



CHILD RIGHTS BULLETIN

(for the period 1 January – 28 February 2021)

Key incidents outlined in this LPHR's Child Rights Bulletin covering 1 January – 28 February 2021:

- A 17-year-old Palestinian boy, Attallah Mohammad Harb Rayan, was shot and killed by an Israeli soldier in what Israeli sources allege was an attempted stabbing.
- An Israeli interrogator allegedly violently sexually assaulted a 15-year-old boy in Israeli custody during interrogation at a Jerusalem detention facility.
- A 17-year-old Palestinian boy with a rare autoimmune disease remains in military detention without charge.
- Israeli forces targeted the community of Khirbet Humsah al-Foqa five times during the reporting period for demolitions and confiscation, repeatedly displacing dozens of children.

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 and Addameer.

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.

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FATALITIES

Data collected by [UN OCHA](#) records that one Palestinian child was killed by Israeli forces during the reporting period of 1 January – 28 February 2021.

- [UN OCHA](#) reports that on 26 January, a 17-year-old Palestinian boy was shot and killed after he, according to Israeli sources, tried to stab an Israeli soldier near the Israeli settlement of Ariel (in Salfit, in the central West Bank). Palestinian media maintains it was not a stabbing attempt, while Israeli media outlets indicate that the soldier had to be treated for light injuries. [DCIP](#) reports that the boy was Attallah Mohammad Harb Rayan.

Article 6(1) of the UNCRC provides that every child has the inherent right to life. 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. Violations of this legal requirement resulting in an unlawful extrajudicial killing should entail individual criminal responsibility. The circumstances of the above-mentioned shooting of the child are unclear and require investigation. Indeed, 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 24 Palestinian children were injured by Israeli forces during the reporting period. These injuries were caused by tear gas inhalation, rubber bullets, live ammunition and physical assault. In addition, 19 children were injured by an explosion in a house in Gaza and one child was injured by unexploded ordnance in the West Bank. Three Israeli children were injured during the reporting period in incidents of stone throwing at vehicles.



Injury incidents from 1 January – 28 February 2021 include:

- [UN OCHA](#) reports that during the period 5 – 18 January, 79 people, including 14 children, were injured across the West Bank in clashes with Israeli forces. The majority of injuries were sustained during protests against the establishment of two Israeli settlement outposts near Al Mughayyir and Deir Jarir villages (Ramallah).
- [DCIP](#) reports that on 13 January, an Israeli interrogator allegedly physically and sexually assaulted a 15-year-old boy in Israeli custody during interrogation at a Jerusalem detention facility. Additional information is reported below in the Arrests and Detention section.
- [UN OCHA](#) reports that in January, a 17-year-old boy sustained critical injuries in the Hebron governorate when unexploded ordnance he was handling exploded. The incident took place while the boy was herding his livestock near Mirkez, in an area that the Israeli authorities designated for military training.
- [UN OCHA](#) reports that on 23 January, 19 children were injured as a result of an explosion in a house in Beit Hanoun town in Gaza. The house reportedly belonged to a member of a Palestinian armed group and was being used to store explosives.
- [UN OCHA](#) reports that during the period 16 – 28 February, a 16-year-old boy was shot by Israeli forces with live ammunition, reportedly while walking near the barrier in Saffa village (Ramallah).
- [UN OCHA](#) reports that during the period 16 - 28 February, a child was physically assaulted by Israeli forces in Jericho.
- [UN OCHA](#) reports that during the reporting period, three Israeli children were injured were injured by perpetrators believed to be Palestinians in incidents involving stone throwing at Israeli-plated vehicles travelling on West Bank roads.
- 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 well-being. The reported shooting of child in Saffa and the assault of a child in Jericho, prima facie violates both the letter and the spirit of Article 3(2).

Article 3(2) should be read with **Article 3(1)**, which provides that “in taking appropriate legislative and administrative measures States Parties must place the best interests of the child as a primary consideration”. Even assuming that the use of the force by the police during the above-mentioned protests against settlements was an ‘appropriate measure’, it failed to recognise the potential presence of children and apply sufficient protection. The same applies to the explosion in a house in Beit Hanoun. Palestinian armed groups must take measures to protect civilians including not storing explosive weapons in densely populated civilian areas. The Palestinian armed group’s failure to protect children constitutes an apparent grave violation of Article 3(2) of the UNCRC.

