



ANNUAL REPORT 2009



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

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Defence for Children International/Palestine

**Annual Report
2009**

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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 organizations.

Introduction

Dear Partners and Friends,

It gives me great pleasure to present the 2009 Annual Report for Defence for Children International - Palestine Section (DCI/PS). Like every year, 2009 was full of achievements and inspirations as well as challenges in the field of children's rights. Part of what made 2009 special, however, was that it marked the 30th anniversary of DCI as a movement, as well as the 20th anniversary of the Convention on the Rights of the Child – a foundation of children's legal and human rights that DCI has honored and attempted to enrich through our work since the very beginning. To celebrate, reflect, and plan ahead, DCI/International Secretariat dedicated its 30th anniversary symposium to the topic of "Child Participation and Juvenile Justice," held in Geneva.

Here in Palestine, we also convened for an important national event, the Seventh National Conference of Palestinian Children, titled "Dignity, Freedom, and Respect." Over 900 people attended a diverse series of events: workshops, speeches, paper presentations, signing petitions (alongside Palestinian legislative council members) about child law modifications, and discussing other important initiatives in the field of child rights.

In short, it has been a year for reflection on the state of children's rights all over the world, but also – urgently – in Palestine. Despite the continual progress we can see in this field, and which we've worked to enact, a great deal remains to be done. Children's rights are constantly threatened under Israeli occupation: the rates of killed, injured, and imprisoned children remain high, as does the number of children tortured in detention and interrogation centers; indeed, whether in or out of prison, the rights of children in conflict of the law are often denied, withheld, or violated altogether. And under both the Israeli government and the PA, children's rights face many daily threats, both institutional and intimate: domestic violence, violence in schools, corporal punishment, conflicts with the law, and so on.

As for one of the most grossly shameful injustices currently at work in Palestine, the Israeli siege on the Gaza Strip in late 2008/early 2009 – as well as the paralysis of its aftermath, the prohibition of even the most basic resources and opportunities for regeneration – continue to stifle the lives of children. About 1400 Palestinians were killed in "Operation Cast Lead," most of them civilians; scores of children were killed, wounded, and wrongfully put in jeopardy. Over a year later, the health, education, safety, and overall wellbeing of Gazan children remain in a

state of constant violation.

It's clear that the challenges are numerous and daunting, and that Palestinian children's rights are threatened and breached on every scale. In the face of these obstacles – and yet driven by an unwavering commitment to overcoming them – DCI/PS has worked hard in 2009 to inspire improvements and make change. This report will detail several of our many programs that strive, as does all of our work at DCI/PS, to uphold the rights of and respect for children as decision-makers in their own lives and in their own communities. Yet they also endeavor to strengthen the capacities of organizations that work with children – to expand and solidify a network of institutional support.

This report partly focuses on the work of the Civil Society for Children's Rights Unit, which aimed to restructure and further develop the Palestinian Network for Children's Rights (PNCR) and to strengthen the role of Palestinian CBOs as leading child rights actors. These tasks involved coordinating a general assembly meeting of many organizations, electing a secretary team, training many Network association members in methods of debriefing children, conducting extensive internal evaluations for Network organizations, and leading scores of events – workshops, focus groups on child rights, demonstrations against the war on Gaza, the activities of Palestinian Child Day, to name a few – that brought children, parents, and community members together as participants.

The Child Participation Unit was highly active this year as well, leading initiatives that worked to connect institutions and individual children – their own priorities, their own voices – as directly as possible. Among their programs were workshops, focus groups, and meetings between children and media professionals about the rights to protection, participation, and free expression; a TV program about child participation, aired on local channels, in which various children took part; organizing discussions about the modifications of Palestinian child law; coordinating the Seventh National Conference for Palestinian Children; and producing a magazine called *Little Hands*, focusing on many subjects related to children's rights and integrating the writings and editorial work of children themselves.

DCI/PS also continued and developed our program that focuses on children in conflict with the law, as well as our work with children as the victims of community violence. Another key component of our work at DCI/PS is accountability: legal defense and documentation of children wrongfully imprisoned or on trial; overall documentation of juvenile justice cases in Palestine; and a wide range of advocacy work for child rights. DCI/PS contributed extensive

documentation and analysis on the state of children's rights in Gaza to the UN Fact Finding Mission (often referred to as the Goldstone Report) that resulted from "Operation Cast Lead".

While 2009 was, in all of these ways, a year of new connections, strengthened networks, advocacy, and external outreach, it was also a year of internal reflection and examination for DCI/PS. Our organization underwent a thorough external evaluation, and we made several decisions related to managing our resources responsibly and restructuring our programs. For instance, we closed our Bethlehem office and combined its work with our Hebron office. We also restructured two of our main programs, such that one now focuses on children's rights affected by the Israeli occupation and the other deals with children's rights under PA jurisdiction. We made various other changes to our staff programs and internal structure: our management team now consists of four staff members; we began issuing an internal newsletter to keep our staff, board, and general assembly informed about our work; we updated the job descriptions for our staff, as well as initiating a process of regular staff appraisals and forming a human resources development program.

As I commented earlier, it has been a year of great progress in the field of child's rights – and in the work of DCI in Palestine – but we know that we still have a long way to go. We are learning from our successes and from our mistakes, from our obstacles and our accomplishments. We are constantly growing in response to a social, economic, and political context that is itself constantly changing. And as we move into 2010, I would like to express my appreciation to DCI General Assembly members, board of directors, volunteers and staff and also for all our supporters, partners, and friends. Together, we will keep working to improve child right systems and standards in Palestine, and to improve the lives of the children they affect.

Sincerely,



Rifat Odeh Kassiss
General Director



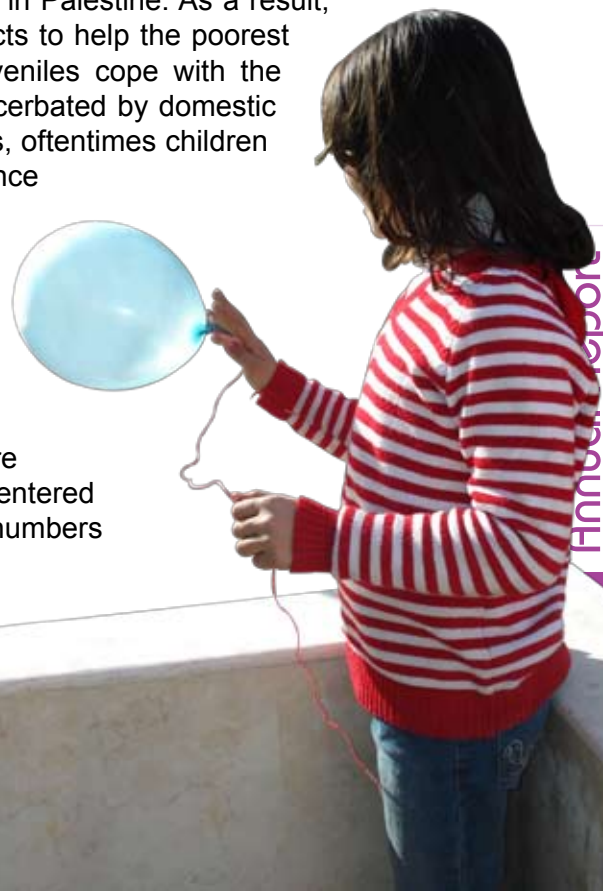
Child Justice

Protecting the rights of children in conflict with the law under PA jurisdiction

For the past 43 years, each generation of Palestinian children has grown up under Israeli occupation. The occupation has not only impacted their immediate physical integrity and mental health, but also their future. Children live in an environment of extreme instability and are exposed to violence on a daily basis. These conditions force children into adult roles prematurely and deprive them of their childhood.

