

Grave violations against Israeli and Palestinian children in 2017

In 2017, children in the State of Palestine and Israel continued to be adversely affected and impacted by grave child rights violations. Although grave violations occurred throughout the year, a large number of incidents were documented in July and December 2017.

KILLINGS AND INJURIES

The United Nations verified a total of **15 Palestinian children** between 9 and 17-year-old (13 boys and two girls) who were killed in the West Bank, including East Jerusalem¹, and in the Gaza Strip, compared to 36 children (35 Palestinian and one Israeli) in 2016. All deaths were attributed to Israeli Forces (IF).

Five (5) children (2 girls and 3 boys) between 15 and 17-year-old were shot dead by IF with three in the context of stabbing or alleged stabbing attacks in the West Bank. This includes two children, one 17-year-old boy and one 15-year-old girl who were killed by IF following stabbing incidents. In the first incident, one boy stabbed and injured an Israeli policeman and two settlers in East Jerusalem in April 2017 while in the second one, a girl stabbed and injured a soldier near Yabad village in June 2017. In addition, one 15 and one 17-year-old boy as well as one 16-year-old girl were killed by IF in alleged stabbing incidents at check-points in East Jerusalem, South of Nablus and at Damascus Gate (East Jerusalem) respectively between May and August 2017.

One 15-year-old boy was killed from a shell fired by IF east of Rafah, Gaza, in March 2017. In addition, a 9-year-old boy died as a result of spine injuries incurred in 2014 in Khan Younis, Gaza, by shrapnel from an Israeli drone strike. One 16-year-old was killed by the detonation of unexploded ordnance (UXO) while herding his sheep in Tubas. The remaining seven children were killed by live ammunition used in clashes between Palestinians and IF in Gaza and the West Bank.

One 17-year-old boy was shot in the back and killed in March 2017 in the Al-Arrub camp in Hebron governorate while running away after throwing a Molotov cocktail at an IF watch tower. There seems however to have been no indication that, at the time they fired at the boy, the soldiers were responding to an imminent threat to their life that could not be avoided by means other than the lethal use of force. In another instance, on 21 July, a 17-year-old boy was shot in the chest and killed by live ammunition during clashes that broke out near an Israeli army camp in Abu Dis, Jerusalem, when he did not appear to pose an imminent threat to the IF or others.

In addition, 1,160 Palestinian children (1,121 boys and 39 girls,) were injured predominantly in the West Bank (85% of total injuries; 990), mainly during clashes between Palestinians and IF in the context of demonstrations and protests and during search and arrest operations. This constitutes an increase compared to 2016 when 887 Palestinian and 2 Israeli children were injured. Almost half of total injuries (49 per cent) for 2017 occurred in December.

Of the 1,160 Palestinian children injured (aged between three months and 17-year-old), 813 (70 per cent) were injured during clashes between Palestinians and IF in the context of demonstrations and protests, and 314 (27 per cent) during military operations by IF, such as search and arrest; 19 (1.6 per cent) were injured as a result of settler-related incidents, 3 boys (0.26 per cent) aged between 15 and 17 years were injured following an alleged stabbing attack against IF, and 12 (1 per cent) as a result of the detonation of UXO.

Media reported that six Israeli children were injured by Palestinians. Five Israeli children were allegedly injured by Palestinians in East Jerusalem (three), Hebron (one) and Ramallah (one) when their vehicles were hit by stones or Molotov cocktails by Palestinians. One 12-year-old Israeli boy reportedly suffered head injuries after being hit with a stone by a Palestinian in Hebron.

¹ Reference to West Bank includes East Jerusalem.

Overall, Palestinian injuries were mainly the result of the use of live ammunition (181 children; 16 per cent), rubber bullets (333; 29 per cent), tear gas canisters (59 children; 5 per cent), and through tear gas inhalation which required medical attention (505; 44 per cent). Seven children were injured after being hit by stones or physically assaulted by settlers in Hebron, Nablus and East Jerusalem. For instance, on 6 September 2017, a 15-year-old boy was left unconscious in Nablus after being physically assaulted by a group of Israeli settlers. In a separate incident in Gaza, seven children were injured while at home when Israeli air forces fired five missiles east of Beit Lahia targeting a nearby military site belonging to Hamas.

It appears that in most injury incidents Palestinian children did not seem to present an imminent threat to the IF or others. In one such incident on 15 December 2017, a 15-year-old boy was severely injured during clashes between Palestinians and IF west of Ramallah, when an Israeli soldier fired a rubber-coated bullet at his head from close range, leaving him in a critical condition.

