

Country Profile of the Occupied Palestinian Territory

A Review of the Implementation of the UN Convention on the Rights of the Child
August 2011



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The Child Rights Governance Programme in Save the Children Sweden's Regional Office for the Middle East and North Africa implemented the activities of the Manara Network: A Civil Society for Child's Rights in the Middle East and North Africa Region.

Work on Child Rights Governance aims to build societies that fulfil children rights by establishing and strengthening the infrastructure necessary for states to effectively implement the United Nations Convention on the Rights of the Child and other child rights obligations. It seeks to support a vibrant civil society pushing children up the political agenda and holding states to account for what they have or haven't done to realise children's rights. It is an effective strategy for impacting at scale the lives of millions of children, resulting in structural and lasting change.

Our long-term vision is that far more children have their rights fulfilled because:

- All states meet their obligations to monitor and implement children's rights
- A strong civil society, including children, holds states and the international community to account for children's rights

To advance this vision the Child Rights Governance Programme will have significantly contributed to two key objectives:

- Strengthened State institutions and mechanisms for the implementation and monitoring of children's rights,
- Increased awareness and capacity among civil society and children to promote children's rights and hold duty bearers to account

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*Save the Children's vision is a world in which every child attains the
right to survival, protection, development and participation.*

*Save the Children's mission is to inspire breakthroughs in the way
the world treats children, and to achieve immediate and lasting
change in their lives.*

*The Manara Network is a regional network focused on coordinat-
ing and promoting information and action on children's rights in the
Middle East and North Africa. Based on the belief that civil soci-
ety can and should play a key role in the protection and promotion of
human rights in general and child rights in particular, Manara aims
to support civil society organizations and children in the MENA
region in their role as advocates and active development partners for
the rights of the child.*

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Foreword

The project “Manara Network: A Civil Society for Child’s Rights” was designed and has been implemented by Save the Children Sweden in a time when the Middle East has experienced an Arab spring.

Our partners, the International Bureau for Children’s Rights and Defence for Children International - Palestine Section, were key in producing this country report, a component of the Manara Network project.

The objective of this innovative project is to assure and contribute to effective development and implementation of policies, strategies and legislation in line with the Convention on the Rights of the Child at the national and regional levels in Middle East and North Africa countries. The overall project aim is to establish a regional child rights network of civil society organisations by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, coordination and networking, advocacy and child rights programme mainstreaming with a high degree of children’s participation. During the year, children across the region have been actively involved in the newly-developed child-led data collection. Based on their findings, the children developed their own animated movies for advocacy purposes, which can be found at www.manaracrc.org.

On behalf of Save the Children Sweden’s Regional Office for the Middle East and North Africa, I am happy to introduce you to one of the key components of the Manara project, the country profile, a report highlighting the commendable practices implemented by government, civil society (parents, non-governmental organisations, media, religious leaders, etc.) and the international com-

munity (United Nations agencies and international non-governmental organisations) towards compliance with the Convention on the Rights of the Child and its Optional Protocols.

The country profile component of the Manara project is a rigorous and exhaustive report on the status of the implementation of the Convention on the Rights of the Child. It aims to be a resource for identifying gaps and challenges on the status of the implementation of the Convention, to highlight the recommendations of the Committee on the Rights of the Child on specific matters, and to identify commendable practices implemented by the State, civil society and the international community in addressing these issues.

We encourage its use as an inspiration to neighbouring countries, since the exchange of experiences presented in the country profiles can only lead to positive changes in the promotion and protection of children’s rights in the region. I would also like to thank the Swedish International Development Cooperation Agency and their regional office in Cairo who believed in this idea and made the funding available.

Sanna Johnson
Regional Director, Save the Children Sweden

Regional Office for the Middle East and North Africa



Acronyms

CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	EWASH	Emergency Water, Sanitation and Hygiene Group
CBO	community based organisation	GCMHP	Gaza Community Mental Health Programme
CBR	Community Based Rehabilitation	GDP	gross domestic product
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women	HIV/AIDS	human immunodeficiency virus/ acquired immune deficiency syndrome
CPC	Child Protection Committees	HWC	Health Work Committees
CPN	Child Protection Network	IBCR	International Bureau for Children's Rights
CPU	Child Planning Unit	ICAHD	Israeli Committee against House Demolitions
CRC	UN Convention on the Rights of the Child	ICJ	International Court of Justice
CRPU	Child Rights Planning Unit	ICCPR	International Covenant on Civil and Political Rights
CSO	civil society organisation	ICERD	International Convention on the Elimination of all Forms of Racial Discrimination
DCI-Palestine	Defence for Children International-Palestine Section	ICESCR	International Covenant on Economic and Social Rights
DWG	Displacement Working Group	ICHR	Independent Commission for Human Rights
ECOSOC	United Nations Economic and Social Council	IDMC	Internal Displacement Monitoring Centre
EDSP	Education Development Strategic Plan	IDP	internally displaced person
EJ-YMCA	East Jerusalem Young Man's Christian Association	IED	Improvised Explosive Device
EUPOL COPPS	European Union and European Police Coordinating Office for Palestinian Police Support	INGO	international nongovernmental organisation
		MAP	Medical Aid for Palestinians
		MENA	Middle East and North Africa

MoEHE	Ministry of Education and Higher Education	PRCS	Palestinian Red Crescent Society
MoH	Ministry of Health	PRDP	Palestinian Reform and Development Plan
MoI	Ministry of Interior	PYALARA	Palestinian Youth Association for Leadership and Rights Activation
MoJ	Ministry of Justice		
MoL	Ministry of Labour	STI	sexually transmitted infections
MoP	Ministry of Planning	TCC	Teacher Creativity Centre
MoSA	Ministry of Social Affairs	TRC	Torture Rehabilitation Centre
MoYS	Ministry of Youth and Sport	UDHR	Universal Declaration of Human Rights
MSD	Al-Maqdese for Society Development	UN	United Nations
NPA	National Programme of Action for Palestinian Children	UNCTAD	United Nations Conference on Trade and Development
OCHA	United Nations Office for the Coordination of Humanitarian Affairs in the oPt	UNDP/PAPP	United Nations Development Programme/Programme of Assistance to the Palestinian People
oPt	occupied Palestinian territory		
PA	Palestinian Authority	UNFPA	United Nations Population Fund
PCBS	Palestinian Central Bureau of Statistics	UNGEI	United Nations Girls' Education Initiative
PCC	Palestinian Counselling Centre	UNIFEM	United Nations Development Fund for Women
PFLP	Popular Front for the Liberation of Palestine	UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
PHG	Palestinian Hydrology Group		
PLC	Palestinian Legislative Council	UXO	unexploded ordnance
PLO	Palestine Liberation Organisation	USAID	United States Agency for International Development
PMRS	Palestinian Medical Relief Society	WASH	Water, Sanitation and Hygiene
PoCD	Protection of Childhood Department	WFP	World Food Programme



Introduction

Defence for Children International-Palestine Section

Defence for Children International-Palestine Section (DCI-Palestine) is a national section of the international non-governmental child rights organisation, Defence for Children International, established in 1979 and based in Geneva. DCI-Palestine was established in 1992 and is dedicated to promoting and protecting the rights of Palestinian children in accordance with the UN Convention on the Rights of the Child (CRC), as well as other international, regional and local standards. As part of its ongoing work to uphold the rights of Palestinian children, DCI-Palestine provides free legal assistance, collects evidence, researches and drafts reports, and conducts general advocacy targeting various duty bearers.

The International Bureau for Children's Rights

Created in 1994 and based in Montreal, Canada, the International Bureau for Children's Rights (IBCR) is an international nongovernmental organisation (INGO) with special consultative status with the United Nations Economic and Social Council (ECOSOC). IBCR offers its expertise, particularly in the legal sector, for the protection and promotion of children's rights in conformity with the CRC and its Optional Protocols. IBCR is involved in projects around the world to facilitate the sharing of knowledge and good practices and the development of tools and models to inspire implementation of children's rights. IBCR's expertise also lies in raising awareness about children's rights to persuade decision-makers to adopt laws and programmes that more effectively respect the

rights of the child. In recent years, IBCR's main successes include its contribution to the elaboration of the Guidelines on Justice in Matters Involving Children Victims and Witnesses of Crime, as well as their adoption by the United Nations Economic and Social Council. IBCR worked with Save the Children Sweden and the various country partners to produce the following country profile.

Save the Children Sweden

Save the Children Sweden was established in 1919 as an independent rights-based non-governmental organization (NGO) with no religious or political affiliations. The basis of its work is the United Nations Convention on the Rights of the Child (CRC) and the United Nations' Declaration on Human Rights. These build on the principles that all people are equal, children have special rights and everyone has a responsibility - but governments have a special obligation. We believe that children themselves can also fight for their rights, if they are given the chance to do so and if they receive support and encouragement.

Save the Children Sweden works both in Sweden and in eight regions around the world, carrying out its own programmes and in cooperation with other organizations. It is also part of Save the Children International, comprised of 27 Save the Children organizations. Save the Children's vision is a world in which every child attains the right to survival, protection, development and participation. Its mission is to inspire breakthroughs in the way the world treats children, and to achieve immediate and lasting change in their lives.

About This Country Profile

All Middle East and North Africa (MENA) states have ratified the CRC since its adoption in 1989. Following rati-

fication, MENA countries have enacted or proposed the enactment of laws to protect children from violence, abuse, neglect and exploitation. Some states have gone further, putting in place comprehensive mechanisms to prevent violations of children's rights, monitor the situation and ensure justice for victims of violations. However, despite these initiatives, the rights of children in the 17 countries of the region continue to face challenges.

In fact, child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards. The nature and extent of child protection concerns varies from country to country, and includes issues such as violence against children, harmful practices (particularly female genital mutilation and early marriage), juvenile justice, exploitative child labour and birth registration. Children in Lebanon, Yemen, Iraq and the occupied Palestinian territory (oPt) have been exposed to political violence and conflicts, and have been affected by the deteriorating humanitarian situation. In other countries around the region, children also face violence, abuse, neglect and discrimination. However, all children deserve the full enjoyment of their rights, including the right to education, health, housing, and a basic standard of living, as well as the right to express their views, to be heard and to participate in matters concerning them.

“Child protection remains a sensitive issue in MENA countries, some of which have yet to comply fully with international standards.”



About the Manara Network

Bearing in mind the importance of the role of civil society organisations (CSOs) in ensuring the respect, protection and fulfilment of children's rights, the project “Manara Network: A Civil Society for Child's Rights”¹ was designed and implemented by Save the Children Sweden in collaboration with civil societies from the region.

This innovative project was made possible thanks to the funding of the Swedish International Development Agency.

The objective of the project is to contribute to the effective development and implementation of policies, strategies and legislation in line with the CRC in MENA countries but also at the regional level. The project aims to establish a regional child rights network of CSOs by supporting and strengthening the capacity of local organisations in four main components: analysis and reporting, coordination and networking, advocacy and child rights programming mainstreaming.

One of the components of the project is the production of a country profile. This report highlights commendable practices implemented by the government, civil society (including parents, local non-governmental organisations, media and religious leaders, among others) and the international community (both United Nations agencies and INGOs) to improve compliance with the CRC and, where applicable, its Optional Protocols.

The country profile component of the Manara project is two-fold: it includes the publication of a credible and exhaustive report on the status of implementation of the CRC in each country, but also involves strengthening the capacity of local CSOs in conducting research and analysis. To this end, the IBCR provided technical



expertise and support to partners. During the project, a one-week training workshop on research methodology on children's rights was given on site to each partner, followed by a complementary training session a few weeks later. Throughout the project, the IBCR provided support in drafting the report in order to ensure its credibility and reliability.

Methodology Used

In order to paint a clear picture of the situation of children's rights in its respective country, each partner conducted an exhaustive literature review to identify existing reports and documents on all issues affecting the rights of children, followed by field research involving a series of interviews with identified stakeholders. Key respondents in relevant government ministries and institutions, local and INGOs, academics, unions and professional associations, media, religious authorities and United Nations agencies were contacted and interviewed. These interviews contributed to filling the gaps identified through the desk research. By meeting with relevant stakeholders, partners were able to gather information about the practices implemented by governmental and non-governmental actors following the recommendations of the Committee on the Rights of the Child in its latest Concluding Observations, as well as the challenges they faced.