As a corollary of occupation (i.e. military incursions, border closures, checkpoints, permits system, discriminatory policies and movement restrictions) the Palestinian economy is weak and the infrastructure inadequate and deficient. The conditions resulting from the Oslo accords are far from ideal: the PA has limited autonomy, lacks capacity and resources as a proper government, and Israel still retains ultimate control over the whole oPt. The fragmentation of the territory, the different legislations applied in the West Bank and the Gaza Strip, and the fighting between the political factions are factors that add up to the difficulties in establishing a fully operational child protection system in Palestine. As a result, there are no government-led income-generating projects to help the poorest families, and social and cultural services to help juveniles cope with the adverse environment are scarce. This situation is exacerbated by domestic violence, which is recurrent in Palestinian society. Thus, oftentimes children coming from difficult family backgrounds resort to violence and are likely to engage in inappropriate conducts or even criminal activities, such as shoplifting, drugs, vandalism and fighting.

According to the Palestinian Central Bureau of Statistics, more than 5,500 children came into conflict with the law in the PA areas between the years 1996-1999, and 1,054 in the year 2000. During 2008, there were 289 children formally in conflict with the law who entered Juvenile centres. Unfortunately, the statistics and numbers available on cases of juvenile delinquents do not capture the size of the phenomenon, as



many cases go unreported.

An assessment of the current situation shows a number of problems related to the administration of juvenile law in the Palestinian territories. One key issue is the law itself. In Palestine, each colonial, administrative or military power has imposed a legal system or set of administrative orders, making our legislation a confusing amalgamation of Ottoman Codes, British amendments, Mandatory and Emergency Regulations, Jordanian laws and constitutional principles, and Israeli military orders. In addition, due to the fact that they were historically administered by different powers, the West Bank and Gaza have different penal codes. As a result, there are substantial discrepancies between the norms applicable in both territories. Thus, from the first PLC elections in 1996, the development of a unified legal framework has been a priority.

The Palestinian Child Law, approved in 2004, encompasses the rights of the child as articulated in the CRC, and sets out the basic principles of the domestic juvenile justice legislation, currently being drafted. At present, however, the legal system does not comply with international juvenile



justice standards, and there is little awareness among lawyers, judges, prosecutors, police, and other professionals about the rights and needs of children in conflict with the law. Children are increasingly being dealt with as criminals, and they enter the same system as adults under the Ministry of Interior instead of the Ministry of Social Affairs. Furthermore, cases of torture

of children in conflict with the law have been documented by DCI/PS, and cases unlawful and arbitrary arrests for political reasons have been followed up.

Strategy and Methodology

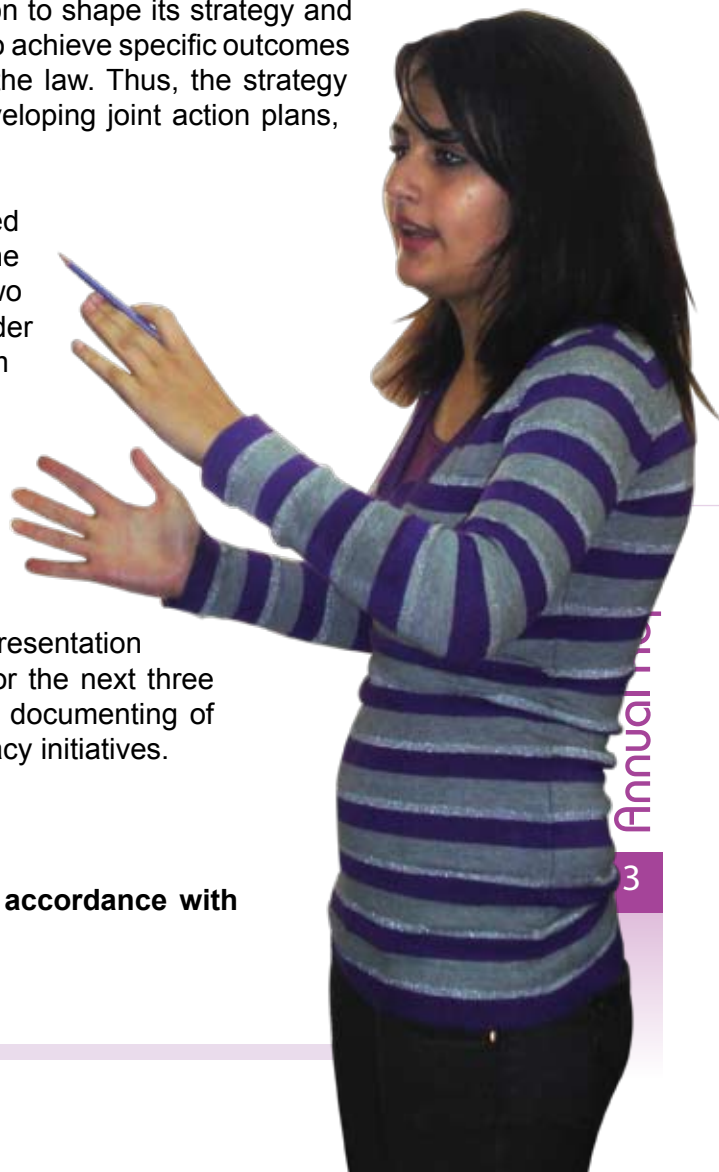
The Juvenile Justice program monitors and reports on the situation of children in conflict with the law. DCI/PS uses this information to shape its strategy and determine capacity-building and/or lobby activities to achieve specific outcomes on behalf of the rights of children in conflict with the law. Thus, the strategy is based on monitoring/engaging, strategizing/ developing joint action plans, capacity-building/lobbying, and evaluating.

Based on the Situation Analysis results, DCI decided to focus in 2009 on building the capacities of the Jenin and Nablus prisons' staff, and on monitoring two prisons and a police station in the West Bank, in order to determine whether children were kept apart from adults. Through these activities DCI/PS continued to build its experience and reputation, becoming a well known capacity builder on the subject of Juvenile Justice, as well as a source of reference on Juvenile Justice Issues.

