

## Report submitted to the Committee on the Rights of the Child regarding Israel

Maat for Peace, Development and Human Rights

Israel signed the Convention on the Rights of the Child on July 3, 1990, and ratified it on October 3, 1991<sup>1</sup>. (Referred to throughout the report as the Convention). The Convention obligates ratifying states to protect and promote the rights of all children on their territory in various areas of their lives, such as health, education, and protection from discrimination and violence. As an occupying authority, Israel has been carrying out systematic violations of the rights of Palestinian children continuously since the beginning of the occupation in 1948 without any serious reviews or reforms in this regard. The frequency of these violations escalates during times of war, such as the aggression against the Gaza Strip that has been ongoing since October 7, 2023 until the writing of these lines.

Maat for Peace, Development and Human Rights submits its following report to the United Nations Committee on the Rights of the Child (referred to as the Committee) to assess the extent to which Israel fulfills its obligations stipulated in the Convention on the Rights of the Child and the most prominent aspects in which it violates the provisions of the Convention, within the framework of Maat's assistance to the Committee in evaluating Israel's file objectively prior to Israel submitting its combined national report for the fifth and sixth periodic reports at the 97th session of the Committee on the Rights of the Child, scheduled to be held between August 26 and September 13 of the current year 2024, which was scheduled to be submitted in November 2018, in a usual delay by the Israeli government in submitting its reports to Committee.<sup>2</sup>

### Non-discrimination (Article 2)

Despite its ratification of the International Convention on the Elimination of Racial Discrimination since 1979<sup>3</sup>, Israel does not have a constitution that guarantees non-discrimination between individuals within the occupied territories as a basic principle within the state. As a result, studies confirm that ethnic minorities in Israel such as: Israeli Arabs (Arabs 48), and Bedouins Ethiopians are among the minorities in Israel most marginalized and violated basic rights, which reflects negatively on the children of those groups.

<sup>1</sup> Treaty Body Database, OHCHR, <https://2h.ae/wfUt>

<sup>2</sup> Ibid

<sup>3</sup> Ibid



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In this regard, kindergarten classrooms in Israel witness complete segregation between Ethiopian children and other students, and they are not integrated into white children's classrooms. Many schools, including Orthodox schools in Israel, refuse to accept Ethiopian students in the first place, and these practices push parents to Children's matters: resorting to the judiciary to end the discriminatory policies used in Israeli educational institutions against their children based on the color of their skin. The Israeli government's response in most cases is that students are divided according to geographical dimensions to facilitate integration.<sup>4</sup>

In another institutional violation of the principles of equality and non-discrimination, Israel adopts a discriminatory judicial system between Israeli and Palestinian children. Israeli children are tried before regular judiciary and civil courts, while providing all guarantees of children's rights and a fair trial, while Palestinian children are judged before military courts that lack the minimum standards for fair trials. The number of children detained in Israeli prisons before October 7, 2023 reached 180 children, and the pace has increased. Children were arrested after the beginning of the Israeli aggression on Gaza, recording 245 new cases in October and November 2023 alone.<sup>5</sup>

Detained children are treated as adults only once they reach the age of 16 according to the military court system, while Israeli laws set the age of majority at 18. Moreover, Israeli law requires that children be interrogated by police officers specialized in this matter, and in violation of these provisions, Palestinian children are interrogated by police officers or the Public Security Service, under punitive and inhumane conditions that lack all human rights and humanitarian guarantees, and torture is even practiced on them during most investigations<sup>6</sup>. In the same context, practical practices reflect that individuals of Ethiopian origin are three times more likely to be imprisoned than other citizens, and 90% face custodial sentences depriving them of their freedom.<sup>7</sup>

Maat for Peace believes that the Israeli authorities' insistence on these policies reflects their lack of seriousness in adhering to the provisions contained in Article 2 of the Convention, as well as their insistence on violating the International Convention on the Elimination of Forms of Racial Discrimination and other national and international laws that call for equality and non-discrimination.

