



Al Mezan Center for Human Rights

Statistical Report on: Persons Killed and Property Damaged in the Gaza Strip by the Israeli Occupation Forces during “Operation Pillar of Cloud”

(14–21 November 2012)

2013

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Al Mezan Center for Human Rights

Field Research Methodology

This report presents information collected by Al Mezan in a large scale survey. The survey commenced on Thursday 22 November 2012 after the Israeli government declared ceasefire. The data collection strategy was planned during “Pillar of Cloud” as Al Mezan’s permanent field workers remained in the field during this time and were therefore able to estimate the scale and type of destruction inflicted on each district. A quick review for Al Mezan’s questionnaires was conducted by Al Mezan’s field workers to ensure thorough use of the questionnaires to document the Israeli violations.

Selection of Field Workers

The additional team of temporary field workers was recruited and selected on specific basis rather than their academic achievement. Previous volunteers who have work experience with Al Mezan in the field of documentation were recruited. Field workers were allocated to conduct research in the areas where they are resident in order to ensure comprehensive knowledge of the locality and the ability to access victims.

Survey Questionnaires:

Al Mezan prepared 30,000 copies of different types of questionnaires in order to collect data on violations perpetrated and damage inflicted. Different questionnaires were used to collect information about the following violations:

- The violation of the right to life (killing)
- The destruction of homes
- The bulldozing of agricultural land
- Destruction of farms including chicken and cow farms
- Destruction to trade premises
- Destruction to industrial premises
- Destruction to public premises including governmental, non-government, medical, educational, health etc.
- The destruction of vehicles
- Detentions

Each questionnaire incorporates a large set of questions - 95 percent of which are closed questions in order to facilitate data analysis and the remainder open ended questions in order to capture qualitative information such as descriptions of incidents. The following example of the questionnaire used to document violations of the right to life is an example of the type of questionnaire used by Al Mezan in documentation:

Example: Questionnaire on the Right to Life

The questionnaire on violations of the right to life (killing) was used to document persons killed by the IOF or for reasons related to the presence of the IOF in the Gaza Strip. The questionnaire collected the following information: personal data such as socio-economic status, refugee status, occupation, marital status, number of family members, number of children and number of dependents; the circumstances of the incident including location, time, identity of perpetrator, weapon used, accompanying circumstances, direction of the attack, place of the injury in the body, the reason why the victim was in the location at the time, whether the victim died immediately or in the hours or days after the incident, whether they received immediate medical attention and whether other persons were killed or injured in the same incident.

The questionnaire also records information on the person who provided the information, the person who completed the questionnaire and the date of the conducting of the questionnaire. The questionnaire is conducted via a face-to-face individual interview with the victim or the victim's family.

The Distribution of Field Researchers

Al Mezan distributed the permanent and temporary field workers throughout Gaza as follows:

- North Gaza district: 3 temporary field workers supervised and supported by Al Mezan's permanent field worker for North Gaza district
- Gaza district: 3 temporary field workers supervised and supported by Al Mezan's permanent field workers for Gaza district
- Middle district (Deir al-Balah): 2 temporary field workers supervised and supported by Al Mezan's permanent field worker for Middle district
- Khan Younis district: 1 temporary field worker supervised and supported by Al Mezan's permanent field workers for Khan Younis district
- Rafah district: 2 field workers supervised and supported by Al Mezan's permanent field worker for Rafah district

The permanent field workers allocated the temporary field workers to different regions and coordinated to ensure there was no duplication in the documentation of incidents in nearby areas.

Logistical Support

Al Mezan allocated one office based staff member to provide daily support to the field workers in terms of preparing questionnaires, daily reports of each region and receiving completed

questionnaires. The questionnaires were transferred to office staff for a process of verification and review, and for preparation for entry into the database.

Collection and Verification of Questionnaires

The permanent field workers assumed the task of collecting the questionnaires from the additional team of temporary field workers, categorizing them and submitting them to the Field Unit Coordinator. The questionnaires were then categorized by type of violation and region, reviewed to identify missing information, finalized and then transferred to data entry staff for entry into Al Mezan's database.

Data Entry

Al Mezan allocated two employees to the data entry process, one employee specialized in verifying information after data entry; and one employee specialized in computer programs who provided guidance on the data entry system and addressed any technical problems arising from the process of data entry. The questionnaires entered into the database were then transferred to another staff member to check for spelling or typing errors which were then corrected and then reentered into the database.

Accuracy Level and Data Verification:

The accuracy level of the documentation of violations, including the violation of the right to life, is extremely high due to the multiple verification stages in the documentation process conducted by different staff members. This applies to other types of violation. In terms of data missing from the questionnaires, the verification process shows that there are some missing pieces of data in only a few dozen of the questionnaires; however, missing data occurs only in minor fields of the questionnaire forms. None of the questionnaires is missing information from any main fields, such as ID information, address and type of damage or violation.

Mistakes

In field survey the estimated percentage of mistakes vary. Regarding the comprehensiveness of field survey, Al Mezan believes that mistake does not exceed 5% at highest estimation. This percentage applies in particular on documenting home demolition and other premises which were subject to partial damages and are located in areas far from the attacked place and Al Mezan's field workers team did not notice them. Regarding documentation of violation of the right to life, mistake percentage is almost nothing, regardless of the different numbers of persons killed that had been documented by Al Mezan and other formal bodies.

Mistake percentage in the completion of questionnaires is not more than 2%. The uncompleted data are in minor questions not main ones.

General Note

Al Mezan has completed the process of data entry and data verification of the questionnaires. In the future, Al Mezan intends to computerize the archiving of all supporting evidence such as autopsy reports, birth certificates and land ownership deeds.

Definitions

Child: Al Mezan employs the Child Rights Convention (1989) definition of a child as all persons who have not yet reached the age of 18 including unborn children.

Females/Women: In this report the term female(s) refers to women and girls regardless of their ages. The term woman/women refers to females who are older than 18 years of age.

Combatant/Non-Combatant: This report categorizes a combatant as any person killed during armed confrontation i.e. during his/her active participation in minor or major hostilities during Operation Pillar of Cloud. In addition, included in this category is persons known for their affiliation to a resistance group and participating in hostilities in a continuous manner, even if not engaged in hostilities at the time in which they were targeted. In this category, Al Mezan includes persons who were killed by the IOF in targeted, extra-legal assassinations carried out by the IOF during Operation Pillars of Cloud. Bystanders and/or passersby who were in the locations of such assassination operations and believed not to be targeted by IOF's assassination were classified as non-combatants.

Important Note Concerning the Status of Casualties:

There has been much discussion and debate on the numbers of combatants and non-combatants killed by the IOF during Operation Pillar of Cloud. It is important in this regard to highlight the issue of the 'adoption' of killed persons by resistance groups; i.e. declaration by a political or armed group that the person killed was one of their members. Often, when persons, including children, are killed by IOF actions, political and/or armed groups 'adopt' them as 'martyrs' placing their photographs on their websites and commending their contribution to resisting occupation. This does not mean that those persons killed were involved in resistance activities in any way. The families accept this 'adoption' of killed family members for various reasons including the willingness of resistance groups to provide financial support to the families and pay for funeral costs of the persons killed. These cases require in-depth investigation on a case-by-case basis in order to determine every person's status according to his actual affiliation as well as involvement in hostilities, or the lack thereof.

