

## **Detained, arrested and harassed: The life of Palestinian teens in East Jerusalem**

**Under Israeli law, minors can be arrested only in rare circumstances and held for the shortest time possible. But human rights organizations say the security services ride roughshod over this when it comes to young Arabs in neighborhoods like Silwan**

By Dina Kraft | Jan. 10, 2018 | 1:21 PM



The first time the Israel Police came to arrest the Palestinian teenager with a shy half smile and thick dark eyebrows, he was 14 and sleeping in the small bedroom he shares with his younger brother.

Yazan Rajabi, now 17, awoke that summer night to the sound of banging and commotion. He was disoriented but made out the order “Open up!” The clock read 3 A.M.

He says several Israeli Border Policemen were in the house, their faces masked in black. They did not let him change out of his pajamas, he says, so he was still wearing them when he was bundled into the back of the police jeep and taken in for questioning. He remembers being told he was under suspicion of throwing stones at police – an accusation he denied.

“I was confused and scared,” he recalls. “I asked if my father could come with me and they said no.”

Rajabi says he was released the next day and, according to his family, the case ended without an indictment. The police told Haaretz they had no specific comment on the case.

He recounts the story now, five months after his most recent arrest, which he says is his third, in the living room of his family home in Silwan – a densely populated, poor Palestinian neighborhood of boxy concrete houses on the southern slopes of Jerusalem’s Old City and the Mount of Olives.

### **Gloomy existence**

Silwan is a grim place. Its narrow concrete paths and roads are cracked and littered with piles of garbage, and there are few if any sidewalks. In it is the Batan al-Hawa quarter, where Rajabi lives. There, among the rooftops, an occasional Israeli flag flies, marking one of the six buildings where some 100 Jewish settlers have moved in. The flags are a constant reminder that this quarter is part of a larger demographic battle over this part of the city.

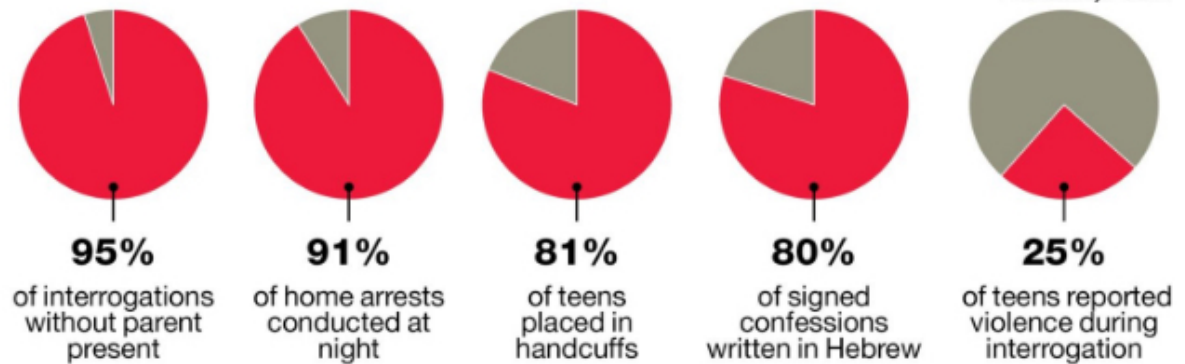
Around 2,800 Jews live in East Jerusalem Palestinian neighborhoods such as Silwan, according to Ir Amim, a nonprofit advocacy group that focuses on the Israeli-Palestinian conflict in the city. The proximity and friction between Jews and Palestinians have made such neighborhoods flashpoints of tension: Residents on both sides say they feel unsafe and exchange accusations of harassment and violence.

Testimonies from 60 male Palestinian minors, collected as part of a recent report by the Israeli human rights groups Hamoked and B’Tselem, suggest that stories like Rajabi’s are part of a larger phenomenon of arrests in East Jerusalem. The report says the detention of Palestinian minors – many on charges of stone throwing – is part of a system that “reveals broad, systemic abuse by Israeli authorities of those minors’ human rights.” This system exists not by chance, the report alleges, but as part of a clear Israeli policy aimed at making life so untenable in East Jerusalem that residents will decide to leave – a claim Israeli authorities deny.

## Detention of Palestinian boys in East Jerusalem by numbers\*



Photo: Majd Gaith



\* Data collected by B'Tselem and HaMoked from 60 teenage boys arrested between May 2015–October 2016

As in Rajabi's related experience, the report – called "Unprotected: Detention of Palestinian Teenagers in East Jerusalem" – found that 91 percent of the cases in which youths were arrested between May 2015 and October 2016 took place at night in their homes, and that handcuffs were used 81 percent of the time. Although Israeli law stipulates that minors can be apprehended only as a last resort, 87 percent of those interviewed said they were arrested.

