



Protection Cluster
Occupied Palestinian Territory

Protection Cluster Monthly Update

November 2012

Highlights from the Protection Cluster Working Group (PCWG)

I. Protection Concerns

Gaza

- During the recent hostilities in Gaza (14-21 November), at least 160 Gazans were killed, including over 103 civilians, of whom at least 33 were children and 14 were women. These figures are likely to rise as additional fatalities are verified by cluster members.
- During the hostilities, Protection Cluster members (PCHR, Mezan, BTselem and OHCHR) collected and documenting information on fatalities (disaggregated for civilians and for women and children), injuries and protection concerns. This information was incorporated in daily updates and situation reports compiled by OCHA, along with other key incidents that raised concerns about possible violations of international law.
- Protection Cluster members (PCHR, Al Mezan, B'Tselem, OHCHR) are continuing to monitor and document incidents that resulted in civilian casualties and damage to civilian property and infrastructure, to analyse potential violations of international law.
- Moreover, as part of the protection response, Protection Cluster members are highlighting the need for accountability for violations of international law, drawing lessons learned from Operation Cast Lead. To this end, Protection Cluster members will provide coordinated legal assistance to support access to an effective remedy for death, injury and property destruction or damage. The Protection Cluster is also liaising with other clusters/sectors to identify strong cases where legal assistance may be required to seek accountability.
- The presence of explosive remnants of war (ERW) in Gaza in the aftermath of the recent hostilities has been highlighted as a key humanitarian concern. Following the ceasefire, local police began removing large quantities of ERW in urban areas. Between 22 and 27 November, UNMAS experts carried out 54 emergency ERW risk assessments across the Gaza Strip, including of all damaged government and UNRWA schools, the two damaged bridges, farmland, family centres and adolescent centres. UNMAS estimates that the remaining risk is now mostly related to ERW located under the rubble of damaged/destroyed buildings as well as in rural areas, farmland and the ARA. ERW risk education is also extremely important, and UNMAS, UNICEF, UNRWA and NGO partners have launched an education campaign with ERW risk awareness sessions in schools, and TV and radio clips. [Note: Prior to the recent hostilities, the overall total of UXO victims in 2012 was 33 (including a man killed on 4 November), including 20 children.]
- Psychosocial support for children and families has also been identified as a humanitarian priority. Please see the Child Protection Working Group section for information on child protection and psychosocial support responses.
- The Protection Cluster integrated protection perspectives in the inter-cluster rapid assessment, and is working with other clusters/sectors to integrate protection issues in cluster/sector-specific assessments.

Updates from Protection Cluster Sub- Groups

Child Protection Working Group

- The CPWG, MHPSS and the MRM Working Groups have been focusing on the emergency response to the crisis in Gaza, as a result of which at least 33 children were killed, and at least 252 injured. The crisis has had a significant negative impact on the psychosocial wellbeing of Gazan children. The CWPG coordinated the child protection response by mapping partners' operations during the crises, available resources, gaps and partners' capacity to scale up activities as soon as the security situation allowed.
- As part of the emergency psychosocial response, UNICEF and partners developed an assessment tool and trained 82 PCDCR data collectors for an initial psychosocial assessment of children in Gaza. On 25 November, the PCDCR data collectors reached 500 children living in the most affected localities, villages, camps and neighborhoods, including 5 in North Gaza, 7 in Gaza, 8 in Middle Area, 9 in Khan Younis and 6 in Rafah. Half of the interviewed children were girls, and all age groups were included in the assessment with 1/3 of the children aged 0 to 6, 1/3 aged 7-12, and 1/3 aged 13-17. The assessment included a first set of questions to establish the amount of exposure of children to violence. The second part of the assessment aimed at establishing the symptoms of stress that children developed during the period from 14 to 22 November. The data entry work is ongoing, and the first analysis will be available shortly.
- Psychosocial emergency teams are continuing their interventions and are targeting the most affected localities to counsel children and families, including those selected for the initial psychosocial assessment. The emergency teams are also distributing leaflets and flyers on UXO awareness and safe behaviour during family visits and counselling sessions.
- UNICEF and partners are documenting cases of violations against children in Israel and the oPt for accurate reporting to the Security Council Working Group on Children and Armed Conflict, through the established Monitoring and Reporting Mechanism.

Legal Task Force

West Bank

- **Masafer Yatta (Firing Zone 918) cases:** Advocate Shlomo Lecker and St Yves briefed the LTF on case developments and their legal strategy related to cases. It was noted that a number of legal actors are involved in related cases in these areas and that a coordinated legal strategy is important.
- **Jordan Valley:** Discussions addressed: 1) recent developments including demolition orders with 3 day limits and 2) the protection of some communities from demolitions through ongoing petitions and specific injunctions.
- **Cremisan, Bet Jala case:** St Yves provided information on recent witness hearings related to the case on the route of the Wall in the Beit Jala-Cremisan-Al Walaja area, including expert evidence on the negative environmental and cultural impact of the planned routes of the Wall.

- **Residency Rights:** HaMoked updated the LTF on positive developments. From 2013, permits issued on basis of family reunification will include the right to work. Discussions focused on whether this could apply to other situations.
- **Translation into Arabic of development plans:** JLAC filed a petition to oblige the State to translate documents related to plans for development in Al Tur and Assawiya into Arabic to ensure the community can understand the proposed plan. In October, one of the State parties responded by rejecting the petition, saying that translation is not necessary. The Court decision on the petition is expected in the coming months.