## Right to life (Article 6)

<sup>4</sup> Examining the rights of Ethiopian Jewish immigrant children in Israel, humanium, <https://2h.ae/UVrt>

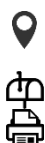
<sup>5</sup> Arresting Palestinian Minors, this week in Palestine, <https://2h.ae/RwIs>

<sup>6</sup> THE ISRAELI MILITARY COURT SYSTEM, Addameer.Org, <https://2h.ae/kYDL>

<sup>7</sup> Examining the rights of Ethiopian Jewish immigrant children in Israel, humanium, <https://2h.ae/UVrt>



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Violating the right to life is a common and systematic practice by the Israeli occupation forces against Palestinian civilians, including children. Since the beginning of the Israeli aggression on the Gaza Strip on October 7, 2023, the occupation army has used unjustified lethal force to target civilians and civilian objects. As a result, officials' estimates indicate that more than 16,500 Palestinian children have been killed since the beginning of the aggression, including 36 children who died of hunger.<sup>8</sup> UN reports also confirmed the killing of 143 Palestinian children in the West Bank since October 2023, at a rate of one killing every two days, an increase of two and a half times over the nine months preceding the aggression, which witnessed the killing of 41 children.<sup>9</sup>

Reports reviewed by Maat also documented the use of Palestinian children by the Israeli occupation forces as human shields during military operations, which reflects the extent to which the occupation soldiers underestimate the lives of children and deliberately expose them to certain death. In May 2024, the Israeli occupation soldiers used three children between the ages of 12 and 14 years in three separate raids during the raids and searches of the Tulkarm refugee camp. The soldiers forced the children to walk in front of them, put weapons on their shoulders, and were presented to knock on the doors of the homes to be searched, in order to ensure that the children were exposed to attack on their behalf in the event of any resistance. Children are sometimes sent to search homes alone, with insults and severe beatings directed at them. During the raids, shots were fired from the shoulders of children, in two separate cases.<sup>10</sup> In this regard, Maat stresses that the use of children as human shields is prohibited and represents a war crime in accordance with the provisions of international law, and also violates the ruling of the Israeli Supreme Court issued in 2005 stipulating that it is not permissible to use Palestinian civilians during military operations,<sup>11</sup> which the occupation forces did not consider. This is something that the occupation forces have not paid any attention to since then.

Maat for Peace noted that the killing of children in Palestine is not only through targeting them with weapons, as other issues such as food and medicine shortages and water pollution lead to direct and indirect deaths among children, and these matters often result from the occupation forces preventing food and medical aid from reaching injured or injured children. Those suffering from acute malnutrition, whose percentage reached 1/6 of the total number of children under the age of two in conflict areas. The drought that affected mothers also affected infants and newborns and the lack of artificial milk. As a result of these violations, reports documented the death of 36

<sup>8</sup> Nearly 16,500 children killed in 311 days of war: Gaza's Government Media Office, Aljazeera, <https://2h.ac/CmTz>

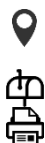
<sup>9</sup> Child casualties in the West Bank skyrocket in the past nine months, UNICEF, <https://2h.ac/hsMD>

<sup>10</sup> Israeli forces use Palestinian children as human shields in Tulkarem, DCI Palestine, <https://2h.ac/KLeQ>

<sup>11</sup> Human shields, B'Tselem. [https://www.btselem.org/arabic/human\\_shields](https://www.btselem.org/arabic/human_shields)



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children from starvation since the beginning of the aggression. The numbers are likely to increase during the coming period due to the continued violations leading to them.<sup>12</sup>

Maat confirms that these practices contradict Article VI of the Convention and hinder its proper implementation, as well as the Fourth Geneva Convention, which imposes the duty to protect civilians in armed conflicts. They also clearly reflect the absence of any intention on the part of the Israeli authorities to abandon their established policies of targeting Palestinian civilians .

