

Blood On Their Hands

Child Killings by the Israeli Occupation
Forces (IOF) in the Gaza Strip
June 2007 – June 2008



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Executive Summary

From the beginning of the Second Intifada, in September 2000, until 30 June 2008, the Israeli Occupation Forces (IOF) killed almost five thousand Palestinians in the Occupied Palestinian territory (OPT)¹. The majority of victims were civilians, and 859 of them were children.² In addition, hundreds of thousands of other Palestinian men, women and children have been injured during IOF military operations in the West Bank and the Gaza Strip, some of them for life.

During international armed conflicts, including occupations by military forces, children are afforded protection under International Humanitarian Law (IHL), including the (1949) Fourth Geneva Convention, relative to the protection of civilian persons in time of war. Children are also granted protection under the United Nations Convention on the Rights of the Child (CRC), as persons who are especially vulnerable during war time. The State of Israel has, however, consistently failed in its legal obligation to offer protection towards the children of Palestine.

IOF have continued to use disproportionate and excessive force across the OPT, without regard for civilian life, including the lives of children. In the Gaza Strip, the civilian population has

¹ From 29 September, 2000 – 30 June, 2008, 4,803 Palestinians were killed by IOF in OPT.

² Source: PCHR data

been continually subjected to intensive IOF military operations that have included mass bombardments in and around densely populated residential areas, as well as hundreds of extra-judicial execution operations.³ Since September 2000, IOF have killed 2,051 civilians in the Gaza Strip, including 548 children.⁴


The Palestinian Centre for Human Rights (PCHR) has monitored and investigated IOF killings of Palestinian children since the Centre was established in 1995. This report has been written in response to the rising numbers of children who have been killed by IOF since the beginning of the Second Intifada, especially in the Gaza Strip. Its aim is to investigate, and expose, how and why increasing numbers of Palestinian children have been killed by IOF in the Gaza Strip. For the purposes of this report, PCHR defines a child as a boy or girl under the age of eighteen who is taking no part in hostilities.

The report begins by examining the overall pattern of IOF killings of children in the Gaza Strip since the beginning of the Second Intifada. It then focuses on child killings by the IOF in the Gaza Strip from 30 June 2007 - 30 June 2008. During this period, sixty eight Palestinian children were killed by IOF in the Gaza Strip.

Blood on Their Hands provides data, analysis and testimonies on the deaths of these children, including detailed testimonies from eye-

³ Since September 2000, IOF has carried out 348 extra-judicial operations in the OPT that have killed 754 Palestinians, including 233 civilian bystanders, 73 of whom were children: source PCHR data.

⁴ Ibid.



witnesses and bereaved families. The report also examines the psychological impact of child deaths on other children in the Gaza Strip, especially those children who witness IOF killings. Although it focuses on the Gaza Strip, this report also refers to child killings by IOF in the West Bank, where twelve children were killed by IOF between June 2007-June 2008.⁵

Blood on Their Hands exposes why increasing numbers of children have been killed by IOF in the Gaza Strip, and makes urgent recommendations for the Israeli Occupation Forces (IOF) to respect the human rights of all Palestinian children in the OPT – as well as demanding that the international community intervenes immediately and effectively in order to ensure these human rights are respected and upheld.

⁵ In addition to the 12 children killed by IOF during this reporting period, two children were also killed by Israeli settlers in the West Bank. Source: PCHR data

Introduction: the pattern of child killings in Gaza

Children are extremely vulnerable during any armed conflict, including a military occupation. Younger children in particular cannot understand the full context of the armed conflict they are living in, and therefore cannot assess the daily risks to their own lives. Palestinian children living in the Occupied Palestinian Territory (OPT) are at risk of being killed by the Israeli Occupation Forces (IOF), who use excessive lethal force against them.

IOF killings of unarmed civilians, including children, in the Gaza Strip are a part of IOF policy of collective punishment of the 1.5 million civilian population of the Gaza Strip.

Gazans continue to live under a siege and closure regime imposed by the IOF, and are also subjected to excessive lethal force by IOF. Since September 2000, the IOF have killed 859 children in the West Bank and the Gaza Strip. 548 of these children (or 64%) were killed in the Gaza Strip and 311 (36%) were killed in the West Bank, including Occupied East Jerusalem.

During the year 2000, almost half of the children killed by IOF in the Gaza Strip were killed in Gaza city, which lies slightly to the north of the Gaza Strip. In 2001 there were child deaths across the entire Gaza Strip, including a significant number in Gaza city. However, from 2002 onwards, children living in the border areas of northern,

southern and eastern Gaza became more at risk of being killed by IOF, and the child death toll rose. (See the table below).

IOF killings of children across the Gaza Strip by area 2000 – 2008

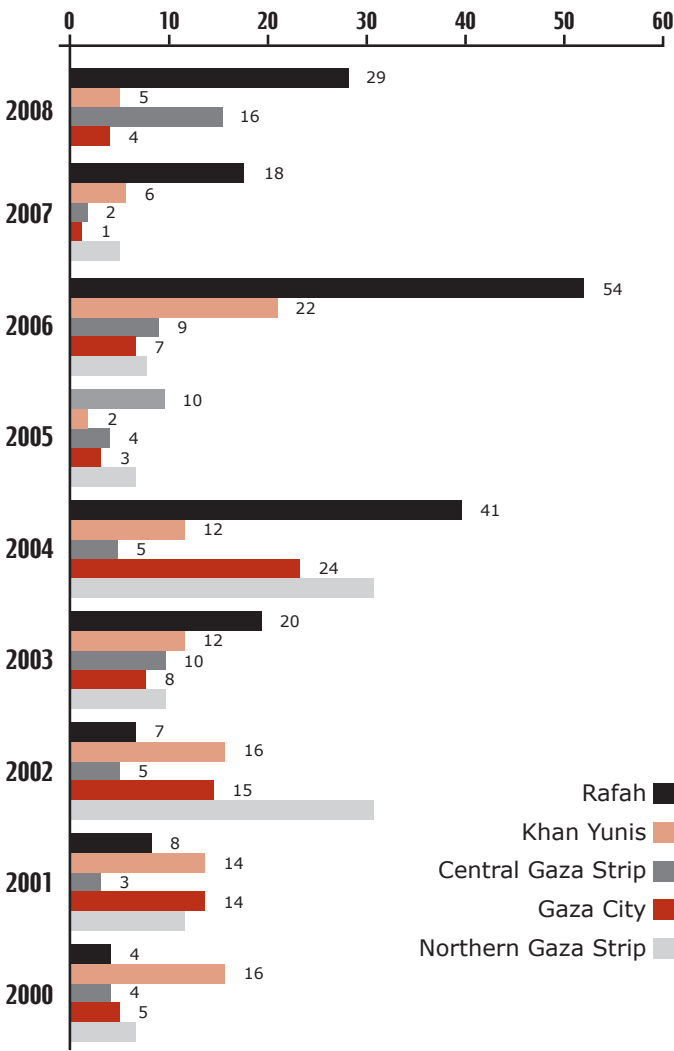
	Rafah	Khan Yunis	Central Gaza Strip	Gaza City	Northern Gaza Strip	Total
2000	7	5	4	16	4	36
2001	12	14	3	14	8	51
2002	32	15	5	16	7	75
2003	10	8	10	12	20	60
2004	32	24	5	12	41	114
2005	7	3	4	2	10	26
2006	8	7	9	22	54	100
2007	5	1	2	6	18	32
2008	0	4	16	5	29	54
Total	113	81	58	105	191	548

The number of children being killed by the IOF decreased in 2005. However it rose dramatically in 2006. Between 30 June 2006 – 30 June 2007, a total of 98 children were killed by IOF in the Gaza Strip.⁶ The child death toll dropped in the latter part of 2007; however, it rose dramatically once more during the first six months of 2008, largely as a result of a large-scale IOF military operation across the Gaza Strip at the end of


⁶ In addition, twenty children were killed by IOF in the West Bank during the same period. Source PCHR

February 2008, as well as IOF killings of children in the border areas of the Central and Eastern Gaza Strip. PCHR notes with grave concern that IOF killed more children in the Gaza Strip during the first four months of 2008 than during the whole of 2007.⁷

IOF killings of children across the Gaza Strip by area 2000 – 2008 (source: PCHR)



⁷ During 2007, 32 Palestinian children were killed by IOF in the Gaza Strip. From 1/1/08 – 30/4/08, forty seven Palestinian children were killed by IOF in the Gaza Strip. Source: PCHR data.



When civilians are killed in the Gaza Strip, the State of Israel consistently claims it is responding to the firing of missiles from militant groups inside Gaza. However, PCHR investigations into civilian deaths, including child deaths in Gaza, have consistently refuted these claims. In September, 2006, the London Independent newspaper ran a front page report on child deaths in Gaza that subsequently became an international news story. '*Gaza: the children killed in a war the world doesn't want to know about*' focused on the deaths of Palestinian civilians in the Gaza Strip during a large-scale IOF military operation, code-named Operation Summer Rain' that killed at least 153 Palestinians during June/ July 2006. Ninety six of the victims were unarmed civilians, including at least 31 children.⁸ The fact that unarmed civilians bore the brunt of IOF attacks during Operation Summer Rain clearly illustrates the level of excessive lethal force that IOF consistently use against Palestinian civilians.

