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Child Detention Practices in the West Bank and East Jerusalem

Alternative Report submitted to the Human Rights Committee as part of the Fifth Periodic Review of Israel

A. Opening Remarks

‘Parents Against Child Detention¹’ (**PACD**) hereby respectfully submit an alternative report on child detention practices in the West Bank (**WB**), where Israel operates mostly pursuant to military law, and East Jerusalem (**EJ**) which Israel considers as part of its sovereign territory and operates pursuant to Israeli law. While Israel argues (contrary to the long-held position of the Committee) that the International Covenant on Civil and Political Rights (hereinafter “**ICCPR**” or “**the Covenant**”) isn’t applicable to the WB, there is no controversy regarding the applicability of the Covenant to EJ.

The report focuses on the procedures for child arrest and detention pending indictment for the years 2014-2021 (covering the period since Israel was last reviewed by the Committee). The report doesn’t include information on imprisonment conditions post-indictment.

The Committee has raised in the past concerns about excessive use of force during law enforcement operations, including those directed against children, and that the accountability for such acts remains weak (Concluding observations on the fourth periodic report of Israel, 21.11.2014, hereinafter “**COBS**”, para. 13). The Committee

¹ In June 2020 The Public Committee Against Torture in Israel (PCATI) and PACD formed a partnership in which PACD operates under PCATI’s administrative, financial and legal umbrella, yet PACD operates as an autonomous project, PCATI and PACD are closely coordinated and cooperate in joint activities from time to time to promote shared goals.

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/// PARENTS AGAINST CHILD DETENTION

has remained concerned that reforms in the military juvenile justice system “appear not to be effectively implemented in practice and that Palestinian children are still exposed to arbitrary arrest and detention and often do not enjoy full procedural rights” (COBS para. 19). The Committee has asked for Israel’s response on these matters in its List of Issues prior to submission of the fifth periodic report of Israel (hereinafter “**LOI**”), at para. 15 – 16.

Unfortunately, as elaborated below, the aforementioned concerns remain in place. Israel takes pride in the reform of the juvenile military criminal courts that became permanent in 2013. However, the effect of the reform on children’s rights in criminal procedure is very limited.

First and foremost, arrest and detention legal proceedings do not take place before the new juvenile courts, but rather before ordinary military courts. Furthermore, the data provided by the Israeli authorities themselves reveal excessive use of powers of arrest and detention of minors both in the WB and EJ. This is clear from the sheer number of arrests, the length of detention periods, and the declared policy of holding persons accused of security offences in detention until the end of court proceedings, all applied in a discriminatory manner when compared to the treatment of Jewish juvenile offenders. Testimonies collected from detained Palestinian minors and their families raise an alarming picture of use of excessive force, humiliating and degrading ill treatment, excessive resort to ‘night arrests’, lack of presence of legal counsel or parents during questioning, and poor conditions of pre-trial detention. We are not aware of official investigations of these allegations that have led to legal accountability for perpetrators or effective remedies to those harmed by such practices.

All these acts constitute, as the Committee stated before, “violations of articles 7, 9, 10, 14, & 24 of the ICCPR”. We turn to the committee in the hope that the committee would request Israel to provide further explanations for the aforementioned practice and take steps, including reforming its juvenile detention policies, with a view to bringing them in compliance with the Covenant.

III PARENTS AGAINST CHILD DETENTION

Our report is based mainly on information provided by several Israeli NGOs, data provided by Israeli authorities in reply to Freedom of Information applications (FOIA), and testimonies collected by NGOs from Palestinian children and their families who were detained by the Israeli authorities.

It should be noted that the data provided in reply to FOIA is unfortunately limited and often inaccurate: There are inconsistencies and even contradictions in the data provided by different Israeli authorities (the Israeli police (IP), the Israeli military and the Israeli prison service (IPS)) to different NGOs; It is also unclear whether the numbers of detained children provided relate to one specific day or represent the total numbers of children detained during the requested time period, whether they refer to different children, or to multiple detention days for the same child, who might have been arrested several times during the relevant period or was detained for a long period of time. Furthermore, it appears as if short detentions (for a few hours) are sometimes left unrecorded. In addition, as of October 2020, the IPS refuses to provide information according to categories of detained children divided by their age, or other categories for which the numbers of detained is lower than 5 children. This is significant especially in the category of administrative detention, where the numbers are usually lower than 5. This change of practice in replies to FOIA is currently challenged before the Central District Court.