Introduction

The Israeli occupation forces (IOF) launched a wide-scale attack on the Gaza Strip which lasted for eight days. During which the IOF targeted civilians, civilian objects, and public and private facilities. The Israeli aggression is a reminder of a previous Israeli attack on the Gaza Strip code-named "Operation Cast Lead" which took place in 2008/09. This accentuates the idea that the Israeli authorities enjoy impunity while it disregards international norms and standards.

At approximately 3:50 pm on 14 November 2012, an Israeli airstrike targeted a car in which Ahmed Al-Ja'bari, 52, leader of Hamas' military wing, was travelling, instantly killing him and his companion, Mohammed Al-Hams. The IOF launched dozens of air and artillery attacks on Gaza during the hours following this attack, killing another five people including one infant, 11 months, a girl; 3; and a woman, 19. Israel says the killing of Ahmed Said Khalil Al-Jaa'bari marks the beginning of a broader operation against Gaza Strip - Operation Pillar of Clouds.

The IOF attacked civilians and civilian properties in a way that shows the IOF's intent to inflict a large numbers of victims and losses among Palestinians. The IOF attacked densely populated areas, killing people inside their homes as are the cases in the attacks against the Ad-Dalou, An-Nasassra, and Hijazi families. These attacks show the IOF's disregard for its responsibilities under IHL which prohibits attacks against civilians and civilian objects and imposes restrictions on the use of force.

The latest Israeli aggression has its effect on most of the economic and social aspects of life in the Gaza Strip. The aggression took place amidst ongoing Israeli siege imposed on the Gaza Strip. The siege hindered Palestinians from rebuilding what had been destroyed during "Operation Cast Lead". It also took place amidst the inability of people and government to respond to the needs of residents. For example, health sector witnesses a very bad deterioration in health services level. During Israeli aggression, health facilities work under huge pressure amidst the large number of injuries. Health sector did not witness any development during the period of time. The suffering of hundreds of Palestinian families whose homes were destroyed and were not rebuilt continues. The absence of new housing projects for people who want to get married and those of limited income has contributed to deteriorating the already dire humanitarian conditions and the human rights situation. The right to education was also affected due to the destruction of tens of governmental and UNRWA schools even newly built schools. UNRWA merged students from destroyed schools with other schools. This resulted in crammed classes with a large number of students in one classroom. Moreover, the right to work is also affected particularly after the Israeli destruction of tens of industrial and business facilities. All such factors greatly impacted the human rights situations specifically children rights in the Gaza Strip

Besides being direct victims of IOF attacks of deaths or injuries, children also suffer from forcible displacement the injury or killing of their relatives and families, the destruction of their schools or houses, and the loss of income of their families.

The report presents victims and financial losses by giving comprehensive statistics, particularly on children.

The Policy of Extra Judicial Killing Adopted by IOF:

The IOF continued its policy of extra judicial killing. The IOF widely used this policy during the eight-day aggression on the Gaza Strip.

Preamble:

The IOF policy Extra-Judicial Killing:

IOF continues to practice its policy of extra-judicial, summary, and arbitrary killings, either by what is known as direct assassination and 'physical liquidation' or by indiscriminately killing their target groups. Israel's extra-judicial killing policy was widely employed in the eight-day Israeli offensive against the Gaza Strip in Operation Pillar of Cloud. Extra-judicial, summary, or arbitrary killing represents a formal policy of previous Israeli governments.

Since the outset of Al-Aqsa Intifada, officials of the Israeli government confirmed that extra-judicial killings constitute a deliberate Israeli policy sourced by the government itself 1, 2. In addition, the Israeli Advocate General indicated that extra-judicial killings are justifiable 3.

¹ Following the killing of Hussein 'Abayat in Beit Sahour on 9 November 2000, the Israeli military Spokespersons' Office said "During an initiated IDF action in the Beit Sahour area, air force helicopters fired missiles at the vehicle of a high-ranking Fatah Tanzim activist. The pilots reported a precise strike at their target. The activist was killed. The pilots reported a precise strike at their target. The activist was killed and his assistant who was with him was injured."

See The Assassination Policy of the State of Israel, November 2000- January 2002, The Public Committee Against Torture (PCATI) and LAW- the Palestinian Society for the Protection of Human Rights and the Environment, Jerusalem, June 2002.

The policy was discussed by the security cabinet. On 4 July 2001, it was announced that a policy of "active defence" involving "intercepting terrorists" had been accepted by the security cabinet, on 3 October 2001 the "targeting of terrorists" was said to fall under the policy of "preventive self defence adopted by the security cabinet.

² See The Assassination Policy of the State of Israel, November 2000- January 2002, The Public Committee Against Torture (PCATI) and LAW- the Palestinian Society for the Protection of Human Rights and the Environment, Jerusalem, June 2002

³ See Ha'aretz, 2 December 2001, Rubinstein backs the IDF's policy of "targeted killings", by Gideon Alon "the Attorney General added that the term "liquidations" damages Israel's image and it is better to use the term "targeted

While the IOF has been systematically employing its policy of extra-judicial killing, including assassination missions carried out by undercover special forces, the Israeli authorities declined to acknowledge that this constituted a policy⁴. Accordingly, the Israeli position during Al-Aqsa Intifada is in fact different from its position adopted during the first Intifada (1988-1993)

In January 2002, The Israeli high Court dismissed two petitions on extra-judicial killings on the grounds that “it [the court] doesn’t usually render rulings in security matters.”⁵

A third petition (769/02), with regards the IOF assassination policy, was filed by the Public Committee Against Torture in Israel (PCATI) and LAW – Society for the Protection of Human Rights and the Environment (Palestinian Society for the Protection of Human Rights and Environment) against the State of Israel in January 2002⁶. In addition, in July 2002 PCATI and LAW filed a petition of special request, based on the former petition, requesting an interim injunction prohibiting thereby the Israeli assassination policy⁷. On 8th July 2003, the Israeli high court denied the petitioners’ request of the interim injunction⁸. On 14 December 2006, the panel of High Court of Justice headed by former Chief Justice, Aharon Barak, rendered its ruling in the PACATI and LAW petition filed in January 2002; the ruling of the panel did not outline a clear set of criteria that permit or forbid “targeted assassinations”, or extrajudicial executions, in a way that would prevent the killing of innocent civilians. Moreover, the ruling

killings” to describe the policy. The hits are carried out according to detailed orders, published by the military prosecutor’s office, and are in accordance with the international law, Rubinsten said”.

⁴ See Ha’aretz, 2 December 2001, Rubinstein backs the IDF’s policy of “targeted killings”, by Gideon Alon “the Attorney General added that the term “liquidations” damages Israel’s image and it is better to use the term “targeted killings” to describe the policy. The hits are carried out according to detailed orders, published by the military prosecutor’s office, and are in accordance with the international law, Rubinsten said”.