The availability of respondents contacted in the course of the research for this project, and their willingness to share their experiences, allowed partners to identify praiseworthy initiatives implemented by a variety of stakeholders, at the same time as noting the gaps and overlaps that may prevent children from the full enjoyment and exercise of their rights. Therefore, the results of the research are based on responses given by a wide range of interlocutors in corroborating and completing data collected from

secondary sources, so as to depict as accurately as possible the situation of children's rights in the country.

Throughout the course of writing this report, DCI-Palestine conducted 26 interviews, five of which were phone interviews. In addition, DCI relied on email correspondence with four stakeholders as a source of information.

The research team for the oPt consisted of: a lead researcher, Anne-Marie Hearne, researcher Fares Tawil, research intern Ahmahl Musleh, and research consultant Yara Abdul-Hamid. The lead researcher coordinated the project, and was responsible for researching and writing the profile. The Arabic language research was conducted by Fares Tawil, who also conducted interviews and contributed to the translation. Ahmahl Musleh undertook both web-based and interview research in both Arabic and English. At the final stages of the project, research consultant Yara Abdul-Hamid conducted interviews and web-based research and worked with the lead researcher in writing and editing. The Accountability Unit Programme Director was Ayed Eqtaish.

Constraints and Challenges

Besides the contextual challenges specific to each country, the writing of the country reports has faced some constraints. The lack of up-to-date statistical data or information was a challenge common to all partners. While each country has rather extensive expertise on children's rights, accessing it remains a challenge as reports and studies conducted by experts and other stakeholders are not available to the public. Also, taboos and cultural considerations sometimes prevented partners and respondents from having reliable and accurate data on issues that remain unspoken of, underreported and therefore, unaddressed. On the other hand, stakeholders were at times reluctant to share their experience on the initiatives implemented. Therefore,

the report reflects only information that was corroborated by various stakeholders.

Most country profiles were written by January 2011. While some countries have undergone major changes following uprisings in the MENA area, these reports do not reflect legislative amendments or projects implemented in the first quarter of 2011.

Due to Israel's denial of the applicability of the CRC to the oPt, the authors of this report decided to focus on the

Palestinian Authority as a major stakeholder in upholding children's rights. Although tremendous capacity building has been achieved under Prime Minister Salam Fayyad's State Building Plan, the fragmentation of the West Bank and Gaza Strip, and the lack of Palestinian Authority jurisdiction over East Jerusalem made it difficult to obtain information from these quarters. Compounding this were travel restrictions that prevented the majority of the team from accessing East Jerusalem. None of the team was able to travel to Gaza.



Two Palestinian boys play with a puzzle at a family centre in the Gaza Strip. *Courtesy of Save the Children Sweden/Simine Alam*

Country Overview

1. Demographic and Geographic Presentation

The oPt is located on the eastern coast of the Mediterranean Sea and comprises two non-contiguous areas, Gaza and the West Bank. While Gaza lies on the Mediterranean, the West Bank is entirely landlocked.

Gaza is bordered by Egypt to the south, Israel to the east and north, and the Mediterranean Sea to the west. Gaza is one of the most densely populated areas in the world, with an estimated population of 1,440,332.¹³ It is 41 km long and 6 to 12 km wide, with a total area of 360 sq. km. Gaza has a Sunni Muslim majority of 99.3% and a Christian minority of 0.7%.¹⁴

The West Bank lies west of Jordan and is bordered by Israel to the north, west and south. It has an estimated population of 2,385,180, with approximately 363,000 in East Jerusalem, and a total area of approximately 5,640 km².¹⁵ There are 11 governorates: Hebron, Bethlehem, East Jerusalem, Ramallah and al-Bireh, Jericho, Salfit, Qalqilya, Nablus, Tulkarem, Tubas, and Jenin. East Jerusalem remains under Israeli administration, and the Palestinian Authority (PA)¹⁶ is denied any access. As in Gaza, there is a Muslim Sunni majority and a Christian minority of 8%.¹⁷

Children (under 15 years of age) comprise 43.5% of the overall population.¹⁸ The fertility rate dropped from six births per person in 1997 to 4.6 births in 2007.¹⁹ In the West Bank, the birth rate in 2008 was 30.6 births per one thousand people, as compared to 35.6 births in Gaza.²⁰ It is a young population, the majority being under 25 years old, with an average household comprising 5.8 members

(5.5 in the West Bank and 6.5 in Gaza).²¹ Based on a fertility rate of around 4.5 births per woman in 2008, the overall population is expected to reach 5.94 million by 2025, which is a 52% increase in 17 years.²²

2. Historical Overview

Palestine was part of the Ottoman Empire until the end of the First World War, when it became part of the British Mandate in 1922. Five years prior to this, on November 1917, Sir Arthur James Balfour, the British Foreign Secretary, stated Britain's support for the creation of a national home for the Jewish people in Palestine.²³ This opened the door to massive Jewish immigration to the territory, provoking opposition and resistance from the native Palestinian population. In 1947, unable to deal with the ongoing conflict, the British Government turned to the United Nations (UN), which proposed partitioning Palestine,²⁴ with the larger part of the land going to the Jewish people. This was rejected by the Palestinians, as well as the Arab states, and war ensued. As a result, 700,000 Palestinians fled their homes, most never to return. In 1948, Israel unilaterally proclaimed its independence in areas beyond the limits set by the partition plan. The West Bank was placed under the administration of Transjordan (now Jordan), and the Gaza Strip under the administration of Egypt.

In the Six Day War of June 1967, Israel occupied the West Bank (including East Jerusalem) and the Gaza Strip, and applied military law there.²⁵ East Jerusalem was annexed to the municipality of Jerusalem in 1967,²⁶ an act deemed illegal by the international community.²⁷ In July 1980, Israel declared Jerusalem the "eternal and indivisible" capital of Israel. This was also rejected by the UN Security Council.²⁸ In the years that followed, Palestinians lived under military law characterised by violent repression, land con-

General Statistics on the Occupied Palestinian Territory

Official/National Languages	Arabic
Type of Political Regime	Parliamentary democracy
Date of Independence	Under occupation
Date of Admission to the United Nations	Palestine Liberation Organisation has had observer status since 1974
Human Development Index (/182)	110 ²
Total Population	3,825,512 ³
Youth (under 18)	2,150,000 ⁴
Children (under 5)	697,000 ⁵
Urban Population (%)	69.50 ⁶
UNRWA Refugee Population - West Bank	788,108 ⁷
UNRWA Refugee Population – Gaza	1,122,569 ⁸
Life Expectancy (male/female)	71.7/74.9 ⁹
Fertility Rate	5.0 ¹⁰
Literacy Rate	93.8 ¹¹
People living on less than 1\$/day (%)	N/A ¹²

fiscations for settlements, and the appropriation of water and other natural resources. The first *Intifada* erupted in 1987 with mass civil disobedience, including strikes and demonstrations. In 1993, the Palestine Liberation Organisation (PLO) and Israel signed the Oslo accords. A Palestinian interim self-governing authority was created for a period not exceeding five years. During this time, Israeli forces were to be gradually withdrawn from parts of the West Bank and Gaza, and a permanent agreement on the 'final status issues' of water, refugees, borders,²⁹ settlements and East Jerusalem was to be reached. The PA was granted full civil and security control of most of the Gaza Strip, whereas the West Bank was divided into Areas 'A', 'B' and 'C'.³⁰ East Jerusalem was excluded from the accords.

The first legislative and presidential elections were held in 1996.³¹ Yasser Arafat was elected president of the PA and Fatah³² won the majority of seats in the first Palestinian Legislative Council (PLC). The final status issues were never agreed upon. Dialogue had failed.

In September 2000, the second *Intifada* broke out³³, marked by high levels of violence. The West Bank was re-invaded by Israeli forces in 2002, resulting in heavy civilian casualties. Israel began constructing a Wall in the West Bank, ostensibly to make it more difficult for attackers to enter Israel, but also consolidating Israeli control over agricultural lands and water resources.³⁴ In 2004, Yasser Arafat died and, a year later, Israel withdrew from its illegal settlements in Gaza, albeit retaining effective control of the area.³⁵

In January 2006, parliamentary elections were held, with Hamas winning the majority of seats in the PLC. This provoked a funding and diplomatic boycott led by Israel and the international community. Violence broke out between Hamas and Fatah, with Hamas gaining full con-



trol of Gaza in June 2007. Israel declared Gaza a ‘hostile entity’ in September 2007 and imposed a blockade characterised by severe restrictions on the entry of goods, and the virtual halt of export and the movement of people in and out of the territory. Gaza has also seen regular Israeli military incursions and several large-scale offensives since 2005, the most notable of which was ‘Operation Cast Lead’, the 22-day offensive launched in December 2008 in response to rocket fire from Gaza by armed groups.³⁶

3. National Political System

In 1994, the PA was established with a state-like apparatus of executive, legislative, and judicial branches.³⁷ Currently, President Mahmoud Abbas and Prime Minister Salam Fayyad³⁸ head the executive, along with the Cabinet. Elections for the PLC, a unicameral legislature of 132 members, were held in 1996 and 2006. It “constitutes a transitional body until the peace process is concluded and a Palestinian state is declared.”³⁹ Due to the conflict between Hamas and Fatah and the arrest of many of its representatives by Israel, however, the PLC has not met for four years. Meanwhile, Hamas in Gaza governs a duplicate PA structure led by Ismail Hanieh as prime minister. While a reconciliation deal calling for new elections in 2011 was signed between Hamas and Fatah, little progress has been made at implementing the deal.

In the oPt, which remains occupied by Israel, the PA has only limited autonomy and lacks the capacity and resources to act as a proper government. Its legal and political jurisdiction is fragmented within the oPt, due to the geographical and political divide between Gaza and the West Bank, the distinct levels of control afforded to Areas ‘A’, ‘B’ and ‘C’, and the fact that East Jerusalem is under the *de facto* administration of Israel, with the PA denied nearly all access.⁴⁰

4. Social and Economic Situation

The driving forces of the Palestinian economy are services, agriculture, and industry. Twelve percent of the population in Gaza works in agriculture, 5% in industry, and 83% in services.⁴¹ In the West Bank, 5% of the population works in agriculture, 14% in industry, and 81% in services.⁴² The industrial sector is primarily based on textiles and food processing. In turn, the agricultural sector produces olives, fruit, vegetables, flowers, beef and dairy products. The oPt traditionally exports stone, olives, olive oil, fruit, vegetables and limestone.⁴³ Nonetheless, the sectors of industry, agriculture and tourism are underdeveloped, and cannot be fully exploited due to Israel’s restrictions on land and natural resources.

The economy of the oPt deteriorated precipitously after the outbreak of the second *Intifada*, with per capita gross domestic product (GDP) more than 30% lower than 10 years ago.⁴⁴ The downturn was largely due to Israeli restrictions on the movement and access of people and goods through physical obstacles such as checkpoints, gates, and roadblocks. The construction of the Wall in the West Bank has led to a significant economic loss, including the loss of Palestinian land, the destruction of key agricultural assets including water resources, and a lack of access by farmers to their land and natural resources. The blockade of Gaza since the June 2007 Hamas takeover has led to food, power and water shortages, the degradation of public infrastructure and utilities, and a general decline in the quality of vital public services.

According to the United Nations Conference on Trade and Development (UNCTAD) “[a]t the heart of the Palestinian economic development bottleneck is a weakened tradable goods sector, suffocated by the use of inappropriate currency, closure and atrophy of the productive base.”⁴⁵ Territorial fragmentation, dependence on foreign

aid and the lack of access to natural and economic resources are all factors that contribute the low performance of the Palestinian economy.⁴⁶

“Despite the recent economic growth, food insecurity, poverty, and unemployment remain high, particularly in Gaza, where an estimated 80% of households were living below the poverty line in 2007.”



The protracted blockade of Gaza, combined with Operation “Cast Lead” that resulted in USD 140 million of damage to Gaza businesses and the destruction of 17% of cultivated land, has led to a rapid deterioration in socio-economic conditions.⁴⁷ An estimated 65% of Gaza factories have now closed down, and those that are open are operating at 20% to 60% of their capacity.⁴⁸ Although Israel claims to have ‘eased’

the blockade in June 2010,⁴⁹ there are few signs of real improvement on the ground. The UN reports that a housing shortage resulting from the blockade persists, with large segments of the population confronted with increasingly overcrowded, poor, and unsafe living conditions. A relatively small number of at least 40,000 housing units needed to meet natural population growth and replace homes lost in the Cast Lead offensive could be constructed due to ongoing restrictions on the import of building materials.⁵⁰ While the formal private sector continues to stagnate, the informal economy has expanded through the establishment of the ‘tunnel economy.’ Hundreds of tunnels have been dug along the borders between Gaza and Egypt to informally import goods into Gaza and circumvent the Israeli blockade, with labourers, including children, exposed daily to dangerous working conditions.

