



Lawyers for Palestinian Human Rights' briefing on abuse and violence against children in the Palestinian neighbourhood of Al-Issawiya in occupied East Jerusalem

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About Lawyers for Palestinian Human Rights (LPHR)

LPHR is a lawyer-based charity in the UK that works on projects to protect and promote Palestinian human rights. We distinctly provide a legal and human rights perspective on issues affecting Palestinians. Our trustees include leading human rights lawyers, Sir Geoffrey Bindman QC and Tessa Gregory.

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1. LPHR remain extremely concerned at the ongoing police campaign of abuse and violence against children in the Palestinian neighbourhood of Al-Issawiya in occupied East Jerusalem. Over the past year, LPHR has monitored and reported a sharp increase in the number of children injured as a result of violent police activity in the neighbourhood, with injuries sustained through the use of rubber-coated steel bullets, black sponge rounds and tear-gas.
2. Since the Israeli police launched their operation in Al-Issawiya in April 2019, there has also been a high number of child arrests in the neighbourhood (many carried out during terrifying night-time raids of family homes) and a systemic violation of children's legal rights during arrests and detention. [B'Tselem](#) reports that during the period of April 2019 – April 2020, more than 850 residents of Al-Issawiya have been arrested: the majority of them minors. This briefing elaborates upon these serious child rights issues.

Background to the Israeli authorities' campaign of abuse and violence in Al-Issawiya

3. Al-Issawiya is one of the poorest neighbourhoods in Jerusalem, located a few kilometres northeast of the Old City. Over the last year, Israel has been carrying out a police operation in Al-Issawiya with the apparent sole purpose of disrupting life of 18,000 Palestinians in the neighbourhood. [B'Tselem](#) reports that, among other things, the police randomly close off streets, creating long traffic jams; use loud speakers on patrol cars and police vehicles late at night; intimidate residents by aiming weapons at them; conduct degrading inspections and search cars and bags (including children's schoolbags); verbally goad residents; order shops to shut down for no apparent reason, without showing a warrant; use dogs to search shops; raid homes and search them without a warrant; and falsely arrest minors (often in the middle of the night), in severe violation of their rights.
4. The police have repeatedly claimed that the operation began only after an increase in violent incidents and disturbances of peace aimed at Israeli civilians and police forces, yet [B'Tselem](#) reports that the police have refused to back these claims with any data. In fact, in the months before and after the police operation began, no violent incidents were reported in or around Al-Issawiya, other than responses to the incendiary actions of the police.
5. [UN OCHA](#) reports that the continued tensions and violence have severely disrupted the daily life of Palestinians in Al-Issawiya, with a worrying impact on children. There are concerns from local human rights organisations, including [B'Tselem](#), that the police operations may amount to collective punishment which is prohibited by international humanitarian law.



Police violence against children in Al-Issawiya

6. Since the beginning of the year, LPHR has reported in our Child Rights Bulletins a number of incidents of children being injured by Special Patrol Unit and Border Police forces in Al-Issawiya for no reason, often without any prior incident occurring that could justify police presence, let alone the presence of aggressive paramilitary forces on such a large scale.
 - On 15 February 2020, [LPHR](#) reported that a 9-year-old Palestinian boy, Malek Issa, was shot with a rubber bullet in the eye by an Israeli policeman whilst he was walking home from his school in Al-Issawiya. The child was seriously injured and lost his eye. [UN OCHA](#) reported that no clashes were recorded at the time of the incident.
 - On 3 March 2020, [LPHR](#) reported that 16-year-old Muhammad Atiyyah was shot by Israeli Special Patrol Unit officers in Al-Issawiya. Video footage posted on social media shows one of the officers firing a sponge round into a school courtyard, where Muhammad, a tenth-grade student, was standing with his cousin a few metres from the gate. The boy was struck in the hand by the round, and was transferred to hospital for emergency treatment of his injury.
 - On 4 March 2020, [LPHR](#) reported that 9-year-old Fawzi 'Abeid was injured by Israeli forces whilst sitting with his grandparents on the balcony of their home in Al-Issawiya. At around 18:30, several Special Patrol Unit officers entered the neighbourhood and confronted a resident about 15 metres from Fawzi's family home. The resident fled up the street and one of the officers fired a black sponge round that struck Fawzi on his hand. Fawzi was transferred to the Clalit HMO clinic and then the French Hospital in Sheikh Jarrah for emergency treatment of his injury.
7. As the occupying power, Israel has legal responsibilities under the United Nations Convention on the Rights of the Child (**UNCRC**) for the safety, welfare and human rights protection of children living in Al-Issawiya. **Article 3(2) of the UNCRC** provides that states shall ensure children the protection and care necessary for their wellbeing. The excessive use of force by the Israeli authorities in each of these incidents, including the use of rubber-coated steel bullets and sponge rounds against children who were unarmed or otherwise not posing an imminent threat, constitutes a serious violation of this important legal protection which requires urgent and genuine investigation, with a view to providing legal redress and accountability.

