



## **No Way to Treat a Child: Support H.R. 2407 to Promote Human Rights for Palestinian Children Living Under Israeli Military Occupation**

On May 1, 2019, Rep. Betty McCollum introduced **H.R. 2407, the Promoting Human Rights for Palestinian Children Living Under Israeli Military Occupation Act.**

The U.S. Campaign for Palestinian Rights, a national coalition of hundreds of groups working together for freedom, justice and equality, strongly urges representatives to cosponsor this important legislation which addresses a U.S.-funded crisis for human rights: the widespread and institutionalized ill-treatment Palestinian children in the Israeli military detention system. **The bill aims to end U.S. funding for Israeli abuses of Palestinian children's rights and lays the groundwork for achieving justice for Palestinian child victims of Israel's military detention system.**

In the words of Rep. Betty McCollum, the legislation's lead sponsor, "Peace can only be achieved by respecting human rights, especially the rights of children. Congress must not turn a blind eye to the unjust and ongoing mistreatment of Palestinian children living under Israeli occupation."

**As an amendment to the Leahy Law (fundamental U.S. human rights legislation to prevent U.S. complicity in human rights atrocities), H.R. 2407 creates an accountability mechanism to prohibit U.S. funds from being used for the "military detention, interrogation, abuse, or ill-treatment" of children anywhere.** It also authorizes the appropriation of funds to monitor human rights abuses and to provide physical, psychological, and emotional rehabilitation to Palestinian child victims of Israel's military detention system.

**H.R. 2407 embodies our values of equality, freedom, and justice for all people and across all issues.** Those values mean **supporting the dismantling of structural injustices and inequalities and protecting all children from harm**—brown and Black children, from the U.S. and in Palestine/Israel, who are vulnerable to violence backed by our tax dollars.

### **H.R. 2407 is needed to address U.S. funded, Israeli state-sponsored child abuse**

- **Israel is the only country in the world that systematically prosecutes 500-700 children each year in military courts lacking fundamental fair trial rights.** According to [Defense for Children International-Palestine](#) (DCIP), Israel has, since 2012, held more than 200 Palestinian children on average in military detention at any given time.
- **U.S. tax dollars should not be used to fund the abuse of Palestinian children.** Israeli forces systematically subject Palestinian child detainees to ill-treatment following arrest, as documented by numerous credible sources cited in the bill (Sec. 2). A February 2013 [UNICEF report](#) found that the "ill-treatment of children who come in contact with the military detention system appears to be widespread, systematic and institutionalized." According to 2019 [DCIP fact sheet](#), Israeli authorities inflicted physical violence on 73 percent of children after their arrest; did not properly inform 74 percent of children of their rights; and denied access to parents during interrogations in 96 percent of cases. The Department of State's 2013 [annual Country Report](#) noted that this ill-treatment includes "beatings, long-term handcuffing, threats, intimidation, and solitary confinement," which in some cases amount to "torture." The 2016 [report](#) highlighted the renewed use of administrative detention against Palestinians, including children, a practice which allows a detainee to be held indefinitely, without charge or trial and on secret evidence.

- **History has taught us that we must oppose separate and unequal systems anywhere, including the separate and unequal military detention system for Palestinian children.** As the bill notes (Sec. 2 (4)), Israel operates two legal systems in the occupied Palestinian territory. Israelis living in illegal settlements in the West Bank, including East Jerusalem, are subject to Israeli civil laws, entitled to heightened due process guarantees, and are free from systematic ill-treatment when interrogated or detained. Palestinians, including children, are subject to Israeli military law that lacks basic due process guarantees, and being subjected to physical and psychological violence is the norm. According to a 2010 Israeli military court report, Israel convicts an astounding 99.74 percent of Palestinians who are brought to trial through these military courts, which lack any semblance of justice. Additionally, under Israeli military law, Palestinian children have no right to a lawyer during interrogation.
- **We must work to ensure that everyone feels safe and secure in their communities.** This bill builds on previous Congressional initiatives to promote the human rights of Palestinian children. In 2015, Reps. Betty McCollum, Keith Ellison, Barbara Lee and 18 other members of Congress sent a [letter](#) to then-Secretary of State John Kerry urging him to “address the status of Israel’s military detention system’s treatment of Palestinian children in its annual human rights report.” In June 2016, Reps. McCollum, Raul Grijalva, Don Beyer, and 17 other members of Congress wrote President Barack Obama a [letter](#) reiterating these concerns and calling on him to appoint a Special Envoy for Palestinian Youth. In 2017, Rep. McCollum introduced [H.R. 4391](#), which amassed 31 cosponsors calling for an end to Israeli military detention of Palestinian children. This bill builds on these efforts, creating a path towards a U.S. foreign policy that refuses to be complicit in human rights abuses and instead promotes rights for all people.

## **H.R. 2407 includes a prohibition and funding authorization to advance human rights**

- **The purpose of this legislation is clear: “To promote and protect the human rights of Palestinian children living under Israeli military occupation”** (Sec. 3). The bill begins by establishing a sense of Congress (Sec. 4) and policy (Sec. 5) opposing Israel’s military detention of Palestinian children and recognizing it as a practice that violates international law, undermines efforts to achieve a just and lasting peace, and results in grave human rights violations that are contrary to values of equality, human rights, and dignity.
- **Where existing accountability mechanisms have failed, this bill amends human rights law to stop state-sponsored child abuse.** (Sec. 6) The bill amends Section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), commonly known as the “Leahy Law,” by adding a new subsection that includes a generally applicable limitation prohibiting U.S. military aid from being used by foreign armed forces to support the military detention, interrogation, abuse, or ill-treatment of children in violation of international humanitarian law. The Leahy Law is intended to be universally applicable and stop funding to units of foreign security forces wherever there is credible information implicating that unit in the commission of a gross violation of human rights. While the Leahy Law should be applied consistently across all countries, and while the U.S. grants Israel \$3.8 billion in military aid each year, successive U.S. administrations have failed to comprehensively implement the Leahy Law to stop Israeli forces’ torture and cruel, inhuman or degrading treatment against Palestinian children.
- **H.R. 2407 lays the groundwork for achieving justice by authorizing funds to monitor human rights abuses and provide rehabilitation to Palestinian child victims of torture.** Recognizing that peace necessitates justice and respect for human rights, the bill establishes the Human Rights Monitoring and Palestinian Child Victims of Israeli Military Detention Fund (Sec. 7), authorizing \$19 million annually for non-governmental organization (NGO) monitoring of human rights abuses associated with Israel’s military detention of children. The fund also authorizes qualified NGOs to provide physical, psychological, and emotional treatment and support for Palestinian child victims of Israeli military detention, abuse, and torture.