**The Systematic Use of Solitary Confinement of Palestinian Children by Israeli Authorities**

Defense for Children International - Palestine (DCIP) monitors, documents, and reports on international human rights and humanitarian law violations stemming from Israel’s military occupation of Palestinians living in the West Bank, including East Jerusalem, and the Gaza Strip. DCIP implements an integrative approach that utilizes the international human rights framework, evidence-based advocacy, and movement building to advance the rights and protection of Palestinian children.

This report relies on three sets of data:

1. Testimonies of 108 children from the occupied West Bank and East Jerusalem detained by the Israeli military or police between January 2016 and December 2019;
2. Testimonies of 91 children from the occupied West Bank and East Jerusalem detained by the Israeli military or police between January 1, 2022 and December 31, 2022, and;
3. Testimonies of 76 children from the occupied West Bank and East Jerusalem detained by the Israeli military or police between January 1, 2023 and October 31, 2023.

DCIP lawyers and field researchers collect affidavits from children during prison visits and client meetings in accordance with UN standards, and are trained to ask a series of non-leading questions, specifically focusing on the period of time between a child’s arrest and his or her first appearance in an Israeli military court. DCIP also collects precise information and data on alleged violations of Palestinian child detainees’ rights through a questionnaire.

A review of this evidence overwhelmingly indicates that Israel regularly employs solitary confinement for Palestinian child detainees. DCIP finds that solitary confinement is used solely for interrogation purposes–to obtain a confession and gather intelligence, which is a practice that amounts to torture under international law. DCIP has found no evidence of the legally justifiable use of solitary confinement of Palestinian children.

1. **Solitary Confinement Solely For Interrogation Purposes**

Between January 1, 2016 and December 31, 2019, DCIP documented 108 cases in which Palestinian children were placed in solitary confinement for a period of two or more days during interrogation. Children were held in solitary confinement for an average period of 16.5 days.

Between January 1, 2022 and December 31, 2022, DCIP documented the cases of 91 children from the West Bank and East Jerusalem who were detained by Israel. Of those 91 children, 24 of them, making up 26% of the total children interviewed, were placed in solitary confinement for more than two days. These children were held in solitary confinement for an average period of 22 days, with the longest period being 45 days.

This year so far, from January to October, DCIP interviewed 76 Palestinian children who were detained by Israel, 22 (29%) of whom were placed in solitary confinement for two days or longer. These children were held in solitary confinement for an average period of 26 days, with the longest period being 40 days.

DCIP has found no evidence demonstrating a legally justifiable use of isolation of Palestinian child detainees, such as for disciplinary, protective, or medical reasons. The practice has been used, almost exclusively, during pre-charge and pretrial detention.

1. Arrest and transfer

Isolation of Palestinian children typically follows a military arrest and transfer period, during which many children are subjected to numerous human rights violations. Israeli forces frequently arrest Palestinian children at night. From 2016 to 2019, 71 of 108 children (66 %) held in solitary confinement reported being detained from their homes between midnight and 5 a.m.. In 2022, of the 91 children interviewed, 50 (55%) reported being detained at night. In 2023 so far, 34 of the 71 children interviewed (45%) reported being detained at night.

These children reported being detained from their homes by heavily armed Israeli soldiers. Israeli forces typically gather all the occupants of the house, regardless of age, in one area or room and demand identification. Physical violence against family members, including other children in the home, is common. Generally, Israeli forces separate the wanted child from his family within the home for questioning and to confirm his identity. Some children report being subject to physical and verbal abuse and intimidation. Israeli forces often search the home during the raid resulting in extensive destruction of property. Mobile phones and other items are confiscated during the raids. Once a child’s identity has been verified, Israeli forces detain and take the child into custody, removing them from the home.

Children and their families are rarely informed of the reasons for arrest or the location where the child will be detained.

In almost all cases, children’s hands are tied behind their backs with plastic cords, often to their discomfort, rather than standard metal handcuffs, and most are blindfolded. In the solitary confinement cases documented by DCIP between 2016-2019, all 108 children had their hands bound, and 102 out of 108 children (94%) were blindfolded during their arrest and transfer. In 2022 alone, of the 93 documented cases, 86 had their hands tied, and 80 were blindfolded. In 2023 thus far, 93% of children (71 of 76) had their hands bound and 86% (65 of 76) were blindfolded.

Children are also subjected to verbal and physical abuse and intimidation when taken to a military vehicle. Once inside, they are often forced to sit on the floor, bound and blindfolded, and surrounded by Israeli forces, where this abuse often continues. In 77 out of 108 cases (71 %) between 2016 and 2019, children endured some form of physical violence following arrest. In 2022, 73% of children reported the use of physical violence during arrest and 59% reported the use of verbal abuse and intimidation. In 2023, 59% reported the use of physical violence, and 67% reported the use of verbal abuse and intimidation.

These children are subsequently transferred to a military base or directly to an interrogation facility.

