



General Assembly

Distr.: General
20 October 2023

Original: English

Seventy-eighth session

Agenda item 71 (c)

Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Palestinian territories occupied since 1967*

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, in accordance with Human Rights Council resolution 5/1.

* The present report was submitted after the deadline in order to reflect the most recent information.



Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese

Summary

Children comprise half of the Palestinian population under Israel's 56-year-old settler-colonial occupation. As a party to the Convention on the Rights of the Child and the occupying Power in the occupied Palestinian territory, Israel is obliged to prioritize the best interests of all children under its jurisdiction. Yet, Israel subjects Palestinian children to severe physical and psychological trauma, burdening them with fears and challenges that no child should bear. The absence of accountability for Israel's actions has emboldened its disregard for international obligations.

Israel's occupation, designed to illegally annex occupied land, stifles Palestinians' civil, political, economic, social and cultural rights. Land confiscation, resource expropriation and confinement contribute to Palestinian de-development, affecting the development of children. Every year Israeli forces kill, maim, orphan and detain hundreds of children of all ages. The resulting trauma is often unaddressed. This coercive environment critically violates the right to life of Palestinian children, preventing them from exercising the right of every child to grow up in safety and dignity. This experience has been characterized as "unchilding", meaning depriving children of the normalcy, lightness and innocence of childhood.

For Palestinian children, life under occupation is a daily struggle: from witnessing the heartbreak of their parents watching their confiscated land being cultivated by settlers, to their grandparents longing to reunite with their land and homes now behind walls; from unfinished homes being self-demolished, leaving only a mortgage to pay; to their schools being perpetually at risk of destruction. The deliberate violations of Palestinian children's rights call for urgent investigation, deployment of protective measures and a durable political solution that addresses root causes. This aligns with the broader goals of realizing the Palestinian people's right to self-determination and safety and security for everyone in the region.

I. Introduction

1. In her report to the Human Rights Council in 2023, the Special Rapporteur exposed how Israel has turned the occupied Palestinian territory into an open-air prison, where Palestinians are constantly confined, subjected to surveillance and punished.¹ This has aided Israel illegally dispossessing Palestinians of their lands and furthered their forced displacement.² Children make up almost half of the Palestinian population in this coercive environment,³ while 30 per cent of the population under occupation is under the age of 15.

2. The present report focuses on the rights of Palestinian children and the meaning of life under Israel's "forever occupation".⁴ Despite the legal framework applicable to them, Palestinian children are simultaneously hypervisible in terms of the violence they experience and invisible in terms of their suffering. While Palestinian authorities in the West Bank and Gaza Strip are also responsible for violating children's rights,⁵ the report examines the overarching impact of the Israeli occupation on children, in line with the Special Rapporteur's mandate.

3. All children must be able to enjoy their childhood in a healthy, safe and nurturing environment, where human rights are both valued and safeguarded, regardless of identity, race, religion or background. That is the foundational premise of the present report.

4. The report does not include reference to the crimes that have taken place since 7 October 2023, as they unfolded while the report was being finalized. The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel is conducting an investigation and the Special Rapporteur will also dedicate further analysis to this umpteenth tragic turn in the history of the longest occupation in history.

II. Methodology

5. The present report has been written without the benefit of a field visit, as Israel failed to facilitate the Special Rapporteur's access to the occupied Palestinian territory. It is based on an extensive desk review, submissions, virtual tours and online meetings with Palestinian, Israeli and international stakeholders. The research relied on the advice of psychosocial experts with specialized knowledge of children's mental health.

6. The Convention on the Rights of the Child is foundational for the present report, guiding the research from the formulation of interview questions to the benchmark for the evaluation of local policies and practices. In line with the best interest of the child and the "do no harm" principle, the Special Rapporteur relied on existing recent testimonies from children to the fullest extent possible. Her own interviews with children spanning various age groups and their families enhanced her overall understanding. Profound gratitude is expressed to all the children and adults who shared their testimonies, as well as to the organizations who helped to hold the

¹ [A/HRC/53/59](#), para. 4.

² *Ibid.*, paras. 79–93.

³ Palestinian Central Bureau of Statistics, "Dr. Awad highlights the Palestinian children's situation on the occasion of the Palestinian Child Day", 5 April 2023. This data refers only to the population of Palestinian children in the West Bank and the Gaza Strip.

⁴ [A/HRC/47/57](#), para. 74.

⁵ [CRC/C/PSE/CO/1](#), para. 24.

meetings. Throughout the report, names were changed to safeguard the children's privacy. Quotation marks indicate interviewees' words reported verbatim.

7. The Special Rapporteur witnessed the harrowing trauma that Palestinian children face and carry with them, visible on their bodies, in their speech and in their movements. While the children's assertiveness in advocating for their rights was remarkable, the Special Rapporteur noted that their preoccupations were atypical for their age, placing adult-like responsibilities on them that conflict with a carefree childhood. Some children feel that "the world ignores them". Others used the expression: "if only they knew", referring to countries they view as powerful. They urged the Special Rapporteur to convey their pleas to the world.

III. Setting the context: children under settler-colonial military occupation

8. Since 1967, the Israeli military occupation has violated international law, whether by disregarding or by distorting it, to justify its unlawful practices. By treating the occupied territory as "disputed" rather than "occupied", Israel has granted itself latitude to violate its obligations towards the occupied people,⁶ including children. With their status as protected persons deliberately denied, Palestinian children have been made vulnerable without redress.⁷

9. To advance the illegal colonization of the occupied territory, Israel has been subjecting the occupied population to a combination of daily deprivations, restrictions and modular levels of violence. The establishment of over 300 illegal colonies in the occupied territory has meant denial of Palestinians' rights to land, livelihood, adequate housing and health, and restrictions on education and employment. Treated as a collective threat, Palestinians are stripped of their individual and collective rights, denying children the ability to thrive.

10. While consolidating its presence in the occupied Palestinian territory, Israel has deployed variable uses of force against the population under occupation, obfuscating the legal distinction between law enforcement operations and the conduct of hostilities.⁸ In addition to the macroviolence of State-engineered lethal force and collective punishment against them, Palestinians also endure persistent acts of microviolence, including military raids and settler violence, destruction and pillage of property and resources, humiliation, arrest and detention regardless of their age.⁹

11. Palestinian children live in segregated spaces and hostility-stricken communities. Their families' livelihood, access to employment, health care, opportunities for leisure, future prospects and mobility are all controlled by Israel.¹⁰ Palestinian children are aware of the challenges they face "as Palestinians". Feeling alienated in their own land, children ask questions: "Why is it so? Are we less human?" or "Are we less worthy?"

12. Israel's settler colonial enterprise also has an impact Jewish Israeli children. They are affected by the decisions of their State or, for those living in the colonies,

⁶ Orna Ben-Naftali, Michael Sfard and Hedi Viterbo, *The ABC of the OPT: a Legal Lexicon of Israeli Control over the Occupied Palestinian Territory* (Cambridge University Press, 2018).

⁷ Neve Gordon and Nicola Perugini, *Human Shields: a History of People in the Line of Fire* (University of California Press, 2020), pp. 81–84.

⁸ Diakonia, "The use of force in law enforcement in the Occupied Palestinian Territories: questions and answers", December 2021, pp. 7–9.

⁹ Human Rights Watch, "Israel: collective punishment against Palestinians", 2 February 2023.

¹⁰ Nadera Shalhoub-Kevorkian, *Incarcerated Childhood and the Politics of Unchilding* (Cambridge University Press, 2019), p. 33.

their families' choices and ideologies. Some have tragically lost their lives and others typically grow up in an environment saturated with fear, hostility and racism towards Palestinians.¹¹ The prevailing atmosphere may contribute to the structural violence directed at Palestinians. In the words of a former Israeli soldier: "I don't remember children. When you are in your uniform, it's us and them."¹²

13. It is well documented that from a young age Israeli children are taught narratives that frame Palestinians as threats, falsely tying them to the Holocaust and characterizing them as invaders bent on eliminating the Jewish people.¹³ This rhetoric sustains a narrative of a "permanent emergency" justifying the colonization of the occupied territories while dehumanizing Palestinians.¹⁴ In 2023, Israel's ultranationalist Government has exacerbated violence against Palestinians, inciting hatred and settlers' attacks on Palestinian communities. Radicalized settler youth, often enlisted in the military, contribute to severe abuses against Palestinians.

14. This reality is unsustainable, both for the Palestinians and the Israelis. Today's children are tomorrow's adults. In a world committed to child protection, it is imperative to examine how this commitment is to be realized in the occupied Palestinian territory.

IV. Child protection: international legal framework

15. The international legal framework applicable to the occupied Palestinian territory comprises international human rights law, international humanitarian law and international criminal law.¹⁵ This legal framework sets forth the rights and freedoms of children as protected persons and human beings, as well as the obligations of the relevant authorities.

16. Within this framework, the Convention on the Rights of the Child, including the Optional Protocol on the involvement of children in armed conflict, establishes the most comprehensive framework for safeguarding children's rights. The Convention, ratified by Israel in 1991 and the State of Palestine in 2014, is applicable in the occupied Palestinian territory. Signatories must respect, protect and fulfil the rights of children within their jurisdiction or subject to their effective control.¹⁶ The State of Palestine's accession to the Convention and other international human rights treaties does not absolve the Israeli occupying authorities of their responsibilities towards Palestinian children under occupation.¹⁷

17. The Convention is a vital instrument for promoting and defending the rights and dignity of every child. It enshrines four guiding principles underpinning all other rights:¹⁸ the principle of non-discrimination, the principle of safeguarding the best interests of the child, the right to life that spans from survival to development, and the right to participate in decisions and actions that affect them.¹⁹ The Convention guarantees children the right to a name, nationality and family, shielding them from discrimination, exploitation, ill-treatment and violence.²⁰ It ensures access to

¹¹ Nurit Peled-Elhanan, *Palestine in Israeli School Books: Ideology and Propaganda in Education* (Bloomsbury Publishing, 2013).

