The UNICEF Report - one year on

[31 March 2014] – One year ago UNICEF published the report – Children in Israeli Military Detention. Following a review of over 400 sworn testimonies and after consulting widely, UNICEF's primary conclusion was that:

"The ill-treatment of children who come in contact with the military detention system appears to be widespread, systematic and institutionalized throughout the process, from the moment of arrest until the child's prosecution and eventual conviction and sentencing."

To mark the anniversary Military Court Watch (MCW) has today published the findings of it own review of progress made in implementing UNICEF's 38 recommendations – Progress report – 12 months on.

The review notes that in recent years there have been a number of noteworthy developments in the military detention system relating to minors, such as: the provision of some education for Palestinian children held in Israeli detention; the establishment of the Military Juvenile Court; new procedures for the use of hand-ties; a partial rise in the age of majority; a reduction in the time in which children must be brought before a military court judge for the first time; remand hearings for children generally held separately from adults; a reduction in the time a child can be detained before being indicted; a reduction in the time between indictment and the conclusion of the trial from two years to one; and no children held in administrative detention since December 2011.

However, the ultimate litmus test of the system still remains: how are children treated in practice? In order to assess this, MCW analysed 60 sworn testimonies taken from children detained in the system since the publication of UNICEF's report, focusing particularly on the first 24 hours of detention. The findings of this evidentiary review are as follows:

#	Description	No	%
1	Hand tied	54	90%
2	Blindfolded	48	80%
3	Signed/shown documents in Hebrew	34	57%
4	Physical abuse	33	55%
5	Arrested at night	28	47%
6	Verbal abuse	26	43%
7	Threats	25	42%
8	Transferred on floor of vehicle	25	42%
9	Strip searched	15	25%
10	Informed of right to silence	5	8%
11	Parent present throughout interrogation	4	7%
12	Consulted with lawyer before interrogation	3	5%
13	Solitary confinement	2	3%

Also as part of the review, each of UNICEF's 38 recommendations has been considered and assessed as to whether they have been substantially or partially implemented, or not implemented at all during the past 12 months. The findings of this review are presented in the following table.

#	Compliance	Number	Percentage
1	Substantially implemented	1	3%
2	Partially implemented	4	10%
3	Not implemented	33	87%

Whilst it is clear from public statements and certain amendments to the military law that the civilian and military authorities have taken note of UNICEF's findings and recommendations, it is difficult to point to any changes that have led to any significant improvement in the way children are being treated during the first 24 hours of their detention. Accordingly, 12 months on MCW is unable to provide an alternative assessment to UNICEF's conclusion that the ill-treatment of children in the system still appears to be "widespread, systematic and institutionalized".

Links

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