In order to enhance and make our strategy more comprehensive, DCI/PS has included the legal representation of children in conflict with the law in its strategy for the next three years. This will allow for improved monitoring and documenting of juvenile justice matters, and hence stronger advocacy initiatives.

Main Activities Implemented 2009:

Under Result 1: New laws in place that are in accordance with International Standards of JJ



- Participation in a workshop on Juvenile Justice and the Juvenile Justice bill held in February 2009 by the legal department of the Legislative Council, with the attendance of 30 participants (Members of Parliament, the Ministry of Social Affairs, the Ministry of Education, and legal advisors of the legislative council). DCI/PS was invited to present a paper on child rights violations committed against children in conflict with the law. DCI/PS' coordinator submitted a draft of the Juvenile Justice bill.
- Participation in several workshops on law reform (Juvenile Justice Law and Criminal Justice Law).

Under Result 2: Law enforcement officials are more aware of their role, and implementing the laws related to juveniles in conflict with the law accordingly

- Participation in a meeting with police officers from several divisions, and employees from the Ministry of Social Affairs. As a result, a prevention task force was created to visit areas where children might be at risk of becoming child delinquents, such as markets and pool clubs. The members of the task force had been previously trained by DCI/PS' Juvenile Justice Program on Juvenile Justice international standards.
- 24 police officers from all over the West Bank were trained by DCI/PS' Juvenile Justice Program on the subject of Juvenile Justice and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules).
- Participation in several trainings and giving lectures on Juvenile Justice and International Standards.
- Participation in several meetings with the Ministry of Social Affairs and the EU Pol cops where the



subject of Juvenile Justice was discussed.

- Conduction of a workshop with children held in the juvenile centre to raise their awareness about their rights.

Under Result 3: Improved systems for monitoring and reporting on the status of Palestinian children in detention under PA jurisdiction

- More than 200 children were visited monthly in two prisons and the Palestinian Juvenile Centres. Legal advice and consultation was provided to them.
- 24 police officers were trained on Juvenile Justice Issues and the Havana Rules (United Nations Rules for the Protection of Juveniles Deprived of their Liberty).

Due to DCI/PS efforts, 18 children who had been arbitrarily arrested were released. The children were arrested by Palestinian Security forces not entitled to arrest civilians. Thus, DCI implemented the strategy of communicating with the relevant security forces, while copying these communications to four different bodies: The Higher Judicial Council, The head of Police, The Ministry of Interior and the Head of the relevant security forces. As soon as the security forces realized their actions were being monitored, they released the children, as their arrest had been carried out in violation of their basic rights.

Defending the rights of Palestinian children detained by Israeli occupation army

The policy of arresting Palestinians, including children, has been implemented since the outset of the Israeli occupation of the Palestinian territory. Indeed, around 700 Palestinian children are arrested every year by the Israeli occupation forces. They are charged with offences under Israeli military law and tried in Israeli military courts. From the moment of arrest, Palestinian children encounter ill-treatment and in some cases torture, at the hands of Israeli soldiers, policemen and interrogators. In most cases, children are interrogated in absence of a lawyer, and they are generally denied the right to see a lawyer until after they have provided a confession to the interrogator.

Military courts function on the basis of military orders (mainly Military Order No. 378 of 1970, which regulates the rights of the detained, the definition of security offenses, and rules for the operation of the military courts). Military orders are not laws, but rather policy orders which control and regulate daily life of Palestinians living in the occupied territory, effectively transferring

most power to the military authorities.

Proceedings in the military courts disregard basic fair trial rights and the general principles of juvenile justice.

Therefore, Palestinian child prisoners are in urgent need of support by:

- Providing them with visits in the interrogation, detention centres and prisons;
- Providing them with legal assistance during interrogation;
- Legally representing them before the military courts;
- Monitoring their situation in the Israeli military system, and documenting the rights violations committed against them.

In January 2009, the program received information about a campaign of arrest conducted by the IDF in Torah El Gariyah, a small village located in the northern part of Jineen district, near the separation wall. The next day, DCI/PS' lawyer went to the detention centre where the children were being held, accused of throwing stones to the apartheid wall. He found 6 children; some were 12 and some 13 years old. Immediately, the lawyer requested the children's release to the military court, and the children were released that same day. After the case was published on DCI/PS' web site, several media agencies approached DCI to learn more about the case. DCI/PS organized interviews with the children. As a result, the BBC and The Guardian newspaper wrote articles about the case.

Strategy and Methodology

DCI has been working with child detainees since 1992. In 2009, DCI-Palestine decided to re-focus the work, concentrating in the following aspects:

- Monitoring the situation of child detainees through monthly visits to the Israeli prisons, detention and interrogation centres, and documenting all rights violations committed against them during their arrest, interrogation and transfer, trial before the military court and within the prison. The documentation is done through questionnaires and the collection of affidavits from children victims of rights violations.
- Providing Palestinian child detainees with free legal representation before the Israeli military courts.
- Launching complaints against different Israeli bodies for violating the rights of child detainees through actions such as torture, abuse, and inhuman or degradative treatment.

Through this policy we expect to:

- Provide legal services to children who are in dire need for it.
- Have access to the Israeli military system in order to monitor prisons, detention and interrogation centres and military courts, as well as document the violations committed against Palestinian child prisoners.
- Use the information obtained through the monitoring and documentation to:
 - Improve the conditions of Palestinian children held in Israeli prisons.
 - Expose Israeli practices in the occupied territories at the national and international levels.

DCI has become the main source of reference on child prisoners' figures, their situation and the rights violations they face, at both international and national levels.

Main Activities Implemented 2009:

Under Result 1: Israeli military laws and discriminatory policies are challenged and exposed:

- Legal representation of **277** cases. 192 cases closed (see the summary outputs).
- DCI raised the number of complaints to challenge and expose Israeli violations against Palestinian child prisoners. This provided DCI-PS' Accountability program with further material for advocacy purposes (see accountability (CAT) report).
- **32** delegations of international lawyers, judges, journalists and human rights activists were informed about the situation of Palestinian child detainees, and visits of the delegation members to the Israeli military courts were organized.
- The Palestinian Child Prisoners List was updated.
- **25** meetings and interviews were held with journalists to inform and update them on the Israeli military court system and the rights violations committed against child detainees. The Child Prisoners Program coordinated 5 visits by these journalists to the Israeli military courts.
- The program responded to **22** local radios and gave live interviews.
- **20** interviews were given to International and National TV to talk about Palestinian child detainees and the violations to their rights.
- DCI/PS, Al Dameer and PNGO organized a press conference on the occasion of the Palestinian Prisoners' day.
- In coordination with the Ministry of Detainees and Ex-detainees, and the Prisoners'

Club, DCI/PS participated in a press conference on the violations against children committed in Israeli prisons.