¹² ABC News Australia, "Stone cold justice: Israel's torture of Palestinian children", video, 2014.

¹³ Peled-Elhanan, *Palestine in Israeli School Books*.

¹⁴ See [A/HRC/53/59](#).

¹⁵ *Ibid.*, paras. 14–15.

¹⁶ Convention on the Rights of the Child, art. 4.

¹⁷ *Ibid.*

¹⁸ Committee on the Rights of the Child, general comment No. 5 (2003).

¹⁹ Convention on the Rights of the Child, arts. 2, 3 (1), 6 and 12.

²⁰ *Ibid.*, arts. 2, 5, 7, 19, 32, 34, 36 and 37.

education, health care and a nurturing environment conducive to their physical, mental and emotional growth. It affords special psychosocial support to children exposed to abuse, neglect or armed conflict.²¹

18. International humanitarian law, the Regulations respecting the Laws and Customs of War on Land (Hague Regulations), the Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and customary international humanitarian law, reinforce the protections afforded by human rights treaties to children in situations of armed conflict and occupation. Furthermore, these instruments establish a framework for ensuring the safety and security of schools and hospitals, emphasizing their vital role as civilian objects that should not be subjected to attack or military use during armed conflicts, siege and bombardment.²² The recruitment of children for military purposes is prohibited.²³

19. The occupying Power is obliged to ensure public order and civil life and has responsibility for the welfare of the occupied population, including children. This encompasses respecting private property, which cannot be confiscated, and administering public property in the occupied territory as a mere custodian.²⁴

20. Fundamental to ensuring the enjoyment of childhood is the prohibition of forcible transfer or deportation of the occupied population outside the occupied territory; extensive destruction and appropriation of property not justified by military necessity, including of hospitals;²⁵ intentional killing and injury,²⁶ torture or inhumane treatment;²⁷ violations of fair trial rights;²⁸ unlawful confinement of the population;²⁹ and child recruitment.³⁰ Intentionally violating any of these obligations is a grave breach of the Third and Fourth Geneva Conventions.³¹

21. Such breaches also constitute war crimes,³² especially “when committed as part of a plan or policy or as part of a large-scale commission of such crimes”.³³ Under international criminal law, some of these violations may amount to crimes against humanity, such as deportation or forcible transfer of population, arbitrary deprivation

²¹ Ibid., arts. 23 (3–4), 24, 27–29 and 39.

²² Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations respecting the Laws and Customs of War on Land of 18 October 1907 (Hague Regulations), arts. 12 and 27; and Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflict (Protocol I), art. 18.

²³ Convention on the Rights of the Child, art. 38.

²⁴ Hague Regulations, arts. 43, 45 and 55.

²⁵ Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (Fourth Geneva Convention), arts. 18–19, 49 and 53.

²⁶ International Committee of the Red Cross (ICRC), Customary International Humanitarian Law Databases, rules 1–2, 11 and 14. Available at <https://ihl-databases.icrc.org/en/customary-ihl/v1>.

²⁷ Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 (Third Geneva Convention), art. 13; Fourth Geneva Convention, art. 32; and ICRC, Customary International Humanitarian Law, rule 90.

²⁸ Fourth Geneva Convention, art. 78 and part III, sects. III–IV; and ICRC, Customary International Humanitarian Law, rules 87–91, 99–103 and 118–137.

²⁹ Fourth Geneva Convention, art. 42; and ICRC, Customary International Humanitarian Law, rule 99.

³⁰ Fourth Geneva Convention, art. 50 (2); Additional Protocol I, art. 77 (2); and Customary International Humanitarian Law, rules 136–137.

³¹ Third Geneva Convention, art. 13; and Fourth Geneva Convention, art. 147.

³² Rome Statute of the International Criminal Court, art. 8 (2) (a) (i–vii) and 8 (2) (b) (xxvi); Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, art. 2; and Fourth Geneva Convention, art. 147. See also *Legality of the Threat or Use of Nuclear Weapons*, Advisory Opinion, *I.C.J. Reports* 1996, p. 226, paras. 79 and 82.

³³ Rome Statute of the International Criminal Court, art. 8 (1).

of liberty, apartheid, torture,³⁴ and persecution against an identifiable group,³⁵ or other inhumane acts,³⁶ when carried out “as part of a widespread or systematic attack directed against any civilian population”.³⁷ While these crimes do not specifically refer to children, the International Criminal Court’s Office of the Prosecutor recognizes that crimes against or affecting children are “regarded as particularly grave, given the commitment made to children in the Statute, and the fact that children enjoy special recognition and protection under international law”.³⁸

V. “Enjoying” rights in a militarized settler-colonial occupation

22. Violations of children’s rights in the occupied Palestinian territory have been widely documented.³⁹ Given the scale and severity of these violations, the present report places primary focus on the “inherent right to life” for every child,⁴⁰ a right that is to be interpreted broadly.⁴¹

23. As “the prerequisite for the enjoyment of all other human rights”, the right to life must be effectively protected.⁴² Its protection embraces all facets of a child’s existence, with the best interest of the child taking precedence⁴³ in any matter affecting their safety, dignity and freedom.⁴⁴ Upholding the right to life requires State authorities to ensure the survival and well-being of children, protecting them from arbitrary loss of life and promoting an “environment that respects human dignity and ensures the holistic development of every child”.⁴⁵

24. This includes preserving families’ roles in realizing children’s rights: ensuring adequate housing, access to education and the highest attainable standard of health, shielding children from any form of physical or psychological harm, and nurturing their holistic development, physically, mentally, spiritually, morally and socially. This includes ensuring opportunities for leisure, play and engagement in cultural and social activities, as well as involving children in decision-making processes, especially when their rights and freedoms are at stake.⁴⁶

25. The following sections explore the structural violence experienced by Palestinian children in the occupied territory, affecting their lives and collective well-being. This, in turn, undermines the realization of the right to self-determination of the Palestinian people, and their very existence.

³⁴ Ibid., arts. 7 (1) (d–f and j).

³⁵ Ibid., art. 7 (1) (h).

³⁶ Ibid., art. 7 (1) (k).

³⁷ Ibid., art. 7 (1).

³⁸ International Criminal Court, Office of the Prosecutor, “Policy on children”, November 2016.

³⁹ United Nations Children’s Fund (UNICEF), “Children in Israeli military detention: observations and recommendations”, February 2015; and Defense for Children International-Palestine, *Palestinian Child Prisoners: the Systematic and Institutionalised Ill-Treatment and Torture of Palestinian Children by Israeli Authorities* (Jerusalem, 2009).

⁴⁰ Convention on the Rights of the Child, art. 6 (1–2); and Universal Declaration of Human Rights, art. 3.

⁴¹ Committee on the Rights of the Child, general comment No. 21 (2017), para. 29.

⁴² Human Rights Committee, general comment No. 36 (2019), para. 2.

⁴³ Committee on the Rights of the Child, general comment No. 20 (2016).

⁴⁴ Convention on the Rights of the Child, preamble.

⁴⁵ Committee on the Rights of the Child general comment No. 14 (2013).

⁴⁶ Convention on the Rights of the Child, arts. 5, 12, 19, 23(1), 24, 27(1), 27(3), 28, 31–36 and 37(a).

A. Right to live in safety

26. Preserving the right to life involves preventing the arbitrary loss of a child's life, without derogations.⁴⁷ In the occupied Palestinian territory, the fundamental right to life is under threat, as indicated by the mortality rates of Palestinian children: the neonatal mortality and infant mortality rates in the occupied Palestinian territory are, respectively, 9.3 and 12.7 per 1,000 live births, rising to 14.8 per 1,000 live births for children under 5, while in Israel they are 1.7, 2.7 and 3.4 per 1,000 live births.⁴⁸ In addition to direct attacks on the right to life, Palestinians also endure structural violence and racial discrimination, which impedes their full development.⁴⁹

“I am afraid they will kill me”

27. In the context of occupation, the excessive use of force not only has outcomes but appears to be a functional component of Israel's policies. This dehumanizing approach deprives Palestinians of their protected status as civilians, irrespective of their age, location or background, placing them (in the eyes of Israel) in the category of legitimate military targets rather than protected persons under international law. This strategy, which also covers extrajudicial killings and arbitrary executions,⁵⁰ contributes to the removal and suppression of any impediment to Israel's territorial objectives.

28. Since 2008, over 1,434 Palestinian children have been killed and another 32,175 injured, mostly by Israeli forces.⁵¹ In the same period, 25 Israeli children have been killed, mostly by Palestinian individuals, and 524 injured.⁵² The devastating loss of human life reflects a pattern of documented “use of excessive force” against the Palestinians⁵³. The spectre of death looms as a dominant element in the lives of Palestinian children. This reality exerts a psychosocial toll on those who manage to survive, as poignantly expressed by Ouadia, age 14: “fearing death does not prevent you from dying but it prevents you from living.”

29. The Israeli occupying forces justify such killings on the basis of “self-defence”,⁵⁴ “counter-terrorism”⁵⁵ and, in the context of hostilities in Gaza, the consequence of attacking legitimate targets,⁵⁶ or of Palestinian armed groups

⁴⁷ Human Rights Committee, general comment No. 36 (2019), para. 2.

⁴⁸ UNICEF, “State of Palestine”, Country Profile Database, available at <https://data.unicef.org/country/pse/>; and UNICEF, “Israel”, Country Profile Database, available at <https://data.unicef.org/country/isr/> (last updated 2021).

