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# OCCUPIED PALESTINIAN TERRITORY

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## Occupied Palestinian Territory

**Population:** 3.7 million (1.9 million under 18)  
**Government armed forces:** not applicable  
**Compulsory recruitment age:** none  
**Voluntary recruitment age:** 18 (security forces)  
**Voting age:** 18  
**Treaties ratified:** not applicable

*The Palestinian Authority did not have a system of conscription for the security forces under its control. It officially supported a “straight-18” position for recruitment. Children were reported to have been offered military training by armed Palestinian groups. Older children participated in operations for Islamic Jihad, Fatah and Hamas. No under-18s were known to have participated in suicide bombings from late 2004 to November 2007.*

## Context

Israeli forces and settlers officially withdrew from the Gaza Strip in August–September 2005, although effective control remained in Israeli hands. Israel’s occupation and confiscation of Palestinian land in the West Bank continued, with 38 per cent of the area out of bounds for the Palestinian population.<sup>1</sup> Hamas won the January 2006 parliamentary elections, but the new government was boycotted by much of the international community, increasing economic and political pressures. Hamas’s victory stoked fighting between the military wings of Fatah and Hamas. On 15 June 2007 Hamas effectively took control of Gaza. Palestinian president and Palestine Liberation Organization (PLO) chairman Mahmoud Abbas then moved to dissolve the Hamas-led government and established an “emergency” government in the West Bank. This effectively created two Palestinian political entities, one in Gaza led by Hamas and one in the West Bank led by Fatah and the PLO.<sup>2</sup> Efforts were under way to reunite the entities in late 2007. Sanctions against the Hamas-led government in Gaza by Israel, the European Union (EU) and the United States (USA) further reduced an already low standard of living.<sup>3</sup>

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## Israeli Security Forces

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From the start of the intifada (uprising) to early November 2007, Israeli forces were documented as having killed 889 Palestinian children.<sup>4</sup> One hundred and twenty-four children were killed in 2006, mainly during Israel Defense Forces (IDF) operations “Summer Rains” and “Autumn Clouds” in Gaza.<sup>5</sup> This followed an IDF decision to reduce the “safety zone” for artillery batteries to 100 metres away from civilian areas. The decision left no room for error, based on a shell fragmentation range of the same distance.<sup>6</sup> In two incidents in August 2007 the IDF shot and killed five children under 12 in Gaza.<sup>7</sup> It initially claimed that the children were collecting rocket launchers for a militant group.<sup>8</sup> A subsequent IDF inquiry revealed that two of the children were collecting carob fruit and the second group were playing tag.<sup>9</sup>

Curfews and checkpoint closures disrupted children’s access to education. Poor school performance was a key factor in encouraging young people to join militant factions, according to UNICEF.<sup>10</sup> Children were also frequently detained; in early November 2007 an estimated 317 children were held in Israeli prisons. Figures for 2006 showed that 64 per cent of sentences handed down to under-18s were on charges of stone-throwing.<sup>11</sup> The Special Representative of the UN Secretary-General for Children and Armed Conflict stated that stone-throwing and membership of a banned organization (19 per cent of cases) should not lead to incarceration.<sup>12</sup>

On occasion, IDF soldiers were reported to have stood by, or tacitly encouraged Israeli children to engage in hostile behaviour towards Palestinians.<sup>13</sup> As well as recruiting Israeli children (see Israel entry), settlers frequently attacked Palestinian children. Ten children had been killed by settlers since 2000, but no deaths had been reported since 2004.<sup>14</sup> Abductions and non-fatal attacks continued. In 2007 a 13-year-old boy was abducted, beaten and stripped by settlers around Nablus before being dumped.<sup>15</sup>

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## Palestinian Authority

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### National recruitment legislation and practice

The Palestinian Authority (PA) did not have a system of universal conscription for its security services, which included the Presidential Guard (Force 17), the Preventive Security Force associated with Fatah and the Executive Security Force associated with Hamas.<sup>16</sup> Recruitment for all government service was on a voluntary basis from the age of 18.<sup>17</sup> Article 46 of the Palestinian Child Law of 2004 prohibited the use of children in armed conflicts. The amended Basic Law of 2005 also prohibited the abuse of children.<sup>18</sup>

## **Military training and military schools**

Training for new recruits to PA forces remained ad hoc. Funding for a new officer training facility and three other training camps in Jericho was received from international donors in 2007.<sup>39</sup> There were no reports of military training in the school system.

