



# Annual Report



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

Defence for Children International  
Palestine Section

2010



## Institutional objectives

- 1 Improve the accountability of duty-bearers under the Palestinian Authority and the Israeli jurisdictions.
- 2 Improve the protective environment for children at the Palestinian Authority Level.



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# ACKNOWLEDGEMENTS

DCI-Palestine would like to express its heartfelt appreciation and gratitude to all those who have believed in our work and have 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.

- ▶ Interchurch Organization for Development Cooperation ((ICCO) – Netherlands
- ▶ NGO Development Centre (NDC)
- ▶ Evangelischer Entwicklungsdienst (EED) – Germany
- ▶ Save the Children – Sweden
- ▶ KerkinActie and ICCO
- ▶ United Nations Children's Fund (UNICEF) – OPT
- ▶ Stichting Kinderpostzegels Nederlands (SKN) – Netherlands
- ▶ Oxfam – Italy
- ▶ ARCI Cultura e Sviluppo – Italy
- ▶ Mundubat
- ▶ British Consulate

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



## INTRODUCTION

*By DCI-Palestine's General Director Rifat Kassis*

Dear colleagues, partners, supporters and friends,

As we move into the second decade of the new millennium, we are presented with an opportunity to reflect on the progress made in the state of human rights around the world – and, specifically, the rights of children – and on how much work remains to be done. As the general director of Defence for Children International - Palestine Section (DCI-Palestine), I would like to take this opportunity to look back on the work we have done, challenges we have faced and achievements we have made. I also wish to thank you for your support, and to invite you once again to remain part of our collective struggle for the rights of children in Palestine.

## **Roles and Direction**

In 2010, we re-formulated our primary tasks in order to strengthen our methodologies and focus our work on our main roles. These roles are to **document** (we monitor, observe and report); to **defend** (we take action); and to **empower** (we network, coordinate and cooperate with target groups, thereby building their capacity).

Thus, 2010 was a year of consolidation. We established and streamlined our financial and administrative procedures, and focused on the development of our staff. We sought, and continue to seek, ways of structuring and planning our work that are simultaneously responsible, sustainable, adaptable, and true to our context and commitments.

## Programmatic Changes

As mentioned in our semi-annual report, this year was one of many programmatic changes for DCI-Palestine. Among them was the establishment of two important programmes: the **Accountability and Legal Work Programme** and the **Protection and Community Mobilisation Programme**. This has strengthened our programmatic work on the national and international levels, that is, our work on child protection and with community-based organisations, our legal representation of children detained in Israeli prisons, and our advocacy initiatives. This guarantees more focus and continuity, and better coordination and collaboration with other child rights actors.

Also in 2010, we had lectures and training sessions on the socio-political context and the economic situation of Palestinian communities, in order to deepen the staff's understanding of the reality we live in. We also visited other human rights organisations to learn more about their work. Indeed, "working together" with other organizations entails the joint work of staff members, and not only formal agreements between directors.

With this goal in mind, we intensified our work with other human rights organisations through the Palestinian Human Rights Council. We looked for better ways of sharing tasks and roles, and of achieving goals in the field of children's rights.

Finally, DCI-Palestine adopted in 2010 a new method of data collection involving children. This is an exciting development, which stems from the belief in the importance of direct child participation. We look forward to exploring and enhancing this method in 2011.



## **New DCI 2011**

The upcoming year will see the inauguration of the “New DCI”, a DCI with a philosophy and strategy that will help us achieve our goal of fully integrating with the Palestinian society and its social movements. Such integration will strengthen the unity, influence, and effectiveness of DCI-Palestine’s legal and advocacy work, as well as the capacity, independence, and activism of the Palestinian society itself. The “New DCI” seeks to truly empower Palestinian communities in protecting and promoting the rights of their children.

We will also explore the possibility of moving beyond our borders, by encouraging and facilitating other organisations’ involvement in child rights initiatives throughout the Arab world.

## **Internal Structure**

This year, we made a number of important changes in the organisation’s administrative and programmatic structures: we streamlined our Staff Leadership Group and consolidated its meeting schedule; we formed several theme-based committees to focus on legal and strategic matters, and we established a comprehensive approach to planning, income development, and project reporting. Although the content and overall methodology of our work did not change, we improved the administrative structure in order to increase the transparency, enhance communications, and strengthen the sustainability of the organisation.

## **Finances**

We remain deeply concerned about the financial difficulties facing NGOs both in Palestine and abroad. In addition to reducing activity costs and diversifying our funding sources, we have taken other important measures. Firstly, as abovementioned, we have increased our joint work with other human rights organisations – a positive development in terms of financial health and of strengthening the content of our work. Secondly, we have established a reserve fund for the sustainability of the organisation and to avoid any shocks in the event of a financial crisis.

## **Other Achievements in 2010**

Many of our achievements in the past year are not isolated. Rather, they are part of “processes” we intend to continue developing in the future. I am especially proud of some of the changes I have already described, for instance, the new Accountability and Community Mobilisation Programmes, the increased joint work with our fellow child rights actors, the consolidation of our internal structure and the development of our goals for the New DCI.

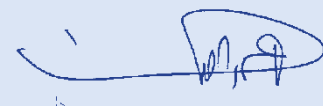
Now, there are several other successes; other signs of our growth as an organization and a community.

First, we opened a working station in Gaza for the documentation of child rights violations. In view of the ongoing violations committed – and ignored – by Israel in Gaza, we saw the urgency of enhancing our work there with better resources.

Second, we organized and hosted the international children's conference "Protective Environment – Active Participation," under the motto "Together We Build and Change," on 10 and 11 November 2010. Several hundred guests attended from within Palestine and around the world. Six diverse and engaging panels of speakers delivered papers on a wide range of topics related to children's rights. Children also played a crucial role, with a presentation in every panel and an active voice in the discussion sessions. The conference was a resounding success, full of productive and creative conversations and collaborations, all conducted in an atmosphere of true solidarity.

On this note of gratitude to our collaborators, and the confidence in the continuation of their support, I invite you to read our annual report for more news of DCI-Palestine's activities in the past year and plans for the future. Together – as the motto of the DCI international conference reminds us all – we build and change.

Sincerely,



**Rifat Odeh Kassis**

*General Director, DCI/PS*



# **THE ADMINISTRATION AND LEGAL AFFAIRS PROGRAMME**



The Administration Unit of DCI-Palestine implements regulations and administrative policies and oversees the execution of the organisation's programmes. The Unit focuses on the maintenance and development of material and human resources, and seeks to invest these resources to achieve DCI-Palestine's objectives. The Unit also plays a key role in the financial and administrative planning, as well as in analysing, guiding, regulating, implementing, supervising, monitoring and evaluating the work of the organisation.

Throughout 2010, several workshops, planning activities and meetings were held with all staff members to develop DCI-Palestine's overall plan for 2011. These workshops and meetings included the assessment of past achievements, identifying obstacles, establishing the priorities for the coming year, and determining the areas in which the work needs to continue.

In order to complete the process of institutional development, a specific action plan and budget were developed for the Administration and Legal Affairs Programme, with the aim of linking the different administration units in a single programme with one vision for institutional development. This entailed the creation of bylaws to regulate work. These bylaws were then introduced to the staff in a training session. In addition, we have been striving to instil a sense of collective responsibility.

