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## Welcome to the Defence for Children International (DCI) Newsletter

### Editorial

Defence for Children International (DCI) -- a non-governmental organisation dedicated to the protection and promotion of children's rights on local, national, regional and international levels -- is deeply concerned for the safety and wellbeing of children affected by the severe drought in the Horn of Africa.

The UN has said that over 10 million people in four countries -- Somalia, Ethiopia, Kenya and Djibouti -- are presently threatened by starvation. Somalia is the hardest hit thus far, and the UN has officially declared a famine in two provinces of the country. In an attempt to flee not only the crippling drought but also the protracted violence and political turmoil in Somalia, many Somalis are walking for days and weeks to reach refugee camps in eastern Kenya, the facilities and resources of which are now dangerously overwhelmed.

Given such stark conditions and devastating scarcity, children and women are invariably the first victims and remain most gravely at risk. The infant mortality rate is soaring in the refugee camps. The UN calculates that at least 6 out of every 10,000 children are dying in Somalia every day. Stories abound of mothers forced to focus resources on children most likely to survive.

A drought is a natural disaster, but conflict compounds it into a famine. Indeed, while the crisis afflicting the Horn of Africa is a humanitarian one, many of its root causes are political. Somalia's lack of functional government and working infrastructure -- exacerbated by the fact that Al-Shabab, the militant group controlling many southern and central areas of the country, forced out most international aid organisations in 2009 -- renders this crisis even more daunting to resolve. Moreover, the squeamishness of

some Western countries (especially the US) about aid money potentially coming into contact with Al-Shabab has led the international community to ignore Somalia, and thus to ignore the famine's warning signs, for far too long.

In addition to these factors, we must also acknowledge the international financial issues that have damaged and distorted the economies of the Horn of Africa. More and more land, particularly in Kenya, is being used to grow products for northern countries, which means that this land is devoted to export rather than to generating food for the local population. Suffering and scarcity increase, then, while the benefits of export are received only abroad.

Ultimately, it is our collective responsibility to respond to the present crisis affecting the Horn of Africa as a matter of human rights. Indeed, among the central rights being violated, both for children and for all people, is the right to food. Any situation in which children are starving en masse is one in which child protection has massively failed. In an attempt to address this rights violation, among various others, the Human Rights Council (HRC) Advisory Committee has formally requested that the HRC hold a special session on the food crisis in the Horn of Africa. This proposal addresses three crucial areas of action for the people suffering from this crisis: increased access to food, clean water, and health protection; increased structural measures to diminish vulnerability, honour the right to food and fight discrimination; and measures of support for the particularly precarious situation of women and children.

DCI calls upon international aid organisations and governments to remain steadfast, committed, and actively



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involved in providing -- and increasing -- supplies and support, both in the present moment and on the long term, to the people of Somalia, Ethiopia, Kenya and Djibouti whose lives are imperilled by drought and hunger. We urge them to pay particular attention to the plight of children, doing everything possible to ensure their material stability, physical safety and human rights. The international media also holds an important role in raising awareness and

keeping this dire situation at the forefront of global attention.

These kinds of support -- material, nutritional, economic, psychological, and political -- must not last only as long as the crisis reaches its visible peak, but should also extend into the future in a sustainable way, so that such disasters are more effectively predicted and more comprehensively averted in the future.

## **Les Horne (July 15, 1925-July 31, 2011) by Agnes Samler**

Les Horne was passionate about his commitment to children. He believed that the United Nations Convention on the Rights of the Child was not simply a political document but represented real promises to children, promises they should be able to count on. He also believed that children's voices should be heard particularly those children who are most vulnerable or at risk. He acted on these beliefs every day and inspired those around him to share his commitment.

From 1981 to 1990, Les Horne was the first Child Advocate in Ontario. Prior to this appointment, Les had a long history of dealing with some of the most challenging children in the Province. In days when children as young as seven were sent to training schools, Les was given the task of establishing a new facility, White Oaks Village, to separate these children from older offenders and to provide the intense level of care needed in a family-like setting. He also was responsible for Sprucedale Training School, where he demonstrated the value of programs such as Positive Peer Culture and set a high standard for training schools across the Province.

