



LPHR CHILD RIGHTS BULLETIN

(for the period 1 March 2017 – 1 May 2017)

The United Nations Convention on the Rights of the Child (CRC) was ratified by Israel in 1991 and by Palestine in 2014, making both state parties bound by the obligations set out in the CRC.¹ The CRC provides children with a distinct set of rights covering all aspects of a child's life. The CRC applies to Palestinian children in the occupied Palestinian territory (oPt), which comprise the West Bank, including East Jerusalem, and Gaza. As the occupying state, Israel has a general responsibility under international conventions, including the CRC, for the safety, welfare and human rights protection of civilians living in the OPT.

The incidents and statistics outlined in this bulletin have principally been collated from the United Nations Office for the Coordination of Humanitarian Affairs and the Palestinian Centre for Human Rights (in Gaza). They engage specific rights of the CRC which are also highlighted in this bulletin. Some of these incidents raise serious concerns that state parties have breached obligations to protect and realise children's rights provided by the CRC. This includes an overarching obligation of the CRC to ensure the best interests of the child are a primary consideration in all decisions and actions that affect children.²

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https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4&lang=en

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Article 3, UN Convention on the Rights of the Child



In addition to providing a broad overview of the landscape of serious human rights incidents affecting children in the oPt over the reporting period, this specific bulletin concludes with an in-focus section that looks at solitary confinement and ill-treatment of Palestinian children in Israeli military detention.

LPHR gives special thanks to Alamara Bettum and Jana Mainwaring for their excellent work preparing this bulletin.

FATALITIES

5 Palestinian children were killed by Israeli forces during the reporting period.

1. On 17 March, 17-year-old Murad Abu Ghazi was shot and killed when Israeli forces fired live bullets at a group of teenagers during clashes in Arroub refugee camp (Hebron). Murad was shot in the upper body. Israeli military sources allege the shooting took place in response to some youths throwing Molotov cocktails at a military tower just outside the camp.³
2. On 21 March, Israeli forces stationed near the Gaza border fence shot and killed 15-year-old Yousef Abu Athra.⁴ Israeli forces fired tank shells towards an open area east of Rafah city, killing Yousef when he was approximately 300 metres

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http://www.dci-palestine.org/israeli_forces_killed_two_palestinian_teens_in_last_week

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http://www.dci-palestine.org/israeli_forces_killed_two_palestinian_teens_in_last_week



- from the fence.⁵ According to the testimony of an eyewitness, Yousef intended to cross into Israel for work.⁶
3. On 23 March, Israeli forces killed 17-year-old Mohammad Khattab and seriously injured three other children near the Israeli settlement of Beit El, north of Ramallah. Israeli military sources allege the shooting took place in response to the throwing of firebombs towards Beit El settlement, with no injuries or damage reported. Local sources contest this account. A witness told Defence for Children International Palestine that Mohammad was shot when he exited his stalled car in order to push it. The witness said Mohammad jumped back into the car to try to escape, but the car did not start. Israeli soldiers then approached the car and opened fire on the four children inside it. All of the children suffered bullets to the upper body. The surviving children were left in comas; one later died on 10 April (see below).
 4. On 1 April, 17-year-old Ahmad Ghazal stabbed and caused minor injuries to two Israeli men on Al-Wad street in the Muslim Quarter of the Old City. He then fled into a nearby building, where Israeli paramilitary border police pursued and opened fire on him, killing him. Israeli forces reportedly prevented medical personnel from entering the building for several hours after the shooting.⁷

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http://www.dci-palestine.org/israeli_forces_killed_two_palestinian_teens_in_last_week

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<http://pchgaza.org/en/?p=8950>

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http://www.dci-palestine.org/early_reports_suggest_israeli_forces_unlawfully_killed_teen



5. On 10 April, Jasem Nakhleh died two days after his sixteenth birthday as a result of wounds he sustained on 23 March, in the abovementioned incident, when he was shot by Israeli forces near the Israeli settlement of Beit El.⁸

International law requires that intentional lethal force be used only when absolutely unavoidable where there is a threat to life or serious injury. Where individuals allegedly carry out a criminal act, they should be apprehended in accordance with international law and afforded due process of law. However, the shootings above illustrate the routine use of excessive force and intentional lethal force by Israeli forces in situations not permitted by international law.⁹

