



CHILD RIGHTS BULLETIN

(for the period 1 September – 15 November 2021)

Key incidents outlined in this LPHR Child Rights Bulletin covering 1 September – 15 November 2021:

- Three children died after being shot by Israeli forces in the occupied West Bank
- A three-year-old child suffered a skull fracture after being hit with a stone during a settler attack
- 29 children were displaced by the demolition of their homes in the West Bank.
- A JCB heavy machinery vehicle is shown on [video](#) to be materially used in the dismantling and confiscation of residential tents intended to house 13 children. Please see [LPHR's public statement](#) dated 12 November 2021 on the important outcome of its OECD complaint against JCB.

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 (**MCW**) 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.

LPHR gives special thanks to Mireia Font Criach for her excellent work preparing this bulletin.

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FATALITIES

Data collected by [UN OCHA](#) records that Israeli forces shot and killed three Palestinian children during the reporting period of 1 September – 15 November 2021. This brings the total number of Palestinian child fatalities reported in LPHR Child Rights Bulletins in 2021 to **88**.

- [UN OCHA](#) reports that on 26 September, a 16-year-old boy was shot and killed in Birqin Village (Jenin). The shooting occurred during exchanges of fire between Palestinians and Israeli forces in the context of Israeli search-and-arrest operations in the village. [DCIP](#) reports that after Israeli forces began raiding Birqin village at 03:00, armed clashes ensued between Israeli soldiers and Palestinian gunmen. Hours later, Yousef Mohammad Fathi Odeh reportedly picked up a firearm and fired at an Israeli military vehicle. An Israeli sniper shot him multiple times. [DCIP](#) reports that an Israeli military vehicle ran over the boy's body, which was confiscated and has yet to be returned to the boy's family.
- [UN OCHA](#) reports that on 14 October, Israeli forces shot and killed a 14-year-old Palestinian boy during an incident in which Israeli forces also shot and injured another 14-year-old boy. According to testimony collected by [DCIP](#), Amjad Osama Jalal Abu Sultan was shot three times by Israeli forces after he lit a Molotov cocktail in Beit Jala, west of Bethlehem. Israeli forces confiscated Amjad's body after the killing and have not released it to his family.
- [DCIP](#) reports that on 5 November, Israeli forces shot and killed a 15-year-old Palestinian boy in Deir Al-Hatab village, in the northern occupied West Bank, during confrontations between Israeli soldiers and Palestinian youth. Mohammad Amjad Salem Da'das was shot in the abdomen by Israeli forces, dying around an hour later. Protests against an Israeli settlement built on Deir Al-Hatab village's lands are frequent in the area.

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. Israeli forces have been documented to consistently apply lethal application of force where there is lack of evidence to suggest any direct and imminent threat to life. Violations of this legal requirement resulting in an unlawful extrajudicial killing should entail individual criminal responsibility. Indeed, part of providing meaningful protection under the UNCRC involves investigation of, and accountability for, child deaths caused by unlawful application of force. 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 fatal shootings and ensure legal accountability and justice is delivered where there is criminal wrongdoing. However, there is strong evidence indicating that Israel is systemically failing to provide genuine accountability for child deaths, with data collected by the Israeli human rights organisations, [B'Tselem](#) and [Yesh Din](#), clearly demonstrating that Israeli soldiers who harm or kill Palestinians are very rarely indicted.

Israel's policy of withholding bodies of Palestinians, including children, who have been killed by Israeli forces, amounts to collective punishment against families, which is prohibited under international humanitarian law and a war crime under the Fourth Geneva Convention. It also amounts to cruel, inhuman, or degrading treatment or punishment of the families of the deceased, a violation of international human rights law, including Article 7 of the International Covenant on Civil and Political Rights, because of the mental distress it is inflicting on the family.

INJURIES

Data collected by [UN OCHA](#) records that at least 139 Palestinian children were injured by Israeli forces during the reporting period. These injuries were caused by tear gas inhalation, rubber bullets, live ammunition, physical assault, tear gas canisters and other unspecified weapons. So far in 2021, 1477 children have been injured by Israeli forces (295 girls and 1182 boys).

Injury incidents from 1 September – 15 November 2021 include:

- [UN OCHA](#) reports that during the fortnight of 7-20 September, Israeli forces injured 568 Palestinians, including 73 children, across the West Bank. The majority were injured during protests against settlement activities in Nablus.
- [UN OCHA](#) reports that on 13 September, a 17-year-old Palestinian boy was shot by an Israeli policeman and admitted to hospital in critical condition after he stabbed two Israeli civilians in West Jerusalem.

