

Input for the UPR on Israel
Office of the Special Representative of the
United Nations Secretary-General for Children and Armed Conflict

23 September 2022

Background

Between June 2017 and September 2022, the security and political situation in Israel and the State of Palestine remained tense and the protection of children in the region remained very concerning. Palestinian and Israeli children continued to be severely affected by the continuing Israeli-Palestinian conflict in the Occupied Palestinian Territory and by the escalation of hostilities.

A large number of incidents occurred since 2017, including following demonstrations and clashes between Palestinians and Israeli security forces in Israel and in the Occupied Palestinian Territory. The period was notably marked by the Great March of Return in 2018 and 2019 and escalations of hostilities in Gaza in May 2021 and August 2022, leading to very high numbers of children killed and maimed.¹

Overall, the denial of humanitarian access for children and killing and maiming of children remained the two most verified grave violations since 2017. In 2021, the United Nations verified violations of killing and maiming with 88 children killed (86 Palestinians, 2 Israelis) in the period under review, caused, inter alia, by the escalation of hostilities between Israel and Palestinian armed groups in May 2021. The number of children maimed also remained high throughout the reporting period, with a peak in 2018 when 2,756 Palestinian children and 6 Israeli children were maimed. Children were mainly maimed in the context of demonstrations, clashes and search and arrest operations as well as by airstrikes and rockets fired indiscriminately.

Another concern is the continuous increase in the number of Palestinian children detained for alleged security offences by Israeli forces and the reports by children of physical violence directed against them during detention. For example, in 2021, the United Nations verified the detention of 637 Palestinian children for alleged security offences by Israeli forces in the occupied West Bank, including 557 in East Jerusalem. Among those children, 85 reported ill-treatment and breaches of due process by Israeli forces while in detention, with 75 percent reporting having experienced physical violence.

Engagement between Israeli and Palestinian parties and the United Nations to end and prevent grave violations has intensified since 2017. This engagement was reinforced from 2019, following the request of the Secretary-General to his Special Representative for Children and Armed Conflict “to further examine the cases of maiming and injuries caused by Israeli forces [...] and recruitment and use by armed groups” (A/73/907- S/2019/509). Following virtual consultations with the Special Representative in December 2020, Israeli and Palestinian parties committed to implement corrective and preventative measures and strengthen children protection frameworks. Some of these commitments are yet to materialize.

¹ See Reports of the Secretary-General A/76/871-S/2022/493, A/73/907-S/2019/509, and A/72/865-S/2018/465

In the context of escalation of May 2021, the Secretary-General stressed in his report on children and armed conflict (A/76/871- S/2022/493) published in June 2022, that if the high number of violations against children were to be repeated in 2022, without meaningful improvement, Palestinian armed groups, including Hamas' al-Qassam Brigades and Palestinian Islamic Jihad's al-Quds Brigades, should be listed. The Secretary-General stressed that should the situation repeat itself in 2022, without meaningful improvement, Israel should be listed. The Secretary-General further called upon all parties to continue to engage with his Special Representative and the United Nations, including at country-level, to end and prevent grave violations against children and to better protect children and respect international humanitarian law and international human rights law. He further called the parties to adopt clear and time-bound commitments.

Recommendations to the Government of Israel

- **Abide** by its obligations under international humanitarian law and international human rights law, including by ensuring that operations are conducted in line with the principles of distinction, proportionality and precaution.
- **Immediately correct and reinforce** existing measures to ensure the protection of children affected by armed conflict.
- **Continue to engage** with the Special Representative for children and armed conflict and the United Nations, including at the country level, to end and prevent grave violations against children and to better protect children and respect international humanitarian law and international human rights law.
- **Exercise** maximum restraint and use lethal force only when it is strictly unavoidable in order to protect life and put in place preventive and protective measures to end and prevent any excessive use of force against children.
- **Review and strengthen** existing procedures to prevent any excessive use of force.
- **Continue to investigate** each case where live ammunition was used, in line with international standards and as required by procedure, and pursue accountability for violations against children.
- **Better protect** schools as safe places of learning and endorse the Safe Schools Declaration.
- **Uphold** international juvenile justice standards, including the use of detention as a measure of last resort and for the shortest appropriate period of time, end the administrative detention of children, and prevent any violence and ill-treatment in detention.