

His Excellency Mr. Ban Ki Moon
United Nations Secretary-General
United Nations Headquarters
First Avenue at 46th Street
New York, NY 10017

9 February 2015

**Joint letter to the UN Secretary-General concerning Israel's armed forces
and grave violations of children's rights**

Dear Mr. Secretary-General,

As the Palestinian Human Rights Organisations Council, we write to urge you to list Israel's armed forces in the annex to your 14th Annual Report on Children and Armed Conflict for committing grave violations against children in the Occupied Palestinian Territory.

Over the past 15 years, the Office of the Secretary-General, the Security Council and various UN agencies have repeatedly affirmed that protection of children in situations of armed conflict is a fundamental peace and security concern. Security Council Resolution 1612, adopted in 2005, formally established a UN-led, evidence-based monitoring and reporting mechanism (MRM) on grave violations against children during armed conflict. The stated purpose of the MRM "is to provide for the systematic gathering of accurate, timely, objective and reliable information on grave violations committed against children in situations of armed conflict."¹

Since 2007, a UNICEF-led working group has worked to monitor and report on grave violations against children in Israel and the Occupied Palestinian Territory (OPT). The working group includes international, Israeli and Palestinian NGOs and UN agencies, including UNICEF, OCHA, OHCHR, and UNRWA. The working group monitors and reports on killing and injuries, arrest and detention, ill-treatment and torture, recruitment and use of children by armed forces and groups, attacks on schools and hospitals, displacement, and denial of humanitarian access. Inputs based on UN-verified information and documentation collected by the working group are regularly submitted to your Special Representative for Children and Armed Conflict and included in your annual reports on children and armed conflict.

The UNICEF-led working group on grave violations against children in Israel and the OPT is arguably one of the most proficient monitoring and reporting groups associated with the global MRM due in part to the strength of local civil society. This is affirmed by the repeated inclusion of detailed and comprehensive data and information on grave violations against children in the OPT in each annual report on children and armed conflict issued since 2006.²

¹ Office of the Special Representative of the Secretary-General on Children and Armed Conflict, UNICEF & UN Department of Peacekeeping Operations, GUIDELINES: MONITORING AND REPORTING MECHANISM ON GRAVE VIOLATIONS AGAINST CHILDREN IN SITUATIONS OF ARMED CONFLICT, (Jun. 2014), [http://www.mrmtools.org/mrm/files/MRM_Guidelines_-_5_June_2014\(1\).pdf](http://www.mrmtools.org/mrm/files/MRM_Guidelines_-_5_June_2014(1).pdf)

² Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/61/529, ¶¶ 63–66, (Oct. 26, 2006), *available at* http://www.un.org/en/ga/search/view_doc.asp?symbol=A/61/529; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/62/609, ¶¶ 78–87, (Dec. 21, 2007), *available at* http://www.un.org/ga/search/view_doc.asp?symbol=A/62/609&Lang=E&Area=UNDOC; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/63/785, ¶¶ 83–94, (Mar. 26, 2009), *available at* http://www.un.org/ga/search/view_doc.asp?symbol=A/63/785&Lang=E&Area=UNDOC; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/64/742, ¶¶ 99–109, (Apr. 13, 2010), *available at*

Information and data included in the 2006 Annual Report of the Secretary-General on Children and Armed Conflict details killing and maiming and attacks against schools committed by Israeli forces. The report notes that during the Israeli military offensive known as “Operation Summer Rains”, between 28 June and 30 September 2006, around “289 Palestinians were killed, of whom 65 per cent were children, and over 1,261 injured in the Gaza Strip, of whom 189 were children.”³ The report also states generally that Israeli military “incursions and shelling as well as direct military attacks have damaged schools and health facilities.”⁴

Nearly eight years later, by simply updating the figures in these statements, the same language could be used in your next annual report to detail the situation for Palestinian children living in the OPT in 2015.⁵ Furthermore, while each annual report subsequent to the 2006 annual report includes mention of grave violations committed by Israeli forces, specifically killing and maiming and attacks against schools, these and other grave violations committed by Israeli forces against children living in the OPT have continued unabated.⁶

Repeated Israeli military offensives, prolonged military occupation, and recurrent military violence combined with complete disregard for international law has hindered any meaningful efforts toward implementing comprehensive protections for children living in the OPT. During Israel’s most recent military offensive, known as “Operation Protective Edge”, and as in previous offensives, Israeli armed forces carried out a significant number of direct attacks on civilian homes and other civilian buildings, including schools, killing over 500 Palestinian children and injuring another 3,374 children in attacks throughout Gaza in July and August 2014.⁷ In the West Bank, including East Jerusalem, Israeli forces killed at least 11 Palestinian children with live ammunition in 2014.

