

# ANNUAL REPORT

Defence for Children International - Palestine Section



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

2012





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

Defence for Children International - Palestine Section

# ANNUAL REPORT

# 2012

March 2013

# Table of Contents

---

**6 Acknowledgements**

---

**7 Introduction**

---

**10 Key Achievements of the Administrative and Legal Affairs Programme**

---

**16 Protection and Community Mobilisation Programme**

- Community Mobilisation Unit
- Child Justice Unit

---

**35 Accountability and Legal Work Programme**

- Documentation Unit
- Legal Unit
- Advocacy Unit

---

## Institutional Objectives

- Improve the accountability of duty-bearers under both the Palestinian Authority and Israeli jurisdictions.
  - Improve the protective environment for children at the Palestinian Authority level.
-

## Acknowledgements

---

DCI-Palestine would like to express its heartfelt appreciation and gratitude to all those who have believed in our work and contributed to it throughout the year. Without your support, we would not have been able to work effectively towards our vision of a Palestinian community fit for all children.

1. Interchurch Organization for Development Cooperation (ICCO and Kerk In Actie) Netherlands
2. NGO Development Centre (NDC)
3. Evangelischer Entwicklungsdienst (EED) – Germany
4. Save the Children International
5. Stichting Kinderpostzegels Nederlands (SKN) – Netherlands
6. ARCI Cultura e Sviluppo – Italy
7. Mundubat - Spain
8. Broederlijk Delen - Belgium
9. United Nation Development Programme -UNDP
10. European Union
11. Swiss Interchurch Aid- HEKS
12. World Vision
13. The United Methodist Church
14. The United Church of Canada
15. Solidarity Fund (Kerkin Actie)

We extend special thanks to the committed staff, interns, volunteers, and all dedicated people who have served as members of the Board of Directors and General Assembly, as well as to all our partner organisations.

## An Introduction

### from Rifat Odeh Kassir, General Director

---



As we make our way toward a new year of work for children's rights, we at DCI-Palestine would like to share our reflections on the year behind us: a year full of major developments not only for our organisation and the specific communities we serve, but also for our larger political, social and economic context.

In 2012, we experienced such events as the recognition of Palestine as a non-member state in the UN: an important change we intend to study carefully in order to monitor its impact on our work and to determine how it can most benefit our children.

This year also contained yet another Israeli war on the Gaza Strip; 158 Palestinians were killed, of whom 33 were children. As we have seen again and again, such onslaughts "end" with impunity for the state of Israel, while Palestinian children pay the price. DCI-Palestine continues to advocate for these children's rights, and for an end to the occupation that systematically violates them.

Further, in past months, there have been various efforts toward ending the political split between Gaza and the West Bank. We encourage these efforts: such divisions fragment the Palestinian people and, in turn, fragment the futures of Palestinian children. This bizarre situation must end as soon as possible.

As we all know, too, the world continues to feel the strain of the global financial crisis. The crisis impedes the work of all NGOs, including DCI-Palestine. In 2012, we suffered some additional funding cuts. Both in light of these struggles and in general, I would like to thank those partners who not only held on and continued supporting us, but who were also ready to contribute additional money to compensate for our deficit: ICCO/Kerk in Actie, the United Church of Canada, and the United Methodist Church/USA. These partners have contributed immensely to our work, progress, sustainability, and future plans, for which we are very grateful.

The financial crisis is not our only challenge: this year, we have begun to feel the competition from an increasing number of NGOs coming to Palestine from abroad, especially those implementing programs on the ground and hunting for new proposals and initiatives. In this way, they create competition with and obstacles for local organisations like DCI-Palestine. I don't want to discredit all these organizations, but we do need to engage in frank discussion with them to emphasise that they are hurting our work and endangering our survival as an institution.

Throughout 2012, we have been working hard to expand joint work throughout the Arab World. We organized a regional juvenile justice workshop for various child rights actors in Madaba, Jordan, which we combined with the International Executive Council (IEC) meeting for DCI at the global level; both events were a great success. As a result of our efforts to encourage the establishment of DCI sections in the Arab region, two more were formed: Yemen and Sudan. We hope additional sections in Egypt, Tunisia, Morocco and Iraq will follow in early 2013. Furthermore, the IEC made a decision to establish a regional desk covering the Middle East, Asia, and the Pacific, assigning DCI-Palestine, via its General Director, to become the General Commissioner for this desk. Meanwhile, our preparations for building a regional juvenile justice program are ongoing. We feel strongly that these new developments will provide more opportunities for DCI-Palestine to expand its work both regionally and internationally; in addition to making crucial progress for children's rights across the entire region, we know such efforts will also directly benefit the Palestinian cause and the cause of its children.

Another important event in 2012 was the 10th National Conference for Children. We organised the conference in a different format this year: we held several workshops in different governorates, all united under the same logo and title. Distributing the conference this way enabled us to reach out to more regions and communities than before – including academics, since we held most of the events at universities.

Advocacy work remains one of our major strengths. DCI-Palestine's work this year has been highlighted in numerous media sources, both national and international. Further, our news in the local media is constantly increasing; within the Palestinian community, we are considered to be the major reference point and the primary voice when it comes to children's issues.

Additionally, our work on the Palestinian side – in the social and civic areas overseen by the Palestinian Authority -- is gaining more and more recognition. We have managed to change the lives of many children through direct interventions with the various Palestinian ministries and other official and civil structures. Our reports and recommendations are taken seriously by all relevant parties, and our communication with these parties is strong.

As for our daily work, both in the office and beyond it, we continued a new multi-departmental staff training program; improved internal communication by strengthening our internal newsletter and other tools; enhanced our human resource system; improved internal accountability within our management systems; expanded our civil society activities by meeting with other organizations and learning from their experiences; and maintained our leading work with the Palestinian human rights council.

Among our immediate goals is to further improve our internal decision-making processes in order to enhance the overall democratic structure of DCI-Palestine and increase the staff's sense of communal "ownership" with respect to their workplace, methods, and objectives.

Invariably, we conclude every year by remembering both the successes we achieved and the challenges we faced; this means, in turn, looking ahead to the challenges we

are sure to encounter as we proceed. But we truly believe that DCI-Palestine can achieve continued success, and we remember what supports our organisation at every level:

- The shared vision we have built and are still building;
- Teamwork, and the understanding that successes are for everyone, not for individuals;
- The solid will for change;
- The ways in which this will is carried out through clear and concrete action plans;
- Trust in ourselves as an organisation and as members of a team – which means trust in each other; and
- Dedicated, serious donors who believe in our vision, allow us to implement that vision, and provide us with the necessary resources to do so.



With all of this in mind, I want to reiterate my thanks: to our staff, volunteers, and board of directors; to our international partners and donors; to our local partners and colleagues; and to the communities, families, and children with whom, and for whom, we work. Together, I know we can make the coming year a fruitful one.

Rifat Odeh Kassis  
General Director

---

## Key Achievements of the Administrative and Legal Affairs Programme

---

## Key Achievements of the Administrative and Legal Affairs Programme

### ► Strengthening DCI-Palestine's Role in 2012 at the Local, Regional and International Levels

Based on its vision and mission as a Palestinian civil society institution and as a child rights organisation, DCI-Palestine has worked over the past year to enhance its role and programmes at various levels, both within the Palestinian community and on regional and international levels. To do so, DCI-Palestine has developed integrated relations with local community-based organisations (CBOs) and official Palestinian institutions, carried out joint activities and events with other Arab NGOs working on child rights issues, formed regional coalitions in order to contribute and exchange experiences among the institutions, and built capacities of partner institutions to foster a protective environment for children in the Arab world. In addition, DCI-Palestine has worked on its international presence by carrying out international advocacy activities related to the rights of Palestinian children under occupation, building relations with international institutions, activating its role in the International Executive Council (IEC) in Geneva, and developing relations with other international coalitions for child rights.

### ► At the local level:

**Defence for Children International – Palestine Section (DCI/PS)  
Ranks 3rd Locally and 29th Regionally on the Most Transparent Charities List**

DCI-Palestine has enhanced its relations with NGOs by conducting field visits, especially to those working on human rights. Staff meetings were carried out to organise group visits to NGOs in Bethlehem, Nablus and Hebron, in order to meet the local staff and introduce DCI-Palestine and its work in serving Palestinian society. DCI-Palestine also continued activating the Palestinian Network for Children's Rights (PNCR) through internal organisation of the network and activating its role in various Palestinian towns, villages and refugee camps. DCI-Palestine has also been active in the Palestinian Human Rights Organisations Council and the Palestinian NGO Network.

Besides its traditional supervisory role on governmental institutions as a human rights organisation, DCI-Palestine organised a number of visits to institutions in different districts to facilitate and coordinate work. DCI-Palestine also contributed to building the capacities of persons working with children, especially those in the



juvenile justice system: for example, the prosecution, juvenile police, probation officers, child protection counsellors, and a number of lawyers from different areas.

Furthermore, DCI-Palestine continued its efforts to influence child policies by upgrading its role in the National Commission for Protection of Child Rights, thus participating in drafting amendments to the Child Law, Juvenile Protection Law Draft, and the drafting of the National Plan for Protection Sector.

At the level of coordination and communication with decision-makers and their involvement in implementing activities to change policies and interventions for child's best interest, DCI-Palestine contributed significantly to the case of Arab ar-Rashaida: in this case, two tribes were in conflict, and the first tribe forced the second to evacuate their area. As a result the expelled tribe moved elsewhere. DCI-Palestine subsequently conducted extensive and precise documentation of their living conditions after they were pushed to leave and live in the open areas of Jericho and the Jordan Valley, with a primary focus on children and the problems and rights violations they were being exposed to. DCI-Palestine contacted the Minister of Social Affairs and Governors of Nablus, Tubas, Bethlehem and Jericho, demanding an immediate intervention to alleviate the suffering of the displaced families and return them to their homes.

Following DCI-Palestine's interventions, the Ministry of Social Affairs announced the formation of a special committee in Nablus consisting of relevant institutions such as the Red Crescent, Ministry of Social Affairs and Nablus Governorate. The committee provided displaced families with food, vegetables, meat, water tanks and tents, placed children in nearby schools, and secured transportation to and from these schools; it also demanded that the relevant authorities in Bethlehem intervene to resolve the issue and facilitate the safe return of families to their homes.

### ► At the regional level:

DCI-Palestine continued its regional efforts initiated 2011 to form the Arab Network of Children's Rights (MANARA) by contacting about ten Arab countries that had agreed to join the network, agreeing with the partner institutions to approve a number of legal and procedural documents to officially form the network, and concluding the registration procedures in Lebanon, which will house the network's official headquarters. In the last meeting in Cairo, the members agreed to officially announce the formation of the network in Lebanon in June 2013.

Furthermore, DCI-Palestine continued its efforts to form a juvenile justice system in the Arab World by organising the second regional workshop on juvenile justice in the Arab World in late November 2012. The workshop was attended by representatives of child rights organisations from 11 Arab countries, in addition to the representative of the Child Rights International Network (CRIN). Participants agreed to strengthen action and coordination among organisations, specifically those focused on juvenile justice in the Arab world. DCI-Palestine also developed relations with child rights organisations in a number of Arab countries, leading to further efforts to establish new DCI sections in various Arab countries. At the time of this writing, two new sections have been formed in

Yemen and Sudan; five other applications from Arab child rights organisations have been submitted to DCI's International Secretariat in Geneva.