Since 2008, the Palestinian economy has been growing, with real GDP projected at 8% in 2010. It is important to note that this expansion starts from a very low base, especially in Gaza where living standards are well below those that prevailed in 1994.⁵¹ Moreover, growth has been driven by aid inflows, which do not entail real economic growth in the long term. The West Bank’s economy is largely depending on external aid. Since the end of 2007, external recurrent budgetary support has represented USD 4 billion.⁵²

Despite the recent economic growth, food insecurity, poverty, and unemployment remain high, particularly in Gaza, where an estimated 80% of households were living below the poverty line in 2007.⁵³ Here, 52% are food insecure, and an additional 13% are vulnerable to food insecurity.⁵⁴ **Since the imposition of the blockade, the number of refugees living in Gaza below the ‘abject poverty line’ has increased from 100,000 in 2007 to 300,000 in 2009, according to a survey by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).**⁵⁵ Female-headed households are among the most vulnerable in Gaza, with nearly 10,000 female-headed households having had their homes damaged or destroyed during Operation “Cast Lead”.⁵⁶ Unemployment in Gaza in the fourth quarter of 2010 stood at nearly 44%, one of the highest rates in the world.⁵⁷

High food insecurity levels also persist in the West Bank. Twenty-two percent of households are food insecure and an additional 12% are vulnerable to food insecurity.⁵⁸ Herding communities living in Israeli-controlled Area ‘C’ and households in the ‘Seam Zone’⁵⁹ along the Wall are vulnerable to poverty, as are refugees living in camps. These marginalised groups have consistently had the highest prevalence of food insecurity, as a result of severe mobility constraints, and increasing restrictions on access to land and resources. In the West Bank, unemployment



stood at 23.5% at the end of 2010.⁶⁰ In both the West Bank and Gaza, 43% of 15 to 19 year-olds were unemployed.⁶¹

5. General Human Rights Situation

Palestinians suffer human rights violations on an ongoing basis, due to the prolonged occupation of and military rule in the oPt. Israel does not recognise that human rights treaties apply to the oPt, and its violations there are justified under the pretext of security. Some of the most significant recent events affecting human rights in the oPt are: the blockade of Gaza; the construction of the Wall;⁶² restrictions on movement; continuing expansion of illegal settlements; annexation policies in East Jerusalem and four major military invasions on Gaza.

According to a report by the United Nations Special Rapporteur on the Palestinian territories occupied since 1967, Israel has violated a number of rights proclaimed in the International Covenant on Civil and Political Rights, particularly the right to life, freedom from torture, inhuman or degrading treatment, freedom from arbitrary arrest and detention, freedom of movement and the right of children to protection. It has also violated rights contained in the International Covenant on Economic, Social and Cultural Rights, notably “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing”, freedom from hunger, and the right to food and the right to health.⁶³

Israel has, in addition, violated the most fundamental rules of international humanitarian law. Article 33 of the Fourth Geneva Convention⁶⁴, relative to the protection of civilian persons in time of war, prohibits collective punishment⁶⁵. The blockade’s imprisonment of 1.5 million people in an area “just 40 kilometres long and 9.5 kilometres wide”⁶⁶ amounts to collective punishment. It also

impacts health, as travel permits to leave Gaza into Israel are strictly-controlled and rarely granted and travel into Egypt only intermittent, denying people access to health and educational services outside the Strip.⁶⁷ Since March 2002, 63 people, including 22 children, have died while waiting for medical referrals outside Gaza.⁶⁸

During Operation “Cast Lead”, 1,383 people lost their lives,⁶⁹ including 352 children.⁷⁰ In addition, the offensive caused extensive, long-term damage to the power infrastructure in Gaza, and damaged water and sanitation systems. Eighteen kindergartens and schools were destroyed, and at least 280 were damaged. In addition, 15 hospitals and 43 primary health centres were partially damaged or destroyed.⁷¹ But even after this offensive, grave protection violations continued to be committed in the oPt. In 2009-2010, 55 Gazans, including 23 children, were injured or killed by unexploded ordnance (UXO).⁷² In 2010 alone, eleven Palestinian children were killed and 360 injured in Gaza and the West Bank, including East Jerusalem.⁷³

In the West Bank, Jewish settlements are built on 42.8% of the territory,⁷⁴ appropriating Palestinian land and water.⁷⁵ Linking the settlements to Israel is a network of roads, also built on Palestinian land, that Palestinians cannot use. Palestinians and their children are at risk from attacks by these settlers.⁷⁶

The International Court of Justice (ICJ) found the Wall, 85% of which was built on Palestinian land in the West Bank,⁷⁷ unlawful in a 2004 advisory opinion.⁷⁸ Neverthe-

“ Israel does not recognise that human rights treaties apply to the oPt, and its violations there are justified under the pretext of security.”



less, construction continued; it is expected that the Wall will isolate approximately 9.5% of West Bank land when completed,⁷⁹ displacing Palestinians and leaving many communities without access to their land or water sources on the western side of the Wall.⁸⁰

Currently, 9.4% of West Bank land is caught between the barrier and the Green Line, most of which is a closed military area. It is estimated that 7,800 Palestinians live trapped in this ‘Seam Zone,’⁸¹ where anyone over the age of 16 needs to apply for a permanent resident permit to continue living there.⁸² ‘Seam Zone’ residents have to pass through checkpoints in the Wall to access schools, hospitals, shops, and their workplaces in the rest of the West Bank.⁸³ For non-residents to gain entry to the ‘Seam Zone’, a visitor’s permit is needed. In emergencies, ambulances and medical services have difficulties coordinating access, and often cannot do so.⁸⁴ In 2004, there were over 5,000 Palestinian children living in the ‘Seam Zone’, cut off from schools, clinics, and water/sanitation facilities.⁸⁵

In general, West Bank residents cannot enter Jerusalem or Israel without permission from military authorities. This policy contributes to the social and economic division of the West Bank from Jerusalem, but it also impacts access to health care. Jerusalem hospitals are the main providers of “routine, emergency, secondary and tertiary care for Palestinians from the West Bank and Gaza Strip”⁸⁶, but access to them is severely curtailed.

Since 1967, Israel has worked to ensure that Jerusalem has a majority Jewish population. While Jewish Israelis living in Jerusalem are citizens of Israel, Palestinians are only afforded the status of ‘permanent residents.’ Palestinians from East Jerusalem can lose their residency status as a result of house demolitions, evictions, political affiliation,

or if they cannot prove their centre of life is in Jerusalem.⁸⁷ When a child is born of a couple comprised of one Jerusalem resident and one West Bank resident, the child is not automatically registered, and thus does not have the right to reside in East Jerusalem with that parent. Without residency, children are also denied access to health care, education and social services.⁸⁸

All of these measures have a significant impact on the lives of Palestinians in the oPt. With the application of military law, Palestinians’ human rights are overridden under the pretext of security. As of December 2010, there were 213 Palestinian children between the ages of 12 to 17 years old in Israeli military detention.⁸⁹

Human rights violations by both the West Bank-based PA security services and the de facto Hamas administration in Gaza have been observed. The Palestinian Basic Law and the 1995 Press and Publication Law generally provide for freedom of the press and the freedom to establish media outlets, stating that there should be no censorship. However, restrictions are allowed if press activity threatens ‘national unity’ and ‘Palestinian values’ and abuses have included violence, arrests, threats, and restrictions on distribution and broadcasting.⁹⁰ Palestinian authorities in both the West Bank and Gaza Strip require permits for rallies and demonstrations, often prohibiting rallies by opposition groups and sometimes forcefully breaking up public protests. Charges of torture have been recorded by rights groups in both the West Bank and Gaza Strip.⁹¹



The Children of the Occupied Palestinian Territory

The oPt has a young population, with 43.5% under the age of 15.⁹² Traditional Palestinian family structure and culture ensures children remain cared for by a large network of aunts, uncles and grandparents. Children are valued in Palestinian society and a high worth is placed on their education.

Nonetheless, for a long time, many aspects of their rights have been neglected, due to the lack of functioning institutions to guarantee their rights and protect them from violence, abuse, and exploitation. A Palestinian Central Bureau of Statistics (PCBS) survey indicated that more than half of children aged five to 17 were exposed to violence at home, school, and in their communities in 2005.⁹³ The passing of the Palestinian Child Law in 2004 created a framework to protect children from physical, sexual and psychological abuse and neglect, as well as to provide for orphaned, separated and unaccompanied children. The Palestinian Child Law also ensures non-discrimination of children born out of wedlock by guaranteeing the child a name, identity, and registration documents without any form of negative identification regarding the child's birth status.⁹⁴ Further amendments to the law have been drafted and are awaiting ratification through presidential decree.

The Protection of Childhood Department (PoCD) was subsequently established in the Ministry of Social Affairs (MoSA). A Child Protection Network (CPN) and a referral system was launched in 2008 to compliment the work of the PoCD. In the field of juvenile justice, a National

Committee for Juvenile Justice contributed to MoSA's National Strategic Plan 2008 to 2011, which incorporates significant advances in the field of juvenile justice.

While Israel, as Occupying Power, is primarily responsible for respecting, protecting and ensuring children's rights, the PA also has a responsibility to protect Palestinian children from child rights violations in the areas under its jurisdiction.

“While Israel, as Occupying Power, is primarily responsible for respecting, protecting and ensuring children's rights, the PA also has a responsibility to protect Palestinian children from child rights violations in the areas under its jurisdiction.”

1. The Convention on the Rights of the Child and the Optional Protocols

i. General Overview

Israel, as Occupying Power, is the State party responsible for upholding the rights of the children of the oPt. Israel signed the CRC on 3 July 1990 and ratified it the following year, on 3 October 1991. The Optional Protocol on the involvement of children in armed conflict was signed on 14 November 2001, and ratified on 18 July 2005. The Optional Protocol on the sale of children, child prostitution and child pornography was also signed on the 14 November 2001 and ratified on 23 July 2008.

ii. Ratification and Reporting to the Committee on the Rights of the Child by Israel and Relevant Alternative Report Submissions

	REPORT NUMBER	TYPE OF REPORT	DUE DATE	DATE OF SUBMISSION	CODE OR NAME OF ORGANISATION
Convention on the Rights of the Child Ratified 3 October 1991	1	Initial State Report	1 November 1993	20 February 2001	CRC/C/8/Add.44
	1	NGO Comments on the Initial Israel State Report on Implementing the Convention on the Rights of the Child		16 September - 4 October 2002	Defence for Children International - Israel
	1	Discrimination against Palestinian Arab Children in Israel's Schools.		16 September - 4 October 2002	Human Rights Watch, Children's Rights Division.
	1	Alternative Report to the State of Israel's First Periodic Report to the Committee on the Rights of the Child.		16 September - 4 October 2002	Palestinian Coalition on the Rights of the Child
	1	Concluding Observations		9 October 2002	CRC/C/15/Add.195
	2, 3,4 ⁹⁵	State Report		1 November 2008	June 2010

iii. Reservations

No declarations or reservations related to Palestinian children in the oPt were made by Israel when ratifying the CRC or the Optional Protocols. In relation to Israeli children, Israel stated that, in relation to Article 3 (2) of the Optional Protocol on the involvement of children in armed conflict which places limitations on military recruitment of those younger than age 18, the minimum age of voluntary recruitment into the Israeli armed forces is 17, according to Article 14 of the Defence Service Law (consolidated version) 5746-1986.⁹⁶

iv. Punctuality/Quality of State Report

Israel's initial State Report on the CRC was submitted by Israel on 20 February 2001, seven years late. In the 2002 Concluding Observations, the Committee on the Rights of the Child commended the State party for the quality of the initial report regarding Israeli children, commenting on its detail, analysis and ability to be self-critical. However, the Committee regretted the absence of any information regarding the rights of the children of the oPt.⁹⁷ The Committee on the Rights of the Child also recommended that Israel submit a consolidated version of the second, third and fourth report by 1 November 2008, in order to allow Israel to "catch up",⁹⁸ underlining the importance of regular, timely reports as outlined in Article 44 of the Convention. Israel submitted the consolidated report in June 2010, almost two years past the date prescribed by the Committee.

