

A Call for the United Church of Christ to Advocate for the Rights of Children Living Under Israeli Military Occupation

APPROVED as amended

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Submitted by sponsoring UCC Congregations listed on www.uccpin.org

A Resolution of Witness

Summary

This Resolution calls attention to the plight of children suffering under Israel's prolonged military occupation of the West Bank, East Jerusalem, and Gaza. In particular, this resolution names the traumatic situation of children living with constant fear of arrest, detention, and violence at the hands of Israeli forces. It calls the United Church of Christ to advocate for the human rights of the children of Palestine. It requests the General Minister and President of the United Church of Christ to petition the Prime Minister of Israel and the Israeli Ambassador, asking them to guarantee basic due process rights and exercise an absolute prohibition against torture and ill-treatment of children detained by Israeli authorities. This resolution insists that, from the moment of arrest, all operations and procedures imposed on Palestinian children be carried out in accordance with international juvenile justice standards, specifically the United Nations Convention on the Rights of the Child, which Israel ratified in 1991. Further, this resolution calls on the United States government to adhere to U.S. laws concerning human rights violations and the disbursement of military aid and assistance to Israeli armed forces.

Recognizing that establishing a just peace between Palestinians and Israelis is essential for creating and sustaining the conditions under which life can flourish for both Palestinian and Israeli children, this Resolution also urges all settings of the United Church of Christ to persist in efforts to end the Israeli military occupation of Palestinians living in the West Bank, East Jerusalem, and Gaza as called for in particular by the Thirtieth General Synod.

Biblical, Historical, and Theological Grounding

Kairos Palestine, written by Palestinian Christian theologians in 2009 and commended to the churches by the Thirtieth General Synod, reminds us that "the communion of love says to every believer in spirit and in truth: if my brother is a prisoner I am a prisoner; if his home is destroyed, my home is destroyed; when my brother is killed, then I too am killed." [1] Discipleship requires solidarity with the vulnerable and the oppressed.

As Palestinians living in the West Bank, East Jerusalem, and the Gaza Strip enter their 50th year under Israeli military occupation, instability and violence continue to define much of life for Palestinian children. While living under prolonged military occupation causes suffering to all Palestinians, the plight of children is of particular concern in light of the persistent grave human rights violations and violence that surround them and the physical and emotional trauma to which they are subject. Generations of children have come of age as refugees living in refugee

camps and behind walls.[2] Generations of children have waited at checkpoints to go to school and return home.[3] Generations of children have witnessed young Israeli soldiers harass and humiliate their parents. Generations of children have witnessed the demolition of their families' homes or businesses, theft of their land, or the destruction of their families' farms and orchards.[4] Generations of children have been arrested by Israeli forces and prosecuted in an Israeli military detention system notorious for the systematic and widespread ill-treatment of children.[5]

Israel has the dubious distinction of being the only country in the world that systematically prosecutes children in military courts. Since the year 2000, over 8,000 Palestinian children have been arrested and prosecuted in this system.[6] Ill-treatment in the Israeli military detention system remains "widespread, systematic, and institutionalized throughout the process," according to the United Nations Children's Fund (UNICEF) March 2013 report *Children in Israeli Military Detention - Observations and Recommendations March*. [7] Subsequent update reports from UNICEF published in October 2013 and February 2015 have found that the situation has changed little for Palestinian children arrested by Israeli forces in the occupied West Bank.[8][9]

In April 2016, Defense for Children International – Palestine (DCIP) published a study of 429 West Bank children detained between 2012 and 2015. Three out of four children had endured some form of physical violence after being detained by Israeli forces. In 97 percent of the cases, children had no parent or lawyer present during the interrogation process. Interrogators used position abuse, threats, or isolation to coerce confessions from some of these children. At least 66 children were held in solitary confinement for an average period of 13 days. One child was held in isolation for 45 days.[10]

By signing the U.N. Convention on the Rights of the Child, the State of Israel obligated itself to implement international juvenile justice standards. These standards require that children be deprived of their liberty *only as a measure of last resort*. The standards include universal prohibitions against physical violence and torture. Yet, Palestinian children arrested by Israeli forces and prosecuted under Israeli military law *routinely experience human rights violations* prohibited by international law.

