

Webinar- Sarit Michaeli_Btselem

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SPEAKERS

Sarit Michaeli, Madeleine Cereghino



Madeleine Cereghino 00:00

I'm gonna give it, I've opened it up, but I'm gonna give it maybe like 20 seconds for people to to join as I stall. I see Zoom is letting folks in right now. I'm going to give it a few more seconds as people join us. Thank you, folks. We'll get started in like 20 seconds. I'm seeing zoom still letting people in, but I will stall with a quick welcome and introduction of myself. I'm Madeline Cereghino. I'm the Director of Government Relations here at Americans for Peace Now, and we have a few housekeeping notes I just want to flag before we actually jump into the content. And forgive me, I'm losing my voice a little bit. So luckily, Sarit has quite a lot, or maybe not luckily, quite a lot of material to share with us today. So yes, this webinar, just y'all know, is going to be recorded. We will be using the Q and A button, not the chat, so make sure to press that Q and A button to type your question in. I'll read it from there, because I will be reading it out loud. Please try to keep it pretty concise. And we will be doing all those questions kind of towards the end. But right now, you know, I'm going to kick it off to Sarit, who is the international advocacy lead for Btselem, and she's here to discuss the humanitarian disaster zone of the current Israel-Gaza war, as well as some of the recent reports they produced at Btselem. Welcome, Sarit. You know, I think we initially conceived of this webinar, even just, you know, last week, when we were talking about it, the world unfortunately has shifted yet again. You know, we're in...a it's hard to say even more tense moment, as the last 11 plus months have been incredibly tense. But before we kind of get into the content of the reports, Sarit, how are you doing? And if you want to talk a little bit about what it's like for you right now,



Sarit Michaeli 02:19

Yeah. So first of all, I'd like to say thank you very much for for having me on and for the opportunity to talk about both Btselem's work and our, you know, position in this day and age, and also about this specific report, which we've invested a lot of effort in trying to publicize, because we view it as one of the crucial things we have done over the past year. It's really quite incredible to to think about the fact that a year has passed since the horrors of October 7. So really, thank you for this opportunity. The second thing I'd like to say is that I'd like to address what is going on right now in the north of Israel and in Lebanon. Although Btselem

doesn't focus our work on Lebanon, we don't do research on Lebanon. We're focused on the occupied Palestinian territories and on the situation between the river and the sea. That does not include Lebanon. But I think it really should be said that what we're seeing now could have been entirely avoided, or largely avoided, had the Israeli government accepted the possibility of reaching a ceasefire in Gaza that would involve a hostage deal as well. So returning the 101 Israeli hostages that have been in tunnels in Gaza, in horrific conditions for almost a year, ending the mass violence, the mass killing of Palestinians in Gaza, and then also the possibility of avoiding what we are seeing now in the north of Israel and in Lebanon, which is also shocking, just scary and very, very brutal reality. This is something that I think we should work on, both here and we are working on it here. But the United States is central. It's extremely troubling and sad, though not at all surprising to read that the Biden administration seems to finally reach the conclusion that there isn't going to be a ceasefire hostage deal by the administration. But this is not done deal. This can be changed with enough engagement and pressure and willingness to hold the Israeli leadership accountable, the willingness to accept that Netanyahu, as has been revealed in report after report by mainstream Israeli media, has been foot dragging, has been sabotaging the possibility of a hostage swap. I think this is something that should still be high on our agenda, and there needs to be work to try and change this current dynamic where any conversation about the hostage deal has just been frozen now, and so this is, this is kind of speaking to this current moment. Maybe, if you, if you'd like, I could move on to talk about the specifics of the report?

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Madeleine Cereghino 05:41

Yeah, that would be great.

