

An occupation cannot provide a frame for justice.

The occupation of the Palestinian territories has lasted for decades; generations have grown up under Israeli occupation. Defence for Children International-Palestine (DCIP) notes that more and more Palestinian children are becoming victims.

Mieke Zagt, Director of Tadamun, spoke with Khaled Quzmar, Director of Defence for Children International-Palestine (DCIP).

Tadamun published a report in Dutch "Most Wanted Justice" which is based on the testimonies of the DCIP Report "No Way to Treat a Child"(2016).

Khaled: Our reference frame is the International Convention on the Rights of the Child, International Humanitarian Law and International Human Rights Law.

We ask for an end to the long-term occupation and we ask for justice. We are talking about decades of occupation. Every month tens of children are arrested. DCIP works for children's rights, regardless of who is the perpetrators identity. More and more Palestinian children are arrested and abducted. In April 2016, there were 440 children imprisoned by Israel. Sometimes they are as young as 8 or 9 years old when they are arrested for a few hours. Children aged 12 years and more can be prosecuted. They are often treated harshly, sometimes even tortured. The prisons internal conditions are also bad, many of the cells are overcrowded. In 1996, almost all Israeli prisons were located in the occupied Palestinian territories, but after the Palestinian Authority was established, Israel continued to maintain its Military Authority and the army moved most of the prisoners to Israel. **The transport of prisoners to the land of the occupier is consider a violation to the fourth Geneva convention.**

Mieke: The Dutch Foreign Minister, Bert Koenders, said at a General Consultation in the Lower House on 26 May 2016, that the transport of Palestinian child-prisoners to Israel will be monitored. Who is responsible for the transport of Palestinian prisoners to Israel?
Who or what is the best option for the minister to monitor?

Khaled: The Israeli Minister of Defence is responsible for the army, but the Israeli Prison Service is responsible for the transport. Children are transported in special buses by the Israeli Nahson unit, which is a trained police unit, under the responsibility of the Israeli Prison Service. The Ministry of Internal Security is responsible for this unit and also for the rest of the police.

When a child is in an Israeli prison, it brings a lot of problems to his/her family. Anyone who wants to visit his/her child must be authorized by the Israeli administration. The Red Cross mediates the process with the Israeli government, yet 40% of families are denied visits. As example my brother's son is in prison. In 1978 my brother was in prison for 18 days, and that is the reason that he does not obtain a permit to visit his son. This happens to thousands of Palestinians, it's the norm rather than an individual case.

Receiving a visiting permit is only the first part of the tiring journey. Once granted a visiting permission, you have to travel for hours and wait at several checkpoints, wait at the detention centre to meet your detained family member for 30 to 45 minutes only, and then head back again passing through the same checkpoints.

Mieke: The recent April 2016 DCIP report "No Way to Treat a Child", states that there is insufficient good quality food in prison. Can you say more about this?

Khaled: According to the international humanitarian law, Israel must provide adequate food and clothing and everything the prisoners need, but too little is provided and it is of poor quality. To overcome such issues, the Palestinian Authority and the Israeli company Dadash had an agreement in recent years. Dadash now supplies extra food to the prisons, but at a high price.

Mieke: Where does the money come from?

Khaled: The PLO pays these costs.

Mieke: I have read that Israel retains the dead bodies of victims and does not return them to the families. Are there children among them?

Khaled: Yes, children's bodies were also retained but were recently returned to the families. The family of anyone accused of killing an Israeli is punished through demolishing their house and withholding the body. Such actions are considered collective punishment which is a crime according to the international humanitarian law.

Mieke: Are autopsies no longer possible?

Khaled: The Israeli court has said that an autopsy is only necessary when there is uncertainty about the cause of death. In most cases, the court rules that no autopsy is necessary because the cases are supposed to be clear; soldiers were attacked and their lives were compromised, so they feel it is clear.

I had contact with the family of a child whose body was retained, and the court imposed two conditions for return of the body. The first condition was that the body was to be buried immediately without many people involved, and the second was that no autopsy would be done. Questions remain unanswered in regard to such cases: Why does this happen? Are there any organs stolen or do they want to hide any evidence of the cause of death?

Mieke: Are there also children in custody with the Palestinian Authority?

Khaled: Yes, there are also children in Palestinian detention centres because of out-of-law behaviour. Before 2016, Palestinian children were tried by the Palestinian Authority under Jordanian Juvenile Law from 1954. However, in February 2016, the Palestinian President adopted a new juvenile protection Law. This law was put into operation in March 2016. The law is in accordance with international juvenile justice standards. DCIP had a great input in drafting the law. Currently, a committee of 4 Palestinian governmental actors in addition to DCIP considered by the minister of social development as technical committee to supervise implementing the new juvenile law.

Mieke: How can we, in the Netherlands, support DCIP in your work for children's rights?

Khaled: **We want to work with other countries, including the Netherlands, to learn from other experiences.** In Palestine, there is no infrastructure for implementing new legislation, in addition to the lack of a good rehabilitation process.

You can support DCIP directly or through Tadamun to continue the struggle against violation of Palestinian children's rights.

Read Tadamun's report [Most-Wanted-Justice-Report](#) and share your thoughts with info@tadamun.nl or [@tadaratata](https://twitter.com/tadaratata)

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