family member of the child about the arrest, reasons for arrest and place of detention, as soon as possible after the arrest, and in Arabic.**
- (iii) **All children and their legal guardian or close family member should be provided with a written statement in Arabic informing them of their full legal rights while in custody.**
- (iv) **Copies of all relevant documentation, including arrest warrants and summons for questioning, should be provided to the child's legal guardian or close family member at the time of arrest or as soon as possible thereafter, and all documentation should be provided in Arabic.**
- (v) **At the commencement of each interrogation session, the child should be formally notified of his or her rights in Arabic.**
- (vi) **All confessions written in Hebrew and signed or adopted by a Palestinian child should be rejected as evidence in the military courts.**

2.48 During the Reporting Period, **73 percent** of Palestinian children detained by the Israeli military in the occupied West Bank reported being shown, or made to sign, documentation written in Hebrew at some point during the investigation. These documents include: [summonses](#); [notification of arrest](#); a document confirming [no mistreatment](#); [notification of legal rights](#); and [statements](#), including [confessions](#), presented to the child at the conclusion of the interrogation and [release documents](#). While interrogations are conducted in Arabic, a written record is made in Hebrew which is then generally shown to the child for signature. Some children [refuse to sign](#) while others sign acknowledging they [do not understand](#) the contents of the document. Sometimes documentation is provided in [both Arabic and Hebrew](#). In some cases children ask for documents to be translated - the evidence indicates that these requests are met with both [positive](#) and [negative](#) responses. In some cases, children report interrogators verbally translating apparently innocuous Hebrew documents for them before signing, only to find out later that the document was a [confession](#). In other cases, children report signing documents in Hebrew that they do not understand "[to get it over with](#)".

"The interrogator questioned me for about two hours and the whole time he was trying to get me to confess. At the end he asked me to sign a document written in Hebrew. I signed without understanding because I thought I had to sign. I later found out he made me sign on a false confession."

[B.A.B.O.](#) (16 years) - Atarot police station, occupied West Bank - 13 March 2023



- **Number of children affected annually:**⁴⁵ **511 - 730 children**
- **Number of children affected since June 1967:** **28,616 - 40,880 children**

Sample of evidence

- **Children - Annexure A:** [8](#), [13](#), [15](#), [17](#), [18](#), [20](#), [21](#), [22](#), [24](#), [25](#), [29](#), [32](#), [35](#), [37](#), [42](#), [43](#), [44](#), [50](#), [54](#), [57](#), [68](#), [71](#), [73](#), [80](#), [81](#), [82](#), [89](#), [90](#), [91](#), [92](#), [97](#), [98](#), [99](#), [100](#), [103](#), [105](#), [106](#), [107](#), [110](#), [113](#), [114](#), [119](#), [123](#), [124](#), [129](#), [130](#), [133](#), [134](#), [137](#), [141](#), [145](#), [149](#), [157](#), [163](#), [165](#), [171](#), [174](#), [178](#), [179](#), [180](#), [185](#), [186](#), [194](#), [214](#), [220](#), [229](#), [234](#), [236](#), [238](#), [246](#), [249](#), [258](#), [259](#), [269](#), [286](#), [299](#), [301](#), [309](#), [313](#), [315](#), [332](#), [339](#), [348](#), [351](#), [355](#), [356](#), [357](#), [362](#), [375](#), [391](#), [392](#), [394](#), [398](#), [401](#), [408](#), [409](#), [416](#), [417](#), [426](#), [427](#), [451](#), [456](#), [462](#), [473](#), [474](#), [482](#), [492](#), [493](#), [499](#), [502](#), [503](#), [505](#), [510](#), [511](#), [515](#), [520](#), [523](#), [524](#), [539](#), [540](#), [541](#), [543](#), [545](#), [552](#), [561](#), [566](#), [570](#), [571](#), [573](#), [574](#), [575](#), [582](#), [583](#), [587](#), [590](#), [592](#), [594](#), [597](#), [598](#), [599](#), [607](#), [610](#), [611](#), [613](#), [621](#), [622](#), [634](#), [641](#), [650](#), [653](#), [657](#), [658](#), [662](#), [666](#), [668](#), [680](#), [681](#), [687](#), [701](#), [711](#), [754](#), [772](#), [781](#), [784](#), [790](#), [800](#), [825](#), [834](#), [836](#), [853](#), [861](#), [882](#), [888](#), [911](#), [922](#), [923](#), [924](#), [925](#), [946](#), [947](#), [963](#), [973](#), [976](#), [978](#). **Annexure B:** [981](#), [991](#), [998](#), [1003](#), [1008](#), [1009](#), [1011](#), [1012](#), [1013](#), [1022](#), [1026](#), [1028](#), [1032](#), [1035](#), [1041](#), [1051](#), [1053](#), [1056](#), [1060](#), [1065](#), [1083](#).
- **Parents - Annexure C:** [9](#), [14](#), [16](#), [31](#), [35](#), [37](#).

"I woke up at 2:30 a.m. to the sound of a stun grenade exploding ... The soldiers then took M. outside. Then the commander showed my husband a document written in Hebrew and told him to sign it. My husband refused saying he wasn't going to sign something he didn't understand. The commander then told us that they were taking M. to the police station in Binyamin settlement and told us we could go there later on that morning to check on him ... Later that morning, when we went to Binyamin settlement to check on M., the guard at the entrance did not allow us to enter."

[Imtithal T.](#) (49 years) - An Nabi Saleh, occupied West Bank - 24 April 2017

S. Release on bail

2.49 UNICEF's recommendations (2013):

- (i) Incarceration of children should always be a measure of last resort and for the shortest possible time. Except in extreme circumstances, release on bail should be the standard procedure.**
- (ii) Alternatives to detaining children should always be considered and encouraged, at both the pre-trial and post-sentencing stages of any judicial or military detention system.**
- (iii) All children in detention shall, within 24 hours of their arrest, have prompt and effective access to an independent judicial review of the legality of their arrest and detention.**
- (iv) The military courts should review every child's detention at least every two weeks, to ensure that detention is used only as a measure of last resort and for the shortest time possible; that the child is not being subjected to any form of ill treatment; and that the child is being granted access to relatives; a lawyer and a medical doctor.**
- (v) The conditions under which bail and plea bargains are granted should be revised to make them consistent with the Convention on the Rights of the Child.**
- (vi) State Parties to the Convention on the Rights of the Child shall respect and ensure that the rights set forth in the Convention apply to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents' race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.**

2.50 Under Israeli military law, a child's detention must be reviewed by a military judge within 24-72 hours of arrest for security offences, depending on age.⁴⁶ The overwhelming majority of Palestinian children who appear in an Israeli military court in the occupied West Bank are denied bail and remanded in custody until the end of proceedings. Once bail is denied, the outcome of the proceedings is all but assured - for most children denied bail the quickest way out of the system is to accept a plea bargain. In the few cases where bail is granted, it is generally only done so after the child has already spent a significant period of time in detention. By way of contrast, Israeli children, including those living in settlements in the occupied West Bank, can expect to be released on bail in approximately 82 percent of cases.⁴⁷

Palestinian children released on bail in the military courts in the occupied West Bank

Year	% Children released on bail	Average time in detention before bailed	Source
2018	4%	n/a	Freedom of Information
2019	1%	n/a	Freedom of Information
2020	3%	80 days	MCW
2021	3%	53 days	MCW
2022	10%	44 days	MCW
Annual Average	4.2%	59 days	

Sample of evidence

- **Children - Annexure A:** [20](#), [110](#), [121](#), [134](#), [145](#), [148](#), [152](#), [176](#), [187](#), [202](#), [209](#), [228](#), [229](#), [230](#), [236](#), [237](#), [239](#), [240](#), [241](#), [242](#), [252](#), [258](#), [260](#), [267](#), [268](#), [269](#), [270](#), [271](#), [272](#), [274](#), [295](#), [305](#), [309](#), [314](#), [373](#), [382](#), [385](#), [387](#), [393](#), [403](#), [409](#), [417](#), [424](#), [457](#), [467](#), [471](#), [477](#), [485](#), [488](#), [508](#), [526](#), [542](#), [552](#), [594](#), [622](#), [624](#), [638](#), [744](#), [752](#), [754](#), [842](#), [923](#), [949](#). **Annexure B:** [1000](#), [1014](#), [1061](#).

"I had about eight military court hearings and I did not understand anything because the hearings were conducted in Hebrew with inadequate translation. At the last hearing, which was on 15 July 2018, the military judge decided to release me on bail. My uncle paid NIS 3,000 and I was released the same day. After my release I went back to court four times. On my last court appearance they decided to close my file and I think they were satisfied with the time I had already spent in prison. In addition I was served with a suspended sentence of six months suspended for two years. The court did not give us back the bail money. My parents did not visit me in prison."

[Y.I.M.A.](#) (14 years) - Al 'Arrun refugee camp, West Bank - 7 June 2018

- **Parents - Annexure C: [2](#).**

"After five court appearances and 16 days in prison, A. was released on bail. We had to pay NIS 4,000 in bail. The military judge ordered A. to remain under house arrest for a whole year. He is only allowed to attend court sessions, that's all. This decision has been devastating; he hasn't been going to school since he was released. His mind is distracted and he is unable to study at home. I have asked private teachers to come to our house to give him private lessons because I don't want him to miss this school year."

[Naifeh N.](#) (50 years) - Al 'Arrub refugee camp, occupied West Bank - 7 April 2013

T. Court proceedings, conviction rate and custodial sentences

2.51 UNICEF's recommendations (2013):

- (i) Children should only be deprived of their liberty as a measure of last resort and for the shortest appropriate period of time.**
- (ii) Alternatives to detaining children should always be considered and encouraged, at both the pre-trial and post-sentencing stages of any judicial or military detention system.**
- (iii) Children in conflict with the law should be channelled away from judicial proceedings through the development and implementation of procedures or programmes that enable many - possibly most - to avoid the potential negative effects of formal judicial proceedings, provided that human rights and legal safeguards are fully respected.**

2.52 Under Israeli military law, a child must be brought before a military judge within 24-72 hours of arrest.⁴⁸ Frequently, it is during these interlocutory hearings that the child will meet his/her lawyer for the first time. Generally parents do not attend the first hearing as most are [not informed](#) of the court appearance. During the initial hearings, an application for bail will usually be made, and in some cases, the prosecution will request additional time for further interrogation. Physical signs of [injury](#) are often ignored by the judges. While every child will ultimately have legal representation, the military authorities provide no legal aid in security cases. Accordingly, legal representation is generally provided by the Palestinian Authority, NGOs or private lawyers - typically funded by foreign donors or the child's family - but not by Israeli tax payers.

2.53 Military court proceedings are conducted in Hebrew, with [intermittent](#) translation of [varying](#) degrees of [quality](#) provided. It is not uncommon for children to report having [little](#) or [no understanding](#) of what occurs in court. Once a child is denied bail, the best option is to [plead guilty](#) in order to receive a reduced sentence. There will usually be multiple

interlocutory hearings before a plea bargain is concluded and some children report being [exhausted](#) by the frequent journeys from prisons inside Israel to military courts in the occupied West Bank. When evidentiary hearings do take place, the outcome is generally [unsatisfactory](#) with prosecution witnesses sometimes [failing](#) to appear. Almost all sentences comprise three parts: a [custodial sentence](#); a [suspended sentence](#); and a [fine](#). Alternatives to custodial sentences are rare.

Conviction rates in the military courts in the occupied West Bank

Year	Conviction rates	Source
2010	99%	Freedom of Information
n/a	n/a	n/a
2014	98%	Freedom of Information
2015	95%	Freedom of Information
n/a	n/a	n/a
2018	98%	Freedom of Information
2019	99%	Freedom of Information
2020	99%	Freedom of Information
2021	n/a	n/a
2022	n/a	n/a
Annual Average	98%	

Sample of evidence

- **Children - Annexure A:** [2](#), [8](#), [43](#), [56](#), [62](#), [70](#), [105](#), [107](#), [170](#), [204](#), [374](#), [472](#), [498](#), [554](#), [557](#), [644](#), [645](#), [701](#), [944](#). **Annexure B:** [1,016](#), [1,029](#),

"The following day I was taken to Ofer court. My parents were not in court but a lawyer was there and the hearing was adjourned. The judge saw I had an injured eye but he did not say anything. My lawyer told the judge I confessed because I was beaten hard and the judge decided to send me back for another interrogation. He also summoned the interrogators to court but they never showed up."