## **Child recruitment and deployment**

The PA condemned the use of under-18s in armed conflict on a number of occasions.<sup>20</sup> Some PA forces were previously understood to have recruited children as young as 16, but no new reports were available.<sup>21</sup> In 2007 the Palestinian Child Planning Unit at the Ministry of Planning told the Child Soldiers Coalition that “there is a strong legal framework prohibiting the use of child soldiers. However, there is no monitoring of these laws nor ability to enforce them.”<sup>22</sup> The effective establishment of two rival government institutions with two separate security services in Gaza and the West Bank in 2007 led to a lack of clarity as to which legal system applied in Gaza.

## **Armed groups**

Political groups provided parallel services for the Palestinian civilian population. Hamas ran a number of schools, nurseries and clinics for children. These activities were understood to include a component of propaganda.<sup>23</sup> Hamas and Fatah controlled television stations featuring children’s programs. These included political content and some glorification of “martyrdom”.<sup>24</sup>

Fatah and Hamas ran voluntary summer camps for children in Gaza involving ideological training. The convenor of one of the Hamas camps in Maghazi refugee camp denied that military training was included.<sup>25</sup> However, anecdotal reports indicated that military training took place during some summer programs in 2007.<sup>26</sup> There was a report that an unnamed group had attempted to enlist older children outside schools in Gaza to take part in paramilitary training.<sup>27</sup>

All the Palestinian armed groups condemned child recruitment in military conflict, most notably in the verbal “code of conduct” of 2002.<sup>28</sup> However, some recruitment had been noted since then, which the groups said was due to mistakes by individuals.<sup>29</sup> Documentation on child recruitment remained limited. The best available indicator was the record of child deaths as a result of direct involvement in the conflict. This figure fell from a high of 22 incidents recorded in 2004 by Defence for Children International-Palestine Section (DCI-Palestine), a non-governmental organization (NGO), to three incidents in 2005. In 2006 there were two incidents, both involving children killed while participating in armed clashes. From January to October 2007 there were no deaths of under-

18s during clashes, although there were three cases where children without any armed group affiliation were killed trying to get across the Israeli border. From 2005 children who were involved in violence on behalf of armed groups were between the ages of 16 and 18. There was no documented evidence of child involvement in suicide bombings after 2004.<sup>30</sup>

From January to July 2007, 28 Palestinian children were killed by Palestinian forces, including in interfactional clashes and misuse of weapons. A further 217 were injured during the same period, compared with 27 deaths and 260 injuries in 2006.<sup>31</sup> After a misfired rocket killed two siblings aged nine and six in August 2007, a Hamas spokesman urged “resistance factions to take all the necessary measures to avoid causing any harm to civilians”.<sup>32</sup>

## **Hamas – Izz al-Din al-Qassam Brigades**

Following strong public declarations in 2002, Hamas leaders reiterated their opposition to the recruitment of children during contacts with the Coalition in 2005 and 2006.<sup>33</sup> A Hebron MP, Dr Samir al-Qadi, said, “We need to respect children’s rights and the right to childhood. Children are sacred to us – bodily, mentally, spiritually”.<sup>34</sup> However, this message was not consistently applied by its military wing, the Izz al-Din al-Qassam Brigades.

In 2005 one older child was reported to have been killed participating in armed action claimed by Hamas, but there had been no documented incidents since that time.<sup>35</sup> However, limited involvement by older children was recorded on the group’s website. It listed six members killed from January 2006 to mid-November 2007 who were aged 15–17 when they joined the armed wing from 2000 to 2004. All were over 18 when they died.<sup>36</sup> In 2007 a local NGO reported that a 13-year-old in Gaza had been assigned to monitor the streets for the group. He said that he was supposed to gather information on drug dealers and collaborators from 8 p.m. to 4 a.m.<sup>37</sup>

## **Fatah – Al-Aqsa Martyrs Brigades and affiliates**

Fatah condemned the use of children by armed groups.<sup>38</sup> Nevertheless, in 2005 there was documented evidence that one older child affiliated with the al-Aqsa Martyrs Brigades was killed in clashes with the Israeli army.<sup>39</sup> No incidents had been recorded on group websites since then, although the fragmentation of Fatah made monitoring difficult.<sup>40</sup> There were unconfirmed media reports that the Fatah-affiliated Tanzim had attempted to recruit children, including an alleged attempt to coerce a 14-year-old in Nablus into a suicide bombing, when he was forced to write his own will.<sup>41</sup>

