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JERUSALEM LEGAL AID AND HUMAN RIGHTS CENTER  
مركز القدس للمساعدة القانونية وحقوق الإنسان

# Children Justice in East Jerusalem



A study on the reality of legal and human rights services to Jerusalemite children whose rights are at risk

September 2023

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## Executive Summary:

This study holds significant importance as it sheds light on the issue of children's rights violations in East Jerusalem, a matter that demands international attention. It offers practical recommendations aimed at improving the protection of children's rights in the city, where these rights are persistently infringed upon by various Israeli state institutions. These violations occur either directly or indirectly as part of a systematic policy. The study endeavors to illuminate these violations through a descriptive analytical approach, encompassing a review of literature and amplifying the voices of those directly affected, their families, and the organizations providing support to them. In-depth, semi-structured interviews were conducted, particularly with representatives from well-established legal and human rights organizations which hold positions in the field and document and prosecute violations while providing support to children and their families in their efforts to confront these challenges.

The study primarily focuses on **introducing the laws and systematic violations** targeting children in East Jerusalem. It highlights key laws, like the law against stone throwing and the bill to reduce eligibility. Furthermore, it underscores widely-used violations that deprive children of their right to life, freedom, movement, and education, often through field executions, arrests, torture, and even forced confinement, commonly known as house arrest. The study also emphasizes the legal, psychological, and social impact of these violations, which have escalated over the past decade. It establishes connections between various forms of direct and indirect violations within the policies implemented in East Jerusalem, particularly against its indigenous residents.

On the other hand, the study focuses on the **role of human rights and legal organizations** working with children in East Jerusalem. It highlighted the limited number of organizations operating in this field

and the decline in their numbers due to various circumstances. Additionally, the study addresses the numerous challenges faced by these institutions, such as the need for a greater number of legal and human rights experts who can provide awareness programs, guidance, and legal support to children and their families. It emphasizes the importance of legal representation for children and comprehensive documentation of violations. Furthermore, the study underscores the necessity of protecting these organizations and their staff from persecution and harassment by the security establishment in Jerusalem.

The study conducts an **analysis of the current state of legal and human rights organizations working with children in East Jerusalem**. It presented an assessment of the strengths and weaknesses within the internal environment of these organizations, as well as the challenges and opportunities in the external environment surrounding them. This analysis was deemed an essential and vital step in understanding and evaluating the performance and capabilities of these organizations. It aimed to leverage their strengths, exploit potential development opportunities, and address challenges and weaknesses to minimize their impact on the services provided to children in East Jerusalem. While the study reviews these points to identify and introduce them, it acknowledged that addressing all of these aspects exceeded the study's objectives and the research team's capacity.

In its conclusion, the study offers four **suggestions and recommendations for legal and human rights strategies** to mobilize and unite all available resources, ensuring the highest level of success in achieving the legal rights of Palestinian children in East Jerusalem. The study emphasizes that any strategy lacking the collaboration of all sectors would remain incomplete. Recognizing the unique circumstances in East Jerusalem and the challenges faced by civil society organizations in coordinating human rights and legal efforts, the study recommended transcending institutional boundaries. It proposed the formation or activation of a Jerusalem-based legal and

human rights coalition, with periodic monitoring and evaluation of its performance to enhance its role and adapt its strategies to align with developments in East Jerusalem and the needs of children.

The study's recommendations highlight the need for action at **both the local and international levels**. Locally, the focus should be on strengthening and implementing legislation and laws that protect children, enhancing legal training and education related to children's rights and violations against them, fostering coordination among active organizations in the legal sector, and establishing a monitoring body to document violations and provide support and awareness to children and their families.

At the international level, the study emphasizes the importance of **sustained and intensified pressure and advocacy campaigns** in various international forums, including international courts and UN platforms. It calls for continued efforts to enforce laws that protect children and safeguard their rights in all international arenas. Additionally, it suggests the establishment of an international committee or committees to investigate the violations experienced by children in Jerusalem.

The study emphasizes that **protecting children's rights is a fundamental human duty** that requires the participation of all, hoping that this study would contribute to raising awareness about the significance of this issue and inspire further endeavors to safeguard the rights of children in East Jerusalem, on par with their peers worldwide, without discrimination based on any criteria.

## Introduction

The prevalence of public incitement against Palestinians is not a recent development, although its frequency and visibility have recently significantly increased, due to political variables on both international and local levels. In recent years, there has emerged a concerning trend of legitimizing violations, resulting in a surge in detentions, particularly against children. Moreover, the scope of violations and crimes committed against them has widened, and there has been an alarming increase in the unjustifiable shooting of innocent individuals. These acts target unarmed persons with the intent to kill, injure, or inflict severe harm. There has been a notable surge in execution-style extra-judicial killings, under the pretext of suspicions regarding attempted stabbings or car ramming attacks against Israeli soldiers. Such is being carried out even when the individuals involved have already been subdued and

brought under control<sup>1</sup>. All the foregoing actually applies to children and becomes particularly evident and brutal in East Jerusalem.

Despite the existence of dozens of international legislations and laws that unequivocally advocate for and safeguard the rights of children, as part of broader human rights of this particular group, the reality on the ground remains disheartening. Even the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Rights of the Child of 1989, the Geneva Declaration of the Rights of the Child of 1924, the Declaration of the Rights of the Child, adopted by the United Nations General Assembly in 1959, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, alongside the statutes and special protocols established by international organizations like UNICEF, and even the International Declaration on the Protection of Women and Children

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<sup>1</sup> Al Farawneh, Abdel Nasser. 13.1.2023. [Israeli extremism and the "execution of Palestinian freedom fighters" law.](#)

during Emergencies and Armed Conflicts, and others assure the importance of protecting children, but Israeli authorities continued violations against children in East Jerusalem. These legal instruments often fall short in providing a robust legal foundation to condemn such violations, except formally, and fail to hold both the perpetrators and formulators of those policies accountable.

The relentless pursuit to exert control over the steadfast Palestinian people and subject them to the will of the occupying forces in East Jerusalem is being carried out through ongoing and escalating policy. It extends beyond the loss of Palestinian lives and encompasses a wide range of practices and violations targeting all Palestinians in the city. These measures include the imposition of burdensome taxes, persecution, and to even the enforcement of arbitrary traffic fines on a massive scale. Furthermore, this policy entails the arbitrary arrest and detention of individuals, home confinement, deportation, imposition of fines and taxes, and the confiscation of finances belonging to families of detainees and former detainees withheld in Israeli facilities. The

ultimate objective of these measures is to undermine Palestinian presence and displace the indigenous population from East Jerusalem<sup>2</sup>. These practices lay bare the Israeli policy at play, which aims to sustain the authority's mistreatment of Palestinian children, while providing a formal veneer for what is actually a well-documented systematic violation of their basic human rights. These violations persist year after year and have been impacting hundreds of children and their families for decades<sup>3</sup>.

In light of the persistent violations against Palestinian children in East Jerusalem, it has become crucial for human rights and legal organizations to develop a unified plan and comprehensive national strategy. This strategy should encompass several key elements, including raising community awareness, particularly among children and youth aged 10 and above who are the most vulnerable to the actions of the various occupation authorities.

One crucial aspect of this plan involves establishing a long-term vision to effectively address each violation of children's rights by the occupation in East Jerusalem. This

<sup>2</sup> Commission of the Detainees and Ex-Detainees Affairs. 15/04/2023. [On Palestinian Prisoner's Day 2023: About 4,900 prisoners in occupation prisons](#)

<sup>3</sup> B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories. 2017. [Unprotected: The Arrest of Boys in East Jerusalem](#)



entails actively pursuing, documenting, and disseminating information about each violation, ensuring that they receive continuous attention and are not merely addressed on an ad-hoc basis. Furthermore, local and international campaigns should be initiated to criminalize these violations, by seeking international legal mechanisms in holding the Israeli authorities accountable for their actions.

Regrettably, international organizations often overlook or fail to adequately address the ongoing violations committed by the occupying government against Palestinian children, despite the fact that “more than fifty percent of violations against children in 2022 have occurred in the Democratic Republic of the Congo, Israel/Palestine, Somalia, Syria, and Ukraine, whereby a Israeli forces were responsible for injuring 975 children and carrying out 110 attacks on schools and hospitals in 2022 alone. **Despite such atrocities, Israel has not yet been included in the annual "list**

## of shame" compiled by the United Nations Secretary-General<sup>4</sup>

### Methodology

A descriptive and analytical approach was employed by reviewing relevant literature on the subject of the report, as a foundation. Additionally, reports and legal submissions from both Palestinian and Israeli human rights organizations were examined along with information and statistics available on the websites of official Palestinian organizations and civil society organizations dedicated to prisoners' and children's affairs. Similarly, information from official Israeli organizations such as the Israeli Prison Service, the Social Welfare Department, and various civil rights organizations were taken into consideration.

To gain firsthand insights, written and visual testimonies of children who experienced abuse during detention were carefully studied. Furthermore, semi-structured individual interviews were conducted with children and their parents who had endured various violations, such as home confinement or arrest. Interviews were also conducted with staff,

<sup>4</sup> Human Rights Watch. 13.5.2023. [The Secretary-General of the United Nations adds Russia to the "List of Shame" and excludes Israel. A conflicting](#)

[message about violations against children during armed conflicts.](#)

human rights activists, and lawyers from different local and international organizations who have worked on or are currently handling children arrests and violations of children rights.

The interviews were conducted as follows:

- 13 interviews with organizations and their representatives involved in addressing the violations against Palestinian children.
- Interviews with children and their families who had experienced house arrest and detention. In addition to the review of tens of live testimonies from children, which had been documented by organizations dedicated to child prisoners and children during the past three years. Due to the fear of children and parents of the repercussions of sharing their experiences, and to avoid retraumatizing them during interviews, it was not always possible to directly interview the affected children. Thus, live testimonies were used, especially that they have been conducted by legal professionals under oath, making them more reliable and credible among multiple sources of information.

As part of the process, a thorough review was conducted to examine the plans and strategies of legal and human rights interventions employed by the relevant organizations operating in East Jerusalem.

To address the main study questions, the following topics were examined: What is the role of organizations in raising awareness among children and parents regarding the violations committed against children and the impact these violations have on them?

- How do children and parents perceive the role of organizations working with children in Jerusalem from both a legal and rights-based perspective?
- What are the legal strategies and plans of organizations to confront violations against children in East Jerusalem?
- What are the legal strategies and practices that legal and human rights organizations can implement in East Jerusalem, given the ongoing status quo?