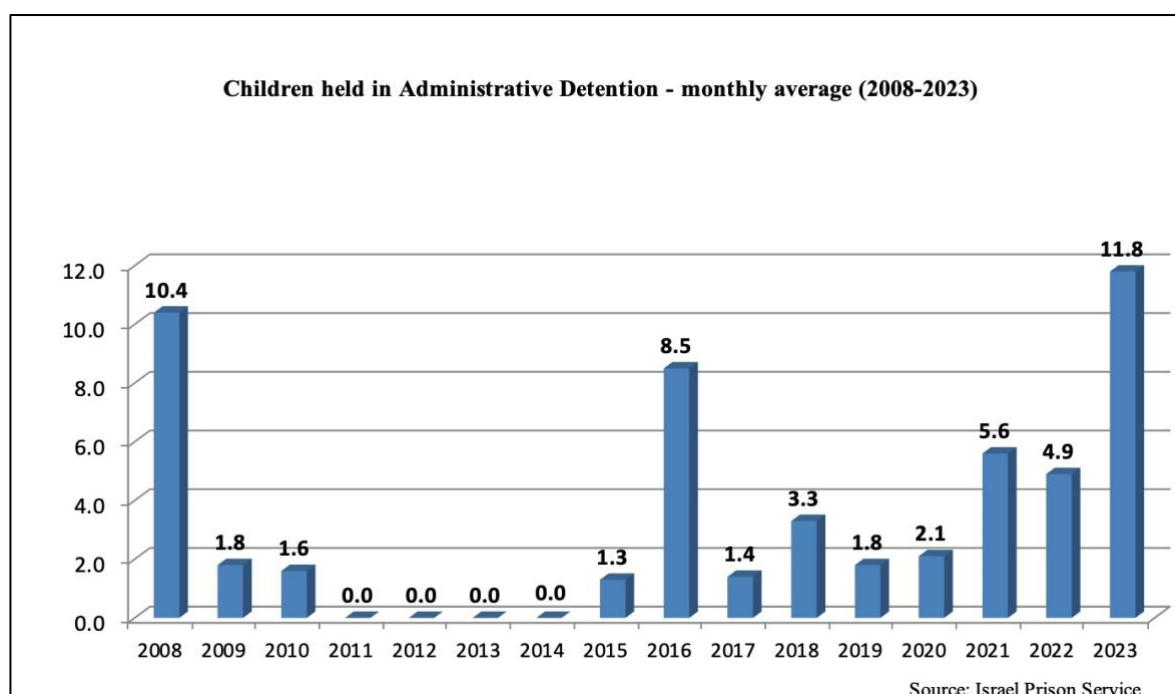
[M.A.N.B.](#) (14 years) - Ofer military court, occupied West Bank - 25 Sep 2017

U. Administrative detention

2.54 UNICEF's recommendation (2013):

- In all actions concerning children, the best interests of the child shall be a primary consideration.**
- Children should only be deprived of their liberty as a measure of last resort and for the shortest appropriate period of time.**

- 2.55 Administrative detention is a procedure whereby an Israeli military commander in the occupied West Bank issues an order detaining an individual for up to six months at a time, without charge or trial, based on secret evidence. The UN Committee Against Torture has criticised Israel's extensive use of this procedure, which in certain circumstances can amount to cruel, inhuman or degrading treatment or punishment.⁴⁹
- 2.56 During the Reporting Period, up to 18 children were held in administrative detention at any one time.⁵⁰ It is relevant to note that between 2011 and 2014, there was a four-year hiatus in the use of administrative detention orders for children - suggesting that it is possible for the military authorities in the occupied West Bank to achieve their objectives without resorting to detaining children without charge or trial.



Sample of evidence

- **Children - Annexure A:** [372](#), [742](#), [921](#). **Annexure B:** [986](#), [994](#), [1005](#), [1050](#).

"The interrogator removed the blindfold and tie. He phoned my father and allowed me to speak to him. I told my father where I was and told him not to worry. Then the interrogator phoned a lawyer and allowed me to speak to him. The lawyer told me I was going to be given a 6-month administrative detention order. I was terrified. The conversation lasted about a minute and the interrogator was listening on speaker phone [...] I had two military court hearings. At the second one my lawyer told me I was going to be released the next day. Instead of releasing me they gave me a 4-month administrative detention order."

[A.A.A.B.](#) (17 years) – Megiddo prison, Israel – 12 May 2021

- **Parents - Annexure C:** [34](#).

"I woke up at around 3:45 a.m. when I heard commotion in my home ... It took us 3 days to find out where Y. was being held. He was sentenced to 1 year in prison by a military court. Then, in June of this year, he was arrested again and is now serving a 4-month administrative detention order. His lawyer told me his administrative detention order could be extended again and again. This time they did not present a charge sheet, and his lawyer does not know the accusation. He won't get a trial."

[Sadiya H.](#) (52 years) - Dheisheh refugee camp, occupied West Bank - 22 Feb 2022

V. Education in prison

2.57 UNICEF's recommendation (2013):

In all actions concerning children, the best interests of the child shall be a primary consideration.

2.58 During the Reporting Period, education opportunities for Palestinian children inside IPS facilities remained limited. Where education is available, it is generally restricted to Arabic, Hebrew and mathematics, with a prohibition on teaching history, geography and the sciences based on "security considerations". When education is available, it is insufficient to ensure the child's smooth reintegration back into the Palestinian school system with the result that children frequently drop out of school after release.

Sample of evidence

- **Children - Annexure A:** [4](#), [5](#), [6](#), [17](#), [19](#), [42](#), [62](#), [94](#), [100](#), [104](#), [107](#), [175](#), [185](#), [392](#), [461](#), [470](#), [493](#), [495](#), [496](#), [498](#), [510](#), [531](#), [532](#), [540](#), [545](#), [593](#), [600](#), [602](#), [615](#), [621](#), [676](#), [820](#), [908](#), [909](#), [953](#), [959](#), [965](#), [966](#), [973](#), [974](#). **Annexure B:** [999](#), [1001](#), [1003](#), [1010](#), [1012](#), [1038](#), [1049](#), [1057](#), [1059](#), [1065](#), [1074](#).

"I spent my time in Ofer prison [...] In prison I helped in the kitchen and was in charge of distributing food to the other prisoners. I also attended classes in Arabic, Hebrew and mathematics but I did not find the classes useful; they were at the level of first graders and I was in eleventh grade."

[Q.R.N.A.](#) (15 years) – Ofer prison, West Bank – 24 October 2021

- **Parents - Annexure C: [4](#).**

"[My son] missed two of his school exams which he will have to take again. When he was released I could tell he wasn't able to concentrate on his school work and was always on the alert, watching and listening to what was going on outside the house for fear that there might be soldiers around."

[Fatima M.](#) (46 years) - Deir Nidham, occupied West Bank - 22 May 2014

W. Family contact in prison

2.59 UNICEF's recommendation (2013):

- (i) Whenever a child is detained, the right of family members to visit should be fully respected. All necessary measures should be taken to ensure that the administrative procedures in support of family visits, including all necessary permits, are promptly facilitated no later than 14 days after arrest.**
- (ii) All children should be entitled to regular telephone communications with their families in order to maintain close social relations.**

2.60 Under Israel Prison Service (IPS) regulations children are entitled to a family visit (two persons) every two weeks of 45 minutes duration with no contact. These visits are facilitated by the International Committee of the Red Cross (ICRC). Some family visits are denied on "[security grounds](#)" or because the bureaucracy for obtaining permits can take up to [2-3 months](#). In some cases parents only receive the permit to visit their child in prison in Israel [after](#) the child has been released. In other cases children have no [family visits](#) or phone calls but do not know why. In some cases children ask their parents not to visit because they do not want to "[trouble](#)" or "[bother them](#)" because it is a long and tiring trip to visit prisons in Israel from the occupied West Bank. In some cases children are denied family visits as a [punishment](#) for infringing prison regulations.

2.61 Following the cancellation of family visits to prisons during the Covid-19 pandemic, most prisons introduced monitored telephones which children could use to contact their parents. Depending on the prison, phone communication is generally permitted every [two weeks](#). However, this does vary from prison to prison and within [each prison](#), for no obvious reason. One boy reports that the prison authorities told his parents to [call back](#) so that they would pay for the call. Some children continue to report having [little](#) or [no telephone](#) communication. Since 7 October 2023, the prisons have been placed in "lock-down" mode with family visits and phone calls suspended.

Sample of evidence

- **Children - Annexure A:** [2](#), [4](#), [11](#), [23](#), [24](#), [37](#), [43](#), [58](#), [62](#), [66](#), [69](#), [82](#), [94](#), [96](#), [100](#), [105](#), [109](#), [120](#), [123](#), [124](#), [170](#), [184](#), [211](#), [250](#), [254](#), [255](#), [357](#), [392](#), [410](#), [416](#), [478](#), [491](#), [497](#), [498](#), [499](#), [500](#), [515](#), [516](#), [520](#), [521](#), [523](#), [545](#), [554](#), [568](#), [580](#), [582](#), [584](#), [586](#), [597](#), [602](#), [610](#), [619](#), [623](#), [637](#), [639](#), [647](#), [653](#), [663](#), [665](#), [671](#), [672](#), [675](#), [676](#), [680](#), [683](#), [685](#), [707](#), [709](#), [713](#), [717](#), [720](#), [728](#), [731](#), [736](#), [737](#), [746](#), [755](#), [759](#), [760](#), [761](#), [765](#), [768](#), [771](#), [781](#), [799](#), [856](#), [860](#), [865](#), [869](#), [877](#), [883](#), [902](#), [904](#), [912](#), [915](#), [923](#), [927](#), [928](#), [930](#), [931](#), [933](#), [938](#), [952](#), [956](#), [957](#), [959](#), [962](#), [963](#), [970](#), [974](#). **Annexure B:** [983](#), [987](#), [994](#), [997](#), [998](#), [999](#), [1004](#), [1007](#), [1012](#), [1015](#), [1019](#), [1026](#), [1034](#), [1039](#), [1040](#), [1042](#), [1045](#), [1049](#), [1052](#), [1053](#), [1054](#), [1056](#), [1065](#), [1066](#), [1073](#), [1074](#), [1075](#), [1082](#), [1084](#).

"I was sentenced in a plea bargain to three months in prison [...] I did not have any family visits because the permit to visit was issued after my release."

[A.F.M.D.](#) (16 years) – Ofer prison, West Bank - 7 August 2021

- **Parents - Annexure C:** [3](#), [20](#), [39](#).

"My husband and I were not given permits to visit S. in prison. The only time we saw him was in court. It was the longest month in my life. The whole time S. was in jail I didn't sleep well. I would stay up until 3 or 4 a.m. thinking and worrying about him. I lost my appetite and had no desire to eat. I lost about 10 kilos in 3 months. The hardest thing was not seeing him in front of me. I missed him badly."

[Leila W.](#) - Al 'Arrub refugee camp, occupied West Bank - 6 August 2013

- **Soldiers - Annexure D:** [56](#).

"There was a prisoners' strike in one of the prisons. There was this incident where everyone started to strike, and they (the security establishment) wanted to pressure them to stop this strike because it was getting a bad name all over the world, because people abroad started to find out what was happening in the prison ... They gave us a file with tons and tons of ID numbers and divided it among the different work stations and told us that these were IDs of people who were in the prison and were part of this strike, and they asked us to just go one by one into the IDs and their relatives in the system, and simply delete any prisoner visit by relatives."

Israeli soldier ([Testimony 56](#)) - Ramallah, occupied West Bank, 2017

X. Going home

- 2.62 In some cases parents are not notified by the authorities of the exact date of their child's release. The child is simply dropped off at a military checkpoint and must find his/her own way home following release from prison. In cases where parents are informed, it is not uncommon for the authorities to give them an incorrect checkpoint as the place for release - sometimes far away from the checkpoint where the child is waiting. In some cases involving short-term detentions of less than a day or so, the army simply abandons children at night on the side of a road while still tied, kilometers from home. (See **Annexure A**: [18](#), [29](#), [37](#), [346](#), [719](#).)

"About an hour later I was put in a jeep with my cousin. The jeep drove for about an hour and then the soldiers released us near the settlement of Karmel, without cutting off the ties. It was around 9:00 p.m. My cousin and I walked home. This was a terrifying experience. I still find it hard to sleep at night and I occasionally have bad dreams."