⁵ Ha’aretz, 30 January 2002, High Court rejects appeals against assassination policy, by Moshe Reinfeld, can be accessed through <http://www.haaretz.com/print-edition/news/high-court-rejects-appeals-against-assassination-policy-1.54373>

⁶ Petition can be accessed through <http://www.stoptorture.org.il/en/node/1049>

⁷ See press release from the Palestinian human rights organization, LAW, dated 2 August 2002, which said “Until today, LAW and the Public Committee against Torture in Israel (PCATI) have not received a response to the urgent request submitted on July 25, 2002, to the Israeli Supreme Court based on their former petition (769/02) to the Court demanding to immediately issue an interim injunction order Israel’s Prime Minister, Ariel Sharon, the Minister of Defense Benjamin Eliezer, the Israeli army and Chief of Staff Moshe Yaalon, to end the policy of assassinations”

⁸ See merits of denying the request of the interim injunction in an article written by PCATI and published by Electronic Intifada, can be accessed through <http://electronicintifada.net/content/israeli-high-court-denied-request-interim-injunction-extra-judicial-executions-state-israel>

leaves total discretion regarding the decision of who is to be executed without trial in the hands of the security forces⁹.

Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, recommended by the Economic and Social Council resolution 1989/65 of 24 May 1989, indicated that extrajudicial executions may not be permitted in any case. Principle one provided “Governments shall prohibit by law all extra-legal, arbitrary and summary executions and shall ensure that any such executions are recognized as offences under their criminal laws, and are punishable by appropriate penalties which take into account the seriousness of such offences. Exceptional circumstances including a state of war, internal political instability or any other public emergency may not be invoked as a justification of such executions”

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions’ report of 1996 pointed out that no abuses of human rights by armed groups may excuse the practice of extrajudicial executions. The report provided that “Governments must respect the right to life of all persons, including members of armed groups and even when they demonstrate a total disregard for the lives of others.”¹⁰

APPLICABLE PRINCIPLES OF INTERNATIONAL LAW

1. International Humanitarian law:

By virtue of the Israeli occupation of the Gaza Strip, and West Bank including East Jerusalem, Israel as an occupying is obliged to observe both of 1907 Hague Regulations and the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 1949.

With regards to the Hague Regulations, though Israel has not ratified the regulations, the Israeli High Court affirmed that it is binding upon Israel as it constitutes part of international customary law¹¹.

Concerning the Fourth Geneva convention, despite that Israel ratified the Geneva Conventions in 1951, Israel introduced legal pretexts refusing thereby the 4th Geneva Convention’s applicability in the Gaza Strip and West Bank. These legal pretexts were reviewed in length in elsewhere in other reports and writings¹². Suffice here to mention that the entire international community, the United Nations Security Council (UNSC) and the International Committee of the Red Cross (ICRC) viewed that the Fourth Geneva Convention is applicable to the Israeli

⁹ See the ruling and the comment of PCATI on <http://www.stoptorture.org.il/en/node/1050>, and <http://electronicintifada.net/content/pcati-comments-judicial-approval-assassination-policy/710>

¹⁰ UN doc. E/CN.4/1996/4, para 609.

¹¹ See Suleiman Tawfiq Ayyub et al. v Minister of Defense et al, Israeli High Court Judgment 606/78 at 6.

¹² See for example Roberts, “Prolonged Military Occupation” in Playfair (ed) Administration of Occupied Territories (Oxford, Clarendon Press, 1999).

occupation. Furthermore, conference of the high contracting parties to the convention, which was concluded in July 1999¹³, reiterated its affirmation on the applicability of the convention to the Israeli occupation¹⁴.

The closing statement of understanding adopted by the High Contracting Parties affirmed the applicability of the 4th Convention to the Israeli occupation, it stated “...The participating High Contracting Parties reaffirmed the applicability of the Fourth Geneva Convention to the Occupied Palestinian Territory, including East Jerusalem. Furthermore, they reiterated the need for full respect for the provisions of the said Convention in that Territory”

The first article of the 4th Geneva Convention, which is a common article in all the Geneva conventions, requires the High Contracting Parties to undertake to respect and to ensure respect for the convention in all circumstances. Thus, comprehensively including the obligation of each contracting party of the convention to ensure the respect of another contracting party when is responsible for breaches to the convention.

Moreover, the International Court of Justice asserted in its advisory opinion concerning the legality of the establishment of the apartheid wall rendered on 9th July.2004 that the Palestinian territories are classified as “occupied territories” and Israel is an “occupying power”¹⁵.

On the basis that the Fourth Geneva Convention is with no doubt applicable to the occupied Palestinian territories, civilians, civilian objects, and private and public utilities have the status of “protected persons”. Willful killings, together with torture, causing serious injury, demolishing residential homes, and public utilities are in fact “grave breaches” of the Convention and therefore create an obligation on the part of the High Contracting Parties to prosecute those responsible of these breaches in their own courts or to extradite them to another court.

Grave breaches of the Geneva Conventions are also counted in the definition of war crimes which the International Criminal Court will have jurisdiction over, as set out in Article 8 of the Rome Statute. Israel is clearly accountable of grave breaches as a result of its deadly aerial attacks on the inhabited residential houses, and for killing the Palestinian children.

International Human rights Law:

¹³ boycotted by Israel

¹⁴ The UN General Assembly resolution calling for the meeting of the High Contracting Parties was adopted by a vote of 115 in favour with two (Israel and the USA) against and five abstentions.

¹⁵ See Al Mezan’s press release 42/2004, can be accessed through:

http://www.mezan.org/en/details.php?id=2345&ddname=&id_dept=9&id2=9&p=center

Along with the application of International Humanitarian Law to the occupied Palestinian territories, International Human Rights Law is also relevant.¹⁶ Human rights law and International Humanitarian Law are distinct; however, they are interrelated bodies of law, both of them forbid, inter alia, torture, extra-judicial killing, forced displacement, and bombardment and demolishing of civilian properties.

Applicable human rights standards, in the occupied Palestinian territories, include those set out in the International Covenant on Civil and Political Rights, especially article 6 which sets out the right to life. By dint of Article 4(1), the right to life may not be derogable “even in time of public emergency which threatens the life of the nation”. As well applicable, the obligations of Israel pursuant to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984, the Convention on the Rights of the Child 1989, and the Convention on the Elimination of all Forms of Discrimination against Women 1979.

In spite of the Israeli obligations under International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, the Israeli attacks on civilians, which resulted in killing and injuring civilians and children or in their forcible displacement or the demolishing of their houses and livelihoods, all demonstrate an evidenced ultimate Israeli disregard to the human rights in general and to the Palestinian children’s rights in particular.

Moreover, provisions included in various bodies of “soft law”, notably the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the UN Code of Conduct for Law Enforcement Officials. Whilst these rules are not legally binding, they provide authoritative guidance and reflect a high level of consensus regarding the use of firearms. In particular, Principle 9 of the Basic Principles mentions “Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”

The Basic Principles provide that law enforcement officials shall “as far as possible, apply non-violent means before resorting to the use of force and firearms (Principle 4). The Basic Principles also insist on proportionality with regards the degree of force used. Furthermore, Principle 7 provides that “arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under ... law”.

¹⁶ For example, Professor Quigley stated that “a state in belligerent occupation is obliged to adhere to the norms of human rights law”. See John Quigley, “The Relation between Human Rights Law and the Law of Belligerent Occupation: Does

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions' report of 1996 pointed out that no abuses of human rights by armed groups may excuse the practice of extra-judicial executions. The report provided that "Governments must respect the right to life of all persons, including members of armed groups and even when they demonstrate a total disregard for the lives of others." 17

Killing Civilians:

According to field data based on field investigations such as field visits, interviews with victims and eyewitnesses, and examining results of Israeli attacks, the IOF deliberately attacked civilians killing and injuring hundreds in violation of IHL which imposes restriction on the use of power and stipulates differentiating between civil and military objects.

