



CHILD RIGHTS BULLETIN

(for the period 1 November – 31 December 2020)

Key incidents outlined in this LPHR's Child Rights Bulletin covering 1 November – 31 December 2020:

- A 15-year-old Palestinian boy, Ali Ayman Saleh Abu Alia, was shot and killed with live ammunition by Israeli forces on 4 December.
- A 17-year-old Palestinian boy, Mahmoud Omar Sadeq Kmail, from Qabatiya (Jenin) reportedly opened fire at a police post in the Old City of Jerusalem and was subsequently shot and killed by Israeli forces who chased him on 21 December.
- A 16-year-old Israeli boy was killed, along with four other settlers when their car crashed while being chased by Israeli police, east of Ramallah. UN OCHA reports that the Israeli authorities suspected them of stone throwing at Palestinian cars.
- Two 16-year-old boys were shot by Israeli forces with live ammunition in the chest during stone-throwing incidents and were hospitalised in intensive care units.
- A 16-year-old was hospitalised after suffering a fractured skull as a result of a rubber bullet to the head by Israeli forces. Another 16-year-old boy suffered a broken jaw when an Israeli soldier struck him in the face with a rifle stock when detained in a home.
- Two children, aged 14 and 16, were injured by explosive remnants of war (ERW) in Rafah and Deir al Balah (Gaza). Since the beginning of the year, two Palestinians, a child and an adult, have been killed, and eight others injured, including five children, by unexploded devices.
- Five Palestinian children were injured as a result of settler violence.
- Since the start of the 2020, LPHR Child Rights Bulletins have recorded that a total of 12 Palestinian children have been killed as a result of Israeli military and settler presence in the occupied Palestinian territory. [UN OCHA](#) reports that in 2020, nine Palestinian children were killed specifically by Israeli forces in Gaza and the West Bank.
- Since the start of 2020, at least 431 children have been injured by Israeli forces.

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**), Yesh Din, Military Court Watch, B'Tselem, Adameer and Save the Children.

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, including details of a new report by Israeli human rights organisations on military invasions of Palestinian homes; reporting by Military Court Watch on the use of blindfolds in arrest and detention; and reporting by Defence for Children International Palestine on the fatal impact of Gaza's electricity crisis.

LPHR gives special thanks to Elena Christaki-Hedrick, Georgia Guirguis, Maryam Shah, Jagna Olejniczak, Atul John and Heloisa Simao for their excellent work preparing this bulletin.

FATALITIES

Data collected by [UN OCHA](#) records that two Palestinian children were killed by Israeli forces during the reporting period of 1 November – 31 December 2020. An Israeli child also died in a car accident while being chased by Israeli police. Since the start of the 2020, LPHR Child Rights Bulletins have recorded that a total of 12 Palestinian children have been killed as a result of Israeli military and settler presence in the oPt. [UN OCHA](#) reports that in 2020, nine Palestinian children were killed specifically by Israeli forces in Gaza and the West Bank.

- [UN OCHA](#) reports that on 4 December 2020, Israeli forces shot and killed a 15-year-old Palestinian boy with live ammunition, near Al Mughayyir village (Ramallah), during clashes that erupted in a protest against the establishment of an illegal Israeli settlement outpost. [DCIP](#) reports that the boy, Ali Ayman Saleh Abu Alia, was shot with live ammunition in the abdomen while observing clashes between Israeli forces and Palestinian youth. Ali was reportedly not participating in clashes when he was shot, according to information collected by DCIP.



- [UN OCHA](#) reports that on 21 December 2020, a 17-year-old Palestinian boy from Qabatiya (Jenin) reportedly opened fire at a police post in the Old City of Jerusalem and was subsequently shot and killed by Israeli forces who chased him. [DCIP](#) reports that the boy, Mahmoud Omar Sadeq Kmail, was reportedly shot up to 10 times from an approximate distance of around 16 feet.
- [UN OCHA](#) reports that on 21 December 2020, a 16-year-old Israeli boy was killed, along with four other settlers when their car crashed while being chased by Israeli police, east of Ramallah. UN OCHA reports that the Israeli authorities suspected them of stone throwing at Palestinian cars.