[H.A.K.H.](#) (14 years) - Yatta, occupied West Bank - 21 January 2016

- 2.63 The impact on children held in Israeli military detention is far-reaching. Many drop out of school - either due to falling far behind due to the inadequate level of education in prison, or because they are mistrustful of the children around them, or are themselves suspected of having been recruited as informants. However, there is one common thread through many of the testimonies which also sheds light on the military thinking behind this system - many children leave prison introverted and terrified of the army that implements Israel's 56-year old occupation and settlement policy. (See **Annexure A**: [29](#), [30](#), [37](#), [43](#), [106](#), [238](#), [283](#), [286](#), [478](#), [502](#), [524](#), [539](#), [544](#), [564](#), [586](#), [663](#), [682](#), [716](#), [719](#). **Annexure B**: [987](#))

"This was a terrifying and difficult experience. When I hear military vehicles in the village I run home; I don't want any more encounters with soldiers."

[K.S.M.S.](#) (16 years) - Beit Fajjar, occupied West Bank - 29 April 2019

"This experience has changed my son a lot. He is now short-tempered, and does not talk much. He sometimes tells his older brother what happened to him, but when I ask him questions he covers his ears and walks away and tells me he does not want to speak. He spends a lot of time sitting quietly by himself. He does not want to go back to school but I keep encouraging him. I took him to see a doctor but refused to tell the doctor what had happened to him in prison; he told the doctor he did not want to be reminded."

[Fathiyeh K.](#) (52 years) - Qabatiya, occupied West Bank - 3 August 2022

Y. Domestic remedies

2.64 In December 2022, the Israeli rights group Yesh Din released [data](#) on accountability arising out of Israeli soldiers suspected of harming Palestinians or their property. The data, covering the period 2017-2021, discloses that:

- (i) The odds of a complaint regarding harm caused to Palestinians by an Israeli soldier culminating in an indictment is **0.87 percent**; and
- (ii) In **78.6 percent** of complaints there is no investigation.

2.65 In May 2016, the Israeli rights group B'Tselem [announced](#) that after 25 years it would no longer submit complaints on behalf of Palestinians using the military's complaint mechanisms due to a lack of confidence in the system's ability to provide accountability. During the course of 25 years, B'Tselem submitted 739 complaints in which it was alleged that soldiers killed, injured or beat Palestinians, used them as human shields or damaged their property. In **2 percent** of these cases a soldier was disciplined.

"Military rule causes moral damage to us and real damage to them"

(Sergeant, Israeli Army, occupied West Bank, 2017)⁵¹

PART II

SOLITARY CONFINEMENT

1. Introduction

- 1.1 This Part of the Report considers the systematic use of solitary confinement on children, generally as part of their interrogation. In a handful of cases, the practice is also used as a punishment or disciplinary measure inside prison after the interrogation phase. It is well [documented](#) that placing individuals, particularly children, in solitary confinement will have devastating psychological and physical consequences. Further, experience has shown that individuals, especially children, are prone to say, and do, almost anything to escape isolation.

"I arrived at Al Jalama at around 1:30 a.m. I was left outside at the gate until around 3:30 a.m. and then I was given a quick medical examination before being taken to a small cell measuring about 2 x 2 meters that did not have any windows. I was left there in solitary confinement for 17 days. I did not know what time it was and could not tell day from night. The walls were dark and rough. I cried because I was depressed and did not know when I was going to be let out. I told myself I was willing to confess to anything they accuse me of in order to get out of solitary confinement."

[M.R.F.Q.](#) (17 years) - Al Jalame interrogation centre, Israel - 16 March 2021

- 1.2 Shortly after June 1967, reports of Palestinian detainees being held in solitary confinement by the Israel Security Agency (ISA/GSS) in installations controlled by the Israeli army, the Israel Prison Service (IPS) and the Israeli police started to emerge.⁵² In 2013, following an extensive evidentiary review of Palestinian children held in Israeli military detention, UNICEF noted that: "some children have been held in solitary confinement for a period ranging from two days up to one month", and then referenced the then UN Special Rapporteur on Torture's report (2008) to the UN General Assembly:

"The weight of accumulated evidence to date points to the serious and adverse health effects of the use of solitary confinement: from insomnia and confusion to hallucinations and mental illness. The key adverse factor of solitary confinement is that socially and psychologically meaningful contact is reduced to the absolute minimum, to a point that is insufficient for most detainees to remain mentally well-functioning. Moreover, the effects of solitary confinement on pre-trial detainees may be worse than for other detainees in isolation, given the perceived uncertainty of the length of detention and the potential of its use to extract information and confessions. Pre-trial detainees in solitary confinement have an increased rate of suicide and self-mutilation within the first two weeks of solitary confinement."

- 1.3 As mentioned in Part I, in 2012 an independent delegation of lawyers, including a senior judge and former Attorney General of England and Wales, noted that while visiting Israel and the occupied West Bank the delegation received reports of solitary confinement "on more than one occasion" including direct testimony from a 16-year-old boy who reported spending five days in isolation ([Lawyers' Report](#)). The delegation noted the view of the then UN Special Rapporteur on Torture that:

"The imposition of solitary confinement, of any duration, on juveniles is cruel, inhuman or degrading treatment and violates article 7 of the International Covenant on Civil and Political Rights and article 16 of the Convention against Torture."

The delegation concluded that:

"To hold children routinely and for substantial periods in solitary confinement would, if it occurred, be capable of amounting to torture in breach of not only article 37(a) of the UN Convention on the Rights of the Child but of other well-known international instruments."

- 1.4 While the impact of solitary confinement is clearly devastating, data collected by MCW suggests that between 2013-2018, Israeli interrogators were employing this technique in approximately 2 percent of cases involving children, affecting between 14-20 children each year. However, since 2019, MCW has documented an alarming surge in the use of the practice rising to 42 percent of cases in 2021. While data collected in 2022/23 indicates the practice is occurring in 28 percent of cases, it should be noted that reports continue to be received, suggesting this rate may increase.

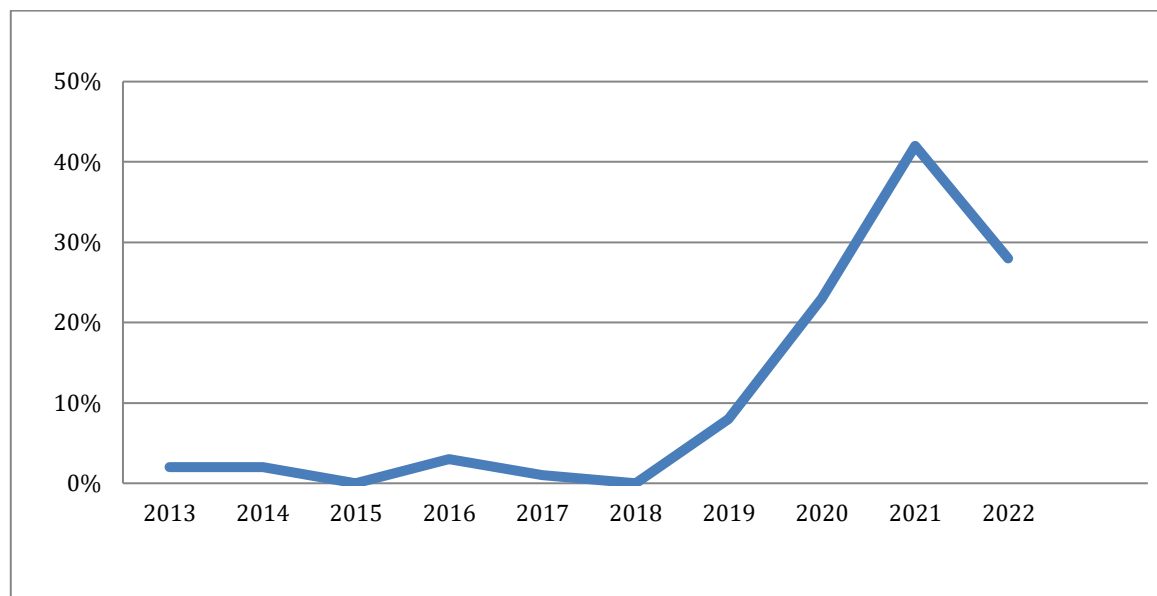
"I lost my mind in the cell and was desperate to get out. I was psychologically stressed especially since I could hear the other detainees chatting to each other in the next cell. I was depressed and I lost hope. I spent time staring at the walls and did not sleep well although I spent a lot of time lying down trying to sleep. I pulled off the metal piece of my zippers and used it to write on the wall. I wrote poems by Mahmoud Darwish "I miss my mother, I miss my mother's bread" and I drew a broken heart. My time in solitary confinement destroyed me psychologically ... I kept begging the adult detainee in charge of the minors to get me out. He finally managed to convince the prison authorities to move me to the juvenile section. There I realised the majority of children had confessed after spending time in solitary confinement. I felt about 85 percent of the children had been held in solitary confinement."

[K.M.A.N.](#) (17 years) - Megiddo prison, Israel - 18 May 2021

- 1.5 This Part of the Report is based on 108 testimonies collected by MCW between March 2013 and August 2023 in which children report being placed in solitary confinement for a minimum period of two days (**Annexure B**) (Schedule of cases - **Annexure K**). When considering this evidence, it is important to note that in each case the child's experience

leading up to isolation included most, if not all of the elements referred to in Part I relating to their arrest and transfer - in other words, these children were all already subjected to torture and/or ill-treatment prior to being placed in solitary confinement.

Percentage of children held in solitary confinement



- **Number of children affected annually:**⁵³

- **2019** - **56 - 80 children**
- **2020** - **161-230 children**
- **2021** - **294-420 children**
- **2022** - **196-280 children**

2. Solitary confinement

2.1 UNICEF's recommendation (2013):

In no circumstances whatsoever should a child be held in solitary confinement.

- 2.2 While every Palestinian child detained by the Israeli military in the occupied West Bank will experience some version of the treatment described in Part I, a sub-section of this group will also be subjected to solitary confinement - mostly during interrogation. Of the 108 solitary confinement cases included in this submission, **100 percent** were males, with an average age of **16.3 years**. In **94 percent** of cases, the solitary confinement was part of the interrogation process. The remaining **6 percent** were placed in isolation as punishment for violating prison regulations. The average period of time these children were held in solitary confinement was **13.6 days** - the longest period of time in isolation was **45 days**.

Sample of evidence

Estimates from children - Annexure A: [955](#) **Annexure B:** [1,036](#), [1,048](#).

"The time I spent in solitary confinement destroyed me. I no longer trust anyone because I estimate about 80 percent of the children who are arrested are placed in solitary confinement and many of them become collaborators because they believe it is the only way to end their ordeal."

[A.L.F.M.](#) (17 years) - Al Jalama interrogation centre, Israel - 16 March 2021

A. Location of interrogation facilities

- 2.3 The majority of children (**61 percent**) were held in solitary confinement in facilities located inside Israel - most commonly at: Al Jalama (Haifa); Al Mascobiyeh (West Jerusalem); Ashkelon and Petah Tikva. This is significant because the transfer and detention of these children outside the occupied West Bank is in violation of international law prohibiting the transfer of protected persons from occupied territory (See Part III below). The remaining children were held in solitary confinement in facilities located in military bases and police stations inside illegal settlements in the occupied West Bank - most commonly at: Huwwara military base (near Nablus); Binyamin settlement (near Ramallah); Etzion settlement (near Bethlehem); and Salem (near Jenin).

Sample of evidence

Children unlawfully transferred and placed in solitary confinement - Annexure B: [980](#), [981](#), [983](#), [984](#), [985](#), [986](#), [988](#), [989](#), [990](#), [991](#), [993](#), [994](#), [995](#), [996](#), [997](#), [998](#), [999](#), [1000](#), [1001](#), [1002](#), [1006](#), [1010](#), [1011](#), [1012](#), [1014](#), [1016](#), [1017](#), [1019](#), [1020](#), [1021](#), [1022](#), [1023](#), [1024](#), [1025](#), [1027](#), [1028](#), [1029](#), [1030](#), [1031](#), [1036](#), [1037](#), [1038](#), [1043](#), [1044](#), [1046](#), [1048](#), [1050](#), [1051](#), [1060](#), [1065](#), [1066](#), [1067](#), [1072](#), [1073](#), [1074](#), [1075](#), [1076](#), [1078](#), [1079](#), [1082](#), [1083](#), [1084](#), [1085](#), [1086](#), [1087](#).

