

# Children in Military Custody

---

In June 2012 the report *Children in Military Custody* was published. It concluded that Israel was in breach of at least four Articles of the United Nations Convention on the Rights of the Child and at least two Articles of the Geneva Conventions. The report made 40 recommendations for improvement of the Israeli military law system's treatment of Palestinian children. The Foreign and Commonwealth Office (FCO) funded the report which was produced by a group of independent lawyers that included the former Attorney General, Baroness Scotland QC and retired Court of Appeal Judge, Sir Stephen Sedley.

Following the launch of the report, the Israeli Embassy in London issued a press release in which, their spokesman, Mr Amir Ofek, said:

‘A wide range of senior Israeli officials met with the delegation and openly shared Israel’s dilemmas on these issues. Israel, as an open society, has an ongoing dialogue with civil society representatives in Israel and from the international community, including the UK. Israel notes the detailed recommendations in the report and will study them closely as part of its ongoing efforts to find the most appropriate balance between preventing violence and treating perpetrators with humanity’.<sup>1</sup>

Since this statement, officials from the FCO and the lawyers themselves have sought to raise the progress of the report’s recommendations with Israeli officials. In August 2014, the FCO and delegation co-ordinated a return trip to Israel and the Occupied Palestinian Territory to discuss the report’s recommendations. The trip had to be postponed with officials citing the current war in Gaza as the reason. On 6 January 2016, Under Secretary of State for Foreign and Commonwealth Affairs, Tobias Ellwood MP announced during an adjournment debate in the House of Commons,

"We will continue to make this issue a focus of our engagement with Israel, and we plan to fund a follow-up visit by the delegation in February 2016 to report on further progress."

With some members of the original delegation unavailable for the trip, additional members joined the group. Lord Falconer (former Lord Chancellor), Sir Mark Hedley (former High Court Judge of the Family Division), Sir Keir Starmer QC MP (former Director of Public Prosecutions), Paul Storey QC (Children Law Barrister and Deputy High Court Judge), Martha Cover (Children Law Barrister and Association of Lawyers for Children) all offered their time pro bono to meet with Israeli officials to discuss moving the report’s recommendations forward.

---

<sup>1</sup> <http://embassies.gov.il/london/NewsAndEvents/press-release/Pages/Israeli-Response-to-British-lawyers%E2%80%99-report-on-Minors-in-Custody.aspx>

The return visit had received the full cooperation of international, Palestinian and Israeli NGOs however in early February 2016, the delegation learned that the Israeli government was unwilling to engage with the lawyers and as a result the trip has been cancelled.

The delegation will do a brief updating report on the 40 recommendations and would welcome the opportunity to meet with Israeli officials in the future.

16<sup>th</sup> February 2016