Under Result 2: Improving systems of monitoring, documenting and reporting on the status of Palestinian children in Israeli detention:

- 1- DCI/PS started an initiative to build the monitoring and documenting capacities of the Ministry of Detainees and Ex-detainees and the Prisoners' Club.
- 2- Monthly visits of Children in Israeli prisons, interrogations and detention Centers.
- 3- Collection of **107** affidavits from children victims of torture and abuse in Israeli prisons, for the use of the Accountability program.
- 4- Preparation of **100** torture questionnaires to monitor and document cases of torture and abuse in Israeli prisons.
- 5- Presentation of **12** complaints before the military courts and the Israeli police.

In **2009**, **600 - 700** Palestinian children were arrested by Israeli forces. During this period, DCI received **218** new cases for legal representation, in addition to the **59** cases carried from **2008**. Therefore, DCI represented in total **277** cases (**218+59**) before Israeli military courts, having to appear in court **723** times

Out of the **218** cases received in 2009, **33** cases were followed in the military appeal court. **22** of them were appealed by the prosecutor, and **11** were appealed by the defence lawyers.

The outcome of cases was as follows:

- **28** cases Released on bail
- **12** cases Released without conditions
- **192** cases Sentenced
- **39** cases Postponed and carried to 2010
- 49 of the 192 cases closed by sentencing were cases of refugee children.
- **7** cases were under administrative detention.

The **7** girls that were in Israeli prisons in 2009 were released in October 2009 on the basis of Gilat Shalit's talks.

Breakdown of cases closed by sentencing:

a- Age group:

Age group	Number of children	Percentage
12 and 13 years	23	12%
14 and 15 years	46	24%
16 and 17 years	123	64%
Total	192	100%



b- Sentence:

Sentence	Number of children	Percentage
Under 6 months	121	63%
6-12 months	31	16,1%
1-3 years	32	16,7%
Over 3years	8	4,2 %

c- Charges:

Charges	Number of children	Percentage
Stone throwing	117	60,9%
Possession and throwing of cocktail Molotov	33	17,2%
Membership to a banned organization	11	5,8 %
Conspiracy and attempt to kill	8	4,2%
Possession and planting of explosives	7	3,5 %
Manufacture and possession of weapons	16	8,4%
Total	192	100%

d- Region:

Region	Number of children	Personage
North West Bank	116	60,4 %
Central West Bank	28	14,6%
Southern West Bank	48	25%
Total	192	100%



Prison visits:

Palestinian children are held in different Israeli prisons and detention centers. DCI-Palestine's lawyers conduct monthly visits to the main prisons: Telmond boys and girls, Damoun, Offer, Majedo and Remoneem, and visits to the interrogation and detention centers as a response to family calls.

During **2009**, **45** visits were conducted to the main prisons, and **42** to the detention and interrogation centers. **273** children were visited, and **107 affidavits** were collected by DCI-Palestine's lawyers on torture and ill-treatment.

Delegation visits:

DCI-Palestine's Child Detainees Unit, in coordination with the Accountability Program, hosted **32** delegations during the reporting period. Guests were given a presentation on the rights violations committed against children under the Israeli military system. Visits to ex-child detainees by international delegations and media professionals were also coordinated by the Programs.



Accountability

Accountability

Palestinian children suffer daily from the pervading violence of Israel's military occupation of the West Bank and Gaza Strip, now in its 43rd year, and the related armed conflict. Since the start of the second intifada in September 2000, over 1300 children have been killed as a result of Israeli military activity in the West Bank and Gaza Strip. More than one quarter of these children were killed during Israel's 23-day full-scale military offensive in Gaza in December 2008 and January 2009, codenamed "Operation Cast Lead" (OCL). Israeli authorities operate within a culture of impunity and thus far there has been little to no accountability for human rights violations. During 2009, as in previous years, the Israeli military arrested and detained approximately 700 Palestinian children. At any given time in 2009, there were between 305 and 423 Palestinian children held in Israeli prisons or detention/interrogation centres, at least seven of whom were held at some stage in administrative detention without charge or trial. Reports of ill-treatment of children in Israeli detention, including incidents of torture, are received with alarming regularity.



In response to OCL, a UN fact-finding mission headed by Justice Richard Goldstone was mandated by the Human Rights Council to investigate possible war crimes committed during the military offensive by both Israel and Hamas (the mandate also included West Bank violations of international humanitarian and human rights law). The mission's report (the Goldstone Report) was released on 15 September 2009 and reviewed by the Human Rights Council (HRC) on 29 September. The report's recommendations were comprehensive, addressed various duty-bearers and represented step-by-step instructions towards achieving accountability for the IHL and international human rights law violations and alleged war crimes detailed in the report. The HRC was set to vote whether to endorse the report or not by the end of its 12th session on 2 October. However, at the 11th hour, the Palestinian permanent observer to the UN requested that the vote on the report be deferred. After lobbying efforts by Palestinian and international civil society, the Palestinian Authority reneged on the deferral position and requested a Special Session of the HRC, which subsequently took place on 15-16 October, during which the Goldstone Report was endorsed and referred to the UN General Assembly (UNGA). During its 64th session, on 5 November, UNGA endorsed the report and its recommendations.

Towards the end of OCL, the Palestinian Minister of Justice submitted a request to the International Court of Justice (ICC) consenting to the Court's exercise of jurisdiction over alleged war crimes committed in Gaza from that date. The main legal question still to be determined by the Prosecutor for the ICC is whether Palestine fits the legal criteria to be a State as required under the Rome Statute. As of early 2010, the Office of the Prosecutor (OTP) of the ICC still had not responded to the request. However, DCI-Palestine's partner organisation Al Haq issued a position paper in late 2009, arguing that, for the purposes of the ICC, Palestine does fit the legal criteria to be recognised as a State as required under the Rome Statute.

On 29 July 2009, the Israeli military commander in the West Bank, Gadi Shamni, issued Military Order 1644 purporting to establish a juvenile military court. The order came into effect on 1 October 2009, and has now been in operation for four months. Since coming into effect on 1 October 2009, lawyers for DCI-Palestine have noticed few substantive changes to the procedures in the military courts other than that children are now generally (but not always) tried separately from adults. No other significant discernable changes have occurred in the practice or procedure of the military courts in relation to juveniles. In January 2010, the UN



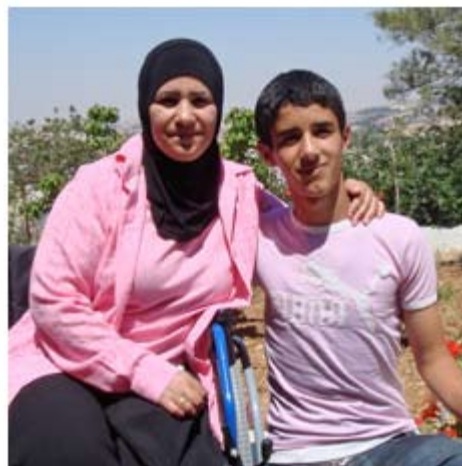
Committee on the Rights of the Child reviewed Israel's compliance with the Optional Protocol on the Involvement of Children in Armed Conflict. The body expressed particular concern about attempts to establish a juvenile court within a military jurisdiction, and urged Israel to end altogether the practice of prosecuting children in military courts.

