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## Human Rights Council

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25 February–22 March 2019

Agenda item 3

**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

### **Written statement\* submitted by Institute for NGO Research, 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.

[26 February 2019]

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\* Issued as received, in the language(s) of submission only.

## **Submission of the Institute for NGO Research The UN's Failure to Protect Palestinian Children**

In her report to the 40<sup>th</sup> Session of the Human Rights Council, the Special Representative of the Secretary-General for Children and Armed Conflict highlights the recruitment and use of children, arguing that “Child recruitment and use by parties to conflict contributes to fuelling conflicts.” In her conclusions and recommendations, she “calls on Member States to prevent child recruitment and use by non-State armed groups, including those using violent extremist tactics, and hold the perpetrators accountable.”<sup>1</sup>

However, despite this and other clear statements by the international community regarding the emphasis placed on combating this grave violation, the UNHRC, UNICEF, and other UN bodies continue to turn a blind eye to Palestinian abuse of children.

The violence along the Israel-Gaza border demonstrates this particular failure.

Since March 2018, Hamas has organized hundreds of thousands of individuals to amass along the Israel border with Gaza and carry out violent attacks. This military campaign, disguised as “peaceful protests,” is not only intended to attack Israeli military installations and abduct IDF soldiers, but it is also intended to terrorize, to cause wanton destruction, and to inflict bodily harm to Israeli civilians, including children. Civilians living in the “Gaza envelope” (communities that abut the border) have been particularly hard hit.

One of the most egregious violations committed by Palestinian armed groups in this context has been the recruitment of children for these attacks. Hamas, Islamic Jihad, the PFLP, and others encourage children, as young as 10, to carry out acts of violence or serve as cover for such acts along the border fence in hopes that they will be injured or killed, cynically providing Palestinian leaders with a macabre PR victory.<sup>2</sup> This abuse occurs in several ways:

- Recruiting and using children to participate in the hostilities, including using them as decoys along the border fence, using them to bait IDF soldiers into the range of Palestinian snipers, launching incendiary devices, throwing stones, burning tires, or employing them to destroy the border fence;
- Exposing Palestinian children to a culture of violence and incitement;
- Allowing children to be present at the border violence, thus placing them in grave danger.

For example, on March 25, 2018, Hamas sent a 7-year-old girl to the Gaza security fence during the protests. The IDF thankfully ensured she was safely returned to her parents.<sup>3</sup> Photos taken throughout July and August show children making and launching incendiary balloons from Gaza into Israel attached with IEDs.<sup>4</sup> These balloons not only put Palestinian children at risk, but were designed to appeal to Israeli children who might find such balloons. On July 25, the IDF explained that an incident of “deadly violence” began with a “bait” riot staged by children, intended to lure

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1 United Nations, “Children and armed conflict: Report of the Special Representative of the Secretary-General for Children and Armed Conflict,” December 26, 2018: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/446/72/PDF/G1844672.pdf?OpenElement>

2 Yoav Zitun, “Lieberman: Hamas heads to blame for death of Palestinian teen,” YNet,” April 21, 2018: <https://www.ynetnews.com/articles/0,7340,L-5236527,00.html>

3 Judah Ari Gross, “IDF: Hamas cynically sent a 7-year-old girl to breach Gaza border,” Times of Israel, March 30, 2018: <https://www.timesofisrael.com/idf-hamas-cynically-sent-7-year-old-girl-to-breach-gaza-border/>

4 Joe Truzmah (@Jtruzmah), “Children making and launching incendiary balloons from #Gaza into #Israel,” July 9, 2018: <https://twitter.com/Jtruzmah/status/1016242874042572801>

Israeli soldiers into Hamas and other terror groups' sniper range.<sup>5</sup> In September, videos surfaced of Palestinian children attempting cut the border fence and light tires to create a smoke screen to facilitate Palestinian armed infiltrations into Israeli territory.<sup>6</sup>

Furthermore, in the midst of the border attacks, Hamas also held “summer camps” for Palestinian children to indoctrinate and provide military training:

Most of the activity is devoted to basic military training. The youths are trained by instructors wearing uniforms bearing the insignia and badges of Hamas's Izz al-Din alQassam Brigades. In addition to summer camps held in Hamas facilities, summer camps are held in schools throughout the Gaza Strip. Most of them are organized by Hamas on a wider scale (tens of thousands of participants). The summer camps in schools are also devoted primarily to military training and ideological indoctrination by Hamas.<sup>7</sup>

The UN and non-governmental organizations (NGOs) have almost entirely ignored these abuses, despite these and countless other examples of recruitment and use of children by Palestinian armed groups.

