



CHILD RIGHTS BULLETIN

(for the period 1 May – 30 June 2020)

Key incidents outlined in this LPHR's Child Rights Bulletin covering 1 May – 30 June 2020:

- 17-year-old Palestinian child fatally shot in the head with 0.22-inch caliber bullet by Israeli forces in Hebron, West Bank
- 14-year-old boy died while mishandling an explosive remnant of war he found near his house in Beit Lahiya, Gaza
- Eight-month-old baby needing heart surgery at an Israeli hospital could not exit Gaza and died on 18 June, following the decision by the Palestinian Authority on 21 May not to accept or transfer permit applications from Gaza to the Israeli authorities as a response to Israel's plans to unlawfully annex parts of the West Bank
- Soldiers severely beat a 15-year-old, breaking his arm and causing abdominal bleeding
- Eight children sustained injuries from physical assaults by settlers in Jerusalem and the West Bank, including Hebron
- On 18 May, an Israeli court found an Israeli settler guilty of racially motivated murder, nearly five years after an arson attack that killed an 18-month-old Palestinian toddler, Ali Dawabsheh, and his parents, Ali and Saad Dawabsheh, in the northern occupied West Bank village of Duma. The toddler was survived only by his older brother, Ahmad, who was four years old at the time of the attack and suffered burns to 60% of his body.

The key incidents and statistics outlined in this bulletin span a range of violation categories: **'Fatalities', 'Injuries', 'Settler Violence', 'Arrests and Detention', 'Interference against Education', 'Displacement and Demolitions'**. They are collated from the UN Office for the Coordination of Humanitarian Affairs (**UN OCHA**) and local human rights organisations: Defence for Children International-Palestine (**DCIP**), Al Mezan Centre for Human Rights, Military Court Watch, and B'Tselem.

This bulletin outlines the specific rights of the [United Nations Convention on the Rights of the Child \(UNCRC\)](#) that apply to the key incidents affecting Palestinian children in the occupied Palestinian territory (oPt). As the occupying power, Israel has legal responsibilities under international conventions, including the UNCRC, for the safety, welfare and human rights protection of civilians living in the oPt. This bulletin concludes with a Further Reading section that looks at the recruitment of children by armed groups and the treatment of Palestinian children under Israeli military law.

LPHR gives special thanks to Elena Christaki-Hedrick for her excellent work preparing this bulletin.

FATALITIES

Data collected by UN OCHA records a total of four Palestinian child deaths. One child was killed in the West Bank and three children died in Gaza. Since the start of 2020, LPHR Child Rights Bulletins have recorded that a total of eight Palestinian children have been killed as a result of Israeli military and settler presence in the oPt.

Fatalities in the period of 1 May – 30 June 2020 include:

- [UN OCHA](#) reports that on 13 May during clashes that erupted during a search-and-arrest operation in Al Fawwar refugee camp (Hebron), Israeli forces shot and killed a 17-year-old boy, Zeid Qaysiyah. [B'Tselem](#) reports that at around 05:30 Israeli soldiers entered the Beit Jibrin neighbourhood, in al-Fawar Refugee Camp. Some soldiers took up positions on rooftops while others walked through the neighbourhood. Several dozen young Palestinians threw stones and empty bottles at the soldiers. The soldiers responded by hurling stun grenades and firing tear-gas canisters, rubber-coated metal bullets and live rounds in the air. Zeid Qaysiyah, who was watching the scene from the roof of his house with his relatives, was shot by an Israeli sniper who was about 100 metres away. The sniper used a 0.22-inch caliber bullet, which hit the boy in the face and he collapsed instantly. He was pronounced dead shortly upon arrival at hospital.
- [UN OCHA](#) reports that a 14-year-old boy died while mishandling an explosive remnant of war he found near his house in Beit Lahiya, Gaza.
- [UN OCHA](#) reports that on June 18, an eight-month-old baby boy who needed heart surgery at an Israeli hospital could not exit Gaza and died. Since 21 May, the Palestinian



Authority has not accepted or transferred applications for exit permits from Gaza to the Israeli authorities, in response to Israel's plan to annex parts of the West Bank.

