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## **Submission of NGO Monitor to the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967**

This submission provides critical information regarding the extensive Palestinian campaign of incitement and recruitment and use of children by terrorist organizations in the West Bank and Gaza, as well as the torture of LGBTQ individuals there, and Hamas-orchestrated violence. These crucial drivers of the conflict have been ignored by all previous Mandate holders.

The existence of ongoing armed conflict between the Palestinian Authority and Israel and the unresolved legal status of the West Bank, East Jerusalem, and Gaza cannot serve to excuse or ignore Palestinian legal violations. Yet far too often, the Special Procedures reporting system seeks to do exactly that.

It is imperative that these issues be included in upcoming reports.

### **Hamas Rockets**

Actions representing serious IHL and human rights law violations form the basis of military strategy for Palestinian armed groups. This includes widespread and systematic attacks on the Israeli civilian population. Weapons are deliberately launched from within Palestinian civilian infrastructure including homes, mosques, schools, athletic stadiums, and farms. By doing so, these groups seek to draw retaliatory Israeli fire on these areas in hopes that civilian casualties will result and provide a significant PR victory. Many Palestinian civilians are also injured or killed by such weapons falling short of their intended Israeli targets or exploding prematurely.

Despite these mass violations, Palestinian war crimes and crimes against humanity have been almost entirely ignored by all Mandate holders.

### **Pay to Slay**

Despite the clear obligations mandated by the various international agreements and human rights conventions, the PA has routinely ignored the protection of children. Not only does the PA fail to protect its children from incitement, it has fully adopted and implemented a program specifically targeting them, flooding them with racist and antisemitic messages, encouraging children to participate in violence, and heroicizing those who engage in

antisemitism and extreme violence. This program strongly emphasizes the commission of hate-based violence against Jewish civilians.

Instead of prioritizing social programs and economic development, the PA rewards and encourages this violence, spending more than [\\$350 million a year](#) incentivizing murder. This “pay to slay” policy, funded by the UN, EU, and many governments, rewards those who commit violence (including children) with cash payments. The greater the crime and the more victims injured or killed, the more money received. This campaign targeting children begins from birth and continues throughout childhood and the teenage years. It takes place through state media, schools (including those run by UNRWA), youth groups and centers, and sporting and cultural events in both the West Bank and Gaza.

### **Child Soldiers**

While the PA’s international legal obligations explicitly forbid the recruitment and use of child soldiers, the recruitment and use of Palestinian children sanctioned by the PA and Palestinian armed groups is endemic.

The ruling Fatah party’s Tanzim and the Al-Aqsa Martyrs’ Brigades recruit and use children as combatants. Many other organizations in and members of the PA, the Palestinian Legislative Council, and the Palestine Liberation Organization are part of the Palestinian terror infrastructure including Hamas, the Popular Front for the Liberation of Palestine (PFLP), the DFLP, and others. The PA routinely allows armed groups to recruit on school campuses under the guise of carrying out “social programs.” Such activity allows vulnerable children to be placed in contact with violent actors, placing them at risk for recruitment.

In the Concluding Observations of the [2020 CRC review of “Palestine,”](#) the Committee explicitly criticized the PA for “recruitment and use of children in hostilities by non-State armed groups operating from the territory of the State party.”

### **Incitement**

Additionally, the PA does nothing to prevent incitement campaigns and recruitment and use by Hamas, Islamic Jihad, PFLP, and other Palestinian armed groups. Failure to prevent these activities is a violation of the PA’s legal obligations. For instance, in the Concluding Observations to the [2019 CERD review of Palestine,](#) the Committee expressed concern over “the existence of hate speech, in particular hate speech directed against Israelis, which at times fuels anti-Semitism towards this group, in certain media outlets, in particular those controlled by Hamas, as well as on social media, in public officials’ statements and in school curricula and textbooks, which also fuels hatred and may incite violence.”

Contrary to these recommendations, the PA, Fatah, Hamas, and other armed factions routinize the grooming of children from an early age as combatants in the Palestinian war against Israel and Jews. They have enacted a widespread and systematic program of violent and antisemitic incitement. Children are encouraged by cuddly animals on PA and Hamas TV to kill Jews. Fatah publishes manuals for kids on how best to kill with stones and knives.

Recreation centers and sports tournaments are named after terrorists, including kids who kill. UNRWA schools teach antisemitism, hate, and glorify Palestinian killers and the elimination of Israel. Kids are encouraged to skip school to participate in violent riots, slingshot rocks at passing cars, and even to stab children and mothers to death in their homes.

For instance, in April 2022, the PA [inaugurated a garden at the Al-Adawiya High School for Girls in Tulkarem](#) in “honor” of the “freedom tunnel prisoners,” six prisoners who were convicted for planning and carrying out numerous terror attacks, including suicide bombings and shooting attacks on civilians. Additionally, on March 18, 2019, on the official PA TV station, a Fatah official referred to two murderers who killed four Israelis as “the role models for the children.”

### **Ignoring Torture of LGBT**

The non-cisgender Palestinian community faces heavy discrimination and hardship under the PA. Torture and abuse of LGBTQ Palestinians by Hamas and the PA is so frequent and severe that Tel Aviv University law professors and refugee law specialists Anat Ben-Dor and Michael Kagen [have proposed](#) that LGBTQ Palestinians be granted asylum in Israel.

For example, in February 2016, Mahmoud Ishtiwi, commander of Hamas’s armed wing (Izzedine al-Qassam Brigades), was [tortured and murdered by Hamas for purportedly being gay](#). Additionally, in October 2022, Ahmad Abu Marhia was kidnapped and brutally beheaded in Hebron after his sexual orientation was revealed.

### **Conclusion**

These are just some of the many significant areas of severe rights abuse taking place in the Palestinian Authority and that also serve to perpetuate the conflict with Israel. It is unfortunate this mandate has continually refused to report on these critical issues or hold the PLO accountable for its purported legal commitments.