

## Rights of the Child (Jayyous no. 2)

In 1990 the state of Israel signed the International Convention on the Rights of the Child. In 1991 this signature was ratified. The Israeli government has long disputed the applicability of these obligations in the occupied Palestinian territories, but on July 9, 2004 the International Court of Justice advised that the Convention on the Rights of the Child *is* applicable in the occupied Palestinian territories. Article 37 of this convention states that "No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time." As of November 2009 there were 41 Palestinian children under the age of 16 being held in administrative detention (detention without charge or trial) by the state of Israel and 255 16-18 year olds. [Bt'selem]



**December 15 2009**

In the middle of the night, just before 2am, soldiers entered the village of Jayyous in 18 jeeps, two military riot vans and a scattering of other armoured vehicles. In the main street, outside the bakery, a boy in his early twenties, Qais, had his hands bound and was taken away. He was shaking, but trying to hide it, trying to look strong for his father who could not secure his release, despite continual pleading with the soldiers. There were about twenty visible soldiers, ten of which were surrounding the boy. A military and an Israeli police jeep stood next to them. The house opposite the bakery had been temporarily occupied by the

soldiers, a rifleman lying on his belly on the front step, his rifle aimed at the man and his son.

About fifteen soldiers then filed down a side street and into a house, two more keeping watch on the corner and others spread down the street. This was a highly organised operation, much more organised than usual, and they did not seem to mind our presence at this point.

We watched and waited. The two armoured riot vans, each the size of a lorry, were parked at the crossroad in the centre of the village, about 300m from the bakery. There were two jeeps and a number of soldiers standing in this area as well.

A sound grenade was heard towards the south of the village, and two of our team went to try and establish what was happening, whilst two of us stayed to monitor the situation at the crossroads.

Outside the house that the soldiers had entered 20 minutes before, a 17 year old boy, Leith, had been quietly brought outside. Some shouting and the unrestrained screaming of his mother's voice could be heard rattling down the stairwell and before long a 12 year old boy, Seif, was brought out into the street as well. Leith was already kneeling against a wall facing his house, a blindfold covering his eyes and his hands bound behind his back. As they approached, the blinded boy was pulled to his feet and guided by soldiers along the main street and into a jeep. Two soldiers initially tried to bind the hands of Seif behind his back, but the mother and father interfered so much that this was made impossible. He was then pulled down the street by two soldiers who held his upper arms. Saif was not crying. He looked deeply shocked and scared, like a rabbit caught in headlights, trying to stay as still as possible. His parents ran after him, their movement severely restricted by the many soldiers surrounding their son.





Seif was taken to one of the armoured riot vans and pushed inside. He himself did not resist, so much smaller than the soldiers he was, though his parents were trying to pull him back out again. He was out of sight before they could grab hold of him. There were six soldiers leaning out of the door of the van, and five more stood on the road preventing the parents from entering the jeep. Two of them were pointing their rifles at the parents, others using the sides of their guns and their hands to push them away. The mother was hysterical, uncontrollable, at one point sitting on the ground next to the vehicle and beating her fists on the floor, screaming and crying. The father, who had been quite calm to begin with, became increasingly

desperate and began shouting at the soldiers. There followed a tense exchange between the father, who was trying to keep the door of the van open, and a very angry young soldier, who was shouting quite uncontrollably at the father, and jabbing him forcefully in the chest with the barrel of his gun. The soldiers asked us to take the parents home. We ignored them, repeating requests to speak to a commanding officer, repeating questions about the age of the child, about the why he was being arrested, about the rights of a child. The only responses we received were that he had been throwing stones and that it does not matter that he is a child. We assured them that it does matter.

The parents were finally prized away from the door, and the mother stood in front of the vehicle in one last effort to prevent the arrest of her child. Soldiers manhandled her out of the way and the riot van drove away. She ran after it, but it was too fast for her and she went back into her house. Three of her sons had been taken.

Meanwhile, two of my team were witnessing another arrest a few streets away. The sound grenade heard an hour earlier had been thrown outside a house which soldiers had then entered. This family had three sons, aged 23, 12 and 7 and at first it was unclear who they were going to arrest. They appeared to be about to arrest the older son, then the youngest, but finally decided to arrest the 12 year old boy, Yehia. The mother was crying, and the younger brother was shaking, crying and screaming at the soldiers, his voice cracking with the unrestrained emotion of a child. The father spoke with them in an astonishingly calm and collected manner. He asked, at length, to accompany his son if they really were going to take him, and they eventually agreed. The jeep left the house with father and son in the back, mother and other sons left standing in the street. They drove round the corner, the jeep in convoy with other armoured vehicles, and stopped just out of sight of the house. The father was taken out of the jeep, and a soldier put his arm on his shoulder, leaning in to speak softly in his ear. He was told that they did not want further problems from his wife and other sons, and he was to go home. He pleaded with the most extraordinary collect and rationality to be taken along with his son, but the soldier turned and drove away.



Later in the morning, the 7 year old brother was sent to school. When he came home, he said to his mother "do you think I heard what was said at school today? I heard only the shouting of the soldiers and the crying of my brother and my mother." Every single child living in Jayyous experiences similar concentration problems as a result of these regular military incursions into the village.

During this early morning incursion, between 2.00-4.30am, 8 boys and young men were taken, ranging from age 12 to 25. Five are school students, two are university students and one is a shop owner.

Throughout this incursion, my colleagues and I repeatedly asked the soldiers about why they were taking children and reminded them about the rights of a child. We asked them about sons, younger brothers and nephews that they might have, and about how their mother might feel if they had been taken away by the military in the middle of the night, but they seemed unable to make this connection. And despite repeated requests to speak to the commanding officer, nobody would take responsibility for what was happening.

In the early evening of the same day, at about 6pm, both of the 12 year old boys were released, along with two of the older boys. The military re-entered the village at about 3am the next morning and rearrested the two older boys who had been returned nine hours previously.

During their detention, the two 12 year old boys were blindfolded for the majority of the time and were not given water, food or access to a toilet for the first six hours. They were interrogated separately without the presence of a parent or a lawyer.

It is difficult, I know, to hear these observations and to feel powerless. And for that reason I have listed below some small actions that you can take on some of the issues raised by this story. You are not powerless. And in fact the most immediately proactive thing you can do is to make sure that the children around you, in your local communities, the children of your friends and in your own families, have a safe environment in which to be children. That said, here are a couple more ideas for action and information.

Adameer campaign for prisoners rights in the occupied Palestinian territories. You can find out more information, join the campaign and/or sign relevant petitions here:

[http://www.addameer.org/index\\_eng.html](http://www.addameer.org/index_eng.html)

Petitions put forth by the Child Rights Information Network can be found and signed here:

<http://www.crin.org/petitions/index.asp>

A report issued by save the children on Palestinian child detainees can be found here:

[http://sca.savethechildren.se/Documents/Resources/Fact%20Sheet\\_oPt\\_detainees.pdf](http://sca.savethechildren.se/Documents/Resources/Fact%20Sheet_oPt_detainees.pdf)

B'tselem is the Israeli Information Center for Human Rights in the Occupied Territories. They endeavour to document and educate the Israeli public and policymakers about human rights violations in the occupied Palestinian territories, combat the phenomenon of denial prevalent among the Israeli public, and help create a human rights culture in Israel.

This work is crucial in a place where there is no one to call when events such as those which I have told you about take place.

<http://www.btselem.org/English/index.asp>

*Penny Stone, 2009*