

# Avaaz Fact Sheet

## Child Prisoners held by Israel

### How many children have been arrested?

In the last 5 decades, an estimated 45,000 Palestinian children have been detained by the military (Source: [MCW](#)). Since 2000, an estimated 12,000 Palestinian children have been detained by Israeli forces from the occupied West Bank and held in the Israeli military detention system -- many of them are as young as 12 years old. In some cases, even 6 and 7 year olds have been detained by the military as well. Israel prosecutes between 500 and 700 Palestinian children in military courts each year, and hundreds more are arrested and released later without prosecution.

An average of 200-300 children are held in Israeli detention on a monthly basis.

Sources: [No Way to Treat a Child](#), [Military Court Watch](#), [Save the Children](#), [Addameer](#)



### How are children treated when arrested?

Interviews with children who have been detained, video footage, and reports from lawyers reveal that Israeli security forces are using unnecessary force and violence in arresting and

detaining children, in some cases beating them, and often holding them in unsafe and abusive conditions. Source: [HRW](#).

### **Violent arrests:**

Many children are arrested in the middle of the night, awakened at their homes by heavily armed soldiers. Many of them wake up to the sound of soldiers banging loudly on their front door, using stun grenades, and shouting instructions for the family to leave the house.

Children report that they are frightened by the soldiers storming into their homes, in which furniture and windows are sometimes broken, accusations and verbal threats are shouted, and family members are forced to stand outside in their night clothes as the accused child is forcibly removed from the home and taken away with vague explanations such as “he is coming with us and we will return him later”, or simply that the child is “wanted”. Few children or parents are informed as to where the child is being taken, why or for how long. Source: [UNICEF](#)

***He (the soldier raiding our house) told my father: “bring him in or we’ll shoot him”***

Y.H., detained at age of 17

Source: [Save the Children](#)



Other children have been arrested while they were playing or just outside school in front of all their friends. They are sometimes kicked, beaten, and even choked in the process. Plastic

handcuffs are regularly tied so tightly to their wrists that they may create wounds. Most children are blindfolded and hand-tied during their transportation, and the majority report being beaten while arrested (*Source: DCI*). For example, a Human Rights Watch report details the story of Rashid S., an 11 year old, who said that Israeli border police forces officers threw a stun grenade (a non-lethal explosive device that produces a blinding light and intensely loud noise causing loss of balance) at him and put him in a chokehold when they arrested him.

*Source: [Human Rights Watch](#)*



### **Traumatizing and unlawful interrogations:**

Israeli security forces routinely submit children to violent and weeks-long interrogation without a parent present. They use intimidation, threats, and physical violence, with the clear purpose of forcing the child to confess. Children are restrained during the interrogation, in some cases to the chair they are sitting on. This may continue for many hours at a time, resulting in pain to their hands, back, and legs, and general exhaustion.

Children have been threatened with death, physical violence, solitary confinement and sexual assault, against themselves or a family member. The interrogators sometimes accuse them of a long list of crimes. Most children confess, under pressure, at the end of the interrogation. The interrogator prints out some forms and orders the child to sign them, though the child often lacks a proper understanding of their contents. In most cases the forms are in Hebrew, which the overwhelming majority of Palestinian children do not understand. Children are also moved outside of the occupied territories, to prisons in Israel, in violation of Article 76 of the Geneva Convention, making it difficult for their parents to visit them. *Source: [UNICEF](#)*

### **Solitary Confinement:**

Some children are held in solitary confinement, both before the court hearing as well as after sentencing, for a period ranging from two days up to one month. Isolation is an additional tool to pressure the children to cave-in and confess, often to things they did not do but feel forced to say so they are not left alone in solitary confinement. Some children mention ending up doubting what they actually did or didn't do, and suffer trauma and psychological damage as a result of the experience.