Killing and destroying houses and civil facilities are considered flagrant violation of IHL. Killing includes extra-judicial killing of "wanted" persons by Israel. The IOF claimed that the attacks perpetrated were carried-out against persons 'wanted' by Israel without having proofs and without giving victims chance to defend themselves.

Table 1: Persons Killed During Operation Pillar of Cloud

Combatants	41
Extra-Judicially Killed	1
Children combatants	0
Civilians	130
Of whom children	34
Of whom women	13
Of whom police officers	0
Children	34
Total	171

Table 2: Persons Killed Distributed by Age and Type of Weapon

Type of Weapon	Age Category				Total
	0-17	18-40	41-60	60+	
Missiles	34	106	25	6	171

¹⁷ UN doc. E/CN.4/1996/4.para 609.

Persons Killed Distributed by Age and Type of Weapon

■ 0-17
 ■ 18-40
 ■ 41-60
 ■ 60+

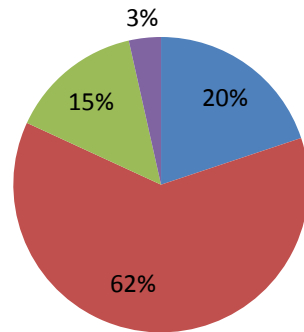


Table 3: Persons Killed Distributed by Gender and District

District	Male	Female	Total
Khan Younis	17	2	19
Deir Al Balah	36	1	37
Rafah	16	0	16
North Gaza	25	3	28
Gaza	55	16	71
Total	149	22	171

Persons Killed Distributed by Gender and District

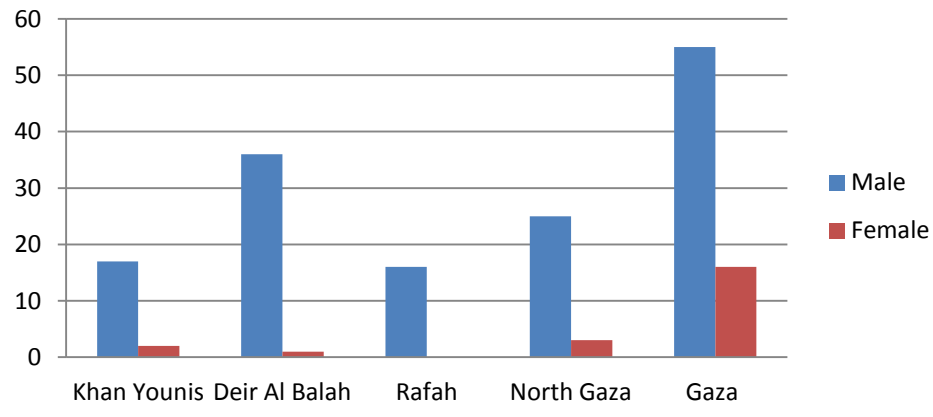


Table 4: Number of Children Injured Distributed by Gender and District

District	Male	Female	Total
North Gaza	86	55	141
Gaza	135	71	206
Deir Al Balah	26	9	35
Khan Younis	9	5	14
Rafah	41	9	50
Total	297	149	446

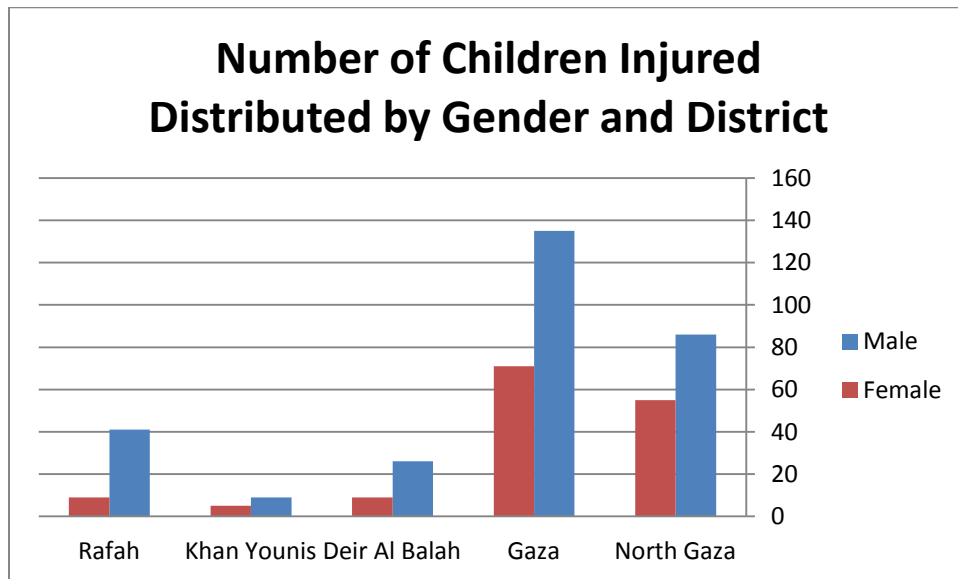


Table 5: Distribution of Persons Killed by Marital Status

Marital Status	Number
Widowed	2
Single	75
Married	93
Divorced	1
Total	171

Distribution of Persons Killed by Marital Status

■ Widowed
 ■ Single
 ■ Married
 ■ Divorced

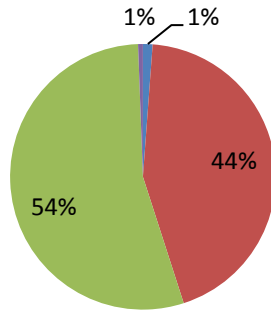


Table 6: Persons Killed Distributed by Circumstances of Killing

Circumstances of Killing	Number
During work	5
Resistance activity	7
Extra-judicial killing	1
Exist in site of incident	1
Passerby	7
Inside home	41
Shelling (missile, artillery)	109
Total	171

