

**LPHR SEMINAR: BOUND, BLINDFOLDED AND CONVICTED. Children held in military detention**

12 April 2012

Garden Court Chambers

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**Chair:** Sarah McSherry

**GERARD HORTON**

International Advocacy Officer – Lawyer, Defence for Children International – Palestine Section

**RICHARD HERMER QC**

Barrister, Matrix Chambers

**GERARD HORTON**

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Mr Horton opened the seminar by presenting the report *Bound, Blindfolded and Convicted Children held in military detention*. The report has just been published by Defence for Children International – Palestine Section (DCI) and is the result of four years work. It collects 311 testimonies of Palestinian children held in Israeli military detention.

Mr Horton highlighted that the main violations of Palestinian children's rights occur in the first forty-eight hours of arrest, interrogation and detention and include the use of physical violence, verbal abuse and humiliation. Despite the establishment of a military juvenile court in 2009, there have been no substantive reforms that alleviate the systematic violations that occur in this critical first forty-eight hour period. This reform also does not remove many other significant systemic problems faced by Palestinian children in the military detention system, including very limited access to family visits, to bail, and to education.

Mr Horton elaborated that the systematic nature of the violations are a way of achieving control over the young generation of Palestinians. He referenced medical expert evidence of the adverse long-term psychological impact on Palestinian children who are subjected to military detention [*see pages 52-55 of the report*].

Mr Horton concluded by mentioning three recommendations of the report, namely the presence of an appropriate adult during interrogation, access to a lawyer prior to interrogation and the recording of every interrogation. He nevertheless commented that even if these recommendations were to be implemented, the full promotion of Palestinian children's rights will not occur through achieving an indefinite 'best practice occupation', but through an end to the occupation. To this end, Mr Horton emphasised his view that advocacy on Palestinian human rights cannot be confined to the legal sphere, but must also take place within the political and civil society spheres.

**RICHARD HERMER QC**

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Mr Hermer focused on his vivid impressions following his recent visit to the OPT. He said he was particularly struck and depressed by the level of discrimination in the treatment reserved to Palestinian children throwing stones at settlers compared to the treatment reserved to Israeli settlers' children throwing stones to Palestinians. The most stark disparity is that, unlike Palestinian children, settler children are not subject to the military court system, but rather to the Israeli juvenile system. He commended Mr Horton for his work, and explained that it is unacceptable that Palestinian children lack fundamental due process rights and are subjected to systematic ill-treatment.

**Further Information on this topic:**

- [DCI - Palestine report: Bound, Blindfolded and Convicted: Children held in military detention](#)
- An article by Harriet Sherwood in the Guardian, dated 22 January 2012, discussing the treatment of Palestinian children in Israeli military detention: <http://www.guardian.co.uk/world/2012/jan/22/palestinian-children-detained-jail-israel>