"At around noon I was taken to Al Jalama interrogation centre, inside Israel. I arrived there sometime at night but could not tell exactly when. I was strip searched before being taken to a cell where I was left in solitary confinement for 28 days. The cell was very small and did not have any windows. The light was left on all the time which made it hard for me to fall asleep. There was a thin mattress on the floor and the walls were rough and painted grey. I was in distress because I did not see or speak to anyone, except the interrogator. I begged the guards to tell me the time but they refused."

[B.A.O.A.](#) (17 years) - Al Jalama interrogation centre, Israel - 7 November 2022

B. The cell

- 2.4 The children held in solitary confinement variously describe their cell as "[very small](#)", "[the size of a small bathroom](#)" or "[tiny](#)" - some children describe the cell as "[suffocating](#)". The dimensions of these cells vary in size with estimates ranging from [1 x 1 meters](#) up to [3 x 3 meters](#). The description of the cells provided by children bare a remarkable similarity to those documented by B'Tselem, over 30 years ago:

*"During interrogation, suspects are placed in solitary confinement in the 'Tzinok' (isolation cell) which is a small cell similar to isolation cells in other wings in prisons, and in two other much smaller cells: i) The Closet: this is a very small cell, in some prisons 1 x 1 meters, in others a smaller size, very dark and almost completely closed."*⁵⁴

Sample of evidence

Children - Annexure B: [982](#), [983](#), [984](#), [985](#), [986](#), [989](#), [990](#), [991](#), [992](#), [993](#), [994](#), [996](#), [998](#), [999](#), [1000](#), [1002](#), [1005](#), [1006](#), [1008](#), [1010](#), [1011](#), [1012](#), [1013](#), [1014](#), [1016](#), [1017](#), [1019](#), [1020](#), [1021](#), [1022](#), [1023](#), [1024](#), [1025](#), [1026](#), [1027](#), [1028](#), [1029](#), [1030](#), [1031](#), [1033](#), [1036](#), [1037](#), [1038](#), [1040](#), [1043](#), [1044](#), [1045](#), [1046](#), [1047](#), [1049](#), [1050](#), [1051](#), [1053](#), [1055](#), [1057](#), [1060](#), [1063](#), [1064](#), [1066](#), [1067](#), [1069](#), [1071](#), [1072](#), [1074](#), [1075](#), [1077](#), [1078](#), [1079](#), [1081](#), [1082](#), [1084](#), [1085](#), [1086](#).

"The cell was my body length when I laid down on the floor. It had a toilet and a sink. It did not have any windows and I could not tell day from night. They left the light on 24 hours. I spent my time lying down trying to sleep. I thought falling asleep would stop me thinking and worrying, but I found it very hard to fall asleep. The following day I was taken for interrogation ... During this time I was interrogated on a daily basis and my spirit was crushed."

[M.A.K.U.](#) (16 yrs) - Al Jalama/Petah Tikva interrogation centres, Israel - 31 Jan 2021

C. Physical conditions

- 2.5 Most of the cells used to hold children in solitary confinement share a number of common features, in addition to being very small - suggesting that a significant degree of thought has gone into developing this system. In some interrogation centers, such as Al Jalama, the cells are [underground](#). Most cells are either [without windows](#), or have very [small windows](#) which are often [covered](#) - the result is that most children cannot distinguish [day](#) from [night](#), contributing to their disorientation and [distress](#). The cells are often painted [black](#) or are "[dark](#)" with a [rough surface](#) - preventing the child from [leaning](#) against the walls, as well as being [depressing](#). [Bedding](#) is often described as [inadequate](#), [dirty](#), [foul smelling](#) or simply [absent](#). Toilets, [where present](#), are often described as "[an open sewer](#)" - one boy

describes how [excrement](#) from another cell seeped under the door to his cell. Sometimes there is the constant [sound](#) of loud machinery, such as a [ventilator](#), and in other cases the cells are kept uncomfortably [cold](#). Some cells are monitored by [CCTV](#) so children have no privacy - even when using the [toilet](#). Other cells appear infested with [mosquitoes](#), [mice](#) or [cockroaches](#).

Sample of evidence

Children - Annexure B: [980](#), [981](#), [985](#), [988](#), [998](#), [1002](#), [1016](#), [1019](#), [1022](#), [1023](#), [1029](#), [1030](#), [1047](#), [1048](#), [1061](#), [1063](#), [1066](#), [1067](#), [1068](#), [1071](#), [1073](#), [1074](#), [1076](#), [1079](#), [1085](#), [1086](#).

"Then I was taken to Al Jalama interrogation centre, in Israel. I was put in a small cell underground where I spent 70 days. I was in solitary confinement for 45 of the 70 days. The cell measured about 2 x 4 meters, had a mattress on the floor and an open sewer and a sink. There were no windows but there was a noisy ventilator in the wall. I did not know day from night. A yellow dim light was in the room which they sometimes turned off and I could not see. The walls were painted grey. I was miserable in solitary confinement and wanted to kill myself. I lost 20 kilos ... For a whole week I was denied a shower. Some days they did not bring me food, other days the food was disgusting and had hair in it. One day they did not bring me lunch or dinner. I called to remind them. Ten masked guards came into the cell and beat me up with batons ... I was also taken to a cell with informants. When I refused to cooperate with them they accused me of being a collaborator ... One of the interrogators told me my father had died and my mother was sick with cancer. He also told me my sister was in a cell in solitary confinement ... Then he told me if I worked with him he would help me work in Israel and build a house and travel to Turkey for a holiday."

[D.H.H.Z.](#) (17 years) - Al Jalama interrogation centre, Israel - 15 November 2022

D. Sleep deprivation

- 2.6 The cells are generally lit by a "[bright light](#)", a "[bright red light](#)", a "[yellow dim light](#)", or a "[flickering dim light](#)" which is controlled from [outside](#) the cell and which is often left on [24 hours](#) a day. In other cases, lights are turned off leaving the child in [pitch blackness](#) and [scared](#). The impact of holding children in artificially lit cells for days on end can be profound with some children describe being driven "[crazy](#)". As a result, children find it difficult to sleep resulting in severe [sleep deprivation](#), [distress](#), [exhaustion](#), [anxiety attacks](#), "[deep psychological distress](#)", [low morale](#), [depression](#) and a sense of [despair](#). In one case a boy [covered the light](#) with his shirt so he could sleep - until a guard took away the shirt. In other cases, children [report](#) that the guards [deliberately kept them awake](#) every time they fell [asleep](#). And in some cases children report being unable to sleep simply because the cell was [too small](#).

Sample of evidence

Children - Annexure B: [989](#), [996](#), [1002](#), [1005](#), [1010](#), [1013](#), [1019](#), [1020](#), [1021](#), [1022](#), [1023](#), [1024](#), [1025](#), [1027](#), [1028](#), [1029](#), [1030](#), [1043](#), [1046](#), [1047](#), [1050](#), [1051](#), [1057](#), [1060](#), [1061](#), [1065](#), [1067](#), [1068](#), [1071](#), [1076](#).

"The cell measured about 1x1 meters. I could barely sleep because my feet touched the walls at one end and my head touched the toilet at the other end. The light was left on 24 hours and the air conditioner was very cold. There were no windows and I could not tell day from night. I was stressed and thought of my family the whole time. During the 25 days in solitary confinement I was interrogated every day except Fridays and Saturdays, starting on the day I arrived ... After interrogation I was taken back to the cell for a break and then I was questioned again. This was repeated daily: two rounds of harsh interrogations. When I was taken back to the cell the soldiers did not allow me to sleep. They banged at the door to wake me up. On average, I slept two hours a day. I was interrogated while sleep deprived. I was physically and mentally drained, I could not think straight and at times I felt dizzy."

[J.M.D.Z.](#) (17 years) - Ofer prison, occupied West Bank - 25 April 2022

E. Food and water

- 2.7 No child had anything positive to say about the quality or quantity of food they were given while held in solitary confinement. Common descriptions include: inedible food still [frozen](#); [insufficient](#) or limited food, such as [yoghurt](#) and nothing else; "[lousy food](#)"; "[disgusting food](#)"; undercooked [rice](#) or [spaghetti](#); inedible chicken with [feathers](#) still in the skin; meat with a [terrible smell](#); food containing [hair](#); food thrown on the [floor](#); and in one case food containing a [dead lizard](#). As far as water is concerned, one boy described it as "[murky](#)". A number of children report significant [weight loss](#) due to the [unappetizing food](#). In some cases the food was so bad that children went on [hunger strike](#) in protest. In one case a boy reports being [denied food and water](#) for three days.

Sample of evidence

Children - Annexure B: [988](#), [998](#), [1006](#), [1008](#), [1009](#), [1010](#), [1013](#), [1018](#), [1026](#), [1028](#), [1029](#), [1031](#), [1032](#), [1037](#), [1043](#), [1049](#), [1052](#), [1058](#), [1066](#), [1067](#), [1068](#), [1070](#), [1076](#), [1081](#), [1085](#).

"I was left in that cell by myself for 20 days. There were no windows and the light was on all the time. I didn't know day from night and could not sleep well except on the first day when I was exhausted and I slept many hours. The food was disgusting. One day they gave me turkey cuts which smelled horrible. Another day they gave me half cooked spaghetti and a piece of chicken with feathers still on the skin. I could not eat it."

[M.K.R.N.](#) (17 years) - Al Jalama interrogation centre, Israel - 3 August 2020

F. Interrogation

- 2.8 It is in these circumstances that children are then subjected to multiple interrogations. In most cases where children are held in solitary confinement they are interrogated by intelligence officers. In some cases the right to consult with a lawyer is [suspended](#) or [ignored](#), while in other cases children are not informed of their [right to silence](#). In almost every case the children are [sleep deprived](#), [exhausted](#), [distressed](#), [despairing](#) and alone. Children frequently report being interrogated [multiple times](#) in one day, over the course of [days](#) or [weeks](#) while being held in isolation. The [interrogations](#) are also often [harsh](#) in [nature](#), combining [threats](#), [intimidation](#) and sometimes [violence](#). One boy [recalls](#) being "constantly worried about confessing to something I did not do just to get out of solitary confinement." In the end many children [confess](#) simply in order to [bring an end](#) to the [ordeal](#) - [confessions](#) that are [inherently unreliable](#) but which are routinely used to secure a conviction.

Sample of evidence

Children - Annexure B: [980](#), [990](#), [992](#), [996](#), [997](#), [998](#), [999](#), [1000](#), [1001](#), [1005](#), [1011](#), [1012](#), [1014](#), [1017](#), [1019](#), [1021](#), [1022](#), [1023](#), [1025](#), [1027](#), [1029](#), [1030](#), [1031](#), [1033](#), [1035](#), [1037](#), [1043](#), [1046](#), [1050](#), [1060](#), [1064](#), [1069](#), [1071](#), [1076](#), [1079](#), [1084](#),

"At times I was interrogated while tied, blindfolded and shackled to the chair. Sometimes I was questioned by one interrogator, other times by two or three. One of them was really aggressive. He slapped me many times on my face, hands and legs. He wanted me to confess. In the end I confessed because I wanted to get out of solitary confinement."

[N.L.N.H.](#) (17 years) - Petah Tikva interrogation centre, Israel - 17 May 2022

G. Impact

- 2.9 The impact on children placed in solitary confinement is profound. The words used by children to describe their experiences include: ["distressed"](#); ["miserable"](#); having their ["spirits crushed"](#); ["very hard"](#); being ["tired and scared"](#); ["deep psychological and mental stress"](#); ["I was drained and fed up"](#); ["stressed"](#); ["I suffered tremendously in the cell. I was mentally on the verge of collapse. I wanted to kill myself"](#); ["psychologically handicapped"](#); ["I lost hope and started to think of ways to commit suicide"](#); ["desperate to get out"](#); ["physically and mentally drained"](#); ["I felt humiliated and my spirits were crushed"](#); ["depression"](#); ["I could not take it anymore and confessed"](#); ["I was distressed and tired and yet could not sleep"](#); ["Those 7 days were the worst in my entire life"](#); ["I felt I had become autistic because of lack of interaction with other people"](#); ["I used to scream a lot to get the attention of the guards"](#); ["I lost my mind in that cell and was desperate to get out"](#); ["I felt palpitations in my chest"](#); ["I felt I was choking"](#); ["I was in deep distress and kept](#)

[thinking about ways to kill myself to end my loneliness and intense suffering](#)"; "[I went crazy in the cell by myself and thought I was going to be mad for the rest of my life](#)"; "[I cried because I was depressed and did not know when I was going to be taken out](#)"; "[I was interrogated on a daily basis and my spirit was crushed](#)"; "[On my 7th day in solitary confinement I lost my mind completely and was in despair](#)"; "[I was psychologically drained and lost my appetite](#)"; "[I was constantly worried about confessing to something I did not do just to get out of solitary confinement](#)"; "[There were no windows and a dim light was left on which drove me crazy](#)"; "[I went crazy and nearly pulled my hair at the end of the 17 days](#)"; "[I went crazy in the cell and could not think straight](#)"; and "[I was tired and sleep deprived and in the end I confessed](#)". In one case a child was given sleeping pills by a sympathetic guard while in solitary confinement - this apparent act of kindness subsequently resulted in an [addiction](#).