Stone throwing accounts for the bulk of what the Jerusalem District Police estimate are hundreds of violent incidents every year – mostly in the

form of Palestinian attacks on their officers and vehicles, or against the residences and vehicles of the Palestinians' Jewish neighbors. The incidents can be dangerous, leading to serious injuries and even death, the police say. Most take place in predominately Palestinian neighborhoods, usually when police are on routine patrols or when Israeli ambulances are driving through, Micky Rosenfeld, the Israel Police's spokesman to the foreign media, told Haaretz.

For their part, Palestinians argue that stones are among the only weapons they have in their resistance against Israel and to defend themselves during clashes with Israeli forces.

The report depicts the system as a trifecta of what its authors say are arrests by the police, detention under often harsh conditions, and a legal system in which Israeli judges usually rubber-stamp police recommendations to keep minors in custody. The findings also mirror Palestinian complaints about the arrest and detention of teenagers in the West Bank.

High-profile arrests of Palestinian minors in the last month include 16-year-old Ahed Tamimi, who was filmed slapping an Israeli soldier in a video that went viral, and was charged by a military court earlier this month on several counts of assault. Also, a 6-year-old boy from the Jalazun refugee camp in the West Bank was detained by Israeli soldiers after reportedly lobbing stones at them with a slingshot. And a Palestinian teenager from Hebron was also caught on a video that went viral, being blindfolded and surrounded by Israeli soldiers after he allegedly threw stones at them during a demonstration against U.S. President Donald Trump's decision to recognize Jerusalem as Israel's capital.

At present, the U.S. Congress is discussing a bill that aims to link U.S. foreign aid to Israel to cessation of the detention of Palestinian minors by Israeli authorities. The legislation would require annual certification that aid to Israel was not used in the detention or interrogation, or in any kind of abuse of Palestinians under the age of 18.

### **'Arab terror cells'**

In addition to stones, Molotov cocktails are another weapon sometimes used by Palestinian youths in Jerusalem. Ateret Cohanim – a right-wing Israeli organization that buys property in predominately Palestinian neighborhoods, including Silwan, to bolster the Jewish presence in East Jerusalem – claims that in the last two years there have been some 1,800 attacks by Palestinian residents of Silwan against Jews

who live there. (The organization refers to Silwan by its Hebrew name, Kfar Hashiloah.) The police said they had no exact figures.

Daniel Luria, director of Ateret Cohanim, told Haaretz that these incidents included the throwing of stones, cinder blocks and firecrackers at community members' vehicles, apartment buildings and, on occasion, at members of the community. However, Luria noted that the security situation was "improving due to ongoing greater police presence, more arrests and the breaking up of local Arab terror cells."

Tensions in Silwan have reached the point where Rajabi's father says he has installed security cameras to document what happens near the family home. He bought the cameras as a form of protection, he says, and to provide proof to the authorities, if needed, of what actually happens there. In the living room, near a framed portrait of the late Palestinian leader Yasser Arafat, a video monitor shows what the cameras are recording.

The streets of Silwan contain closed-circuit cameras and private security guards, paid for by the Israeli government, to protect the Jewish residents. The guards, wearing black flak jackets and oversized, reinforced baseball hats, are now fixtures in the neighborhood, watching over the settlers' homes and escorting them when they walk or drive through the neighborhood.

### **Response to rights groups' report**

In response to Hamoked and B'Tselem's report, Israeli authorities told Haaretz that Palestinian youths in East Jerusalem neighborhoods are treated no differently under the law than their Jewish peers.

"A minor is arrested only if he is involved directly in an incident, either after being detected at the scene of a disturbance or based on footage we have, or if there is enough clear evidence for making an arrest," says Rosenfeld, the police spokesman. Most of the arrests that take place in Jerusalem are conducted by the Border Police, who operate in the eastern part of the city and in the West Bank.

Rosenfeld did not have any comment on the specific data in the rights groups' report, which, on the subject of arrests, claimed that about 50 percent of the youths who provided testimony did not understand the meaning of the right to remain silent and were worried they might be harmed if they exercised that right. Moreover, according to the report, in 95 percent of the cases the minors were interrogated alone, without parents or other relatives present, and in 25 percent of the cases the youths said the interrogators used some degree of violence against them.

