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Statement by Ms. Feda Abdelhady Nasser, First Counsellor, before the Third Committee, Agenda item 66: The Rights of Children, 62nd Session, 19 October 2007

Mr. Chairman,

As we approach the 5-year anniversary of a “World Fit for Children”, we recall the appeal to the international community to: put children first, eradicate poverty, educate every child, and protect children from the scourges of war and conflict. In specific in this regard, we express our deep distress that the rights of children around the world continue to be egregiously violated, particularly in situations of armed conflict, including foreign occupation, and that as such children continue to suffer at all levels and to endure grave hardships. As so absolutely stated by Ms. Graca Machel, in “Impact of armed conflict on children”, *“war violates every right of a child – the right to life, the right to be with family and community, the right to health, the right to development and the right to be nurtured and protected”*.

As noted in the timely 10-year strategic review of the Machel study, a significant gap remains between the international legal standards relevant for the protection of children and the implementation of these laws for the actual safeguarding and promotion of children’s rights. It is precisely this lack of implementation that is perpetuating the impunity of violators of children’s rights and thus perpetuating the suffering of children, including, *inter alia*, from crimes falling within the six main categories of crimes against children in situations of armed conflict identified by the Special Representative for Children and Armed Conflict. The cycle of lack of compliance, lack of accountability and continued transgressions is a vicious one. Clearly, if international law, including humanitarian law and human rights law, were upheld and respected, children around the world would not be the victims of such crimes, but would instead be enjoying the peace, freedom, stability and prosperity necessary for promoting their healthy and happy well-being and development.

Yet, most regrettably serious human rights violations and war crimes continue to be committed against children. This must be an issue of priority concern for all members of the international community, for the damage caused to children today - some of it irreparable - has detrimental short and long-term consequences for children, women, families and societies as whole, inevitably impacting future prospects for peace and development. Ending impunity for violations against children is paramount, and we agree with the recommendations made in the strategic review, including regarding the application of targeted measures, including sanctions, against those persistently committing grave violations against children in armed conflict. Indeed, all efforts must be exerted to address this critical matter to ensure the protection of children, promotion of their rights, provision of needed assistance to them, redress of the injustices done to them and their rehabilitation to allow them to become productive members of their societies, contributing to the advancement and development of their nations.

Mr. Chairman,

The Convention on the Rights of the Child is the primary instrument for the protection and promotion of children's rights everywhere and at all times. Other instruments of human rights law, including, *inter alia*, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights are also central to the promotion of the rights and well-being of children and their families, and, in situations of armed conflict, including foreign occupation, international humanitarian law, particularly the Geneva Convention relative to the Protection of Civilians in Time of War, provides additional protection for children. Respect for the rules of international law enshrined in these instruments must be compulsory for all States and cannot continue to be treated by some as optional provisions to be flagrantly and gravely violated. If we are to put children first, then we must be serious about upholding and ensuring respect for the relevant provisions of international law in all circumstances and in all cases.

The above instruments are applicable to the entire Occupied Palestinian Territory, including East Jerusalem. The U.N. General Assembly has reaffirmed their applicability, the International Court of Justice also explicitly affirmed their applicability, and the Security Council has repeatedly reaffirmed the 4th Geneva Convention's applicability to the Occupied Palestinian Territory, including East Jerusalem. Thus, when discussing Palestinian children living under occupation, these provisions of international law constitute the fundamental frame of reference and context for any accurate examination of the situation of their rights. The conclusion of any such examination, from any angle, is that the rights of Palestinian children, as stipulated in the relevant instruments of international law, are being systematically and gravely breached on a daily basis by Israel, the occupying Power.

Mr. Chairman,

Tragically, as noted in the strategic review, "*many conflicts last longer than the duration of childhood*". In the case of the Palestinian people, three generations of Palestinian children have lived and grown up as a stateless and dispossessed people, with millions of them living under difficult socio-economic conditions, beset by poverty and insecurity, in refugee camps for nearly 60 years now. And, already two generations of Palestinian children in the Occupied Palestinian Territory have lived and grown up knowing only a harsh, abnormal existence marked by the constant oppression, discrimination, humiliation and crimes of the 40-year old Israeli military occupation of their people.

Children continue to be the targets of the excessive, indiscriminate and lethal force routinely unleashed by the Israeli occupying forces against the Palestinian civilian population. The killing, wounding and maiming of children – one of the six main categories of crimes – in Israeli military assaults and incursions has brought grief and devastation to thousands of families and has terrorized and traumatized Palestinian children.