Article 6(1) of the CRC states that every child has the inherent right to life. Any incident where a Palestinian child is killed involves a grave violation of their right to live, survive and develop healthily under Article 6 of the CRC. Part of providing meaningful protection under the CRC involves review of and accountability for child deaths. To fulfil its obligations under international law, it is necessary that Israel review the circumstances and causes of the above-mentioned deaths and open credible investigations into each of the killings. Given B'Tselem's powerful critique of the credibility of Israel's military investigation process for the killing of Palestinians by Israeli military forces, there is a substantial concern that Israel is breaching this grave 'right to life' obligation under the CRC.¹⁰

One of the above-mentioned child fatalities appears to have involved the child being denied immediate medical attention at the scene. Article 24 (1) of the CRC states that is

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http://www.dci-palestine.org/child_injured_by_israeli_soldiers_dies_from_gunshot_wounds

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http://www.dci-palestine.org/israeli_forces_killed_two_palestinian_teens_in_last_week

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http://www.btselem.org/press_releases/20160525_occupations_fig_leaf



the duty of all States Parties to recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health, and that all States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services. When read in conjunction with Article 6(2), which provides that State Parties shall ensure to the maximum extent possible the survival and development of the child, it is clear that Israel is failing to fulfil its obligations under international law. Further information and statistics regarding the obstruction by Israeli forces of medical response teams can be found here: <http://lphr.org.uk/latest-news/child-rights-bulletin-for-the-period-27-october-28-december-2015/>

INJURIES

At least 81 Palestinian children were injured by Israeli forces across the oPt, many of them during clashes which occurred during demonstrations and search and arrest operations.¹¹

Injuries included:

- On 15 March, a 16-year-old Palestinian girl crashed the car she was driving into the metal pillars protecting a settler bus stop at the Gush Etzion junction (Hebron). She was subsequently shot and severely injured by Israeli soldiers; no additional injuries were reported.¹²

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<https://www.ochaopt.org/content/protection-civilians-report-7-20-march-2017>
<https://www.ochaopt.org/content/protection-civilians-report-21-march-3-april-2017>
<https://www.ochaopt.org/content/protection-civilians-report-4-18-april-2017>
<https://www.ochaopt.org/content/protection-civilians-weekly-report-18-april-01-may-2017>

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<https://www.ochaopt.org/content/protection-civilians-report-7-20-march-2017>



- On 30 March, two 12-year-olds were wounded by bullets to the legs when Israeli forces fired at dozens of Palestinian civilians and human rights defenders at a peaceful protest commemorating the Earth Day in Salman Mount, south of Nablus. The protesters were planting olive seedlings on land threatened with confiscation.¹³
- On 31 March, a 14-year-old child was wounded when Israeli forces stationed at the southern entrance to Ni'lin village, west of Ramallah, opened fire at him. They then arrested the child and took him to a hospital in Israel.¹⁴
- On 14 April, Palestinian civilians and International activists organized a demonstration in the centre of Kufr Qaddoum village, northeast of Qalqiliyah. When the protestors arrived, Israeli forces fired metal bullets, sound bombs and tear gas canisters at them. As a result, a 12-year-old sustained a metal bullet wound to the back, and another 12-year-old sustained a bullet wound to the ear.¹⁵
- On 15 April 2017, a Palestinian child sustained a bullet wound to the head when Israeli forces opened fire at the Kufr Qaddoum weekly protest.¹⁶

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<http://pchgaza.org/en/?p=8994>

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ibid.

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<http://pchgaza.org/en/?p=9042>

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ibid.



- Between 18 April – 1 May, 191 Palestinians, including 45 children, were injured by Israeli forces across the West Bank, the vast majority in clashes during demonstrations in solidarity with Palestinian prisoners on hunger strike.¹⁷
- On 23 April, 3 children were wounded to the lower limbs when Israeli forces opened fire at dozens of Palestinian protesting in support of the Palestinian prisoners at the northern entrance to al-Bireh.¹⁸
- On 25 April, a 17-year-old sustained serious bullet wounds when Israeli forces stationed at Hawara checkpoint, south of the city, opened fire at him. According to the Palestinian Centre for Human Rights, Israeli soldiers claimed that the child had attempted to stab two Israeli soldiers guarding a bust stop near the checkpoint. Eyewitnesses said that the child stepped out of a taxi and was 100 metres away from the aforementioned checkpoint when the soldiers fired live bullets at him causing him serious wounds to the upper part of the body. His injury was classified as serious. No Israeli injuries were reported.¹⁹
- Also on 27 April, an Israeli sniper fired a live bullet at a 14-year-old. The child sustained wounds to his lower limbs. En route to hospital, Israeli forces stopped the ambulance carrying the child and arrested him.²⁰