⁴⁹ See CERD/C/ISR/CO/17-19.

⁵⁰ Amnesty International, “Israel/OPT: increase in unlawful killings and other crimes highlights urgent need to end Israel's apartheid against Palestinians”, 11 May 2022.

⁵¹ United Nations, Office for the Coordination of Humanitarian Affairs, “Palestinian fatalities” and “Palestinian injuries”, Casualties Database. Available at www.ochaopt.org/data/casualties (up to 31 August 2023).

⁵² United Nations, Office for the Coordination of Humanitarian Affairs, “Israeli fatalities” and “Israeli fatalities injuries”, Casualties Database. Available at www.ochaopt.org/data/casualties (up to 31 August 2023).

⁵³ See A/HRC/40/74; and A/77/328.

⁵⁴ Noura Erakat, *Justice for Some: Law and the Question of Palestine* (Stanford University Press, 2019). pp. 178, 182 and 186.

⁵⁵ Muhammad Ali Khalidi, “‘The most moral army in the world’: the new ‘ethical code’ of the Israeli military and the war on Gaza”, *Journal of Palestine Studies*, vol. 39, No. 3 (2010), pp. 8–13.

⁵⁶ Israeli Defense Forces, “The secrets behind Hamas' terrorist tunnels: meet the officers responsible for the counterterrorism efforts against the Hamas underground tunnel network”, 24 January 2021.

purportedly using civilians as “human shields”.⁵⁷ Recently, an Israeli occupation lieutenant asserted that the number of Palestinian children “incidentally killed” during operations aimed at “eliminating terrorists” is “irrelevant”.⁵⁸ Such a statement is not isolated and may reflect broader operational ethics and a legal culture within the Israeli occupation forces that devalues Palestinian civilian life.⁵⁹

30. Israel’s attacks against the Gaza Strip, where Palestinians have endured 16 years of unlawful blockade and six large military assaults (2008–2009, 2012, 2014, 2021, 2022 and 2023), have denied and threatened the right to life of its Palestinian people. Rockets and missiles fired by armed groups in Gaza have also denied and threatened the right to life of Israelis, including children.

31. Jointly, these Israeli military attacks have killed 4,269 Palestinians in Gaza, including 1,025 children, and injured 41,348, including 7,588 children.⁶⁰ Over the same period, rockets launched by Palestinian armed groups have killed 212 Israelis and injured 2,930. Such violent events terrorize children on both sides.

32. During four of their operations against Gaza,⁶¹ the Israeli forces attacked Palestinian life-sustaining medical structures, services and personnel:⁶² the military carried out 180 attacks on hospitals and medical clinics in Gaza, targeted 80 ambulances, and killed 41 medical workers and injured 104.⁶³ Attacks on health workers, ambulances and facilities have also occurred in the West Bank, including East Jerusalem, where severely wounded Palestinians have been unable to receive medical treatment.⁶⁴

33. Amid these hostilities, both Israeli forces and Palestinian armed groups can be found to be in violation of international law. The illegality of the 1967 occupation, including the blockade of Gaza, does not exempt Palestinian armed groups from their own obligations. Their use of rudimentary rockets targeting areas in Israel, endangering civilians, including children, may also amount to a war crime. This does not justify Israel’s indiscriminate attacks in densely populated residential areas in Gaza,⁶⁵ including at night when entire Palestinian families are sleeping,⁶⁶ with limited or no opportunity to seek refuge, and the targeting of entire residential buildings and other essential infrastructure. Pre-attack warnings have not proven effective at sparing civilian life: entire families have lost their lives in night attacks.⁶⁷ Furthermore, in

⁵⁷ Neve Gordon and Nicola Perugini, “The politics of human shielding: on the resignification of space and the constitution of civilians as shields in liberal wars”, *Environment and Planning D: Society and Space*, vol. 34, No. 1 (2015), pp. 182–183.

⁵⁸ Maurice Hirsch, Israel Defense Forces Lieutenant, tweet, 9 May 2023. Available at <https://twitter.com/MauriceHirsch4/status/1655840611704897536>.

⁵⁹ Yair Sheleg, “Asa Kasher: we can’t let the Israelis get killed in order to save Palestinian civilians”, *Haaretz*, 19 October 2006.

⁶⁰ United Nations, Office for the Coordination of Humanitarian Affairs, Casualties Database, Available at www.ochaopt.org/data/casualties (last updated 31 August 2023).

⁶¹ In 2008, 2009, 2012, 2014 and 2021.

⁶² Medical Aid for Palestinians, “Health under occupation”, September 2017, p. 16; Jutta Bachmann and others, *Gaza 2014: Findings of an Independent Medical Fact-Finding Mission* (Physicians for Human Rights-Israel and others, 2015), pp. 34–35; Elisabeth Mahase, “Gaza: Israeli airstrikes kill doctors and damage healthcare facilities”, *BMJ*, vol. 373 (2021); and Medical Aid for Palestinians, “Systematic discrimination and fragmentation as key barriers to Palestinian health and healthcare”, November 2021.

⁶³ Nicola Perugini and Neve Gordon, “Medical lawfare: the Palestinian Nakba and Israel’s attacks on healthcare” (forthcoming in *Journal of Palestine Studies* (2024)).

⁶⁴ Interview with a World Health Organization (WHO) representative.

⁶⁵ [A/HRC/49/83](https://www.unhcr.org/refugees/49/83), paras. 9–10.

⁶⁶ Amnesty International, “Israel/OPT: civilian deaths and extensive destruction in latest Gaza offensive”, 13 June 2023.

⁶⁷ B’Tselem, *Black Flag: The Legal and Moral Implications of the Policy of Attacking Residential Buildings in the Gaza Strip, Summer 2014* (Jerusalem, 2015).

Israel's targeted assassinations, there are no warnings and children become "collateral damage". Palestinians in Gaza have been imprisoned for 16 years and have few if any places to hide when bombs fall upon them; even United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools have proved not to be safe. Children from Gaza describe life after military assaults as an act of mourning: "even when one survives, life becomes unbearable".

34. The Israeli military often claims that the Palestinians use their children as "human shields" on the front lines.⁶⁸ However, already in 2009 the United Nations Fact-Finding Mission on the Gaza Conflict identified a practice that continues today: while Palestinians killed by the Israeli occupying forces, including children, are sometimes posthumously labelled as "martyrs" by political factions, this is not proof of involvement in armed activities, but is part of a collective consciousness and is accepted by the families who receive financial support from armed groups.⁶⁹ The same Mission also raised concerns about potential fabrications of Israel's accusations that schools and hospitals were used by armed groups; as Israel itself conceded, the images it provided to the Fact-Finding Mission were not from the 2008–2009 war.⁷⁰

35. Reports by the United Nations High Commissioner for Human Rights and independent commissions of inquiry have found that Israeli military attacks against Palestinian civilians were unnecessary or disproportionate, amounting to arbitrary deprivation of life.⁷¹ On documented occasions, Palestinians who were not posing any kind of threat have been attacked with unnecessary force,⁷² even as they were standing "in front of a clinic while attempting to leave the village holding white flags"⁷³ or while playing football on the beach⁷⁴ or while gathered around their grandfather's grave.⁷⁵

36. The violence of these multiple lethal attacks is highly traumatic for children in Gaza, where over half of them may be affected by post-traumatic stress disorder.⁷⁶ With very few qualified child and adolescent psychiatrists in Gaza, access to mental health services for children is almost non-existent. The children have inconsolable pain and "fears of dying or losing [their] beloved ones".⁷⁷

37. In the West Bank, including East Jerusalem, Israel's assaults on Palestinians have not spared Palestinian children. Since the second intifada, in 2000, the frequency, toll and brutality of Israel's military assaults have persisted. Attacks on cultural spaces and activities have increased, including the violence against worshippers in the Al-Aqsa Mosque during Ramadan in 2021, 2022 and 2023. The experience of the Jenin refugee camp, an area of 0.42 km² hosting about 24,000 refugees,⁷⁸ is an example of this structural violence. Beyond the incursions and

⁶⁸ Israel Defense Forces, "Operation Cast Lead", 30 October 2017; Israel Defense Forces, " Hamas uses Gazans as human shields when launching rockets", 29 October 2012; Israel Defense Forces, "Operation Protective Edge", 30 October 2017; Israel Defense Forces, "Operation Guardian of the Walls", 14 June 2021; and Gordon and Perugini, *Human Shields: A History of People in the Line of Fire*, pp. 22, 170–179 and 214–216.

⁶⁹ A/HRC/12/48, para. 423.

⁷⁰ Ibid., paras. 449–452.

⁷¹ A/HRC/49/83, para. 25; A/HRC/12/48, para. 1431; A/HRC/29/52, para. 71; and A/HRC/22/35/Add.1, para. 10.

⁷² A/HRC/28/80/Add.1, para. 43.

⁷³ A/HRC/29/52, para. 59.

⁷⁴ United Nations, Office for the Coordination of Humanitarian Affairs, "Occupied Palestinian Territory: Gaza emergency humanitarian snapshot", 17 July 2014.

⁷⁵ A/HRC/52/75, para. 8.

⁷⁶ WHO, document A72/33, para. 15.

⁷⁷ Interview with children in the Gaza Strip, August 2023.