The initial report on the Optional Protocol on the involvement of children in armed conflict was submitted in April 2008, one year after its due date. In its 2010 Concluding Observations on the Optional Protocol, the Committee called for the submission of the second report, due since November 2008. The Committee once

again reminded Israel of its obligations to apply the provisions of the Convention and its Optional Protocol to the children of the oPt.⁹⁹

v. The Concluding Observations of the Committee

Positive Aspects and Progress in the Committee's Concluding Observations regarding the Implementation of the Convention and the Optional Protocols

The Committee noted a number of positive aspects detailed in the initial State Report on the CRC. Unfortunately, none of these applied to the oPt. Likewise, the 2010 Concluding Observations did not comment positively on developments for children of the oPt because there was no reporting related to them.

Main Factors and Difficulties Impeding the Implementation of the Convention and the Optional Protocol on the Involvement of Children in Armed Conflict

The Committee noted in 2002 that the main difficulty facing implementation of the CRC was the ongoing climate of violence. Acknowledging that Israel faced serious threats from Palestinian suicide bombers attacking Israeli targets, including children, the Committee warned that Israel's actions, such as "the bombing of civilian areas, extrajudicial killings, the disproportionate use of force by the Israeli Army, the demolition of homes, the destruction of infrastructure, mobility restrictions and the daily humiliation of Palestinians continue to contribute to the cycle of violence."¹⁰⁰ In 2010, the Committee repeated these concerns, namely that the bombing of civilians, extrajudicial killings, house demolitions, and mobility restrictions, would only perpetuate the conflict.¹⁰¹

vi. Overview of the Response of the Government to the Committee

The written replies of Israel to the Committee for the 2002 review of the initial State party report were not available when this study was conducted. In 2010, in the list of questions to Israel by the Committee on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, a number of issues were raised. The Committee asked Israel if there was a specific penal provision for the crime of recruitment or use in hostilities of children under the age of 18 in the oPt. Israel answered that the CRC and its Optional Protocols did not apply to the oPt.¹⁰²

Subsequently, to every question posed by the Committee, Israel referred the Committee to this answer. The Committee asked about the discriminatory age distinction between Israeli children and children of the oPt. They also asked about investigations into the use of children and informants for intelligence purposes, and compliance with the High Court ruling prohibiting the use of children as human shields. The Committee requested information regarding the arrest and interrogation of children in the oPt, and the prolonged incommunicado detention of minors accused of terrorist offences in Israel. Further queries referenced attacks on schools and hospitals, and the lack of proportionality and distinction in these attacks.

To every question, the Government referred to the paragraph explaining that Israel does not consider that the CRC or Optional Protocols apply to the oPt.¹⁰³ The Committee rejected this position clearly in the opening paragraphs of its Concluding Observations and reaffirmed the applicability of the Convention and the Optional Protocols to the children of the oPt.¹⁰⁴

2. Applicable International and Regional Human Rights Instruments

i. Overview

Israel signed the CRC along with 125 other countries, and ratified it a year later in 1991. The Optional Protocol on the involvement of children in armed conflict was signed by Israel in 2001 and ratified in 2005. Israel signed both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic and Social Rights (ICESCR) simultaneously, in December 1966. However, Israel did not ratify either until 1991. In 1996, Israel signed the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) and had ratified it by 1997. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) was signed by Israel in 1980 and ratified in 1991.

The Applicability of Human Rights Conventions to the Occupied Palestinian Territory

Israel denies the applicability of all human rights conventions to the oPt, and refused in all State reporting sessions to answer questions on issues related to this jurisdiction. Most recently, Israel reported to the Human Rights Committee that the oPt falls outside its national territory and thereby its jurisdiction. It alleges therefore that the human rights conventions it has ratified do not apply to the oPt.¹⁰⁵ Furthermore, Israel argues that human rights law and humanitarian law are conflicting streams of law, and that only humanitarian law can apply in an armed conflict.¹⁰⁶

This position has been rejected by the international community, where the consensus view is that both international humanitarian and human rights laws apply in



conflict situations simultaneously. Both the Human Rights Committee and the Committee on the Rights of the Child recently affirmed this.¹⁰⁷ Any inconsistency can be resolved by the principle of *lex specialis*.¹⁰⁸ In the “Legal Consequences of the construction of a Wall in the Occupied Palestinian Territory”, the ICJ reaffirmed the applicability of both human rights and humanitarian laws in the oPt.¹⁰⁹ In its 2010 Concluding Observations on the Optional Protocol on the involvement of children in armed conflict, the Committee on the Rights of the Child also emphasized “the concurrent application of human rights and humanitarian law, as established by the ICJ, and recalled the explicit references to humanitarian law in the Optional Protocol”.¹¹⁰ Furthermore, it is now well established that citizens of a territory under the ‘effective control’ of

another state are subject to its jurisdiction.¹¹¹ As the oPt is under the effective control of Israel, those human rights conventions ratified by Israel apply to the citizens of the oPt.¹¹² A number of human rights conventions state that the related obligations extend to all citizens located on the State party’s territory and subject to its jurisdiction.¹¹³

As laid out in the ICJ’s Advisory Opinion, Israel is bound to apply the following instruments to the oPt as well as to its national territory: the Universal Declaration of Human Rights (UDHR), the ICCPR, the ICESCR, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the CRC and its Optional Protocols.

ii. Relevant International and Regional Human Rights Conventions and Treaties and Their Status of Ratification by Israel

INTERNATIONAL AND REGIONAL HUMAN RIGHTS CONVENTIONS/TREATIES	STATUS	STATE’S REPORTING RECORD
Admission to the UN	Date of Admission – 11 May 1949	Does not apply
Convention on the Rights of the Child	Signed: 3 July 1990 Ratified: 3 October 1991	2,3,4 State report submitted in consolidated version on 10 June 2010
Optional Protocol to CRC on the involvement of children in armed conflict	Signed: 14 November 2001 Ratified: 18 July 2005	Initial State report submitted on 18/3/2008
Optional Protocol to CRC on the sale of children, child prostitution and child pornography	Signed: 14 November 2001 Ratified: 23 July 2008	Initial State report not yet submitted
International Convention on the Elimination of all forms of Racial Discrimination. (ICERD)	Signed: 7 March 1966 Ratified: 3 January 1979	10,11,12, 13 periodic report submitted in consolidated version on 23 June 2005.

Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)	Signed: 17 July 1980 Ratified: 3 October 1991	Third periodic report submitted in 2005 Fifth periodic reports submitted on 24 March 2010
Optional Protocol to CEDAW	not a signatory	not applicable
International Covenant on Economic, Social and Cultural Rights.(ICESC)	Signed: 19 December 1966 Ratified: 3 October 1991	Third periodic report submitted on 20 January 2009
International Covenant on Civil and Political Rights (ICCPR)	Signed: 19 December 1966 Ratified: 3 October 1991	Third periodic report submitted on 25 July 2008
Optional Protocol to the ICCPR	not a signatory	not applicable
Second Optional Protocol to the ICCPR	not a signatory	not applicable
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Signed: 23 October 1986 Ratified 3 October 1991	Fourth periodic report submitted on 2 November 2006
Optional Protocol to CAT	not a signatory	Not applicable
Convention on the Rights of Persons with Disabilities	Signed: 30 March 2007 Ratified: not yet ratified	Not applicable
Convention for the Protection of all Persons from Enforced Disappearances	not a signatory	not applicable
Convention Related to the Status of Refugees	Signed: 1August 1951 Ratified: 1October 1954	Not applicable
Convention on the Reduction of Statelessness	Signed: 30 August 1961 Ratified: not yet ratified	Not applicable
International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families	not a signatory	Not applicable

3. National Legal Framework and Practices Affecting Children's Rights

i. The National Legal Framework

Given the political and historic evolution of the West Bank and Gaza Strip since the time of the Ottoman Empire, the legal context of the oPt is complex. Underlying current law is an amalgamation of Ottoman and British Mandate laws. In addition, many Jordanian laws are still applicable in the West Bank, while in Gaza many Egyptian laws remain in force. Add to this Israeli military orders and more recent Palestinian Authority law and you have a very complicated legal environment. East Jerusalem falls under the jurisdiction of Israeli law.

The 1994 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip divided the lands of the West Bank into three classifications, Areas 'A', 'B', and 'C'. Area 'A' is under the full control of the PA. Area 'B' is under PA civil control while Israel controls security. Area 'C' is under Israeli civil and security control.

Laws enacted by the PLC are applied throughout the oPt, excluding East Jerusalem. This body of law includes Child Law, the Disability Law, the Labour Law, Public Health Law, and draft laws such as the Penal Code, the Juvenile Justice bill and the Education Law.¹¹⁴ Palestinian Basic Law, which acts in lieu of a constitution, was passed by the PLC in 1997 and ratified by then-President Yassar Arafat in 2002. It has been amended twice since that date. Added to this legislation are the Civil Status Law, Family Law and Personal Status Law that are adjudicated by Christian¹¹⁵ and Islamic religious courts. These courts have their own legal character and act independently of government courts, with jurisdiction over issues related

to children such as custody, inheritance, birth registration, adoption and orphans.¹¹⁶

The CRC was endorsed by Yassar Arafat in 1995 and the Palestinian Child Law of 2004 contains most of the child's right principles found in the Convention. These include the principle of the best interests of the child,¹¹⁷ the right to non-discrimination;¹¹⁸ the right to life and security, growth and development¹¹⁹ as a basic right;¹²⁰ family rights¹²¹ such as the right to live with a supportive family¹²² and the state's role in guaranteeing this;¹²³ the right to health¹²⁴ such as free immunisation; social rights¹²⁵ such as the right to food, housing, medical care and education;¹²⁶ an adequate standard of living;¹²⁷ cultural rights;¹²⁸ educational rights¹²⁹ such as the right to free compulsory primary education,¹³⁰ with provisions for special needs children and children living with disabilities;¹³¹ and finally, extensive protection rights¹³² and the State's responsibilities to uphold these rights and establish a number of protection mechanisms¹³³ and measures¹³⁴ to ensure the child is protected from violence, abuse, ill-treatment and exploitation.

Although the Convention cannot be invoked before the courts, Palestinian Child Law can. However, while articles in the Palestinian Child Law detail child protection mechanisms and measures, there is a lack of precise guidelines, which means that the protection of children's rights in the oPt falls short of international standards. Bir Zeit University Institute of Law found in 2004¹³⁵ that the "basic elements necessary for the rule of law and the execution of the law were not in place."¹³⁶ Of particular concern was the low awareness level among the judiciary of the CRC, the Palestinian Child Law, and of basic child rights procedures, as well as the absence of specialised courts in which to apply these laws.¹³⁷



Palestinian children play in the narrow alleyways of a refugee camp in the Gaza Strip. *Courtesy of Save the Children Sweden/Lucia Pantella*

Following a 2008 review by Bir Zeit University Institute of Law, a number of amendments have been drafted to bring the Palestinian Child Law in line with international standards.¹³⁸ Included in these amendments was a detailed account of the responsibilities of the ministries. The amendments are awaiting signature by the President in order to become law.

Prior to 1994, no Palestinian state-like institutions existed, and today these are in place despite significant challenges on the ground. Consequently, there is no administrative court where State violations can be heard, nor is there an active child ombudsman.¹³⁹ However, the Palestinian Reform and Development Plan (PRDP) 2008-2010 established a specialised court for children in Gaza. Also, in June 2010 the Ministry of Justice (MoJ) opened a human rights unit in the West Bank to monitor how children's rights are applied by the judiciary, and to guide them to uphold these rights.¹⁴⁰ Plans are also being developed by the Independent Commission for Human Rights (ICHR), established under presidential decree in 1993, to set up a child ombudsman to ensure the application of the CRC and the Palestinian Child Law.¹⁴¹

ii. The Main Stakeholders on Children's Rights

a. *Government Bodies*

The first National Programme of Action for Palestinian Children (NPA) was adopted by the PA in 1995, establishing a National Secretariat, which is composed of governmental and non-governmental representatives, as well as observers from the international community, such as UN agencies and donors. In 2003, the Secretariat was incorporated into the Ministry of Planning (MoP) and became the Child Rights Planning Unit (CRPU) with the responsibility of coordinating inter-ministerial planning

on children's rights. The NPA aims to ensure that children's economic, social, cultural, civil and political rights are respected, protected and fulfilled as outlined by the CRC and the Palestinian Child Law. The current NPA for 2009-2011 has 43 strategic goals and projects designed to meet these targets, and influences national and sectoral planning, particularly within the health, education, social and recreational sectors.