### **Legislation Pertaining to Prisoners, Including Children in Detention**

Observers of the Israeli escalation against Palestinians in recent years have certainly noted that detainees and their families have not been

exempted, but perhaps have been at the forefront of continued Israeli violations. What were once mere threats by Israeli “extremists” have evolved into legislation and laws that the Israeli government now adopts and enforces on a daily basis. Amendments to certain laws related to minors have resulted in the issuance of unjust sentences against children, aligning with the occupation's efforts to legitimize the conviction of children. The Israeli parliament, responding to the requests of the police, the prosecution, and the courts, has introduced legislation in recent years aimed at imposing harsh sentences on minors, in addition to tracking their social media activities and presenting them as “security” charges, leading to their arrest, trial, and imprisonment. It is worth noting that the age of the Palestinian child<sup>5</sup> is calculated at the time of the ruling, rather than at the time of arrest<sup>6</sup>. So, if a child is arrested at the age of 13, the Israeli authorities will work on postponing the court hearing till he is 14 years. The Israeli procedures run

counter to all international conventions, laws, and legislation.

The most notable laws and decisions include the following<sup>7</sup>:

- The Israeli government’s decision to **tightened measures against stone-throwing “crimes”** in 2014, aiming to impose stricter penalties on children. As a result, children can now face imprisonment for 15-20 years.
- In 2015, fines were also imposed on parents of children accused of stone-throwing and other security-related charges, in addition to suspension of allocations from the National Insurance Institute<sup>8</sup>.
- **The draft law to reduce the age of criminal responsibility to 12 years.** This most recent bill against Palestinians, proposes reducing the age at which individuals who can be tried for murder and attempted murder with a nationalist motive down to 12 years. **This would serve bring up the age a** Palestinian child can be accused of carrying out such acts and face imprisoned from the age of 14. Currently, for those under

<sup>5</sup> According to Israeli laws, the age of children of ot

<sup>6</sup> Prisoners Center for Studies.20/11/2021. [The Israeli occupation has arrested \(1,149\) children since the beginning of the year, and two-thirds of the detainees were subjected to torture.](#)

<sup>7</sup> Numerous legislations against Palestinians can be viewed in Annex (1).

<sup>8</sup> Commission of the Detainees and Ex-Detainees Affairs. 13.5.2019. [The Third International Prisoners' Conference, entitled: Palestinian Children and Israeli Detention Policies.](#) Pages 35-37

14 years old, Israel handles them through three methods: transfer to treatment centers in rehabilitation organizations, home detention, or imposing heavy fines<sup>9</sup>.

- Another draft law discusses the imprisonment of Palestinian children from the age of 12, rather than sending them to what are commonly known as "rehabilitation" organizations.<sup>10</sup>

### Israeli Measures against Children

The alarming human rights violations, particularly against children in East Jerusalem, present a stark illustration of injustice and persecution. Since the completion of the city's occupation in 1967, the children of East Jerusalem have been consistently subjected to a series of systematic violations. These violations encompass arbitrary arrests and detention of children and adolescents, often accompanied by torture and physical assaults. Additionally, severe restrictions on freedom of movement and education are imposed, while numerous male and female children face annual home detention and forced displacement from their residences. Night raids on their homes persist,

<sup>9</sup> Independent Arabic website. 10.6.2023. [Israel plans to imprison a new age group of Palestinian children.](#)

<sup>10</sup> APF, Israel approves jailing terrorists from age 12 (14/12/2023) ,

and they are targeted with live ammunition, resulting in fatalities. Furthermore, deliberate psychological abuse and policies aimed at displacing them from the city further compound their plight.

These violations constitute blatant violations of children's rights under international law, and necessitate urgent action from the international community and human rights organizations. It is crucial to continuously shine a spotlight on these ongoing violations, actively work towards addressing them, and exert pressure on the relevant authorities to halt these injustices and secure justice for Palestinian children. The following provides an explanation of these violations:

#### [The Violations in general](#)

The Convention on the Rights of the Child (CRC)<sup>11</sup>, specifically Article 37, paragraph (b), unequivocally states that **“No child shall be deprived of his or her liberty unlawfully or arbitrarily”**. In case of arrest (as an exceptional inevitable case), “The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a

<https://www.timesofisrael.com/israel-approves-jailing-terrorists-from-age-12/>

<sup>11</sup> UNICEF. [UN Convention on the Rights of the Child.](#) [www.unicef.org](http://www.unicef.org)

measure of last resort and for the shortest appropriate period of time.” However, these principles stand in stark contrast to the practices of the Israeli authorities as occupying force which actively seek to arrest and restrict the freedom of children. Children are often subjected to physical and psychological harm for minor allegations, as merely shouting at a soldier or throwing stones at a heavily armored military vehicle. Such however, could lead to dire consequences for the child, including death, arrest, injury, or a combination thereof. Children are detained, whether in prisons or under home confinement, even before any conviction is made.

It is worth noting that such violations have become the norm, while adherence to laws and procedures, even the formalities approved by Israeli legislative bodies, become the exception. Defence for Children International – Palestine (DCI-Palestine) has stated that the testimonies it has gathered since December 2015, highlighted the discriminatory manner in which the Israeli police in Jerusalem apply juvenile law, systematically depriving

Jerusalemite children of their rights during arrest and investigation measures. The excessive use of exceptions further exacerbates the deprivation of children's rights. In essence, exceptions have become the rule when dealing with Palestinian children in East Jerusalem<sup>12</sup>.

Following a child's arrest, whether from the streets or their home in the early morning hours, the law stipulates their right to have their family present during the investigation, which is often denied. They also have the right to legal counsel. However, the police conduct the legal guidance process in a perfunctory manner, where a police officer contacts a lawyer and asks them to speak to the child over the phone to cover the legal aid part. “This occurs while the child is alone, frightened, and unfamiliar with the voice on the other end of the line, rendering legal guidance virtually ineffective<sup>13</sup>.

“When it concerns Palestinian boys from East Jerusalem, the police, jailers, and judges strip the youth law of its essence, as is customary. They then claim innocence by following the

<sup>12</sup> Defense for Children International. 2015. [The exception is the rule in the occupation police's dealings with Jerusalemite children.](#)

<sup>13</sup> Interview with Ms. Ehteram, from the Documentation Unit at the Addameer Association for Prisoner Care and Human Rights. 8/20/2023

formalities of the law. We are not pointing to merely the actions of individual investigators or jailers who may have violated the instructions; but are otherwise describing a clear and publicly endorsed policy as established and pursued by the authorities. This starts with the police carrying out arrests, continues with the prison service subjecting boys to harsh conditions, and concludes with judges routinely extending their detention with a stroke of a pen, even in cases where there is no justifiable reason for the arrest. This often occurs only after the investigation is

concluded, and frequently when boys have already lodged complaints about the violence they have endured."<sup>14</sup>

Killing Children

Between 2000 and August 2023, 2,283 cases of child murder/ extra-judicial execution were recorded. Out of these, 45 children were from East Jerusalem<sup>15</sup>. The Israeli B'Tselem human rights organization documented 606 cases of child murder, including 22 cases in East

**PALESTINIAN CHILDREN KILLED FROM JANUARY 2000 UNTIL AUGUST 2023**



<sup>14</sup> B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories. 2017. Unprotected: The Arrest of Boys in East Jerusalem.

[https://www.btselem.org/arabic/publications/su-mmaries/201710\\_unprotected](https://www.btselem.org/arabic/publications/su-mmaries/201710_unprotected)

<sup>15</sup> Defense for Children International. August 2023. Key Figures: Child Murder.

Jerusalem, during the same period<sup>16</sup>. The substantial disparity in numbers reported by Palestinian and Israeli human rights organizations highlights differing standards/definitions in assessing violations. It underscores the necessity of establishing clear standards to comprehensively determine the nature of these violations.

Currently, there are 17 Palestinian children<sup>17</sup>, including a child murdered from East Jerusalem, who remain in

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### Child Arrest

The policy of detention represents one of the most severe violations against Palestinians in general and children in particular. "Arrests constitute a consistent and systematic approach that targets all segments of Palestinian society. According to prisoners' organizations, the rate of arrests of minors from East Jerusalem by the occupation has been the highest compared to arrests of minors from the remainder of the West Bank. Statistics and documented

the graves or mortuary refrigerators of the occupation authorities. The rights of these children, whether they are alive or have become martyrs, continue to be disregarded.

The abovementioned table is derived from statistics provided by the Defence for Children International – Palestine (DCI-Palestine).

testimonies of child detainees indicate that two-thirds of detained children have experienced one or more forms of physical torture, while all detainees have endured psychological torture throughout the various stages of detention<sup>18</sup>.

"Although the rate of arrests among children may not be the highest compared to previous years, the nature of the abusive practices employed has been particularly among the highest"<sup>19</sup>. Children who are captured face various forms of abuse, including intentionally

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<sup>16</sup> B'Tselem: Israeli Information Center for Human Rights in the Occupied Territories. August 2023. [Palestinians killed by Israeli forces - West Bank.](#)

<sup>17</sup> Prisoners Center for Studies. 27/8/2023. [Including 14 children...398 martyrs detained by the occupation.](#)

<sup>18</sup> Prisoners Center for Studies.20/11/2021. [The Israeli occupation has arrested \(1,149\) children since the beginning of the year, and two-thirds of the detainees were subjected to torture.](#)

<sup>19</sup> Commission of the Detainees and Ex-Detainees Affairs. 2.2.2023. [Child detention policy.](#)

carrying out arrests during late-night or early morning hours if apprehended at their homes. 91% of children arrested from their homes were taken to detention centers during nighttime<sup>20</sup>, where they endured severe beatings, deliberately conducted in front of their families. In cases where children are apprehended on the streets, they are often shot, and their hands and sometimes their feet are bound, and they are subjected to degrading blindfolding, all while surrounded by heavily armed soldiers.

These captive children are subjected to prolonged periods without food or drink, and there are significant delays in informing them of their right to legal aid, and should they be even notified, it is often communicated in Hebrew, which the child does not understand. Interrogations frequently occur without the presence of their families, and even when legal advice is given, it is conducted over the phone, which tends to create more doubt than assurance, information and awareness. The use of systematic and intense psychological

and physical torture is employed to break the child's spirit and coerce them into self-incrimination or implicating others. Children are often coerced into signing documents without understanding their content, and they are subjected to threats, intimidation, intelligence investigations, and prolonged detention in investigation and detention centers without trial. In some cases, house arrest is imposed on them.

### Statistics

Citing statistics in connection with the study is crucial as they provide a clear and reliable overview of the scale and extent of this oppressive phenomenon. Awareness of the phenomenon, along with accurate statistics regarding the violations, contributes to increasing understanding of its impact on individuals and the Jerusalemite society, particularly children. It also helps civil society organizations and local and international human rights organizations to plan necessary interventions and serves as a foundation for demanding that relevant bodies take serious measures to halt violations.