Since 1967, Israel has operated *two separate legal systems* in the same territory. Israeli Jewish settlers who (in violation of international law) reside in the West Bank enjoy protections provided by the Israeli civilian legal system. In contrast, Palestinians in the West Bank are subject to Israeli military law, which fails to ensure and, in fact, denies basic and fundamental rights. Palestinian children in the West Bank thus suffer abuses and constraints of a military detention system which no Israeli child living in the West Bank ever experiences. The occupation thus creates a system where Palestinians living in the same occupied territory as Israeli settlers have inferior rights and protections under the law – a system where Palestinian children experience an environment of fear, dehumanization and violence that is contradictory to the flourishing of life to which all children, including Palestinian and Israeli children, aspire.

The witness of Scripture grants children a privileged place in the embrace of Jesus and the vision of the beloved community. Jesus welcomed children and blessed them; he called us to become childlike in our reception of the Realm of God.[11] Jesus himself was born in Palestine under Roman Occupation and, according to Matthew's Gospel, escaped the slaughter of innocents by becoming a refugee in Egypt before returning to the land of his birth where he came of age.[12] To read the Gospels is to become aware of both

the blessing and the vulnerability of children. It is to know that God's love was revealed in a child and, in particular, a child vulnerable to injustice and violence.

Justice and peace are impeded today by those who hide behind a false equivalency, refusing to acknowledge the gross imbalance of military and police power between Israelis and Palestinians, or refusing to recognize that the impact of occupation falls with greater weight on the occupied, not the occupier. Justice and peace are impeded today by those who, in the face of failed peace processes and seemingly intractable obstacles, grow resigned and indifferent, as if God were impotent and historical change impossible. To those lacking vision or energy to pursue this issue of justice, Palestinian Christians respond, "In the absence of hope, we cry out our cry of hope. We believe in God, good and just. We believe that God's goodness will finally triumph over the evil of hate and of death that still persist in our land." [13]

The Motion

WHEREAS the General Synod of the United Church of Christ has repeatedly called for a just settlement of the Palestinian-Israeli conflict, for an end to prolonged Israeli military occupation of the West Bank, East Jerusalem, and Gaza, for the upholding of principles of non-violence, and for the protection of human rights; and

WHEREAS the United Nations Convention on the Rights of the Child, which the State of Israel has ratified, calls on states to "Treat every child deprived of liberty with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age," to use arrest and imprisonment of children "only as a measure of last resort and for the shortest appropriate period of time," to give detained children "prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty" and "the right to maintain contact with his or her family through correspondence and visits," and in no case to subject children to "torture or other cruel, inhuman or degrading treatment or punishment," [14]; and

WHEREAS UNICEF in 2013 determined that the "ill-treatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic and institutionalized" and that this ill-treatment of children includes the use of blindfolds, hand-ties, strip searches, physical violence, verbal abuse and intimidation, denial of access to lawyers and parents prior to and during interrogation, and failure to inform children of their legal rights, such as their right to remain silent [7]; and

WHEREAS subsequent update reports to UNICEF's 2013 report have found that the situation has changed little for Palestinian children arrested by Israeli forces in the occupied West Bank [8][9]; and

WHEREAS the United States Department of State in its annual country reports on human rights practices has, since 2007 in each annual country report on Israel and the Occupied Palestinian Territory, included data and information on ill-treatment and torture of Palestinian children in Israeli military detention, denial of fair trial rights in Israeli military courts, and other grave violations against children committed by Israeli forces and settlers; and

WHEREAS Defense for Children International–Palestine (DCIP) and other international, Palestinian, and Israeli human rights organizations regularly publish reports confirming Israel's widespread and systematic ill-treatment of Palestinian children arrested in the occupied West Bank, ill-treatment which includes

heavily armed Israeli soldiers invading children's homes and arresting them in the middle of the night; failure to notify parents of the reason for arrest or the location of detention; denial of access to lawyers during interrogation; failure to inform children of their rights; the use of position abuse, threats, and isolation by interrogators to coerce confessions; the use of solitary confinement for interrogation purposes; acceptance of confessions obtained by coercion or torture as legal courtroom evidence, even those confessions written in Hebrew and not understood by children coerced into signing them; and the routine transfer of Palestinian children out of the occupied Palestinian territories to prisons inside Israel in violation of international law[15]; and

