

Congress of the United States
Washington, DC 20515

November 21, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Antony Blinken
United States Secretary of State
The State Department
Washington, DC 20500

Dear President Biden and Secretary Blinken,

We write to you to express our profound concern about the effects that Hamas's terrorism and the war in Gaza are having on children and infants in the region.

If our world can agree on nothing else, surely we can agree that children must be protected from the horrific consequences of terrorism and war; that the endangerment of children, and grave violations of their rights and physical safety, by terrorist attacks and in armed conflict must end immediately; and that it is long past time to stop this cycle of violence and trauma that has ruined the lives of far too many children.

In the atrocities on October 7, Hamas terrorists murdered 1,200 people in Israel, among them at least 38 children and babies.¹ Many children were left orphaned. The terrorists abducted more than 240 hostages, including at least 32 children, among them a 9-month-old baby, and removed them to Gaza.² Many adult hostages, including nursing mothers, were separated from their infants and children.³ Another hostage was nine months pregnant at the time of her abduction and is believed to have given birth in captivity.⁴

One of the hostages, Abigail Edan, was just 3 years old on October 7 when her parents were murdered by Hamas.⁵ She ran to her neighbors' home for safety, but the terrorists kidnapped that

¹ *Israel's Dead: The Names of Those Killed in Hamas Attacks, Massacres and the Israel-Hamas War*, HAARETZ (Oct. 18, 2023), <https://www.haaretz.com/israel-news/2023-10-19/ty-article-magazine/israels-dead-the-names-of-those-killed-in-hamas-massacres-and-the-israel-hamas-war/0000018b-325c-d450-a3af-7b5cf0210000>.

² Cassandra Vinograd and Isabel Kershner, *Israel's Attackers Took About 240 Hostages. Here's What to Know About Them*, NY TIMES (Nov. 2, 2023), <https://www.nytimes.com/article/israel-hostages-hamas-explained.html>.

³ Chantal Da Silva, *Supporters Rally to Provide Milk for an Israeli Infant Whose Mother is Missing after Hamas Festival Attack*, NBC NEWS (Oct. 11, 2023), <https://www.nbcnews.com/news/world/supporters-rally-provide-milk-israeli-infant-whose-mother-missing-hama-rcna119590>.

⁴ *Hostage Gave Birth in Gaza Captivity, Netanyahu's Office Confirms*, TIMES OF ISRAEL (Nov. 15, 2023), <https://www.timesofisrael.com/hostage-gave-birth-in-gaza-captivity-netanyahus-office-confirms/>.

⁵ Laurie Kellman, *About 30 Children Were Taken Hostage by Hama Militants. Their Families Wait in Agony*, AP (Oct. 27, 2023), <https://apnews.com/article/children-hostages-israel-palestinians-gaza-orphan->

entire family. Abigail's family has heard nothing about her condition since she was taken and wait in agony for any word about their precious orphaned niece and granddaughter.

While several adult hostages have been released by Hamas, more than 240 persons remain in captivity. The families of hostages have approached us seeking information about the American strategy to secure their loved ones' release. Regrettably, we lack a clear understanding of the specific actions being taken by the United States to make this a central, overriding and urgent priority. We are particularly interested in understanding the American strategy for ensuring the safe release of both child and adult hostages.

We also share profound concerns about the dire consequences of the last month of aerial bombardment and war in Gaza, during which at least 11,078 Palestinians have been killed, nearly half of them children and babies.⁶ In the past 30 days, it is estimated that more than 4,000 children have been killed in the Gaza Strip and at least 6,360 children have been injured.⁷ Save the Children reported that more children were killed in just over three weeks in Gaza than in all the world's conflicts combined in the past three years.⁸ At least 2,260 Palestinians in Gaza, including at least 1,270 children, have been reported missing by the United Nations and are presumed to be either trapped under the rubble still awaiting rescue—or dead.⁹ During this same time, Israeli forces or settlers have killed at least 41 Palestinian children in the occupied West Bank.¹⁰

Of the total 2.2 million Palestinians living in the Gaza Strip, nearly half are under 18 years old.¹¹ Many have been lost in the pervasive and ongoing airstrikes on residential buildings and civilian infrastructure. Most are suffering from the “complete siege” restrictions on food, water, fuel, and other basic human needs.¹² Hundreds of schools have shut down, been destroyed, or otherwise been drastically affected, including at least 29 United Nations run schools hit by airstrikes.¹³

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⁶ *Israel-Gaza Live Updates: Mass Exodus from Gaza Hospital*, ABC NEWS (Nov. 10, 2023 at 12:47 pm ET), <https://www.abcnews.go.com/International/live-updates/israel-gaza-hamas/?id=104617602>; Rachel Wilson, Rosa de Acosta, Alex Leeds Matthews and Alex Newman, *These Charts Show the Scale of Loss in the Israel-Hamas War*, CNN (Nov. 7, 2023), <https://www.cnn.com/2023/11/07/middleeast/palestinian-israeli-deaths-gaza-dg/index.html>.

