

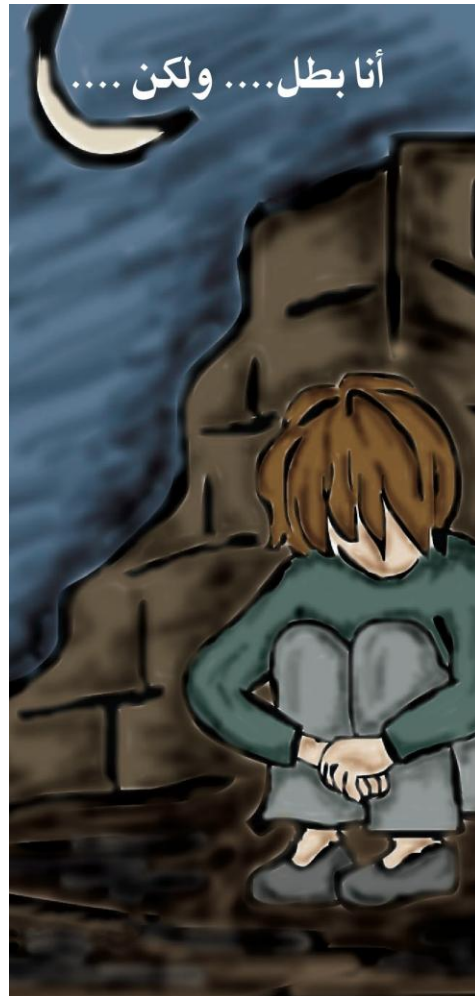


Save the Children
Sweden



***The Social Rehabilitation of Palestinian Child Ex-
Detainees:
A Long Run to Freedom***

**A report to assess Palestinian children's needs and rights after
detention**



Jerusalem - August, 2008

Save the Children fights for children's rights.
We deliver immediate and lasting improvements to children's lives worldwide.

Our vision is a world in which all children's rights are fulfilled.

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity

Acknowledgment

Save the Children especially extends its thanks to the child ex-detainees and their families for their openness and willingness in sharing their experiences in prison and providing invaluable contribution to our existing post-trauma rehabilitation programme for child ex-detainees. A special thanks to the East Jerusalem YMCA staff involved in this needs assessment: Nader Abu Amsha - Director, Nidal Abuzuluf - Assistant Director, Rima Qumsieh - Admin Assistant, Mona Zaghrou - Head of the Counselling and Supervision Department, Ferdoos el-Issa - Counselling Supervisor, Mohammad Mahajneh - Counselling Supervisor, Umayma Shahrour - Counselling Supervisor, Mustafa Omar - Counselling Supervisor, Lama Odeh - Counselling Supervisor, Mahmoud Kettaneh - Counsellor, Faten el-Shu'b - Counsellor, Husni Alijaw -, Counsellor, Sawsan Mahboub - Counsellor, Husain Dalaysheh - Counsellor, Waleed Amra - Counsellor, Nader Khallaf - Counsellor, Abdelrahman Sulaiman – Counsellor. Further thanks to all the staff of Defence for Children International Palestine Section for their help and invaluable support. Sincerest thanks to the efforts of Vanina Trojan – Child Rights Researcher, Sabreen Zaben - Researcher, Eyad Al Araj - Programme Advisor Save the Children Sweden oPt, and Michelle Warriner - Programme Officer oPt, Save the Children Sweden.

Jerusalem -August 30th, 2008

Mrs. Sanna Johnson
Regional Representative for
MENA
Save the Children Sweden

© Save the Children Sweden 2008
Compiled by: Vanina Trojan and Michelle Warriner

Save the Children Sweden
oPt Office for the Middle East and North Africa
Hala Sakakini St., Beit Hanina
P.O. Box: 25042
Shu'fat 97300
Jerusalem
Phone: +972 2 6561936 / 02 2973631-4
Fax: +972 2 2973635
www.scsmena.org

Research Team

Contributors	Title
Mr. Eyad Al Araj	Research Team Leader, Programme Advisor, Save the Children Sweden
Mr. Nader Abu Amsha	Director, EJ YMCA Rehabilitation Program, Beit Sahour
Mr. Nidal Abuzuluf	Field Team Leader, Assistant Director EJ YMCA Rehabilitation Program, Beit Sahour
Ms. Michelle Warriner	Researcher, Programme Officer, Save the Children Sweden
Mrs. Mona Zaghrouh	Technical specialist, Head of Counselling and Supervision department, EJ YMCA Rehabilitation Program, Beit Sahour
Ms. Vanina Trojan	Child Rights Researcher, Save the Children Sweden
Mrs. Sabreen Zaben	Researcher, Save the Children Sweden
Mrs. Ferdoos el- Issa	Child ex-detainees Counselling Supervisor and EJ YMCA Rehabilitation Program, Beit Sahour District
Mr. Mohammad Mahajneh	Field Researcher - Counselling Supervisor EJ YMCA Rehabilitation Program, Jenin District
Mrs. Umayma Shahrour	Field Researcher - Counselling Supervisor EJ YMCA Rehabilitation Program, Tulkarem District
Mr. Mustafa Omar	Field Researcher - Counselling Supervisor, EJ YMCA Rehabilitation Program, Nablus District
Mrs. Lama Odeh	Field Researcher - Counselling Supervisor, EJ YMCA Rehabilitation Program, Ramallah District
Mr. Mahmoud Kettaneh	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Tulkarem District

Mr. Faten el-Shu'bi	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Nablus District
Mr. Husni Alijawi	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, East Jerusalem District
Mr. Sawsan Mahboub	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Bethlehem District
Mr. Husain Dalaysheh	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Ramallah District
Mr. Waleed Amra	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Ramallah District
Mr. Nader Khallaf	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Hebron District
Mr. Abdelrahman Sulaiman	Field Researcher - Counsellor, EJ YMCA Rehabilitation Program, Salfet District
Ms. Rima Qumsieh	Field Researcher Support, Admin Assistant, EJ YMCA Rehabilitation Program, Beit Sahour District

List of Acronyms and Abbreviations

CBOs:	Community-Based Organizations
CPN:	Child Protection Network
CRC:	UN Convention on the Rights of the Child
DCI/PS:	Defence for Children International - Palestine Section
EJ YMCA:	East Jerusalem Young Men's Christian Association
EMDR:	Eye Movement De-sensitization and Reprocessing
FGD:	Focus Group Discussion
INGO:	International Non-Governmental Organization
MENA:	Middle East and North Africa
MO:	Military Order
MoDEDA:	Ministry of Detainees Ex-Detainees Affairs
MoEHE:	Ministry of Education and Higher Education
MoH:	Ministry of Health
MoI:	Ministry of Interior
MoJ:	Ministry of Justice
MoSA:	Ministry of Social Affairs
MoU:	Memorandum of Understanding
NGO:	Non-Governmental Organization
oPt:	occupied Palestinian territories
PSCCW:	Psycho-social Counselling Centre for Women
PICCR:	Palestinian Independent Commission for Citizens' Rights
PLC:	Palestinian Legislative Council
PNA:	Palestinian National Authority
PNCR:	Palestinian Network for Children's Rights
PTSD:	Post -Traumatic Stress Disorder
TRC:	Treatment and Rehabilitation Centre for Victims of Torture
UNICEF:	United Nations Children International Child Emergency Fund

Table of Contents

BACKGROUND	9
INTRODUCTION AND PROBLEM STATEMENT	16
METHODOLOGY	19
THE PURPOSE.....	19
SUMMARY OF THE PROCESS FOLLOWED TO REACH THE PURPOSE.....	19
DATA COLLECTION APPROACH.....	19
TARGET GROUPS.....	20
MEANS OF DATA COLLECTION AND DATA ANALYSIS.....	22
DATA ANALYSIS	23
METHODOLOGICAL RESTRAINTS AND EXTRANEOUS VARIABLES	24
BACKGROUND AND CONTEXT	25
FACTS AND FIGURES.....	25
TREND ANALYSIS	26
THE LEGAL JUSTIFICATION OF THE DETENTION OF PALESTINIAN CHILDREN BY THE ISRAELI ARMY	28
THE POLITICAL AND SOCIAL UNDERLYING REASONS FOR THE DETENTION OF CHILDREN	30
THE USE OF PHYSICAL AND PSYCHOLOGICAL VIOLENCE, TORTURE, AND DEGRADING TREATMENT DURING DETENTION.....	32
THE VULNERABLE GROUP OF PALESTINIAN CHILD EX-DETAINEES	35
CHILDREN'S PSYCHO-SOCIAL WELL-BEING	36
The Need for Intervention.....	38
The Need for Intervention.....	40
CHILDREN'S SOCIAL AND CULTURAL LIFE	41
The Need for Intervention.....	42
CHILDREN'S EDUCATION.....	43
The Need for Intervention.....	45
CHILDREN'S FUTURE PROFESSIONAL CAREER.....	46
The Need for Intervention.....	47
MAJOR DUTY-BEARERS OF CHILD EX-DETAINEES, THEIR ROLE AND THE SERVICES PROVIDED	49
THE FAMILY UNIT.....	49
GOVERNMENTAL DUTY-BEARERS: MODEDA AND MOSA	50
THE CIVIL SOCIETY SECTOR.....	52
RECOMMENDATIONS FOR URGENT INTERVENTIONS	54
CONCLUSIONS	56
BIBLIOGRAPHY	58
ANNEXES 60	
ANNEX I: INDICATORS OF PTSD FROM RECORDS REVIEW- ANALYSIS OF PTSD	60
ANNEX II: QUESTIONS FOR IN-DEPTH INTERVIEWS WITH CHILD EX-DETAINEES	63
ANNEX III: QUESTIONS FOR FOCUS GROUPS.....	67
ANNEX IV: QUESTIONS FOR FOCUS GROUPS TO BE CONDUCTED WITH EJ YMCA COUNSELORS	69
ANNEX V: QUESTIONS FOR INTERVIEWS TO BE CONDUCTED WITH RELEVANT STAKEHOLDERS	71
ANNEX VI: QUESTIONS FOR FOCUS GROUPS WITH CHILD EX- DETAINEES WHO HAVE RECEIVED INTERVENTION.....	73

Background

Save the Children Sweden has been working to protect children in emergency situations for decades. Its range of interventions include eliminating the use of children in armed conflict and armed forces through prevention mechanisms, legal and psychosocial support, as well as through advocacy efforts to increase awareness of child rights according to the United Nations Convention on the Rights of the Child [hereinafter CRC].

Save the Children Sweden has been one of the principal NGOs responding to emergency situations that include armed conflict. Save the Children recognises that children are at greater risk of having their rights violated in times of emergencies, and therefore assumes the responsibility of fulfilling the rights of all children while also advocating other duty bearers to take on their respective responsibilities.

Throughout the second Intifada that took place in the occupied Palestinian territories, Save the Children Sweden provided direct support to children on the ground that included a focus on child protection and education (access and quality). Additionally, its work is complemented by advocacy efforts that included publishing a series of reports and studies on child right violations occurring in the current conflict situation that were disseminated on a national and international scale. Several reports have been published on the subject of child ex-detainees including; *One Day in Prison Feels Like a Year*, *Living Behind the Barriers Palestinian Children Speak Out*, and *Growing Up Under Curfew*. Save the Children Sweden supports Defence for Children International Palestine Section [hereinafter DCI/PS] in its work with child prisoners in Israeli detention centres, and works in partnership with East Jerusalem Young Men Christian Association [hereinafter EJ YMCA] to assist child ex-detainees in post-trauma rehabilitation throughout the West Bank.

Actual implementation of the national psycho-social programme for child ex-detainees started after February 2007, right after a workshop was initiated on “Detainees and Ex-detainees Children” by both Save the Children Sweden and EJ YMCA. This workshop was key to setting a strategic course to support child detainees, ex-detainees and their families which was inputted through consulting forty-five relevant organizations and members of the child protection working group, including ministries, INGOs and local NGOs.

Save the Children Sweden together with the EJ YMCA conducted a field needs assessment during July – August 2008 in order to assess the full-scope needs to support child ex-detainees in their post-trauma rehabilitation, including reintegration in their respective families and communities, as well as reintegration within their educational and professional environment.

In line with the focus of the organization on emergency situations, the assessment intended to reflect on the direct consequences of the political conflict. It covers solely the detention and post-detention situation of Palestinian children held in Israeli prisons. The situation of those children held in custody in Palestinian juvenile centres, under the Palestinian juvenile justice system, clearly falls beyond this mandate.

Following the striking results of the assessment, Save the Children Sweden, developed this paper to be considered as a starting point in designing *ad-hoc* legal, psychosocial and cultural interventions in order to effectively respond to the emergency situation that Palestinian child detainees and ex-detainees are forced to endure.

Summary of the Findings

Since the commencement of the Palestinian Uprising (Intifada), on 28th September, 2000, to protest against Israel's occupation of Palestinian territories, the Israeli military forces have arrested and imprisoned over 6,700 children. In 2008, approximately 400 children have been detained in Israeli prisons, detention or interrogation centres¹. Although the CRC stipulates that State Parties respect the protective provisions regarding all children under the age of eighteen years, they are not observed by the Israeli Authorities with regard to Palestinian children and young people in the oPt. Instead, special military laws are being applied allowing the imprisonment of children as young as twelve years of age.

Data analysis has revealed that the situation of child ex-detainees is particularly dire, confirming the vulnerability and marginalisation of this particular group of children. The data was collected nationally from in-depth interviews with child ex-detainees and their families; focus group discussions with family members of child detainees; interviews with EJ YMCA counsellors and counselling supervisors. In addition, a review of case management files for child ex-detainees undergoing counselling was conducted. Some of the most striking findings obtained through the analysis of the data collected are reported below. These findings confirm the necessity of an immediate holistic intervention upon the release of the child from detention so as to ensure that children's rights are respected according to the CRC and a suitable children's environment is restored.

The data collected revealed that as a consequence of the traumatic experience of detention, child ex-detainees have developed a syndrome that is defined as Post Traumatic Stress Disorder [hereinafter PTSD] (see ANNEX I). Hence, on the emotional level, child ex-detainees reported being haunted by the frightening moments they experienced while in detention, especially having nightmares which lead many to wetting their beds. Other manifest symptoms reported include increased levels of fear, agitation, frustration, sadness, lethargic, and depression, low self-esteem, anger, accompanied by hostile and aggressive behaviour towards others or themselves. The data collected also revealed that due to being imprisoned, child ex-detainees feel insecure, communicate less, and resort to isolation due to a lack of sufficient coping mechanisms to overcome the high level of psycho-social difficulties they have experienced. As the counsellors explained, "*children feel like their life is always controlled, they are followed and they take every request of favour or commitment as an order*"². Evidence also showed that among children who received psychosocial treatment, the most prevalent psychosomatic symptoms are hyperventilation, aches in the abdomen area and sudden shivers. Child ex-detainees also reported taking-up smoking or increasing their smoking behaviour. The psycho-social consequences of detention affect the immediate

¹ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007.

² See Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008.

behaviour of children; the way they think including their analysis of the outside world.

At school, relative to the cognitive and social level, data collected showed that child ex-detainees were forgetful, lacked concentration, were unable to plan for the future, and incapable of communicating with their friends. Child ex-detainees complained about the attitude of their class mates, explaining that instead of being helpful, their class mates stigmatised them because of their difficulties in reintegrating to their daily lives. They also expressed their inability to re-integrate into their communities. Moreover, their wellbeing is more aggravated upon returning to school due to overcrowded classrooms and teachers who do not have the time or the skills to deal with traumatized children. To complicate matters further, there is an accepted use of violence at school as an educational tool that clearly contrasts with the symptom of the refusal of authority typically manifesting in child ex-detainees. Children interviewed, in fact, lament that one of the major problems they face when going back to school is the relationship with teachers that lack any sensitivity towards their particular situation. In cases of drop-outs, most of child ex-detainees are willing to take on a job but are not aware of their skills and capabilities. Moreover, the child, now perceived and perceiving himself as an adult, wants to start contributing to the domestic expenses as well as take on other responsibilities within the family realm. They want to show their family and their community that during their detention, they have grown up and are now ready to enter the adult world.

