

Weeping in silence: the secret sham of torture among Palestinian children

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“I saw the Israeli soldier standing next to the shop. I looked for my mum and then he shot me. One bullet on my hand and another one went through my back and out through my stomach” S, a young girl was recovered from her wounds at a Gaza hospital.¹

The torture of children is one of the world’s secrete and embarrassing scandals pleading for actions to be enforced at the national and international levels. Most of tortured children suffer in silence, scared to tell their stories and their perpetrators the same institutions that are expected to protect them and promote their safety and wellbeing. Despite the absolute prohibition of torture under any circumstances, torture among children has become visible in almost every continent.² This is a horrific and gloomy future for many children in different parts of the world.

From the nasty detention places in India, to street children in Brazil, Chile and Argentina;³ from Guatemala,⁴ the Philippines, Nepal, Congo, and Iraq to Palestine, children are deliberately targeted, interrogated, and detained by military services.^{5, 6} It is really unfortunate that most countries where

children are tortured have signed the international conventions of children’s rights. Different international and national organizations across the globe have drawn attention of policy makers, mental health professionals and government officials to torture practices committed against children world wide, including Palestinian children.

As indicated in Amnesty International report 2000,² children are tortured for various reasons. Some are deliberately tortured in police stations, detention camps and the armed forces. They are targeted for various reasons such as political activism or alleged participation in political struggle, social marginalization, identity and belief and other unjustified reasons.

The main objective of this paper is not to analyze torture and its individual, family and community consequences, nor to emphasize the devastating political and inhuman situations surrounding the Palestinians in general and Palestinian children in particular. The aim of this paper is to highlight the tip of the iceberg around torture and its negative consequences encountered by Palestinian children born and living in protracted political violence, witnessing indiscriminate killings, torture, house demolition, and atrocities committed against themselves, their own family and peers. The impact of these events has affected every aspect of Palestinian life and leaves traces and deep scars

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in the social and economic fabric, in the political and family structures, and also at the individual level. Torture practiced against Palestinian children has raised questions about the injustice and unfair application of International Conventions of Child's rights and UN Conventions Against Torture in the Palestinian context.

The course of developing human rights is established through the presence of social justice, equity, community development and social change, the right to live in peace, dignity and integrity, and not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (CIDT). These are not only non-degradable in time of wars and emergency; they are also ensured without any restrictions whatsoever.⁷ Torture is prohibited and is illegal under any circumstances.

Torture represents an extreme kind of trauma and human rights violation in which the perpetrator actively seeks not only to threaten the victim and extract a confession but also to dehumanize, control, humiliate, and oppress individuals. Despite international efforts to prevent torture, however, such extreme forms of abuse have been practiced by many countries. The 11 September 2001 was a turning point in indirectly increasing torture practices when many countries adopted the so called "war on terror" using the slogan of "protecting public security" providing pseudo justifications to use torture. But, in reality torture is used as a tool for repressing political oppositions and it is used as a means of instilling fear in the community and society at large, which is indeed a great obstacle to community and democratic development.⁸

In 1992, Amnesty International indicated that systematic torture took place in around 90 nations or countries. It is striking to look at Amnesty report a few years later to find

the number of known countries practicing torture is steadily increasing to reach more than 160 countries practicing torture as a tool of political repression and extraction of confession and information.⁹ It is even worse with the secret detention and prisons. It is really unfortunate that torture has been practiced by countries that guard, protect and promote human rights. This has created a bad model of culture followed by countries that secretly practice torture.

Torture as described in Article 1 of UN-CAT, is defined as "any act which consists of the intentional infliction of severe pain or suffering [both physical and/or psychological] involving a public official [directly or indirectly at the instigation or consent or with the acquiescence of public official or another person acting in an official capacity], and for a specific purpose [extracting a confession or information, punishment, intimidation discrimination]". It is a very serious and evil violation of human rights, personal integrity and dignity, where perpetrators assume a situation of powerlessness of the victim, which usually means deprivation of personal liberty or a similar situation of direct factual power and control by one person over another.

Palestinians, particularly children, are people who have never felt safe and secure even before the 1967 Israeli occupation of the West Bank and Gaza Strip. Since 1948 Palestinians have experienced oppression, multiple, repetitive and continuous exposure to traumatic experiences, social exclusion, repression and related socioeconomic and political problems. Palestinians describe the 1948 as "Al Nakbah" (catastrophe). It is imprinted in the collective consciousness of Palestinian children across generations. It represents the loss of the homeland, the livelihood, and political power. It also represents the disintegration of society, the frustration

of national aspiration and the beginning of a rapid process of destruction of Palestinian culture. Al Nakbah is the moment when the majority of Palestinians became homeless, a state that is associated with a deep sense of insecurity and memories of loss, where the house key of the symbol of the former home. The return to their homeland has become the dream that transmits from one generation to another and souls are connected to land.¹⁰

Palestinians' quality of life, children in particular, is poor, and their daily lives are constantly threatened by daily traumatic events. Moving between Palestinian towns means crossing checkpoints, which requires permits that are often rejected. Treatment by the Israeli soldiers at the checkpoints is often "cruel and degrading". Further, the closing of borders between the Occupied Palestinian Territories and Israel, sometimes for many months, has caused serious consequences for Palestinians, who cannot enter or exit at all during these periods, with devastating results: denial of livelihood for the majority of the population and resulting skyrocketing unemployment. Absence of freedom of movement makes it a prison-like atmosphere.