### Protection from violence (Article 19)

Violence against children is one of the most serious human rights violations in the occupied Palestinian territories because it is practiced as part of the Israeli army's ongoing policies against the Palestinian people, and it will continue with all the violations it entails as long as the occupation exists. Recently, the circle of violence against children in the occupied territories has expanded to also include Israeli children, reflecting the spread of this phenomenon across various circles, and the increasing severity of the suffering of children inside the occupied territories.

In the same context, some reports confirmed by Maat for Peace indicate that by July 2023, the percentage of children who are subjected to beatings in Israeli prisons reached 86% of the total children detained, in addition to the fact that 69% of them are searched by occupation soldiers while they are naked and harass their sexual organs, 42% of them sustained wounds and injuries at detention points as a result of the violent and inhumane treatment they faced by soldiers.

Maat also reviewed testimonies of children stating that they were subjected to torture inside detention facilities to force them to confess to committing incorrect facts by themselves or their family members. Among those incidents was forcing a 14-year-old child from the West Bank to confess to his brother on some charges in exchange for his release. A few days after he confessed, his brother was arrested based on his confession. As an unfortunate result of these practices, the percentage of children suffering from recurring nightmares reached 53% of the total number of those released from occupation prisons, in addition to 73% suffering from insomnia.<sup>13</sup>

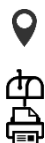
On the other hand, the hotels and educational buildings that were designated to house displaced Israelis following the outbreak of the war, witnessed repeated incidents of physical and sexual

<sup>12</sup> The starving children of Gaza, Press tv, <https://2h.ac/rvJw>

<sup>13</sup> Stripped, beaten and blindfolded: new research reveals ongoing violence and abuse of Palestinian children detained by Israeli military, Save the Children, <https://2h.ac/gRpM>



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assault on underage girls residing in those places, where one of the displaced persons had a sexual relationship with a 13-year-old girl, and a security guard of a school sexually assaulted a girl.<sup>14</sup>

In addition, a 64-year-old Israeli refugee residing in the Herzliya Hotel was arrested after committing a number of sexual assaults on children between the ages of 3 and 7 years, both girls and boys, because they were easily lured into those places.<sup>15</sup>

Maat for Peace believes that the spread of this type of crime against children is mainly due to the chaos and lack of oversight witnessed in shelter centers during the war, and the inability of the Israeli authorities to tighten control over them.

In any case, the systematic Israeli practices of violence against Palestinian children, and its inability to protect displaced Israeli children, reveal that Israel does not implement its obligations contained in Article 19 of the Convention, not even relatively. On the contrary, it adopts policies that are completely contrary to the provisions stipulated in the article, which hinders their proper implementation. inside the occupied territories until now.

### Children with disabilities (Article 23)

Children with disabilities face double challenges within the occupied Palestinian territories, especially in times of war, as the ravages of conflict combine with their own difficulties due to their disability. In this regard, children with disabilities are not protected or kept away from the hostile operations launched by the occupation army against Palestinian civilians. On one hand, they face extreme difficulties during their attempts to escape outside the buildings targeted by the occupation soldiers, especially high-rise buildings, given the impossibility of escaping on their own without assistance from others.

On the other hand, repeated evacuations outside their places of residence to new places that are not equipped to suit their special conditions increase their suffering and make it difficult to meet their basic needs for food, medicines, and devices such as headphones, wheelchairs, medical air mattresses, and the electricity needed for respirators. In confirmation of this, (A.M.) reported, as he is a resident of Khan Yunis, his 15-year-old son and his 17-year-old niece suffer from a mobility disability, and with the ongoing displacement, they are forced to reside in camps and shelter centers that do not cover their mobility needs or take into account their health conditions in any way<sup>16</sup>.

<sup>14</sup> Displaced women, children endure sexual violence inside evacuee hotels, times of Israel, <https://2h.ac/dTHx>

<sup>15</sup> Israeli sexually abused children at hotel for displaced families, arrested, Jerusalem post, <https://2h.ac/pnEf>

<sup>16</sup> The number of people with disabilities is increasing rapidly in light of the Israeli aggression, which exacerbates their suffering and reduces their chances of survival, Al Mezan Center for Human Rights, <https://2h.ac/nScB>.