An advocate for community supports rather than institutional care, when Les was asked to participate in a task group on the future of corrections in Ontario it was no surprise that the group recommended the closure of large institutions in favour of smaller community-based homes. He then went on to act as a consultant to the resulting provincial Group Homes Program.

One of the most significant contributions Les made in the Province of Ontario, was the development of an individualized

approach to "hard to serve" youth whose needs could not be met by any single agency or Ministry program. For each of these young persons, an individualized plan was developed, often across several ministries, with a single consistent worker to provide support within a relationship of trust.

In addition to his formal work, Les led a very active volunteer life. He was a founding member of Forestview Church and was often sought out for his wisdom and advice. For many years he wrote a prayer for each Sunday morning service, sometimes with words of joy, sometimes reflecting the pain and confusion he felt around him.

Les loved music and he was a regular visitor to a number of homes for seniors, with his guitar and songs. He was always ready to jump in when anyone needed his help or support, whether that meant advocating with an institution, offering a shoulder to lean on or a kind or funny word, Les's faith was his life and he lived his faith rather than preaching it.

As a member of Circles of Support and Accountability with the Mennonite Central Committee, Les was part of a support group for Charlie, a young man who had spent a brutal childhood in Huronia Regional Centre for the developmentally handicapped followed by long years in the prison system. Charlie's life changed with his relationship with Les whom he regarded as a father figure. He frequently called Les late at night or multiple times the same day. Les was always there for him.

Les was also a founding member of the Coalition on the Rights of Children, bringing together a number of NGOs to



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## *Les Horne... (continued from page 2)*

strengthen support for children whose rights were being abused. The Coalition resulted in an amplification of the voices raised on behalf of children.

Perhaps Les's greatest volunteer achievement was his dedicated work with Defence for Children International, an international organization committed to promoting the UN Convention on the Rights of the Child and working towards its full implementation across the world. Les was present at the United Nations General Assembly when the Convention was adopted and joined others in urging Canada to ratify the document. A founding member of the Canadian section of Defence for Children International in 1989, Les remained as its Executive Director until his recent death.

It is impossible in a few short paragraphs to capture the extent of Les's work on behalf of children. He was an advocate who

understood that advocating for kids meant allowing their voices to be heard rather than imposing the views of "experts". While he worked to change systems, he was at his strongest and most tenacious when faced with the pain or injustice felt by an individual child. He refused to give up even when the task seemed impossible.

Les has an amazing ability to connect with people. He was that rare person who really listened to others, hearing both the sense of the words spoken but also the emotion behind the words. He seldom took credit for achievements, most often attributing successes to others. He had a warmth and sense of humour which put both children and adults at ease and his enthusiasm and generosity of spirit were well known.

We will miss Les. With his passing the children of our world have lost a true champion and we have all lost a wonderful friend.

## **the Impact of the Prolonged Occupation on the Basic Rights of Children according to the Special Rapporteur on OPTs. By Ayed Abu Eqtaish (DCI-Palestine)**

Children are regarded as one of the most vulnerable groups of society and, despite the existence of many international instruments that aim to protect civilians during wartime, they suffer from devastating human rights violations as a result of armed conflict. In the Occupied Palestinian Territory (OPT), a prolonged military occupation and blockade imposed by the Israeli government has led to ongoing violations against children.

Some of the most serious of these violations, and those too often ignored, are the long-lasting psychological consequences of the occupation on children. The international community has not done enough to address this issue in the OPT.

In his latest visit to the region at the end of April, the UN Special Rapporteur, Richard Falk, focused on how the occupation, blockade, and prolonged refugee status affect the basic human rights of children. These issues will be at the core of his upcoming report to the UN Human Rights Council.

In particular, Falk examined the effects of the Gaza blockade on the mental and physical health and development of children in Gaza. His mission statement concluded that the rapidly deteriorating human rights situation, as a result of the prolonged Israeli occupation, disproportionately affects children.

The UN Special Rapporteur warned the international community of the dire human rights situation facing children in Gaza, and called upon the international community to spare no effort in compelling Israel to comply with its obligations under international humanitarian and human rights law.

As a child rights organisation working in the OPT, Defence for Children International - Palestine section (DCI-Palestine) welcomes the UN Special Rapporteur's intention to cover these issues, especially the long-lasting psychological consequences that stem from the occupying power's practices against the Palestinian people, and that have an especially large effect on children.