- DCIP reports that a 17-year-old Palestinian child, A.M., died after being struck by a bullet fired by a Palestinian armed group in Gaza. DCIP reports that the shooting appears to have been an accidental death caused by 'friendly fire'. According to DCIP, the boy had enlisted with the armed group four months before he died. The full report is included in the Further Reading section of this bulletin.

Article 6(1) of the UNCRC provides that every child has the inherent right to life. The above-mentioned shooting of a child strongly suggests that Israel's authorities have seriously violated their legal duty under Article 6(1). Under international law, lethal force such as live ammunition can only be used as a last resort when there is a direct and imminent threat to life or serious injury. The shooting by live ammunition of a 15-year-old during a search-and-arrest operation raises serious questions as to whether the Israeli military forces involved violated the right to life by using excessive lethal force when the child did not pose an imminent threat to life or serious injury. Violations of this legal requirement should entail individual criminal responsibility.

Part of providing meaningful protection under the UNCRC involves review of and accountability for child deaths. To fulfil its obligations under international law, it is necessary that the Government of Israel thoroughly and transparently investigate the circumstances of the above-mentioned child fatality and ensure legal accountability and justice is delivered where there is criminal wrongdoing. However, there is strong evidence indicating that Israel is failing to provide accountability for child deaths, with data collected by [B'Tselem](#) and Israeli human rights organisation [Yesh Din](#) suggesting that soldiers who harm or kill Palestinians or damage their property are very rarely indicted.

Article 4 of the UNCRC's Optional Protocol on the Involvement of Children in Armed Conflict provides that armed groups that are distinct from the armed forces of a state should not, under any circumstances, recruit or use any person under 18 in hostilities. DCIP's report indicates that A.M. was a recruit of an armed group. If true, the armed group's recruitment of a child suggests

a breach of Article 4 of the UNCRC's Optional Protocol. Under international humanitarian law, Hamas as the de-facto government in Gaza, is obliged to investigate the incident.

INJURIES

Data collected by UN OCHA records that a total of 35 Palestinian children were injured by Israeli forces during the reporting period, including 32 boys and 3 girls. All injuries were sustained in the West Bank. The injuries were caused by the following: live ammunition, rubber bullets, tear gas inhalation and physical assault.

Injury incidents from 1 May - 30 June 2020 include:

- [B'Tselem](#) reports that on 7 May, a 15-year-old boy was severely beaten and had his arm broken by Israeli soldiers as he and his cousin attempted to cross through the Separation Barrier in order to find temporary work in Israel. B'Tselem reports that when the boy and his cousin were on the eastern side of the barrier, three soldiers got out of a jeep, shouted at the boy and his cousin and fired several shots in the air. The boy's cousin managed to run away but the boy fell. The soldiers ran over to him. One kicked the boy while another hit him with a rifle butt. The boy sustained abdominal haemorrhaging and a broken arm.
- [UN OCHA](#) reports that during the period 28 April – 11 May, four children were injured in multiple incidents and clashes with Israeli forces across the West Bank. Three children were shot with live ammunition near Al Fawwar refugee camp (Hebron), reportedly following stone throwing, and another child near 'Aqbet Jaber refugee camp (Jericho), in unclear circumstances.
- [UN OCHA](#) reports that during the period 2 – 15 June, nine children were injured in clashes with Israeli forces in the West Bank. The injuries were sustained during protests the longstanding weekly demonstrations in Kafr Qaddum (Qalqiliya), held to protest against access restrictions and settlement expansion. Three of the injuries were caused by rubber bullets and six by tear gas inhalation.
- [UN OCHA](#) reports that during the period 16 – 29 June, two 15-year-old boys were shot with live ammunition and injured in Kafr Qaddum village (Qalqiliya) and in Deir Abu Mash'al (Ramallah). The boy injured in Ramallah was shot allegedly after throwing a bottle towards Israeli vehicles.