### ► At the international level:

DCI-Palestine continued its multifaceted work at the international level, whether communicating with international institutions, trying to invest in relations to build partnerships and collaborations to advocate issues concerning Palestinian children, or strengthening its role in DCI-International. In the 2012 meeting of DCI's General Assembly, DCI-Palestine was elected, via its general director, as a member of the International Executive Council (IEC) and as the Regional Vice President for Asia and Oceania. It is worth mentioning that DCI-Palestine, as represented by its General Director, held the presidency of DCI-International for seven years. In its most recent in Madaba, Jordan, in November 2012, IEC granted DCI-Palestine a mandate to open a new regional office of DCI-International for the Middle East and North Africa and to serve as the commissioner of this regional desk. Additionally, as mentioned above, Yemen and Sudan's memberships to DCI-International were accepted.

DCI-Palestine strengthened its presence and became a source of information for most international institutions on the child rights situation in the occupied Palestinian territories; it also enhanced communication with a number of parliamentarians in most European countries, such as Britain, Ireland, Belgium and the Netherlands, as well as in the European Parliament. DCI-Palestine provided an oral and written intervention on the situation of Palestinian children's rights under occupation before the European Parliament, CRC, and the Human Rights Council, as well as the UN Secretary General's special rapporteurs and representatives.

### ► The Media Unit

In 2012, the Media Unit completed the work it had commenced with its founding in 2011, with a focus on establishing a solid media platform for DCI-Palestine by working on three levels:

#### ► Level I: Previous Media Work

The Media Unit began collecting and compiling all previous media productions carried out by DCI-Palestine over the past 20 years and saving them in records in collaboration with the Archiving Unit. Media materials have been also archived electronically to facilitate access; these include all printed materials, audio and video productions and other materials produced by the institution for children-targeted events and campaigns or periodic materials.

#### ► Level II: Current Media Work

Launch and constant update of the new Arabic website: In 2012, the Unit launched the

institution's new Arabic website, which is characterised by the classifications based on the institution's areas of work on both Israeli and Palestinian levels. As for the Israeli level, areas of work include documentation of arrests, legal pleadings, child rights violations, and the accompanying local and international advocacy activities organised by the institution. On the Palestinian level, areas of work include documentation of child rights violations and community awareness about these rights. The new website includes all documents and materials issued by the institution and related to awareness campaigns, child-related events and internal materials, as well as Palestinian, Arab and international literatures related to child rights.

Dissemination of news and media posts: All activities and work of the institution's main programmes have media coverage of all types -- print, audio-visual or electronic -- through the publication of reports and news and through participation in a number of radio and television talk shows available in all districts.

Media to serve communication within the institution: In order to ensure effective communication among the personnel within the institution and to update staff on the work of each programme -- which, in turn, seeks to ensure smooth and harmonious work -- the Media Unit is keen to issue a monthly bulletin that includes all activities carried out by different programmes, as well as social events among the personnel. The bulletin also includes any updates on the institution's work.

### ► Level III: Future Media Work

The institution believes that its media contribution must exceed the simple delivery of activities to the target groups via the media; rather, it must achieve the promotion and dissemination of its vision of all issues relating to children, in order to truly serve the best interest of the child. To achieve this goal, the Media Unit will generate staff-written opinion articles that reflect the vision of the staff as specialists and experts in children's issues. The opinion articles also reflect what the institution is looking forward to achieving



in terms of children's rights in Palestinian society. The institution launched this project at the end of 2012, and it will remain a tradition pursued by the institution in its media work.

Media participation will not be limited to the media team alone; it will also include children, who will have a clear media contribution in order to activate the issues most important to them and communicate such issues to the community and relevant authorities in cooperation and coordination with the Media Unit.

The Human Resource and Administration Unit

In 2012 the HR Unit improved its purchase system though setting up an annual plan that

encompasses all of DCI-Palestine's purchases. The purchase committee supervises all purchasing processes through organising regular meetings. Meanwhile, the Administration Unit follows up on and monitors the purchasing operations in order to ensure that all purchases follow regulations and procedures.

### ► Internal Capacity Building Plan

Every year the HR unit updates the capacity building plan based on the results of the annual staff appraisals and the programme directors' recommendations. The main goal of this plan is to improve the staff's capacities and the skills in order to improve the quality of their work. In 2012, DCI-Palestine signed an agreement with the NGO Development Center, where several capacity building and training courses targeting different DCI-Palestine staff members took place. These courses include:

### ► Two financial staff members attended a training workshop on budgeting and financial reporting.

- Four staff members attended a two-day training course on project management and logframes.
- Two staff members attended a two-day training course on national advocacy and campaigning.
- Two staff members were coached on social media.
- Six staff members from DCI-Palestine's child justice unit attended a three-day training session on legal research and child justice.
- The Program Development Unit Coordinator and the General Director attended a two-day training session on a new planning approach called the "outcome mapping approach." The training was organised by Kairos Palestine.

The unit plans to strengthen its monitoring and evaluation systems throughout 2013.

---

## Protection and Community Mobilisation Programme

---

# Protection and Community Mobilisation Programme

## ► Executive Summary

It has been 64 years since the Palestinian Nakba in 1948 and 45 years since the military occupation of the West Bank (including Jerusalem and the Gaza Strip) began. This is an occupation that has curbed and stifled any and all development processes for the Palestinian people, an occupation that has contributed to an anxiety syndrome for future families. This reality is ongoing, despite a decision by the United Nations General Assembly on 29 November 2012 to grant Palestine Non-Member Observer



State Status in the United Nations. Pressure on this newborn state is still exerted by a number of countries, especially the United States, to deny its right to join international treaties and conventions, particularly the International Criminal Court, while obliging it to sign and ratify others, including the Convention on the Rights of the Child and its Optional Protocols.

On the ground, the occupation exists, is strong, and wields its repressive tools. Rights violations are continuing and systematic. More than 600,000 Jewish settlers still control the lives and resources of the Palestinian population, and carry out frequent attacks against local communities. Jewish settlements are still being built and expanded on more than 60% of the West Bank lands. Violent attacks by the Israeli occupation continue, the most recent of which was the latest war on the Gaza Strip, which left casualties and property damages that cannot be forgotten.

Palestinian children were unable to bid 2012 farewell and celebrate the New Year as children of the world who enjoy knowledge, freedom, independence and the sovereignty of their countries. The Israeli war on Gaza claimed the lives of 158 people, including 34 children under the age of 18, injured 301 children, and damaged completely or partially 90 schools and 2,111 houses. In its report issued on 20 November 2012, DCI-Palestine reported that 23% of the total fatalities were children. This is a grave diagnosis of the situation of human rights in general and of children's rights in particular.

Locally, reality grows more complex every day, with Palestinians' growing anxiety and fear due to the financial sanctions imposed on the Palestinian National Authority (PA) and their effects on Palestinian families in general. In December, Israel blocked the transfer of 435 million shekels to the PA, thus increasing the suffering of more than 166,000 public employees in the West Bank and Gaza Strip: their lives have been disrupted and their

needs neglected because of the delayed salaries, totalling 145 million dollars, a situation that has negatively reflected on their work. School routines, for instance, were thrown into disarray: the work of teachers was disrupted, students did not go to school, and many classes were cancelled due to teacher strikes and protests about unpaid salaries. Similar crises were witnessed in the health sector, social affairs and labour personnel. UNRWA laid off 130 employees on the grounds that the agency was experiencing a financial crisis and had to operate under an austerity plan. Together, these situations pose immense challenges to children's lives, as well as to the respect for their rights and dignity.

When we talk about the Palestinian society, we are talking about a young society: children under the age of 18 number about 2.5 million, or approximately 47.7% of the total population in 2012. Furthermore, it must be emphasised children of Gaza (18.5%) are much poorer than children of the West Bank (39.3%) according to 2011 statistics. Mrs. Ola Awad from the Central Bureau of Statistics said in a report published in 2012 that 4.6% of the total number of children aged 10 to 17 are paid or unpaid workers, and the dropout percentage in basic schools was 1.3% for males and 0.6% for females during the 2010-2011 school year.

A child-led data collection study on Palestinian children's priorities and needs, carried out by DCI-Palestine's young researchers in 2011, researched domestic relationships: it showed that mothers have more respect than fathers for their children's opinions, and that grandmothers are more interested than grandfathers in children's thoughts and participation. In other words, children's family relationships tend to be much closer with respect to their mothers and grandmothers (adult females) than their fathers and grandfathers (adult males). At the same time, parents are the primary source of ill-treatment of children in their homes: a 2011 Central Bureau of Statistics report indicated that 51% of children aged 12 to 17 have been subjected to domestic violence, and that about one-fifth of students (21%) are exposed to violence. These ratios are consistent with the children's research, which reported that children believed school violence and school environments affected their growth and triggered bad memories. The child-led research dealt with other school-related issues, showing that academic pressure made children feel helpless, and that 47.5% of children aged 8 to 18 do not like to see their teachers and principals during weekends and holidays. It is also worth noting that the percentage of early marriages among girls before the age of 18 in the occupied territory constitutes 35.5% of all women aged 15 to 49, which further complicates the situation for young women.

To tackle these issues, the Protection and Community Mobilization Programme aims to create a supportive and protective environment for children and to build and enhance solid relationships with all networks, coalitions and public and civil institutions; a further goal is to exchange experiences that will advance Palestinian children's rights and empower those parties with the skills, information and experience needed to advocate and promote a more positive life for children. These objectives require active involvement in all occasions and events to emphasise children's rights to protection, care and participation, keeping in mind the importance of children's views and participation and giving them the opportunity to express their beliefs, initiatives and contributions toward the realisation of child rights.

## ► Strategy and Objectives

The Protection and Community Mobilization Programme is a DCI-Palestine field programme operating on both national and regional levels; it follows an approach based on child rights, response and community needs, as well as principles of child rights which form the basis of its activities and events within the framework of the International Convention on the Rights of the Child (CRC) and the Palestinian Child Law.

The programme seeks to achieve its objectives in monitoring and documenting violations against children in conflict with the law and child victims of community violence through the data-collection, evidence-gathering and analysis in order to monitor the status of children's rights in cooperation and coordination with all partners, especially with the Child Protection Network (CPN). Legal representation, consultations and field visits are more of a monitoring tool than a service tool, allowing us to track the implementation of children's rights in the judicial system and child protection policies in general. There are still many children deprived of legal representation and defence due to poverty and economic deterioration. Detention facilities are not adequately equipped to receive children; many problems contribute to violations of children's right to health and education; and relevant personnel are often understaffed and untrained to deal with children according to the human rights approach, as well as to take the child's best interests into account during all proceedings.

All documentation is used for advocacy purposes to address stakeholders so that they will actively improve the lives of children in conflict with the law and child victims of community violence and make their lives more positive. The programme contacts stakeholders through various means (meetings, letters, case studies, articles, statements, legal studies representing DCI-Palestine's positions, petitions, media appearances, website updates, etc.).

