

URGENT ACTION

PALESTINIAN CHILDREN ADMINISTRATIVELY DETAINED

A 16-year-old Palestinian boy, Abed al-Rahman Awad Kmail, was arrested by Israeli forces on 4 February while he was sleeping. He was placed under a four month administrative detention order and spent his 17th birthday in prison.

Abed al-Rahman Awad Kmail, from Qabatiya, south of Jenin, was given a six month administrative detention order on 11 February. A military judge reduced the order to four months on review on 16 February. Abed al-Rahman Awad Kmail spent his 17th birthday in prison.

Administrative detention allows for indefinite detention without charge or trial and is increasingly used against children. Orders are used by the Israeli military predominantly against Palestinians and can be renewed indefinitely. Abed al-Rahman Awad Kmail's family told Amnesty International that he was arrested by Israeli forces at 2.00 am on 4 February while he was sleeping. He was held at the nearby Jalamah checkpoint for three days and transferred to Megiddo prison in northern Israel. Abed al-Rahman Awad Kmail says that he was never interrogated and does not know why he is detained.

Mohammed Ghaith, Fadi Abbasi, and Kathem Sbeih, all 17-year-old Palestinians from East Jerusalem, who were arrested in October 2015, were the first children to be held in administrative detention in almost four years (see UA: 248/15 at <https://www.amnesty.org/en/documents/mde15/2792/2015/en/>). They were released on 19 January once their detention orders expired. Since then at least 13 more children were detained administratively, 11 of whom remained in detention as of 26 April. One of them – a 17-year-old from Ya'bad, Jenin – was arrested while he was sleeping after Israeli soldiers broke down the door of his house at 4.00 am on 2 March. He said he was interrogated for 39 hours in Salem detention centre (in the occupied West Bank) in connection with incitement to violence on social media, which he denies. He was given a three month administrative detention order on 14 March and is now in Megiddo prison.

Please write immediately in Hebrew, English or your own language:

- Calling on the authorities to release Abed al-Rahman Awad Kmail and all other child administrative detainees unless they are charged with recognizable criminal offences and tried in proceedings that adhere to international standards of juvenile justice;
- Calling on them to ensure all child administrative detainees are allowed regular visits from their family and lawyers and kept separately from adults at all times, unless this is counter to their best interests, in line with international standards of juvenile justice;
- Urging them to take immediate steps to end the practice of administrative detention.

PLEASE SEND APPEALS BEFORE 10 JUNE 2016 TO:

Minister of Defence
Moshe Ya'alon
Ministry of Defence
Kaplan Street, Hakiryat
Tel Aviv 61909, Israel
Email: minister@mod.gov.il
pniot@mod.gov.il
Fax: +972 3 691 6940
Salutation: Dear Minister

Commander of the IDF – West Bank
Major-General Roni Numa
GOC Central Command
Military Post 01149, Battalion 877
Israel Defense Forces, Israel
Fax: +972 2 530 5741, +972 2 530 5724
Salutation: Dear Major-General Roni Numa

Minister of Public Security
Gilad Erdan
Kiryat Hamemshala
PO Box 18182
Jerusalem 91181, Israel
Fax: +972 2 584 7872
Email: gerdan@knesset.gov.il
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY Deputy Ambassador Eitan Na'eh, Embassy of Israel, 2 Palace Green Kensington W8 4QB, 020 7957 9500
Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Abed al-Rahman Awad Kmail, whose current administrative detention order expires on 11 June 2016, was doing an apprenticeship in manufacturing in Jenin when he was arrested.

Administrative detention – ostensibly introduced as an exceptional measure to detain people who pose an extreme and imminent danger to security – is used by Israel as an alternative to the criminal justice system to arrest, charge and prosecute people suspected of criminal offences, or to detain people who should not have been arrested at all. Orders can be renewed indefinitely and Amnesty International believes that some Palestinians held in administrative detention by Israel are prisoners of conscience, held solely for the peaceful exercise of their right to freedom of expression and association. Since October 2015, violence in Israel and the OPT has increased dramatically. As during other periods of heightened tension in the OPT, the Israeli authorities responded by carrying out mass arrests, and issuing more and more administrative detention orders, including a resumption of its use against children. According to Israeli human rights organization B'Tselem there were 627 administrative detainees by the end of February 2016 compared to 424 in February 2015. While dozens of Palestinian children were administratively detained between 2004 and 2008, numbers declined steadily until December 2011, when there was only one. In October 2015, three 17-year-old Jerusalem ID holders, became the first children to be administratively detained in almost four years.

According to international human rights law, detention of children must only be used as a measure of last resort and for the shortest appropriate time and appropriate alternatives to detention must be made available. Child administrative detainees in Israel are denied their right to challenge their detention before a court “or other competent, independent and impartial authority” and “the right to a prompt decision on any challenge” in line with Israel’s obligation under the UN Convention on the Rights of the Child. Their rights to adequate protection as children have been flouted including by being held alongside adults. According to Defence for Children International-Palestine (DCI-Palestine), 17-year-old Basir Mohammad Al-Atrash, from Hebron, was interrogated on 30 October 2015 and denied access to a lawyer, accused of stone throwing and incitement on social media, which he denied. He was placed in a metal cage outside, along with five adult detainees. He was given a three month administrative detention order though two days before its expiry on 28 January 2016, the Israeli military prosecutor filed charges against him in connection with making and throwing Molotov cocktails at an Israeli military checkpoint. According to Mohammed Ghaith’s family, he and Fadi Abbasi were held in a wing with four adults as well as other children.

Some children have been subjected to prolonged interrogation without access to lawyers or while held in solitary confinement. Mohammad al-Hashlamoun, 17, was arrested in the early hours of 3 December 2015 at his home in Ras al-Amud in East Jerusalem by around 40 border police officers and Israel Security Agency (ISA) members who raided the building where he lives, which contains three apartments. They took him to the ISA interrogation centre in Jerusalem, within the Russian Compound detention centre. He was held there for 18 days and then transferred to Ashkelon prison in southern Israel for four days. He was asked repeatedly about planning attacks in Jerusalem, which he denied. He was held in solitary confinement for 22 days, denied access to a lawyer, and repeatedly interrogated for prolonged periods. He was brought before the Jerusalem Magistrates Court twice and, after the second hearing on 20 January, the court ordered his transfer to house arrest for one week and a fine of around US\$1,260. Instead of transferring him, however, the Israeli Minister of Defence handed him a six-month administrative detention order the next day (see UA: 31/16 at <https://www.amnesty.org/en/documents/mde15/3399/2016/en/>).

Name: Abed al-Rahman Awad Kmail
Gender m

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