

Statement by SR to OPT

May 05, 2011

Statement of the United Nations Special Rapporteur on the situation of human rights in Palestinian territories occupied since 1967 2 May 2011, Amman, Jordan

Thank you for the opportunity to report to you some initial impressions following my visits in the last week to Cairo and Amman, in furtherance of my mandate as the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. My hope, during this and earlier missions, was to visit the occupied territory personally, to assess the human rights situation of the Palestinian population living under occupation in the West Bank, including East Jerusalem, and the Gaza Strip.

As you are likely aware, since my appointment as the UN Special Rapporteur in May 2008, the Israeli authorities have prevented me from visiting the occupied Palestinian territory in violation of their obligations as a Member State of the United Nations, thereby impeding my ability to fulfill the mandate given to me by the UN Human Rights Council. When I attempted to conduct my first field mission on 14 December 2008, upon arrival in Israel I was denied entry and subsequently expelled. There has been no indication of any willingness on the part of the Government of Israel to allow my entry in the future. I am therefore grateful to the governments of Egypt and Jordan for having welcomed my visit to the region.

During this mission, I intended to also visit the occupied Gaza Strip, but was forced to cancel that visit due to a determination by the United Nations with respect to security situation in Gaza. I plan to visit Gaza later in 2011.

Despite my inability to visit the occupied Palestinian territory during this trip, I sought to obtain an assessment of the human rights situation in the occupied territory through meetings with government officials, academics, civil society organizations, human rights defenders and United Nations agencies. I particularly focused on how the occupation, blockade, and prolonged refugee status affect the basic human rights of children. I also examined the effects of the Gaza blockade on the mental and physical health and development of children in Gaza. What I found is that the rapidly deteriorating human rights situation as a result of the prolonged Israeli occupation disproportionately affects children.

On a more positive note, I was able to learn a great deal about the extraordinary transformations taking place across the Arab world, particularly in Egypt. I found new hope for how these revolutionary processes may reverse longstanding paralysis and global inability to end the prolonged and illegal Israeli occupation, and to realize Palestinians' human rights.

Throughout the occupied Palestinian territory, the situation of human rights of children remains dire. The policies of land confiscation, expansion of settlements, home demolitions and forced displacement of families, revocation of residency permits and restrictions on freedom of movement continue to have a greater impact on children. Children are particularly vulnerable to settlers' violent attacks and harassment. In Gaza, the continued Israeli blockade has significantly affected the right of children to food, health and education. Psychological trauma from the Israeli attack on Gaza in December 2008-January 2009 continues to affect children more disproportionately.

Since 2000, 1,335 Palestinian children have been killed as a result of Israeli military and settler presence in the occupied Palestinian territory. The arbitrary opening of fire by Israeli military against Palestinian children is appalling. Since March 2010, Israeli soldiers along the border with Gaza have shot 17 children while they collected building gravel in the Gaza so-called "buffer zone" to support their families. Adults and children continue to do this dangerous work as Israeli authorities refuse to allow the entry of construction material into the Gaza Strip and there are few job opportunities available.

Despite its obligations under human rights and international humanitarian law, Israel continues to arbitrarily arrest, detain and abuse children. 226 children remain in Israeli detention, including 45 between the ages of 12–15 years. Children continue to be arrested at night, at checkpoints or off the street. Upon arrest, children and their families are seldom informed of the charges against them. Arresting children for stone throwing, particularly in the occupied East Jerusalem, has been on the rise. Children report that they were blindfolded, beaten or kicked at the time of arrest and put at the back of a military vehicle where they were subject to further physical and psychological abuse on the way to the interrogation and detention center. The continued reports of inhumane and degrading treatment, including sexual assault, of Palestinian children in detention is deplorable.

The impact of such inhumane and degrading treatment results in severe psychological trauma, depression, anxiety, and reduced academic achievement.

It is noteworthy that the perpetrators of these violations against Palestinian children face no accountability for their actions.

Unlike Israeli juvenile offenders, Palestinian children are tried in the Juvenile Military Court and convicted on the basis of confessions obtained through coercion and ill-treatment. Palestinian children under 16 years of age detained in Israeli jails, unlike their Israeli counterparts, are deprived of sufficient access to education in detention. This divergence of legal regimes for juvenile justice is indicative of the widespread and systematic institutionalized discrimination against Palestinians, reminiscent of South African apartheid.

Palestinian children continue to be deprived of their right to education. Existing schools are massively inadequate for the growing needs of students. The planning restrictions in place in the West Bank along with extreme difficulties that make it impossible to obtain permits to build new schools force the communities to build classrooms illegally and risk demolition.

According to UNRWA, in Gaza 95% of the agency's schools are running double shifts; 126 school buildings are being used for 238 separate "schools." At least 100 new schools are needed just this year, but Israel's blockade of Gaza prevents such building by severely limiting the entry of construction material: there is an average of only 230 truckloads of goods entering Gaza each day for a population of 1.5 million, far less than needed, and building just one new school requires 220 truckloads of construction materials. UNRWA reported a shortage of 40,000 classrooms as a result just at the beginning of 2010-2011 school year. Access to education of children continued to be impeded by restrictions on freedom of movement of Palestinians in the occupied territory including the Wall and its gate and permit regime and checkpoints. Furthermore, Israeli settlers continue to attack, harass, and intimidate children on their way to and from school.

The Bedouin herding families living in Area C of the West Bank and their children are particularly vulnerable. Most of these livestock-dependent families have been forced into extreme poverty, are denied access to land for herding, water, food and health services, and are unable to provide for

the education of their children – families cannot afford to send all their children to school, a problem that has a greater impact on girls. Israeli policies have denied them a sustainable livelihood and appear designed to forcibly relocate them. Violent physical and psychological attacks by illegal Israeli settlers further those policies.

I leave Jordan with a strong sense that the international community should spare no effort in compelling Israel to comply with its obligations under international humanitarian and human rights law, end this prolonged and illegal occupation and fully respect the right to self-determination of the Palestinian people. This visit focused upon the plight of Palestinian children experiencing the weight of an oppressive occupation, but it should be understood that the concern of my mandate extends to the full range of human rights that are the inalienable entitlement of those living in the occupied Palestinian territory.

End.

[Source](#)

<http://www.dci-pal.org/english/display.cfm?docId=1832&categoryid=1>