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Sarit Michaeli 05:42

I think maybe I'll start with the bottom line of this report, that Btselem issued recently. The conclusion that we reached was that since October 7, Israel has turned the Israeli prison system -- the part of it that holds Palestinians -- into a network of torture camps. This is sounds like a very provocative statement. The name of the report -- Welcome to Hell -- comes from, actually one of the testimonies that we took for this report. But we think this quite shocking title, this quite shocking name for a report, and the conclusion that we've reached represents the reality on the ground. What has happened since October 7 in the prison system, in the way Palestinian prisoners are treated is both absolutely shocking and quite unprecedented, but also something that is systematically pursued and that must be addressed internationally, because we do not see it being addressed internally. Later on, I would like to post part of the report and the material we've done -- we've produced videos, we produced etc -- in the chat feature here, so that people can watch it and read it for themselves. I think it's really crucial that we inform ourselves over these issues. I think the bottom line from the perspective of Btselem is that -- inspired by the racist positions of Minister Ben Gvir, and also by the terrible dehumanization of Palestinians that has been sweeping Israeli society. What we've seen since October 7 is, is that, across the board, Palestinians from all over our region -- so from the West Bank, East Jerusalem, Israel and clearly, Gaza -- who have been arrested and spent any time in Israeli detention experience the kind of treatment that amounts, in many cases, to actual, literal torture and certainly to abuse. This includes actual physical violence that has been used extensively throughout the system. It includes psychological violence and emotional pressure and intimidation and humiliation. It includes horrific conditions, living conditions that have been

deliberately created by the Israeli prison system, and it also includes things like the denial of medical treatment, and also something that, for me is probably the most difficult to deal with, the denial of food, the actual starvation of Palestinian prisoners. This is the bottom line of the report, and I think the most important conclusion that we have reached is that this is not some sort of rogue element operating from within the Israeli prison system. It's things that are happening across the board to many Palestinians or to all Palestinian prisoners who have been in detention after October 7. It doesn't only happen in one or two places. There's been a conversation publicly about Sde Teiman. I think people have been aware of this detention facility, but Btselem's report is actually about pretty much all other detention centers. We've heard from Palestinians who in all of these other detention centers throughout the entire period, very similar accounts, and this is at the bottom line, this has led us to the clear conclusion that none of this is coincidental or specific to any center. It's a policy decision. It's been implemented by the leadership of the Israeli prison services. As I said earlier, inspired essentially by Ben Gvir. I would be really happy to answer questions about the report and hear what people are concerned with or interested in. And I don't know if you how you'd want to coordinate, maybe you'd want to open up or ask a few questions from from the public or I can go on and explain a little bit about the methodology that we used for this report. S

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Madeleine Cereghino 10:54

I'm going to make a broad assumption. I apologize to folks who are who are listening if this is wrong, but I think a lot of our audience may not have actually read the report, so I really appreciate you giving that overview. Maybe could you just give a little more detail as to what kinds of things you've been witnessing, and then also, yeah, the methodology in which you guys have been able to get these accounts, because I think that's also a very interesting process that you've been going through.

S

Sarit Michaeli 11:26

Yeah. So first of all, maybe I will use this opportunity to start posting in the chat feature. This is the link to the basic executive summary of the report on Btselem's website and it leads to a landing page, which also it also includes a lot of testimonies. This is kind of where we started the work on this report. Since October 7, we we and many other bodies -- and when I say bodies, I mean human rights organizations, media outlets, activists, lawyers representing Palestinians in Israeli courts -- have been receiving ongoing reports about a vast deterioration in the treatment of prisoners and detainees in the Israeli system. Btselem has been working for several months in the run up to the publication of this report on gathering testimonies, because this is one of our main fortes. We have a network of excellent field researchers who are able to locate Palestinians who are witnesses or victims of human rights violations and take testimonies from them in very carefully controlled situations where they can really delve into the stories. Those testimonies began to flow into our office, and then they were obviously cross referenced and verified by other staffers, and we began to understand the scope, and the scale of this policy and of this reality that has emerged post October 7, and that's when we decided to really focus this as a research report. We guided our field researchers to collect testimonies from as wide a variety of people as possible. I want to clarify one important thing, and this is something that we keep hearing in Israel's media: that Palestinian prisoners -- and this this sentiment echoes the sentiment expressed often in Israel's media about Gazans as a whole -- well, you know, all of these Palestinians are Hamasm, they're Nukhba, they're, you know,