1. Isolation and cell conditions

Palestinian child detainees are held in solitary confinement at three different detention facilities located inside Israel. Across these locations, children reported significantly worse cell conditions during periods of isolation compared to other periods of detention in which they were not isolated. The conditions in isolation cells are commonly characterized by inadequate ventilation, 24-hour yellow lighting, no windows, unsanitary bedding and toilet facilities and hostile architectural features such as wall protrusions.

Children describe being held in isolation in a small cell measuring approximately 5 feet by 6.5 feet (1.5 meters by 2 meters). The children report either sleeping on a concrete bed, on the floor, or on a thin mattress that is often described as “dirty” and “foul smelling.” There are no windows and no natural light. The only source of light comes from a dim yellow bulb that is reportedly kept on at all hours. Meals are passed to children through a flap in the door. Cell walls are reported to be gray in color with sharp or rough protrusions that are painful to lean against. Children frequently report that the paint of the cell walls and the lighting inside hurt their eyes.

One child interviewed by DCIP, Ruwad S., a 16-year old from the West Bank, was held in solitary confinement for a period of 28 days, during which he was “in a bad psychological condition, always screaming and crying.” He was interrogated repeatedly and pressured to admit to engaging in support for terrorism and told by an interrogator “since you don't want to confess, you’ll stay in the cell.”

R.S. further described how guards would shout at him and bang on the door of his cell any time he closed his eyes, depriving him of sleep. This led him to try “to harm himself using the metal protrusions around the faucet in the cell so that [he] would be taken to the hospital away from such conditions, even for one hour.” Unfortunately, even after he cut his leg deeply, he was moved to a different cell with cameras, but provided no medical care.

1. No meaningful human contact

During isolation, Palestinian children have limited or no meaningful social contact. These children are denied access to any family visits, including by their parents who they are often traumatically removed from. They are also denied access to any rehabilitative, educational, recreational and therapeutic activities or services.

Typically, these children experience limited contact only with facility guards, interrogators and informants, leaving them with virtually no non-adversarial or meaningful human contact.

R.S. describes being so bored one day that he screamed and cried loudly, at which point “a guard handcuffed [him] behind [his] back and shackled [his] feet for a whole day.”

Palestinian children who are not detained in isolation are occasionally transferred to military courts where a military judge may extend their detention, and at which they may see their parents and a lawyer. However, Palestinian children held in isolation solely for interrogation purposes have their detention extended by military judges at the detention facility itself, further forestalling contact between children and their families and lawyers.

1. Interrogations

Palestinian children who are interrogated in the Israeli military detention system do not have the right to have a parent or lawyer present during interrogation, but do have the right to consult with an attorney before interrogation. The Israeli Military Court of Appeals has also recognized a right against self-incrimination.

In at least 102 out of 108 cases (94 %) in which solitary confinement was used from 2016 to 2019, children had no access to a legal consultation prior to interrogations. Six children received a brief consultation with a lawyer via phone. In all 108 cases, children had no lawyer or family member present during their interrogation.

The interrogation techniques are often mentally and physically coercive, frequently incorporating a combination of intimidation, threats, verbal abuse and physical violence with a clear purpose of obtaining a confession.

In 86 of 108 cases (80%), children held in solitary confinement reported being subject to stress positions during interrogation. Most commonly, children stated that all their limbs were tied to a metal chair just inches above the floor for prolonged periods; a position they described as acutely painful. As recently as December 2022, one child, A.S., described what interrogators called “a duck” stress position–in which he was forced to sit on his knees with his back bent downwards and attached to semi-rubber bands. Three handcuffs were placed on his hands and his feet, which were connected to a chain that the interrogator would repeatedly pull. He described being in extreme pain and exhaustion as a result of the six hours during which he was subjected to this position.

Another young person, Abdurrahman H., arrested from his home at 3am, shortly after his 16th birthday, told DCI-P the following:

“ The interrogator treated me very badly, as he was shouting, insulting me and spitting on me, and he was always giving me the finger right in my face. He did that while my hands and feet were tied to the metal chair. He accused me of belonging to a military cell, and making and throwing explosives. I confessed to everything because I was under psychological and physical pressure as a result of the interrogation methods and detention conditions. He interrogated me every day for four to five hours.”

According to international juvenile justice standards, restraints should only be used for as long as is strictly necessary. Based on DCI-P's review of extensive testimony, we conclude that there is no legitimate reason why so many children were restrained, particularly in stress positions, during interrogation in secure Israeli military or police facilities.

1. Role of informants in interrogation process

Israeli intelligence interrogation techniques often include the use of cellmate or prison informants to manipulate or coerce children detained in isolation to reveal potentially self- incriminating information or information concerning other individuals. These informants are typically adult Palestinians collaborating with the prison authorities.

When combined with the custodial context of interrogations, isolation of child detainees creates psychological pressure that infringes upon their right not to be compelled to give testimony or to confess guilt.[[1]](#footnote-1) Vulnerability increases when a child in custodial interrogation is denied access to legal counsel, and their parents are not allowed to be present during interrogation sessions.

