

Urgent Appeal

UA 2/11



Defence for Children International/Palestine Section
الحركة العالمية للدفاع عن الأطفال / فرع فلسطين

Incident: Arrest of children – Violation of rights
Location: Silwan, occupied East Jerusalem
Date of incidents: 18 October 2010 to 1 February 2011
Number of incidents: 31 (Cases investigated by DCI-Palestine)
Ages: 7 to 17 years
Accusation: Stone throwing
Date of issue: 6 January 2011
Updated: 16 February 2011



Odai G. (New) – On 1 February 2011, a 10-year-old boy from Silwan, in occupied East Jerusalem, is arrested at 5:00 am by Israeli soldiers.



Hasan R. (New) – On 25 January 2011, a 13-year-old boy from Silwan, in occupied East Jerusalem, reports being beaten and interrogated in the absence of a parent.



Abed S. (New) – On 24 January 2011, a 13-year-old boy from Silwan, in occupied East Jerusalem, is arrested from his bed at 4:30 am, and interrogated in the absence of a parent.



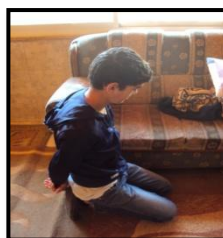
Mahmoud A. (New) – On 21 January 2011, a 10-year-old boy from Silwan, in occupied East Jerusalem, reports being beaten and detained for questioning.



Yousif R. (New) – On 16 January 2011, a 13-year-old boy from Silwan, in occupied East Jerusalem, is questioned at Al Mascobiyya Interrogation Centre.



Luai R. (New) – On 12 January 2011, a 15-year-old boy from Silwan, in occupied East Jerusalem, is interrogated in the absence of a parent.



Mahmoud S. (New) – On 5 January 2011, a 14-year-old boy from Silwan, in occupied East Jerusalem, is arrested at 5:00 am and interrogated in the absence of his parents.



Adam R. – On 24 November 2010, a seven-year-old boy from Silwan, in occupied East Jerusalem, reports being beaten by soldiers on his way to school.



Mohammad G. – On 25 October 2010, a 12-year-old boy from Silwan, in occupied East Jerusalem, reports being grabbed and beaten by a policeman on his way to school, and detained.



Muslim O. – On 18 October 2010, a 10-year-old boy from Silwan, in occupied East Jerusalem, reports being grabbed, beaten and detained for questioning.

Background information

The neighbourhood of Silwan is situated just outside the Old City walls of Jerusalem, located in the occupied east of the city. Approximately [16,500](#) Palestinians live in the central section of the neighbourhood. Although accepted as occupied territory under international law, Israel purported to annex the east of the city after occupation in 1967, and applies its own domestic law to the territory. The annexation has [no legal validity](#) under international law, and is not recognised outside Israel. According to the [UN](#), Silwan has become one of the main centres of Israeli [settlement activity](#) and is currently home to 380 settlers, who live in properties taken over by various means from their original Palestinian residents. According to the [UN](#), Palestinian residents of Silwan report harassment and intimidation by the settlers and their security guards, and clashes between residents and soldiers and police are frequent. On 21 June 2010, the Jerusalem Municipality's Planning and Building Committee [approved a plan](#) to demolish 22 Palestinian houses in Silwan to make way for an archaeological garden.

In 2010, reports of a sharp increase in the number of children being arrested from Silwan and East Jerusalem have been recorded. According to Israel Police figures, between November 2009 and October 2010, the Jerusalem District opened [1,267 criminal files](#) against Palestinian children living in East Jerusalem who were accused of throwing stones. During the same period, the Israeli NGO, [B'Tselem](#) reports that 81 children from Silwan have been arrested or detained for questioning, mostly on suspicion of stone throwing.

On 24 November 2010, [60 prominent Israeli professionals](#) wrote to Prime Minister Netanyahu, and other senior officials raising their concerns about the violent treatment of Palestinian children in occupied East Jerusalem. The letter states that *'children and teenagers related that they had been dragged out of their beds in the middle of the night or arrested in their neighbourhoods by undercover detectives and special security forces; taken in for questioning while handcuffed and unescorted by their parents; in certain cases, the families were not notified of the arrest in real time; minors were asked to give names and incriminate friends and relatives as a condition of their release; were threatened and humiliated by their interrogators; and some of them were even subject to physical violence while taken in for questioning and under interrogation.'*

In the four months between **18 October 2010 and 1 February 2011**, DCI-Palestine has investigated **31** cases from Silwan, and collected **25** sworn affidavits, **22** of which were taken from children. In two out of the 22 cases, the children were not arrested. In one of these cases, the [child](#) was beaten and then immediately released by soldiers, and in the other case, an 11-year-old boy was struck in the head with a rubber coated steel bullet. The ages of the 22 children range from 7 to 17 years.

