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Welcome to the Defence for Children International (DCI) Newsletter

DCI-Palestine Commends Decision to Challenge Unfair Trials

On April 17th 2008, DCI-Palestine commemorated Palestinian Prisoner's Day through two initiatives: the announcement of a monumental decision to challenge the Israeli Military Court system and the release of a report on the number of Palestinian children being held in detention facilities.

A refusal to accept unfair trials

Since 1967 it is estimated that approximately 700,000 Palestinians have been imprisoned by the Israeli army, and that over 6,000 children have been detained since the start of the second Intifada in 2000. Over the course of 2007, some 700 Palestinian children were arrested by Israeli forces in the West Bank - 30 of whom were held in administrative detention: in other words, imprisonment without charge or trial.

The most important element of a recent decision by lawyers representing Palestinian children is that they will no longer make or accept deals with military prosecutors before Israel's Military Courts; rather, they will resort to regular legal defence procedures. In the past, it has been common practice for lawyers to enter into deals with the prosecution wherein the child pleads guilty in exchange for a lighter sentence. While this practice has resulted in shorter sentences for children in an unjust system, it has severely limited their right to a fair trial. This decision by lawyers is thus aimed at addressing what has come to be regarded as an unacceptable injustice perpetrated by the courts: the fact that most Palestin-

ian children in detention never receive a fair trial.

In anticipation of swift Israeli retaliation in response to the agreement, DCI-Palestine has been closely monitoring the impact of this decision on children already in detention or awaiting trial, and by posting new developments on our website - [click here](#). DCI-Palestine is seeking to keep the international community and media outlets regularly updated on the situation in the Military Courts in the hope that pressure might be brought to bear on Israel to cease using the harsh, irregular and unjust practices currently employed.

Since the implementation of this decision on April 17th there have been various developments, both positive and negative. On the positive side, lawyers in the Salem Military Court have observed that some judges are making slightly more favourable procedural decisions than they did prior to 17 April in order to keep the court process moving. On the negative side however, with the increase in the number of cases being challenged by lawyers in the military courts, military judges are now postponing hearings from 2-6 months so that witnesses can be heard. In DCI-Palestine's experience the hearing of witnesses in the Military Courts is an inefficient, long and drawn out affair, with numerous court appearances spread over as long as 10 months. This means that a child may remain in detention for 12-16 months before he or she is tried and sentenced. For those interested, a more detailed summary of recent developments is available on the DCI-Palestine



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Upcoming Events:

Council of Europe:
 Expressions of
 Interest on Child
 participation



Youth:
 The Core of
 Sustainable
 Development

(ECOSOC Regional
 Conference in
 Latin America)



German Congress
 on Crime
 Prevention
 June 2-3

Unfair Trials *(continued from page 1)*

website.

Child prisoners face routine human rights violations - Report

DCI-Palestine's latest publication, *Palestinian Child Prisoner's Report 2007*, released on Palestinian Prisoner's Day, also draws attention to the plight of Palestinian child detainees. As of December 2007 there were 311 Palestinian children being held in detention by Israel, of which:

- 192 were awaiting trial;
- 101 were serving their sentences
- 18 were serving administrative detention terms

Palestinian child prisoners routinely face violations of their human rights during arrest, interrogation and imprisonment. They are exposed to physical and psychological abuse, amounting to cruel, inhuman and degrading treatment, and sometimes torture. They are denied prompt access to a lawyer and often denied contact with their families and the outside world. They face substandard, often inhumane, conditions of detention, both in the facilities where they are initially held and interrogated and in those where they await trial and serve their sentence. In addition, they are frequently denied access to proper medical care and education services. In many cases, the experience of arrest, interrogation and imprisonment has had adverse psychological effects that extend far beyond the

period of detention.

As the number of Palestinians arrested since the beginning of the Intifada continues to climb, it has become increasingly apparent that Israel is using this ongoing policy of arbitrary mass arrests as a tool of the occupation. DCI-Palestine strongly condemns the use of physical and psychological torture and calls on the international community to pressure Israel to fulfill its international legal obligations towards Palestinian children. Some of the specific recommendations made by DCI-Palestine include the following:

- The State of Israel should immediately ensure its compliance with the UN Convention against Torture and thoroughly investigate all allegations of torture and abuse of Palestinian detainees and bring those found responsible for such abuse to justice;
- The State of Israel should ensure that all detained children have prompt access to their families and to a lawyer;
- The State of Israel should ensure that all confessions obtained from children under duress should be rejected as evidence in proceedings in the Military Courts.

The full text of DCI-Palestine's *Palestinian Child Prisoner's Report 2007* and list of recommendations can be found by clicking [here](#) ♦

Corbett Hancey
 DCI-Palestine

News from Across the DCI movement

A glimpse of DCI coverage in the media...

DCI-GHANA received wide coverage in the local media after holding a press conference to raise awareness in the media and general public about General Comment No.10 - Children's Rights in Juvenile Justice. The event was part of the wider DCI follow-up project to the GC 10 launched by 8 pilot DCI national sections in January.

DCI-Ghana emphasised the need to use

detention as a last resort, to instil policies for the prevention of juvenile delinquency and to ensure quality training in juvenile justice. Addressing the press conference, Executive Secretary of DCI-Ghana, George Opong stressed that "high quality training should be provided to all parties in the justice system, including police officers, prosecutors, legal representatives of the child, judges, probation officers, social

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workers and others”.

The article also states that DCI-Ghana will hold a roundtable discussion among stakeholders in civil society to create a network for advocacy on the rights of Ghanaian children in juvenile justice. Click here to read the full article now!

DCI-PALESTINE received wide press coverage from a number of news sources for their position on a groundbreaking decision made by lawyers defending Palestinian children. The decision calls for lawyers to refuse all deals with military prosecutors made during the sentencing of child prisoners. In the past, lawyers defending children had routinely accepted deals to have their clients plead guilty in exchange for a lighter sentence - given that 95% are found guilty and are not granted a fair trial. However, this former practice was literally helping to sustain the Israeli military court system, through the paying of fines, and ensuring that a steady flow of Palestinian children

moved through the system. This new decision is intended to create an overburdening of the courts, ideally resulting in a reduced number of arrests and fairer trials. Click here to read more now!

DCI-ALBANIA's views were featured in an article about the trafficking of women and children for the EURO football tournament in Switzerland and Austria this summer. The article stresses the potential increase in child trafficking during major sporting events. Director Altin Hazizaj noted that poverty drives many women and children from Balkan countries into risky situations and emphasised that “most (women and children) are drawn from relatively poor areas in countries with already low standards of living with assurances of a better life”. Click here to read more!

Has your national section been in the news? Let us know at: communications@dci-is.org

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Please note that the articles contained in this newsletter are the individual contributions of DCI's national sections and the International Secretariat, and as such do not constitute the official position of the IEC members or the movement as a whole.