From a global child rights' perspective, 2009 also saw several important developments. On 1 May, Marta Santos Pais was appointed the UN Special Representative of the Secretary-General (SRSG) on Violence against Children. In August, CRIN launched a petition calling for transparent procedures in appointing high-level positions with a child rights mandate. The first focus of the campaign is the next UNICEF executive director, set to begin in early 2010. Also, in June, the Human Rights Council agreed to set up a working group to look at the feasibility of establishing a global child rights complaints mechanism, through the adoption of a new optional protocol to the Convention on the Rights of the Child.

Last but not least, on 4 August, the UN Security Council (UNSC) issued Resolution 1882, which obliges the UN Secretary General (UNSG) to include in his annual report on children and armed conflict the names of parties to armed conflict who are responsible for the unlawful killing and maiming of children and/or grave sexual violence against children. This development is particularly relevant for Palestinian children, given that killing and maiming is one of six major violations reported on by the Israel/OPT Working Group on Grave Violations against Children (which reports to the UNSC on the situation of children affected by armed conflict in Palestine). Thus, with efficient reporting and lobbying, the Israeli army and/or Palestinian factions could potentially be included in the UNSG's reports and the "list of shame" of perpetrators of grave child rights violations, but also the Working Group could become an official UN-mandated country task force and benefit from additional resources.

Strategy and Methodology

DCI-Palestine's Accountability Programme focuses on Palestinian child rights violations occurring as a result of the military occupation and annexation of Palestinian territory and the related armed conflict. The programme aims at promoting better accountability of perpetrators of these violations (Israeli authorities, Israeli settlers, Hamas, the Palestinian Authority (PA), and Palestinian military factions) in order to promote the realisation of Palestinian children's rights. The strategy is to target selected third parties, such as States Parties to the UN Convention on the Rights of the Child, High Contracting Parties to the Geneva Conventions, relevant UN agencies and European Union institutions - i.e. secondary duty-bearers of Palestinian children's rights – to urge them to improve child rights accountability mechanisms, influence perpetrators, and effectively respond to violations. The methodology of the programme consists in documenting child rights violations first-hand (with a focus on fatalities, injuries and torture/abuse in detention), and using this information to raise awareness among the international community and conduct evidence-based advocacy targeting the above-mentioned duty bearers. The ultimate objective is to ensure that parties to the conflict, and particularly Israel, as the Occupying Power, adhere to their obligations under international law to protect and provide special care for Palestinian children.



Main activities implemented 2009:

1. All “Operation Cast Lead” child fatalities and several incidents of maiming and injury documented

By the end of 2009, 312 investigations into Palestinian child fatalities occurring during OCL had been completed and 40 investigations were still underway. In addition, 3 incidents, in which a total of 7 children had been used as human shields by the Israeli military, had been fully documented, 10 attacks on schools and 8 home demolitions. Moreover, the list of children killed while involved in hostilities was finalized. In addition to documenting and publishing information on child rights violations during OCL, DCI-Palestine carried out and contributed to several advocacy initiatives during the offensive, including letters to the UN and EU, respectively, and issuing an Urgent Appeal to supporters to urge their governments to ensure an immediate ceasefire the free passage of humanitarian aid and the lifting of the blockade of Gaza.

2. Joint report on “Operation Cast Lead” violations released

DCI-Palestine and Al Mezan released a joint report on child rights violations during “Operation Cast Lead”, entitled “Bearing the Brunt Again”. The report, which contains 43 case studies based on victim and eyewitness testimonies, was released online on 28 September, one day ahead of the presentation of the UN Fact-Finding Mission on the Gaza Conflict (Goldstone Report) at the Human Rights Council.

3. Towards accountability for “Operation Cast Lead” child rights violations

Together with fellow human rights advocacy groups, DCI-Palestine was involved in joint lobbying to ensure that the Goldstone Report was followed up adequately at each step of the way by the UN, EU and the Palestinian caretaker government. Our individual and joint efforts over the past months have included setting up a special webpage on “Operation Cast Lead”, issuing statements to welcome the report and in particular its inclusion of concern for child detainees, an Urgent Appeal issued on 26 September to our supporters to urge their respective governments, members of the HRC, to vote favourably on the Report, releasing a joint report with Al Mezan on child rights violations during OCL (see above), a Letter to the President of the HRC and an Oral Statement at the 12th Session of the HRC both issued on 29 September, a joint letter by Palestinian civil society to the UNGA on 1 October, a joint statement by 14 Palestinian NGOs entitled “Justice Delayed is Justice Denied” protesting the PA’s request to defer the HRC vote on the Goldstone Report, followed by a joint call to the PA, PLO and HRC to ensure a HRC Special Session on 13 October 2009. On 21 October, we sent a joint letter to the Palestinian permanent observer to the UN encouraging him to lobby the UNGA to issue a strong resolution on the Goldstone Report, as well as sending a joint letter to the UNGA and issuing a joint statement on 4 November

urging for timely and in-depth follow up to the Report. Following the UNGA resolution endorsing the Report, DCI-Palestine and 11 Palestinian and Israeli organisations sent an open letter to the Dutch Minister for Foreign Affairs and another one to the Presidency of the EU concerning their lack of endorsement for the Report at the HRC and UNGA.

4. UK civil society groups to set up webpage using DCI-Palestine data on “Operation Cast Lead” fatalities

CAABU and the Qatar Foundation are implementing a project on education for Palestinian children and setting up a webpage as tribute to all children killed during OCL. They requested to use DCI-Palestine data to produce a list of all fatalities with clickable names providing a profile paragraph about each victim, and offered some funds to help DCI-Palestine speed up the process of providing such data. It is estimated that this work in progress will be concluded by March 2010.

5. DCI-Palestine’s Child Prisoners’ Report sparks strong media and civil society response

The publication of DCI-Palestine’s Child Prisoners’ Report in June 2009 with a press release distributed to all media and partners and an accompanying video clip resulted in a syndicated article in AFP that was reproduced in a variety of foreign online news outlets in English and French, as well as a two-page article in *Time Magazine* online and an article in *The National online* (Saudi Arabian news outlet). In addition, a DCI-Palestine advocacy officer was interviewed about the situation of Palestinian child detainees on the Australian *Radio Atticus*, and *Boston College Radio* (with 2,000-5,000 listeners). Furthermore, our press release was reproduced on the *Electronic Intifada* website; Swedish lawyers wrote to their Queen and the Swedish branch of International Commission of Jurists. In addition, DCI-Palestine was able to take the deputy head of OHCHR to the military courts and to visit an ex-child detainee. Moreover, Victoria Brittain, a high profile British writer/journalist came to the OPT in June and was briefed by DCI-Palestine on the issue of Palestinian child detainees. DCI-Palestine organised for her to interview an ex-child detainee. As a result, she wrote about his story in an article published in a French magazine.

