



PALESTINIAN CENTRE FOR HUMAN RIGHTS

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Item 13 – the rights of the child

The Palestinian Centre for Human Rights (PCHR) condemns the widespread and systematic violations of the rights of Palestinian children in the Gaza Strip and West Bank including occupied East Jerusalem, by the Israeli military. Palestinian children are afforded special protections including under the Convention on the Rights of the Child and as children under alien occupation protected by the Fourth Geneva Convention, Relative to the Protection of Civilians During Time of War, 1949. However, in the past year, the Israeli military has continued to show flagrant disregard for the rights of Palestinian children. Palestinian children have been subject to wide-ranging violations including violations of the right to education, to medical care, to adequate housing, to food, water, to family. Children have been subjected to arbitrary detention, ill treatment and even torture.

However, we note with particular alarm the unlawful killing and injuries to Palestinian children throughout the OPT. From beginning of the current Intifada in September 2000 until 31st December 2004, 593 Palestinian children under the age of 18, have been killed by the Israeli military or settlers. 335 in the Gaza Strip and 258 in the West Bank. In 2004 alone 140 children were killed by Israeli occupation forces (IOF) 113 of these were killed in the Gaza Strip. Additionally, approximately, 3695 Palestinian children have been injured in the Gaza Strip alone.

PCHR is further appalled to report that in already in only January 2005, 16 Palestinian children have been killed (13 in the Gaza Strip and 3 in the West Bank) and that 19 have been seriously injured in the Gaza Strip. This brings the total number of deaths of Palestinian children for this Intifada to 609.

These killings have taken place in different contexts, including the apparent deliberate targeting of Palestinian children. This is evidenced by the growing numbers of children killed outside the context of clashes or demonstrations, rather in their homes, at school, in the fields. One such incident occurred on the 4th January 2005, when a tank, at a range of approximately 800m, fired a shell into a group of Palestinian children. This event took place 15 minutes after, and some distance from, an attack by militants who were no longer in the area. The results of the tank fire were devastating, 7 children died almost immediately upon impact of the shell, an 8th child died nearly one month later from injuries sustained in the attack and a number of other children were severely injured, many losing limbs. This incident highlights a disregard for the right to life of protected persons under the Fourth Geneva Convention and other international human rights standards. The fact that no genuine investigation has taken place indicates the environment of impunity in which the IOF operate.

The culture of impunity granted to soldiers has continued to effect children at various times and occasions. In one example on the 5/10/2004, in the case of Iman al Hamas a 14 year old school-child who was walking along the Rafah border area. She was shot by an Israeli Captain, known only as R. R. faced a military tribunal on charges of illegal use of weaponry, obstructing justice, violating the rules of engagement to the point of endangering human life and behaviour unbecoming an officer. However the facts of the case indicate that such



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charges are a gross understatement of the circumstances surrounding the events. Eye-witnesses reports indicate that the Captain approached the girl after she had been wounded by gunfire from an Israeli military watchtower and proceeded to “confirm the kill” by unloading 15 bullets from an automatic rifle into her body. The charges brought against the Captain do not relate to the initial shooting of al-Hamas and so no individual or group of officers will now be held responsible for her death, at any point up the chain of command including against the Officer(s) responsible for ordering the shooting.

We express our particular alarm at the number of attacks on children while in their schools, which take place in the dual contexts of Israeli assaults on children and an increasing level of hostility towards the United Nations Relief and Works Agency (UNRWA). In 2004, 24 children were injured by Israeli occupation forces (IOF) whilst in their schools. In one such incident in a school girl was hit in the head by a live bullet and lost her sight. Since September 2004, 3 Palestinian children have been killed while in their schools by IOF, each incident took place in an UNRWA school. In September and October 2004, 2 schoolchildren were killed by IOF, in Khan Younis refugee camp, while sitting at their desks. The third death came on Monday, 31st of January 2005, in Rafah refugee camp, when an eleven year old girl was shot in the head as she was entering her classroom.

Finally, we express our grave concern at the impact of the escalating military violence wrought on Palestinian civilian residential areas in the OPT on the right to the physical and mental development of the child. Such daily exposure to widespread and systematic killings, injuries to their friends, parents and relatives, destruction of family homes and businesses, military attacks, including on schools and hospitals, has had a major impact on the mental and physical health of Palestinian children. It also raises major concerns with regards the impact this will have on the children in terms of their development and the impact this will have in turn upon society in years to come.

The Gaza Community Mental Health Programme¹ states that in the OPT 33% of children suffer with acute levels of posttraumatic stress disorder, 49% with moderate levels and 15.6% low levels. However, in areas which see the highest levels of violence and attacks by the IOF such as Rafah and Beit Hanoun these statistics rise to; 55% of the children suffering acute levels of posttraumatic stress disorders, 35% moderate levels, and 9% low levels. These figures have risen throughout the Intifada which demonstrates the deepening crises that Palestinian society is facing in the face of the ongoing Israeli occupation. The symptoms of post traumatic stress disorder include; nightmares, attention deficiency, and violent behavior.

These developments are further compounded by the deepening humanitarian and economic crisis precipitated by the Israeli military policy of closure and curfew. As the impact of the violence on children has increased, their access to physical and mental health care services and supplies, is subject to increasing restrictions and delays.

PCHR calls on the international community, through this Commission, to ensure Israel meets the full complement of its international obligations in regard to children and, further, that any individual or group accused of violating the rights of children are processed through an accountable judicial system in accordance with the norms, provisions and stipulations of international humanitarian law, particularly the Fourth Geneva Convention.

¹ *The impact of Conflict on children: the Palestinian experience*, Gaza Community Mental Health Programme available on www.gcmhp.net.



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