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לשכת השגריר
שגרירות ישראל
לונדון

Mr. David Burrowes MP
House of Commons
London
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3rd December 2014

Dear Mr. Burrowes,

I am writing with regard to your letter of 8th October concerning the arrest and detention of Palestinian minors. The procedures regarding the detention of minors are under constant review by Israeli law enforcement authorities, and I updated you as to many of the recent amendments implemented in our last correspondence (21st January 2014). At the same time, I must emphasise the severity of violent crime and acts of terror committed by minors, and highlight the significance of this phenomenon as a hindrance to peace.

Israel's law enforcement authorities have a duty not only to protect the rights of minors in custody but also to prevent crime and ensure that offenders are brought to justice. This entails both the enactment of criminal legal measures necessary for the maintenance of security and the protection of the legal rights of persons standing trial. The Israeli military justice system in the West Bank acts in accordance with the Geneva Conventions and, as I detailed in our previous correspondence, has instituted specific policies to safeguard the rights of minors. The judiciary is independent, and allegations of mistreatment are fully investigated. However, neither law enforcement officials nor the judiciary can fail to address the widespread and lethal phenomenon of violence and acts of terror perpetrated by Palestinian minors.

Lethal acts of violence committed by Palestinian minors are unfortunately common. Of the 470 indictments filed against minors in 2013, 54% related to stone-throwing and 14% to throwing Molotov cocktails. These acts are intended to cause harm, and in many instances succeed in doing so. 77% of all Israeli injuries from terror attacks in 2013 were caused by projectiles of this nature. Minors have also been involved in more brutal acts of terror. In March 2011, one of the two Palestinian men who murdered five members of the Fogel family, including three children, was 17 at the time. In November 2013, a 19-year-old Israeli was stabbed to death by a 16-year-old Palestinian while he slept on a bus.

Israel has not only the right but the duty to maintain justice and public order in the areas of the West Bank under its jurisdiction. Article XVII, subsection 4, of the second Declaration of Principles, to which the PLO agreed in 1995, states as follows: "Israel, through its military government, has the authority over areas that are not under the territorial jurisdiction of the Council, powers and responsibilities not transferred to the Council and Israelis. To this end, the Israeli military government shall retain the necessary legislative, judicial, and executive powers and responsibilities, in accordance with international law."

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