Equally, the lack of safety measures in place with regard to protecting children from unexploded ordnance in an area whether shepherds herd livestock in the West Bank suggests a level of neglect that amounts to a State violation under Article 3(1) and Article 3(2) of the UNCRC.

SETTLER VIOLENCE

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

Settler-related injury incidents between 1 January – 28 February include:

- Data collected by [UN OCHA](#) records that on 2 January, a boy was physically assaulted by one or more Israeli settlers in Silwan, East Jerusalem.
- [UN OCHA](#) reports that in the period 5 – 18 January, an 11-year-old girl was stoned and injured near her house in Nablus by perpetrators known or believed to be Israeli settlers.
- [B’Tselem](#) reports that a five-year-old Palestinian child was injured by settlers throwing stones on the Givat Assaf intersection on 21 January 2021.



- [UN OCHA](#) reports that in the period 2 – 15 February, a 13-year-old boy was physically assaulted in the Israeli-controlled area of Hebron city (H2) by perpetrators known or believed to be Israeli settlers.
- [UN OCHA](#) reports that in the period 16 – 28 February, perpetrators known or believed to be Israeli settlers injured a 17-year-old Palestinian boy. The boy was stoned and injured in Sheikh Jarrah (East Jerusalem), reportedly by Israelis gathering to celebrate Purim.

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.

LPHR's recent blog on an upsurge of settler violence can be read [here](#).

ARRESTS AND DETENTION

Between 1 January 2021- 1 March 2021, UN OCHA reports that Israeli forces conducted 690 search and arrest operations in the West Bank, arresting 664 Palestinians (including an unknown number of children).

As of 30 September 2020 (latest Israeli Prison Service figures available) [Military Court Watch](#) documents 157 Palestinian children (12 – 17 years old) in Israeli military detention facilities.

[DCIP](#) reports that three 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:

- DCIP reports that on 13 January, an Israeli interrogator allegedly sexually assaulted a 15-year-old boy in Israeli custody during interrogation at a Jerusalem detention facility. The 15-year-old boy was detained by Israeli paramilitary border police forces from his home in East Jerusalem around 05:00 on 13 January 2021. Israeli forces transferred him to Al-Mascobiyya interrogation and detention center in West Jerusalem where he was bound, blindfolded and detained in an interrogation room. An individual accused the boy of throwing stones and Molotov cocktails and then allegedly subjected him to physical and sexual violence amounting to torture, according to documentation collected by DCIP. The boy was released on 17 January pending another court session at a later date. *Please see our Further Reading section below for more information about this incident.*
- [DCIP](#) reports that on 25 January, Israeli authorities issued a six-month administrative detention order against a 17-year-old Palestinian boy with a rare autoimmune disease, extending his detention without charge, despite the boy's reported need for constant medical supervision. The 17-year-old was arrested in the middle of the night from his home on 21 January. The boy is detained at Israel's Megiddo prison, located inside Israel. The boy suffers from myasthenia gravis, a rare chronic autoimmune, neuromuscular disease that causes muscle weakness, including in the muscles used for breathing and swallowing. His treatment requires ongoing medical treatment and that he takes medication regularly and without interruption. *Please see our Further Reading section below for more information about the use of administrative detention against Palestinian children.*
- [DCIP](#) reports that Israeli forces detained an eight-year-old and a 10-year-old in late February, as they played in the front of their house in the occupied West Bank. Israeli forces approached the brothers, at around 16:30 on 21 February, while they were riding bicycles near their home in Hizma, a town northeast of Jerusalem. Israeli forces detained the boys until 22:30, during which time one of the boys was hit with the stock



of a rifle and both were verbally abused. Both boys had their hands tied behind their backs and were denied drinking water and access to a bathroom. A family member who tried to intervene was reportedly beaten by Israeli soldiers.

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 above-mentioned arbitrary detention of children below the age of criminal responsibility and the continuation of incidents where children are detained, interrogated and allegedly violently assaulted before being released, suggests that both Article 3(1) and Article 37(b) are being breached.