Among all the ministries, the MoSA holds the main mandate on the implementation of child rights programming. The PoCD within the MoSA works in conjunction with the Ministry of Interior (MoI), the Ministry of Education and Higher Education (MoEHE), and the Ministry of Health (MoH) to build a protective environment for children throughout the oPt. MoSA also runs the CPN, which includes several ministries, NGOs, community based organisations (CBOs), the Attorney General, the Palestinian Red Crescent Society (PRCS) and UNICEF.

MoSA is also the primary ministry mandated to work with children living with disabilities and coordinates with the MoI to facilitate birth registration of children who have been abandoned. In addition, MoI established a juvenile police unit in 2011 as a pilot project in four governorates in coordination with the PoCD. The MoEHE is currently operating on the second Education Development Strategic Plan (EDSP) from 2008-2012, the central focus of which is "the promotion of quality education in all educational institutions within Palestine, and better linking it to the socio-economic developmental needs of society and the labour market, particularly in the area of higher education, technical and vocational education and training."¹⁴² The Ministry heads the Palestinian Curriculum Development Centre, which is in charge of creating a curriculum that meets the needs of the Palestinian people according to their morals and values.¹⁴³

Finally, the Ministry of Youth and Sport (MoYS) works to safeguard the mental and physical development of children and youth through the provision of sporting and recreational activities. The Ministry works to develop sports programmes that incorporate the principles of non-formal learning, and sports educators are trained in these methods. In addition, MoYS monitors summer camp activities to ensure there are no activities that promote the role of children in armed conflicts.

b. United Nations Agencies

The major UN bodies working in child rights in the oPt are UNICEF, UNRWA and the United Nations Office for the Coordination of Humanitarian Affairs in the oPt (OCHA). UNICEF is the number one provider of vaccinations for children in the oPt and runs several development programmes in water and sanitation, child health and nutrition, quality education, and protecting children from violence, exploitation and HIV. UNICEF works with various ministries and NGOs and provides capacity building for institutions to better implement child rights treaties and regulations. UNICEF also leads a coalition of organisations in reporting to the United Nations Security Council on grave violations against children in armed conflict.¹⁴⁴

UNRWA was established by the United Nations General Assembly Resolution 194 in December 1949 “to carry out direct relief and works programmes for Palestine refugees.”¹⁴⁵ UNRWA is mandated to provide humanitarian assistance to 1948 and—on an emergency and temporary basis—1967 Palestinian refugees and to those displaced as a result of subsequent hostilities. Currently, UNRWA is mandated to focus on four main programmes: education, health, relief and social services, and microfinance.¹⁴⁶

OCHA in the oPt was established as a response to the worsening humanitarian conditions in the West Bank and Gaza due to Israeli incursions and closures in late 2000. Coordinating between different humanitarian stakeholders, it strives to influence a more effective distribution of humanitarian assistance. “It also enhances coordination and decision making through its dissemination of humanitarian information and analysis of facts.”¹⁴⁷ OCHA administers thematic coordination, through clusters, sectors, working groups, or task groups. These groups, which are composed of international and national NGOs and UN agencies, include the Protection Cluster and the Water, Sanitation and Hygiene (WASH) group, a coalition of almost 30 organisations working in water and sanitation sector in the oPt. Established in 2002 in response to the population’s emergency humanitarian needs after Israeli incursions in the West Bank and Gaza Strip, WASH projects include the improvement of physical water and sanitation infrastructure, education on safe practices in schools, and the reduction of damage to water and sanitation conditions due to the conflict.

Other UN bodies working to uphold children’s rights include the United Nations Girls’ Education Initiative (UN-GEI), launched in 2000 at the World Education Forum in Dakar by the UN Secretary General to reduce the gender gap in primary and secondary education. The Task Team for UNGEI held its first meeting in 2007 to identify new modalities for ‘scaling up’ girls’ education.¹⁴⁸

Another UN agency active in the oPt is the United Nations Development Fund for Women (UNIFEM), which was created in 1976 to improve women’s rights and promote equality between men and women as well as among children in schools and within society. Operating in the oPt since 1997, UNIFEM supports the training of police officers on gender-based violence and a toll free helpline



for women and children victims of violence in the oPt, among other programmes.

In addition, the United Nations Development Programme has a Programme of Assistance to the Palestinian People (UNDP/PAPP) mandated to provide assistance for the Palestinian people under UN resolution 33/147, in the areas of Democratic Governance, Poverty Reduction, Crisis Prevention and Recovery, Energy and Environmental Policy, Information and Communications Technology and Economic Development.

c. International Organisations

The ICRC has been operating in the oPt since 1967, working to ensure the protection of civilians under occupation. It also monitors the treatment of detainees held by Israeli and Palestinian authorities. It works to provide assistance for the Palestinian people and supports the PRCS. Specifically working with physical disabilities is Handicap International, which provides technical support to referral centres for people living with disabilities, offers rehabilitation services and adapts buildings to be more accessible in partnership with local organisations.

Among the main international NGOs actively working on child rights in the oPt are Save the Children Sweden, Save the Children United Kingdom UK, and Save the Children US, all of which work to provide health services and educational support, strengthen child protection mechanisms, and advocate for the realisation of children's rights. Also providing medical services for children is Medical Aid for Palestinians (MAP), which is based in the UK and Northern Ireland. MAP runs programmes for children with disabilities, with a focus on community inclusion.

d. Local Civil Society Organisations and Networks

There is a vibrant civil society in the oPt, with a large number of civil society organisations providing educational, health, or legal aid services to children and directly intervening when children are in need of protection.

In the field of health provision, the Health Work Committees (HWC) and the Palestinian Medical Relief Society (PMRS) are major stakeholders. The HWC has more than 45 permanent clinics in poor and hard-to-reach areas in villages and refugee camps. The HWC works on different projects, from early diagnostic testing of school children to community-based rehabilitation programmes, inclusion programmes, home and school visits. PMRS is a community-based health organisation focusing on prevention, providing health education to people, community participation and empowerment. The PRCS was established in 1968 to ensure the health and welfare of the Palestinian people. It provides emergency medical services, rehabilitation, developmental programmes and targets the most vulnerable and marginalised people. The East Jerusalem Young Man's Christian Association (EJ-YMCA) was established in 1949 in a tent in Aqabat Jaber Refugee Camp near Jericho; now it has branches in East Jerusalem, Beit Sahour, Jericho and Ramallah. Since 1989, the EJ-YMCA has been working to rehabilitate victims of political violence and torture and provide medical aid and psychosocial help to people living with physical disabilities.¹⁴⁹

In Gaza, the Gaza Community Mental Health Programme (GCMHP) works with vulnerable groups of children, women and victims of torture, providing training and community-based services. Also responding to torture is the Torture Rehabilitation Centre (TRC), which offers therapeutic treatment for children victims of torture and children of detainees. Approximately 11% to 13% of the cases they receive are children, with a yearly increase of

1% to 2%.¹⁵⁰ In the field of education, Al-Maqdese for Society Development (MSD) lobbies to find school places for Palestinian children in East Jerusalem, in addition to providing legal support to families whose houses are under threat of demolition. The Teacher Creativity Centre (TCC) works with the MoEHE to provide training for teachers, principals and ministerial staff and promote civic education and human rights within the school curriculum throughout the West Bank. Tamer Institute for Community Education also works with children and youth in the West Bank to provide safe and friendly learning environments and materials.

In addition to providing direct services, many of these organisations advocate and lobby for a more enabling policy environment for children. For example, DCI-Palestine advocates for amendments to relevant domestic laws and the establishment of policies that achieve a domestic legal framework in line with international standards on child rights.¹⁵¹

4. Identifying Child Rights Commendable Practices in Light of the CRC's Main Principles

i. The Right to Non-Discrimination (Article 2)

a. *Integration of This Principle Into the National Framework*

The right to non-discrimination is integrated into the national framework through Article 9 of the Palestinian Basic Law, which prohibits discrimination based on race, sex, colour, religion, political views, or disability, and Article 3 of the Palestinian Child Law, which has a similar anti-discrimination provision. Israel, as Occupying Power is the State party responsible for upholding the rights

(including the right to non-discrimination) of children in the oPt. However, in commenting on Israel's initial State Report on the CRC, the Committee on the Rights of the Child expressed concern about discrimination against Palestinian children in the oPt through Israeli legislation that designates a 'child' among Israeli citizens as any person under 18 years old,¹⁵² while a 'child' among Palestinian ID holders is any person under 16 years old.¹⁵³ The Committee recommended that Israel rescind the related Military Order No. 132,¹⁵⁴ and called for the enactment or abolition of legislation to ensure that all children enjoy all the rights set out in the Convention, without discrimination, in accordance with Article 2.¹⁵⁵ Eight years later, in the Concluding Observations to the Optional Protocol on the involvement of children in armed conflict, the Committee repeated these concerns and recommendations and reiterated that Israel must abrogate the military order as recommended in 2002.¹⁵⁶

b. *Gender*

Palestinian legislation prohibits gender discrimination through Article 9 of the Palestinian Basic Law and Article 3 of the Palestinian Child Law.¹⁵⁷ Despite this, discrimination is encoded into the Personal Status Law,¹⁵⁸ derived from the Islamic *Shari'a*. For example, inheritance laws permit male children to inherit twice as much as female children. Moreover, de facto discrimination undermines girls' enjoyment of their rights, with girls generally allowed less independence and more constrained in their life choices than boys. According to a legal study carried out by Save the Children Sweden and the Women Studies Centre, a 'culture of shame' still persists in the oPt, undermining girls full enjoyment of all human rights and freedom.¹⁵⁹

However, important strides have been made by the Government, the United Nations, and civil society to elimi-

nate discriminatory practices, particularly with regards to education. Enrolment levels across the oPt are relatively equal for both sexes, with improvements since 2002.¹⁶⁰ In addition, the MoEHE maintains that the Palestinian curriculum has been moving away from being gender-biased and male-dominated: “the language used is becoming more gender neutral and women are depicted in leading roles such as professions and away from the stereotypical role of being house wives. Women are shown writing and not just reading and are the ones who take their children to football games and sporting events.”¹⁶¹

For many girls, school is their only opportunity for social interaction outside the home. In response to this, UNICEF has opened 110 “Adolescent Friendly Spaces” across the oPt since 2006, offering girls the same activities as boys.¹⁶² In 2006, the UN-GEI “Sports for Development Programme” trained girls in sports, child rights, leadership, life skills and democracy in 200 schools across the oPt.¹⁶³ Since 2002, DCI-Palestine has conducted training courses and activities for around 100 girls each year, offering drama workshops and mobilisation and lobbying skills to empower females to take a role in society.¹⁶⁴

While traditions can restrict girls to the home, the work of various stakeholders over the last decade has brought some positive changes within society. It has become more acceptable for girls to study and take a modicum of

“**Significant advances have been made to protect children born out of wedlock. The Palestinian Child Law of 2004 provides that these children are entitled to the same registration papers as other children.**”



control of their own future. However, work remains to be done, for example, amending Personal Status Laws that discriminate against females and assisting girls, particularly in village communities and refugee camps, in gaining horizons beyond traditional roles and a persistent ‘culture of shame’.

c. Birth Out of Wedlock

Significant advances have been made to protect children born out of wedlock. The Palestinian Child Law of 2004 provides that these children are entitled to the same registration papers as other children. This law also grants these children the right to social assistance, as well as the right to be placed with a foster family or a social welfare institution.¹⁶⁵ In addition, Article 17 of the Palestinian Civil Status Law, passed in 1999, allows the mother to register the child without the presence of the father.¹⁶⁶

For those children who have been abandoned, including children born out of wedlock, the MoSA arranges for them to be registered with the MoI and provided with shelter either in a certified institution, or in the care of a family, through the process of *kefalab*, for Muslim children, or adoption for Christians.¹⁶⁷ In accordance with *Shari’a* law, *kefalab* children are not allowed to be registered with the full name of the adoptive family,¹⁶⁸ which can potentially lead to de facto discrimination within society later in life.¹⁶⁹

The Palestinian Civil Status Law stipulates that all cases of unknown parentage be dealt with in total confidentiality. Children whose parentage is unknown or whose birth circumstances are ‘best kept private’ (cases of incest or rape, for example) are provided with an identity that does not stigmatise or label the child as any way different from any other child. The birth registration process requires the child to be registered with four names (a first

name followed by the name of the father, grandfather and family). Children born out of wedlock may be provided with fictitious names for any of these.¹⁷⁰ Their registration documents therefore do not contain any form of negative identification regarding their birth status, and children born out of wedlock do not face any de jure discrimination.¹⁷¹

Although children born out of wedlock are provided for both in the Palestinian Child Law and Palestinian Civil Status Law, the fact that *Sharia* law prohibits children from being registered under the full name of the adoptive family means the stigma of their birth remains visible. The Palestinian Child Law ensures that these children be provided for, but there have been no proactive steps to combat this aspect of discrimination or society's taboos on the subject.

d. Refugees, Migrants and Internally Displaced Status

In the oPt, 43.6% of Palestinians are refugees (37.7% in the West Bank; and 62.3% in Gaza).¹⁷² The situation of refugees living in the oPt is unique insofar as those who are living as refugees are Palestinians.¹⁷³ Refugees in the oPt have the same rights, duties and responsibilities as full citizens.¹⁷⁴

In the oPt, the MoSA is responsible for refugees.¹⁷⁵ Refugees have the same access to resources as non-refugees, with free primary health care until the age of three. UNRWA provides a range of programmes to registered refugees, including free primary education, health care, and housing, relief and social services and microfinance. Educational standards in UNRWA schools are in line with PA schools.¹⁷⁶ As a result, this group of refugees is not competing with non-refugees for access to services. This also applies to child protection, where all the institutions designed to protect children in need are open to refugee

children: "refugee status is not considered a defining characteristic of the children when determining means of providing children with child protection."¹⁷⁷ There are a number of measures that discriminate positively for refugees (for example, hiring for civil service and security forces) to ensure refugee families receive an income. The same can be said for start-up loans for small- and medium-sized businesses and microfinance schemes. Contracts that include refugees as employees, thus creating job opportunities, are also favoured by the Government.¹⁷⁸ These measures go some way to helping refugee families provide for their children.