## **Key achievements of the Programme in 2010**

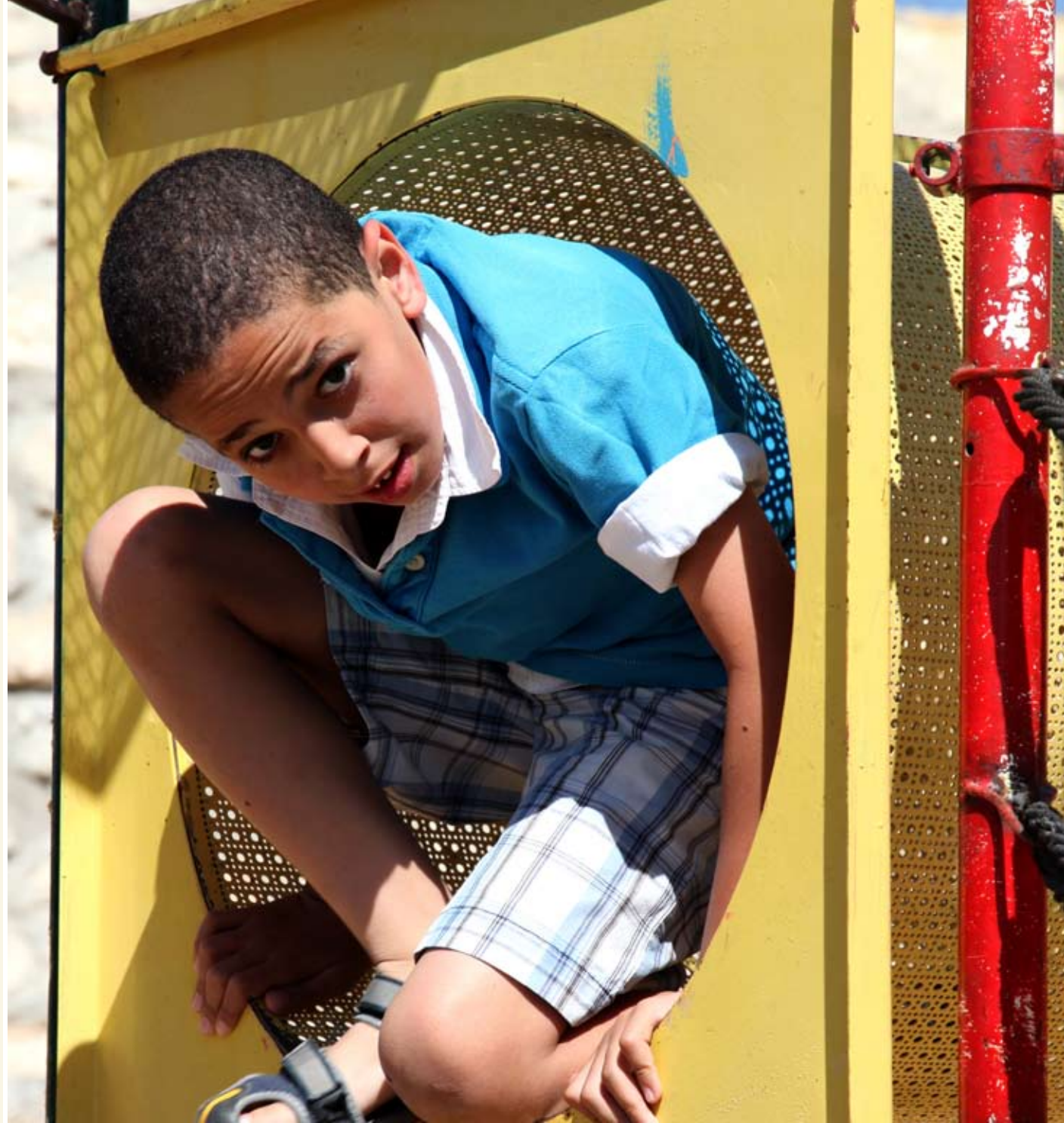
- ▶ The year 2010 was characterised by the effort to create a new culture in DCI-Palestine, whereby the Administration Programme became a programme on its own, rather than existing solely to meet the needs of the other programmes. Thus, in 2010, the Administration Programme started operating according to a specific plan.
- ▶ To inculcate this new culture, four meetings were held with the staff in order to raise their awareness on this new system and its identity. The meetings were also useful to discuss the future strategic planning.
- ▶ In 2010 we strived to consolidate the plan with respect to the functional role of the Strategic Leadership Group (SLG). In this regard, the SLG members held ten meetings to discuss the daily administration of DCI-Palestine, as well as to approve the organisation's basic positions.
- ▶ We completed the first draft of DCI-Palestine's strategic document, which includes all the bylaws and regulations that govern the organisation. The document was revised to include DCI-Palestine's legal documents, as well as the policies that guide the different programmes.
- ▶ In 2010, the programmes were evaluated in order to discuss their achievements, failures, problems and solutions. In addition, the annual staff appraisal was conducted through a face-to-face interview with each employee.
- ▶ A job analysis was conducted for each employee to determine his/her needs, in order to develop an annual plan for the capacity building of the staff. Subsequently, a list of training needs was developed, which facilitated the development of the 2010 plan for staff capacity building.
- ▶ Two Manuals were developed: the Human Resources Policies and Procedures Manual and the Procurement Policies and Procedures Manual. The rules and regulations contained in both manuals were approved by DCI-Palestine's Board of Directors and the SLG. The programme managers and unit coordinators received training on how to implement those regulations and rules.







- ▶ A Financial Manual was also developed and linked to the Personnel Affairs Unit. The Manual was approved by the Board of Directors and the SLG. Furthermore, the programme managers and unit coordinators were trained on how to use the Manual.
- ▶ All personnel files were reviewed re-archived and updated.
- ▶ An Intranet network was developed and DCI-Palestine's new home page was designed.
- ▶ A staff development plan was implemented as follows:
  - ▶ Ten employees from the Ramallah, Nablus and Hebron offices participated in two English courses organized in the Bisan Centre.
  - ▶ Four employees participated in a course entitled 'Traumas and Intervention,' organized by the Center for Treatment and Rehabilitation of Torture Victims.



# **PROTECTION AND COMMUNITY MOBILISATION PROGRAMME**

## Executive Summary

The International Law of Human Rights in general and the Convention on the Rights of the Child in particular are the legal and human rights foundations on which the Protection and Community Mobilisation Programme of Defence for Children International - Palestine Section (DCI-Palestine) is based. Thus, human dignity in general and the dignity of children in particular, as well as children's best interests, are the moral, ethical and professional framework that regulates the programme's work in terms of strategy, private and public objectives, work methodology, activities and events. We can look at the programme from its two complementary components: the Community Mobilisation Unit and the Child Justice Unit.

The Community Mobilisation Unit works toward the development of capabilities and skills and the empowerment of grassroots institutions working with children.





Through this unit, such institutions are given the space to express themselves through the Palestinian Network for Children's Rights (PNCR), thus forming the platform and virtual place for the exchange of expertise and resources, and for the mobilisation of a social movement towards positive change in the lives of children.

Among PNCR's important messages are the promotion of community awareness of child rights, the need to respect child rights, and the promotion of child participation in Palestinian community life. The revival of the activities of Palestinian Child Day and World Children's Day, the promotion of child participation in human rights initiatives, the dissemination of human rights, and DCI-Palestine's provision of space appropriate for expressing such rights – whether in national/international conferences or DCI-Palestine's bulletin 'Little Hands' – are all indicators of child participation. Moreover, the existence of a public body of children in DCI-Palestine's centers forms a supportive framework for its efforts, especially in the planning, monitoring, implementation, and evaluation of its objectives and trends. Additionally, it influences the policies and general trends for protection of child rights through the dissemination and adoption of policies to protect children and strengthen internal control in Palestinian community-based organizations working with children by means of child protection teams and personnel working with them. This constitutes the second step that the programme is working on. In this context, the control and monitoring of community practices with respect to child rights helps to organize advocacy and lobbying for child rights at the national level.





Similar to its coordination work with PNCR, the Unit coordinates with regional and international networks such as the Arabic Network for Child Rights Information and the Palestinian-Italian Network, in order to promote child participation in the collection of information on their needs and rights, enforce how to use such information in advocacy, and work to ensure the greatest degree of positive change in the lives of children. In addition, this focus on child participation promotes the exchange of children's experiences, skills and knowledge of human rights issues in accordance with the child rights-based approach.

The Child Justice Unit focuses on the legal representation and services provided for children in conflict with the law and child victims of community violence.

Legal representation, consultation, documentation, collection of information, monitoring, and follow-up of children in conflict with the law are the backbone of this unit. In this regard, the Child Protection Network (CPN), a network formed in the West Bank and of which the Child Protection Unit is a member, plays a key role in strengthening child protection. Furthermore, the direct relationship, valid coordination and networking with the Child Protection Unit and Ministry of Social Affairs through probation officers, care and protection homes, and the Palestinian police, especially juvenile justice police, all significantly contribute toward protecting children and guaranteeing their best interests in line with the child rights-based approach.

The Unit also plays a key role in monitoring legislations and laws with respect to children, and, along with partners, contribute toward the development of internal regulations and bylaws consistent with child legislations and relevant policies/procedures.

## Programme Strategy

The Programme basically adopts **the principle of participation** in the work of its two units, the Child Justice Unit and the Community Mobilisation Unit. The Programme seeks to strengthen the role, capabilities and knowledge of Palestinian society across all spectrums in the rights of children and in respecting those rights, as well as providing a protective and supportive environment to ensure greater protection and participation. The Programme provides legal support for children in conflict with the law and child victims of community violence, and empowers partners to play a better role both in dealing with children and in ensuring child participation and protection according to a rights-based approach.