Israel has consistently failed to investigate IOF killings of unarmed civilians, including children. On the rare occasions that it has launched official investigations into IOF killings of Palestinian civilians, the investigations have been conducted by the IOF themselves. On 9 June, 2006, an Israeli gunboat fired seven artillery shells at civilians on a crowded beach in Beit Lahia in the northern Gaza Strip. Seven members of the Ghalia family were killed in the attack, and another 32 civilians were injured. A subsequent IOF investigation into the Ghalia family killings

⁸ PCHR data.


concluded that 'The likelihood [that the Israeli shell caused the killing] is absolutely zero. There is no chance of this.'⁹ This IOF statement directly contradicted PCHR's investigation into the killings of the Ghalia family, which proved beyond all reasonable doubt that the family was killed by IOF shells. Human Rights Watch (HRW) also investigated the killings, and subsequently concluded that 'There has been much speculation about the cause of the [Ghalia family] beach killings, but the evidence we have gathered strongly suggests Israeli artillery fire was to blame.'¹⁰

PCHR has vigorously voiced its opposition to these internal IOF investigations, which do not meet international standards of independence and transparency, and do not represent a genuine attempt by the IOF to hold any personnel to account for the killings of unarmed Palestinian civilians, including children. PCHR investigations into the deaths of the 68 children killed by IOF in the Gaza Strip between 30 June 2007-2008, have exposed that on many occasions the intended IOF targets have clearly been children.

On 21 August, 2007, thirteen year old Abdul Qader Yousef Ashour and eleven year old Fadi Mansour al-Kafarna were killed by the IOF in Beit Hanoun in the northern Gaza Strip. The two boys had been playing with a friend in an orchard next to the Agricultural Secondary School on the outskirts of northern Beit Hanoun,

⁹ IOF investigator Major Meir Klifi, quoted in Haarezev 14/6/2006. PCHR 2006 annual report page 57.

¹⁰ Sarah Leah Whitson, HRW Director of Middle East & Africa Division: PCHR annual report 2006, p57.



when IOF fired a surface-to-surface missile that killed them both instantly. The third boy, thirteen year old Ahmed Sa'id al-Bo, sustained shrapnel wounds from the missile attack. Abdul Qader's mother, Sabah Mohammed Jadallah Ashour, was just a few hundred metres from the Agricultural Secondary School when she heard a loud explosion. 'It was 5.45 pm. I knew Abdul Qader had been playing football in the schoolyard' she told PCHR. 'I immediately ran towards the schoolyard. On my way, a man told me that a boy called Fadi had been injured. I asked [him] if he knew anything about a boy wearing blue, because my son was dressed in blue. He told me the boy in blue had been dismembered.'¹¹

PCHR visited the site where Abdul Qader Ashour and Fadi al-Kafarna were killed. They were killed 2-300 metres from the Agricultural Secondary School, and approximately 150 metres from the site of a rocket launcher. Members of the Ashour and al-Kafarna families confirmed that no rockets had been fired from Beit Hanoun on 21 August, 2007. PCHR confirmed that IOF fired the surface-to-surface missile in close proximity to a school, where dozens of other young children were playing football at the time, putting the lives of all these schoolchildren at risk.

The families of Abdul Qader Ashour and Fadi al-Kafarna maintain the two boys were targeted by the Israeli Occupation Forces (IOF) in order to pressure local parents into preventing rockets being fired from Beit Hanoun towards Israel.


¹¹ PCHR interview with Sabah Mohammed Jadallah Ashour, 9/7/08.

Child Killings and International Law

During international armed conflicts, including military occupations, children are afforded protection under International Humanitarian Law (IHL), including the (1949) Fourth Geneva Convention, and are also protected under international human rights law, including the United Nations Convention on the Rights of the Child (CRC).

International Humanitarian Law provides general protection for children as persons taking no part in hostilities, and special protection as persons who are especially vulnerable during war and armed conflict. As children come into the category of those protected by the Fourth Geneva Convention, they benefit from all the provisions relative to the treatment of protected persons, which state the basic principles of humane treatment, including respect of life and physical and moral integrity, and forbidding, *inter alia*, coercion, corporal punishments, torture, collective penalties and reprisals.

Article 3, common to all Geneva Conventions, addresses conflicts 'Not of an international character occurring in the Territory of one of the High Contracting Parties.' It prohibits 'Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture' at any time and in all places whatsoever. As a High Contracting Party to the Convention, the State of Israel is legally bound by the Convention.



The (1989) Convention on the Rights of the Child (CRC) brings together the human rights of children articulated in other international human rights instruments. The CRC was the first legally binding international instrument to incorporate the full range of human rights—civil, cultural, economic, political and social—for children. It is a universally agreed set of non-negotiable standards and obligations that provides protection and support for the rights of children.

The (CRC) Optional Protocol on the Involvement of Children in Armed Conflict is an effort to strengthen implementation of the Convention and to increase the protection of children during armed conflicts. The (CRC) Optional Protocol 'Reaffirms that the rights of children require special protection,' and condemns 'The targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places that generally have a significant presence of children, such as schools and hospitals'. The Optional Protocol entered into force on 12 February, 2002. Israel signed the CRC in 1991, and signed the Optional Protocol on the Involvement of Children in Armed Conflict on 14 November 2001.¹² As a signatory to both the CRC and the (CRC) Optional Protocol on the Involvement of Children in Armed Conflict, Israel is legally obliged to abide by both these human rights instruments.


¹² Israel ratified the CRC Optional Protocol in July 2005, with one reservation: that the State would continue recruiting soldiers at the age of 17, not 18 as stipulated in the CRC Optional Protocol.

The majority of children killed by IOF in the Gaza Strip in the last few years have died as a result of bombardment, surface-to-surface missiles, or missiles fired from IOF aircrafts. IOF have consistently bombed either inside or extremely close to densely populated residential areas, including schools and areas in close proximity to schools, where it is impossible to distinguish between military and civilian targets. PCHR notes that IOF use advanced military technology, including cameras with pinpoint precision in order to detect 'targets'. Children are therefore clearly visible to the operators who activate these bombs and missiles.

PCHR investigations into IOF killings of children across the Gaza Strip have consistently indicated IOF use of excessive lethal force against the entire civilian population, including children. The volume of deliberate attacks against unarmed civilians, including children, and the resulting fatalities and injuries clearly demonstrate the Israeli Occupation Forces' total disregard for all Palestinian civilian lives, as well as the use of retaliatory measures being taken by IOF against unarmed civilian adults and children.

One of the main reasons for the dramatic increase in the number of children killed by IOF during the first six months of 2008 was a large-scale IOF military operation in the Gaza Strip, code-named 'Operation Winter Heat,' that was launched on 27 February, 2008.

During the five-day operation, which was especially brutal in Jabalia in the northern Gaza



Strip, the IOF killed at least 110 Palestinians, including 51 unarmed civilians, 27 of whom were children. Almost half of the victims were killed in the vicinity of Jabalia within a period of just twenty four hours.¹³

The circumstances of child deaths during Operation Winter Heat strongly and consistently indicate that children were deliberately targeted throughout the operation. For example, on Thursday 28 February, 2008, at approximately 15:20, IOF fired a missile at a group of Palestinian boys who were playing football in an open area near their homes in al-Qerem Street, to the east of Jabalia town. Four of the boys were killed instantly.

- Mohammed Na'im Hammouda (9)
- Ali Munir Dardouna (8)
- Dardouna Deib Dardouna (12)
- Omar Hussein Dardouna (14)

In addition, another three boys were seriously injured. PCHR fieldworkers based in Jabalia investigated the circumstances of this attack, and concluded there was no Palestinian resistance in the area at the time of the attack, and that the boys were playing in an open area next to a residential district that must have been clearly visible to the IOF aircraft that fired the missile and killed the four boys instantly.¹⁴

¹³ Source: PCHR data

¹⁴ PCHR Weekly Report 10/2008.

• The death of Safaa Abu Saif

Twelve year old Safaa Ra'ed Ali Abu-Saif was also killed during Operation Winter Heat. She bled to death after being hit by a single bullet on 1 March, 2008. She lived in the Abed Rabbo district of Jabalia town in northern Gaza, which bore the brunt of the IOF invasion of Jabalia.

The IOF invasion of the Abed Rabbo district started in the early hours of Saturday 29 February. Safaa's mother, Samah Abid Abu-Saif, and her son, Ali, gave PCHR detailed testimonies about the death of Safaa Abu-Saif.¹⁵

'When the Israelis invaded our district, about 4am [on 29 February] my whole family gathered in the living room of our house' said Samah Abu-Saif. 'There were twenty five of us altogether. We could see helicopters and hear fighter planes, and we also heard tanks in front of our house. So we all stayed inside the living room for twenty four hours.'




Safaa's mother,
Samah Abid Abu-Saif

The Abu-Saif house has a courtyard, and is surrounded by a high wall with a secure gate at the front.

Approximately twenty four hours later, at 4am

¹⁵ PCHR interview with Sumah and Alli Abu-Saif, Jabalia, 4/06/08



on 1 March, Samah Abu-Saif was preparing food for the family, when twelve year old Safaa went upstairs to the second floor of the house, where her uncle and his family were living. In order to do this, Safaa had to step outside of the living room, and climb an outside staircase that led up to the second floor apartment. Her parents did not know she had left the living room.

