**Palestinians and the UN Convention on the Rights of the Child**

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By Alan Barker

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However the present hostage crisis plays out over the coming days, one of the most ironic and tragic aspects of the situation is that barely two months ago, Palestinian Authority President Mahmoud Abbas addressed a letter to the UN Secretary-General, on behalf of the Palestinian leadership, requesting that “the State of Palestine” participate in 15 international conventions, including the 1989 UN Convention on the Rights of the Child and the Optional Protocol on the Rights of the Child on the Involvement of Children in Armed Conflict. A similar letter was sent to the Swiss government requesting accession to the four 1949 Geneva conventions and the first Additional Protocol (1977).

Needless to say, within days of receiving Abbas’s request, the UN secretary general announced that the application was “in due and proper form,” and the Swiss foreign affairs department rushed to announce that the accession had taken effect one day following receipt of the Palestinian letter.

One may wonder how the UN Secretary General, the Swiss government and the 194 states parties to the Convention on the Rights of the Child and the Geneva conventions, as well as Abbas and his colleagues in the Palestinian leadership, will now relate to contractual obligations incumbent on the Palestinian pursuant to those agreements in light of the kidnapping and illegal hostage holding of three Israeli youths. Two of those youths fall within the age of children as defined in Article 1 – “under 18” – of the convention on the rights of the child.

Even more pertinent is how all the parties view the Palestinian abduction and hostage-taking of the Israeli children in light of the obligation pursuant to Article 34 of the Fourth Geneva convention (1949) according to which “The taking of hostages is prohibited.”

Similarly, how do they view the Palestinian violation of Article 11 of the convention on the rights of the child to prevent illicit transfer and non-return of children abroad, or article 19 which obliges parties to the convention to protect children from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation”? By the same token, other relevant questions arise in the context of the convention on the rights of the child and the new unified Palestinian leadership, which includes the Hamas terror organization, a leadership given a green light by the US administration and the European Union despite prior commitments not to accept any involvement of the Hamas terror organization.

How does the this Palestinian unified leadership relate to the requirement of article 35 of the convention to take all appropriate measures to prevent abduction, sale or trafficking in children, or the obligation in article 36 to protect children against all forms of exploitation prejudicial to their welfare? No less relevant is article 37 of the convention prohibiting torture or other cruel, inhuman or degrading treatment or punishment of children, unlawful or arbitrary deprivation of their liberty and imprisonment, requiring humane treatment and respect for their dignity and needs instead.

It will be interesting to see if the UN secretary general, the Swiss government and the International Committee of the Red Cross (ICRC), as well as the 194 states party to the UN Convention on the Rights of the Child and Geneva conventions, will bother to do anything about these blatant violations of the convention by an entity that claims to be a state, that has just ceremonially acceded to the conventions, which has no intention to fulfill, or capability of fulfilling any of the obligations incumbent upon states party to such international conventions.

It will be no less interesting to see if the ICRC will deal with these Palestinian violations with the same passion and dedication as it manifests when criticizing Israel.

This tragic situation, and the hypocrisy of the UN, the Swiss government and the international community in having accepted the Palestinian request to accede to international conventions, and in treating the “unified” Palestinian government as if it were capable of governing, should serve as a wake-up call to us to stop burying our heads in the sand.

But that will be highly unlikely.