“Detaining Dreams” is a product of the No Way to Treat a Child campaign, which started in November 2014. One of the goals of the No Way to Treat a Child campaign is to bring the experiences of Palestinian children who are detained by the Israeli military (border police, Israeli police) to audiences in the US, including to members of the US Congress. In the spring of 2015 two volunteers traveled to Palestine and worked with Defense for Children International Palestine to record the testimonies of these four Palestinian youth and their families. The footage was produced into a film by Amr Kawji and sponsored by the American Friends Service Committee in Chicago and Defense for Children International Palestine.

1 Where can I show "Detaining Dreams"?

You can show this film anywhere you have access to the Internet and a computer. We suggest hosting a film night with your community or organization members. As the film is about 20 minutes long, this will leave your viewers with plenty of time for questions and discussions. A study guide was created to provide discussion questions and background.

2 How long is the film?

The “Detaining Dreams” trailer is 44 seconds long. The full film is 18 minutes and 34 seconds.

3 How can I access the film?

The film can be accessed online through vimeo.com (https://vimeo.com/131146708)

4 Is there a fee for showing "Detaining Dreams"?

There is no fee to show the film. However donations are always welcome. Supporters fund our campaign so if you would like to help us continue our work you can make an online donation at http://bit.ly/donatenow
5. Where can I direct others who wish to show this film?

Please send us an email at detainingdreams@gmail.com

6. Where can I get more information about Palestinian child detention?

Visit our website www.nowaytotreatachild.org. You can also send an email to nowaytotreatachild@gmail.com. If you wish to speak to someone by phone, please call 312-427-2533 and ask for the No Way to Treat a Child contact staff. Additional information is available at http://www.dci-palestine.org/
1. What has happened to these boys?

**Abed** was arrested at age 14. He was taken from his bedroom at two in the morning on April 14, 2015 in a night raid. Israeli forces released Abed on bail in April 2015. During his summer break in 2015, Abed and his family visited their relatives in Jordan. In the fall of 2015, Abed returned to his local school and hopes to attend university in the future.

**Mohammed A.** was arrested at age 15 in May 2014. After four court sessions, and two months of incarceration, Mohammed was released on July 25, 2014. Mohammed returned to school after detention, hoping to take the high school matriculation exams in 2016.

**Mohammed S.** was arrested at age 15 in the spring of 2014. His father attempted to be present at interrogation but was denied access. Mohammed received no medical treatment for his injured knee, which developed an infection during incarceration. As of May 2015, Mohammed's medical situation is stable. He works in the Beit Ummar community.

**Ameer** was arrested at age 16 on October 20, 2014. Ameer had 14 court hearings during his 40 days in Ofer Prison. Upon his release from detention, he continued to be called into Israeli military court which disrupted his school studies. Ameer is in his final year of school and plans to take the high school matriculation exams in 2016.

2. Why were the families willing to speak out?

According to DCIP, most families speak out because DCIP lawyers ask them. DCIP attorneys form a strong relationship with these families, often having represented multiple members over the years. Because of this trust, families seldom turn them down when they request help in advocacy efforts. Many families also understand that advocacy, media coverage, and outreach serves as protection of sorts for their children. In other words, they're not forgotten and alone.

3. How did you identify these boys for the film?

DCIP selected the boys and their families because their stories combined to give a glimpse into the overall experience children have in the Israeli military detention system. We also factored in the child's well-being---whether he could share his experience without the trauma resurfacing and causing a setback. It's important that children who choose to share their story do so willingly and freely.
4. What is the official age for arrests?
Under Israeli military law, the minimum age of criminal responsibility is 12 years old. In 2011, Israeli military authorities raised the age of majority in the military courts from 16 to 18 years. While this amendment was a positive development, it failed to impact sentencing provisions, leaving a 16 or 17 year old child subject to the same maximum sentences as adults. Children 12-13 years old are subject to maximum sentences of six months, and 14-15 year olds are subject to maximum sentences of 12 months, unless charged with an offense that carries a maximum sentence over five years.

Palestinian children prosecuted in the Israeli military courts are overwhelmingly accused of throwing stones, an offense that carries a potential maximum sentence of 10 to 20 years depending on a child’s age.

5. What is a night raid?
Palestinian children are often taken from their West Bank homes during the middle of the night by heavily armed Israeli soldiers. Generally, Israeli forces enter Palestinian villages and conduct raids on Palestinian homes. Night raids are the default process for arrest.

Family members are rounded up into one room while Israeli forces search and often ransack the home. An officer usually confirms the names and ages of the family members, and then takes the child into custody. Under Israeli military law, Israeli forces have the authority to arrest anyone they suspect has violated an offense under military law, such as throwing stones. Arrests are not subject to any independent oversight. Families are not informed of the reason for arrest or where their child is being taken.