Circumstances of Killing

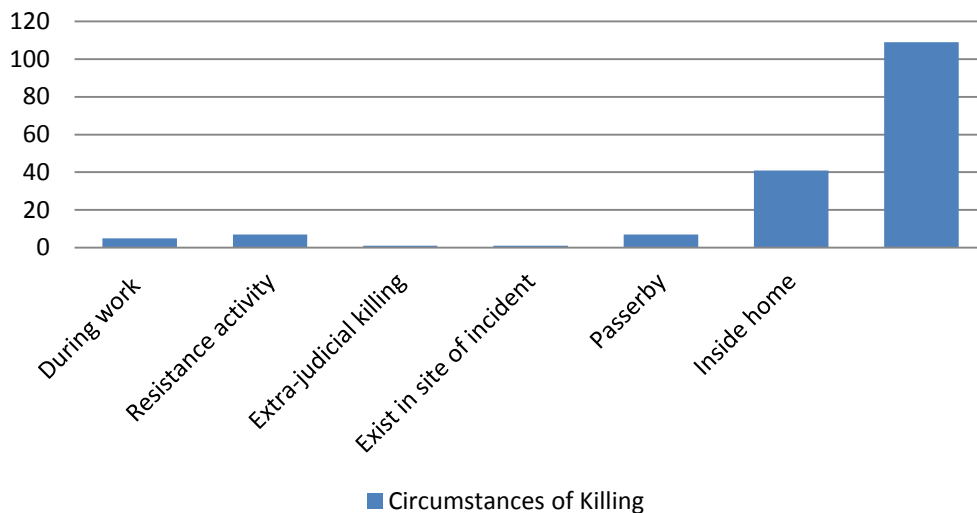
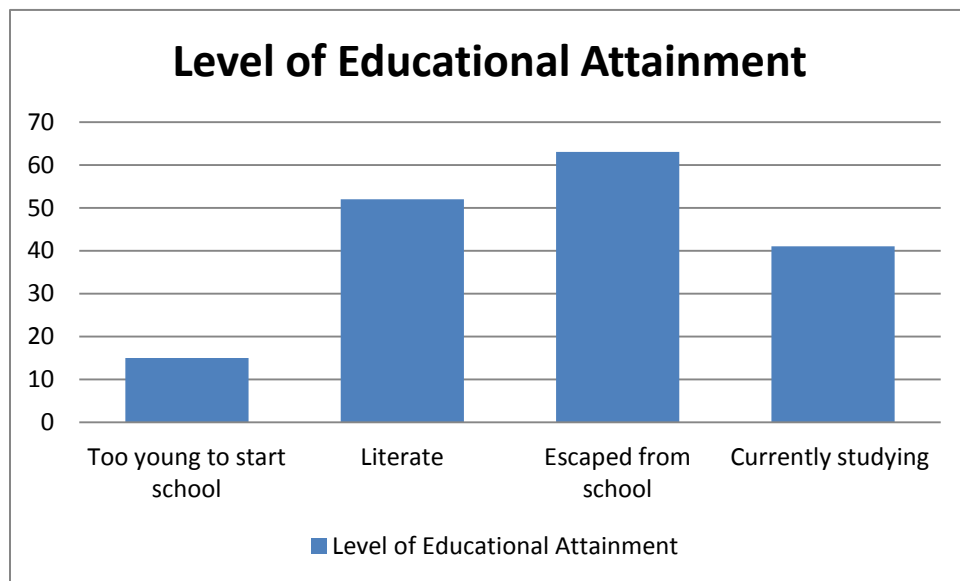


Table 7: Persons Killed Distributed by Level of Educational Attainment

Level of Educational Attainment	Number
Too young to start school	15
Literate	52
Escaped from school	63
Currently studying	41
Total	171



Killing Children

The IOF attacks children even when they are in open areas. The IOF has advanced technology for surveillance and sophisticated weapons. This gives IOF the ability to verify its target before attacking it. Therefore, Israel bears legal and moral obligations towards the respect of IHL.

The IOF cannot claim that attacking children was a mistake because it has up-to-date weapons and surveillance system and there were no direct clashes with armed groups. The IOF started the attacks and the resistance fighters in return launched rockets from under the ground. No armed men were seen in Gaza. Therefore, we cannot talk about military necessity, protection of soldiers, or legal self-defense to justify attacks on residential houses or a group of civilians including children and women. Thus, there is no arguing that the IOF premeditatedly kills civilians including children.

Table 8: Children Killed Distributed by Age and Type of Weapon

Type of weapon	Age				Total
	0-3	3-6	6-12	12-18	
Missiles	6	6	9	13	34

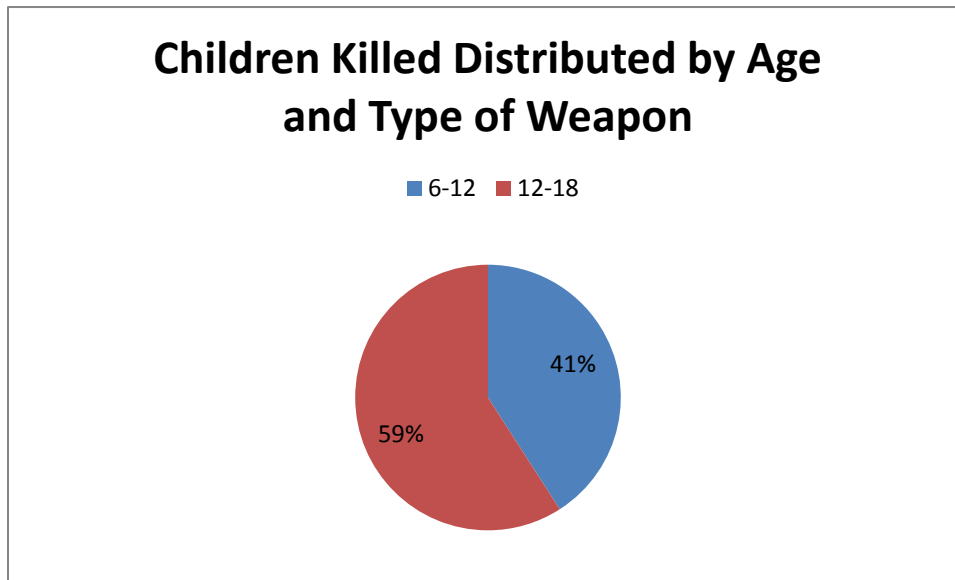


Table 9: Children Killed Distributed by Gender and District

District	Gender		Total
	Male	Female	
North Gaza	7	2	9
Gaza	9	5	14
Deir Al Balah	3	1	4
Khan Younis	3	1	4
Rafah	3	0	3
Total	25	9	34

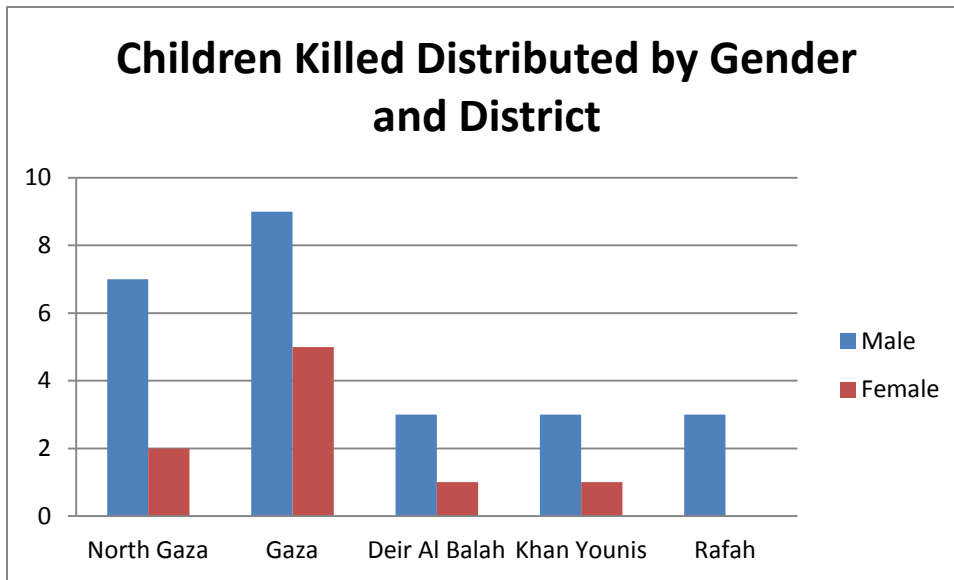


Table 10: Children Killed Distributed by Circumstances of Killing

Circumstances of Killing	Number
At work	1
Passerby	4
At home	19
Shelling (artillery and missiles)	10
Total	34