Source: [UNICEF](#)

### **Other abuses reported:**

Testimonies report many other types of abuses endured during detention, including:

- Deprivation of food and water
- 60% of children report being strip searched (Source: [MCW](#))
- Kept outside half naked in the cold
- Transported from jail to jail so they get tired and relatives have difficulties tracking them down
- Electric shocks (Source: [The Guardian](#))
- Sexual threats
- Strangulation
- Deliberate sleep deprivation

Source: [UNICEF](#)

Source: [Delegation of British Lawyers funded by the United Kingdom Foreign & Commonwealth Office](#)

## **Why does Israel arrest these children?**

Israel is militarily occupying Palestinian areas in the West Bank and Gaza - and imposes a system of military rule, with a separate legal system for Palestinians that makes actions such as protests, digging wells, or even entering certain zones illegal. These laws only apply to Palestinians living in the West Bank and Gaza, but not to Israeli settlers, although settlers live in the same area. The settlement expansion and the two-tiered legal system are in violation of international



humanitarian law and multiple United Nations resolutions. (Source: [UN](#))

As reported by human rights organisations, in order to protect settlers living in occupied territory, the Israeli military maintains a heavy presence in and around the settlements it builds on Palestinian areas, leading to friction, protests, and violence. Out of 127 cases of child arrests documented by Military Court Watch in 2016, for example, 125 children arrested by Israel (98 percent) live within an average of 1.02 kilometres from a settlement or road used by settlers. (Source: [MCW](#))

Israel's military is responsible for maintaining the occupation in these territories, and that often means imposing its rule by force on the communities, particularly when these communities defy the occupation's orders. This has meant that an estimated 800,000 Palestinians have been detained since the occupation began in 1967 -- which on average means that at least one person from every Palestinian family has been held by Israel. In this context, Israel's military prison system is part of a larger systematic policy of maintaining military control over the Palestinian population. (Source: [Institute for Palestine Studies](#))



Israel argues that the reason it arrests children is that they have attacked or provoked Israeli soldiers, either verbally or physically, such as by participating in protests or throwing stones. Sometimes they also accuse the children of belonging to banned activist movements, or starting fires.

However, with a conviction rate of 99% percent, and given the intense interrogation faced by the children, no fair trial system exists.

Furthermore, if a child is proven guilty, international law requires that they be treated with extreme care and some special protections must be respected. Under no circumstances is the use of such violence and extreme punishment against children justified by the necessity to maintain order or protect other segments of the population.

Even if Israeli authorities seek to punish what they assess as criminal activities, the same legal system should be applied to all children equally, whether Palestinian or Israeli. Instead, the Israeli military and government operate a segregated legal system that does not treat these children equally. Palestinians have no democratic recourse available to change Israeli military laws.

## **What are the consequences the children face?**

Apart from the immediate consequences of physical and psychological violence, and the time they lose while being detained, these detentions often have lasting traumatic effects on a minor's psychological well-being. Testimony reports consequences including insomnia, peeing in bed, social anxiety, and failing school exams.

Since 2015, children convicted of throwing stones during protests can be sentenced to up to 20 years in jail and the government is allowed to suspend social welfare payments to their family.



Sources: [HRW](#), [Addameer](#)

## Is Israel's treatment of children legal? Why is it condemned internationally?

Israel has imposed military law in Palestine since 1967. Any children arrested are also interrogated, detained, and judged by Israeli soldiers and military personnel, and not according to Israel's civil law. This violates international law, which states that military courts can be used to prosecute civilians only on a temporary basis.

Despite having signed both the 4th Geneva Convention on the Protection of Civilians in Time of War, and the United Nations Convention on the Rights of the Child, which provide special protections for detained children, Israel is the only country to try children in military courts without the proper safeguards (*Sources: [DCI](#), [UNICEF](#)*). In criticising Israel's arrest of Ahd Tamimi, James Heenan, head of OHCHR's office in the occupied Palestinian territory said:



“The Convention on the Rights of the Child is clear. Deprivation of liberty of children shall only be used as a measure of last resort and for the shortest appropriate period of time, and the best interests of the child are to be a primary consideration.”

Many reports from the conditions of arrest, detention, and interrogation of Palestinian children indicate direct violations of both conventions, for example: a child is to be arrested only as a last resort and if they represent an imminent danger for themselves or for others; a lawyer and/or parent must be present during their interrogation; and precautions must be taken to ensure that children are not compelled to confess guilt. Detention is to be the shortest necessary.

The international community has expressed concern about the situation for decades, with the UN Committee against Torture advising that the interrogations should be video recorded (most still aren't), and the UK and UNICEF conducting missions to document the abuses and produce recommendations. Some efforts were undertaken by the Israeli government, but recent reports show they have not taken sufficient action to fix the problem. [Defense for Children's preliminary observations indicate a rise in child detentions at the end of 2017](#). Military Court Watch reports that UNICEF's 2013 conclusion that the arrest and ill-treatment of children in detention centers is “widespread, systematic, and institutionalized” [remains valid](#).

Sources: [MCW](#), [HRW](#)