Within Palestinian society, refugees do not face discrimination in accessing services or in legislation, however, social stigmas do affect refugees living in camps due to their low socio-economic status.

e. Disabilities

There is no current data for children living with disabilities in the oPt. In 1997, there were 15,567 children in Gaza and the West Bank living with at least one disability.¹⁷⁹ At that time, 41.7% of children with disabilities were attending school.¹⁸⁰ UNRWA reports a high rate of learning difficulties such as dyslexia,¹⁸¹ estimating that 20% of primary school refugee children in the West Bank have special educational needs.¹⁸² The MoEHE was unable to provide data on children with disabilities enrolled in its schools.

In 1999, the Palestinian Disability Bill was passed¹⁸³ stating that persons living with disability are equal before the law and have the right to enjoy a free life, dignified living, and various services in a manner equal to that of others. However, the law makes no specific reference to children, nor does it assign responsibility or accountability.¹⁸⁴ As a result, there is a lack of budgeting for children living with

disabilities. It was reported in 2011 that the PA had “no particular budget set specifically for children and/or for persons with disabilities.”¹⁸⁵ One consequence of this is a limited number of rehabilitative programmes for children in the MoH.¹⁸⁶ In addition, schools do not have adequate facilities for students living with disabilities.¹⁸⁷ The PA reported in January 2011 that students with learning disabilities have difficulties being included in public schools, and have to turn to learning centres run by CSOs.¹⁸⁸ The PA admits that “the government has yet to develop a coherent and comprehensive strategy for disabled persons in general or one that addresses the comprehensive needs of disabled children in particular.”¹⁸⁹

Girls and boys living with disabilities continue to face discrimination. In 2010, a study¹⁹⁰ of educational facilities for children living with disabilities found that 18.2% (15.5% in the West Bank and 22.5% in Gaza) of respondents did not receive any type of education, primarily because there were no specialised facilities, or schools that would accept them.¹⁹¹ In another study in Nablus, the PMRS found that one out of every three children were not receiving any treatment or service; 42% had no access to education; and half of those integrated into schools dropped out for a myriad of reasons.¹⁹² In addition, children living with disabilities reportedly suffer violence at the hands of other children, the family and the wider community.¹⁹³

Measures implemented by the PA to address discrimination faced by children living with disabilities remain inadequate, mainly due to funding shortfalls. The MoEHE has an inclusive, but small programme that began in 2002, with enrolment rates for children with visual, auditory or motor disabilities improving since 2005.¹⁹⁴ However, the inclusive education programme has a number of shortfalls, including a lack of properly trained staff, inferior infrastructure in East Jerusalem, exclusion of the majority of special needs students, and lack of early assessment

and intervention.¹⁹⁵ In 2003, an inclusive schools project for Palestinian children with special needs was started by EducAid Onlus and the Remedial Education Centre; in 2009, the project joined with the MoEHE in a cooperative programme.¹⁹⁶ The PA also runs four National Rehabilitation Centres across the West Bank. The MoYS works on inclusion in sports and MoSA conducts home renovation programmes, provides start-up business loans for families with disabled children, runs 10 disability centres across the oPt, and an “Orientation and Mobility Programme” for blind children.¹⁹⁷ Through its social assistance programme, MoSA has also initiated a small-scale home renovation programme, enabling low-income households to access funds to upgrade homes to fit the needs of disabled children/adults.¹⁹⁸

UNRWA has also implemented measures to address discrimination faced by refugee children living with disabilities. UNRWA West Bank is now building schools so that they are accessible for children living with disabilities.¹⁹⁹ It has also recently turned its attention to diagnostic testing, ensuring all children from grade five are tested for dyslexia, and individualised educational plans to grade 10 developed for those who test positive.²⁰⁰

Commendable practices also include educational and therapeutic programmes run by civil society organisations, such as the Socio-Educational Department of the Palestinian Counselling Centre (PCC).²⁰¹ Since 2002, the HWC has undertaken early diagnostic testing of school children for a range of disabilities. In addition, the HWC Community Based Rehabilitation (CBR) unit works to integrate children living with disabilities into educational activities.²⁰² This is one of the earliest initiatives in the field, operational since 2002.²⁰³ MAP followed suit in 2010, with their “Active Participation in the Community” programme.²⁰⁴ Furthermore, PMRS runs a CBR Programme in Ramallah, making the integration of disabled persons a

major goal for the rehabilitation process.²⁰⁵ Rehabilitative programmes for children also include those run by the PMRS and the PRCS, including early stimulation programmes, special education programmes in schools, and medical and therapeutic programmes including physiotherapy and occupational therapy.²⁰⁶ In Gaza, the National Centre for Community Rehabilitation provides speech and language services for children and families.²⁰⁷

Access to services is an issue that has also been tackled by MAP²⁰⁸ through home visits, reaching 120 children and adults.²⁰⁹ The HWC also undertakes visits to schools, pre-schools and homes to ensure all children's environments are accessible.²¹⁰

More recently, social inclusion programmes have been expanded to encompass sport. In 2010, a two-year capacity-building programme was initiated to promote the inclusion of youth living with disabilities in regular sports practices.²¹¹ The Para-Olympic Committee also runs a number of campaigns that promote inclusion in sport, complemented by summer camps and recreational activities.²¹²

The treatment of children living with disabilities is improving in the oPt, but has a long way to go. Most related interventions are driven by civil society, rather than the Government. The scarcity of disaggregated data on children living with disabilities; the exclusion of this sector of society from the budget; the lack of mapping of institutions working in the field; the shortfall of rehabilitative centres; and the failure to include these children in a number of ministries' national strategic plans reflects apathy for the subject. Despite advances in legislation, children living with disabilities continue to be discriminated against—through outdated legislation, within the education system, and by society. A more concerted effort

is needed to address the chasm that exists between rhetoric and practice.

f. HIV/AIDS

There is conflicting data on the number of children affected by HIV/AIDS in the oPt. According to UNICEF and the UNDP, there are no reported cases of children with HIV/AIDS;²¹³ the MoH reports four children have died from HIV/AIDS, however, but that none are currently carrying the disease.²¹⁴

ii. The Best Interests of the Child (Article 3)

Article 4 of the Palestinian Child Law states that due consideration must be given to the best interests of the child—without detailing what this is—by legislators, courts of law, policy-makers, and public or private social welfare institutions.

The Palestinian Basic Law has only one article, Article 29, dedicated to children's rights. It does not mention the principle of the best interest of the child. Moreover, in the *Shari'a* courts that usually deal with divorce cases, there is no definition of this principle. Under the Personal Status Law,²¹⁵ which is derived from *Shari'a* law, while the father was always has guardianship, a mother can take custody of the child until the child reaches biological maturity, or puberty, and custody is granted to the father. Normally, children do not have an opportunity to choose whether to stay with their mother or go with their father in cases of parental custody following divorce. However, a judge can and occasionally does ask the child what his wishes are.²¹⁶ Neither in *Shari'a* law nor in Civil Status Law do children have the right to petition the court. Although the child has no right in determining which parent they reside with, he or she is able to maintain personal relation-





لا للعنف ضد الأطفال
No to violence against children





ships and direct contact with both of them on regular basis, according to the Palestinian Child Law.²¹⁷ In the event that the court decides to remove a child from his/her family, the MoSA and the court are required to agree upon set procedures that will allow the child to have regular contact with the family, under proper supervision.²¹⁸

At present, however, there is little judicial understanding regarding the application of the principle of the best interest of the child. Judges receive no training on this principle and those who wish to apply it have no guidelines for its implementation. The ICHR, mandated to deal with cases of human rights violations, also reports that the cases involving children, such as abuse by teachers, child labour, and medical negligence are often negotiated through informal mechanisms and do not incorporate the best interests of the child.²¹⁹

This principle needs to be included in all relevant legislation affecting children, administrative and judicial decisions, as well as policies and programmes related to children. In particular, in order to protect this principle, the Palestinian Child Law needs to be incorporated into the Personal Status Law, as this is the body of law determining the custodial, maintenance and inheritance rights for children. In conclusion, independent and effective mechanisms need to be put in place to monitor the promotion and protection of the best interest of the child.

iii. The Right to Life, Survival and Development (Article 6)

The MoSA is committed to upholding the child's right to: "care, development, and education" under the Ministry's draft law, Article 19.²²⁰



a. Health

The main health providers in the oPt are the MoH as the public provider; UNRWA for refugees; the PRCs; the PMRS; the HWC, and the private sector.²³⁰ Since the Oslo Accords, the PA has been responsible for health services, through the MoH.²³¹ In 2004, Public Health Law No. 20 was passed, detailing 16 functions of the MoH without adequately defining the range of responsibility of each area.²³² The Palestinian Child Law provides that children should have the highest standard of free health services and stipulates that immunisation of children will be free.²³³

Health services are financed through taxes, health insurance premiums, and loans and grants from the international community. From 2008 to 2010, the PA budgeted health sector projects at USD 139 million. An estimated USD 248 million was allocated in 2008 for the recurrent budget of the MoH.²³⁴

The oPt compares very well with countries of similar income levels and countries in the region regarding its under-five and infant mortality rates and life expectancy at birth. Although premature delivery and low birth weight were the main causes of infant mortality in the West Bank and Gaza in 2004, the oPt has one of the lowest rates of infant mortality in the MENA region.²³⁵

Prior to the outbreak of the *Intifada* in 2000, the health care system in the West Bank and Gaza had high levels of immunisation coverage, prenatal care and basic health services. While prenatal care has declined, home births have increased nearly tenfold in a decade, particularly in rural areas.²³⁶ Access issues partly explain why maternal mortality remains high with 70 deaths per 1,000 live births in 2006,²³⁷ as there is a high rate of “home deliveries, induced deliveries, and deliveries at military checkpoints”.²³⁸ The MoH reported in 2007 that, since 2000, there have been at least 68 deliveries at checkpoints, leading to 35 miscarriages and the deaths of five women.²³⁹

HEALTH INDICATORS			2006 ²²²	2008 ²²³
Under five mortality rate		25	22	27
Under five mortality rank.		110	108	91/193
Life expectancy at birth		72	73	74
Infant mortality		23	20	24
Population using improved drinking water sources	Urban	97	94 ²²⁴ (2004)	90 ²²⁵ (2006)
	Rural	86	88 (2004)	80 (2006)
Population using adequate/improved ²²⁶ sanitation facilities	Urban	100	78 (2004)	84 (2006)
	Rural	100	76 (2004)	69 (2006)
Contraceptive prevalence		51% ²²⁷	50% ²²⁸	50% ²²⁹