In accordance with DCI/PS's overall strategy, the Child Justice Unit documents, collects information and closely monitors the status of child rights in order to provide clear and practical indicators on the reality of children, their needs and their rights. Field visits, affidavits, and case studies are contributing factors in the analysis of children's reality, thus helping to establish effective and meaningful prevention mechanisms and tools.

The strategy of the Programme is based on information and data collected both by the staff themselves and by the findings of monitoring and control steps conducted by protection teams comprised of PNCR's institutions; the strategy is also shaped by the contributions of child-led data collection, and the outcome of participation in planning and implementing activities by the Child General Authority, which is a representative elected by the children themselves.

Based on this strategy, the Programme provides legal representation for children whose rights have been violated and for children in conflict with the law; offers legal consultations to those children and their parents; provides consultation services to relevant bodies and authorities (CPN, police, care homes, probation officers, etc.); and influences public policies related to child rights through joining governmental and non-governmental partners. Monitoring public behaviours and practices related to child rights helps determine the intervention mechanism appropriate for the Community Mobilisation Unit (such as designing and launching awareness campaigns, human rights initiatives, and training) to be based on public policies and practices that have been monitored.

In this context, the most important focal point of the Programme's strategy is the principle of responsiveness, flexibility and learning. The Programme believes in ongoing assessment and examination of the most effective tools in working with networks, grassroots organizations, the PNCR, and other major partners. Thus, ongoing assessment is based on several levels: the evaluation of units and programmes through regular internal meetings; the evaluation of activities and events from the viewpoint of the target groups and others; the evaluation of the objectives and their relationship to the activities and vice-versa; and the evaluation of partners through various activities and evaluative meetings to improve work methodologies, tools and approaches.

## Child Justice Unit

2010 witnessed a remarkable development at the level of children in conflict with the law and child victims of community violence and neglect: many efforts were made and focused on the establishment of specialized networks and committees designed to protect the rights of Palestinian children. Furthermore, work on the improvement and development of child protection networks and systems continued due to the Ministry of Social Affairs' professional and in-depth understanding. A national committee for children in conflict with the law was formed as a result of a decision made by the Palestinian Premier in order to participate in the formulation of the National Plan on juvenile justice, as well as in the formulation of laws, policies, memoranda of understanding and Administration strategies for juvenile justice. DCI-Palestine was selected as a member of this Committee and of the Drafting Committee of Juvenile Law that is a sub-committee of the National Committee. DCI-Palestine is also a member of the Coordinating Committee in CPN.

The Juvenile Justice Steering Committee laid out the following priorities:

- ▶ Commencement of cooperation with the Ministry of Education in order to develop a regular academic and educational programme of events through the establishment of academic units in juvenile centers to be viewed as additional schools in governorates where juveniles are taught the basic materials by a cadre from the Ministry of Education.
- ▶ Creation of health care clinics and pharmacies in juvenile centers in cooperation with the Ministry of Health, in addition to providing a specialized health staff to conduct tests and provide juveniles with outreach services and health information.
- ▶ Creation of professional trainings in juvenile centers to rehabilitate juveniles and empower them with professions that suit their desires, respond to market demands, and form a source of livelihood for them both inside the centers and when they get out.
- ▶ Provision of support services and counseling for juveniles by psychologists capable of dealing with such a sensitive group, as well as providing individual, group, and family counseling.
- ▶ Capacity-building for personnel working in juvenile centers and probation officers by providing them with skills and abilities required to deal with children in conflict with the law.
- ▶ Creation of a national database on juveniles to benefit all parties working with juveniles, to serve as a reference point, and to determine follow-up mechanisms of juveniles after their discharge from the centers.
- ▶ Establishment of a juvenile court within care homes in partnership with the concerned parties.
- ▶ Improvement of the infrastructure of the existing juvenile centers through the provision of equipment, vehicles and general maintenance.
- ▶ Construction of new juvenile centers in the northern and southern regions of the West Bank (mainly Tulkarm and Hebron).



## 2010 Main Activities

**Under Result 1** Legal representation for children in conflict with the law, with legal consultations for them and their families, as well as legal support for child victims of community violence.

Children in conflict with the law were individually provided with legal representation, and child victims of community violence and their families were provided with legal consultations, by carrying out the following activities:

**Activity 1:** Legal representation of 26 cases of children in conflict with the law in Palestinian courts, in order to create change in the trends of judges, public prosecutors and probation officers toward child rights and mechanisms that provide children with support. Through pending and closed cases, and through frequent meetings with judges, prosecutors and probation officers, children's best interests were taken into consideration in the procedures. For example, prosecutors did not object to releasing children on bail.

**Activity 2:** 48 legal consultations were provided for children in conflict with the law and their families, and were referred to CPN for further services.

**Activity 3:** Legal representation of 16 children who needed to be released on bail before the Palestinian courts, and providing them and their families with legal consultations.

**Activity 4:** 57 legal consultations were provided for protection networks in all districts, detention centers, protection centers and prisons through regular meetings.

The provision of legal support and consultations for child victims helped law enforcers pay more attention to this category as victims of imperative social, family and economic circumstances; in return, it helped achieve the children's best interests and develop the action mechanism of the judicial system through child rights-based legal arguments. This also enhanced the awareness of children and their families on child rights by means of legal advice and referral of cases to specialized institutions to follow up on their best interests. Moreover, the Unit worked on promoting law enforcers' awareness of international standards for juvenile detention and protection centers in order to develop the mechanisms of these centers and improve the status of children there.

## **Under Result 2** Monitoring and documenting 20 cases of children in conflict with the law and 10 cases of child victims of community violence.

Monitoring and documenting cases of children in conflict with the law and child victims of community violence provided information that helped the Unit determine prevention mechanisms that would alleviate and reduce the impact of violations on children through advocacy and lobbying on both national and local levels by holding the duty bearers accountable for their actions. The following activities were carried out on this subject:

**Activity 1:** Collection of 28 statements from child victims of community violence and children in conflict with the law through visits to detention centers, prisons, police stations, protection centers and care homes.

**Activity 2:** 21 monitoring visits to juvenile prisons, protection centers and care homes.

**Activity 3:** Closing 21 cases of children in conflict with the law, and submission of a report on the cases and timetables.

**Activity 4:** Documentation of only two case studies of children in conflict with the law due to the difficulty of gathering information, and also due to coordination problems with detention centers in terms of delays and disapproval regarding the collection of statements.

**Activity 5:** One case study for a child victim of community violence due to difficulties gathering information.

**Activity 6:** A training to improve capabilities of DCI-Palestine's lawyers on child rights-based legal representation. The training also targeted DCI-Palestine's field workers to improve their skills in documentation.

The implementation of these activities and linking them to advocacy contributed significantly toward creating a positive impact on some policies of law enforcers, which directly resulted in improving the status of child rights. Visits were paid to detention centers to document violations and hold meetings with the directors in order to develop and improve their performance.

## **Under Result 3** Capacity-building of law enforcers with respect to juvenile justice.

The Child Justice Unit worked on training law enforcers and developing their capacities by empowering and promoting awareness of Palestinian police officers on child/juvenile rights, and international standards of juvenile justice. 24 police officers (12 policemen + 12 policewomen) were trained on the following topics:

- ▶ **Convention on the Rights of the Child:** History, importance, and statistics on the situation of children in the world. All articles of the Convention and child rights classifications were introduced and discussed.
- ▶ **Palestinian Child Law:** Classification of rights, the right to protection, its mechanisms and types of measures that should be followed (measures pending for approval, urgent measures, unrestrictive liberty measures, care measures, corrective measures, and restrictive liberty measures).
- ▶ **Current state of Palestinian juvenile justice:** The laws in force and its dilemmas.
- ▶ **Beijing Rules:** Its significance, objectives of juvenile justice, and key legal principles contained in juvenile rights.
- ▶ **Havana Rules:** Juveniles under arrest or awaiting trial, Administration of juvenile facilities, challenges facing rehabilitation programmes of social institutions, the approach adopted in the development policy of closed disciplinary institutions, objectives within disciplinary institutions, and educational contract.
- ▶ **Psychological aspects of dealing with children in conflict with the law:** Causes of juvenile delinquency, treatment and understanding of juveniles, and emphasis on the fact that these children are victims of community and family circumstances.

The outcome of the training reflected positively on children in conflict with the law, as a decline was noted in the number of documented violations compared to previous years.

#### **Under Result 4 Psychological Support in Nablus.**

**Activity 1:** Provide psychological support for 44 children and legal consultations to their families.

#### **Under Result 5 Revision of the existing laws and lobby for its amendment in accordance with international standards of child rights.**

Reviewing the existing laws and advocating their amendment in accordance with the international standards of child rights are at the heart of DCI/PS's ongoing work.

