



Protection Cluster
Occupied Palestinian Territory

Protection Cluster Monthly Update

February 2014

Highlights from the Protection Cluster Working Group

Protection Concerns

West Bank

- One Palestinian was killed and 175 Palestinians, including 46 children, were injured by Israeli forces in the West Bank. Most injuries occurred in the context of Israeli military operations (104) and demonstrations (49). OCHA reported injuries to 5 settlers by Palestinians in incidents related to settlements.
- Since the beginning of 2013, UNRWA has observed a sharp increase in the number of Palestine refugees killed and injured by Israeli forces in the West Bank. In 2013, over half (17) of Palestinian fatalities were refugees (including 1 UNRWA staff member), compared to no refugee fatalities in 2012: over 70% of refugee fatalities occurred in or around camps. In 2013, 486 refugees were injured in or around camps, a 13-fold increase from 2012 (38): 49 refugees were injured by live ammunition (compared to none in 2012).
- 26 Palestinian-owned structures were demolished in the West Bank (9 in East Jerusalem; 17 in Area C, including 8 in the Jordan Valley), a sharp decrease compared to 106 structures demolished in January. 58 people (16M, 14W, 10B, 18G) were displaced and 59 otherwise affected (16M, 9W, 20B, 14G).

Gaza

- Two Palestinians were killed and 40 (including 7 children) were injured by Israeli forces in the ARA on land. The injuries occurred in the context of incidents near the fence with Israel (see ARA Core Group section).
- On 9 February, one Palestinian militant and two civilian bystanders were injured in an Israeli airstrike in the Middle Area. Two Palestinians were reportedly killed and four injured in two separate unexplained explosions on 7 February.
- Egyptian authorities continued to close the Rafah crossing apart from an exceptional 4-day opening for pilgrims to travel to Saudi Arabia, and a 3-day opening for the travel of specific categories of people including medical cases, students, people holding visas, and foreign nationals.
- Israeli authorities continue to restrict access via Erez Crossing to specific humanitarian cases, mainly medical patients. On 12 February, Israeli authorities denied entry to 60 Palestinian patients, citing the lack of “appropriate paperwork” because their referral letter referred to the “State of Palestine”. 50 patients were able to cross the next day after the paperwork was changed, while the remaining 10 patients missed their appointments at Israeli hospitals and needed to request new appointments, thus delaying their medical treatment.
- Israel’s renewed ban on the import of construction materials for the private sector (since November 2013) continues to impact the livelihoods of 70,000 workers directly or indirectly employed by the construction sector. In the last quarter of 2013, unemployment in the Gaza Strip rose from 32% to 38.5%. Further, over 20 UN humanitarian projects remain stalled since November 2013 due to Israel’s refusal to approve the entry of construction materials for their implementation.
- On 24 February, a Jerusalem court reduced the jail term of two Israeli police officers convicted of negligent homicide from 30 months to 21 months. The police officers had left an injured Palestinian man from the Gaza Strip on the side of highway 443 in June 2008, leaving him to die of dehydration.

Updates from Protection Cluster Sub-Groups

Child Protection Working Group

- The CPWG reviewed its emergency response and psychosocial support response, and discussed specific responses required to support children and youth in refugee camps.
- The War Child Holland project on “Advancing the rights of working children in the West Bank” has entered its final phase and will be finalised by 18 March. This phase includes an advocacy campaign targeting community members, decision-makers and families on the right of children to be protected from all kind of abuse and exploitation.

MRM Working Group on Grave Violations against Children

- The MRM Working Group is developing its work plan, which will be discussed at the next meeting. Specific issues for inclusion in the work plan were the need to focus on ensuring that partners are informed on the linkages between the monitoring and response, the monitoring of access to health in the West Bank, and settler violence (the expected takeover of houses by settlers in Hebron was noted as a concern).

MHPSS Working Group

- As of 1 March, the provision of emergency psychosocial support by the five PCDCR emergency teams in Gaza has ceased due to lack of funding. PCDCR is looking into prospects to support the work of some of the teams’ members on a voluntary basis. In the West Bank, the 11 YMCA emergency teams are able to continue operating until the end of April 2014. The next MHPSS Working Group meeting will focus on contingency planning in light of these developments.

Legal Task Force

West Bank

- *Cliff Hotel, Abu Dis*: The court hearing took place on 24 February. The location of the hotel appears to be of strategic importance to Israeli authorities, particularly for surveillance of areas around the Wall and the road leading to the approved settlement, leading to the assumption that the State of Israel has resolved to take over the Cliff Hotel premises by whatever legal means possible, and that the family efforts to stop such a takeover though the Israel court system will prove to be unsuccessful. Arguments about the need to explore an alternative route for the Wall to protect the Ayyad family’s property rights appear not to have been given due consideration by the court. Towards the end of the session, the court offered the family the option of withdrawing the petition in exchange for a statement in the court decision that the current route will pass east of the Cliff Hotel, but noting that the rights of the family to raise different arguments in the future will be preserved. The family rejected this offer.
- *Stop-work orders in Jabal Albaba, Jerusalem*: On 26 February, Israeli authorities delivered [18 stop-work orders](#) for buildings belonging to Bedouins on the Jerusalem periphery, 12 days after [right-wing protesters demanded](#) that Israel build in the area (E1). The stop-work orders affect 35 Bedouin families (around 240 people, including 150 children) who live on a hill north of Al Azariya. NRC will represent these cases.
- *DCO checkpoint, Al Bireh*: On 5 February, HaMoked petitioned the HCJ in the name of the mayors of Ramallah, Al Bireh and 8 other villages around it, to remove the DCO checkpoint.