RECRUITMENT AND USE OF CHILDREN

In 2017, the United Nations was unable to verify media reports indicating the involvement of Palestinian children in military style activities by armed groups and claims that this may amount to recruitment and use of children in Gaza by Palestinian armed groups. The UN continues its efforts to document violations by all parties to the conflict.

ARREST AND DETENTION OF CHILDREN

A high number of Palestinian children aged between 12 and 17 years, from the West Bank and East Jerusalem, were detained and arrested by Israeli forces for alleged security violations – with peaks in particular in July and December 2017. Most were detained primarily for stone-throwing and some for Molotov cocktail throwing, offences which can carry a penalty of up to 20 years' imprisonment. There was an average of 312 children in detention in 2017 according to monthly headcounts conducted by the Israel Prison Services (IPS).

The total number of children arrested and detained in the West Bank could not be confirmed. In East Jerusalem, hundreds of children were arrested. The UN supported the provision of legal assistance to 650 children (including 9 girls) between 12 and 17 years old arrested and detained. At least twenty-seven pupils were detained/arrested while commuting to/from school in the West Bank. Concerns are also raised as to the practice of placing Palestinian children under administrative detention, i.e. held in detention on security grounds, for prolonged periods of time and without being charged. Five such cases were documented in 2017. In addition, at least 20 children from East Jerusalem were held under open-ended house arrest while legal proceedings were being pursued against them, placing a high burden on their families and their education and livelihood opportunities.

Palestinian children in Israeli detention facilities (source: IPS)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2010	314	338	337	328	300	287	281	280	264	251	226	210
2011	221	216	224	217	211	207	201	176	162	150	159	132
2012	166	183	203	218	231	220	210	194	189	164	177	193
2013	219	234	236	236	223	193	195	180	179	159	173	154
2014	183	210	202	196	215	202	192	201	182	163	156	151
2015	163	182	182	164	163	160	153	156	171	307	407	422
2016	406	438	444	414	332	300	343	319	271	NA	NA	NA
2017	301	297	289	303	331	318	304	297	325	318	313	352

During the reporting period, reports of children being ill-treated during arrest, transfer and detention continued to be received. Several cases were widely disseminated in the media, including the case of a 17-year-old girl

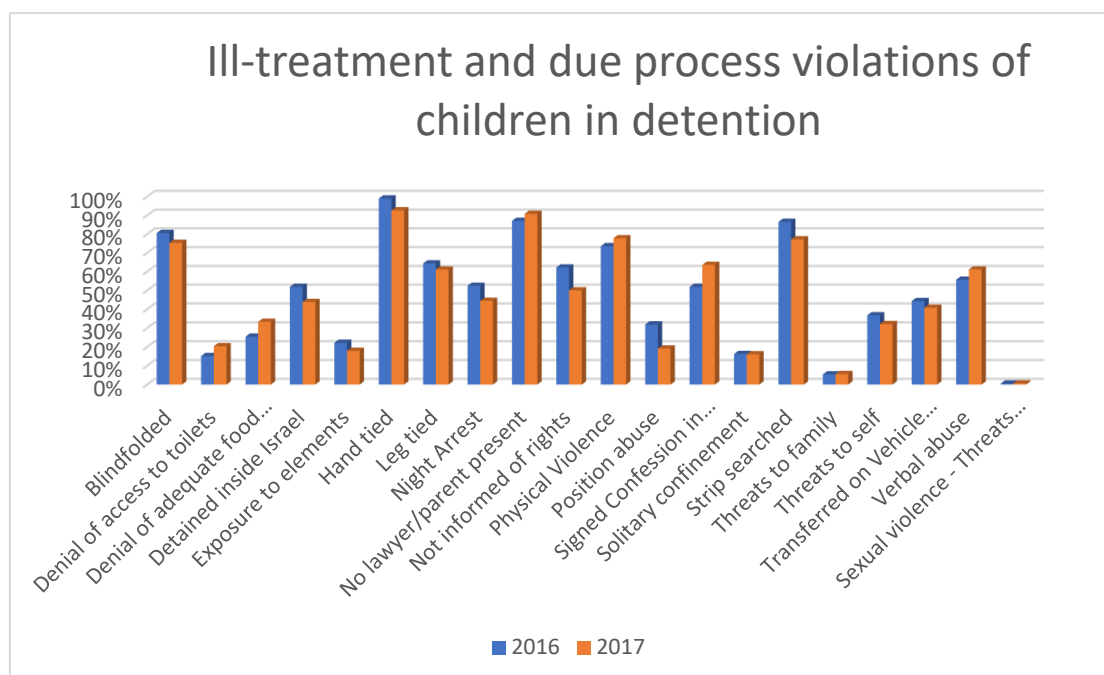
activist arrested in the middle of the night by security forces in the West Bank and accused of security offences.