Sample of evidence

Children - Annexure B: [989](#), [990](#), [993](#), [996](#), [997](#), [999](#), [1001](#), [1003](#), [1004](#), [1006](#), [1009](#), [1010](#), [1011](#), [1015](#), [1016](#), [1017](#), [1018](#), [1021](#), [1022](#), [1023](#), [1025](#), [1026](#), [1027](#), [1028](#), [1029](#), [1030](#), [1031](#), [1033](#), [1035](#), [1036](#), [1037](#), [1038](#), [1040](#), [1041](#), [1044](#), [1045](#), [1046](#), [1047](#), [1048](#), [1050](#), [1051](#), [1054](#), [1056](#), [1060](#), [1062](#), [1064](#), [1065](#), [1067](#), [1069](#), [1070](#), [1071](#), [1072](#), [1073](#), [1074](#), [1075](#), [1076](#), [1078](#), [1082](#), [1084](#), [1085](#), [1086](#),

"At times I felt I was going crazy and wished there was something for me to kill myself with; I did not want to live anymore. I pleaded with the guards to let me out but they refused. During the first two weeks I was interrogated on a daily basis, five times a week. The interrogations lasted for hours ... After spending 22 days in solitary confinement they moved me to another cell where I spent seven more days with another prisoner who I knew. This was after I had confessed and things became much better."

[M.M.M.S.](#) (17 years) - Al Jalame interrogation centre, Israel - 12 May 2022

- 2.10 In some cases children [threatened](#) to kill themselves. In other cases children engaged in self-harm, such as going on [hunger strike](#); banging their [head](#) against the [walls](#) or [doors](#); or attempting to [break](#) an arm. There are also cases where children actually attempted suicide, such as [drinking](#) a sachet of shampoo, [cutting their wrists](#), [suffocation](#), or [hanging](#) themselves.

"During my time at Al Jalama I was stressed and decided I had to get out of solitary confinement by any means. I told the guards I was going to kill myself if they did not take me out. Then they took me to another cell which was monitored by CCTV. In that cell I went on hunger strike for 9 days. I lost a lot of weight. Then I tried to kill myself by drinking the shampoo they had given me. I drank the whole sack. Then I tried to cut my leg with the metal cup they had in the cell to flush the open sewer with. After many attempts I managed to cut my leg just under the knee. The guards came into the cell to stop me hurting myself."

[D.A.W.A.](#) (16 years) - Al Jalama interrogation centre, Israel - 9 May 2022

H. Punishment and solitary confinement

- 2.11 While the overwhelming majority of cases relate to the use of solitary confinement as part of the interrogation process, in **6 percent** of cases the practice was employed as a punishment for children who violated prison regulations. These violations include: participating in a [riot](#); [protesting](#) prison [conditions](#); [protesting](#) being moved to another prison; [carving pebbles](#) into shapes to pass the time; and [arguing](#) with a guard over cigarettes. These children on average spent **8 days** in solitary confinement as punishment.

Sample of evidence

Children - Annexure B: [982](#), [987](#), [991](#), [995](#), [1027](#), [1039](#).

"On 13 January 2020, I was transferred from Ofer to Damoun prison, in Israel. The conditions there were terrible; cockroaches crawling everywhere and the food was lousy. I was locked in a cell by myself twice as punishment because I took part in protests inside prison. The first time I spent 12 days in a cell by myself. It was very hard and I thought of my family the whole time. Towards the end they brought two other prisoners into my cell. The second time I spent nine days by myself in a cell measuring 2 x 1 meters. There was a toilet and a sink but there were no windows. The light was on 24 hours. It was hard to sleep with the light on. I asked the soldiers to turn it off at night and sometimes they did."

[N.A.Y.D.](#) (16 years) - Damoun prison, Israel - 15 July 2019

- 2.12 In other cases, children who were being held in solitary confinement as part of the interrogation process were either threatened, or subjected to harsher punishment, in response to suicide attempts or self-harming. In some cases these children were taken to a separate isolation cell where they were physically restrained to a bed for a number of

hours. The manner in which they were treated went well beyond what could be considered as a suicide watch.

Sample of evidence

Children - Annexure B: [1028](#), [1029](#), [1030](#), [1082](#).

"On my seventh day in solitary confinement I lost my mind completely and was in despair. I felt I could do anything; like attack the guard. I started to bang my head against the rough walls until I bled. When the guard found out he called in some soldiers and they took me to the clinic. The doctor treated my wound and then I was handcuffed and shackled and taken to a room where I was tied to a chair for about three hours as punishment for hurting myself. After three hours I was taken to another room where they made me lie down and they shackled my legs to a side structure and my arms were handcuffed above my head and tied to a structure in a very painful position. I was left in that position, laying on my back for a whole day. I was not given any food or drink and I could not sleep. I banged my head against the wall above my head and I bled again. I screamed and shouted asking for sleeping pills and pleading with the guards to let me out but no one listened to me. The guard saw that I hurt myself on the CCTV camera. Later the guard came and took me to an interrogation room."

[O.O.M.H.](#) (17 years) - Petah Tikva interrogation centre, Israel - 29 January 2021

I. The collaborator's cell

- 2.13 A common interrogation technique used in tandem with solitary confinement is the use of collaborators' cells. This technique involves removing the child from isolation and moving him to another cell with adult detainees and [better conditions](#) - the child now believes his interrogation is [over](#) and he is in the [general prison population](#). Unbeknownst to the child, the other "[detainees](#)" are in fact collaborating with the intelligence service. The collaborator(s) seek to [win](#) the child's [trust](#) and get him to [divulge](#) further [information](#) - which is recorded. The child will then be taken back to solitary confinement and interrogation - only now comprehending what has just occurred. In other cases a "detainee" is brought in to [share](#) the child's cell. In some cases children [report](#) being [suspicious](#) of their [new cell](#) mates who tend to be overly [inquisitive](#). In other cases the other "detainee" provides the child with [false information](#) about his family. This technique is well known and fosters [mistrust](#) among detainees.

Sample of evidence

Children - Annexure B: [980](#), [981](#), [984](#), [985](#), [998](#), [999](#), [1002](#), [1006](#), [1010](#), [1011](#), [1012](#), [1017](#), [1019](#), [1020](#), [1021](#), [1023](#), [1025](#), [1027](#), [1033](#), [1036](#), [1064](#), [1074](#), [1077](#), [1082](#), [1085](#).

"After I signed the statement I was sent to a cell with other detainees. At the time I thought I was done with interrogations and did not realise that the other detainees were informants. They were very friendly to me and I trusted them. By the end of the day I told them things I should not have. Later I was taken back to solitary confinement and was interrogated again multiple times, more than 20 times over a whole month. I did not have access to a lawyer and was not informed of my right to silence. I denied the accusations and denied having told the informants anything. The interrogations got harder and harder and my spirits were crushed from being held in solitary confinement. I spent 35 days in solitary confinement. Towards the end I felt I no longer wanted to live. I tried to suffocate myself with the blankets but it did not work out."

[J.H.J.K.](#) (17 years) - Al Jalame interrogation centre, Israel - 16 October 2022

3. MCW evidence - data

Average time spent in solitary confinement (2013-2023)

Time		
Minimum	Maximum	Average
2 days	45 days	13.6 days

Average age of children held in solitary confinement (2013-2023)

Age		
Minimum	Maximum	Average
14	17	16.3 years

Location of facilities used for solitary confinement - (2013-2023)

Location	No. of children	Percentage
Israel ⁵⁵	66	61%
Occupied West Bank ⁵⁶	42	37%
Unknown	2	2%

Projected number of children held in solitary confinement

Year	Children held in solitary confinement - MCW % rates	Projected number of children held in solitary confinement each year	
		700 children detained each year	1,000 children detained each year
2013	2%	14	20
2014	2%	14	20
2015	0%	0	0
2016	2%	14	20
2017	1%	7	10
2018	0%	0	0
2019	8%	56	80
2020	23%	161	230
2021	42%	294	420
2022	28%	196	280
Average (2013-22)	11%	77 children p.a.	110 children p.a.
Average (2020-22)	31%	217 children p.a.	310 children p.a.

***"Commanders keep quiet about the things soldiers do -
the army can't self-inspect - definitely not when it comes
to the occupation"***

(First Sergeant, Israeli Army, occupied West Bank, 2015)⁵⁷

PART III

THE UNLAWFUL TRANSFER OF POPULATION GROUPS

1. Introduction

1. This Part of the Report considers the unlawful transfer of population groups in, and out, of occupied territory and is divided into two sections:
 - A. The unlawful transfer and detention of Palestinian child detainees from the occupied West Bank to interrogation centres and prisons located inside Israel and, in some cases, their subsequent torture and/or ill-treatment; and
 - B. The unlawful transfer of Israeli civilians into the occupied West Bank resulting in the extensive incarceration of the Palestinian civilian population, including children, residing in the immediate vicinity of the Israeli civilian settlements.

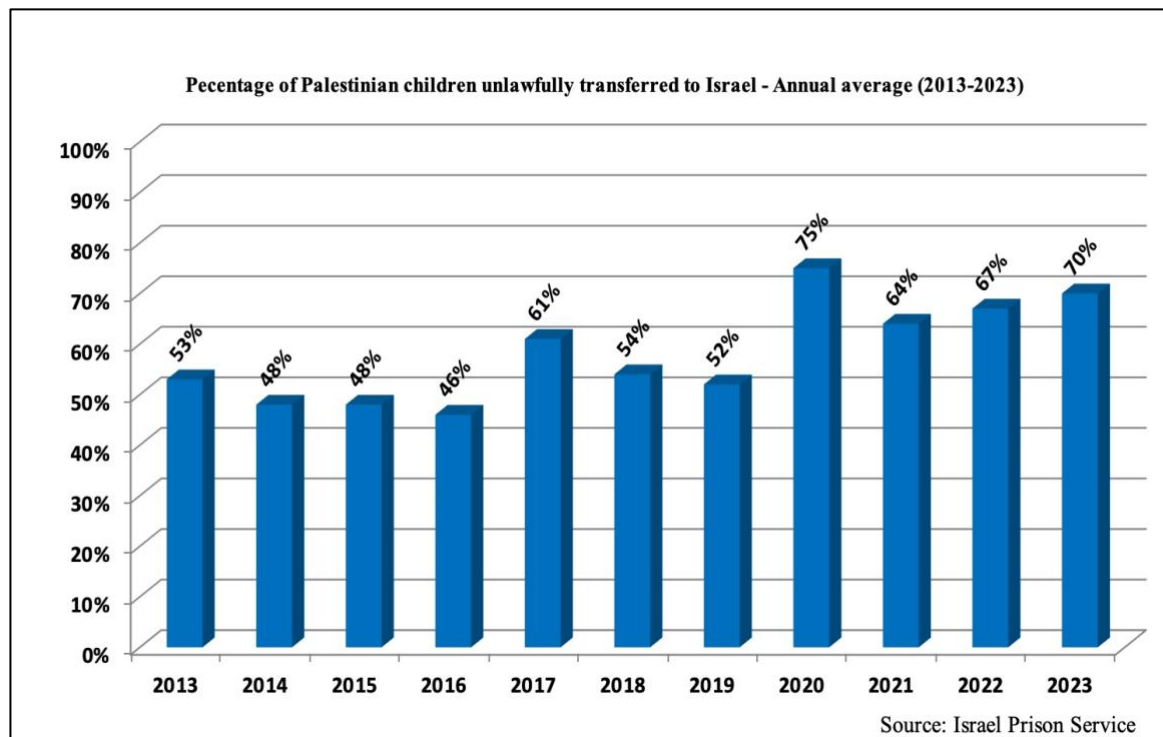
SECTION A

2. The unlawful transfer of Palestinian children out of occupied territory

- 2.1 This Section of the Report considers the systematic transfer of Palestinian child detainees from the occupied West Bank, to interrogation facilities and prisons located in Israel in violation of international law.⁵⁸ It should be noted that the Office of the Prosecutor - International Criminal Court has been in receipt of evidence relating to this issue since 16 March 2015 and accordingly this material is provided by way of update. Since 16 March 2015, it is estimated that up to 3,800 Palestinian children have been unlawfully transferred.
- 2.2 Experience gained during World War II convinced a generation of leaders that the transfer of population groups, in or out of occupied territory, must be prohibited in all circumstances. This belief was so firmly held that it was enshrined in law attaching personal criminal responsibility for violations.⁵⁹ Evidence supporting the serious nature of this crime can be found in the recent issuing of arrest warrants by the International Criminal Court for two Russians accused of involvement in the unlawful transfer of children from occupied Ukraine to the Russian Federation. The prosecution in that case, alleges, *inter alia*:

"[T]he deportation of at least hundreds of children taken from orphanages and children's care homes. Many of these children, we allege, have been given for adoption in the Russian Federation ... My Office alleges that these acts, amongst others, demonstrate an intention to permanently remove these children from their own country. At the time of these deportations, the Ukrainian children were protected persons under the Fourth Geneva Convention."