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<sup>20</sup> B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories. 2017. Unprotected: The Arrest of Boys in East

Jerusalem.  
[https://www.btselem.org/arabic/publications/summaries/201710\\_unprotected](https://www.btselem.org/arabic/publications/summaries/201710_unprotected)



Statistics also play a crucial role in providing compelling evidence in courtrooms and international courts towards prosecuting those responsible for the violations and striving for justice.

According to prisoners' organizations, "in the first half of the current year, 2023, the total number of arrests reached 3,866 cases, with Jerusalem having the highest percentage of detainees. The number of detainees from Jerusalem was around 1,800, and among them, there were 568 child arrests, representing an increase compared to the same period last year. The number of administrative detainees<sup>21</sup> reached 1,132, including three female prisoners and 18 children<sup>22</sup>.

Moreover, the rate of arrests in East Jerusalem is the highest compared to other governorates in the occupied West Bank. Over the past

year, there were more than 3,000 arrests in East Jerusalem out of a total of 7,000 arrests across all Palestinian territories<sup>23</sup>. In 2022, 882 children were detained, with 654 of them from East Jerusalem alone<sup>24</sup>, constituting approximately 74% of all detained children. The frequency of administrative detention operations against children also increased, with 19 children subjected to administrative detention. As of the beginning of 2023, seven children<sup>25</sup> remain under administrative detention.

From 2008 until the end of 2022, a total of 46,028 children were arrested. During this period, there were 475 children in administrative detention (until September 2022, 43 children remain under administrative detention), and 470 girls were detained in the same period<sup>26</sup>. According to prisoner organizations, the number of detainees withheld in occupation

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<sup>21</sup> Administrative Detention means detaining a person without trial claiming that he or she intends to break the law in the future, while he or she has not perpetrated any violation yet. This type of detention is for an unidentified period and is based on secret evidence.

<sup>22</sup> Commission of the Detainees and Ex-Detainees Affairs. 16/7/2023 [The midterm report issued by prisoner institutions on arrests, violations, and the latest statistics](#)

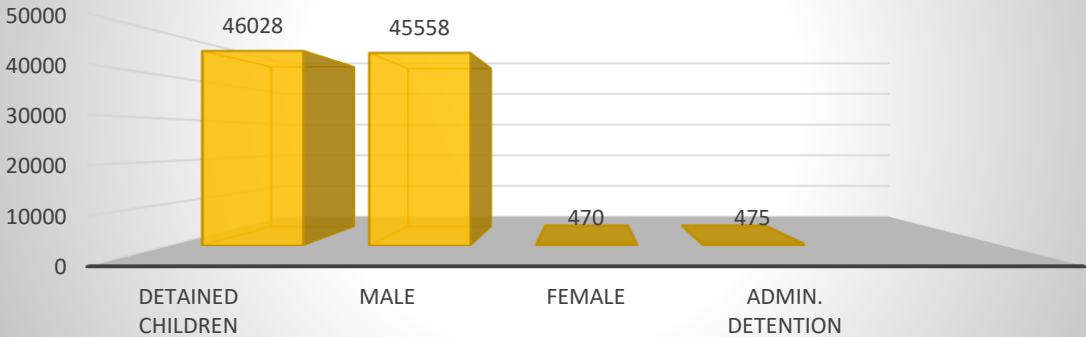
<sup>23</sup> Commission of the Detainees and Ex-Detainees Affairs. 15/04/2023. [On Palestinian Prisoner's Day 2023: About 4,900 prisoners in occupation prisons](#)

<sup>24</sup> Prisoners' institutions. 2023. [Annual Report 2022](#). P6.

<sup>25</sup> Commission of the Detainees and Ex-Detainees Affairs. 2.2.2023. [Child detention policy](#).

<sup>26</sup> Defense for Children International. August 2023. [Key figures: Military detention](#).

## Children detained from 2008 until the end of 2022



facilities until the end of June 2023 was approximately 5,000, including 32 female detainees, around 160

children, and 1,132 administrative detainees.<sup>27</sup>

### Home Confinement, Deportation, and Detention in “Rehabilitation Centers”

Home detention<sup>28</sup> is a “dangerous policy targeting Jerusalemite children, eroding their sense of social security and psychological stability. This policy aims to

undermine the child's well-being, impose financial and economic burdens on their family, and deprive them of their right to education and a normal childhood. Consequently, it leads to the accumulation of psychological and social pressures within the entire family”. Home

<sup>27</sup> Prisoners Center for Studies. 16/6/2023. [The occupation arrested more than \(3860\) in the first half of this year 2023.](#)

<sup>28</sup> Ministry of Detainees and Ex-Detainees. 7.9.2023. [Ministry of Detainees: Home detention of children destroys their future and reflects on their psychological and family condition.](#)

The Ministry of Prisoners in Gaza, in September 2022, deemed the home detention of children to be detrimental to their future and reflective of their psychological and familial well-being. This approach was identified as having a negative impact on the child's mental state, resulting in increased agitation and severity, and potentially fostering feelings of animosity and

resentment towards their parents. This policy poses a significant threat to numerous children who endure its consequences. The occupation authorities employ home detention as a substitute for actual imprisonment, subjecting individuals to varying durations of confinement that can be extended within the confines of their own homes. These measures are enforced alongside imposed restrictions and substantial financial penalties imposed on the family. In recent years, the occupation authorities have increasingly resorted to home detention, transforming the family residence into a prison and the parents into jailers. Under such circumstances, fathers may feel compelled to employ force to prevent their children from playing outside or even attending school, due to the fear of incurring penalties for any violation.

detention transforms Palestinian homes into mini-prisons, affecting not only the child but the entire family. The Israeli occupation has devised this new form of imprisonment at no cost, specifically targeting the people of East Jerusalem and their children, and referred to this arbitrary and discriminatory practice, as home detention or house arrest. It became apparent following the wave of protests that erupted after the abduction and killing of young Muhammad Abu Khudair by settlers in July 2014, and expanded further with the outbreak of the Jerusalem Intifada in October 2015."<sup>29</sup>

"At the family level, home detention is perceived as a form of collective punishment imposed on all members of the family. It creates psychological barriers between the child and their family, straining their relationships. The occupation forces the parents to assume responsibility before the court for confining their child within the house walls and preventing him or her from leaving, even if this requires them to use force. If the child attempts to leave, the parents are required to report it

to the authorities, under the risk of facing legal consequences and hefty financial penalties. The court compels the child's guardians to sign a costly financial guarantee, to force compliance with the home detention order. In the event of a violation, severe consequences are imposed on the child and the family."<sup>30</sup>

Rehabilitation centers are essentially "private organizations that bear resemblance to prisons. They serve as internal facilities where detained children are placed under strict supervision. These centers house children alongside juvenile offenders who are detained on criminal grounds. It's important to note that the duration a child spends in these centers is not considered as part of their sentence."<sup>31</sup>

The home detention policy implemented by the occupation state not only violates children's rights but also undermines the crucial role of the child's family in providing protection, guidance, and support. Instead of serving as guides and mentors, the occupation transforms parents into jailers and

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<sup>29</sup> Prisoners' institutions. 2023. Annual Report 2022. P.18

<sup>30</sup> Miftah Foundation. 7.4.2020. Fact Sheet – The Policy of Home Detention.

<sup>31</sup> Badwan, Arin, 31.8.2023

informants. Article 5 of the Convention on the Rights of the Child states that “States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.”<sup>32</sup>

### Legal, Psychological and Social

#### Impact:

The head of the Palestinian Prisoners' Families Committee described home confinement as “a malicious and insidious form of punishment. While families may perceive it as a relatively lenient measure, its true objective is to dismantle the very foundation of Jerusalemite families. By transforming homes into prisons and families into jailers, this policy aims to disrupt and undermine the cohesion of these families. It is

worth noting that families are often required to deposit substantial sums of money in court funds to guarantee the enforcement of certain conditions for the release of their children. These conditions include continuous surveillance and monitoring of their children within the confines of their homes around the hour effectively assuming the role of jailers.”<sup>33</sup>

Home detention is implemented with the consent of the children and their families, which means that it is not imposed upon them; however, the alternative would be actual imprisonment. The Israeli prosecution offers home detention as a punishment option, but it comes with "restrictive and complex

**"I endured difficult days and months under house arrest, losing my childhood and facing immense psychological pressure. As a student who should have been attending Tawjihi (high school), I watched my friends eagerly awaiting their exam results and preparing for celebrations. Unfortunately, due to my confinement, I was deprived of these experiences". Student Zeina described her suffering during house arrest.**

<sup>32</sup> UNICEF, UNCRC

<sup>33</sup> Al Jundi, Aseel. 22/01/2023. A punishment that May lead to Suicide... The suffering of the

Jerusalemite boy, Bassam Al-Rajabi, in Home Detention.

conditions." This approach exploits the fears and concerns of parents for their children being incarcerated, ultimately depriving the child of their fundamental rights to education, freedom of movement, engaging in social activities with friends, and participating in family events. In addition, the punishment deprives one of the parents from the same rights, since he or she shall be compelled to accompany the house-arrested child, turning the place into a prison and the parent into a jailer who is adamant to keep the child away from actual imprisonment".<sup>34</sup>

It is important to note that various lawyers, organizations, and families, out of fear for their children's well-being in harsh prison environments, sometimes request home detention as a "legal" alternative to actual detention. This alternative is seen as less costly and less challenging in terms of international law, thus reducing the burden on the Israeli state.

"Envision a situation where neither you nor your children have a genuinely safe space. Feel the

psychological conflict that arises from the prevailing belief that home should be a secure haven, impervious to threats, contrasted with the harsh and stressful reality imposed by the occupation. Imagine becoming a jailer for your own child."<sup>35</sup>

In some cases, home detention is imposed on the child outside of his or her residential area, which often forces families to rent an additional house, or can be described as a "private prison"! Although this practice is undoubtedly illegal, it may have a legal cover due to the consent or even the request of parents and the child, not to mention the additional financial burdens imposed on them. Some children may spend an extended period of home detention in the home of a relative or a friendly family. An example of this is the child Ward, who spent a long period detained at the house of a friend of

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<sup>34</sup> Commission of the Detainees and Ex-Detainees Affairs. 13.5.2019. The Third International Prisoners' Conference, entitled: Palestinian Children and Israeli Detention Policies. P134. Excerpted from the remarks by Mr.