Since September 2000, nearly 1,000 Palestinian children have been killed by the occupying forces, including as a result of attacks on schools and hospitals – another of the main crimes, and over 3,500 have been injured, hundreds of them permanently disabled and disfigured. At least 31 Palestinian infants were denied their right to life at one of Israel's hundreds of checkpoints, born dead because their mothers were denied access to proper medical care. The lives of Palestinian children also continue to be endangered by their use as human shields by the Israeli occupying forces during raids on civilian areas.

Palestinian children are also among the more than 11,000 civilians being illegally held in Israeli jails or detention centers, many imprisoned in utterly inhumane conditions and subject to physical and mental ill-treatment. As highlighted by the Special Representative during her field visit to the Occupied Palestinian Territory in April 2007, at least 400 Palestinian children continue to be held in Israeli prisons, *"often for minor offenses, denied family visits and due process, and sometimes tried by military tribunals, in violation of juvenile justice standards"*.

Palestinian children also continue to suffer greatly from displacement resulting from the occupying forces' wanton destruction of homes, shelters and infrastructure during assaults on civilian areas as well as from the hundreds of home demolition orders handed down by the occupying Power against Palestinian families in the Occupied Palestinian Territory, particularly in and around the Occupied East Jerusalem area. In addition, thousands of Palestinian families have been displaced by Israel's ongoing unlawful construction of the wall in the Occupied Palestinian Territory and its imposition of the associated permit regime. As stressed in the strategic review, *"forced displacement uproots children and youths at a time when their lives most need stability"*, and the far-ranging, negative and traumatic consequences require serious attention and redress.

Mr. Chairman,

The strategic review emphasizes that the denial of humanitarian access for children - also one of the six main crimes - *"whether deliberate or the result of a deteriorating security situation, deprives children of assistance and violates their basic rights, including the right to life"*. In the case of Palestinian children, the denial by Israel of humanitarian access - part of its measures of collective punishment against the Palestinian people, particularly in the besieged Gaza Strip, has had a disastrous impact on their human rights situation and on their health and well-being.

Through its imposition of prolonged closures on crossings into and out of the Gaza Strip and imposition of severe restrictions on the movement of persons and goods via the checkpoints, the wall and the permit regime in the West Bank, the occupying Power has deliberately obstructed humanitarian access and delivery of vital humanitarian supplies, gravely undermining children's rights, including the rights to food, education and health care. In addition, closures and restrictions, along with the destruction of infrastructure, have definitely contributed to the disintegration of basic social services in the Occupied Palestinian Territory, further weakening coping mechanisms and negatively impacting Palestinian children and their families.

As a result, Palestinian child health has dramatically declined as foodstuffs, medicines and basic service are often in short supply. Food insecurity and lack of access to proper medical care has resulted in widespread malnutrition, anemia, stunted growth and other diseases among children, especially in Gaza. At the same time, their health has been seriously affected by the destruction of vital infrastructure, including water, sanitation and electricity networks, and the threat for further obstruction and degradation continues to loom over Gaza. The occupying Power also continues to obstruct the access to education, with children forced to walk for miles and to wait long hours at military checkpoints and gates, many subject to harassment and humiliation, as they try to reach their schools, many of which are overcrowded, have inadequate materials, and cannot be reached by teachers themselves each day.

As the Israeli occupation and its illegal policies continue, Palestinian children and their families must struggle daily to fulfill the basic needs of health, nutrition, education, water and shelter

identified in the review. It is thus necessary to echo the words of the review that "*the provision of basic services for children should not be treated as a peace dividend – children's physical and psychological development cannot be postponed*". Palestinian children's rights and the fulfillment of their daily needs must be guaranteed while living under occupation and cannot be considered only a privilege for those who live in freedom and peace. This is not only a moral imperative but is also totally consistent with the Convention on the Right of the Child and all other relevant provisions of international law.

Mr. Chairman,

Palestinian children yearn to play, learn and live with their families in a safe, nurturing and positive environment. They yearn also for peace and freedom so that they too can enjoy their inalienable human rights and grow to constructively contribute to the future of their nation.

The support of the international community for fulfillment of these aspirations is crucial. I thus wish to conclude my statement by expressing our deep gratitude to all the members of the international community exerting efforts to support the needs, rights and aspirations of Palestinian children, and by expressing our appreciation as well to the U.N. agencies and programs providing vital assistance and helping to promote the rights and well-being of Palestinian children, including, among others, UNICEF, UNRWA, UNFPA, WFP and the advocacy efforts of the Special Representative. We urge your continued attention and support to alleviate the plight of the Palestinian children and to help them realize their inalienable human rights.

I thank you Mr. Chairman.