they're Palestinian terrorists. Now, the point is, in a way, that everyone we spoke to were people who have been released in the period post October 7. Some of them were arrested after October 7, be it in Gaza or the West Bank, and then subsequently released. Our field researchers managed to speak to them. Others were Palestinians who were serving sentences and it were released then following October 7. But they could speak to the changing conditions in the Israeli Prison Service after the start of the war in Gaza. This also indicates that none of the people we spoke to were actually involved in any way in. Committing the absolute horrific war crimes by Hamas and other armed groups against Israeli communities on October 7, most of them actually have not been charged, right? Some of them were arrested and released without charge. Others were administrative detainees who have never been charged. I'll say as an aside now that now a very large number, I heard talk of, for example, 40% of Palestinian detainees are administrative detainees now. So out of the about 10,000 Palestinian detainees in Israeli custody these days, a vast number have never been charged and will never actually have a trial. So clearly those Palestinians who participated in Hamas' attack or Hamas and other armed groups' attack on Israelis should be held accountable. That is absolutely clear. But claiming that all of these prisoners are actually involved in this is not correct. However, the treatment that these Palestinian prisoners experienced was very similar across the board, and this, as I said earlier, is one of the main reasons that led us to conclude that this is a matter of policy rather than a specific decision within a specific prison or a specific period. So that's one of the reasons. The second reason that has led us to this conclusion is that some of the policies were actually stated openly by Israel. The fact, for example, that Palestinians now have a much reduced, vastly reduced food allowance is public. None of this was hidden. In fact, Minister Ben Gvir kind of boasted about this. The fact that Palestinians have had all of their personal possessions confiscated, even though they were allowed to hold them beforehand, the fact that they have never, there have not been any family visits from Gaza. And also, I think, the fact that Palestinians can't actually even buy a purchase any sort of supplementary food. These are not secrets. There's also been many, many kind of stories in Israeli media and all sorts of other reports talking about this: how hardcore the treatment is of Palestinian prisoners. So a lot of this is just plainly obvious. When we take testimony, certainly our field researchers will meet with people, will take will discuss what they went through. One of the interesting things was that people who talked about the treatment, in particular in prisons and detention centers throughout this period, could have been from Hebron, they could have been from East Jerusalem. They could have been from Gaza. Some were arrested and even returned to Gaza. In fact, there were also several Palestinian citizens of Israel who had been arrested after October 7 and experienced similar treatment. You really can see how the prison service applied these policies very broadly. And this, I think, really is just an excellent example of the broader discussion that we are trying to generate within Israeli society about the Israeli prison system, as part of the system of control that Israel has over Palestinians. So this is the methodology. Then we also did as much as we could to cross reference. On some issues, we have several testimonies, on some cases we have a lot of material, like medical records, or in some cases, there are some legal documents. So all of this led us or served us in in the authoring of the report. In terms of the actual testimonies, we really tried to make them available in their entirety. We also sent some colleagues to do video interviews with some of the witnesses. And all of these, as I said, is available online. And we really encourage people to watch and read this because 1) when you when you hear about the general trends or the general policies in the report, this is terrible enough, it's shameful enough. But when you see the faces of the people who are mistreated, and you hear their stories, and you understand what they went through, that I think, really reflects much, much more strongly how extreme the situation is right now. This is something you will hear a lot from many Palestinians who were arrested or detained in the past year. A lot of them are experienced, and have been to prison, to an Israeli prison, but they said they never experienced anything like what they've felt after October 7. Yeah, so

