

Urgent Appeal

UA 5/11



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

Incident:	Prisoner exchange – Release of Palestinian children
Location:	Occupied Palestinian Territory/Israel
Date of incidents:	Continuing
Number of cases:	164
Ages:	12 to 17 years
Date of issue:	17 October 2011

Prisoner exchange

On 11 October 2011, Israel and Hamas announced a deal to release Palestinian prisoners in exchange for the freeing of Israeli soldier, Gilad Shalit. Under the deal a total of 1,027 Palestinian prisoners are to be released in two stages beginning on 18 October, and concluding two months later. On Sunday, 16 October 2011, the Israeli authorities published a list of [477 prisoners](#), including 27 women, to be released in the first stage on 18 October. The list does not include any children. DCI-Palestine can not confirm how many children, if any, will be released at the second stage in December 2011.



According to the latest figures released by the Israeli Prison Service and DCI-Palestine, at the end of September there were **164 Palestinian children** (12-17 years) in Israeli detention facilities, including **35 young children** between the ages of 12–15 years. Seventy-six of these children have been sentenced, whilst 88 children are being held in pre-trial detention.

Background

Each year approximately [700 Palestinian children](#) (12-17 years) from the West Bank are prosecuted in Israeli military courts after being arrested, interrogated and detained by the Israeli army, police or security agents. It is estimated that since the year 2000, around 7,500 Palestinian children have been detained and prosecuted in the system. Credible reports of [torture and/or ill-treatment](#) during the arrest, transfer and interrogation stages in the system have persisted for years. The majority of these children are charged with throwing stones.

The ill-treatment starts at the moment of arrest, when many children report experiencing terrifying night-time raids on the family home, before being tied, often painfully so, and blindfolded. The destabilising effect of these night-time arrests is compounded by the fact that few parents are informed where their child is being taken to,

often in the middle of the night. The common experience of many children is that the journey to the interrogation centre is routinely accompanied by further suffering, either because of the way the child is restrained, or because of further physical or verbal abuse. The transfer process can take many hours and often includes intermediate stops at settlements or military bases where further ill-treatment occurs, including in some cases, prolonged exposure to the elements, and a lack of water and toilet facilities.

On arrival at the interrogation centre, children are questioned alone and rarely appear to be informed of their rights, particularly the rights against self-incrimination. The interrogation techniques frequently include a mix of intimidation, threats and physical violence with a clear purpose of obtaining a confession, which in some cases, are written in Hebrew, a language few Palestinian children understand. Once the interrogation stage of the system is concluded, the majority of children remain in pre-trial detention awaiting their prosecution before a military court. The primary evidence against most children in the military courts will either be their confession, or the confession of another child who has been subjected to similar treatment. In the overwhelming majority of cases, children will plead guilty because this is the quickest way for them to get out of the system.

The overwhelming majority of Palestinian children in Israeli detention are held in prisons inside Israel, in violation of Article 76 of the Fourth Geneva Convention which prohibits the transfer of prisoners out of occupied territory.

Recommended action

Please send appeals urging the Israeli authorities to release all Palestinian children currently held in detention, including all children serving sentences as well as those being held in pre-trial detention.

Appeals to:

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

Related links

- DCI- Palestine submission - [In their own Words: A report on the situation facing Palestinian children detained in the Israeli military court system \(July 2011\)](#)
- B'Tselem report - [No Minor Matter: Violation of the Rights of Palestinian Minors Arrested by Israel on Suspicion of Stone-Throwing \(July 2011\)](#)
- No Legal Frontiers – [All Guilty! Observations in the Military Juvenile Court](#)
- [ACRI, DCI and Yesh Din demand equality for Palestinian children \(June 2011\)](#)

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