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RIGHTS OF THE CHILD

**Written statement* submitted by the Palestinian Centre for Human Rights, a non-
governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Palestinian Centre for Human Rights (PCHR) condemns the widespread and systematic violations of the rights of Palestinian children in the Gaza Strip and West Bank, including occupied East Jerusalem, by Israeli Occupation Forces (IOF). Palestinian children are afforded special protections, including under the Convention on the Rights of the Child and as children under alien occupation protected by the Fourth Geneva Convention, Relative to the Protection of Civilians During Time of War, 1949. Despite this protection under international law however, IOF have continued to violate the rights of Palestinian children throughout 2005, including violations of the right to education, to health, to adequate housing, to food and water, and to family. Children have also been subjected to arbitrary detention, ill treatment and even torture at the hands of IOF.

Killing and Injury of Children

Of particular alarm are the unlawful killings, as well as injury, of Palestinian children throughout the OPT. Since the beginning of the *Intifada* in September 2000 up to 31 December 2005, 651 Palestinian children under the age of 18 were killed by the Israeli military or settlers: 368 in the Gaza Strip and 283 in the West Bank. In 2005 alone, 46 children were killed by Israeli Occupation Forces in the OPT. Added to this, many Palestinian children have been seriously injured during Israeli military operations.

These killings have taken place in different contexts, including the apparent deliberate targeting of Palestinian children, as evidenced by the growing numbers of children who have been killed outside the context of clashes or demonstrations: many Palestinian children have been killed while in their homes, at school, or in open areas of land.

The most recent incident of this nature was the killing of a 9-year-old girl in Khan Yunis in January 2006. Aya AlAstal wandered away from her home in Khan Yunis on the afternoon of 26 January 2006. She was shot down by IOF, when she reached agricultural lands near the border to the east of Khan Yunis. Aya appears to have become lost while trying to reach her home. She sustained several bullet wounds to the chest and bled to death. Although an ambulance managed to find the body after considerable searching, the child was already dead when she was transported to hospital in Khan Yunis.

This incident resembles the case of Iman al Hams, a 14-year-old schoolgirl who was shot dead while walking along the Rafah border area in October 2004. She was shot by an Israeli Captain, known subsequently only as R. Captain R faced a military tribunal in 2005 on charges of illegal use of weaponry, obstructing justice, violating the rules of engagement to the point of endangering human life and behaviour unbecoming an officer. However the facts of the case indicated that such charges were a gross understatement of the circumstances surrounding the events. Eye-witnesses reports indicated that the Captain had approached the girl after she had been wounded by gunfire from an Israeli military watchtower and proceeded to "confirm the kill" by unloading 15 bullets from an automatic rifle into her body. The result of the case against Captain R in 2005 further highlights the culture of impunity in which Israeli military personnel operate: Captain R was acquitted of all charges, despite the substantial body of evidence that had been held against him.

In addition to incidents in areas near borders and military towers, children have also frequently been injured or killed while traveling to and from school and even while sitting at their desks. There have been many cases of this nature, including the shooting of an 11-

year-old girl in Rafah refugee camp in January 2005, while she was entering her classroom.

The above cases are symptomatic of the insecurity faced by Palestinian children on a daily basis in the OPT.

Impacts on Education

The overall quality of education available to Palestinian children has deteriorated significantly since the outbreak of the *Intifada* in 2000. This is in addition to deteriorating levels of performance from children in school and declining enrolment rates. Increased movement restrictions imposed by IOF, in the form of checkpoints, closures and the Annexation Wall, have severely impacted on the ability of Palestinian children to access educational services and have also affected the quality of education available, particularly in the West Bank. UNICEF has reported that the school day has shortened in areas near the Annexation Wall, because gate opening times prevent children from crossing freely. Teachers are also delayed or unable to reach their workplaces and teaching quality has suffered because the Ministry of Education is forced to hire teachers living nearby rather than those best qualified.

The deteriorating situation severely impacts on the right of Palestinian children to education.

Psychological and Health Impacts

One of the most pervasive impacts of the belligerent Israeli occupation on Palestinian children has been in terms of their psychological well-being. Daily exposure to widespread and systematic killings; injuries to their friends, parents and relatives; destruction of family homes and businesses; and military attacks, including on schools and hospitals, has had a major impact on the mental and physical health of Palestinian children. Such exposure to violence also raises major concerns with regard to the impact on the overall development of children, as well as the long term impacts on Palestinian society as a whole, as these children grow into another generation of adults, who have known nothing but a life of violence and occupation.

The Gaza Community Mental Health Programme¹ published details of a study on the impact of conflict on Palestinian children in 2004, which found that 33% of children in the OPT suffer with acute levels of posttraumatic stress disorder, while 49% suffer with moderate levels and 15.6% with low levels. However, in areas which see the highest levels of violence and attacks by the IOF, these statistics rise to: 55% of the children suffering acute levels of posttraumatic stress disorders, 35% moderate levels, and 9% low levels. These figures have risen throughout the *Intifada*, demonstrating the deepening crises that Palestinian society is facing under the ongoing Israeli occupation. The symptoms of post traumatic stress disorder include nightmares, attention deficiency and violent behavior.

¹ *The impact of Conflict on children: the Palestinian experience*, Gaza Community Mental Health Programme available on www.gcmhp.net.

These developments are further compounded by the deepening humanitarian and economic crisis precipitated by the Israeli military policy of closure and curfew. As the impact of the violence on children has increased, their access to physical and mental health care services and supplies has also been subject to increasing restrictions and delays. The overall health statistics for Palestinian children are suffering under these deteriorating circumstances.

The dire economic and social environment also has particular impact on Palestinian adolescents, who are faced with a future with very limited opportunities. Even if a teenager manages to finish secondary education and can access third level education, the possibilities of finding employment afterwards are extremely limited, particularly in the Gaza Strip. A bleak outlook such as this does little to encourage Palestinian adolescents and severely limits their right and ability to develop into productive, responsible members of society.

Israeli and International Responsibilities

PCHR calls on the international community, through this Commission, to ensure Israel meets the full complement of its international obligations in regard to children and, further, that any individual or group accused of violating the rights of children are processed through an accountable judicial system in accordance with the norms, provisions and stipulations of international humanitarian law, particularly the Fourth Geneva Convention.
