

24 November, 2010

Attn:

President Shimon Peres  
Prime Minister Benjamin Netanyahu  
Justice Minister Yaacob Ne'eman  
Attorney-General Yehuda Weinstein  
Minister of Internal Security Yitzhak Aharonovich

Dear Sirs,

On the week when International Children's Day is marked worldwide, we the undersigned - experts from the fields of law, medicine, psychology, social work, and education, as well as authors of children's books – turn to you as professionals who deal with children's safety, welfare and rights, in order to convey to you our deepest concern for the physical and mental welfare and for the proper development of children and youths from East Jerusalem in view of police conduct during their detention and interrogation.

During the past year, and particularly in recent months, there has been an accumulation of testimonies by children and their family members, particularly from the East Jerusalem neighborhood of Silwan, which suggest that minors suspected of involvement in stone-throwing incidents have suffered violence and their rights have been infringed upon.

Children and teenagers related that they had been dragged out of their beds in the middle of the night or arrested in their neighborhoods by undercover detectives and special security forces; taken in for questioning while handcuffed and unescorted by their parents; in certain cases, the families were not notified of the arrest in real time; the minors were asked to give names and incriminate friends and relatives as a condition for their release; were threatened and humiliated by their interrogators; and some of them were even subject to physical violence while taken in for questioning and under interrogation.

Particularly troubling are testimonies of children under the age of 12, the minimal age set by the law for criminal liability, who were taken in for questioning, and who were not spared rough and abusive interrogation despite their young age. Thus, for example, an 8-years-old boy from Silwan

testified that he was dragged out of bed in the middle of the night and held in the police station for four hours. Another child, aged 10, returned from his investigation with bruises on his back, saying he had been beaten during his apprehension and detention.

Israel Police confirm that more than 1,200 criminal cases against East Jerusalem minors suspected of involvement in stone-throwing incidents were opened in the past year. Many of these youths were not detained in the course of stone-throwing incidents, but rather in subsequent police raids during which some were picked up from the street, in front of their friends and relatives, while others were taken from their homes. Some of the minors were held in detention for several days, some are still under house arrest, while others were restricted from entering their neighborhood and some even denied their right to an education.

We are of course well aware of the vital need to maintain public safety, and recognize the tension that exists between the need to curb stone-throwing incidents and the duty and desire to protect children and youths even if they are suspected of criminal offenses. The wide-ranging police conduct as described above, however, is carried out in violation of the laws pertaining to the appropriate procedures of detention and interrogation of minors.

The continuously growing number of testimonies suggests that the Jerusalem Police are ignoring the special defenses that the Israeli Law - which is applied also in East Jerusalem - accords minors who are suspected of involvement in or asked to testify about criminal activities. The Juvenile Act (Judicature, Punishment, and Handling) - 1971, the Police National Headquarters' order concerning the handling of youths, and the UN Convention on the Rights of Children to which Israel is a signatory, are all based on the understanding that, given potential long-term damages youth and children might suffer, they must be treated with extra caution. Legal guidelines and court rulings additionally stress the importance of treating youth with suitable care so as to ensure their rehabilitation and future functioning in society.

Accordingly, minors should be questioned only by investigators who were trained to work with youth, while accompanied by their parents or another relative, in broad daylight, and certainly without suffering any violence. Minors should not be handcuffed, and a decision to place them under arrest should be used only as a last resort. Exceptions to these rules are permitted in very specific cases, which should be explained in writing, and made while

considering the potential implications on the physical and mental welfare and the appropriate development of minors. Regrettably, the testimonies create the impression that these defenses are overlooked during encounters between many East Jerusalem minors and the Israel Police.

As professionals who specialize in the rights and welfare of children, we feel it is our duty to warn that such encounters may have grave consequences and negative impact on the emotional state and behavioral attitudes of youths and children. This concern is validated through the testimonies of minors who had been detained and questioned, and who attest to suffering from signs of post-traumatic stress disorders, such as nightmares, insomnia, bed-wetting, and constant fear of policemen and soldiers. Parents of children who had been detained reported that they were concerned by the drastic deterioration in their children's school performance and their violent, anxious, or indifferent attitude toward their environment. Our professional experience shows that children and youth who are subject to traumatic experiences often grow up to be violent adults.

Given that this is an ongoing reality in East Jerusalem, the potential effect that a tough and often violent police conduct may have on their future development and on their lives as adults may be hard and painful for them, their relatives, and the entire society.

Some 300,000 people live in East Jerusalem, of them 43% are minors. About 20,000 children under the age of 18 presently live in Silwan. It must be remembered that these young people pay a heavy price for living in the shadow of a tense and violent conflict that is taking place in their own neighborhood. Clearly, when the authorities suspect a felony has been perpetrated, it is their duty to launch an investigation. However, offensive arrests and investigations that ignore the law do not serve to maintain public order and safety. On the contrary, they inflict harm on a particularly weak population and widen the cycle of hostility and violence.

In view of all of this, we strongly urge you to immediately take the necessary steps to ensure that all arrest, detention, and interrogation procedures employed against minors suspect of throwing stones in East Jerusalem, or whom witnessed such incidents, adhere to the letter and spirit of the law, which was introduced to ensure that the means employed against minors carry the least possible damage.

In view of the currently rising tensions in East Jerusalem, this call is more urgent than ever.