**Activity 1:** Participation in the meetings of the Committee in charge of drafting the Penal Code and inclusion of DCI-Palestine's observations.

**Activity 2:** Participation in the meetings of the Committee in charge of amending the Child Law and inclusion of DCI-Palestine's observations.

**Activity 3:** Participation in the meetings of the Committee in charge of drafting the Juvenile Law, inclusion of DCI-Palestine's observations, and the selection of DCI-Palestine as a member in the National Committee on Juvenile Justice.

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In addition, the Child Justice Unit participated in several activities that include:

### **TV and press**

- ▶ Participation in a discussion on Watan Television Channel on juvenile justice and its importance.
- ▶ An article was published in DCI-Palestine's newsletter briefing about DCI-Palestine's work and strategy on juvenile justice.
- ▶ Another article was published in All Family Journal on what Palestinian laws and legislation say about hysterectomy for girls with disabilities to prevent pregnancy in case of sexual assault.

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### **Trainings, lectures and conferences**

- ▶ Participation in CPN trainings in Hebron, Bethlehem, Nablus and Ramallah on team-building, mechanisms of dealing with child victims, traumas, training of trainers and legal procedures.
- ▶ Participation in the training of imams on Palestinian Child Law.
- ▶ Participation in the training of both child and adult members of PNCR protection teams on topics of physical abuse, the right to life, and protection from torture.
- ▶ Participation in the training of the DCI-Palestine Documentation Unit and volunteers on the Palestinian Child Law.
- ▶ The Unit trained a number of activists participating in summer camps organized by the Ministry of Youth and Sports on child rights and protection according to the Palestinian laws.
- ▶ The Unit gave a lecture to a group of international activists about the Israeli occupation policies and violations of child rights.
- ▶ The Unit gave another lecture at Ishaq Qawasmi Public School on the impact of child arrest on child rights under the Convention on the Rights of the Child.
- ▶ A presentation on the role of NGOs in juvenile justice was given as part of the Youth Justice Conference.

## Workshops

- ▶ Organization of a workshop on Personal Status Law and violence against children and women at the Hewar Children Centre in Nablus in coordination with UNRWA.
- ▶ Presentation on the legal services provided by DCI-Palestine to children held in Israeli prisons, and the integration between socio-legal services in this area, upon invitation of the YMCA.
- ▶ Organization of a workshop on child rights and protection in UNRWA school in Nablus, targeting 46 female students and mothers.
- ▶ Organization of a workshop in the village of 'Azmut on the impact of the Personal Status Law on child rights and protection, targeting 28 women.
- ▶ Organization of a workshop on child rights and protection for school students in the village of 'Iraq Burin.
- ▶ Organization of a workshop on child rights and protection for a number of staff in the Ministry of Endowments.
- ▶ Organization of a workshop on child rights and protection for staff of the Ministry of endowment and female personnel in the Department of Social Work.
- ▶ Participation in two workshops to lay out standard procedures for juvenile police in cooperation with the Palestinian and EU police.
- ▶ Organization of two workshops: the first targeted a group of professionals in the Medical Relief Society, and the other one targeted female inmates in Girls' Care Home.
- ▶ Organization of a workshop at the Medical Relief Society - CBR Programme - on physical and psychological abuse and neglect, targeting female workers in rehabilitation centers.



## Community Mobilisation Unit

The Community Mobilisation Unit succeeded in 2010 in making real changes in the child-related environment and culture within Palestinian community-based institutions. Even though the change is slow, we are witnessing a state of momentum that will allow the institutions to create deeper impact in the coming years.

The Unit used the accumulated successes from 2009 to develop a professional relationship that promotes the integration of roles through the implementation of a joint action plan with clear and interrelated objectives, focusing on the joint planning of activities and objectives associated with clear outcomes. The children, empowered by encouraging and participatory environments, launched five initiatives of their own on the development of protection and participation policies in grassroots institutions, which is a big step in child participation, as is the very fact that children are taking the initiative and acting upon it.

In the same context, grassroots institutions and children took a greater role in developing an awareness and training manual for child victims of armed conflict through participation in a variety of workshops addressing many topics regarding child rights. The Manual is expected to be released at the beginning of 2011. Institutions involving the participation of children will develop an operational plan for a comprehensive outreach campaign on the topics covered in this training Manual.

The participation of children was clearly manifested in the protection teams within the grassroots institutions, enabling them to participate regularly in organizing a number of workshops of the Protection and Community Mobilisation Programme; this formed the key to successful communication between children and institutions. Furthermore, child participation created the proper environment that helped children to organize the international conference entitled **"Protective Environment and Active Child Participation,"** in which many presentations on protection and participation were given by international and local experts.

As a complement to DCI-Palestine's systematic efforts in activating and strengthening child participation, 26 Palestinian children from both sexes took part in the collection of information on child priorities and needs in Palestinian society, as part of a regional project to collect information on child realities; the project targeted 1040 children between 8 to 14 years old from Morocco, Yemen, Lebanon, Palestine and Jordan. A research on the needs of children in Palestinian society is expected to be issued early 2011. Believing in DCI-Palestine's role in involving children in planning, evaluation, follow-up and implementation, DCI- Palestine formed a public body of children that will organize a democratic election to select its Secretariat at the beginning of 2011, which will enable children to participate more effectively in the planning processes of PNCR organizations and in the decision-making process within DCI-Palestine; this will eventually lead to unifying the rhetoric of local and international institutions regarding child issues and rights.

## 2010 Main Activities

**Under Result 1** raising the awareness of children and the local community on the rights of children in armed conflict according to standards of international law.

In 2010, work was conducted to prepare, develop and design a training manual with the participation of NGOs and ministries, which created a state of interaction, participation, and exchange of experiences during four central workshops. In addition, a wide range of literatures and studies were read and discussed as well as organizing brainstorming workshops with the participation of children themselves.

To achieve this result, the following activities were carried out:

1. Reading and discussion of several literary and legal materials by the Child Justice Unit and the Community Mobilisation Unit, which contributed to solidifying a background on the protection of child victims of armed conflicts.
2. Finalizing the manual on children in armed conflict.
3. A workshop to test the training manual on child victims of armed conflict with the participation of 25 grassroots organizations and civil institution members of PNCR, and a set of observations and recommendations on the content of the training manual were developed, which helped in rewriting the manual.
4. Two workshops in Nablus about the training manual, with 32 girls and boys from member institutions of PNCR, to discuss the topics of the manual and its relevance to child rights. The children contributed observations and recommendations as well.
5. Six workshops to evaluate the testing workshops of the manual, to develop exercises and re-summarize the main points related to the development of the manual, with the participation of 70 adults and children from civil society organizations. The workshops culminated in the re-development of the manual exercises.



**Under Result 2** Monitor the status of children in conflict with the law and child victims of community violence through legal representation and consultations in order to develop national advocacy plans.

The Community Mobilisation Unit invested in the cases of children in conflict with the law that had been followed up, monitored and documented by the Child Justice Unit; to do so, it processed the information and data for (a) advocacy at the national level in cooperation with PNCR, (b) implementation of activities and events marking Palestinian Child Day, and (c) development of initiatives by children, which led to the success of the international conference on protective environment and active child participation. The following activities were carried out:

1. A strategic planning workshop with the participation of 22 adult members of PNCR in the West Bank, including Jerusalem, resulted in developing a 2010 joint action plan for PNCR.
2. Preparatory meetings, coordinated visits, and local and international correspondences in anticipation of the international conference, "Protective Environment - Active Participation." A preparatory committee for the conference and an advisory committee were formed from DCI-Palestine staff including unit coordinators, Accountability Unit Director, and the coordinator of the Programme Development Unit.
3. 10 meetings in anticipation of the Palestinian Child Day by PNCR Secretariat which involved the participation of three delegates from Local Network Committees in the West Bank, including Jerusalem, resulted in the development of a preliminary plan for activities and events marking the Child Day and a vision toward action mechanisms; identifying a portion of the responsibilities and follow-ups; and the selection of posters, banners, and slogans to be



used in the activities. Nine open days were organized to mark Child Day, benefiting around 8,000 people including approximately 6,000 boys and girls from all cities, villages and camps in the West Bank, including Jerusalem.

