



## CHILD RIGHTS BULLETIN

(for the period 1 July – 31 August 2020)

### Key incidents outlined in this LPHR's Child Rights Bulletin covering 1 July – 31 August 2020:

- 16-year-old Palestinian child shot and killed by Israeli forces in Ramallah
- 37 children injured by Israeli forces in the West Bank and Gaza, including a 14-year-old and two 15-year-old boys who were shot
- 12-year-old boy assaulted and arrested by undercover unit of Israeli forces in East Jerusalem
- As of 30 June (latest reporting date available), 151 Palestinian children remain in Israeli military detention, despite calls by [UNICEF](#) on 13 April and [UN agencies officials](#) on 11 May for the release of all children in detention, in light of the Covid-19 pandemic

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, B'Tselem and Save the Children oPt.

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 outlining five discrete topics: **'Covid-19 threat to children in military detention'; 'Denial of healthcare outside Gaza is a "death sentence" to children, says Save the Children'; 'Latest Report of the UN Special Rapporteur,**

**Professor Michael Lynk'; 'The UN reports on unsafe and inadequate living conditions for children'; and 'Palestinian children in detention have no right to regular phone calls'.**

LPHR gives special thanks to Misha Alexandra Nayak-Oliver and Elena Christaki-Hedrick for their excellent work preparing this bulletin.

## **FATALITIES**

**Data collected by [UN OCHA](#) records that one Palestinian child was killed by Israeli forces in the oPt during the reporting period. Since the start of the 2020, LPHR Child Rights Bulletins have recorded that a total of nine Palestinian children have been killed as a result of Israeli military and settler presence in the oPt.**

**The fatality in the reporting period is:**

- [UN OCHA](#) reports that on 19 August, a 16-year-old Palestinian boy, Mohammad Damar Hamdan Matar, was killed in Deir abu Mash'al (Ramallah) after being shot by Israeli soldiers. Two other children, a 14-year-old and a 15-year-old, were shot and injured during the incident. [DCIP](#) reports that Mohammad was shot by Israeli forces after approaching a road used by Israeli settlers, seemingly to throw stones or Molotov cocktails. Israeli forces in a nearby concealed position opened fire with live ammunition. After being shot, Mohammad was detained and subsequently died. As of 24 August, Mohammad's body was being withheld by the Israeli authorities, according to [UN OCHA](#).

**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 fatal shooting of a child with live ammunition in the above circumstances 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.

## **INJURIES**

**Data collected by [UN OCHA](#) records that a total of 37 Palestinian children (35 boys and 2 girls) were injured by Israeli forces during the reporting period. The injuries were caused by tear gas inhalation, rubber bullets, live ammunition, physical assault, air-launched explosive weapons, other unspecified weapons and being hit by tear gas canisters. Two Israeli children were injured by stone throwing.**

Injury incidents from 1 July - 31 August 2020 include:

- [UN OCHA](#) reports that between 30 June – 13 July, according to an Israeli NGO, an Israeli child was injured after being stoned by Palestinians while travelling on West Bank roads.
- [B'Tselem](#) reports that on 9 July, a 15-year-old boy was shot in the leg when Israeli forces opened fire at two 15-year-old Palestinians near a military watchtower that lies at the southern entrance to the village of Kifl Hares, in Salfit District. Israeli media reported that, according to the military, the soldiers had fired at Palestinians who had thrown a Molotov cocktail at an army force. B'Tselem's investigation indicates that the soldiers opened fire while in pursuit, putting the boys' lives at unjustified risk. The shooting injured one of the boys in the leg. The other boy escaped. In the same incident, a passerby was fatally shot in the back by Israeli forces.
- [UN OCHA](#) reports that during the period 14 – 27 July, two children were among those injured during clashes triggered by search and arrest operations in the refugee camps of Balata (Nablus), Al Jalazun (Ramallah), Jenin and in Tulkarm City.

- [UN OCHA](#) reports that on 21 July 2020, two Palestinian boys (11 and 14-years-old) were burned and injured, one of them severely, after handling an object that fell from an Israeli aircraft, reportedly during military training, and ignited. The incident occurred in the Israeli-controlled area of Hebron city (H2) near the boys' home.
- [UN OCHA](#) reports that between 28 July – 10 August, 15 children were injured in clashes across the West Bank. The clashes occurred between Palestinian protesters and Israeli forces in Ramallah and Qalqiliya.
- As mentioned above in the fatalities section, [UN OCHA](#) reports that on 19 August, two children were shot with live ammunition and injured in an incident in which a 16-year-old was fatally shot. The two boys, 14 and 15-years-old, were shot in the lower body.
- [UN OCHA](#) reports that since 12 August when Palestinians launched incendiary balloons from Gaza into Israel, Israeli forces have targeted several open areas and military positions belonging to armed groups. These attacks have resulted in the injury of four Palestinian children.
- [UN OCHA](#) reports that between 11 – 24 August, one Israeli girl was injured as a result of stone-throwing by Palestinians at Israeli-plated vehicles driving on West Bank roads.
- [UN OCHA](#) reports that on 31 August, an eight-year-old and a 12-year-old were injured as explosive remnants of war (ERW) they handled detonated while they were collecting scrap metal near Khuza'a village (Khan Younis) in Gaza. Since the end of the last large-scale hostilities in Gaza in 2014, 19 Palestinians have been killed and 172 injured by ERW.

