

- Unclassified -

Israel Defense Forces
IDF Spokesperson Unit
Public Relations Branch
Public Enquiries Section
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8 July 2015

To:

Amos Laor – Association for Civil Rights

Re: Your Enquiry with the IDF Spokesperson concerning Detainments, Arrests and Criminal Procedures Against Palestinian Minors in the West Bank during 2014, under the Freedom of Information Law

Dear Sir,

1. Your enquiry dated 10 March 2015, concerning the issue at hand, was received by our section and referred to the professional sources for their response.
2. Below is the response of the Public Enquiries Section of the IDF Spokesperson Unit to your enquiry:
 - i. During the year 2014, 3,182 arrests were conducted in Judea and Samaria by the IDF.
 - ii. During the year 2014, approximately 861 arrests of Palestinian minors were conducted in Judea and Samaria.
 - iii. Out of all minors arrested, according to Civil Administration sources, 247 minors were transferred, with the help of security coordination sources, for further treatment by the Palestinian police.

- iv. As for paragraph 2E of your enquiry, attached is Appendix A of this document, a table summarizing the data concerning indictments served to youth military courts during 2014, segmented into months and according to the requested age groups. It should be noted that during the year 2014, 504 indictments in cases of minors were served to the military courts.
- v. We do not have the data requested in paragraphs 1D-1H, 2B, 3A and C of you enquiry.
- vi. As for paragraphs 3D and E of your enquiry, attached in a separate file is a table summarizing the outcomes in trials of minor defendants adjudicated during 2014. This table also specifies the category of the charges, according to the categories used by the military courts in Judea and Samaria (hostile terrorist activity, disturbance of order, illegal stay, criminal and traffic violations). It should be emphasized that due to the manner of data presentation, one case might have several entries, according to the number of penalty types ruled in the defendant's matter. It should also be noted that the system cannot segment defendants according to the status of arrest or release at the time of their trial. We will further note that 8 cases were closed without a conviction (acquittal, stay of proceedings or annulled indictments).
- vii. We would like to note that the computerized system being used does not enable the retrieval of data on a defendant's history of arrest and release. Therefore, it is not possible to retrieve data related to the rest of the questions specified in the enquiry, other than through individual review of hundreds of cases and hearing protocols, some of which are not even saved as digital media. In light of the scope of cases, such a manual review will require hundreds of work hours by an extended team of soldiers and officers. Under these circumstances, the production of this data will require an unreasonable allocation of resources.
- viii. We do not have data on the number of prosecution requests for remand until the end of proceedings, nor on the instance that ordered the arrest or release.

In order to locate the information in the manner requested by the enquirer, the Military Advocate General will have to conduct a manual review in each of the 440 cases handled during this year by the military prosecution in the Area,¹ which will require an unreasonable allocation of resources. However, a segmentation of the outcomes of 440 cases of minors handled by the military prosecution during 2014 illustrates the following figures:

- 312 were remanded until the end of proceedings.
- 70 had their matter ended already during the arrest hearing.
- 58 were released to an arrest alternative, either by the court (43 cases) or by the Israel Police (15 cases).

ix. We are unable to segment data related to the filing of appeals against the court's decision in requests for arrest, whether an appeal against a decision during a hearing on remand until the end of proceedings and whether an appeal against a decision in a different arrest hearing. We do not have a segmentation of appeals according to the age of the appellant. Hence, we do not have data on appeals filed in the cases of minors. Moreover, we do not have data on the acceptance or rejection of such appeals.

3. We will be happy to be at your service in the future.

Sincerely,

Public Enquiries Section

Public Relations Branch

IDF Spokesperson

¹ To clarify, indictments are served to the military courts by the Judea and Samaria MAG Corps and by the prosecution bodies of the Israel Police (such as traffic prosecution). Therefore, from the data detailed above it is possible to realize that 504 indictments were served to the military courts during the year 2014, and that out of those, the Judea and Samaria MAG Corps served 440 indictments during the year 2014 with regard to minors who had been arrested in the same year.

Appendix A – The number of minor defendants against whom an indictment was served to the military courts during 2014

	Under the age of criminal responsibility	12-14	14-16	16-18	Overall
January	0	1	14	44	59
February	0	1	20	48	69
March	0	5	11	36	52
April	0	0	4	24	28
May	0	3	15	38	56
June	0	0	3	26	29
July	0	0	6	29	35
August	0	1	9	35	45
September	0	0	7	26	33
October	0	0	4	16	20
November	0	0	7	27	34
December	0	2	10	32	44
Annual	0	13	110	381	504