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<https://www.ochaopt.org/content/protection-civilians-weekly-report-18-april-01-may-2017>

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<http://pchrghaza.org/en/?p=9061>

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ibid.

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<http://pchrghaza.org/en/?p=9086>



Article 15(1) of the CRC provides for the right of the child to freedom of peaceful assembly. Article 3(2) of the CRC affords that states shall ensure children the protection and care necessary for their well-being. The excessive use of force for the purposes of containing or silencing protests is a violation of these rights and denies children the protection and care promulgated in the CRC.

SETTLER VIOLENCE

Incidents of settler violence affecting Palestinian children during the reporting period included:

- A 13-year-old Palestinian boy was physically assaulted in the French Hill settlement in East Jerusalem.²¹
- A 14-year-old Palestinian girl was physically assaulted and injured by settlers while she was on her way to school in the Israeli-controlled H2 area of Hebron city.²²

Unimpeded regular occurrences of violence against Palestinian children suggests that Article 3(2) of the CRC, which provides that states should ensure the protection and care of children as is necessary for their well-being, is being breached. Article 39 of the CRC stipulates that states should take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of abuse and that such recovery and reintegration should take place in an environment, which fosters the health, self-respect and dignity of the child.

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<https://www.ochaopt.org/content/protection-civilians-report-7-20-march-2017>

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<https://www.ochaopt.org/content/protection-civilians-report-4-18-april-2017>



ARRESTS

There were at least 553 Israeli search and arrest operations in the occupied West Bank including East Jerusalem during the reporting period and a further 8 such incursions in Gaza. The incursions saw at least 122 children arrested.²³

The use of terrifying night raids on homes to arrest children was documented during the reporting period. Additionally, at least 8 children were arrested at Israeli military check-points.²⁴

Incidents included:

- On 19 March, an 8-year-old was wandering barefoot outside his house in Hebron looking for a toy he had lost, when a group of at least 15 soldiers seized him.²⁵ Two soldiers grabbed the boy by the arms and dragged him to the al-Harika neighbourhood, where they demanded that he point out children who had allegedly thrown stones and a Molotov cocktail at the Kiryat Arba settlement earlier on. Over an hour later, the boy was returned to his mother. Video footage of the incident, published by B'Tselem, can be viewed here.
- On 24 March, dozens of Palestinian young men organized a protest in Al-Aqsa Mosque's yard, demanding the return of the corpses of killed Palestinians being

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PCHR Weekly Reports for period 2 Mar – 3 May 2017: <http://pchrgaza.org/en/?cat=47>

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Ibid.

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http://www.btselem.org/press_releases/20170323_soldiers_drag_child_from_house_to_house



- held by the Israeli authorities. When the protesters exited Al-Aqsa Mosque, Israeli forces arrested a 14-year-old, a 16-year-old and a 17-year old.²⁶
- On 2 April, Israeli forces moved into Al-Bustan neighborhood playground in Silwan village, where Palestinian children were playing. Israeli forces searched their belongings before arresting a 12-year-old and a 13-year-old.²⁷
 - On 23 April, Israeli forces deployed in Hebron's Old City arrested three 17-year-olds near 'Beit Romano' settlement outpost. Israeli forces claimed that the children had sharp tools with them. The children were reportedly transferred to the outpost at gunpoint.²⁸
 - On 24 April, at approximately 01:30, Israeli forces moved into al-Nabi Saleh village, northwest of Ramallah. They raided and searched several houses, arresting 3 children, including two 14-year-olds and a 17-year-old.²⁹
 - On 30 April, Israeli forces moved into al-'Issawiyia village. They raided and searched dozens of houses, arresting 7 children.³⁰

Article 37(c) of the CRC states that every child deprived of liberty shall be treated 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. Israeli forces continue

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<http://pchgaza.org/en/?p=8965>

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<http://pchgaza.org/en/?p=8994>

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<http://pchgaza.org/en/?p=9061>

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ibid.