Child ex-detainees are deprived of regular affection and support from their families and, simultaneously, have to face and cope with a harsh environment on their own. They develop a certain degree of independence that they might find difficult to let go of once they are back in the domestic environment. Contrary, parents, especially mothers, having experienced the fear of losing their child, are reported to become overprotective and tend to impose unnecessary control on their sons and daughters. However, child ex-detainees who have had to suffer oppression and control throughout their detention experience, usually react with an impetus of even stronger rebellion towards the authority in the family (as well as of any other kind of authority). Furthermore, the relationship between child ex-detainees and their siblings, especially younger ones, does not appear to be an easy one. This seems to be a reaction to the continuous abuse of power exercised by soldiers towards children. In fact, once they return home, children tend to act in the same way towards more vulnerable people, namely their younger brothers and sisters. Field experts express their concern regarding the widespread phenomenon of families who are not adequately equipped to cope with the new unbalanced network of relationships created due to the return of the child. What might happen is that each member starts to think about their own problems as priorities without sharing them with other members or taking into consideration the suffering of other family members. As a result, the domestic atmosphere becomes very tense and a gap starts to grow between child ex-detainees and the rest of the family. On one side, there are child ex-detainees who are in extreme

need of protection and support but do not seem to feel trust or be understood by their parents. On the other, there are reports that parents are not skilled enough to cope with the situation and feel helpless in supporting their children to overcome their trauma.

One of the major reported obstacles that child ex-detainees face, in their reintegration into their respective society, is that they suffer from an inability to trust and build meaningful relationships in "post-detention life". In fact, they manifest poor social skills and tend to isolate themselves from the outside world because of their insecurities and fear of "the others". Counsellors interviewed in the field, state that "*children constantly suffer withdrawal from society and feel isolated. It seems that they have great difficulty in trusting the people around them and they are wary of not being part of the family or spending time with members of the community. They do not participate in social activities, events and celebrations in general*"³. Moreover, it has been reported that once they are back into their community, a dichotomy between childhood and adulthood often develops. On the one hand, child ex-detainees are still vulnerable children with certain needs that require even more attention than other children as their development is restricted and they are exposed to psychologically as well as physically damaging conditions. On the other, they feel that society perceives them as heroes and freedom fighters because they have experienced and survived detention. As a result, it seems that they are not "socially allowed" to show their frailty as this would mean losing this glorified image, along with societies' expectations that derives from this new identity, and not anticipated to replace it with a new role in society. This internal dichotomy is worsened by the fact that child ex-detainees, at times, actually do feel superior to their friends as they endured prison. However, at the same time, strong feelings of inferiority also emerge because imprisonment stagnates development in terms of their social skills. Not attending school or not establishing social networks are of particular importance during adolescence. In the voice of one child ex-detainee expressing that, "*I feel inferior to all my friends because while I was in jail they went on with their life and now I have lost that time*"⁴. With the lack of adequate social and cultural services to overcome these internal conflicts, child ex-detainees are left to feel misunderstood by their "old" friends and they usually "do not trust their community". According to an expert in the field and from the ex-detainees' testimonies, the stereotyping of the hero is conducive for children to develop anti-social behaviour. The counsellors reported that there are cases of child ex-detainees displaying the stereotypical behaviour of superiority by picking up negative social habits like smoking, shoplifting and acting as vandals. In turn, these acts of anti-social behaviour influence the behaviour of their peers and set an example for other children.

³ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁴ See "Field Findings Report", finalized in August 2008, in file with the author.



INTRODUCTION and PROBLEM STATEMENT

Israel's military system imposed over 1,500 Military Orders [hereinafter MOs] on Palestinians affecting every aspect of their life. Consequently, Palestinians, over the age of 12 years, can be arrested, interrogated, detained, sentenced and imprisoned when in violation of a MO. As a result of the military regulations, over 6,700 Palestinian children, under the age of 18, have been arrested and detained between September 2000 and August 2008⁵, regardless of the fact that Israel is a State member of the Convention on the Right to the Child [hereinafter CRC] and, in turn, detention of children should only be applied as a measure of last resort and for the shortest appropriate period of time⁶.

The experience of detention involves continuous physical and psychological violence including torture, deplorable conditions, trials usually carried out with no respect for internationally acknowledged principles of due process, in addition to long periods of detention without the presence of the family and community support. Systematic violations of basic human rights occur during detention. Human rights movements within and outside Palestine has strongly condemned the inhuman treatment suffered by Palestinians detained by Israeli army. Furthermore, even with the release of the person and the psycho-social trauma suffered as well as the exposure to the current harsh social and economic conditions of the Palestinian society as a whole and the political context of the Israeli occupation, do not quite end there. On the contrary, victims of detention usually manifest long-lasting effects that prevent them from overcoming the trauma, smoothly reintegrating within the family environment, and re-gaining a positive role in society.

Primarily, this needs assessment intends to analyze the worrying and sometimes irreparable consequences that the experience of detention might cause in the life of Palestinian children. This cruel experience, especially being subjected to torture and other forms of physical and psychological violence, directly affects aspects of the child's environment that are essential to guaranteeing a fluid passage from a fragile and insecure childhood to a responsible adulthood. Following a child rights-based approach, for the purpose of this assessment, the various effects of detention have been broken down into five main categories referring to five basic child rights: **the right to psycho-social well-being of the child, the right to have and enjoy a family, the right to social and cultural life, the right to education and the right to a future professional career**. In turn, each one of these rights corresponds to a major component of the children's environment: the psycho-social well-being of the child, the family unit,

⁵ See Fact Sheet "Palestinian Political Prisoners", PLO Negotiation Affairs Department, August 2008. The information has been also confirmed by Khaled Quzman the coordinator of the legal unit for Defence for Children, Palestinian section, see Interview with Khaled Quzman, lawyer, DCI/PS, Ramallah, August 20, 2008.

⁶ See Art. 37(b) of the CRC.

the social and cultural life within the community, education and the future professional life.

Indeed, detention, and even more so if accompanied by torture, affects the psycho-social well-being of children. It also ruins the balance of the relationships among members in the family unit, especially between children and their parents. Moreover, child ex-detainees proved to be difficult people to deal with in the community and school environment: where friends are afraid to stay close to them or be associated with them and teachers more than often do not have the energy or the willingness to deal with the trauma suffered by these children. Finally, detention causes difficulties for the child in both their educational and professional life, in terms of school time loss and problematic reintegration. Consequently, it is believed through this assessment that an effective and durable process of rehabilitation for child ex-detainees would have to touch upon each one of the mentioned categories as well as to involve, step by step, all the persons who can be considered an integral part of children's life, e.g. parents, siblings, teachers and friends. Thus, solely by adopting a multidisciplinary approach that aims at enhancing all the basic rights of child ex-detainees, their environment would be completely restored.

Disappointingly, while the national laws and policies dictate that the Palestinian Authority [hereinafter PA] is responsible for providing legal and psycho-social services to support child ex-detainees⁷, there is a widespread social acknowledgment of the importance of the family and the community support as major tools for children to re-gain their role in society⁸. Despite the literature on the disastrous effects of detention on children is exponentially increasing⁹ as well as the techniques on psychological rehabilitation, still, the number of children receiving effective support in Palestine is very low, reaching a very limited percentage¹⁰. Moreover, sociologists, psychologists and psychiatrists interviewed as part of the research process of this assessment report, expressed their grave concern by stating that although some psycho-social services are offered to children, the number of children who do not receive psycho-social support is too great to be counted. There are three main reasons for this reality. Firstly, child ex-detainees could refuse the psycho-social treatment as this is automatically accompanied by a social stigma. Secondly, they do not look for help since they

⁷ See Art. 40.4 of the CRC, at the international level, and Art. 3 of the Prisoners and Ex-Prisoners Law, N. 19, 2004, at the national level.

⁸ This is true especially in Palestine where the traditional extended family represents a tight-knit solidarity and support network and the strong personal relationship within the family unit are proved to be the best coping mechanism in the difficult economic and political circumstances caused by Israeli occupation's policies and practices.

⁹ See among the others, P. Vesti, F. Somnier, M. Kastrup, *Psychotherapy with Torture Survivors: A Report of Practice from the Rehabilitation and Research Center for Torture Victims (RTC)* (Copenhagen: IRTC, 1992); A.M. Baker, "The Psychological Impact of the Intifada on Palestinian Children in the Occupied West Bank and Gaza: An Explanatory Study", *American Journal of Orthopsychiatry*, 60 (1990), 496-504; and A. Baker and N. Shalhoub-Kevorkian, "Effects of Political and Military Traumas on Children: The Palestinian Case", *Clinical Psychology Review*, 19, 8 (1990).

¹⁰ In fact while the number of child ex-detainees in 2008 reached 700, it seems that only 40 were specifically targeted by EJYMCA. A similar number of children benefited of the services of the TRC while it is not sure the number of children followed by MoDEDA.

are not aware of existing services. Thirdly, they are *de facto* not reached by the social workers.

The second goal of this assessment is to show that the panorama offered to child ex-detainees after imprisonment is marked by a society that is not adequately equipped to welcome and support children after detention. There is lethargy and an almost total lack of action by Palestinian governmental institutions as well as an overloaded civil sector that is unable to address all the given critical cases of child ex-detainees. Inevitably, this results in a deterioration of the environment of already vulnerable children who, instead of receiving the deserved legal, psychosocial, educational and/or career and cultural support, are bound to live their life suffering a major psycho-social trauma and internal conflict of identity - as well as coping with a social stigma of political heroes and freedom fighters on the outside.

METHODOLOGY

The Purpose

The purpose of this needs assessment is two-fold. On the one hand, it aims at individuating the major effects that the experience of detention has had on the children's environment and in particular to their psychosocial well-being; their role in the family unit and society, their education and their future professional life. On the other hand, this report aspires to identify the major needs of child ex-detainees and map out the current gaps of intervention, in a context of chronic emergency, by State and non-State actors in the process of the psychosocial rehabilitation and community reintegration of Palestinian child-ex detainees after their detention by the Israeli authorities.

Summary of the Process Followed to Reach the Purpose

The team of experts deployed to undertake the needs assessment carried out the following actions. To begin with, it analyzed the common effects that the detention experience has had on the children's life and their immediate environment. Consequently, it identified what are the needs of the children in relation to their psycho-social rehabilitation and the reintegration within their communities. Secondly, the team individuated the major stakeholders of child ex-detainees and mapped out the current psycho-social, legal, and cultural services provided by them to these children. Moreover, an evaluation was undertaken on whether and to what extent these existing services adequately meet children's needs, both in terms of quantity and quality. As a result, the team identified the gaps of services and actions and developed relevant recommendations on where to further intervene or improve the current interventions.

Data Collection Approach

To ensure the scientific validity of the assessment findings, the methodology for the data collection followed a child rights-based approach while at the same time incorporating essential elements of the psycho-social science. To this end, a multidisciplinary team worked together to design and implement the activities looking at the issues involved from various angles: legal, social, cultural, and political. Additionally, while the categorization of the spheres of children's environment on which detention could have an effect was drawn from a legal framework according to CRC, the assessment of these effects directly involved techniques and methodologies relevant to the social science realm.

A specific concern of the multidisciplinary team was to follow an "inclusive approach" so as to ensure the inclusion of meaningful inputs from all the relevant actors, and especially the children themselves. This was possible through tailoring the field assessment to guarantee the participation of all these actors

through either interviews or focus group discussions. Regarding this, and due to the high sociological component and the sensitivity of the issues concerning the phenomena of child ex-detainees, the team opted for a qualitative collection of data as opposed to a quantitative one. Consequently, besides a number of focus groups, the most critical information was collected through in-depth one-to-one interviews with child-ex detainees where the various psychological effects of the detention were thoroughly explored.

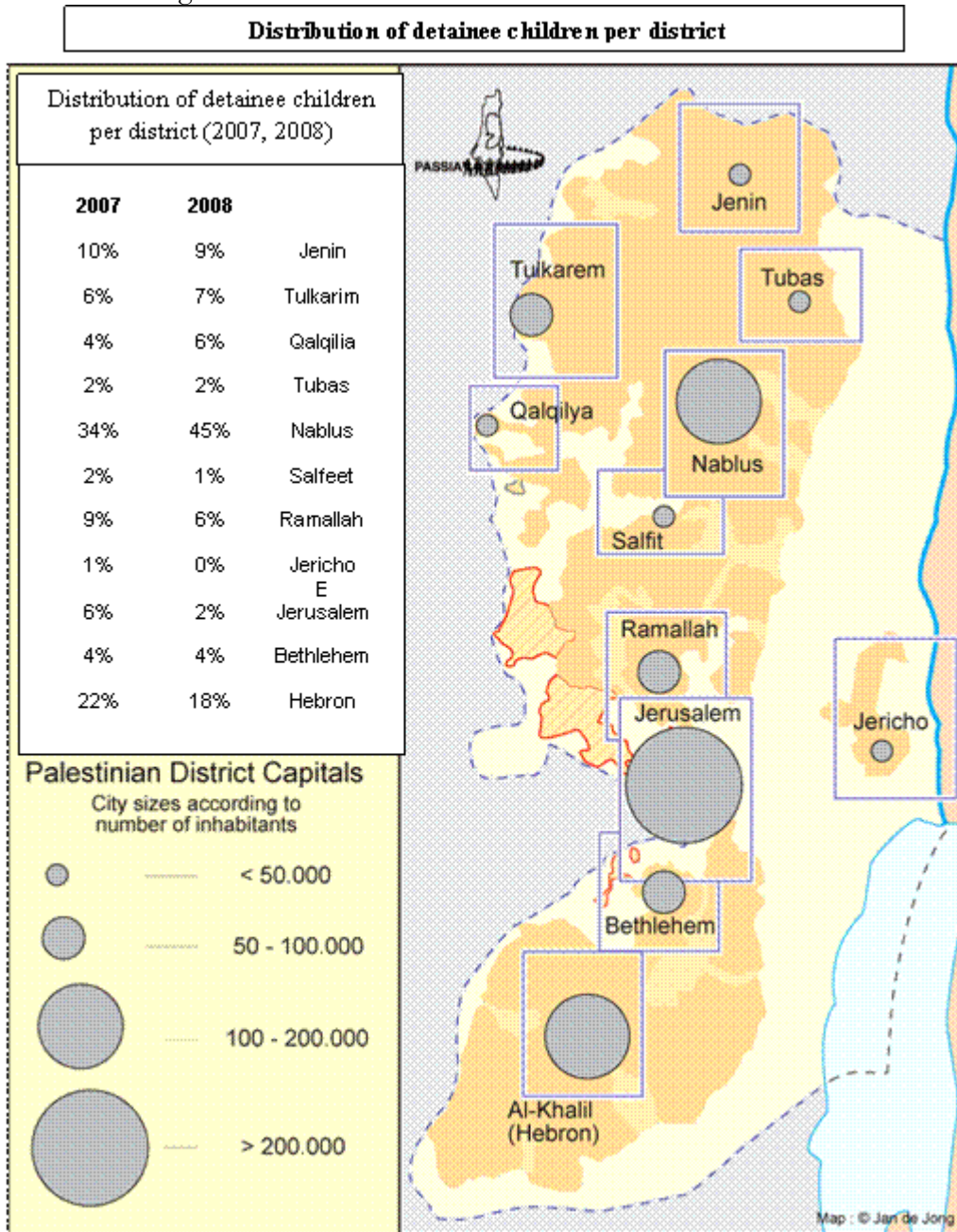
Target Groups

According to the multi-disciplinary and inclusive approach adopted by the team, the following groups were targeted during the data collection.