- 2.3 Shortly after June 1967, Israel commenced transferring Palestinian detainees, including children, from the occupied West Bank to prisons and interrogation facilities located inside Israel. According to data provided by the Israel Prison Service (IPS), the national detention authority of Israel,⁶⁰ between 2013 and 2023, **58 percent** of Palestinian child detainees and **84 percent** of Palestinian adult detainees from the occupied West Bank were transferred and detained inside Israel - with the percentage of children being transferred increasing sharply since 2020. (See IPS prison data (2013-2023) - **Annexure L**)



- **Number of children affected annually:**⁶¹ **406 - 580 children**
- **Number of children affected since June 1967:** **22,736 - 32,480 children**

Regarding adult Palestinian detainees, the number transferred from the occupied West Bank since June 1967 is likely to exceed 600,000.⁶²

- 2.4 While the transfer of protected persons in such numbers constitutes a war crime, additional features are also relevant when assessing the gravity of the offence. In the case of Ukraine for example, there appears to be an intention to permanently remove children from their country and put them up for adoption in the Russian Federation. This is not the case in Israel/Palestine - after serving their sentences in prisons in Israel, Palestinian children return to their homes in the occupied West Bank. However, there is at least one distinguishing feature in the Palestinian context that appears to be absent in the case of Ukraine - namely, that a significant number of Palestinian children transferred from the occupied West Bank are subjected to treatment during their interrogation inside Israel

which violates the Convention against Torture - including prolonged periods in solitary confinement (See Part II above).

"I was taken to Huwwara military base (near Nablus) where I was given a quick medical examination. Then I was taken to Petah Tikva interrogation centre, inside Israel. I had no idea what time it was when we got there. I was strip searched before being taken into a small cell where I spent 14 days in solitary confinement. The cell was the size of a small bathroom and did not have any windows. A light was left on all the time and I found it hard to fall asleep. There was an open sewage hole in the floor which I used as a toilet but the stench was unbearable. There was lots of mosquitoes around and other little insects and I could not sleep. I could not tell day from night and banged the door to try to get the attention of the guards. I suffered tremendously in the cell. I was mentally on the verge of collapse. I wanted to kill myself. I shouted at the guards just to speak to someone. The guards threatened to handcuff me if I continued to shout and bang the door. I hit the wall with my arm to try and break it in order to go to the hospital. I felt one more day in the cell and I would have died. During this time, I was interrogated four times."

[H.H.M.A.](#) (16 years) - Petah Tikva interrogation centre, Israel - 8 May 2022

3. Domestic remedy

3.1 Israel's practice of transferring protected persons from the occupied West Bank to prisons located inside Israel has been challenged on two occasions in the Israeli Supreme Court, sitting as the High Court of Justice (the High Court). The practice was first challenged in the High Court in the Sejadia Case (1988) and more recently in the [Yesh Din Case](#) (2010) (**Annexure M**). In both cases the High Court rejected the petitions based on the primacy of Israeli domestic law over provisions of international law where the two are in direct conflict. This position is without merit under international law by virtue of Article 27 of the Vienna Convention on the Law of Treaties, reflecting customary international law ([Lagrand Case](#)).

3.2 It is submitted that the Sejadia and Yesh Din cases establish the following:

- (i) The practice of transferring and detaining protected persons from the occupied West Bank to detention facilities inside Israel began in or about June 1967 (Yesh Din Case, paragraph 2);
- (ii) This practice forms part of the policy of the State of Israel evidenced by the fact that responsibility for the detention has been entrusted to the Israel Prison Service (IPS), a governmental instrumentality;

- (iii) The grounds upon which the Court dismissed the petitions have no legal merit under international law;
- (iv) There are no reasonable prospects of a domestic remedy; and
- (v) The act of transfer is not in dispute.

3.3 The absence of a domestic remedy was also confirmed by the military prosecutor appointed by Israel's Ministry of Foreign Affairs to liaise with UNICEF on issues relating to Palestinian child detainees. In response to UNICEF's concerns regarding the unlawful transfer of Palestinian children out of the occupied West Bank, the UN agency was informed by the prosecutor in 2015: "that no further action will be taken" in regards to this issue.⁶³

4. Breach of duty and obstruction of justice

4.1 In December 2015, MCW [wrote](#) identical letters to the diplomatic missions of 32 States in Tel Aviv and Ramallah raising concerns about the unlawful transfer of Palestinian children from the occupied West Bank to prisons inside Israel in violation of the Fourth Geneva Convention. Letters were sent to the diplomatic missions of: Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, UK and the US. MCW received responses from: [Australia](#), [Canada](#), [European Union](#), [Netherlands](#), [Norway](#), [UK](#) and the [US](#).

4.2 After citing UNICEF's 2013 recommendation that: "In accordance with international law, all Palestinian children detained in the Israeli military detention system shall be held in facilities located in the occupied Palestinian territory", MCW wrote: "We are concerned that a violation of this magnitude has the potential to undermine the credibility of the international legal order and its institutions with adverse implications for the rule of law beyond Israel and Palestine." Finally, MCW specifically asked these missions the following question relating to their legal duties under the Convention, as opposed to Israel's legal duties:

"We would like to take this opportunity to ask what specific steps will the [relevant Government] be taking to ensure that the practice of forcibly transferring protected persons from the West Bank ceases in accordance with the legal obligations undertaken by the signatories to the Convention."

4.3 The legal obligations undertaken by the signatories to the Fourth Geneva Convention and recipients of MCW's correspondence include:

"Article 1 - Respect for the Convention

The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

"Article 146 - Penal Sanctions I. General Observations

...

Each High Contracting Party shall be under an obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts."

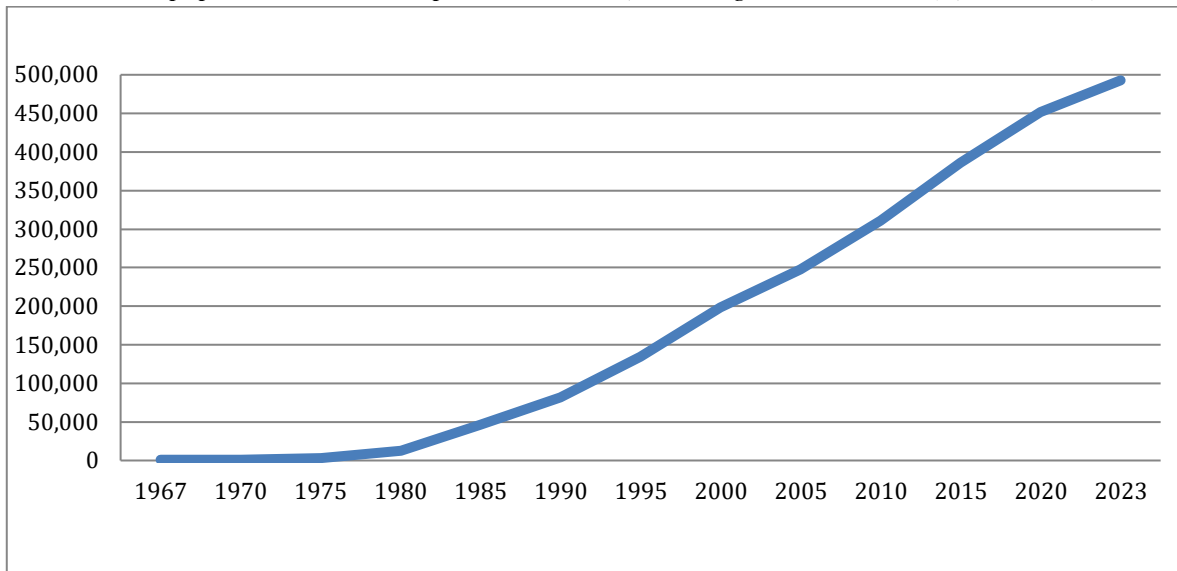
- 4.4 Although specifically asked about compliance with their own legal obligations under the Convention, none of the respondents to MCW's correspondence addressed this question and none of the 32 recipients of the correspondence appear to have fulfilled these obligations. Indeed, it appears that a number of States, including the US, UK, Germany, Canada and Australia (a non-exhaustive list) have taken active steps to obstruct legal accountability arising out of violations of the Fourth Geneva Convention.⁶⁴

SECTION B

5. The unlawful transfer of civilians into occupied territory and its impact on children

- 5.1 It is submitted that the unlawful transfer of Israeli civilians into the occupied West Bank (the settlement project) in violation of the Fourth Geneva Convention, numerous UN Security Council Resolutions (**Annexure N**) and the advisory opinion of the International Court of Justice dated 9 July 2004, is relevant to the detention of Palestinian children in two ways:⁶⁵
- (i) First, based on MCW's testimonial evidence, approximately **98 percent** of Palestinian children detained by the Israeli military in the occupied West Bank live within several kilometers of an illegal Israeli settlement, or related infrastructure, such as roads; and
 - (ii) Secondly, illegal Israeli settlements in the occupied West Bank play a key logistical role in the arrest, transfer, interrogation and detention of Palestinian children.
- 5.2 The scale of transfer in this category is substantial and continuing. Recent data indicates that nearly 500,000 Israeli civilians now live in 290 illegal settlements and outposts in the occupied West Bank, with another 250,000 residing in occupied East Jerusalem.

Israeli settler population in the occupied West Bank (excluding East Jerusalem) (1967-2023)⁶⁶



- 5.3 While there is no serious legal dispute that Israel's settlements in the occupied West Bank are illegal - a position confirmed by internal legal advice commissioned by the Israeli government in September 1967 (**Annexure O**) - successive Israeli governments of every political persuasion have made settlement construction a priority - as evidenced by their relentless growth, regardless of circumstances. This expansion is entirely consistent with a policy of *de facto* annexation.
- 5.4 Simply put, in order to safeguard half-a-million Israeli settlers living in occupied territory, Palestinian communities adjacent to the settlements are subjected to a heavy military presence, inevitably resulting in friction, detention, generational resentment, injury and death. It is neither surprising, nor a coincidence, that approximately 98 percent of Palestinian children detained by Israeli forces in the occupied West Bank live within a few kilometers of these settlements. In the remaining two percent of cases, children are detained near the "Separation Wall", at military checkpoints, or in Area A, the part of the occupied West Bank under putative control of the Palestinian Authority.

"Our village is very close to the Green Line [1949 armistice line] and to a cluster of settlements including Maccabim and Modi'in Illit. We are close to a road which the villagers refer to as the 'road of death'. It is used by settlers to commute back and forth to Tel-Aviv and Jerusalem and no Palestinian is allowed to go near it."