Five minutes later the extended Abu-Saif family downstairs heard a single shot, followed by screaming. Safaa's father, Ra'ed Abu-Saif, and his eldest son, Ali, ran upstairs to the second floor using the outside staircase. They found Safaa in a bedroom, with her aunt, Kefiya. Safaa had been shot, and had collapsed on the bedroom floor.

'There was a hole in her chest' said Ali Abu-Saif. 'The bullet had entered her left side and exited through her back. She was bleeding heavily.' Safaa had gone upstairs to ask her uncle and aunt to come downstairs with their children for their own safety. Ra'ed and Ali Abu-Saif carried Safaa downstairs, and their neighbours called an ambulance. The neighbours then rang the Abu-Saif family, and told them the ambulance could not come to their house because Palestinian ambulances were being attacked by Israeli tanks.


The Abu-Saif family called the Palestinian Red Crescent Society (PRCS), who offered them medical advice over the phone. 'We bandaged Safaa and tried to stop the bleeding,' said Samah Abu-Saif. 'But we could not, and she died three hours later, between 7.30-8am.' The

family called the PRCS, and informed them their daughter was dead. The PRCS told them that a member of the Abu-Saif family should leave the courtyard via the gate, holding a white scarf, and carry Safaa to the nearby crossroads, where the PRCS would collect her body.

The Abu-Saif family believed any men who left their home would be shot dead by the IOF. So Samah Abu-Saif carried her daughter's body out of the courtyard and into the street, accompanied by her elderly mother, who held up a white scarf. As the two women attempted to walk down the street towards the crossroads, an Israeli tank began shooting in front of them, despite the fact they were carrying a dead child, and holding up a white scarf as instructed. The two women were forced to run back to the house for cover.

At approximately 10am on Sunday 1 March, the PRCS informed the Abu-Saif family they had coordinated with the IOF for the family to take their daughter's body to a PRCS vehicle waiting for them at the nearby crossroads. Only Safaa's father, Ra'ad Abu-Saif, was allowed to accompany his daughter's body to Kamal Odwan Hospital in Beit Lahia.

The Abu-Saif family stated to PCHR that they believe their daughter was deliberately targeted by an IOF sniper. She was small, and clearly not armed, and they maintain there was no crossfire when Safaa Abu-Saif was fatally shot. PCHR contacted the Kamal Odwan Hospital in Beit Lahia, where a medical source confirmed that Safaa Abu-Saif was killed on 1 March, 2008 as the



result of a single bullet that entered the left side of her chest and exited her back.¹⁶ PCHR notes that the IOF deliberately prevented the access of ambulances into the Abed Rabbo district of Jabalia during the invasion, which is a violation of international law. If the ambulance had been permitted to collect Safaa Abu-Saif after she had been shot, she may have survived.

● The death of **Salwa Assaliya**

In addition to the killing of Safaa Abu-Saef, eighteen other children were killed by IOF in the Gaza Strip between 1-2 March 2008.¹⁷ Fourteen year old Salwa Assaliya, was also killed in Jabalia on 1 March. She lived in Jabalia town with her family, and was killed whilst inside her bedroom, when IOF fired a missile directly at her home from a helicopter. Salwa's nineteen year old sister, Samah was also killed by the missile.

Salwa and Samah's parents, Siham and Zaidan Assaliya, were both outside their home at the time of the attack, visiting relatives who had been bereaved during the IOF invasion. However, their eleven children were all at home with their uncle, Daoud Mohammed Assaliya, who gave a testimony to PCHR.¹⁸

'There had been an ongoing incursion into our area' said Daoud Assaliya. 'At about 8am [on 1 March] members of the resistance were passing

¹⁶ PCHR phone call to Kamal Odwan Hospital, July 14, 2008

¹⁷ Source: PCHR data.


¹⁸ PCHR interview with Daoud Mohammed Assaliya, Jabalia Town, 4/06/08

in front of the house. The Israelis had been shooting from a helicopter, and the resistance responded by shooting back. Then the Israelis fired a missile from another aircraft. It injured three members of the resistance near the house' Daoud Assaliya testified that a second missile was fired from the aircraft almost immediately afterwards, and landed four or five metres from the Assaliya home.

Daoud Assaliya stated that after IOF had fired the second missile, the resistance immediately left the area, and the street was therefore empty. Approximately ten minutes later, an Israeli aircraft fired a third missile, which directly struck the Assaliya home. The missile blew a large hole in the wall of the bedroom shared by Salwa and Samah Assaliya. When the missile struck, the two teenagers were sitting in their bedroom. They were both killed instantly.

'I entered the bedroom as soon as the missile had struck' said Daoud Assaliya. 'I found Samah on the floor with parts of her head missing. The other girl [Salwa] was also on the floor, dead – she had lost one of her arms and one of her legs.' Daoud Assaliya called an ambulance, which arrived immediately as it was already in the area collecting dead and injured Palestinians. The ambulance transferred the bodies of Salwa and Samah to the mortuary at Kamal Odwan Hospital in Beit Lahia.

In his testimony to PCHR, Daoud Assaliya reiterated that at the time the third missile was fired, there was no-one in the street and the



Palestinian resistance had dispersed.

'The Israelis were watching everything' he said.
'They [the IOF] had already hit the resistance fighters, and injured them. This was a deliberate targeting of a civilian house.'

The War on Children: IOF Use of Excessive Lethal Force

As previously noted, the IOF consistently used excessive lethal force against civilians, including children, throughout 'Operation Winter Heat.' Civilians were undoubtedly deliberately targeted, as the IOF bombarded, shot and shelled in and around densely populated civilian areas, where it was clearly impossible to distinguish between military and civilian targets. In addition, IOF used snipers to target unarmed civilians, including children, as well as firing missiles at civilians in areas where there was clearly no resistance activity. PCHR investigations into the 110 civilian deaths that occurred during 'Operation Winter Heat' in February/March 2008 confirmed widespread use of excessive lethal force against civilians living in the Gaza Strip, and the deliberate targeting of civilians, including children.

Under international human rights and humanitarian law, including the Fourth Geneva Convention, the deliberate targeting of civilians is illegal under any circumstances. However, the deliberate targeting of civilians, including children, by the IOF, is not limited to large-scale [IOF] military operations. It is part of widespread IOF human rights violations across the OPT that have resulted in the deaths of 3,724 unarmed civilians, including 859 children, in the OPT since

the beginning of the second Intifada.

The overwhelming majority of the 311 children who have been killed by IOF in the West Bank since September 2000, have been shot dead, or have died as a result of being shot.

The pattern of children in the West Bank being shot dead by IOF, or dying of IOF inflicted shotgun injuries, continued throughout the Second Intifada. However, children in the West Bank have also been killed by IOF shelling, missiles and other explosive devices. The data below identifies the causes of death of the 311 children killed by IOF in the West Bank since September 2000.

- **261 Children were shot by IOF (84%)**
- **16 Children were killed by IOF tank shells (5%)**
- **14 Children were killed by missiles (4.5)**
- **12 Children were hit by vehicles (3%)**
- **8 Children were killed by other explosive devices (3%)**

The majority of the 548 children killed in the Gaza Strip since September 2000, have also been shot by IOF. However, large numbers of children have also been killed by missiles and IOF tank shells. The data below identifies the causes of death of the 548 children killed by IOF in Gaza since September 2000.

- **289 Children were shot by IOF (53%)**
- **148 Children were killed by IOF missiles (27%)**

- **93 Children were killed by IOF tank shells (17%)**
- **10 Children were killed by other explosive devices (2%)**
- **8 Children were killed in other circumstances (1%)**

During the first three to four years of the second Intifada the majority of children killed by IOF in the Gaza Strip were shot dead, especially in Gaza city and the border areas of the northern, southern and eastern Gaza Strip. However, this pattern gradually changed, with IOF increasingly targeting children with tank shells and missiles fired from IOF aircrafts. Thus, the IOF war on children in the Gaza Strip has increasingly involved IOF use of advanced military technology to pinpoint, and kill the intended targets.

Between 30 June 2007-30 June 2008, the IOF killed 68 children in the Gaza Strip. In addition IOF also killed twelve children in the West Bank during the same period. All of the children killed in the West Bank (100%) during this reporting period were shot by the IOF, which strongly indicates that they were deliberately targeted by the IOF.

On 3 July, 2007, fifteen year old Ahmed Abdul Mohsen Al-Skafi was shot and killed by IOF in the Louza district of Western Hebron, during an IOF incursion. He was playing in the street with another child when IOF shot him six times in the chest, abdomen and back, killing him instantly. PCHR's investigation into Ahmed Al-Skafi's death revealed that the IOF subsequently refused to

allow an ambulance to evacuate his body to a local hospital for almost an hour. The IOF subsequently claimed Ahmad Al-Skafi 'Was carrying a toy in the form of a gun, and when they ordered him to stop he refused, so they shot him dead.'¹⁹

Regarding child killings in the Gaza Strip during the reporting period (30 June 2007 - 30 June 2008) the IOF used three different methods to kill 68 Palestinian children, all of which represent use of Excessive Lethal Force:

- **39 Children in the Gaza Strip were killed by IOF missiles (57%)**
- **18 Children were shot by IOF (27%)**
- **11 Children were killed by IOF tank shells (16%)²⁰**

PCHR condemns in the strongest possible terms this IOF use of excessive lethal force against all civilians in the OPT, including children. The Centre believes that IOF consistently launch attacks on unarmed civilians using advanced military weaponry and technology to target and kill unarmed civilians, including children. The following case of two separate attacks on unarmed civilians, including a group of children, during an IOF incursion into the village of Juhor Al-Dik in the central Gaza Strip on 16 April 2008, exposes IOF disregard for the lives of Palestinian civilians, including children, and its consistent use of excessive lethal force against them.