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<http://pchgaza.org/en/?p=9086>



to carry out military arrest operations at night. The routine use of night arrest operations designed to intimidate and terrify the targeted communities suggests that Israel is in breach of their duty under Article 37 of CRC. Many children report being 'scared' or 'terrified' when confronted with heavily armed soldiers in their homes and sometimes their bedrooms.³¹ Also engaged by the above-mentioned arrests is Article 3(1) of the CRC, which provides: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'.

EDUCATION

Infringements against education included:

- On 5 March, the Israeli authorities issued final demolition orders against almost all 140 structures in the Palestinian Bedouin community of Khan al Ahmar-Abu al Helu (Jerusalem governorate), including a donor-funded primary school serving around 170 children. This is one of the 46 Bedouin communities in the central West Bank which Israel is seeking to relocate to three designated sites.³²
- A final demolition order was issued against a donor-funded school in the Khirbet Tana community (Nablus).³³
- On 26 April, Israeli forces arrested a 15-year-old while he was on his way back from the school near al-'Ezzah refugee camp.³⁴

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<http://www.militarycourtwatch.org/files/server/BRIEFING%20PAPER%20-%20OCT%202016.pdf>

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<https://www.ochaopt.org/content/protection-civilians-report-21-february-6-march-2017>

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<https://www.ochaopt.org/content/protection-civilians-report-21-february-6-march-2017>

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<http://pchgaza.org/en/?p=9061>



Article 28 of the CRC recognises that education should be accessible to all children on the basis of equal opportunity, obliging Israel to ensure that children in the oPt have unrestricted access to education. The above-mentioned final demolition orders against schools and the arrest of schoolchildren suggest that the Israeli authorities are acting in serious breach of Article 28 of the CRC.

DISPLACEMENT & DEMOLITIONS

At least 57 Palestinian owned structures were demolished, confiscated or destroyed, displacing at least 39 children and otherwise affecting 232 Palestinians (number of children unknown). Additionally, Israeli military training exercises temporarily displaced 42 families from their homes.³⁵

One home was destroyed in punitive demolitions, displacing 4 children:

- In the Jabal al Mukabber area of occupied East Jerusalem, the family home of the perpetrator of an attack in January 2017, which killed four Israeli soldiers, was punitively sealed, displacing a woman and her 4 children.³⁶

Numerous other demolitions and displacements affecting children occurred during the reporting period. Incidents include:

- 4 children were displaced on 1 March, when the Israeli authorities demolished a residential building in al-‘Issawiyia village, northeast of occupied East Jerusalem,

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<http://www.ochaopt.org/reports/protection-of-civilians>

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<https://www.ochaopt.org/content/protection-civilians-report-21-march-3-april-2017>



under the pretext of non-licensing. This is the third time the building has been demolished.³⁷

- On 4 April, following a decision by the Israeli Municipality, a man self-demolished his house in Beit Haninah village, north of occupied East Jerusalem, to avoid paying demolition costs of approximately NIS 200,000-250,000 (£43,953-£54,941). 4 children were displaced.³⁸
1. On 14 March, Israeli forces confiscated a mobile house in Farosh Beit Dajan village, displacing 3 children.³⁹

Incidents of temporary displacement include:

- On two occasions in March, the Israeli forces displaced 30 families from two herding communities in the northern Jordan Valley for several hours each time, during an Israeli military training exercise. The two communities are Khirbet Tana and Lifjim. Both are located in an area designated as a ‘firing zone’ for military training.⁴⁰
- On two occasions, Israeli forces displaced for several hours each time 12 families from Khirbet ar Ras al Ahmar herding community in the northern Jordan Valley to make way for military training. According to community representatives,

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<http://pchgaza.org/en/?p=8866>

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<http://pchgaza.org/en/?p=8994>

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<http://pchgaza.org/en/?p=8912>

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<https://www.ochaopt.org/content/protection-civilians-report-21-february-6-march-2017>



however, no actual training took place. In recent years, the community has faced regular demolitions and access restrictions, giving rise to concerns over the risk of forcible transfer.⁴¹

Article 27 of the CRC protects children in terms of their standard of living, and seeks to ensure that this standard is adequate with respect to the child's physical, mental, spiritual, moral and social development. It further adds that State Parties are responsible for taking appropriate measures to provide assistance in respect to nutrition, clothing and housing. The actions of the Israeli government in rendering children and their parents homeless and disrupting families' livelihoods clearly violate both the letter and the spirit of Article 27 of the CRC. Furthermore, Article 16(1) of the CRC states that no child should be subjected to arbitrary interference with his or her privacy or family.