⁷⁸ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "Camp profile: Jenin camp", 2023.

military operations that Israel considers routine, the Jenin camp has been attacked seven times in 2023,⁷⁹ killing 40 Palestinians, including 9 children. “They were bombing us from everywhere, they were everywhere, we were so scared that our parents may die,” said Yasmine, age 16, referring to the assault that occurred from 3 to 5 July 2023. The children observing the assaults from outside the camp were scared for their friends and for their Freedom Theatre, “the only place where we enjoy our life and we are not scared”. Children from the Jenin camp spoke fondly of 15-year-old Sadeel Naghniyeh, killed by an Israeli sniper in the head while in her courtyard, during the withdrawal of the occupation forces from the Jenin camp.⁸⁰

38. Repeated exposure to death and violence under Israeli occupation results in high levels of mental and emotional distress among Palestinian children. One teenager in the Dheisheh refugee camp commented: “if this is what life looks like at 15, I swear death is more merciful”. Recently, Palestinian children in the West Bank started to carry farewell letters in their pockets.⁸¹

39. When asked to describe their main source of fear, Palestinian children referred to the Israeli soldiers and the settlers.⁸² The gruesome killings by Israeli settlers of Muhammad Abu Khdeir, age 16, in the Shu’fat refugee camp in 2014 and the Dawabsheh family killing in the village of Duma in 2015 are still vivid for Palestinian children. Israeli settlers, including children and youth, have become increasingly aggressive, coordinating mass assaults on Palestinian towns in the West Bank.⁸³ Since 2017, the United Nations has documented 3,244 such incidents, resulting in 920 Palestinian casualties and damage to 2,324 properties.⁸⁴ Extreme forms of settler violence include incursions into Palestinian property, including at night, regular “pogroms”, the torching of infrastructure and physical assaults against Palestinian residents,⁸⁵ all under the eyes of the Israeli occupation forces, with some of it publicly praised by some senior Israeli officials.⁸⁶ Within these incidents, children are targeted even when running away from the soldiers, such as Ramzi Fathi, age 17, who was fatally shot in the chest and abdomen.⁸⁷ “The life of children should be sacrosanct,” said a mother of three from the Jenin refugee camp. Instead, “our children are killed, threatened, intimidated; it is an entire system designed for it”.⁸⁸

40. As a 13-year-old child in Gaza lamented, “Even when we protest, they kill us,” referring to the Israeli forces’ open-fire policy during the weekly protests in the Gaza Strip during the 2018–2019 Great March of Return, resulting in the death of 223

⁷⁹ In January, March, June and July.

⁸⁰ Basel Adra, “Her smile never left her face”, *+972mag*, 5 July 2023.

⁸¹ Qassam Muaddi, “The ongoing Nakba: why Dheisheh camp’s Palestinian teenagers are carrying farewell letter in their pockets”, *New Arab*, 5 June 2023 (confirmed by Defense for Children-Palestine).

⁸² Interviews with children in West Bank, August 2023, and Jerusalem, February 2023.

⁸³ Norwegian Refugee Council, “Attribution of settler-violence to the State of Israel”, 2023 (forthcoming).

⁸⁴ United Nations, “Increase in settler violence, displacement, remarks by OCHA Spokesperson Jens Laerke”, 5 August 2023.

⁸⁵ Avishay Mohar, “Settlers have a very effective system for forcing Palestinians out of their homes”, *Haaretz*, 1 September 2023.

⁸⁶ Michael Bachner, “Israel should ‘wipe out’ Palestinian town of Huwara, says senior minister Smotrich”, *The Times of Israel*, 1 March 2023; and Thomas Helm, “Far-right Israeli minister Ben-Gvir calls for killing of ‘thousands of terrorists’”, 23 June 2023.

⁸⁷ Defense for Children-Palestine, “17-year-old Palestinian boy succumbs to gunshot wounds from Israeli settlers”, 7 August 2023.

⁸⁸ Interview with Palestinian women from Northern West Bank.

Palestinians, including 46 children, and injuring 36,100, including 8,800 children.⁸⁹ The independent international commission of inquiry on the protests in the occupied Palestinian territory concluded that “Israeli security forces used lethal force against children who did not pose an imminent threat of death or serious injury to its soldiers. Four of the children were shot as they walked or ran away from the fence”⁹⁰ and “Israeli snipers shot them intentionally, knowing that they were children”.⁹¹ A shoot to kill policy⁹² is deployed against Palestinian adults and children alike in the occupied territory. Irrespective of whether these children are directly targeted, these attacks cast a profound effect on children.

41. Beyond arbitrarily taking lives, Israel has forced Palestinian children to be at the frontline of military operations, including toddlers.⁹³ Since 2000, at least 31 children have been forced to stand in front of a military tank or a soldier, witnessing the destruction of their surroundings.⁹⁴ One of these children recalls: “I was trembling and crying and shouting to the soldiers to remove me because the bullets were passing over my head, but one of them ordered me in Arabic through a small window in the military vehicle: ‘Stay where you are and don’t move. You’re a terrorist. Stand in your place until you say goodbye to your brother’.”⁹⁵

Maiming

42. “When they do not kill [our children], they may remain ruined forever”, says a Palestinian mother, reflecting how many children have been maimed by Israeli forces and settler violence.⁹⁶ Between 2019 and 2022, 1,679 Palestinian children and 15 Israeli children suffered lasting physical injury.⁹⁷

43. Medical personnel in the Gaza Strip and the West Bank report a change in tactics, manifested in the shift from traditional methods of dispersing protests to deliberately targeting protestors’ knees, femurs or vital organs to pre-emptively debilitate the capacity for any other form of opposition to Israel’s oppression.⁹⁸ During the 2018 protests in Gaza, Israeli forces permanently disabled many of the 940 children shot during the demonstrations, including 20 children left maimed,⁹⁹ and through other lifelong disabilities, such as blindness.¹⁰⁰ Israel’s use of force against

⁸⁹ B’Tselem and Palestinian Centre for Human Rights, *Unwilling and Unable: Israel’s Whitewashed Investigation of the Great March of Return Protests* (2021); and United Nations, Office for the Coordination of Humanitarian Affairs, “Two years on: people injured and traumatized during the ‘Great March of Return’ are still struggling”, 6 April 2020.

⁹⁰ [A/HRC/40/74](#), para. 67.

⁹¹ *Ibid.*, para. 68.

⁹² Amnesty International, “Israel: ‘deliberate attempts’ by military to kill and maim Gaza protesters continues”, 27 April 2018; and B’Tselem and Palestinian Centre for Human Rights, *Unwilling and Unable*, p. 6.

⁹³ Defense for Children-Palestine, “Israel forces use five Palestinian children as human shields”, 18 May 2023.

⁹⁴ *Ibid.*

⁹⁵ Defense for Children-Palestine, “Israel forces use Palestinian girl as a human shield in Jenin”, 19 May 2022.

⁹⁶ Interview with Palestinian mothers in Jenin, August 2023.

⁹⁷ [A/74/845-S/2020/525](#), para. 86, [A/75/873-S/2021/437](#), para. 79, [A/76/871-S/2022/493](#), para. 88, and [A/77/895-S/2023/363](#), para. 89.

⁹⁸ Jasbir K. Puar, *The Right to Maim: Debility, Capacity, Disability* (Duke University Press, 2017), p. 129.

⁹⁹ See [A/HRC/40/74](#).

¹⁰⁰ Defense for Children-Palestine, “Israeli forces blind 3 Palestinian children with live ammunition, stun grenade”, 20 July 2023.

the protesters was found to be “neither necessary nor proportionate, and therefore impermissible”.¹⁰¹

44. Deliberately maiming children and young people reflects the level of dehumanization they are subjected to.¹⁰² Children embody this existential cruelty: it allows life to continue, yet it perpetuates fear and vulnerability¹⁰³ and makes life “something resembling an incomplete death”.¹⁰⁴

Arbitrary arrest and detention

45. Since 2000, an estimated 13,000 Palestinian children have been detained, interrogated, prosecuted and imprisoned by Israeli occupation forces,¹⁰⁵ with an average of between 500 and 700 children detained yearly.¹⁰⁶ Between 2022 and 2023, the number of children detained without charge or trial has risen, with currently 20 children in administrative detention.¹⁰⁷ Cruel, inhuman and degrading treatment is widely reported¹⁰⁸ and their tribulation through arrest and detention is covered elsewhere.¹⁰⁹ Palestinian children can be arrested anywhere, at checkpoints, on their way to school, during operations in towns and camps, or even in their own beds. One mother recounted the night arrest of her son: “They forcefully dragged him, hit him ..., they hooded him while I was standing there screaming ‘He is a child ... have mercy, a child’, and he was calling me, ‘Yamma, yamma [mom, mom],’ and I could not do anything ... Seeing him vomiting while he was being hooded with their bag”.¹¹⁰

46. The majority of children are charged with stone throwing¹¹¹ at Israeli forces’ armoured vehicles, which may result in sentences of 10 to 20 years. For example, Naveen, age nine, recounted: “I started picking up stones, trash from the street, and even my juice bottle and screamed loudly to prevent them from arresting my father.”¹¹²

47. In over a decade, at least 1,598 Palestinian children have been subjected to ill-treatment upon arrest and detention.¹¹³ Allegations of torture have been widely documented.¹¹⁴

¹⁰¹ A/HRC/40/74, para. 96.

¹⁰² Hilo Glazer, “‘42 knees in one day’: Israeli snipers open up about shooting Gaza protesters”, *Haaretz*, 6 March 2020; and Jonathan Ofir, “‘I remember the knee in the crosshairs, bursting open’ – Israeli snipers boast of shooting ‘ducks’ in Gaza”, *Mondoweiss*, 8 March 2020.

¹⁰³ Jasbir K. Puar, “The ‘right’ to maim: disablement and inhumanist biopolitics in Palestine”, *Borderlands*, vol. 14, No. 1 (2015), pp. 7–8.

¹⁰⁴ Frantz Fanon, *A Dying Colonialism* (Grove Press, 1965), p. 128.