Article 6(1) of the UNCRC provides that every child has the inherent right to life. The above-mentioned death of a child strongly suggests that Israel's authorities have seriously violated their legal duty under Article 6(1). Under international law, lethal application of force can only be used as a last resort when there is a direct and imminent threat to life or serious injury. The killing of a child who was reportedly an innocent bystander raises serious questions as to whether the Israeli military forces violated the right to life by using excessive lethal force when the child posed no imminent threat to life or serious injury. Violations of this legal requirement resulting in an unlawful extrajudicial killing 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 fatalities 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 at least 55 Palestinian children (one girl and 54 boys) were injured by Israeli forces during the reporting period. The injuries were caused by tear gas inhalation, rubber bullets, live ammunition, stone throwing, assault and other unspecified causes. UN OCHA reports that since the start of 2020, at least 431 children have been injured by Israeli forces.

Injury incidents from 1 November - 31 December 2020 include:

- [UN OCHA](#) reports that during the period 3 - 23 November, two children, aged 14 and 16, were injured by explosive remnants of war (ERW) in Rafah and Deir al Balah (Gaza). Since the beginning of the year, two Palestinians, a child and an adult, have been killed, and eight others injured, including five children, by unexploded devices.
- [UN OCHA](#) reports that during the period 27 - 29 November, Israeli forces severely injured three 16-year-old boys in four separate incidents across the West Bank. Two of the injured boys were shot with live ammunition in the chest during stone-throwing incidents on 28 and 29 November, next to Al Bireh and Silwad (Ramallah), and were hospitalised in intensive care units. The other boy was shot with a rubber bullet in the head on 27 November during the weekly demonstration against settlement expansion in Kafr Qaddum (Qalqiliya), and was hospitalized with a fractured skull.
- [DCIP](#) reports that in Arroub refugee camp in Hebron, at around 09:00 on 29 November, a 16-year-old child encountered Israeli forces firing tear gas and stun grenades. He sought shelter in a nearby house. An Israeli soldier followed him into the house and detained him. The boy sustained a broken jaw when an Israeli soldier struck him in the face with a rifle stock. The boy was also physically assaulted by at least three other Israeli soldiers for about 10 minutes. He was interrogated twice and not given medical assistance until around 03:00 on 30 November, when he was taken to hospital and underwent jaw surgery. Israeli forces shackled the boy's hands and feet while he was recovering in hospital; a [photo](#) of the boy shackled in his hospital bed has been published by DCIP.
- [UN OCHA](#) reports that during the period 8 - 21 December, 16 children were injured in multiple clashes with Israeli forces across the West Bank. The injuries occurred in



- Qalqiliya, Ramallah and Jenin. The injuries occurred from live ammunition, rubber bullets and inhaling tear gas.
- [UN OCHA](#) reports that on 26 December, a six-year-old Palestinian girl was injured following the shooting of two rockets towards Israel from Gaza.
 - [UN OCHA](#) reports that during the period 22 December – 4 January, 16 children were injured during clashes with Israeli forces in Ramallah, Hebron, Nablus, Jericho and Bethlehem.
 - Additional injuries are reported below in the Settler Violence section.

Article 3(2) of the UNCRC provides that states shall ensure children the protection and care necessary for their wellbeing. 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. Moreover, the lack of safety measures in place with regard to protecting children from explosive remnants of war suggests a level of neglect that amounts to a State violation. As the occupying power, **Article 3(2) of the UNCRC** requires Israel to take measures to ensure the level of protection that is necessary for Palestinian children’s wellbeing. This should include safety measures such as diffusing explosive remnants of war that lay near civilian areas used by children. Such safety measures were not taken on this occasion.

SETTLER VIOLENCE

Data collected by [UN OCHA](#) records that six Palestinian children were injured by Israeli settlers during the reporting period.

Settler-related injury incidents between 1 November- 31 December include:

- [UN OCHA](#) reports that in the period 3 - 23 November, a 10-year-old Palestinian was stoned and a 12-year-old Palestinian was physically assaulted, in separate incidents within the H2 area of Hebron

- [UN OCHA](#) reports that during the period 8 - 21 December, three children were injured by perpetrators believed to be Israeli settlers. UN OCHA reports that one of the injuries was sustained after Israeli settlers physically assaulted and forced Palestinian farmers out of their land in Susiya. A similar incident took place in Bethlehem, causing the injury of a boy and an elderly man. The other child injuries occurred in Hebron city, Beit 'Einun junction and Silwan (East Jerusalem) according to data collected by [UN OCHA](#).

Article 3(2) of the UNCRC provides that states should ensure the protection and care of children, as is necessary for their wellbeing. 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. Only 3% of investigations into complaints filed by Palestinians injured 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 November- 31 December, UN OCHA reports that Israeli forces conducted more than 595 search and arrest operations, arresting more than 530 Palestinians (including an unknown number of children).