Jawad Syam Wadi Hilweh Information Center  
[www.cda.gov.ps](http://www.cda.gov.ps)

<sup>35</sup> Arabic website AJ+. 2022. Documentary video. Home detention policy 08:33

his mother<sup>36</sup>. Many children who went through similar experiences would lose their desire to exercise their rights or even their will to live.

“My son lived under devastating psychological pressures that lead him to attempt suicide three times. He lived in fear and became distressed that he had sleep disorders” (a testimony by Maria H. from Shu’fat refugee camp). Clinical psychologist at the Palestinian Counseling Center, Murad Amr, explains that home detention affects children's relationships, including those with their parents, “causing anxiety, helplessness, psychological and behavioral symptoms, and physical pain”. Amr further highlights “the impact on self-regulation, self-mastery, family relationships, self-concept, and self-esteem.”<sup>37</sup>

Sociologist and psychologist Muhammad Al-Taweel confirms that 85% of Jerusalem's children suffer from psychological disorders as a consequence of arrest and home confinement, with signs such as nervousness and bedwetting being

prevalent<sup>38</sup>. One danger of home detention is that some individuals may consider leaving Jerusalem or their place of residence out of fear of reliving the same traumatic experience, especially in areas prone to army incursions and violations, like Silwan. The child Moatasem, in answer to a question about what he will do after the home confinement ends, says: **“I want to leave Silwan, I cannot bear it anymore! Once my arrest ends, I will find another house no matter wherever it could be, I just want to leave from here”**<sup>39</sup>

All these direct and indirect effects on children starkly contradict international agreements and laws, albeit indirectly. When a child's freedom is restricted, whether through home or actual detention, the state imposes exceptional circumstances that deprive them of their rights to education, health, movement, expression, and other rights guaranteed to all children worldwide.

Additionally, it has been observed that children experience diminished self-esteem and place financial and

<sup>36</sup> Interview with Lamia Al-Ghoul, mother of children who were subjected to house arrest in Jerusalem. 2.8.2023

<sup>37</sup> Miftah Foundation. 7.4.2020. [Fact Sheet – The Policy of Home Detention.](#)

<sup>38</sup> Miftah Foundation. 7.4.2020. [Fact Sheet – The Policy of Home Detention.](#)

<sup>39</sup> Previous video, 07:31

psychological burdens on their families, particularly during periods of restricted freedom. 15-year-old Moatasem vividly describes his time under house detention as feeling constrained, **like being confined in a chicken coop**<sup>40</sup>. Moatasem's father, in discussing their experience during home detention, explains the difficult choices he is forced to make. He sometimes permits behaviors, such as his son smoking a hookah, against his own wishes to avoid adding further pressure on his son. He expresses his concern, saying, "I am compelled to allow him to do as he pleases because I fear that even I, as his father, will become a source of siege or imprisonment for him."<sup>41</sup> He asserts that the objective of home detention is to "humiliate the child, humiliate the parents, and fracture the social fabric of the family."<sup>42</sup> The state of tension and aggression experienced by children in home detention has resulted in severe psychological complications for many of them.<sup>43</sup>

The same child may undergo multiple instances of home detention throughout their childhood, intensifying the

suffering. This burden is further compounded for families who experience repeated home detentions of multiple children. The occupation's punishment of Jerusalemite children extends beyond home detention, encompassing constant surveillance and investigations, with sudden police patrols verifying their presence. Consequently, it can be inferred that home detention serves as a convenient option for the occupation forces, reducing expenses related to child imprisonment and improving their image in international forums. This practice has become a well-established approach within the courts, setting a legal precedent for imprisoning children, irrespective of their age, without the occupying force assuming responsibility for their incarceration.

### Statistics

Several interviewees have highlighted the challenges associated with accurately counting the number of children subjected to home detention measures. This task is neither straightforward nor well-documented by most organizations due to the varying durations and

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<sup>40</sup> Previous videos, 02:30

<sup>41</sup> Previous video, 05:20

<sup>42</sup> Previous video, 08:03

<sup>43</sup> Arabic website AJ+. 2022. Documentary video. [Home detention policy](#), 07:19

timings of home confinement. Ms. Areen Badwan from the Commission of Detainees and Ex-Detainees (CDA) emphasized the difficulty in providing precise statistics on home detention due to the diverse lengths of time involved. Additionally, the Commission may not always be informed by parents about if their children were detained, particularly in cases where the home detention period is short.

Similarly, Ayed Abu Qutaish from DCI-Palestine confirmed that the organization is no longer able to document these cases due to the same reasons, as well as the persecution faced by legal and human rights organizations in Jerusalem.

However, advocate Firas Jebrini noted that the Wadi Hilweh Information Center (WHIC) does document such cases and categorizes them as short-term home detention, which lasts for days and typically occurs before an indictment is filed, and long-term home detention, which occurs while awaiting court proceedings. According to statistics released by the CDA, the number of

Jerusalemite children sentenced to home detention was 120 in 2019, 90 in 2018, 95 in 2017, 78 in 2016, and 60 in 2015.<sup>44</sup> Official statistics reported over 600 cases of home detention in 2022.<sup>45</sup> Although the breakdown of children within those cases is not specified, this policy has particularly targeted children since its inception a decade ago, as evident from the significant increase in the official numbers of those who have been subjected to house arrest between 2015 and 2022. It should be acknowledged that some cases may go unregistered, especially those with shorter durations of detention for few days.

## Torture

Torture has been universally prohibited and criminalized through international human rights law, international humanitarian law, and the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Established in 1984, this convention was specifically created by the international community to address various aspects related to the issue of torture, including the establishment

<sup>44</sup> Miftah Foundation. 7.4.2020. [Fact Sheet – The Policy of Home Detention](#).

<sup>45</sup> Prisoners' institutions. 2023. [Annual Report 2022](#). P18



of a clear and specific definition of torture.<sup>46</sup>

According to the Convention, torture is defined as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of, or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.” (Article 1, Convention against Torture)<sup>47</sup>.

The systematic and continuous practice of torture by the Israeli forces primarily aims to break the morale of Palestinians and negatively impact their

psychological well-being, while also disregarding international law. "The purpose of torture extends beyond the stated goal of extracting confessions; it seeks to dismantle Palestinian identity, patriotism, and destroy individuals' bodies, souls, personalities, and political beliefs. Its effects are far-reaching, negatively impacting both individuals and Palestinian society as a whole. Torture is employed from the moment of arrest until release, targeting individuals of all ages and genders, as stated in the Convention against Torture. Furthermore, torture not only affects detainees but also extends its impact to their families."<sup>48</sup>

Article 37 of the Convention on the Rights of the Child stipulates that states must ensure that children are not subjected to torture and that detained children are not treated arbitrarily or cruelly. Article 40 therein also guarantees children the right to independent questioning, and to be informed of the charges against him or her in a language that he or she can understand and to be

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<sup>46</sup> <https://www.ohchr.org/en/treaty-bodies/cat/background-convention#:~:text=The%20Convention%20against%20Torture%20and,against%20Torture%2C%20was%20set%20up>.

<sup>47</sup> Al-Haq Foundation, *Law for Humanity*, (2015), Reference Guide to Legal and Human Rights Concepts and Terminology. P. 89

<sup>48</sup> Al Farawneh, Abdel Nasser. 26/06/2023. Torture: Chronic, Recurring and Prolonged pain.

protected against forced confessions or testimonies obtained through torture or threats. Moreover, children have the right to stand before an impartial and independent judicial body and “the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth”.<sup>49</sup>

Testimonies provided by children from Jerusalem who have been arrested indicate that they have been subjected to various forms of abuse, starting from the moment of their arrest in the early hours of dawn. They experience different methods of mistreatment and deprivation during the weeks-long interrogation period, leading to unjust sentences meant to deter them and serve as examples to others. These testimonies, along with reports from various human rights organizations, also reveal that children are detained and interrogated without the knowledge or presence of their families.<sup>50</sup> These

actions are in direct violation of the provisions outlined in the UNCRC.

### Addressing Children Rights: The Role of Organizations

There are limited Palestinian NGOs and public organizations operating, or capable of operating, in East Jerusalem for various reasons that can be discussed in an independent study. However, it's worth noting that certain Palestinian civil and official organizations do offer legal services, such as consultation, legal representation, awareness, and documentation.

When examining texts and testimonies from children who have experienced arrest, home detention, or deportation from their place of residence, as well as interviews with parents and children who have undergone violations like arrest or imprisonment, and even from discussions with legal and human rights organizations, **it becomes evident that there are significant gaps and deficiencies in the legal services provided to children in East Jerusalem, both in terms of quantity and quality.** These gaps can be summarized as follows:

<sup>49</sup> UNICEF, [UNCRC](#), Articles 37&40

<sup>50</sup> According to testimonies under oath published by several legal and human rights organizations

First, **there is weak coordination between Palestinian Nongovernmental Organizations (NGOs) and Government Organizations (GOs)**, and there exists a form of competition among them. Many organizations have reduced their work in East Jerusalem due to their inability to compete or as a result of targeting human rights and legal organizations in the city by the occupation. Some have even shifted their focus away from legal guidance to fully devote themselves to international campaigning.

A presence of a fundamental conflict between two approaches to providing legal services to children in Jerusalem is also worth considering. One approach fundamentally rejects quick deals and agreements with the Public Prosecution, **except when absolutely necessary**, as it legitimizes military courts, places a lesser burden on the occupation, increases the burden on families, criminalizes the child, and extends the supposed sentence due to the period of home detention not being counted as part of the sentence. Moreover, these deals burden the child with a security file and enhance the image of the occupation since child prisoners in home detention do not appear on prisoner lists. On the

other hand, there is another approach that views these deals as necessary due to the heavy workload on lawyers and the large number of cases each lawyer and center handles. Such deals help reduce the sentences of some children through group agreements, as the sentence is "distributed" among the group and aims to keep the child outside prison walls, even if they are under home detention.

**Second, organizations face challenges in achieving significant breakthroughs in the field of legal defense**, preventing violations of children's rights, and even meeting the provisions stipulated in Israeli law. For example, **it is legally mandated that a child has the right to receive legal guidance before the start of an investigation**; however, the occupation circumvents this right by having a police officer call a lawyer to provide guidance over the phone, a form of guidance that has been recognized by the court and organizations. During the initial moments of a child's arrest, they do not know who is speaking to them

on the phone, thus diminishing the value of legal guidance.<sup>51</sup>

A lawyer of the Wadi Hilweh Information Center in Silwan (WHIC) has emphasized that one of the most crucial factors determining the fate of a detained children is legal guidance. It helps the children understand their rights and face the fear of interrogation. However, due to the high number of child arrests, lack of parental awareness about the importance of having a lawyer present and insufficient availability of lawyers to provide guidance, the provision of legal guidance becomes more challenging and less effective.