For his part, Rosenfeld insisted that the accepted procedure is that parents are notified of their child's arrest and are permitted to escort them to the police station, and that there is access to a lawyer. Arrests can be undertaken at any time of day as a result of "operational decisions," he said; nighttime arrests are a means of preventing a possible backlash by local residents.

"The No. 1 goal of police activities is to make sure that areas in and around the city areas remain calm, and of course for our units to go to the place where incidents take place," says Rosenfeld, who added that the officers don't make arrests in Arab neighborhoods without good reason.

"We know we will be attacked, so we don't knock on doors for the sake of it," he says. "But, for example, when we know minors are involved in disturbances in the Old City and closed-circuit cameras clearly identify them, police activities must continue wherever the law is broken."

He also takes issue with the report's accusations of violence during the detention of Palestinian minors. "Our police officers record and film arrests as they take place. If there is any misconduct, the case is looked into," he says.

Of B'Tselem's work in general, Rosenfeld adds: "We know that it is inaccurate and misleading, and unfortunately it misleads the public."

Yael Stein, research director of B'Tselem, told Haaretz that staff at her organization are accustomed to their work being dismissed by the country's political and law-enforcement establishments, which, she claimed, have never regarded Palestinians as equal citizens who deserve rights.

"It's one big fiction that there is rule of law here and someone here who is protecting the law," Stein says.

For Jewish Israelis, the issue of how Palestinians, including minors, are treated is "far from people's line of vision ... and it's easier not to want to know," she says. "But it's still our country doing this. We are responsible for it and it needs to stop."

### **A teen's story**

Rajabi, now sitting in his family's living room, clasping his cellphone and wearing a long-sleeved black Adidas shirt and jeans, says he does not stray far from his neighborhood – nor do his friends. They often exchange cautionary tales of being yelled at, having pepper spray aimed at them, and being harassed by the police and security guards who protect the settlers, he says.



Silwan is a hard place to grow up in, he adds. “Games? We don’t have games. Here we see the police, we see violence, we see arrests, we see the settlers. I mean, our life is different than the lives of others.”

Down the street from his house is Beit Yonatan, a seven-story building put up to house Jewish settlers. It was named after Jonathan Pollard, the former U.S. Navy intelligence analyst who was convicted of spying for Israel and who over the years became a cause célèbre on the Israeli right. The only member of Rajabi’s family who has ever been inside that building was his brother, Hamza, now 15, who says he was held there for a few hours last year after the Border Police accused him of throwing stones at them. Hamza says he did not throw any stones.

“We became afraid to leave our houses. We have grown up in fear,” says Yazan Rajabi. “When we were little, we thought maybe something would change. But we grew up and it stayed the same.”

### **A father’s distress**

Rajabi’s father, Zuheir, an outgoing man, speaks fluent Hebrew that he learned as a teenager when he started working in restaurants owned by Israelis in downtown Jerusalem in the 1980s. According to people who know him, he has aged dramatically in recent years. At 46, his hair has become almost entirely gray, his face deeply lined. His blood pressure is high and he gets it tested every day at the local health clinic.

Zuheir Rajabi grew up in Silwan’s Batan al-Hawa neighborhood and still lives in the home his grandparents bought in 1967 after the family left the Jewish Quarter of the Old City during the Six-Day War. He pulls out a packet of papers, including an eviction order from Ateret Cohanim. The plan is to evict him and some 80 other families in the neighborhood, according to B’tselem. His eviction order dates to 2005, and has been under appeal ever since.

Among the papers is a deed handwritten in Turkish, which, he says, Ateret Cohanim asserts is proof that his house was originally owned by Yemenite Jews. The latter lived in the neighborhood from the 1880s until Arab riots prompted British Mandatory authorities to evacuate them in the 1930s.

This struggle to save his home is a major source of stress for Zuheir Rajabi – but so is parenting children, including two teenage sons, in Silwan, he says.

“As a father, I don’t like the fact that my son gets interrogated or arrested at 3 A.M. and thrown inside a jeep,” he says. “I know what happens in those investigations and how they scare kids at these young ages.”

But he's also worried for his youngest, an 8-year-old girl who, due to tensions in the neighborhood, runs home whenever she sees police in the street and often wakes up with nightmares, he says.

The stress and lack of safe, open places for kids to play led Zuheir and his brother to help establish an after-school center for local children. The building is perched at the top of a hill, its walls enlivened by figures of Spider-Man and Winnie the Pooh. Inside, children chase after balls, do artwork and play in the computer room.

Zuheir seems more relaxed inside the center, smiling and laughing with the children. Watching a small group playing soccer, he says, "We're trying to keep the kids away from the problems below."