4. A number of activities were carried out to commemorate Child Day, including:
  - ▶ 80 workshops and meetings to raise children's awareness on their rights, in addition to screening the film of «Life is Sweeter.»
  - ▶ Three press conferences by children.
  - ▶ Audiovisual coverage of events and activities.
  - ▶ Distribution of the conference statement and materials to all national institutions as well as some international institutions.
  - ▶ A Friday sermon in mosques in the West Bank to talk about child rights and a PNCR speech on Child Day.
5. Preparatory meetings for children ahead of launching five initiatives to be implemented in Bethlehem, Hebron, Nablus, and Beit Ula; these were presented in the international conference, as well as to PNCR institutions and the Directorate of Education of Hebron.
6. A workshop with the Italian-Palestine Network to present child initiatives launched by the schools of Nuba and Cordoba. A workshop was organized with the "ARCI" Foundation with the participation of 20 members to recapitulate the most important activities and achievements carried out in collaboration with ARCI. DCI-Palestine presented an initiative on protection, with the participation of children, that was launched by Nuba School, as well as a report on Cordoba School.
7. More than 750 participants, including international figures, took part in the international conference "Protective Environment – Active Participation" under the motto of "Together we Build and Change," during which local and international presentations were given and discussed. The conference received wide media coverage and focused on many professional and organizational aspects related to child protection and the active participation of children, all of which will help DCI-Palestine develop its action plans for 2012.

The activities that led to achieving outcome #2 were associated with the plans of both the Child Justice Unit and the Community Mobilisation Unit in terms of coordination, integration and cooperation. Such a fact led to achieving high results in terms of documentation, data analysis, and the utilization of results in planning awareness activities with the participation of children and the PNCR. Also, the activities carried out brought more attention and support to child victims of violations.

### Under Result 3 Emphasis on the importance of children's active participation in all issues concerning their lives.

A regional project was launched that aimed to promote the participation of children and empower them to engage in monitoring, documentation (file processing) and data analysis. The project was carried out by training 26 boys and girls on how to conduct interviews, document violations, and work within a child-by-child approach to recruit other children to be interviewed. Also, a number of workshops were organized for follow-up and evaluation with the participation of PNCR institutions and child researchers. Five countries including Lebanon, Yemen, Morocco, Palestine and Jordan took part in this project.

1. 26 children (13 girls and 13 boys), 2 children from each protection team within PNCR, were trained.
2. The training provided children with information and improved their skills in conducting interviews and documenting cases. In this regard, several steps were taken, including approving the mechanism of selecting children to be targeted by the project, and setting a deadline for finishing the interviews. After the training, every two children will jointly conduct eight interviews and recruit children from the age group 8-18 to be interviewed.
3. Participation in a training session in Canada on Country Profile, where two DCI-Palestine staff members were trained. Institutions participating in Middle East and North Africa Network are:
  - ▶ Two Lebanese institutions
  - ▶ Two Yemeni institutions
  - ▶ One Moroccan institution
  - ▶ DCI-Palestine

4. A workshop on Young Researchers targeting children in order to set up an action plan for the project for the next two years. The workshop was attended by children and those institutions that have formed protection teams. Brainstorming activities on the project were carried out and, generally speaking, the workshop helped to foster better understanding among children and institutions regarding the project, activities, and implementation deadlines.
5. Three workshops on documentation for the purposes of evaluation and follow-up targeting children and adults. During the workshop, DCI-Palestine's plan for 2011 was presented and child follow-ups were evaluated. 40 children and six member institutions of PNCR took part in the workshop.
6. Completion of 104 interviews within the Young Researcher Project and a report will be developed containing results of documentation analysis and recommendations. This will contribute to setting up plans for child rights advocacy.
7. During the international conference, a meeting was held between the Protection and Community Mobilisation Programme and members of DCI's international Board of Directors to discuss the possibility of establishing a regional office for DCI. The meeting was attended by DCI-Palestine Director-General, the Director of the Protection and Community Mobilisation Programme, the Coordinator of the Child Justice Unit, and the Coordinator of Community Mobilisation Unit.



# **ACCOUNTABILITY AND LEGAL WORK PROGRAMME**

## Executive Summary

The Accountability Programme provides legal services and carries out evidence-based advocacy on Palestinian child rights violations occurring as a result of the Israeli military occupation and annexation of the Palestinian territory and the related armed conflict. By collecting quality evidence about particular child rights violations, raising awareness about these violations and advocating for compliance by all parties to the conflict (particularly Israel as the Occupying Power) to international human rights/child rights standards, DCI-Palestine strives to put an end to these violations and improve accountability for perpetrators.

The Programme focuses its work on four types of child rights violations, and targets mostly secondary duty-bearers at the international level, asking them to pressure parties to change those policies and practices that are harmful to Palestinian children and accountability. These violations are: detention/ill-treatment, killing/maiming, settler/soldier violence, and recruitment. These violations are documented in Gaza and West Bank, including East Jerusalem.





During the reporting period, the following incidents were documented: 113 child fatalities (including children killed during Operation Cast Lead in Gaza), 182 injuries, 103 torture incidents, 12 house demolitions, 13 incidents of violations to the right to education, and 3 incidents of children being used as human shields.

In addition to documenting child rights violations, the legal unit lawyers represented children in the Israeli 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, DCI-Palestine represented 243 children before the military court (133 files were closed). In addition, 144 affidavits and 141 ill-treatment questionnaires were collected from child prisoners.

Based on the documentation of child rights violations, the advocacy unit produces relevant evidence-based advocacy material, which is then distributed and disseminated among relevant actors and used in the active targeting of selected secondary duty-bearers, including States Parties to the UNCRC, UN agencies, and EU institutions.

In 2010, this material included: a report on the newly established juvenile military courts; a comparative study between the military justice system and the Israeli juvenile justice system; an E-Bulletin disseminated through the mailing list; 11 Detention Bulletins disseminated through the mailing list; 3 Violation Bulletins disseminated through the mailing list; more than 50 press statements, letters, and urgent appeals; more than 200 case studies; and one report on settler violence against Palestinian children.

The material was publicised through different means, including briefings to diplomats, journalists, international human rights organisations and the general public. In addition, DCI-Palestine arranged visits to the military courts for foreign diplomats, UN officials and activists.



DCI-Palestine also prepared several submissions to the UN, including:

- ▶ 3 reports to the UN Special Rapporteur (SR) on the OPT and the Special Rapporteur on Torture:
  - ▶ 15 cases of child abuse;
  - ▶ 13 cases of torture in Cell 36 of al-Jalame prison;
  - ▶ 14 cases of sexual assault and threats of sexual assault.
- ▶ 1 report to the UN Committee Against Torture
  - ▶ 50 new cases of ill-treatment and torture of Palestinian children by Israeli authorities.
- ▶ 1 report to the UN Human Rights Committee:
  - ▶ Supplementary report for Israel's Third Periodic Report.



### Child fatalities by month since the beginning of the Intifada (September 2000 - end of 2010)\*

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2000	0	0	0	0	0	0	0	0	3	35	45	11	94
2001	3	3	8	12	9	5	8	8	12	6	9	15	98
2002	3	9	35	36	15	10	13	10	12	19	16	14	192
2003	11	12	18	14	17	8	1	6	7	15	9	12	130
2004	6	3	15	14	36	8	13	9	25	21	6	6	162
2005	20	4	2	3	2	1	6	6	3	4	1	0	52
2006	3	3	5	6	2	9	40	14	10	5	24	3	124
2007	4	1	5	2	9	10	2	8	4	2	3	0	50
2008	6	10	22	21	4	4	2	1	2	0	0	40	112
2009	301	4	1	1	0	2	1	1	2	1	1	0	315
2010	1	0	2	0	1	0	0	0	2	0	0	2	8

### Child fatalities by age since the beginning of the Intifada (September 2000 - end of 2010)\*

Year	08-	912-	1315-	1617-	Total
2000	4	9	34	47	94
2001	13	21	31	33	98
2002	50	33	62	47	192
2003	16	22	47	45	130
2004	13	29	58	62	162
2005	2	10	19	21	52
2006	26	12	40	46	124
2007	3	8	17	22	50
2008	22	13	38	39	112
2009	93	63	83	76	315
2010	0	0	3	5	8

\*The above tables do not include children killed while participating in combat activities.



## Documentation Unit

**Result:** By the end of 2010, the capacity of DCI-Palestine to document, archive and make available to others evidence of conflict-related violations to Palestinian children strengthened (four violation areas were prioritised: killing/maiming; detention/torture;-settler/soldier violence; and recruitment)

The methodology of the Accountability Programme consists on gathering first-hand documentation on child rights violations (with a focus on fatalities, injuries, torture/abuse in detention and recruitment). DCI-Palestine does not document and research Israeli violations of Palestinian child rights as an end in itself, but rather with the aim of better informing our lobbying and advocacy work, both on a local and international level.