WHEREAS Israeli forces have held an average of 201 Palestinian children in custody each month since 2011, and this number spiked dramatically in late 2015 so that by the end of February 2016 the total had increased to 440, the highest number at any given point since the Israel Prison Service began releasing data in 2008[16]; and

WHEREAS the U.S. Foreign Assistance Act specifies that no military assistance be given to any country that "engages in a consistent pattern of gross violation of internationally recognized human rights" and on at least eleven previous occasions the U.S. has withheld assistance from countries based on their human rights violations[17];

THEREFORE BE IT RESOLVED that the Thirty-First General Synod of the United Church of Christ:

CALLS ON the State of Israel to guarantee basic due process rights and exercise an absolute prohibition against torture and ill-treatment of detained children (defined as persons under 18 years old), ensuring that, from the moment of arrest, all operations and procedures are carried out in accordance with international juvenile justice standards, specifically the United Nations Convention on the Rights of the Child, and *REQUESTS* the General Minister and President of the United Church of Christ to communicate this call to the Prime Minister of Israel and the Israeli Ambassador to the United States, noting that among the practices in Israel's military detention system that require change are the use of nighttime arrests in the child's home, physical and verbal abuse, blindfolds and restraints, strip searches, solitary confinement, coerced confessions and confessions written in Hebrew, as well as the separation of detained children from their parents and legal counselors (including the transfer of Palestinian children to prisons within the State of Israel that their parents are not permitted to visit);

CALLS ON the government of the United States to adhere to its own established law – in this case, the U.S. Foreign Assistance Act – by withholding military assistance from the State of Israel due to its practices of arrest and detention of Palestinian children, requiring Israel to guarantee basic due process rights and exercise an absolute prohibition against torture and ill-treatment of detained children, ensuring that, from the moment of arrest, all operations and procedures are carried out in accordance with international juvenile justice standards, specifically the United Nations Convention on the Rights of the Child and *REQUESTS* the General Minister and President of the United Church of Christ to communicate this call to the United States Senate, as well as the President, the Vice President, and the Secretary of State of the United States;

CALLS ON the United States Senate to join with 194 other nations in ratifying the United Nations Convention on the Rights of the Child so as to bring stronger international pressure to bear on Israel to comply with the Convention's provisions, in particular Articles 37 and 40 of the Convention governing the treatment of children held in detention and *REQUESTS* the General Minister and President of the United

Church of Christ to communicate this call to the United States Senate, as well as the President, Vice President, and Secretary of State of the United States;

EXPRESSES gratitude to Global Ministries of the United Church of Christ and the Christian Church (Disciples of Christ) for its advocacy on behalf of children in Palestine and the State of Israel;

ENCOURAGES continued partnership with local, national, and global ecumenical and interfaith partners, as well as with Palestinian and Israeli organizations that are advocating for the rights of children and providing educational, social, and psychological support for children and their families adversely affected by the occupation;

ENCOURAGES respectful dialogue among people of all faiths about this issue that has impacted generations; and

CALLS ON all settings of the United Church of Christ to learn about the plight of children in Palestine and the State of Israel, as well as to support implementation of the resolution from Thirtieth General Synod entitled “A Call for the United Church of Christ to Take Actions Toward a Just Peace in the Israeli-Palestinian Conflict,” using as an implementation guide the document “Promoting a Just Peace in Palestine-Israel: A Guide for United Church of Christ Faith Leaders,” produced by the United Church of Christ Palestine Israel Network.[18]

The funding for the implementation of this Resolution will be made in accordance with the overall mandates of the affected agencies and the funds available.

The Collegium of Officers, in consultation with appropriate ministries or other entities within the United Church of Christ, will determine the implementing body.

