

1 **MEMORIAL ON PROTECTING THE HUMAN RIGHTS OF PALESTINIAN CHILDREN**
2 **LIVING UNDER ISRAELI MILITARY OPERATIONS: NO WAY TO TREAT A CHILD**
3

4 WHEREAS, the Evangelical Lutheran Church in America (ELCA), in its Social
5 Message on “Human Rights” adopted unanimously by the Church Council
6 of the Evangelical Lutheran Church in America on November 12, 2017,
7 affirms this church teaches that “human dignity is God’s gift to every
8 person and that the commitment to universal rights protects that dignity.”
9 Further the Council “gives renewed attention to addressing human rights
10 as a church. It also believes the time is right for more Christians to enter
11 public conversation and take action to safeguard the dignity due to all
12 children of God;” and

13 WHEREAS, the ELCA, in its Social Message on “Human Rights” also affirms that “the
14 ELCA social teaching is clear: “The God who justifies expects all people to
15 do justice;” and

16 WHEREAS, the ELCA, in its Social Message on “Human Rights” further states that “the
17 ELCA affirms the Universal Declaration of Human Rights as “a common
18 universal standard of justice for living with our differences, and they give
19 moral and legal standing to the individual in the international community;”
20 and

21 WHEREAS, the ELCA, in its Social Message on “Human Rights” further states that
22 “Christians cannot be satisfied simply with responding to injustice that has
23 already occurred. We also are called to take actions that prevent rights
24 abuses from happening in the first place, whether by personal intervention
25 in injustice or publicly addressing rights abuses. Support for legal
26 protections and means of enforcement is also our responsibility; and

27 WHEREAS, the ELCA, in 2005, established an initiative, “Peace Not Walls: Stand for
28 Justice in the Holy Land,” with three components—Awareness Building,
29 Accompaniment and Advocacy— which seeks “peace with justice for both
30 Palestinians and Israelis and the continuation of the Christian witness in
31 the Holy Land;” and

32 WHEREAS the ELCA, in its Social Statement “For Peace in God’s World” has
33 committed to promote respect for human rights, especially for “groups
34 most susceptible to violations, especially all minorities, women, and
35 children;” and

36 WHEREAS, the ELCA is in relationship with the six Lutheran congregations of the
37 Evangelical Lutheran Church in Jordan and the Holy Land; and

38 WHEREAS, Israel operates two separate and unequal legal systems in the same
39 territory. Military law has applied to Palestinians in the West Bank since
40 1967, when Israeli forces occupied the West Bank, including East

41 Jerusalem, and the Gaza Strip. Jewish settlers, however, who reside
42 within the bounds of the occupied West Bank, in violation of international
43 law, are subject to the Israeli civilian legal framework; and

44 WHEREAS, Israel is the only country in the world that automatically and systematically
45 prosecutes children in military courts that lack fundamental fair trial rights
46 and protections; detaining and prosecuting an estimated 500 to 700
47 Palestinian children in military courts each year; and

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

55 WHEREAS, Israel has ratified the Convention on the Rights of the Child on October 3,
56 1991, which states—in article 37(a), that “no child shall be subject to
57 torture or other cruel, inhumane or degrading treatment or punishment;”
58 and

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

63 RESOLVED, that the Metropolitan Chicago Synod Assembly memorialize the 2019
64 ELCA Churchwide Assembly, requesting the Assembly call on the State of
65 Israel to guarantee basic due process rights in the Israeli military court
66 system; respect and ensure the absolute prohibition against torture and ill-
67 treatment in accordance with international law, specifically the UN
68 Convention on the Rights of the Child; and call on the government of the
69 United States to fully implement and enforce the U.S. Foreign Assistance
70 Act; and be it further

71 RESOLVED, that the Metropolitan Chicago Synod Assembly memorialize the 2019
72 ELCA Churchwide Assembly, requesting the ELCA presiding bishop and
73 the bishops and staff of every ELCA synod to advocate with elected
74 officials, encouraging them to ensure that United States taxpayer funds,
75 including the over \$3 billion annual foreign aid to Israel, do not support
76 military detention, interrogation, abuse, or ill-treatment of Palestinian
77 children in violation of international law, including, but not limited to: cruel,
78 inhumane or degrading treatment, stress positions, hooding, death
79 threats, coerced confessions, and denial of parents or legal counsel during
80 interrogations; and be it further

81 RESOLVED, that the Metropolitan Chicago Synod Assembly memorialize the 2019
82 ELCA Churchwide Assembly, to request that the Peace Not Walls
83 Strategy consider creating a resource enabling congregations to learn
84 more about the lives of Palestinian children—especially the treatment of
85 Palestinian children in the Israeli military courts, the Lutherans in the six
86 congregations of the Evangelical Lutheran Church in Jordan and the Holy
87 Land, and how Israel is spending U.S. foreign aid dollars; and be it further

88 RESOLVED, that the Metropolitan Chicago Synod Assembly memorialize the 2019
89 ELCA Churchwide Assembly, requesting the Assembly to encourage
90 ELCA members to contact their members of Congress in support of
91 legislation that prohibits U.S. foreign aid to be used in ways that violate
92 human rights for Palestinian children, like H.R. 4391, 115th Congress,
93 which requires the Secretary of State to certify that United States funds do
94 not support military detention, interrogation, abuse, or ill-treatment of
95 Palestinian children in violation of international law.

96 Submitted by:

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98 The Working Group on the Middle East of the Metropolitan Chicago Synod

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