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Moreover, UN estimates indicate that the Israeli occupation forces in most cases neglect to give advance warning in an understandable form before evacuations, as the huge amounts of rubble left behind by the bombing operations, in addition to the lack of safe corridors for those fleeing, limit the ability of people with disabilities, especially children, to movement, that also exposes them to a high risk of separation from their families. Estimates also indicated that before the outbreak of the October 7 aggression on the Gaza Strip, 21% of families in the Strip included one or more individuals with disabilities, and in the period between October 2023 and May 2024, Israeli attacks caused the amputation of at least 1,000 children.<sup>17</sup> Overall cases of disability among children resulting from aggression reached at least 5,000 cases until June 2024.<sup>18</sup>

Maat denounces Israel's continuation of these violations, and that persons with disabilities have not received any measures to preserve their safety during Israeli attacks since the beginning of the war. Maat confirms that Israel's continuation of the same practices prevents the implementation of Article 23 of the Convention and also violates the provisions contained in the Convention on the Rights of Persons with Disabilities, which Israel has ratified since September 2012<sup>19</sup>, Article 11 of which stipulates that “All possible measures must be taken to ensure the protection and safety of persons with disabilities who are in dangerous situations, including situations of armed conflict”.

### Preventing child trafficking (Article 35)

Palestinian families face many difficulties as a result of the deterioration of their economic and social conditions under the occupation, which sometimes forces them to accept the employment of their children in inhuman working conditions that do not take into account their rights as children or as workers, as estimates indicate that traffickers and business brokers exploit Palestinian children in agricultural work within Israeli settlements, located in the West Bank, specifically Area C, which is under the control of the occupation army. The group under ten years of age is also targeted in begging, selling scrap, and working as street vendors in enslaved working conditions in terms of poor wages, absence of safety precautions, and forced work. Traffickers also sometimes use girls and women in general in sex trafficking and forced prostitution, but societal stigma and fear of Retaliation prevents these incidents from being reported.

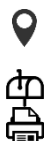
<sup>17</sup> UN Committee: People with disabilities fear being the first to be killed in Gaza, OHCHR, <https://2h.ae/LdUj>

<sup>18</sup> Half of them are children... 10 thousand cases of disability in Gaza due to the Israeli aggression, Al-Arabi, <https://2h.ae/RnFr>

<sup>19</sup> Treaty Body Database, OHCHR, <https://2h.ae/wfUt>



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These violations take place under the watchful eye of the Israeli authorities, yet they do not give them the necessary attention and do not take deterrent measures to confront them, which reflects Israel's violation of its obligations contained in Article 35 of the Convention, hinders the achievement of its goal, and contributes to the increase in child trafficking practices within the occupied territories.

### Children in places of detention (Article 37)

Israel is the only country in the world to try children before military courts. Testimonies seen by Maat for Peace indicate that children are detained with adults in shared cells where they are subjected to types of torture and degrading treatment. Prison workers summon the detained children and threaten to carry out the death sentence against them, causing a state of severe psychological and mental suffering among children, the testimonies of some girls confirmed that they were stripped of their clothes, searched, tortured, and threatened with sexual assault and rape, while depriving them of food, medicine, and sanitary napkins. Families, lawyers, and sometimes the International Committee of the Red Cross are often prevented from visiting children in detention facilities. Before the Israeli aggression on Gaza on October 7, it was reported that 86% of children detained in Israeli prisons were subjected to beatings, and 69% of them were subjected to strip searches.<sup>20</sup>