The programme's second objective is ensuring respect for children's rights within an appropriate, protective and encouraging environment. To this end, the programme believes in developing children's capabilities as the basis for child participation, as well as in finding the right opportunities for them to express their views and participate in the planning and implementation process: indeed, on the one hand, children are real partners in advocacy and development; on the other hand, they are the group most equipped to talk about and express their own rights. The programme thus represents a form of intervention to ensure the best protection and advocacy of child rights. It functions as a field unit with the task of highlighting child-related problems, priorities and needs, together with the Child Justice Unit, and coordinating positions with the Palestinian Network for Children's Rights (PNCR) to lobby and mobilise all key actors in the community (activists, academics, professionals, institutions, children, parents, etc.).

Thus, the Child Justice Unit feeds information to the Community Mobilization Unit and determines the appropriate course of action and priorities for mobilization and advocacy, taking advantage of all events and national/regional opportunities to express children's concerns and challenges and advocate for their rights.

On the regional level, the programme's work is supplemented by the Arabic Network for Children's Rights (MANARA), as well as by DCI-Palestine's efforts (by means of this programme) to open new DCI sections in the Arab World thus strengthening its position regionally and forming professional human rights coalitions/networks to generate a more positive reality for children.

### ► Community Mobilization Unit

The following developments can be summarised about the status of child rights during the first half of 2012, based on a) data taken from school days and workshops coordinated by DCI-Palestine in Hebron, b) reports presented at official conferences in the southern and northern West Bank, c) valuable presentations by academic experts, NGOs and public institutions on child rights, d) DCI-Palestine's documentation, and e) observations made by Children's Council and Young Researchers:



The DCI-Palestine's Children's Council – formed in 2010 by a DCI-Palestine's initiative with the collaboration of PNCR to organise and professionalize child participation, consisting of 52 children of both sexes, aged 14 to 18, from cities, towns and refugee camps of the occupied West Bank and Jerusalem – reported the death and injury of more than 20 children as a result of family neglect, as well as community and institutional neglect. The documentation

was carried out by following up with Palestinian media agencies and newspapers (Al-Quds, Al-Hayat and the Ma'an News Agency website). The Children's Council took actions to focus on such violations and conducted anti-negligence visits to official institutions and bodies responsible for providing a protective environment for children. The members visited a number of municipalities, NGOs, a social affairs directorate and educational directorates in northern and central West Bank.

Presentations by experts, jurists and academics during school days indicated a significant increase in poverty and unemployment rates, resulting in a significant increase of the child labour; some of the jobs in question are classified as dangerous. Reports documented cases of school violence, economic and sexual exploitation, dropouts, and child labour. Although the recorded figures came from simple studies of specific communities and are difficult to build upon, they are indicators that can be taken into account in the analysis.

- Papers also showed that school and community violence is still practiced against children, with a decline in the number and type of cases as reported by school supervisors and counsellors.
- The unit boosted the status of the PNCR and had a leading role in planning various activities and events and marking special events related to child rights, as well as advocating for the anti-school violence campaign.
- During the first half of 2012, the unit strengthened child participation and empowered the Children's Council through training courses on leadership and communication; it also enabled the Council to hold meetings and participate in DCI-Palestine's Board of Directors meetings, as well as playing a key role in implementing PNCR activities and events with a focus on child fatalities as a result of community neglect.
- The unit also ensured that Young Researchers continued their efforts to facilitate meetings and promote their advocacy initiatives by exerting pressure on the Ministry of Education (MoE) and conducting field visits to address school violence.
- The unit paid close attention to the media and documentation opportunities, issuing articles and appearing in local newspapers, news agencies and websites.
- The unit focused on monitoring will have a bigger role in coming years. The unit monitored violations of community neglect and organised a visit to the Nablus municipality in collaboration with PNCR and Children's Council. The municipal council responded to the many inquires and agreed to have PNCR play a monitoring and supervisory role.
- The regional workshop for institutions working with children showed an urgent need for an Arab child rights network to address the challenges and realities of children in the Arab world, as well as an urgent need to have a unified human rights discourse on children in conflict with the law and child victims of violence. This will be on DCI-Palestine's agenda for the coming year.



## ► Achievements and Lessons Learned

- This year, we have learned the importance of revising plans and programmes on a constant basis, incorporating the participation of children and local community-based institutions; in the coming year, we aim to establish a new methodology to plan with, not in isolation from, children and institutions.
- We held the Tenth National Children's Conference in the form of seminars and workshops in southern, central and northern areas. This multi-site approach enabled greater space for participation, more specialized topics on child rights, more resources, and more time saved, in addition to providing an opportunity for presenting DCI's experience in submitting annual reports. The occasion gave us many opportunities to connect with the local community and disseminate ideas and research, as well as secure media coverage and a broad debate about the feasibility and importance of child rights work.
- The success of PNCR regional committees can be measured by the achievements and lessons now evident in our work with children's councils: such committees demonstrated increased ability to save time and effort and organise activities more effectively.
- We have trained educational supervisors in the Ministry of Education (MoE) and agreed with the Ministry to be partners in the campaign against school violence; we also shared the training with counsellors who will pass on their experience when working with parents and teachers.
- Meetings between Children and directors of Education Directorates and Deputy Ministers, subsequently sending letters to ask them to protect children from violence in schools.
- A 3-day regional workshop on child justice and juvenile justice with the participation of 10 Arab countries, the acceptance of two Arab countries as new sections of DCI, and the submission of four more membership applications.
- DCI-Palestine's leadership of the Preparatory Committee of the Arab Network for Children's Rights (MANARA) and the completion of the network's rules of procedure, concept paper, code of conduct and protection policies.

## ► Challenges

Due to the financial constraints faced in 2012, DCI-Palestine has reorganised its plans and activities to respond to these restrictions: main activities took priority and minor activities were temporarily frozen and postponed for implementation in 2013, in order not to influence the quality or negatively affect the goals of these activities.

## ► Activities:

To achieve the first result put forth by the Protection and Community Mobilization Programme, which seeks to build the capacity of PNCR and CBOs to become more active in advocating and protecting child rights, DCI-Palestine carried out the following activities:

**Result 1:**

*Palestinian Network for Children's Rights and CBOs are more active in advocating and raising community awareness regarding child rights.*

- 2-day planning workshop and training courses on domestic and school violence targeting PNCR. The planning workshop with the participation of Children's Council was integrated with two other training courses to plan the anti-school violence campaign, with the participation of 44 children (29 girls and 15 boys) and 30 adults (20 women and 10 men) representing new PNCR members.
- Within the anti-school violence campaign activities, 22 workshops were carried out by PNCR on domestic and school violence, targeting both parents and children. The unplanned activity came as an output of the school violence workshop, which coincided with PNCR planning workshop, and was attended by 374 adults and children; 150 were children of both sexes.
- Within the anti-school violence campaign activities, a training workshop on protection from school violence was held, targeting 28 school supervisors of both sexes (half were women), in cooperation and coordination with the MoE - Educational Supervision Department.
- 22 workshops were carried out by MoE educational supervisors, targeting 380 school counsellors of both sexes (half were men), as an outcome of the training workshop against school violence.
- Within the anti-school violence campaign activities and Tenth National Children's Conference, 4 school days on school violence, with the title Child Protection from School Violence and the logo Raise the Pen and Break the Stick, were carried out in Hebron, Ramallah, Tubas, and Tulkarm, with broad participation of 1,090 males and females, community and national institutions and groups, and academic figures. The days were distributed according to the following schedule:
  - \* A seminar in Hebron with the participation of 420 adults and children of both sexes (half were females) in coordination with MoE and Higher Education and universities of Bethlehem, Palestine Ahliya, Hebron and Al-Quds Open University.
  - \* A school day in Ramallah with the participation of 190 adults and children of both sexes (half were females) in coordination with MoE and QOU.
  - \* A school day in Tulkarm with the participation of 230 adults and children of both sexes in coordination with Palestine Technical University-Kadoorie, Directorates of Education in Tubas and Tulkarm, QOU, Tulkarm Cultural Centre for Child Development, UNRWA and Najah National University.
  - \* A school day in Tubas with the participation of 250 adults and children of both sexes in coordination with Directorates of Education in Tubas, Qabatia and Jenin, QOU, UNRWA, Arab American University and Tubas police.



- Distribution of 1,000 copies of a 13-minute film on school violence titled Protect Children from School Violence: Raise the Pen and Break the Stick to be used in meetings and awareness workshops conducted by school counsellors with teachers and parents.
- 2,500 boys and girls benefited from ten performances of Throw Away the Stick, children's play about school violence.
- 2,000 boys and girls participated in 10 open days in Palestinian schools (boys and girls' schools with frequent cases of ill-treatment of children were selected in coordination with MoE) on the protection of children from school violence.
- 25 mosque imams participated in a 3-day training course on the protection of children from school violence in collaboration with World Vision. Another four workshops were carried out in the West Bank with the participation of another 100 imams who gave speeches on school violence and the need to protect children from all types of abuse and ill-treatment.

The coordination of the anti-school violence campaign was carried out based on the information collected by 26 children aged 13 to 16, having surveyed 1,040 children aged 8 to 18 from the West Bank and Jerusalem. The results revealed that one of the biggest obstacles hindering the growth and development of children in Palestinian society is school violence and the school environment. Accordingly, this campaign was launched; it began with children sending letters to West Bank educational directorates, urging them to protect children from school violence and create a safe and supportive environment for child rights. Furthermore, a meeting was held with the Deputy Minister of Education for the same purpose, and thus the title for the campaign was chosen as Raise the Pen and Break the Stick and the activities were planned and implemented with the participation of children and PNCR.

PNCR and Children's Council -- a council composed of 55 children, both girls and boys, that will function as a nucleus for the formation of a Palestinian national council in 2013 -- were prepared to participate in the anti-school violence campaign launched by DCI-Palestine by incorporating the campaign plan into PNCR plans and enabling them to spread the campaign in West Bank cities, villages and camps. This activated and reinforced the PNCR and CBOs' roles in leading the campaign, implementing and supervising the activities. (Additionally, PNCR will play a leading role in developing advocacy at the national level in another campaign, planned for 2013 and 2014, on the protection of children from economic exploitation.) Thus, a specialised professional workshop was conducted with all parties related to child rights, with the participation of 20 professionals from different sectors, and a Follow-up Committee was formed to follow up on the campaign over the next year, set up an awareness manual, as well as following with the Eleventh National Children's Conference on child labour and protection of



children from economic exploitation.

The network also paves the way toward playing a leading role in monitoring violations and launching advocacy campaigns; targeting CBOs working on child protection and enforcement of laws; activating and promoting broader spaces for child participation; and activating the role of these participations regionally through the creation of action mechanisms that combine PNCR's regional performance with the performance of the Children's Council. For this purpose, PNCR visited Nablus Municipality to highlight cases of protection abuse and neglect by the local community. Such activities enhance PNCR's position and give it a monitoring role with respect to the services provided to children and the suitability of the local environment to protect children and promote their participation in public life. It was agreed that a meeting would be held with the municipality every two months for remarks and observations; it was also agreed with the PNCR Secretariat that similar visits to other municipalities would be organised as well.

Partnerships with academic institutions were very important for the coordination and organisation of school days in Hebron, Ramallah, Tubas and Tulkarm; cooperation and networking with Palestinian universities resulted in the hosting of these meetings and in presentations discussing the psychological, social, cognitive, professional and legal dimensions of school violence school and its impact on children. School days also included sharing success stories of child protection by professionals and counsellors from MoE and UNRWA, as well as embracing children's initiatives and calls to protect them from all forms of abuse.