Article 3(2) of the UNCRC provides that states shall ensure children the protection and care necessary for their well-being. The excessive use of force by Israeli authorities against children in some of the above-cited incidents who were unarmed or otherwise not posing an imminent threat constitutes a serious violation of this important legal protection.

## **SETTLER VIOLENCE**

**Data collected by [UN OCHA](#) records that two Palestinian children were injured by Israeli settlers during the reporting period. No further details of these incidents are available.**

**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 July - 31 August, UN OCHA reports that Israeli forces conducted more than 531 search and arrest operations and arrested at least two Palestinian boys.**

As of 30 June 2020 (latest reporting date available) [Military Court Watch](#) documents 151 Palestinian children (12 – 17 years old) are detained in Israeli military detention facilities. Two of these children are held under [administrative detention](#), meaning they are being detained without charge or by order of an Israeli military commander, generally based on secret evidence. 122 of these children (81%) detained in Israeli military detention are held in prisons inside Israel, an increase of 23% in comparison to 2019 according to [Military Court Watch](#). It is a grave breach of international humanitarian law to transfer detainees outside of occupied territory.

Arrest and detention incidents in the reporting period include:

- [UN OCHA](#) reports that during the period 14 – 27 July, a 12-year-old Palestinian boy was physically assaulted and arrested by an undercover unit of Israeli forces during search and arrest operations in East Jerusalem.

- [DCIP](#) reports that Israeli forces detained a 15-year-old Palestinian boy at around 04:00 on 23 July from his home in Al Jalazoun refugee camp located north of the occupied West Bank city of Ramallah. The boy was transferred to Israel's Shikma prison, located in Ashkelon, Israel. The boy later tested positive for COVID-19. Despite testing positive, DCIP reports that Israeli authorities extended his detention for a further eight days since he has yet been interrogated. As of 6 August 2020, the boy was being held in custody at an Israeli police station and was expected to be transferred soon elsewhere for quarantine.

**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'. In addition, **Article 24(1) of the UNCRC** provides that states recognise children's right to the highest attainable standard of health, this includes taking appropriate measures to diminish infant and child mortality (Article 24(2)(a)) and combat disease (Article 24(2)(c)). Further, **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 and for the shortest appropriate period of time. The above-mentioned arrest and extended detention of a child who has tested positive for COVID-19, is deeply concerning and constitutes an apparent serious breach of Articles 3(1), Article 24, and 37(b) of the UNCRC.

*Please see our Further Reading section below for more information on the grave threat of the COVID-19 pandemic to Palestinian children in detention.*

## **INTERFERENCE AGAINST EDUCATION**

**Infringements on education in the reporting period of 1 July – 31 August include:**

- [UN OCHA](#) reports that in August, a school in Gaza was damaged when Israeli forces targeted several open areas and military positions belonging to armed groups in Gaza, in response to Palestinians having launched incendiary balloons and fired rockets from Gaza into Israel.

## **DEMOLITIONS & DISPLACEMENT**

Demolitions and displacement remain a matter of huge concern. **Data collected by [UN OCHA](#) records that 238 people, including 114 children (51 girls and 63 boys) have been displaced by the demolition of 160 structures during the reporting period.** Please refer to LPHR's



Demolitions and Displacement bulletin for information on incidents affecting children in July and August 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.

## **Further Reading**

### **COVID-19 threat to children in military detention**

As noted in this Child Rights Bulletin and all previous bulletins, a disturbingly high number of Palestinian children are held in Israeli military detention. This is especially concerning within the context of the current COVID-19 pandemic. [DCIP](#) reports that Palestinian children imprisoned by Israeli authorities live in close proximity to each other, often in compromised sanitary conditions, with limited access to resources to maintain minimum hygiene routines. These conditions are highly conducive to the spread of diseases like COVID-19.

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.”*

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.

### **Denial of healthcare outside Gaza is a “death sentence” to children, says Save the Children**

On 20 July 2020, [UNOCHA](#) reported that the cessation of the Palestinian Authority’s coordination with Israel, in response to Israel’s plan to annex larger parts of the West Bank, is already impacting medical referrals. According to UNOCHA, the suspension has affected humanitarian operations across the oPt, including preparedness and response to the COVID-19 pandemic. Since the beginning of June, the import of essential supplies by humanitarian agencies has also been disrupted.

