



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

15 December 2014

Re: Israel's armed forces and grave violations of children's rights

Dear Mr. Secretary-General,

I write to urge you to consider listing Israel's armed forces in your annual report on children and armed conflict for committing grave violations against children in the Occupied Palestinian Territory. There is ample evidence to demonstrate that Israel's armed forces have committed acts that amount to the grave violations against children during armed conflict as defined by UN Security Council resolutions, including killing or maiming children and attacks against schools and hospitals.

While children affected by armed conflict are entitled to special respect and protections under international law, Israeli armed forces have regularly been implicated in serious, systematic and institutionalized human rights violations against Palestinian children living in the Occupied Palestinian Territory.¹

In the Gaza Strip, children continue to bear the brunt of Israel's repeated military offensives. On July 8, 2014, Israeli forces began an intensive aerial and naval bombing campaign on the Gaza Strip with a ground incursion commencing on July 17, 2014. Israel's military offensive, known as "Operation Protective Edge", was characterized by attacks directed at government and civilian infrastructure, residential neighborhoods, and individual civilians. The incursion lasted 50 days, and caused grave devastation to the Gaza Strip and its 1.8 million residents, of which more than half are children under the age of 18.

During Operation Protective Edge, Israeli armed forces carried out direct attacks on civilian homes and other civilian buildings, including schools, causing a large number of civilian

¹ See 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>.

casualties, including children.² Israeli forces killed at least 501 Palestinian children and another 3,374 children were injured in attacks throughout Gaza, according to documentation collected by UN agencies.³ As of December 9, 2014, Defence for Children International Palestine had independently verified the deaths of 480 Palestinian children killed in Israeli attacks.

An Israeli attack next to an UNRWA-run school in Rafah killed at least eight Palestinian children on August 3, 2014. At the time of the attack, the school was being used to provide shelter to thousands of civilians, and UNRWA had notified the Israeli military on 33 separate occasions that this specific school was being used to accommodate displaced persons.⁴ According to UN OCHA figures, 22 schools were completely destroyed and 118 damaged by the violence.⁵ In a statement released by your office, you called the attack “a criminal act” and demanded that it “be swiftly investigated and those responsible held accountable.”⁶

Additionally, Israeli forces have killed at least 10 Palestinian children with live ammunition in the occupied West Bank, including East Jerusalem, since the beginning of 2014. Palestinian children are frequently killed and injured by the use of excessive force by Israeli forces, including the improper use of crowd control weapons and live ammunition.

The prohibition of killing and maiming civilians, including children, as well as the right to life are fundamental principles enshrined in international humanitarian law and international human rights law. The monitoring and reporting mechanism established by the Security Council was created not only to systematically gather evidence related to the six grave violations against children during armed conflict, but also to provide a process for accountability when armed forces or armed groups violate these universal and fundamental principles.

We commend the important measures you have taken to protect children from the effects of armed conflict, yet protections as well as justice and accountability remain elusive for children living in the Occupied Palestinian Territory. Instead of growing up with a law-based, negotiated settlement founded on universal human rights principles, justice and respect for human dignity; Palestinian youth have had their futures stifled and suppressed by systemic discrimination and prolonged military occupation.

Over the next few weeks, Defence for Children International Palestine and partners will submit documentation and information to the Office of the Special Representative of the Secretary-General on Children and Armed Conflict that details the killing and maiming of children and attacks against schools and hospitals in the Gaza Strip during Operation Protective Edge.

² 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.

³ UN OCHA, Situation Report, (Sept., 4, 2012), http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf.

⁴ UNRWA, *Statement by UNRWA Commissioner General, Pierre Krähenbühl, and Director of UNRWA Operations in Gaza, Robert Turner*, Aug. 3, 2014, available at <http://www.unrwa.org/newsroom/official-statements/unrwa-condemns-israeli-strike-next-unrwa-school-killing-civilians>.

⁵ UN OCHA, Situation Report, (Sept., 4, 2012), http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf.

⁶ UN Secretary-General Ban Ki Moon, *Statement attributable to the Spokesman for the Secretary-General on attack outside UNRWA shelter*, Aug. 3, 2014, available at <http://www.un.org/sg/statements/?nid=7904>.

In order to end impunity for perpetrators and advance the goal of protecting children during armed conflict, specifically children living in the Occupied Palestinian Territory, we urge you to include Israel's armed forces in the annexes of your annual report on children and armed conflict.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rifat Kassis', written over a horizontal line.

Rifat Kassis
General Director
Defence for Children International Palestine
rifat.kassis@dcips.org

CC:

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

Mr. Pierre Krähenbühl, Commissioner-General, UNRWA

Mr. Anthony Lake, Executive Director, UNICEF

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