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## *UN Special Rapporteur... (continued from page 3)*

Until now, international and national human rights organisations have focused almost entirely on violations of the rights to life, liberty, adequate standards of health care and living, and education. There has been little to no discussion of the psychological implications on children that stem from these issues. Trauma, post-traumatic stress, depression and behavioural problems have not been sufficiently examined.

During Israeli military campaigns in the Gaza Strip, many children suffered or witnessed horrifying acts of violence and aggression. These children have not received adequate attention and care from human rights organisations because their suffering is of a less tangible nature than children who were injured or killed during these operations.

Children are extremely vulnerable to the trauma of living in situations of armed conflict and often experience behavioural and mental health difficulties far into the future.

It is, therefore, important to examine the effects of the occupation, blockade and prolonged refugee status on children. This is especially true in the case of Gaza, where an ongoing blockade and multiple Israeli incursions have created an extremely difficult living situation. These traumatic experiences have both immediate and long-lasting negative behavioural and psychological effects on children.

## **DCI's Activities During the 17th Session of the Human Rights Council: Side Event and Oral Statement by Tommaso Atzeni**

On 7 June 2011, on the occasion of the submission of the report of the Special Rapporteur on the Right to Education to the 17th session of the Human Rights Council (HRC), DCI co-led (in collaboration with OIDEL, BICE, IIMA, VIDES Internazionale, the NGO Platform on the right to education and the Quakers) a side event entitled "Equality of Opportunity in Education: Special focus on Children's Rights".

The side event, co-sponsored by the Permanent Missions of Uruguay and Italy and chaired by Ms. Raquel Tavares of the Permanent Mission of Portugal, focused on the issue of the right to education, with a particular concentration on children in prison.

Mr. Kishore Singh, Special Rapporteur on the Right to Education, led the panel of speakers, which was composed of Ms. Barbara Robinson (Defence for Children International), Ms. Carolan Goggin (Quakers), Ms. Claudia Mazzucato (Catholic University of Milan), Ms. Noelle Garcin (Iday International) and Ms. Alessandra Aula (International Catholic Child Bureau).

Mr. Singh introduced the discussion by emphasizing the importance of the right to education in general and describing the legal framework for its protection in in-

ternational treaties and the human rights principles at its base. He praised the role of NGOs in monitoring the situation at the local level, as well as their ability to gather more information -- often with greater detail than international institutions themselves. He also stressed the need for more concrete action, persuading states to modernize their legislations and to expand educational/legislative frameworks to prioritize the importance of the right of education for women.

Subsequently, the discussion moved to the specific subject of the meeting. Ms. Barbara Robinson pointed out how children in conflict with the law are a particularly vulnerable group, one that therefore needs special protection: in addition to the deprivation of liberty, they are denied the right to an education equal to other children, if they are given any education at all. Ms. Robinson reiterated Mr. Singh's comment about the need to focus particularly on the situation of girls, who are an even more vulnerable category in the already overly vulnerable group of children in conflict with the law. She stressed the fact that there isn't yet sufficient information on this topic, as it still remains to be adequately



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## *DCI's Activities ... (continued from page 4)*

studied.

Ms. Carolan Goggin described the importance of education in the process of a child's growth, including the "non-formal education" (the education provided by the family in the domestic environment) before they reach school age; the situation of children with incarcerated parents; and the choice between separating them from their families and allowing them to live together inside the prisons. On the one hand, separation from the family is painful and can affect the development of the child. On the other, in prison, children grow up without any contact with the outside world, without being able to interact with other children, and without the normal stimuli that a child receives from his/her broader environment.

Ms. Claudia Mazzucato described a project called "Memory Box", which is being implemented in Italian prisons to help children with parents in detention. Conducted with the support of psychologists and other experts, it focuses on the relationship between the incarcerated parent and the child living outside. During the project, parents and children build a "memory box" as a means to talk about their present, past and future, while filling it with pictures and stories. The goal is to help children build a durable link with their parents despite the infrequency of direct contact while their parents are in prison. The results of this project will be presented in September, hopefully during the Human Rights Council. Italy has also approved a law that allows women in detention to live in a shelter in a restricted area outside of prison.