On 29 July 2020, [Save the Children oPt](#) published a statement entitled, '***Denial of Healthcare Outside Gaza is a Death Sentence for Children***'. The report stated that children in Gaza are dying as they are denied urgent healthcare outside the Strip, and more will die if they are not treated soon. The ending of coordination between Israeli and Palestinian officials saw the already extremely limited ability of medical patients to leave Gaza for life-saving care further reduced. Save the Children oPt reported that there are “*currently more than fifty children with cancer across Gaza, fifteen of whom are in a grave condition and may not survive without receiving treatment soon. Neither chemotherapy nor radiology treatments are available due to Israeli restrictions on medication entering Gaza*”.

Save the Children oPt reports that following the cessation of coordination between Palestinian and Israeli authorities, the number of people applying to receive healthcare outside Gaza, a third of whom required cancer treatment, plummeted. In April there were “159 applications –



the lowest number recorded in over a decade”. Save the Children reports that [a third of applications were rejected](#) by Israeli authorities. *“In May, unsuccessful applications included a 7-year-old boy with immunodeficiency, who is at high-risk of complications from COVID-19. Twenty-eight other children did not receive permission to leave for treatment in May.”*

Save the Children oPt documented the experiences of children who are denied access to healthcare. A 12-year-old child with leukaemia has not been able to get treatment outside Gaza since the coordination lapsed. She said: *“[My illness] has affected me a lot, to the extent that I can’t walk on my leg. To the extent that I’ve prayed for it to be amputated. [Israel] should lift the blockade so we get good schools and good hospitals, so we can have treatment and nice places to play. So we can live like other children in the world.”*

On 26 June 2020, [Al-Haq, Palestinian Centre for Human Rights, Al Mezan Centre for Human Rights and Cairo Institute for Human Rights Studies](#) submitted a ‘Joint Urgent Appeal to the United Nations Special Procedures on the Denial of Access to Healthcare for Palestinian Patients from the Gaza Strip’. It highlights the cases of two Palestinian children (a nine-day-old and eight-month old child) who died in June after being denied access to the treatment they needed.

#### **Latest report of the UN Special Rapporteur, Professor Michael Lynk**

In his [report](#) to the 44<sup>th</sup> Session of the UN Human Rights Council, the Special Rapporteur included a section on Israel’s continued use of arbitrary detention, including administrative detention without charge. The Special Rapporteur referred to the latest report of the Special Representative of the Secretary-General on Children and Armed Conflict that reiterated his call upon Israel to uphold international juvenile justice standards and cease the use of administrative detention for children, end all forms of ill-treatment in detention, as well as cease any attempted recruitment of detained children as informants.

The report states that Israel’s use of administrative detention is in contravention of international legal obligations and continues to be a serious concern. This issue has been raised previously by the Human Rights Committee and the Committee against Torture who noted concerns in relation to the use of administrative detention, especially in cases involving children.

The Special Rapporteur states that recurrent reports of practices that may amount to ill-treatment and torture, including with regards to children, continued to be of serious concern.

The Special Rapporteur reported on the impact of the COVID-19 pandemic, stating that vulnerable groups, particularly Palestinian prisoners, including children, remain very exposed to infection with the virus. The report states that Israel, as the occupying power, remains primarily responsible for ensuring the right to health of Palestinians and ensuring that all preventive measures are utilized to combat the spread of the pandemic.

### **Unsafe and Inadequate Living Conditions for Palestinian Children**

The United Nations Development Programme (UNDP) had an article [published on UNOCHA](#) on 20 July 2020 which reported that *“Gaza’s two million people produce nearly 2,000 tons of waste a day”*. Its research shows that solid waste is a potential source of contagion. This accumulation of waste attracts *“stray dogs and cats, as well as rodents – all possible vectors of diseases, which has become an increasing safety concern, especially for children.”* UNDP cites a study carried out by the World Health Organization (WHO), which states that *“inadequately disposed or untreated waste may cause serious health problems for populations surrounding the area of disposal.”* UNDP also refer to research carried out in *“rural areas of the Hebron governorate in the West Bank identified a strong spatial association between burning sites for electrical and electronic waste (e.g. batteries, household appliances, computers) and the prevalence of childhood cancer lymphoma.”*

### **Palestinian children in detention have no right to regular phone calls**

On 24 July 2020, [DCIP](#) reported that Palestinian children in Israeli prisons and detention centres have no right to regular phone calls. Following a petition on this issue to Israel’s High Court of Justice filed by Israeli human rights group, [HaMoked](#), a temporary order was issued by the Israeli Prison Service on 2 April 2020 allowing Palestinian child detainees to talk with their families by phone for 10 minutes once every two weeks for the duration of the COVID-19 crisis. DCIP reports that despite the order, regular phone calls have not been granted.