- 1) *Child Ex-Detainees not beneficiaries of psychosocial support or help of any other kind.* This group was engaged in in-depth one-to-one interviews. By targeting this group, the team was able to assess the major effects of detention on the various aspects of children's environment as well as the major obstacles encountered by child ex-detainees throughout the rehabilitation process
- 2) *Child Ex-Detainees beneficiaries of psychosocial support.* This group engaged in one focus group discussions. By targeting this group, the team was able to assess whether and to what extent actions under current implementation meet children's needs
- 3) *Parents of children currently in detention.* This group engaged in one focus group discussions. By targeting this group, the team was able to assess the psycho-social impact of detention on the family unit
- 4) *Parents of child ex-detainees.* This group engaged in one focus group discussions. By targeting this group, the team was able to assess the main obstacles that the child, his/her parents and his/her siblings encountered in the reintegration of the child within the family unit immediately after the detention experience.
- 5) *Counsellors currently working with child ex-detainees.* This group engaged in one focus group discussions. By targeting this group, the team was able to assess the major obstacles and needs of counsellors when working with child ex-detainees
- 6) *Relevant stakeholders of child ex-detainees,* including both State and non-State actors. This group engaged in one-to-one interviews. By targeting this group, the team was able to identify the role and responsibilities of the various actors in providing basic rights and other forms of support to child ex-detainees. Also, through interviewing the relevant stakeholders, the team was able to map out the social, cultural and legal services currently in place for child ex-detainees and their effectiveness.

The data collection was conducted nationally due to the geographically and widespread prevalence of child detention in the oPt and the necessity for a national response for the rehabilitation of child ex-detainees and their families.

The map (with table) below illustrates and maps out the percentage of child detainees during 2007-2008¹¹.



Source statistics on percentage of child detainees from DCI/PS

¹¹ Source statistics from DCI/PS according to the cases DCI/PS provided legal support to and thus does not represent all detained children; West Bank population map from PASSIA.

Means of Data Collection and Data Analysis

The means of data collection adopted by the team undertaking this needs assessment included the collection of data through primary sources, i.e. in-depth interviews with child ex-detainees, focus groups with families of child ex-detainees, as well as child detainees, and interviews with relevant stakeholders. Also, secondary data was collected through literature and desk review along with revisiting a sample of the counsellors' records of child ex-detainees who received psycho-social support during the first intervention cycle of 2008. The data collection was conducted nationally -over the entirety of the West Bank inclusive of East Jerusalem- as, according to data from DCI/PS and the Arab Network for Human Rights Information and the EJ YMCA Rehabilitation Programme Beit Sahour records in 2007-2008, the child ex-detainees are geographically distributed over the entire West Bank and hence there is a need to map the emergent needs for psycho-social support of Palestinian child ex-detainees and their families. Additionally, the geographical area of the EJ YMCA interventions in the West Bank contributed to determining the locations of focus groups and interviews.

A) Collection of primary source through:

1) Interviews with child ex-detainees

Before the actual interviews took place, the multi-disciplinary team composed the questions (see ANNEX II) so as to ensure maximum reliability and holistic child rights approach applied. The EJ YMCA counsellors and supervisors from the EJ YMCA Rehabilitation Programme conducted ten in-depth interviews with child ex-detainees from the Jenin (2), Tulkarem (2), Nablus (2), Hebron (2), Ramallah (1) and Bethlehem District (1). The research team opted to conduct 10 in-depth interviews as part of their qualitative research where the number sufficed to gather qualitative information regarding the precise identification of the needs and required interventions in all levels of the child ex-detainee and his/her family.

2) Focus group discussions

The team of counsellors conducted five focus group discussions to address relevant issues and topics (both needs and evaluation of a currently run psycho-social intervention implemented by the EJ YMCA Rehabilitation Programme) that are related to the child ex-detainees according to a set of questions (See ANNEX III-IV-VI). These focus groups are categorised as follows:

Type of Focus Group	#	Area
Team of EJ YMCA Counsellors experienced in counselling child ex-detainees	1	Northern West Bank
Families of released children	2	Hebron and Jenin Districts

Families of children in detention	2	Ramallah and Tulkarem Districts
Child ex-detainees part of the current psycho-social intervention	1	Hebron District
Total	5	

3) Interviews with relevant stakeholders

The research team interviewed representatives of seven relevant governmental and non-governmental organizations as important stakeholders (see ANNEX V).

The selected organizations are involved in providing different types of services to the Palestinian detainees and ex-detainees. They are the following:

- DCI/PS
- Treatment and Rehabilitation Centre for Victims of Torture (TRC)
- Ministry of Detainees and Ex-Detainees Affairs (MoDEDA)
- Addameer (phone interview)
- EJ YMCA Rehabilitation Programme Beit Sahour and Ramallah
- Psycho-social Counselling Centre for Women

B) Collection of secondary data/sources through:

- Desk reviews of available literature and collection of data, statistics, surveys and reports from various sources
- Other secondary information from government offices, as well as local and international NGOs
- Record analysis: EJ YMCA Rehabilitation Programme's case files of child ex-detainees (37) just finishing a psycho-social intervention cycle 2007-8.
- EJ YMCA Rehabilitation Programme's Progress Reports of the last two years. The purpose is to see the progress of the previously treated children and to what extent they were helped in the area of psycho-social intervention. This will be linked with the outcomes of the in-depth interviews and the focus group discussion.

Data Analysis

The information from the beneficiaries, the stakeholders' interviews and the focus group discussions was broken down into five categories: children's psycho-social well-being; children's family, children's social and cultural life; children's education; and children's professional life. These categories were purposely chosen for they refer to five rights of the child as individuated by the UN Convention on the Rights of the Child, namely the Right to mental health, the Right to have and enjoy a family, the Right to cultural and social life, the Right to

education and the Right to professional life (current/future). The results gathered through the field assessment were then divided into each category and analyzed through scientific social science techniques. These categories of rights formed the structure of the different needs and appropriately lead to conclude the identification of the areas of interventions.

Methodological Restraints and Extraneous Variables

Each of the focus groups was unique. Participants were not forced to answer questions and the counsellor allowed the participants to shape the specifics of the conversation (the general outline of the discussion was standard for all groups as per annexes). In some cases, participants did not answer certain questions and/or introduced new concerns into the discussions. As a result, the information and conclusions are not completely systematic. Due to time constraints, and the fact that different focus groups were taking place in different areas on different times, the researchers were unable to provide their maximum support to the counsellors in their data collection.

BACKGROUND AND CONTEXT

This section elaborates on some of the figures (including trend analysis) related to child detainees and ex-detainees in order to give an idea of the proportion of the phenomenon. Also, the section aims at presenting background information related to the legal, political, and social context in Palestine and explaining how this context can be seen as the pre-condition, and in certain cases a trigger, of the phenomenon of child detainees. Subsequently, the section briefly analyzes the systematic use of physical and psychological violence, as well as torture, by the Israeli army as a tool to cause long-term psycho-social damage to the victims.

Facts and Figures¹²

According to DCI/PS, the number of children arrested from the beginning of the second Intifada exceeds 6,700 and in 2008, from January to March, around 400 children had been detained in Israeli prisons, detention or interrogation centres¹³. In 2007 alone, 700 Palestinian children, under 18 years, were arrested by Israeli soldiers in the West Bank¹⁴. As stated by representatives of Gaza NGOs as well as of UN agencies, despite Israel's disengagement from the Gaza Strip in September 2005, Palestinians from Gaza, including children as young as 13, are still deprived of their liberty by the Israeli military. This usually happens during "mass arrests operations" when Israeli soldiers arrest adults and children from Gaza and take them outside the Strip for a few hours in order to carry out extensive interrogation. Unfortunately, there is no systematic monitoring of the phenomenon¹⁵. In December 2007, the total number of Palestinian children detained by the Israeli military amounted to 311, of which 192 are still awaiting trial; 101 serving their sentences; and 18 serving administrative detention¹⁶. DCI/PS's primary evaluation reveals that the figures as for March 2008 have not changed much¹⁷. Based on a sample of 276 detainees handled by DCI/PS in 2007, it is reasonable to infer that most of the children detained in 2007 were aged between 15 and 17 years, the majority of whom are from the northern areas of the West Bank, followed by the southern and the central areas¹⁸. Based on the same source of 276 cases, it is also reasonable to infer that the main offences committed by children in 2007 were "conspiracy/attempting to kill an Israeli" and "stone throwing"¹⁹. Also, DCI/PS reveals that most of the Palestinian

¹² Note that the section on "Facts and Figures" has been partly taken by a 2008 Situation Analysis on Child Protection carried out by DCI/PS, and Save the Children Sweden and as for September 2008 in the process of being published, in file with the author.

¹³ See Interview with Khaled Quzmar, lawyer, DCI/PS, Ramallah, August 20, 2008.

¹⁴ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007, p. 5.

¹⁵ This information has been reported and confirmed by many actors interviewed as part of the field research of a 2008 Situation Analysis on Child Protection carried out by DCI/PS and Save the Children Sweden, in file with the author.

¹⁶ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007, p. 5.

¹⁷ See DCI/PS, internal document, in file with the author.

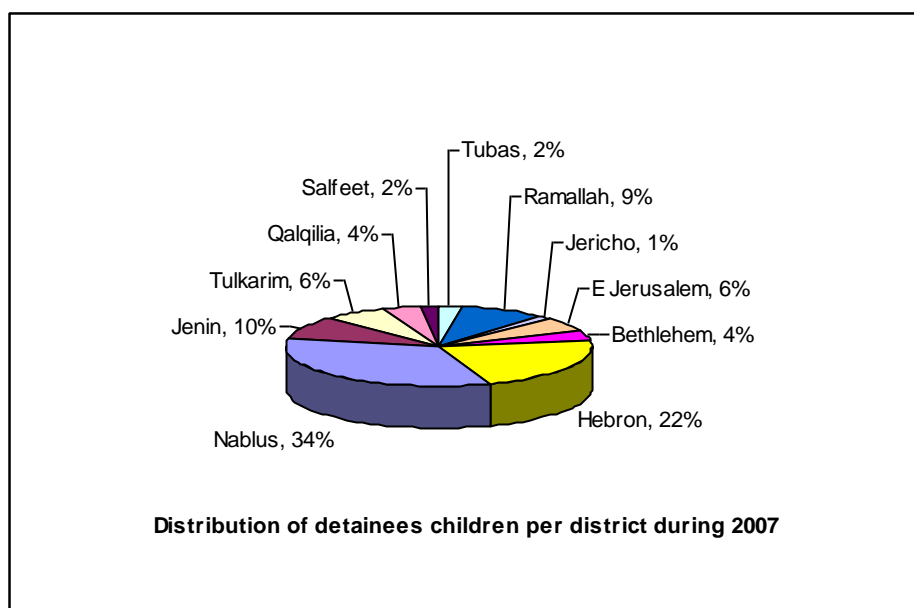
¹⁸ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007, p. 23. In fact from the 276 breakdown cases of DCI/PS, almost 90% of the children were over 15 years old.

¹⁹ Ibid. at p. 24. In fact from the 276 breakdown cases of DCI/PS, 102 were sentenced for less than 6 months.

children had been convicted for a period of 6 months maximum. In 2007, only 3 Palestinian girls were detained in Israeli prisons²⁰. A report in 2005 stated that the low percentage of girls' detention in Israeli prisons had been a trend since 2000²¹.

Trend Analysis

As illustrated in the chart below, the highest number of detained children during 2007 was from the Nablus and the Hebron districts, respectively 34% and 22%. Specifically, the majority of the cases in the Nablus district are from Nablus city and the Balata refugee camp. In 2005, among 149 reported cases, 53 were from Nablus city and 21 from the Balata refugee camp. Also, in 2006, massive arrest campaigns took place in the Bethlehem district, with the highest number of arrests occurring in Al-Khader village (next to by-pass road 60) wherein among the 53 cases of arrest were from Bethlehem, and an alarming 34 cases of arrest were from Al-Khader village. In the case of the Ramallah district, most cases of arrest were from the villages of Rantis, Deir Abu Mashel, Qibia and Deir Amar. They all have in common the vicinity of the Separation/Annexation Wall, West of Ramallah. The majority of the cases in the Hebron district are from the old city itself where the settlers are aggressively occupying and keeping a stronghold of the old city. Another hot area, where children are at high risk, is the second seam area where there is Al-Arroub refugee camp and Bit Ommar, which are beside the main road (along road 60).



In 2008, the highest percentage of child detainees, as illustrated per table below, are from the age group 16-17 which is also observed in cases treated in the psycho-social programme of the EJ YMCA. Most alarming is the trend in the

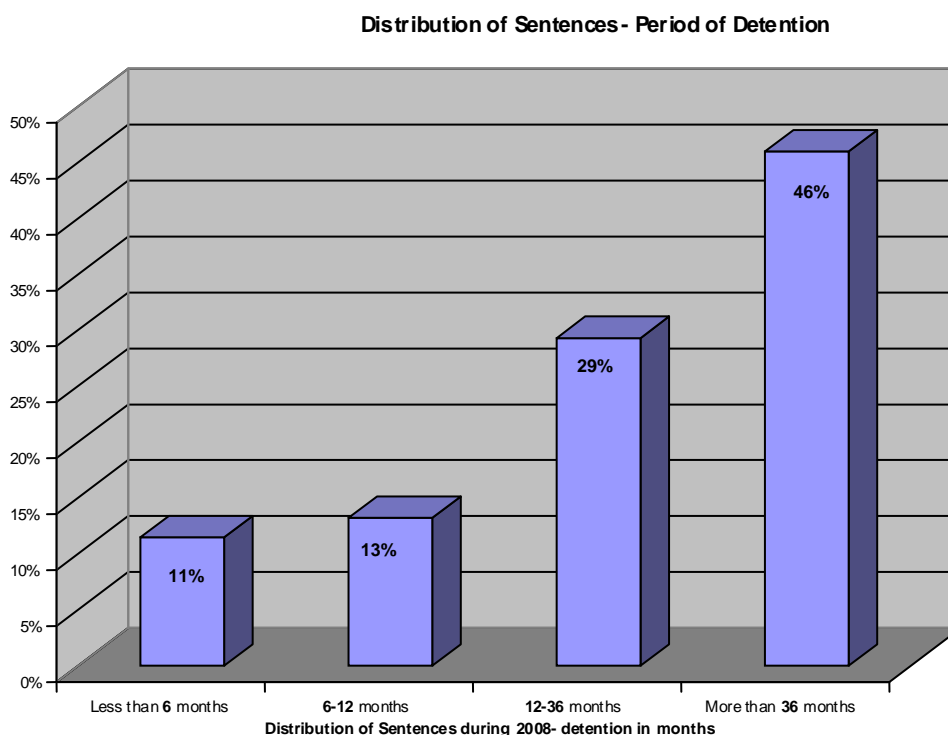
²⁰ *Ibid* at p. 24.

²¹ See Ministry of Planning and UNICEF, "Child Protection in the Occupied Palestinian Territories: a National Position Paper", Logo Production, Jerusalem, Occupied Palestinian Territories, June 2005 p. 35.

increase of the percentage of arrests of the age groups 14-15 years. The main reason for this alarming increase of detained children is related to the fact that these children come from the list of hot areas which is increasingly growing in the oPt.

Distribution of Age Groups of detainee children	2005	2006	2007	2008
12-13 Years	1%	1%	2%	0%
14-15 Years	33%	18%	27%	38%
16-17 Years	66%	81%	71%	62%

Among the child detainees listed above, again, the trend in 2008, is that 46% of the detained children are imprisoned for an average detention period of more than 36 months, followed by 29% of the children for an average period between 12-36 months, while 13% of the children are detained for a period between 6-12 months whereas those in detention for less than 6 months constitute 11% of the detained children.