6. President Carter raises issue of child detainees with Israeli President and the Knesset

In another advocacy initiative, DCI-Palestine briefed the Carter Center on the situation facing Palestinian child detainees in the Israeli military courts, took two representatives to the courts and provided President Carter with a copy of DCI-Palestine’s Child Prisoners report. President Carter subsequently raised the issue of child detention with President Peres, the Speaker of the Knesset and the Knesset Foreign Affairs and Defence Committee. The Carter Center indicated that they will try and invite representatives from DCI to address members of US Congress.

7. UN Committee Against Torture expresses ‘deep concern’ at Israel’s treatment of detained children

In 2009, DCI-Palestine followed up on the CAT shadow report that it had provided almost all of the evidence for, and which was submitted by the United Against Torture Coalition in 2008 (of which DCI-Palestine was a member). The follow-up involved sending a DCI-Palestine advocacy officer to Geneva to give a presentation to the Committee Against Torture during the May session. As a result, very strong recommendations (Concluding Observations) on children’s rights were issued in May, with the Committee Against Torture calling on Israel to stop the torture/ill-treatment of child detainees. These UN recommendations serve as a useful tool in our ongoing advocacy on detention/torture issues.

8. DCI-Palestine submits 11 cases to the UN Special Rapporteur on Torture

On 29 September, DCI-Palestine submitted 11 cases to the UN Special Rapporteur on Torture. The cases arose out of three incidents where the Israeli army entered Palestinian villages in the middle of the night and rounded up children *en masse*, accusing them of throwing stones at the Wall and settler by-pass roads in the West Bank.

9. Administrative detainees cases down to two by end 2009

Throughout 2009, DCI-Palestine continued to issue public Urgent Appeals calling for the release of child administrative detainees, as well as providing periodic updates on cases. DCI-Palestine issued five appeals in total and furthermore, submitted complaints regarding two of these cases, Hamdi T. and Mohammad B. to the UN Working Group on Arbitrary Detention. In February 2009, six children were being held. However, encouragingly, the number of child administrative detainees fell steadily throughout the year. By the end of the year, there were no children under 18 in administrative detention. However, there were still two persons being held who were under 18 at the time of being issued their first administrative detention order.

10. UK speaking tour with ex-child detainee and his mother conducted in November

On 2-7 November, DCI-Palestine lawyers accompanied ex-child detainee, Mohammed E., and his mother on a speaking tour of the UK, during which Mohammed told British audiences at public meetings the story of how he was imprisoned aged 14 for four months for ‘throwing stones at the Wall’. A 5-minute video commissioned by DCI-Palestine documenting Mohammed’s experience was also shown at the public meetings. During the tour, DCI-Palestine and Mohammed were interviewed on *BBC World Service*, which was broadcast in English and Arabic.

11. Strong criticism of Israel's child recruitment practices by the Committee on the Rights of the Child

On 29 January 2010, the Committee on the Rights of the Child issued strong criticism of Israel's child recruitment practices and a long list of recommendations concerning how to change these practices. These recommendations came in conclusion to the Committee's review of Israel's compliance with the Optional Protocol to the Convention on the Rights of the Child on Children and Armed conflict. Although Israel had not mentioned any reference to Palestinian children in its Initial Report, the Committee had been informed of Israel's child recruitment practices in the West Bank and Gaza Strip through an Alternative Report submitted jointly by DCI-Israel and DCI-Palestine in July. In October, a DCI-Palestine representative also briefed the Committee on these issues and provided, together with Israeli NGO, New Profile, detailed information on child recruitment laws and practices in Israel in reply to the Committee's List of Issues. These UN recommendations serve as a useful tool in our ongoing advocacy on child recruitment.



12. DCI-Palestine submits an alternative report to Israel's state report on compliance of the ICCPR

On 29 July 2009, DCI-Palestine submitted an Alternative Report and supporting evidence to the UN Human Rights Committee, which is scheduled to review Israel's compliance with the International Covenant on Civil and Political Rights (1966) (ICCPR) in July 2010. The report focuses on the right to life, torture and ill-treatment, arbitrary detention and fair trial rights in the Israeli military court system. In response to receipt of the alternative report, in October the Committee issued a List of Issues to be addressed by Israel.



Child Protection

Child protection

Palestinian children in the occupied Palestinian territory suffer from daily violations and infringements of their basic rights. Besides the violations deriving from the Israeli occupation and its consequences on the

Palestinian Authority's power and control, they suffer the negative effects of the lack of Palestinian policies and legislations, as well as, being vulnerable in the community, homes and schools.

Studies have shown that within the Palestinian society violence is generally perceived as an acceptable measure to discipline and control children. In addition, certain traditional and cultural practices, such as those deriving from the patriarchal structure, increase the domestic vulnerability and the social exclusion of certain categories of children. In some areas, early marriage is a common practice, and there is little awareness of its negative impact on children, especially on girls. Another aspect of this would be the heightened vulnerability of female children to sexual abuse within the home, and to the practice of honor killing. mentally and physically disabled children are also amongst the most neglected within Palestinian society. Although there is data available on cases of abuse and neglect, many cases of domestic physical and psychological violence, including sexual abuse and other forms of gender-based violence, either go unreported due to the social dishonor that might arise for the family, or are solved through informal conflict resolution means, without reaching official channels of redress.



While the Palestinian Child Law offers a relatively strong legal framework addressing violence against children, it requires considerable effort and resources in order to be properly implemented. Unfortunately, in Palestine these are minimal. Thus, as a child rights actor, DCI-

Palestine strives to fill the void by playing a complementary role to the Ministry of Social Affairs' role in protecting children victims of violence. It does so by acting as a focal point for referral of cases to other service providers as well as to the Child Protection Network, and by promoting a multi-disciplinary approach among community based organizations and professionals working in the field of child protection.

Main activities implemented 2009:

Under Result 1: Promoting the commitment of governments and duty-bearers to child protection; encouraging the prioritization of child protection in their policies and practices.

1. Offering social and psychological consultation to 261 cases of sexual and physical abuse, health negligence, psychological and behavior problems, academic weakness, and urination. 175 cases benefited from the legal consultations, e.g. children who are victims of domestic strife; custody disputes, children in conflict with law; and situations involving violations of the right to life (murder), physical abuse, sexual abuse (harassments and rape), and violations of the right to receive health care and education.
2. The guide for the documentation procedures was accomplished.
3. Organized and systematic data about each case was provided through the database in order to conduct planning, monitoring, evaluating and obtaining advocacy.

Under Result 2: Fighting social practices within the Palestinian community that violate children's rights according to international law.

1. Establishing 10 workshops for teachers in Hebron, Bethlehem and Nablus about the mistreatment of children, the International Convention of Children's Rights, and the Palestinian child law, in addition to 150 meetings with children to discuss child abuse and exploitation. 3000 participants of both sexes attended.
2. There were six radio interviews about child labor and abuse, in addition to three TV interviews with children who are members of the correction initiatives about the correction of child law.

