

*The following resolution was adopted by the 2018 Metropolitan Washington, D.C. Synod Assembly which met on June 16, 2018 at the Lord of Life Lutheran Church Fairfax (Virg.) Campus. "Whereas" clauses are listed as background for Voting Members. The Assembly votes on "Resolved" clauses only.*

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**NO WAY TO TREAT A CHILD: PROTECTING THE HUMAN RIGHTS OF PALESTINIAN CHILDREN  
LIVING UNDER ISRAELI MILITARY OCCUPATION**

WHEREAS the Evangelical Lutheran Church in America (ELCA), in 2005, established an initiative, "Peace Not Walls: Stand for Justice in the Holy Land,"<sup>1</sup> which seeks "peace with justice for both Palestinians and Israelis and the continuation of the Christian witness in the Holy Land"; and,

WHEREAS the ELCA, in its Social Statement "For Peace in God's World" <sup>2</sup> has committed to promote respect for human rights, especially for "groups most susceptible to violations, especially all minorities, women, and children"; and,

WHEREAS the ELCA is in relationship of accompaniment with the six Palestinian Lutheran congregations (the Evangelical Lutheran Church in Jordan and the Holy Land); and,

WHEREAS Israel operates two separate and unequal legal systems in the same territory. Military law has applied to Palestinians in the West Bank since 1967, when Israeli forces occupied the West Bank, including East Jerusalem, and the Gaza Strip. Jewish settlers, however, who reside within the bounds of the occupied West Bank, in violation of international law, are subject to the Israeli civilian legal framework;<sup>3</sup> and

WHEREAS Israel is the only country in the world that automatically and systematically prosecutes children in military courts that lack fundamental fair trial rights and protections; detaining and prosecuting an estimated 500 to 700 Palestinian children in military courts each year;<sup>4</sup> and,

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1 2005 Pre-Assembly Report: Churchwide Strategy for Engagement in Israel and Palestine, Section V pages 48-58 [http://download.elca.org/ELCA%20Resource%20Repository/PNW\\_Strategy.pdf](http://download.elca.org/ELCA%20Resource%20Repository/PNW_Strategy.pdf)

2 Social Statement: For Peace in God's World, September 1995 Evangelical Lutheran Church in America, Division for Church in Society <http://download.elca.org/ELCA%20Resource%20Repository/PeaceSS.pdf>

3 Human Rights Watch: <https://www.hrw.org/report/2010/12/19/separate-and-unequal/israels-discriminatory-treatment-palestinians-occupied>

4 Defense for Children International-Palestine: [http://www.dci-palestine.org/children\\_in\\_israeli\\_detention](http://www.dci-palestine.org/children_in_israeli_detention)

WHEREAS Palestinian children detained in the Israeli military detention system commonly report being arrested in the middle of the night and typically arrive to interrogation bound, blindfolded, frightened, and sleep deprived, and often give confessions after verbal abuse, threats, physical and psychological violence that in some cases amounts to torture. Israeli military law provides no right to legal counsel during interrogation; 96 percent of children have no parents present during interrogation;<sup>5</sup> and,

WHEREAS Israel has ratified the Convention on the Rights of the Child on October 3, 1991, which states—in article 37(a), that “no child shall be subject to torture or other cruel, inhumane or degrading treatment or punishment”;<sup>6</sup> and,

WHEREAS after 50 years of Israeli military occupation the situation for children living in the Occupied Palestinian Territory (the West Bank, including East Jerusalem, and the Gaza Strip) continues to deteriorate, making children increasingly vulnerable; therefore, be it

RESOLVED, that the Metropolitan Washington, D.C. Synod Assembly expresses its opposition to the State of Israel’s failure to guarantee basic due process rights for children in the Israeli military court system in accordance with the UN Convention on the Rights of the Child; and to the use of U.S. taxpayer funds in support of this ill-treatment; and be it further

RESOLVED, that the Metropolitan Washington, D.C. Synod Assembly direct the Bishop of this synod to make this position known to elected officials in Congress and the White House, and ask them to ensure that the United States fully enforces its own established law, including the U.S. Foreign Assistance Act, so that taxpayer funds do not support ill-treatment of Palestinian children in violation of international law; and be it further

RESOLVED, that the Metropolitan Washington, D.C. Synod Assembly encourage congregations of the Synod to provide study opportunities to learn more about the lives of Palestinian children—especially the treatment of Palestinian children in the Israeli military courts; the Lutherans in the six congregations of the Evangelical Lutheran Church in Jordan and the Holy Land; and how Israel is spending our U.S. foreign aid dollars;<sup>7</sup> and

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5 No Way to Treat a Child: Palestinian Children in the Israeli Military Detention System, April 2016. [www.dci-palestine.org](http://www.dci-palestine.org)

6 Convention on the Rights of the Child: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

7 Resources are available via the ELCA Peace Not Walls website <http://www.elca.org/Our-Work/Publicly-Engaged-Church/Peace-Not-Walls>

encourage members to contact their representatives in Congress in support of legislation that specifically prohibits U.S. foreign aid to be used in ways that violate human rights for Palestinian children, like H.R. 4391, 115<sup>th</sup> Congress, which requires the Secretary of State to certify that United States funds do not support military detention, interrogation, abuse, or ill-treatment of Palestinian children in violation of international law.<sup>8</sup>

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8 For more information and suggestions for contacting your member of Congress, please visit [http://nwtac.dci-palestine.org/palestinian\\_child\\_detention\\_bill](http://nwtac.dci-palestine.org/palestinian_child_detention_bill).