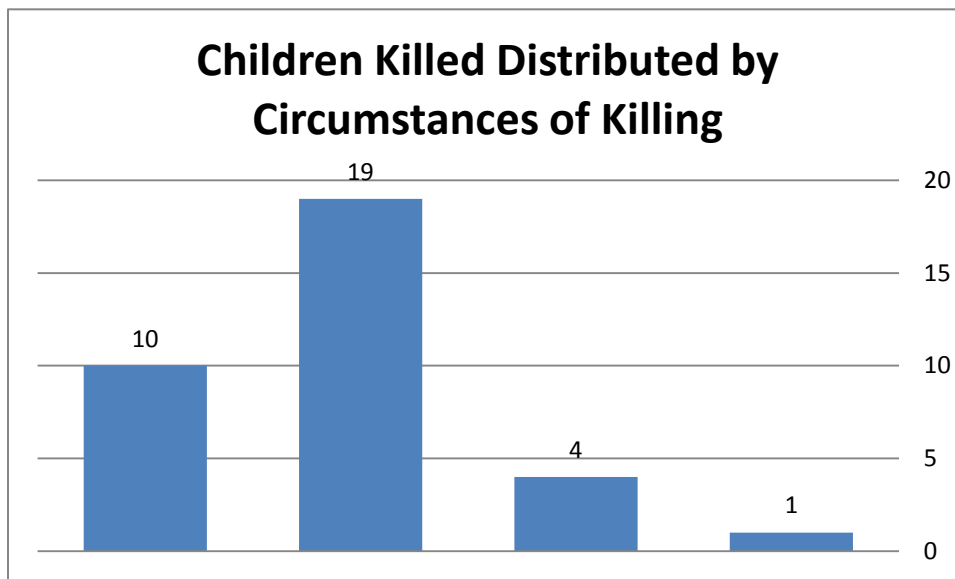


Table 11: Children Killed Distributed by Location of IOF Troops that lunched the Attack

Location of IOF troops	Number
Drone	27
Jetplane	7
Total	34

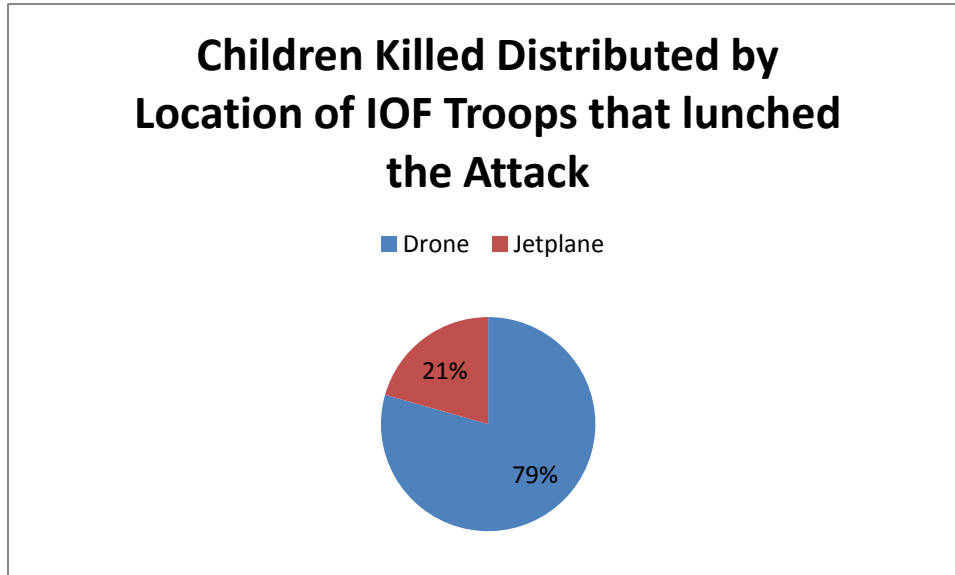
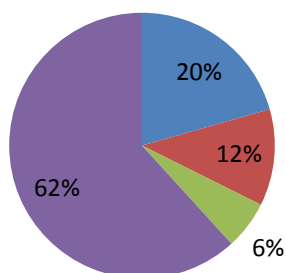


Table 12: Children Killed Distributed by Place of Death

Place of Death	Number
At home	7
In hospital	4
In ambulance	2
Site of incident	21
Total	34

Children Killed Distributed by Place of Death

■ At home
 ■ In hospital
 ■ In ambulance
 ■ Site of incident



Preventing children from their parents:

The impact of IOF killings does not only threaten the children right to live but the suffering of children who are alive is severe due to the killing of one of their parents and preventing them from having a normal life. Killing one of the parents, particularly the father, means the loss of income of the family. This will drastically impact the life of the family including children.

Table 13: Children who lost on of their parents distributed by district

District	# of Persons Killed	# of children who lost one of their parents
Khan Younis	8	20
Deir Al Balah	22	41
Rafah	8	19
North Gaza	14	42
Gaza	41	139
Total	93	261

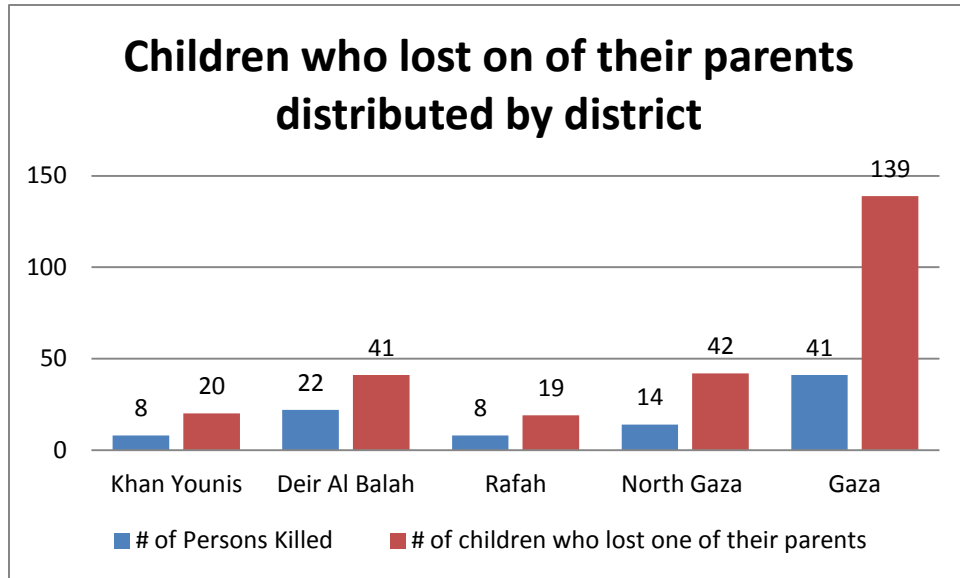
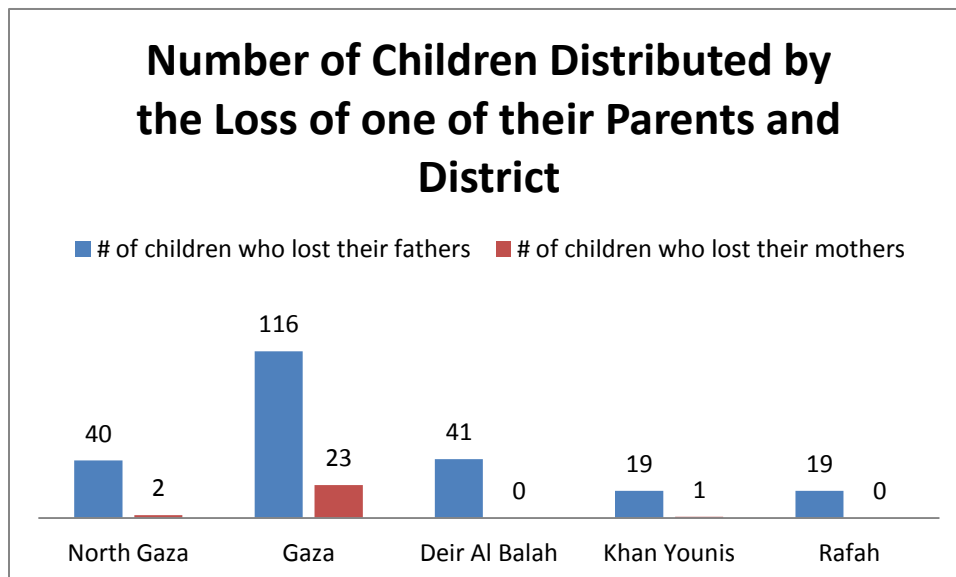