**Third, the need for proactive awareness programs is crucial**, as providing awareness before arrest is considered one of the factors that helps children understand how to behave if they are arrested. The lawyer from the WHIC mentioned several cases where arrested children remembered what they were told during awareness sessions in schools and acted accordingly. The center strives to provide awareness programs to children in schools,

neighborhoods, summer camps, and youth and sports clubs.

By the same token, Addameer Prisoner Support and Human Rights Association conducts awareness programs through the publication of periodic posters and video clips, along with awareness sessions in schools. Addameer places great importance on providing a comprehensive awareness program for families and children in East Jerusalem and the West Bank. In 2021, they held 10 meetings in East Jerusalem schools, and in 2022, they produced a film on children's rights awareness<sup>52</sup>, in addition to annual shorter clips. They also have plans to hold meetings in five schools by the end of 2023.<sup>53</sup>

DCI-Palestine offers awareness sessions in schools in East Jerusalem. In 2022, they conducted 40 workshops on rights and violations, with the participation of 714 children, including 415 males and 239 females.<sup>54</sup>

The Commission of Detainees and Ex-Detainees stated that due to the restrictions imposed by the

<sup>51</sup> Interview with Ms. Ehteram 20.8.2023

<sup>52</sup> Addameer Association for Prisoner Care and Human Rights. 4.6.2023 [Awareness video: learn your rights - Palestinian Children's Day](#)

<sup>53</sup> Interview with Ms. Ehteram 20.8.2023

<sup>54</sup> Interview with Abu Qteish, Ayed, 2.9.2023

occupation on the work of legal and human rights organizations in East Jerusalem, there have been no awareness-raising activities in schools in the city for a year.<sup>55</sup>

**Fourth, there are limited legal capabilities and resources for working with children.** According to an interview with the lawyer from the WHIC, the center is the only one working with children in East Jerusalem, and they have only three lawyers. However, there is a need for dozens of lawyers to adequately address the needs of children in East Jerusalem, as they are primarily targeted in the city. The lawyer explained the challenges related to children's arrests, such as the timing and location of the arrest, the need to verify the child's detention location by contacting various detention stations, providing legal advice, representation in court sessions, visiting the child in prison, and daily visits to injured children in hospitals. In cases of **home detention** or deportation, the lawyer communicates with and visits the child, reviews lengthy indictments, and faces additional burdens when trying to retrieve confiscated computers and phones.

The lawyer estimated that more than 20 lawyers would be needed to address all these needs of children in East Jerusalem.<sup>56</sup>

During the last month of Ramadan (April 2023), the WHIC monitored approximately 450 cases of child arrests in East Jerusalem. The center's lawyer noted a significant increase in the number of cases in East Jerusalem since 2019. In one month of 2021, over 600 children were arrested, which was the same number as the entire year of 2016.

Addameer, had worked on five cases in 2021, and currently, there are no ongoing cases followed by it. According to interviews, there is no legal follow-up with other organizations working with children in East Jerusalem.

**Fifth: Weak mechanisms for reporting child arrests.** Some children are arrested on the street without their families' knowledge. Sometimes people reach out for the relevant centers to report arrest of children without providing any details. It is challenging to reach the child until the parents contact lawyers and centers after the arrest, when the occupation police contact

<sup>55</sup> Interview with Alami, Rami, 31.8.2023

<sup>56</sup> Interview with Jebrini, Feras, 16.9.2023

the parents and informs them of arresting their minor boy or girl. The lack of communication channels or knowledge about the centers can make it difficult for parents to seek assistance during the early hours of dawn when children are arrested from their homes. Families may hesitate to reach out to centers due to a perceived lack of careful follow-up or a lack of response from lawyers<sup>57</sup>, while lawyers attribute this to their heavy workload, making it difficult to provide a satisfactory response to every parent who contacts them<sup>58</sup>.

### Appropriateness of Legal Services to the Child Victims of Israeli Violations

It is evident that the provision of legal and awareness services by human rights and legal organizations dedicated to children's affairs in East Jerusalem falls short of meeting the significant needs in this area. Many organizations that were active in East Jerusalem before 2020 have either scaled back their services or ceased operations (DCI-Palestine, Al-Haq Foundation<sup>59</sup>, the Prisoner's Club, the Addameer Association, the

Center for Defending Civil Liberties and Civil Rights<sup>60</sup>, and the Supreme National Commission for Prisoners). Various factors have contributed to these organizations reducing or discontinuing their work in East Jerusalem, including attacks by the occupation on their staff, funding reductions, increased competition instead of collaboration among organizations, and insufficient international or Palestinian Authority (PA) support. The reduction or withdrawal of services in East Jerusalem has made it nearly impossible to adequately meet the needs of children. Representatives from legal and human rights organizations interviewed for this study confirmed that the needs far surpass what these organizations are currently able to provide. As a result, these organizations are compelled to offer fewer services of lower quality to children and their families. This, for example, affects each lawyer's quota of files that he or she has to follow up in their center. For instance, the WHIC worked in 2022 on approximately 700-800 cases and consultations for

<sup>57</sup> Interview with Alghoul, Lamia 2.8.2023

<sup>58</sup> Interview with Jebrini, Firas 16.9.2023

<sup>59</sup> Despite the restrictions by the occupation, Al-Haq still works to document violations in Jerusalem

<sup>60</sup> Data show that the Center for Defending Liberties and Civil Rights continued to document and adopt some cases in Jerusalem until 2016.

children in East Jerusalem. However, the center has only three lawyers handling legal cases, meaning that each lawyer is responsible for an average of 230-270 cases per year. This translates to one and a half days of follow-up for each case, which includes tasks such as locating detained children, liaising with police and security services for child interviews, providing legal advice, reviewing case files, monitoring court proceedings, and visiting detained children. This demonstrates the challenge of delivering quality services with a limited number of lawyers. The scarcity of legal services also drives some lawyers and organizations to resort to prioritizing reaching deals at any cost. "A lawyer would agree with the Public Prosecution on unfair deals for some children, rather than seeking to have charges dropped, such as those related to "terrorism", they would reach deals to close the cases at any cost."<sup>61</sup> Thus those who pay the price for the scarcity of resources are the children and their families, while relieving the Israeli security establishment from the burden of lengthy and expensive legal procedures.

"Unfortunately, these legal deals result in injustices against the child, as they are coerced into confessing and acquire a security record. Resorting to deals should only occur in exceptional cases, rather than becoming the norm, as is currently happening."<sup>62</sup>

On the other hand, the number of awareness sessions provided by legal organizations for children in East Jerusalem is very modest and does not meet the sharp increase in the rate of targeting children in East Jerusalem, which is considered the highest. In the reports of organizations, such as DCI-Palestine and Addameer, it is clear that the two organizations combined provided 50 awareness workshops in schools last year, with an average of 20 students in each workshop. Thus, these workshops reached about 1,000 students in East Jerusalem out of the 100,000 students registered in the city's schools. Not to mention that these workshops are only offered to students in private schools affiliated with the Palestinian Authority, excluding students who study in Israeli government schools supervised and regulated by the

<sup>61</sup> Interview with AlGhoul, Lamia, 2.8.2023

<sup>62</sup> Interview with Ms. Ehteram, 20.8.2023

Israeli Ministry of Education and the Jerusalem Municipality, and constituting 53% of the total education sector in Jerusalem. "The number of students in Jerusalem is approximately 98,428, excluding kindergarten students, with around 45,500 attending 146 schools affiliated with the Palestinian scheme (Public Waqf, private schools, relief agency). The remaining students attend schools under the administration of the occupation government."<sup>63</sup> More than half of Palestinian students are deprived of any form of awareness within schools, and in most cases, the school administrations actually refuse any legal awareness due to their insistence on coordination with municipal organizations.

### Inter-Organizational Collaboration

Coordination between organizations has been generally weak, as stated by representatives of the contacted organizations. However, there is some collaboration in issuing periodic statements and reports, such as the General Annual Report, which involves four organizations concerned with prisoners and their affairs: the Commission for the

Affairs of Detainees and Ex-Detainees, the Palestinian Prisoner Club, the Addameer Prisoner Support and Human Rights Association, and the Wadi Hilweh Information Center - Jerusalem. Despite these efforts, there is currently no specialized network specifically focused on child prisoners. This is a crucial aspect to address, given the unique situation of children and the specific laws and procedures applied to them.

The Detainees and Ex-Detainees' Commission (CDA) coordinates and cooperates with the Young Men's Christian Association to provide guidance and vocational rehabilitation for released prisoners, including children. Furthermore, Addameer collaborates with other organizations to document violations and refers medical cases to organizations such as Doctors without Borders.

Additionally, the WHIC coordinates with the CDA, exchanging information and coordinating their efforts. The center also receives cases involving children and refers adults to the Commission, and vice versa.

<sup>63</sup> Faisal Al-Husieni Foundation, February 2023, [Education in Jerusalem](#)



## Analysis of the Reality of Legal Aid Organizations in East Jerusalem

Analyzing the reality of human rights and legal organizations in East Jerusalem is an essential and vital step in understanding and evaluating their performance and capabilities. It is a process that allows for identifying aspects in which strengths and weaknesses emerge in the internal institutional environment. It also highlights the opportunities and challenges facing these organizations in their external environment.

An analysis of strengths reveals the capabilities and features that make legal and human rights organizations as part of Palestinian civil society organizations distinct and effective. While analyzing weaknesses highlights the problems and shortcomings in the performance

and infrastructure of these organizations. This analysis helps identify areas that need development and improvement to enhance the efficiency of organizations and improve their performance.

Analyzing opportunities helps in monitoring trends and possibilities that can be benefited from, which may be available but not yet used. While analyzing the challenges is to shed light on the risks and obstacles that exist in the environment and surrounding East Jerusalem organizations.

This analysis constitutes an essential tool for developing successful strategies and helps develop recommendations for future interventions.

### STRENGTHS

- Some organizations have specialized legal staff that has been working with children for a long time and have extensive experience in working with children and handling their cases.
- Specialized structures are in place within certain organizations that monitor and address violations of children's rights, which enhances the ability to document and monitor

- Cooperation between organizations, such as the CDA and the WHIC, involves the exchange of cases, with CDA referring children's cases to the Center and the Center referring adult cases to CDA. These fosters increased cooperation and specialization.

such violations, providing effective legal support.

- Certain organizations have gained experience in local and international advocacy programs, amplifying the Palestinian voice in East Jerusalem on both local and global platforms.
- While having one institution specializing in legal work with children is a positive start, it may not be sufficient.
- Organizations focused on detainees' issue monthly and annual reports that comprehensively detail cases of child detention in East Jerusalem, shedding light on the violations particularly against children in the city.
- Organizations that offer psychological and social support, as well as vocational rehabilitation for some children, play a significant role in helping them overcome their experiences and cope with the psychological and social impacts of the violations they have endured.