## Popular Front for the Liberation of Palestine (PFLP) – Abu Ali Mustafa Brigades

The PFLP claimed one suicide bombing perpetrated by 16-year-old Umar Abdullah al-Fa'r, in late 2004.<sup>42</sup> Another 16-year-old, Sa'id al-Majdlawi, joined the armed wing and was killed the same year, according to the PFLP's website.<sup>43</sup> No other cases of child involvement had been recorded since then.

## Islamic Jihad – Al-Quds Brigades

Islamic Jihad also criticized the participation of children in armed conflict.<sup>44</sup> However, in contacts with a Coalition member, Islamic Jihad members suggested that children over the age of 15 and a half were adults.<sup>45</sup> In 2005 the group claimed responsibility for an attack on an Israeli settlement during which an older child was killed.<sup>46</sup> Group websites indicated that two adult members of the group killed from January 2006 to mid-November 2007 had been able to join at the age of 15 in 2001. Both were initially involved in lookout and surveillance work.<sup>47</sup> The al-Quds Brigades took part in most of the suicide bombings and rocket attacks on Israel after 2005, during which Israeli and Palestinian children were killed (see also Israel entry).<sup>48</sup>

## Popular Resistance Committees (PRC) – Al-Nasser Salah al-Din Brigades

The PRC was primarily made up of former members of other groups.<sup>49</sup> It launched rocket and other attacks on Israeli military targets in recent years. No children were reported to have participated in its operations. However, obituaries on its official website suggest that four adult members who were killed in action from January 2006 to mid-November 2007 had joined the group when they were 17,<sup>50</sup> and another member joined at 15 in 2000.<sup>51</sup>

## Disarmament, demobilization and reintegration (DDR)

There were a number of psychological support programs for Palestinian children affected by the conflict. UNICEF had 14 active teams in 2007 carrying out home visits and training, counselling and playground activities.<sup>52</sup> DCI-Palestine, the Gaza Community Mental Health Program and Save the Children-US also ran psychosocial programs. The government did not have rehabilitative services for children who had participated in the conflict.<sup>53</sup> The International Committee of the Red Cross (ICRC) ran international humanitarian law training courses for members of militant groups in Gaza in October–November 2007.<sup>54</sup>

## Developments

Israel and the Occupied Palestinian Territory were noted as situations of concern in the UN Secretary-General's reports to the Security Council on Children and Armed Conflict in February 2005 and October 2006. In 2006 he remarked that the "plight of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, has become more precarious since the previous reporting period, as the Israeli-Palestinian conflict intensified".<sup>55</sup>

The Special Representative of the Secretary-General for Children and Armed Conflict visited Israel and the Palestinian Territory in April 2007. She urged the need for proper respect of the civilian/combatant distinction in Israeli military actions in the territory. She highlighted settler attacks on Palestinian children in Hebron and al-Tuwami. She also suggested the establishment of independent investigation mechanisms to follow up alleged violations of children's rights.<sup>56</sup>

During the visit President Abbas and the then foreign minister, Abu Amr, agreed "to revive the code of conduct among Palestinian groups not to involve children in political violence, and to engage with UNICEF to devise a plan of action to prevent the use of children in such violence".<sup>57</sup>

\* Titles of non-English language sources have been translated by the Coalition.

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- 3 Colin Urquhart, "Gaza goes hungry as Israeli sanctions bite", *Guardian*, 12 October 2007.
- 4 Documentation from DCI-Palestine, 28 September 2000 to 5 November 2007.
- 5 UN Report, Visit of the Special Representative for Children and Armed Conflict to the Middle East, UN Doc. OSRSG/CAAC, 9–20 April 2007.
- 6 Amos Harel, "Lull in Gaza but IDF says Qassam fight to go on", *Ha'aretz*, 11 April 2006.
- 7 OCHA/DCI information, July–August 2007.
- 8 "IDF: Palestinians use kids to collect Qassam launchers", *Ha'aretz*, 22 August 2007.
- 9 Gideon Levy, "Children of war", *Ha'aretz*, 2 September 2007.
- 10 UNICEF Humanitarian Action Update, 21 September 2007, [www.unicef.org](http://www.unicef.org).
- 11 DCI-Palestine, 5 November 2007, [www.dci-pal.org](http://www.dci-pal.org).
- 12 UN Report, above note 5.
- 13 See numerous case studies in Yesh Din, "A semblance of law", June 2006.
- 14 Documentation from DCI-Palestine, 20 October 2007.