¹⁹ PCHR Weekly Report 26/2007

²⁰ Source: PCHR data.

• The death of Islam Hussam Al-Eissawi

On 16 April, 2008, sixteen year old Islam Hussam Al-Eissawi was killed when an IOF aircraft fired two missiles at a number of Palestinian civilians in Juhor Al-Dik village in the central Gaza Strip, during an incursion into the village. Shortly afterwards, IOF fired two missiles at a Reuter's journalist who was standing with his colleague, and a group of children, more than 1.5 kilometres outside Juhor Al-Dik. The journalist, Fadel Shana'a, and two of the children, were killed instantly. Another adult civilian also died in the attack.

Altogether, thirteen unarmed civilians, including eight children, were killed by IOF in the area of Juhor Al-Dik on 16 April, 2008. Another thirty two civilians, including seventeen children, were injured.

The Al-Eissawi family live in Nuseirat refugee camp, approximately 2.5 kilometres from Juhor Al-Dik village. 'My son was young and curious' said Islam's mother, Fathea Abdullah Al-Eissawi. 'He always wanted to speak to journalists and he also went to see incursions.'²¹ On the morning of 16 April, Islam Al-Eissawi went to his school in Nuseirat refugee camp, but left the school early with a group of other pupils, and walked to Juhor Al-Dik village, where he died at approximately 4.30 pm.

²¹ PCHR interview with Fathea Abdullah Al-Eissawi, Nuseirat refugee camp, 17/06/08.

• Eye-witness testimony: **Hussein Mahmoud Mohammed**

The 16 April IOF incursion into Juhor Al-Dik began at approximately 04:00 on April 16, when IOF moved more than a thousand metres into the village and spent several hours raiding and searching a number of local houses.



Thirteen year old Hussein Mahmoud Mohammed, who lives in Juhor Al-Dik, witnessed the 16 April killings in the village and gave PCHR an eye-witness testimony.²² 'I was at home, reading in the garden' he said. 'It was mid afternoon. My elder brother, Hussam, was looking through the gate to see what was happening outside and he told me there were children coming and going. I looked outside the gate too – I saw more than twenty children.

'Then I saw two [Palestinian] gunmen who walked towards the end of our street. Both of them [the gunmen] quickly came running back down the street. There were drones and helicopters above us, and I saw a helicopter fire a missile at the children outside the gate. When I ran outside [the gate] I saw parts of bodies, and children were running everywhere - they were very frightened. My father had been inside my sister's house which is just behind our

²² PCHR interview with Hussein Mahmoud Mohammed, Juhor Al-Dik village, 17/06/08

house, and he came out of the house and ran towards the gate. He was calling an ambulance on his mobile phone. Then my uncle ran through the gate with four children, and they were all standing inside our garden. I heard a second missile being fired, and the second missile hit inside our garden. It killed my father, my uncle and the four children. I was hit by shrapnel in my chest and [right] leg.'

Six children, including Islam Hussam al-Eissawi, were killed by the two IOF missiles. The five other children were identified as:

- Abdullah Maher Abu Khalil, (15)
- Tareq Farid Abu Taqiya, (16)
- Talha Hani Abu Ali, (13)
- Bayan Samir al-Khaldi, (17)
- Mohammed Mohammed al-As'sar, (17).

Three other unarmed civilians were also killed in this attack: 20 year old Fadi Jamal Musran, forty five year old Mahmoud Ahmed Mohammed, (the father of Hussein Mahmoud Mohammed) and his brother, forty one year old Sofian Ahmed Mohammed (the uncle of Hussein Mahmoud Mohammed).

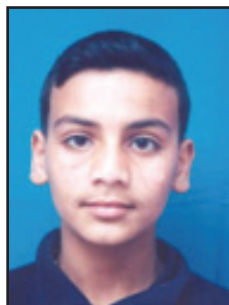
In his eye-witness testimony to PCHR, Hussein Mahmoud Mohammed stated there was a gap of approximately ten minutes between the gunmen running past his gate and the first IOF missile being launched. He also estimated the second missile was launched 10-15 minutes after the first missile. PCHR visited Hussein Mahmoud Mohammed at his home in Juhor Al-

Dik, and also measured the distance between the house where Hussein Mohammed lives, where the killings took place, and the bottom of the street, which formed a junction with the main road running through Juhor Al-Dik village. The distance between the house and the junction with the main road is roughly 275 metres.

In the approximately ten minutes between the two Palestinian gunmen running past the house and the attack on the unarmed civilians, the gunmen would have easily been able to run beyond this junction. The IOF were using helicopters and drones to survey the entire village, and would therefore have clearly been able to see that the group of unarmed civilians, including a substantial number of children, were not in the immediate proximity of the two gunmen. This clearly refutes any IOF claim of targeting armed Palestinians in Juhor Al-Dik village on 16 April, 2008.

● The death of **Ahmed 'Aaref Farajallah'**

Fourteen year old Ahmed 'Aaref Farajallah (right) was also killed on 16 April, 2008, during a second IOF attack on the outskirts of Juhor Al-Dik village. Three other civilians, including a Reuters cameraman, died in the attack. PCHR interviewed the parents of Ahmed



Farajallah, who live in Nuseirat refugee camp. Ahmed's father, Aaref Suleiman Farajallah, said his son had left the family home at approximately 3.30 pm on 16 April.


'My son went to play outside with his friends, including some of his cousins. One of Ahmed's cousin's lives in Juhor Al-Dik and the cousin went back to the village to see if the Israeli tanks had withdrawn. Ahmed followed him shortly afterwards. My son was with the journalist Fadel Shana'a when he was killed.'²³

During the incursion into Juhor Al-Dik, the IOF had positioned two tanks inside the village. The tanks were still in the immediate vicinity when Fadel Shana'a, a twenty four year old Gazan cameraman working for Reuters news agency, arrived in Juhor Al-Dik to film the children who had just been killed by the IOF missile attack. Fadel Shana'a was accompanied by his colleague, Wafa Abu Mezyed, a Reuters soundman. The two men arrived in Juhor Al-Dik at 5pm. They were both wearing white bullet-proof vests emblazoned with the word 'PRESS.'

Wafa Abu Mezyed also gave PCHR an eye-witness testimony about the events of 16 April in Juhor Al-Dik.²⁴ 'When we arrived at Juhor Al-Dik, at 5pm, the dead children had just been evacuated by ambulance' he said. 'We filmed the site of the attack and then got back into our vehicle and drove out of the village. We could see two tanks

²³ PCHR interview with Aaref Suleiman Farajallah, Nuseirat refugee camp, 17/06/08

²⁴ PCHR interview with Wafa Abu Mezyed, PCHR office, Gaza city, 17/07/08.



and a bulldozer, and we deliberately parked more than one and a half kilometres away from them for our own safety.' Wafa Abu Mezyed and Fadel Shana'a parked their vehicle, which was daubed with the word **REUTERS**, approximately 200 metres east of Salah al-Din Street, the main highway through the Gaza Strip. 'Fadel got out of the jeep in order to continue filming' said Wafa Abu Mezyed. 'A small crowd of boys gathered around us wanting to know what we were filming, and Fadel asked me to get out of the jeep too, and shoo them away. I started to move the children out of his way. Fadel and I were standing just three metres apart when I heard an explosion. I saw Fadel and two of the boys fall to the ground. I threw myself on the ground too. From where I lay, I could see that Fadel and the two boys were dead and bleeding.'

Fadel Shana'a, 14 year old Ahmed Aaref Farajallah, and 17 year old Ghassan Abu 'Otaiwi, were all killed by the shell fired from the IOF tank. Less than a minute later, the IOF fired a second shell that completely destroyed the Reuters vehicle. Wafa Abu Mezyed saw two children flung into the air by the force of the second tank shell, which killed another civilian, twenty two year old Khalil Isma'il Dughmush. 'The children were all screaming for help' said Wafa Abu Mezyed. 'I was injured in my right hand and my feet, but I ran to Salah al-Din Street for help.'

PCHR conducted an investigation into the deaths in Juhor Al-Dik immediately after the killings took place. Having visited the locations of the attacks, and gathered data, including data from

eye-witnesses, the Centre concluded that the IOF used excessive lethal force to deliberately target two separate groups of unarmed civilians, including a substantial number of children who died in the two separate attacks. PCHR's investigation concluded that 'These latest crimes are part of a series of continuous crimes committed by IOF in the Occupied Palestinian territory (OPT) with total disregard for the lives of Palestinian civilians'.²⁵


Reuters also commissioned its own independent investigation into the death of Fadel Shana'a. The investigation concluded that, 'There was no military activity in the area where [Fadel] Shana'a was killed.' Reuters Middle East Managing Editor, Mark Thompson stated that the news agency was 'Deeply disappointed that the Israeli army has failed to provide an account for the circumstances in which Fadel Shana'a was killed by a tank shell on April 16, nor any evidence to support its claim that they could not identify him as a journalist.'²⁶

In his eye-witness statement to PCHR, Wafa Abu Mezyed stated that 'Fadel and I had followed all the security procedures that Reuters has agreed with Israel. There were drones and helicopters above us, and it was clear that we were journalists at work. The attack that I witnessed that killed my colleague Fadel [Shana'a] and the boys who died with him, was deliberate and intentional.'