Affidavits (sworn testimonies) were collected from 162 boys, aged between 12 and 17 years, who had been held in Israeli detention facilities, including 137 children from the West Bank and 25 from East Jerusalem. These indicated that in 2017, as in previous years, Palestinian children continued to be subject to ill-treatment by IF, Israeli Police, the Israel Security Agency, and the IPS.

Reported forms of ill-treatment and due process violations documented from the affidavits included the following:

- 72 children (44% of those who provided testimonies) were arrested from home at night during planned arrest operations.
- 103 children (64% of those who provided testimonies) reported that they had to sign a document in Hebrew, a language which they do not understand.
- 122 children (75% of those who provided testimonies) reported that they had been blindfolded during transfer from the place of arrest and that they remained blindfolded sometimes even during interrogation.
- 150 children (93% of those who provided testimonies) reported that they were handtied upon arrest, including 91 children (60%) who reported that a painful method of hand-tying was used.
- 126 children (78% of those who provided testimonies) reported that they endured physical violence, including slapping, punching and kicking during arrest, transfer, interrogation and/or detention.
- 99 children (61% of those who provided testimonies) reported that they were verbally abused and intimidated during arrest, transfer, interrogation and/or detention.
- 81 children (50% of those who provided testimonies) reported not being adequately notified of their legal rights, in particular the right to counsel and the right to remain silent.
- 26 children (16 of those who provided testimonies), between 15 and 17 years, reported that they had been held in solitary confinement during interrogations, i.e. held in a cell alone between 4 and 23 days, without daylight, and no access to other children simultaneously held in detention, family or lawyer.²
- 147 children (91% of those who provided testimonies) reported that neither a parent nor a lawyer was present during their interrogation.
- 54 children (33% of those who provided testimonies) reported that they were not provided with adequate food or water and 33 children (20% of those who provided testimonies) reported that they were not given access to toilets during the initial stages of detention, particularly at stages of arrest, transfer and interrogation.
- 29 children (18% of those who provided testimonies) reported that they were exposed to outside elements during the initial stages of detention, particularly at stages of arrest, transfer and while being held prior to interrogation. This includes children being arrested and forced to stay outside during cold or hot weather for prolonged periods of time, including sometimes on their knees and/or hand-tied.
- 52 children (32% of those who provided testimonies) reported that they had been threatened in order to confess, during transfer and /or interrogation.
- 9 children (6% of those who provided testimonies) reported threats of harm to their family members during interrogation.
- In addition, 2 children reported that they were asked to become informants while under interrogation in detention.

² This includes cases in which children were held in solitary confinement while undergoing an interrogation by the Israel Security Agency (ISA, or Shabak).



EDUCATION-RELATED VIOLATIONS

In 2017, 170 education-related incidents were documented by the UN.³ All except seven incidents took place in the West Bank. In particular, the right to education was significantly hampered by clashes in and around schools, search and arrest operations, restrictions of access to schools, settler violence related incidents against schools, arrest and intimidation of school children and teachers as well as general climate of fear and tension in and around schools due to military presence.

Attacks on schools and other interference with education

Four schools sustained minor damages in four incidents in the Gaza Strip in the context of Israeli airstrikes reportedly in retaliation to projectiles launched by armed groups from the Strip. In addition, one school sustained minor damage as a result of a rocket fired by an unidentified armed group in the Strip. Despite minor damage, all schools had to be closed for at least one day to prevent school children receiving injuries from shrapnel. In addition, media reported that one rocket fired from Gaza during the night in December 2017 landed in the courtyard of a kindergarten in the southern town of Sderot in Israel, causing minor material damage.

In addition, 165 incidents of interference with education by IF were documented, affecting over 27,000 students. The most affected governorates were Nablus, East Jerusalem, Hebron and Bethlehem.

Many of those incidents took place in the context of clashes, protests and stone-throwing in or near schools. It includes IF firing tear gas canisters, sound grenades or rubber-coated bullets towards schools or school children in the immediate proximity or in the schools, as well as raids in which IF personnel entered school facilities searching for children accused of throwing stones.

Out of the 165 incidents, 3 schools were demolished and 17 demolition and/or stop-work orders of 16 schools were documented. Those demolitions occurred reportedly for lack of Israeli building permits for Palestinians in the West Bank, which prevented access to education for vulnerable children in Area C, affecting at least 94 children. Most of these schools were donor-funded.

³ Education-related violations are reported here in accordance with UNSCR 1998 and subsequent guidance note (2014) available under: <https://childrenandarmedconflict.un.org/publications/AttacksonSchoolsHospitals.pdf>.