¹⁰⁵ Defense for Children-Palestine, *Arbitrary by Default: Palestinian Children in the Israeli Military Court System* (2023), p. 20.

¹⁰⁶ *Ibid.*

¹⁰⁷ Addameer, Statistics Database, available at www.addameer.org/statistics (last update September 2023).

¹⁰⁸ Defense for Children-Palestine, *Arbitrary by Default*, pp. 29–30; Naama Baumgarten-Sharon, *No Minor Matter: Violation of the Rights of Palestinian Minors Arrested by Israel on Suspicion of Stone Throwing* (B’Tselem, 2011), pp. 37–38; and *CRC/C/15/Add.195*, para. 36.

¹⁰⁹ A/HRC/53/59, paras. 65–72.

¹¹⁰ Shalhoub-Kevorkian, *Incarcerated Childhood*, p. 74.

¹¹¹ Save the Children, “Injustice: Palestinian children’s experience of the Israeli military detention system”, July 2023, p. 8.

¹¹² Nadera Shalhoub-Kevorkian, “Necropenology: conquering new bodies, psychics, and territories of death in East Jerusalem”, *Identities: Global Studies in Culture and Power*, vol. 27, No. 3 (March 2020).

¹¹³ Annual reports of the Secretary-General on children and armed conflict, 2010–2023; and Save the Children, “Injustice”, p. 13.

¹¹⁴ Save the Children, “Defenceless: the impact of Israeli military detention on Palestinian children”; and Defense for Children-Palestine, *Arbitrary by Default*.

48. Upon arrest, 77 per cent of children are denied access to a lawyer prior to interrogation¹¹⁵ and nearly 60 per cent of them are deported to Israel.¹¹⁶ Transferring detainees outside the occupied Palestinian territory constitutes a war crime.¹¹⁷ It hinders family visits, owing to difficulties obtaining Israeli-issued permits. Typically, a child receives just one sporadic visit from family members, further isolating the child from family and community. Parents are rarely informed of their child's whereabouts upon arrest, which not only violates the Convention on the Rights of the Child but also may amount to enforced disappearance,¹¹⁸ which, in the context of a widespread or systematic attack directed at the civilian population, constitutes a crime against humanity.¹¹⁹

49. Palestinian children often experience solitary confinement in windowless cells that are constantly lighted.¹²⁰ This prohibited practice,¹²¹ very common during interrogation, has increased from 12.5 average days in 2022 to 16.5 in 2023.¹²² The irreparable effect of solitary confinement on young people at such a critical stage of their neurological, physiological and social development, has a serious risk of long-term developmental impairment and psychological harm.¹²³ The practice is associated with an increased risk of suicide and self-harm and creates problems with reintegration. Reflecting this troubling reality is the case of Ahmad Manasra, who has been in solitary confinement since November 2021, despite developing schizophrenia.¹²⁴ Cases of Palestinian children in Israeli custody resorting to self-harm and attempting suicide are not rare.¹²⁵

50. Trials last three minutes on average, during which children may see their family and lawyer for the first time since their arrest after a protracted period apart.¹²⁶ Parents recount the horror of seeing their young children appearing before a martial court for a few seconds, surrounded by guards and with “the judge not even looking at [their] children [while] taking one minute to sentence them to imprisonment”.¹²⁷

51. This calvary deeply traumatizes Palestinian children and their families and communities.¹²⁸ Most of the children, like Bassam, aged 11 when arrested, cannot comprehend all this: “What right do they have to arrest me and put me in prison for 100 days, threaten to arrest my father, and hit my mother? I was exposed to torture and spent ages without food or sleep.”¹²⁹

52. Israel's concept of “military juvenile justice” runs counter to fundamental protections for children during arrest and detention, including their right to a fair trial, breaching the obligations to only detain children as a last resort, for the shortest possible duration, with the assistance of a legal representative; respect the presumption of innocence and privacy; and never subject children to torture or cruel

¹¹⁵ Military Court Watch, Annual Report: 2021/22 (2022), pp. 15–16.

¹¹⁶ Save the Children, “Defenceless”, p. 9.

¹¹⁷ Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹¹⁸ International Convention for the Protection of All Persons from Enforced Disappearance, art. 2.

¹¹⁹ Rome Statute of the International Criminal Court, art. 7 (1) (i).

¹²⁰ Military Court Watch, Annual Report: 2021/22, p. 18.

¹²¹ Convention on the Rights of the Child, art. 37.

¹²² Defense for Children-Palestine, *Arbitrary by Default*, p. 2.

¹²³ Editorial, “Solitary confinement of children and young people”, *The Lancet*, vol. 391, No. 10131 (April 2018).

¹²⁴ Office of the United Nations High Commissioner for Human Rights, “UN experts urge Israel to free Ahmad Manasra”, 14 July 2022.

¹²⁵ Military Court Watch, annual report (2021/22), p. 19.

¹²⁶ Baumgarten-Sharon, *No Minor Matter*, p. 50.

¹²⁷ Interview with mothers in Jerusalem, February 2023.

¹²⁸ Gwyn Daniel, “‘The strong do what they can and the weak suffer what they must’: Palestinian families under occupation”, *Context*, vol. 164 (August 2019), p. 49.

¹²⁹ Save the Children, “Defenceless”, p. 17.

treatment. Extrajudicial killings of children deprive them of the right to even a trial, as with Ahmad Manasra's cousin Hassan who was armed with a knife, not a gun, but killed immediately.

53. In addition, these practices include instances of house arrest, where parents are compelled to act as the guardians for their detained children within their own homes.¹³⁰ "I became my son's jailer, I felt he resented me", said a mother of a 17-year-old sentenced to house arrest after six months in detention.¹³¹ Contrary to the principles of humane treatment and the preservation of family integrity,¹³² this disrupts the developmental trajectory of the child and family life. Jamal, detained at age 15, explained: "You have your whole life planned out but then you get arrested, and it ruins everything ... It's as if this experience robs you of your time and your future."¹³³ Requiring parents to act as the arm of the occupying Power can also produce irreparable rifts in family life, as children may view it as collusion rather than a desire to protect them from prison.

54. Children who have experienced detention report anxiety, depression and personality changes.¹³⁴ Parents report noticeable changes in their children's behaviour, including increased clinginess, isolation and a lack of interest in ordinary or enjoyable activities.¹³⁵ Children are constantly haunted by the fear of being rearrested, with 59 per cent thinking about this possibility daily. As one mother recalled, "my son became angrier, but he does not want to talk about it".

B. Right to live in dignity

55. "How can children ever be happy under occupation?" asks Adnan, a father of four from the Jenin refugee camp. In the occupied West Bank, the expansion of Israeli-Jewish colonies, discriminatory zoning and planning, and the exploitation of Palestinian land and other resources at the expense of Palestinian sovereignty have confined Palestinians into impoverished and densely populated "enclaves", making the achievement of life in dignity unattainable.¹³⁶

56. The Gaza Strip, under illegal siege and blockade, is the most obvious example of the restrictions on movement and access, but the West Bank, including East Jerusalem, has many areas where Palestinians are effectively corralled into towns and villages surrounded by colonies, military encampments, hundreds of fixed and mobile checkpoints, 400 km of segregated roads, "military zones" inaccessible to Palestinians, and the Wall and the separation it entails.

57. Children feel this physical segregation keenly. It is compounded by bureaucratic obstacles requiring Palestinians to obtain Israeli-issued permits for even basic aspects of life, including travel within the West Bank and Gaza Strip (Jerusalem being inaccessible to most Palestinians) for construction, work, education and health care. Mass surveillance technologies, including cameras, drones and social media monitoring, further augment this control, infringing on privacy and leading to arrests for minor infractions. These controls create formidable barriers to communication, movement and development, depriving families, and especially children, of essential

¹³⁰ MIFTAH, "Locked in: Israel's house arrest policy against Palestinian children", 11 April 2020.

¹³¹ Interview with parents and former child detainees, Jerusalem, February 2023.

¹³² Convention on the Rights of the Child, arts. 3, 9 and 16.

¹³³ Save the Children, "Injustice", p. 3.

¹³⁴ Save the Children, "Defenceless", p. 20.

¹³⁵ Save the Children, "Injustice", p. 16.

¹³⁶ See A/72/556; and Adam Aloni, *Expel and Exploit: The Israeli Practice of Taking over Palestinian Land* (B'Tselem, 2016).

resources for social and economic growth and the opportunity to live in dignity and reach their full potential.

Coerced poverty and de-development

58. Israel's settler colonial occupation is costing \$11 billion to the Palestinian economy,¹³⁷ and has driven the “de-development” of the occupied territory, forcing 2.1 million Palestinians in the territory, half of whom are children, below the poverty line.¹³⁸ Unequal access to natural resources, including water,¹³⁹ together with the consequent gradual erosion of family livelihoods,¹⁴⁰ self-sufficiency in agriculture, industry and fishing¹⁴¹ entrench economic instability and income decline.¹⁴² Born and growing deprived of critical resources and land, Palestinian children have to rely on foreign aid for basic necessities.¹⁴³ Some half a million Palestinian children are food insecure, lacking reliable access to nutritious and sufficient food.¹⁴⁴ This affects their mental, physical and behavioural health, their education, and consequent life opportunities.¹⁴⁵

59. A quarter of childhood diseases in Gaza may be linked to water contamination¹⁴⁶ as 75 per cent of Gaza's sustainable groundwater is taken by the occupying power,¹⁴⁷ with most of the remainder not fit for human consumption.¹⁴⁸ In the West Bank, where Israel controls 87 per cent of the mountain water, a Palestinian child has access to only a quarter of the water amount available to a neighbouring Israeli settler.¹⁴⁹ To Palestinian children in the water-scarce Jordan Valley, this “water apartheid”¹⁵⁰ manifests itself through their families being forced to buy (their own) drinking water from Israeli companies,¹⁵¹ give up traditional herding practices and witness their crops withering, while Israeli children in illegal colonies “enjoy ‘lush’ settings, including well-watered lawns, swimming pools and aqua-parks”.¹⁵²

60. Witnessing the erosion of their parents' livelihood and dignity hurts children the most: “It is sad to see our fathers having lost everything they had, now they spend

¹³⁷ See A/76/309 and A/75/310.