It is also worth noting that Governors' offices were major participants, along with the municipalities, in hosting and supporting the school days and specialised workshops on child protection.

One of the main recommendations that has emerged is to coordinate the campaign with UNRWA schools, as these schools also suffer from a rise in child abuse; there is a need to foster and strengthen preventive and supportive interventions for children in such schools. Thus, the campaign targeting UNRWA schools will be completed in 2013.



---

**Result 2:**
***Marking national events on child and human rights with local partner institutions.***


---

It is important to note that the activities marking this year's Palestinian Child Day were organised as part of the anti-school violence campaign; all campaign logos and publications were used in all activities carried out that day. 4,076 children and adults participated: 2,146 girls, 1,405 boys, 275 women and 250 men attended seven open days and four festivals in Yatta, Jenin, Janata and Bab al-'Amoud [Iron Gate] in Jerusalem.

Palestinian Prisoner's Day was marked with the participation of 3,550 boys and girls in two festivals in Dura, Hebron and Jenin. DCI-Palestine also participated in the organisation of trips for children in partnership with the Prisoner's Club, Ministry of Prisoners and Ex-Detainees, YMCA and the Rehabilitation Center for Victims of Torture. A televised interview was conducted by MIX satellite channel on the events and activities marking Children's Day.

The activities serve DCI-Palestine's plans to take a leading role in marking special events related to child rights in coordination and networking with local NGOs and human rights organisations, as well as to strengthen the PNCR's role as the key actor in marking such events. This helps the network develop its role in coordinating and leading events, involving children in a different way and opening the door for children's initiatives and innovations in defending their rights. With the participation of children, the network played a key role in planning the activities and events of this year's Palestinian Children's Day, likewise playing a central part in planning reviews, field coordination, selection of places and partners, involvement of children, reports and the necessary assessments of the activities without DCI-Palestine's direct intervention. Moreover, the network recruited many volunteers and provided venues for the activities; it also planned and implemented the Palestinian Prisoners' Day events through statements, sit-ins and solidarity protests.

---

**Result 3:**
***DCI-Palestine's Children's Council is active and positive in planning, monitoring and evaluation.***


---

- 25 children from Children's Council received a 3-day training on leadership, networking and teamwork, important both for the children and the Council's secretariat, since these issues will enable them to lead other children and communicate better and more responsibly with them.
- Two meetings were held with PNCR and Children's Council secretariats to plan events for Children's Day and the anti-school violence campaign; five follow-up meetings were also held for the network and the council. This enhanced the practical participation of children in implementing and supervising the activities and events of Children's Day and Prisoner's Day. The Council took the initiative to gather information about children's deaths due to neglect and failure of official authorities, especially municipalities, and to send letters of recommendation to local government directors. Children also carried out a voluntary activity in Nablus with the title The Right to

a Safe and Clean Environment. Furthermore, a workshop was carried out with ten children from the Council on a protection manual against child labour and economic exploitation, which resulted in a set of recommendations on the structure of the manual.

- 17 boys and girls from the Children's Council participated in field visits to education directorates to deliver letters and memoranda from children, demanding that these officials protect children from school violence and provide a supportive environment that enables them to peacefully and safely exercise their right to education. Also, ten children and eight PNCR institutions took part in a visit to MoE Undersecretary to explain the national campaign to protect children from school violence and the outcome of child-led research about the impact of school violence on children's growth and development. The children handed the minister a letter calling on him to uphold and respect the rights of Palestinian children and to provide them with a suitable environment.
- 27 children and PNCR institutions participated in an assessment and entertainment workshop to discuss children's role in planning, implementation and monitoring.

All activities work to achieve the result related to empowering and strengthening the Children's Council; building its capabilities; and improving its performance in monitoring the state of children's rights and sending letters to the authorities responsible for child protection and law enforcers. The activities also promote the active and practical participation of children in supporting and advocating for their rights.

#### **Result 4:**

*DCI membership in the regional and international networks and coalitions is improved.*

A two-day meeting was held with the Preparatory Committee of the Arab Network for Children's Rights (MANARA) to discuss the network's procedural rules and concept paper, involving the participation of Egypt, Lebanon and Yemen and the sponsorship of Save the Children. Participants agreed on the final draft of the procedural rules, also agreeing to conduct a strategic planning meeting in Lebanon in mid-May.

These activities pave the way for DCI-Palestine to play a leading role at the regional level through its membership in MANARA, as DCI-Palestine is a true contributor in drafting the procedural rules, concept paper and code of conduct as well as protection policies. DCI-Palestine also contributed to the institutionalisation of the network, which will be launched on June 1, 2013. Furthermore, the decision of DCI's International's Executive Council to grant DCI-Palestine responsibility over coordinating the works of the Regional Council accelerates the achievement of this result.

### **► Child Justice Unit**

The Child Justice Unit handles cases of both child victims of community violence and neglect and children in conflict with the law. To describe the situation of these children, we need to analyse their environment on legal, institutional, family and community levels.

### Children in Conflict with the Law

Children in conflict with the law fall under the Jordanian Juvenile Reform Act number 16 of 1954 in the West Bank, which considers children in conflict with the law as criminals and imposes punishment instead of care and rehabilitation. Thus, this law generally conflicts with modern criminal policy that basically calls for treating children in conflict with the law with care and facilitating their reintegration into society. This policy forms the philosophical framework of the Palestinian Juvenile Protection Law Draft submitted by the Technical Committee, a subcommittee of the National Committee for Juvenile Justice, approved by the Ministerial Council in October 2011, of which DCI-Palestine is a member.

### Care and Rehabilitation Facilities

There are only two care and rehabilitation centres in the West Bank: Dar al-Amal [Home of Hope] for boys and Care Home for girls. Dar al-Amal needs to have juvenile rehabilitation programmes and must safeguard children's right to education. Care Home is also used as protection centre for girl victims of violence because of the small number of girls in conflict with the law.

### Conditions of the Juvenile Cells and Reform and Rehabilitation Centres

Life conditions in juvenile cells vary in terms of equipment and suitability for children in conflict with the law. In the south is located the Dura juvenile cell for children in conflict with the law in Hebron. Since the beginning of this year, work has been under way to renovate the Bethlehem cell to accommodate children in conflict with the law.

In the north, there are reform and rehabilitation centres and police cells, which vary in terms of equipment and suitability for receiving children. In the centre (Ramallah) is the Betuniya Rehabilitation Centre, as well as a juvenile room in Jericho Rehabilitation Centre.

Basically, child detainees should be transferred to care homes and rehabilitation centres, but due to the lack of such centres in some districts, special police cells are used as juvenile cells, as mentioned above. Thus, these cells are a temporary solution until we provide rehabilitation centres in all districts. Practically and generally, cells lack juvenile rehabilitation and education and cannot be considered places dedicated to children in spite of all the efforts to equip them with child rights.

### The Judicial System

The situation has not changed much during the year, as there is no judicial system specialised for children in conflict with the law. A serious discussion has been taking place about appointing female judges specialised in working with children, but the situation remains the same. We have judges with



knowledge and some rehabilitation experience on child rights, but they are not specialists in handling children. Moreover, there is no juvenile court and ordinary courts are turned into juvenile courts when dealing with child cases, without full legal safeguards to observe the privacy of juvenile courts.

### **Juvenile Police**

Juvenile police units have been formed in the last two years and work is under way to transmit the experience to the rest of the districts. The units operate effectively but still lack legislations.

### **Prosecutors**

So far, there are no juvenile prosecutors to handle cases of children in conflict with the law. Some prosecutors have received training on child rights and child justice, but we cannot call them specialised juvenile prosecutors.

### **Probation Officers**

Probation officers are the key actors in child justice but still face many obstacles relating to understaffing, working part-time, and being generally unable to carry out their duties. Two new probation officers were appointed in Hebron and were trained in cooperation with DCI-Palestine.

### **Restorative Justice**

There is an international focus on this subject and it is discussed seriously in meetings with justice parties, but there is still limited understanding of its main concepts and applications. The unit is working on presenting a distinctive vision of this topic through in-depth reading that will be used in training public prosecutors in mid-July 2013.

### **Child Victims of Community Violence and Neglect**

Despite our status as a human rights organisation regarding the enactment of laws by the President's Office, as the Legislative Council holds jurisdiction, DCI-Palestine is a member of the government-formed committee to propose necessary amendments to the Child



Law. In early December 2012, the President approved the draft amendment of the Child Law. CPN, as the network specialised in dealing with this group of children, already exists in five West Bank governorates. A new branch in Qalqiliya was also launched during the reporting period in an expanded meeting organized by DCI-Palestine in collaboration with the Governorate and the Municipality, with the attendance of three ministries and funders. The MoSA plans to open two more branches of the network.

Protection networks are currently working on specific violations of child rights, such as child labour, by forming subcommittees. The problem lies in the effectiveness of these networks or the degree of effectiveness in different districts.

### Protection Centres

There are two protection centres in the West Bank: Beitunia Protection Centre for Boys in Ramallah and Beit Jala Care Home for Girls. These centres are still in need of further work on mental health and rehabilitation programmes for girls. According to MoSA sources, Beitunia centre will be operated by Children's Village under the supervision of MoSA.

## ► Summary of Activities Carried Out by the Child Justice Unit to Achieve Results

The Protection and Community Mobilization Programme makes a difference through the Child Justice Unit, which handles cases of children in conflict with the law and children victims of community violence and neglect, exerting pressure towards the realisation of their rights – their basic rights, their right to a fair trial, and their right to protection from all forms of physical and psychological abuse and sexual and economic neglect and exploitation. The PA is urged to establish a protection system and a juvenile judicial system.

The impact of the programme comes through a set of specific objectives with a series of outcomes that the Child Justice Unit works to achieve by carrying out activities to meet the desired overarching result: namely, creating a juvenile protection and justice system. The unit first carries out a range of activities aimed at monitoring the legal and institutional gaps affecting the provision of protection for children, and then carries out another set of activities to fill these gaps and create an integrated system that provides protection for children and realises their rights.

***Objective 1: Observe and document violations against children in conflict with the law and child victims of community violence and neglect, and send correspondences on these violations to improve the lives of these children.***

### **Results under Objective 1:**

---

#### **Result 1:**

*Monitoring detention centres of children in conflict with the law and protection centres of child victims of community violence and neglect to ensure their compliance with international standards.*

---

This includes regulatory visits to care centres, police cells, correctional and rehabilitation

centres (prisons) and protection centres.

1. 37 field visits were conducted this year to 85 children in reform and rehabilitation centres in Jericho, Nablus, Jenin and Bethlehem; police cells in Dura, Salfit, Tubas and Qalqiliya; and Dar Al Amal, Care Home for girls and Beitunia Protection Centre.
2. 5 visits were conducted to view the records of children in conflict with the law in detention centres to examine issues such as extended detention periods and their relationship to the charges levied against these children. A report on pre-trial detention for children in conflict with the law was submitted. The visits monitored the detention conditions of children in conflict with the law in those centres and created a positive impact on the application of fair standards for children in conflict with the law, thus improving their detention conditions. Further, the visits influenced the control over the application of fair protection standards regarding child victims of community violence, neglect and exploitation, thus improving the conditions of these centres.
3. 3 workshops were carried out in Nablus and Hebron rehabilitation centres and Dar Al Amal, targeting children in conflict with the law and police officers regarding the rights and duties within these centres, in addition to trying to formulate a social contract between the staff and children to examine children's needs and the obstacles they face through role-playing. Moreover, the workshops aimed to promote participation, a right of which this group of children is deprived. 21 children and 17 social supervisors and policemen benefited from the workshops. The activity aimed to strengthen the unit's role in improving the conditions of children in conflict with the law through monitoring these centres and to establish the concepts of human rights and international standards for children in detention.