The provision of health services is greatly challenged by access issues. In 2002, the Committee on the Rights of the Child expressed concern about “the serious deterioration of health and health services of children in the occupied Palestinian territory, especially as a result of the measures imposed by the Israeli Army, including road closures, curfews and mobility restrictions, and the destruction of Palestinian economic and health infrastructure.”²⁴⁰ The Committee expressed particular concern about “the consequent delays of and interference with medical personnel, the shortages of basic medical supplies and malnutrition in children owing to the disruption of markets and the prohibitively high prices of basic foodstuffs”.²⁴¹ In 2010, the Committee on the Rights of the Child commented on Israel’s compliance to the Optional Protocol on the involvement of children in armed conflict. It was concerned that the “construction of the wall and mobility restrictions resulting in the denial of access to [...] health care, clean water [...] have a severe impact on Palestinian children.” The Committee stressed the urgent need for “safe and unconditional access by all Palestinian children to basic needs and health services, including medical supplies and personnel.”²⁴²

In the West Bank, due to closures, the Wall, and checkpoints, travel from one area to another is difficult, if not impossible, and permits are needed to enter Jerusalem, where the five major hospitals are. Children living in the ‘Seam Zone’ who need to reach health services have to pass through barriers and checkpoints that are often closed at night.²⁴³ Coordinating access takes a long time, during which patients can and have died in ambulances as they waited for clearance.²⁴⁴ Doctors who need to attend to children inside the ‘Seam Zone’ are required to obtain a ‘visitor permit’ from Israeli military authorities in order to reach their patients.²⁴⁵ In Gaza, due to the Israeli-imposed blockade, clearance is needed to leave, and children in need of medical attention have been left months waiting

for permission to travel for urgent medical treatment.²⁴⁶ Between October 2007 and July 2008, 11 children died while waiting for permission to leave Gaza to get medical treatment.²⁴⁷ In addition, the political fragmentation of Gaza and the West Bank impairs the implementation of a comprehensive health plan, with limited communication between the two governing bodies, Hamas and the Fatah-led PA.²⁴⁸

Lack of access to safe drinking water is a problem facing children in the oPt, with 5,000 children living without “adequate access to safe water, hygiene and sanitation facilities”.²⁴⁹ As many as 110,000 children in 144 communities in the West Bank and East Jerusalem live without piped water. About two-thirds of households are not connected to a sewerage network and 70% to 80% of domestic wastewater is discharged into the environment without treatment.²⁵⁰ UNICEF reported that, in 2010, about 80% of the water supply in Gaza was not “fit for human consumption”²⁵¹ whereas United States Agency for International Development (USAID) studies found high levels of contamination in tankered and rain-fed water systems in the West Bank.²⁵² In Gaza, the situation is critical,²⁵³ with infants at risk of blue baby syndrome due to the high levels of nitrate in the water.²⁵⁴ One of the main childhood diseases in the oPt is diarrhoea, with children in the West Bank showing a higher prevalence (7.0%) than children in Gaza (6.2%).

To combat the dangers of water-borne diseases, UNICEF implemented a number of measures²⁵⁵ and by 2006, 89% of the population of the oPt was using improved drinking-water sources, 90% in urban centres and 88% in rural areas.²⁵⁶ 2009 saw the activation of a water, sanitation and hygiene cluster in the oPt, which implemented repair and rehabilitation of sanitation facilities for 93,979 children in 2009 and improved sanitation conditions for 36,500 children in 29 schools across the oPt in 2010.²⁵⁷ Educational



projects on safe water practices include those run by the Palestinian Hydrology Group (PHG)²⁵⁸, the Emergency Water, Sanitation and Hygiene Group (EWASH)²⁵⁹, and UNICEF²⁶⁰.

In 2003, UNRWA started five mobile health teams in the West Bank to provide healthcare to people in 150 communities isolated by closures, checkpoints and the Wall.²⁶¹ In 2009 UNICEF started a similar programme, bringing maternal and child health services such as immunisation, nutritional advice, hygiene and sanitation education, and delivery of water purification tablets to inaccessible communities.²⁶² The low rate of infant mortality is a result of this and other immunisation programmes funded by the MoH with UNICEF, UNRWA, and (in East Jerusalem) the Israeli MoH.²⁶³ UNICEF mobile clinics ensure treatment is available to children living in inaccessible areas.²⁶⁴ According to the World Bank, over 95% of children were vaccinated for diseases by 2008.²⁶⁵ Tackling maternal health in 2010, the United Nations Population Fund (UNFPA) funded a Gazan midwife who had set up an outreach maternity clinic to train a network of midwives to offer their services for women who couldn't access hospitals due to checkpoints.²⁶⁶ Since the beginning of 2010, 24,000 children and caregivers have attended Save the Children Sweden "Family Centres Project" in Gaza where they received training in nutrition, hygiene, breastfeeding and general early childhood development.²⁶⁷

b. Mental Health

Gazan children experience a high psychosocial impact as a result of the ongoing conflict. UNICEF reported in a 2008 study that 40% of children "reported anxiety symptoms of likely clinical significance, and 40% reported signs of trauma such as insomnia and agitation. Other signs of stress included anxiety, 59%; low school achievements, 42%; and aggressive behaviour, 40%."²⁶⁸ Accord-

ing to UNICEF in 2010, a 2008 study by the GCMHP into the effects of war trauma on children found that "56.6% of children are still reporting moderate reactions to trauma and another 10.6% reporting severe reactions" due to war.²⁶⁹

In 2010, the Committee on the Rights of the Child's Concluding Observations on Israel's state report on the Optional Protocol on the involvement of children in armed conflict noted the difference in psychological recovery programmes for Israeli and Palestinian children. The psychological effects of Operation "Cast Lead" on children in Gaza, and the lack of assistance offered by the State party "deeply disturbed"²⁷⁰ the Committee, which stated: "[G]iven the psychological trauma on children as a consequence of the disproportionate attacks on civilians by Israeli Defence Forces, the Committee urges the State party to assume its responsibility for providing assistance for the physical and psychological recovery of all affected children, Israeli and Palestinian."²⁷¹

Since 2002, various agencies have intervened to improve children's mental health in the oPt. DCI-Palestine conducted several psychosocial programmes and crises intervention programmes from 2002 to 2010 for children suffering adverse psychological effects of the conflict.²⁷²

Psychosocial programmes are offered by a number of stakeholders, both international and local. As early as 2000, UNICEF implemented psychosocial interventions in all four UNICEF programmes: early childhood care for survival, growth and development; education; adolescent participation and children and women's rights. This was developed in 2004 and 2005 with the integration of a psychosocial support programme into the Child Protection Programme. Group counselling, individual counselling, peer-to-peer counselling and emergency interventions are all part of the programme, which includes non-formal

education and recreational activities. In 2008, 14 psychosocial teams worked with 64,475 children and 8,136 caregivers.²⁷³ By 2010, in both the West Bank and Gaza, the number of psychosocial teams had risen to 16 (11 in West Bank and five in Gaza).²⁷⁴

MAP runs a number of psychosocial programmes in Gaza²⁷⁵ and the West Bank for children, including summer camps, mother and child workshops and counselling sessions to help children to manage their anxiety as a result of the conflict, in particular Operation “Cast Lead”.²⁷⁶

The PMRS provides psychosocial health services in five areas (Ramallah, Jerusalem, Jenin, Qalqilya/Tulkarem, and Gaza). Their main activities include individual counselling (for mothers, children and adolescents) and group counselling.²⁷⁷

In partnership with Save the Children Sweden and other NGOs and CSOs²⁷⁸, UNICEF provides psychological care and support in 20 family centres across Gaza. Between August 2009 and June 2010, the family centres conducted 504 group counselling sessions for children (aged between 6 and 14), 120 psychological awareness sessions for caregivers, and 819 individual counselling sessions for children.²⁷⁹ In 2010, more than 20,000 children took part in creative/psychosocial group activities; more than 16,000 caregivers and parents were strengthened in

“UNICEF reported in a 2008 study that 40% of children in the oPt ‘reported anxiety symptoms of likely clinical significance, and 40% reported signs of trauma such as insomnia and agitation. Other signs of stress included anxiety, 59%; low school achievements, 42%; and aggressive behaviour, 40%.’”



coping mechanisms; more than 800 psychosocial professionals and volunteers were trained in crisis intervention; more than 4,000 family visits were made following violent or distressing events, and in Gaza, the socio-legal defence centres and the toll-free line reached more than 4,000 children.²⁸⁰

The PCC runs a number of mental health programmes for children, such as the preventive “Youth at Risk Programme”, for 12- to 18-year-olds from impoverished socio-economic backgrounds. This preventative programme works with children at risk of child labour, delinquency, drug addiction, or early marriage to enable them to take control of their lives. The EJ-YMCA Rehabilitation Program runs various projects with children. In 2010, a three-year psychosocial project²⁸¹ was concluded in Bethlehem’s southern villages. The project reached 3,000 children who had developed psychosocial and behavioural problems.²⁸²

The PA reported in early 2011 that MoSA, MoEHE, MoH and MoYS have worked together to deliver counselling for children and their families in schools, clinics, youth centres, recreational centres, and in charitable organisations. They provide training for parents on child development and basic psychology, and support mental health services.²⁸³ Individually, the MoH works with parents, providing counselling and training in child development, whereas MoSA uses its child protection officers and referral system to reach vulnerable children, and help families support their children.²⁸⁴

Children’s health in the oPt will vary greatly according to the child’s residence and socio-economic class. The provision of adequate healthcare services is frustrated by access issues endemic to the occupation, the Hamas/Fatah split, and the teething pains of a health sector that is only beginning to develop as the oPt works towards building state institutions.



c. Nutrition

A number of factors since 2002 have had a negative effect on markets and the price and availability of foodstuffs in the oPt.²⁸⁵ These are the *Intifada*; the blockade of Gaza and the Wall and its regime of checkpoints in the West Bank. In August 2009, it was reported that approximately 75% of Gaza's population was food insecure, an increase of 19% since the beginning of the previous year.²⁸⁶ In other parts of the oPt, food security is at an even more critical level, with 80% being food insecure in Area 'C', and 25% throughout the rest of the West Bank.²⁸⁷

Chronic malnutrition rose from 7.6% in 2000 to 10% in 2010 for children under five,²⁸⁸ with a corresponding increase in rates of stunting from 9% in 2002 to 10% in 2008.²⁸⁹ Nonetheless, rates of wasting in those under five dropped from 3% in 2002²⁹⁰ to 1% in 2008,²⁹¹ as did the number of infants with low birth rate from 9% in 2002²⁹² to 7% in 2008,²⁹³ and rates of underweight children under five from 5% in 2002²⁹⁴ to 3% in 2008.²⁹⁵ Despite this, malnutrition remained a problem; in December 2009 UNICEF estimated that there could be more than 3,000 children suffering from severe malnutrition in Gaza.²⁹⁶

The following year, Save the Children Sweden also reported an increase in malnutrition and chronic disease among those under five in Gaza, with chronic malnutrition affecting 10% of this age group.²⁹⁷ UNICEF also found that rates of anaemia were rising from 40% in 2007²⁹⁸ to 61.6% of children aged 9-12 months and 29% of pregnant mothers in 2008.²⁹⁹

The Committee on the Rights of the Child in 2002 expressed its concern about "malnutrition in children owing to the disruption of markets and the prohibitively high prices of basic foodstuffs."³⁰⁰

To promote nutrition in 2008, the MoH developed its first National Nutrition Policy Statement and National Nutrition Plan of Action (2008-2010) promoting diet diversification, flour fortification, and micronutrient supplementation for micronutrient deficiency disorder, with a focus on vulnerable women and children.³⁰¹

In Gaza, UNRWA provides food assistance to 800,000 UNRWA registered refugees.³⁰² For the rest of the population, the World Food Programme (WFP)'s Protracted Relief and Recovery Operation run a school feeding programme, reaching 75,000 children bi-annually.³⁰³ The WFP runs an Emergency Food Assistance for Lifeline Operation Gaza programme,³⁰⁴ also comprising a school feeding programme designed to maintain school enrolment.