Since Hamas took over the Gaza Strip in 2006, Israel has maintained a strict siege, with people and goods allowed in or out only for essential humanitarian purposes. The effects of the siege on economic and social conditions in Gaza have been devastating. There is a great shortage of fuel and cooking gas, and power cuts are frequent, putting the health of the entire population in danger.

According to the UN, studies done in the Gaza Strip in 2008 showed that children have high levels of distress and fears. Children were highly exposed to traumatic events, such as witnessing a relative being

killed, seeing mutilated bodies, and having homes demolished or damaged. These studies also reported several psychosocial problems, including behavioural problems, fears, speech difficulties, anxiety, anger, sleeping difficulties, lack of concentration at school, and difficulties in completing homework.¹¹⁰

The Israeli military invasions in December 2008 to January 2009 of the Gaza Strip severely intensified this pre-existing humanitarian crisis. In less than three weeks, around 1,414 Palestinians were killed in the Gaza Strip, of whom 313 were children under the age of 18 years. Many others were left physically disabled by the unbalanced Israeli war against Palestinians in the Gaza Strip.^{1, 12} As indicated by Jesoor organization, which is one of the local organizations in the Gaza Strip that deal with trauma and torture victims in the Gaza Strip, masses of children are suffering from trauma reaction symptoms, which requires a holistic mental health intervention in order to help Palestinian children and their families to recover and cope with their traumatic events and dramatic stories.¹³

One of the tragic stories reported by Al-Hag,¹⁴ a Palestinian human rights organization, during the Israeli incursion to the Gaza Strip in January 2009, is Samouni's family in the Al Zaytoun neighborhood of Gaza City. Sixty family members, including the grandfather, grandmother and their children, in addition to other family members were trapped in a house belonging to one of the Samouni family members. The house was bombarded by the Israeli Defense Forces leaving dead bodies and wounded persons, including children, without medical help. Some risked their lives carrying a dozen of dead bodies outside the house. Thirteen family members who were alive, eight of them children, were forced to live

with dead bodies for three days without access to medical care, food, water and electricity. The Red Cross and other humanitarian agencies were denied access to help the wounded and evacuate children and others who were alive. The tragic story ended with 26 family members killed, among them 10 children, while those who survived still carry the anguish of being with dead bodies of their beloved ones.

Since the Israeli occupation of Palestinian territories in 1967, the torture and cruel, inhuman and degrading treatment of Palestinian prisoners has been widespread and part of the official policy of the Israeli army and security apparatuses. It was reported by the Palestinian Center for Human Rights¹¹ from the year 1967 up to 1988; more than 600,000 Palestinians were held in Israeli jail for various periods of time ranging from one week to a life sentence in jail. During the first Intifada, from 1987 to 1994, around 175,000 Palestinians, including children under the age of 18 years, were arrested by Israel Forces.

The degree and forms of torture practiced against Palestinians in Israeli detention and jails have varied throughout the years, but the policy of torture has been systematic and legitimized by Israel's judicial system and government. The Landau Commission claimed to restrict the use of torture, but approved the use of "moderate" physical pressure and "non-violent psychological pressure" during the interrogation of Palestinian detainees.¹⁵

It is worth pointing out that violations regarding the detention and torture of Palestinians do not distinguish between males or females, nor do they distinguish between adults and children. These methods, including the means and forms of torture, detention and interrogation conditions, court procedures and applicable laws, and the way

in which prisoners are treated, apply to all Palestinians. As reported by the Defense of Children International/Palestine Section,¹⁶ at the end of October 2007, there were approximately 319 Palestinian children from the Occupied Palestinian Territories in Israeli custody. These children were either under arrest and being held for interrogation purposes, had been charged with offences under Israeli military law and were awaiting trial or sentence, or were serving terms of imprisonment inside Israeli prisons. Palestinian child prisoners are detained in cells with adult criminal prisoners, often in situations where there are real threats to their lives, causing the children to live with an increased level of anxiety and psychological stress due to the physical and verbal threats that they are subject to by these criminal prisoners.

