



Ministry of Social Affairs and Labour



Secretariat General



Kuwait Declaration on the Protection and Promotion of the Rights of Palestinian Children under Israeli Violations

We, participants in the International Conference on the "Suffering of the Palestinian Children under Israel's violation (the occupying Power) of the Convention on the Rights of the Child," convened on 12th- and 13th November 2017 under the auspices of HH Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait, and the presence of HE President Mahmoud Abbas of the State of Palestine, HE Mr. Ahmed Aboul Gheit, Arab League Secretary-General, their Excellencies Arab Ministers for Social Affairs, Representatives of Ministries of Foreign Affairs and regional and international organizations and international human rights experts, including the rights of the Child,

Based on the principles and rights set forth in the Convention on the Rights of the Child (1989) and the Optional Protocol thereto, particularly the Protocol relevant to the involvement of Children in armed conflict of 2000,

Also recalling resolutions issued by the United Nations and its specialized agencies, including Security Council resolutions on the protection of children in armed conflicts,

Taking into consideration the world recognition of its responsibility towards the protection and promotion of the rights of children as universal, indivisible, interdependent and interrelated rights, and a fundamental human rights component,

Emphasizing the importance of Israel's (the occupying Power) commitment to enforce all the rights guaranteed by the Convention on the Rights of the Child and Optional Protocols thereto; and to respect the provisions contained in the 1949 Fourth Geneva Convention and the Protocols thereto,

Recognizing that Palestinian children, like all children of the entire world, are entitled to fundamental rights that constitute a set of universally agreed non-negotiable standards and commitments, and represent minimum entitlements and freedoms entailing legal obligations on Israel (the occupying Power), based on the right to dignity without any discrimination, they are, however living under exceptional circumstances due to Israeli occupation of their territories and properties; its grave, systematic and wide-ranged violations of their rights, the continued illegal settlements expansion, the construction of the Wall in the West Bank, the confiscation of lands, the destruction of Palestinians' homes and their livelihoods; all of which represent a flagrant and continued violation of the rights of Palestinian children and their families, fuel the circle of humiliation and violence and undermine prospects for a secure and stable future for them,

Expressing deep concern, particularly over the continued suffering of Palestinian children as victims of Israeli occupation, which exposes them to violence, danger, torture, prejudiced treatment, discrimination and forced displacement,

Condemning all acts of violence perpetrated by Israel (the occupying Power) against Palestinian children, including the violation of their right to life, survival and progress, through killing hundreds and injuring thousands of Palestinian children as a result of the military operations carried out in areas of high-population and significant presence of children, as well as the arbitrary arrests, denial of their right to live in dignity and to enjoy their rights, including the right to education, health and protection, emphasizing that there is no justification for such atrocities and inhuman acts committed by Israeli authorities,

Denouncing the rejection of Israel (the occupying Power) to recognize its obligations and responsibilities to implement human rights conventions, including the Convention on the Rights of the Child and the 1949 Fourth Geneva Convention, causing grave violations of the rights of children and the failure to prosecute those responsible for such violations, as underlined by the International Court of Justice,

Highlighting that Israel (the occupying Power) bears the responsibility, under international law and international justice for all violations perpetrated against Palestinian children in the occupied Palestinian territories including East Jerusalem, and the responsibility for its discriminatory policy and violations, particularly perpetrated by the occupation forces and settlers,

Recognizing that the State parties to the Convention on the Rights of the Child have been committed to enforce the rights of the child without discrimination, and therefore they are obliged to end all violations committed by Israel (the occupying Power) against the children of Palestine, which constitute a blatant violation of the rules of international law, as well as the international human rights law and the humanitarian law,

Emphasizing the need that Israel (the occupying Power) ought to be committed to providing effective guarantees of non-repetition of such violations, as well as the need to compensate victims, and to hold those responsible for such violations accountable,

Also confirming that such violations require legal prosecution of Israeli perpetrators, and expressing deep concern over the support and assistance provided for the sake of sustaining the illegal situation emerging from the occupation,

Therefore, the participants in this conference recommend to intensify their efforts to undertake all measures and procedures to enhance the necessary mechanisms to defend the rights of the children of Palestine and to consolidate international efforts to ensure that the Israeli perpetrators of children rights violations are prosecuted through:

- 1. Calling upon the State parties to the Convention on the Rights of the Child to bear their responsibility to ensure Israel's adherence to the protection and promotion of the rights of the Palestinian child without any discrimination, as provided for in the Conventions the Optional Protocols thereto;*
- 2. Implementation of concluding observations and recommendations of the United Nations Committee on the Rights of the Child issued following the consideration of the inclusive report combining the second to fourth periodic reports of Israel pertaining to the rights of the Palestinian child;*
- 3. Protection of the rights of Palestinian children by urging governments, parliaments, regional and international organizations and decision-makers to ensure the protection and promotion of the rights of Palestinian Children, including the conclusion of observations of the United Nations Committee on the Rights of the Child;*
- 4. Cooperation and coordination between all pertinent stakeholders (international, regional, government and non-government organizations, entities and blocs), and seeking to establish an international grouping to defend the rights of Palestinian children with a view to the inclusion of their suffering as top priority on the international community agenda;*
- 5. Requesting the international media to highlight the rights of Palestinian child and the grave Israeli violations committed in this regard;*
- 6. Urging the international community to provide education opportunities, health and protection to the Palestinian children and to harness potentials through providing scholarships to Palestinian children seeking to pursue their higher education in areas of science and technology;.*
- 7. Requesting the Secretariat General of the League of Arab States - the Permanent Arab Committee for Human Rights to address the Committee on the Rights of the Child to demand Israel (the occupying Power) to follow up its concluding observations and to submit urgent reports thereon;*
- 8. Calling upon the United Nations Secretary-General to include Israel (the occupying Power) on the United Nations list of entities, bodies and States that violate the rights of children in armed conflicts;*
- 9. Demanding the Security Council and the United Nations Secretary-General to bear their responsibilities towards ensuring the protection of the Palestinian child;*

10. *Calling on the General Prosecutor of the International Criminal Court to initiate investigation on the reports submitted by the State of Palestine on the Israeli violations of the Palestinian people's rights, including the rights of prisoners and the Palestinian child rights, in accordance with the working mechanisms of the International Criminal Court;*
11. *Calling upon the State Parties to the 1949 Fourth Geneva Convention to realize their responsibilities towards ensuring the implementation of the provisions of this Convention in the Palestinian territories occupied since 1967, including the implementation of Article 146 and 147 respectively, in a view to imposing sanctions against Israel, including its boycott, and for the prosecution of Israeli perpetrators of violations of the rights of Palestinian child in the domestic judicial agencies of the State parties;*
12. *Requesting the League of Arab States and the Permanent Arab Committee for Human Rights, in cooperation with concerned bodies on the rights of the Child, to form a working group of legal experts on the rights of the child to follow up on the implementation of the recommendations of this Declaration.*