---

#### **Result 2:**

*Sending letters to decision-makers on violations against child victims of community violence and neglect and children in conflict with the law in order to bring an end to these violations and issue decisions to improve the children's lives.*

---

- 5 letters were sent to different parties including the police, MoE, Supreme Judicial Council and the public prosecutor.
- Regular field meetings led by the unit's lawyers, who work on the enforcement of laws and regulations regarding children in conflict with the law and child victims of community violence, were held with probation officers, child protection counsellors, judges, prosecutors and juvenile centres, in order to follow up on cases of child victims of violence and children in conflict with the law.
- A number of visits to various actors entrusted by law to protect the rights of children in Tubas, including the Governor's office, Directorate of Social Affairs, Directorate of Education, Directorate of Police and Tubas Charity. Following the visits, a workshop was held to determine children's needs in Tubas in order to hold expanded meetings to highlight these needs and guide government agencies. These visits formed part of DCI-Palestine's vision to focus on marginalised areas and promote advocacy for children's rights in the areas most vulnerable to the occupation's violations and the impact of such violations on children's social, political and cultural rights.
- A poster was produced on child justice and child rights at every stage of the judicial

system they undergo. Framed copies of the poster were placed in public prosecutor's offices, courts and the Supreme Judicial Council. Other copies were circulated in all child justice departments.

- Legal memoranda were prepared on four key subjects – the purpose of juvenile justice, privacy of juvenile courts, the governor's powers and the media's role in child rights protection – and will be posted on DCI website. The memorandum on privacy in juvenile courts will be the basis, in coordination with the Supreme Judicial Council and MoSA, to establish juvenile courts to handle cases of children in conflict with the law.
- The first draft of the annual report on pre-trial detention for children in conflict with the law was completed.
- 4 workshops were organized for professionals from public institutions and NGOs to present the 2011 Child Justice Annual Report on children in conflict with the law and child victims of violence in Ramallah, Hebron, Nablus and Qalqiliya in May 2012.

It is important to mention that correspondences regarding violations against child victims of community violence and children in conflict with the law help update key actors, within this context the violations affecting these children, to make appropriate interventions toward stopping them. Also, the correspondences contribute to changing working practices of law enforcers as part of the legal advocacy framework, thus putting pressure on government agencies to carry out their responsibilities according to the Palestinian Child Law and international standards for juvenile justice.

### ***Objective 2: Capacity building of partner institutions in child justice.***

1. 15 probation officers took part in a training course on child rights and juvenile justice on March 23-24, 2012, to identify the international standards of juvenile justice and probation officers' role as an introduction to restorative justice. A female judge also took part in the training and presented a summary of the practical proceedings process for children in conflict with the law and the main challenges in the relationship between judges and probation officers.

Probation officers are an integral part of the justice system of children in conflict with the law, and therefore they must be fully aware of the international standards of juvenile justice, especially in light of the problems blocking their work. Therefore, training them enhances juvenile justice toward the establishment of a child justice system.

2. A 2-day training workshop was organized on July 16-17 on criminal justice, restorative justice and juvenile justice, targeting 16 assistant prosecutors who had already received training on child rights and protection and international juvenile justice conventions in 2011. The training highlighted the juvenile justice system in Palestine and the need for advocacy on legislations, policies and practices. The capacity-building of child justice actors is an essential element to advancing the reality of child justice in Palestine.
3. 36 legal consultations were provided to members of the child protection networks

during the reporting period, in addition to attending 31 meeting of PNC in Bethlehem, Hebron, Ramallah, Nablus, Jenin Salfit and Qalqiliya.

The provision of legal and human rights consultations to CPN is a quality service that significantly contributes to increasing awareness and building CPN's capacities in child rights and protection. Thus, such consultations enable our CPN partners to observe protection standards for child victims of community violence and neglect.

As an output of analysing cases of child victims of violence, and due to increasing cases of school violence reported to DCI-Palestine (they constitute approximately 20% of total cases), 4 legal papers on the legal mechanisms of protecting children from school violence were presented during the school days organised by DCI-Palestine in Hebron, Ramallah, Tulkarm and Tubas.

Moreover, participation in child protection committees, whether the National Committee for Juvenile Justice or the Steering Committee for CPN, is an important step towards adopting child rights and the child's best interests in policies and laws relating to children. DCI-Palestine participated in two meetings for these committees during the reporting period, in addition to attending the meetings of UNICEF-led child protection working group.

***Objective 3: Defending the rights of children in conflict with the law and child victims of community violence and neglect.***

This objective forms part of monitoring the reality of these children and offering them services that will be provided in the future by government institutions and NGOs instead. Legal representation by DCI-Palestine lawyers establishes international standards of child rights and juvenile justice in the judicial system governing children in conflict with the law and the system protecting child victims of community violence and neglect. This is done through using the concepts of child justice and child rights in legal proceedings, and through networking and holding meetings with child justice parties: police, prosecutors, judges, probation officers, child protection counsellors, mental health institutions including the Ministry of Health, and care homes. In these meetings, children's cases are discussed according to international standards of children's rights and juvenile justice.

1. During the reporting period, legal representation was provided for 87 cases of children in conflict with the law, including cases of release on bail.
2. Follow-up was provided for 64 cases of child victims of physical, sexual, and psychological violence, neglect, exploitation, and school violence.

Legal representation for children in conflict with the law helps monitor and document the gaps in the system governing these children in terms of international juvenile justice standards, and also helps establish international juvenile justice principles for the parties of this system, including the police and prosecutors, encompassing the end of the court proceedings and even after the children's release. Any discussion with these parties on fair principles helps ground such principles in the system, thus building the parties' capacities

on juvenile justice towards having a fair and specialised juvenile system for children in conflict with the law.

A number of meetings were held with the Chief Justice, Attorney General, Minister of Education, Minister of Labour and Minister of Social Affairs in February, in collaboration with DCI-Palestine's Director-General, aiming to introduce DCI-Palestine and its child rights work and to enhance networking and cooperation with these parties to facilitate the establishment of a child protection system.

Moreover, a legal paper on the mechanisms of legal assistance to children in conflict with the law was presented at a conference held by the Ministry of Justice in December with the title Legal Assistance in the Palestinian Territory.

### ► Main Achievements in 2012

1. DCI-Palestine's membership in the National Committee of the Protection Sector, and thus the unit's role in drafting amendments to the Child Law and Juvenile Protection Draft Law.
2. DCI-Palestine's key contribution to the launch of CPN in Qalqiliya, following an expanded meeting held in Qalqiliya and attended by decision-makers such as the Attorney General, MoSA, etc.
3. Strategy paper for Child Justice Unit on the unit's work developments, mechanisms and role in providing a protective environment for children.
4. Poster on child justice in both Arabic and English.
5. Questionnaire on pre-trial detention to be used in the upcoming annual report.
6. Four legal memoranda (on the purpose of the juvenile justice, privacy of juvenile courts, the governor's powers and the media's role in child rights protection) to be posted on DCI-Palestine's website.
7. Memorandum on the privacy of juvenile courts is the basis, in coordination with the Supreme Judicial Council and MoSA, for establishing juvenile courts to handle cases of children in conflict with the law.
8. A special report on pre-trial detention for children in conflict with the law.

### ► Lessons Learned

- To activate the work of CPN, the failure of child protection supervisor and probation officers should be monitored and reported to the administration to put things in perspective. The supervisor must handle his job properly and activate CPN's work as part of his main duties. Probation officers must also carry out their duties properly.
- Balance DCI-Palestine's relationship with partners and clarify its supervisory role consistently in all phases of work.
- Activate local legal advocacy and monitor and follow up on child right violations with competent judicial authorities at various stages.
- Involve Children's Council in any publication issued by the unit.
- Accelerate the establishment of a database on children in conflict with the law and child victims of community violence due to the absence of a national database and inconsistencies in the figures and the numbers of children in the justice system.

---

## Accountability and legal Work Programme

---

# Accountability and legal Work Programme

---

## ► Executive Summary

Israeli violations of Palestinian children's rights have escalated throughout 2012. These violations reached their peak in the eight-day Israeli military offensive on the Gaza Strip, between November 14 and 21, during which 158 Palestinians were killed. Among them were 34 children killed by Israeli attacks and two by Palestinian rockets falling short, yielding a total of 36 child fatalities during the offensive.

The offensive on the Gaza Strip was accompanied by an escalation of oppressive measures by the Israeli authorities in the West Bank, including East Jerusalem. These measures included arrests, detentions and unlawful use of force against civilians.

2012 also witnessed Israel's announcement of its plan to further advance settlement construction in the West Bank, including East Jerusalem, and particularly in the E1 area as a response to Palestine's successful bid for recognition as a non-member observer state in the United Nations General Assembly. According to this plan, Israel will be building some 3,000 new housing units in West Bank and East Jerusalem settlements.

During the reporting period, settler attacks escalated on some Palestinian villages, soldier attacks on weekly protests organised by Palestinian civilians in areas under threat of settlement expansions continued, and these were coupled with land confiscation and house demolitions, as is the case in the city of Jerusalem and different parts of the West Bank. These attacks resulted in the arrest of dozens of Palestinian civilians, including children. DCI-Palestine monitored and documented Israeli violations of Palestinian children's rights, mainly cases of fatality, injury, soldier/settler violence, the use of children as human shields or informants by Israeli soldiers, and cases of ill-treatment and torture, mostly during arrest and interrogation.

The data collected on children rights violations was reviewed and used in advocacy materials by DCI-Palestine in the form of case studies, online bulletins, urgent appeals and reports or complaints submitted to various Israeli authorities and UN Special Rapporteurs. Moreover, DCI-Palestine has identified possible strategies to shed light on these violations and call different parties to act towards bringing them to an end.

In addition to monitoring and documenting Israeli violations against Palestinian children's rights, DCI-Palestine has represented and defended Palestinian children in Ofer military court, Salem military court and the civil courts in Jerusalem.

During the last year, DCI-Palestine continued to shed light on the Israeli violations of Palestinian children's rights and to expose them publically by submitting reports to various international bodies such as Committee on the Rights of the Child (CRC), Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Special Rapporteur on the independence of judges and lawyers, Working Group on Arbitrary

Detention, and Special Rapporteur on the situation of human rights in the Palestinian territories.

During the reporting period, the following incidents were documented: 82 child fatalities, 210 injuries (including 41 by settlers) 33 torture incidents, 7 house demolitions, 8 incidents of violations of the right to education, and 2 incidents of children being used as human shields.



In addition to documenting child rights violations, the legal unit lawyers represented children in military courts and collected statements about arrest, trial, ill treatment/torture, and detention. This information was entered into a database and translated into English. During the reporting period, 121 affidavits and 119 ill-treatment questionnaires were collected from child prisoners, 144 files represented before military courts and 25 represented before civil courts in Jerusalem were closed.

