



## CHILD RIGHTS BULLETIN

(for the period 16 November 2021 – 10 January 2022)

### Key incidents outlined in this LPHR Child Rights Bulletin covering 16 November – 10 January 2022:

- Two children died from fatal shot wounds, bringing the total number of Palestinian children shot and killed by Israeli forces or civilians in the occupied West Bank, including East Jerusalem, during 2021 to 17.
- A seven-year-old boy was filmed on video being detained by Israeli soldiers on the pretext that he had thrown stones at soldiers.
- 90 children were displaced by the demolition of their homes in the occupied West Bank, including East Jerusalem. JCB heavy machinery vehicles are documented on video by B'Tselem in two of these demolition incidents impacting children. Please see [LPHR's public statement](#) dated 12 November 2021 on the important outcome of its OECD complaint against JCB.
- The total number of Palestinian child fatalities in the occupied Palestinian territory, including the West Bank, East Jerusalem and Gaza Strip, reported in LPHR Child Rights Bulletins in 2021 is 90, making 2021 the deadliest year on record for Palestinian children since 2014.

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.

For all our previous bulletins, please visit the [Children's Rights Project](#) page of LPHR's website.

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## **FATALITIES**

**Data collected by [UN OCHA](#) records that an Israeli armed civilian and a private security guard shot and killed two Palestinian children in the occupied West Bank, including East Jerusalem, during the reporting period of 16 November – 10 January 2022. This brings the total number of Palestinian child fatalities reported in LPHR Child Rights Bulletins in 2021 to 90, making 2021 the deadliest year on record for Palestinian children since 2014.**

- [DCIP](#) reports that on 17 November, 16-year-old Omar Ibrahim Ayoub Abu Assab was shot and killed after he allegedly stabbed and injured two Israeli paramilitary border police officers in occupied East Jerusalem. An armed Israeli civilian shot Omar multiple times as he seemingly struggled with an Israeli border police officer, according to DCIP's investigation. Eyewitnesses told DCIP that the armed civilian fired at least six shots at Omar. Omar's body remains in Israeli custody.
- [DCIP](#) reports that on 6 December, 15-year-old Mohammad Nidal Younis Mousa was shot by an Israeli private security guard after he reportedly drove his car into a group of private security guards staffing Jabara military checkpoint (south of Tulkarem) injuring one Israeli guard. Mohammad succumbed to his wounds several hours after being shot. DCIP notes that Mohammad is the 17th Palestinian child shot and killed by Israeli forces or civilians in the occupied West Bank during 2021.

**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, appears to amount to collective punishment against families, which is prohibited under international humanitarian law. It also may constitute 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 inflicts on the family.

## INJURIES

**Data collected by [UN OCHA](#) records that at least 380 Palestinian children (363 boys and 17 girls) were injured by Israeli forces during the reporting period. These injuries were caused by tear gas inhalation, rubber bullets (all types), live ammunition, physical assault, surface launched explosive weapons, tear gas canisters (hit by) and other unspecified weapons. Data collected by [UN OCHA](#) states that in total in 2021, at least 1822 children have been injured by Israeli forces (1517 boys and 305 girls).**

Injury incidents from 16 November 2021 – 10 January 2022 include:

- [UN OCHA](#) reports that between 16 November- 6 December, 441 Palestinians, including 97 children, were injured by Israeli forces across the West Bank. Most injuries occurred during clashes in the weekly demonstrations against settlement activity.

- [UN OCHA](#) reports that between 7 – 20 December, 109 children were injured by Israeli forces during protests and clashes that occurred during search-and-arrest operations across the West Bank. The majority of injuries were reported in three separate incidents in Burqa and Beita, where 80 children were injured in clashes that erupted with Israeli forces following the entry of Israeli settlers into Palestinian villages.
- [UN OCHA](#) reports that in the Gaza Strip, on 29 December, a Palestinian child was injured when Israeli forces fired tank shells at Gaza in response to a Palestinian armed group member shooting and injuring an Israeli man working on the Israeli side of the perimeter fence.
- [UN OCHA](#) reports that between 21 December - 10 January, 177 children were injured by Israeli forces across the West Bank. Most injuries occurred during five incidents in Burqa, Sabastiya and Deir Sharaf (Nablus), where 124 children were injured by Israeli forces, following stone-throwing between Palestinian residents and Israeli settlers after Israeli settlers raided and attacked Palestinian communities.

**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 if assuming that the use of the force by Israeli forces during the above-mentioned protests against settlements was an ‘appropriate measure’, it clearly appears to have failed to recognise the potential presence of children and accordingly apply measures to ensure their sufficient protection.

### SETTLER VIOLENCE

**Settler violence directed at Palestinians continued during the reporting period. One child was injured by Israeli settlers during the period 16 November 2021- 10 January 2022. Data collected by [UN OCHA](#) records that 30 Palestinian children were injured by Israeli settlers**



during 2021. Of these, eight injuries were caused by physical assault and three by live ammunition.