3. Conducting 90 meetings that targeted parents about child mistreatment and protection; 1500 participants of both sexes attended.
4. Conducting two workshops in Al-Alaeiyah schools in Bethlehem about child mistreatment; 20 males and females participated.

Influencing the child protection network in Ramallah to provide protection for a girl who was raped by her father. The protection officer provided protection for her through strong follow-up and developing an interference plan for the family and the child. This plan was developed during a conference attended by representatives from all the organizations that worked with the case and in the presence of DCI's attorney.

Under Result3: Developing joint and complementary strategies .

- Activating a child protection network and a work group on child protection
- Activating DCI's participation with groups who work on child protection
- Developing a complementary strategy with the Ministry of Social Affairs regarding the legitimacy of the child protection policy on the subject of protecting children who are victims of social violence
- Preparing a report, supported by a special study on child law and the project of correcting these laws, which was submitted to the department of the Ministry of Social Affairs that specializes in these matters
- Developing a complementary strategy with the Ministry of Interior regarding the role of the family protection unit in protecting child victims of social violence
- Preparing additional complementary strategies that aim to make specific changes in policies and practices by promoting the child protection network and the child protection work group in an effective way; this depends on constant monitoring, responding, feedback, and follow-up.

Under Result 4: Drafts Of Palestinian Child Rights' Laws Are more aligned With International Child Rights Standards:

1. Coordination among the groups dedicated to protecting children in conflict with law in Nablus and Jenin (the police, monitors, child protection officers, and labor inspectors)
2. Training 24 child protection professionals, both within the government and in NGOs, on the international standards for juvenile justice and protection, and members of the Children Protection Network in Nablus].
3. Working on approving the plan to reinforce the role of child protection officers, as well as to reinforce the possibility of overcoming the difficulties and obstacles posed to their work by the Ministry of Social Affairs working to make these matter a priority for the Ministry with regards to its role in child protection.
4. Creating a framework for child protection policies, lobbying the ministries to enact their duties as prescribed in child law (through the working group in the Ministry of Social Affairs), and activating this role through the lists of child protection employees and the executive list of child laws which is mentioned in the working group/ Ministry of Social Affairs.

5. Building the capacity of 60 psychologists who work in schools, 10 representatives from the child protection network and 10 representative from the Palestinian Network for Children Rights in Bethlehem, Hebron and Nablus in order to raise children's and parents awareness about protecting child rights and the current available mechanisms of protection.





Civil Society for Child Rights

Civil Society for Child Rights

This program is characterized by two comprehensive and complementary units: first, the civil society for children's rights unit; second, the child participation unit). Both are fundamental components of this program, given that participation is both a principle of child rights work in general and a systematic principle of the Child Rights Convention.

The importance of the program lies in its ability to actually practice developing the abilities and skills of organizations that work with children by means of direct contact with them and their social, economic, and cultural surroundings. Through the civil society unit, the program sought to develop the relationships among CBOs by building a united network that operates independently of particular affiliations or backgrounds. Thus, throughout 2009, the Palestinian Network focused more on training at the level of protection policy and child rights methodology; it was able to express and exchange knowledge and experiences in a supportive framework that actively engaged children. Therefore, the Network had an important role in creating positive change in its policies of dealing directly with children: it succeeded in expanding their means of expression, participation in decision-making, and carrying out those decisions. The fact that the protection teams were formed *within* the organizations reinforced the importance of the child participation according to the children's own rights and points of view. In addition, the positive changes affected the tendencies and perspectives of people working with children, making them more aware of children's best interests and active participation, as well as the priorities of child protection. Likewise, the changes contributed to recognizing their own role in representing children, protecting their rights, and advocating for those rights.



This year has been particularly fruitful for exchanging experiences and resources among members of the Palestinian Network for Children's Rights. As such, the Network has celebrated several events involving children, such as solidarity events with the victims of Operation

Cast Lead: several organizations in different areas in the West Bank and Jerusalem initiated public activities that called for protecting civilians and children under occupation, as well as for honoring the Fourth Geneva Convention and the Children's Rights Convention with the aim of protecting and respecting children's best interests. Similar goals were achieved with the Palestinian Children's Day and the International Child Day activities, in addition to acts of solidarity with prisoners and the participation of the Network in the activities of the annual National Child Conference.



As for more administrative changes, five child rights-focused CBOs underwent assessments of their needs and skills in order to develop their financial, administrative, and programmatic capacities according to child rights-based methodology. These needs and capacities will be revisited and readdressed in the upcoming years, so as to make them into a good model for the Network's member organizations. The Network elected a secretary team to do the work in a legal way that will ultimately enable them to present a unified discourse to represent civil society, which is then submitted to the governmental organizations pertaining to children's rights, needs, and priorities.

The following activities illustrate and substantiate the importance of the Community Mobilization and Child Participation Program

Main activities implemented 2009:

Under Result 1: Palestinian network for children's rights (PNCR) is restructured, institutionalized, and well developed as a key child rights coalition in Palestine.

1. Electing a secretary team, consisting of nine members, to lead the work of the Palestinian Network for Children's Rights.
2. Endorsing the paper of the by-laws after approval by the general assembly
3. 1645 children, 220 mothers, 160 professionals from different PNCR association members, the national committees, and other NGOs participated in solidarity activities during Operation Cast Lead.
4. 28 children, both male and female, benefited from a 30-hour training course about children's rights and protection.
5. Two voluntary teams were formed, both in the north and the south, by means of two workshops in which 26 volunteers from the south and 25 volunteers from the north participated.
6. 40 children benefited from 8 training workshops about children's rights and environments.
7. 800 children and 250 mothers participated in two demonstrations in solidarity with child detainees in Israeli detention centers; there was an open day for children from Hebron and Nablus.
8. The website of the Palestinian Network for Children's Rights was developed and activated.
9. 15 organizations joined the PNCR and another 15 submitted membership applications.
10. 27 Network association members were trained in a method of debriefing using drama as part of the Palestinian Child Day activities.



11. 79 workshops on debriefing with children were carried out with different CBOs and civil society organizations as part of Palestinian Child Day activities; 2486 children benefited from these workshops.
12. 2700 children of both sexes were involved in five open days organized as part of Palestinian Child Day activities.
13. 22 participants from different PNCR association members were targeted in 30 hours of training about child rights and protection policies.
14. 15 protection teams of children and adults were formed in 15 PNCR association members (25 children and 23 adults).
15. 30 hours of training about children's rights and protection policies targeted 25 children of the protection teams.
16. 23 adults were trained on child rights/protection policies and mechanisms.
17. Awareness-raising programs and activities were developed by the 15 protection teams to be implemented in their respective associations.



Under Result 2: the financial, administrative and programmatic needs and capacities of the 5 selected child-focused community based organizations are strengthened.