Signatories in order of ABC:

1. Adv. Iris Adania-Netz, specialist in children's rights, School of Law at the Interdisciplinary Center (IDC), Herzliya
2. Prof. Mimi Ajzenstadt, School of Social Work and Social Welfare, and the Institute of Criminology, Hebrew University of Jerusalem
3. Rosa Alalu, children psychology, formerly a psychologist at the Educational Psychological Service of the Jerusalem Municipality
4. Dr. Elinor Amit, Psychology Department, Harvard University
5. Yuda Atlas, author, translator and researcher of children's books
6. Prof. Judy Auerbach, Department of Psychology, Ben Gurion University, Be'er Sheva
7. Dr. Nissim Avissar, School of Psychology, Interdisciplinary Center (IDC), Herzliya
8. Dr. Asher Ben-Arieh, School of Social Work and Social Welfare, and the Institute of Criminology, Hebrew University of Jerusalem, and Associate Director of The Israel National Council for the Child (NCC)
9. Gili Bar Hillel, translator and editor of children's books
10. Prof. Daniel Bar-Tal, School of Education, Tel Aviv University
11. Dr. Avner Ben-Amos, School of Education, Tel Aviv University
12. Dafna Ben-Zvi, author of children's books
13. Prof. Ruth Butler, School of Education, Hebrew University of Jerusalem
14. Dr. Cynthia Caral, general psychiatry and children and children psychiatry, PHR – Israel
15. Dr. Graziella Carmon, children psychiatry, PHR – Israel
16. Dr. Yael Dayan, Schwartz Graduate Program in Early Childhood Studies, Hebrew University of Jerusalem

17. Prof. Shaul Dolberg, neonatal intensive care unit and the well baby nursery, board member of PHR – Israel
18. Prof. Yoel Elizur, Educational and Child Clinical Psychology Program, School of Education, Hebrew University of Jerusalem
19. Dr. Danny Filk, board member of PHR – Israel
20. Dr. Tali Gal, former legal adviser to The Israel National Council for the Child (NCC)
21. Prof. Charles Greenbaum, Social Psychology Department, Hebrew University of Jerusalem
22. Tamar Gridinger, The Adam Institute for Democracy and Peace in Memory of Emil Greenzweig
23. Prof. Ruth Halperin-Kaddari, director of the Center for the Advancement of the Status of Women at Bar-Ilan University, vice chair of United Nations Committee on Elimination of Discrimination Against Women
24. Dr. Hassan Jassar, pediatrics, Hillel Jaffe Medical Center, member of PHR – Israel
25. Dr. Tirtsa Joels, Center for the Study of Child Development and head of the MA studies program, University of Haifa
26. Prof. Michael Karayanni, Faculty of Law, Hebrew University of Jerusalem
27. Adv. Yehudit Karp, formerly deputy Attorney-General and member of the UN Committee on the Rights of the Child
28. Dr. Sharona Komem, clinical psychology and children psychology
29. Prof. Danny Koren, director of the clinical program at the Department of Psychology, University of Haifa
30. Prof. Nethanel Laor, children psychology, Yale University and Tel Aviv University
31. Prof. Iris Levin, School of Education, Tel Aviv University

32. Prof. Nira Liberman, Department of Psychology, Tel Aviv University
33. Dr. Ruchama Marton, psychiatry, founder and president of PHR – Israel
34. Dr. Mili Mass, School of Social Work, Hebrew University of Jerusalem
35. Adv. Moriel Matalon, Chair of UNICEF Israel
36. Rutu Modan, author of children's books
37. Dr. Tamar Morag, vice-chair of the National Committee for implementing the International Convention on Children's Rights in the Israeli legal system, Law School, The College of Management Academic Studies
38. Dr. Masha Muchmel, rheumatology, PHR – Israel
39. Dr. Maya Muchmel, clinical psychology, member of Psychoactive–Mental Health Professionals for Human Rights
40. Prof. Fadia Nasser-Abu Alhija, School of Education, Tel Aviv University
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43. Dr. Keren Sagi-Fridgoot, pediatrics, member of PHR – Israel
44. Prof. Avi Sagi-Schwartz, dean of the Faculty of Social Sciences, director of the Center for the Study of Child Development, University of Haifa
45. Prof. Gavriel Salomon, director of the Center for Research on Peace Education, Haifa University, recipient of the Israel National Award for Research in Education, chairman of Sukkuy: The Association for the Advancement of Civic Equality in Israel

46. Former Judge Saviona Rotlevy, chairwomen of the National Committee for implementing the International Convention on Children's Rights in the Israeli legal system
47. Prof. Emeritus Leslie Sebba, the Institute of Criminology, Hebrew University of Jerusalem
48. Dr. Yitzhak Shental, child development and neurology, PHR – Israel
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55. Dr. Zeev Wiener, psychiatry, PHR – Israel
56. Hadeel Younis, director of the Defense of Children International (DCI) – Israel Branch
57. Dr. Ruth Zafran, family and children's rights, School of Law, the Interdisciplinary Institute (IDC), Herzliya
58. Nurit Zarhi, author of children's books
59. DR. Zvia Zeligman, Psychiatric Clinic, Unit for Sexual Assault Treatment, Sourasky Medical Center in Tel Aviv
60. Adv. Sharon Zionov, director of The Jerusalem Justice Center Law Clinics for Social Responsibility, Faculty of Law, Hebrew University of Jerusalem