



Defence for Children International - Palestine Section

Voices from East Jerusalem:

The Situation facing Palestinian Children

August 2011





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June 2011



Defence for Children International – Palestine Section is a national section of the international non-governmental child rights organisation and movement, Defence for Children International (DCI), established in 1979, with consultative status with ECOSOC. DCI-Palestine was established in 1991, and is dedicated to promoting and protecting the rights of Palestinian children in accordance with the UN Convention on the Rights of the Child (CRC), as well as other international, regional and local standards. As part of its ongoing work to uphold the rights of Palestinian children, DCI-Palestine provides free legal assistance, collects evidence, researches and drafts reports and conducts general advocacy targeting various duty-bearers.

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Cover Photo: Demolished house in East Jerusalem (2010).

Credit: Rümet Cilgin

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“My father has decided to leave Silwan and take us to Anata refugee camp because we’re tired of soldiers and settlers harrassing us. Settlers who live in our neighbourhood (Silwan) keep insulting us and soldiers arrest us whenever something happens. My brother, Feras, was released yesterday and is now under home arrest for six months, and my father is summonsed from time to time. Our house is also under threat of demolition. Therefore, my father has decided to leave Silwan and spare us the suffering. That means we’re going to start a new life in Anata and go to new schools. We will leave our relatives and friends behind because my father doesn’t want us to get arrested and beaten by soldiers.”

*Luai (15 years)
Former resident of Silwan, East Jerusalem*

A Executive summary

In June 1967, following six days of armed conflict, Israel occupied East Jerusalem, the West Bank and the Gaza Strip. International law relating to military occupation is clear on three points: First, sovereignty and legal title in an occupied territory does not pass to the occupying power under any circumstances; secondly, an occupying power can not move its citizens into occupied territory; and thirdly, occupation is temporary.

Contrary to these principles, Israel has, for the past 44 years, endeavoured to unilaterally annex East Jerusalem through a number of administrative and legal measures aimed at limiting the population growth and development of the Palestinian residents of East Jerusalem. At the same time, Israel has actively encouraged the influx of Israeli settlers into the occupied territory in order to pre-empt a negotiated resolution to the question of Jerusalem, by creating irreversible “facts on the ground” in the Old City and its environs.

This report seeks to illustrate the impact of these policies through the voices of 15 children who live in East Jerusalem, and sheds some light on the day to day hardships they face living under prolonged military occupation. The report also includes three testimonies provided by mothers, who speak of their anxieties and fears for the safety of their families. The report focuses on three issues and their impact on children and family life in general:

House demolitions – This affects approximately 32 percent of all Palestinian homes in East Jerusalem that do not comply with Israeli zoning requirements, exposing at least 86,500 Palestinian residents to the risk of having their homes demolished. According to the UN, between 2000 and 2010, there were 839 demolitions in East Jerusalem. In the words of one mother whose home was

demolished in the neighbourhood of Silwan: ‘It took about an hour-and-a-half for the Israelis and their bulldozers to destroy the house. The whole house collapsed on top of our things, so we couldn’t get anything else out. All our things were lost.’

Settler violence – Between January 2010 and the end of May 2011, the UN recorded 24 cases in which Palestinian children have been injured by settlers in East Jerusalem, and one fatality. According to the UN, these figures are comprehensive but not exhaustive. The figures also do not include cases of harassment or intimidation which did not result in physical injury. In the report, Anas, a nine-year-old boy, speaks of his encounter with settlers in the Old City: ‘The five settlers kicked me in the back, stomach and legs. Then they took off my flip-flops and one of them started beating the soles of my feet with a stick and I still have the marks to this day.’

Arrest and detention – Between November 2009 and October 2010, 1,267 criminal files were opened against Palestinian children living in East Jerusalem who were accused of throwing stones. In a sample of 20 cases, 80 percent of the children reported being subjected to physical violence during their arrest, transfer or subsequent questioning. Thirteen-year-old Abed describes in the report how he was arrested: ‘At around 4:30 am, I woke up to a loud voice screaming my name. I opened my eyes and saw three men in black uniforms aiming their rifles at me. I was startled and jumped out of bed without knowing who they were. “Don’t be scared, it’s the Israeli police,” my mother said to me, but that scared me even more.’

The report concludes with a quote from one mother of seven, whose house is faced with demolition: ‘I believe that the Israelis want to get rid of the Palestinians in the area, as if we are an outdated product, as if we are dispensable.’

Map 1 – Israel and the Occupied Palestinian Territory



B Introduction

This report focuses on East Jerusalem and the situation facing Palestinian children living there. For the past 44 years, tensions have run high as a result of Israel's attempts to unilaterally annex the city, through various administrative, legislative and demographic measures. Two key factors that continue to contribute to these tensions are:

1. Zoning regulations that permit Palestinians to build in only 13 percent of the city; and
2. An influx of Israeli settlers into Palestinian neighbourhoods.

These two factors, in turn, give rise to house demolition orders, protests, violent clashes, and the detention of adults and children. According to UN figures, since March 2009, two Palestinians have been killed and a further 350 injured by Israeli security forces, settlers or private security guards in the Silwan neighbourhood alone.¹ Meanwhile, well over one hundred Palestinian children from the same neighbourhood have been detained by Israeli security forces, mostly on suspicion of throwing stones. Many of these children report being mistreated while in custody, and are denied their basic rights.²

In response to these issues, DCI-Palestine appointed a lawyer to provide legal assistance to detained children, and a fieldworker to document violations through the collection of sworn testimonies.³

This report explores these tensions through the voices of 15 children, and sheds light on the day to day hardships they face. The report also includes three testimonies provided by mothers collected by the Women's Centre for Legal Aid and Counselling (WCLAC).⁴ Where relevant, the report also refers to publications by Israeli and Palestinian non-governmental organisations, as well as UN bodies.



An Israeli bulldozer demolishes a house in the east Jerusalem neighbourhood of Silwan Silwan on November 5, 2008. Photo Credit: Courtesy of AFP

C Background

Following six days of armed conflict in June 1967, Israeli forces occupied East Jerusalem, the West Bank and the Gaza Strip (the Occupied Palestinian Territory), and thereby acquired all of the duties and obligations that international law imposes on an occupying power. Underpinning the law of occupation, are three fundamental legal principles:⁵

- First, sovereignty and legal title in an occupied territory does not pass to the occupying power. This is based on the principle that territory can not be acquired by the use of force, even if exercised in self-defence. The prohibition against an occupying power transferring parts of its civilian population into the territory it occupies is related to the sovereignty principle;⁶
- Secondly, the occupying power is entrusted with the management of public order and civil life in the territory under control. The people under occupation are the beneficiaries of this trust. The dispossession and subjugation of these people violate this trust; and
- Thirdly, occupation is temporary. It may be neither permanent nor indefinite.

Six months after the occupation began, the UN Security Council unanimously passed a resolution calling for the ‘withdrawal of Israeli armed forces from territories occupied in the recent conflict.’⁷ However, instead of withdrawing its armed forces, Israel continued to adopt a number of administrative and legislative steps in relation to East Jerusalem inconsistent with the law of occupation, including the unilateral annexation of 70 square kilometres of East Jerusalem and the West Bank, which was added to the Municipality of Jerusalem.⁸ These measures culminated in 1980, with the adoption

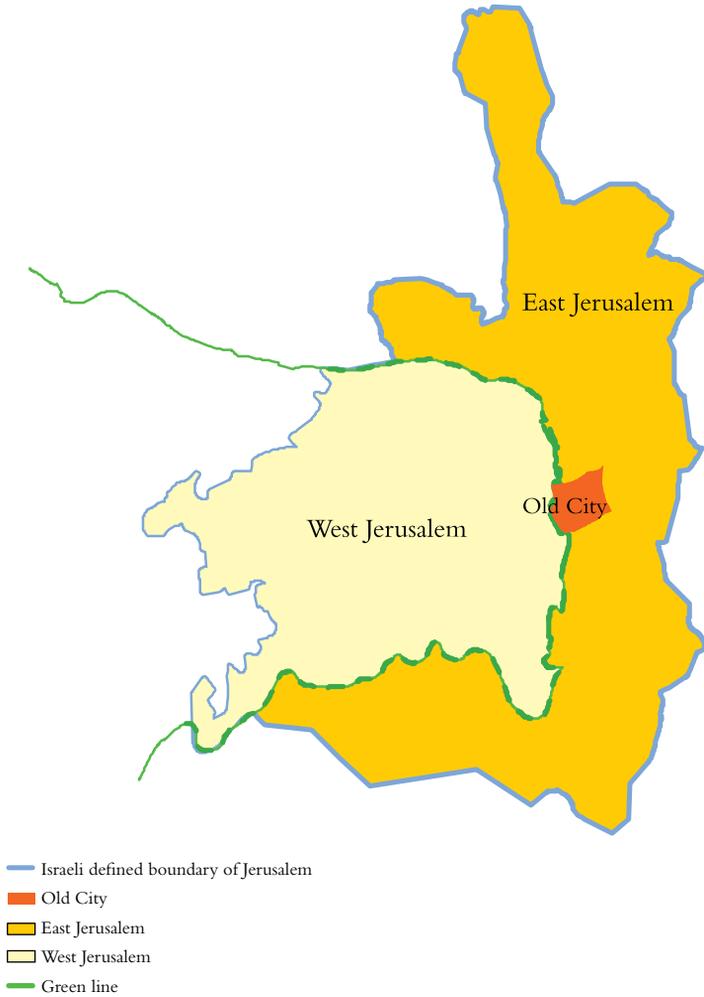
by Israel of its Basic Law declaring all of Jerusalem the ‘complete and united’ capital of Israel.⁹ It is important to note that the Palestinian residents of the newly annexed area were not granted Israeli citizenship, but only permanent resident status, which comes with fewer benefits, and significantly, can be revoked.

‘All legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status.’

UN Security Council
Resolution 478 (1980)

The UN Security Council responded to these measures with a number of additional resolutions confirming that ‘all legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and properties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status.’¹⁰

Map 2 – Jerusalem



[Note: The 'Green Line' marks the 1948 armistice line. All territory to the east of the Green Line (highlighted in light green), including East Jerusalem, captured by Israel during the 1967 War, is considered to be occupied territory under international law, and accordingly, Israel has no legal right to exercise sovereignty over this territory.]

In spite of these UN Security Council resolutions, and contrary to the provisions of international law relating to the duties and obligations of an occupying power,¹¹ the Israeli government continues to take actions to create a demographic and geographic situation that will thwart any future attempt to challenge Israeli sovereignty over the city. According to the Israeli non-governmental organisation, B'Tselem, 'to achieve this goal, the government has been taking actions to increase the number of Jews, and to reduce the number of Palestinians living in the city.'

'... all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian or other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its own population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention ... and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East.'

