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[Emblem]  
Israel Police  
- Unclassified –

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**16 Shvat, 5778**  
**January 31, 2018**  
**Reference: 07594318**

To: Daniel Shenhari, Advocate  
HaMoked: Center for the Defence of the Individual  
Abu Obeida 4  
Jerusalem 97200

**Re: Interrogations of Palestinian Minors from the West Bank in Israel Police Stations**

In reference to: 1) Your letter dated November 22, 2018  
2) Our letter dated January 1, 2018  
3) Letter from Adv. Dana Chernobilsky dated April 4, 2018

1. In your referenced letter, you repeated claims that you have presented in the past regarding alleged rights violations of Palestinian minors from Judea and Samaria during interrogations in police stations. We reject these claims and will address them presently.
2. Your claims regarding alleged rights violations are based, as you claim, on affidavits you collected from minors, and address the period between July and October 2017. You did not relay the minors' details in your letter, the time and location of the interrogations, the interrogators' details or any other identifying information. This, despite our response to your previous letter (reference 3) in which we explicitly stated that the claims are so general as to bar us from examining them individually, and it was mentioned that the authority to investigate criminal offences committed by police officers lies with the Department for the Investigation of Police (DIP).

As a justification for not relaying details, you stated in clause 38 of your letter that: "...**by and large, the minors from whom we collected the affidavits are not interested in prolonging their dealings with the Israeli authorities...**"

As things stand, we suggest that you relay the numbers of the files on which your claims are based and the statements you collected, following the removal of personal details from them, and we commit that our examination will be conducted with no ramifications for the people who were interrogated in these cases.

In any case, so long as we are not provided with any details, we are unable to examine, address and rectify, as needed, the claims presented in your letter.

3. Since the claims presented in your referenced letter have been made by you in the past, we can only repeat the statements made in Adv. Dana Chernobilsky's letter (reference 3) which provides a detailed response to each of your claims. Be that as it may, we will repeat and emphasize what has already been said:

- a) As has already been mentioned, work is being done to examine the application of the rules of the Youth Law to interrogations of residents of the Area [the West Bank], as far as possible and in line with the security situation in the Area.
- b) In regards to the current legal situation, as you know, the Youth Law (Trial, Punishment and Modes of Treatment) 5731-1971 does not apply to the Area and it is the security legislation which is binding. As we have mentioned, in recent years, joint work is being undertaken to promote the application of the rules of the Youth Law to interrogations of residents of the Area [the West Bank] **as much as possible**. Indeed, various amendments have been made to the security legislation aimed at reducing the differences between the interrogation procedures for minors in Israel and those in Judea and Samaria.

Furthermore, the Israel Police acts **as much as possible** to enable Palestinian minors that it interrogates in Judea and Samaria, the rights defined in the Youth Law, even in cases where the law does not apply. But this is done beyond the letter of the law and only as far as possible.

- c) In regard to the claims relating to night-time arrests, as a rule, proactive arrests in the West Bank are not conducted by the police, but rather by the military. We suggest that you address the military on this issue. The Judea and Samaria District has relayed that, as a rule, even when minors are arrested at night, their interrogation takes place, as much as possible, in the morning hours.
- d) In regard to the right to consult with an attorney, interrogators notify the minors that they have a right to consult with a lawyer and as we have previously mentioned, the Israel Police acts in accordance with the law. In cases where a minor has not provided contact information for a particular lawyer, the interrogators contact a lawyer from the "Palestinian Society Prisoner's Club". We will also add that contrary to your claim in your referenced letter, due to the lack of a public defenders office in Judea and Samaria, we cannot notify them regarding the interrogation of a minor.
- e) On the matter of visual documentation of the interrogations of minors, in addition to what we have previously said, we will remind you that the obligation to visually document interrogations does not apply to people suspected of security offences and in fact, many of the Palestinian minors are interrogated under suspicion of such offences. Be that as it may, as has been relayed by the Judea and Samaria District, while there is no obligation to document such interrogations, as a rule interrogations are audio-recorded if they relate to crimes whose maximum punishment is 10 years of imprisonment or longer, subject to the limitations in the Criminal Procedures Law (Interrogation of Suspects), 5762-2002.
- f) On the matter of parental presence in interrogations, the Youth Law regulation on this matter is not embodied in the security legislation and as such does not apply to interrogations that take place under the security legislation. However, the Judea and Samaria district police acts to enable parental presence during

interrogations, in circumstances that enable such presence and subject to the limitations named in the Youth Law.

4. In summary, as soon as we receive the file numbers and copies of the minors' statements you collected, we will examine your claims. At this point, and without detracting from the above information, your letter will be sent to all police stations in the Judea and Samaria District along with instructions to continue abiding by the obligations pertaining to the interrogation of minors in Judea and Samaria.

Respectfully,  
Hadas Peter, Adv., Assistant Commissioner  
Department of Intelligence Investigations and  
Technologies

Copy: Yotam Har Zion, Adv., Head of the Security Legal Counsel Branch / Judea and Samaria