Our rigorous research process begins with gathering evidence in the form of victim or eyewitness testimonials. Once investigated and carefully reviewed, the information is analysed and applied to evidence-based advocacy strategies, such as awareness raising initiatives, submissions to the United Nations and the European Union, and in some cases, complaints to the Israeli authorities.

Using the evidence-based advocacy, secondary duty-bearers of Palestinian children's rights are urged to uphold and improve child rights protection and accountability mechanisms and work towards holding perpetrators to account.

In 2010, DCI-Palestine's monitoring and documentation unit investigated the following incidents:

- ▶ 113 child fatalities (86 of which were as a result of Operation Cast Lead).
- ▶ 182 children injured (20 of which were as a result of Operation Cast Lead).
- ▶ 99 children ill-treated or tortured.
- ▶ 3 children used as human shields by the Israeli military.
- ▶ 13 attacks on schools.
- ▶ 12 home demolitions.
- ▶ 20 children in conflict with the law.
- ▶ 10 children victims of domestic violence.

## Advocacy Unit

**Result:** By the end of 2010, the Israel/OPTWG on Grave Violations Against Children (formerly 1612 Working Group) becomes an official UN-mandated Task Force on the basis of the killing/maiming violation.

UN Security Council Resolution 1612 (2005) calls for the set up of a taskforce to monitor and report on grave violations of children's rights in specified countries. Although the OPT is not on the list of specified countries required to report to the Security Council, given the situation of children in the OPT reports are periodically compiled by the Monitoring and Reporting Mechanism OPT working group (MRM WG), established in 2007. The Group sends bi-monthly reports (Global Horizontal Notes) to the Special Representative to the Security General for Children and Armed Conflict (SRSG CAAC), thereby increasing the visibility of children in the OPT to the level of the SRSG as well as the UN Security Council Working Group. As a result of the lobby made by this group, the OPT is now on the EU's priority list for action for Children Affected by Armed Conflict.

In 2010, a 1612 database was finalised to consolidate the monitoring and reporting mechanism in the OPT, support the compilation of information received on a regular basis from partners, and facilitate the reporting process to the SRSG CAAC.

Since the establishment of the MRM WG, DCI-Palestine has been the lead indicator on ill-treatment and torture and the use of Palestinian children as human shields. Therefore, DCI's input has been critical in the construction of the MRM Group's database, which started working in May 2010. Due to the high quality reports sent by the MRM OPT WG, a team from the Program on Forced Migration and Health at Columbia University came to the OPT to evaluate the monitoring and documentation methods used by the group, in order to understand its functioning and replicate it in other countries.

With regard to Operation Cast Lead in Gaza, these were the achievements:

- ▶ The advocacy unit completed the task of writing case studies for each of the 352 children killed during Operation Cast Lead.

- ▶ The advocacy unit briefed the UN Committee of Independent Experts established to monitor and assess the investigations conducted by Israeli and Palestinian authorities into allegations of war crimes during the Gaza conflict. When the Committee's report was issued, the unit highlighted its findings, according to which the investigations into alleged war crimes in Gaza do not conform with international standards (public statement <http://www.dci-pal.org/english/display.cfm?DocId=1622&CategoryId=1>)
- ▶ The Unit highlighted the conviction of two Israeli soldiers for using nine-year-old Majed R. as a human shield during the war in Gaza (public statement <http://www.dci-pal.org/english/display.cfm?DocId=1638&CategoryId=1>, Violations Bulletin – Issue 1 [http://www.dci-pal.org/english/doc/press/VIOLATIONS\\_BULLETIN\\_ISSUE\\_1\\_SEP\\_2010.pdf](http://www.dci-pal.org/english/doc/press/VIOLATIONS_BULLETIN_ISSUE_1_SEP_2010.pdf), media reports).
- ▶ The Unit highlighted the sentencing of the two Israeli soldiers who used Majed R. as a human shield during the war in Gaza (public statement <http://www.dci-pal.org/english/display.cfm?DocId=1705&CategoryId=1>, Violations Bulletin – Issue 3 [http://www.dci-pal.org/english/doc/press/VIOLATIONS\\_BULLETIN\\_NOV\\_2010.pdf](http://www.dci-pal.org/english/doc/press/VIOLATIONS_BULLETIN_NOV_2010.pdf)).
- ▶ Copies of the report "Bearing the Brunt" on child rights violations committed during Operation Cast Lead were sent to CAABU and the Palestine Solidarity Campaign in the UK and were distributed to several delegations during advocacy briefings.

**Result: By the end of 2011, all interrogations of children in the OPT are conducted in the presence of a lawyer and are audio-visually recorded**

DCI-Palestine's Advocacy Unit submitted an alternative report to the UN Human Rights Committee for Israel's Third Periodic Report relating to its compliance with the International Covenant on Civil and Political Rights, and a supplementary report in June 2010. Then, DCI participated in the 99th session of the Human Rights Committee, and briefed the Committee members about the situation of Palestinian child prisoners, the widespread, systematic and institutionalised ill-treatment and torture of child detainees by the Israeli authorities, and conveyed the following points, seeking their inclusion in the HRC's concluding observations:

- ▶ All interrogations of children in Israel and the Occupied Palestinian Territory should be conducted in the presence of a lawyer and parent of the child.
- ▶ All interrogations of children in Israel and the Occupied Palestinian Territory are audio-visually recorded.

Both recommendations were included in the Committee's Concluding Observations.

Additionally, DCI submitted the following reports during 2010:

- ▶ On 5 January 2010, DCI-Palestine submitted 15 cases to the **UN Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied**. The cases involve children aged 14 and 15, who were arrested and prosecuted in the Israeli military court system in 2009, and accused of throwing stones. All of the children reported some form of ill-treatment during their arrest and interrogation.
- ▶ On 6 January 2010, DCI-Palestine submitted 13 cases to the **UN Special Rapporteur on Torture** for investigation. The cases relate to the ill-treatment, and in some cases torture, of Palestinian children being held at the notorious Al Jalame Interrogation and Detention Centre near Haifa, in Israel, between February 2008 and March 2009.
- ▶ On 18 May 2010, DCI-Palestine submitted 14 cases to the **UN Special Rapporteur on Torture** for investigation. The submission relates to the sexual assault, or threat of sexual assault, of Palestinian children between 13 and 16 years old at the hands of Israeli soldiers, interrogators and police between January 2009 and April 2010.
- ▶ On 7 June 2010, DCI-Palestine submitted 50 new cases of ill-treatment and torture of Palestinian children by the Israeli authorities to the **UN Committee Against Torture**.

Furthermore, DCI-Palestine lodged the following complaints with the **Israeli authorities**:

- ▶ On 15 August 2010, DCI-Palestine and the Public Committee Against Torture in Israel (PCATI) submitted complaints against the Israeli army and police interrogators for the ill-treatment and sexual assault of a 15-year-old Palestinian boy.
- ▶ On 20 September 2010, DCI-Palestine and Adalah lodged a complaint with the Israeli Military Advocate General (MAG) arising out of the use by Israeli soldiers of a 16-year-old girl from Nablus as a human shield. On 19 October 2010, the Israeli Military Prosecutor for Operational Matters, Captain Maayan Yaacobi, wrote to Adalah to say that a Military Police investigation had been opened.

Additionally, the Advocacy Unit did a study, funded by UNICEF, on the Israeli juvenile justice system and the military court system applied to Palestinians in the West Bank. The findings of the study have greatly enhanced our advocacy efforts, as the comparative analysis shows the discrepancies between the two systems and the discriminatory nature of the military court system.

Also noteworthy is the unit's engagement with the media, which has resulted in several articles and reportages by mainstream media outlets covering stories documented by DCI-Palestine. Among those media outlets are CNN, BBC, Al Jazeera, AFP, The Independent, The Guardian, Haaretz etc. This wide coverage has enhanced our goal of awareness-raising and DCI's visibility.

Finally, the unit gave several briefings to different types of delegations throughout the year. The most notable one was a briefing given to four members of the UK Parliament, organized by the Council for Arab-British Understanding (CAABU) on 29 November 2010. After being briefed on the issue of child detainees, the delegation visited the Military Court. Once back in the UK, the MPs raised the issue in Parliament, and there was a 90 minute debate in Westminster Hall in Parliament on 7 December. The title of the debate was 'Detention of Palestinian children and the human rights situation in the West Bank'.