UN Security Council
Resolution 465 (1980)

B'Tselem's analysis is supported by a report published by the Israeli government in 1975, which states that: 'Just as the rate of population growth must be set, so too must the distribution of the population be determined with the aim of establishing a physical reality that guarantees Jewish superiority in the capital.'¹² This process has been implemented through a number of policies, including the establishment of Israeli settlements in East Jerusalem and the construction of the Wall which physically divides many Palestinian communities, while incorporating large settlement blocks into Jerusalem – both of which are in violation of international law.¹³

Other policies adopted by the government and the Municipality of Jerusalem that adversely affect Palestinians living in the City, include:

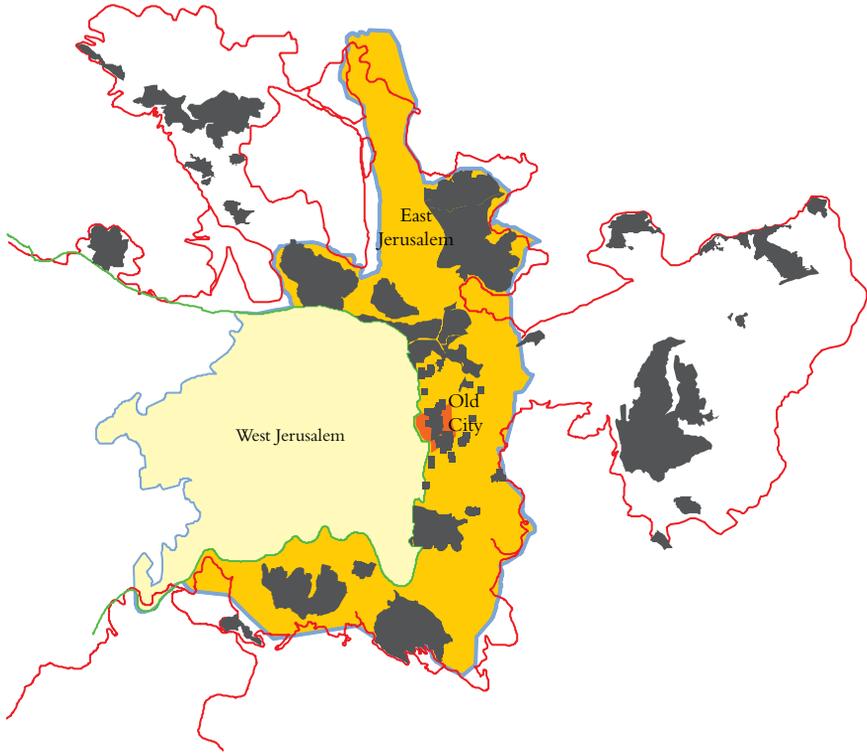
Family unification – Palestinians living in the remainder of the West Bank and Gaza Strip are generally prohibited from living in East

Jerusalem, except through the ‘family unification’ process. Most Palestinians living in East Jerusalem have permanent residency status which can be revoked. According to the UN, since 1967 approximately 14,000 Palestinians from East Jerusalem have had their residency status revoked, with over 4,500 revoked in 2008 alone. These figures do not include dependent children. Further, permanent residency status is not automatically transferred through marriage or to the holder’s children;¹⁴

Building permits – Planning and building permits for Palestinians are frequently denied, which in turn leads to evictions and the demolition of houses built or extended without permits. According to the UN, only 13 percent of East Jerusalem is currently zoned by the Israeli authorities for Palestinian construction, within which Palestinians have the possibility of obtaining building permits. Consequently, unauthorized or ‘illegal’ construction has been widespread, both within the 13 percent, and in other areas where Palestinian construction is completely prohibited. Those who build ‘illegally’ face the threat of demolition, displacement, and other penalties, including costly fines and possible prison sentences;¹⁵

Lack of services – Although Palestinian residents of East Jerusalem pay the same taxes as other residents of the City, infrastructure, such as roads, tends to be of a poorer quality in the east of the City. According to the UN, educational facilities are ‘substandard and unsuitable,’ with a ‘chronic shortage’ of classrooms.¹⁶ This lack of investment has prompted the Israeli non-governmental organisation, Ir Amim, to observe that ‘this state of affairs raises the suspicion that the neglect of East Jerusalem and failure to deliver services to the Palestinian population are designed to encourage Palestinian emigration from the city and thereby maintain the demographic goal of a city with a solid Jewish majority.’¹⁷

Map 3 – Jerusalem, the Wall and surrounding settlements



- Israeli-defined boundary of Jerusalem
- Green line
- Old City
- East Jerusalem
- West Jerusalem
- Wall
- Israeli Illegal settlements

Settlements in East Jerusalem

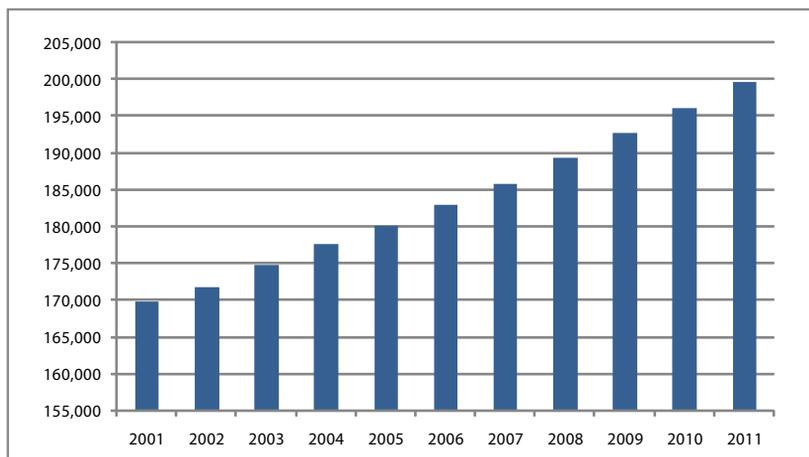
The construction of settlements in occupied territory is illegal under international law.¹⁸ This prohibition is intended to prevent the acquisition of territory through the use of force and illegal colonisation, and applies to all of the Occupied Palestinian Territory, including East Jerusalem.

‘The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.’

Fourth Geneva Convention (1949)
Article 49

Since 1967, 35 percent of the land of East Jerusalem has been expropriated primarily from private Palestinian owners in order to build Israeli settlements.¹⁹ Twelve settlements have now been built in annexed East Jerusalem with a total population of approximately 200,000 settlers.²⁰ A further 300,000 settlers live in 124 settlements in the West Bank, most of who live within a 25 kilometre radius of Jerusalem, in large settlement blocks such as Ma’ale Adumim and Gush Etzion.²¹

Table 1 – Settler population growth in East Jerusalem²²



In addition to the larger settlements already mentioned, a relatively

small number of settlers live in the midst of densely populated Palestinian neighbourhoods in East Jerusalem, in and around the Old City. This area is sometimes referred to as the ‘Holy Basin,’ and consists of the Muslim and Christian quarters of the Old City, Silwan, Sheikh Jarrah, At-Tur (Mount of Olives), Wadi Joz, Ras al-‘Amud and Jabal Al Mukabbir. It is estimated that around 2,000 settlers live in these predominantly Palestinian areas,²³ and according to more than one Israeli non-governmental organisation, this is a source of ‘violent friction and constant tension in those neighbourhoods.’²⁴

According to B’Tselem: ‘The government and the Jerusalem Municipality support the settlement efforts in the heart of Palestinian neighbourhoods in East Jerusalem and the Old City, by allocating private security guards, paid for by taxes, to protect enclaves; by sending security forces to accompany takeover of Palestinian assets and houses; by funding and promoting building development projects in the enclaves; and by transferring government assets, such as the Archaeological Garden around the Old City, to the control of (settler) organisations.’²⁵

In a recent report published by the UN, this process was described as follows: ‘Although supported by the state, settler activity in Palestinian areas is spearheaded by well-financed settler organizations [...]. These groups subscribe to an ultra-nationalistic objective whose “primary goal is to redeem the land in East Jerusalem and hand it back to the Jewish people.” An additional aim is to pre-empt a negotiated resolution to the question of Jerusalem, by creating irreversible “facts on the ground” in the Old City and its environs: “They are aware that controlling strategic points in the east of the city will thwart any option of dividing it, and without a divided Jerusalem there will be no diplomatic arrangement, and any peace process will be doomed to failure.”’²⁶

Map 4 – Jerusalem and Palestinian neighbourhoods in the ‘Holy Basin’



D Specific issues

This section of the Report focuses on a number of specific areas of tension affecting Palestinians living in East Jerusalem, as seen through the eyes of children, and in some cases, their mothers. The specific issues considered are:

- i. Threat of house demolitions;
- ii. Settler violence; and
- iii. Child detention.

These three issues are not intended to be an exhaustive list of all the issues of tension affecting Palestinian children living in East Jerusalem, but were selected as they are the ones most commonly raised by the children in the testimonies collected by DCI-Palestine. Although presented separately, it is apparent from the case studies that there is a considerable area of overlap and interrelation between these issues.

(i) House demolitions

To better understand the underlying causes behind the demolition of Palestinian houses in East Jerusalem, it is useful to begin by briefly reviewing how land is zoned in the City, and what proportion of the land is made available to Palestinians for building purposes.²⁷ The total land area of East Jerusalem consists of 70.5 square kilometres, of which 9.2 square kilometres (13 percent), is zoned for Palestinian construction by the Israeli authorities. The 13 percent of the land where Palestinians can obtain building permits is already densely populated and developed. The remaining 87 percent of the land is zoned for Israeli settlements (35 percent), green areas or public purposes (22 percent), or is yet to be zoned (30 percent), respectively.

Palestinians wishing to obtain a permit to build in the 13 percent of East Jerusalem zoned for this purpose, face a number of hurdles, including the cost of obtaining a permit which many Palestinians find to be prohibitively expensive, and a number of other onerous requirements relating to land usage. Further, it can take several

'I feel lost now, like I'm in the middle of the ocean and don't know where to go and what to do [...] I think what has happened has changed my relationship with my children. I think we all need counseling.'

Maysoon D – (Mother)
House demolished: 18 Nov 2009
Courtesy of WCLAC

years to obtain a permit involving a bureaucratic process that is successful in only 55 percent of applications. Consequently, there is a wide gap between the number of building permits issued to Palestinians in East Jerusalem each year (400), and the number of permits required to keep pace with the demand for housing (1,500). The result is an imbalance in the supply of 'legal' housing available to Palestinians living in East Jerusalem, leading to houses being constructed without permits in order to meet demand.²⁸

The potential consequences of building without a permit include the demolition of the structure, fines and possible imprisonment. According to the UN, at least 32 percent of all Palestinian homes in East Jerusalem do not fulfil with Israeli zoning requirements, exposing at least 86,500 Palestinian residents to the risk of having their homes demolished. According to B'Tselem and UN figures, there were 839 demolitions in East Jerusalem between 2000 and 2010. In terms of people affected, 82 structures were demolished in East Jerusalem in 2010, causing the displacement of 128 people, including 67 children, and in the first two months of 2011, 10 structures were demolished, displacing 22 people, including 11 children.²⁹

The case of Silwan

The neighbourhood of Silwan is situated in East Jerusalem, just outside the Old City walls in an area known as the 'Holy Basin'. Approximately 16,500 Palestinians live in the central section of the neighbourhood.³⁰ According to the UN, Silwan has become one of the main centres of Israeli settlement activity and is currently home to 380 settlers, who live in properties taken over by various means from their original Palestinian residents. Palestinian residents of Silwan report harassment and intimidation by the settlers and their security guards, and clashes between residents and Israeli soldiers and police are frequent.³¹

The central section of Silwan, known as Al Bustan, was designated as a 'green' area by the Jerusalem Municipality in the late 1970s. The effect of this zoning is to prohibit all construction in the area, despite it being the location for the natural expansion of Silwan. There are now approximately 90 houses located in the 'green' area which are homes to more than 1,000 Palestinians, almost all of which have received demolition orders. Since 1977, residents in the 'green' area have attempted to obtain building permits, and to have the area re-zoned as residential, but without success. In June 2010, the Jerusalem Municipality's Planning and Building Committee approved a plan to demolish 22 out of the 90 houses in the 'green' area, in order to make way for an archaeological garden, giving rise to increased tensions in the neighbourhood.³²

The threat of demolitions and the presence of settlers in Silwan create a climate of tension which frequently erupts into violent confrontation. Several years ago, the Palestinian residents of Silwan erected a tent near the entrance to the neighbourhood, which has become a focal point for protests against demolition orders and the influx of settlers. Friday prayers are held in the tent which is followed by protests which regularly lead to violent confrontations

between the residents and Israeli security forces, often resulting in children being injured and/or arrested.