maybe let's continue the conversation. Yeah, those testimonies were very powerful. I confess I did not make it through all of them. They were pretty tough to get through. So I really commend all of you for gathering them, putting them together. It's not easy. But yes, everyone, if you have not had a moment to check it out, it's worth looking through. I have a couple questions for you. First off, you mentioned some of the vast numbers of administrative detainees who've not been charged. I think for folks who are listening this, and it might be worth talking a little bit about their legal recourse. What that looks like like? How long can people be held without being charged? How do they challenge this. How do they get released? Can you talk a bit about it? Yeah, this is another really terrible aspect of a very, terrible policy. Administrative detention is basically taking a person and putting them behind bars, locking them up without any trial in which they can actually defend themselves against some sort of accusation or some sort of indictment. It's been used extensively by Israel, vis a vis Palestinians in the West Bank. It's used extremely rarely, also against Israeli far right activists, like settlers who are suspected of extreme violence. But these are like a handful, literally, a handful of cases whereas, with Palestinians, Israel has been using this tool very extensively. Although now, of course, the numbers have just, you know, shot off the chart. Basically, what happens is that there's a recommendation by the Israeli Security Agency, the Shabak, to the military commander, and they will issue an administrative detention order against someone with a very laconic statement like, "we issue this because this person is a suspected Hamas or Islamic Jihad terrorist endangering the security of the area." That's the information they'll receive. And then there's a process through which they can -- it's not really an appeal, because it isn't an actual adversarial process where you can, you see what you're charged with, where you you can bring witnesses and question and then have a cross examination. Everything is done on the basis of secret evidence and in cameras. So much of the process isn't even open to the lawyer representing the detainee and this administrative detention order can last up to six months, and then it can be renewed. So it can be indefinitely renewed this. It's so obviously such a huge draconian violation of their rights to due process that even though administrative detention isn't totally prohibited internationally, under international law, because it's so egregious, it is meant to be used only in extremely rare conditions as a very, very last resort, as a sort of a preemptive process when there isn't any other option. Israel has taken this very narrow allowance, as it were, that international law provides, and just expanded it to suit almost any needs in terms of arresting and detaining Palestinians from the West Bank. When it comes to Gaza, there's a slightly different legal framework, but it's pretty much similar to the administrative detainee, which is the "illegal combatants law." So administrative detention is grounded in the Israeli military legislation and in the emergency regulations, and the arrest or the administrative detention without trial of Gazans in Israeli prisons after the 2005 unilateral withdrawal is grounded in what is called the "unlawful combatants law." But a lot of it is very similar, in essence. I don't want to go into all of the into the details, but it's about detaining people without trial for a prolonged period, and this is what we're seeing now in the West Bank. Again, I'm not saying that this didn't happen in the past, but post October 7, it there is such a lack of any sort of either public debate or internal criticism or external criticism, or any sort of monitoring of the system that the system has expanded, its reach, its violations, in this sense, in such a, really just an unprecedented way in the Israeli military courts. Even in the past, we've been extremely critical of these courts. We view them as a tool of the Israeli occupation regime, and of Israeli apartheid, which is how Btselem refers to the reality in our region. But since October 7, the floodgates have really opened in terms of all of these, temporary and indefinitely extended relaxations of all of the restrictions that are meant to provide some sort of protection for Palestinian prisoners. This is the result: a vast number of people who are detained without trial. It could be indefinitely, because often once one administrative detention

order expires, it's renewed...the day that you leave the prison, your administrative detention, is renewed. I think, for people who are committed to judicial review, to the rule of law, to some measure of democracy, Israel claims it is, this is simply unacceptable.

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Madeleine Cereghino 27:50

I agree, and I want to talk a bit more. You mentioned, you know, it can be renewed when people leave, and things like that. And that gets me into my next question, which is, it takes a lot of courage for people who've gone through these abuses to testify and give witness to what they experience. How are people protected? You know, especially with the threat of being returned to administrative detention. What is that like? How are you guys managing that?