UPDATES FROM MILITARY COURT WATCH AND DEFENCE FOR CHILDREN INTERNATIONAL PALESTINE

- Military Court Watch (MCW) reports that Israeli military and police authorities have released data on the arrest and prosecution of Palestinian children in military courts in the West Bank during 2015.⁴² The data appears to contradict the statistics provided by the Israeli Prison Service (IPS) and should be considered with caution. It indicates that 871 children were arrested in the West Bank in 2015, representing an increase of 1.6% since 2014. However, IPS data shows a 15.4% increase for the same period. The data released by the military and police

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<https://www.ochaopt.org/content/protection-civilians-weekly-report-18-april-01-may-2017>

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<http://www.militarycourtwatch.org/page.php?id=6FMlha3Lara931029AuZ28GzlijB>



shows that the Israeli army arrested 73 Palestinian children in the West Bank each month; or 2.4 children each day in 2015. 62% of children arrested were indicted in the military courts. There is no data to show how long children who were not indicted spent in custody. 72% of children indicted were denied bail. 95% of children indicted in the military courts were convicted. The data is silent on the number of children detained by the military without being formally held under arrest.⁴³

- Defence for Children International Palestine (DCI Palestine) reports that the Palestinian Preventative Security Service and General Intelligence Service arbitrarily arrested and detained at least 14 Palestinian children in the past 13 months in a non-transparent process rife with abuses, including the use of solitary confinement and torture. Such practises violate the CRC and the recently enacted 2016 Palestinian Juvenile Protection law.⁴⁴
- DCI Palestine reports that the ghettoisation of Balata refugee camp is taking its toll on the camp's child residents. Approximately 40% of the camp's population of 27,000 are children under the age of 15. Gun violence between armed camp residents during the day and raids by both Palestinian and Israeli forces at night have become commonplace in the camp. A school counsellor describes the camp's atmosphere as one of 'permanent anxiety' and explained that high exposure to violence from multiple sources is marring every aspect of his students' development. He cites falling grades and strained social relations between children, explaining that witnessing shooting incidents has led children

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<http://www.militarycourtwatch.org/page.php?id=6FMlha3Lara931029AuZ28GzlijB>

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http://www.dci-palestine.org/abuses_abound_during_palestinian_arbitrary_arrests_of_14_children



to exhibit aggressive behaviors and that children leave school whenever they hear gunfire.⁴⁵

- DCI Palestine reports that Gaza's Futuwwa program, an 'awareness and fitness program' in government-run schools, no longer includes the controversial military-style drills that provoked international criticism and raised concerns about child recruitment.⁴⁶

IN FOCUS

CASES OF SOLITARY CONFINEMENT AND ILL TREATMENT CONCERNING CHILD DETAINEES

Solitary Confinement

The increasing use of solitary confinement as an interrogation technique has been highlighted by Defence for Children International Palestine (DCI Palestine) in a press release dated 17 April 2017⁴⁷. DCI Palestine have collected affidavits from 161 children from the West Bank who were detained during 2016 and have noted that not only are larger numbers of children being held in solitary confinement, but the length of time in which children are being placed in solitary confinement is also increasing, with the average period of solitary confinement increasing by 23%.

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http://www.dci-palestine.org/balata_refugee_camp_a_palestinian_ghetto

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http://www.dci-palestine.org/changes_to_gaza_s_futuwwa_program_reduce_child_protection_risks

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http://www.dci-palestine.org/palestinian_children_held_in_solitary_confinement_for_longer_periods



There are concerns that the use of solitary confinement appears to be primarily for the purposes of coercing a confession out of child detainees. Creating an environment which is psychologically challenging and isolating for a child, has a detrimental effect on their morale and therefore increases their vulnerability and likelihood of making a confession, despite the fact that such a confession may be inaccurate and manufactured for the purposes of bringing the solitary confinement to an end.

