

Dear chairman,

Hereby I inform Your Chamber [the Dutch parliament], as promised during the 'Algemeen Overleg' [regular meeting between the Dutch Minister of Foreign Affairs and Foreign Affairs spokespersons of the different Dutch political parties] on June 17th, on the results of a conversation with the prosecutor on the West Bank on reforms Israel has introduced regarding the treatment of Palestinian minors in detention.

On November 12th a conversation took place between the Head Military Prosecutor on the West Bank, Luitenant Colonel Hirsch. During the conversation several aspects of the treatment of minors in Israeli detention were discussed. In February 2014 a pilot was started in the districts of Nablus and Hebron on the West Bank replacing, where possible, night arrests by written and phoned summons to report to the Israeli military authorities. This also prevents further violations such as blindfolds, handcuffs and not providing parents of the child with information.

No statistics were collected during the pilot. The absence of sufficient statistics makes it difficult to assess, in an objective manner, the results of the pilot. Nevertheless NGOs confirm a drop in the number of night arrests. The pilot has been suspended due to the escalation of violence during this past summer. Colonel Hirsch has said that [the army] intends to resume and expand the pilot.

A different recent development has been the authorization by judges of military youth courts to take into account reports by probation officers prior to a decision to detain [the child] instead of after. This ensures that personal matters can be weighed beforehand. Responding to an inquiry regarding the UNICEF report "Children in Israeli military detention" published in March 2013, Colonel Hirsch said that the Israeli authorities are in close contact with UNICEF to achieve improvements and clarify certain misconceptions in the report. Different NGOs have informed [the Ministry] that they are not impressed by the improvements that have been implemented so far. The government is looking forward to the follow-up report by UNICEF which will show the progress in dialogue which has been made.

It is very difficult to collect clear information on this complex legal issue. Israel is taking steps, partly due to an ongoing dialogue with UNICEF, to ensure that the treatment of Palestinian minors who are suspects or detainees will be aligned with its own juvenile justice laws. Israel has made clear that this will not be possible on all fronts, considering Israel is operating in the context of an armed conflict.

The government believes that it is important for improvements to be made. The government has already given extensive attention to this issue and the issue will remain on the agenda in its talks with the Israeli authorities. The government will keep bringing this issue up in international fora such as the UN and the EU (parliamentary letter on May 13th 2014, ref. 2014.182549). The Human Rights Ambassador will also address the issue during an upcoming visit.

The Minister of Foreign Affairs,

Bert Koenders