B'Tselem,¹⁷ which is an Israeli Information Centre for Human Rights in the Occupied Territories, published a report containing testimonies, some of these are video taped, of children less than 18 years old who were arrested between October 2000 and January 2001 on suspicion of them throwing stones. In most cases, they were arrested in their homes in the middle of the night, taken to a police station and tortured by police interrogators until the following morning. The objective of the police was to obtain information about the activities of other children and other activists in their neighborhood. The methods of torture used, as described in the report, includes forcing the minors to stand in painful positions for prolonged periods, beating the minors severely for many hours, at times with the use of various objects, splashing cold water on the detainees in the facility's courtyard in wintry conditions, pushing the minor's head into the toilet bowl and flushing the toilet, making death threats, cursing and degrading the minors.

B'Tselem, reported that 1,588 Palestinian children under the age of 16 to 18 years were in custody of the Israeli Security Forces in 2009 compared to 3,806 children in 2008. The children were detained or sentenced and/or administratively detained. Table 1 gives some statistics on Palestinian minors detained by the Israeli Defense Forces (IDF). Table 2 highlights the number of Palestinian minors who were detained by the Israeli Prison Facilities (IPF) and IDF in 2009. The table also describes the age,

day of detention and type of detention used against the Palestinian minors.

Administrative detention is a detention of persons by a state without trial or charge, usually the claimed reasons for the arrest is security reasons. This practice has been criticized by human rights organizations as a breach of civil and political rights of people. As indicated by the DCI/PS¹⁶ and B'Tselem,¹⁸ Israeli Military Order 1229 of 1988 empowers military commanders to detain Palestinians, including chil-

Table 1. *Palestinian minors detained by IDF in 2007.*

Month	Date of statistics	Under age 16	Age 16-18	Total
December	31.12.07	0	4	4
November	26.11.07	0	18	18
October	28.10.07	0	20	20
September	24.9.07	0	11	11
August	12.8.07	0	5	5
July	18.7.07	0	2	2
June	18.6.07	0	4	4
May	13.5.07	0	5	5
April	10.4.07	0	9	9
March	4.3.07	0	12	12
January	3.1.07	0	8	8
Grand Total				98

Source: www.btselem.org/english/Statistics/Minors_in_IDF_Detention.asp

Table 2. *Palestinian children detained by Israeli Forces*

Month	Detained by	Date of detention	Age of the child	Detainees	Detained until end of legal process	Sentence	Administrative detention	Total
April	IPS	30 April	Under 16	7	21	19	0	47
			16-18	20	152	159	2	333
March	IPS	31 March	Under 16	5	27	21	0	53
			16-18	28	161	164	2	355
Feb.	IPS	28 Feb.	Under 16	10	31	13	0	54
			16-18	29	175	136	6	346
Jan.	IDF	26 Feb.	Under 16	0	0	0	0	0
			16-18	-	-	-	0	12
Jan.	IPS	3 Feb.	Under 16	5	36	9	0	50
			16-18	28	180	111	5	324
	IDF	28 Jan.	Under 16	0	0	0	0	0
			16-18	-	-	-	0	14
Grand Total								1.588

Source: www.btselem.org/english/Statistics/Minors_in_Custody.asp

dren as young as 12, for up to six months if they have “reasonable grounds to presume that the security of the area or public security require the detention.” The initial six month period can be extended by additional six-month periods indefinitely. The terms “security of the area” and “public security” are not defined, their interpretation being left to the military commanders. The Order gives flexibility to the Military to repeat the detention as they like because it does not identify a maximum cumulative period of the detention. This procedure denies the detainee the right to a fair trial and the ability to adequately challenge the basis of his or her detention. The number of Administrative detentions among Palestinian children is increasing; 125 Palestinian children were administratively detained in 2008.⁶

Torture and ill-treatment are frequently used in military and political conflicts in order to warn, punish, and get information about the opponents.^{19, 20} Traumatic events tend to accumulate. People seldom face only political violence, they also carry with them their private history and childhood unhappiness.

In the Palestinian setting, exposure to systematic oppression, trauma, torture, violence and long-term social suffering, including collective punishment, is chronic and ongoing. Usually young people, children and women pay the highest price. They have been subjected to a range of violent and traumatic experiences over time, not the least of which is ‘witnessing the destruction of a social world embodying their history, identity, and living values’. In recent times, other than ongoing Israeli military re-occupation of the West Bank and Gaza Strip, there has been death, injury, shelling, bombing, sonic bombs, house demolition, the destruction of a vast amount of agricultural

land, closures, siege, spiraling poverty and other visible effects of war.^{21, 22}

In her informative study about collective exposure to political violence²³ Giacaman showed that Palestinian children have reported being exposed to tear gas and sound bombs, having seen shooting and explosions, and having seen strangers being arrested, injured and humiliated. Having one’s home sealed or demolished, having been beaten by Israeli settlers and having been stripped in public were reported least often. Table 3 highlights the percentage of traumatic exposure among Palestinian children.