Nadine A. (38 yrs) ([Testimony 37](#)) - Beit Sira, occupied West Bank - 12 October 2022

"We moved to the Ari'el area, near Nablus. We were in charge of the road that crossed the West Bank from west to east. Our designated mission was to prevent acts of terrorism. Simply handle the population. We would enter [Palestinian] villages on a daily basis, at least twice or three times a day, to make our presence felt ... A patrol goes in ... and raises hell inside the villages. A whole company may be sent in on foot in two lines like a military parade, provoking riots, provoking children. The commander is bored and wants to show off to his battalion commander, and he does it at the expense of his subordinates. He wants more and more friction, just to grind the population, make their lives more and more miserable, and to discourage them from throwing stones, to not even think about throwing stones at the main road. Not to mention Molotov cocktails and other things. Practically speaking, it worked. The population was so scared that they shut themselves in. They hardly came out."

Israeli soldier ([Testimony 2](#)) - Nablus, occupied West Bank - 2005

"I was playing on my mobile phone when my friend phoned me and told me Israeli soldiers were in our neighborhood. It was around 2:30 a.m. ... When we opened our front door one of the soldiers asked for me by name ... he told me I was under arrest. ... This is what usually happens in the village; whenever an incident happens, the soldiers round up all the boys who have recently been in prison."

[J.M.M.Z.](#) (16 years) - Beit Ummar, occupied West Bank - 15 March 2021

- 5.5 Israeli settlements in the occupied West Bank also play a key logistical role in the detention of children, acting as staging posts for military raids on Palestinian villages, hosting military bases, police stations, interrogation and detention centres, or simply acting as convenient places to leave children until it is logistically convenient to process them onwards through the system. Evidence included in Parts I and II above confirms that abuse at these locations is prevalent. These settlements include, but are not limited to: [Ariel](#), [Beit El](#), [Binyamin](#), [Beitar Illit](#), [Bracha](#), [Elon More](#), [Gush Etzion](#), [Gilo](#), [Givat Ha'hadasha](#), [Haggai](#), [Halamish](#), [Har Homa](#), [Karmeit Tzur](#), [Karmeit Shomron](#), [Kedumim](#), [Kiryat Arba](#), [Kochav Ya'akov](#), [Ma'ale Adumim](#), [Ma'ale Michmash](#), [Mevo Dotan](#), [Mod'in Illit](#), [Ofra](#), [Otniel](#), [Pesagot](#), [Shaked](#), [Shaveit Shomron](#), [Shilo](#), [Yakir](#).

"Then another soldier tied my hands behind my back with one plastic tie and tightened it very hard. I was in severe pain and my hands swelled. Then I was blindfolded and dragged on foot to the nearby settlement of Bet El. I fell to the ground many times because I could not see and the road was rough ... They left me by the gate to the settlement and three settlers started to beat me on my head and legs. The soldiers saw them and tried to keep them away from me but without much effort. I was then taken to the back of a military jeep where I sat on the metal floor."

[A.A.A.S.](#) (16 years) - Bet El settlement, occupied West Bank - 23 June 2020

“You sleep inside the settlement. You’re sort of guarding their settlement. We did sentry duty at the entrance to the settlement, and also did security shifts inside Itamar. They were very friendly. They see the army as their friend, as the future. Sometimes it seems as if the settlement’s civilian security official is actually your commander. In Itamar, it got to the point where we were getting orders from him. Our army commander would say: If the civilian security official tells you something, do as he says. You ask yourself sometimes, who is my commander here? It was very problematic. It seemed as if the settlers and the army were the same force.

Israeli soldier ([Testimony 1](#)) - Itamar settlement, occupied West Bank - 2004

- 5.6 And while successive Israeli governments have proffered an argument not accepted by the vast majority of States suggesting settlements are legal on the grounds that the Fourth Geneva Convention does not apply to the occupied West Bank, the military authorities simultaneously distribute a [briefing paper](#) relying on the Convention as the legal basis for prosecuting Palestinians in military courts 56 years after the start of the 1967 occupation (**Annexure E**). This contradiction mocks the rules-based order and undermines confidence in international institutions.

***"Justice, reconciliation and the rule of law cannot exist
alongside impunity for torture and other similar
treatment or punishment"***

(Dr Alice Jill Edwards - UN Special Rapporteur on Torture, 2022)⁶⁷

PART IV

GENERAL OBSERVATIONS

- 1.1 It has been observed that for 75 years the peoples of the region have been caught up in a fatal embrace of violence and injustice replaying over and over in a bitter loop. It was in just such situations, involving claim and counter-claim, that a generation scarred by war set to work drafting agreed upon rules to guide future generations out of such darkness. No one suggested that these post-WWII rules would become a panacea, but they may just be our best hope in an imperfect world. However, for such an aspiration to succeed, those in positions of responsibility have a duty to uphold and defend the rules, without fear or favour.
- 1.2 The situation in Israel/Palestine suggests we are failing in this duty. To take just two examples highlighted in this Report, both of which involve no dispute of fact:
 - (i) The systematic unlawful transfer for 56 years of Palestinian children (and adults) from the occupied West Bank to interrogation and detention facilities inside Israel is a war crime under the Fourth Geneva Convention. As the evidence in this submission shows, it has devastating real life consequences. Furthermore, the lack of accountability has bred generational resentment and a loss of confidence in a legal remedy.
 - (ii) The systematic unlawful transfer of Israeli civilians into the occupied West Bank over 56 years is also a war crime under the Fourth Geneva Convention. The associated appropriation of land violates the principle of non-acquisition of territory by force - the same principle underpinning objections to Russia's annexation of Crimea. As the evidence in this submission shows, the failure to uphold these rules has real life consequences for those living in the shadow of the settlements. Again, the credibility of the rules-based order is undermined.
- 1.3 For too long, too many have conducted foreign policy as though the rules-based order were a smorgasbord, where rights and obligations can be selected on whim, depending on current political or strategic considerations. Whilst perhaps convenient in the short-term, this approach undermines the very foundations of the rules-based order and virtually guarantees its demise. Failure to apply the rules, to all sides in the conflict, has created ambiguity, providing encouragement to anyone wishing to roll the dice and challenge the prohibitions against annexation of territory and the transfer of civilians. Meanwhile, a lack of leadership, political horizon and legal accountability has created an environment in the region in which democracy is in retreat and murderous extremism is flourishing.

"Since taking up my position as Prosecutor, I have emphasised that the law must provide shelter to the most vulnerable on the front lines, and that we also must put the experiences of children in conflict at the centre of our work."

(Karim Khan KC, ICC Prosecutor, 17 March 2023)⁶⁸

End Notes

¹ Israeli Military Order No. 3 (7 June 1967), Section 35: "A military court and the administration of a military court shall fulfill the provisions of the Geneva Convention dated August 12, 1949 Relative to the Protection of Civilian Persons in Time of War, in all matters related to legal proceedings, and in all cases of contradiction between the Order and the aforesaid Convention, the provisions of the Convention shall prevail." Israel ratified the Fourth Geneva Convention in 1951.

² Notably, the Allied occupation of Germany (1945-1952) - US Department of State, available at: <https://is.gd/EgDTos>; the US occupation of Japan (1945-1952) - US Department of State, available at: <https://is.gd/ZatwYz>; and the US occupation of Iraq (2003-2011).

³ See the UN report of the independent international fact finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (7 February 2013) - Paragraphs 20-24, available at: <https://is.gd/4PUCyH>

⁴ Fourth Geneva Convention - Article 49.

"Article 49 - Deportations, transfers, evacuations

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

See also: Memorandum of Advice prepared by the Legal Adviser to the Ministry of Foreign Affairs (Israel) dated 14 September 1967. Available at: <https://is.gd/NF3TBK>

⁵ According to the Israeli organisation Peace Now, in 2023 nearly 500,000 Israeli civilians are living in settlements in the occupied West Bank, with a further 250,000 in East Jerusalem. See Peace Now, available at: <https://is.gd/mm30xZ>

⁶ The UN estimates that between June 1967 and January 2008, 700,000 Palestinian adults and children were "imprisoned". Assuming a constant rate of detention between June 1967 and January 2008 (40.5 years), this estimate suggests an annual average of 17,284 "imprisonments". (See: UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Professor John Dugard, Human Rights Situation in Palestine and Other Occupied Arab Territories, 21 January 2008, A/HRC/7/17, paragraph 45).

Year	Total imprisoned	Annual average	Source
1967-2008	700,000	17,284	UN

Since January 2008, there are a number of data points available to estimate the number of detained Palestinians. It should be noted that the official detention statistics provided by the Israel Prison Service (IPS) only disclose how many Palestinians are in IPS facilities on the last day of a particular month. It is not possible to calculate from this data the total number of detentions in any given year. However, it is possible to obtain a best estimate based on the number of annual indictments in the military courts and data on short-term detentions provided by the Israeli army. It should be noted that not all Palestinians indicted in the military courts are detained, such as in cases involving traffic offences committed in Area C of the West Bank.

Year	Total indictments	Annual average	Short detention (IDF)	Source
1993-2000	124,000	15,500	n/a	IDF Law Review
2001-2007	n/a	n/a	n/a	(This period includes the 2nd Intifada)
2008-2013	50,058	8,343	n/a	Military Courts - Annual Activity Report

2014	n/a	n/a	890	Freedom of Information
2015	n/a	n/a	2,044	Freedom of Information
2016	n/a	n/a	2,403	Freedom of Information
2017	10,454	10,454	2,302	Freedom of Information
2018	7,731	7,731	1,741	Freedom of Information
2019	7,136	7,136	1,561	Freedom of Information
2020	6,350	6,350	1,275	Freedom of Information
2021	n/a	n/a	1,655	Freedom of Information
2022	n/a	n/a	n/a	-
2023	n/a	n/a	1,907	Freedom of Information
Annual Average (2008-2023)	8,003		1,753	-
	9,756			

Included in this total are detained children. Based on the available sources, including IPS data, data obtained under Government of Israel Freedom of Information and data provided by the Israeli military prosecutor, it is estimated that approximately 700 - 1,000 children are detained each year, including short-term detentions, or 39,200-56,000 children since June 1967.

Year	Short detention (IDF)	Arrested (Indicted)	Total	Source
2013	349	655 (465)	1,004	Military prosecutor
2014	83	861 (499)	n/a	Freedom of Information
2015	382	871 (540)	n/a	Freedom of information
2016	290	n/a	n/a	Freedom of information
2017	349	n/a	n/a	Freedom of information
2018	238	(569)	n/a	Freedom of information
2019	223	(451)	n/a	Freedom of information
2020	188	(338)	n/a	Freedom of information
2021	172	n/a	n/a	Freedom of information
Annual Average	253	796 (477)	1,004	

⁷ Based on 542 testimonies collected by MCW between 2017-2021.

⁸ Information collected by the UN Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territories (OCHA oPt) and presented in the Protection of Civilians Reports (2018-2022) indicates that the Israeli military conducted between 3,500-4,500 search and arrest operations in the occupied West Bank annually (5-year average: 3,816 operations). Available at: <https://is.gd/FATDGs>. Additional evidence indicates that over 80 percent of these operations occur at night. See also Yesh Din, Breaking the Silence and Physicians for Human Rights, [A Life Exposed: Military invasions of Palestinian homes in the West Bank](#), (November 2020), page 12 ("88% of the recorded invasions began between midnight and 5:00 A.M.").

⁹ UNICEF: Children in Israeli Military Detention - Observations and Recommendations (February 2013). Available at: <https://is.gd/QIhy1J>

¹⁰ Fourth Geneva Convention, Article 76:

"Treatment of detainees

Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein."

¹¹ Based on data published by the Israel Prison Service between January 2013 and June 2023, 84 percent of Palestinian adult detainees and 58 percent of Palestinian child detainees were unlawfully transferred in violation of article 76 of the Fourth Geneva Convention. The combined average was 83 percent.

¹² A soldier's testimony: Annexure D, testimony 48.

¹³ Ofer military court, near Jerusalem, and Salem military court, near Jenin.