Still, as imperfect as the data provided is, the numbers we have do reveal a disturbing picture. In the next part of our report we will elaborate on the practice of child detention as they emerge from available NGO sources, data and testimonials about the WB and EJ, alongside a legal analysis of the compatibility of these practices with the Covenant and domestic law. We conclude this report with several recommendations.

The information we have on WB is based on the [CAAC bulletin of 2020](#) published by UNICEF (hereinafter “CAAC 2020”); Military Court Watch (MCW) [annual report 2020/21](#) that includes testimonies of 999 minors that were detained during 2013-2021 (hereinafter “MCW, 2020/21”); B’tselem report that includes testimonies of 60 minors who were detained during 2016-2018, and published in 2018, (hereinafter “[B’tselem](#)

III PARENTS AGAINST CHILD DETENTION

[2018](#)”); Hamoked - Center for the Defense of the Individual report that include testimonies of 29 minors in 2017 and was published in 2018 (hereinafter “[Hamoked, 2018](#)”); Hamoked’s report that includes testimonies of 81 minors that were detained in 2018-2019, and which was published in 2020 (hereinafter “[Hamoked, 2020](#)”); Replies to FOIA provided among others to the Association for Civil Rights in Israel ([ACRI published by them in 2017](#)) (hereinafter “ACRI 2017”), and additional replies to FIOA to other organizations.

Information on EJ is based on data about the situation in 2019 published by Ir Amim in 2021 (hereinafter “[Ir Amim, 2021](#)”); Report on criminal procedures and detention of minors in east Jerusalem in 2019, published by ACRI in 2020 (hereinafter “[ACRI 2020](#)”); an Annual Statistical report on children in Israel 2018 published by Israeli National Council For the Child (hereinafter “[INCF 2018](#)”); Annual Statistical Report of the Israeli police for 2020 (hereinafter “[Police 2020](#)”), a report that includes 60 testimonies of detained children published by Hamoked and B’tselem in 2017 (hereinafter “[Hamoked and B’tselem 2017](#)”), and a report on Isawiya in EJ, published by B’tselem (hereinafter “[B’tselem, 2020](#)”)

B. Excessive use of powers of detention against minors

In WB, during the years 2014-2021, an average of between 147 – 375 minors were held in Israel military detention every month (MCW, 2020/21) Similar numbers appear in CAAC 2020. In 2014, a total of 3182 Palestinian minors were detained; in 2015 a total of 3132 minors were detained (ACRI 2017). In the year 2017 a total of 1986 children were detained, in 2018: 1609, in 2019: 1352 (PACD FOIA).

By way of comparison, the numbers of minors in all of Israel, including minors in EJ, that were detained between the years 2016-2020 were as follows: 2016: 4994 minors, 2017: 5266 minors, 2018: 4146 minors, 2019: 3763 minors, and 2020: 3122 minors. (Police 2020, p. 35). There are approximately 1.3 million Palestinian children who live

in WB and approximately 130,000 Palestinian children who live in EJ. These compared to approximately 3 million children who live in Israel.

The population of WB consists between 20-25% of the population of Israel and the population of EJ consists approximately 3.5% of it.

In EJ, detained Palestinian minors comprise approximately 75% of all minors detained in Jerusalem throughout the period surveyed in this report, while EJ Palestinians consists approximately 37% of the population of Jerusalem.

An average of 695 Palestinian minors were arrested every year in the years 2014 – 2016 in EJ. (Hamoked and B'tselem 2017, p. 8). In 2017, 1032 Palestinians minors were arrested in Jerusalem, as opposed to 371 Jewish minors (Ir Amim, 2019). In 2019, 520 Palestinian and 120 Jewish minors were arrested. In 2020, 367 Palestinian minors were arrested (CAAC, 2020); and throughout January - June 2021: 358 Palestinian minors (3 times more than Jewish minors) (FOIA reply to The Legal Clinic on Rights of Youth at Risk, Hebrew University of Jerusalem Israel (HUJI)).

A reply to FOIA submitted to PACD by Israeli Police, reveals numbers of detained minors, the vast majority of whom are Palestinians, significantly greater than the ones reported above. In 2017: 3739 minors in detention; in 2018: 3200 minors; and 2019: 3194 minors.