Ms. Garcin described the situation of children in prison, especially in Africa, where they are often detained without their parents' knowledge; where they are frequently held together with adults; and where they sometimes have to wait for years before the trial actually takes place. In addition, they are in many cases stigmatized by society and considered lost causes, transforming them into outcasts. This situation has extremely negative effects on their growth and on their life after release.

For this reason, it is important to work with communities and among the population to combat the stigmatization of children who have been in prison; to train the staff of prisons; and to work actively to

help children reintegrate into the society.

Ms. Aula talked about the right to education of children isolated from their families -- another vulnerable category for which this right is frequently denied, and one that needs particular attention. She then stressed the importance of the quality of education, as well as the fact that the discrepancies that still affect girls and women today must be taken into consideration; when ignored, it becomes difficult to apply universal standards.

The panelists' presentations were followed by a very productive Q&A session in which several members of the audience participated. The comments addressed, among other subjects, the situation of children with disabilities in conflict with the law; the means of intervention that put an end to the stigmatization of children in conflict with the law; and the situation in some prisons in Africa where children are not only denied the right to education, but also face more immediately dangerous problems, such as hunger and malnutrition.

Much to the satisfaction of the organizers, over 70 people attended the meeting. DCI would like to thank all the participants, the panelists, the sponsors and the audience for their valuable contributions and participation.

DCI also presented an NGO joint statement to the HRC session (together with Plan International, the International Catholic Child Bureau, Foundation Intervida, Child Helpline International, Women's World Summit Foundation, Terre des Hommes International Federation, the NGO Group to the CRC and War Child Holland).

The joint oral statement was presented to the HRC during the discussion of Item 3 (the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development) by (...). Its objectives were twofold: to commend the submission of the first report of the Special Rapporteur on the right to education, and to raise awareness about the issue of violence in education.

The statement welcomed the attention relevant to the issues of discrimination and inequality in education, in both developing and developed countries, as well as the access to and the quality of education. Particularly appreciated was one remark



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## DCI's Activities ... (continued from page 5)

expressed in the report on the right to freedom from violence in relation to the right to education.

This is a crucial point to emphasize, as violence is one of the worst adversities that children have to face in school, and one of the main causes of children's refusal to go to school or of their decision to drop out. As the report states, "The violence can include acts such as corporal punishment, sexual abuse, neglect, verbal and emotional abuse, bullying, peer-to-peer violence, youth gangs, weapons or harassment on the journey to and from school." For these reasons, the Special Rapporteur has been encouraged to lobby states to "develop laws that explicitly protect children from violence in schools and to enforce those laws; have clear laws prohibiting corporal punishment and clear policy on bullying in every school; develop awareness raising campaigns against violence and to develop child friendly and accessible complaints procedures where children would be safe when filling their complaints and receive the child

protection services they are entitled to; invest in training teachers in positive discipline methods, helping them understand alternative approaches to behaviour management; support children to identify and address violence in their schools". Finally, the Special Rapporteur has been asked to prepare a thematic report on violence related to the right to education, as well as to pay particular attention to this issue during the Universal Periodic Review.



## ILO Convention and Recommendation on Decent Work for Domestic Workers by Tommaso Atzeni

The International Labour Organization (ILO) adopted the Convention on Domestic Workers on 16 June, during its 100th Annual Conference. This Convention is the first treaty to set international standards for regulating the working conditions of the tens of millions of domestic workers worldwide, seeking to improve their working and living conditions.

Domestic work is defined as "work performed in or for a household", and a domestic worker is "any person engaged in domestic work within an employment relationship". The document recognizes that domestic workers ought to enjoy the same basic labour rights as other workers with respect to their working hours, wages, contracts and safety measures.

Until now, domestic workers were an "invisible" category, scarcely regulated by state legislations. In addition, domestic workers are usually vulnerable people -- women, children, immigrants, people living in extreme poverty -- who are so desperate that they

can't even ask for the application of the few existing norms, or for the protection of their general rights as workers and human beings. They are often denied any prescribed limit on their working hours, not even a single day off in a week, and aren't permitted maternity leave.