Silwan, East Jerusalem Photo credit: GltH

The impact on children

According to the Israeli Committee Against House Demolitions (ICAHD), the months preceding a house demolition are traumatic for children as they witness the worry and sense of helplessness of their parents, ‘living constantly in an atmosphere of insecurity.’³³ When demolition day arrives, children must ‘bear the noise and violence, the uprooting and destruction of their home, their world and their toys. The children will bear the lifelong imprint of this. There is an abundance of evidence of trauma and distress among children: bedwetting, nightmares [...] sharp decrease in school grades, “dropping out” and also effects of exposure to violence at home.’³⁴ There is also evidence to indicate that children suffer emotional and behavioural problems following the demolition of their homes.³⁵

Case Studies - House Demolitions

Voices From The Occupation



Case study: 1
Name: Manal Z.
Date of incident: November 2008
Location: Silwan, East Jerusalem
Nature of incident: House demolition

In November 2008, a pregnant mother with five daughters received a telephone call informing her that her house in the Silwan neighbourhood of East Jerusalem was about to be demolished.

Manal is married and now has six daughters. She lives in the Silwan neighbourhood of East Jerusalem. Manal's husband is from a village near Bethlehem and is not able to legally live with his wife and children because he has a West Bank I.D. card which does not permit him to live in East Jerusalem.



*Manal's demolished house – Silwan, East Jerusalem.
Photo credit: Salwa Duaibis (WCLAC)*

'When I first married I lived with my husband in a rented flat in Silwan, but he hated it because he was illegal in Jerusalem and had to live as if he was under house arrest,' recalls Manal. 'We moved briefly with him to his family village but then moved back to Jerusalem because Israel revoked my Jerusalem I.D. card, and to get it back, I had to move back with my children. We applied for family reunification for my husband but his application has been rejected and he still can't live with us.'

Over the years Manal has moved between her parents' and her sister's houses in Silwan. 'At one point I moved out to live in a rented house in Silwan, but the landlord would not provide me with the necessary documents to show that I am living in Jerusalem. I needed these documents to present to the Israeli authorities because without them I won't be able to keep my I.D. In 2008. I moved out of this house and into another rented house in Silwan. We paid three months rent in advance and moved our furniture and belongings into the house,' she explains. 'We had only been in the house for one week when the house was demolished.'

'It was November 2008,' recalls Manal. 'I was six months pregnant with my youngest child. On that morning I was having breakfast at my parents' house and my daughters, except my youngest daughter, were at school. I received a phone call at about 10:00 am from one of my neighbours saying: "Come home! They're about to demolish your house." I didn't believe her but left my mother's house and ran back to my house. On the way back, I saw many police and soldiers around the house. There were perhaps five jeeps and about 30 police and soldiers standing around the house. The owner of the house was arguing with them saying that he was waiting for the paper to stop the demolition. But then, after about an hour of waiting, two bulldozers that were there started to demolish the house. I had known nothing about a demolition order on the house; it came as a complete shock to me,' Manal says.

'Everything that I owned was in the house, my clothes and the girls' clothes, school books, kitchen things and most importantly, medical records and equipment for my daughter, Hayat (13), who suffers from a heart condition. I begged the soldiers to allow them to let me take my personal possessions out of the house. I said that I didn't care about the house, that I only wanted to get my things,' remembers Manal. 'They refused to let me into the house, but they sent some men in who took out a few things – a couple of couch beds, a refrigerator and the TV, which were the first things they would have seen when they walked in. They just threw them out of the house – breaking the legs on the couch beds. I couldn't do anything about it – I had a severe headache and felt like I couldn't walk.'

'It took about an hour-and-a-half for the Israelis and their bulldozers to destroy the house. The whole house collapsed on top of our things, so we couldn't get anything else out. All our things were lost. My daughters had saved up money for the Eid holidays in money boxes, but even these were lost in the rubble. They also had new clothes in the house which had been bought for Eid. My daughters found out that their home had been demolished on their way home from school. I felt awful that they had to go through this. My five year old daughter was particularly upset about her new clothes being lost.'

Manal's health suffered after the demolition and her baby was born two months prematurely and remained in an incubator for one month – 'but she is healthy now,' says Manal. The family had to move back in with Manal's parents. 'It was very crowded,' she says, 'and my husband didn't want to come and visit us there because there was no space. Me and my daughters all slept in one room, the living room. It was very difficult. My children's school performance suffered – they couldn't study because there was no space and too much noise with so many people. The only person working in the house was my brother who supported us all,' says Manal.

29 April 2010

Voices From The Occupation



Case study: 2
Name: Mohammad Z.
Age: 13
Location: Silwan, East Jerusalem
Nature of Incident: Threat of house demolition

A thirteen-year-old boy describes life in the al-Bustan neighbourhood of Silwan, in East Jerusalem, and living in a house which is threatened with demolition.

Thirteen year old Mohammad Z. lives with his parents and eight siblings in the Al Bustan neighbourhood, Silwan, East Jerusalem. 'Our house has five rooms, a kitchen and a bathroom. It is under threat of demolition by the Jerusalem Municipality, just like the other 88 houses in the Al Bustan neighbourhood, on the pretext that they don't have building permits, but the local residents know that the Municipality wants to demolish our houses to build a park called "David's Park" for settlers. To build a park for the settlers, they kick us, the Palestinians out of our houses,' says Mohammad.



Photo Credit: DGI-Palestine

The people of Al Bustan set up a tent to protest against the demolition orders. Like the rest of the locals, Mohammad goes to the tent almost every Friday to pray with his father and brothers. 'Once we conclude the prayer, the Israeli soldiers start firing tear gas canisters and rubber-coated bullets at us. Then confrontations erupt between youngsters and soldiers. Almost every week soldiers arrest some youngsters and children. I, for example, was arrested twice last year and interrogated in the Al Mascobiyya Interrogation Centre just because I pray in the protest tent.' Mohammad says he goes to the tent to "express my objection to the demolition of our house. It's our house. My father and brothers worked so hard to build it and make it a home, but now the Israeli occupation wants to tear it down and build a park for settlers. We have no other place to go to [...]. We've been living in this house for 10 years.'

Describing life in Silwan, Mohammad says: 'Things are not good here in the neighbourhood because of the almost daily confrontations with the occupation soldiers, or the settlers living in the neighbourhood. The settlers often harass the locals by throwing stones at them, which leads to confrontations and soldiers interfere to protect the settlers. [...] My friends and I go to the tent every Friday to pray, but soldiers fire tear gas canisters and rubber-coated steel bullets at us. We have gotten used to it anyway. It has become a habit to inhale some gas after the prayer. There's nothing else to do. We keep going to the tent to convey our message that we won't lose our houses.'

'Our life has become about soldiers storming the neighbourhood and retreating. At some point I couldn't sleep on Saturdays because they usually come to arrest people at night, following Friday prayers. My grades are not that good because of the whole thing, but I'm not thinking of dropping out. I have to focus. I always promise my parents to get better grades. Hopefully this school year will be better,' says Mohammad.

19 March 2011

Voices From The Occupation



Case study: 3
Name: Aida R.
Location: Silwan, East Jerusalem
Nature of incident: Threat of house demolition

A mother from the al Bustan neighbourhood of Silwan, East Jerusalem, describes living under the constant threat of having the family home demolished, and the effects on her family.

Thirty-nine-year old Aida was born in Silwan, and her family has lived in the area for generations. Aida and her husband, Yacoub, have seven children. 'Like most of the homes in Bustan, my home is under threat of demolition,' says Aida.



Silwan, East Jerusalem. Photo credit: GHIH

'Eight years ago, I inherited some land in Silwan from my family, so we decided to save up and also borrow some money in order to build our own house on the land [...] By 2005, we had got together enough money to start building, but it was a slow process because we didn't have much money and so could only build a bit at a time. We didn't apply for a permit for the house, because we knew that they don't give permits to build in Silwan. We know that they have plans for this neighbourhood, which is not to allow the Palestinians to build homes here. But I couldn't live anywhere else, this is my land and I have a right to be here,' says Aida.

In June 2006, some Municipality officials came to the house with police and soldiers and took photographs. They left a leaflet saying that the house would almost certainly be demolished. Aida and her husband went to see a lawyer who advised them to move in immediately, even though the house was not complete. 'We were sleeping in the house but living in fear that soldiers and police would come in the middle of

the night,' recalls Aida, but nothing happened for over 18 months. 'Then one day, in February 2008, they arrived early in the morning,' says Aida. 'The children were all at home because there wasn't school [...] It was the army together with the men from the municipality. When the door was opened they pushed through the door. The soldiers were carrying big guns. The children were terrified and hid behind my back,' remembers Aida.

'My husband argued with them and said: "talk to me, can't you see how frightened the children are?" One of the men from the municipality took our IDs. I asked him what he wanted and he said: "You have built on land owned by the State." I replied: "How is it State land, when it is owned by my grandfather? I'm not building in Tel Aviv." He then said that we didn't have a permit to build and asked if we had proof that we were paying the municipal tax. I did and showed him the receipts. He then handed me a paper that stated that if we didn't leave the house in 21 days it would be demolished and we would have to pay 70,000 shekels.'

'It was very distressing,' recalls Aida, 'there were lots of soldiers standing around the house. My husband was in a bad condition. He was very upset about what had happened and was also feeling sorry for himself – was talking about how he had borrowed the money and soon he would lose the house and be left with debt and not even have a house. He was so upset and helpless, it was awful. Later that day, his condition got worse and he was having problems with his chest [...] At the hospital they said that he had had a heart attack, and that he had to stay there for four days. He recovered, but his heart is now weak,' says Aida.

'I was terrified and the stress was doubled by what had happened to my husband. I didn't feel safe for me or my children, and expected them to come back and demolish the house at any moment. I felt lost. What would I do without my home or my husband? I can't find the words to express how I felt,' recalls Aida. 'For me the problem was that they were not simply going to demolish the house, but they were also going to take the land, then we would have nothing. I would be prepared to live in a tent on the land, but if they took the land as well, that would be devastating.' Aida reports that there have been a number of court hearings to try and save the house, but nothing has been resolved, and every time they go to court it costs them 500 shekels.

'I'm also worried about my son; there have been lots of children arrested recently by the Israelis, children as young as 10 or 12 years. My son will be 10 this month, and I worry that he will also be arrested and that I won't be able to stop them taking him. It is the worst feeling not being able to protect your children. Two nights ago, the Israelis arrested a boy who was 12 years old and a friend of my son. I now can't sleep worrying about my son and fear that he will be arrested. I don't feel safe and so I can't make my

children feel safe. They often ask me about the house and whether it will be demolished and where they will go if that happens, and how they will find me if it is demolished with me inside it. The children are very creative and like making ceramics and crafts. They keep the things they've made by their pillows so they can take them with them if they have to get out of the house in a hurry. For a long time, they also used to take their favourite toys with them to school because they didn't want to lose them if the house is demolished while they are at school.'