¹⁴ The Convention against Torture relevantly provides that:

"Article 1

1. *For the purposes of this Convention, the term 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.*

Article 2

2. *No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.*

Article 16

1. *Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article 1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."*

In her first interim Report issued on 3 October 2022, the UN Special Rapporteur on Torture, Dr. Alice Jill Edwards, noted that: "Whether particular harm amounts to torture often turns on factual, rather than legal, factors. Regrettably, we have not yet reached the limits of the deliberate or gratuitous ways or means by which public officials and Governments perpetrate torture, and forms of torture or inhuman treatment or punishment may never be fully elaborated. For this reason, the severe pain or suffering threshold is a dominant element of the definition of torture." - Paragraph 34, available at: <https://is.gd/ybcyo1>

As to ill treatment falling short of torture, the UN Special Rapporteur on Torture has stated that: "Lesser forms of cruel, inhuman or degrading treatment or punishment are equally prohibited and are to be investigated and punished, commensurate with applicable penalties. They should not be underestimated as to their impact on victims or on institutional cultures in which impunity can create and incentivize conditions that can escalate to insipid forms of ill-treatment or even torture. Cumulative effects of lesser cruelty, however less dramatic, can amount to torture, and negligent mistreatment or deprivations of essential rights (safety, clean water, hygiene, social interaction) of persons deprived of their liberty are never to be tolerated." - Paragraph 37, available at: <https://is.gd/ybcyo1>

¹⁵ Children in Military Custody (June 2012) - A report written by a delegation of British lawyers on the treatment of Palestinian children under Israeli military law (Lawyers' Report) - Available at: <https://is.gd/CUmAxs>

¹⁶ The Lawyers' Report found that Israel's military child detention system violates at least six of the following articles under the UN Convention on the Rights of the Child:

- (i) Article 2 - Discrimination;
- (ii) Article 3 - Best interests;

-
- (iii) Article 37(b) - Premature resort to detention;
 - (iv) Article 37(c) - Non-separation from adults;
 - (v) Article 37(d) - Prompt access to lawyers;
 - (vi) Article 40 - Use of shackles.

The Lawyers' Report also found that Israel would be in breach of the prohibition on cruel, inhuman or degrading treatment in Article 37(a) of the Convention if the multiple reports of ill-treatment are, to a significant extent, correct.

The Lawyers' Report also found violations of two articles under the Fourth Geneva Convention:

- (i) Article 65 - Failure to translate all military orders from Hebrew to Arabic; and
- (ii) Article 76 - Transfer of child prisoners out of the occupied West Bank to prisons inside Israel.

¹⁷ See Endnote 9 above.

¹⁸ UNICEF: Children in Israeli Military Detention - Observations and Recommendations - Bulletin No. 1: October 2013. Available at: <https://is.gd/hbrEaP>. UNICEF Bulletin No. 2: February 2015. Available at: <https://is.gd/rXGYZ9>.

¹⁹ Ibid.

²⁰ Ibid. The "Military Prosecutor of Judea and Samaria" (occupied West Bank) at the time was Lt. Col. Maurice Hirsch. On 24 May 2014, the Israeli newspaper Haaretz reported that Hirsch was a resident of the West Bank settlement of Efrat. Available at: <https://is.gd/KcCBLZ>. Hirsch also acknowledged being a settler in the 2022 Israeli documentary, "Two Kids a Day". Available at: <https://is.gd/jtgo78>

²¹ Between 2013-2023 MCW collected 1,100 testimonies. This sample was used to calculate the percentages referred to in this submission. For administrative reasons it was only possible to include 1,089 of these testimonies in Annexures A and B.

²² See Endnote 8 above.

²³ Based on the assumption that between 700-1,000 Palestinian children are arrested each year by the Israeli military in the occupied West Bank and 55 percent of these children are arrested at night (based on MCW's sample of 1,100 cases).

²⁴ Jerusalem Post, Chief West Bank prosecutor says IDF may end long-standing night arrests of Palestinians, 18 February 2014. Available at: <https://is.gd/cbi9iH>

²⁵ Yesh Din, Breaking the Silence, Physicians for Human Rights: A Life Exposed - Military Invasions of Palestinian Homes in the West Bank, November 2020, page 13. Available at: <https://is.gd/xvnRC8>

²⁶ Taking the average percentage reported for this issue (Night arrests (11-year average) - 55 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

²⁷ H - Hostage taken

²⁸ See for example: The Independent - Bound, Blindfolded and Beaten (2009), available at: <https://is.gd/qnespG>; The Guardian - Former Israeli soldiers break the silence on military violations (2011), available at: <https://is.gd/HqiURB>; The Guardian - Hundreds of Palestinian minors jailed for throwing stones, says report (2011), available at: <https://is.gd/WUpd7j>; The Independent - How Israel takes its revenge on boys who throw stones (2011), available at: <https://is.gd/0GtfjG>; The Australian - Stone Cold Justice (2011), available at: <https://is.gd/4zC9kY>; Haaretz - Nearly 100% of All Military Court Cases in West Bank End in Conviction, Haaretz Learns (2011), available at: <https://is.gd/5SXvc2>; The Guardian - The Palestinian children - alone and bewildered -

in Israel's Al Jalame jail (2012), available at: <https://is.gd/c4T4XS>; The Guardian - Israel subjecting Palestinian children to 'spiral of injustice' (2012), available at: <https://is.gd/OJkJzm>; Channel 4 News - Israel 'breaches rights of Palestinian children' (2012), available at: <https://is.gd/MhGPYc>; The Independent - UK ready to take on Israel over fate of children clapped in irons (2012), available at: <https://is.gd.siy9Zp>; The Independent - Nothing resonates like the mistreatment of minors (2012), available at: <https://is.gd/tripEY>; BBC - Israel 'breaching UN convention on children's rights' (2012), available at: <https://is.gd/yVK18p>; Haaretz - UK Slams Israel with Stiff Upper Lip: Not All Palestinian Kids Are Potential Terrorists (2012), available at: <https://is.gd/3qrfCL>; The Independent - Israel breaks silence over army abuses (2012), available at: <https://is.gd/5KSg6B>; AFP - Israel ill-treatment of Palestinian minors 'systematic' (2013), available at: <https://is.gd/4eBWre>; Associated Press - UNICEF urges Israel to reform detention of minors (2013), available at: <https://is.gd/bjzoOy>; The Australian - UN's circle of unaccountability (2013), available at: <https://is.gd/lzmGRG>; The Australian - Israel in U-turn on child justice (2014), available at: <https://is.gd/qoMGMI>; ABC Four Corners - Stone Cold Justice. Available at: <https://is.gd/Fh5mBe>; The Jerusalem Post - New IDF arrest policy may be attempt to avoid ICC (2014), available at: <https://is.gd/HQgm1M>.

²⁹ UNICEF, Children in Israeli Military Detention: Observations and recommendations (February 2013), Endnotes 24 and 25 - Available at: <https://is.gd/2qvJma>

³⁰ Based on 6 years' worth of data (2016-2021).

³¹ Taking the average percentage reported for this issue (Hand ties (11-year average) - 96 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³² Taking the average percentage reported for this issue (Blindfolds (11-year average) - 86 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³³ The Coordination of Government Activities in the Territories (COGAT) - an IDF unit that reports to Israel's Ministry of Defence and coordinates with the Palestinian Authority in the occupied West Bank.

³⁴ Lawyers' Report, paragraph 54.

³⁵ Taking the average percentage reported for this issue (Floor transfer (11-year average) - 54 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³⁶ Taking the average percentage for this issue (Verbal abuse (11-year average) - 54 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³⁷ Taking the average percentage for this issue (Physical abuse (11-year average) - 66 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³⁸ Taking the average percentage for this issue (Threats (11-year average) - 61 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

³⁹ Taking the average percentage for this issue (Strip searched (11-year average) - 65 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁴⁰ Military Order 1745 (10 September 2014). Available at: <https://is.gd/Gi5QJ4>

⁴¹ Taking the average percentage for this issue (Denied access to a parent/guardian during interrogation (11-year average) - 97 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli

forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁴² Yisascharov v The Head Military Prosecutor (2006)

⁴³ Taking the average percentage for this issue (Denied prompt access to a lawyer (11-year average) - 81 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁴⁴ Taking the average percentage for this issue (Denied right to silence (11-year average) - 84 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁴⁵ Taking the average percentage for this issue (Shown/signed documentation written in Hebrew (11-year average) - 73 percent) from 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁴⁶ Military Order 1798. Available at: <https://is.gd/HNVW3y>. Under Israeli civilian law children must generally be brought before a judge within 12-24 hours.

⁴⁷ By way of contrast, 17.9 percent of children indicted in Israel's civilian juvenile justice system were denied bail in 2015.

⁴⁸ See Endnote 46 above.

⁴⁹ UN Committee against Torture, Concluding Observations (Israel), 14 May 2009, paragraph 17. Available at: <https://is.gd/3ih8yo>

⁵⁰ See MCW Statistics page, available at: <https://is.gd/HCBOTj>

⁵¹ Annexure D, testimony 58.

⁵² The Israel Security Agency (ISA) was formerly known as the General Security Service (GSS) and is also referred to as the "Shin Bet" or "Shabak".

⁵³ Taking the annual percentage rates for solitary confinement based on 1,100 testimonies collected by MCW from Palestinian children detained by Israeli forces in the occupied West Bank between 2013-2023 and assuming an annual detention rate of between 700-1,000 children.

⁵⁴ B'Tselem, The Interrogation of Palestinians During the Intifada: III-Treatment, "Moderate Physical Pressure", or Torture? (March 1991) - page 59. Available at: <https://is.gd/s823jp>

⁵⁵ Al Jalama (23%), Al Maskobiyyeh (13%), Petah Tikva (9%), Ashkelon (7%), Ramle (2%), Damoun (2%), Ofek (2%).

⁵⁶ Etzion (15%), Huwwara (12%), Ofer (7%), Salem (2%), Binyamin ((1%).

⁵⁷ Annexure D, testimony 50.

⁵⁸ Fourth Geneva Convention - article 76. Available at: <https://is.gd/sPo19h>

Article 76 - Treatment of detainees

"Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentence therein."

⁵⁹ Fourth Geneva Convention - articles 146 and 147. Available at: <https://is.gd/qNhxE> and <https://is.gd/zFOFiB>

Article 146 - Penal sanctions I. General observations

"The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following [Article](#) .

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a 'prima facie' case."

Article 147 - Penal sanctions II. Grave breaches

"Grave breaches to which the preceding [Article](#) relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

⁶⁰ Israeli Ministry of Public Security website. Available at: <http://is.gd/pxjrK9>

⁶¹ Taking the average percentage of child transfers reported by the IPS between 2013-2023 (11 years) (58 percent) and assuming an annual detention rate of between 700-1,000 children.

⁶² See Endnote 6 above and applying an average transfer rate for adults of 84 percent as provided by the IPS for the period January 2013 to June 2023.

⁶³ UNICEF Bulletin No. 2: February 2015, page 13, paragraph 13(i). Available at: <https://is.gd/rXGYZ9>.

⁶⁴ Following the ICC's ruling on jurisdiction in February 2021, Israeli [media](#) reported that "senior security officials said a number of ICC member states have agreed to give advance warning to Israel of any intent to arrest Israelis on their arrival in those countries or if a request for an arrest warrant is issued against them." On 3 September 2021, the UK Government was asked, under [parliamentary procedure](#), whether it had provided the Government of Israel any assurances relating to potential action at the ICC. The UK Government's [reply](#) was non-responsive. The governments of the [UK](#), [Germany](#), [Canada](#) and [Australia](#) (a non-exhaustive list) - all members states of the ICC - have all issued statements rejecting the jurisdiction the ICC regarding the Israeli / Palestinian conflict. Although not a party to the Rome Statute, the US under the [Biden Administration](#) also appears to be undermining the work and independence of the ICC. In 2011, the UK Government pushed to amend the UK's domestic law to ensure political oversight of decisions to issue arrest warrants arising out of private prosecutions based on universal jurisdiction. The amendment to the law occurred following the issuance of an arrest warrant for Israel's former Foreign Minister, Tzipi Livni in 2009. (See The Guardian, Arrest warrant plans make a mockery of universal jurisdiction, Daniel Machover, 30 March 2011. Available at: <https://is.gd/bc3kPt>)

⁶⁵ See UN Security Council Resolution 2334 (23 December 2016) and resolutions cited therein. Available at: <https://is.gd/EPd6wH> ; the International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion (9 July 2004). Available at: <https://is.gd/QEqlA1> ; internal Israeli legal advice to the Minister of Foreign Affairs (18 September 1967); and Article 49 of the Fourth Geneva Convention:

Article 49 - Deportations, transfers, evacuations

"The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

⁶⁶ Israel Central Bureau of Statistics (ICBS)

⁶⁷ Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, 4 October 2022, A/77/502. Available at: <https://is.gd/W31JUY>

⁶⁸ Statement by Prosecutor Karim A.A. Khan KC on the issuance of arrest warrants against President Vladimir Putin and Ms Maria Lovova-Belova, 17 March 2023. Available at: <https://is.gd/wxjFWG>