The numbers of children detained and tried before the Gaza War ranged between 500 and 700 children per year in military courts, without any guarantees for defense or a fair trial, as their detention is usually carried out according to secret evidence, and no public charges are brought against the child or his lawyer is notified of them, which deprives them of their legal rights to appeal the detention decision. Prison administrations are also stubborn in responding to children's requests to obtain a lawyer until the end of the interrogation period in order to be able to pressure the child to confess to the crimes charged after enticing him with the possibility of reducing his sentence if he confesses.<sup>21</sup>

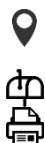
More than 650 children from the West Bank and an unlimited number from Gaza have been detained since the beginning of the aggression on October 7, 2023. Testimonies of children who were detained after the October aggression were circulated stating that they were stripped of their clothes, left under the blazing sun, harassed, sexually assaulted, and violently beaten. This is

<sup>20</sup> Palestinian children in Israeli military detention report increasingly violent conditions, Save the Children, <https://2h.ae/BZvR>

<sup>21</sup> Childhood in captivity: Palestinian children arbitrarily detained in Israeli prisons, Defense for children, <https://2h.ae/Zgrr>



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confirmed by the appearance of signs of torture on the bodies of the released children. Reports also confirm the spread of skin diseases such as scabies and rashes inside Israeli detention facilities as a result of overcrowding, the absence of hygiene tools, and the prison administration depriving detainees of medical care.<sup>22</sup>

In December 2023, the 15-year-old child (A.A.) was arrested from his home in the Al-Zaytoun neighborhood and detained in one of the rice warehouses. The soldiers beat him violently, stripped him of his clothes, and sprayed him with cold water in the harsh winter weather. He was tortured by sitting and sleeping on slippers, deprived of food and allowed only drops of water, which caused him to be completely unable to move until he was transferred with the rest of the detainees to Al-Kuwaiti Roundabout in southeastern Gaza.<sup>23</sup>

These systematic and decades-long practices reflect the unwillingness of the Israeli authorities to implement Article 37 of the Convention, and that they deliberately do not fulfill the provisions contained therein, which portends an increase in this type of violations in the coming periods, with all its serious repercussions.

## Recommendations

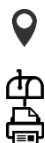
- Maat calls on the international community to exert all possible political, economic and diplomatic pressure on the Israeli side to stop arbitrarily arresting children and trying them before military courts, and to immediately release all children who have been detained without involvement in crimes or violations.
- Allowing the introduction of medical devices and medications necessary to relieve the pain of children who have recently undergone amputations, as well as assistive devices, such as wheelchairs, hearing aids, personal hygiene tools for both sexes, and everything necessary for children with disabilities in shelter centers.
- Apply labor laws properly within the occupied territories to ensure that children are not trafficked or exploited in forced labor, and strive to combat poverty and improve the economic and social conditions experienced by Palestinian families, and raise their level of awareness of the danger of forced child labor and the necessity of protecting them from exploitation and trafficking practices.

<sup>22</sup> Physical abuse, infectious disease spreading as conditions for Palestinian children in Israeli military detention deteriorate, Save the Children, <https://2h.ae/rHHd>

<sup>23</sup> Torture and insults... Testimonies of Palestinian children arrested by the Israeli army in Gaza, Al-Majalla, <https://2h.ae/QquM>



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- Opening expanded investigations into crimes of torture and ill-treatment of children during the investigation and trial stages and bringing those involved in these crimes to justice. We encourage countries with universal jurisdiction to initiate these investigations to ensure their seriousness and integrity.
- Strictly obliging the occupation army not to use children as human shields or to use them in any hostile operations, and to bring soldiers involved in these practices during the Gaza war to trial.
- The need for the Israeli authorities to commit to submitting their periodic reports to the Committee on the Rights of the Child at the specified times without delay, and to work seriously to implement the recommendations issued by the Committee.
- Training justice personnel inside the occupied territories about the rights of children in times of peace and armed conflict, and the procedures that must be followed in cases related to them.
- Develop Israeli laws and policies in accordance with relevant international standards to ensure that the rights of all children are protected equally, and to refrain from implementing any policies that may lead to discrimination or exclusion of any child at any stage of their life.



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