

H.R. 2407 Talking Points

Palestinian minors in the West Bank accused of any illegal actions are prosecuted within the Israeli military court system. This means Palestinian youth in the West Bank are not protected by civil law, but instead are prosecuted according to military law. Unlike Israeli youth, there is no separate juvenile justice system for Palestinians. Several human rights organizations have documented the mistreatment and abuse of Palestinian youth within the military detention system. Regardless of whether they are guilty or innocent, all minors should have the right to due legal process and proper treatment while detained.

H.R. 2407 is currently cosponsored by Rep. McCollum and twenty three other members: Rep. Pingree, Rep. Beyer, Rep. Lee, Rep. Norton, Rep. Carson, Rep. Henry Johnson, Rep. Rush, Rep. Eddie Johnson, Rep. Clarke, Rep. Tlaib, Rep. Pocan, Rep. Jayapal, Rep. Omar, Rep. Garcia, Rep. Davis, Rep. Ocasio-Cortez, Rep. Pressley, Rep. Evans, Rep. Watson-Coleman, Rep. Bass, Rep. Grijalva, Rep. DeSaulnier, and Rep. Waters.

Israel is a signatory of the United Nations' Convention on the Rights of the Child.

- The Convention on the Rights of the Child ensures that minors under the age of 18 receive age-appropriate treatment within the criminal justice systems of the signatories.

Credible human rights organizations have documented instances in the West Bank that could constitute a breach of the UN Convention on the Rights of the Child.

- According to Defense for Children International (DCI), of Palestinians under the age of 18 detained by Israeli authorities between 2013 and 2018...
 - 96% did not have a lawyer or parent present at the time of their interrogation.
 - 74% were not read their legal rights.
 - 73% reported experiencing physical violence.
 - 66 cases of minors being held in solitary confinement for an average of 13 days.
 - 33% were forced to sign confessions not written in their native language.
- These findings were reflected in the State Department's 2018 Country Report on Human Rights Practices for Israel and the Occupied Territories.

Current restrictions on the use of U.S. foreign aid, known as the Leahy Law, prevent funds from assisting a foreign nation's security forces, if they are known to have committed "gross violations of human rights."

- Currently, the Leahy Law defines "gross violations of human rights" as instances of "torture, extrajudicial killing, enforced disappearance, and rape."

- H.R. 2407 amends the Leahy Law to include “the military detention, interrogation, abuse, or ill-treatment of children in violation of international humanitarian law.”
- This would apply to all countries receiving U.S. foreign aid. Israel is not singled out in this regard.

H.R. 2407 Also authorizes \$19 million per year “to monitor human rights abuses and provide treatment to Palestinian child victims of military detention and torture.”

- Part of this funding would go to human rights organizations in the occupied Palestinian territories.
- In addition, funding would go toward healthcare providers who treat physical and psychological conditions affecting survivors.

Children in Detention are Particularly Vulnerable to Contracting COVID-19

- In [May 2020](#), UNICEF released a statement calling for Israeli authorities to immediately release all Palestinian children in detention in light of COVID-19
- Children in detention face heightened risk of contracting COVID-19, with physical distancing and other preventive measures often absent or difficult to achieve
- Since the start of the COVID-19 crisis in Israel, legal proceedings are on hold, almost all prison visits are cancelled, and children are denied in-person access to their families and lawyers. This creates additional hardship, psychological suffering, and prevents the child from receiving the legal advice to which they are entitled.