- Legal organizations demonstrate a clear desire to improve the legal status of detained children.
- Certain organizations exhibit the willingness and capacity to train lawyers and equip them with the necessary skills to effectively handle cases involving detained children, thereby enhancing the efficiency of legal support provided.
- The presence of a professional union for social workers and psychologists in East Jerusalem, which provides psychosocial support to the local community, allows for potential coordination to offer psychological and social assistance to children under home detention, their families, and their immediate surroundings. This collaboration aims to alleviate the psychosocial burdens faced by children and their families in East Jerusalem.

### WEAKNESSES

- Weak coordination between Palestinian GOs and NGOs.
- Competition among organizations.
- Official Arab and international funding for legal organizations in East Jerusalem is scarce or lacking.
- The number of human rights organizations that offer legal representation is very small,
- Some lawyers and organizations accept to providing legal guidance to children over the phone instead of in-person guidance.
- Mechanisms for reporting children's arrests are weak.
- Institutional divisions in legal orientations, such as disagreements over legal deals, can undermine

insufficient to meet the growing need for professional legal support.

- Organizations have limited ability to achieve significant breakthroughs in the field of legal defense.
- The shortage of lawyers and resources available for immediate response after children are arrested hampers their access to legal support.
- Weak coordination and task-sharing among organizations can diminish their legal impact.
- Lack or absence of financial support by the PA for Jerusalemite organizations, leaving their finance restricted to their ability to attract funding, weakening both the PA's role and the capabilities of legal organizations. Consequently, some organizations have been compelled to cease providing their services in the city.

## CHALLENGES

- The majority of organizations lack offices in East Jerusalem.
- Security restrictions against the staff of legal and human rights aid organizations.
- Legal organizations have weak strategic planning capacity.
- Some organizations tend to make deals, which insinuate an acknowledgment of the criminalization of detained children.
- The documentation process still lacks professionalism, and there is a shortage of documentation staff.
- Communication channels with the centers are lacking during late-night and early morning hours, which are typically when children are detained from home. This hinders parents and children from reporting arrests to legal organizations when they need assistance the most.
- Some organizations have good media programs, but they require development, and some need to rebuild their websites. The demand for these websites to receive information is modest, with only a few dozen views recorded for certain awareness programs and only a few hundred subscribers for institutions with established reputations.
- There is a weak awareness of the importance of legal guidance, and parents often fail to participate or encourage their children to participate in proactive legal guidance workshops.
- The scarcity of lawyers and legal activists who possess the necessary competence and ability to provide legal guidance further complicates the task.
- The discrepancy in statistics reflects challenges in collecting and analyzing data in a consistent and

- There is a clear discrepancy between the statistics of Palestinian and Israeli legal organizations, potentially weakening the role of these organizations, particularly in the international arena.
  - Documentation tools must align with local and international laws and legal standards. Therefore, specialists in these laws and standards are necessary to supervise the implementation of the strategic documentation plan and ensure efforts are not wasted.
  - Mechanisms must be established to protect citizens participating in documentation to minimize risks and ensure their safety.
  - Effectively directing funding towards legal priorities for children in detention or at risk of abuse can be challenging.
- reliable manner. The significant disparities in numbers contribute to a lack of trust between the involved parties and add complexity to the adoption of clear strategies.
- Political conditions, the "security" reality, and conflicts in East Jerusalem significantly impact the development and implementation of national plans and strategies. This poses a fundamental challenge for legal organizations as they face the encroachment of the Israeli government alone.
  - Securing the necessary financial resources and infrastructure for implementing awareness and training programs, as well as coordinating them between organizations, can be difficult. Additionally, political and security-related factors make it challenging to implement programs and training in East Jerusalem areas.

## OPPORTUNITIES

- The need is significant due to the high rate of violations against children in East Jerusalem.
- If pressure and mobilization campaigns increase, Israeli laws still provide some opportunities for the benefit of the children.
- Parents seek legal assistance when one of their children experiences violations.
- Focusing on developing and strengthening laws and regulations to protect children's rights within the programs and laws of the Palestinian Authority can provide a model that contradicts the violation-oriented approach of the occupying Israeli government. It can also help exert pressure to improve the situation of Palestinian children in East Jerusalem. Legislation and policies

- Awareness programs for children in schools exist, but they are still limited in number.
- Schools, organizations, and clubs show interest in providing legal awareness to children.
- Certain organizations have started recognizing the importance of taking up cases of child arrests and adopting approaches such as training child rights and human rights activists, as well as documenting violations.
- Expanding organizations' focus on international action can positively impact raising awareness among the international community regarding children's rights issues in East Jerusalem.
- Organizations can collaborate beyond competition and enhance coordination towards achieving common goals.
- International action can open doors for cooperation with international organizations and increase pressure on Israel through the international community and international legal organizations.
- Proactive awareness programs help children and their families understand their rights and how to respond in the event of an arrest, thereby improving their ability to defend themselves.
- The presence of a central body, such as an umbrella organization or coalition, can facilitate better resource utilization, effective workload distribution, and improved coordination among legal organizations.
- can be utilized to encourage attention from local and international legal organizations towards violations in East Jerusalem.
- Pressuring Israeli judicial bodies to adhere to international laws and even their own laws that discriminate between children based on ethnicity or nationality.
- Utilizing shadow reports and legal reports to draw international attention to cases of children's rights violations in East Jerusalem and advocating for international investigations to hold the Israeli government as occupying power accountable in the international arena.
- Incorporating human rights and legal awareness programs into school curricula can enhance children's awareness of their rights and how to protect them. This can be achieved by leveraging available school resources such as space and trained staff (if teachers receive training) or by involving human rights and legal activists.
- Developing tools and methodologies for documentation, training citizens to professionally document attacks, establishing a comprehensive database system to record reports and complaints, and creating an application and hotline for reporting can contribute to collecting accurate and sufficient information about

- Differentiation in statistics and standards for calculating numbers can be an opportunity to enhance and direct efforts towards developing unified professional standards for data collection, documenting violations, and striving for greater transparency and credibility in issuing statistics and reports. This presents an opportunity for increased professionalism in legal work.
- Submitting international complaints based on documented violations to the International Criminal Court and international human rights organizations can contribute to the criminalization of violations against Palestinian children in East Jerusalem.
- Encouraging active participation from the local community in addressing violations and engaging in advocacy through popular committees and youth councils can strengthen legal and human rights endeavors. It can also increase the pool of voluntary human resources capable of contributing to addressing violations and their consequences.

### Legal and Human Rights Strategies:

Based on interviews conducted with organization representatives and a thorough examination of available materials, including reports and publications, it was determined that the legal strategies employed by organizations operating in East Jerusalem primarily concentrate on the following:

- Prior to arrest: Conducting workshops in schools, summer camps, and youth gatherings to

educate children about arrest procedures and their rights.

- During detention: Monitoring the child's place of detention, offering legal advice, providing legal representation during trials, ensuring compliance with legal protocols for the child's captivity or home detention to minimize rights violations, and documenting any instances of violations against the children.

## Recommendations and Proposed Strategies

It is crucial to emphasize from the beginning that any strategy lacking the collaboration of all sectors will remain incomplete. It is essential to mobilize and unite all capabilities to ensure the highest level of success in achieving the legal and human rights of Palestinian children in East Jerusalem. If the purpose of this study is to propose a strategy for civil society organizations, the primary focus will be on the role of these organizations while acknowledging the importance of harmony and integration with other sectors.

Given the unique circumstances in East Jerusalem and the challenges associated with implementing national and official strategies, civil organizations in East Jerusalem must assume the crucial coordination role between the Palestinian political authority, various legal bodies at local and international levels, and the diverse segments of Jerusalemite society. Coordinating human and legal efforts is a demanding task that requires significant effort and transcending institutional boundaries. Therefore, it would undoubtedly be more effective to carry out this role

through an existing or established coalition specific to East Jerusalem that focuses on human rights and legal matters. Regular monitoring and evaluation of its performance should be conducted with the aim of enhancing its role and adapting its strategies to align with the evolving developments in East Jerusalem and the specific needs of the children in the city.

Therefore, this study proposes that the work be conducted at two primary levels: local and international.

### **I. At the local level: focusing on the role of civil society organizations at the national strategic level:**

- **Strengthening and implementing legislation:**
  - Establishing dedicated structures to monitor cases of children's rights violations and providing free legal assistance to every Palestinian child. This should be enshrined in written legislation to ensure future accountability and prevent oversight.
  - Pressuring the Palestinian Authority to enact legislation and policies that encourage local and international legal organizations to prioritize addressing violations in East Jerusalem. This study's

interviews and reviews have revealed “a significant absence of legal organizations operating in East Jerusalem, particularly those concerned with the affairs of prisoners, ex-detainees, and martyrs, as many have been closed by the occupation”.<sup>64</sup> The Palestinian Authority (PA) should provide special financial grants to organizations operating in East Jerusalem, support the development of their websites to address Jerusalem-specific violations, offer training and support to documentation workers and legal professionals working with children, and provide other forms of assistance to support children and their families.

- Submitting periodic shadow reports and legal reports to international bodies to continuously shed light on the violation of children's rights in East Jerusalem.

### **Training and Education:**

- Train lawyers to enhance their ability to provide legal guidance, which can positively impact the

situation of detained children and equip them with laws and procedures that can help acquitting children and close their cases.