The Reuters investigation into the death of Fadel

²⁵ PCHR press releases 32/2008 and 33/2008. See www.pchrgaza.org

²⁶ REUTERS, 'Gaza journalists demand Israel answer over killing' Monday June 16, 2008



Shana'a referred to the fact that three Israeli soldiers had been killed, 'Some twelve hours earlier [on the same day] in a dawn ambush, some 15 km (9 miles) from where [Fadel] Shana'a died.'²⁷ The investigation report made no direct link between the deaths of the three IOF soldiers and the deaths of thirteen unarmed civilians, including eight children, later on the same day. PCHR field workers confirmed that three IOF soldiers had been killed, and another four injured, in the early hours of 16 April, whilst on patrol at Kerem Shalom (Karem Abu Salem) Crossing in southern Gaza. PCHR investigations into IOF attacks on the civilian population of the Gaza Strip consistently point to retaliatory attacks using excessive lethal force against unarmed adults and children after the deaths or injuries of Israeli civilians or Occupation Forces. The Palestinian Centre for Human Rights believes the deaths in Juhor Al-Dik may have been in retaliation for the deaths of three Israelis earlier the same day.

Aaref Suleiman Farajallah, the father of fourteen year old Ahmed Farajallah, stated to PCHR that he believes his son was deliberately targeted by IOF. 'I am convinced my son was killed deliberately. The Israelis had aircrafts covering the area [of Juhor Al-Dik] and also tanks. There was no fighting and no resistance in the area where my son died. The Israelis wanted revenge [on Israeli deaths] by killing Palestinian children.'

²⁷ Ibid

On Tuesday, 12 August 2008, Reuters news agency received a letter from the Israeli military Advocate General, Brigadier General Avihai Mendelblit, in which he stated that the Israeli troops in Juhor Al-Dik could not see whether Fadel Shana'a was operating a camera or brandishing a weapon. In his letter to Reuters, Mendelblit claimed that 'The tank crew was unable to determine the nature of the object mounted on the tripod, and positively identify it as [either] an anti-tank missile, a mortar or a television camera.' Mendelblit also wrote that 'In light of the reasonable conclusion reached by the tank crew and its superiors that the characters were hostile, and were carrying an object most likely to be a weapon, the decision to fire at the target... was sound...'²⁸

²⁸ PCHR pres release 77/2008, 14 August 2008



Collective trauma: the psychological impact of IOF killings on children in Gaza

It is now generally recognized that children who are either directly or indirectly exposed to war and conflict experience a variety of adverse short-term and long-term psychological reactions. Common symptoms and reactions in the aftermath of a potentially traumatic event include anger, difficulty in sleeping, nightmares, avoidance of situations that are reminders of the trauma, impairment of concentration and guilt due to survival or lack of personal injury during the traumatic event. A number of studies have found a high prevalence of symptoms including Post Traumatic Stress Disorders (PTSD) among children exposed to war trauma, state-sponsored terrorism or interpersonal violence.²⁹

Dr Abdel Aziz Mousa Thabet is a consultant child and adolescent psychiatrist who has specialized in the impact of trauma on children, especially those affected by war and armed conflict, for more than seventeen years. He lives in the Gaza Strip, where he works at the Gaza Community Mental Health Programme.

‘There are three chronic psychiatric symptoms affecting children in the Gaza Strip’ he told PCHR during an interview on the psychological impacts

²⁹ Exposure to War Trauma, and PTSD Among Parents and Children in the Gaza Strip, European Child Adolescent Psychiatry, (2008)


of IOF killings on children living in Gaza. 'These psychiatric symptoms are Post Traumatic Stress Disorders (PTSD), anxiety and depression. 'Children in the Gaza Strip are suffering from collective trauma. In our most recent study into the impact of exposure to war trauma, we found that 70% of children in the Gaza Strip had been affected.'³⁰

In June 2006, Dr. Thabet and his colleagues began an in-depth study of war trauma amongst families and children in the Gaza Strip. One hundred families living in areas exposed to shelling in the north and east of the Gaza Strip were interviewed about their overall mental health. The objective of the study was to establish the relationship between ongoing war trauma experiences, PTSD and anxiety symptoms in children, accounting for their parents' equivalent mental health responses. A total of 200 parents (100 mothers and 100 fathers) and 197 children aged 9-18 took part in the study. The final results were published in March 2008.

Overall, 70.1 % of the children who took part in the study reported symptoms consistent with Post Traumatic Stress Disorders. The most common reactions were insomnia (40.5%), nervousness (39%) and trying to erase painful or disturbing memories (39%).

Both children and adults reported having experienced a high number of traumatic events. 74.5% of the children had witnessed IOF tanks

³⁰ PCHR interview with Dr. Abdel Aziz Mousa Thabet, 7/07/08



and heavy artillery firing on their homes, and 86.7% had witnessed bombardments of other local homes by airplanes and helicopters. 71.3% of the children had experienced the violent death of a friend. In addition, three quarters of the children (75%) reported they had personally witnessed the assassination of people by rockets.³¹

The psychological trauma affecting children who live in the Gaza Strip cannot be fully measured. However, from a human rights perspective, collective exposure to psychological trauma as the direct result of IOF human rights violations represents a form of collective punishment against the civilian population of Gaza.

IOF continually use excessive lethal force against unarmed civilians in the OPT, and children are deliberately exposed to traumatic events that have a huge impact on their physical and psychological health, including witnessing the violent deaths and injuries of close friends and family. Regarding children who physically witness IOF killings, Dr. Thabet told PCHR that being exposed to the sudden, violent death of a parent, close friend or family member 'Is a severely traumatic event for any child.'³²

³¹ Exposure to war trauma and PTSD among parents and children in the Gaza Strip: AA Thabet et al, Eur Child Adolescent Psychiatry, (2008) 17: 191-199.

³² Telephone conversation with Dr Abdel Aziz Mousa Thabet, Gaza city, 21/07/08

- **Eye-witness testimony:**
Samira Majdi El-Daghma

On 7 May, 2008, twelve year old Samira Majdi El-Daghma and her younger brother and sister all witnessed the violent death of their mother, 33 year old Wafa Shaker El-Daghma, who was decapitated when the Israeli Occupation Forces




(IOF) blew up the inner front door of her home in New Abasan village, near the eastern border with Israel.

The IOF had launched an incursion into New Abasan, which lies east of Khan Yunis, at approximately 01:00 on 7 May. Twelve year old Samira El-Daghma wanted to go to school later the same morning, but stayed at home with her younger siblings because of the dangers posed Samira Majdi El-Daghma by the incursion.

PCHR visited the house where Wafa Shaker El-Daghma was killed, and also interviewed Samira Majdi El-Daghma, who gave the Centre an eye-witness testimony of the death of her mother, who had been working as a teacher at the local UNRWA³³ school.

'My mother came home at approximately 12 noon [on 7 May]. She used an alternative road because the main street was occupied [by the IOF]' said Samira. 'I had stayed at home with

³³ United Nations Relief and Works Agency (UNRWA)



my young brother and sister. My mother was expecting the soldiers to come to our door, so she put on her veil and waited beside the front door.'

At approximately 4pm, IOF troops opened the outside metal door to the El-Daghma house, which was unlocked. The interior wooden door was also unlocked; however the IOF used explosives to blow the door off its hinges.

'They destroyed the [inner] door' said Samira. 'I was standing in the doorway of my bedroom, but my mother was in the living room, by the front door.' Wafa El-Daghma was decapitated by the force of the explosion. The IOF then entered the house, and searched it at gunpoint. Samira counted ten IOF soldiers inside her house, and another group of soldiers was stationed just outside the metal front door. Samira tried to protect her younger brother and sister from the IOF. 'They [the IOF] kept the three of us inside the bedroom' she said. 'They prevented us from seeing our mother, and they also kept watch out of our windows. One of the soldiers was screaming at my little brother and sister. I was afraid because they had their guns held high.'


At about 4.30pm, Samira asked the IOF if she could use the bathroom. The soldier standing at her bedroom door at first refused, but she insisted she needed the bathroom. 'When I came back from the bathroom, they tried to stop me seeing my mother. But I saw that she was covered with carpets – and the soldiers were saying that my mother was dead.'

The IOF kept Samira and her young brother and sister confined inside the bedroom for more than five hours, finally leaving the house at around 9pm. 'As they left our house, one of them said 'Shalom' to us' said Samira. 'It was dark when they went outside, and I wanted to light a lamp, but on my way to the kitchen I fell over the body of my mother. I could see the lights of the [Israeli] bulldozers, and it looked like they [the IOF] were leaving the village.' The IOF finally withdrew from New Abasan village two hours later, at approximately 11pm. As soon as the IOF had withdrawn, Samira went outside the house, where she found neighbours in the street and told them her mother had been killed.³⁴

Samira's father, Majdi Abdul-Raziq El-Daghma, told PCHR that IOF soldiers had been to his house on at least three previous occasions, and therefore knew exactly who lived in the house. On these previous occasions, he said the IOF had knocked on the front door before entering the house. Majdi El-Daghma reiterated that there had been no armed resistance in the village before or during the incursion of 7 May, and that no rockets had been launched from the vicinity of the village prior to the incursion. 'They [the IOF] deliberately used explosives to blow open the door and harm the people inside' he said. 'The interior door was not even locked – it was just shut. They could have just opened it.'