Article 3(2) of the UNCRC provides that states shall ensure children the protection and care necessary for their well-being. The above-mentioned excessive use of force by Israeli authorities against a child trying to cross the Separation Barrier, as well as during clashes and search-and-arrest operations, including the use of live ammunition against children who were unarmed or otherwise not posing an imminent threat, constitutes a serious violation of this important legal protection.

Article 15(1) of the UNCRC provides for the right of the child to freedom of peaceful assembly. The injury of nine children during protests against the expected annexation of the West Bank within the reporting period, as recorded by [UN OCHA](#), suggests that Israeli forces are using excessive force in violation of international human rights law.

SETTLER VIOLENCE

[UN OCHA](#) reported nine injuries to Palestinian children due to settler violence during the reporting period. Eight of the injuries were the result of physical assaults by Israeli settlers in the West Bank.

Settler-related injury incidents between 1 May- 30 June include:

- [UN OCHA](#) reports that on [4 May](#), one 11-year-old boy was injured from a physical assault in farming areas in the West Bank by assailants believed to be Israeli settlers.
- [UN OCHA](#) reports that during the period 12 May- 1 June 2020, five children were injured from physical assaults by settlers in the Israeli-controlled area of Hebron city.
- [UN OCHA](#) reports that during the period 2 June- 15 June 2020, a 10-year-old girl sustained an eye injury after being pushed by a settler in the Old City of Jerusalem.
- [UN OCHA](#) reports that during the period 16 June – 29 June, ten Palestinians were injured from physical assaults by Israeli settlers, including a 14-year-old girl who was stoned in the Israeli-controlled area of Hebron city.
- [DCIP](#) reports that on 18 May, an Israeli court found an Israeli settler guilty of racially motivated murder, nearly five years after an arson attack that killed an 18-month-old

Palestinian toddler, Ali Dawabsheh, and his parents, Ali and Saad Dawabsheh, in the northern occupied West Bank village of Duma. The toddler was survived only by his older brother, Ahmad, who was four years old at the time of the attack and suffered burns to 60% of his body. Reportedly, the arsonists spray-painted the words “revenge” and “Long live the Messiah King!” on the walls of the two homes that were attacked.

Article 3(2) of the UNCRC provides that states should ensure the protection and care of children, as is necessary for their well-being. The Israeli human rights organisation [Yesh Din](#) reports that incidents of violence by Israeli civilians against Palestinians and their property are a daily occurrence throughout the West Bank and that these incidents are rarely investigated properly by Israeli law enforcement, making the above-mentioned conviction of an Israeli settler for murder highly unusual. Only 3% of investigations into complaints filed by Palestinians hurt by settlers lead to convictions.

The low rate of investigations into attacks by Israeli settlers suggests that Israel is in violation of its obligations under **Article 39 of the UNCRC**, which stipulates that states should take all appropriate measures to promote the physical and psychological recovery of a child victim of abuse, and that such recovery should take place in an environment which fosters the health, self-respect and dignity of the child. As the occupying power, Israel has the obligation to protect Palestinian civilians from all acts or threats of violence, including by Israeli settlers, and to ensure that attacks are investigated effectively and perpetrators held accountable.

ARRESTS AND DETENTION

Between 1 May- 30 June, UN OCHA reports that Israeli forces conducted 477 search and arrest operations in West Bank villages and towns, arresting around 645 Palestinians (including an unknown number of children). This is up from 331 search and arrest operations in West Bank villages and towns and 349 arrests in the last reporting period.

As of 31 May 2020 (latest figures available) [Military Court Watch](#) documents 142 Palestinian children in Israeli military detention. Two of these children are held under administrative detention, meaning they are being detained without charge or trial based on secret evidence.

