

Chained to the Occupation – Palestinian boys in Israeli Military Detention

“Ill-treatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic and institutionalized.”

(UNICEF report. “Children in Israeli Military Detention. Observations and Recommendations. “ February 2013. P.13)

These words are not sufficient preparation for seeing a fourteen year old boy being led into a military court, chained hand and foot, and surrounded by armed guards. My colleague and I saw this when we attended Salem military court on 22 April 2013. Juvenile cases are usually heard in closed proceedings but we were given special permission to attend a hearing with the consent of the boy and his family, and on the condition that the boy’s name not be used in reporting. I will refer to him as S.

S was arrested in his house at around 2am on March 3 this year. He was asleep when six or seven masked and heavily armed soldiers entered his room, woke him up, tied his hands and blindfolded him, and took him to an interrogation centre in the area. He was given no reason for his arrest and his family were not informed where he would be taken. After several days he was taken to Megiddo prison in the North of Israel. His first scheduled appearance at court on April 2 was cancelled due to Israeli holidays and so this was the first time he was placed in front of the court after nearly two months in detention.

In the dock of the court only the chains on his hands were taken off. The charge against him: throwing stones. This is the usual charge made against children held under the military detention system in the occupied Palestinian territories. It carries a maximum sentence of 10 years in prison for children 14 years or over. (Unicef report) If the offence was deemed to be throwing stones at a moving vehicle, the maximum penalty is 20 years.

There was a power cut before the hearing started so we had time to observe S. My first thought was that he was mentally disabled. He appeared confused and agitated, was staring into the distance, pulling at his hair, alternately sitting and standing, and yanking at the chains around his feet which seemed to be causing him discomfort. He looked at his brother and uncle from time to time as they tried to re-assure him with gestures. In evident distress, the hearing started without him realizing what was happening. The judge, a military officer spoke in Hebrew with a simultaneous translation to Arabic. S continued to look around the court apparently not following the proceedings.

After about 5 or 6 minutes the handcuffs were replaced. The hearing was over. S was then allowed to speak to his brother and his uncle for less than a minute. Three armed guards stepped forward to prevent any physical contact between them. But by this time both S and his brother were in tears. The uncle seemed lost for words. S turned and left the court room accompanied by two armed guards.

The case had been adjourned to 26 May. There was no discussion of bail. His lawyer barely spoke during the hearing. Nothing was decided apart from the adjournment. S was returned to prison in Israel.

The UNICEF report comments on the repeated denial of bail, shackling of children, removal to prisons far from home or in Israel and the disruption of children's education. It says:

“These practices are in violation of international law that protects all children against ill-treatment when in contact with law enforcement, military and judicial institutions.” UNICEF. Feb 2013. P.14

By hearing these cases in military courts, the proceedings are by definition contrary to international conventions which are designed to protect children. The report notes that Israel appears to be the only country in the world which systematically deals with children in this way. Most of the protections for children are contained in the Convention on the Rights of the Child to which Israel is a signatory. The report notes a decision by the Israeli Supreme Court that degrading and inhumane treatment also contravenes Israeli law.

S's case is not an isolated one. From Azzoun, the small farming village of 10,000 people where he lives, there are currently 85 children serving prison sentences in Israeli jails after passing through the military justice system. Most of them for “throwing stones”. The number was supplied by Hassan Shbaita, the official at Azzoun Municipality who has the job of helping families of prisoners and keeping records of arrests and detentions. They match figures given by Addameer, the Palestinian prisoner support and human rights organization.

The serious psychological damage this has on children was described to us by Beher Karoub of YMCA in Qalqilya, which runs a psycho-social programme for released prisoners. “Some of them will never recover”, he says. “They not only lose their childhood but may be scarred for life”. Medicins Sans Frontieres has a similar programme in Azzoun itself, given the high number of arrests there.

For the families, this process is extremely difficult. When we arrived at the court premises, a series of pre-fabricated cabins surrounded by mesh fencing and razor wire, there were already 50 or 60 people waiting. After being searched twice and surrendering all objects except a pen and notebook, we entered a courtyard with an alleyway leading to the four court rooms. This was behind a gate which family members stretched to see over to catch a glimpse of their sons when they were led into court. They were continually moved away from the gate only to return and be moved again. When their son's name was called two people could enter the court room. We waited seven and a half hours for S's case to be announced. There is no way of knowing at what time the case will be heard so arriving after 8am means potentially missing the hearing. There is only a water fountain and two toilets alongside the waiting room. After waiting such a long time, one mother couldn't help herself exchanging words with her son as she entered the court room and was immediately ejected by a soldier. She left the building utterly dejected. Her journey home may have taken several hours.

The Entrance to Salem Military Court in the occupied Palestinian territories.



It is difficult to see how this treatment of children can be justified. Israel, which prides itself in being a democracy, is allowing children to be detained without paying sufficient attention to due process, and is denying them some of their most basic rights. My own feeling as an observer was that this situation can only be damaging for Israel. For the boys and their families it must be intolerable. It seems that only pressure from outside can change Israel's behaviour. States have a third party responsibility to protect children whose rights are being violated. It is surely time they lived up to it.

DISCLAIMER: I am participating in a programme as an Ecumenical Accompanier serving on the World Council of Churches' Ecumenical Accompaniment Programme in Palestine and Israel (EAPPI). The views contained herein are personal to me and do not necessarily reflect those of my sending organisation, QPSW or the WCC. If you would like to publish the information contained here (including posting on a website), or distribute it further, please first contact teresap@quaker.uk.org Thank you.