

18-01

No Way to Treat a Child: Protecting the Human Rights of Palestinian Children Living Under Israeli Military Occupation

WHEREAS the ELCA, in 2005, established an initiative, "Peace Not Walls: Stand for Justice in the Holy Land," with three components- Awareness Building, Accompaniment and Advocacy which seeks "peace with justice for both Palestinians and Israelis and the continuation of the Christian witness in the Holy Land;" and

WHEREAS the ELCA, in its Social Statement "For Peace in God's World" has committed to promote respect for human rights, especially for "groups most susceptible to violations, especially all minorities, women, and children;" and

WHEREAS the ELCA is in relationship with the six Lutheran congregations in the Bethlehem area, Ramallah, and Jerusalem (the Evangelical Lutheran Church in Jordan and the Holy Land); and

WHEREAS Israel operates two separate and unequal legal systems in the same territory. Military law has applied to Palestinians in the West Bank since 1967, when Israeli forces occupied the West Bank, including East Jerusalem, and the Gaza Strip. Jewish settlers, however, who reside within the bounds of the occupied West Bank, in violation of international law, are subject to the Israeli civilian legal framework; and

WHEREAS Israel is the only country in the world that automatically and systematically prosecutes children in military courts that lack fundamental fair trial rights and protections; detaining and prosecuting an estimated 500 to 700 Palestinian children in military courts each year, and

WHEREAS Palestinian children detained in the Israeli military detention system commonly report being arrested in the middle of the night and typically arrive to interrogation bound, blindfolded, frightened, and sleep deprived, and often give confessions after verbal abuse, threats, physical and psychological violence that in some cases amounts to torture. Israeli military law provides no right to legal counsel during

interrogation; 96 percent of children have no parents present during interrogation, and

WHEREAS Israel has ratified the Convention on the Rights of the Child on October 3, 1991, which states-in article 37(a), that "no child shall be subject to torture or other cruel, inhumane or degrading treatment or punishment;" and

WHEREAS, after 50 years of Israeli military occupation the situation for children living in the Occupied Palestinian Territory (the West Bank, including East Jerusalem, and the Gaza Strip) continues to deteriorate, making children increasingly vulnerable; therefore be it

RESOLVED that the Southwest California Synod Assembly call on the State of Israel to guarantee basic due process rights in the Israeli military court system; respect and ensure the absolute prohibition against torture and ill-treatment in accordance with international law; and from the moment of arrest, operations and procedures must be carried out in accordance with international juvenile justice standards, specifically the UN Convention on the Rights of the Child; and call on the government of the United States to fully implement and enforce its own established law, including the U.S. Foreign Assistance Act, by monitoring and tracking gross human rights violations committed by Israeli armed forces and police and ensuring that U.S. military and financial assistance is provided to the Government of Israel in accordance with existing U.S. law; and be it further

RESOLVED that the Assembly ask the Bishop of this synod to advocate with elected officials, encouraging them to ensure that United States taxpayer funds, including the over \$3 billion annual foreign aid to Israel, do not support military detention, interrogation, abuse, or ill- treatment of Palestinian children in violation of international law, including, but not limited to: cruel, inhumane or degrading treatment, stress positions, hooding, death threats, coerced confessions, and denial of parents or legal counsel during interrogations; and be it further

RESOLVED that congregations of the Southwest California Synod provide study opportunities to learn more about the lives of Palestinian children—especially the treatment of Palestinian children in the Israeli military courts, the Lutherans in the six congregations of the Evangelical

Lutheran Church in Jordan and the Holy Land, and how Israel is spending our U.S. foreign aid dollars; and be it further

RESOLVED that members of the Southwest California Synod be encouraged to contact their members of Congress to support legislation that prohibits U.S. foreign aid to be used in ways that violate human rights for Palestinian children, like H.R. 4391, 115th Congress, which requires the Secretary of State to certify that United States funds do not support military detention, interrogation, abuse, or ill-treatment of Palestinian children in violation of international law.