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Sarit Michaeli 28:27

So this is a very good question. I don't think I have the perfect answer. One of the things that Btselem tells our witnesses, is that we're not a legal support organization. So we're not representing these people. We're not their lawyers. We take testimonies, not affidavits, and we try to be clear to testifiers and to witnesses that even though we will do all we can to try and help them in case there are reprisals, we're clear that we're not going to be able to really protect them from these this type of action, if the Israeli authorities decide to to punish them for giving their testimonies. In some cases, we publish anonymous testimonies. After we have the names, we know that the people that decide to withhold their names and their details. We also say very clearly to people who give us testimonies that that we will try and get their stories told, get their accounts publicized about what they had to deal with. This is, I think, still to this day, and even though our situation really is deteriorating on these issues, media exposure and international and Israeli, media exposure is really essential, and can be a component of exposing and talking about these wrongs. From my experience, at least, Palestinians who have been through Israeli human rights violations very often want to tell their stories. More often than not, they want to tell the stories to Israelis as well. I've been doing this work for almost 20 years, and this is something that I've seen again and again. People who want Israelis to understand what was done to them, even though Israel perpetrated these violations against them. Palestinians who, for example, are saying, "if you have evidence that my son, my loved one, perpetrated crime, an offense, a terror offense...try them." But the fact that people are going to, you know, going behind bars without a trial really offends like this basic sense of justice that many Palestinians have, and I think many of us have, regardless of our background. This is something that people want talked about. I think we have had a few cases where people didn't want to give testimonies because they were in a situation that felt to them that giving a testimony would risk them in ways that they were not willing to take. But overall, there are enough people who are willing to tell their stories, who want to tell their stories. And as I said, it's not we never take it for granted. The Palestinians will want to tell their stories to an Israeli human rights organization, and they know that Btselem is an Israeli organization, but as I said, from my vast experience, not just on these issues, but on other issues as well. Palestinians do want their stories heard by Israelis.

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Madeleine Cereghino 32:28

Thank you. I want to talk shift a little bit to the reception this report has received within Israel I think maybe we'd start there. Obviously, you mentioned Sde Teiman, the far right's response to

what's been going on, but if you could dig into how that's been received overall, and, of course, international outcry as well.

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Sarit Michaeli 33:01

I think that it's a really difficult and I think also painful thing for all of us to talk about. This past year has just been an exercise in just brutality and seeing the suffering and the pain of people, and how this pain and trauma has been abused by our government, to do two things. One is to exert revenge on Palestinians. But the second thing -- this is very broad, it's a very general assessment -- the second thing is also that Israelis trauma, shock, and horror of what has happened to us on October 7, what Hamas did to us, has also been used to promote political agenda and a political project that has been in existence long before October 7. I'll give two examples. One is related to this, and the other is a different one. In the West Bank the government has been using everything that Israelis feel -- the shock, the horror, the outrage, the fear -- in order to promote the takeover of land by Israeli settlers and the forcible transfer of Palestinian communities. That's just one example. When it comes to the Israeli prison system. Some of the policies that we've seen implemented by or inspired by Ben Gvir post October 7 are an extension of or a massive increase of policies that were already in existence before. The goal that the Ben Gvir had of making the conditions of Palestinian prisoners worse, making this into an issue for him and his voters, it's a very popular move for him. You know, the fact that Palestinians were not allowed to bake their own bread, for example, and many other of these small, not small, maybe large changes for them but petty changes were in place before October 7. So it's not something new, but the policy trying to remove Palestinians from their land through settler violence or focusing a lot of effort into making changes to the conditions of Palestinian detainees were in existence before and October 7 was very useful for this. The reason I'm mentioning it in in this context of the response to the report is because I think they they operate on a similar level with how a lot of Israelis respond -- not just Btselem's report, by the way -- to many other exposures of the conditions of detainees with just a kind of a very callous lack of interest, or, in some cases, just a reflection that they don't really care. That, you know, after October 7 and after Hamas did, it just doesn't matter. We don't, we don't care about how they're treated. A lot of people I've read or heard in different contexts, not necessarily in our report context where saying things like, you know, I've run out of empathy, or my main empathy is for Israelis who suffered and for the hostages, etc. But I don't want to also tar the entire Israeli public with same brush, because we have seen also really, really clear expressions of shock, of outrage, of an understanding of how damaging and brutal and long lasting this reality that is expressed in our report is. I think a lot of Israelis expressed -- and I'm also paraphrasing a lot of comments that I've heard and read and received -- are expressing this, this idea that regardless of what people have done and what these Palestinians have done or suspected of having done. If they are guilty of crimes or of actions against Israelis or of terror, of attacks of or violence, they should be held accountable and they should be punished for their actions. But this kind of behavior and conduct is just outside what is acceptable in a law abiding society, right? So this perspective, I think it was, was heard also by voices in Israeli society that are not particularly supportive of Btselem. But I think there is a component within the Israeli center that understands that the powers that have been unleashed by not just by Ben Gvir, but also by others in the government, in Israel, and also, I should say, by parts of the opposition. This kind of, these kind of urges, and these kinds of vicious, violent practices and policies are something that is damaging, not just for the Palestinians who have been suffering as a result of this -- Palestinian detainees -- but also to this core, this essential moral standing that Israelis, those Israelis, would like to think that they're still promoting. I don't know if I