These high numbers of juvenile detention do not appear to comply with the Committees approach to the interpretation of article 9(1) in light of article 24 to the Covenant, which provides that: “A child may be deprived of liberty only as a last resort and for the shortest appropriate period of time”, and that: “In addition to the other requirements applicable to each category of deprivation of liberty, the best interests of the child must be a primary consideration in every decision to initiate or continue the deprivation”. (General Comment No. 35 Article 9 (Liberty and security of person) (hereinafter “GC 35”, para 92)

C. Administrative detention

Israel hasn't replied to the Committee's question regarding minors held in administrative detention (LOI Para. 16(a)), despite the serious nature of such a measure. Administrative detention presents severe risks of arbitrary deprivation of liberty, and the States incurs a heavy burden of proof to show that there are no alternatives, less harmful, security means available to it, especially when used against minors. (GC 35, para 15).

During 2020, 4 minors were held in administrative detention by Israel, although by the end of September 2020 2 of them were released. (CAAC, 2020). According to a publication by Physicians for Human Rights from 26 January 2022 one of the minors held in administrative detention is Amal Nahala, who suffers from a severe autoimmunity disease and was infected by Covid-19. Other than that, no official data was provided by Israel, confirming or denying the administrative detention of minors in 2014-2019 and 2021.

It should be mentioned that the Committee has stated in General Comment 35 that: "The fundamental guarantee against arbitrary detention is non-derogable, insofar as even situations covered by article 4 cannot justify a deprivation of liberty that is unreasonable or unnecessary under the circumstances" (GC 35 para 66-67).

D. Long periods of pre-trial detention:

Following the Supreme Court ruling in H.C.J. 3368/10 and 4057/10, Israel introduced between 2012 and 2018 a number of amendments to military law applicable in the WB, resulting in the shortening of detention periods in WB. (Fifth periodic report submitted by Israel under article 40 of the Covenant pursuant to the optional reporting procedure, 11.10.2019, (herein after "**Israel's report**", para 135).

Yet, even the shorter detention periods for security offences under military law (Annex No. II - Attached to Israel's report, paragraph 108) are incompatible with the Covenant. Minors aged 14-16 could be in law enforcement custody before being brought before a

/// PARENTS AGAINST CHILD DETENTION

judge for up to 48 hours, and minors aged 16-18 up to 72 hours, with the option of prolonging these periods for urgent investigation purposes. This stands in contradiction to article 9(3), in particular in light of GC 35, para. 33 that states that “An especially strict standard of promptness, such as 24 hours, should apply in the case of juveniles.”

While Israel takes pride in the reduction of the length of the overall detention period until the conclusion of proceedings (Annex No. II - Attached to Israel’s report, paragraph 112), it fails to mention that the Israeli government and prosecution’s declared policy is to require detention until the end of proceedings in security offences, both in WB and EJ. Such a policy stands in contradiction to article 9(3) of the Covenant, and the obligation to use detention for minors as a last resort only. The Committee has stated in the past that “Pretrial detention of juveniles should be avoided, to the fullest extent possible” and “[..] when it occurs they are entitled to be brought to trial in especially speedy fashion under article 10, paragraph 2 (b).” Furthermore, “Pretrial detention should not be mandatory for all defendants charged with a particular crime, without regard to individual circumstances”. The Committee further stated that extremely prolonged pretrial detention may also jeopardize the presumption of innocence under article 14(2) (GC 35, para 37 - 38).

The available data is correlated with Israel’s declared policy of seeking extended in pre-trial detention in cases involving security offences: In the WB, in 2014 – 2015, approximately 71% of minors who were indicted were detained until the end of their trial proceedings (ACRI 2017) and 91% were so detained in 2020 (MCW 2020/21). Similar data is found in B’tselem 2018. MCW states, however, that they were unable to receive data for 2016-2019, 2021.

In EJ, in the years 2014-2016, 2019, more than a third of detained Palestinian minors were held in custody until the end of proceeding. (Hamoked B’tselem 2017, ACRI 2019). By way of comparison, only 18% of indicted minors (in all offenses) are detained until end of proceedings in Israel. (ACRI 2017, MCW 2020/21).

E. The practice of night arrests

The regular practice of night arrests raises a number of serious concerns under the Covenant: It may compound the trauma associated with the arrest – potentially amounting to cruel, inhuman or degrading treatment, an unjustified infringement of privacy in one's home, thereby constituting an arbitrary form of arrest. Two interview-based reports by Hamoked for 2018 and 2011 reveal that 27 out of 29, and 58 out of 81 minors, respectively, reported soldiers entering their houses during the night, pulling them out of their beds, while in some cases denying them permission to take with them basic items such as coats or shoes or even get dressed properly, and to bid farewell to their families. Some of them also alleged not being provide information of the cause of the arrest and the detention facility they are taken to. Some of the detained children reported that they suffered ill treatment and were humiliated while being transferred to the detention facility, that they entered their first interrogation alone, tired, hungry and terrified, without having the opportunity to speak with a legal counsel of their choice (or any legal counsel), and without their parents being given the opportunity to accompany them to the investigation. (Hamoked 2018, Hamoked 2020).