Daily police raids

8. Since the implementation of the ongoing police operation in Al-Issawiya, [LPHR](#) has reported a sharp increase in arrests and detention of children in the neighbourhood. In the period of January 2019 – September 2019, [LPHR](#) recorded at least 92 children from Al-Issawiya being detained, with [local media sources](#) reporting in January 2020 an estimated 200 Palestinian children being detained since the launch of regular police



raids. [Local media reports](#) report that these raids have been characterised by the violation of the rights of detained Palestinian children, including the use of force, night-time arrests, questioning not in the presence of parents, rides in patrol cars for intimidation and unnecessary handcuffing.

9. [B'Tselem](#) has collected numerous testimonies from children in Al-Issawiya providing accounts of police violence following their arrest, once they were already in police custody:
 - S.H., a 17- year-old, described being punched in the back by an officer, whilst another officer aimed a rifle at his head until the barrel was touching him.
 - D.A., a 12-year-old, who was arrested on the way to a grocery store, described how a Border Police officer stepped on his foot with the heel of his boot at the Shalem police station, and how he was verbally abused by an interrogator who threatened to break his legs.
 - M.A., a 17-year-old, described how Special Patrol Unit forces entered the Al-Issawiya neighbourhood and raided his family home looking for firecrackers, arresting him and his 12-year-old brother. The 17-year-old described how he was thrown on the floor of a police vehicle, before being slapped by three officers who trod on his chest and stomach. In custody at the police station, M.A. described how his 12-year-old brother tried to sleep, but every time he fell asleep a Special Patrol Unit officer would kick him in the leg and wake him up, and he began to cry from sheer exhaustion.
10. In March 2019, [B'Tselem](#) reported that 13-year-old A.R. was removed from his bed and arrested at his family home at four o'clock in the morning by eight armed officers in Al-Issawiya. In his testimony, A.R. described how he was not told what he was accused of, and explained that he was held at the police station for nine hours. He described how he was interrogated alone, with no parents or lawyers present, and that he was given no food during his time in police custody.
11. Under the UNCRC, Israel has legal responsibilities for the treatment of minors in police custody. **Article 3(1) of the UNCRC** obliges states to ensure that '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'. **Article 37(a) of the UNCRC** states that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. **Article 37(c) of the UNCRC** obliges states to ensure 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. The circumstances of the child arrest incidents cited above appear to



directly contravene these specific child rights protections, as the children were physically assaulted by soldiers and subjected to degrading treatment during their imprisonment.

12. **Article 37(b) of the UNCRC** stipulates that no child shall be deprived of his or her liberty unlawfully or arbitrarily and that it shall be used only as a measure of last resort and for the shortest appropriate period of time. The arrest of 13-year-old A.R. at his family home in the middle of the night when other options were available to perform an arrest, in addition to an inappropriate length of imprisonment, constitutes an apparent serious breach of Articles 3(1) and 37(b) of the UNCRC.

Childhood in Al-Issawiya

13. [UN OCHA](#) reports that children growing up in the Al-Issawiya neighbourhood face numerous challenges and risks, including pressures experienced at home, school and in the community, and frequent encounters with Israeli security forces, which can result in arrest. In September 2019, [LPHR](#) reported that the daily police raids have interfered with children's education as the start of the new school year in Al-Issawiya was delayed following a Parents Committee decision to prevent the neighbourhood's children going to school, pending an improvement in the security situation.
14. [UN OCHA](#) reports that the long-standing tensions and violence have severely undermined children's security and psychosocial well-being in Al-Issawiya. For children in their formative years and adolescents transitioning to adulthood, the long-term impacts are likely to be [negative](#) on many levels.
15. For regular monitoring and analysis on a wide range of child rights issues please see [LPHR's Child Rights Bulletins](#). For more information on the ongoing situation in Al-Issawiya, please see B'Tselem's report ['This is Jerusalem: Violence and Dispossession in al-'Esawiyah'](#).

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