'I believe that the Israelis want to get rid of the Palestinians in the area, as if we are an outdated product, as if we are dispensable. But I don't believe that they will succeed,' says Aida.

3 February 2010

Voices From The Occupation

Case study: 4
Name: Mohammad S.
Age: 11
Location: Silwan, East Jerusalem
Nature of Incident: Threat of house demolition



An eleven-year-old boy from the Al Bustan neighbourhood of Silwan, in East Jerusalem, speaks about living under the threat of house demolition and living close to settlers.

Mohammad lives in the Al Bustan, neighbourhood of Silwan, in East Jerusalem with his parents and three sisters. 'I know that the Municipality of Jerusalem wants to demolish our house because it has no permit,' Mohammad says. 'My uncle [...] told me that the Municipality wants to demolish our house and all the houses in the neighbourhood to build a park for the settlers. That's why the people of the neighbourhood set up a protest tent: to tell the Municipality we don't want them to demolish our houses.'



Photo Credit: DCI-Palestine

Mohammad's father does not allow his children to go to the protest tent, because of the constant clashes with the army and the arrest of children. 'I'm scared of the Israeli army and the settlers who live in our neighbourhood and beat children,' Mohammad says. 'The army fires tear gas canisters when problems happen. That's why my father

often prevents me and my sisters from leaving the house, so we won't inhale the gas or get beaten by the settlers. We spend most of our time inside the house, even on Fridays, when we don't have school [...] I'm very scared that they might beat us when they come to demolish our house, because the Israeli army arrests and beats children. This is what children who got arrested have told me. I've never been arrested. I don't even leave the house in the first place. I just go out to a small yard in front of the house to play with children. My mother doesn't allow me and my sisters to go out because she gets worried.'

'I'm scared to leave the house and go far from it because there are settlers living across from us. They often throw stones at the children playing in the neighbourhood. That's why I stay near the house with my sisters.'

'If they come to demolish our house, I'll keep standing behind my father and mother and hide my sisters so that they won't beat us. I won't throw stones at them because I don't want them to shoot us. If we were ever to leave the house, I wish we could live far away from settlers so I could go out and play without being scared someone will beat me,' says Mohammad.

19 March 2011

(ii) Settler violence

Between January 2010 and the end of May 2011, the UN recorded 24 cases in which Palestinian children have been injured by settlers in East Jerusalem, and one fatality.³⁶ According to the UN, these figures are ‘comprehensive but not exhaustive.’ The figures also do not include cases of harassment or intimidation which did not result in physical injury. Tensions are particularly high in areas where settlers have moved into buildings in the middle of Palestinian neighbourhoods, such as Silwan and Sheikh Jarrah. Adding to these tensions are issues relating to severe overcrowding in many Palestinian neighbourhoods, restrictions placed on freedom of movement, such as the erection of temporary roadblocks and an invasive police and military presence in a number of neighbourhoods, as well as the presence of armed private security guards hired by the Israeli Ministry of Construction and Housing to guard the settlers and their property.³⁷

In this report, DCI-Palestine presents three testimonies collected since January 2010, in which Palestinian children report being attacked by settlers in East Jerusalem. Two of the attacks occurred in Sheikh Jarrah, while the third incident occurred in the Old City. The testimonies reveal a certain random or opportunistic component, whereby a group of settlers come upon a Palestinian child by chance and violence ensues. In one of the testimonies (Case study 5), the attack occurred in full sight of Israeli policemen, who failed to intervene on behalf of the child.

Voices From The Occupation



Case study: 5
Name: Amna N.
Date of Incident: 16 January 2010
Age: 16
Location: Sheikh Jarrah, East Jerusalem
Nature of Incident: Settler violence

On 16 January 2010, a 16-year-old girl from Sheikh Jarrah is attacked by a group of settlers while walking down the street.

On 16 January 2010, at around 3:30 pm, Amna was on her way to visit the Ghawi family, who had been evicted from their house by settlers and had set up a protest tent in the neighbourhood. 'I used to go to the tent almost every day in solidarity with the family and the residents of Sheikh Jarrah who are defending the houses of the neighbourhood that are under threat of confiscation by settlers,' says Amna.



As she walked towards the tent, she saw a group of around 30 settlers standing near the tent. 'They were saying very obscene words to the people in the tent,' recalls Amna. 'I therefore preferred to go back home.' As Amna headed back home, she was followed by around 15 settlers. 'I became very scared and walked faster.' At that moment, a settler woman grabbed Amna's hair and started pulling it. 'She started saying words in Hebrew and screaming at me. I do not understand Hebrew but I'm sure she was insulting me. [...] She kept pulling my hair, while I was trying to take her hands away and screaming in pain. Once I managed to release her grip, about seven orthodox settlers, wearing black kippahs, white shirts and black trousers, were already around me and started kicking me and screaming at me in Hebrew. They hit me on my face, arms and legs. All they wanted to do was hit me. I was scared because I was alone and felt so much pain. I was scared that I would die in their hands,' recalls Amna.

'There were two Israeli policemen or soldiers standing in front of me,' remembers Amna. 'They were wearing khaki military uniforms and carrying M16s. They were standing about 30 metres away, but they did not intervene to protect me. They saw the settlers hitting me but did not protect me because the Israeli police in Sheikh Jarrah protect only the settlers,' she says. Five minutes later, about eight Palestinian adults from the tent came to try to protect Amna. 'I heard voices saying in Arabic: "Please let her go." Once there was someone coming to protect me, the two Israeli policemen approached

us, not to protect me, but because Arab people came to me. They wanted to protect the settlers,' says Amna. 'The two policemen tried to pull me away from the settlers who were beating me. They managed to take me away from them. Once they let me go, I started running towards my house, crying. The female settler who grabbed my hair earlier wanted to follow me, but one of the policemen grabbed her and I kept running back to the house,' says Amna.

19 January 2010

Voices From The Occupation



Case study: 6
Name: Anas E.
Date of Incident: 14 August 2010
Age: 9
Location: Old City, East Jerusalem
Nature of Incident: Settler violence

On 14 August 2010, a nine-year-old boy is beaten by five settlers in the Old City of Jerusalem.

Anas lives in the as-Saraya neighbourhood, in the Old City of Jerusalem. In August 2010, during Ramadan, Anas and his younger sister, Bara' (8 years) were invited for an evening meal at their uncle's house who lives nearby. 'It was around 6:30 pm,' recalls Anas, 'my sister had already gone to my uncle's house and I was getting ready to follow her. As I walked out of the house I saw five settlers. They were orthodox Jews. They were wearing black jackets and trousers and had long ringlets in their hair,' says Anas, 'they were old; around 30 or 40. No one else was in the street, just me and them.'



Photo Credit: DCI-Palestine

Anas started walking to his uncle's house and 'didn't pay much attention to the settlers. I had barely walked 20 metres when I felt something hitting me on the head. I felt extreme pain and put my hand on my head and started shouting.' The five settlers then approached Anas holding wooden sticks in their hands. 'They hit me twice on the head with the sticks which knocked me over. Then they beat me on my back, hitting me five times with their sticks. I was screaming and crying, and tried to protect my head with my hands,' says Anas. 'The five settlers kicked me in the back, stomach and legs. Then they took off my flip-flops and one of them started beating the soles of my feet with a

stick and I still have the marks to this day. Then they left me alone and ran away.' After the beating, Anas felt dizzy and thought he was going to vomit. 'I was still fasting and was hungry and thirsty, but I couldn't walk to my uncle's house. I went back home and kept crying because no one was in the house. Alone, I waited for my parents to come home.'

Anas's mother took him to see a doctor the next morning and he was examined and given some prescription medicines before returning home. 'We have many settlers in the neighbourhood,' says Anas, 'and they know how to scare little children. But we have got used to them and I still go out and play.'

2 September 2010

Voices From The Occupation



Case study:	7
Name:	Mohammad G.
Date of Incident:	19 April 2011
Age:	13
Location:	Sheikh Jarrah, East Jerusalem
Nature of Incident:	Settler violence

On 19 April 2010, a 13-year-old boy was playing football with his friends in the Sheikh Jarrah neighbourhood, East Jerusalem, when they were sprayed with gas by two female settlers.

At around 4:30 pm on 19 April 2011, Mohammad was in Sheikh Jarrah playing football with his friends near a place called Shimon's Tomb, when 'a grey Ford pulled up about five metres away from us. Two settler girls in jeans and shirts, with their hair hanging down their back, got out of the car and headed towards the tomb. We kept playing without talking to them.' About 20 minutes later, the girls came back and, instead of getting into their car, stood and watched the boys playing football. 'I was surprised to see them standing there watching us,' he says, 'but none of us said anything to them. Suddenly, I saw the two girls pulling two tear gas canisters out of their pockets. Then they started to spray gas at us. The smell was very strong and my eyes started burning and I started coughing. Many of my friends started coughing as well,' recalls Mohammad.



As the children fled to escape the tear gas, they were pursued by the settler girls, who kept spraying gas at them. 'We kept running for about 50 metres until the two settler girls stopped chasing us,' explains Mohammad. 'I think they ran out of gas [...] Then they raced back to the tomb.' Mohammad and his friends decided to return to the tomb to 'insult the two girls who had sprayed us with gas for no reason. We had just been there playing football and minding our own business,' he says. When they reached the tomb, the police had arrived and were surrounded by settlers, including the two girls who had sprayed them. 'The settlers saw us and started shouting at us and at the policemen,' Mohammad recalls. 'My friends and I just stood there watching them, without shouting or insulting anybody because if we did, the police would beat or arrest us.' The policemen told them to clear off and the boys left to change their clothes and wash away the smell of tear gas.

Mohammad says he goes to Sheikh Jarrah almost every day to play with his friends. He used to live in Sheikh Jarrah, but in August 2009, his family were evicted from their house by a group of settlers. The story of the family's eviction was documented by the UN.³⁷

12 May 2011

(iii) Child detention

From late 2009 onwards, DCI-Palestine and other non-governmental organisations started receiving reports that Palestinian children from East Jerusalem were being arrested in increasing numbers on suspicion of throwing stones, particularly in the neighbourhood of Silwan.³⁸

According to Israeli Police figures, between November 2009 and October 2010, the Jerusalem District opened 1,267 criminal files against Palestinian children living in East Jerusalem who were accused of throwing stones.³⁹ During an eight month period between October 2010 and May 2011, lawyers for DCI-Palestine have represented 117 children from East Jerusalem, accused mainly of throwing stones, and fieldworkers for the organisation have documented 40 cases. At the time of publication, DCI-Palestine estimates that it is providing legal assistance to approximately 60 percent of the Palestinian children arrested and detained in East Jerusalem.

Concern surrounding the mass arrest of children from East Jerusalem led to 60 prominent Israeli professionals writing to Prime Minister Netanyahu, and other senior officials expressing their concern at reports of the violent treatment of these children. In the letter dated 24 November 2010, the authors stated that ‘children and teenagers related that they had been dragged out of their beds in the middle of the night or arrested in their neighbourhoods by undercover detectives and special security forces; taken in for questioning while handcuffed

‘At around 4:30 am, I woke up to a loud voice screaming my name. I opened my eyes and saw three men in black uniforms aiming their rifles at me. I was startled and jumped out of bed without knowing who they were. “Don’t be scared, it’s the Israeli police,” my mother said to me – but that scared me even more.’

