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Sarah Champion MP
House of Commons
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Thank you for tabling the Westminster Hall Debate, 'Child prisoners and detainees in the Occupied Palestinian Territories', held on Wednesday 6 January and your follow up letter of the same date. You raised some questions:

- 1. I would like him to establish a watch list that includes the names of all who commit, aid, abet and procure the commission by another person of the unlawful transfer of protected persons—adults and children—from occupied territories to prisons in Israel.*
- 2. I want him to ensure that any individual on the watch list who attempts to enter the UK is detained for questioning and, if sufficient evidence is available, charged and prosecuted, subject to the consent of the Director of Public Prosecutions.*
- 3. I would like the Minister to continue to lobby the Israeli Government to cease the practice of unlawfully transferring protected persons—adults and children—from the occupied territory, and to relay the concerns of this House that that practice undermines international legal order.*
- 4. I would like him to continue to lobby the Israeli Government to implement all 40 recommendations included in the UK report, and to monitor whether any changes to military detention systems are translating into tangible improvements on the ground and resulting in a substantial reduction in the level of reported abuse.*

In response to your first two questions, we do not have plans to establish a watch list, as you have specified, with a view to bringing prosecutions for war crimes. Provision exists in the UK for prosecuting foreign nationals for war crimes. More information can be found on the Crown Prosecution Service (CPS) website at www.cps.gov.uk (at CPS - war crimes and crimes against humanity) which sets out the agreed referral guidelines between the CPS and



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SO15 for the investigation and prosecution of war crimes. There is also existing provision for excluding foreign nationals from entering the UK. The Home Secretary has personal power of exclusion, which can be utilised when it is deemed in the public interest. It is feasible, where the evidence is sufficient, to exclude a 'war criminal' from the UK, but this will always be weighed against wider UK interests.

In response to your other questions; as I announced during the Westminster Hall debate, further to the independent report on Children in Military Custody that we funded and facilitated, we intend to fund another visit of the delegation in February to report on further progress. You will be aware that Ministers and the British Ambassador in Tel Aviv have spoken and written to both the Israeli Justice Minister and the Israeli Attorney General to urge Israel to take action on the Children in Military Custody report. On 23 November, an official from our Embassy in Tel Aviv raised our key concerns about the overall treatment of Palestinian minors in Israeli military detention with the Israeli Chief Military Prosecutor.

Thank you again for your efforts taking forward this debate. The UK will continue to lobby for change to Israel's policy in this area. As I mentioned during the debate, I intend to Israel next month I will raise this issue. I agree with you, we need to continue to press the Israeli Government to see these issues resolved.

Yours sincerely,

TOBIAS ELLWOOD MP
Parliamentary Under Secretary of State