- [UN OCHA](#) reports that in September, an Israeli child was injured while running to a shelter after Palestinian armed groups fired rockets at Israel from Gaza on four occasions.
- 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 hundreds of children injured by Israeli forces 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 Israeli forces during the above-mentioned protests against settlements was an ‘appropriate measure’, it failed to recognise the potential presence of children and accordingly apply sufficient protection.

SETTLER VIOLENCE

Settler violence directed at Palestinians continued during the reporting period. Data collected by [UN OCHA](#) records that seven Palestinian children were injured by Israeli settlers during the reporting period. At least 31 children have been injured by Israeli settlers in 2021.

Settler-related injury incidents between 1 September – 15 November include:

- [UN OCHA](#) reports that in September, Israeli settlers physically assaulted a sixteen-year-old Palestinian boy in the H2 area of Hebron.
- [B'Tselem](#) reports on 28 September, about 10 masked settlers, some armed with clubs and one with a knife, attacked residents of Khirbet al-Mufaqarah (Massafer Yatta), before stoning homes in the village. A three-year-old boy was hit in the head with a stone and suffered a fracture to his skull. Two other three-year-olds were injured in the incident.
- [UN OCHA](#) reports that in October, in Hebron, a boy was pepper-sprayed and a seven-year-old girl fell down and injured herself while being chased by settlers.



Article 3(2) of the UNCRC provides that states should ensure the protection and care of children, as is necessary for their wellbeing. The ongoing violent attacks on children by Israeli settlers strongly indicates that Israel is in breach of Article 3(2). 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. Moreover, only 3% of the 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 September 2021- 15 November 2021, UN OCHA reports that Israeli forces conducted over 417 search and arrest operations in the West Bank, arresting 530 Palestinians (including an unknown number of children). Search and arrest operations regularly see soldiers raiding family homes, often at night, causing terror and disruption. [MCW](#) reports that the majority of detained children continue to be arrested from their homes in the middle of the night. As of 30 September 2021 (latest Israeli Prison Service figures available) [Military Court Watch](#) documents that 159 Palestinian children (12 – 17 years old) are held in Israeli military detention facilities.

Six children are held under administrative detention, meaning they are being detained without charge or trial based on secret evidence.

The majority of child detainees were forcibly transferred to and or unlawfully detained inside Israel. It is a grave breach of international humanitarian law to transfer detainees outside of

occupied territory. [MCW](#) reports that in 2021, 70% of children report experiencing some form of physical abuse following their arrest. Reported violence includes: punching, kicking, slapping, being put in a stress position and struck with objects such as guns.

Arrest and detention incidents in the reporting period include:

- [MCW](#) reports that on 1 September, the Israeli High Court confirmed that Israeli soldiers can enter Palestinian homes in the West Bank without a warrant, whereas a warrant is required to enter the homes of Israeli settlers in the West Bank.
- [B'Tselem](#) reports that on 3 September 2021, at around 20:00, eight soldiers entered the residential building of the extended Da'na family in Hebron, on the pretext of searching for children who had thrown stones at a nearby road. The soldiers ordered the occupants to bring their children to the balcony so they could photograph them. The parents began gathering their children, some of whom were sleeping. Three of the soldiers entered two of the apartments and wandered among the rooms. Other soldiers remained on the balcony, where the children began to gather. At the same time, some soldiers went up to the building's rooftop and detained several young men, aged 15 to 25, preventing the family members from documenting the incident. After photographing the line-up of school-aged children, the soldiers left the building. B'Tselem notes, "This footage illustrates how the routine of Palestinian subjects living under the occupation is disturbed arbitrarily and how easily soldiers violate their rights. It seems that for the military, all Palestinians, including school-age children, are potential offenders."
- [B'Tselem](#) reports that on 13 September, two children were apparently arbitrarily shot at, arrested, detained and severely abused by Israeli soldiers and interrogators. The boys, a 13-year-old and a 15-year-old, were detained for 24-hours before being released. The boys were playing on their family's land in the village of Ni'lin. After firing shots at the boys, soldiers handcuffed them, punched them, kicked them all over their bodies and swore at them. The boys were taken to a military facility near the Ni'lin Checkpoint. They were interrogated separately and required to sign documents in Hebrew. They were then forced to wait outside, blindfolded. At 01:00, they were handcuffed and taken to a military camp, where they were put in a freezing room and given wet mattresses. At around 17:00, they were taken handcuffed and blindfolded to a hospital, where they were examined. In a room in the hospital, a police officer held a



video call on his phone with the military court at Ofer Prison. That was the first time the boys saw their lawyer, who translated the proceedings for them. After a hearing that lasted less than 10 minutes, the judge announced that they would each be released on bail.