On August 1, 2018, “Humanitarian Coordinator in the occupied Palestinian territory” Jamie McGoldrick, head of the “UN Office of the High Commissioner for Human Rights (OHCHR) in oPt” James Heenan, and “UNICEF Special Representative in State of Palestine” Genevieve Boutin issued a statement regarding the violence along the Israel-Gaza border. While the statement does note concern for “last week's call by the organizing committee for ‘The Great March of Return’ for Palestinians to demonstrate under the banner of ‘the Friday of our Child Martyrs,’ and the reported exposure of children to violence,” the UN officials failed to hold Hamas or other armed groups accountable.<sup>8</sup> UNICEF's situation reports during this period ignore the issue of recruitment and use.<sup>9</sup>

NGOs claiming a child protection mandate also fail to address these grave violations. Palestinian PFLP-linked NGO Defense for Children International – Palestine (DCI-P), for instance dedicates its reports to levying wild accusations at Israel, while being oblivious to the many Palestinian abuses described in its reports. For example, DCI-P simultaneously claims “a 15-year-old boy killed by Israeli forces on May 14, was a member of Islamic Jihad's youth ‘Scouts’ program, known as Al-Faris” and that “Ahmad was throwing two tires toward the remnants of burning tires...he was

5 Yoav Zitun, Elinor Levy, and Elana Curiel, “IDF: Children used in ‘trap’ terror attack before deadly Gaza border violence,” YNet, July 25, 2018: <https://www.ynetnews.com/articles/0,7340,L-5317024,00.html>

6 Joe Truzmah (@Jtruzmah), “Seeing children at the #Gaza border has become a common sight I'm afraid. I come across it a lot in the work I do. This was taken several days ago. A child attempting to light a tire on fire that's wedged in the razor wire at the border,” September 25, 2018:

<https://twitter.com/Jtruzmah/status/1044815148433756164>; StandWithUs (@StandWithUs), “Children (!!!) at the #Gaza border cutting the fence in the midst of Gaza riots near Beit Lahia yesterday. The trend of #Palestinian child endangerment continues. This is #NoWayToTreatAChild! H/t @Jtruzmah,” September 25, 2018:

<https://twitter.com/StandWithUs/status/1044738320436203526>

7 Meir Amit Intelligence and Terrorism Information Center, “As part of the Hamas summer camps, children and youths undergo military and paramilitary training at the military wing's outposts and facilities,” August 9, 2018:

<https://www.terrorism-info.org.il/en/part-hamas-summer-camps-children-youths-undergo-militaryparamilitary-training-military-wings-outposts-facilities/>

8 OCHA, “Joint Press statement from Jamie McGoldrick, Humanitarian Coordinator in the occupied Palestinian territory, James Heenan, Head of OHCHR in oPt and Genevieve Boutin, UNICEF Special Representative in State of Palestine,” August 1, 2018: <https://www.ochaopt.org/content/children-s-rights-must-be-put-first>

9 UNICEF, “State of Palestine: Humanitarian Situation Report,” January – June 2018:

<https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20State%20of%20Palestine%20Humanitarian%20Situation%20Report%20-%20Mid%20Year%202018.pdf>

unarmed and dressed in civilian clothing.”<sup>10</sup> A report by an Israeli NGO condemns the IDF but fails to appreciate its exposure of Palestinian children engaged in violence and that this engagement was responsible for their injuries: “we went forward and crossed through the checkpoint gate. We made our way towards the Israeli soldiers... Yusuf and I threw stones. Yusef went towards the soldiers and I stayed behind him, about 15 meters away. We continued to throw stones.”<sup>11</sup>

Given the uncritical reliance that UNHRC Commissions of Inquiry place on unverified NGO claims, it is highly likely that the COI on the Gaza border violence will also ignore the vicious Palestinian incitement and recruitment and use of children.

As the Special Representative of the Secretary-General for Children and Armed Conflict stated, the UNHRC should “focus closely on the impact of violent extremism on children...” We can only hope that the UNHRC, OHCHR, UNICEF, and Palestinian actors will decide at some point to do the same.

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<sup>10</sup> Defense for Children International – Palestine, “Two children died from Palestinian armed group activities,” August 2, 2018: [https://www.dci-palestine.org/two\\_children\\_died\\_from\\_palestinian\\_armed\\_group\\_activities](https://www.dci-palestine.org/two_children_died_from_palestinian_armed_group_activities)

<sup>11</sup> B’Tselem, “Seven months of protests by Gaza fence: Over 5,800 Palestinians wounded by live Israeli gunfire,” November 22, 2018: [https://www.btselem.org/gaza\\_strip/20181122\\_over\\_5800\\_palestinians\\_wounded\\_in\\_7\\_months\\_of\\_protests](https://www.btselem.org/gaza_strip/20181122_over_5800_palestinians_wounded_in_7_months_of_protests)