The table below confirms the trend observed in the field whereby the prevalence of arrests occur mostly in hot areas, defined as areas that are highly unpredictable and prone to sudden eruption of overt conflict and/or confrontation with the Israeli Military Forces and Israeli settlers, near check points, bypass roads,

confiscated homes, entrances of major cities, refugee camps, and in the vicinity of the Separation Wall. Also in areas stricken by unemployment, poverty and lack of social services such as in remote villages and near the seam zones. Lastly, as reflected in the table below there was an increase in the number of child-detainees during 2007 and which relatively increased during the first half of 2008.

Table: Distribution of detainee children per district in the West Bank during the last four years²²

District	2005	2006	2007	2008*
Nablus	30%	30%	34%	45%
Jenin	13%	13%	10%	9%
Tulkarem	10%	9%	6%	7%
Qalqilia	9%	5%	4%	6%
Salfeet	0%	1%	2%	1%
Tubas	2%	2%	2%	2%
Ramallah	5%	8%	9%	6%
Jericho	0%	0%	1%	0%
East Jerusalem	6%	3%	6%	2%
Bethlehem	10%	13%	4%	4%
Hebron	13%	16%	22%	18%
Total %	100%	100%	100%	100%

* Until June 2008.

The Legal Justification of the Detention of Palestinian Children by the Israeli Army²³

Since 1967, the year that marks the Israeli occupation of Palestine, Israel has been issuing MOs, through its local military commanders, with the purpose of establishing a military system that governs every aspect of Palestinian life²⁴. Consequently, any Palestinian suspected to have acted in violation of one of the MOs is tried by an Israeli military court according to the rules set by the MOs. The military courts can charge Palestinians for a great number of acts described by MOs as offences. According to a 2007 report, these acts are grouped by the Israeli army into five categories: “hostile terrorist activities”, e.g. “involvement in terrorist attacks”; “disturbance of the peace”, e.g. “stone throwing”; “classic” criminal offence, e.g. “stealing property”; “illegal presence in Israel”; and “traffic

²² Source: DCI/PS data from legal defence unit, data represents cases covered by DCI/PS

* Records available until June 2008.

²³ Note that the section on “The Legal Justification of the Detention of Palestinian Children by Israeli Army” has been partly taken by a 2008 Situation Analysis on Child Protection carried out by DCI/PS, and Save the Children Sweden and as for September 2008 in the process of being published, in file with the author.

²⁴ See the British Defence Emergency Regulation, 1945. This regulation, at that time, allowed any Egyptian local military commander to issue orders explicitly against Jewish people immigrated to Palestine. Ironically, before the Palestinian occupation in 1967 when the emergency regulation stated to be the basis for the military system, Israeli citizen had condemned the British emergency regulation as a Nazis’ regulation. On the topic see also Yesh Din, “Backyard Proceedings, the Implementation of due Process Rights in the Military Courts in the Occupied Territories”, Report, December 2007, at pp. 35 ff.

violations in the oPt²⁵. The military discipline in place implemented by force according to the MOs does not exclude children. In fact, MO No.132, issued in 1967, identifies a "child" as any person below the age of 12, "youth" as any person between 12 and 14, "young adult" as any person between 14 and 16 and "adult" as any person above 16. It also states that both youths and young adults can be arrested when acting in contradiction with one of the MOs²⁶. Accordingly, children as young as 12 are "lawfully" arrested, interrogated, tried and imprisoned by the Israeli authorities, and since 2000 over 6,700 children have been deprived of their liberty as alleged to have committed an offence listed by one of the MOs.

Although it is not within the scope of this assessment to analyze the Israeli military regulations referring to children, few legal considerations deserve to be mentioned to better understand how the detention experience might affect the psycho-social well-being of Palestinian children.

First of all, the safeguards that the MOs provide when stipulating punishment for youths and young adults are very limited and refer solely to the judicial proceedings, not taking into consideration for instance the possibility of plea bargaining, the age of the child when sentencing, and reduction of the length of detention²⁷. Thus, there is no substantial difference between the punishments in place for adults. In particular, no restriction applies to specific "offences" considering the limited developing capacity of children as young as 12. More than often MOs are very general and provide severe penalties for acts commonly used in the oPt, such as conducting a protest march (MO No. 101) or holding a flag or listening to nationalist songs (MO No. 938), which might not be understood by a 12 years old child as a crime and are likely to be carried out through peer pressure or to imitate other members of the family²⁸. The result is that children are imprisoned for as long as 10 years for having committed such acts. This provokes in them a strong sense of injustice and anger that most likely will instil hatred in the long-term.

Secondly, Palestinians older than 16 years are considered adults by MO No. 132. Their arrest, detention and trial by the Israeli army are dealt in accordance with rules for adults. Accordingly, children between 16 and 18 years are not even entitled to those few safeguards provided for by MOs in detailing children's detention. Furthermore, the military courts charge Palestinians according to their age at the time of the sentence as opposed to their age at the time of the alleged

²⁵ See *Yesb Din*, "Backyard Proceedings, the Implementation of due Process Rights in the Military Courts in the Occupied Territories", Report, December 2007 at p. 42.

²⁶ See MO No. 132, section 1, titled "Order Concerning Adjudication of Juvenile Offenders (West Bank Area)", 1967. It is important to note that this is in contrast to Israeli domestic law which adheres to the generally accepted international standard that defines a child as any person under the age of 18 years. As a result, Israel infringes the principle of non-discrimination by providing two different definitions of children within areas under its jurisdiction or control as occupying power.

²⁸ See MO No. 101 that lists as offences acts such as conducting a protest march or a political meeting and attempting to influence public opinion, which if committed by Palestinians, regardless the age of the offender, might lead to the imprisonment of the person for a maximum of ten years.

offence²⁹. This is not only in breach of basic principles of human rights law but also Israeli criminal law. Considering that military trials are regularly postponed, children who were “young adults” at the first hearing could turn 16 at the time of sentencing which implies that they will be charged in accordance with adult rules³⁰. These occurrences more likely result in excessively long prison sentences imposed on children. In turn, due to the detention, children lose considerable years that could hamper their psychological and personal development, in addition to causing an obstacle to their educational and future professional life.

Palestinian children might also be subjected to investigation and detention following the application of MO No. 1229 issued in 1988. It regulates the so-called “administrative detention”, a legal measure that allows the detention of civilians without charge or trial when “*the security force of the detaining power makes it absolutely necessary*”³¹. Worryingly, while the “administrative detention” is considered lawful by the Fourth Geneva Convention, the practice of this measure as exercised by the Israeli state is predominantly unlawful as, among others, no explanation is given to the child or his/her lawyer as to why he/she is detained³². Besides being in breach of the CRC that states in Art.37 (b): “*no child should be deprived of his/her liberty arbitrarily and child detention should only be used as a measure of last resort for the shortest appropriate period of time*”³³, the fact that the detention is unjustified in children's eyes might affect, in the long-term directly the children's belief in the value of law and justice.

The Political and Social Underlying Reasons for the Detention of Children

Palestinian children are the sons and daughters of a long-running occupation. The entirety of their environment, from their family, their community, their educational and recreational places, has been shaped by a 41 year-long oppression by the Israeli military. They lived all their childhood fearing the war, experiencing continuous Israeli invasions, shootings by night, curfews, closure of schools, restriction of movement, demolition of houses and destruction of properties. Most likely, the Israeli occupation left a mark on the Palestinian domestic environment. In fact, it is rarely the case of a Palestinian child who did not suffer daily physical and psychological violence, the loss of a close person either in the family or within the community, the arrest and detention of a member of the family, and the sight of people close to them being humiliated by soldiers. Also, already having to deal with their personal sufferings sometimes children have to support and comfort the burden of older generations that are tired and disillusioned by an oppressed life, by a fight that never saw an end, by

²⁹ See MO No. 132, section 5.

³⁰ See Yesh Din, “Backyard Proceedings, the Implementation of due Process Rights in the Military Courts in the Occupied Territories”, Report, December 2007, at p. 126.

³¹ See Art. 42 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, 1949.

³² For more details on the reasons why the use of administrative detention by Israeli is “unlawful” see Fact Sheet “Palestinian Political Prisoners”, PLO Negotiation Affairs Department, August 2008, and the BTselem website: http://www.btselem.org/english/Administrative_Detention/Index.asp, last visited 11 May 2008.

³³ See Art. 37 of the CRC.

many destroyed hopes given by the peace processes, and by a newly established national authority that has not adequately governed Palestine³⁴.

This scenario describes the major trigger for Palestinian children in carrying out an act that manifests resistance to the Israeli occupation. In fact, children since their early age develop a sense of anger and rebellion against the discrimination and violence that they and their families have to suffer. They long for revenge for the many injustices that they witnessed. They are frustrated as they feel powerless against the Israeli authority, against the limitation of their freedom of movement, of expression and of opinion. Many social workers dealing with ex-detainees confirmed that children – when throwing stones at the Separation Wall or towards Israeli military jeeps – are symbolically fighting for a better life for themselves and their families. Israelis robbed them of their families, their schools, their land, and their friends. They are left with nothing but stones to protest against injustices and to express their anger for a life of despair³⁵. Thus, many adolescents see throwing stones, holding Palestinian flags, participating in a peaceful manifestation as acts of expressing their anger and frustration as well as rising against the soldiers that contribute to creating the misery of Palestine. In other words, children long to play a part in the Palestinian struggle in order to break the occupation and attain justice³⁶.

However, it is important to stress that while fighting for independence and a better life are reasons behind children's detention, psychologists and social workers interviewed reported another emerging cause. Children might persist in breaching the rules of the occupation, namely the MOs, voluntarily as they also want to escape a difficult daily life inside their homes. In fact, while the violence suffered as a consequence of the occupation has contributed in developing on the one hand a "*deep-rooted community spirit*" and a strong sense of belonging³⁷, on the other hand, it has had a negative impact on children's vulnerability. Indeed, the structural violence creates constant tension and anger in adults who in turn tend to channel their frustrations by acting violently towards children. Moreover, increasing poverty, a return to conservative religious traditions, humiliation and physical sufferings have generated very oppressive and conservative environments characterized by fixed roles for men and women. This context has also further encouraged the use of violence as an educational tool, as well as adults neglecting, exploiting, and sexually abusing children. There are many cases in which children are no longer able to face this oppressive environment and decide to carry out a "dangerous political act", e.g. showing a knife while crossing checkpoints, in order to get arrested by Israeli soldiers³⁸.

³⁴ See V. Khamis, *Political Violence and the Palestinian Family. Implication for Mental Health and Well-Being*, The Haworth Maltreatment and Trauma Press, New York, 2000.

³⁵ For example, see Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008.

³⁶ See Interview with Khaled Quzman, lawyer, DCI/PS, Ramallah, August 20, 2008.

³⁷ See C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004, at p. 125.

³⁸ See Interview with Khaled Quzman, lawyer, DCI/PS, Ramallah, August 20, 2008.

According to EJ YMCA and DCI/PS staff, the domestic environment is very rarely the major trigger for children. Usually, children are driven by a mixture of anger, frustration, desire to reach or imitate their friends and siblings that are already in prison, as well as the will to escape critical family situations³⁹. However, it cannot be denied that there are children who voluntarily prefer to put themselves in the hands of an Israeli soldier rather than face or further support violence and abuse at home⁴⁰.

The Use of Physical and Psychological Violence, Torture, and Degrading Treatment during Detention

Regardless of the reason that encourages children to violate the MOs, what follows is by all means traumatic. In fact, the experience of detention throughout its various phases (arrest, interrogation, trial, and imprisonment) involves continuous physical and psychological violence including torture⁴¹, deplorable living conditions⁴², trials usually carried out with no respect for those internationally acknowledged principles of due process⁴³, and long periods of absence of the family and community support⁴⁴. By and large, children are treated as criminals⁴⁵ and Israeli soldiers do not take into consideration the young age of children, their vulnerability, or their still developing capacity. On the contrary, from the moment of the arrest to the final release, violations of basic children's rights take place systematically⁴⁶.

The experience of detention as a whole affects the future environment and development of children once they return to their families. However, a word needs to be mentioned on the regular use of physical and psychological violence, as this is the factor that causes the worst and most prolonged psycho-social effects on the child and consequently influences the entire rehabilitation and reintegration process. As a recent report published by DCI/PS states: "*the forms of physical and psychological violence, cruel and degrading treatment that Palestinian children are likely to suffer when in the custody of the Israeli authorities are extreme*"⁴⁷. Among others, the list of atrocities includes blindfolding and handcuffing, beating, denial of food, solitary confinement, abuse of position, and various forms of threats such as being beaten or having family members beaten, being sexually abused, being

³⁹ See Interview with Mona Zaghrout, Head of the Counseling Department in EJ YMCA, Beit Sabour branch, August 8, 2008.

⁴⁰ This is especially the case of girl prisoner, see Interview with Khaled Quzmar, lawyer, DCI/PS, Ramallah, August 20, 2008. The lawyer confirmed that for the vast majority Palestinian girls get arrested as they prefer the terrifying experience of Israeli detention rather than being subjected to further abuse and violence at home.

⁴¹ See Hamoked and BTselem, "Absolute Prohibition. The Torture and Ill-treatment of Palestinian Detainees", Jerusalem, May 2007.

⁴² See C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004.

⁴³ See Yesh Din, "Backyard Proceedings, the Implementation of due Process Rights in the Military Courts in the Occupied Territories", Report, December 2007.

⁴⁴ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007.

⁴⁵ See Interview with Khaled Quzmar, lawyer, DCI/PS, Ramallah, August 20, 2008.

⁴⁶ For the many violations suffered during detention see C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004 at p. 51 ff.

⁴⁷ See DCI/PS, "Palestinian Children Prisoners" Report, December 2007.

attacked by a dog, having the family house demolished, and being tortured with electric shocks⁴⁸. The traumatic impact that these sufferings might have on vulnerable children as young as 12 will more likely accompany them for a long period, if not for the rest of their lives. Moreover, as expert psychologists working at the Treatment and Rehabilitation Centre for Victims of Torture testified, “*the more intensely and deeply the violence affects children’s minds and bodies, the longer and more complex the rehabilitation of the child would be*”⁴⁹.

Moreover, this assessment sees the degrading and inhuman treatment suffered by child detainees as a piece of a long chain that represents the ideology of “control” itself carried out by the Israeli Military Forces. In other words, while on *prima facie* one would think that physical and psychological violence is used as a tool to torture children and compel them to confess⁵⁰, the reality shows that at the present time, the practice and purpose of torture and cruel treatments by Israeli Forces goes beyond the scope of obtaining information from the detained person, whether children or adults. Rather, torture and physical and psychological violence aim at “*affecting the well-being itself of children in the long term, at breaking down their personalities*”⁵¹. Thus, violence by Israeli Forces during detention represents just another form of control imposed on Palestinians that is specifically the control of the identity and the self-confidence of Palestinians. If confiscating land is a tool to control the land and the resources of Palestinians, then setting borders and check points leads to controlling their movement. Issuing MOs has the scope of controlling Palestinian lives, and practicing torture and violence ultimately means controlling their minds⁵². Continuing the above mentioned logic and perspective, in the eye of the Israeli military, breaking down the personality of young victims would be easier and more fruitful as a tool for control. Hence, young people are highly emotional and fragile. Also, practising it on the young generation, the result will last longer and will likely influence the society as a whole⁵³. One can therefore better understand the Israeli military’s tendency to inflict considerable psychosocial trauma on children. An effective and valuable rehabilitation should therefore focus on rebuilding trust and self-confidence and children’s identity as well as the very same values, and safety factors that have been damaged during their detention.

⁴⁸ *Ibid* at p. 15. On the topic see also Hamoked and B’Tselem, “Absolute Prohibition. The Torture and Ill-treatment of Palestinian Detainees”, Jerusalem, May 2007, p. 66.