Settler-related injury incidents between 16 November 2021 – 10 January 2022 include:

- [UN OCHA](#) reports that during 16 November – 6 December, a child was injured during stone throwing by Israeli settlers at Palestinian vehicles and houses in Ramallah, Nablus and Hebron areas.

**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.

### ARRESTS AND DETENTION

Between 16 November 2021 – 10 January 2022, UN OCHA reports that Israeli forces conducted 300 search-and-arrest operations across the West Bank, arresting 438 Palestinians, including an unknown number of children. Search and arrest operations regularly see soldiers raiding family homes, often at night, causing terror and disruption. As of 31 December 2021, [Military Court Watch](#) reports that there are 145 Palestinian children (12 – 17 years old) being held in Israeli military detention facilities.

Five of these children are held in 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, as of 6 December 2021, only 20% of child detainees have access to a lawyer prior to or during interrogation and 72% are subject to physical abuse. [MCW](#) reports a dramatic increase in the number of children held in solitary confinement. For details, please see our Further Reading section at the foot of this bulletin

Arrest and detention incidents in the reporting period include:

- [UN OCHA](#) reports that during the fortnight 16 November – 6 December 2021, three people, including a child, were arrested while reportedly trying to cross into Israel from Gaza via the perimeter fence.
- [B'Tselem](#) reports that in Hebron on 16 December, a seven-year-old boy was detained by Israeli soldiers on the pretext that he had thrown stones at soldiers. The boy had been on his way home from the library. About an hour later, on his way home, he came across Palestinian children who were throwing stones at soldiers. The soldiers chased after the children, who ran towards the seven-year-old boy. He panicked and ran into a store. One of the soldiers entered the store, grabbed him by the shirt collar and led him outside screaming and crying. His mother heard the commotion and ran outside and freed him from their grasp.

[Video](#) of this child detention incident shows that neighbours and passers-by joined in and tried to persuade the soldiers to let the child go, but the soldiers pushed them and refused to release him. After some time, the soldiers explained to a Hebrew-speaking neighbour that they demanded the child identify the children who had thrown stones. They showed him photographs of children and demanded he lead them to their homes. When the child replied that he did not know them, one of the soldiers ordered him to stand with his back to the wall and photographed him. The soldier then called his commanding officer, who spoke with the child's mother and informed her that the child would be released but would be arrested next time.

- [UNICEF](#) reports that 17-year-old Palestinian refugee Amal Nakhleh, who has been held in administrative detention since January 2021, remains detained. The details of the charges against him were not disclosed to either Amal or his family, who have simply



been informed it is a “confidential administrative case”. Amal suffers from poor health, having been diagnosed with a severe autoimmune disease at birth. His condition requires ongoing treatment and regular monitoring. Prior to his detention, Amal underwent cancer surgery. His condition means that he cannot be vaccinated against Covid-19. Amal must also take immune-suppressants and so is particularly high risk if he contracts Covid-19. Conditions in Israeli military prisons are not conducive either to adequate healthcare or to protection against Covid-19. LPHR's urgent action letter submitted to the UK government on this case can be read [here](#).

**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.

**Article 37(a) of the UNCRC** states that no child shall be subjected to torture or other cruel, inhumane, or degrading treatment or punishment. **Article 19 of the UNCRC** provides that State Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence while in the care of any person who has the care of the child. In its General Comment No. 8, the Committee on the Rights of the Child indicated that “There is no ambiguity: ‘all forms of physical or mental violence’ does not leave room for any level of legalized violence against children” The use of solitary confinement for children in detention is a clear breach of Article 37(a) and Article 19 of the UNCRC.

## INTERFERENCE AGAINST EDUCATION

**Infringements on education in the reporting period of 16 November 2021 – 10 January 2022 include:**

- [UN OCHA](#) reports that between 16 November- 6 December, 18 pupils were tear gassed or physically assaulted and injured by Israeli forces in seven incidents affecting schools

in Al Lubban ash Sharqiya (Nablus) and in the H2 area of Hebron City. In H2, Palestinian students reportedly threw stones at Israeli forces and the latter shot tear gas canisters at a nearby school compound; 15 girls were treated for teargas inhalation and students from the nearby three schools were evacuated due to the intensity of the gas. In five incidents in Al Lubban ash Sharqiya, three school students were injured and about 70 others inhaled teargas, after Israeli forces fired teargas canisters and sound bombs at students, disrupting classes. These five incidents occurred after Israeli settlers gathered near the school protesting that they had been hit by stones thrown from the school premises.