Abed S. (13 years)
Arrested: 24 January 2011
Silwan, East Jerusalem

and unescorted by their parents; in certain cases, the families were not notified of the arrest in real time; minors were asked to give names and incriminate friends and relatives as a condition of their release; were threatened and humiliated by their interrogators; and some of them were even subject to physical violence while being taken in for questioning and under interrogation.⁴⁰ The concerns raised in the letter correspond to complaints received by DCI-Palestine and included in the testimonies contained in this report.

In the four months between 18 October 2010 and 1 February 2011, DCI-Palestine investigated 31 cases from Silwan, and collected 25 sworn testimonies – 22 of which were taken from children, of whom 20 were detained. Common complaints and areas of concern raised by these 20 children in their testimonies include:

- ***Physical violence during arrest, transfer or interrogation*** – The testimonies reveal that many children report being subjected to physical violence during their arrest, transfer or subsequent questioning (80 percent). The violence reported consists of choking, punching, slapping, kicking and hair pulling. (See Case Studies 8, 9, 10, 12, 13, 15, 16, 17 and 18)
- ***Questioned in the absence of a parent*** – The testimonies reveal that in three quarters of the cases (75 percent) children were questioned in the absence of a parent. Under Israeli civilian law, which is applied to Palestinians living in East Jerusalem, parents are permitted to be present at all times in circumstances where the child has not formally been arrested, but may not intervene in the interrogation process.⁴¹ (See Case Studies 12, 13, 15, 16 and 17)
- ***Hand ties*** – The testimonies reveal that 12 children (60 percent) reported being restrained by the hands, often painfully so. Under Israeli civilian law, which is applied to Palestinians living in East Jerusalem, alternatives to restraints should always

be considered and they should not be used beyond what is strictly necessary.⁴² Restraints should only be used to prevent escape or to prevent harm to others. In practice, children are often tied with plastic cords which can lead to the swelling of the hands and unnecessary pain.⁴³ (See Case Studies 8, 12, 13 and 17)

- ***Threatened*** – The testimonies reveal that 11 children (55 percent) reported being threatened, usually during questioning by a police interrogator in the absence of a parent. The types of threats reported by the children usually involve the threat of physical violence. (See Case Studies 9, 13 and 18)
- ***Signed or shown documents written in Hebrew*** – The testimonies reveal that six children (30 percent) reported being shown, or made to sign documentation written in Hebrew, a language most Palestinian children do not understand. (See Case Studies 12, 14 and 16)
- ***Interrogation of children under the age of 12 years*** – The testimonies reveal that in three cases (15 percent), children below the age of 12 were arrested and taken away for questioning. Under Israeli civilian law which is applied to Palestinians living in East Jerusalem, children under the age of 12 years are not supposed to be held criminally liable for their actions and must not be detained as criminal suspects.⁴⁴ (See Case Studies 8, 15 and 18)

A summary of these areas of concern as reported by these 20 children while in Israeli custody, are presented in Table 2 below:

Table 2 – Common complaints and areas of concern – October 2010 to February 2011

#	Common complaints and areas of concern	Number of cases out of 20	Percentage of children affected
1	Physical violence	16	80%
2	Interrogated in the absence of a parent	15	75%
3	Hand ties	12	60%
4	Threatened	11	55%
5	Signed/shown documents written in Hebrew	6	30%
6	Interrogation of children under 12 years	3	15%

Contrary to international law, Israel imposes its own civilian legal system on the Palestinian residents of East Jerusalem. The findings of this report indicate that Israeli security forces operating in East Jerusalem frequently violate provisions of this system when it comes to the arrest and questioning of Palestinian children. The following section contains four case studies relating to the detention of children in East Jerusalem. A further six case studies relating to detention can be found in the Annex to the report.

Case Studies - Child Detention

Voices From The Occupation



Case Study: 8
Name: Muslim O.
Date of Arrest: 18 October 2010
Age: 10
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 18 October 2010, a 10-year-old boy from Silwan, East Jerusalem, is grabbed by three men in civilian clothes and taken to al-Mascobiyya interrogation centre for questioning.

Ten-year-old Muslim lives in the al-Bustan neighbourhood of Silwan, which is located just outside the old city walls of East Jerusalem. There is a protest tent in al-Bustan, erected by local residents as a place to gather to protest plans by Jerusalem Municipality to demolish houses in the neighbourhood.



At around 3:00 pm, on Monday, 18 October 2010, Muslim was standing near the protest tent where a crowd had gathered. Muslim had been standing by the tent for about 10 minutes when 'suddenly two white vans arrived and around 15 men stormed out. They were in civilian clothes but their faces were covered in black masks. They ran towards us shouting "stop, stop." We realised that they were special Israeli undercover units and ran away, but three of the men caught me,' recalls Muslim. 'One of the men grabbed my back and started choking me. The second one grabbed my shirt and ripped it from the back, and the third one twisted my hands behind my back and tied them with plastic cords. "Who threw stones?" one of the men asked me. "I don't know," I said. He started punching me on the head and I shouted in pain. "I didn't do anything," I shouted. "Shut up, shut up," he kept saying while punching me.' The man then dragged Muslim 100 metres to a waiting vehicle which was surrounded by around 50 Israeli soldiers.

Approximately one-and-a-half hours later, Muslim was transferred to al-Mascobiyya (The Russian Compound), a well known detention centre in Jerusalem, for interrogation. 'I sat alone in the chair for about five minutes. I kept thinking that I should not be scared. Why should I go to prison when I didn't do anything,' recalls Muslim. 'About five minutes later, my father came into the room with another man. He sat in front of me

whereas the other man sat behind the desk and I realised he was the interrogator. My father winked at me but didn't say anything. "I'm Captain Shadi," said the man behind the desk. "Why did you throw stones?" he asked me. "I didn't," I said. "So who did?" he asked. "I don't know," I said. "Sure you know the children in the neighbourhood," he said. "I know all of them but I'm not going to say anything," I said. "This time I won't put you in prison, but next time I will and I'll make you pay money too," he said. "I didn't throw stones so you can't put me in prison," I said. "OK, shut up now," he said. I then became quiet and Captain Shadi spoke to my father. "Your son is still young, he should focus on his studies or he'll be joining his brothers in prison." "He's here if you want to put him in prison," my father said. "I'll do that when I want, not when you want," Shadi replied. He then untied me and I went home with my father.'

23 November 2010

Voices From The Occupation



Case study: 9
Name: Mohammad G.
Date of Arrest: 25 October 2010
Age: 12
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 25 October 2010, a 12-year-old boy from Silwan, East Jerusalem, is arrested on his way to school and taken to al-Mascobiyya interrogation centre for questioning.

Twelve-year-old Mohammad lives in Silwan, East Jerusalem. At around 8:00am on Monday, 25 October 2010, Mohammad was on his way to school, when he saw five Israeli policemen 'wearing black uniforms and carrying long black M16 rifles,' standing near his school. Some children started throwing stones at the policemen, who immediately started chasing them. 'I ran away because I was scared they would beat me,' says Mohammad. Mohammad and three other children were soon caught and dragged to a vehicle. As they drove away, 'the policeman sitting beside me kept slapping me on my head during the trip,' recalls Mohammad.



The children were taken to al-Mascobiyya (The Russian Compound), a well known detention centre in Jerusalem for questioning. 'They ordered us to stand at the gate

facing the wall,' recalls Mohammad. 'If I hear someone breathing,' said a policeman, 'I'll smash you.' All Mohammad could think about was his family. 'They can't bear another shock,' he thought, 'Israeli soldiers arrested my brother Abdullah and beat my mother about five days ago. [...] I imagined my father being very upset and my mother crying.' Approximately two hours later, Mohammad was taken inside by an armed policeman. 'I was still carrying my schoolbag on my back the whole time, but luckily it wasn't heavy; otherwise it would have exhausted me.' Mohammad was taken into an office and sat alone for around two minutes. Then 'a huge man in civilian clothes entered the room with my mother.' Mohammad did not speak to his mother for fear that she would be removed from the room if he did. 'I'm Captain Shadi,' said the man, 'how many times did you throw stones at Israeli police?' he asked. 'I didn't throw,' Mohammad replied. 'There are soldiers who saw you throwing stones,' said Shadi, 'they're liars,' replied Mohammad. 'Look how your son responds to questions,' said Shadi to Mohammad's mother. 'How do you want me to respond?' Mohammad replied. Captain Shadi then said: 'Eat shit and put a sock in it,' and Mohammad became silent. A short time later, Captain Shadi asked Mohammad to sign a document, but he refused because he did not know its contents. Captain Shadi then abruptly ended the questioning and told Mohammad and his mother to leave.

Outside the room, Mohammad was separated from his mother and taken to a nearby court where there was a lawyer and a judge who fined the children 250 shekels (US \$70) each and imposed a home detention order for 14 days. Following his appearance in court, Mohammad and the other children were detained for a further four hours during which time they were not given anything to eat or drink, and were not permitted to use the toilet.

Mohammad describes the situation in East Jerusalem as follows: 'Silwan these days is being attacked by Israeli soldiers and settlers. They always provoke the locals, especially in al-Bustan neighbourhood, where the houses are under threat of demolition.'

25 November 2010

Voices From The Occupation



Case study: 10
Name: Adam R.
Date of Incident: 24 November 2010
Age: 7
Location: Silwan, East Jerusalem

On 24 November 2010, a seven-year-old boy from Silwan, in occupied East Jerusalem, is grabbed and beaten by two soldiers on suspicion of throwing stones.

'I was on my way home from school at around midday,' recalls seven-year-old Adam, 'when I saw three Israeli soldiers in green uniforms and carrying black M16s near our house. I was walking and carrying my schoolbag on my back. When I was about 10 metres away from the soldiers, children started throwing stones at them. I became scared, so I ran away,' says Adam. 'I didn't want them to think I was throwing stones.' Adam ran to a nearby shop owned by a neighbour but was followed by two soldiers. 'One of them twisted my arm, and the other one kicked me in my right leg,' recalls Adam. 'I started crying and screaming. I was scared they would take me away.' Meanwhile the shopkeeper started shouting at the soldiers to leave Adam alone. The soldiers then released Adam who quickly ran out of the shop and away.



'I kept running for about 15 minutes without looking back,' remembers Adam. 'All I was concerned about was running really fast so no one would catch me.' Adam ran to his uncle's house, but nobody was home. Adam feared that the soldiers were waiting for him at his house and so 'I hid behind a tree in the land in front of my uncle's house. I even wet my pants,' recalls Adam, 'I was crying and very scared. I didn't want to go home in case they went looking for me there. I kept hiding for like an hour and crying. My pants were all wet. Then my mother came and saw me crying with my pants all wet, so she hugged me and took me home.' Nadia, Adam's mother, recalls what happened when she found her son: 'I was very shocked to see Adam hiding under a tree and crying. I rushed to him and hugged him and calmed him down. "Let's go home," I said to him but he didn't want to. He kept thinking that soldiers were at our house. I was very upset when I saw Adam that way. He was very scared. He had even wet his pants because he was so scared. His face was pale. I calmed him down and took him home.'