⁴⁹ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁵⁰ See Fact Sheet “Palestinian Political Prisoners”, PLO Negotiation Affairs Department, August 2008. This despite that on 6 September 1999 the Israeli High Court ruled that the Israel Security Agency could no longer use a number of methods of torture (including violent shaking, tying prisoners in contorted positions to a small child’s chair, covering the prisoner’s head with a sack, and sleep deprivation). This ruling was widely reported as an end to Israel’s practice of torture. However, the practice of torture has not ceased.

⁵¹ See Interview with Walid Amara, ex-detainees (also as a child) as well as social worker at EJ YMCA, Ramallah, August 13, 2008.

⁵² Of a similar idea are C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004, at p. 8 when describing “torture” as tool used by the state to undermine the identity and the self-confidence of the individual and the community”. The authors go on stating that torture “(...) targets the fabric of the national identity within the society as a whole”.

⁵³ *Ibid*.

It is important to note that physical and psychological violence and torture is just one of the terrible aspects of detention. Children are likely to suffer and to be affected by many other factors such as the living conditions of detention, the trauma of being away from their families, the fact of not always being allowed to communicate with relatives, probably for the first time being uprooted from their daily life, as well as from their parents, their siblings, their friends, their school and so on⁵⁴. It goes beyond the scope of this assessment to include the analysis of all the inhuman factors that make detention one of the possible worse experiences that could happen to children. What is important is that the combination of all these factors, and paramount the exposure to violence and torture, directly harms what the child rights discourse terms as the "environment" of children in all its components. The next section will give exact details of how and to what extent the experience of detention affects the major components of children's environment.

⁵⁴ Many are the sources that reports on the major elements composing the experience of detention from the time of arrest to the release, some examples being DCI/PS, "Palestinian Children Prisoners" Report, December 2007, Yesh Din, "Backyard Proceedings, the Implementation of due Process Rights in the Military Courts in the Occupied Territories", Report, December 2007, and C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004.

THE VULNERABLE GROUP OF PALESTINIAN CHILD EX-DETAINEES

According to Khaled Quzmar, a lawyer working in DCI/PS, "after serving their sentence, Palestinian children (or adults but at the time of the sentence were children) are asked to leave their cells, given their belongings at the entrance of the prison and taken by a military jeep from the detention centre to the closest checkpoint⁵⁵ to access the oPt"⁵⁶. From this very moment, these children become part of the vulnerable group of child ex-detainees and start a long and difficult exodus towards their community reintegration. In fact, to overcome the experience of detention the road is not easy. First of all, children will have to deal with the psychosocial trauma caused by what a 2004 DCI/PS report describes as an "(...) experience out of the imagination (...) and amongst the most frightening and psychological damaging events that an individual can experience"⁵⁷. Also, they will have to work on re-building their relationships with family members and other social and cultural networks. Lastly, child ex-detainees will have to re-adapt to the "normal" daily life within their respective society after having got used to the harsh conditions of living in prison with a routine, not characterized by the usual components of children's lives, such as going to school, playing with friends after finishing their homework and spending time with the family in the evenings.

This section aims at investigating the problematic period of psycho-social rehabilitation and community reintegration of child ex-detainees. The investigation will examine the following five critical aspects of children's environment: **children's psycho-social well-being, children's family, children's social and cultural life, children's education, and children's future professional career.** The choice of this categorization is the result of combining a child rights-based approach with the relevant elements pertaining to the social realm. In fact, on the one hand, many of the studied literature as well as testimonies from psychosocial experts working in the field identify these five aspects of the life of children as the most affected ones due to the experience of detention⁵⁸. On the other hand, from the legal point of view, the CRC identifies those five categories as some of the basic rights of children while at the same time the international child rights discourse has developed the definition of "child environment" giving to these same rights particular importance. An international consensus has been reached on the fact that if one or more of the rights of making up children's environment is undermined; this is enough for the

⁵⁵ All the Israeli detention centers that host children, with the exclusion of Ofer, are based outside the oPt as stated by DCI/PS, "Palestinian Children Prisoners" Report, December 2007, at p. 30. This is in clear violation with Art. 76 of the Fourth Geneva Convention that orders the detention of protected person, including children, in the occupied country.

⁵⁶ See Interview with Khaled Quzmar, lawyer, DCI/PS, Ramallah, August 20, 2008.

⁵⁷ See C. Cook, A. Hanieli, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004, at p. 126, quoting the American Psychiatric Association.

⁵⁸ Among the others, see V. Khamis, *Political Violence and the Palestinian Family. Implication for Mental Health and Well-Being*, The Haworth Maltreatment and Trauma Press, New York, 2000. Also see interview with Mona Zagbrou, Head of the Counseling Department, EJ YMCA, Beit Sabour branch, August 9, 2008.

environment not to be suitable to provide children with the necessary elements to positively enjoy their childhood. Consequently, whether the experience of detention affects one or more of the five categories, it is enough to prove that certain basic child rights have been violated and that relevant legal, psycho-social, and cultural interventions have to be made in order to restore the affected categories and re-build a balanced and suitable environment for children.

Therefore, the expected result of the following analysis is to individuate simultaneously what are the major effects that detention has on children and, consequently, what are the respective children's needs in order to re-build their environment and, thus, overcome the experience of detention, reintegrate positively within their family and community, and regain a positive role in society.

Children's Psycho-social Well-Being

CHILDREN'S RIGHT TO PHYSICAL AND MENTAL HEALTH

Article 24, 1 of the Convention on the Rights of the Child (1989)

States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

Article 39 of the Convention on the Rights of the Child (1989)

State Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of any child victim of: any form of neglect, exploitation or abuse, torture or any other form of cruel inhuman and degrading treatment or punishment, or armed conflict.

Expert psychologists and social workers dealing currently with the rehabilitation of Palestinian child-detainees affirmed that *"the psychological symptoms of detention systematically vary from clients to clients according to their personality, the intensity of the experience and the immediate support received by their beloved people"*⁵⁹. However, for a large extent, children who have been experiencing detention in deplorable conditions and suffered physical and psychological violence manifest many psycho-social symptoms that, if not immediately and adequately addressed, could have a dangerous impact on the psycho-social well-being of the child in the long-term. For instance, from the in-depth interviews with child ex-detainees that have not benefited from psycho-social support, it is evident that *"detention affects their social and psychological life and this further affected their future reintegration in society"*⁶⁰.

⁵⁹ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁶⁰ See "Field Findings Report", finalized in August 2008, in file with the author.

One of the major psychosocial syndromes listed by experts interviewed is the so-called “**Post Traumatic Stress Disorder (PTSD)**”. As a consequence of this disorder, child ex-detainees re-experience the worst and most frightening moments lived during detention. This is the case especially when children are asleep as they are likely to have nightmares and wet the bed. The in-depth interviews carried out as part of this needs assessment reveal, in fact, that child ex-detainees manifest symptoms typical of the PTSD such as *inter alia* **fear, depression, low self-esteem, anger, hostility and aggression towards others or themselves**⁶¹. Also because of the shock suffered, children **do not feel secure anymore**. In the counsellors' view, “*children feel like their life is always controlled, they are followed and they take every request of favour or commitment as an order*”⁶². To overcome this insecurity, they behave as if **they have regressed to an earlier stage of physical and psychological development requiring more affection and manifesting themselves less to the outside world so as to feel safer**⁶³.

FACTS AND FIGURES⁶⁴

As part of the field research conducted for this report, 36 files pertaining 36 cases of child ex-detainees who have received psycho-social support have been analysed. ...These files showed that after detention...

...**25** children appear to be nervous and always agitated
22 children behave very aggressively towards the overprotection exercise by the family and the power of the occupation, represented by soldiers
7 children suffer from isolation, frustration and social withdrawal
6 children seem to have developed a very low self-esteem...

The psycho-social consequences of detention on child detainees are by all means amongst the most worrying. Firstly, they affect the immediate behaviours at the emotional, social and cognitive levels of children as well as the way they think and how they analyse external inputs. Secondly, if not adequately addressed, this will influence the children's future especially in terms of their relationships with the outside world and in building up social networks. Thus, an adult who did not overcome the anxiety, the depression, and the isolation experienced during childhood, is likely to feel inferior when it comes to social relationships.

⁶¹ *Ibid.* On the topic see also Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁶² See “Field Findings Report”, finalized in August 2008, in file with the author.

⁶³ *Ibid.* Some examples of literature sources addressing the issue of psychosocial consequences of detention are A.M. Baker, “The Psychological Impact of the Intifada on Palestinian Children in the Occupied West Bank and Gaza: An Explanatory Study”, *American Journal of Orthopsychiatry*, 60 (1990), 496-504; and A. Baker and N. Shalboub-Kevorkian, “Effects of Political and Military Traumas on Children: The Palestinian Case”, *Clinical Psychology Review*, 19, 8 (1990).

⁶⁴ See “Field Findings Report”, finalized in August 2008, in file with the author.

The Need for Intervention

Child ex-detainees are in dire need of a profound psycho-social intervention programme that will enable them to return to their reality in a balanced way through various approaches, methodologies and techniques relevant to the psycho-social science which could be adopted to achieve this goal⁶⁵. Choosing the right one strictly depends on a needs assessment of the child after detention. An assessment that evaluates the major symptoms that have manifested following the detention, analyses the personality of the child, his/her mental health status and identifies the role of the most relevant figure in the child's life, such as his/her parents, siblings and friends, is of a primary importance in the process of children's psycho-social rehabilitation. Consequently, an intervention – treatment plan – should be developed in order to effectively guide the child towards managing the psychosocial symptoms and providing him/her with coping strategies to overcome the worst effects of detention⁶⁶. Based on the long standing experience of the EJ YMCA Rehabilitation Programme, and the recently conducted evaluation, the use of EMDR⁶⁷ has proven to be effective in retrieving traumatic memories and supporting the victims' reprocessing so that traumatic symptoms are resolved in parallel with taking part in group counselling sessions.

Children's Family

CHILDREN'S RIGHT TO HAVE AND ENJOY A FAMILY

Article 16,3 of the Universal Declaration of Human Rights (1948)

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Preamble of the Convention on the Rights of the Child (1989)

The child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.

⁶⁵ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁶⁶ Ibid. Refer to the source for a detailed explanation of the subsequent steps to undertake in order to assess the psychosocial needs of the child. Also, concerning the topic see J. Lovett, M.D., *Small Wonders. Healing Childhood Trauma With EMDR*, The Free Press, New York, 1999.

⁶⁷ "EMDR" stands for "Eye Movement De-sensitization and Reprocessing", the name initially applied by psychologist Francine Shapiro to the methodology she created two decades ago for treatment of post traumatic stress disorder. Since then, Dr. Shapiro and her colleagues have developed the EMDR method in many directions, and over fourteen controlled studies have documented the efficacy of EMDR in treatment of PTSD and related disorders. Sixty thousand mental health clinicians have been trained in EMDR worldwide, and an international standard-setting professional association - the EMDR International Association (EMDRIA) - has been formed of which the EJ YMCA Rehabilitation Programme is member of. Several national health services in Europe and Israel have designated EMDR as the treatment of choice for trauma; so have the US Veterans Administration and Department of Defence for combat-related PTSD.

The effect of the detention experience on the family unit can be described as **the disruption of the balance that characterizes the internal relationships among close family members.** To begin with, being away from the daily affection and support of the family, and simultaneously having to face and cope with a harsh environment all alone, child ex-detainees develop a certain degree of **independence** that

they might find difficult to let go of once they are back in the domestic environment⁶⁸. On the contrary, **parents**, especially mothers, having experienced the fear of losing their child, become overprotective and tend to impose unnecessary control on their sons and daughters⁶⁹. However, child ex-detainees who have had to suffer oppression and control throughout their detention experience, usually react with an impetus of even stronger rebellion to the authority of the family (as well as of any other kind). The social counsellors interviewed pointed out that *“child ex-detainees face great difficulties in accepting the power of their family or other source of authorities”*⁷⁰. Also, the relationship among child ex-detainees and their siblings, especially with younger ones, does not appear easy⁷¹. This seems to be a reaction to the continuous abuse of power exercised by soldiers towards children. In fact, once children are back home, they tend to act in the same way towards more vulnerable people, namely their younger brothers and sisters⁷².

Field experts expressed their concern regarding the widespread phenomenon of families who are not adequately equipped to cope with the new unbalanced network of relationships created due to the return of the child. What happens is that **each member thinks about their own problems as priorities without sharing them with other members or considering the suffering of other family members**⁷³. As a result, the domestic atmosphere becomes very tense and a gap starts to grow between child ex-detainees and the rest of their family⁷⁴. On the one hand, there are **child ex-detainees who are in extreme need of protection and support** but do not seem to feel trust or to be understood by

CHILDREN'S TESTIMONIES

“My family doesn't support me enough”

“I don't want to be close to my father after I am released”

“I am not happy with the way my family is supporting me”

Field Findings Report, August 2008

⁶⁸ See Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008. Regarding this Walid pointed out that more than often children find themselves all at once into adulthood skipping the necessary phase of the psychosocial development of adolescence.

⁶⁹ Ibid.

⁷⁰ See “Field Findings Report”, finalized in August 2008, in file with the author.

⁷¹ Ibid.

⁷² See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁷³ Ibid.

⁷⁴ See Interview with Mona Zaghrout, Head of the Counseling Department in EJ YMCA, Beit Sabour branch, August 8, 2008.

their parents. On the other hand, there are **parents who are unable to cope with the situation and feel extremely helpless towards their child** because they feel they lack the skills to support their child to overcome the trauma suffered.⁷⁵

FACTS AND FIGURES⁷⁶

... 10 children out of 36 do not feel understood by their parents...

An international consensus has grown regarding the importance of the family unit as the primary coping mechanism for children in search of overcoming traumatic experiences with potential psycho-social symptoms, such as detention⁷⁷. This is to say that the family, and in particular parents, should represent the initial referral source for the future development of child victims of torture through which they find the needed affection, social support and potential in-family coping strategies⁷⁸.

The Need for Intervention

There is a major consistency between scientific literature on the critical role of the family in children's rehabilitation; and years of practice in the field targeting children and their families, as well as the Palestinian social context that values the family as the "*primary source of emotional and psychological support*"⁷⁹. This consistency is the basis in concluding that targeting members of the family of child ex-detainees by means of directly involving them in the early stages of the children's psycho-social rehabilitation and community reintegration, is simultaneously a necessity and a factor that, if professionally approached, will only bring positive results to both the child and the family as a whole.

Owing to the sensitivity of the issue of detention and the personal sphere, the outcome of the assessment suggests that it is of vital importance to first bring the whole family together in a "family session" in order for each member to settle potential misunderstandings and express to each other any unarticulated feelings. Also, it is necessary for each single family member to participate in individual counselling sessions. Hence, the latter will offer the client the opportunity to freely and personally express himself/herself, especially in the case of trauma, as each family member has suffered psychologically from the detention of the child, in some way. Again, in order to effectively tailor-make the process of family rehabilitation, it is necessary to carry out an assessment of the implications that children's detention has had on the family unit. This needs to

⁷⁵ See "Field Findings Report", finalized in August 2008, in file with the author.

⁷⁶ *Ibid.*

⁷⁷ See J. Herman, M.D., *Trauma and Recovery. The Aftermath of Violence – from Domestic Abuse to Political Terror*, Basic Book Press, New York, 1942.

⁷⁸ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁷⁹ See C. Cook, A. Hanieh, and A. Kay, *Stolen Youth*, Pluto Press, London, 2004, at p. 125.

be elaborated in terms of the family's structure and the function of each member before and after the detention. Thus, working towards reconstructing this structure and system would be the key for building a renewed equilibrium and, in turn, children's psycho-social balance.