managed to clarify this, but I'm trying to meld together a lot of things I've read about this. I also think that the fact that in the report within Israeli media of these violations, the main people interviewed were actually Palestinian citizens of Israel who were arrested after October 7 and then released without charge, right? Some of them were arrested for offenses that are like freedom of speech offenses, yet subjected to such vicious and violent treatment. This was also quite a shocking thing for a lot of Israelis. They gave testimonies in Hebrew. A couple of them are lawyers. So this was also a very, I think, a moving part of this. Then I should also say that official Israel currently, and by this, I also would probably include not just the Ben Gvirs' views of Israel, but also the Israeli system. The Israeli Attorney General, and people responsible for responding to high court petitions on the condition of the Palestinian detainees, have not been particularly shocked by this, and seem to be unfortunately, very willingly or maybe unwillingly, but co opted into this system. It's not just the Ben Gvirs who are beating people up. It's legal advisors who are proving it. It's, it's higher ups in the Israeli Prison Service who are, who are allowing this to happen. And then, I think internationally, the response has been very different, in the sense that there was a lot of media coverage of this report -- probably far more than within Israel. I think in Israel, the majority of people exposed to the report, primarily, will generally be interested in this issue, rather than the broader public. Whereas internationally, I think this led to wider coverage. I also think that the fact that this report was coincidentally not obviously, we couldn't know this was the case, but happened to be released just after such a really incredible scenes like we saw in Sde Teiman demand and in Beit Lid. I don't know if people are familiar with what happened when, when a mob of far right activists invaded the military base and also then a military detention center in order to try and release soldiers who were detained suspected of terrible mistreatment over a suspect, a Hamas suspect in Sde Teiman. That led, I do think, that led to really massive public outrage inside Israel. Our report was came out during a similar time. I think also it kind of contributed to this. So that's, you know, taking hundreds of comments and responses and articles and trying to blend them into a relatively short response.

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Madeleine Cereghino 43:12

I think you did a wonderful job. I do have some follow ups from folks in the chat about it, though. Asking if you would sell them are being facing any reprisals as well. They mentioned Haggai speaking at ICJ and you speaking at the Security Council and being scorned and threatened by the government. This report elicited more of the same. What's the response been there?

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Sarit Michaeli 43:42

I have a theory. And this is not Btselem. It's my personal assessment that Israeli politicians will attack us when it suits them, politically and electorally. Right? It's not, you don't have to be a genius analyst, to reach this theory. But the reason I'm mentioning it right now is that I think Ben Gvir, for example, at the moment, has his own, you know, very effective campaign. I have to say again, this is my personal opinion. I think that many Israelis who tend to think of him in a quite a dismissive way as a failed minister, are wrong. He managed to obtain his own objectives. He armed the Israeli far-right with 160,000 firearms over the past year, he's managed to co opt and corrupt both the Israeli police and the Israeli prison system very quickly, although they obviously had been willing accomplices, but he didn't really bother much with the Btselem. And I think it's because he just has bigger fish to fry at the moment. But I'm