The ongoing administrative detention of a 17-year-old with a rare autoimmune disease also constitutes an apparent serious violation of Articles 3(1) and 37(b) of the UNCRC. As [DCIP](#) reports, the child is at increased risk of worse outcomes if infected by COVID-19. In addition, it is unclear whether the child is receiving the medical care he needs and in particular, whether he is given access to regular medication that is required to control his autoimmune disease. Under Article 76 of the Fourth Geneva Convention, it is illegal for the occupying power to imprison detainees inside Israel. Israel’s detention of the boy inside Israel, appears a clear breach of Article 76.

INTERFERENCE AGAINST EDUCATION

Infringements on education in the reporting period of 1 January- 28 February include:

- [UN OCHA](#) reports that three schools were damaged as a result of the explosion in a house in Beit Hanoun town in Gaza, mentioned above in the Injuries Section.

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 374 people, including 204 children (92 girls and 112 boys) have been displaced by the demolition of 231 structures during the reporting period.**

Incidents of demolitions and displacement during the reporting period include:

- [B'Tselem](#) reports that on 4 January, Israeli forces demolished a concrete home that was home to a family of seven, including five children, in the community of KHALLET TAHA (near the town of Deir Samit, east of Hebron).
- [B'Tselem](#) reports that on 24 January, Israeli forces delivered a demolition order for two pre-fabs owned by two families numbering 10 people in total, including six children, in the community of Khirbet Yarza in the northern Jordan Valley.
- [B'Tselem](#) reports that on 24 January, Israeli forces delivered stop work orders for a tent used by a family of four, including two children, as a residence, and three more of the family's tents, one used as a kitchen and the other two as livestock enclosures, in the community of 'Ein al-Meyteh.
- [B'Tselem](#) reports that on 26 January Khirbet al-Malih, where they dismantled and confiscated a tent that was the bedroom of five minors from a family of 15 people, and another shack the family used as a livestock enclosure and animal feed storeroom.
- [B'Tselem](#) reports that on 28 January, Israeli forces dismantled and confiscated three tents that were home to two families of 13 in total, including five children, in the community of Wadi al-Ahmar in the northern Jordan Valley. They also dismantled and confiscated 12 feeding and watering troughs, shade sails and five tents used as livestock enclosures, and demolished the fences of livestock pens. Some of the tents were donated to the two families by humanitarian aid organizations after residential and livestock tents were demolished on 2 July 2020. A JCB 3CX heavy machinery vehicle is shown on video to be materially used at the demolition scene.
- [B'Tselem](#) reports that on 1 February, Israeli forces confiscated most of the residential structures and livestock pens in the community of Khirbet Humsah, after the community



had been demolished on 3 November 2020. Thirteen tents that were home to 11 families, numbering 74 members, including 41 minors, were demolished and confiscated. Also five shacks, one not yet built, and eight tents, all used for livestock, were demolished and confiscated. According to community residents, Civil Administration personnel arrived in the morning, before the confiscation began, and ordered them to relocate to the area of 'Ein Shibli, west of the al-Hamrah Checkpoint. The forces then dismantled their tents and possessions and transferred them to the checkpoint, notifying the residents that they could get them back if they undertook to relocate to the designated site. After the residents refused to comply, the equipment was confiscated and put in Civil Administration storage. According to B'Tselem, to cover up the attempted forcible transfer, military spokesmen tried to create the impression that the residents had “voluntarily agreed” to leave the area after “dialogue.”

- Two days later in Khirbet Humsa, [B'Tselem](#) reports that seven residential tents that served nine families, numbering 61 people, including 33 minors, five tents and two shacks that served as livestock enclosures, and three livestock pens. The forces also confiscated four portable toilets, three dismantled tents, and demolished two portable toilets and two tents that served as Tabun ovens.
- [B'Tselem](#) reports that on 8 February, Israeli forces demolished two donor funded prefabs that served as the home of two families numbering 11 people, including seven minors, in the community of Khirbet Yarza, in the northern Jordan Valley. The homes of these families were previously demolished in September 2020. A JCB 3CX heavy machinery vehicle is shown on video to be materially used at the demolition scene.
- [B'Tselem](#) reports that on 10 February Israeli forces confiscated a tent that was home to a family of six, including four minors, in Khirbet Susiya.
- [B'Tselem](#) reports that on 22 February, Israeli forces dismantled and confiscated 12 tents that housed 74 people, including 41 children, in Khirbet Humsah al-Foqa, in the northern Jordan Valley. The forces also confiscated four water tank trailers and an additional four plastic water tanks. This was the fifth time Israeli forces had targeted the

community for attempted forcible transfer during the reporting period and since the community's demolition on 3 November 2020. On 16 February, whilst diplomats from France, the UK and Poland visited with equipment donated by the West Bank Protection Consortium, Israeli forces confiscated tents. On 8 February, Israeli forces dismantled nine tents serving as the homes of 61 people, including 33 children. The tents had been donated to the community by the Red Cross. On 3 February, Israeli forces demolished seven residential tents that served nine families, displacing 33 children. On 1 February, Israeli forces confiscated most of the residential structures and livestock pens in the community of Khirbet Humsah.