According to the relevant reports surveyed here, as well as in MCW 2020/21, between 40% - 52% of the detained children in WB were arrested during nighttime, removed from their home by a large military force. This is despite the fact that in 2014 the IDF and the Israeli Police (IP) have declared that the practice of night arrests would be used only under rare and extreme circumstances.

There is less data available on the practice of night arrests in EJ. Still, existing data shows that the practice of night arrests is common there to. 35 of 60 minors interviewed by Hamoked and B'Tselem reported being arrested at night in their homes (Hamoked

& B'tselem 2017). B'tselem reports that the practice of night arrest has increased in the neighborhood of Isawiya since September 2019 (B'tselem 2020).

A petition against the excessive use of minors arrests, in particular night arrests, and the limited use of subpoenas for questioning, submitted by Hamoked is currently pending before the Supreme Court (HCJ 8092/20). On July 29th, 2021 the Attorney General updated the Supreme court that the military has published new guidelines in order to reduce the use of night arrests, by subpoenaing minors for investigation in advance instead. The Court ordered the Government of Israel (GOI) to provide it with an update about the application of the new guidelines, including the ratio between minors arrested at nights and those who weren't. It is yet to be seen whether the amended guidelines would indeed change daily practices.

Israeli law explicitly provides that a child suspected of an offence should be summoned for questioning (as opposed to being arrested). Article 9F(a), Youth Law (Trial, Punishment and Modes of Treatment), 5731-1971 (hereinafter “**Youth Law**”). By contrast, Israeli military orders do not contain any provision stipulating that the arrest of children should be conducted only as a last resort and for the shortest appropriate period of time. Instead, children suspected of security offences are arrested on a routine basis. Article 9J to Youth Law further prohibits minors' investigation during the night, with a few exemptions. Night arrests, used routinely, without a particular justification, is at odds with the ordinary legal standard applicable in Israel.

F. Ill treatment during arrest and detention:

Israel stated that there are only rare incidents of breaches of the special procedural protections afforded to minors and that such breaches, when they occur, are investigated by the proper authorities (Israel's report, para 149-151). By contrast, the testimonies collected by NGOs, comprising approximately 1200 children from the WB and covering the period of 2014 – 2021 suggest the opposite. Almost all minors report they

were handcuffed and the vast majority of them also report being blindfolded during arrest. Most testimonials report being transferred to an interrogation centre on the floor of military vehicles; many detained children report being photographed against their will in humiliating ways; and many reported experiencing physical and verbal abuse, as well as threats made against them during arrest and interrogation (MCW 2020/21, Hamoked 2018, Hamoked 2020, B'tselem 2018).

In addition, many testimonials report of deprivation of food water and access to toilets for long hours during detention. Some reported they were denied sleep for long hours, and were held in uncomfortable positions. Some detained minors reported being held in solitary confinement for long hours or days between interrogations. Such a treatment would clearly run contrary article 7 and article 10(1), and article 24 of the ICCPR. (*Cf. Kashtanova and Slukina v. Uzbekistan, CCPR/C/118/D/2106/2011, 28 October 2016*)

It should be noted that complaints of rough treatment and physical and verbal abuse also arise from the testimonies in reports on EJ (Hamoked and B'tselem 2017, B'tselem. 2020). Furthermore, B'tselem and Hamoked report on insufficient investigation of complaints of ill- and degrading treatment. We know of no example of remedies afforded to Palestinian minors who filed a complaint on one of these grounds. (Hamoked 2020)

G. Failure to notify reasons of arrests and prevention of speedy and continuous access to legal counsel.

The vast majority of minors and their families report not being notified properly or in a language they understand, of the reason for their arrest. Such practices appear to violate article 9(2) of the Covenant as interpreted by the Committee: “When children are arrested, notice of the arrest and the reasons for it should also be provided directly to their parents, guardians, or legal representatives.” (GC 25 para. 28). The Committee further clarified in General Comment 35 that even though oral notification satisfies the

notification requirement, it must be given in the language the arrested person understands. (GC 35, para. 26-27).