Due to the lack of regulation, the employment of children as domestic workers is very common. They are particularly vulnerable to exploitation because, in most cases, they belong to poor and marginalized families that send them to work because the parents' income isn't sufficient to provide for the family. Such children are therefore forced to accept work on any conditions, without demanding even the most basic rights for fear of losing the job that signifies the possibility to satisfy their fundamental needs: namely, food. They are deprived of their right to an education, because they are sent to work and not to school; due to their dependency and ignorance of their own rights, they are often forced to perform dangerous or harm-





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## *ILO Convention and Recommendation ... (continued from page 6)*

ful tasks. Moreover, these children don't have any way to defend themselves, to refuse, or to assert their rights. The prospect of being fired is used as a way to blackmail them into accepting anything demanded of them, from unlimited working hours to dangerous tasks to, in the worst cases, sexual abuses.

At long last, the Convention on Domestic Workers has intervened to try to tackle this situation. Article 3 reiterates the fundamental principle of the abolition of child labour. Article 4 establishes that all States should set the minimum age for domestic workers in accordance with the standards established for workers in general and with the Minimum Age Convention and the Worst Forms of Child Labour Convention in particular. In addition, States shall adopt the necessary measures not only to allow domestic workers below the age of 18 to complete their compulsory education, but also to benefit from any further educational or vocational training opportunities.

The Convention was accompanied by a Recommendation addressed to ratifying States. Paragraph 5 of the Recommendation invites States to identify the types of domestic work that endanger the safety, health and wellbeing of children and to therefore forbid them. It adds that the needs of workers under the age of 18 should be given special attention, in particular with respect to the number of working hours of works, regular breaks, education and training, leisure activities, contact with family, the nature of the tasks themselves, and living and working conditions.

DCI congratulates the ILO for the adoption of the Convention and its Recommendations, since one of our main concerns as an organization has been the situation of child domestic workers. We hope that this Convention will soon be ratified by as many States as possible, so that it may effectively change the lives of millions of children.

## **The 57th Session of the CRC by Aisha Rahamatali**

**A**mong the states reviewed during the 57th session of the Committee on the Rights of the Child (CRC), which took place in June in Geneva, two are of particular concern to us at DCI : Costa Rica and the Czech Republic, where two of our national sections are located. The reports on this session can be found on our website ([www.defenceforchildren.org](http://www.defenceforchildren.org)).

The session saw the election of the new president of the Committee, Jean Zermatten, to whom we send our warm congratulations. DCI is particularly glad for his appointment because Mr. Zermatten, a judge for juveniles in Switzerland, has long since been a friend of DCI and is a member of DCI-Switzerland.

This session also welcomed five new members in the Committee: Ms. Aseil AL-SHEHAIL (Saudi Arabia), Mr. Jorge CARDONA LLORENS (Spain), Mr. Bernard GASTAUD (Monaco), Mr. Gehad MADI (Egypt), Ms. Kirsten SANDBERG (Norway) and Ms. Hiranthi WIJEMANNE (Sri Lanka).

DCI had the opportunity to meet with these new members and introduce our work, presenting the work of our national sections and all the efforts made to implement the CRC and the Concluding Observations of the Committee. They conveyed interest in our work, especially with respect to our focus on juvenile justice, and expressed their hope that they will continue to receive inputs and information from DCI sections -- not only for the reporting process, but also for General Comments and Days of General Discussions.

In collaboration with other partners, DCI is continuing to work in close collaboration with the Committee on the Rights of the Child to prepare the Day of General Discussion on the subject of children of incarcerated parents.



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## International Day of the African Child by Ileana Bello

**16** June 2011 - This year, the International Day of the African Child focused on children living and/or working on the street, introducing this theme with the title "All Together for Urgent Actions in Favour of Street Children". The observance of this event sought to help increase awareness about the dangers facing street children; to promote the urgent implementation of initiatives to protect them; and to determine strategies for providing effective child protection and care.

The International Day of the African Child was established in 1991 by the African Union in order to commemorate the protests held by thousands of black schoolchildren in Soweto, South Africa. These children were protesting against the inferior quality of their education and demanded their right to be taught in their own language. Hundreds of young boys and girls were shot by security forces. To honour the memory of those killed and the courage of all those who marched, the Day of the African Child has been celebrated on 16 June every year since 1991.