A night raid is frightening for all involved—the child awakened in the middle of the night, the family who cannot respond, and the neighbors who fear they will be next. For children arrested in these raids, it is often their first time they have been away from home without their family.

6. Who represents the children? When can they see a lawyer and in what circumstances?
DCIP represented the children in the video. Each year, DCIP provides free legal aid to approximately 120 children in Ofer and Salem military courts, roughly 20 to 25 percent of all West Bank children in military detention. Other sources of representation include the Palestinian Commission of Detainees and Former Detainees Affairs, the Prisoners Club (a quasi governmental organization), and the prisoners support group Addameer, all of whom provide legal aid free of charge. In addition, private lawyers, some working pro bono, represent children.
A child’s initial appearance in the military court occurs between 24-48 hours after an arrest and is usually when he first sees a lawyer and his family. Although many children maintain their innocence, most plead guilty because this is the quickest way out of a system that rarely grants bail.

All children have a lawyer once they appear in the Israeli military courts, and court procedures require defense attorneys in order for cases to move forward.

7. What are the military courts like?
There are two Israeli military courts in the occupied West Bank. Ofer military court is located near Ramallah and Salem military court is located in the northern West Bank near Jenin. In 2009, responding to demands that Palestinian children not be prosecuted in Israeli military courts designed to prosecute adults, Israeli military authorities created military juvenile courts. In practice, the military juvenile courts use the same facilities and court staff as the adult military courts. There have been few improvements in the situation facing children prosecuted in the military courts since the introduction of the juvenile military court.

Israeli military court judges and prosecutors are active duty or reserve officers or soldiers in the Israeli army.

Ofer military court is located in Israel's Ofer military prison and the courtrooms are a series of temporary trailers. The inside of each trailer resembles a courtroom complete with wood trim. A military judge sits elevated in the center front of the courtroom. There is a desk to one side for the military prosecutor and a desk in the middle for the defense lawyer. All proceedings are conducted in Hebrew, but a bilingual soldier is present to translate proceedings to Arabic. There is a wood separation rail, behind which observers and parents sit. Parents can see their child but cannot have contact with him. For court sessions to proceed either the child's parent(s) or grandparent(s) must be in attendance. While they're barred from having physical contact with the child or even speaking to him, they at least get to see him, and often whisper a word or two during the time spent in the military court.

8. Are girls ever arrested and detained?
Around 500-700 Palestinian children are arrested, detained and prosecuted in the Israeli military court system each year. These children are overwhelmingly Palestinian boys accused of throwing stones. Three out of four experience physical violence during arrest, transfer or interrogation.
Girls are arrested and detained, but infrequently. There may be one or two in the Israeli military detention system at any given time. However, widespread and systematic ill-treatment and torture against Palestinian children in the Israeli military detention system is targeted at Palestinian boys.

9. What do the courts consider as evidence?
According to DCIP, the single most incriminating piece of evidence used against a child is a confession, often obtained through coercion. While international law prohibits statements or confessions obtained through force or coercion from being used as evidence, Israeli military judges rarely exclude these statements. Other evidence used against Palestinian children in the military courts includes confessions or statements from other children and statements from an Israeli soldier. A soldier’s affidavit is rarely called into doubt by the courts given that both the soldier and the court are part of the same military. On some occasions, photographs taken from military observation towers or by soldiers at the scene that show the child committing the offense are entered into evidence. Whether the photos are doctored or represent a previous act and not the one for which the child is charged, rarely comes into question by the courts.

10. How is the sentence determined? Are detained children immediately sentenced?
According to DCIP, the overwhelming majority of cases result in a plea deal between the military prosecutor and the defense attorney. Although many children maintain their innocence, most plead guilty because this is the quickest way out of a system that rarely grants bail.

In some cases, children and their families prefer delaying sentencing because once sentenced they are usually transferred to prisons inside Israel. For example, a child held in Ofer military prison prefers to stay at Ofer since court sessions occur in nearly the same location and he is able to see his parents because they have access to court sessions. Once sentenced, Palestinian child prisoners are transferred from occupied territory to prisons inside Israel in violation of the Fourth Geneva Convention. The practical consequence of this is that many of them receive either limited or no family visits due to freedom of movement restrictions and the time it takes to issue a permit to visit the prisons.
11. Can parents visit the children in prison, and if so how do they get permission?

According to DCIP, the International Committee of the Red Cross facilitates all prison visits, which includes arranging the necessary permits for West Bank families to visit their children in prisons inside Israel. Parents are not able to visit their child for the first three months. After that period, families can visit once every two weeks for 40 minutes each visit. Children speak to their parents through a glass barrier. There’s no physical contact between the parents and their child. Even with the ICRC's assistance, families struggle to obtain visit permits as the final decision rests with Israeli authorities. Travel is difficult for families, as they often have to go through many checkpoints and are very often denied access. For prisons located inside Israel, like Megiddo prison, the parent will need to obtain additional permits to travel inside Israel. Even with permits, the parents will have to go through checkpoints, where they may experience delay or be refused entry. Also, it can become difficult for parents to visit their child in prison when they have younger children who cannot be left at home alone.

