No Way to Treat a Child: Protecting the Human Rights of Palestinian Children Living Under Israeli Military Occupation

Rationale: The ELCA has a long history of engagement with the Palestinian Christians in the Holy Land. In 2005, we established an initiative, “Peace Not Walls: Stand for Justice in the Holy Land,” which seeks “peace with justice for both Palestinians and Israelis and the continuation of the Christian witness in the Holy Land”. We have companion relationships with the six Palestinian Lutheran congregations in the Evangelical Lutheran Church in Jordan and the Holy Land (ELCJHL). We also have a strong history of supporting human rights and justice, reflected in our Social Statement “For Peace in God’s World” which commits us to promote respect for human rights, especially for “groups most susceptible to violations, especially all minorities, women, and children”.

One of the many concerns related to the ongoing struggle between the Israel government and the Palestinians under occupation in Gaza and the West Bank has been the treatment of children held in detention by the Israeli Defense Forces. Israel operates two separate legal systems in the same territory—civilian courts for Israeli settlers and separate military courts for Palestinians that lack internationally accepted fair trial rights and protections. An estimated 500-700 Palestinian children are detained and prosecuted in military courts each year. After 52 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.

This concern has been the focus of some legislative initiatives by the US Congress in the last few years. In November 2017, HR 4391, Promoting Human Rights by Ending Israeli Military Detention of Palestinian Children Act was introduced in the House by Rep. Betty McCollum (MN). The ELCA Peace Not Walls initiative issued an Action Alert in December 2017, supporting the bill and asking for its passage. The bill was not considered by the House in that session, but similar legislation is anticipated in 2019.

Resolved that the Southeast Michigan Synod memorialize the 2019 ELCA Churchwide Assembly to request Presiding Bishop Eaton on behalf of the Assembly to urge the U.S. President, Secretary of State and Congress to call on the State of Israel to guarantee basic due
process rights in the Israeli military court system; ensure the absolute prohibition against torture and ill-treatment in accordance with international law; and ensure that operations are carried out in accordance with the UN Convention on the Rights of the Child.

Resolved that the Southeast Michigan Synod Assembly memorialize the 2019 ELCA Churchwide Assembly to request Presiding Bishop Eaton on behalf of the Assembly to contact the appropriate U.S. governmental officials, encouraging them to fully enforce US law, including the U.S. Foreign Assistance Act to ensure that United States taxpayer funds do not support ill-treatment of Palestinian children.

Resolved that the Southeast Michigan Synod Assembly memorialize the 2019 ELCA Churchwide Assembly to request Presiding Bishop Eaton, Synodical Bishops and ELCA members to contact their members of Congress to support legislation that specifically prohibits U.S. foreign aid to be used to violate the rights of Palestinian children, and 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.

Submitted by

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Rev Mary T Duerksen: Pastor, Spirit of Grace
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The committee recommends this Memorial.