Street children have been a prominent subject on the international agenda this year. The UN Human Rights Council (UNHRC) dedicated a day in its March 2011 session to specifically discuss street children, and it unanimously adopted the accompanying

resolution on street children's rights - the first since 1994 (A/HRC/RES/16/12). Additionally, on 12 April the International Day for Street Children was launched and celebrated in over 33 locations around the world by street children, policy makers (including the UN), NGOs, corporations, schools and celebrities.

The International Day of the African Child aligns itself with these great milestones for street children's rights. Hopefully, the increasing pressure placed on governments will encourage them to prioritize the comprehension and fulfilment of street children's rights.

DCI sections in Africa are actively working in support of all those children who, as a consequence of living and/or working on the street, come in conflict with law and are subjected to arbitrary detention, torture or any other sort of violations. DCI struggles to ensure that their rights are respected and to support children and their community through socio-legal defence centres, advocacy and lobbying activities.

DCI welcomes the theme of this year in celebrating the African child as part of one of its central goals: to highlight the needs of some of the most vulnerable and socially excluded young people in the world, and to work for the fulfilment of their rights.

## Congress on Detention and Torture against Minors by Ileana Bello

**O**n 28 May 2011, a congress in Rome, coordinated by the organisation Doctors against Torture presented the case of Palestinian children detained in Israeli prisons and of Kurdish children detained in Turkish prisons. The aim of the conference was to raise awareness among Italian and European institutions about the cases of arbitrary detention, torture and other forms of cruel and inhuman treatment to which Palestinian and Kurdish children are subjected once they come in contact with the police or the military forces.

DCI was represented by Ayed Abu Eqtaish, Accountability Programme Director for DCI-Palestine.

Ayed explained that, since the start of

the second Palestinian Intifada in September 2000, the Israeli authorities have intensified their arrest campaigns against Palestinian children. In the last 10 years, around 7,000 children -- as young as 12 years old -- have been arrested, interrogated and prosecuted in the Israeli military court system. Credible reports of ill treatment and torture within the system are common and persistent.

Indeed, children are not free from harsh treatment or even from torture, in some cases, during the arrest and interrogation phases. They are frequently blindfolded and handcuffed, beaten or kicked, exposed to position abuse, threatened or manipulated, confined in isolation, , subjected to electric shocks and threatened with sexual assault.





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*Detention and Torture against Minors ... (continued from page 8)*

These violations are not the result of new measures that Israel has implemented in response to the second Intifada. Rather, they are the result of Israel's intensification of pre-existing policies implemented in the Occupied Palestinian Territories (OPT) that are directed towards suppressing the Palestinian people fighting for peace, justice and equality.

Palestinian child prisoners are subjected to a systematic policy of abuse, which, when compared to standards applied to Israeli children in conflict with the law, is patently discriminatory. Palestinian children are bound by military orders and are prosecuted before Israeli military courts, which lack the minimum legal guarantees for a fair trial.

Israeli children are subjected to a separate legal system under Israeli civil law, before which they are entitled to special treatment as juveniles. Under Israeli civil law, a child is defined as anyone less than 18 years of age, which corresponds to the definition of a child established by the CRC. The Israeli military, in contrast, regards Palestinian children over 16 as adults, and treats them as such. Additionally, sentences other than imprisonment that are utilized by Israeli civil courts, such as parole or fines, are very rarely issued for Palestinian children sentenced by the military courts.

For example, in 83% of cases heard in the military courts, children receive a custodial sentence. Compare this to the Israeli domestic juvenile justice system, where a custodial sentence is given in 6.5% of the cases. Bail is only rarely granted to Palestinian children: in 87% of cases of children heard in the military court, bail is denied. This is a stark contrast with the statistics from the Israeli domestic juvenile justice system, where bail is denied in 20% of cases.

Once Palestinian children are arrested by the Israeli army, they are taken for interrogation to detention centres which are located inside settlements and military camps in the West Bank and are administered by the Israeli army.

Various forms of physical and psychological pressure are inflicted upon Palestinian child prisoners during arrest and interrogation in order to coerce them into confessing. Children are routinely tied with plastic cords, subjected to beatings, forced to remain for prolonged periods of time in

painful positions, sexually harassed, and threatened with rape.