12. What are the conditions in prison for children? Can they go outside?

According to DCIP, the majority of Palestinian child prisoners are held at two Israeli prisons. Ofer military prison is located in the West Bank near Ramallah, while Megiddo prison is located inside Israel. Transferring Palestinian children to Megiddo prison inside Israel, or other detention facilities inside Israel, is a violation of the Fourth Geneva Convention which prohibits the transfer of individuals out of an occupied territory.

Children have little contact with Israeli prison guards. They encounter them often only during roll call and whenever their rooms are searched for contraband. Generally, each prison room holds around 10 children who sleep on bunk beds, and includes a television and small bathroom. In summer the room can get quite hot, and in winter heating is insufficient. In Megiddo prison, a handful of children cook lunch and dinner for all the other children. Five adult Palestinian prisoners oversee the children and take care of them. While the adult prisoners live with the children in the juvenile section, they sleep in a separate cell. Families express gratitude to these five men for being surrogate parents to these children during their time in prison.

According to an Al Jazeera report, the juvenile wing of Ofer prison holds up to 120 children. If it is full, then Palestinian child detainees can be moved to the adult wing. The juvenile cell is 25 square meters, and is shared by 10 prisoners. A thin blanket is given in the winter. The cells are not well heated.
The children report there is nothing to do while in prison. They sit around, watch television and play video games. There are several hours of exercise. Children also report that the food served is not fresh and smells bad.

13. Is there school in prison?
Limited education (basic Arabic and math) is provided for children in prison. Formal education is not available. The youth in prison have their education delayed. After release, some will work to get caught up in their schoolwork, but this is difficult. Others will need to wait until the next semester begins until the semester when they were arrested is again in the cycle. Many youth find it difficult to return to school after their experience in prison.

14. Can youth correspond with people outside of prison?
According to DCIP, they cannot. While Israeli children detained for criminal offenses are allowed weekly phone calls with their parents, Palestinian children serving time for so-called "security" offenses have no such right.

15. What is the difference between a military and civilian court in Israel/Palestine?
Since 1967, Palestinian children in the Occupied Palestinian Territory have been living under Israeli military law and prosecuted in military courts. Israeli military authorities are empowered with executive, judicial, and legislative authority over the Occupied Palestinian Territory.

In the West Bank, there are two separate legal systems operating in the same territory. The sole factor in determining which laws apply to a person is his or her nationality and ethnicity. Israeli military law, which fails to ensure and denies basic and fundamental rights, is applied to the whole Palestinian population. Israeli settlers living in the West Bank are subject to the Israeli civilian and criminal legal system, which includes enhanced due process and fair trial rights. No Israeli child comes into contact with the military court system.

"For Palestinian Children of East Jerusalem, the Exception is the Rule"
http://www.dci-palestine.org/for_palestinian_children_of_east_jerusalem_the_exception_is_the_rule

"Palestinian Youths Face Arrests Without Warning"

www.nowaytotreatachild.org
16. Do all Palestinian children speak Hebrew? Are they given translators? Generally, Palestinian children primarily speak Arabic and do not speak or understand Hebrew. In the military courts, while all proceedings are conducted in Hebrew, a soldier is present to provide Hebrew to Arabic translation.

17. During transport, where do children go and under what conditions? Following an arrest, Palestinian children are often placed on the metal floor of a military jeep and transferred to a nearby settlement or military base. Three out of four experience physical violence during arrest, transfer or interrogation. Several hours after their arrest, children arrive at an interrogation and detention center alone, sleep deprived and often bruised and scared.

According to DCIP, after the initial arrest and transfer, the Nachshon Unit transports children back and forth between prison, interrogation, and court sessions.

The majority of interrogations take place at Israeli police stations located in illegal Israeli settlements in the West Bank. Some detention centers also serve as interrogation centers. In particular, Al-Jalame interrogation and detention center near Haifa and Petah Tikva interrogation and detention center near Tel Aviv are both used to hold Palestinian children in solitary confinement solely for interrogation purposes, a practice that amounts to torture.
For Discussion - Open Ended Questions

1. What images stay with you after seeing the film?

2. What do you think the long-term impact is on children when they get out of prison? On their communities? On the wider society?

3. Who do you think profits from this system of detention?

4. Since this treatment of children is against international law standards, why do you think Israel uses these practices and is not held accountable?

5. What needs to change to protect the rights of children?

6. If you were a parent of a child that experienced this military court system, how would you feel? If you were a sibling?

7. How does the issue of Palestinian child detention compare with what you know about the American experience of young people?

8. When demanding systemic change, how can incremental or “band aid” fixes to the issue be helpful? Detrimental?