



Defence for Children International/Palestine Section  
الحركة العالمية للدفاع عن الأطفال / فرع فلسطين



To: **Foreign Affairs Minister HE Dr. Dimitrij Rupel**  
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12 June 2008

Your Excellency Dr. Dimitrij Rupel,

**Re: Meeting of the EU-Israel Association Council**

On the occasion of the next meeting of the EU-Israel Association Council on 16 June 2008, the undersigned organisations members of the 1612 Working Group\* would like to bring to your attention Israel's persistent violations of international human rights and humanitarian law standards pertaining to the protection of children during armed conflict. In particular, since the beginning of 2008, we have documented numerous violations of Palestinian children's right to life by Israel, the occupying power, including wilful killings of Palestinian children.

Already, 79 Palestinian children have been killed by the Israeli army since the beginning of 2008, in military operations in the West Bank and Gaza Strip; this represents 30 per cent more than the total number of children killed in similar circumstances in 2007. Of this total, only 13 were involved, or could appear to be involved, in hostilities at the time they were killed. OCHA reports that an additional 225 Palestinian children were injured between 1 January and 30 April 2008.

The vast majority of child fatalities (72) occurred in the Gaza Strip, where operation "Warm Winter" resulted in the deaths of 33 children in the space of five days, between 27 February and 3 March; six of the children were killed while inside their homes. In one incident in Jabaliya on 1 March, a 15-year old boy was killed by an Israeli sniper while he was looking out of his window. His 16-year-old sister was also shot dead as she was running towards him to help. On the same day, a 12-year-old girl was shot when the Israeli army opened fire onto her house; the army denied a Palestinian ambulance access to the area which resulted in the girl bleeding to death [[DCI/PS](#)].

On 4 March, the Israeli army besieged the house of a wanted Palestinian man near Khan Younis, southern Gaza. Soldiers directed gunfire towards the house and its occupants,

including 15 children, even as they followed orders to exit the house, and subjected them to cruel, inhumane and degrading treatment. The raid claimed the life of a 20-day-old baby girl, shot in the head while in her mother's arms [[DCI/PS](#) and [Al-Mezan](#)].

These incidents illustrate the Israeli military's systematic disregard for international law principles on the protection of civilians, particularly children, during military operations. In the three incidents above, soldiers used lethal force unjustified by military necessity by opening fire on unarmed civilians, and/or denying them medical treatment. In international humanitarian law, "wilfully causing serious injury to body and health" of civilians constitutes a grave breach of the Fourth Geneva Convention (Article 147), for which individuals can be held criminally responsible.

The European Union (EU) is responsible for promoting the highest possible human rights standards worldwide through its relations with third countries. Article 2 of the *EU-Israel Association Agreement* establishes that: "Relations between the parties [...] shall be based on a respect for human rights and democratic principles, which guides their internal policy and constitutes an essential element of this Agreement." In addition, with the recent adoption of the *Council Conclusions on the promotion and protection of the rights of the child in the European Union's external action* (May 2008), the Council of the European Union reiterated the EU's commitment to promoting children's rights using all available instruments at its disposal, including political dialogue with third countries and the implementation of the EU Guidelines on Children and Armed Conflict (CAAC Guidelines). With the recent inclusion of the Israeli-Palestinian conflict in the list of priority conflicts under the CAAC Guidelines, the rights of Palestinian and Israeli children affected by the conflict should be addressed as a matter of priority by the EU.

In light of all this, we are asking you to raise these issues with the Israeli authorities within the framework of the EU-Israel Association Agreement, and:

- Pressure Israel, the occupying power, to fully comply with international human rights and humanitarian law norms for the protection of civilians, including children, from hostilities, and refrain from disproportionate use of force against civilians, including children;
- Call on the Israeli authorities to immediately initiate investigations into all cases involving the killing of unarmed Palestinian children, and cases which may constitute wilful killings of Palestinian children;
- Ask the Israeli army to provide information on its rules of engagement, particularly on its 'open fire' regulations;
- Urge Israel to comply with UN Resolutions and Concluding Observations of UN Treaty Bodies relating to the protection of Palestinian children;
- Refrain from upgrading the EU's relations with Israel, and consider suspending the Association Agreement if no immediate, serious and practical commitments are made by Israel towards improving its respect for international human rights and humanitarian law.

Through the country strategy currently being drafted for Israel/Palestine under the CAAC Guidelines, and its related reporting mechanism from the ground (supported by UN

agencies and NGOs that form the 1612 Working Group) the EU can easily monitor Israel's compliance with its international humanitarian law obligations towards Palestinian children within the framework of the Association Agreement. Member organisations of the 1612 Working Group can provide any *ad hoc* information needed by the EU for this purpose.

We look forward to your response and an opportunity to meaningfully engage with you on these issues.

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