- 15 Yesh Din, "The fifth attack on a Palestinian passerby in the last two months", 26 July 2007, [www.yesh-din.org](http://www.yesh-din.org).
- 16 "After Gaza", above note 2.
- 17 Article 24, chapter 2 of the Civil Service Law; letter from Dr Ahmed al-Yaziji, General Secretary of the Palestinian High Council for Childhood and Motherhood, in response to Coalition questions, 21 March 2004.
- 18 Information from Child Planning Unit, Palestinian Ministry of Planning, 8 November 2007, in response to Coalition questions.
- 19 "Palestinian officers' school opened", Associated Press, 31 October 2007.
- 20 See for instance Saeb Erakat's comments after an incident in 2004: Ali Daraghmeh, "Palestinians outraged by recruiting of children for attacks on Israelis", Associated Press, 29 February 2004.
- 21 DCI-Palestine, report, March 2004.
- 22 Information from Child Planning Unit, above note 18.
- 23 Forum on Armed Groups, background paper on Hamas, 4–7 July 2006, at [www.child-soldiers.org](http://www.child-soldiers.org).
- 24 See, e.g., "Farfour mouse dies in last episode", Associated Press, 29 June 2007.
- 25 "Rival Gaza children's camps mix fun with politics", Reuters, 22 August 2007.
- 26 Interview with confidential source, 9 September 2007.
- 27 UN Report, above note 5.
- 28 Workshop funded by the Quakers; see background paper on Hamas, above note 23.
- 29 Information from Child Planning Unit, above note 18.
- 30 Information from DCI-Palestine, 20 October 2007.
- 31 Documentation from Mezan Centre for Human Rights, [www.mezan.org](http://www.mezan.org).
- 32 "Palestinian rocket kills 2 Gaza children: medics", Reuters, 7 August 2007.
- 33 Background paper on Hamas, above note 23.
- 34 Interview with Dr Samir al-Qadi, Hamas MP, Hebron, February 2006.
- 35 Documentation from DCI-Palestine, 20 October 2007.
- 36 Hamas official website, [www.palestine-info.info/](http://www.palestine-info.info/) (Arabic).
- 37 Information from Child Protection Agencies working in the OPT, July–August 2007.
- 38 Arnon Regular, "Palestinian groups condemn use of children in terror attacks", *Ha'aretz*, 26 March 2004.
- 39 Documentation from DCI-Palestine, above note 35.
- 40 Interview with DCI-Palestine, 6 January 2006. See also incomplete Fatah official website "martyrs" list, <http://kataebaqa.org>.
- 41 Efrat Weiss, "Boy pressed to carry out attack", *Ynet News*, 12 October 2005, [www.ynetnews.com](http://www.ynetnews.com).
- 42 See PFLP website, [www.pflp.ps/](http://www.pflp.ps/); Israeli Ministry of Foreign Affairs, [www.mfa.gov.il](http://www.mfa.gov.il).
- 43 See PFLP website, above note 42.
- 44 Cited in Human Rights Watch, "Erased in a moment: suicide bombing attacks against Israeli civilians", October 2002.
- 45 Interview with DCI-Palestine, above note 40.
- 46 Documentation from DCI-Palestine, above note 35.
- 47 Obituaries of Muhammad al-Saksak and Ahmed al-Bal'awi, [www.qudsway.com](http://www.qudsway.com) and [www.qudsnews.net](http://www.qudsnews.net) (Arabic).
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- 52 UNICEF, *Humanitarian Action Update*, 21 September 2007.
- 53 Information from Child Planning Unit, above note 18.
- 54 "ICRC activities in Israel and the occupied and autonomous territories: operational update, October 2007", [www.icrc.org](http://www.icrc.org).
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- 56 UN Report, above note 5.
- 57 Report of the UN Secretary-General to the Security Council on Children and Armed Conflict, 21 December 2007, UN Doc. A/62/609-S/2007/757.