Adam's father took his son to Shaare Tzedek Hospital in Jerusalem. 'I kept thinking that my father would scold me if he thought I was throwing stones. I wasn't throwing

stones. I was also thinking about my schoolbag which fell off when I was running from the soldiers,' says Adam. The doctors at the hospital x-rayed Adam's arm and examined him. Adam recalls feeling pain in his arm and leg but was given a clean bill of health by the doctors and discharged. 'Since the incident,' says Adam, 'I haven't gone to school because I'm scared if I leave the house soldiers will beat me again. I started wetting my pants two days ago. I never did that before they beat me. I dream about them and wake up calling my mother and she comes and changes my clothes.' Nadia says that her son has stopped playing with his friends since the incident. 'I'll try and take Adam to school this Monday and hopefully he will overcome his fears. It's important to emphasise that the army provokes children in the neighbourhood by passing by in their jeeps like 10 times every day,' says Nadia. 'They drive really fast as if nobody is in the street and honk their horns to provoke the children and annoy the residents.'

2 December 2010

Voices From The Occupation

Case study: 11
Name: I'tidal D.
Location: Silwan, East Jerusalem
Nature of incident: Child detention



A mother from the al Bustan neighbourhood of Silwan, East Jerusalem, describes how Israeli police and soldiers came to her house at 3:00 am to question her 12-year-old son.

Forty-year-old I'tidal was born in Silwan, and has lived in the neighbourhood all of her life. I'tidal and her husband have six children. 'In Bustan, all the houses including my own, are threatened with demolition,' she says.

'On 18 November 2009, a house in Silwan was demolished by the Israelis [...] On days like this, I just want to make sure that the children are in the house and away from any trouble,' says I'tidal.

'About 20 days later, probably the 8th of December, it was 3:00 am, and me and my family were sleeping. I woke, startled by banging on the door. It was not a polite knock



Silwan, East Jerusalem.
Photo credit: GhtH

– it was loud and terrifying [...] I got dressed and my husband went to answer the door – he asked: “Who is it?” They shouted back: “It’s the police, open up.” My husband opened the door and I stood behind him. Four policemen came through the door and I could see more police and army behind them outside the house,’ recalls I’tidal.

‘I wondered why they had come in the middle of the night – had they come for the house? For the children? One of the police asked my husband for his identification card and for the children’s names. He named the children, and when he said the name “Khalil”, the policeman stopped him and repeated Khalil’s name. I then felt like I was losing my mind – “What do you need from Khalil?” I said. He said: “We need him for interrogation at the Mascobiyya.” I then told them that Khalil was young – he’s only 12-years-old. I told them that I wouldn’t let him go with them because he’s young and sick, and it’s the middle of the night. They said that I should bring him to the Maskobiyya tomorrow and I again said: “No, he can’t tomorrow, he has school and I won’t let him go.” Then they finally said that he should be at the Mascobiyya at 1:30 pm,’ recalls I’tidal. ‘Then the police and soldiers left and we all stayed up for the rest of the night, terrified. I spoke to Khalil and asked him: “What have you done? Have you done anything?” He assured me that he hadn’t, and he was very scared and worried about having to go to be interrogated by the police and didn’t want to go to school.’

‘So the next day, Khalil went to school as normal. My husband then left work early to pick him up from school and take him to the police station. He told me that he spoke to the headmaster who was shocked that they wanted to talk to a 12-year-old,’ says I’tidal. ‘At 1:30 pm my husband arrived at Maskobiyya and they didn’t get back home until after 7:00 pm. When the time came for my husband to take him, I felt that my heart was being removed, I was so scared. As the hours went by, I was burning up inside wondering what they were doing. I called my husband and he told me that he was waiting outside an interrogation room while Khalil was being interrogated – that he was not allowed to be in the room with Khalil,’ remembers I’tidal.

‘When Khalil and my husband arrived home, I sat down and talked to them about what had happened. I was so worried about him. The moment I saw him, I started to cry and he also started to cry. I was crying because I was so happy to see him back home safely, but also because I felt so sorry for what he had to go through at such a young age. He looked shaken with a pale face.’

‘Khalil told me that they hadn’t beaten him but that they had spoken to him in a scary way, shouting at him. He said that they had kept asking him the same question, again and again, asking him where he was on the 18th November. He said that he had no idea why that day – he told me that he just said to the police that he had gone to school as normal and then gone home as normal. But Khalil said that the police just kept on

asking the question, repeating it and at times, the interrogator would bang his fist on the table and ask him the question, and other times he would be smoking and blow smoke in his face [...]. Khalil then told me that they had made him stand on a chair behind the door so when the door opened, he would be knocked off the chair. He said he had been really confused by this and didn't know why he had to do it. He said the first time he had to stand on the chair he had lost his balance but then he had got used to it. Khalil also said that he had been shown pictures of other children and asked whether he knew them – but he hadn't.'

I'tidal's husband was made to sign a piece of paper before the police would release Khalil which stated that if Khalil was involved in any stone throwing, his parents would have to pay 5,000 shekels, and if he was asked to attend another interrogation and did not turn up, they would have to pay a further 5,000 shekels.

Khalil missed a few days school because he was still 'shaken up,' says I'tidal. 'He wasn't eating well and he looked tired and shaken and I thought it was better for him to stay at home for a few days to recover. The other thing that he did in the days after he had been to the police station was to practice what had happened to him on his younger sister and on his friends – he would ask questions and bang his fist in front of them,' recalls I'tidal. 'Now, thank goodness, he's better, but he does over react when he sees soldiers and police. Khalil thinks that they're coming for him, and I try to reassure him that they are not.'

'I still think about what happened, it's still on my mind,' says I'tidal. 'I'm not sleeping properly and feel agitated and worried. I am nervous and anxious anyway because of the worries about the home and the possibility of it being demolished and this is yet another thing to be worried and scared about [...] Things are getting more tense in the neighbourhood. Two weeks ago, soldiers, police and Municipality workers were back in the neighbourhood delivering demolition orders to houses in the area. I'm feeling the tension and the children are affected by it as well,' says I'tidal.

3 February 2010

E Concluding remarks

The body of evidence presented in this report reveals the human cost associated with the Israel's 44 year campaign to unilaterally annex East Jerusalem, in violation of international law. There are many aspects and complexities to this campaign, but in essence it is a process that seeks to limit the population growth and development of the Palestinian residents of East Jerusalem, whilst at the same time encouraging an influx of Israeli settlers into the occupied territory. As stated in an Israeli government report published in the 1970s, the aim is to establish 'a physical reality that guarantees Jewish superiority in the capital.'⁴⁵ Or, in the words of one mother whose house is threatened with demolition: 'I believe that the Israelis want to get rid of the Palestinians in the area, as if we are an outdated product, as if we are dispensable.'

Annex 1: Additional Case Studies on child detention

Voices From The Occupation



Case study: 12
Name: Mahmoud S.
Date of arrest: 5 January 2011
Age: 14
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 5 January 2011, a 14-year-old boy from Silwan, in East Jerusalem, is arrested by Israeli forces at 5:00 am and taken away for questioning without his parents.

'I woke up to a bright light focussed on my eyes,' recalls 14-year-old Mahmoud. 'I was startled and jumped up. I saw five men in civilian clothes and one of them was holding a torch in his hand. "Who the hell are you?" I asked. "We're the police," the man carrying the torch said. "What the hell do you want?" I asked. "We want Mahmoud S.," he said. "That's me."' Mahmoud put on some clothes and went with the men. As he was leaving the family home, one of the men said to his father: 'We'll call you when we put your son on trial.' The men then escorted Mahmoud downstairs from his apartment and into the street. 'There were two Israeli soldiers



Photo Credit: DCI-Palestine

outside the apartment,' recalls Mahmoud. 'They were armed with what I presume were M16s. They grabbed me and walked downstairs. When we came out of the building, I saw six military jeeps and one white jeep with nothing written on it. I also saw around 30 soldiers. "You're a thug," one of the five men in civilian clothes said to me as we came out of the building. "No I'm not," I said, and he slapped me across the neck.' Mahmoud's hands were then tied behind his back and a black sack was placed over his head. Mahmoud was placed in a vehicle which drove for about 30 minutes before arriving at Al Mascobiyya Interrogation Centre. On the way, Mahmoud reports being slapped about five times across the face: 'He slapped me hard and I was scared; not very scared because it was the third time they arrested me.'

On arrival at Al Mascobiyya, somebody forced Mahmoud to his knees and he was made to sit in this position for around 30 minutes, still tied with a sack over his head. 'What scared me the most,' says Mahmoud, 'was that I didn't know where I was and I was blindfolded. No one talked to me at all and I started thinking they went away and forgot about me. The handcuffs were very tight and I felt my hands becoming numb.' Half-an-hour later Mahmoud reports being suddenly kicked in the back and winded. "'What the hell?' I screamed.' He was then taken to an office, untied and the sack was removed from his head. There was a man sitting behind a desk. "'Why did you kick me?' I asked him. "I didn't, it was the policeman because you insulted him," he said. "He kicked me without me breathing a word," I said. "Let's focus on what matters," he said. "You're in Al Mascobiyya and we have a case against you." The interrogator then accused Mahmoud of throwing stones at soldiers and then showed him a two minute video of confrontations between Israeli forces and children in Silwan. The faces of the children were all covered and Mahmoud denied he was one of them. The interrogator then got up and slapped him across the face. 'I got really upset and said to him: "Hit me as much as you want but I didn't do anything wrong." The interrogator then sat in silence typing on the computer before printing out some documents written in Hebrew, and ordering Mahmoud to sign them.

Mahmoud signed the documents because he was scared and was then taken to a bad smelling cell for several hours. Later that day Mahmoud was taken to court and given a home detention order until his trial. Under the order, Mahmoud can not attend school.

9 February 2011

Voices From The Occupation



Case study:	13
Name:	Luai R.
Date of arrest:	12 January 2011
Age:	15
Location:	Silwan, East Jerusalem
Accusation:	Throwing stones and Molotov cocktails

On 12 January 2011, a 15-year-old boy from Silwan, in occupied East Jerusalem, voluntarily attended an interview at Al Mascobiyya Interrogation Centre, and was detained.

On 12 January 2011, 15-year-old Luai from Silwan, went to Al Mascobiyya Interrogation Centre after his mother told him that the police had come to their house looking for him. Luai reports arriving at the interrogation centre at around 1:00 pm and waiting for his mother to arrive. 'I had barely waited two minutes when I saw an interrogator named 'Shadi,' recalls Luai. 'I know him because he interrogated me several times in the past. Once he spotted me, he rushed towards me with another man in civilian clothes [...] and dragged me to another building across the street. "What's going on?" I asked, but they didn't respond. I was scared and didn't know why they were taking me.'



Photo Credit: DCI-Palestine

Luai reports being taken to another building and placed inside a large room. 'Shadi forced me to kneel down and face the wall with hands behind the back of my head. "Don't say a single word or I'll beat the hell out of you," he said to me.' Luai reports being kept in this position for about three hours whilst Shadi and the other man remained in the room smoking and talking to each other. 'Whenever I moved my head, they would slap me on the neck,' recalls Luai. About three hours later, the two men started to interrogate Luai, and accused him of throwing stones and Molotov cocktails. The only evidence the interrogators referred to was that of 'our informers in the neighbourhood.' Luai denied the accusations against him. 'I wasn't scared,' says Luai, 'as I have got used to this, as this is the fifth time they have arrested me.' Luai was questioned in the absence of a family member and at the conclusion of the interrogation, was made to place his fingerprints on a blank piece of paper. Luai was then handcuffed and taken to a cell where he was detained with five other detainees, including adults and children.

