

## **Resolution to Protect the Human Rights of Palestinian Children Living Under Israeli Military Occupation: No Way to Treat a Child**

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;”<sup>1</sup>; 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;”<sup>2</sup>; and

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

WHEREAS Israel operates two separate and unequal legal systems in the occupied West Bank. Israeli 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 who reside within the bounds of the occupied West Bank are subject to the Israeli civilian legal framework; and

WHEREAS the Israeli Defense Forces systematically prosecutes children in military courts which lack fundamental fair trial rights and protections; detaining and prosecuting an estimated 500 to 700 Palestinian children in military courts each year<sup>3</sup>; and

WHEREAS Palestinian children detained in the Israeli military 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 amount to torture. Israeli military law provides no right to legal counsel during interrogation; in all or nearly all cases, no parents present during interrogation<sup>4</sup>; and

WHEREAS Israel has ratified the Convention on the Rights of the Child on October 3, 1991, which state in article 37(a) that “no child shall be subject to torture or other cruel, inhumane or degrading treatment or punishment;”<sup>5</sup> and

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<sup>1</sup> Churchwide Strategy for Engagement in Israel and Palestine, 2005 Pre-Assembly Report, Page 54, [http://download.elca.org/ELCA%20Resource%20Repository/PNW\\_Strategy.pdf](http://download.elca.org/ELCA%20Resource%20Repository/PNW_Strategy.pdf), accessed April 3, 2018

<sup>2</sup> A Social Statement ... For Peace in God’s World, page 14, <http://download.elca.org/ELCA%20Resource%20Repository/PeaceSS.pdf>, accessed April 3, 2018

<sup>3</sup> Israel’s Armed Forces and Grave Violations of Children’s Rights, Statement at the United Nations Human Rights Council, Defence for Children International, <https://defenceforchildren.org/israels-armed-forces-grave-violations-childrens-rights/>, accessed April 3, 2018

<sup>4</sup>Children in Israeli Military Detention: Observations and Recommendations. [https://www.unicef.org/oPt/UNICEF\\_oPt\\_Children\\_in\\_Israeli\\_Military\\_Detention\\_Observations\\_and\\_Recommendations\\_-\\_6\\_March\\_2013.pdf](https://www.unicef.org/oPt/UNICEF_oPt_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf), accessed April 3, 2018

<sup>5</sup> Convention on the Rights of the Child, UN General Assembly Resolution of 20 November 1989, Page 10, <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>, accessed April 3, 2018

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

RESOLVED that the La Crosse Area Synod Assembly ask the Bishop to call on the State of Israel to guarantee basic due process rights in the Israeli military system; respect and ensure the absolute prohibition of 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 be it further

RESOLVED that the La Crosse Area Synod Assembly ask the Bishop to call on the government of the United States to fully implement and enforce its own established law, including the US Foreign Assistance Act, by monitoring and tracking gross human rights violations committed by Israeli armed forces and police and ensuring that the U.S. military and financial assistance is provided to the Government of Israel in accordance with existing US law; and be it further

RESOLVED that the La Crosse Area Synod Assembly ask the Bishop and the Middle East subcommittee to advocate with our elected officials, encouraging them to ensure that the 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 the Middle East subcommittee of the La Crosse Area Synod provide and encourage study opportunities for congregations to learn more about the lives of all people in the Holy Land, especially Palestinian children in the six congregations of the Evangelical Lutheran Church in Jordan and the Holy Land, and the treatment of Palestinian children in the Israeli military court; and be it further

RESOLVED that members of the La Crosse Area Synod be encouraged to contact their members of Congress to support legislation that prohibit US foreign aid to be used in ways that violate human rights for Palestinian children, such as H.R.4391, 115th Congress, which requires the Secretary of State to certify that the United States funds do not support military detention, interrogation, abuse, or ill-treatment of Palestinian children<sup>6</sup>, in violation of international law.

Respectfully submitted,

Rev. Kent Johnson

On behalf of La Crosse Area Synod Middle East Subcommittee

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<sup>6</sup> H.R. 4391- Promoting Human Rights by Ending Israeli Military Detention of Palestinian Children Act.  
<https://www.congress.gov/bill/115th-congress/house-bill/4391>, accessed April 3, 2018