Displacement Working Group

- In November, Israeli authorities demolished 16 Palestinian structures, including 4 residential structures, resulting in the displacement of 8 people, including 6 children. In addition, two Palestinian families self-demolished extensions to their existing buildings out of fear of demolition and additional fines. Most of the demolitions took place in vulnerable communities in Area C between 1 and 12 November. In a worrying development, three Palestinian families living close to the village of Al Khalayleh left the area due to pressure from the ICA, which had threatened to demolish the families' structures for the fourth time in a few months.
- The DWG continued its work on preventing and responding to forced displacement within the West Bank, focusing efforts on finalising comprehensive action plans for the East Jerusalem periphery communities and for South Hebron Hills communities. As part of the South Hebron Hills action plan, OHCHR convened a number of meetings of local-level actors in the south West Bank to coordinate initiatives relating to Masafer Yatta: issues discussed included international presence in the firing zone, and the development of a campaign strategy to raise national and international awareness of the situation in Masafer Yatta. It is proposed that both DWG action plans, which contain a list of outstanding needs and activities, be discussed with cluster/sector leads at the next inter-cluster forum.

Access Restricted Area Core Group

- Since the ceasefire on 21 November, it is reported that access restrictions in the ARA at sea and on land have eased. Specifically, it has been reported that farmers are now able to access their land up to 100 metres from the fence in many areas, and that fisherman are able to fish up to six nautical miles from the land. However, the situation continues to remain uncertain. Farmers, in particular, face a lack of clarity about what lands they can access, what agricultural work they can carry out in the land, and what structures maybe repaired or built. There are also concerns about explosive remnants of war (ERW) presence in this area. The Protection Cluster will monitor access to the ARA, in addition to continuing to monitor and collate information on incidents in the ARA.
- The following incidents are among those that have been reported since the ceasefire:
 - 26 Nov: IDF opened what was reported to have been warning fire as approximately 100 men attempted to approach the fence. Two men were injured.
 - 25 Nov: INF opened sporadic fire on Palestinian fishing boats west of Rafah, forcing them ashore. No injuries or damage reported.
 - 23 Nov: IDF opened fire towards Palestinian farmers east of Al Qarara (east of Khan Younis) forcing them to leave the area. 2 farmers were injured.
 - 23 Nov: IDF fired at a group of some 150 Palestinians approaching the fence east of Khan Younis, reportedly to collect remnants of an Israeli military vehicle damaged during the hostilities. One man killed and 7 injured. The IDF had reportedly first used warning fire.

- Prior to the recent hostilities, on 4 November, a 23 year old man suffering from epilepsy was shot and killed by IDF nearly 10 metres from the fence in central Gaza. The IDF reportedly used Arabic to request that he leave the area several times. Human rights organisations are following up on reports that he was left bleeding as an ambulance was delayed access.

Settler Violence Core Group

- The SVCG met on 21 November to: 1) draw lessons learned from the coordination of protective presence actors during the 2012 olive harvest, with the overall assessment that coordination had significantly improved thanks to the action taken by the Group in this regard; 2) reflect on the initial trends on settler violence incidents drawing on current statistics from OCHA and information collected by protective presence actors (final data and analysis is pending); and 3) identify advocacy and follow up responses including the identification of vulnerable/strategic communities subject to repeated settler violence who are in need of material response (to be discussed at the next SVCG meeting and raised by the Protection Cluster through the inter-cluster response mechanism for action). OHCHR will coordinate the follow-up of complaints filed by farmers with Israeli police.

Advocacy Initiatives

Reports, outputs and events by PCWG members

- During the recent hostilities in Gaza, PCHR, Al Mezan and B'Tselem issued regular statements, available at: <http://www.pchrgaza.org/portal/en/>, <http://www.mezan.org/en/>, <http://www.btselem.org/>.
- Adalah and Al Mezan sent an urgent letter to the Israeli Military Advocate General calling for the IDF to refrain from any further attacks on a media building. Please see <http://www.adalah.org/eng/?mod=articles&ID=1867>.
- Adalah, Al Mezan and PCHR sent a joint letter to the MAG and Israeli Attorney General requesting a criminal investigation into the killing of members of the Al-Dalo family: <http://www.adalah.org/eng/?mod=articles&ID=1869>.
- Adalah issued a document entitled "*The Truth about Gaza: The Occupation, the Siege, and the Context for War*". See [http://adalah.org/Public/files/English/International Advocacy/Adalah-Truth-about-Gaza-November-2012.pdf](http://adalah.org/Public/files/English/International%20Advocacy/Adalah-Truth-about-Gaza-November-2012.pdf).
- Physicians for Human Rights issued a paper on "Freedom of Movement of Palestinian Patients: Trends and Data for 2012" that was prepared prior to the recent hostilities in Gaza. See <http://phr.org.il/default.asp?PageID=107&ItemID=1670>.

Inter-Cluster Initiatives

- The Protection Cluster integrated protection perspectives in the inter-cluster rapid assessment in Gaza, and is working with other clusters/sectors to integrate protection issues in cluster/sector-specific assessments.

Key Dates for December 2012

Gaza:

- PCWG Gaza @ OHCHR Gaza, 17 December
 - CPWG @ UNICEF, TBC
- ##### West Bank, including East Jerusalem:
- PCWG West Bank @ OHCHR Ramallah, 18 December
 - Settler Violence Core Group @ OHCHR Ramallah, 11 December
 - LTF @ NRC, 10 December
 - DWG @ OCHA, 6 December
 - MRM Working Group @ OHCHR Ramallah, 4 December
 - CPWG @ PRCS, TBC

For additional information, contact:

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