Table 14: Number of Children Distributed by the Loss of one of their Parents and District

District	# of Persons Killed	# of children who lost their fathers	# of persons killed	# of children who lost their mothers
North Gaza	13	40	1	2
Gaza	35	116	6	23
Deir Al Balah	22	41	0	0
Khan Younis	7	19	1	1
Rafah	78	19	0	0
Total	85	235	8	26



Home Demolition and Forcible Displacement:

Israeli direct attacks, premeditatedly or not, to residential houses during Operation Pillar of Cloud show the Israeli disregard of civilians' lives. The IOF attacks do not respect IHL particularly discrimination and proportion principles. Israeli attacks against a Palestinian facility, house, training site, or open area cause damage to adjacent houses and kill and injure civilians in their homes.

The IOF also forced thousands of people to leave their homes. At approximately 3:30 pm and 4:00 pm IOF dropped leaflets instructing people to evacuate their homes in many areas around the Gaza Strip in anticipation of a ground invasion; including densely populated neighborhoods. Hundreds of thousands of Palestinian civilians were expected to evacuate under continuing bombardment. Thousands of people have preferred to remain in their houses instead of going to the few shelters, which have been provided by UNRWA in its schools.

According to UNRWA, it opened four schools as shelters in Jabaliya refugee camp. It hosted 1,700 persons including 600 children. The UNRWA also opened six of its schools in Gaza. It sheltered 6,400 persons including 2,880 children. Thousands of people left their homes and went to their relatives afraid of any Israeli direct attacks. Memories of IOF's attacks on evacuating civilians and shelters during Operation Cast Lead in January 2009 remain in people's minds.

Table 15: Damaged Houses Distributed by Type of Damage and District

District	Type of Damage		Total
	Total	Partial	
Khan Younis	18	45	63
Deir Al Balah	22	222	244
Rafah	34	432	466
North Gaza	26	1052	1078
Gaza	24	299	323
Total	124	2050	2174

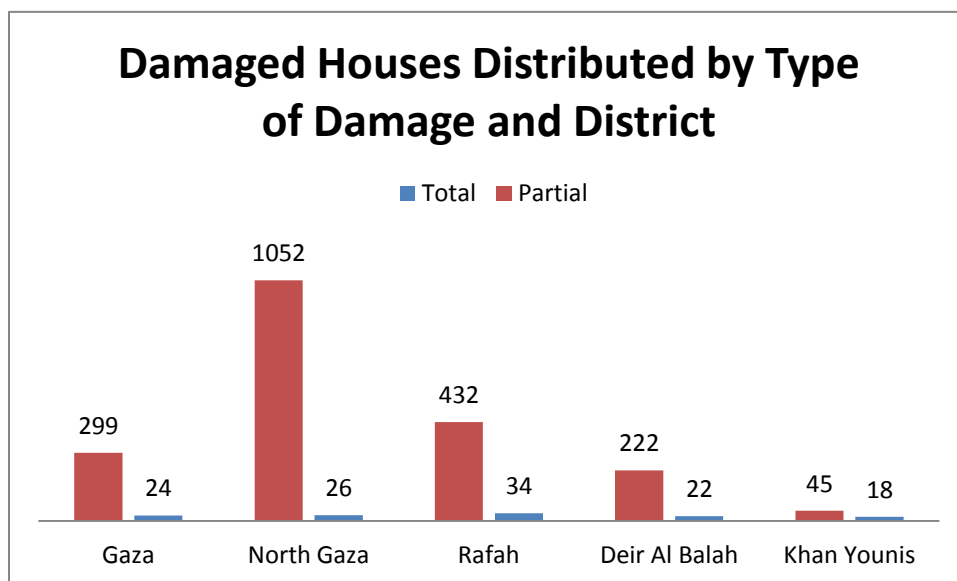


Table 16: Number of destroyed or damaged housing units distributed by type of area (refugee camp, rural area, urban area)

Type of area	Number
Urban	1202
Rural	615
Refugee camps	357
Total	2174

Number of destroyed or damaged housing units distributed by type of area

■ Urban
 ■ Rural
 ■ Refugee camps

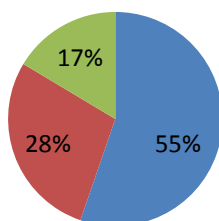
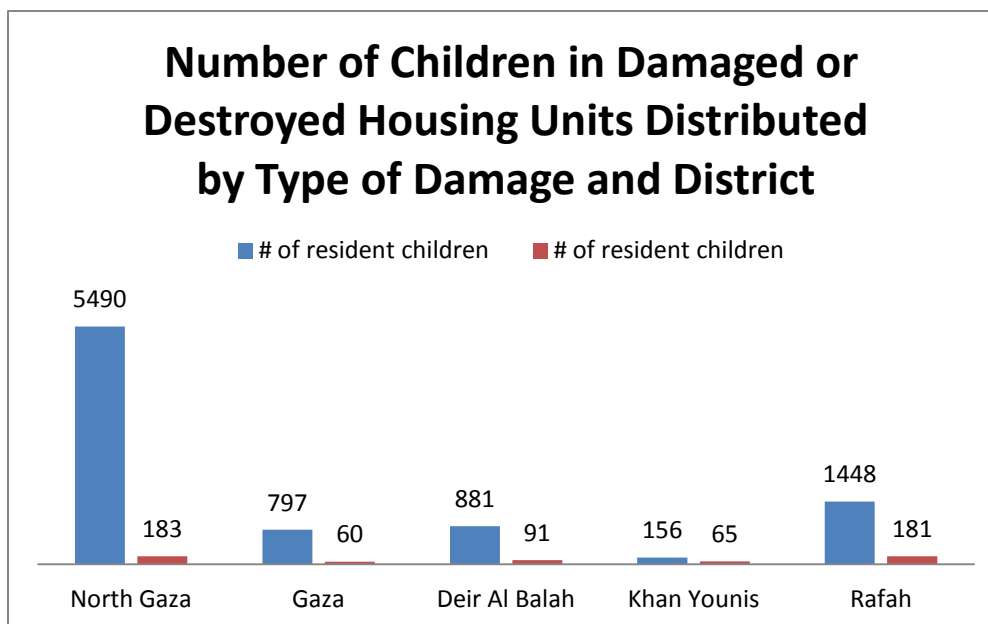