¹³⁸ International Monetary Fund, West Bank and Gaza, Report to the Ad Hoc Liaison Committee, Country Report No. 2022/298 (2022).

¹³⁹ Al-Haq, Corporate Liability: The Right to Water and the War Crime of Pillage (2022); and A/HRC/48/43.

¹⁴⁰ Norwegian Refugee Council, “Area C is everything: planning for the future of Palestine”, March 2023, p. 2.

¹⁴¹ See A/71/174.

¹⁴² Sara Roy, “De-development revisited: Palestinian economy and society since Oslo”, *Journal of Palestine Studies*, vol. 28, No. 3 (Spring 1999), pp. 64–82.

¹⁴³ Mandy Turner, “Introduction: from the river to the sea – charting the changes in Palestine and Israel since 1993”, in *From the River to the Sea: Palestine and Israel in the “Shadow of Peace”*, Mandy Turner, ed. (Lanham, Maryland, Lexington Books, 2019).

¹⁴⁴ United Nations, Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview 2023: Occupied Palestinian Territory* (2023), pp. 45–46.

¹⁴⁵ Osama Tanous, Bram Wispelwey and Rania Muhareb, “Beyond statelessness: ‘unchilding’ and the health of Palestinian children in Jerusalem”, *Statelessness and Citizenship Review*, vol. 4, No. 1 (2022), pp. 106–107.

¹⁴⁶ United Nations, Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview 2023*.

¹⁴⁷ Communications No. AL ISR 13/2020.

¹⁴⁸ UNICEF, Water, Sanitation and Hygiene Assessment at the Household Level in the Gaza Strip (2017), p. 4.

¹⁴⁹ Amnesty International, “The occupation of water”, 29 November 2017.

¹⁵⁰ Elisabeth Koek, *Water for One People Only: Discriminatory Access and ‘Water Apartheid’ in the OPT* (Ramallah, Al-Haq, 2013).

¹⁵¹ Al-Haq, Corporate Liability.

¹⁵² Amnesty International, “Demand dignity: troubled waters – Palestinians denied fair access to water”, October 2009; and interviews with children.

most of their time at home,” said children in the Jenin refugee camp. The decreasing household income¹⁵³ has been connected to increased levels of domestic violence,¹⁵⁴ school dropout and child labour.¹⁵⁵ Children above the age of 10 in the West Bank and the Gaza Strip (nearly 1 per cent of them in the latter) are forced into full-time labour,¹⁵⁶ including in Israel itself or in the illegal colonies, where they face exploitative labour conditions,¹⁵⁷ humiliations by Israelis and stigmatization by other Palestinians.¹⁵⁸ “Many of us have to support our families, but finding jobs in Israel is dangerous: we have to enter illegally and accept to be mistreated all the time by them”, children from the West Bank told the Special Rapporteur.

Coerced homelessness

61. Homes are essential for children to grow, thrive and feel safe. The right to adequate housing includes secure tenure, protection against forced evictions and expulsions, access to services like drinking water and energy, along with the protection of privacy and the freedom to choose one’s residence.¹⁵⁹ Homes should be highly protected, including under occupation or during hostilities: wanton destruction of civilian property not justified by military necessity and carried out unlawfully, as well as destroying or seizing the property, amount to war crimes.¹⁶⁰

62. For many Palestinian children, the safety and stability of their home remains an aspiration “under the rubble”.¹⁶¹ Since 1967,¹⁶² as a deliberate tool of erasing Palestinian presence,¹⁶³ Israel has demolished 56,500 Palestinian homes through military operations, discriminatory zoning and planning¹⁶⁴ and as collective punishment.¹⁶⁵

63. Large-scale forced evictions, home demolitions and forced displacement have had a direct impact on children. In the West Bank, Israel has allocated 0.24 per cent of the land (in Area C) for Palestinians’ growth and development,¹⁶⁶ with 99.76 per cent allocated for the growth and development of illegal Israeli colonies.¹⁶⁷ Most

¹⁵³ Unemployment rates are 13 per cent in the West Bank and 45 per cent in the Gaza Strip, as presented in the main findings of the Labour Force Survey in 2022 by the Palestinian Central Bureau of Statistics.

¹⁵⁴ Efrain Gonzales de Olarte and Pilar Gavilano Llosa, “Does poverty cause domestic violence? Some answers from Lima”, in *Too Close to Home: Domestic Violence in the Americas*, Andrew R. Morrison and Maria Loreto Biehl, eds. (Washington, D.C., Inter-American Development Bank, 1999).

¹⁵⁵ United Nations, Office for the Coordination of Humanitarian Affairs, “Child labour increasing in Gaza”, Humanitarian Bulletin: Occupied Palestinian Territory, April 2019; and Human Rights Watch, *Ripe for Abuse: Palestinian Child Labour in Israeli Agricultural Settlements in the West Bank* (2015).

¹⁵⁶ Save the Children, “Trapped: the impact of 15 years of blockade on the mental health of Gaza’s children”, 2022.

¹⁵⁷ International Labour Organization, *The situation of Workers of the Occupied Arab Territories* (Geneva, 2022), p. 10.

¹⁵⁸ Mark Samander, *Captive Markets, Captive Lives: Palestinian Workers in Israeli Settlements* (Ramallah, Al-Haq, 2021).

¹⁵⁹ Committee on Economic, Social and Cultural Rights, general comment No. 4 (1991), para. 9.

¹⁶⁰ Fourth Geneva Convention, arts. 53 and 147; Rome Statute, art. 8 (2) (a) (iv).

¹⁶¹ Save the Children, “‘Hope under the rubble’: the impact of Israel’s home demolition policy on Palestinian children and their families”, 2021.

¹⁶² Rashid Khalidi, *The Hundred Years’ War on Palestine: A History of settler Colonialism and Resistance, 1917–2017* (Metropolitan Books, 2020).

¹⁶³ Amnesty International, *Israel’s Apartheid against Palestinians: Cruel System of Domination and Crime against Humanity* (London, 2022), pp. 24–26 and 30.

¹⁶⁴ Israeli Committee Against House Demolitions, “Statistics on house/structure demolitions: November 1947–August 2022”, 23 September 2022.

¹⁶⁵ See [A/HRC/44/60](#).

¹⁶⁶ Peace Now, “State land allocation in the West Bank – for Israelis only”, 17 July 2018.

¹⁶⁷ Ibid.

Palestinians are forced to build without Israeli permits, because they are routinely denied. As a result, some 10,000 Palestinian houses in the West Bank have demolition orders pending.¹⁶⁸ In East Jerusalem, where at least a third of Palestinian homes lack a permit, 2,020 houses have already been destroyed since 2004¹⁶⁹ and 20,000 houses have pending demolition orders,¹⁷⁰ placing over 100,000 residents, the majority of them children, at risk of forced displacement.

64. Palestinian children often witness their parents coerced into self-demolishing their homes to avoid facing steep fines.¹⁷¹ The accompanying feelings of failure and depression have a direct impact on parenting and on parents' ability to support their children.

65. Children are severely traumatized by this all-encompassing destruction and violence.¹⁷² "All I have are sad memories," said Ghassan, age 15. "I still feel traumatized by the soldiers and their dogs attacking and injuring my father [during the demolition]. I have nightmares about the bulldozers ripping away every stone in our house, and the sounds of the explosions still haunt me."¹⁷³

66. Israel also resorts to "punitive" home demolitions against Palestinians accused of having attacked Israeli civilians or forces.¹⁷⁴ Samer, age 11, said: "My father was killed by soldiers who claimed that he was violent around a settlement [colony]... Not only did I lose the most important person in my life, but then they came for our house. First, they made me an orphan, then they made me homeless."¹⁷⁵

67. In the Gaza Strip, Israel's attacks on residential areas have destroyed 18,507 houses and damaged 26,338 since 2000, affecting half a million Palestinians, half of them children.¹⁷⁶ Israel has justified these actions purportedly for security land clearance or punishing alleged "terrorists".¹⁷⁷ Approximately 200 children were affected by the nearly 300 punitive home demolitions.¹⁷⁸

68. Even if their own home is not demolished, children live with the daily risk that it may be at any time. Witnessing it happening to friends, they constantly receive the message "you are living on borrowed time", as an interviewee said. Forced eviction and home demolitions rekindle the trauma endured by their parents. This intergenerational impact is likely to continue for future generations.¹⁷⁹

69. Israel's ban on importing essential building supplies has made repair and recovery exceedingly difficult.¹⁸⁰ In 2009, the United Nations Fact-Finding Mission

¹⁶⁸ Israeli Committee Against House Demolitions, "Israel's demolition of Palestinian homes: a fact sheet", 29 April 2021.

¹⁶⁹ B'tselem, House Demolition Database, available at <https://statistics.btselem.org/en/intro/demolitions> (accessed on 12 September 2023).

¹⁷⁰ B'tselem, "Maintaining a Jewish majority: Jerusalem municipality to demolish entire Palestinian neighbourhood, leaving 550 people without a roof over their heads", 13 June 2019.

¹⁷¹ Save the Children, "Hope under the rubble".

¹⁷² Ibid., p. 4.

¹⁷³ Ibid., p. 12.