Mental health problems caused by constant traumatic events, torture and threat of violence intrusion into Palestinian children’s

Table 3. *Percentage of exposure to traumatic events once or more during the preceding year.*

Type of traumatic event	Total (n=3415) (%)
House searched	35
House occupied and you in it	14
House occupied and you thrown out	9
House shot at	22
House bombed or shelled	8
Shelling in the neighborhood	31
Beaten by the Israeli army	15
Used as a human shield	6
Exposed to tear gas	60
Exposed to sound bombs	63
Body searched	30
Shot at or hit	25
Detained or arrested	17
Interrogated	13
Saw stranger being arrested	62
Saw stranger being injured	49
Saw stranger being killed	28
Saw family member arrested	31
Saw family member injured	17
Saw family member being killed	7
Saw friend/neighbour arrested	37
Saw friend/neighbour injured	22
Saw friend/neighbour killed	11
Humiliated	23
Saw stranger being humiliated	67
Saw family member humiliated	29
Saw friend/neighbour humiliated	35

Source: reference no. 23.

lives, whether at home or at school, was high. Such a protracted conflict situation promotes a general state of fear, apprehension and insecurity throughout the population, particularly among children.^{22, 24-26} El-Helou et al²² showed that 88% of children in the Gaza Strip had a close family member beaten by the Israeli soldiers, while 56% of the sample witnessed, or knew of the arrest of their close family members and 31% reported that they have close relatives in prison. The majority of children (95%) reported that the Israeli soldiers broke into their homes on at least one occasion.

The adverse psychological impacts of these traumatic events have been highlighted in various studies among Palestinian children. Baker²⁷ showed that Palestinian children living in the West Bank suffer from psychosomatic and pathological symptoms. The psychosomatic symptoms include headaches, stomachaches, difficulty in awakening, difficulty in sleeping, nightmares and loss of appetite. Haj-Yahia²⁸ reported high levels of adjustment and developmental problems among Palestinian adolescents who witnessed interparental violence which is often associated with child abuse.²⁹ Thabet & Vostanis³⁰ reported the frequent abnormal behaviors among children that have been noted by teachers include lying (10.5%), disobedience (10.5%), and bullying (11%). Frequent emotional disturbances noted included worries (17.3%), fears (11.8%), and feeling miserable (5.9%).

In their study about the prevalence of Posttraumatic Stress Disorder (PTSD) among Palestinian children living in the area of bombardment where children themselves reported their exposure to military violence, whether being targeted or witnessing it towards others, Qouta³¹ showed that 54% of the children suffered from severe PTSD,

while 33% from moderate and 11% from mild and doubtful levels of PTSD. Those children most vulnerable to avoidance symptoms were those who had personally been targets of military violence and whose mothers were better educated.

Political violence has negative impact not only on the Palestinian children also on their perception of the parenting styles they experience. Punamaki³² has indicated that the more that children are exposed to traumatic experiences, the more they suffer from adjustment problems related to parenting, meaning the more they perceive their parents negatively, as punishing, rejecting, strict, controlling, and lacking intimacy and love, all of which increases children's psychological adjustment problems. Moreover, the poorer parenting the children experience, the more they suffer from high neuroticism and low self-esteem.

Conclusion

In her statement to the Security Council Open debate on Children and Armed Conflict in April, 2009, Coomaraswamy Radhika said "In February I visited Gaza and Southern Israel after weeks of war. As it was just days after the fighting had ended, the children, their teachers and parents in Gaza were in a state of shock and they still had horror in their eyes ... Everyone hopes for peace and in Southern Israel, where children also live in fear, girls and boys spoke freely of reaching out to their Palestinian brothers and sisters".³³ Palestinian children are the most vulnerable victims of Israeli occupation, political violence, poverty, war and torture.

The impact of torture on Palestinian children is generally much greater than on adults, as children have a lower threshold for pain and less understanding of why others use torture. The international com-

munity has officially condemned torture, especially child torture, as the most dreadful violation of human rights and has listed torture as a war crime. But despite the pledge of numerous countries to eradicate torture, this barbaric practice continues urging the international community, humanitarian organizations, human rights activists, health professionals, law institutions and others to urgently break their silence and save the lost generation of Palestinian children.

Article 24 of the United Convention on the Rights of the Child 1989 (ratified by all UN member States including Israel, except for two) provides that State Parties are to ensure that all children have the right to the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health, without discrimination.

“Israel argues that international human rights law such as the 1948 Universal Declaration of Human Rights; the 1984 Convention Against Torture and the 1989 Convention on the Rights of the Child do not apply to its occupation of the Palestinian territories”. Furthermore, guidelines, standards and rules set by various United Nations bodies are not legally binding on States.¹⁶ Constantly Palestinian children ask “why cannot we live as other children in the world do”.

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