



Protection Cluster
Occupied Palestinian Territory

Protection Cluster Monthly Update

May 2013

Highlights from the Protection Cluster Working Group

Protection Concerns

West Bank

- There are concerns about the increase in demolitions in East Jerusalem during the last months. In most cases, demolitions were carried out by the Israeli Ministry of Interior.
- The failure of the IDF to prevent and protect Palestinians from settler violence across the West Bank remains an issue of concern. Following the killing of an Israeli settler near Nablus on 30 April, settler attacks against Palestinians and their property continued across the West Bank in May, particularly in Nablus and Ramallah governorates. Such attacks include physical attacks, damage to trees, burning of crops, and pouring chemicals into water cisterns.

Gaza

- On 21 May, Israeli authorities eased restrictions in the ARA at sea from 3 to 6 nautical miles. However, incidents continue to be reported within the permitted fishing zone (see below).
- Following the escalation of hostilities in November 2012, human rights organizations in Gaza have received responses to 25 of 96 complaints submitted to the Israeli military justice system, calling for investigations of alleged violations of international humanitarian law. In 14 responses, the Military Advocate General stated that the case was closed without opening a criminal investigation; in 11 responses, the case was still under consideration. There has been no substantial response to notifications submitted to the Ministry of Defence regarding claims for compensation for harm suffered.
- On 2 May, two civilians were injured as a result of an ERW explosion. To date in 2013, there have been 22 victims of ERW, including 18 children.
- The Rafah crossing to Egypt was closed for a week after Egyptian soldiers were kidnapped in the Sinai on 16 May. Because of the Israeli-imposed closure regime, Rafah is the only point of exit for most Palestinians wishing to leave Gaza. Palestinians who needed to travel through Rafah crossing, including some for medical reasons, were unable to leave Gaza until Rafah was opened again after the release of the soldiers.

Updates from Protection Cluster Sub-Groups

Child Protection Working Group

- The CPWG met on 22 May, and discussed drafting its work plan based on the new global standards for child protection in humanitarian settings.
- The Palestinian Centre for Democracy and Civil Rights (PCDCR) gave a presentation on sexual abuse in Gaza and the YMCA on their response to address the needs of children released from Israeli military detention in the West Bank.

MRM Working Group on Grave Violations against Children

- Based on recommendations from MRM WG partners, UNICEF and Save the Children developed incident categories for education-related violations in an ongoing effort to strengthen the analysis regarding attacks on schools and denial of access

to education. The MRM database is now able to capture the level of damage of schools, and the analysis can also provide a breakdown by number of children arrested on the way to or from school, the number of teachers arrested, the disruption of school routine due to weapon fire, search operations, or due to demonstrations or clashes. Historical data in the system will be reviewed and categories applied to ensure the analysis can be done for cases documented from 2009 to 2012.

Mental Health and Psychosocial Support Working Group

- **West Bank:** The MHPSS WG finalized evaluation criteria for psychosocial projects submitted under CAP, CERF and other humanitarian funding. The document will be circulated to all MHPSS WG members in the West Bank and Gaza for review and feedback. The purpose of the document is to help standardise the project review process between the West Bank and Gaza, and will assist members during the development phase of their projects. The final document will be shared and disseminated to stakeholders and the Protection Cluster, and translated into Arabic.
- **Gaza:** The Gaza Community Mental Health Program (GCMHP) has completed the standardisation of four manuals that are expected to improve provision of post-emergency psychosocial interventions guided by international benchmarks and local practices, by guaranteeing minimum agreed standards. Training on the manuals is currently being provided by GCMHP and its partners to more than 80 senior practitioners from the MHPSS WG in Gaza. GCMHP also launched a crisis intervention project to respond to the psychological needs of the Palestinian community in the Gaza Strip arising from the November 2012 escalation.
- Handicap International, Palestine Avenir for Childhood Foundation and Baitona Society for Community Rehabilitation are implementing a project on improving access of children with disabilities to quality rehabilitation and follow up services in the Gaza Strip, and providing psychosocial support to mothers of children with disabilities.

Legal Task Force

West Bank

- On 13 May, the LTF discussed main updates on cases including on recent demolitions outside the Wall in Jerusalem, and NRC gave a presentation on the results of their legal coverage assessment.

Cliff Hotel and related cases: These cases concern the applicability of the Absentee Property Law to residents of the West Bank who own homes and land in East Jerusalem. The Cliff Hotel hearing took place on 21 May but the court has not yet ruled. In 1968 and 2005, former Attorney-Generals had instructed that the Absentee Property Law should not apply in East Jerusalem.

Amona outpost: The Israel High Court of Justice granted the State a final *ex gratia* extension for the evacuation of the outpost of Amona, in a petition filed by Palestinian landowners through Yesh Din in 2008. The evacuation has been ordered to take place by 15 July 2013.

Masafer Yatta: Rabbis for Human Rights reported that planning in Masafer Yatta has been approved by the PA for the

12 communities and IPCC will start with planning for Sfai and Almajaz.