The following day, Luai was taken to court but says he did not understand what the judge was saying as he was speaking in Hebrew. Following his court appearance, Luai was taken back to Al Mascobiyya for a second night, before being released on 14 January 2011, on NIS 500 (US \$140) bail and a bond of 3,000 NIS (US \$840). Luai was also given a five day home detention order.

'My father has decided to leave Silwan and take us to Anata refugee camp because we're tired of soldiers and settlers harrassing us. Settlers who live in our neighbourhood (Silwan) keep insulting us and soldiers arrest us whenever something happens. My brother, Feras, was released yesterday and is now under home arrest for six months, and my father is summonsed from time to time. Our house is also under threat of demolition. Therefore, my father has decided to leave Silwan and spare us the suffering. That means we're going to start a new life in Anata and go to new schools. We will leave our relatives and friends behind because my father doesn't want us to get arrested and beaten by soldiers,' says Luai.

12 February 2011

Voices From The Occupation



Case study:	14
Name:	Yousif R.
Date of arrest:	16 January 2011
Age:	13
Location:	Silwan, East Jerusalem
Accusation:	Throwing stones

On 16 January 2011, a 13-year-old boy from Silwan, in East Jerusalem, is requested by Israeli police to attend an interview at the Al Mascobiyya Interrogation Centre.

Yousif and his father arrived at the gates of Al Mascobiyya Interrogation Centre, Jerusalem, at around 10:30am, on 16 January. 'My father gave [the policeman] his ID and he opened the gate and made us sit on metal chairs nearby for about an hour,' recalls Yousif. 'During this time my father tried to calm me down [...] I was scared, but not too much, because my father was with me.'

About an hour later a policeman led Yousif and his father to an office for questioning. 'I sat in one of the chairs in front of the desk and my father sat in the other one behind me. "I'm David, a police interrogator, and I will interrogate Yousif," the interrogator said. "You're not allowed to speak with him during the interrogation or I'll send you out," he said to my father and my father said "Okay, I'll be silent."'

The interrogator accused Yousif of throwing stones at Israeli settlers in the neighbourhood. Yousif says he admitted to throwing one stone towards a settler's house, but missed. 'I told him this because I was scared he might hit me,' says Yousif. 'Why did you throw the stone in the first place?' the interrogator asked. "I don't know," I said. "Do you do things without knowing why?" he asked. "I was bored, so I did it." I said. "Who told you to do it?" he asked. "Nobody, I did it on my own," I said. "Who was with you?" he asked. "I was alone," I said. "It seems we'll keep you here with us," he said. "I was alone and didn't see anyone," I said. "You're a liar and need to be taught a lesson," he said.' Yousif reports that the interrogator then screamed at him, causing his father to intervene. "Why do you scream at him? Don't force him to confess," my father said. "Get the hell out of here, you all need to be taught a lesson," he said.' After Yousif's father left the room, the interrogator continued to question Yousif. "We've been good to you this time, but next time you'll know what it means to throw stones at Israeli citizens," the interrogator said. "I'll never do it again," I said. He stared at me but didn't say anything.'



A short time later, the interrogator handed Yousif a document written in Hebrew and told him to sign it, which he did. After the interrogation was over, Yousif and his father were taken to a court room and he was released on bail of 500 shekels (US \$140), and a bond of 5,000 shekels (US \$1,400).

16 February 2011

Voices From The Occupation



Case study: 15
Name: Mahmoud A.
Date of Arrest: 21 January 2011
Age: 10
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 21 January 2011, a 10-year-old boy from Silwan, in East Jerusalem, is arrested by Israeli forces, and taken away for questioning.

At around 1:00 p.m., on 21 January 2011, 10-year-old Mahmoud was on his way to the local pharmacy to fetch some medication for his grandmother. 'As I passed by the protest tent,' recalls Mahmoud, 'there were confrontations going on between children and Israeli soldiers. I saw around 30 children throwing stones at around 15 soldiers. They were chasing children. When I saw the soldiers chasing the children, I ran away because I was scared they might think I was throwing stones too. I barely ran 20 metres when a soldier grabbed my right arm and started dragging me away. Another soldier came along and grabbed my arm and I started crying.'



Photo Credit: DCI-Palestine

'Mahmoud was then placed inside a vehicle. "I want my mum and dad," I started screaming,' recalls Mahmoud. 'I was scared they would hit me. The jeep started travelling and the soldier sitting next to the driver said to me: "I don't want to hear your voice." He punched me twice on the head and I kept crying but in a low voice.' Mahmoud was taken to an Israeli police station in East Jerusalem and questioned.

Under Israeli law, children below the age of 12 are not supposed to be detained and questioned as criminal suspects. Further, children 12 or older, are generally only supposed to be questioned in the presence of a parent. On arrival at the police station Mahmoud was pulled out of the vehicle: "'You're still crying? We'll teach you a lesson so you'll never throw a stone again,'" a soldier said to Mahmoud. "'I swear to God I didn't throw," I said to him whilst crying. "You're all liars," he said.'

Mahmoud was led into a room and waited for 10 minutes before an Israeli policeman entered and started questioning him alone. "'Hello thug," the policeman said. "I swear to God I didn't do anything," I said. "Oh, I'm just getting started," he said. "I want to go home," I said. "You all act like lions in the street and become rabbits when you come

here," he said. "But I didn't do anything," I said. "Shut up and don't talk unless I ask you," he said. "What were you doing in al-Bustan?" he asked. "I was on my way to the pharmacy," I said. "You meant to throw stones," he said. "I swear I didn't throw any stones," I said. "Then who did?" he asked. "I didn't see who it was," I said. "Tell me you threw stones and I'll send you home," the policeman said. "I swear to God I didn't," I said. "You threw two stones but this time I'll let you go but next time I'll make you pay 2,000 shekels if you come again."

About 10 minutes later, Mahmoud's uncle arrived to take him home. "Take him, but next time we'll send him to Al Mascobiyya and you know how things are there," the policeman said to my uncle.'

7 February 2011

Voices From The Occupation



Case study: 16
Name: Abed S.
Date of arrest: 24 January 2011
Age: 13
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 24 January 2011, a 13-year-old boy from Silwan, in East Jerusalem, is woken up at 4:30 am by three heavily armed men in his bedroom.

'At around 4:30 am, I woke up to a loud voice screaming my name,' recalls Abed. 'I opened my eyes and saw three men in black uniforms aiming their rifles at me. I was startled and jumped out of bed without knowing who they were. "Don't be scared, it's the Israeli police," my mother said to me, but that scared me even more.'



Photo Credit: DCI-Palestine

Abed's mother tried to persuade the men to allow her to bring her boy to the police station the next day, as he had just been discharged from hospital after having his appendix removed, but the men refused. "'Don't worry, we have a doctor,'" one of them said. "'Where are you taking him? He's just a little kid,'" my mother said. "To Al Mascobiyya," said one of the men.' After Abed had put on some clothes he was taken out of the house and placed in a jeep. Abed was not handcuffed or blindfolded, but was scared. 'The soldier sitting

next to me made me lower my head and started insulting my mother and my sister. He insulted me using very dirty words. He also hit me on the head four times with his helmet. I kept crying because I was very scared. I had just come out of hospital and now they were taking me to Al Mascobiyya,' says Abed.

About 20 minutes later the jeep arrived at Al Mascobiyya Interrogation Centre, in another part of Jerusalem. Abed reports that he now had a headache from being hit and the stitches in his stomach were causing him pain. As he was pulled out of the jeep the man who had been hitting him slapped him across the face once more, before handing him over to a policeman in blue uniform. 'The policeman opened the gate and let me in. He brought me a plastic chair and made me sit there but without tying or blindfolding me. He also brought me a glass of water and that made me relax because I felt he was good,' says Abed. "'Don't hit me because I still have stitches in my stomach from the operation,'" I said to the policeman. "Don't worry because I'm not stupid like the soldier who hit you," he said. "You'll put me in prison?" I asked. "I don't know, just relax until the interrogator comes."

About 30 minutes later Abed was taken into an office for interrogation. Contrary to Israeli law which would typically apply in this situation, he was not accompanied by one of his parents. The interrogator asked Abed where he had been on the 7th and 9th of January, to which Abed responded that he was at home. The interrogator then accused Abed of being a liar and then showed him a photograph of a child throwing a stone. The interrogator then approached Abed and slapped him once across the face: "'You should've told the truth from the beginning.'" I started to cry and he left me alone and went out of the office.' About 10 minutes later the interrogator returned with Abed's mother and told her not to say a word or she would be removed from the room. After some further questioning about stone throwing, the interrogator printed out some documents written in Hebrew and told Abed to sign them. 'I was afraid he would hit me again, so I signed the papers,' says Abed.

Abed was released the same day but was ordered to remain under house detention for five days, and was told the family would be fined 7,000 shekels (US \$1,950) if he was arrested again.

14 February 2011

Voices From The Occupation



Case study: 17
Name: Hasan R.
Date of arrest: 25 January 2011
Age: 13
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 25 January 2011, a 13-year-old boy from Silwan, in East Jerusalem, is arrested on the streets of Silwan after playing football with his friends, and taken to Al Mascobiyya Interrogation Centre for questioning.

'At around 5:00 pm,' recalls Hasan, 'I was on my way home after playing some football with my friends in the playground in the al-Bustan neighbourhood, [Silwan]. When I was about 150 metres away from home, I saw confrontations going on between young men and Israeli soldiers. The soldiers were chasing the young men. I was wearing a cover over my head and a scarf around my neck because it was a very cold day. When I was about 10 metres away from the soldiers, one of them photographed me and I ran away because I felt he thought I was one of the



Photo Credit: DCI-Palestine

young men throwing stones. I had barely run about seven metres when I fell down on my stomach after tripping over something [...] When I fell down, two Israeli soldiers started kicking me on the left leg and punching me in the back. I kept screaming because of the pain. I was very scared. One of them tied my hands with plastic cords from the front and blindfolded me with the cover I was wearing on my head.' Hasan recalls that he was then picked up and placed inside a vehicle. 'One of them placed his hand on my neck and I was very scared and confused because it was the first time they arrested me.' The vehicle travelled for around 15 minutes and Hasan reports that his hands began to hurt due to the hand ties.

On arrival at Al Mascobiyya Interrogation Centre, a policeman untied Hasan's hands and led him into an office. Hasan reports that there was already a man in the office dressed in civilian clothes and sitting behind the desk. He was about 40 years old.

"Scared?" asked the man in civilian clothes. "Yes," I said. "Why?" he asked. "Because I don't know why you arrested me," I said. "Don't be scared, you'll go home if you didn't do anything," he said. "I didn't do anything," I said. "We'll see about that,"

he said and became quiet for about five minutes, during which time I was very scared and shivering. He noticed that.' The interrogator then started questioning Hasan alone, without either of his parents being present which is the usual legal practice in these circumstances under Israeli law, which is applied to East Jerusalem. As soon as Hasan had given his last name the interrogator said that his uncle was a troublemaker. "Who throws stones at the soldiers?" he asked. "I don't know," I said. "Who throws Molotov cocktails?" he asked. "I don't know," I said.' Hasan reports that the interrogator then became silent for about half-an-hour and then said he would send him home, but that he would be required to return the next day to attend court. The interrogator then handed Hasan a blank piece of paper and told him to sign his name at the bottom, which he did, and he was then released.