http://www.un.org/ga/search/view_doc.asp?symbol=A/64/742&Lang=E&Area=UNDOC; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/65/820, ¶¶ 120–129, (Apr. 23, 2011), available at http://www.un.org/ga/search/view_doc.asp?symbol=A/65/820&Lang=E&Area=UNDOC; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/66/782, ¶¶ 82–96, (Apr. 26, 2012), available at http://www.un.org/ga/search/view_doc.asp?symbol=A/66/782&Lang=E&Area=UNDOC; Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/67/845, ¶¶ 108–120, (May 13, 2013), available at http://www.un.org/ga/search/view_doc.asp?symbol=A/67/845&Lang=E&Area=UNDOC; and Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/68/878, ¶¶ 78–85, (May 15, 2014), available at http://www.un.org/ga/search/view_doc.asp?symbol=A/68/878&Lang=E&Area=UNDOC.

³ Annual Report of the Secretary-General on Children and Armed Conflict, U.N. Doc. A/61/529, ¶ 63, (Oct. 26, 2006), available at http://www.un.org/en/ga/search/view_doc.asp?symbol=A/61/529.

⁴ *Id.* at ¶ 66.

⁵ See UNICEF, *CAAC Bulletin on escalation of the conflict in East Jerusalem, Gaza and southern Israel July & August 2014* (Oct. 3, 2014), http://www.unicef.org/oPt/Jul-Aug_2014_-_CAAC_Bulletin_03-OCT_-_Final.pdf.

⁶ *Id.* and see also UN OCHA, Situation Report, (Sept., 4, 2012),

http://www.ochaopt.org/documents/ocha_opt_sitreps_04_09_2014.pdf; Committee on the Rights of the Child, Concluding observations on the second to fourth periodic reports of Israel, U.N. Doc. CRC/C/ISR/CO/2-4 (Jul. 4, 2013), <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-ISR-CO-2-4.pdf>; Human Rights Committee, Concluding observations on the fourth periodic report of Israel, U.N. Doc. CCPR/C/ISR/CO/4 (Nov. 21, 2014), <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/225/55/PDF/G1422555.pdf>; and Report of the United Nations Fact Finding Mission on the Gaza Conflict, U.N. Doc. A/HRC/12/48 (Sep. 25, 2009), <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/158/66/PDF/G0915866.pdf>.

⁷ See UNICEF, *CAAC Bulletin on escalation of the conflict in East Jerusalem, Gaza and southern Israel July & August 2014* (Oct. 3, 2014), http://www.unicef.org/oPt/Jul-Aug_2014_-_CAAC_Bulletin_03-OCT_-_Final.pdf; and UN OCHA, Situation Report, (Sept., 4, 2012),

http://www.ochaopt.org/documents/ocha_opt_sitreps_04_09_2014.pdf. The Palestinian human rights organizations, Al Haq, Al Mezan Center for Human Rights, Aldameer Association for Human Rights, and the Palestinian Center for Human Rights have jointly documented a total 556 child fatalities during Operation Protective Edge.

Despite persistent reports of grave violations committed by Israeli forces against children and extensive and detailed monitoring and reporting of those grave violations by the UNICEF-led working group in the OPT over the last eight years, the children and armed conflict framework has failed to foster accountability and compliance of Israeli forces with international child protection standards.

The MRM established by the Security Council was created not only to systematically gather evidence related to the six grave violations against children during armed conflict worldwide, but also to provide a process for accountability when armed forces or armed groups violate these universal and fundamental principles. If the MRM is to remain a relevant and credible evidence-based system, UN actors must be undoubtedly impartial in listing armed forces or armed groups for grave violations against children.

We believe ample UN-verified evidence exists to trigger the listing of Israel's armed forces for grave violations against children living in the OPT and urge you to include Israel's armed forces in the annex of your upcoming annual report on children and armed conflict.

Respectfully,

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Defence for Children International Palestine

Khalil Abu Shammala
General Director
Aldameer Association for Human Rights

Issam Younis
General Director
Al Mezan Center for Human Rights

Haseeb Nashashibi
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Ensan Center for Human Rights and Democracy

Issam Aruri
General Director
Jerusalem Center for Legal Aid and Human Rights

Sawsan Zaher
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Sahar Francis
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CC:

Ms. Leila Zerrougui, Special Representative of the Secretary General for Children and Armed Conflict, OSRSG-CAAC

Mr. Anthony Lake, Executive Director, UNICEF

Mr. Zeid Ra'ad Al Hussein, High Commissioner for Human Rights, OHCHR