- Establishing and training bodies and committees of legal activists capable of raising awareness and providing legal guidance services for children and families. They should conduct awareness and guidance programs in neighbourhoods and schools.
- Requesting support from the PA to provide tools and training opportunities for lawyers, notaries, social workers, psychologists, journalists, activists, and other groups working with or for children in East Jerusalem.
- Integrating human rights and legal awareness programs addressing violations into school curricula and extracurricular activities as part of the Ministry of Education's annual plan.
- Providing specialized training courses for teachers and educators in schools and clubs to familiarize them with children's rights and how to handle cases of

<sup>64</sup> Commission of the Detainees and Ex-Detainees Affairs. 13.5.2019. The Third International Prisoners' Conference, entitled:

Palestinian Children and Israeli Detention Policies. (cda.gov.ps) P.135



- violations against students in schools and neighbourhoods.
- Establishing specialized structures to monitor cases of children's rights violations and providing legal assistance with the involvement of local and international civil and official entities.
  - Adopting and developing legal approaches, including procedural manuals for lawyers and human rights activists, both locally and internationally, to address violations by the Israeli government. This includes legal pressure to enforce international laws and treaties related to child protection (like the Legal Standards Manual on Children Defence issued by Addameer), in coordination with the Bar Association and organizations focused on capacity building for lawyers and legal professionals.
  - Providing training for journalists and media activists on violations, their documentation, and highlighting them in collaboration with the Journalists Syndicate and media-focused organizations.
  - Developing informative manuals and educational materials to raise awareness, educate, and introduce children and youth to their rights, mechanisms for addressing violations, and coping strategies. Utilizing visual communication tools such as brochures, posters, awareness videos, audio podcasts, and other means to effectively reach and empower children.
  - Adopting age-appropriate definitions and explanations of legal and human rights terms suitable for adolescents and children, with a specific focus on terms and definitions relevant to East Jerusalem, similar to the legal concepts and terminology reference guide issued by Al-Haq.<sup>65</sup>

### **Coordinating the work between Palestinian and international civil and official organizations**

- Coordination among various legal institutions, where each institution specializes in specific areas such as legal representation, documentation, and awareness. All organizations form part of a broad

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<sup>65</sup> Al-Haq Foundation, [Law for Humanity, \(2015\), Reference Guide to Legal and Human Rights Concepts and Terminology](#)

national coalition, facilitating the exchange of materials and information related to their respective areas. The experience of the four prisoner organizations in issuing annual and monthly reports on prisoners can serve as a prototype to be expanded upon and professionalized.

- Having an alternative plan is crucial. It ensures that in the event of a problem hindering the original institution's ability to fulfill its mission, such as an occupation attack or the cessation of work in East Jerusalem, another institution can step in. To prevent information loss and ensure uninterrupted activities, it is important to maintain a central collection of information and facilitate the exchange of experiences and information. Periodic evaluations should be conducted to assess the impact of adopted strategies and make necessary modifications.

### **A professional monitoring and documentation body should be formed through:**

- This involves developing tools and training programs to enable residents of East Jerusalem to professionally document violations. The aim is to empower every citizen to become a reliable documenter of violations.<sup>66</sup> Discrepancies in reported numbers have been noted, such as differing figures between prisoner organizations which reported 600 home detentions in Jerusalem in 2022 and the Jerusalem Governorate which monitored 214 for the same year.<sup>67</sup> To address this, it is necessary to focus on highly professional and accurate documentation mechanisms. Establishing unified documentation centers ensures a single approved reference for all organizations and entities to utilize. "Documentation is generally underestimated for several reasons, but it should be recognized as equally important as legal representation"<sup>68</sup>. Discrepancies in statistics reflect confusion in collecting and analyzing data uniformly and reliably. Such discrepancies

<sup>66</sup> At the Addameer Association, there is a Addameer program to train documentaries and collect live testimonies from children that can be used to develop a comprehensive national documentation program.

<sup>67</sup> Al Jundi Asil, [22.1.2023, A Penalty that may Lead to Suicide, Distress of the Jerusalemite Boy Bassam Al Rajabi in House Arrest](#)

<sup>68</sup> Interview with Ms. Ehteram 20.8.2023

sometimes reinforce the lack of trust between different parties and complicate the adoption and dissemination of clear strategies.

- Developing a comprehensive database system is essential to record reports and complaints concerning violations of children's rights. This system should be regularly updated and easily accessible electronically to children, parents, legal activists, and legal professionals.
- An application and hotline dedicated to children exposed to abuse should be created, offering various services. These include:
  - Telephone outreach to children and their families,
  - Centralized information gathering about violations children experience from parents or passers-by in real-time,
  - Uploading photos and testimonies of violations through a designated application,
  - Collecting information about children from all legal organizations in East Jerusalem,
  - Providing statistics on violations systematically, activating the complaints system through the hotline application, and
  - Utilizing WhatsApp groups and other means of communication to

contribute to awareness programs, documentation, and informing organizations of violation cases.

- Documenting the occupation's practices concerning the use of exceptions in the law is crucial, as such exceptions account for the largest portion of child indictment. This includes instances where the child's right to have their parents present during investigations is excluded, or when the child is deprived of proper legal guidance or subjected to formalities that offer no benefit. Even the arrest or imposition of house arrest on a child until trial is considered an exception. These practices are frequently employed by the occupation authorities as a general rule in their violations of children's rights.

### **Legal and Human Rights Support for Children and Their Families through:**

- Providing free legal services to children and their families to facilitate the filing of complaints and demand accountability for perpetrators of violations. This includes members of the police, intelligence agencies, or the state,

- and can be achieved through legislation and proper procedures.
- Recognizing the lack of legal representation for detained children, it is imperative for Palestinian human rights organizations operating in East Jerusalem to take the initiative and address this gap. One approach is to establish a team of specialized lawyers dedicated to representing children during their detention.
  - Offering legal guidance and supervision in schools and clubs through periodic legal sessions conducted in neighborhoods, schools, and clubs. Additionally, utilizing technological and social media platforms specifically designed for children in East Jerusalem to provide similar programs and disseminate legal information.
  - Working closely with children in prisons, particularly those under home detention, to raise their awareness about legal procedures and mechanisms for submitting complaints regarding violations against them. Providing guidance and support to these children is crucial. Furthermore, intensifying visits to children in prisons helps closely monitor violations and strengthens the ability of children to take legal action and protest against violations of their rights.
  - Promoting the completion of court procedures for children, even if they cannot be released, instead of seeking unfair deals. It has become apparent from reviews and interviews that many children are approached to resolve their cases through deals that "criminalize" them under Israeli law, resulting in imprisonment or home confinement. Such deals, along with the increasing use of home detention until trial, reduce the economic burden on the occupying state (as parents bear the expenses of their child's imprisonment, including guarding and arrest) and ease pressure on the occupation due to the high number of child detainees in prisons. It's important to note that children in home detention or rehabilitation centers are not included in the count of child detainees.
  - Capitalizing on the presence of a conscious prisoner movement and the establishment of children's sections that provide support and awareness to children in prisons. The prisoners in occupation prisons have been keen on caring for and supporting the "cubs" or child prisoners. As a result, one of the significant achievements of the

prisoner movement has been the presence of adult prisoner supervisors responsible for children to prevent the isolation of children by the prison administration. This support extends to all aspects of the detention experience for child prisoners.

- Part of the roles by the prisoners is organizing life within the child prisoner sections in an attempt to compensate parental care<sup>69</sup> Establishing professional training and supervisory relationships between organizations working with child detainees and prisoners and these prisoner sections can provide legal information and human rights support, serving as a vital lifeline for children who lack direct communication with lawyers or legal institutions.

### **At the children and family level in East Jerusalem:**

It is evident that Jerusalemite children, in particular, are being specifically targeted. The occupation authorities apply “the Israeli Juvenile Law in a discriminatory manner,

distinguishing between Palestinian and Israeli children when enforcing the law. The Israeli occupation police deprive Jerusalemite children of their rights during arrest and investigation. There is a clear pattern of targeting Jerusalemite children through daily arrests, illegal detentions, subsequent re-summoning for further investigation, home detention, deportation from the Holy City, and imposing heavy fines on their families.<sup>70</sup> It is crucial for Palestinian and international legal and human rights organizations to highlight these violations committed by Israel in violation of international law.

### **Strengthen human rights awareness programs for children and their families:**

- It is important to request the Palestinian Authority and the Palestinian Ministry of Education to incorporate topics related to children's rights into educational curricula. Developing educational materials that address their rights and intensifying efforts to raise awareness of their rights, arrest

<sup>69</sup> Prisoners Center for Studies. 7.4.2022. Prisoner's Club: [How do child prisoners spend Ramadan in the absence of the family?](#)

<sup>70</sup> Prisoners Center for Studies. 20/11/2021. [The Israeli occupation has arrested \(1,149\) children](#)

[since the beginning of the year, and two-thirds of the detainees were subjected to torture.](#)

procedures, and appropriate actions in case of arrest should also be emphasized. Many literature sources and interviews indicate that a lack of awareness of legal procedures has led to the unjust criminalization of numerous children who inadvertently incriminate themselves or others. Several legal practitioners and parents pointed out (as well as children in documented testimonies by human rights organizations) that failure to possess sufficient knowledge in laws contributed heavily to children incriminating themselves and others due to ignorance and lack of awareness of their rights and applicable laws. Conversely, children who have participated in awareness workshops have shown improved ability to navigate police and intelligence procedures, as reported by their lawyers during post-arrest visits.<sup>71</sup>

- It is essential to educate children and parents about recruitment methods and their right to refuse cooperation and providing information against others.<sup>72</sup>
- Providing psychological and social support to child victims is crucial for helping them overcome their traumatic experiences. Collaboration and coordination with the Syndicate of Palestinian Social and Psychiatric Workers in East Jerusalem can be established to develop psychosocial intervention plans for children in home detention, their families, and the families of detained, injured, or deported children.
- Rehabilitation services should be made available for children who have suffered psychological, social, or educational setbacks as a result of the violations they experienced, particularly those who were forced to leave school.
- Building trust relationships between families and legal organizations is essential. Parents

<sup>71</sup> Interview with Jibrini, Firas, 16.9.2023

<sup>72</sup> Some children are pressured to report their colleagues and then pressured to collaborate with the occupation intelligence in exchange for their release or even relief from the torture they face. One of the children was subjected to house arrest and then actual arrest and was sentenced to imprisonment. During all periods, he was pressured to collaborate with the

occupation intelligence, leading to his health insurance being cut off. After his release, neither his identity card nor his phone were returned to him for more than two months, and days before his release, the district officer summoned him to pressure him to become an informer against his peers (from an interview with the mother of a child whose name was not revealed due to the privacy of the topic)

and children often hesitate to cooperate with the documentation process of abuse due to fear of the consequences or lack of confidence in the organizations' ability to influence their children's cases.

**Strengthen the role of parents and the local community through:**

- Popular committees and neighborhood committees in East Jerusalem should be activated to counter violations against community members, especially children. These committees can engage in advocacy and pressure campaigns to curb violations and hold the occupying state accountable for adhering to international laws and agreements pertaining to children.
- Youth leadership councils should be formed, focusing on legal and awareness processes, such as the youth-to-youth program or the youth and peer children program. These initiatives aim to provide awareness and psychosocial support to peers.
- Programs should be developed to engage school-aged youth, including their participation in monthly group meetings and seminars that are organized and

managed by young people themselves under the supervision of legal and human rights organizations.