Table 17: Number of Residents in Destroyed or Damaged Housing Units Distributed by District

District	#of destroyed or damaged housing units	Number of residents	Of which are women	Of which are children
North Gaza	1078	12231	5924	5673
Gaza	323	2270	1079	857
Deir Al Balah	244	2401	1053	972
Khan Younis	63	561	258	221
Rafah	466	3607	1798	1629
Total	2174	21070	10112	9352

Table 18: Number of Children in Damaged or Destroyed Housing Units Distributed by Type of Damage and District

District	Partially Damaged		Totally Destroyed	
	# of houses	# of resident children	# of houses	# of resident children
North Gaza	1052	5490	26	183
Gaza	299	797	24	60
Deir Al Balah	222	881	22	91
Khan Younis	45	156	18	65
Rafah	432	1448	34	181
Total	2050	8772	124	580



Facts on the ground show the direct Israeli impact of its aggression on the right to education. As soon as the IOF starts a wide scale aggression on Gaza Strip, the Ministry of Education and UNRWA suspend studying at schools and educational facilities fearing for the children and students' lives. Moreover, the IOF had previously intentionally attacked school and caused grave damage to them.

Obstructing studying at schools has direct effect on teachers' ability to finish the schedule normally. They are forced to give a lot of information in a short period of time. Educational institutions were forced to decrease the academic mid-year holiday. This prevents students from having fun and rest during holidays. Students were subject to psychological shock and lived through terrible experiences due to the Israeli attacks on their home or adjacent ones, terrible voice of airstrikes, and watching Israeli killing of Palestinians on TV channels. Students needed rehabilitation before going back to schools.

Israeli premeditated attack against a large number of schools including UNRWA newly built schools has exacerbated the problem of student density in classrooms. Israel imposes siege on the Gaza Strip and the Ministry of Education cannot build new schools as the Israeli authorities prevent the entry of construction materials for several years.

Attacking Industrial and Trade Premises and Agricultural Lands

IOF systematically has attacked industrial and trade premises and razed agricultural lands since the beginning of the second Intifada in September 2000. This can be clearly seen during Operation Pillar of Cloud.

Table 19: Destruction of Public and Private Premises Distributed by Type of Premise

Type of Establishment	No.
Bank	1
Place of Worship	49
Company	6
NGOs	26
Educational institution	97
Health institution	15
Journalist premises	14
Public premises	4
UNRWA centers	2
Sport Centers	2
Police station	8
Ministry and government departments	16
Political offices	5
Political faction sites	6
other	8
Total	259

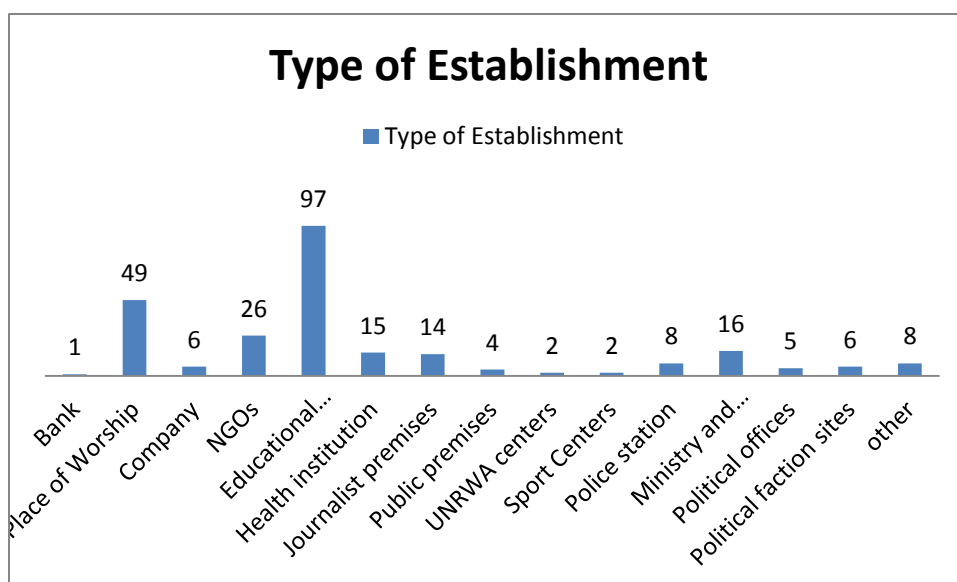


Table 20: Factories and Stores Damaged or Destroyed Distributed by Type of Damage, Number of Employees before Offensive, Number of Employees after Offensive

Questionnaire	No.	Partial Damage	Total Destruction	#of Employees before offensive	#of employees after offensive
Factories	15	13	2	106	31
Trade shops	192	10	182	583	450

Table 21: Destruction to vehicles and water-well distributed by extent of damage

	No.	Total Destruction	Partial Damage
Vehicle	77	21	56
Water-well	12	0	0

Destroyed Lands Distributed by Number of Beneficiaries and Children

No. of children	Destroyed Land	No. of beneficiaries	Number of Results
176	273.008 square meters	1,984	160

Conclusion

The report shows the Israeli ongoing violations of children rights. The reporting period (14-21 November 2012) has witnessed numerous incidents of killing and injuring of civilians particularly children, destruction, forcible displacement, regular attacks on schools and hospitals by the IOF. Large number of families lost their source of income. The IOF continued to impose restrictions on Palestinians living in the Gaza Strip in violation of international law.

Facts on the ground show the Israeli disregard for international legal and universal standards under IHL and IHRL, particularly the UN Convention on the Rights of the Child. The report shows the IOF blatant breaches of its obligations represented by its practices and actions in the Gaza Strip during Operation Pillars of Cloud.

Al Mezan Center for Human Rights reiterates its condemnation of the Israeli aggression and its attacks against Palestinian civilians, particularly children, and their property in the Gaza Strip and the ongoing restrictions on Palestinians in Gaza which are considered as a form of collective punishment in contravention of international law. It also condemns Israeli continuous attacks on schools, residential houses, and civil and public facilities.

Al Mezan views the ongoing Israeli violations of IHL and IHRL as a reflection of the failure of the international community to uphold its legal and moral obligations towards the Palestinians in the occupied Palestinian territory (oPt) and in the Gaza Strip in particular. Al Mezan asserts that the international community's failure to take effective steps in order to end Israel's violations has encouraged Israel to commit further crimes.

Al Mezan calls on the international community to promptly intervene to end Israeli violations of IHL and IHRL, to work towards the realization of justice and accountability in the oPt, and to pursue those who ordered or committed war crimes and bring them to justice.

Al Mezan urges the international community to end Israel's impunity with respect to its widespread violations of human rights and IHL in the oPt.