The next day, Hasan went with his father to court and was released on bail of 500 shekels (US \$140) and a condition that he would not leave his house for 10 days, or would be required to pay a fine of 2,000 shekels (US \$550). No date has yet been set for his next court appearance.

16 February 2011

Voices From The Occupation



Case study: 18
Name: Odai G.
Date of arrest: 1 February 2011
Age: 10
Location: Silwan, East Jerusalem
Accusation: Throwing stones

On 1 February 2011, a 10-year-old boy from Silwan, in East Jerusalem, is arrested at 5:00 am and taken to Al Mascobiyya Interrogation Centre for questioning.

'At around 5:00 am we woke up to banging on our door,' recalls 10-year-old Odai. Odai, and his 12-year-old sister, Muna, followed their mother to the front door. Odai's father was not home. 'The three of us headed to the door and knew it was Israeli soldiers who were banging because I heard someone behind the door saying: "Open up, it's the army,"' says Odai. Once the door was open, Odai recalls seeing around 10 armed Israeli soldiers. "What do you want?" my mother asked them. "We want Odai. Let him change his clothes and bring him out," one of them said. "Why do you want him?" my mother asked. "We'll say later," he said. After Odai had changed his clothes he went outside with the soldiers and was handcuffed. 'I was scared, but not much,' says Odai. 'We have got used to soldiers who have searched our house several times and have arrested my father.' The soldiers walked Odai about 20 metres and then placed him inside a waiting jeep. "Don't you want to tell us what you did?" the soldier sitting

in the front seat said to me. "I didn't do anything," I said. "Tell us now so we send you home," he said. "I didn't do anything," I said. "Then we'll take you to Al Mascobiyya and let the police beat you to make you tell us what you did," he said, and I didn't respond. I became more scared because I have heard from the children in the neighbourhood that the police in Al Mascobiyya beat detainees,' says Odai. 'The soldier sitting next to me pulled my hair until my face was close to his face, and then he blew air into my face to intimidate me, and then he let go,' recalls Odai.



About 15 minutes later the vehicle arrived at Al Mascobiyya. Odai was untied and placed in a cell with two adult detainees who he thinks were in their thirties. Odai then slept for several hours. 'I woke up to a policeman screaming out my name,' recalls Odai. "'Here I am," I said. "Shabak interrogation," he said. I know 'Shabak' means Israeli intelligence. I got up and went out with him. "Be a hero," the two men [in the cell] said to me before the policeman closed the door. I was very scared because if I said I didn't throw any stones the police would beat me,' says Odai. Odai was taken to an office where an interrogator and his grandfather were waiting. 'I was no longer scared because I saw my grandfather,' says Odai. After asking Odai for his personal details, the interrogator continued: "'Why do you throw stones?" he asked. "I don't," I said. "Yes you do," he said. "Show me pictures," I said. "There are no pictures," he said. "So how come you know I throw stones?" I asked. "So you don't throw stones?" the interrogator asked. "No, I don't," I said. "So who was with you when you threw?" he asked. "I didn't throw, so how come someone was with me?" I said. "How's your father?" he asked. "I haven't seen him since you moved him away," I said. "And because of that you threw stones?" he asked. "I didn't throw," I said. "Do you want us to send him home?" he asked my grandfather. "Yes, of course," my grandfather said. "We'll do it but tell his father we're good and we sent his son home," he said. "If we catch you again, we'll make your father pay 5,000 shekels (US \$1,400)," he said. "Take him and advise your children to study instead of throwing stones," he said to my grandfather.'

'I'm home now,' says Odai. 'My mother doesn't allow me to leave the house because she's scared soldiers will take me again. My father has been moved away from Silwan by an Israeli court for four months. It's been a month since I last saw him. He lives in Ramallah now. I have seen him twice but the trip from Silwan to Ramallah is very long and tiring.'

16 February 2011

End Notes

1. UN Office for the Coordination of Humanitarian Affairs (OCHA), Protection of Civilians Weekly Report, 11-17 May 2011 – available at: http://www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2011_05_20_english.pdf
2. B'Tselem, Caution: Children Ahead – The illegal behavior of the police towards minors in Silwan suspected of stone throwing (December 2010) – available at: http://www.btselem.org/Download/201012_Caution_Children_Ahead_Eng.pdf; and DCI-Palestine, In their own Words: A report on the situation facing Palestinian children detained in occupied East Jerusalem (3 February 2011) – available at: http://www.dci-palestine.org/sites/default/files/eastjerusalem_january2011.pdf
3. DCI-Palestine collects testimonies in accordance with the Training Manual on Human Rights Monitoring developed by the UN Office of the High Commissioner for Human Rights (OHCHR).
4. WCLAC is a Palestinian non-governmental organisation based in the Occupied Palestinian Territory - <http://www.wclac.org/english/index.php>
5. Orna Ben-Naftali, Aeyal M. Gross and Keren Michaeli, Illegal Occupation: Framing the Occupied Palestinian Territory (2006), Berkeley Journal of International Law, Vol. 23.3, page 551.
6. Article 49 of the Fourth Geneva Convention.
7. UN Security Council Resolution 242 (1967).
8. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 13 – available at: http://www.ochaopt.org/documents/ocha_opt_jerusalem_report_2011_03_23_web_english.pdf
9. Basic Law: Jerusalem, Capital of Israel - available at: http://www.knesset.gov.il/laws/special/eng/basic10_eng.htm
10. See UN Security Council resolutions 298 (1971) and 478 (1980).
11. Advisory Opinion of the International Court of Justice (ICJ) on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (2004) (ICJ Wall Opinion) - available at: <http://www.icj-cij.org/docket/files/131/1677.pdf>
12. Cited in A.S. Cheshin, B. Hutman and A. Melamed, Separate and Unequal: The Inside Story of Israeli Rule in East Jerusalem, Harvard University Press (1999), pages 33-34.

13. ICJ Wall Opinion – available at: <http://www.icj-cij.org/docket/files/131/1677.pdf>
14. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 12.
15. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 28.
16. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 84.
17. Ir Amim, About Municipal Inequality, – available at: <http://www.ir-amim.org.il/eng/?CategoryID=368>
18. Hague Regulations – Articles 46, 53 and 55; Fourth Geneva Convention – Articles 27, 49 and 53; and the ICJ Wall Opinion.
19. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 51.
20. *Ibid.*; and B'Tselem. The twelve settlements in East Jerusalem are: Givaat Hamatos Har Homa; Har Homa; Gilo; French Hill; The Jewish Quarter; Maalot Daphna; Neve Yaacov; Pisgat Ze'ev; Ramot Alon; Ramat Eshkol, Givat Hamivtar; Ramat Shlomo; and East Talpiot.
21. B'Tselem – available at: <http://www.btselem.org/English/Settlements/>
22. Source: Jewish Virtual Library – available at: <http://www.jewishvirtuallibrary.org/jsource/arabs/PalPaper110409.pdf>
23. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 53.
24. B'Tselem. According to another Israeli non-governmental organisation, the Association for Civil Rights in Israel (ACRI), the presence of settlers in Palestinian neighbourhoods 'carries dire implications for the fabric of neighbourhood life. There is much friction between the settlers and local residents, friction that has ended more than once in violent confrontations, arrests and legal proceedings, most of them initiated against Palestinians.' – ACRI, Unsafe Space, The Israeli Authorities' Failure to Protect Human Rights amid Settlements in East Jerusalem (September 2010), page 4 – available at: <http://www.acri.org.il/pdf/unsafe-space-en.pdf>
25. B'Tselem – available at: <http://www.btselem.org/english/Jerusalem/Index.asp>
26. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 53.
27. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), pages 28 to 48.
28. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), pages 29 to 31.
29. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011); and the Displacement Working Group, Summary Table: Demolitions 2011.
30. B'Tselem, Caution: Children Ahead – The illegal behavior of the police towards minors in Silwan suspected of stone throwing (December 2010), page 6 – available at: http://www.btselem.org/Download/201012_Caution_Children_Ahead_Eng.pdf

31. OCHA, Humanitarian Monitor (September 2010), page 3 – available at: http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2010_10_19_english.pdf
32. OCHA, East Jerusalem: Key Humanitarian Concerns (March 2011), page 34.
33. The Israeli Committee Against House Demolitions (ICHD), No place Like Home: House Demolitions in East Jerusalem (March 2007), page 46 – available at: <http://icahd.org.dolphin.nethost.co.il/wordpress/wp-content/uploads/2010/05/NoPlaceLikeHome.pdf>
34. The Israeli Committee Against House Demolitions (ICHD), No place Like Home: House Demolitions in East Jerusalem (March 2007), page 46 – available at: <http://icahd.org.dolphin.nethost.co.il/wordpress/wp-content/uploads/2010/05/NoPlaceLikeHome.pdf> Figures obtained from OCHA on 8 June 2011.
35. Save the Children UK (SCUK) and the Palestinian Counselling Centre (PCC), Broken Homes: Addressing the Impact of House Demolitions on Palestinian Children and Families, (2009) available at: http://www.savethechildren.org.uk/en/docs/Broken_Homes_English_low_res.pdf
36. Figures obtained from OCHA. 8 June 2011.
37. OCHA, East Jerusalem: Key Humanitarian Concerns, (March 2011), page 69; and ACRI, ACRI Calls for End to Employment of Private Guards in E. Jerusalem – available at: <http://www.acri.org.il/en/?p=768>
38. Between October 2009 and November 2010, the Israeli non-governmental organisation, B'Tselem, reported that 81 children from Silwan were arrested or detained for questioning, mostly on suspicion of stone throwing - B'Tselem, 'Caution: Children Ahead – The Illegal Behaviour of the Police towards Minors in Silwan Suspected of Throwing Stones,' (December 2010).
39. B'Tselem, 'Caution: Children Ahead – The Illegal Behaviour of the Police towards Minors in Silwan Suspected of Throwing Stones,' (December 2010), page 13.
40. Available at: http://www.dci-pal.org/english/doc/press/Letter_by_Israeli_professionals_on_Silwan.pdf
41. Youth (Trial, Punishment and Modes of Treatment) Law – Section 9H. An exception to this rule is permitted upon written authorisation of an authorised officer, and in cases in which the well-being of the child requires the parent not to be present.
42. Youth (Trial, Punishment and Modes of Treatment) Law – Section 10B.
43. Public Committee Against Torture in Israel, 'Shackling as a Form of Torture and Abuse,' (June 2009) – Defence for Children International-Palestine Section, 'Palestinian Child Prisoners: The Systematic and Institutionalised Ill-Treatment and Torture of Palestinian Children by Israeli Authorities,' (June 2009), pages 9-11, and 26-65; Public Committee Against Torture in Israel, 'No Defense: Soldier Violence against Palestinian Detainees,' (June 2008) – page 3 – 'In 30 of the 90 cases of

ill treatment we examined, the detainees testified that they were subjected to painful shackling. The soldiers often leave the detainee shackled for a protracted period – frequently for many hours, which is painful and liable to cause permanent injury;’ United Against Torture, Torture and Ill-Treatment in Israel & the occupied Palestinian territory (2008), pages 9-17 – <http://www.unitedagainsttorture.org>.

44. Penal Law (1977) – Section 34 F
45. Cited in A.S. Cheshin, B. Hutman and A. Melamed, *Separate and Unequal: The Inside Story of Israeli Rule in East Jerusalem*, Harvard University Press (1999), pages 33-34.



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