Children's Social and Cultural Life

CHILDREN'S RIGHT TO ENJOY A SOCIAL AND CULTURAL LIFE

Article 27, 1 of the Universal Declaration of Human Rights (1948)

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

Article 31, 2 of the Convention on the Rights of the Child (1989)

States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

One of the major obstacles that child ex-detainees face in their reintegration within their society relates to the fact that **they suffer from an inability to trust and build meaningful relationships in "post-detention life". In fact, they manifest poor social skills and tend to isolate themselves from the outside world as they feel insecure and fear "the others"**⁸⁰. As stated by the counsellors interviewed in the field, *"children constantly suffer from withdrawal from society and tend to seek refuge in isolation. It seems that they face great difficulty in trusting people around them and in being part of the family or members of the community"*⁸¹. Moreover, once they are back into their community, children easily develop an **internal dichotomy between childhood and adulthood**. On the one hand, after detention they are still vulnerable children with particular needs and require even more attention than other children due to their psycho-social well-being. On the other, society perceives them as heroes and freedom fighters because they have experienced and survived detention⁸². As a result, it seems that they are not "socially allowed" to show their frailty as this would entail losing this great image, inherent role in society, and expectations for the future that their community, their family and their friends develop around their image.

⁸⁰ See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008.

⁸¹ See "Field Findings Report", finalized in August 2008, in file with the author.

⁸² See Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008. During the interview the social worker stated that this new image of child ex-detainees as mature heroes is based on the assumption that "prison is for men". As a result, once a child experiences the detention automatically on the eye's of the society he/she becomes and an adult.

FACTS AND FIGURES⁸³

...**18%**, out of **36** of the cases of children, said they feel lonely and they would like to withdraw from their society...

This internal dichotomy is worsened by another internal conflict. **Child ex-detainees, on the one hand, feel superior compared to their friends as they endured prison. While at the same time, they feel inferior because, when they were in prison, their friends were able to integrate in the community by means of strengthening their social skills, attending school and establishing social networks.** In the voice of a child ex-detainee, "*I feel inferior to all my friends because while I was in jail, they went on with their life and now I have lost that time*"⁸⁴.

With the lack of adequate social and cultural services to overcome these internal conflicts, child ex-detainees do not feel understood by their "old" friends and they usually "do not trust their community"⁸⁵. As a result, the only means that is left for them to create a new place in the community, and to feel a sense of belonging, is by creating an image that goes along with that of heroes and freedom fighters. According to an expert in the field and from testimonies of child ex-detainees, the stereotypical actions of a hero are conducive for children to develop anti-social behaviour. The counsellors reported that there are cases of child ex-detainees that display behaviour of superiority by picking up negative social habits such as smoking, shoplifting and acting as vandals⁸⁶. In turn, these acts of anti-social behaviour influence the behaviours of their peers in that they are setting an example for other children.

The Need for Intervention

The urgency of intervening in this sector is self-evident. First of all, an appropriate intervention will equip child ex-detainees with the necessary skills and strategies to overcome the feeling of withdrawal and isolation from the outside world. Secondly, the intervention will act on the internal dichotomy experienced by the child towards working on the image and the perceived image that society labels. Finally, efforts should also be focused on prevention of child ex-detainees to negatively influence their peers. This assessment considers that in order to reach a satisfactory social reintegration, the intervention should engage child ex-detainees simultaneously in individual and group sessions. While the individual session should mainly focus on the psychologically related symptoms

⁸³ See "Field Findings Report", finalized in August 2008, in file with the author.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ See Interview with Mona Zaghrout, Head of the Counseling Department in EJ YMCA, Beit Sabour branch, August 8, 2008.

caused by detention; the group sessions should aim at the community level and should facilitate the dialogue between children and the other community members, with the purpose of dissolving the social stereotype of child ex-detainees as super heroes. Therefore, guiding the community towards understanding the internal conflicts and difficulties faced by the children and their immediate environment after detention contributes to allowing them to regain their place in society as children.

Notably, and of particular importance, is the effect of a support group (of child ex-detainees) on the well-being of the child ex-detainees and the dichotomy mentioned above. In fact, children interviewed, as part of this research, confirmed that they only feel completely understood by people who experienced similar physical and psychological trauma. This type of group session gives the child the possibility to open up and talk freely, not to feel alone in experiencing internal conflicts and, in turn, to slowly overcome the feelings of “social isolation”, “lack of understanding” and “loneliness”⁸⁷. According to the counsellors dealing with adolescents and young adult ex-detainees, it seems that this is the group of ex-detainees that are mostly at-risk of developing those leadership skills for anti-social behaviour as mentioned above. The counsellors believe that the maturity and independence that these people gained in prison as well as society’s perception of them as heroes could be turned, through psycho-social intervention, into positive energies⁸⁸. In other words, ex-detainees could make use of the very same factors that led them to behave in a negative way to regain a positive role within their community as the leaders of today and tomorrow.

Children's Education

CHILDREN'S RIGHT TO EDUCATION

Article 28, 1 of the Convention on the Rights of the Child (1989)
States Parties recognize the right of the child to education.

Article 13,1 of the International Covenant on Economic, Social and Cultural Rights (1966)
[State Parties] agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

The experience of detention greatly affects children's education. First of all, the time spent in prison constitutes **loss of educational time**. This is due partly to **detained children rarely provided with education**. In fact, a 2007 DCI/PS report states that "*in only 2 out of the 5 prisons holding Palestinian children, there is a*

⁸⁷ See “Field Findings Report”, finalized in August 2008, in file with the author.

⁸⁸ *Ibid.*

limited form of education provided”⁸⁹. Moreover, things are exacerbated by the fact that the **cooperation between the Israeli Prisoners Services and the MoEHE is almost non existent**. It seems, in fact, that the Ministry offers children only the possibility to attend the Tawjihi exam (secondary school exam) in prison providing them with minimal material, such as few books and stationary, to study with. However, there is no other form of education ensured by MoEHE for Palestinian children in Israeli prisons⁹⁰.

Moreover, once children are released and start the process of educational reintegration, the panorama is not any better. Above all, the Palestinian Authority's discipline in matters of "loss of school time" is quite harsh considering the Palestinian political context. In fact, regardless the reasons of the absence, **all Palestinian children who do not attend school for more than 70 days consecutively will automatically miss their academic year**⁹¹. Secondly, even when children are released before the 70 days have lapsed; no remedial class is provided in order to make up the loss of school time during their absence. These factors most of the time are perceived as “injustice” in the eyes of children⁹².

CHILDREN'S TESTIMONIES

“I don't think I will go back to school because I will be with the younger students”.

“I wish I can go back to school but I am afraid of failing because I can not focus on studying”

“We are not going back to school because teachers are beating us, we have many problems and we will miss the class”

Field Findings Report, August 2008

In addition to the actual loss of school time, it is important to highlight that the traumatic experiences directly affect the cognitive capacities of child ex-detainees exhibiting symptoms such as **difficulties in focussing, amnesia or alteration of consciousness and difficulties in paying attention**. Already this is an obstacle for a smooth reintegration of child ex-

detainees within their class. Regarding this, in fact, there are cases of children who also complained about the attitude of their class mates. Thus, instead of offering help to child ex-detainees to make up for the loss of time, **the class mates often stigmatize ex-detainees children** because of their difficulties in the reintegration process⁹³. Moreover, the Palestinian context is characterized by overcrowded classrooms and **teachers who do not have the time and/or skills to deal with traumatized children**. Evidently returning to school is

⁸⁹ See DCI/PS, “Palestinian Children Prisoners” Report, December 2007, at p. 33.

⁹⁰ See Interview with Khaled Quzman, lawyer, DCI/PS, Ramallah, August 20, 2008.

⁹¹ See DCI/PS Annual Report, Ramallah, 1999.

⁹² See Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008.

⁹³ See “Field Findings Report”, finalized in August 2008, in file with the author.

neither enjoyable nor easy for child ex-detainees. To aggravate their situation even further, there is the accepted use of violence in schools as an educational tool that clearly contrasts with the refusal of authority and orders that typically manifests in child ex-detainees⁹⁴. Children interviewed, in fact, lamented that one of the major problems they face when going back to school is the relationship with the teachers who lack sensitivity or consideration of their situation⁹⁵.

FACTS AND FIGURES⁹⁶

...Out of 36, 19% stated that they suffer from lack of concentration
9 children out of 36 said that they decided to drop out of school due to the educational time loss
6 children return to school
16 were not in the educational system even before and now are not working
50% they did not go back to school, either because they feel inferior or superior to their class mates...

The result of this situation is by all means worrying. Child ex-detainees, in fact, are likely to drop out of school because they cannot bear one of the above-mentioned situations. Dropping out of school or having to cope with an adverse environment to overcome learning difficulties or catch up on their study material contribute in further decreasing the already-deteriorating self-esteem of these children. Education is, therefore, implicitly denied to child ex-detainees. Accordingly, not only child duty-bearers in Palestine are violating one of the main child rights, but also the future of these children will be marked by an additional loss. In fact, the lack or absence of opportunities to socialize and feel part of the group of school friends causes additional effects in the future social life. Being already victims of detention, these children will also have to suffer the burden of missing out on normal personal development.

The Need for Intervention

Education is an important issue that requires intervention. A child ex-detainee interviewed as part of this research stated that he felt very sorry for having lost months of school when he was in prison as now he is facing serious problems catching up at school. An appropriate intervention, therefore, is to first work at the governmental level, through lobbying MoEHE to stipulate an up-to-date version of the obsolete law, as well as offering children adequate means for making up the educational time lost due to their detention. Also, work must be done at the individual level, in providing child ex-detainees with the needed support to overcome the academic difficulties, as well as to work on the self-esteem level through the support of the school counsellors.

⁹⁴ See *Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008.*

⁹⁵ See *"Field Findings Report", finalized in August 2008, in file with the author.*

⁹⁶ *Ibid.*

Lastly, it should not be underestimated that, due to the psycho-social sufferings of child ex-detainees, this vulnerable group of children need a supportive and enhancing environment. Therefore, teachers and class mates should be prepared to understand the difficulties faced by children once they return to school and, in turn, contribute to their smooth reintegration by offering social support and assistance. As a result, it is desirable to target the entire class through involving both pupils and teachers in psycho-social activities as a meaningful tool to create an environment more suitable for child ex-detainees' state of well being.

Children's Future Professional Career

CHILDREN'S RIGHT TO A FUTURE PROFESSIONAL CAREER

Article 28, 1 (b) of the Convention on the Rights of the Child (1989)

State Parties shall encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need.

Article 13, 2 (b) of the International Covenant on Economic, Social and Cultural Rights (1966)

States Parties recognize that Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means.

The last issue of this report touches upon is the future professional life of child ex-detainees. The importance of this issue is given by the fact that most of the **child ex-detainees, immediately after detention, are willing to take on a job**. This is due mainly to the practical fact that the vast majority are released either when they have already turned 18 or are close to that age. Moreover, as it has already been explained, although they might be still under age, they are likely to drop out of school and start looking for a job. Also, a good incentive for the child to seek employment is the **degraded financial situation of the family**. The child, now perceived as an adult, might have to start contributing to domestic expenses as well as take on other responsibilities within the family realm⁹⁷.

It is important to take into consideration the psycho-social aspect of the individual. To a large extent, child ex-detainees, in fact, are willing to work for two main reasons. Firstly, **they perceive themselves as adults**. They want to show their family and their community that during the detention they had grown

⁹⁷ See "Field Findings Report", finalized in August 2008, in file with the author.

up and are now ready to enter the adult world. This is confirmed by the following statement from one of the children interviewed as part of the field research, **“I am a man not a child, I must work”⁹⁸**. This indicates, again, the worrying psycho-social dichotomy between childhood and adulthood experienced by child ex-detainees. Furthermore, being employed and earning some money seems to be a primary need for children once they are out of prison. This is a direct consequence of the **sense of independence and the refusal of authority** that children develop during their detention. In other words, child ex-detainees are unable to accept further orders to the extent that they prefer to untie themselves from the family and look for a job.

The Need for Intervention

The aspiration for a future professional career is not necessarily a negative aspect of the life of children after detention. On the contrary, this could contribute to the child’s re-integration through building new networks and rebuilding their confidence and self-esteem. However, it seems that most of the time, the immediate need of child ex-detainees for employment is not accompanied by a clear idea of where to go and what they can do. In fact, children interviewed express their doubts regarding their plans for the future. This is understandable when taking into consideration that children neither finished school nor had anything to do with the labour market before.

FACTS AND FIGURES⁹⁹

...4 children out of 36 are unable to plan for the future...

As a result, these children would greatly benefit from an intervention focused on guiding them in finding their way towards a professional career. In this regard, it is particularly useful to provide career counselling sessions where children examine their attitudes and abilities in different sectors of the labour market. Moreover, it is an important step forward towards a successful professional life for child ex-detainees in that they will be exposed and/or referred to a network of organizations and institutions willing to offer vocational training and/or internships and other types of work experience.

The above analysis shows how the effects of the detention of Palestinian children in Israeli prisons are likely to go well beyond the traumatic experience itself. Usually, the whole post-detention environment of Palestinian ex-detainee children will be affected. Thus, the child manifests considerable levels of psycho-social difficulties including developing feelings of fear, insecurity, withdrawal from the family and society as well as lack of trust. As a result, the child

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

encounters great difficulties in relating to others and creating new social networks within his/her community. Detention greatly affects the balance within the family unit. While the child is no longer keen to accept orders and has developed a certain extent of independence, parents tend to overprotect him/her and impose on him/her unnecessary control. A gap in communication and understanding will progressively divide the parents and the child, disrupting the relationship that represents one of the most important coping mechanisms for the child to overcome trauma. Detention has its effects also on the community reintegration. In relating with society, child ex-detainees develop internal dichotomies between childhood and adulthood which are difficult to face and untie. The period in detention and the psycho-social difficulties represent obstacles on the educational career of the child ex-detainee in the future. In fact, whether for the educational time loss, for learning difficulties or for the adverse environment that school offers, children, after detention, easily decide to drop out of school and look for opportunities elsewhere. Unfortunately, difficulties also arise from the lack of knowledge in choosing a professional career. From a combination of dropping out and lack of future prospects, child ex-detainees are unable to make any future plans for themselves.

From the overall picture of children's environment after detention, one can easily affirm that many of the basic rights of the child, declared internationally and endorsed nationally both in Israel and the oPt, are constantly violated. Long-term sufferings due to a poor and ineffective Palestinian intervention are to be added to the already considerable violations suffered by children during the detention by the Israeli military. Undermining one or more of the elements of children's environment, these violations put at risk the development itself of children, leading to preventing a smooth passage from childhood to adulthood. The following section of this assessment has the scope of investigating the role and responsibilities of the major duty-bearers of children in Palestine and whether they are fulfilling this role. Subsequently, the last section provides useful recommendations on emergency interventions to be made in each one of the analysed elements of children's environment in order to decrease long-term symptoms after detention and offer to child ex-detainees possibilities to free themselves of the traumatic experiences suffered while in the custody of the Israeli army.

MAJOR DUTY-BEARERS OF CHILD EX-DETAINEES, THEIR ROLE AND THE SERVICES PROVIDED

In line with the international as well as the national legal framework on Palestinian child ex-detainees, this assessment identifies three major stakeholders of the rights of this vulnerable group of children after detention: the family unit, and in particular their parents, the relevant governmental actors, and the civil society sector. Before detailing the description of the role and responsibilities of each one of these stakeholders, the following observation deserves attention.

While it is true that certain actors, especially at the governmental level, are not adequately fulfilling their national and international obligations as duty-bearers of child ex-detainees, often it happens that children themselves refuse to benefit from services provided. This fact seems to be the result of the strong value given to the phenomenon of Palestinian detention as a symbol marking the opposition to the Israeli occupation. In other words, Palestinian children (and adults) imprisoned by the State of Israel are more likely associated with heroes and freedom fighters as opposed to victims of physical and psychological violence. Accordingly, suffering violence and abuse is widely considered part of the all-experience of refusing the Israeli authority more than some violations of child rights. In turn, children are unlikely to denounce these sufferings or call for help in order to overcome the experience. Moreover, there are cases in which although children feel that they have been subjected to unnecessary and unlawful violations of their rights, they still find it difficult to either request or accept psycho-social support. According to the interviewed counsellors, this is due to the fact that by accepting help, children fear re-experiencing the traumatic moments of detention. Also, children are sometimes afraid that in exposing themselves by accepting help; it would contribute to surfacing issues and consequences that could arise from them or from their family¹⁰⁰.