1. Five children rights-focused CBOs became members of the Network.
2. 16 participants from the top representatives of the five selected CBOs participated a workshop aimed at introducing the project and approving the terms of reference.
3. 5 workshops were implemented to examine the 5 selected CBOs' administrative and financial needs and capacities.
4. 78 children and parents from the five selected CBOs participated in 10 workshops to measure the impact of the relevant activities implemented by those 5 CBOs.
5. 34 professionals were targeted in five workshops to examine the programmatic needs of the five designated CBOs.
6. 22 top representatives of the five selected CBOs participated in a two-day planning workshop in which the general evaluation report was presented and a plan was made for the year 2010.



Child Participation

Child Participation

Child participation is recognized as one of the most effective and efficient principles in any organizational work. It can be better understood by means of the participation unit, which takes children's points of view into consideration when assessing their rights, needs and priorities. Through this unit, the program managed to serve as a bridge between society's categories and organizations (both governmental and NGOs) and children's voices and opinions. This bridge was achieved through children's active participation in writing the Little Hands magazine and being part of the editorial and monitoring committee. Several articles about children rights that expressed the concerns, ambitions, and needs of children were documented and published in six editions of this magazine in 2009. The children also had a special role in producing a code of ethics for media professionals about child rights in the media; the children participated in generating this concept through workshops, training courses, and meetings with media professionals.

This year was also noteworthy in terms of the constant meetings between children and decision-makers and attention paid to children's initiatives, in addition to the various meetings with PLC members during the 7th National Child Conference in November of this year.



Main activities implemented 2009:

Under Result 1: Children's right to freedom of expression in the media is improved

1. 5 children from Hebron, Bethlehem and Nablus participated in a one-hour T.V. program about children's right to participate.

2. Issuing four editions of the Little Hands magazine. These editions tackled various subjects, e.g. children's rights violations in Gaza during Operation Cast Lead, the activities of Palestinian Child Day, and the seventh national conference of Palestinian children.
3. Establishing three workshops about the right to protection, the right to participation, and children's right in the media.
4. Forming three focus groups about protection, children's rights in the media, and advocacy.
5. Organizing the Seventh National Conference of Palestinian Children.
6. 17 children from Hebron (15-17 years old) established two projects about refugee children's rights and children's rights in the media.



Under result 2: Active child participation within CSOs and community is enhanced.

1. Forming three focus groups about children's rights in the media, the right to protection, and the right to participation.
2. Establishing five monthly meetings to serve the work of the focus groups.
3. Establishing a workshop focusing on Operation Cast Lead in Gaza and war crimes against children. The workshop was held in Ramallah on February 17th. Twenty children from Nablus, Hebron, Ramallah and Bethlehem (15-17 years old) took part in addition to the special UN representative. As for the other two workshops, they discussed the modifications of child law; these workshops were held in Bethlehem and 20 children from Bethlehem, Hebron and Nablus (15-17 years old) took part.
4. Children presented a petition about Israeli child rights violations and collected more than 100 signatures.
5. The children reported on the modifications of Palestinian child law; their reportage was broadcast on three TV stations.
6. Organizing five subject workshops for the focus groups
7. Organizing the Seventh National Conference of Palestinian Children

8. Preparing and establishing five rights initiatives about refugee children's rights, media and children's rights, identity and nationality, the right to life, and the modifications of Palestinian child law; these initiatives were realized by 17 children from Hebron (15-17 years old).

- A poster about refugee children
- Cards that say "Refugees ... But Equal"
- A theater performance about media and children's rights
- A documentary about the right to life
- A booklet about identity and nationality



1. Organizing a meeting with the legislative council, discussing the modifications of Palestinian child law, generating comments, and seeking feedback among the members themselves.
2. Raising awareness in the local community about the modifications of Palestinian child law through a TV show on a local station.

DCI/PS Audited Financial Statement 2009 by Ernst & Young



DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

Statement of Financial Position

As of December 31, 2009

	2009 U.S. \$	2008 U.S. \$
<u>Assets</u>		
Non-current Assets		
Property and equipment	308,550	317,276
Current Assets		
Contributions receivable	1,417,015	1,305,867
Other current assets	17,269	18,013
Cash and cash equivalents	391,080	129,813
	1,825,364	1,453,693
Total Assets	2,133,914	1,770,969
<u>Net Assets and Liabilities</u>		
Net Assets		
Unrestricted net assets	107,395	100,380
Total Net Assets	107,395	100,380
Non-current Liabilities		
Term loan	54,453	66,587
Provision for employees' indemnity	239,376	185,193
Deferred revenues	117,520	96,010
	411,349	347,790
Current liabilities:		
Current portion of term loan	12,134	11,158
Accounts payable	119,914	66,567
Temporarily restricted contributions	1,483,122	1,245,074
	1,615,170	1,322,799
Total Liabilities	2,026,519	1,670,589
Total Net Assets and Liabilities	2,133,914	1,770,969

DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

Statement of Activities and Changes in Net Assets

Year ended December 31, 2009

	2009	2008
	U.S. \$	U.S. \$
Revenues		
Temporarily restricted contributions released from restriction	1,162,127	1,052,815
Unrestricted contributions	27,644	15,055
Deferred revenues recognized	17,001	7,157
Other revenues	8,430	9,330
	1,215,202	1,084,357
Expenses		
Administrative and Core-Program Costs	621,002	690,377
Projects expenses	537,414	357,307
Depreciation	36,084	33,082
Finance costs	3,711	5,131
Currency exchange loss	9,976	10,433
	1,208,187	1,096,330
Increase (decrease) in net assets	7,015	(11,973)
Net assets, beginning of year	100,380	112,353
Net assets, end of year	107,395	100,380

DEFENCE FOR CHILDREN INTERNATIONAL - PALESTINE SECTION

Cash Flow Statement

Year ended December 31, 2009

	2009	2008
	U.S. \$	U.S. \$
Operating activities:		
Increase (decrease) in net assets	7,015	(11,973)
Adjustments for:		
Depreciation	36,084	33,082
Finance costs	3,711	5,131
Deferred revenues recognized	(17,001)	(7,157)
Provision for employees' indemnity	82,625	66,993
	112,434	86,076
Contributions receivable	(111,148)	(373,752)
Other current assets	744	(5,823)
Deferred revenues	38,511	73,896
Temporarily restricted contributions	238,048	431,588
Accounts payable	53,347	19,488
Employees' indemnity paid	(28,442)	(31,787)
Net cash from operating activities	303,494	199,686
Investing activities		
Purchase of property and equipment	(27,358)	(77,083)
Net cash used in investing activities	(27,358)	(77,083)
Financing activities		
Settlement of term loan	(11,158)	(10,233)
Finance costs paid	(3,711)	(5,131)
Net cash used in financing activities	(14,869)	(15,364)
Increase in cash and cash equivalents	261,267	107,239
Cash and cash equivalents, beginning of year	129,813	22,574
Cash and cash equivalents, end of year	391,080	129,813