¹⁷⁴ B'Tselem, "Home demolitions as collective punishment", 11 November 2017.

¹⁷⁵ Save the Children, "Hope under the rubble", p. 10.

¹⁷⁶ Al Mezan Centre for Human Rights, "Destruction of residential houses between 2000–28 February 2023", Destruction of Residential Houses Database. Available at <https://mezan.org/en/page/20/Destruction-of-Residential-Houses>.

¹⁷⁷ B'Tselem, House Demolitions Database, available at <https://statistics.btselem.org/en/demolitions/alleged-military-purposes?tab=overview> (accessed on 2 September 2023).

¹⁷⁸ Ibid.

¹⁷⁹ A/HRC/50/21, para. 55.

¹⁸⁰ United Nations, Office for the Coordination of Humanitarian Affairs, "Gaza strip: import restrictions impede delivery of services and humanitarian", Humanitarian Bulletin: Occupied Palestinian Territory, October 2015.

on the Gaza Conflict found that “destruction by the Israeli armed forces of private residential houses, water wells, water tanks, agricultural land and greenhouses ... [served] a specific purpose of denying sustenance to the population of the Gaza Strip”.¹⁸¹

70. These policies have led to long-lasting emotional distress.¹⁸² Children recount the desperation of their “dreams for the future disappearing overnight”.¹⁸³ After experiencing home loss, most children experience feelings of hopelessness and defeatism, social isolation and disconnection from their community. They feel abandoned by the world, and lose focus on their education.¹⁸⁴ Fadi, age 16, asked: “why should I even entertain the idea of envisioning a brighter future?”¹⁸⁵

Deprivation of education

71. Central to a child’s psychosocial development and well-being are education and leisure time.¹⁸⁶ Education is a stand-alone human right,¹⁸⁷ cultivating the human personality’s “sense of dignity”, and a pivotal means to realize other rights and the child’s full potential.¹⁸⁸ Schools must serve as a secure space for a child’s development, promoting a continuum with the child’s family life.¹⁸⁹ Intentionally directing attacks on education facilities constitutes a war crime.¹⁹⁰

72. Palestinian children in the occupied territory express a particular love for education, viewing their schools as a respite from the day-to-day oppression, granting them a sense of “freedom” and fostering the imagination of “a brighter future”.¹⁹¹ However, attacks on schools, including the military use of schools, is another grave violation committed against Palestinian children.

73. In the West Bank, including East Jerusalem, the primary challenge to education is Israel’s discriminatory permit system, which constrains Palestinians’ ability to construct, improve, or even maintain existing schools.¹⁹² A total of 11 Palestinian schools have been demolished since 2010, while demolition orders hang over 59 schools (51 in Area C of the West Bank and 8 in East Jerusalem)¹⁹³ serving 6,800 students. In November 2022, the Israeli occupying authorities demolished the only primary school in Masafer Yatta (Isfey al-Faqa) while children were still inside, forcing them to flee from bulldozers through the school’s windows and then confiscating all their textbooks and school furniture.¹⁹⁴ In this environment, schools are unable to modernize or upgrade.¹⁹⁵ In the Gaza Strip, there are not enough

¹⁸¹ [A/HRC/12/48](#), para. 73.

¹⁸² Save the Children, “Hope under the rubble”, p. 12.

¹⁸³ Various reports, including Norwegian Refugee Council, “Learning on the margins: the evolving nature of educational vulnerability in the Occupied Palestinian Territory in the time of COVID-19”, April 2021, p. 32.

¹⁸⁴ *Ibid.*

¹⁸⁵ Save the Children, “Hope under the rubble”.

¹⁸⁶ Convention on the Rights of the Child, arts. 28–29.

¹⁸⁷ International Covenant on Economic, Social and Cultural Rights, art. 13.

¹⁸⁸ Convention on the Rights of the Child, art. 29 (1).

¹⁸⁹ Committee on the Rights of the Child, general comment No. 14 (2013), para. 70.

¹⁹⁰ Rome Statute of the International Criminal Court, arts. 8 (2) (b) (ii, v and ix).

¹⁹¹ Group of girls in Rafah, Norwegian Refugee Council, “Learning on the margins”, p. 30.

¹⁹² United Nations, Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview 2023*, p. 50.

¹⁹³ West Bank Protection Consortium, “Protecting the right to education for children in Area C of the West Bank”, September 2023.

¹⁹⁴ United Nations, Office for the Coordination of Humanitarian Affairs, “West Bank demolitions and displacement: an overview”, January–March 2023.

¹⁹⁵ West Bank Protection Consortium, “Protecting the right to education for children in Area C”.

classrooms and 70 per cent of UNRWA schools and 63 per cent of government-run schools have to operate through double or triple shifts.¹⁹⁶

74. In the West Bank, going to school becomes “physically exhausting”,¹⁹⁷ because “sometimes, we have to run away from danger such as soldiers,” said Aladdin, age 14, from Bethlehem.¹⁹⁸ Checkpoints and intimidating soldiers and settlers affect 80 per cent of students.¹⁹⁹ “I can never get to my destination on time. It takes hours because [the soldiers] search us and check our identity cards”, said Rima, age 13, from Bethlehem.²⁰⁰ Abir, age 14, saw on her way to school “a Palestinian boy walking in the street. The soldiers stopped him, body-searched him, hit him, and arrested him because he refused to take off his pants for their strip search”.²⁰¹ Ali, from Masafer Yatta,²⁰² was escorted to school by the Israeli military for 17 years, as the children of Masafer Yatta continue to be, to avoid physical attacks by settlers; he said: “it is unconscionable that the cost of going to school can mean coming back home with a broken body and losing the whole school year”.

75. Since 2012, over 300 children and teachers have faced arrest and detention while in or going to school.²⁰³ Another 481 had their school equipment confiscated at checkpoints.²⁰⁴ Military attacks on schools are also frequent, with 1,826 incursions or direct shelling and attacks by the Israeli occupying forces recorded over 12 years.²⁰⁵ “Soldiers attacked my school three or four times last year. They threw tear gas and shot live ammunition. Some teachers and students couldn’t breathe,” said Farea’, age 12, from Hebron.²⁰⁶ Tear gas, stun grenades, rubber-coated bullets, live ammunition and other weapons are used against schools, resulting in hundreds of students and teachers sustaining injuries and the disruption of the education routine for thousands.²⁰⁷ Israeli soldiers “break into schools whenever they want,” said Jamal age 14, from Bethlehem. “The soldiers are always present in front of the school. They could attack us and take us away at any time. They might hit us or arrest us,” said Rima.²⁰⁸

76. In the Gaza Strip, at every military operation, school activities are suspended. Moving to online classes is ineffective because of a lack of resources²⁰⁹ and Israel’s constraints on electricity (which is available around 10–12 hours per day normally but falls to 4–5 hours during offensives).²¹⁰ When there are no offensives, “the drones used to enforce the siege of Gaza are our soundtrack”, said Jinan, age 14.²¹¹ Over

¹⁹⁶ UNICEF, Education Cluster Strategy: Palestine 2020–2021.

¹⁹⁷ Norwegian Refugee Council, “Area C is everything”, p. 11.

¹⁹⁸ Save the Children, “‘Danger is our reality’: the impact of conflict and the occupation on education in the West Bank of the occupied Palestinian territory”, 2020, p. 16.

¹⁹⁹ *Ibid.*, p. 13.

²⁰⁰ *Ibid.*, p. 16.

²⁰¹ Shalhoub-Kevorkian, “Necropenology”.

²⁰² Operation Dove, “Right to education in the South Hebron Hills: At-Tuwani School study case – school year 2018–2019”, 2019.

²⁰³ Annual reports of the Secretary-General on children and armed conflict, 2012–2021.

²⁰⁴ Save the Children, “Danger is our reality”, p. 16.

²⁰⁵ Annual reports of the Secretary-General on children and armed conflict, 2010–2022.

²⁰⁶ Save the Children, “Danger is our reality”, p. 17.

²⁰⁷ Global Coalition to Protect Education from Attack, “Measuring the impact of attacks on education in Palestine”, March 2022, p. 6.

²⁰⁸ Save the Children, “Danger is our reality”, p. 17.

²⁰⁹ UNICEF, Education Cluster Strategy: Palestine 2020–2021.

²¹⁰ ICRC, “Gaza: ICRC survey shows heavy toll of chronic power shortages on exhausted families”, 29 July 2021.

²¹¹ Interview with members of the Children’s Council Gaza Strip, 24 August 2023.

1,434 schools and kindergartens have been totally or partially destroyed.²¹² The construction of underground facilities and the takeover of a school by the de facto authorities in the past²¹³ have exposed schools to risks of being targeted. However, even in the case of military use of a school by an armed group, a proportionality and military necessity test must be met and civilian protection remains crucial.²¹⁴

77. Amid these adversities, school drop-out rates have risen to 32 per cent among secondary schoolchildren in the West Bank,²¹⁵ mostly owing to the lack of safety.²¹⁶ Children with disabilities have disproportionately low school enrolment (51 per cent in the West Bank and 43 per cent in the Gaza Strip).²¹⁷ In East Jerusalem, at least 13 per cent of Palestinian children are excluded from education owing to residency and registration hurdles.²¹⁸

VI. Unchilding environment

78. Israeli settler colonialism deprives children of their rights and innocence, prematurely subjecting them to adult-like challenges, responsibilities and preoccupations. This intergenerational, every-day experience for Palestinian children, termed “unchilding” by Nadera Shalhoub-Kevorkian,²¹⁹ is a reality perpetuated through a system of sociolegal claims, economic exploitation and political control that treats Palestinian children as worthless.