Gaza

- The LTF discussed the legal and social implications of the education law recently issued by the DFA Palestinian Legislative Council and made public through a press conference on 31 March 2013. The new law, which came into effect immediately, includes 60 articles on various administrative and organizational topics. Articles 46 and 47 impose segregation between boys and girls after the age of nine, and call for “feminizing” girls schools by banning male teachers from teaching in such schools. Several Palestinian human rights organizations have issued a joint statement calling on the DFA to repeal this new education law, along with other recommendations.

Displacement Working Group

- Since the beginning of 2013, 246 Palestinian structures have been demolished in the West Bank (including around 100 residential structures). Over 440 Palestinians (more than 220 children), have been forcibly displaced and another 1,000 otherwise affected. On average, around 50 Palestinian structures have been demolished every month this year (similar to 2012), while around 90 people have lost their homes (a significant increase from 2012 in terms of monthly averages). Most of the demolitions (206) took place in Area C of the West Bank.

Settler Violence Core Group

- The SVCG met on 8 May, and discussions focused on accountability for settler violence through legal responses, obstacles and challenges and strategic ways forward. SVCG members providing legal responses to settler violence briefed on their work, which includes documentation of cases, encouraging victims to file complaints, follow-up with Israeli authorities on complaints, legal follow-up on strategic cases, as well as legal awareness sessions to affected communities.
- During discussions, the SVCG identified that main obstacles and challenges to pursue accountability are structural and systematic. In particular, obstacles relate to the filing of complaints (e.g. difficult physical access to Israeli police stations, which are mostly inside settlements) and to the lack of effective investigations (e.g. majority of cases closed for unknown perpetrator). In addition to the above, various factors discourage and prevent victims from filing complaints.
- Discussions on strategic ways forward focused on encouraging victims to file complaints, the role of Palestinian DCOs, and sharing information amongst SVCG members on strategic cases, and considering possible actions against settler groups that organize attacks, in many cases publicly.

Access Restricted Areas Core Group

- During May, one person was injured by the Israeli military in the ARA on land. At sea, two fishermen were injured by Israeli Naval Forces (INF), including one very seriously, and two were detained and later released. An increased number of fishermen reported having water poured into their boats by INF with water tubes. This has damaged engines, led to electric shocks of fishermen and the loss of the catch of fish.
- OHCHR, on behalf of the ARA CG, issued an analytical update of changes in access to the ARA on land since the November 2012 agreement. Many farmers are now able to access areas up to 300 or 400 metres from the fence for the first time in years. Most Palestinian farmers, gravel collectors and herders are not accessing areas within 300 metres of the fence.
- ARA CG members have started a harvest monitoring process, looking in particular at areas where farmers accessed land closer to the fence and have planted rain-fed crops in the months following the November agreement.

- The ARA CG continues to consult with other actors within the humanitarian community in Gaza to develop guidelines to encourage programming in the areas newly accessed by farmers, and in a manner that is protection sensitive.

Legal Advice Group

- On 3 May, the Legal Advice Group (LAG) met to undertake a legal review of the revised draft Humanitarian Country Team advocacy messages. LAG comments were incorporated in the final draft shared with the HCT for the endorsement.

Advocacy Initiatives

Reports, outputs and events by PCWG members

- BADIL submitted a written statement to the 23rd session of the Human Rights Council (27 May-14 June) regarding [Israel's discriminatory process and mechanisms of declaring land in the oPt as state land](#) and a joint statement with Habitat International Coalition, Al Haq and Al Mezan on [international fact finding mission on Israeli settlements in the oPt](#).
- MA'AN began a campaign to advocate for the rights of children working in settlements. They produced a [video](#) on the issue, in addition to a previously prepared [fact sheet](#) and [video](#).
- Adalah released a [film](#), [position paper](#) and [fact sheet](#) on forced displacement. The film focuses on the villages of Al Araqib and Susiya, and reflects the resilience of its villagers whose existence is under threat today.
- The Jahalin Association attended the [UN Permanent Forum on Indigenous Issues in New York](#), to raise awareness about the situation of the Jahalin Bedouin community and call for increased action by the international community.
- NRC released a new study, “The Absentee Property Law and Its Implementation in East Jerusalem: A Legal Guide and Analysis”, reviewing the law and relevant jurisprudence, different government policies on its implementation in East Jerusalem since 1967, and an international law perspective. Using the report, NRC held two diplomat briefings on the application of the said law prior to the Cliff Hotel hearing.
- Yesh Din has issued a report, “[The Road to Dispossession](#)”, which is an in-depth, comprehensive analysis of the establishment and growth of the Adei Ad outpost, and its impact on surrounding Palestinian communities, based on extensive empirical evidence including visual tools.
- OHCHR, as Protection Cluster lead and with the input of cluster members, issued an update on accountability and access to an effective remedy six months following Operation Pillar of Defence and the escalation of hostilities in Gaza and southern Israel in November 2012.

Key Dates for June 2013

Gaza:

- PCWG Gaza @ OHCHR Gaza, TBC
- ARA Core Group @ OHCHR Gaza, TBC
- CPWG @ UNICEF, 19 June

West Bank:

- PCWG West Bank @ OHCHR Ramallah, TBC
- Settler Violence Core Group @ OHCHR Ramallah, 5 June
- LTF West Bank @ NRC, 10 June
- DWG @ OCHA, TBC
- MRM WG @ location TBC, 16 June
- CPWG @ PRCS, 19 June

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