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 apparent arbitrary arrest of two children and the continuation of incidents where children are detained, interrogated, allegedly threatened with violence and or assaulted before being released, suggests that both Article 3(1) and Article 37(b) are being breached.

Under Article 76 of the Fourth Geneva Convention, it is illegal for the occupying power to imprison detainees inside its own territory. Israel’s continued detention of Palestinian children from the West Bank inside Israel appears a clear breach of Article 76, which amounts to a war crime under international law.

INTERFERENCE AGAINST EDUCATION

Infringements on education in the reporting period of 1 September- 15 November include:

- UN OCHA reports that on 1 September, Israeli forces raided a school in the Wadi Al Joz neighbourhood of East Jerusalem, detained the school principal and an employee, and seized a number of computers and files.
- UN OCHA reports that in September, over 55 teachers and pupils were teargassed in six schools by Israeli forces. In the H2 area of Hebron, Palestinian students reportedly threw stones at Israeli forces and the latter shot tear gas canisters at a nearby school compound; six students and 46 teachers were treated for tear gas inhalation and the three schools were evacuated due to the intensity of the gas.

- [UN OCHA](#) reports that in an additional incident in September, Israeli forces fired tear gas canisters into a school in Anata town (Jerusalem). Two girls and one teacher were taken to hospital, and classes were suspended for the remainder of the day, affecting over 500 pupils.
- [UN OCHA](#) reports that at the end of October, about 50 pupils were affected when parts of their school, which had been constructed with international funding, was confiscated in Hammamat al Maleh community (Tubas).

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. The abovementioned interferences with education appear to breach both the spirit and the letter of Article 28.

DEMOLITIONS & DISPLACEMENT

Demolitions and displacement remain a matter of huge concern. **Data collected by [UN OCHA](#) records that 58 people, including 29 children (15 girls and 14 boys) have been displaced by the demolition of 12 residential structures, taking the number of children displaced by demolitions in the West Bank in 2021 to 571. Altogether during the reporting period, 107 structures were demolished.**

Incidents of demolitions and displacement during the reporting period include:

- [B'Tselem](#) reports that on 25 October, Israeli forces destroyed a main water line that was serving most of the communities in Massafer Yatta, in the South Hebron Hills. Communities in Massafer Yatta have repeatedly had their water lines destroyed by Israeli forces. A JCB heavy machinery vehicle is shown on video to be materially used at the scene of the destruction of the water line. Please see [LPHR's public statement](#) dated 12 November 2021 on the important outcome of its OECD complaint against JCB.
- [B'Tselem](#) reports that on 1 November, in the community of 'Ein al-Meyteh (northern Jordan Valley) Israeli forces demolished three residential tents that were home to a family of nine, including seven children.



- [B'Tselem](#) reports that on 3 November, in the community of al-Jawaya (South Hebron Hills) Israeli forces demolished the home of a family of 15, including seven children.
- [B'Tselem](#) reports that on 7 November, in Khirbet Um al-Jamal in the northern Jordan Valley, Israeli forces dismantled and confiscated four residential tents intended to house an extended family of 19, including 13 children, and equipment for the construction of three livestock enclosures belonging to the same family. A JCB heavy machinery vehicle is shown on video to be materially used at the scene. Please see [LPHR's public statement](#) dated 12 November 2021 on the important outcome of its OECD complaint against JCB.

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 and the destruction of water pipelines, 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

Palestinian children continue to be maltreated during arrest and detention.

[MCW](#) reports that it has taken its 900th testimony from a child detained by the Israeli military in the West Bank. MCW reports that these testimonies, collected between 2013 and 2021, confirm UNICEF's 2013 [conclusion](#) that "*the ill-treatment of children who come in contact with the [Israeli] military detention system appears to be widespread, systematic and institutionalized throughout the process.*" In [DCIP](#)'s recently released short documentary, 'Caging Childhood: Palestinian Children in Israel's Military Detention System', three Palestinian children discuss their experience of being detained, interrogated, prosecuted, and imprisoned in Israeli military detention.