### **Result: By the end of 2010, a motion of contempt has been filed regarding the 2005 Israeli HCJ Ruling on Human Shields and OPAC Obligations**

In July 2009, DCI-Israel and DCI-Palestine submitted an Alternative Report to the UN Committee on the Rights of the Child. The report was submitted in response to Israel's Initial Report on implementation of the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict (OPAC). DCI attended the Committee's sessions in Geneva. In its Concluding Observations, issued on 29 January 2010, the Committee adopted DCI-Palestine's recommendations, stating: "The Committee urges the State party to ensure strict compliance with humanitarian law, abide by the ruling of the Israeli High Court of Justice in *Adalah et al. v. Commander of the Central Region et al.* and revise its Defense Services Law 5746- 1986 accordingly. Furthermore, the Committee urges the State party to promptly and impartially investigate reports of such crimes and ensure that those responsible are duly prosecuted and sanctioned with appropriate penalties."

Since April 2004, DCI-Palestine has documented 16 cases involving the use of Palestinian children as human shields during Israeli military operations in the Occupied Palestinian Territory. Fifteen of the 16 documented cases occurred after the Israeli High Court of Justice ruled the practice to be illegal in October 2005. DCI submitted joint complaints in 11 of these cases to the Israeli authorities. To date, only one case has given rise to a criminal conviction, that is, the use of nine-year-old Majed R. as a human shield during Operation Cast Lead.

Three of the 16 cases occurred in 2010: on 18 February 2010, a 16-year-old girl from Nablus was forced at gunpoint by Israeli soldiers to search for a weapon; on 16 April 2010, a 14-year-old boy was used as a human shield by Israeli soldiers during clashes in the village of Beit Ummar; on 19 August 2010, a 13-year-old boy was used as a human shield by Israeli soldiers whilst searching a house in 'Asira Al Qibliya, near Nablus.



Concerning the first case, DCI lodged a joint complaint with Adalah with the Israeli Military Advocate General (MAG). On 19 October 2010, the Israeli Military Prosecutor for Operational Matters wrote to Adalah to say that a Military Police investigation has been opened into the use by Israeli soldiers of a 16-year-old girl from Nablus as a human shield.

The second case was submitted to the **UN Special Rapporteur on Torture** for further investigation. The child and his family refused to lodge a complaint with the Israeli authorities.

A complaint to the Israeli authorities is being prepared with Adalah for the latest case.

The issue of lack of proper accountability with regards to the use of Palestinian children as human shields was highlighted in DCI's Violations Bulletin – Issue 3, in the following terms: "A lack of proper accountability with regards to human shield cases reflects a widespread problem in Israel and the Occupied Palestinian Territory. For example, according Yesh Din, over **90 percent** of settler violence incidents against Palestinians investigated by the Israeli authorities are closed without any indictment being filed. Further, in a recent report published by B'Tselem and Hamoked, between 2001 and 2010, **645** complaints were filed against Israeli Security Agency (ISA) interrogators alleging ill-treatment and torture, without one resulting in a criminal investigation."

**Result: By the end of 2010, Palestinian factions have committed to taking appropriate measures to ensure that children below the age of 18 do not take direct part in hostilities**

In March 2010, DCI-Palestine conducted a workshop on protecting children during times of armed conflict, which was attended by many organizations. The workshop was part of the activities planned for the purpose of writing a manual on the Protection of Children in Armed Conflict. Throughout the year, other meetings were organised with the Palestinian factions. These meetings led to a commitment by the Palestinian factions that they would respect children's rights and abstain from recruiting children to participate in combat activities. The parties signed a charter of honour.

**Result: By the end of 2010 GOI has taken specific measures to protect Palestinian civilians from torture/ill-treatment by settlers and to improve the accountability for violations**

In 2010, DCI-Palestine released the report *Under Attack: Settler Violence against Palestinian Children in the Occupied Palestinian Territory*. The report documents the cases of three children killed, and the injury of 42 others during a two year period. In addition, the report highlights the following facts:

- ▶ The settlements are illegal under international law.
- ▶ As of 2010, there are approximately 500,000 settlers living illegally in the Occupied Palestinian Territory.
- ▶ The government of Israel has identified the settlements as a National Priority Area. As such, settlements receive a number of economic benefits to ensure the areas remain populated.
- ▶ Over 90% of settler violence incidents that are investigated by Israeli authorities are closed without any indictment being filed. Settlers attack Palestinians with impunity.

Several delegations were briefed on the findings of the report, and a presentation was made in DCI-Palestine's International Conference held in November 2010 in Bethlehem. As a result of this presentation, DCI received an invitation to speak about settler violence against Palestinian children at an event at the European Parliament in Brussels on 29 November 2010. DCI presented the issue at this event, which served to raise awareness about the dire consequences of having illegal settlements in the OPT and the lack of accountability for crimes committed against Palestinian children by Israeli settlers.

## Legal Unit

**Result:** Child-rights focused legal support and assistance offered to Palestinian child detainees (Israeli discriminatory laws/practices are exposed)

The most notable development in the Israeli military court system was the creation of the juvenile courts through Military Order 1644, issued at the end of July 2009 and entered into force on October 1st, 2009.

Although the Israeli military leadership has acknowledged the need to establish a juvenile justice system, the military court system still presents multiple shortcomings, mainly the lack of minimum guarantees of a fair trial. Palestinian children are still interrogated without the presence of a lawyer or a family member. The majority of Palestinian children report being ill-treated or tortured and being forced to confess during coercive interrogations. In addition, children as young as 12 are prosecuted, and children are treated as adults once they reach the age of 16, in contrast with the Israeli domestic law, where majority is attained at 18.

Furthermore, Military Order 1644 is not mandatory in its language. The text says that 'the juvenile military court' must be held in a separate room «as much as possible» and children should not appear before the court or be detained with adults «as much as possible». This reflects on little change on the ground. The Israeli military courts continue to ignore the basic requirements of a fair trial and the general principles of juvenile justice.

## **Legal Unit's Main Achievements in 2010**

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1. 243 cases were legally represented in the Israeli military courts; 133 cases were closed with different sentences.
2. A number of complaints were lodged to challenge the Israeli authorities' violations against the rights of Palestinian child detainees.
3. 21 delegations of international lawyers, judges, journalists and human rights activists were briefed on the conditions of Palestinian child detainees. Visits to the Israeli military courts were arranged for them to see the reality of Palestinian child detainees.
4. Monthly visits were conducted to Palestinian children detained in Israeli prisons and interrogation and detention centers. In total 103 visits to 234 boys and girls were done.
5. 144 sworn affidavits were collected from child prisoners who have been victims of torture and ill-treatment by the Israeli authorities.
6. 141 questionnaires on torture were collected to monitor and document cases of torture and ill-treatment in Israeli prisons and interrogation and detention centers.

## **Files handled by the Legal Unit in 2010**

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The overall number of files of child detainees handled in 2010 by the Unit Legal was 243. Of those, 163 were new files received throughout the year and 80 corresponded to cases that were not closed in 2009.

13 out of 243 cases were followed-up in the Court of Military Appeal; 12 of them were lodged by the defence lawyers and 1 by the prosecution.

The results of the cases were as follows:

- ▶ 14 releases on bail
- ▶ 18 unconditional releases
- ▶ 133 closed with different sentences
- ▶ 34 not closed to be followed up in 2011
- ▶ 28 referrals to other lawyers
- ▶ 2 administrative detentions
- ▶ 2 girls; one released and one still in custody

## Distribution of closed cases

### Age group

Age group	Children number	Percentage
12 – 13	3	2.3 %
14 – 15	39	29.3 %
16 – 17	91	68.4 %
Total	133	100 %

### Charge

Charge	Children number	Percentage
Throwing stones	66	49.6 %
Manufacturing of Molotov cocktails	8	6 %
Attempt to throw Molotov cocktails	3	2.3 %
Possession and throwing of Molotov cocktails	10	7.5 %
Membership to banned organization	10	7.5 %
Attempt to provide services and contact hostile parties and aid wanted men	3	2.3 %
Conspiracy and attempt to kill	2	1.5 %
Possession and planting of explosive devices	9	6.7%
Manufacturing and possession of weapons	11	8.3%
Trade in compact means	2	1.5%
Military trainings	2	1.5%
Disturbance of public order	2	1.5%
Attempt to enter and entering into restricted military zone	3	2.3%
Attempt to enter Israel without a permit	2	1.5%
Total	133	100%

### Geography

Area	Children number	Percentage
Northern West Bank	51	38.3%
Southern West Bank	27	20.3%
Central West Bank	55	41.4%
Total	133	100%

## Accountability Programme's success stories:

1. In February 2010, a DCI-Palestine lawyer released a 13-year-old child who was detained in Ofer prison alongside adult prisoners. The argument of the lawyer in the court was that detaining the child in Ofer prison alongside adult prisoners was illegal. The decision of the judge was to release the child because there were appeal court decisions that supported the argument.
2. In May 2010, DCI-Palestine submitted a report to the UN Special Rapporteur on Torture related to the sexual assault and threats of sexual assault of 14 children during interrogation. The implementation of this activity reflects the improvement in evidence collection and a move toward the use of various advocacy mechanisms.