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

Child reports being subjected to violent sexual abuse in Israeli detention

LPHR is particularly alarmed by DCIP's report that a 15-year-old boy was sexually assaulted by an Israeli interrogator while in custody. DCIP reports that the boy was detained by Israeli paramilitary border police forces from his home at around 00:05 on 13 January in the occupied



East Jerusalem neighbourhood of Issawiya. He was then transferred to an interrogation and detention centre in West Jerusalem where he was bound and blindfolded. DCIP reports that *“An individual accused him of throwing stones and Molotov cocktails and then allegedly subjected the boy to physical and sexual violence amounting to torture.”*

Upon arrival at Al-Mascobiyya interrogation and detention center, in West Jerusalem, the boy was forced to sit in a hallway bound and blindfolded where he was subject to physical violence by those passing by, according to documentation collected by DCIP. The boy reports:

“Every two to three minutes, someone would come by and slap, push, punch, or kick me.”

The boy was eventually brought into an interrogation room, where he was kicked, punched and shouted at. The boy reports:

“Whenever I told him I did not do anything, he would beat me harder. He threatened to shock me with electricity, but I told him I did not do anything.”

The boy alleges that he was knocked to the floor while blindfolded and raped him with an object. His interrogator threatened that the sexual violence would continue unless he confessed to the allegations against him. The boy was then made to stand against a wall, where the individual inflicted extreme pain on his genitals. The boy was threatened again, before being transferred to another room where he met with a lawyer for about five minutes. Then, he was taken to a room where a man in civilian clothing introduced himself as an Israeli interrogator. The boy was interrogated for almost four hours, during which he experienced verbal abuse and was forced to sign papers written in Hebrew, the contents of which he did not understand.

The alleged serious sexual abuse of the child by an Israeli interrogator must be properly investigated by Israeli authorities in accordance with domestic and international legal obligations, and the alleged perpetrator must be brought to justice if the boy’s report is substantiated.

The arbitrary detention of children under the age of criminal responsibility

As mentioned above and reported by [DCIP](#), two children under the age of twelve, the age of criminal responsibility, were detained by Israeli forces during the reporting period. That the children were released hours after being detained suggests that their detention was arbitrary. Young Palestinian children are routinely detained by Israeli forces in an arbitrary manner in violation of both Israeli law and international law, reports DCIP.

The eight and ten-year-old detained in the above-mentioned incident report being frightened during the detention and traumatised afterwards. DCIP reports that the tactic of detaining young children is meant to intimidate and control Palestinian populations living under Israeli military occupation. A further incident of Israeli forces arresting young children in March 2021 can be seen in a [video](#), published by B'Tselem, which appears to document the arrest of five young children reportedly arrested while picking vegetables.

Children held under administrative detention

[DCIP](#) reports that Palestinian children held under administrative detention orders are not presented with charges, and their detention is based on secret evidence that is not disclosed to the child or their lawyer, preventing them from preparing a legal challenge to the detention and its alleged basis. Military court judges, who are active duty or reserve officers in the Israeli army, have the authority to approve administrative detention orders lasting up to six months. There is no limit to the number of times an administrative detention order can be renewed. As a result, children held in administrative detention face the added uncertainty of indefinite imprisonment, in addition to the ordinary struggles child prisoners face.

Between 2012-2014, Israeli authorities briefly suspended the practice of detaining Palestinian children under administrative detention orders. However, since October 2015, DCIP has documented a total of 37 Palestinian children held by Israeli authorities pursuant to administrative detention orders. An average of two Palestinian children are held under administrative detention orders each month, according to Israel Prison Service (IPS) data. In addition to the child with a rare autoimmune disease, two other 17-year-old Palestinian boys are currently detained by Israeli authorities under administrative detention orders, according to information collected by DCIP.