In 2020, 77 % out of 102 minors interviewed reported being denied access to a lawyer prior to their questioning. (MCW 2020/21). In 2017, around 75% out of 29 minors interviewed reported they were denied this right. (Hamoked 2018). Some were only allowed to speak to an attorney that was chosen and contacted by the questioning officer (Hamoked 2018). In 2014-2015, about 90% out of 1,640 minors reported they were denied this right. (B'selem, 2018)

The right to consult a lawyer is considered a part of the right to a fair trial provided in articles 9, 10 and 14 of the Covenant as has been established by the Committee on multiple occasions (See e.g., Mukhtar v. Kazakhstan, CCPR/C/115/ D/2304/2013, 6 November 2015 [7.3]; Kashtanova and Slukina v. Uzbekistan, CCPR/C/118/D/2106/2011, 28 October 2016). The right to consult a lawyer applies also before interrogation and preventing minors of such a right violates article 24(1) of the Covenant.

It should be noted that Article 57(a) of Order regarding Security Provisions [Consolidated Version] (Judea and Samaria) (No. 1651), 5770-2009, which applies in the WB, lists exemptions for the right to consult a lawyer for security reasons or if necessary for the investigations. These exemptions apply also to minors, and serve as the formal legal basis invoked by Israel to curtail the consultation rights of Palestinian detainees.

H. Right to a fair trial:

- Denial of presence of supportive adults during interrogation:

In **all** of the cases alluded to in the testimonies mentioned in the NGO reports, parents of detained minors were not present during their interrogation. Although the

right for the presence of a parent during investigation is mandated under article 9G of the Youth Law (which applies in Israel), in practice, the security exceptions set out in the article, have become the norm in EJ. Military law doesn't specify such a right, and so Palestinian children are barred from this avenue of protection. The result is that Palestinian children are routinely exposed to interrogation by police interrogators with no parental oversight.

- Informing of rights before questioning - the vast majority of the detained Palestinian minors interviewed in 2020/21 (92%) reported that they were not informed of their right to remain silence (MCW 2020/21). 50% of 29 minors interviewed in 2018 were not informed of their right to remain silent. (Hamoked, 2018). 80% of the minors interviewed reported in 2018 they weren't informed of any of their rights before questioning. (B'tselem 2018).
- Forced confessions - Many interviewed minors report being subject to pressures to confess (Hamoked, 2018) and being asked to sign documentation in Hebrew, some of which turned out to be confessions. (MCW 2020/21). Article 40 (2)(b)(4) of the Convention on the Rights of the Child, provides that any confession that emerges from an investigation conducted in this way must be questioned. By contrast, confessions are used in cases involving minors from the WB and EJ as the principle method to establish guilt in criminal proceedings.
- Insufficient recording of investigation –
The Committee has raised concerns at reports about “widespread, systematic and institutionalized ill-treatment” of Palestinian children, and that no investigation by the inspector of complaints have led to judicial proceedings. (COBS, para 14-15). Unfortunately, in 2016 the Israeli law was amended and as of the amendment, police investigation of security offences do not need to be recorded. (Israel's report para 118-120). Minors have reported that even when recordings are made, they are being manipulated through the stopping of the recording of the investigation when illegal acts were done (Hamoked, 2018)
- The right to juvenile investigator - In some cases, minors were not interrogated by a juvenile investigator, and even those who were interrogated by juvenile

interrogators report they did not act in a manner consistent with what was expected of such an investigator.

All these acts violate the right of minors for a fair trial, as stipulated in article 14 of the Covenant.

I. Denial of contact with families during arrest and detention.

In all of the cases mentioned in the reports, the vast majority of minors arrested at their home claimed they were denied the chance to bid farewell to their families during the arrest. All 29 Palestinian minors interviewed in 2018 reported that their family members were not given any information about their whereabouts, and how they could be contacted. Most of the minors reported that they could not communicate with their parents before or during the interrogation at all, and were not even allowed to inform them about the interrogation or their whereabouts. (Hamoked 2018)

Hamoked operates a hotline in recent years for parents who don't know the whereabouts of their detained children. In 2018 the hotline received calls from 253 families in search of their children, more than 50% of those were arrested during nighttime. In 2019 there were 199 calls, more than 60% involving night arrests. In 81 of these cases, parents reported receiving no information from the Israeli authorities regarding the whereabouts of their children. ("Hamoked 2020").