The documented child rights violations were analysed by the advocacy unit and used to produce evidence-based materials including: 2 submissions to UN Special Procedures on child detainees; 1 submission to the UN Committee Against Torture; 1 submission to the Human Rights Committee; Joint submission to the Universal Periodical Review; Alternative report to the Child Rights Committee; Joint submission to HRC Fact Finding Mission on Israeli Settlements; 113 case studies (Voices from the Occupation); 12 Detention Bulletins; 12 Violations Bulletins; 21 public statements; and other advocacy materials.

The accountability programme enhanced the principle of child participation during the reporting period. Children who were victims of Israeli violations participated in the organisation's advocacy efforts through talking about their experiences. Child participation in advocacy work included participating in briefings, making television interviews, participating in a video produced by DCI-Palestine and taking part in an advocacy tour to the Netherlands and Belgium to inform others about violations committed against Palestinian children.

---

**Result 1: *Monitoring and documenting conflict-related violations of Palestinian children's rights (four violation areas are prioritised: killing/maiming, detention/torture, settler/soldier violence, and recruitment)***

---

The main goal of the Monitoring and Documentation Unit is to provide a real possibility to defend and advocate for Palestinian child rights and to shed light on children's situation

and suffering. The unit is considered DCI-Palestine's primary source for reliable and accurate information on child right violations in order to raise awareness and urge local and international bodies to put an end to these violations.

These tasks are accomplished by a team of fieldworkers, based in all areas of the West Bank and the Gaza Strip, who monitor and document children's rights violations by collecting accurate testimonies from victims and eyewitnesses. To ensure accuracy, the data collected is checked, verified and uploaded to a database that helps in data analysis and in the issuance of necessary reports.

During the reporting period DCI-Palestine's monitoring and documentation unit investigated the following incidents:

- 82 child fatalities, including 49 cases committed by Israeli security agencies. The remaining cases were a result of weapon misuse and neglect.
- 210 child injuries, 178 of which were committed by Israeli security agencies and settlers and 32 as a result of weapons misuse.
- 7 home demolitions.
- 8 attacks on schools.
- 1 attack on hospital.
- 45 children were ill-treated and tortured.
- 9 children in conflict with the law.
- 3 reports about settler violence.
- The documentation unit, in addition to obtaining affidavits and conducting interviews, has filed investigations in three cases that document settler violence against families in the West Bank.

The monitoring and documentation unit gathered information and reported about many issues that affect the rights of Palestinian children. Among these were reports about the impact on children of electricity cuts in the Gaza Strip, the suffering of children living near the border in Gaza, and the impact on children of the expulsion of families from the Bethlehem area to different parts of the West Bank.

### **Evidence Review**

During the reporting period, 391 files on fatalities, injuries, ill-treatment, adequate standards of living and the right to education were reviewed to ensure data consistency.

### **Uploading Data to the Database**

During the reporting period, 221 violation reports were uploaded to the database and were archived in hard copy. The information was verified by comparing both sources of data storage.

### **Maintaining the Database**

The necessary developments to the database were carried out. The ill-treatment database has been finalised. Input and the output pages were modified according to the needs of the advocacy unit. The database is maintained on a regular basis.

---

**Result 2:** *Represent and defend Palestinian child detainees before the Israeli military courts and file complaints on their behalf to the Israeli authorities (Israeli discriminatory laws/practices are exposed).*

---

### Introduction

The amendments that have been made during the last few years to the Israeli military court system have little substantive difference on the way children are being treated by that system. The fact that two legal systems exist in the West Bank -- one applicable to settler children and the other applicable to Palestinian children -- highlights the fact that Israel is discriminating between children based on their race or nationality.

Israeli children who come into conflict with the law, including those living in illegal settlements in the OPT, are served by a juvenile justice system with a special organisational structure characterised by informality and flexibility. Most trials of minors take place before a juvenile court and they are generally released on bail. In the majority of cases, Israeli minors found guilty of committing an offence are given non-custodial sentences which encompass a variety of alternative penalties such as supervised probation, fines or placement in special residential facilities. Prison sentences are given to Israeli minors only in exceptional cases and for serious offences.

Palestinian children accused of similar offences are prosecuted in military courts, which deny children bail in at least 87% of cases and have a conviction rate of 99.74%. The fact that so few children are released prior to their trial undermines any pretence that the children are considered innocent until proved guilty, a fundamental tenet of human rights. Moreover, Palestinian children are subject to the same methods of arrest and interrogation as adults; those who are above 16 years old are subject to the same sentences as Palestinian adults, even after the issuance of the military order 1676, which raises the age of majority from 16 to 18 years.

### Legal Aid Services

During the reporting period, DCI-Palestine received 169 new files to defend children before the military courts. Among these were 33 cases of children released without conditions from the police stations and 17 released on bail. DCI-Palestine's lawyers appeared before the military courts 896 times. These court hearings included detention extension hearings and appeals.

During the reporting period, 144 files were closed and 9 complaints were filed with the Israeli authorities regarding ill-treatment/torture of Palestinian children during the process of arrest, transfer and interrogation.

Besides monitoring prisons through prison visits, DCI-Palestine lawyers also monitored court proceedings during the court sessions.

DCI-Palestine lawyers continued monitoring the implementation of Military Order 1644, which established the military juvenile court, and the implementation of military order 1676, which raises the age of majority from 16 to 18 years. Although these new military

orders seem like a positive step towards protecting the rights of child detainees, in practice the amendments make little substantive difference with respect to how children are treated by the system and, even more significantly, do not appear to apply to the sentencing provisions. Therefore, the sentencing provisions applicable to adults still apply to children.

Moreover, the adult military court deals with children during the first phase of their arrest. During this period the court determines whether the child is to be released on bail or to remain in detention until the conclusion of the case.

In general, every effort is made in the Israeli domestic system to avoid pre-trial detention or a custodial sentence for minors. However, no such measures are taken for Palestinian juveniles arrested by Israeli forces. Only a few cases of the hundreds of children detained each year are released on bail pending their trial. The vast majority are therefore held in detention awaiting their trial.

Palestinian children's rights continue to be violated at every stage of the proceedings: from the moment of arrest, through transfer, interrogation and detention. The only difference is that children are now generally tried separately from adults.

In sum, the military court system does not comply with the safeguards enshrined in the United Nation Convention on the Right of the Child (UNCRC).

During the reporting period, DCI-Palestine's Legal Unit conducted 64 visits to Israeli prisons and detention centres. Through these visits, 219 child prisoners were visited; 119 torture/ill-treatment questionnaires were filled in; and 121 affidavits were collected. The information collected was used to carry out evidence-based advocacy on child rights violations.

### **Main Achievements of the Legal Unit**

1. Receiving 169 new files to represent before the military courts.
2. Closing 144 files before the military courts.
3. Arranging for and accompanying 30 delegations to the military courts as court observers.
4. Receiving 76 new files to represent before the civil court in Jerusalem.
5. Closing 25 files before the civil court in Jerusalem.
6. Conducting 64 visits to prisons and detention centres.
7. Visiting 219 children in prisons and detention centres.
8. Collecting 121 questionnaires on torture to monitor and document cases of torture and ill-treatment in Israeli prisons and detention centres.
9. Collecting 119 sworn affidavits from child prisoners who have been victims of torture and ill-treatment by the Israeli authorities.

---

**Result 3 - *By the end of 2012, violations of the right to liberty (including arbitrary detention and torture) and of the right to life (including killing and maiming, recruitment and settler violence) against Palestinian children are exposed and challenged.***

---

The advocacy unit utilised different strategies and approaches in order to attain the result of exposing and challenging violations of children's rights to liberty and life. Among these strategies include submissions to UN Special Procedures and Committees; reports; briefings/military court visits; advocacy trips; case studies; Detention Bulletins; Violation Bulletins; public statements; urgent appeals; and highlighting child rights violations in the media.

During the reporting period, the advocacy unit implemented the following activities:

### **Submissions**

- 2 submissions to UN Special Procedures on child detainees.
- 1 submission to the UN Committee Against Torture.
- 1 submission to the Human Rights Committee.
- Joint submission to the Universal Periodic Review (UPR).
- Alternative report to the Committee on the Rights of the Child (CRC).
- Joint submission with WCLAC to HRC Fact Finding Mission on Israeli Settlements.

### **Case Studies**

- 113 case studies or "Voices from the Occupation" were posted on the organisation's website.
- 5 Israeli soldiers' stories (based on a report by Breaking the Silence) were posted on the website.

### **Detention Bulletins**

- 12 Detention Bulletins were produced.

### **Violation Bulletins**

- 12 Violations Bulletins were produced.

### **Public Statements**

- 21 public statements were issued and disseminated.

### **Urgent Appeals**

- Three urgent appeals were issued in 2012, focusing on solitary confinement, forcible transfer of children, and Gaza fishermen. Additionally, four urgent appeals issued in previous years were updated regularly.

### **International Media Coverage of DCI-Palestine's Work**

- 19 reports by international media outlets.

### **International Media - Related News Publicised**

- 60 related news reports posted on the website.

### Reports Produced and Published

- Recruitment and Use of Palestinian Children.
- Bound, Blindfolded and Convicted: Children Held in Military Detention.

### Briefings/Military Court Visits

- US Consulate
- Rabbis for Human Rights
- World Vision
- UK Labour Party
- Australian delegation of politicians, media and union officials
- US church delegation from Mississippi
- Norwegian lawyer
- ICRC
- Quartet
- UK lawyers
- Australian diplomat
- UK lawyers
- Swedish delegation
- Director of Yachad
- Academic media
- CAABU delegation
- Sabeel
- World Vision
- Foreign delegation brought by ICAHD
- Irish diplomat
- UN Special Rapporteur for OPT
- Australia's Foreign Minister's aide
- Carter Center
- UK parliamentary delegations
- Liverpool Hope University delegation
- UK Labour party delegation
- Church of Scotland delegation
- Carter Center and United Methodist Church delegation
- US civil rights group
- UK Methodist Church delegation
- UN Fact Finding Mission on Settlements
- Dutch delegation

### Advocacy Trips

- February - US advocacy tour
- March - Sweden Advocacy tour
- April - UK Advocacy tour
- October – Switzerland: Participation in the pre-session of Israel's review under the CRC
- November – Netherlands: UK advocacy tour
- November -- Netherlands: Belgium advocacy tour

### Other Activities

- Country profile workshop
- Drafting of Advocacy Unit profile
- Video on child prisoners
- Bi-monthly report to 1612 MRM WG
- Update of website, Twitter and Facebook

During the reporting period, the Accountability Programme continued to document child rights violations committed by Israeli agents, whether military, police, intelligence or settlers.

- \* **Ill-treatment and torture of child detainees:** during the reporting period, the Unit worked on 111 affidavits collected from child detainees. This evidence was converted into case studies, and then used in different advocacy materials, such as our monthly detention bulletins and our multiple submissions to UN Special Procedures, the UN Committee Against Torture (CAT), the Human Rights Committee (HRC), the Universal Periodic Review (UPR), the Alternative Report to the Committee on the Rights of the Child (CRC), and the Fact Finding Mission on Israeli Settlements. The cases were also reported to the UN Special Representative to the Secretary General for Children and Armed Conflict (SRSG CAAC) through the 1612 MRM working group.