⁷ See Wilson *et al.*, *supra* note 6.

⁸ Isabel Debre and Wafaa Shurafa, *More than 3,600 Palestinian Children Were Killed in Just 3 Weeks of War*, AP (Nov. 2, 2023), <https://apnews.com/article/israel-hamas-11-1-2023-children-killed-4a352398b32887e60a658e0270f0a021>

⁹ See Wilson *et al.*, *supra* note 6.

¹⁰ Alexander Smith and Mervet Azzeh, *Israeli Settlers Drive a New Wave of Anti-Palestinian Violence in the Occupied West Bank*, NBC NEWS (Nov. 3, 2023), <https://www.nbcnews.com/news/world/israel-gaza-west-bank-settler-violence-palestinians-rcna123311>.

¹¹ Lina Mohammad, Tinbete Ermyas, and Ailsa Chang, *Half of Gaza's Population is under 18. Here's What That Means for the Conflict*, NPR (Oct. 18, 2023), <https://www.npr.org/2023/10/18/1206897328/half-of-gazas-population-is-under-18-heres-what-that-means-for-the-conflict>.

¹² Jonathan Guyer, *What a “Complete Siege” of Gaza Will Mean for Palestinians*, VOX (Oct. 11, 2023), <https://www.vox.com/2023/10/9/23910159/israel-gaza-siege-palestinians-hamas-humanitarian-crisis>.

¹³ *Hostilities in the Gaza Strip and Israel | Flash Update #19*, UN OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS (Oct. 25, 2023), <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-19>.

Israel has carried out devastating strikes on five refugee camps inside Gaza, resulting in dozens of civilian casualties, including many children.¹⁴

Pregnant women, newborns and babies are disproportionately bearing the burden of the war. There are an estimated 50,000 pregnant women in Gaza, with more than 180 women giving birth each day.¹⁵ These women are unable to access emergency obstetric services and some are forced to give birth in their homes or in overflowing shelters, where sanitation conditions are deteriorating.¹⁶ CARE International reported mothers are undergoing C-sections without anesthetics.¹⁷ Premature babies require incubators, breathing machines and infusion pumps, all of which depend on vanishing supplies of electricity.¹⁸

Malnutrition was already high in Gaza prior to October and, as access to food and water worsens, mothers are struggling to feed themselves and their children.¹⁹ The water shortage is reaching a crisis point. Hydration is key for nursing mothers to produce enough milk to feed their babies, and for those who cannot breastfeed, clean water is required to prepare most formula. A spokesperson from the U.N. Children's Fund (UNICEF) recently warned infants might die of dehydration.²⁰

Children in Gaza wounded in airstrikes are faced with life-altering critical injuries. The only survivor of an October 22 airstrike that razed two buildings was a one-year-old, Milissa, who, just days prior to the airstrike had taken her first steps. During the strike, her spine was fractured, and she was paralyzed from the chest down.²¹

International norms require that all parties to an armed conflict *protect* children and prevent the commission of grave human rights violations *against* them, including killing and maiming, abduction and kidnapping, and the denial to them of humanitarian relief and medical access.²²

We commend your Administration's commitment to pressing for a major expansion of humanitarian supplies arriving into Gaza and applaud the plan you have worked out with the Israeli government to have daily four-hour pauses, as well as the Israeli government's

¹⁴ Stephen Farrell, Aditi Bhandari, Prasanta Kumar Dutta, and Clare Trainor, *No Place of Refuge: Israeli Strikes Hit Gaza Refugee Camps*, REUTERS (last updated Nov. 5, 2023 at 11:30 am ET), <https://www.reuters.com/graphics/ISRAEL-PALESTINIANS/GAZA-JABALIA/byprdygipe/>.