It has been identified by the United Nations General Assembly that the detrimental psychological and physical effects of solitary confinement can manifest after only a few days in solitary confinement⁴⁸. It is therefore incredibly alarming that DCI Palestine has recorded that the average period of solitary confinement for children in 2016 was for 16 days.

The 10th recommendation made in the UNICEF 2013 report on Children in Military Custody was that “in no circumstances whatsoever should a child be held in solitary confinement”.⁴⁹ Israeli’s former chief military prosecutor in the West Bank, Lt. Col Maurice Hirsch, has responded to this recommendation by stating that there is no policy of solitary confinement, and that UNICEF’s criticisms and recommendations are borne out of a misunderstanding of the reality of the situation. He sought to justify the use of solitary confinement on the grounds that Israeli military law requires children to be held separately from adults, and no other children were present at the time⁵⁰. DCI Palestine does not accept this explanation, stating that “Evidence and documentation collected by DCIP overwhelmingly suggests an apparent policy and practice implemented by Israeli authorities to use isolation for Palestinian child detainees solely for interrogation purposes, particularly to obtain a confession or gather intelligence or information on other individuals.”⁵¹

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http://www.un.org/en/ga/search/view_doc.asp?symbol=A/66/268 (para 62)

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https://www.unicef.org/oPt/UNICEF_oPt_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf

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<http://www.jpost.com/Israel-News/Outgoing-Prosecutor-reveals-details-about-secret-dialogue-with-UNICEF-482016>

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It is recognised by the UN Special Rapporteur on Torture that the prolonged use of solitary confinement against adults can in certain circumstances amount to inhuman and degrading treatment, and even torture⁵². In the context of children, these grave concerns are strongly reinforced by noting that international law provides that the welfare of a child who has been detained must be the paramount concern of the authorities. Article 3 of the Convention of the Rights of the Child provides:

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”.

The suggestion that there is a practice of using solitary confinement in cases of child detainees, with a view to coercing a confession, is in complete contradiction to the principle promulgated in Article 3, as it prioritises the need to obtain information and confession above the welfare needs of the child. These welfare interests should not be minimised by the fact that a child is detained, and if anything should be protected to a greater degree, as demonstrated by article 37(c) of the Convention which states that: *“Every child deprived of liberty shall be treated 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...”*.

Violence against children

Instances of violence against child detainees remains ever present in the context of military arrests of Palestinian children. At around 4am on 7 April 2017, Mousa H from the West Bank was arrested during a home raid which involved around 30 Israeli soldiers. On transfer from his home to a nearby military base, Mousa was subjected to repeated slapping and kicking by two of the Israeli soldiers⁵³.

http://www.dci-palestine.org/palestinian_children_held_in_solitary_confinement_for_longer_periods
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http://www.echr.coe.int/Documents/FS_Detention_conditions_ENG.pdf
53

http://www.dci-palestine.org/22_palestinian_teens_held_in_admin_detention_in_20_months



Accounts such as Mousa's are unfortunately in keeping with the statistics released by DCI Palestine on 17 April 2017, which highlight that approximately 62.7% of the affidavits collected in 2016 involved accounts of physical violence against the child.

Amir Othwith Darwish is a 14 year old boy from Issawiya in occupied East Jerusalem, who was arrested in January 2017 and transferred to an interrogation centre in Jerusalem. Amir was forced to kneel in a specific position on the floor for a period of two hours, with his hands bound behind his back. He was then subjected to beatings, including hard slaps, punching and kicking, during the course of his interrogation. Amir described that the physical violence would get worse when he denied committing any wrongdoing. Amir had bruising to his face as a result of the violence that he endured, however it was claimed by interrogators that the bruises were present before he was interrogated.

The use of violence against children as a form of intimidation, or in the course of arrest and detention is alarming and extremely disconcerting. Article 37(a) of the Convention protects children from being subjected to torture or other cruel, inhuman or degrading treatment or punishment. Moreover, the Convention protects children's due process rights in the context of criminal investigations and prosecutions. Article 40(b)(iv) of the Convention provides, among other things, that children are "*not to be compelled to give testimony or to confess guilty*". The use of violence with a view to extracting a confession out of child detainees, violates this provision of the convention entirely. Moreover, it does not produce evidence which is reliable or useful in the context of criminal proceedings.