**II. Solitary Confinement as Torture**

Regardless of guilt or innocence, children in conflict with the law are entitled to special protections and all due process rights under international human rights law. International juvenile justice norms are guided by two fundamental principles: the best interests of the child must be a primary concern in making decisions that affect them, and children must only be deprived of their liberty as a last resort, for the shortest appropriate period of time.[[2]](#footnote-2)

International human rights law affirms that juvenile justice systems must be child-sensitive, non-violent, and avoid criminalization and punishment of children. Specifically, international human rights law obligates states to create a distinct juvenile justice system that recognizes the special status of children, protects them from violence and focuses on rehabilitation and reintegration.[[3]](#footnote-3)

International human rights laws, including the CRC, the Convention against Torture (CAT), and the International Covenant on Civil and Political Rights (ICCPR), apply in the Occupied Palestinian Territories. [[4]](#footnote-4)

All persons shall be entitled to a fair and public hearing by a competent, independent, and impartial tribunal and torture and ill-treatment are absolutely prohibited without exception. The universal and absolute prohibition of torture enshrined in international law means that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. International law non-discrimination and equality protections and guarantees prohibit states from discriminating on the basis of race or nationality in the exercise and implementation of penal jurisdiction.

Israel ratified the CRC in 1991, obligating itself to implement the full range of rights and protections included in the convention. During its initial review in 2002, the Committee on the Rights of the Child, the U.N. body that monitors implementation of the CRC, expressed serious concern regarding “allegations and complaints of inhuman or degrading practices and of torture and ill-treatment of Palestinian children” during arrest, interrogation, and detention.[[5]](#footnote-5)

In 2013, over a decade later, the Committee on the Rights of the Child again reviewed Israel’s compliance with the CRC and assessed that the situation had deteriorated further. The Committee found that Palestinian children arrested by Israeli forces were “systematically subject to degrading treatment, and often to acts of torture” and that Israel had “fully disregarded” previous recommendations to comply with international law.[[6]](#footnote-6)

Specifically regarding juveniles, “the imposition of solitary confinement, of any duration, on juveniles is cruel, inhuman or degrading treatment and violates Article 7 of the International Covenant on Civil and Political Rights and Article 16 of the Convention against Torture,” both international treaties that Israel has obliged itself to implement.[[7]](#footnote-7)

International law is clear that juveniles need and are entitled to special protections, safeguards, and care due to their status as children,[[8]](#footnote-8) and children should not be subjected to isolation or solitary confinement for any duration, or any reason.

The practice of using physical and social isolation for interrogation purposes against Palestinian children during pre-charge and pretrial Israeli military detention where there is limited to no meaningful human contact is a practice that constitutes solitary confinement and amounts to torture or cruel, inhuman, or degrading treatment or punishment.

1. UN Convention on the Rights of the Child, Article 40(2)(b)(iv), G.A. Res. 44/25, U.N. Doc. A/RES/44/25 (Nov. 20, 1989), http:// www.ohchr.org/Documents/ProfessionalInterest/crc.pdf [hereinafter Convention on the Rights of the Child]. [↑](#footnote-ref-1)
2. *See* Convention on the Rights of the Child.. [↑](#footnote-ref-2)
3. *See* International NGO Council on Violence Against Children, Creating a Non-Violent Juvenile Justice System (2013), http://www.childhelplineinternational.org/media/80443/inco\_-\_juvenile\_justice.pdf. [↑](#footnote-ref-3)
4. *See* International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 2004 I.C.J. 136, ¶¶ 101, 109-113 (Jul. 9, 2004), http://www.icj-cij.org/docket/files/131/1671.pdf. Israel ratified the International Covenant on the Elimination of All Forms of Racial Discrimination (CERD) in 1979; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC) all in 1991; and the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic Social and Cultural Rights (ICESCR) in 1992. [↑](#footnote-ref-4)
5. UN Committee on the Rights of the Child, Concluding Observations: Israel, U.N. Doc. CRC/C/15/Add.195, ¶ 36 (Oct. 9, 2002), http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G02/453/97/PDF/G0245397.pdf. [↑](#footnote-ref-5)
6. UN Committee on the Rights of the Child, Concluding Observations: Israel, U.N. Doc. CRC/C/ISR/CO/2-4, ¶ 73 (Jul. 4, 2013), http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-ISR-CO-2-4.pdf. [↑](#footnote-ref-6)
7. *Id*. at ¶ 77. [↑](#footnote-ref-7)
8. Convention on the Rights of the Child, art. 19; Committee on the Rights of the Child, General Comment 8, U.N. Doc. CRC/C/GC/8, ¶ 18, (Mar. 2, 2007), http://www.un.org/en/ga/search/view\_doc.asp?symbol=CRC/C/GC/8; UN Rules for the Protection of Juveniles Deprived of their Liberty, G.A. Res. 45/113, U.N. Doc. A/RES/45/113, (Dec. 14, 1990), http://www.un.org/en/ga/search/ view\_doc.asp?symbol=A/RES/45/113. [↑](#footnote-ref-8)