- [UN OCHA](#) reports that on 29 December, Israeli forces physically assaulted and injured a teacher while staff were trying to prevent them from entering a high school in Tuqu' (Bethlehem).
- [UN OCHA](#) reports that on 10 January, a student was shot and arrested along with four other students in Birzeit University (Ramallah). LPHR's urgent action letter submitted to the UK government on this case can be read [here](#).

**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 clearly 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 208 people, including 90 children (49 girls and 41 boys) were displaced by the demolition of 36 inhabited residential structures. Altogether during the reporting period, 146 structures were demolished.**

Incidents of demolitions and displacement during the reporting period include:

- [B'Tselem](#) reports that on 17 November, a family of eight, including six children, was forced to self-demolish a house it had begun building in the neighbourhood of a-Shayah on Olive Mount in East Jerusalem, after a demolition order was issued.



- [B'Tselem](#) reports that on 23 November, 15 children lost their homes after Israeli forces demolished and confiscated multiple dwellings. Demolitions included a two-storey building housing a family of five, including three children. The building was in the neighbourhood of Wadi al-Hummus, the eastern extension of Zur Baher, in East Jerusalem.
- [B'Tselem](#) reports that on 30 November, Israeli forces demolished the home of a family of five, including three children, in the neighbourhood of Silwan in East Jerusalem.
- [B'Tselem](#) reports that on 2 December, in Khirbet al-Markaz in the area of Masafer Yatta, in the South Hebron Hills, Israeli forces demolished four tin-roofed stone structures, which housed four families, including six children. A JCB heavy machinery vehicle is shown on [video](#) to be materially used at the demolition scene. 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 3 December, a family of five, including three children, was forced to self-demolish its own home, which was still under construction, in the neighbourhood of Jabal al-Mukabber after receiving a demolition order.
- [B'Tselem](#) reports that on 4 December, a family of five, including three children, was forced to self-demolish its home in the neighbourhood of Beit Hanina after receiving a demolition order.
- [B'Tselem](#) reports that on 6 December, a family of six, including four children, was forced to self-demolish its own home in the neighbourhood of Silwan after receiving a demolition order.
- [B'Tselem](#) reports that on 14 December, Israeli forces demolished the home of a family of 11, including five children, in the neighbourhood of Jabal al-Mukabber. On the same day, in the neighbourhood of Silwan, three families (including 11 children) were forced to demolish their own homes following a demolition order.

- [UN OCHA](#) reports that, as of 20 December, a Palestinian refugee family of 11 people, including four children, is at heightened risk of forced eviction from its home in the Um Haroun area of Sheikh Jarrah area of East Jerusalem. According to the family, they have lived there since 1951. In East Jerusalem, a total of 218 Palestinian households comprising 970 people, including 424 children, are facing forced eviction cases, mainly initiated by settler organisations.
- [B'Tselem](#) reports that on 21 December, a family of six, including three children, was forced to self-demolish its own home in the neighbourhood of Jabal al-Mukabber. A JCB heavy machinery vehicle is shown on [video](#) to be materially used at the demolition scene. 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 28 December, in Khirbet Ibizik, Israeli forces dismantled and confiscated three residential tents belonging to three families (including six children) as well as eight tents used as livestock enclosures, two water tanks and two solar panels.
- [B'Tselem](#) reports that on 28 December, a family of eight, including five children, was forced to self-demolish its own home in the neighbourhood of Um Laysun.
- [UN OCHA](#) reports that between 21 December 2021- 10 January 2022, the Israeli authorities demolished, seized, or forced owners to demolish, 63 Palestinian-owned structures, citing lack of Israeli-issued building permits. As a result, 35 children were displaced. 19 structures, including seven residential shelters, had been provided as humanitarian assistance in response to previous demolitions.
- [UN OCHA](#) reports that between 27 December 2021- 2 January 2022, at least six Palestinian families were forced to evacuate their homes for most of the day to make way for Israeli military trainings in the Ibizik area of the Jordan Valley. 38 people, including 17 children were affected. [B'Tselem](#) reports that on five occasions in December, the military evacuated families from Khirbet Ibizik on the pretext that it needs to hold training by the community's homes.

**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](#)

#### **Marked surge in the number of Palestinian children held in solitary confinement**

On 7 December 2021, [MCW](#) published a report titled '[Solitary Confinement](#)', reporting that the percentage of Palestinian child detainees being held in solitary confinement while held in Israeli military detention has risen from a historical average of less than 4% to nearly 20% between January 2019 and May 2021. The report estimates that between 100 to 200 children are now being held in solitary confinement by Israel's military authorities each year.

The report documents the adverse psychological and physical impacts of solitary confinement for an average of 10.5 days on children, including weight loss, self-harm, and attempted suicide. The then [UN Special Rapporteur on Torture, Juan Mendez](#), determined that the imposition of solitary confinement of any duration against a child would constitute cruel, inhuman, or degrading treatment in violation of Article 7 of the International Covenant on Civil and Political Rights and Article 16 of the Convention against Torture.