Majdi El-Daghma told PCHR that his children are now being supported by a mental health worker,

³⁴ PCHR Interview with Samira Majdi El-Daghma, New Abasan village, 9/06/08



for psychological support in coming to terms with their mother's violent death. 'My children are now living in fear' he said. 'My youngest daughter, Ruba is only five. She was locked inside the bedroom by the Israelis, and now she refuses to speak about what happened.'³⁵


³⁵ PCHR interview with Majdi El-Daghma, New Abasan village, 9/06/08

Aiming To Kill Children in the OPT

The circumstances of the killings of children by Israeli Occupation Forces in the Gaza Strip and the West Bank frequently indicate that children have been targeted by IOF, who use snipers, missiles and tanks in order to target and kill them. As previously noted, all of the twelve children killed by IOF in the West Bank from 30 June 2007 – 30 June 2008 were shot, and either died instantly or as a direct result of their wounds. In at least two cases the child bled to death after being shot, because IOF prevented an ambulance from reaching the child and evacuating him to hospital.

Sixteen year old Mohammed Ali Mesbah Jabarin bled to death in Ramallah on 17 September, 2007 after being shot in the pelvis by IOF, allegedly for throwing stones. The IOF prevented an ambulance from reaching him. The following day, 18 September, 2007, seventeen year old Mohammed Rida Mahmoud Khaled was shot by IOF and bled to death in front of his parents in Ein Beit El-Ma refugee camp, Nablus, when ambulances were prevented from entering the camp and evacuating him to hospital.³⁶ Preventing ambulances from reaching sick or injured persons is a clear violation of international human rights and humanitarian law, yet, as this report illustrates, there is a consistent

³⁶ Mohammed Ali Mesbah Jabarin 17/09/07, Mohammed Rida Mahmoud Khaled 18/09/07 – PCHR Weekly report 37/2007.



pattern of IOF preventing ambulances from reaching Palestinian civilians, including children, who have been critically injured during IOF attacks.

Regarding IOF child killing in the Gaza Strip; as previously noted, twenty seven children were killed by IOF during Operation Winter Heat, which represents 40% of the total number of children killed in the Gaza Strip during the reporting period. Throughout Operation Winter Heat, the IOF used excessive lethal force against civilians, by bombarding inside or extremely close to densely populated residential areas. In addition, as graphically illustrated by the death of twelve year old Safaa Abu-Saif, the IOF also used snipers to deliberately target unarmed civilians, including children.

IOF have a long-established pattern of bombing inside or extremely close to densely populated residential areas. On 28 April 2008, a mother and four of her children were killed in Beit Hanoun, in the northern Gaza Strip, during an IOF incursion into the town. At approximately 8.15 am, IOF fired a missile from an aircraft at a group of armed Palestinians. The missile landed in a residential area, approximately ten metres from the house where Meyasar Abu-Me'tiq was having breakfast with her six children, and injured one of the armed Palestinians. Less than a minute later, IOF fired a second missile that critically injured Meyasar Abu-Me'tiq and killed four of her children instantly, as well as killing one of the armed Palestinians. Meyasar Abu-Me'tiq later died from her injuries. Her four

children who were killed in the attack were:


- **Mes'id Ahmad Eid Abu-Me'tiq (1)**
- **Hana Ahmad Eid Abu-Me'tiq (3)**
- **Rudeina Ahmad Eid Abu-Me'tiq (4)**
- **Saleh Ahmad Eid Abu-Me'tiq (5)**

The other two Abu-Me'tiq children were seriously injured, but survived.

The killing of Meyasar Abu-Me'tiq and her four young children briefly focused international attention on IOF killings of children in the Gaza Strip. The IOF subsequently claimed the armed Palestinians were carrying explosives that ignited when the second missile hit, and killed, the armed Palestinian, and this explosion caused the deaths of the Abu Me'tiq family. IOF later claimed to have investigated the full circumstances of the attack on the Abu-Me'tiq family. In a statement issued on 2 May, 2008, an IOF a Spokesman said that 'The professional opinion of the IDF states that the [Abu-Me'tiq] family was hit during the explosion of the second missile that ignited the secondary explosion, or from objects that had flown towards them from the strength of the explosion.'³⁷ The IOF therefore denied any responsibility for the deaths of the Abu-Me'tiq family.

PCHR conducted its own investigation into the deaths of Meyasar Abu-Me'tiq and her four children. The Centre concluded that IOF had used excessive lethal force in a densely populated

³⁷ Israeli Defence Force Spokesman announcement, 02/05/08.
www.dover.idf.il



residential area where it was impossible to distinguish between civilian and military targets, and thereby acting with utter disregard for the lives of unarmed civilians. PCHR has submitted a file to the Israeli Ministry of Defence, seeking a full and independent investigation into the Abu-Me'tiq killings and compensation for the Abu-Me'tiq family. The Centre is also demanding that criminal charges to be brought against those responsible for the killings.

The sudden, violent death of a child is an extremely traumatic event for any family, which is made only worse if the family believes the child was deliberately targeted.

All of the parents and immediate relatives interviewed by PCHR for the purpose of this report alleged that IOF had deliberately targeted their children either in reprisal for the deaths of Israeli civilians, or members of the IOF, or else in order to pressurize parents into stopping rockets being fired from the Gaza Strip towards Israel.

PCHR maintains that IOF deliberately target unarmed civilians, including children, as part of their policy of collective punishment of the entire Palestinian civilian population. There is also strong and consistent evidence to suggest that IOF deliberately kill Palestinian children in reprisal for the deaths of Israeli civilians or members of the IOF, which amounts to a war crime.

The following cases of the deaths of twelve year old Majd Abu-Oukal in Jabalia, northern Gaza, and eight year Aya Al-Najjar in the eastern

Gaza Strip, highlight that IOF continue to use excessive lethal force in order to deliberately target unarmed children.

● The death of **Majd Ziyad Abu Oukal**

According to a testimony given to PCHR by his father, Ziyad Mohammed Ahmad Abu Oukal,³⁸ twelve year old Majd left his home in Sikkah St, Jabalia, at 7am on 20 May, 2008, in order to take his younger brother, Amjad, to visit a local teacher for revision lessons. After dropping his brother off, Majd started to walk back towards his home alone.



At approximately 7.25 am, Palestinian activists fired two rockets from a site about 500 metres from the house of Ziyad Abu Oukal. The rockets were fired near an open area where local children sometimes played. Shortly after the two rockets were fired, local residents saw a group of five boys arrive and start to play near the site where the rockets had been launched. Majd Abu Oukal, and his friend, 13 year old Abdul Rahman Mohammed Abu-Habel, were amongst them. According to the residents, the activists had already left the site when the five boys arrived. Three of the boys soon departed, leaving Majd

³⁸ PCHR interview with Ziyad & Tahreer Abu Oukal, Jabalia camp, 4/6/08.

and his friend Abdul Rahman playing, about 100 metres from the rocket launcher.

At 8.10 am, an Israeli drone fired a missile that directly hit Majd Ziyad Abu Oukal, killing him in front of Abdul Rahman, who was also injured by the missile. Local residents rushed to assist the boys. They called an ambulance, which transferred Abdul Rahman Abu-Habel, and the dismembered body of Majd Abu Oukal, to the local Al Awda Hospital in Jabalia.

Ziyad and Tahreer Abu-Oukal told PCHR they believe their son was deliberately killed by the IOF. 'There was more than half an hour between the time of the rockets being fired [by the Palestinians] and the missile that killed Majd' stated Ziyad Abu Oukal. 'I believe they [the IOF] deliberately killed my son, and that [other] children are deliberately killed in order to put pressure on families to stop the resistance from firing rockets.'

PCHR notes the missile that killed Majd Abu Oukal was fired approximately forty five minutes after the two rockets had been fired by the Palestinian activists. Majd and Abdul Rahman were playing one hundred metres from a rocket launcher, and were clearly visible as unarmed minors. These factors strongly indicate that Majd Abu-Oukal was the intended target of the rocket fired from the IOF drone.

- **Eye-witness Testimony:**
Abdul Rahman Mohammed
Abu-Habel

PCHR also interviewed Abdul Rahman Mohammed Abu-Habel about the death of his friend, Majd Abu-Oukal. 'Five of us boys were playing in a neighbouring area' Abdul Abu-Habel told PCHR. 'We heard the rockets being fired and we thought maybe an Israeli missile had hit some people, so we went to have a look.'



Abdul Rahman Abu-Habel confirmed that at the time of the attack, the other three boys had left the area and just he and Majd were playing, approximately 100 metres from the rocket launch site. There were no adults in the immediate vicinity.

