

Fact Sheet - Palestinian Child Detainees

June 2009

- The total number of Palestinian children arrested in Israeli jails since the beginning of the second Intifada in September 2000 exceeds 6,700. These children range in age from 12 to 18 years.
- As of May 31st 2009, a total of 337 Palestinian children were being detained in Israeli prisons, four of whom are girls.¹The great majority of children detained in Israeli prisons are waiting for trials and conclusion of their proceedings.
- Based on a sample of 94 legal cases, the trend in 2009 (January to May) was: 32.9% of sentenced children were 15 years of age or younger, 21.25% were sentenced for a one-year period or longer.²

Distribution of Child Detainees in Israeli Prisons



Distribution of child detainees in Israeli prisons – May 2009, IPS statistics report

- In 2008 the most common offence Palestinian children were charged with under Israeli military law, was stone throwing. This charge was made in 26.7% of the cases and under Israeli Military Order 378 this carries a maximum penalty of 20 years imprisonment. In 91% of all cases involving Palestinian children, bail was denied³.
- Despite being a State member of the Convention on the Rights of the Child (CRC), Israel identifies a "child" as any person below the age of 12, "youth" as any person between 12 and 14, "young adult" as any person between 14 and 16 and "adult" as any person above 16. According to military orders (MOs) governing the occupied Palestinian territories, both youths and young adults can be arrested when acting in contradiction with one of the MOs.

Palestinian children are typically arrested between 12:00 and 04:00 without their families being notified where the child is being taken. The children are normally handcuffed, blindfolded, and subjected to physical abuse in addition to humiliating treatment during arrest and can be detained up to 90 days without access to a lawyer whilst being interrogated. Children can be detained for two years from the time charged until the trial. These children are regularly held in facilities with adults and receive almost none of the rights granted to jailed Israeli minors.

- Palestinian children in Israeli detention only received limited education in two out of five prisons and no education whatsoever in any of the interrogation and detention centers⁴. In 2009, Israel prevented 1821 detainees from writing the high school certification exam "tawjihi"⁵.
- As is the case with adult prisoners, many child detainees are transferred to prisons located within Israel in violation of the 1612 UN resolution. The primary prisons in which Palestinian child detainees are held are Hasharon (Telmond), near Netanya, and Megiddo, near Haifa.⁶ Some children are also detained in Ofer prison located in the West Bank.

¹ Israeli Prison Service (IPS), statistics report 31st May 2009, obtained through B'Tselem

² DCI/PS internal document, May 2009

³ *Palestinian Child Prisoners: The systematic and institutionalized ill-treatment and torture of Palestinian children by Israeli authorities*, DCI/PS, June 2009

⁴ *Child Prisoners: The systematic and institutionalized ill-treatment and torture of Palestinian children by Israeli authorities*, DCI/PS, June 2009

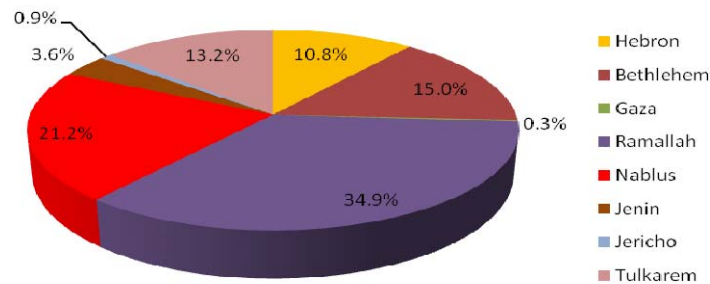
⁵ Ministry of Detainees and Ex-detainees

⁶ <http://www.addameer.org/detention/children.html>

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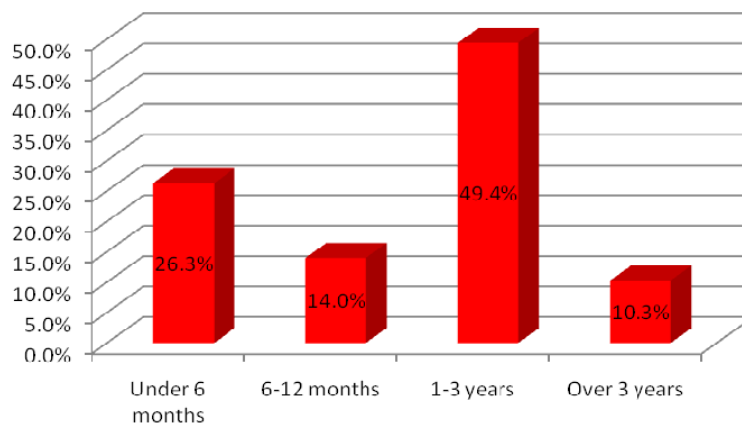
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- The highest number of detained children as of 31 May 2009 was from the Ramallah district, followed by Nablus and the Hebron districts, representing respectively 34.9%, 21.1% and 10.8% of number of detainees⁷. Specifically, the majority of the cases in the Nablus district are from Nablus city and the Balata refugee camp. The majority of the cases in the Hebron district on the other hand are from the old city itself where the settlers are aggressively occupying and keeping a stronghold of the city.



Geographic distribution of child detainees - May 2009, IPS statistic report

- The trend for sentenced cases in May 2009 is that 10.3% of children are imprisoned for an average detention period of more than 3 years, while 49.4% of the children for an average period between 1-3 years; 14% of the children are detained for a period between 6-12 months whereas those in detention for less than 6 months constitute 26.3% of the detained children.⁸



Distribution according to duration of sentences – May 2009, DCI/PS

- According to Israeli military orders, children as young as 12 years old can be arrested and detained in Israeli prisons. As of May 2009, 12% of detained children were between 12 and 15 years old⁹.
- The conditions under which children are arrested and detained violate their rights granted in the Convention on the Right of the Child. Most children develop Post Traumatic Stress symptoms due to the severe treatment they undergo during their detention. The psycho-social consequences of detention affect the immediate behavior of children, the way they think including their analysis of the outside world¹⁰.

No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without the possibility of release are prohibited for offences committed by persons below 18 years. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interests not to do so. A child who is detained shall have legal and other assistance as well as contact with the family.

Article 37. Convention on the Right of the Child

⁷ Israeli Prison Service (IPS), statistics report 31st May 2009, obtained through B'Tselem

⁸ Israeli Prison Service (IPS), statistics report 31st May 2009, obtained through B'Tselem

⁹ Israeli Prison Service (IPS), statistics report 31st May 2009, obtained through B'Tselem

¹⁰ *The social Rehabilitation of Palestinian Child Ex-detainees*, Save the Children Sweden and YMCA-EJ, Jerusalem – August, 2008, www.scsmena.org