¹⁵ *Women and Newborns Bearing the Brunt of the Conflict in Gaza, UN Agencies Warn*, WORLD HEALTH ORGANIZATION (Nov. 3, 2023), <https://www.who.int/news/item/03-11-2023-women-and-newborns-bearing-the-brunt-of-the-conflict-in-gaza-un-agencies-warn>.

¹⁶ *Id.*

¹⁷ Sana Noor Haq and Nadeen Ebrahim, *In Gaza, Being a Mother is a Matter of Life and Death*, CNN (Nov. 5, 2023), <https://www.cnn.com/2023/11/05/middleeast/israel-strikes-gaza-women-children-health-crisis-mime-intl/index.html>.

¹⁸ *Id.*

¹⁹ *Women and Newborns Bearing the Brunt of the Conflict in Gaza, UN Agencies Warn*, WORLD HEALTH ORGANIZATION (Nov. 3, 2023), <https://www.who.int/news/item/03-11-2023-women-and-newborns-bearing-the-brunt-of-the-conflict-in-gaza-un-agencies-warn>.

²⁰ *WHO Warns of "Imminent Public Health Catastrophe" in Gaza*, REUTERS (Oct. 31, 2023), <https://www.reuters.com/world/middle-east/who-warns-imminent-public-health-catastrophe-gaza-2023-10-31/>.

²¹ *Id.*

²² Denise Plattner, *Protection of Children in International Humanitarian Law*, INT'L REV. OF THE RED CROSS (June 30, 1984), available at <https://www.icrc.org/en/doc/resources/documents/article/other/57jmat.htm>.

commitment to allow in more supplies. While we welcome these developments, we believe the deepening humanitarian disaster risks becoming a catastrophe that undermines the United States' credibility in the region. We urge an immediate cessation of hostilities against targets with a civilian presence to facilitate the timely evacuation and protection of children and babies. Moreover, we need a thorough daily accounting of the condition of Palestinian and Israeli children and babies killed, wounded, and traumatized in this conflict. While every effort must be made to secure the release of the hostages, the efforts should also be made by the U.S. to immediate access of humanitarian organizations such as the International Red Cross and Red Crescent to Israeli children abducted by terrorists and still being held in Gaza. Such accountability should guide and help determine U.S. policies and strategies to prioritize the protection, care, and services for children who daily confront unspeakable dangers and loss in this conflict.

Thank you for your time and consideration of this pressing matter. We look forward to your response.

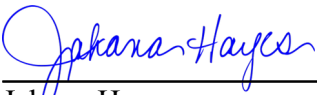
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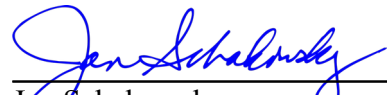
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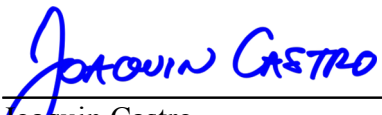
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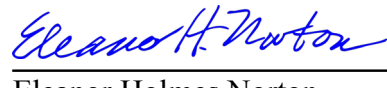
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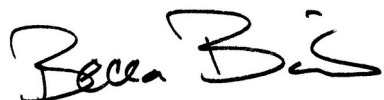
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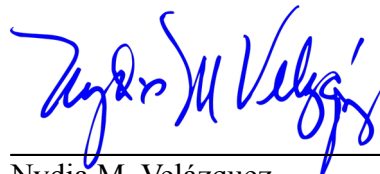
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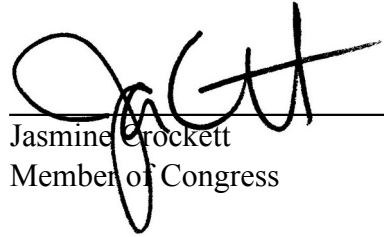
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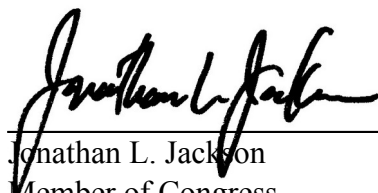
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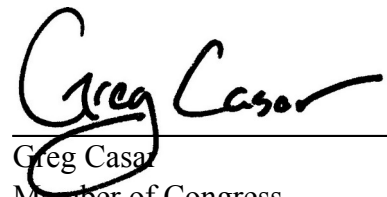
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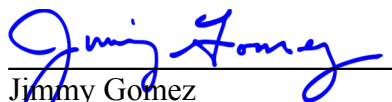
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