**II. At the international level:**

- Activating pressure and advocacy campaigns to hold Israel as occupying power accountable in the International Criminal Court for its violations of children's rights, in accordance with the Conventions on the Rights of the Child and conventions that criminalize violations of children's rights during armed conflicts, as well as other relevant laws. It is crucial to adopt long-term plans to document these violations in a manner consistent with international criminal procedures. Building pressure and advocacy campaigns based on these procedures and urging international human rights organizations to file complaints against the occupation officers and soldiers for their violations of children's rights, especially regarding field executions and arrests. Additionally, demanding the establishment of a fact-finding committee and seeking recourse to international courts and legal organizations to defend children and exert pressure on the

occupying state to abide by international laws and conventions, particularly the Fourth Geneva Convention and the United Nations Charter, which safeguard the rights of the child. The aim should be to halt the occupation's crimes against Palestinian children in East Jerusalem and activate international and parliamentary campaigns.<sup>73</sup>

- Exerting pressure on international organizations such as the United Nations and UNICEF to compel the Israel government to adhere to international laws and legislation pertaining to children's rights.
- Undertaking continuous and periodic international campaigns in coordination with local organizations to exert pressure on the occupation government to cease trying children under the so-called Juvenile Law for charges related to security "offenses." According to Israeli law, children accused of offenses such as throwing stones are supposed to be tried under the Penal Code, falling within the jurisdiction of the Magistrate Court rather than the Central Court. However, it is important to emphasize that this does not replace the legitimate

struggle against all forms of oppression against children and should not be construed as an acknowledgment of the legitimacy of the Magistrates Court or the Penal Code.

- Intensifying international campaigns to prohibit the criminalization and imposition of fines on parents for charges against children. This includes the imposition of fines and compensation on parents or requiring a parent to accompany the child in home detention and assume the role of the child's jailer.
- Launching a campaign with full coordination with local organizations to establish an international investigative committee to examine Israeli violations against Palestinian children, with a particular focus on East Jerusalem due to its unique significance at all levels. This should lead to demands for the occupying state to be prosecuted in the International Criminal Court for its violations against Palestinian children.
- Implementing international campaigns to criminalize the forcible recruitment of Palestinian children as informants for the



occupation's intelligence services through threats and inducements.

## Conclusion

In conclusion, this study, has examined numerous aspects of violations against Palestinian children's rights, encompassing legislation, policies, and practices specifically targeting them. It becomes evident that this issue not only poses a challenge to the international community and human rights organizations but also signifies a flagrant breach of human values and ongoing discrimination against Palestinians in general, with children being particularly affected.

This study has shed light on various legal and social factors that impact the lives of Palestinian children, who endure systematic and premeditated violations. It has attempted to elucidate the significant challenges these children face, ranging from legislation that enables and facilitates the infringement of their rights to the psychological pressures resulting from the daily practices of killing, arrests, and torture carried out by the occupying forces.

Despite these challenges, remarkable efforts are made by legal

and human rights organizations to protect the rights of children and empower them to understand their rights and address the violations they experience. These endeavors reflect a strong commitment to safeguarding and advocating for children, while bringing attention to the violations they endure, both locally and internationally.

To improve the conditions for Palestinian children affected by violations, the study highlights the necessity for Palestinian human rights organizations operating in East Jerusalem to provide legal services to detained children. It also emphasizes the need for the development of innovative and comprehensive strategies based on available data and evidence. The study puts forth several recommendations and proposed strategies to confront these challenges, aiming to enhance the performance and capabilities of legal and human rights organizations in line with child rights conventions and international law. These endeavors seek to strengthen children's rights and offer the requisite support from legal, psychological, and social perspectives.

Ultimately, protecting children's rights remains a fundamental human duty that demands participation from everyone. It is hoped that this study serves as a steppingstone towards greater awareness of the significance of this

issue, encouraging further efforts to safeguard the rights of children in East Jerusalem and their counterparts worldwide, without discrimination on any grounds.

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## Appendix 1: A Number of Newly Introduced Legislations in Relation to Detainees:

- **Draft Law on the Execution of Prisoners:** A draft law has been proposed that authorizes the use of execution/ killing against Palestinian prisoners who were involved in operations resulting in the killing of Israelis. Although it received initial approval in 2018, it has not yet been finally approved. The failure to pass the law in its final form may be attributed to internal conflicts and disagreements between the occupying state and its allied countries. These countries often seek to present the occupation as a "beacon of democracy," which contradicts the implementation of such a law. However, field executions have been carried out against Palestinians under the pretext of preventing or intending to carry out operations. Numerous human rights and prisoner organizations have documented multiple instances of extrajudicial executions without any accountability or oversight. Perpetrators have even been commended, and in the worst cases, acquitted on the grounds of having acted recklessly<sup>74</sup>, as exemplified by the case of Iyad al-Hallaq, a young disabled man from East Jerusalem. The issue of executions continues to persist, affecting all Palestinians, and rewarding and encouraging killers without any repercussions legitimizes further executions, targeting both adults and children.
- **Citizenship or Residency Abolition Law<sup>75</sup>:** This law proposes the revocation of citizenship and residency of Palestinian prisoners from

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<sup>74</sup> Wafa Palestinian News and Information Agency. 6.7.2023. [The occupation court acquits the policeman who killed the martyr Iyad Hallaq of the charges.](#)

<sup>75</sup> Summary of the law as stated on the Israeli Knesset page: [New law: Cancellation of the citizenship or residency of a terrorist activist, 2023](#)

The Knesset recently approved the Law to Revoke the Citizenship or Residency of a Terrorist Activist Who Receives Allowances After He Carried Out a Terrorist Operation (Temporary Legislation) for the year 2023, which regulates the issue of revoking the citizenship or residency of a person convicted of carrying out a terrorist operation, harming the sovereignty or safety of the state, or aiding the enemy during war, which is considered thus a treason. If a person is convicted of actual imprisonment and receives allowances or wages for the operation he carried out from the Palestinian Authority or associate it will be possible to revoke his or her Israeli citizenship or permanent residence permit in Israel and deport him or her to the territories of the Palestinian Authority or to the Gaza Strip.

<https://main.knesset.gov.il/ar/pages/selectedlawsall.aspx>

within the Green Line and occupied East Jerusalem who are accused by Israel of carrying out operations against Israelis. Moreover, it targets families of these prisoners who receive financial compensation from the Palestinian Authority. The law received support from 94 representatives from both the ruling party and the opposition, while 10 representatives opposed it.

- Law bill on the Deportation of Families<sup>76</sup>: A draft law has been introduced that seeks to deport the families of prisoners and martyrs. It has been approved in the preliminary reading.
- Law Prohibiting Medical Treatment for Prisoners: A draft law is being considered that prohibits prisoners from receiving medical treatment aimed at improving their quality of life.
- Amendment to the Anti-Terrorism Law: An amendment to the Anti-Terrorism Law has been proposed, which would prevent the handing over of the bodies of martyrs.
- Law Preventing Early Release: A draft law has been proposed to prevent the early release of prisoners who have been sentenced for operations classified as terrorist acts by the occupation.
- Law Granting Powers to the Minister of Police: A draft law has been put forth to grant extensive powers to the Minister of Police, allowing for administrative detention and movement restrictions to be imposed on Palestinians in the territories occupied in 1948. Additionally, there are several other draft laws that profoundly impact the lives and fate of released prisoners and their families, particularly in Jerusalem and throughout Palestine.

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<sup>76</sup> Prisoners Center for Studies 6/16/2023. Prisoners' Institutions: The occupation arrested more than (3860) in the first half of the current year 2023



## Appendix 2: Palestinian Organizations Working on Child Detention Cases in East Jerusalem

After reviewing organizational literature and conducting interviews, we can identify the most active organizations that work with children in East Jerusalem, as follows:

### 1. Wadi Hilweh Information Center - Jerusalem:

This center is currently the only one providing legal representation for children in East Jerusalem, as most human rights organizations and organizations focused on children's rights have either ceased or reduced their legal services for children in East Jerusalem. WHIC offers the following legal services for children:

- Assigning a lawyer to defend the child.
- Providing legal advice to families.
- Offering legal advice to the (male/ female) child.
- Documenting cases of violations.
- Providing statistics on violations to the local and international community.
- Supplying psychological and social support for the child.

### 2. Detainees and Ex-Detainees' Affairs Commission (CDA):

- CDA provides a lawyer for the child from the moment of arrest. According to Mr. Rami Al-Alami from the Prisoners' Affairs Commission, the Commission and the WHIC are the only two Palestinian entities that engage in legal follow-up and send lawyers to detainees. According to the lawyer from the WHIC, CDA refers children's cases to the center, while the center refers cases involving individuals over 18 years of age to CDA. The CDA's representative's mention of providing a lawyer may imply referring the child to the WHIC, which will then provide legal representation. CDA offers the following services:
  - Providing free consultations for children and their families.
  - Documenting cases.
  - Providing statistics.
  - Offering financial assistance to detainees if their detention continues.
  - Monitoring children in home detention and rehabilitation centers by recording the number of cases.

### 3. Addameer Association:

- Until 2017, the organization provided legal representation for children; however, "the provision of legal representation for children has diminished, with only five cases in 2021 **and no cases in 2022 and 2023 in Jerusalem**"<sup>77</sup>
- Legal advice for families when they approach the institution.
- Legal advice for the child if the organization's lawyers are present in court or if requested by the parents or the child (no statistics regarding the organization's referrals are available).
- Documenting cases of violations (documentation is conducted through field visits, office visits, telephone visits, or visits to prisons where children are detained, following specific standards for documentation with children).
- Providing statistics on violations to the local and international community.
- Undertaking advocacy and pressure campaigns to protect children in Jerusalem. These campaigns operate at the international level, focusing on detention in general, particularly children, and are supported by reports and field research conducted in Jerusalem through communication with families, lawyers, and other organizations working in Jerusalem to promote children's rights.<sup>78</sup>

#### 4. Defense for Children International- DCI Palestine:

DCI operates through two primary programs: the Accountability Program, which addresses the intersection of children's rights with the Israeli military and legal systems, and the Protection and Community Activation Program, which focuses on the rights of Palestinian children within the Palestinian legal framework and empowers children within their communities. Both programs include direct services for children and advocacy for their rights.

In the first program, DCI's Legal Unit provides legal assistance to Palestinian children who are arrested and tried in Israeli courts. The movement represents an average of 150 children annually before the Israeli military courts through this unit, in addition to its Monitoring and Documentation Unit and Advocacy Unit. However, due to the occupation's persecution of the organization's staff, all work on legal files has ceased since 2021. **Currently, there is no legal file follow-up in Jerusalem**, and the foundation focuses solely on documenting cases and conducting awareness workshops in schools that collaborate with the foundation.

<sup>77</sup> Interview with Ms. Ehteram 20.8.2023

<sup>78</sup> Interview with Ms. Ehteram 20.8.2023