Specific violations

In the **20** cases in which the children were detained, and for which DCI-Palestine has sworn affidavits from the children, the violations documented include, but are not limited to, the following:

- ***Interrogation of children under 12 years - (15 percent):-*** Under Israeli law which is applied to occupied East Jerusalem, children under the age of 12 are not held criminally liable for their

actions and must not be detained. Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, three children (15 percent) were under 12 ([Muslim](#), [Mahmoud](#) and [Odai](#)). Since the beginning of 2010, B'Tselem, has [documented](#) the detention of a further four children below this age.

- **Violence during arrest, transfer or interrogation – (80 percent):-** The types of violence reported to DCI-Palestine includes, punching, slapping, kicking, beating with a rifle, and in one case, throwing a pen at a child's head during interrogation.

'A soldier started hitting me on the back with the barrel of his rifle and I screamed out in pain and said to him: "I didn't do anything." But he kept hitting me for about a minute when my mother came and started shouting: "Leave him alone, he must go to work." But one of them pushed her really hard and knocked her down.' (A. G. – 16 years)

'They put me inside the jeep and one of them started kicking me all over my body and slapping me until we arrived at Al Mascobiyya.' (B. R. – 13 years)

'When I fell down, two Israeli soldiers started kicking me on the left leg and punching me in the back.' (H.R. – 13 years)

Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, 16 children (80 percent) reported some form of physical violence during their arrest, transfer or interrogation. Violence in similar circumstances has also recently been reported by [B'Tselem](#).

- **Painful hand ties – (60 percent):-** Under section 10B of the Youth (Trial, Punishment and Modes of Treatment) Law, alternatives to restraints should always be considered and they should not be used beyond what is strictly necessary. Restraints should only be used to prevent escape or to prevent harm to others.

'The interrogator left me alone in the room with my hands still tied behind my back. I was feeling pain because the ties were very tight. I kept trying to move my fingers so that the blood could run through them. I stayed alone in the room for about three hours and no one came in or brought me food or water.' (I.O. – 17 years)

Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, 12 children (60 percent) reported having their hands tied. These figures are similar to data collected by [B'Tselem](#), in which 14 out of 22 children (63 percent) reported having their hands tied. Many children report pain and swelling in their hands from the use of restraints.

- **Interrogated in the absence of a parent – (75 percent):-** Under Israeli law which is applied to occupied East Jerusalem, parents are entitled to be present during the interrogation of their children, except in special limited cases.

‘When my father left the office, I felt scared and focused my eyes on the floor. “You think the Israeli intelligence is joking here? I’ll lock you up and you’ll never see your family ever again,” the interrogator shouted at me. He got up, approached me, and slapped me across the face and I kept my head down, while placing my hand over my face so that he wouldn’t slap me again.’ (M. O. – 12 years)

Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, 15 children (75 percent) reported being questioned for at least part of their interrogation, in the absence of a parent or close family member. Those children who were questioned alone, typically report being threatened, and in some cases, assaulted by the interrogator. The interrogation of children in the absence of their parents has also recently been reported by [B’Tselem](#).

- **Threatened – (55 percent):-** The types of threats reported to DCI-Palestine typically involved a threat to imprison the child for a long time.

“It’s better you talk or I’ll slap you and knock you down,” he said.’ (I. M. – 12 years)

“Listen, I’ll put you in jail for a long time if you don’t confess and you’ll never see your family ever again, what do you think of that?” he said.’ (Y.J. – 14 years)

‘The interrogator didn’t read me my rights. He interrogated me in Arabic. “Why did you throw stones at Jews in Silwan?” he asked. “Because they want to take our house,” I said. “Who was with you?” he asked. “I don’t know them,” I said. “Then we’ll put you in jail for a long time,” he said. “Do whatever pleases you,” I said.’ (A.H. – 14 years)

Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, 11 children (55 percent) reported being threatened during interrogation.

- **Signed/shown documents written in Hebrew (30 percent):-** Out of the 20 cases in which DCI-Palestine collected sworn affidavits from children who were arrested, 6 children (30 percent) reported being shown, or asked to sign, documents written in Hebrew, which is not the children’s mother tongue.

On 3 February 2011, DCI-Palestine submitted 13 cases of children arrested in Silwan to the UN for further investigation – [In their own Words: A report on the situation facing Palestinian children detained in occupied East Jerusalem](#)

Recommended action

Please send Urgent Appeals in relation to the arrest and detention of children in Silwan, occupied East Jerusalem, urging the following:

1. The immediate end to the use of violence by the Israeli army and police during the arrest of children;

2. No child should be interrogated in the absence of their parents;
3. All credible allegations of ill-treatment must be thoroughly and impartially investigated and those found responsible for such abuse be brought promptly to justice; and
4. The immediate removal of all Israeli settlements in occupied East Jerusalem as they violate international law and are a source of constant tension.

Appeals to:

- **Your elected representatives;** and
- **The Israeli embassy in your country** [[list of Israeli diplomatic missions worldwide](#)].

Please inform DCI-Palestine if you receive any response to your appeals and quote the UA number at the top of this document – ria@dcj-pal.org