'There was only me and Majd around, and we had been playing there for half an hour when we saw a zanaana (drone) and it fired a missile. I was wounded in my arm and my back, and I saw Majd on the ground. His head was very bad, and he was bleeding. I knew he was dead.'³⁹

³⁹ PCHR interview with eye-witness Abdul Rahman Mohammed Abu-Habel, Jabalia camp, 9/07/08.

• The death of **Aya Al-Najjar**

Just two weeks after Majd Abu-Oukal was killed in Jabalia, northern Gaza, another young Palestinian child was killed by an IOF missile. On 5 June, eight year old Aya Hamdan Al-Najjar was killed by a rocket fired from an Israeli helicopter, whilst standing alone outside her home in the village of Khizaa, in the eastern Gaza Strip.



Aya's mother, Zahra Al-Najjar, was at home with Aya on the day her young daughter was killed. PCHR visited the Al-Najjar family at home a few days after the death of their daughter, and took an eye-witness testimony from Zahra Ibrahim Al-Najjar and a statement from her husband, Hamdan Hamdan Al-Najjar.⁴⁰

'My daughter [Aya] had finished school one week earlier and was waiting for her friends to come and play with her' said Zahra Al-Najjar. At approximately 2pm [on 5 June] Zahra Al-Najjar heard the sound of IOF drones and helicopters. 'We live near the [Israeli] border and they [the Israelis] can see everything. I went to the window to see what was happening, but I didn't see anyone outside. I thought Aya was inside our building, or with a neighbour. Then there

⁴⁰ PCHR interview with Zahra & Hamdan Hamdan Ahmad Al-Najjar, Khizaa village, 9/06/08


was a loud explosion.'

The IOF helicopter had just fired a rocket, which, with pinpoint accuracy, hit eight year old Aya as she stood just three or four metres outside her own house. Zahra Al-Najjar, who was struck in the head by shrapnel from the rocket, did not know her daughter had just been killed. Her husband, Hamdan Hamdan Al-Najjar, was out of the house at the time. The next door neighbours ran to see what had happened, and found a small hand in the rubble outside the Al-Najjar house. After collecting the other parts of Aya's body, which were scattered over a distance of more than 150 metres, they had to inform Zahra and her husband that their young daughter had just been killed.

During her testimony to PCHR, Zahra Al-Najjar stated that the local area had been quiet before the Israeli drones and helicopters began circling around the village. 'It had been peaceful all morning. There had been no-one around. The Israelis can see everything from their planes. They could see my daughter was alone outside – and they could see she was a small child.'

Zahra and Hamdan Hamdan Al-Najjar told PCHR they believe their daughter was deliberately targeted by the IOF in retaliation for the death of an Israeli civilian earlier the same day. The Israeli civilian was killed between 11-12 am on 5 June 2008, by mortar shells fired from inside the Gaza Strip that struck the Nir Oz kibbutz near south eastern Gaza.

'The mortars [that killed the Israeli] had been




fired at least two hours before Aya was killed' said Hamdan Hamdan Al-Najjar. 'But those mortars were not fired from here, there was no shooting in our village, and there was no-one outside our house except for my daughter. She was not carrying a gun and she did not fire a rocket. They wanted revenge for the death of the Israeli.'

After investigating the circumstances of the death of Aya Al-Najjar, PCHR remains extremely concerned that this IOF attack may have been in retaliation for the unrelated death of an Israeli civilian earlier the same day. But whatever the motive for the killing of Aya Al-Najjar, this young child was clearly deliberately targeted by the IOF, who undoubtedly aimed to kill her.

Conclusion and Recommendations

Since the beginning of the Second Intifada in September, 2000, the Israeli Occupation Forces (IOF) have killed 3,724 unarmed civilians in the Occupied Palestinian Territory (OPT) including 859 children. 548 of these children have been killed in the Gaza Strip. The IOF has a long-established pattern of killing unarmed civilians, including children in the OPT.

In addition to its continual use of excessive lethal force against Palestinian civilians, there is also strong evidence to support the claim that IOF deliberately target children in order to exert pressure on families living in border areas of the Gaza Strip to stop rockets being launched towards Israel, as well as in reprisal for the deaths of Israelis, including members of the IOF. Whilst it is impossible to prove that IOF launch reprisal attacks against Palestinian civilians, IOF has a well-established pattern of launching lethal attacks against Palestinian civilians within hours of Israelis being killed, as illustrated by the thirteen deaths in Juhor Al-Dik village and the death of Aya Al-Najjar. PCHR remains gravely concerned that IOF continue to launch reprisal attacks against civilians, and demands that IOF immediately cease these attacks, and that the international community immediately intervene to demand IOF cease all attacks against civilians.



IOF killings of unarmed civilians, including children, represent grave human rights violations. As High Contracting Parties to the Fourth Geneva Convention, the international community has an unequivocal responsibility to fulfill their legal obligations under Article 1 of the Convention to ensure Israel's respect for the Convention in the Occupied Palestinian Territory (OPT). PCHR believes that the conspiracy of silence practiced by the international community has actively encouraged IOF to act with impunity and continue its violations of the human rights of the Palestinian people.

Whilst Israel has continued to kill unarmed civilians in the OPT, the international community has completely failed to intervene effectively in order to exert pressure on Israeli to stop killing Palestinian civilians, including children. The lives of Palestinian children are as sacred as the lives of children from Israel, Europe or anywhere else in the world. PCHR demands these killings are publicly condemned by the international community, who, as High Contracting Parties to the Fourth Geneva Convention, are obliged to act immediately in order to protect all unarmed civilians from IOF attacks. The Centre emphasizes that Israel has a long-standing pattern of failing to investigate these crimes being committed against the Palestinian people, as well as utterly failing to bring any perpetrators to justice.


On 19 June 2008, Hamas and the IOF agreed to a Tahdiya or 'Period of calm' for an initial period of six months. The Palestinian Centre for Human Rights notes that the Tahdiya applies only to

Israel and the Gaza Strip. However, during the eleven days from the beginning of the Tahdiya until the end of the reporting period, on 30 June 2008, two children were killed by IOF in the West Bank. Sixteen year old Mohammed Anwar Jamil Abu Sara al-'Allami, was shot by IOF on 26/6/08, and died in hospital in Hebron the same day. Mohammed Nasser Sa'id Daraghma (16) was shot and killed by IOF in Tubas on 29/06/08.⁴¹ These deaths illustrate that Palestinian children continue to be at risk of being killed by IOF, who have also intensified military operations in the West Bank since the Tahdiya began on 19 June 2008.

PCHR remains gravely concerned about continuing human rights abuses being committed by the IOF. The Centre believes that if the Tahdiya is renounced by either side and hostilities resume, then children living in the Gaza Strip will immediately be once more at risk of being targeted and killed by the IOF.

In addition to 859 children being killed in OPT by IOF from September 2000 – 30 June 2008, another 39 minors were killed whilst involved in armed resistance against the IOF during this period. PCHR utterly condemns the recruitment of children into any kind of armed conflict. This is a violation of international law, and represents a clear violation of children's human rights. PCHR demands that all Palestinian resistance groups refrain from recruiting children into armed resistance, and that all resistance groups refuse

⁴¹ PCHR Weekly Report 27/2008.




to train, or arm, children for any kind of armed resistance activity.

In addition, the Centre also demands that all members of armed resistance groups refrain from launching missiles in and around residential areas, including schools and hospitals and any other facilities where civilians, including children, are likely to gather. The Centre remains concerned that children frequent areas where rocket launchers have been stored, and urges parents and community leaders to ensure children are told to stay well away from these facilities.

However, the Centre emphasizes that Israel is both culpable and fully responsible for its own actions, and for its use of excessive lethal force in order to target, and kill, unarmed Palestinian civilians, including children. Unless Israel fulfils its obligations under international human rights and humanitarian law, Palestinian children will continue to be at risk of being targeted, and killed, by the Israeli Occupation Forces in the Occupied Palestinian Territory, and the child death toll will continue to rise.

Recommendations to Israel & the International Community

- PCHR demands that the Government of Israel immediately establish an Independent Investigation Committee to investigate IOF killings of civilians, including children. The Committee must meet international standards of independence and transparency, and publish its findings publicly, in order to address the impunity with which the IOF kill Palestinian civilians, including children.
- PCHR urges all local, national and international organizations working for the welfare of children to prioritize the grave issue of IOF child killings in the OPT, and to exert effective pressure on IOF to immediately cease all attacks on Palestinian civilians, including children.
- PCHR calls upon Israel to fulfill its legal obligations under the Fourth Geneva Convention, the Convention on the Rights of the Child (CRC) and the (CRC) Optional Protocol on the Involvement of Children in armed conflict. As a signatory to the Geneva Convention, and having both signed and ratified the CRC and the (CRC) Optional Protocol on the Involvement of Children in Armed Conflict, Israeli is legally obliged to abide by these human rights instruments.

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- PCHR calls upon the High Contracting Parties to the Fourth Geneva Convention to fulfill their legal obligations under Article 1 of the Convention to ensure Israel's respect for the Convention in the Occupied Palestinian Territory. PCHR believes the international community has failed to intervene effectively and has thereby encouraged Israel to continue to violate the human rights of the Palestinian people, including the rights of children.
 - PCHR calls upon the High Contracting Parties to the Fourth Geneva Convention to comply with its legal obligations detailed in Article 146 of the Convention, to search for and prosecute those responsible for grave breaches, namely war crimes.
 - PCHR commends the work of national and international civil society organizations, including human rights organizations, legal organizations and NGOs working with and for children, and urges them to actively participate in the process of exposing those accused of grave breaches of international human rights and humanitarian law, and to urge their governments to bring the perpetrators to justice without delay.