A. Scars of never-ending harm

79. This chronic exposure to violence places children in a perpetual state of heightened stress, anger, isolation and hyperalertness.²²⁰ Many show signs of trauma and profound depression, heightened nervousness, with manifestations including constant shouting, irritability and fear of darkness, and feelings of acute loneliness.²²¹ Opportunities for post-trauma recovery are extremely limited, a lack compounded by continued exposure to traumatic events. The result is what Dr. Jess Ghannam termed as “continuous traumatic stress disorder”.²²²

80. This ongoing trauma significantly disrupts child development, debilitating generational progress.²²³ It also has a predictably devastating impact on the development of Palestinian children and may be sowing the seeds for aggression in

²¹² Annual reports of the Secretary-General on children and armed conflict, 2010–2022; [A/HRC/12/48](#); and United Nations, Office for the Coordination of Humanitarian Affairs, monthly reports and cumulative data, 2009, 2012, 2014 and 2021.

²¹³ UNRWA, “UNRWA reiterates the inviolability of its installations must be respected at all times”, 11 August 2021.

²¹⁴ Additional Protocol I, arts. 51 (6), 53, 54 (4), 55 (2) and 56 (4).

²¹⁵ UNICEF, “Palestine education fact sheets”, 2022, p. 17.

²¹⁶ United Nations, Office for the Coordination of Humanitarian Affairs, Humanitarian Needs Overview 2023, p. 50.

²¹⁷ Palestinian Central Bureau of Statistics, “Press release on the occasion of the International Day of Persons with Disabilities”, 3 December 2021.

²¹⁸ Ali Ghaith, “The politics of education in East Jerusalem”, Open Democracy, 23 July 2018.

²¹⁹ Shalhoub-Kevorkian, *Incarcerated Childhood*.

²²⁰ Teresa Bailey, “The terror of childhood in Palestine”, 2023. Available at https://mcusercontent.com/bbabb624d68a80f2ac0f259dc/files/bc78664b-d2d7-f03c-ca5a-687ba09ed9fb/Palestinian_children_July_2023.pdf.

²²¹ UNICEF, *The Situation of Palestinian Children in the Occupied Palestinian Territory, Jordan, Syria and Lebanon: an Assessment based on the Convention on the rights of the Child* (Amman, 2010).

²²² Interview with Dr. Ghannam.

²²³ Sue Gerhardt, *Why Love Matters: How Affection Shapes a Baby’s Brain* (Routledge, 2004).

later life.²²⁴ Over 90 per cent of Palestinian children aged 8–14 years grapple with insecurity and anxiety.²²⁵ An increasing number suffer from insomnia,²²⁶ bed-wetting and distress, especially at times of heavy bombardment,²²⁷ and uncontrolled urination.

“No one to protect us”

81. Despite their obligation to protect the human rights of the occupied population and guarantee public order and safety,²²⁸ Israeli officials at different levels all play an active role in victimizing Palestinian children. The occupation has eroded the very foundations of Palestinian society, in particular the family unit. Extensive killing and “long term imprisonment of thousands have left children orphaned”, said a mother from the West Bank. Even “when a father returns after many years in prison, the bond with his children is undermined”, said a Palestinian mother. The stress faced by family heads as they are unable to provide stability, protection and security for their families is significant.²²⁹ The Israeli permit system regularly prevents parents from securing, or accompanying children through, medical treatment. This affects 32 per cent of children in the Gaza Strip who need treatment but cannot obtain it there.²³⁰ Palestinian children can find themselves undergoing kidney dialysis or chemotherapy without the presence of a parent.²³¹

82. In the occupation’s fraught and dangerous environment, 65 per cent of parents often exhibit violent behaviour towards each other and their children.²³² The level of corporal punishment in school is also reportedly very high. “Everyone beats us here”, a group of Palestinian children from the Jenin refugee camp cheerfully reported.

83. Parents do not feel able to protect their children. In the words of a father: “I feel helpless when they arrest my children; all the parents here in our neighbourhood try our utmost to protect them ... they are the most precious thing we have, and we try to protect them in any way possible, but nothing is safe here. My son was arrested while sleeping in bed. His bed [was] not safe.”²³³ The diminution of parental authority through the inability to protect children profoundly affects parents and children alike.²³⁴ The absence of protection leaves Palestinian children feeling profoundly isolated and disillusioned. “There is nothing that I or my family can do. Not the Palestinian government, not the international organizations, not my parents. No one protects my rights,” said Nadia, age 17 from East Jerusalem, echoing a sentiment shared by other children.²³⁵

²²⁴ WHO report, p. 13, cited in [A/HRC/12/48](#), para. 1282.

²²⁵ UNICEF, *The Situation of Palestinian Children in the Occupied Palestinian Territory*; and Abu Hein, F., “Emotional and behavioural problems of Palestinian children and their parents under siege: Gaza experience”, in *Siege and Mental Health: Walls vs. Bridges* (WHO and Gaza Community Mental Health Programme pre-conference report, 2008), p. 32.

²²⁶ Save the Children, “Defenceless”.

²²⁷ Save the Children, “Trapped”.

²²⁸ Additional Protocol I, arts. 63, 69 and 72–79; Fourth Geneva Convention, arts. 47–78; and Hague Regulations, arts. 42–56.

²²⁹ [A/HRC/12/48](#), para. 1266.

²³⁰ WHO, Eastern Mediterranean Region, “Right to health: barriers to health and attacks on health care in the occupied Palestinian territory, 2019 to 2021” (2022), p. 42.

²³¹ Daniel, “The strong do what they can”, p. 49.

²³² Ibid. See also Abu Hein, F., “Emotional and behavioural problems of Palestinian children”.

²³³ Shalhoub-Kevorkian, *Incarcerated Childhood*, p. 73.

²³⁴ Gwyn Daniel, Arlene Healy and Mohammad Marie, “Families in chronically unsafe community environments: experiences in Northern Ireland and Palestine”, in *The Handbook of Systemic Family Therapy*, vol. 4, Karen S. Wampler, Mudita Rastogi and Reenee Singh, eds. (John Wiley and Sons, 2020), p. 197.

²³⁵ Save the Children, “Hope under the rubble”, p. 13.

84. Among the continuous threats to their safety, children may come to perceive violence as their only recourse against a harsh reality.²³⁶ As Rawan, age 11, asserted: “We must fight for our right to breathe, to be here, to stay in our city without the daily pain”, while her older sister, age 15, asked: “Do you understand why we should fight with our bodies? No Palestinian leaders, no international activists are able to help us in preventing the occupation’s criminality. We can do it with our bodies and lives.”²³⁷

85. In their increasingly insecure environment, children often feel driven to assume more active roles in the national struggle, even conflicting with their parents’ wishes,²³⁸ choosing to formally align themselves with political groups in search of a semblance of protection.²³⁹ Children, particularly those who have lost parents and their sense of security, begin to view “martyrs” and armed group members as adult role models. As armed resistance has re-emerged in recent years, the appeal these groups may exert on children cannot be underestimated. Families live in fear as they struggle to prevent their children from becoming involved with military groups. A mother from the Jenin refugee camp reported: “Parents here fear for their children, no matter their choices. Once they join the resistance their fate is sealed. If they remain within the resistance, they become targets [of the occupation]. If they leave the group, they remain targets, without the protection of the group.”

VII. Conclusions and recommendations

86. As politics cannot be separated from childhood, the violent politics of a militarized settler-colonial occupation cannot be separated from how the children of the subjugated group experience it. In the occupied Palestinian territory, settler-colonial violence and State violence are intertwined owing to normalized dispossession. An inevitable accompaniment to settler colonialism, violence against the subjugated group will at some point risk being met by violence, because no people will willingly cede their land, livelihood, dignity and right to exist in perpetuity. There is only one way to secure a peaceful and dignified future between the Jordan River and the Mediterranean Sea, and it is by ensuring recognition and respect for equal rights, dignity and freedom of both Israelis and Palestinians.

87. The Special Rapporteur recommends that:

(a) Israel abide by the Charter of the United Nations and international law, halting all abusive practices against Palestinian children and prioritizing the best interest of all children in the occupied Palestinian territory; this can only be realized by dismantling its settler-colonial occupation cum apartheid, which stands in the way of realizing the full spectrum of rights of Palestinian children and of Palestinians as a people;

(b) The Special Representative of the Secretary-General for Children and Armed Conflict not delay any further including Israel/occupied Palestinian territory in the Security Council’s list of parties that commit grave violations affecting children.

²³⁶ Virginia Pietromarchi, “Why do some Palestinian teens in Jenin dream of ‘martyrdom’?”, *Al Jazeera*, 14 July 2023.

²³⁷ Shalhoub-Kevorkian, *Incarcerated Childhood*, p. 82.

²³⁸ Samir Qouta, Raija-Leena Punamäki and Eyad El Sarraj, “Child development and family mental health in war and military violence: the Palestinian experience”, *International Journal of Behavioural Development*, vol. 32, No. 4 (2008), p. 317.

²³⁹ Francesca Albanese and Jalal Al Hussein, “Voices of Palestinian refugee youth across the near East: socio-political participation and aspirations”, June 2020, p. 22.

88. **In order to ensure this goal, third States should:**

(a) **Use diplomatic, political and economic measures afforded by the Charter without discrimination;**

(b) **Not recognize as lawful, aid or assist Israel's occupation given its commission of internationally wrongful acts and international crimes, and call for their cessation and reparations;**

(c) **Prosecute the commission of international crimes, prioritizing atrocity crimes alleged in the present report, under universal jurisdiction;**

(d) **Set up a task force to dismantle the settler-colonial occupation and advance a political solution that respects human rights, dignity and freedom of both Israelis and Palestinians, as the only paradigm to ensure safety and peace.**