Arrest and detention incidents in the reporting period include:

- [DCIP](#) reports that three 17-year-olds were arrested in June, during the exam period, as detailed in the Interference Against Education section of this bulletin below.



- [MCW](#) reports that eight years since a delegation of UK lawyers reviewed the treatment of Palestinian children under Israeli military law and published their findings in a report, '[Children in Military Custody](#)', little has changed.
- On 11 May, UN Officials released a [statement](#) calling for the release of all children in detention, in light of Covid-19. The statement pointed out that at the end of March 2020, the vast majority of Palestinian children in Israeli prisons and detention centres had not been convicted of any offence but were being held in pre-trial detention. LPHR is not aware of action by the Israeli authorities to heed this call.

Article 3(1) of the UNCRC obliges states to ensure that: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'.

Article 37(b) of the UNCRC states that no child shall be deprived of his or her liberty unlawfully or arbitrarily and that it shall be used only as a measure of last resort. The high number of search and arrest operations during the reporting period and the arrest and detention of children during the exam period, suggest that Articles 3(1) and 37(b) of the UNCRC are being breached.

Article 37(a) of the UNCRC states that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. **Article 37(c) of the UNCRC** obliges states to ensure that every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. Given that children in detention face a heightened risk of contracting COVID-19, with physical distancing and other preventive measures often absent or difficult to achieve, the arrest of children during the reporting period and the apparent failure to release children in detention, appear to directly contravene these specific child rights protections. It is worth noting that a [joint statement by UN Officials](#) on 11 May 2020 reported that since the start of the COVID-19 crisis in Israel, *"legal proceedings are on hold, almost all prison visits are cancelled, and children are denied in-person access to their families and their lawyers. This creates additional hardship, psychological suffering, and prevents the child from receiving the*

legal advice to which they are entitled. For children awaiting trial, these pressures could put them under increased pressure to incriminate themselves, pleading guilty to be released."

INTERFERENCE AGAINST EDUCATION

Infringements on education in the reporting period of 1 May – 30 June, include:

- [DCIP](#) reports that the arrest of three Palestinian students during the exam period in early June disrupted the children's completion of their high school degrees. According to DCIP, three 17-year olds were detained in dawn or pre-dawn raids of their homes in Bethlehem. DCIP reports that two of the boys were arrested on 9 June and detained in Israeli military detention at Etzion detention centre, near Hebron. On 11 June, the boys appeared before a military court via video link. Bail was denied and their detention extended to 15 June. On 15 June, the Israeli military prosecutor did not file charges against the boys and they were released on bail. They missed three of their exams. The third boy, arrested on 1 June, appeared via video link in Israel's Ofer military court, where he was charged with stone-throwing. He is currently detained at Israel's Megiddo prison, located inside Israel.

Article 28 of the UNCRC stipulates that education should be accessible to all children on the basis of equal opportunity, obliging Israel to ensure that children in the oPt have unrestricted access to education. As [DCIP](#) has reported in the past, the Israeli Prison Service is responsible for preparing all children detained in its facilities for reintegration upon release, under [international law standards](#). The timing of the above cited arrests and subsequent excessive disruption to education, indicates serious violations of this important access to education right.

DEMOLITIONS & DISPLACEMENT

Demolitions and displacement remain a matter of huge concern. **Data collected by [UN OCHA](#) records that 83 children were displaced by the demolition of 150 structures during the reporting period.** Please refer to LPHR's Demolitions and Displacement bulletins for information on incidents affecting children in May and June 2020.

Article 27 of the UNCRC protects children's right to a standard of living and seeks to ensure that this standard is adequate with respect to the child's physical, mental, spiritual, moral and social development. The UNCRC further adds that State Parties are responsible for taking appropriate measures to provide assistance in respect to nutrition, clothing and housing. The actions of the Government of Israel in rendering children and their parents homeless and disrupting families'



livelihoods through demolitions of homes clearly violates both the letter and the spirit of the UNCRC.