The Unit continued to highlight the fact that Palestinian children arrested by Israeli forces experience multiple forms of ill-treatment, as opposed to a single incident, and to stress that, when assessing the gravity of the ill-treatment, the cumulative effect must be taken into consideration rather than viewing any individual act in isolation. Accordingly, when the totality of the evidence is considered, a pattern of systematic ill-treatment emerges, much of which amounts to cruel, inhuman or degrading treatment or punishment and in some cases, torture – both of which are absolutely prohibited.

Despite the issuing of a new military order raising the age of majority in the military court system in September 2011, the Unit also noted that the new provisions have not had a significant impact in the way children are treated during the first 48 hours after arrest, which is the period in which most of the ill-treatment occurs.

Further, during the reporting period, children continued to be held in solitary confinement. The Unit processed 20 cases in which children were held under these conditions in Al Jalame and Petah Tikvah interrogation and detention centres. In response, the Advocacy Unit issued an urgent appeal demanding that children are not held in isolation. The issue was also covered by The Guardian in an article that included a video.

In addition, the Unit issued another urgent appeal to highlight the transfer of child detainees to prisons inside Israel in contravention of Article 76 of the Fourth Geneva Convention. The appeal, which demands Israel to stop the forcible transfer of child prisoners outside the West Bank, was raised several times with the UK government by different MPs throughout the year.

- \* **Settler violence:** during the reporting period, the Unit processed 21 cases in which 41 children were affected by settler violence. Besides writing the case studies, the Unit updated its urgent appeal demanding that the Israeli authorities provide appropriate protection to the Palestinian civilian population against attacks by settlers, and that incidents of settler violence be promptly, diligently and independently investigated and all perpetrators be brought promptly to justice. The issue of settler violence was also tackled in the submission to the HRC Fact Finding Mission on Israeli Settlements, as well as in our monthly violations bulletins.
- **Child recruitment:** during the reporting period, the Unit received two new cases in which children were used as human shields during Israeli military operations. The Unit also received four cases in which the Israeli authorities attempted to recruit children as informants during interrogation. These cases were highlighted through case studies, the violations bulletin, and the alternative report to the CRC and OPAC. They were also sent bimonthly to the UN Special Representative to the Secretary General for Children and Armed Conflict (SRSG CAAC) through the 1612 MRM working group.
- **Fatalities and injuries:** during the reporting period, the Advocacy Unit worked on the cases of 28 children injured and 20 children killed as a result of the conflict, mostly in Gaza. At the moment of writing, the Advocacy Unit still needs to process around 20 more child fatalities that occurred during the latest escalation of violence against the Gaza Strip in late November 2012. These cases have been and will be highlighted through case studies and the Violations Bulletin.
- **Gaza fishermen:** during the reporting period, the Advocacy Unit decided to focus on the arrest of children working as fishermen in Gaza, to highlight their situation and the difficulties fishermen face in making a living as a result of the Israeli blockade. Since January 2011, the Unit has received 16 cases in which fishing boats containing children have been intercepted by Israeli patrol boats off the coast of Gaza. In sworn testimonies collected by DCI-Palestine, fishermen report being fired upon, sprayed with water cannons, detained and interrogated without any apparent legitimate reason.

In the majority of cases documented by DCI-Palestine, children were fishing when they were suddenly



approached by Israeli patrol boats. In 14 cases (88%), the patrol boats opened fire without prior warning, and in most cases the crew of the fishing boats, including children, were ordered to strip down to their underwear and swim to the patrol boat, even in winter. Once on board, in 15 cases (94%), the children were tied and in some cases blindfolded. The children were not told why they were being detained before being taken, in most cases, to the Israeli port of Ashdod for interrogation. In none of the cases documented by DCI-Palestine were the fishermen accused of an offence. The purpose of the interrogations appears to be to illicit information about Gaza and its residents. The fishermen are generally released within 24 hours, but in at least 10 cases (63%), their boats and fishing equipment were confiscated without reason, thereby depriving them of their only source of income. In 12 cases (75%) documented by DCI-Palestine, the boats were intercepted within the limits unilaterally imposed by the Israeli authorities in 2008 (3nm) and 2012 (6nm).

### **Program Impact**

#### **1. Al Jalame – 100 professionals speak out against the use of solitary confinement on children**

As a result of our advocacy, over 100 prominent professionals, clergy, educators, physicians, academics and artists from the US and Israel sent a letter to Prime Minister Netanyahu and other senior officials raising their concerns about the continued use of solitary confinement on children at the Al Jalame and Petah Tikva interrogation centres in Israel.

#### **2. European Commission asks a question about the shooting of children near the Gaza border**

As a result of our urgent appeal on children of the gravel, Sir Graham Watson submitted a question to the European Commission about the shooting of Palestinian children near the border between Gaza and Israel.

#### **3. Palestinian child detention raised again in UK parliament**

As a result of a briefing given to UK MPs and a visit to the military court, on 15 May 2012, the issue of Palestinian children prosecuted in the Israeli military detention system was again raised in the UK parliament. In her speech to parliament, Dame Joan Ruddock added her voice to calls recommending that no child should be interrogated in the absence of a parent and all interrogations must be audio-visually recorded.

#### **4. US State Department's Annual Human Rights report raised the issue of Palestinian child prisoners**

Due to our direct contact with the US Consulate, the issue of Palestinian child prisoners was given prominence in the US State Department's Annual Report on Human Rights in 2010 and 2011. The 2011 report included a number of observations relating to children held in Israeli military detention, including:

- Receipt of continued reports concerning abuse and in some cases torture of minors who were frequently arrested on suspicion of stone throwing;
- Most of the reported abuse occurs during arrest and interrogation;
- The type of abuse reported includes beatings, long-term handcuffing, threats and the continued use of solitary confinement;
- There were reports of abuse at the Al Jalame facility, near Haifa, where children say they were held in solitary confinement in cells where the light is left on 24 hours a day;
- Continued reports that some Palestinian children signed confessions written in Hebrew, a language most cannot read. These confessions are then used as evidence in Israeli military courts. NGOs reported that these confessions were often obtained through coercion during interrogations;
- The military courts' annual report revealed that 99.74% of cases heard resulted in the defendant being found guilty; and
- The report noted that whereas Israeli military law is applied to Palestinians living in the West Bank, Israeli settlers in the same area are subject to civilian law containing far greater safeguards and protections. Other issues covered by the report included: accountability; compensation; discrimination; freedom of assembly; freedom of movement; Gaza; house demolitions; settler violence; water; and human rights violations committed by Palestinians.

## **5. UK lawyers write to Foreign Secretary regarding forcible transfer of children**

As a result of our urgent appeal on the forcible transfer of child detainees to prisons inside Israel, a group of UK lawyers wrote to William Hague, the UK Foreign Secretary, seeking his urgent intervention regarding this issue.

## **6. UK lawyers write a report on Palestinian child detainees titled "Children in Military Custody"**

Thanks to our contact with the UK Consulate in Jerusalem, the UK Foreign Affairs Office (FCO) funded a trip for a delegation of prominent UK lawyers, which included a former Attorney General and Court of Appeal Judge, to Israel and Palestine. The delegation was briefed by the Unit and taken to the military court. As a result, the lawyers published a report on the issue of child detainees titled *Children in Military Custody*.

Following the publication of the report, which was widely covered in the international media, several questions have been raised in the UK parliament and have been answered at a high Ministerial level.

## **7. UK parliamentary motion on Palestinian child prisoners**

As a result of the report *Children in Military Custody* (see point above), a parliamentary motion was tabled in the UK House of Commons welcoming the report and calling on the Foreign Secretary to act to ensure Israel complies in practice with international

law relating to the treatment of children. The motion was tabled by Richard Burden MP, who chairs the Britain-Palestine All-Party Parliamentary Group (APPG), and has been signed by MPs from across six political parties.

## **8. UK unions call for an end to the forcible transfer of Palestinian children**

As a result of our advocacy with UK Unions, the National Union of Teachers (NUT) and the University and College Union (UCU), with a combined membership of around 500,000, wrote to the UK's Foreign Secretary requesting his urgent intervention to prevent the forcible transfer of Palestinian children to prisons inside Israel in violation of the Fourth Geneva Convention.

## **9. Two Dutch political parties resolve to campaign for Palestinian child detainees**

As a result of our advocacy in the Netherlands, the Socialist and GreenLeft political parties passed resolutions in support of Palestinian child prisoners. The Socialist Party called on the Dutch government to speak out firmly against the practice of detaining children in solitary confinement in its contacts with Israel, whereas the GreenLeft Party decided to act on the issue of Palestinian child prisoners both in and outside the Dutch and European parliaments, and called on the Dutch government to speak out against the arrest and detention of Palestinian children in its interactions with Israel.

## **10. UK Foreign Office agrees that imprisoning Palestinian children inside Israel violates international law**

In a letter dated 29 June 2012, the UK Foreign Office responded to concerns raised by a group of UK lawyers about the forcible transfer of Palestinian children to prisons located inside Israel. According to the UK Foreign Office, "the British Government shares your concerns about the treatment of Palestinian children detained in Israeli prisons and we have a continual dialogue with the Israeli authorities on this question. The Government agrees that Israel has legal obligations as an Occupying Power with



respect to the Occupied Palestinian Territories under applicable international law, including the Fourth Geneva Convention. [...] We agree with you that Israel's policy of detaining Palestinians within Israel is contrary to Article 76 of the Fourth Geneva Convention and that domestic law cannot be used as a justification for violations of international law."

Based on this response, the Advocacy Unit has directed efforts to put pressure on the UK government to act upon its declarations and obligations under the Fourth Geneva Convention.

### **11. UN Committee against Torture releases list of issues for Israel**

- Following our submission to the UN Committee Against Torture, the Committee released the list of issues it would like the Government of Israel to address during Israel's review in 2013. DCI-Palestine's recommendations were included by the Committee in the list of issues as follows:
- What steps has the Government of Israel taken to audio-visually record interrogations conducted by the Israeli Security Agency (ISA) as a further means to prevent torture and ill-treatment?
- What steps has the Government of Israel taken to ensure that all detainees are promptly brought before a judge and have prompt access to a lawyer?
- Please indicate how many Palestinian prisoners from the Occupied Palestinian Territory are held in detention facilities inside Israel.
- Please indicate the measures taken to ensure that the detention or imprisonment of a child is used as a measure of last resort, that solitary confinement is never used as a means of coercion or punishment and that all children receive appropriate education.
- Please also explain the regime applied to children under military detention, in particular if their interrogations are recorded and if their parents or other legal representatives can have access to them.

### **12. UN Special Rapporteur on OPT condemns the use of solitary confinement on Palestinian children**

Following our urgent appeal on solitary confinement, the United Nations Special Rapporteur on the situation of human rights in the occupied Palestinian territories, Richard Falk, released a statement condemning Israel's use of solitary confinement against Palestinian children.

According to professor Falk, "this pattern of abuse by Israel is grave. [...] It is inhumane, cruel, degrading, and unlawful, and, most worryingly, it is likely to adversely affect the mental and physical health of underage detainees."