Settler Violence Core Group

- During February, OCHA recorded 23 settler-related incidents: 17 incidents resulting in property damage (including damage to 2,657 trees and 16 Palestinian-plated vehicles) and 6 incidents resulting in injuries to 7 Palestinians. It was reported that 3 incidents by Palestinians against Israeli settlers resulted in 5 injuries, and 1 incident resulted in property damage.
- *South Hebron Hills*: The Israeli High Court of Justice has rejected a petition filed in 2012 by Palestinians of Susiya against settler takeover of over 300 dunums of land in the vicinity of the Susiya settlement, indicating that the takeover was more than 5 years old, and thus the IDF cannot be forced to take administrative measures against the settlers. Reports also indicate that Israeli authorities are at an advanced stage of retroactively legalising the outpost of Avigayl, located near the Palestinian community of Tuwani.
- On 19 February, the SVCG discussed the development of coordinated advocacy initiatives on concerns related to settlement activity and expansion in Hebron city, and broader advocacy initiatives on settler violence planned in 2014; and Al Haq presented their report on [Institutionalized Impunity](#).

Access Restricted Areas Core Group

- Two Palestinians were killed by Israeli forces and 40 others were injured in the ARA on land by the use of live ammunition and tear gas canisters. 36 of the injured were shot in the context of demonstrations; some of these were organized by youth groups protesting Israel's imposition of the buffer zone. The two people killed were a 35-year-old gravel collector shot in the head within 200 metres of the fence east of Zaytoun, Gaza City, on 13 February (another person was shot and injured in the same incident); and a 57-year-old woman with a mental disability who was shot in Khuzaa, east of Khan Younis, when she approached the fence on the night of 28 February.
- At sea, Israeli forces continued to impose restrictions on Palestinians' access to fishing areas, and used live fire against fishermen. No casualties were reported in February. On 10 February, three fishermen, including one child, were arrested by Israeli naval forces while they were fishing at 1.5 NM from the Beit Lahia shore in northern Gaza. The three fishermen were released on the same day after being interrogated, while their boats and fishing nets were confiscated.

Legal Advice Group

- The LAG met to discuss the lawfulness of "targeted killings" under international law, in light of three recent incidents in Gaza. The LAG agreed that it is critical first to determine whether an armed conflict is ongoing when assessing the legality of a "targeted killing", and thus whether or not IHL applies. Outside of a situation of armed conflict, IHL does not apply and a "targeted killing" (i.e. the use of intentional, premeditated and deliberate lethal force against an individual) cannot be lawful and would violate the right to life. In the context of a situation of armed conflict, where both international human rights law and IHL apply, the legal assessment becomes more complex. IHL prohibits attacking civilians and requires determining whether the person targeted is protected against attack (i.e. a civilian) or not (e.g. a combatant, or a civilian directly participating in hostilities). In case of doubt, a person must be presumed to be protected against direct attack. In addition, any attack must strictly comply with the requirements of IHL, including precautions in attack, proportionality and the principles of military necessity and humanity. The LAG concluded that the legality of "targeted killings" had to be examined on a case by case basis. Some partners felt that the political context and the use of "targeted killings" for retaliation or punishment should be taken into consideration. Partners also discussed Israel's obligations under local legislation and international law to

ensure accountability and an effective remedy for victims of violations.

Advocacy Initiatives

Reports, outputs and events by PCWG members

- BADIL Resource Center published a handbook on *Israeli Land Grab and Forced Population Transfer of Palestinians: A Handbook for Vulnerable Individuals and Communities* in [Arabic](#), [Hebrew](#) and [English](#). The Handbook outlines the issues of land confiscation, restrictions on use and access of land, and the system of planning, building permits and home demolitions in the oPt by drawing on court decisions, legislation, military orders, and original interviews with affected individuals. The Handbook includes 70 case studies.
- The Civic Coalition Jerusalem has prepared a fact sheet on *Dispossession and Forced Displacement in Silwan*, and a briefing note on *The De-Palestinization of Education in occupied East Jerusalem*. Both can be requested from the Civic Coalition (info@civiccoalition-jerusalem.org).
- The "Room No. 4" photo exhibition, focusing on the arrest and detention of Palestinian children in East Jerusalem, is ongoing at the French Cultural Centre in Bethlehem until 19 April.
- On 11 February 2014, six Palestinian victims of an Israeli airstrike during the November 2012 escalation in Gaza and southern Israel testified at Erez crossing before an Israel military investigation committee headed by a senior officer. Their case was brought before the Israeli authorities by the Palestinian Centre for Human Rights (see [press statement](#)).
- In February, the Humanitarian Country Team (HCT) Advocacy Working Group discussed advocacy priorities for the Gaza Strip and how to further strengthen advocacy on Gaza in 2014. Further, the existing mapping of preventive and reactive advocacy measures to mitigate and react to demolitions has been developed into a draft action plan, including selecting communities for joint HCT advocacy which can illustrate overall trends of displacement among vulnerable Area C communities. The annual HCT advocacy planning workshop was held in Ramallah on 17 February, and included the participation of HCT members and clusters, as well as a number of Palestinian and Israeli NGOs.

Key Dates for March 2014

Gaza:

- PCWG @ OHCHR Gaza, 20 March

West Bank:

- PCWG @ OHCHR Ramallah, 26 March
- LTF West Bank @ NRC, 10 March
- SV Core Group @ OHCHR Ramallah, 12 March
- CPWG @ TBD, 27 March
- MRM WG @ TBD, 27 March
- MHPSS WG @ TBD, 8 April

For additional information, contact:

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