Article 18(2) of the UNCRC obliges State Parties to give appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities. Demolitions and subsequent forced displacement violate this right as it harms parents and legal guardians' ability to fulfil their responsibilities of looking after and providing shelter for their children.

Article 16(1) of the UNCRC protects children's rights to not be subject to arbitrary or unlawful interference with his or her privacy, family and home and **Article 16(2) of the UNCRC** entitles children to the protection of the law against such interference or attacks.

Article 18(2) of the UNCRC obliges State Parties to give appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities. Demolitions and subsequent forced displacement violate this right as it harms parents and legal guardians' ability to fulfil their responsibilities of looking after and providing shelter for their children.

Further Reading

The recruitment and use of children in armed conflict

The Fatalities section of this Child Rights Bulletin provided details on the death of a Palestinian teenager in Gaza, believed to be a child recruit of a Palestinian armed group. As reported by [DCIP](#), the armed group involved, Al-Qassam Brigades, has reportedly opened an investigation into the incident. Al-Qassam Brigades is the military wing of the de-facto Hamas government in the Gaza Strip and is considered an armed group under international humanitarian law.

Generally, the recruitment and use of children in armed conflict is prohibited by international law. Under international human rights law, including the UN Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict, the age of compulsory recruitment is 18 years old. Armed groups that are distinct from the armed forces of a state should not, under any circumstances, recruit or use any person under 18 in hostilities.

In 2010, following a workshop on child recruitment in the occupied Palestinian territory, DCIP drafted a written code of conduct relating to the involvement of children in armed conflict for

Palestinian political factions to commit to. On May 4, 2010, the Palestinian National and Islamic Forces signed the code, including Hamas, Fatah, Islamic Jihad, the Democratic Front for the Liberation of Palestine, the Popular Front for the Liberation of Palestine, and others. Information collected by [DCIP](#) suggests child recruitment by Palestinian armed groups has reduced substantially since 2008 and 2009. DCIP documented at least 34 children killed while actively involved in hostilities during 2008 and 2009. The most recent UN-verified data shows three incidents of recruitment and use by Palestinian armed groups involving three 17-year-old Palestinian boys in 2018.

According to [DCIP](#), the ongoing human-made humanitarian crisis in Gaza—fuelled by Israel’s nearly 13-year illegal closure and its frequent military offensives and incursions—keeps children vulnerable to recruitment and other forms of child labour.

Treatment of children under Israeli military law

As mentioned in this bulletin, [MCW](#) reports that eight years since a delegation of UK lawyers reviewed the treatment of Palestinian children under Israeli military law and published their findings in a report, '[Children in Military Custody](#)', little has changed. The Foreign Office funded report found undisputed evidence that the military detention system violates at least six articles under the UN Convention on the Rights of the Child and two articles under the Fourth Geneva Convention. It made 40 recommendations.

MCW has reviewed progress made in implementing the report’s 40 recommendations and concludes that only one recommendation has been substantially implemented. According to the latest evidence: 68% of children continue to be arrested at night; 97% are hand-tied; 92% blindfolded; 56% report physical abuse; 74% are not informed of their right to silence; 66% do not have access to a lawyer prior to interrogation; and 76% continue to be forcibly transferred from the West Bank to prisons in Israel in violation of the Fourth Geneva Convention and potentially the Rome Statute of the International Criminal Court.

LPHR has been in engagement with the UK government on the issue of the pervasive and systemic maltreatment of Palestinian children in Israeli military detention. For example, please see [LPHR’s Urgent Action letter](#) to the then Foreign Office Minister for the Middle East, Alistair Burt MP, of 15 January 2019, that requests a renewed UK government impetus on this issue. The Minister’s response can be read [here](#). Please also see LPHR’s [briefing on children in military detention](#) for a comprehensive legal and human rights analysis. The analysis was replicated in the [lead speech of Sarah Champion MP](#) for the parliamentary debate on 7 February 2018.