not discounting other forms of criticism by central Israeli politicians. The two, or the three examples that happened recently are both Danny Danon, Israel's ambassador to the UN, and two Likud members of Knesset. One is deputy speaker of parliament who, you know, lashed out at Btselem, and at Yuli Novak, our CEO for speaking at the Security Council, called for outrageous things, like prosecuting her for supporting the enemy during times of war, which is - if people don't know -- it's an offense that carries a death sentence or life imprisonment, no less, or calling for her citizenship to be revoked. The reason I'm mentioning it is that even though within Israel, these members of the parliament are viewed with ridicule, they are central politicians in the ruling party, and this should be a real eye opener for how much official reprisals and how much pressure there is now inside Israel against anyone who speaks out. It's not just about human rights defenders; it's anyone who opens their mouth and strays from the party line, and you can see it again and again. This is something that should be constantly opposed by the international community. Unfortunately, internally, we don't have enough power, and we need you. So you people watching this webinar to really engage on this. But I have to also say that from from Btselem, I think for all of us in the in our human rights family, our community in Israel, it's always much more important to remember that the reason we are attacked is because we're exposing the violation of the rights of Palestinians -- we're talking about this. So the most important thing is to talk about these violations, to talk about Israeli apartheid and what it's doing, to talk about the war. I'm not trying to be overly dismissive or brave or shirk off the risks to Israeli human rights defenders, because these risks exist. But I think we also have to remember that we're not the most important part of the story. The risk to Palestinians is higher. So I think it is important, though, having said all that, that the US administration engages on this with Israeli policy makers, that the international community engages, that it's clarified to Israelis that this is totally unacceptable, that it's unacceptable to hound human rights defenders for saying in speaking the truth. Yeah, and we need your help, obviously, on these issues.

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Madeleine Cereghino 48:03

Thank you. Speaking of who's the most vulnerable here, we have a question in the chat. The issue of children in detention has been something that you know has been on the minds of Congress now for many, many years. There's been a bill that's been introduced basically every two years when they teach new Congress about that. Francesca Albanese cites an average of 700 children in administrative detention about a year ago. How has that changed? And how is the treatment of children changed in the past year? Have you noticed any any shifts now? As everything seems to have devolved further.

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Sarit Michaeli 48:57

So everything has deteriorated, also the conditions of children have deteriorated in terms, for example, of visits. They don't they don't get visits, either in military court, in detention, family visits, and as far as I understand it, not even phone calls. I don't know the exact figures at the moment for children, as in, people under 18, in administrative detention, but I don't think the number of 700 is an accurate number of administrative detainees, right? The number of minors, children who have been administrative detainees is much lower -- its a handful. But the adults who are administrative detainees are detained in these numbers. But even if it's not administrative detention the way Palestinian minors are treated in Israel's military court system, Btselem has actually done quite a lot of work on this, not in, the last five or six years,

but, but we have done a lot of work on this in the past, and the system hasn't essentially changed. There are, clear examples of the system being kind of like a railroading system for Palestinian children suspected of offenses, in the sense that if a child is and anyone, you know, a minor, anyone under 18, is suspected by Israel of any sort of public order or you know offense, and the main offense for Palestinian children is still stone throwing. That's according to statistic that have been available in recent years. Then the way the system treats them is through a process whereby they're often arrested. Still it can happen at night from their beds, interrogated in ways that would not be considered legal if they were Israeli children, and then often forced into confessions that then lead to their remand on custody and then eventually to a plea bargain. Virtually all cases in the military courts are settled by a plea bargain because of this pressure. You can go into it in depth but or you can read the Btselem report on minors in detention. This means that there is no real trial, an evidentiary trial where you have some sort of capacity to defend yourself doesn't really exist. But plea bargain is usually the case. Now, the Israeli system generally has a lot of plea bargains, but the military court system has a far higher percentage. This is, you know, again, in total contrast with the Israeli system, a custodial sentence is usually what these children will get. Since October 7, everything has gone more extreme in the military court system -- the treatment of adults, the treatment of the of children, and it really is something also that is sanctioned. It's allowed by the actual court, the Chief Military Justice, I'm not sure the exact title. So it's not again, it's not like some sort of rogue or coincidental decision. It's a systematic violation of rights. And maybe I should also say, you know, in this context that since October 7 in the West Bank as well, the number of Palestinian children who have been killed in Gaza is simply unfathomable. But also in the West Bank, since October 7, Palestinian children have been killed in shocking numbers, and a very large part of these cases were children who were shot primarily by soldiers or other Israeli forces. And in at least half of these cases that Btselem documented, there was no justification for the use of lethal force under those circumstances, right? The situations could have been dealt with without using lethal force. One of these cases is actually a case we'll be publishing in the next couple of days, or it may even be on our website later tonight, of a 12 year old Palestinian who's shot while running away from soldiers in the town of Al-Bire, whose name is Mohammad al-Hushiye. And we have a video showing this case. It's just one of many where video shows clearly he was shot while he was running away. The army accused him of participating in stone throwing. The video show shows running away, Btselem's position is that it's irrelevant, because a 12 year old should not be shot. You can just see him running away, and he was clearly, at the time of shooting, not posing any sort of risk. So again, I expect this story to be on our website. This this case to be on our website next few days, and really welcome people viewing it.