The Family Unit

Throughout the course of this assessment, the family unit has been often termed as "the primary coping mechanism for child ex-detainees". This is because, by and large, members of the family unit are those who can better understand the feelings of their own children and therefore more efficiently are able to support them. However, even legally, parents are considered responsible for the child's well-being either through domestic resources or by means of looking for help outside the family unit.

There is evidence that parents are concerned about their children's psycho-social well-beings when they are detained and react to children's return by

¹⁰⁰ See "Field Findings Report", finalized in August 2008, in file with the author.

overprotecting them. However, the findings of the focus groups with parents, carried out as part of this research, show two worrying facts. On the one hand, the majority of parents are not aware and/or concerned about the psycho-social effects that detention might have on their children in the long-term. On the other, even when parents do suspect potential psycho-social repercussions, they start to feel helpless as they are not aware how to approach and resolve the issues. This strongly indicates that usually parents are not well equipped to offer their children the necessary social and emotional support that they require¹⁰¹.

Another obstacle that prevents parents from fulfilling their obligations towards their children is that they, themselves, have been psychologically suffering from the child's detention. As a result, once children are back home, parents over-protect and over-control them, and tend to cut any social relations the child might have out of fear that their child might get arrested again. While this is understandable, the result, unfortunately, is counter-productive of an effective reintegration of children within their community.

Based on the research findings, the conclusion can be drawn that the lack of the parents fulfilling their obligations, as parents, is not a voluntary act but strictly depends on the Palestinian political context and their high psychological involvement. Accordingly, rather than being accused, the family should be supported in and guided towards building up better and more adequate skills to approach the issues connected with the detention of their child¹⁰².

Governmental Duty-Bearers: MoDEDA and MoSA

Both the international human rights discourse and the national Palestinian legal framework dictate a governmental obligation to provide ex-detainees with the necessary support during their post-detention life. In particular, the Palestinian Prisoners and Ex-Prisoners Law provide the duty of the Palestinian National Authority [PNA] of “*offering psycho-social services to child ex-detainees in order to facilitate their rehabilitation and reintegration within society*”¹⁰³.

As a matter of fact, the governmental scenario in terms of services provided to child ex-detainees is extremely poor and lacks in addressing the majority of the cases of children in need of help. The two major actors at the governmental level are Ministry of Detainees and Ex-Detainees Affairs [hereinafter MoDEDA] and Ministry of Social Affairs [hereinafter MoSA]. The first is the primary institution that should ensure any type of support, such as financial, legal, psycho-social, and medical to child detainees and ex-detainees. Moreover, despite MoSA not being legally bound to provide help to child ex-detainees, *de facto* a number of children are beneficiaries of MoSA's services provision as they are directed to

¹⁰¹ *Ibid.* See in particular the results of the focus group with parents.

¹⁰² *Ibid.*

¹⁰³ See Art. 3 of the Palestinian Prisoners and Ex-Prisoners Law, N. 19 of 2004.

support vulnerable group of Palestinian children in general through carrying out community outreach activities¹⁰⁴.

More specifically, currently MoDEDA allocates only three social workers to address cases of child ex-detainees for the West Bank. These social workers are based in Jenin, Tulkarem and Bethlehem. The services provided by these operators are as follows:

1. Psycho-social counselling (usually individually).
2. Co-ordination with the Ministry of Education and Higher Education [MoEHE] for the cases of child ex-detainees who have not finished their studies and should go back to school.
3. Vocational training and career counselling.

In regard to the three categories of services, the following observations are made. The first activity is not to be considered an outreach project. On the contrary, children receive psycho-social support solely if they approach MoDEDA's social workers at their offices and voluntarily ask for help. Secondly, the positive cooperation between MoDEDA and MoEHE is illustrated by the fact that if there is a child based in an area not covered by the MoDEDA but in need of support in his/her school's reintegration, MoEHE facilitates this particular need through involving its own school counsellors and thereby contributing to the services of the MoDEDA. Thirdly, career counselling is provided in many cities in the West Bank and the Gaza Strip but, unfortunately, targets any detainee regardless of their location or age. Accordingly, children could be intimidated into participating in sessions with adults.

Easily, one can understand that the limited services, by no means, are sufficient or adequate to address the psycho-social rehabilitation and reintegration of child ex-detainees. The reasons attributed by the MoDEDA to the almost lack of services is the degraded financial situation from which the Palestinian government, as a whole, is currently suffering. MoDEDA, as well as other ministries, lament at having to rely on national and international aids. As a result, MoDEDA has to tailor-make its projects according to the donors. Furthermore, when the donor decides to withdraw its financial support, MoDEDA has no choice but stop providing the services. For instance, this was particularly the case in 2007 when due to the withdrawal of funds by UNICEF, the Child Unit within MoDEDA, that used to specifically address cases of child ex-detainees, was paralysed.

While short on the budget, MoDEDA prioritizes the financial support to child ex-detainees and their families¹⁰⁵. Notably, in the words of the head of the Legal

¹⁰⁴ See Ministry of Planning and UNICEF, "Child Protection in the Occupied Palestinian Territories: a National Position Paper", Logo Production, Jerusalem, occupied Palestinian territory, June 2005, p. 80.

Unit "children rehabilitation remains a priority of the ministry that is currently striving to find new donors for re-establishing the Child Unit. The institution, in fact, aspires to re-establish the Child Unit by September 2008¹⁰⁶.

It is important to mention that MoDEDA is also in charge of establishing and maintaining a data base pertaining information related to any Palestinian ex-detainee, including children. Although the institution has established no clear policy on this regard, the process to collect the information and organize them properly has started a few months ago. Unfortunately, as of August 2008, no data has been officially released by the ministry, despite the fact that data concerning the names and the dates of birth of children currently in detention are already available¹⁰⁷.

The Civil Society Sector

Generally speaking, the civil society sector in Palestine is very dynamic and efficient. This is true also when it comes to organizations that provide psycho-social services to child ex-detainees and their families. First of all, there are dozens of community-based organizations that target the psycho-social consequences of detention implicitly when providing child ex-detainees and the community at large with social and cultural activities.

Moreover, there are mainly two NGOs that specifically target the rehabilitation of child ex-detainees. These are the EJ YMCA and the Treatment and Rehabilitation Centre for Victims of Torture [hereinafter TRC] and they work directly in the field with the support of a great number of specialists including social workers, counsellors, psychologists and psychiatrists. Both organizations carry out considerable activities throughout the whole territory of the West Bank reaching even the most marginalized areas. The working process of the two organizations is quite similar. They work both in-house through hosting children who voluntarily request help, or outside through their out-reach projects. In the latter case, the children are referred by the MoDEDA or DCI/PS and before starting any treatment, the client - and the family - is requested to give his/her consent. In order to protect the children from social stigmatisation, the TRC and EJ YMCA opt for totally private therapy sessions that simultaneously use the latest tools of the scientific psycho-social science as well as being socially and culturally sensitive to the Palestinian context. Therefore, for instance, the wishes of the clients are respected in relation to preferred place, time and environment of the session. Usually, the psychologists lead the session themselves through the

¹⁰⁵ See Interview with Javad Aman, Head of the legal unit of MoDEDA, August 11, 2008. The interviewer made clear that the ministry is providing detainees and their families with a monetary allowance. For instance, 1000 NIS are provided as a monthly allowance to male child or adults in prison for the length of the detention and until they will find a job, if the detention is protracted for more than a year; 1500 NIS to married women; 250 NIS as a pension directly given to prisoner for his/her expenses in prisons.

¹⁰⁶ Ibid.

¹⁰⁷ Also DCI/PS is currently keeping an up-to-date database with all relevant information regarding children currently in detention for the purpose of forecasting.

use of scientific assessment tools, such as the PTSD, BECK, and Wechsler tests, to assess and measure the severity of the incurred trauma¹⁰⁸. Despite the positive results obtained by these NGOs, it is important to note that both of them lamented that the *"number of child ex-detainees in need of psycho-social help is very high and their services are not quantitatively adequate to support all the referred cases of child ex-detainees"*¹⁰⁹.

Furthermore, an additional sign of the professionalism and the long-term objectives aspired by TCR and EJ YMCA is that they target all the affected actors, and in particular parents and other members of the family, who might have a connection with the child ex-detainees. While these organizations do not adopt explicitly a child rights-based approach, through targeting many actors, they are indirectly affecting many different components of children's environment¹¹⁰. Regarding the involvement of other family members and in particular the mother, it deserves attention to mention that there is a Palestinian NGO, named Psycho-social Counselling Centre for Women [PSCCW], that focuses mainly on women and as a result, delivers constant social and cultural services to the family of child ex-detainees with the purpose of intervening with the mother¹¹¹.

Concerning the civil society level, another two institutes deserve mention. The first one is the International Red Cross that focuses on child detainees and ex-detainees. Among other things, they have the specific role of monitoring the general conditions of detainees, including children, in terms of health, education, living conditions, nutrition, and so on. Subsequently, they work with the authorities for the purpose of denouncing potential violations suffered by children and enhancing the overall enjoyment of Palestinian child ex-detainees. The second institution worth mentioning is DCI/PS and is the leading Palestinian organization working for the legal protection of Palestinian children. DCI/PS, apart from anecdotal cases, does not provide psycho-social rehabilitation to children ex-detainees. However, the NGO is offering child ex-detainees any type of legal support and assistance, including legal representation in court, as well as support for potential claims of violations of rights suffered during the detention¹¹².

¹⁰⁸ For a detailed explanation of the usual process of rehabilitation from getting to know the client to composing a "treatment plan", to the single session see *Interview with Fersos Salama, psychologist at TRC, Ramallah Branch, Ramallah, August 13, 2008*.

¹⁰⁹ Regarding all the information on the TRC and the EJ YMCA refer to see *Interview with Fersos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008; and Interview with Walid Amra, social worker in EJ YMCA, Ramallah, August 13, 2008*.

¹¹⁰ *Ibid.*

¹¹¹ See *Interview with Khawal Azraq, PSCCW, Bethlehem, August 15, 2008*.

¹¹² See *Interview with Khaled Quzman, lawyer, DCI/PS, Ramallah, August 20, 2008*.

RECOMMENDATIONS FOR URGENT INTERVENTIONS

Legal service

- Lobby MoEHE for an urgent amendment of the obsolete legal which dictates the educational system.
- Improve complaint services against torture and child rights violation.

Network of state and non-state actors

- Strengthen the coordination between Palestinian State and non-State actors operating in this field in order to maximize their efforts, avoid overlapping of actions and prevent competition in providing services to child ex-detainees.
- Build up a network among rights-based organizations, psycho-social NGOs, educational organizations and governmental institutions with the purpose of establishing a multi-disciplinary referral system involving each one of the actors according to their specialization in intervention, campaigning, lobbying, and advocating to prevent further detention of children as well as ensure efficient post-detention responses.

Psycho-social intervention

- Develop a psycho-social intervention program learning from the experience of other countries and developing intervention models.
- Systematically measure the extent of psychological damage caused to children, their families, and the community as a whole.

Career rehabilitation

- Work intensively on career rehabilitation through vocational training for unemployed and school drop-outs.
- Make sure that any organization or institution carrying out career counselling networks with other organizations in order to publicize the services delivered.

Educational level

- Establish an awareness programme targeting directly child ex-detainees to encourage and motivate them to continue to study since education is the key in building their future.
- Build a professional framework that ensures that children feel supported and welcomed in their reintegration within their educational environments.

Intervention with family

- Conduct continuous awareness intervention also towards parents who did not suffer - yet - from the detention in order to strengthen their coping capacity as a preventative measure

- Conduct psycho-social intervention involving, on a larger scale, the family members whereby the implementing organizations are concerned about the psycho-social problems suffered by the family members as opposed of children.

Counsellor intervention level

- Build the capacity of counsellors and social workers by offering specialised training programs on relevant subjects and by exposing them to similar experiences at the local and international level.

Advocacy lobbying level

- Build the capacity of MoEHE and MoDEDA in order to improve case management, evaluation and monitoring skills.
- Carry out campaigns on the rights of the child in general, and on the rights of child ex-detainees in particular for all relevant duty-bearers, especially towards teachers and school principals.

CONCLUSIONS

Currently, there are roughly 300 children detained in Israeli prisons. These children suffered considerable violations of their rights during detention. They are subjected to physical and psycho-social violence, suffer deplorable living conditions, and are provided with food that is not always adequate to satisfy the physical development of children. They are deprived of the affection of their family and of legal representation. Probably, for the first time, these detained children learn how to get out of trouble and how to face difficulties without the support of their beloved. They develop a certain degree of independence as well as a strong feeling of rejection of authority.

This assessment has shown that when children are finally released, they have a long way to go before freeing themselves of the torments experienced in detention. In fact, heavy psycho-social repercussions both at the individual level, and at the family and community levels, will affect their lives immediately after detention. What is more, further long-term difficulties are encountered by children as they need to reconstruct a healthy family, social and cultural life and the development of their future educational and professional career. Accordingly, the life of Palestinian children after detention does not seem to spare children any suffering from further violations of basic rights.

The analysis of the post-detention consequences has been broken by this assessment in five main categories of children's environment that correspond to five main child rights as provided by the CRC. These are: children's well-being, children's family, children's social and cultural life, children's education, and children's future professional career. The more negative effects detention and post-detention have on these categories, the longer and more difficult is the rehabilitation and reintegration of children within their communities.

Both the international and the national legal frameworks provide clear obligations as to who are the duty-bearers and what is their role in providing basic rights to Palestinian child ex-detainees. Disappointingly, this assessment has shown how, at the present time, these obligations are not satisfactorily met by the duty-bearers. Most of the Palestinian ex-detainee children, in fact, still lack the conditions and opportunities to fully enjoy their rights and therefore are prevented from living their childhood healthily and happily, and are hampered to smoothly develop towards adulthood.

This assessment calls for immediate legal, psycho-social, and cultural intervention. This holistic intervention would permit the vulnerable group of child ex-detainees to be reintegrated into society through multi-disciplinary efforts targeting each one of the affected and violated rights of the child and offering to the child and its immediate environment all the necessary coping strategies to face internal and external traumas. Also, this assessment recalls for

action from all the major State and non-State actors. Until they completely fulfil their role as primary stakeholders and duty-bearers of child ex-detainees, the conditions of the very same components of children's environment that detention experience had damaged, the situation will progressively deteriorate over time leaving long-lasting effects on children's life.