Ayed emphasized some recommendations issued by DCI-Palestine as a minimum safeguard in light of the consistent reports of mistreatment and torture:

1. Ensure that no child is interrogated in the absence of a lawyer of his/her choice and a family member.
2. Ensure that all interrogations of children are video recorded.
3. Ensure that all evidence suspected of being obtained through ill treatment or torture be rejected by the military courts.
4. Ensure that all credible allegations of ill treatment and torture be thoroughly and impartially investigated.

The participants in the conference ultimately issued a Declaration, which tried to emphasize the role of the relevant institutions (both Italian and European in general) in the implementation and enforcement of children's rights, as well as in any other international norms and standards pertaining to torture and other cruel, inhuman and degrading forms of treatment.

The seminar, which was designed as a first step in a dynamic focused on African stakeholders, targeted European stakeholders (public and nongovernmental) engaged on this issue in order to know their approaches and explore their willingness to develop a coordinated action in support to African actors.



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## An Opinion Tribunal to Judge the Detention of Immigrant Children in France by Tommaso Atzeni

DCI France and DCI Belgium have led a coalition of national and international associations to organize an opinion tribunal, composed of international experts, to discuss the case of foreign children detained in France waiting to be repatriated.

According to a report written by Simone Troller of Human Rights Watch, France has instituted so-called “transit zones”, where foreigners trying to enter into France without permits are held before being sent back to their country. In these zones, unaccompanied children are held together with adults: a fact that constitutes a clear violation of human rights laws and an inhuman and degrading form of treatment. France justifies this situation by declaring that these “transit zones” are not to be considered part of French territory, and that migrants are brought there prior to physically entering France. For this reason, French officials insist, French laws do not apply to them: the rights of children are completely erased; only their status as migrants is taken into consideration. The French Court of Cassation has ruled that this legal fiction cannot be accepted; that the transit areas are indisputably part of French territory; and that, therefore, its laws must be enforced. Furthermore, the European Court of Human Rights has refuted the claim of the French government that the transit areas shouldn’t be considered a form of detention. Nonetheless, the government hasn’t taken a single step back.

This situation, however, is only the most serious of the many other violations of children’s rights committed by France: we must not forget that children of all ages belonging to illegal families are brought into Administrative Retention Centres and detained until repatriation.

To raise awareness about these grave human rights violations, the opinion tribunal commenced its activity on 14 May 2011. The tribunal is chaired by Mr. Paulo Sérgio Pinheiro, commissioner and rapporteur on children in the Inter-American Commission on Human Rights and Organization of American States and former independent expert appointed by the UN Secretary-General on violence

against children. To take all points of view into consideration, the court has appointed Ms. Odile Barral, magistrate in Toulouse and member of the Magistrate’s Union, as a lawyer to defend the State of France.

Seven juveniles have taken part in the trial, describing their experiences as former detainees in these centres. A number of experts have also participated, detailing the effects of this situation and why it can be considered a case of inhuman and degrading treatment. With 250 people attending, Pinheiro has recognized the situation as a violation of the obligations that the State of France has accepted under international law, calling upon it to respect the treaties it has signed -- in particular, the Convention on the Rights of the Child and the recommendations of the Child Rights Committee.





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## DCI-Italy Launches the “Manuale Dignitas”

The Manuale Dignitas, created within the framework of the activities of the European Refugee Fund, has the scope to set up indications and guidelines aimed at reducing the vulnerability and promoting resources and resilience of those who seek protection in Italy.

The manual outlines a content map directed toward all those who work directly or indirectly in processes and systems for the reception of refugees and persons seeking

international protection.

Without claiming to comprehensively or definitively resolve the various relevant issues, Dignitas offers an open, integrated reference system to analyze the dynamics of acceptance and to achieve practical assistance and support that promote health and rights.

To learn more about the initiative, visit <http://www.manuale-dignitas.it/> or <http://defenceforchildren.it>

## DCI-IS is on Facebook!

The International Secretariat of DCI has launched its Facebook page. If you want to be informed of the campaigns, events and activities of the International Secretariat

and all the DCI national sections, join us on: <https://www.facebook.com/profile.php?id=100002426321059&ref=ts>.

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Please note that the articles contained in this newsletter are the individual contributions of DCI’s national sections and the International Secretariat, and as such do not constitute the official position of the IEC members or the movement as a whole.

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