As of 30 September 2020 (latest figures available) [Military Court Watch](#) documents 157 Palestinian children (12 – 17 years old) in Israeli military detention facilities. Two of these children are held under [administrative detention](#), meaning they are being detained without charge or trial based on secret evidence. Of the 157 detained children, 115 are held in prisons inside Israel. 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:



- [Military Court Watch](#) reports that on 14 November 2020, following a night raid on his family home, a 15-year-old boy was told to attend an Israeli police station, where he was arrested, detained and then released without charge five days later. The boy reports being physically assaulted during interrogation and interrogated twice without first consulting with a lawyer or being informed of his right to silence. The boy testified to MCW that his interrogator threatened to arrest the boy's family and revoke their work permits.

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'.

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 increase in the number of arrests of Palestinians (including an unknown amount of children) and the continuation of incidents where children are detained, interrogated and assaulted before being released without charge, suggests that both Article 3(1) and Article 37(b) are being breached.

INTERFERENCE AGAINST EDUCATION

Infringements on education in the reporting period of 1 November- 30 December include:

- [UN OCHA](#) reports that on 26 December, Israeli forces carried out a series of airstrikes in Gaza City, damaging two schools (as well as two factories, a hospital, a mosque, electricity towers and a water carrier). The airstrikes followed the shooting of two rockets towards Israel from Gaza, which were intercepted in the air and resulted in no Israeli casualties or damage. According to official Israeli sources, the airstrikes targeted an underground facility and a site used to manufacture rockets.

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.

DEMOLITIONS & DISPLACEMENT

Demolitions and displacement remain a matter of huge concern. **Data collected by [UN OCHA](#) records that 208 people, including 115 children (56 girls and 59 boys) have been displaced by the demolition of 245 structures during the reporting period.** Please refer to LPHR's [Demolitions and Displacement bulletin](#) for information on incidents affecting children in November and December 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)** entitles children to the protection of the law against such interference or attacks. Demolitions affect this right as it physically displaces children from their family homes without first giving them access to a legal system through which they could challenge such actions.

Further Reading

Exposing military invasions of Palestinian homes

In a joint report prepared by Yesh Din, Physicians for Human Rights Israel and Breaking the Silence that was published on 27 November, ["A Life Exposed"](#) reports on the widespread practice of military invasions of Palestinian homes in the West Bank. The report notes that, according to UN figures, home invasions occur more than 200 times a month in the oPt, mostly in the middle



of the night, with the purpose of conducting arrests, "mapping" homes, searching for money and weapons and/or for intelligence purposes.

Key points from the report are as follows:

- Invasions usually take place very late at night or very early in the morning. 88% of the recorded invasions began between midnight and 05:00.
- In 64% of the incidents documented by Yesh Din, family members stated that soldiers had invaded their home on at least one other occasion.
- 25% of invasions included the use of violence or physical force.

The testimonies produced by the report reveal that *"Soldiers involved in such invasions receive no special instructions on the treatment of minors and even when such instructions are given, they are not considered too important."*

Parents of 41 children ranging in age from infancy to 17-years-old were interviewed for the report. Nearly all *"spoke of behavioral or emotional changes in their children after the invasion of the family home."* The report alleges that recurring issues including sleep disruption, increased dependency on parents, withdrawal, and aggressive behaviour, are common amongst children following military invasions.

The testimonies and statistics highlighted in the report demonstrate the persistent failure by Israel's authorities to uphold its duties under the UNCRC. The report states, *"The fact that [Israeli] military law provides no protections for minors during their arrest, coupled with the way these arrests are carried out, results in violations of the minors' dignity and in repeated breaches of the special protections to which they are entitled under international law, and especially the CRC."*

Military Court Watch reports on the use of blindfolds in arrest and detention

[Military Court Watch](#) has provided an update on the use of blindfolds on children arrested by Israeli forces. Since 2013, Military Court Watch has been following developments in Israeli

authorities' treatment of Palestinian children in Israeli military detention. Following a 2013 report by UNICEF that concluded that Palestinian children's ill-treatment was "*widespread, systematic and institutionalized*," Israel's Ministry of Foreign Affairs stated that it would work to implement UNICEF's recommendations, including the prohibition on blindfolding or hooding children. One issue included in the report was the regular use of blindfolds leading UNICEF to recommend that "*the practice of blindfolding or hooding children should be prohibited in all circumstances.*"

Military Court Watch reports that the [standard operating procedures](#) for the use of blindfolds stipulate that: "*In every case, one has to consider whether there is a security need in covering the eyes of a detainee, and do so only if the commander of the force believes that this is necessary for the protection of the accompanying forces or to prevent the detainee from escaping.*" **There are no specific procedures relating to children.**

Military Court Watch reports that despite the 2013 recommendations and Israel's purported commitment to implementing them, UNICEF reported in 2015 that from 208 affidavits collected from children detained in 2013 and 2014, 78 percent continued to be blindfolded.