BIBLIOGRAPHY

Books

- V. Khamis, (2000). *Political Violence and the Palestinian Family. Implication for Mental Health and Well-Being*, The Haworth Maltreatment and Trauma Press, New York
- J. Herman, M.D., (1992). *Trauma and Recovery. The Aftermath of Violence – from Domestic Abuse to Political Terror*, Basic Book Press, New York
- J. Lovett, M.D, (1999). *Small Wonders. Healing Childhood Trauma With EMDR*, The Free Press, New York

Articles

- A.M. Baker, (1990), "The Psychological Impact of the Intifada on Palestinian Children in the Occupied West Bank and Gaza; An Explanatory Study", *American Journal of Orthopsychiatry*, 60, p. 496-504
- A. Baker and N. Shalhoub-Kevorkian, (1990), "Effects of Political and Military Traumas on Children: The Palestinian Case;", *Clinical Psychology Review*, 19, 8

Publications from Governmental Publications, including UN Agencies

- Fact Sheet "Palestinian Political Prisoners", PLO Negotiation Affairs Department, August 2008
- Ministry of Planning and UNICEF, "Child Protection in the Occupied Palestinian Territories: a National Position Paper", Logo Production, Jerusalem, Occupied Palestinian Territories, June 2005

Report & Publications from Non-Governmental Organizations

- DCI/PS, "Palestinian Children Prisoners" Report, December 2007
- Hamoked and B'Tselem, "Absolute Prohibition. The Torture and Ill-treatment of Palestinian Detainees", Jerusalem, May 2007
- Yesh Din, "Backyard Proceedings, the Implementation of Due Process Rights in the Military Courts in the Occupied Territories", Report, December 2007
- DCI/PS, Annual Report, Ramallah, 1999

Interviews

- Interview with Walid Amra, social worker at the EJ YMCA, Rehabilitation Program, Ramallah, August 13, 2008
- Interview with Khaled Quzmar, lawyer, DCI/PS, Ramallah, August 20, 2008
- Interview with Mona Zaghrou, Head of the Counselling Department in EJ YMCA, Beit Sahour branch, August 9, 2008

- Interview with Ferdos Salama, training assistant and other psychologists at TRC, Ramallah Branch, Ramallah, August 13, 2008
- Interview with Jawad Amawy, Head of the Legal Unit of MoDEDA, August 11, 2008
- Interview with Khawal Azraq PSCCW, Bethlehem, August 15, 2008
- Phone Interview with Addameer, August 15, 2008

ANNEXES

ANNEX I: INDICATORS OF PTSD FROM RECORDS REVIEW-

Analysis of PTSD

Table 1: Distribution of the children already treated according to year of birth

1989	1990	1991	1992	Total
10	8	15	4	37

Table 2: Distribution of the children already treated according to geographical areas:

Tulkarem	Ramallah	Hebron	Nablus	Tubas	Jenin	Total
6	10	11	5	2	3	37

Table 3: Distribution of the treated children according to school grades above the 5th

Grade	Percentage
6	6%
7	12%
8	19%
9	12%
10	21%
11	12%
Tawjihi (secondary school exam)	18%
Total	100%

Table 4: Type of behavioural difficulties and problems faced by the treated children

Type of difficulty/problem	Percentage
Nightmares and disturbing dreams	11%
Aggression	16.5%
Loss of appetite	8.3%
Heavy smoking	5.4%

Table 5: Type of cognitive difficulties faced by the treated children

Type of difficulty	Percentage
Forgetfulness and lack of concentration	18.9%
Inability to plan for future	10.8%
Mind absence	2.7%

Table 6: Emotional difficulties faced by the treated children

Emotional difficulties	Percentage
Anxiety	16.2%

Sadness	13.5%
Frustration	18.9%
Anger	59.5%
Nervousness	67.6%
Isolation	18.9%
Alienation	16.2%
Fear from further detention	16.2%
Tension	2.7%
Aggression	16.2%
Helplessness	2.7%
Self-mistrust	2.7%
Humiliation	2.7%
Calmness	2.7%
Low self-esteem	13.5%
Loneliness	16.2%
Withdrawal	16.2%
Hopelessness	5.4%
Fear of missing the parents again	2.7%
Fear of the future	5.4%

Table 6: Social difficulties faced by the treated children

Type of difficulty	Percentage
Inability to communicate with friends	13.5
Inability to integrate into the social surroundings	5.4%
Inability of the family to understand the psychological difficulties and consequently leading to tension in the relationships within the family	27%
Attack by other detainees	2.7%
Lack of social support	2.7%

Table 7: The academic consequences and /or difficulties faced by the treated children

Type	Percentage
Academic interruption	24.3%
Leaving school	8.1%
Rejoining school	16.2%
Currently Unemployed and were not students before detention	43.2%

Table 8: The psychosomatic syndromes among the treated children

The syndrome	Percentage
Body convulsion	2.7%
Hyperventilation	5.4%
Reduction in temperature	2.7%
Acne	2.7%

Shivers	5.4%
Stomach ache	5.4%
Headache	2.7%
Vision problems	2.7%
Others	5.4%

ANNEX II: QUESTIONS FOR IN-DEPTH INTERVIEWS WITH CHILD EX-DETAINEES

Purpose:

To assess what the major needs of child ex-detainees are in relation to their reintegration within their communities after the detention experience;

To assess the knowledge of children in relation to an existing project directed at them, to assess the strengths and weaknesses of these projects;

This suggested questionnaire is to be used as a tool to direct the social workers who will interview child ex-detainees. The questions below are divided in 5 groups, according to potential “areas of interventions”. Each one of these areas corresponds to a set of provisions concerning a right within the UNCRC (i.e. right to have a family, right to education, ... etc.) that, in turn, refers to a component of child environment (i.e. family, school, ... etc.). According to the results of the interviews, *ad-hoc* interventions will be designed within the proposal of the project by Save the Children Sweden and EJ YMCA jointly.

Methodology:

Considering the sensitivity of the issues related to the detention experience, the pool of social workers involved in developing the field research of this needs assessment opted for conducting *personal interviews* with each child as opposed to focus group activities. When interviewing the child, the social worker will use the questionnaire below as a track to follow in order to direct the conversation. The order of the questions – in general and within each area of intervention – is not to be considered strict, as long as all the areas are covered when interviewing the child. It is to be noted that some of the questions are not referring solely to the area in which they are listed but are more cross-cutting questions that will identify the various needs of the child.

Leading Questions:

1. Personal data

- Name
- Age
- Place of residence
- Period of detention
- Type of detention (i.e. administrative)
- Level of education
- Career before arrest/detention
- Career after detention (if any)

2. Children's well-being – Children's right to physical and mental health

- Difficulties before detention including:
 - a) Social difficulties (i.e. with peers, with elder prisoners; did anyone help you?)
 - b) Coping difficulties (i.e. what did you do when you were bored? Did anyone help you?)
 - c) Self-image difficulties

- Difficulties during detention including:
 - d) Social difficulties (i.e. with peers, with elder prisoners; did anyone help you?)
 - e) Coping difficulties (i.e. what did you do when you were bored? Did anyone help you?)
 - f) Self-image difficulties

- Difficulties after detention including
 - a) Social difficulties (families, friends, communities)
 - b) Coping difficulties
 - c) Self-image

- Have any of your behaviours changed during your experience?
 - a) Aggression
 - b) Physical and verbal violence
 - c) Nervous reactions to actions
 - d) Withdrawal
 - e) Others

- Did you notice any changes in your feelings before and after the detention?
 - a) Anger
 - b) Happiness
 - c) Pain
 - d) Sadness
 - e) Loneliness
 - f) Others

- When you felt upset/lonely/sad, who did you approach for help?
- Have you ever received help? If yes, can you describe what?

3. Children's family – Children's right to have and enjoy a family

- Do you believe that your parents are aware of the experiences you have gone through? Do you know whether your parents understand you?
- Do you think your mother/father/siblings are helping you? If yes, who is helping you and how?
- Who do you trust?
 - a) Your dad
 - b) Your mum
 - c) Your brothers
 - d) Your friends
 - e) other
- Do you consider your family is supportive? If not, why?
- Are you happy with what your parents did/do when dealing with your difficulties?
- Do you have the desire/willingness that your parents should be closer to you now after the detention?

4. Children's education – Children's right to education

- Can you say how much education is important to you?
- What was the educational time loss because of detention?
- Did you want to go back to school after detention? If not, why – what barriers did you face?
- When you went back to school, if you did, did you have any problems in your reintegration (i.e. teachers/friends/school)?

5. Children's role in the community – Children's right to enjoy a social and cultural life

- Do you think you have any role in your community? If yes, what is it?
- Do you think your role has changed because of the detention?
- What is your self-image within your community after detention?
- How does your community see you (like a hero, do you feel stigmatized)?
- Do you have interaction with your family/friends/community? If yes, can you briefly describe it?

- Do you participate in social activities within your community? If yes, can you describe them?
- Do you know the local social and cultural institutions? Do you know their services? If you have received any services, can you please mention them?
- ***Children's working life – Children's right to a future career***
- ***Career before arrest/detention***
- ***Career after detention (if any)***
- What are your future plans now after the detention (going back to school, receive vocational training, look for job opportunities)?
- Do you face any obstacles in your future plans?
- What would you need to realize (or better realize) your future plans (i.e. more support from your family, more support from your community, financial support)?

ANNEX III: QUESTIONS FOR FOCUS GROUPS

A) WITH PARENTS OF CHILDREN CURRENTLY DETAINED BY ISRAELI AUTHORITY

B) WITH PARENTS OF CHILD-EX DETAINEES

Purpose:

To back the information collected through the in-depth interviews with children regarding the psycho-social effects of detention on them, thanks to the views and the experiences of parents; to assess the difficulties and the changes in the life of the family as a consequence of the arrest and detention of the child; to assess the difficulties of parents in helping their children once they get released; to assess the knowledge of families in relation to an existing project directed at them, to assess the strengths and weaknesses of these projects; To individuate gaps of interventions of current projects in order to achieve better results in the future.

Methodology:

Parents of children currently detained and parents of child ex-detainees will be gathered and engaged in an open discussion regarding their experience as parents, and the difficulties that they have experienced while coping with the issues related to the detention of their children. The social workers leading the discussion will follow the questions listed below. As long as all the topics are covered, the order of the questions is not to be strictly considered.

Leading Questions:

1. What are the major difficulties that you have experienced as parents at the psycho-social level while your child was in detention/when your child was released?
2. According to your status as a parent, what kind of difficulties has your child faced when in prison/once released?
3. How have these difficulties affected your life and your child's life (role/power/decision making/role outside the family)?
4. What kind of changes did you notice in the relationship between yourself and your son/daughter after he/she was released?
5. Did you receive any psycho-social services as a member of the family related to your experiences during the detention/after the detention of your child?
6. Do you have any expectations from local institutions to help you or your child when he/she is released?
7. Do you know any social institutions that provide help to families and children as a result of children's detention? If yes, can you list them?

How much do you know about them? Can you reach them? How do you evaluate the services, if you know them?

8. If your child has received/is receiving psycho-social intervention, did this change his/her life (i.e. education, vocational training ..etc.)?
9. If your child has received/is receiving psycho-social intervention, has this changed his/her attitude towards the family – the family function?
10. How does the child react to your help? Do you feel your help is:
 - Accepted
 - Rejected
 - Indifferent

To your child?

11. Would you like to receive help in order to learn how to better cope with your child and how to support him/her in overcoming his/her experience? If yes, what kind of help would you like to receive?
12. Comments.

ANNEX IV: QUESTIONS FOR FOCUS GROUPS TO BE CONDUCTED WITH EJ YMCA COUNSELORS

Purpose:

To back the information collected through the in-depth interviews with children regarding the psycho-social effects of detention according to the views of counsellors who worked directly with children; to assess the difficulties faced by the counsellors in working with child ex-detainees and their families; to assess strengths and weaknesses of the current project in order to achieve better results in the future.

Methodology:

Counsellors will be gathered and engaged in an open discussion regarding their experience as counsellors while working with child ex-detainees and their families. The social workers leading the discussions will follow the questions listed below. As long as all the topics are covered, the order of the questions is not to be strictly considered

Leading Questions:

1. According to your experience, what are the main difficulties that children face during their detention?
 - Social
 - Emotional
 - Economic
 - Educational
 - Psychological
 - Health
 - Community-based problem (integration)
 - Other
2. According to your experience, what are the usual psycho-social symptoms of children who have been in detention by the Israeli authorities?
3. How do you evaluate the services that children receive/have received from the EJ YMCA? Do you have any suggestions for improvement?
4. Through your experience, which indicators show that the child received a program that helped him/her to reintegrate within the society (i.e. is he/she back to school?; Does he/she participate in social activities?)
5. Based on your experience, do you think that counselling has positively affected the future plans of children? Please explain.
6. What are the difficulties that you face while working with the parents of children in detention and/or child ex-detainees?

7. Do you feel satisfied with the psycho-social changes that you have achieved with children and with the families?
8. What is the lesson you have learnt?
9. Do you think you need any further training to better reach children/family needs and/or to be a better counsellor? Please give examples.
10. Do you have any suggestions to improve the services that you or your organization delivers?
11. What are the obstacles that you have faced while implementing the project?
12. Comments.

ANNEX V: QUESTIONS FOR INTERVIEWS TO BE CONDUCTED WITH RELEVANT STAKEHOLDERS

INTERVIEW WITH NGOs

- Details of the Interview and person interviewed.
- What is the role of your NGOs in relation to child ex-detainees?
 - detailing in number of social workers dealing with them.
 - type/nature of activities.
 - geographical distribution of activities.
 - target groups, number of children involved in each activity and in total.
 - evaluation of the activities.
- Local partners in carrying out current projects/MoU/Cooperation with other parties & would they be interested?
- Capacity building: what does your NGO need in order to improve its current activities in this field?
- Comments and other notes.

INTERVIEW WITH THE MoDEDA

- Details of the interview and person interviewed.
- Data on Palestinian children currently in detention (number, age, gender, hot areas of origin, place of detention ...etc.)
- Data on Palestinian ex-detainee children (number, age, gender, hot areas for rehabilitation...etc.)
- Forecasted number of child ex-detainees for 2009.
- What is the role of the MoDEDA in relation to children in detention:
 - detailing in legal representation in court cases.
 - visits to children in detention.
 - Any family visits?
- What is the role of the MoDEDA in relation to child ex-detainees?
 - Detailing the number of social workers dealing with the target groups:
 - types of activities.
 - geographical distribution of activities.
 - identification of target groups, number of children involved in each activity and in total.
 - evaluation of the activities.

- Local partners in carrying out current projects/MoU/cooperation with other parties & would they be interested?
- Capacity building: what does the ministry need in order to improve its current activities in this field?
- Comments and other notes.

ANNEX VI: QUESTIONS FOR FOCUS GROUPS WITH CHILD EX-DETAINEES WHO HAVE RECEIVED INTERVENTION

Purpose:

To evaluate to what extent the existing programme achieved its objectives and created the changes in the lives of the child ex-detainees and their respective families using the SWOT analysis. To incorporate recommendations and lessons learnt to improve the level of the programme's intervention.

Methodology:

Child ex-detainees engaged in an open discussion regarding their experience vis-à-vis the different components of the programme. The social workers leading the discussion will follow the questions listed below. As long as all the topics are covered, the order of the questions is not to be strictly considered.

Leading Questions

1. Basic information

- Number of children
- Age group
- Date and place of the Focus Group meeting
- time needed
- the facilitating counsellors

2. Psychosocial counselling for ex-detainees/families, ... etc.:

- Following the services you received from the YMCA, can you describe how this affected the way you see yourself, your ability to face your day-to-day difficulties and your behaviour?
- To what extent the counselling services helped you to overcome the psycho-social difficulties associated with your detention experience?
- How much are you open to share experiences and feelings within the family?
- Do you think that there are organizations that are interested in developing services for children ex-detainees?
- Are there any obstacles/constraints that might hinder developing programs and projects for children ex-detainees?
- Do you have any suggestions to enhance the already existing services delivered to ex-detainee children?
- Do you have any suggestions on what kind of services to be delivered so as to best meet the needs of child ex-detainees?

3. Career counselling:

- Did these services help you identify your future career, how and what?
- How do you evaluate your relationship within your family, following the services you received?

4. Community involvement:

- To what extent these services helped you re/gain social role within the family (spending more time with them, participating in family discussions, and participation with the family in social events.)?
- Following the services you received, how do you evaluate your relationship with the community?
 1. at school
 2. at the club
 3. at work
 4. with friends and neighbours
 5. at the clinic
 6. with the local leaders
- To what extent do you feel close to your community?
- To what extent do you feel alienated from your community?
- Do you think that you have a role to help other ex-detainee children reintegrate into the community? What is this role and how can you play a role in it? (Awareness, access to information on availability of services ... etc.).