Appendix 1:

Child deaths June 2007–June 2008

These are the names of the eighty Palestinian children killed by IOF in the West Bank (WB) and the Gaza Strip (GS) during the reporting period.

1. Ahmed Abdul Mohsen Al-Ska
Age: **15** Killed: 3/7/2007 (WB)
2. Mohamad Ereib Ahmad Al-Maloukh
Age: **17** Killed: 6/8/2007 (WB)
3. Nouriddin Ibrahim Yousef Mer'ei
Age: **14** Killed: 17/8/2007 (WB)
4. Abdul Qader Yousef Abed Ashour
Age: **14** Killed: 21/8/2007 (GS)
5. Fadi Mansour Yunis Al-Kafarna
Age: **10** Killed: 21/8/2007 (GS)
6. Mahmoud Ibrahim Mahmoud Al-Qrinawi
Age: **11** Killed: 24/8/2007 (WB)
7. Humam Ahmad Abdul Qader Nasser
Age: **15** Killed: 24/8/2007 (GS)
8. Mustafa Adnan Said Nasser
Age: **17** Killed: 24/8/2007 (GS)
9. Mahmoud Mousa Has'san Abu Ghazal
Age: **8** Killed: 29/8/2007 (GS)
10. Sara Sulaiman Abdallah Abu Ghazal
Age: **10** Killed: 29/8/2007 (GS)
11. Yahiya Ramadan Atiya Abu Ghazal
Age: **12** Killed: 29/8/2007 (GS)

12. Ramzi Rajab Hilles
Age: **17** Killed: 8/9/2007 (GS)
13. Wadei Khalil Samara Al-Ghazawi
Age: **13** Killed: 10/9/2007 (WB)
14. Mohammad Ali Mesbah Jabarin
Age: **16** Killed: 17/9/2007 (WB)
15. Mohammed Rida Mahmoud Khaled
Age: **17** Killed: 18/9/2007 (WB)
16. Mohamad Atiya Hasan Kaloub
Age: **16** Killed: 24/10/2007 (GS)
17. Abdel Fattah Fawzi Abed Fatah Askar
Age: **14** Killed: 24/10/2007 (GS)
18. Hashem Eid Abdel Aziz Khadoura
Age: **16** Killed: 4/11/2007 (GS)
19. Ashraf Zaher Salman Al-Arour
Age: **17** Killed: 4/11/2007 (GS)
20. Bilal Ahmad Al-Nabahin
Age: **14** Killed: 9/11/2007 (GS)
21. Jihad Elian Al-Nabahin
Age: **15** Killed: 9/11/2007 (GS)
22. Hadeel Abdel Karim Suliman Al-Smeiri
Age: **8** Killed: 11/6/2008 (GS)
23. Aya Hamdan Al-Najjar
Age: **8** Killed: 5/6/2008 (GS)
24. Hussein Abdel Karim Ahel
Age: **16** Killed: 22/5/2008 (GS)
25. Khaled Abdel Naser Abdel Hadi
Age: **17** Killed: 21/5/2008 (GS)
26. Majd Ziyad Abu Oukal
Age: **12** Killed: 20/5/2008 (GS)
27. Abdel Jawad Al-Dardouk
Age: **15** Killed: 19/5/2008 (WB)

28. Montasir Mohamad Jumaa Abu Anza
Age: **15** Killed: 11/5/2008 (GS)
29. Sami Jamil Abdel Aziz Abu Anza
Age: **17** Killed: 8/5/2008 (GS)
30. Ameer Mohamad Hashem Al Yazji
Age: **5** Killed: 16/1/2008 (GS)
31. Mohamad Naser Al Bura'i
Age: **7** mths Killed: 27/2/2008 (GS)
32. Ala' Ayman Al-Borno
Age: **17** Killed: 28/2/2008 (GS)
33. Ahmad Naser Al-Gharabli
Age: **16** Killed: 9/4/2008 (GS)
34. Mohammad Maher Fathi Al-Kafarna
Age: **16** Killed: 9/1/2008 (GS)
35. Saleh Ahmad Eid Abu Me'tiq
Age: **5** Killed: 28/4/2008 (GS)
36. Rudeina Ahmad Eid Abu Me'tiq
Age: **4** Killed: 28/4/2008 (GS)
37. Hana Ahmad Eid Abu Me'tiq
Age: **3** Killed: 28/4/2008 (GS)
38. Mes'id Ahmad Eid Abu Me'tiq
Age: **1** Killed: 28/4/2008 (GS)
39. Mariam Mustafa Hasan Ma'rouf
Age: **15** Killed: 26/4/2008 (GS)
40. Dardouna Deib Dardouna
Age: **12** Killed: 28/2/2008 (GS)
41. Ali Munir Dardouna
Age: **8** Killed: 28/2/2008 (GS)
42. Omar Hussein Dardouna
Age: **14** Killed: 28/2/2008 (GS)
43. Mohammad Na'im Hammouda
Age: **9** Killed: 28/2/2008 (GS)

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44. Mohammad Hani Husein Al-Mabhough
Age: **17** Killed: 1/3/2008 (GS)
 45. Eyad Mohammad Husni Rashid Abu Shbak
Age: **16** Killed: 1/3/2008 (GS)
 46. Jacqueline Mohammad Husni Abu Shbak
Age: **16** Killed: 1/3/2008 (GS)
 47. Safaa Ra'ad Ali Abu Saif
Age: **12** Killed: 1/3/2008 (GS)
 48. Abdallah Abdel Karim Mahmoud Abu Sha'ira
Age: **17** Killed: 1/3/2008 (GS)
 49. Na'el Zuhair Abu Oun
Age: **14** Killed: 1/3/2008 (GS)
 50. Ahmad Nimer Abdel Latif Zughra
Age: **17** Killed: 1/3/2008 (GS)
 51. Khaled Monther Abdel Qader Rayyan
Age: **17** Killed: 1/3/2008 (GS)
 52. Salwa Zidan Assaliya
Age: **14** Killed: 1/3/2008 (GS)
 53. Mahmoud Bassam Mohammad Ubeid
Age: **16** Killed: 1/3/2008 (GS)
 54. Mohammad Fu'ad Khalil Hjazi
Age: **17** Killed: 1/3/2008 (GS)
 55. Abdel Karim Hosni El-Ha'ou
Age: **15** Killed: 1/3/2008 (GS)
 56. Mahmoud Nayef Hamatto H'neideq
Age: **16** Killed: 1/3/2008 (GS)
 57. Salsabeel Majed Mohammad Abu Jalhoum
Age: **2** Killed: 1/3/2008 (GS)
 58. Abdel Rahman Mohammad Saleh
Age: **17** Killed: 2/3/2008 (GS)
 59. Lu'ai Ismail Ibrahim Taha
Age: **16** Killed: 2/3/2008 (GS)

60. Tala'at Saleh Al-N'meilat
Age: **16** Killed: 28/2/2008 (GS)
61. Ziad Ismail Abu Rukba
Age: **16** Killed: 6/1/2008 (GS)
62. Tamer Mohammad Abu Sha'ar
Age: **11** Killed: 19/2/2008 (GS)
63. Amira Khaled Abu A'ser
Age: **2 mths** Killed: 4/3/2008 (GS)
64. Riyad Sharif Al-Eweisi
Age: **12** Killed: 11/4/2008 (GS)
65. Yousef Ibrahim Sarhan
Age: **15** Killed: 11/4/2008 (GS)
66. Ghassan Khaled Abu Otaiwi
Age: **17** Killed: 16/4/2008 (GS)
67. Tareq Farid Abu Taqiya
Age: **16** Killed: 16/4/2008 (GS)
68. Ahmad Aaref Farajallah
Age: **14** Killed: 16/4/2008 (GS)
69. Bayan Samir Al-Khaldi
Age: **17** Killed: 16/4/2008 (GS)
70. Islam Hussam Al-Eissawi
Age: **16** Killed: 16/4/2008 (GS)
71. Abdullah Maher Abu Khalil
Age: **15** Killed: 16/4/2008 (GS)
72. Mohammad Mohammad Al-As'sar
Age: **17** Killed: 16/4/2008 (GS)
73. Talha Hani Abu Ali
Age: **13** Killed: 16/4/2008 (GS)
74. Ahmad Abdel Majied Al-Najjar
Age: **17** Killed: 19/4/2008 (GS)
75. Bilal Sa'ed Al-D'heini
Age: **17** Killed: 20/4/2008 (GS)

76. Kusai Suliman Mohammad Yousef Al-Afandi

Age: **16** Killed: 28/1/2008 (WB)

77. Mahmoud Mohammad Masalma

Age: **14** Killed: 2/3/2008 (WB)

78. Ismail Arafat Mustafa Abu Sultan

Age: **17** Killed: 1/3/2008 (GS)

79. Mohammad Anwar Jamil Abu Sara (Al-Al'lami)

Age: **16** Killed: 26/6/2008 (WB)

80. Mohammed Naser Sa'id Daraghma

Age: **16** Killed: 29/6/2008 (WB)