In 72 cases, the loss of school time was due to the setting up of closed military areas near schools, delays suffered by school children and teachers at check-points, obstructions at the entrance of schools, preventive closure of schools in the context of security operations, or overall presence of Israeli forces around school premises. In ten other incidents, Israeli settlers reportedly vandalized school buildings or physically assaulted school children or teachers.

Additionally, two incidents of military use of schools were documented in the Gaza Strip, where tunnels reportedly operated by an unidentified armed group were found under two UN run schools in June 2017, and another tunnel under another UN school in October 2017. Both tunnels were subsequently sealed off.

HEALTH RELATED VIOLATIONS AND DENIAL OF HUMANITARIAN ACCESS

The denial of access to health services combined with a severe electricity crises in Gaza had a pervasive impact on all aspects of life of children, undermining basic services and generating serious public health concerns. Hospitals had to postpone scheduled surgeries, discharge patients prematurely, and reduce cleaning and sterilizing of medical facilities.

In 2017 the UN documented six incidents of interference with access to health services in the West Bank in the context of the conflict, with one documented in 2016. This included incidents of incursions or clashes between IF and Palestinians in or around health facilities affecting children. In one instance, IF entered a hospital in East-Jerusalem, through the children's ward, and fired tear gas canisters in order to arrest a child who was earlier injured during demonstrations in solidarity with the Al-Aqsa Mosque in July 2017.

In addition, the fact that the Rafah terminal between Gaza and Egypt was only open for 21 days⁴ in 2017 continued to impact children. This is combined with reduced financial support from the Palestinian Authority, decreased supply of medical goods, as well as denials of permits by Israeli authorities for children and their accompanying adult relatives to cross Erez checkpoint to access health services outside Gaza. The UN documented three children who died while waiting for security approval by Israeli authorities for their travel and seven while waiting for financial coverage approval by the Palestinian Authority. The three children had applied multiple times for security approval.

- Erez: The Israeli District Liaison Office approved without delay 4,999 (1,984 girls, and 3,015 boys), out of 7,463 applications (67 per cent) for children to cross the Erez checkpoint for medical treatment outside of Gaza. 32 per cent (2,420; 988 girls and 1,432 boys) of applications were delayed⁵ and less than 1 per cent (44; 16 girls and 28 boys) were denied. This constitutes an increase in delays as compared to 2016 when 6,861 (2,846 girls, and 4,015 boys) out of 9,438 applicants (73 per cent) were approved without delay.
- Rafah: In 2017, the Rafah terminal operated by Egyptian authorities was only opened for 21 days compared to 38 days in 2016. Considerable challenges are faced by patients wishing to exit Gaza for medical treatment in Egypt based on large volumes of applicants, difficulties on getting onto an approved humanitarian list, including incidences of expensive application fees and unpredictability of border opening days.

DEMOLITIONS AND FORCED DISPLACEMENT

⁴ This does not include opening for pilgrims.

⁵ For this purpose, the term "delay" relates to cases in which children who submitted their permit application on time (between 7-10 days prior to their appointment) did not receive an answer to their applications in time for their hospital appointments and therefore suffered delay in health care.

In 2017, 404 structures (162 residential structures and 242 other structures) were demolished by the Israeli authorities, affecting 7,202 people including 2,602 children and displacing an additional 635 people including 373 children. Out of the 404 demolished structures, 103 structures were provided by aid organizations. Extremely vulnerable Bedouin communities living in Area C, which is under Israeli administrative and security control, were disproportionately affected. Many of these structures were provided as an emergency response to earlier demolitions, and these demolitions exacerbated the conditions of these already vulnerable communities.

Those demolitions are in contravention of Article 59 of the Fourth Geneva Convention which requires Israel as the occupying power to facilitate relief schemes on behalf of the population of the occupied territory and deprives the affected children of the right to an adequate standard of living pursuant to Article 27 of the Convention on the Rights of the Child. Israeli authorities argue that this is in line with planning and zoning regulations which were in effect before 1967.

Nine residential structures out of the 404 were punitively demolished or sealed off as punishment for the actions of a relative, displacing 49 people including 23 children. Should there be evidence showing that collective punishment has occurred, this would contravene Article 33 of the Fourth Geneva Convention, which states that, "No protected person may be punished for an offense he or she has not personally committed," and that "collective penalties and likewise all measures of intimidation or of terrorism are prohibited".

In addition to the 404 demolished structures by the Israeli authorities, 20 residential structures were self-demolished by Palestinians owners due to the threat of extremely high fines and cost of demolition imposed on Palestinians, affecting 59 children and displacing an additional 26 children. Most demolitions occurred on the grounds of lack of building permits, which Palestinians are denied in almost all cases and as a result are often not requested.

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