Military Court Watch alleges that the use of blindfolds on children is "*now more prevalent than it was in 2013. So far in 2020, 96 percent of children detained report being blindfolded. It is unclear from the evidence how blindfolding these children, who are already handcuffed and securely held in the back of a military vehicles or in military bases, enhances the protection of armed soldiers or reduces the likelihood of escape. However, the evidence does suggest that blindfolding children effectively "softens them up" for interrogation making it easier to obtain a confession.*"

One child reported, "*Five soldiers approached me and one of them hit me on my head. Then another soldier blindfolded me and tied my hands to the back with three plastic ties. He tightened them hard and they caused me a lot of pain. He also shackled my feet with metal shackles and took me to the back of a military where I sat on a seat*" (I.M.M.B – 16 years old).

The data and statements obtained by Military Court Watch provide further evidence that Israel is in ongoing breach of its obligations under Article 3(1) of the UNCRC which 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’.

DCIP reports on the fatal impact of Gaza’s electricity crisis

[DCIP](#) reports on the fatal dangers of Gaza’s electricity crisis. DCIP reports that on 1 September, three young Palestinian children from the same family died when their home caught on fire in the Gaza Strip. The three brothers from the al-Hazin family, five-year-old Yousef, four-year-old Mahmoud, and two-year-old Mohammad, lived in Nuseirat refugee camp, in the central Gaza Strip. In late summer, electricity was only available intermittently, about four hours per day. According to DCIP, the boys’ father Omar al-Hazin charges a battery each day to light their home. He was unable to charge the battery on 1 September, so he lit a candle and placed it beside a wood-framed window covered with a plastic screen.

DCIP reports that the three boys were asleep in the home around 8:15 p.m. when al-Hazin left to buy groceries at a store nearby. The children were alone at the time as their mother had left the home to stay with her father three days earlier. At the store, the boys’ father heard his neighbours calling out that his home was on fire. He rushed back to the house to find many of his neighbours attempting to extinguish the fire. Tragically, all three children died in the fire.

DCIP states, *“Tragic incidents like this that link back to Israel’s closure policy and an increasingly harsh human-made humanitarian crisis reverberate throughout the Gaza Strip and have a profound impact on children.”*

DCIP adds that the COVID-19 pandemic and subsequent quarantine measures introduced by the Hamas de facto government in the Gaza Strip means that children are forced to study at home, often without electricity meaning they cannot access online classes.

A child reported to DCIP that on August 13, Israeli authorities banned the entry of fuel, causing Gaza’s power plant to close on August 18. The child states, *“Last August, it was so hot that I felt I was choking, and we could not turn on the fan because electricity was cut off.”*

14 year old Yamen said to DCIP, “*Electricity controls all aspects of our lives*” adding that most of his family’s problems would be resolved if the electricity crisis ended.

Israeli authorities limit and prevent essential goods and resources from reaching the 2 million Palestinians living in Gaza, where around 41 percent of inhabitants are aged between 0 and 14 years old, according to the Palestinian Central Bureau of Statistics. DCIP says, “*Israel’s closure policy restricts imports into the small coastal enclave and has prevented sufficient fuel necessary for it to operate at full capacity. Consequently, Gaza’s population had struggled to access a steady supply of electricity long before Israel’s 2014 bombing of Gaza’s power plant.*”

DCIP states that Israel’s closure policy toward the Gaza Strip amounts to [collective punishment](#) against the civilian population, which encompasses restrictions on fuel imports and cuts to electricity. The closure policy is incompatible with international humanitarian and human rights law and results in serious infringements of Israel’s obligations under **Article 28 of the UNCRC**, which stipulates that education should be accessible to all children on the basis of equal opportunity, and **Article 3(2) of the UNCRC**, which provides that states shall ensure children the protection and care necessary for their wellbeing.

LPHR's Q&A on the ongoing closure of Gaza can be read [here](#). LPHR's Q&A and blog on the ongoing electricity crisis in Gaza can be read [here](#) and [here](#) respectively.