[1] *Kairos Palestine: A Moment of Truth, A Word of Faith, Hope and Love from Palestinian Suffering*, 2009, par. 5.2, [Kairos Palestine - A Moment of Truth](#)

[2] United Nations Relief and Works Agency, multiple reports, [U.N. Relief and Works Agency](#)

[3] U.N. Office for the Coordination of Humanitarian Affairs – Occupied Palestinian Territories web site contains useful, detailed reports about Israeli checkpoints, [United Nations OCHA-OPT website](#)

[4] Israeli Committee Against House Demolitions, multiple reports, [ICAHD](#)

[5] World Council of Churches, edited by John Calhoun and Rajan Solomon, *Palestinian Prisoners: A Question of Conscience*, 2014

[6] [Defense for Children International - Palestine, report citing numbers of detained children](#)

[7] UNICEF, *Children in Israeli Military Detention – Observations and Recommendations – 6 March 2013*, [Children in Israeli Military Detention - Observations and Recommendations - 6 March 2013](#)

[8] UNICEF, *Children in Military Detention – Bulletin No. 1 – October 2013*, [UNICEF oPt Children in Military Detention - Bulletin No. 1 - October 2013](#)

[9] UNICEF, *Children in Israeli Military Detention – Observations and Recommendations – Bulletin No. 2 – February 2015*, [UNICEF oPt Children in Israeli Military Detention - Observations and Recommendations - Bulletin No. 2 - February 2015](#)

[10] Defense for Children International – Palestine, *No Way to Treat a Child, Palestinian Children in the Israeli Military Detention System*, 14 April 2016, [Palestine Children in the Israeli Military Detention System](#)

[11] Matthew 18:1-5; Matthew 19:13-15; Mark 10:13-16; Luke 18:15-15

[12] Matthew 2:1-23

[13] *Kairos Palestine: A Moment of Truth, A Word of Faith, Hope and Love from Palestinian Suffering*, 2009, par. 10, [Kairos Palestine - A Moment of Truth](#)

[14] United Nations Convention on the Rights of the Child, Article 37, [U.N. Convention of the Rights of the Child](#)

[15] Defense for Children International – Palestine, *No Way to Treat a Child, Palestinian Children in the Israeli Military Detention System*, 14 April 2016, [Palestinian Children in the Israeli Military Detention System](#)

[16] Defense of Children International - Palestine, *Detention Bulletin – April 2016*, publ. August 8, 2016, [Detention Bulletin - April 2016](#)

[17] U.S. Campaign to End the Israeli Occupation, *U.S. Military Aid to Israel: Policy Implications and Options*, March 2012, [U.S. Military Aid to Israel: Policy Implications and Options](#)

[18] United Church of Christ Palestine Israel Network, *Promoting a Just Peace in Palestine-Israel: A Guide for United Church of Christ Faith Leaders*, [Promoting a Just Peace in Palestine-Israel](#)

Additional references

B'Tselem, *No Minor Matter: Violation of the Rights of Palestinian Minors Arrested by Israel on Suspicion of Stone-Throwing*, July 2011, http://www.btselem.org/download/201107_no_minor_matter_eng.pdf

Defense for Children International Palestine, *Solitary Confinement for Palestinian Children in Israeli Military Detention*, May 2014, http://www.dcipalestine.org/sites/default/files/report_doc_solitary_confinement_report_2013_final_2_9apr2014.pdf

Defense for Children International Palestine, *Bound, Blindfolded and Convicted: Children Held in Military Custody*, April 2012, http://arabic.dci-palestine.org/sites/arabic.dci-palestine.org/files/report_0.pdf

Human Rights Watch, *Palestine: Israeli police abusing detained children*, April 11 2016, <https://www.hrw.org/news/2016/04/11/palestine-israeli-police-abusing-detained-children>

Human Rights Watch, *Separate and Unequal, Israel's Discriminatory Treatment of Palestinians in the Occupied Palestinian Territories*, Dec. 2010,
<http://www.hrw.org/reports/2010/12/19/separate-and-unequal>

UN Committee on the Rights of the Child, *Concluding observations on the second to fourth periodic reports of Israel*, July 4, 2013, <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-ISR-CO-2-4.pdf>

International Law

Fourth Geneva Convention, August 12, 1949, [Fourth Geneva Convention - August 12, 1949](#)

International Committee of the Red Cross (ICRC), Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, 1125 UNTS 3, <http://www.refworld.org/docid/3ae6b36b4.html>

Convention on the Rights of the Child, G.A. Res. 44/25, U.N. Doc. A/RES/44/25 (Nov. 20, 1989), [U.N. Convention on the Rights of the Child](#)

UN Convention Against Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment, G.A. Res. 39/46, U.N. Doc. A/RES/39/46, (Dec. 10, 1984), <http://www.un.org/documents/ga/res/39/a39r046.htm>