The Special Rapporteur has the power to investigate cases and to engage with the Israeli authorities through confidential communication with the aim of changing these practices. Once the investigation is complete, the outcome will be published in the Rapporteur's annual report. It is anticipated that the main benefit of using the UN Special Procedures will be the associated publicity and the consequent awareness-raising.

In addition, DCI engaged in a number of related advocacy initiatives, including briefings to: diplomats and representatives from the United States, the European Union and the United Kingdom; media outlets, including Ha'aretz, Al-Jazeera, CNN and AFP; members of the civil society, including the World Organisation Against Torture (OMCT).

3. DCI-Palestine is a member and lead indicator of the Monitoring and Reporting Mechanism established by SC Resolution 1612. A delegation from Columbia University came to the OPT to study the 1612's data collection, as it is the best in the world and they want to replicate the system in other countries. They studied our system of data collection and reporting, as an exemplary system.
4. Between 26 March and 4 December 2010, DCI-Palestine documented **17 cases** of children shot whilst collecting building gravel near the border fence between the Gaza Strip and Israel. Due to a severe lack of job opportunities and a shortage of construction material entering Gaza from Israel, hundreds of men and boys scavenge for building gravel amongst the destroyed buildings close to the border fence. Reports indicate that Israeli soldiers on duty in the observation towers which line the border between Gaza and Israel frequently fire warning shots to scare workers away from the border region. Reports also indicate that these soldiers sometimes shoot and kill the donkeys used by the workers, and also target the workers, usually, but not always, shooting at their legs. In the cases documented by DCI-Palestine, the children report being shot whilst working between **50 to 800 metres** from the border fence.



Besides publicising these cases through case studies written in the Voices from the Occupation format, DCI-Palestine has issued several Urgent Appeals urging that: 1. The Israeli army immediately ceases the practice of targeting unarmed children in the buffer zone on the Gaza side of the border with Israel; and 2. An immediate review of the orders and procedures relating to firing on persons in the buffer zone on the Gaza side of the border for compliance with international law, and to make all findings of the review public.

In response to DCI's Urgent Appeal 4/10 - Children of the Gravel, Congressman Brian Baird (3rd District of Washington) wrote a letter to Michael Posner, Assistant Secretary of State regarding the shooting of children in Gaza. In addition, Congressman Brian Baird spoke out against the deliberate targeting of these children from the floor of the House of Representatives.

5. On 29 November 2010, DCI-Palestine briefed a delegation of four members of the UK Parliament who visited the West Bank in a trip organized by the Council for Arab-British Understanding (CAABU). After the briefing, DCI accompanied the delegation to the Military Court. Once back in the UK, the MPs raised the issue in Parliament, and there was a 90 minute debate in Westminster Hall in Parliament on 7 December. The title of the debate was 'Detention of Palestinian children and the human rights situation in the West Bank'. The transcript of the debate reads: *"During our visit, we had meetings with various politicians and officials (...). However, our main concern was to see for ourselves the conditions faced by Palestinians in the West Bank. In meeting that aim, we were assisted by various non-governmental organisations, which also deserve our gratitude. We toured the area of E1 and visited Silwan, where homes are under severe threat of demolition and where a large area has been re-designated as a protected area. We also toured the northern West Bank, including Nablus and the Balata refugee camp. (...) However, it was a visit to a military court, where we saw the court process involving Palestinian children, that shocked us to the core, so we decided to highlight the issue on our return. That is why I applied for this debate, and why I shall concentrate mainly on that issue during it. However, I am not losing sight of the fact that it is not only a serious issue in its own right but illustrative of some of the wider issues in play in the occupied territories involving settlements, prolonged military occupation and de facto annexation of land. The military court system plays a component part in those wider issues."* (House of Commons Hansard Debates, Sandra Osborne, 7 Dec 2010)
6. DCI received an invitation to speak about settler violence against Palestinian children at an event at the European Parliament in Brussels on 29 November 2010. DCI presented the issue at this event, which served to raise awareness about the dire consequences of having illegal settlements in the OPT and the lack of accountability for crimes committed against Palestinian children by Israeli settlers.



# **FINANCIAL REPORT**

## DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

## Statement of Financial Position

December 31, 2010

	Notes	2010 U.S. \$	2009 U.S. \$
<b><u>Assets</u></b>			
<b>Non-current Assets</b>			
Property and equipment	3	283,451	308,550
<b>Current Assets</b>			
Contributions receivable	4	1,547,393	1,417,015
Other current assets	5	15,781	17,269
Cash and cash equivalents	6	518,491	391,080
		<u>2,081,665</u>	<u>1,825,364</u>
<b>Total Assets</b>		<u>2,365,116</u>	<u>2,133,914</u>
<b><u>Net Assets and Liabilities</u></b>			
<b>Net Assets</b>			
Unrestricted net assets		78,690	107,395
Sustainability reserve	7	60,557	-
<b>Total Net Assets</b>		<u>139,247</u>	<u>107,395</u>
<b>Non-current Liabilities</b>			
Term loan	8	41,238	54,445
Provision for employees' indemnity	9	269,933	239,376
Deferred revenues	10	122,719	117,520
		<u>433,890</u>	<u>411,341</u>
<b>Current liabilities</b>			
Current portion of term loan	8	13,207	12,142
Accounts payable	11	55,829	119,914
Temporarily restricted contributions	12	1,722,943	1,483,122
		<u>1,791,979</u>	<u>1,615,178</u>
<b>Total Liabilities</b>		<u>2,225,869</u>	<u>2,026,519</u>
<b>Total Net Assets and Liabilities</b>		<u>2,365,116</u>	<u>2,133,914</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, 2010

	Notes	2010 U.S. \$	2009 U.S. \$
<b>Revenues</b>			
Temporarily restricted contributions released from restriction	12	1,131,549	1,162,127
Unrestricted contributions		23,574	27,644
Deferred revenues recognized	10	17,146	17,001
Other revenues		44,483	8,430
		<u>1,216,752</u>	<u>1,215,202</u>
<b>Expenses</b>			
Administrative and Core-Program Costs	13	552,901	621,002
Projects expenses	13	575,241	537,414
Depreciation	3	35,302	36,084
Finance costs		3,407	3,711
Currency exchange loss		10,549	9,976
Other expenses		7,500	-
		<u>1,184,900</u>	<u>1,208,187</u>
<b>Increase in net assets</b>		31,852	7,015
Net assets, beginning of year		<u>107,395</u>	<u>100,380</u>
<b>Net assets, end of year</b>		<u>139,247</u>	<u>107,395</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, 2010

	2010	2009
	U.S. \$	U.S. \$
<b>Operating activities:</b>		
Increase in net assets	31,852	7,015
Adjustments for:		
Depreciation	35,302	36,084
Finance costs	3,407	3,711
Deferred revenues recognized	(17,146)	(17,001)
Provision for employees' indemnity	79,539	82,625
	132,954	112,434
Contributions receivable	(130,378)	(111,148)
Other current assets	1,488	744
Deferred revenues	22,345	38,511
Temporarily restricted contributions	239,821	238,048
Accounts payable	(64,085)	53,347
Employees' indemnity paid	(48,982)	(28,442)
<b>Net cash from operating activities</b>	<b>153,163</b>	<b>303,494</b>
<b>Investing activities</b>		
Purchase of property and equipment	(10,203)	(27,358)
<b>Net cash used in investing activities</b>	<b>(10,203)</b>	<b>(27,358)</b>
<b>Financing activities</b>		
Settlement of term loan	(12,142)	(11,158)
Finance costs paid	(3,407)	(3,711)
<b>Net cash used in financing activities</b>	<b>(15,549)</b>	<b>(14,869)</b>
<b>Increase in cash and cash equivalents</b>	<b>127,411</b>	<b>261,267</b>
Cash and cash equivalents, beginning of year	391,080	129,813
<b>Cash and cash equivalents, end of year</b>	<b>518,491</b>	<b>391,080</b>

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