### **13. New military order comes into effect**

As an indirect result of our advocacy initiatives, combined with the efforts of other organisations working in the issue of child detainees, as well the pressure exerted by other actors and governments, a new Military Order came into effect on 1 August which reduces the time within which children detained by the Israeli military must be brought before a military court judge for the first time from eight to four days.

### **14. Issue of Palestinian child detainees raised by Australia's Foreign Minister with Israel's defence minister.**

Following several briefings to a journalist from The Australian, an extensive article was published in November 2011 on the issue of Palestinian children in Israeli detention. The article generated a massive response from the public, which prompted the Australian government to raise the issue with the Israeli government. In August this year, and after briefing the aide of Australia's Foreign Minister, Bob Carr, the Foreign Minister raised the issue again with Israel's defence minister during a three-day visit to the region. According to the Jerusalem Post, "it is anticipated that at his meetings with Barak and Lieberman, Carr will broach the subject of the detention of Palestinian children in Israeli prisons. This is a matter of particular concern to Australia; both Carr and his immediate predecessor Kevin Rudd have previously raised the issue with the relevant Israeli authorities, though this is the first time that Carr will have the opportunity to do so on a face-to-face basis rather than in writing."

### **15. New CAABU report highlights extensive abuse of Palestinian detainees**

In October 2012, the Council for Arab-British Understanding (CAABU) issued the report "Palestinian Detainees: No Security in Injustice." This report includes DCI-Palestine's data on child detainees.

### **16. EU continues to voice its concern about the treatment of Palestinian child detainees**

Following questions raised in the European Parliament about the treatment of Palestinian children in Israeli military detention, Catherine Ashton, the European Commission's High Representative for Foreign Affairs and Security Policy, responded stating that the EU remains concerned about:

- Insufficient protection of children during arrest and detention, in particular the failure to permit children to be accompanied by a lawyer and parent during questioning;
- The continued use of solitary confinement of children in contravention of Article 16 of the UN Convention against Torture;

- The denial of bail to around 90% of children, in violation of the UN Convention on the Rights of the Child; and
- The forcible transfer of Palestinian children to detention facilities inside Israel in violation of Article 76 of the Fourth Geneva Convention.

## 17. UK Minister makes a statement on Palestinian child prisoners

Following a question from Richard Burden MP, the UK Middle East Minister, Alistair Burt, announced that he was taking action to pressure Israel to improve the conditions of Palestinian children in Israeli custody.

## 18. DCI-Palestine's work in the media

DCI-Palestine's advocacy initiatives received wide international media coverage during 2012. DCI-Palestine's work was mentioned, inter alia, in the following articles and reports:

- Labour Friends of Palestine magazine (UK) – "Upholding the rights of Palestinian Children"
- Al Jazeera English – "Palestinian child prisoners 'abused'"
- National Union of Teachers' magazine (UK) – "Defending children's rights"
- The Guardian (UK) – "Former Israeli soldiers disclose routine mistreatment of Palestinian Children"
- Sydney Morning Herald (Australia) – "Israeli soldiers expose plight of Palestinian children"
- Irish Times (Ireland) – "Ex-Israeli soldiers tell how they abused children"
- El Pais (Spain) – "Soldados israelíes denuncian los abusos contra niños y adolescentes palestinos"
- The Age (Australia) – "Israeli soldiers expose plight of Palestinian children"
- The Canberra Times (Australia) – "Israeli soldiers expose plight of Palestinian children"
- Al Jazeera English – "Palestinian children 'abused' in Israeli jail"
- The Huffington Post (UK) – "Imprisoned Palestinian Children Must Be Treated Justly"
- The Australian – "Australia's Foreign Minister pushes Israel on child prisoners"
- The Australian – "Australian Foreign Minister raises concerns over plight of Palestinian children in Israeli jails"
- Haaretz (Israel) – "UK slams Israel with stiff upper lip: Not all Palestinian kids are potential terrorists"
- Sydney Morning Herald – "British lawyers condemn Israeli injustice on Palestinian minors"
- IRIN (UN) – "Helping ex-detainee children cope with trauma"
- The Independent (UK) – "Israeli military accused of mistreating children"
- El Pais (Spain) – "Una ONG denuncia abusos contra niños palestinos en cárceles israelíes"

- The Guardian (UK) – “The Palestinian children – alone and bewildered – in Israel’s Al Jalame jail”

### **Progress Made to Achieve Results**

During the reporting period, child rights violations were monitored and documented through field investigations, prison visits and monitoring court proceedings. After being verified and examined, the information was used for DCI-Palestine’s advocacy initiatives.

Throughout all of the activities implemented during the reporting period, the main objective of exposing and challenging children rights violations was achieved. Awareness was raised about the situation of Palestinian children living under occupation and complaints were submitted in appropriate cases with the consent of the families. The Advocacy Unit continued to work closely with partners and to participate in the 1612 MRM working group.

Besides monitoring prisons through prison visits, DCI-Palestine lawyers have also monitored court proceedings during court sessions.

### **Lessons Learned**

- In order to attract more attention through social media, our postings have to be focused on our areas of expertise. Case studies are the most read and shared advocacy material.
- DCI-Palestine lawyers must make use of the amendments to the military orders which stipulate that a child should be informed of his rights, such as his right to consult a lawyer, before an interrogation begins. When, during the reporting period, violations of these rights were brought to the court’s attention, they resulted in dropping charges against children and, in some cases, in having them released on bail. This ultimately resulted in an increase in the number of closed cases during the reporting period as the percentage of children released on bail had increased.
- Documented violations of children’s rights during arrest, transfer and interrogation are to be used before the court and other channels, including in advocacy materials.

### **Issues, Obstacles and Actions Taken**

- Due to visa renewal issues, the Advocacy Unit was unable to conduct an advocacy trip to Holland during the month of May. Instead, the briefing was carried out through Skype and good results were achieved.
- Amongst the obstacles faced by the Legal Unit is the Israeli authorities’ delay in following up on complaints filed by DCI-Palestine. Another related obstacle is the Israeli authorities’ refusal to adhere to the condition of having a lawyer present with the arrested children when taking their testimonies during investigating the allegations.
- The reluctance of victims’ relatives or eyewitnesses to share information is yet another obstacle faced by field workers.
- The wall and checkpoints make it difficult for field workers to access certain locations

in order to perform their job.

- The prevailing security situation may affect the ability of fieldworkers to travel, especially near settlements or observation towers.



---

# Financial Statements

---

## Independent Auditors' Report to the General Assembly of Defence for Children International - Palestine Section

We have audited the accompanying financial statements of the Defence For Children International - Palestine Section (DCI/PS), which comprise the statement of financial position as at December 31, 2012, and the statement of activities and changes in net assets and the statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of DCI/PS as at December 31, 2012 and the results of its activities and its cash flows for the year then ended in accordance with International Financial Reporting Standards.

Ernst & Young - Middle East



March 12, 2013  
Ramallah, Palestine

DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

Statement of Financial Position  
December 31, 2012

	Notes	2012 U.S. \$	2011 U.S. \$
<b>Assets</b>			
<b>Non-current Assets</b>			
Property and equipment	3	261,345	277,389
<b>Current Assets</b>			
Contributions receivable	4	1,109,482	565,695
Other current assets	5	4,426	10,273
Cash and cash equivalents	6	557,287	674,027
		<u>1,671,195</u>	<u>1,249,995</u>
<b>Total Assets</b>		<u>1,932,540</u>	<u>1,527,384</u>
<b>Net Assets and Liabilities</b>			
<b>Net Assets</b>			
Unrestricted net assets		74,007	85,711
Sustainability reserve	7	<u>111,267</u>	<u>111,267</u>
<b>Total Net Assets</b>		<u>185,274</u>	<u>196,978</u>
<b>Non-current Liabilities</b>			
Term loan	8	11,220	26,868
Provision for employees' indemnity	9	397,958	369,686
Deferred revenues	10	<u>151,107</u>	<u>151,287</u>
		<u>560,285</u>	<u>547,841</u>
<b>Current liabilities</b>			
Current portion of term loan	8	15,648	14,370
Accounts payable	11	20,111	63,289
Temporarily restricted contributions	12	<u>1,151,222</u>	<u>704,906</u>
		<u>1,186,981</u>	<u>782,565</u>
<b>Total Liabilities</b>		<u>1,747,266</u>	<u>1,330,406</u>
<b>Total Net Assets and Liabilities</b>		<u>1,932,540</u>	<u>1,527,384</u>

The attached notes 1 to 17 form part of these financial statements

---

**DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION**

---

**Statement of Activities and Changes in Net Assets**  
Year ended December 31, 2012

	Notes	2012 U.S. \$	2011 U.S. \$
<b>Revenues</b>			
Temporarily restricted contributions released from restriction	12	1,032,844	1,276,510
Unrestricted contributions		25,869	26,399
Deferred revenues recognized	10	24,550	19,551
Currency exchange gain		-	10,712
Other revenues		10,059	35,341
		<u>1,093,322</u>	<u>1,368,513</u>
<b>Expenses</b>			
Administrative and Core-Program Costs	13	628,270	564,016
Projects expenses	13	433,100	709,791
Depreciation of property and equipment	3	31,776	34,272
Finance costs		1,943	2,703
Currency exchange loss		8,258	-
Write off of contributions receivable		1,679	-
		<u>1,105,026</u>	<u>1,310,782</u>
<b>(Decrease) increase in net assets</b>		<b>(11,704)</b>	<b>57,731</b>
Net assets, beginning of year		<u>196,978</u>	<u>139,247</u>
Net assets, end of year		<u>185,274</u>	<u>196,978</u>

---

The attached notes 1 to 17 form part of these financial statements

---

DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

**Statement of Cash Flows**

Year ended December 31, 2012

	Note	2012 U.S. \$	2011 U.S. \$
<b>Operating activities:</b>			
(Decrease) increase in net assets		(11,704)	57,731
Adjustments for:			
Depreciation of property and equipment		31,776	34,272
Finance costs		1,943	2,703
Gain from sale of property and equipment		(2,032)	(4,305)
Deferred revenues recognized		(24,550)	(19,551)
Write off of contributions receivable		1,679	
Provision for employees' indemnity		74,411	140,925
		<u>68,165</u>	<u>211,775</u>
Contributions receivable		(542,108)	981,698
Other current assets		5,847	5,508
Deferred revenues		24,370	48,119
Temporarily restricted contributions		446,316	(1,018,037)
Accounts payable		(43,178)	7,460
Employees' indemnity paid		(46,139)	(41,172)
<b>Net cash (used in) from operating activities</b>		<u>(86,727)</u>	<u>195,351</u>
<b>Investing activities</b>			
Purchase of property and equipment		(16,983)	(34,912)
Sale of Property and equipment		3,283	11,007
<b>Net cash used in investing activities</b>		<u>(13,700)</u>	<u>(23,905)</u>
<b>Financing activities</b>			
Settlement of term loan		(14,370)	(13,207)
Finance costs paid		(1,943)	(2,703)
<b>Net cash used in financing activities</b>		<u>(16,313)</u>	<u>(15,910)</u>
<b>(Decrease) increase in cash and cash equivalents</b>		(116,740)	155,536
Cash and cash equivalents, beginning of year		<u>674,027</u>	<u>518,491</u>
<b>Cash and cash equivalents, end of year</b>	6	<u>557,287</u>	<u>674,027</u>

The attached notes 1 to 17 form part of these financial statements