Prevention of contact between minors and their parents appears to violate article 10(3) of the Covenant. The Committee has noted in this regard that "juvenile offenders [...] be accorded treatment appropriate to their age and legal status insofar as conditions of detention are concerned, such as shorter working hours and contact with relatives, with the aim of furthering their reformation and rehabilitation" (General comment No. 21: Article 10 (Humane treatment of persons deprived of their liberty), para 13).

III PARENTS AGAINST CHILD DETENTION

The right to be in contact with the families of detained minors isn't limited to the idea of an adult being present during interrogations. This right also includes informing families of the location of the detention facility, allowing the families to see and communicate with their child, and holding the child in a place accessible to the families. In the case of the WB, children are often transferred to holding facilities inside Israel, a state of affairs which de-facto prevents their families – who typically do not have an entry permit into Israel - from reaching them (MCW, 2021 p. 15). In the year 2014 – 2021, 46% - 75% of the Palestinian minors arrested in WB were transferred to facilities in Israeli territories. (MCW, 2020). This practice was approved by Israeli Supreme Court (HCJ 2690/09). The Committee stated in the past that holding persons in detention facilities that are difficult to reach for their families of detainees, constitutes a violation of article 10 to the Covenant. (Concluding observations by the Human Rights Committee Peru CCPR/CO/70/PER (2000), paragraph 14).

Additionally, the vast majority of Palestinian prisoners are classified by Israel as “security prisoners,” and are denied phone calls to the outside world, a policy which makes visits their only mode of communication with their families. Due to the Covid-19 pandemic, the Israeli Prison Service (IPS) halted all family visits to prisons. The pandemic was particularly devastating for children who remained completely disconnected from the outside world and without information about their families' situation during this stressful time. In March 2020, Hamoked petitioned to the Supreme Court requesting phone access to imprisoned children (HCJ 2280/20), PACD and other NGOs joined the petition. The State eventually agreed to allow such phone calls as an extraordinary measure. The question now is whether due to the successful and secure application of such phone calls, the blanket ban on physical family visits may become more entrenched.

J. Recommendations:

In light of the above, we ask the committee to consider adopting the following recommendations:

III PARENTS AGAINST CHILD DETENTION

1. Full disclosure of accurate data – The Israeli authorities should publish at least once a year accurate and comprehensive data on children detention in WB and EJ, in a clear and detailed manner that would enable comparisons across different years. The data must also include information on administrative detention of minors.
2. The use of administrative detention in case of minors is a severe and extreme measure, that must be avoided, as it is, in and of itself, a *prima facie* violation of the rights enshrined in the Covenant. The Committee should request from the GOI information on the status and welfare of the minors held in administrative detention at the present moment, and provide explanations on the necessity of resorting to such an extreme measure.
3. As demonstrated, the practice of ‘night arrests’ constitutes a central part in the violation of the rights of detained Palestinian minors. The Committee should request explanations from Israel about the gap between the procedures as set in the guidelines and the actual practices of law enforcement authorities. Furthermore, the committee should consider instructing Israel to resort to such a right-infringing tool only as a matter of last resort – for example, if subpoena were issued and ignored or in extremely urgent cases.
4. Revoke the general policy of pre-trial detention until end of proceedings in security offences – in light of the principle that detention of a child should be undertaken only as a last resort. The Committee should consider requesting Israel to revoke the existing sweeping policy of prolonged detention.
5. The committee should consider requesting Israel to refrain from interrogating children without the presence of their parents, and before they received proper legal counsel, unless the interrogation is urgent and strictly necessary.
6. The committee should consider recommending to Israel to record all interrogations of minors suspected of involvement in security offences. Additionally, Israel should provide details concerning the remedies afforded to detainees and sanctions that were issued against law enforcement officers who were found to mistreat the minors.

7. All minors should be given access to regular phone calls to their families. The State has already conducted a pilot project implementing such phone calls; and the special circumstances since the outbreak of the Covid-19 pandemic have both increased the urgency of such measures (as in-person family visits were cancelled or postponed for many months, and may yet be limited again), and provided the State with the necessary information regarding the safe and secure application of such measures. The availability of calls should not be used as a pretext to prevent in-person visits when public health conditions allow it.
8. We recommend that the Committee asks for clarification regarding the officials who conduct interrogations of children. How interrogations of Israeli and Palestinian children are being carried out by trained youth interrogators? What are the obstacles to having all such interrogations carried out by trained youth interrogators, and how and when does the State plan on overcoming such obstacles?