M

Madeleine Cereghino 54:39

Thank you. That's absolutely horrifying, and we really appreciate the work you've been doing. I want to close on, I don't know, not necessarily an optimistic note, but maybe I have a couple questions from folks who want to know what can be done to kind of walk this back and reform the way Palestinians are treated in the prison system, and also how Americans can assist.

S

Sarit Michaeli 55:13

So in Btselem's report, we primarily concluded that we are calling on the international community and on all relevant states and all other bodies, including, for example, the International Criminal Court, to take action to end this reality. Because it's a policy, and

because this policy is quite popular, I think, and it's definitely supported by the government, we don't see an internal process that will lead to a change. I do think that we have to remember that in some cases recently, the Israeli high court, has made some pronouncements. For example, only a few days ago, the Association for Civil Rights in Israel, ACRI's High Court petition on Sde Teiman was accepted by a high court justice. I'm not a lawyer or legal adviser, but some analysts think that the risk of international criminal accountability of Israeli policy makers has actually caused the Israeli high court to be more assertive in how it's dealing with this. But still, we would argue that the broad story hasn't been dealt with by the High Court -- for example, the denial of food, the deliberately terrible conditions, hygienic conditions, living conditions, those things -- there have been high court petitions on these issues, but they haven't led to any sort of decisions by the court. There has been some anecdotal evidence, and this is something that is very difficult, obviously, to prove over time, that some of the media coverage of this issue has led to some pressure on the Israeli authorities. But this remains to be seen. We will have to wait and see, and, you know, have to interview Palestinians who have been released in recent months, in order to see whether something's changed internally. But the problem is -- and this is something we have to admit, that within Israeli society, I think -- the thing that changes, the really terrible, brutalizing of Israeli society, and the dehumanization process that we have gone through, vis a vis Palestinians, which allowed this reality to emerge, is also not conducive to any sort of positive change to address this issue. So I'm not sure I have a lot of positive, optimistic messages, but I think we, we certainly need to continue to do this. I really want to be clear on this issue of the treatment of the Palestinians in the Israeli prison system. Several other organizations have been doing incredible work, and journalists have been exposing this, and people have been talking about this issue. So it's, it's really a collective effort, I think, on behalf of Israel's human rights community. You know, it's not a popular issue to deal with the rights of Palestinians, some of whom are accused, some of whom have actually perpetrated in crimes against Israelis. But this is, I think, such a such an important issue if you're thinking about this like essence of human rights work, and that's why we are going to continue to do it, regardless of how unpopular and how difficult it makes our position within our society.

M

Madeleine Cereghino 59:14

Well, thank you. It is important work, and we're very, very grateful for your partnership. I think I have to close now, although there's obviously much more to talk about, but thank you, Sarit. We really appreciate you taking the time. Thank you to everyone in the audience for your very thoughtful questions. We will be posting this on our website. You can view the recordings there in maybe a day or so thank you.

S

Sarit Michaeli 59:42

Appreciate it and please follow us on all the relevant social media and our website.

M

Madeleine Cereghino 59:48

Our thoughts are with you and everyone else during this very, very tense moment.





Sarit Michaeli 59:55

Thank you. Bye.