

Tuesday, 16 January 2018

## **OHCHR calls for the best interests of the child to be primary consideration in the Tamimi case**

RAMALLAH – OHCHR today expressed deep concern at the almost one month long pre-trial detention of the Palestinian child Ahed Tamimi. “The Convention on the Rights of the Child is clear”, said James Heenan, head of OHCHR’s office in the occupied Palestinian territory, “deprivation of liberty of children shall only be used as a measure of last resort and for the shortest appropriate period of time, and the best interests of the child are to be a primary consideration.”

Ms Tamimi, aged 16, was arrested by Israeli security forces on 19 December 2017, some four days after events on 15 December in the West Bank village of Nabil Saleh. She slapped, kicked and pushed away two Israeli soldiers in the front yard of her family’s house. The events, filmed by a family member, were broadcast on social media and subsequently published in Israeli media, causing a strong public reaction. The child was charged by a military court on 1 January 2018 with 12 counts of security-related offences. The charges include aggravated assault of a soldier, stone throwing and incitement, and are related to six different incidents, some going back to April 2016.

Ms Tamimi has now been detained for almost a month. As a child, she is entitled to all fair trial rights guaranteed under international law, in addition to the special protection granted to children in contact with the law. International standards require that children should be deprived of their liberty only if they pose an imminent threat to themselves or to others, and all other means have been exhausted, or as a precaution against escape during transfer, but in all cases, only for as long as is strictly necessary.

“The circumstances of the girl’s arrest are deeply worrisome: in the middle of the night by heavily armed soldiers followed by an interrogation without the presence of a relative or a lawyer in disregard of international standards” said Mr. Heenan. The girl’s lawyer claims that during the interrogation she was ill-treated and threats were made to arrest other members of her family. The fact that the child is detained outside the occupied Palestinian territory is itself in contravention of international humanitarian law. Aspects of the treatment of this child mirror the treatment of hundreds of other Palestinian children arrested and detained by Israeli Security Forces across the occupied territory, as the High Commissioner, the Secretary-General and UNICEF have reported over the years. “This case is in many ways emblematic of the way in which Palestinian children experience the military justice system in the occupied West Bank and the Israeli justice system in East Jerusalem” he said.

“We urge Israel to ensure that the treatment of Ahed Tamimi is in accordance with international law and the special protection she is granted as a child. In particular we question her continued pre-trial detention” said Mr. Heenan.

ENDS

*The Office of the United Nations High Commissioner for Human Rights has been present in the occupied Palestinian territory since 1996 and has a mandate, among other things, to monitor and publicly report the human rights situation in the territory by all human rights duty bearers. Media contact (Ramallah): Marina Mattiolo, Tel: +972 547416430 ,email:[mmattiolo@ohchr.org](mailto:mmattiolo@ohchr.org)*