One of UNICEF's main areas of intervention is in childhood nutrition. From 2007 to end 2009, it reached 264,900 children and 100,000 pregnant and breastfeeding mothers through nutritional programmes across the oPt. In addition 1,600 health workers were trained in nutritional practices.³⁰⁵

Over the last ten years, chronic malnutrition in the oPt has increased and the most visible impact of this is in increased rates of stunting, especially in pockets of vulnerability such as herding communities in Area 'C' and refugee camps in Gaza. While the rates of wasting, low birth weight and underweight children have all dropped, there remains a strong need for an integrated response to address child malnutrition, especially in vulnerable rural areas and in Gaza.

d. Physical Environment

Demolition of Structures

Structures include not only houses but also schools, buildings, animal shelters, or shelters used for human habitation, walls or any such structure. In 2008, 419 children were displaced or affected by demolitions in the oPt.³⁰⁶ From 2009 to 2010, 615 children were displaced and 8,316 were affected by demolitions in the West Bank.³⁰⁷ Although the number of children displaced dropped slightly from 316 in 2009 to 299 in 2010, those affected by demolitions increased from 414 to 7,902.³⁰⁸ By August 2010, as many as 1,531 children had been affected by house demolitions in East Jerusalem since 2002.³⁰⁹

Save the Children UK found that demolitions are the most significant displacement trigger and have a profound impact on children's lives.³¹⁰ It also found, in another study, that most families took two years to find a permanent place of residence post-displacement and that their socio-economic conditions fell below the poverty line.³¹¹ At home and at school, the children displayed behavioural problems, and suffered from depression/anxiety, social difficulties, attention difficulties, delinquency and higher rates of delusional, obsessive, compulsive and psychotic thoughts for up to six months after the demolition.³¹² Their academic performance was affected when they eventually returned to school and, in some cases, children never returned.³¹³ As a coping mechanism, 40% of families sent their children to work, which also negatively affected their schooling.

In 2002, the Committee on the Rights of the Child recommended that Israel “refrain from the demolition of civilian infrastructure, including homes, water supplies and other utilities.” It further recommended that the State Party “provide the victims of such demolitions with sup-

port for the rebuilding of their houses and with adequate compensation.”³¹⁴ In 2010, echoing its comments in 2002, the Committee on the Rights of the Child expressed concern about “the bombing of civilian areas [...] the demolition of homes [and] the destruction of infrastructure”³¹⁵.

First-line responses to demolition are provided by UN-RWA and the ICRC in the form of emergency shelter, food, and basic supplies. These, however, are insufficient and there is no complementary long term programme focussed on re-housing the family, nor are there interventions to prevent displacement.³¹⁶ Since 2007, the UN-led Displacement Working Group has been working to develop a long term inter-agency response, including documenting and monitoring, to advocate for preventative action.³¹⁷ On the legal front, MSD and the Israeli Committee against House Demolitions (ICAHD) provide legal assistance to families facing, or having experienced, demolitions. ICAHD has run several projects to rebuild houses that were destroyed.³¹⁸ However, without housing permits from Israel these can be demolished again.

If a Palestinian wishes to take legal action to prevent his house being demolished, he/she faces an Israel court system biased against him/her. As a result, there is a recognised gap in response for victims of house demolitions, particularly children.³¹⁹ In East Jerusalem, UNICEF runs psychosocial programmes, working with children and their families who have been affected by demolitions. In tandem with UNICEF's overall psychosocial programmes, the teams work with families, employing play therapy with the children.³²⁰ Also in East Jerusalem, the MSD ran summer camps for children whose homes had been demolished in 2007, 2008 and 2009. In 2009-2010, the EJ-YMCA Rehabilitation Programme offered psychosocial programming to children affected by forced displacement in the Jordan Valley and Hebron.³²¹







Two Palestinian boys from the Al-Shamali family look at the remains of their home, which was bombed in an air raid in Beit Lahiya, northern Gaza, during Operation “Cast Lead”. *Courtesy of Save the Children Sweden*

Examples exist of communities that are successfully resisting displacement. Aqaba village in the Jordan Valley has, through external investment in projects, developed education, health, water, agriculture, and infrastructure, supported families whose property has been demolished.³²² In parallel, advocacy campaigns, coordinated visits of international community and the media, and legal assistance services have also provided a level of protection for villagers.³²³ In 2008 and 2009, Save the Children UK³²⁴ ran a project in 14 communities across the oPt aimed at preventing displacement. It did this by using Community Protection Committees to increase the community's access to essential services and income-generating opportunities, offering legal advice, providing family counselling, and deploying humanitarian assistance post-displacement.³²⁵ These examples provide a basis for developing best practice around prevention and response to displacement.

Water

Water is a crucial issue in the oPt. Israel controls all water sources and restricts the amount of water available to Palestinians to 20% of the Mountain Aquifer annually.³²⁶ In Area 'C' of the West Bank, Israeli military authorities control the water resources, and if any Palestinian structure to access water is put in place, demolition orders are issued and these are destroyed.³²⁷ During military operations, wells are commonly destroyed. Between 1 July 2002 and 31 March 2003, 102 wells were destroyed in the Gaza Strip.³²⁸ During Operation "Cast Lead", 11 wells were destroyed, four water reservoirs³²⁹ were damaged, and the North Gaza Emergency Sewage Treatment plant was affected.³³⁰ Infrastructure in Gaza is at a critical level.³³¹ Essential materials are not allowed to enter the area, and many projects, such as the repairing of sewage treatment infrastructure, cannot be finished as a result.³³²

The average *per capita* consumption of water in Gaza is 80 to 90³³³ litres per day; in the West Bank it is 73³³⁴. This is a quarter of Israelis' daily *per capita* consumption, which is 250 to 300 litres daily.³³⁵ In vulnerable areas of the West Bank, this falls to 15 litres per day, *per capita*,³³⁶ whereas in Gaza it has been calculated that 7% of the population, 103,799 people, have no water connection.³³⁷ In Hebron and Tubas, more than one quarter of households buy water from tankers, or use harvested sources, as they have no piped water.³³⁸ In East Jerusalem, 160,000 Palestinians, over half the population, have no legal source of water.³³⁹ As a result, residents have to buy tankered water at increased prices, up to six times the price of piped water—sometimes as high as USD 14 for 1,000 litres of water.³⁴⁰ In Gaza, families can spend up to one-third of their income on water.³⁴¹

UN agencies and INGOs often, in partnership with local CSOs, seek to address water and sanitation needs through emergency water distribution, environmental drainage, hygiene promotion, the installation of sanitation units in homes, improving the water, sanitation and hygiene facilities in schools, improving wastewater/sanitation facilities, water harvesting, storage installation, water quality treatment, water source development, and water supply infrastructure installation. In 2010, the WASH cluster³⁴² undertook 406 humanitarian interventions, reaching 1,753,003

“One of the most tangible symptoms of the occupation is the systematic and widespread destruction of children’s immediate physical environment. The demolition of children’s homes, schools, and structures that contribute to their economic well being takes a toll on their psychological health.”

men and women throughout the oPt and improving sanitation facilities in schools for 93,979 children.³⁴³

One of the most tangible symptoms of the occupation is the systematic and widespread destruction of children's immediate physical environment. The demolition of children's homes, schools, and structures that contribute to their economic well being takes a toll on their psychological health. A stable home environment, with sufficient access to potable water is crucial to children's right to an adequate standard of living as enshrined in Article 27 of the CRC. While a number of measures are being taken to alleviate the effects of demolitions, without the cooperation of the State party these measures remain merely palliative with short-reaching effect. Israel must change its policies to ensure that children's right to an adequate standard of living is upheld.

e. Areas 'B' and 'C':

Treatment of Palestinians and Israelis

In Area 'C', without Israeli-administered permits, Palestinians cannot build, extend or repair homes or infrastructure.³⁴⁴ Nor are they permitted to access farmlands or source water in any form.³⁴⁵ Any Palestinian wishing to do so must apply to Israeli military authorities for permission. From 2000 to 2007, only 5% of these permits (105) were approved. Each year in the same area, 1,000 building permits are granted to Israeli settlements.³⁴⁶ Palestinians who build or make repairs without a permit run the risk of having the construction demolished. Living in the same area, settlers have more than sufficient water supplies, electricity, and other municipal services.³⁴⁷ Settlement growth is promoted while the permit system strictly restricts the amount of building and expansion for Palestinians. As a result, many families in Area 'C' live in tents, caves or corrugated tin shack dwellings. In the South Hebron hills, overcrowding is common. Thirty percent of

homes house more than one family, with 41% of individuals having less than 3.5 square meters of living space each.³⁴⁸ In some cases, families live in poorly-ventilated caves with mould on the walls. This has a direct impact on children's health and mental well-being.³⁴⁹

In 2009, Save the Children UK found that 67% of families in Area 'C' were living below the poverty line.³⁵⁰ Due to the increasing threat of settler violence³⁵¹, and military incursions during which Palestinian children are arrested, detained, interrogated and ill-treated³⁵², families living in this area "lacked personal security and suffered negative psychological impacts in greater numbers than the general population."³⁵³ In the survey, 79% of respondents reported feeling depressed, compared with 56% among the general population.³⁵⁴ This has a direct effect on children, as the psychological state of parents, especially the mother, has a major impact on the child's mental health.³⁵⁵

In a 2010 study of herding communities in Area 'C', it was found that 79% of the communities surveyed did not have enough nutritious food. There was a high rate of wasted (5.9%), underweight (15.3%) and stunted (28.5%) children between six and 59 months, as compared to the rest of the West Bank, where 1.7% of children were wasted, 3.2% of children were underweight and 7.9% of children were stunted.³⁵⁶ In addition, 5.9% of children suffered from acute malnutrition, and 44% of children in the surveyed area had diarrhoea, the biggest killer of children under age five in the world.³⁵⁷

In Area 'C', more than 500 obstacles to movement, combined with harassment from Israeli forces at checkpoints, and settler attacks³⁵⁸ make it extremely difficult for children to access schools.³⁵⁹ In Save the Children UK's study, 39% of respondents said that educational services were 'available' and 53% responded 'somewhat available,' as compared with 65% and 26% respectively among

the general population in the West Bank.³⁶⁰ The Special Representative to the Secretary General for Children and Armed Conflict expressed concern about the impact of “discrimination and neglect” on the standard of education in Area ‘C’ of the West Bank.³⁶¹ Due to the impossibility of obtaining building permits, new schools cannot be built, old ones cannot be repaired, and children are being educated in “tents, shacks and crude cement structures.”³⁶² Save the Children reported that “across Area C, children are forced to learn in overcrowded, makeshift classrooms without electricity, access to functioning toilets or safe drinking water.”³⁶³

In August 2009, an inter-agency response³⁶⁴ for herding communities in the West Bank was launched to protect and assist 5,200 Area ‘C’ Bedouin and Palestinian herder families in maintaining their livelihoods and way of life in the face of political and environmental challenges.³⁶⁵ However, there is a limit to what agencies can do, being constrained by tight building restrictions under the Israeli permit system. In an attempt to mitigate these problems in the areas of water, education and shelter, UN OCHA developed a “Coordinated Response Plan” for Area ‘C’ in late 2009. Under close coordination with MoEHE and the Palestinian Water Authority, the response plan was submitted to Israeli military authorities in 2010.³⁶⁶

The water, sanitation and hygiene response component encompasses 14 projects to serve 52,000 people who pay more than USD 5.6 per cubic metre of water and have an average consumption of less than 60 litres per day.³⁶⁷ The project will construct water filling points, rehabilitate water networks and wells, and provide communal storage tanks to reduce costs and increase the volume of water from existing sources. Written approval has been given by Israeli authorities for four of the projects and verbal approval has been given for three, with seven projects awaiting a decision.³⁶⁸ As part of this response plan, 26

schools in Area ‘C’ have been identified as in need of humanitarian response. These schools have a high drop-out rate, especially among girls, and a high incidence of health and safety risks for the students that attend.³⁶⁹ Since January 2010, only one of the 22 projects has been approved by Israeli military authorities, whereas one of the schools received a demolition order instead of a permit.³⁷⁰ In the shelter sector, one of the main objectives is to work towards a moratorium on home demolitions, and install weatherproof portable tents that can be transported if demolition orders are issued.

However, without the cooperation of the ICA, these projects cannot proceed, exposing the children of Area ‘C’ to hardship conditions surpassing those of Gaza. The development of a coordinated response plan is positive, but creative solutions are perpetually needed to circumnavigate the Israeli refusal to issue permits essential for the basic needs of children, and their families in the region.

f. Reproductive Health

While the data and the dynamics of HIV/AIDS in the oPt suggests a low prevalence, it is likely that many cases go undetected.³⁷¹ Among 1,047 women sampled in a national household survey, not one single woman had undergone a HIV test and only 5% knew a place where they could seek confidential HIV testing.³⁷² There is conflicting data on the total number of children affected by HIV/AIDS. According to UNICEF and UNDP, there are no reported cases of children with HIV/AIDS,³⁷³ whereas the MoH reports that four children have died from the disease but that none are currently carrying it.³⁷⁴ More broadly, reliable data on adolescents affected by sexually transmitted infections (STIs) is currently unavailable on the oPt.

Awareness of HIV/AIDS is relatively high among children. As many as 87.5% of Palestinian youth are aware of HIV/AIDS, however only 8.8% of 15- to 19-year-olds could identify the modes of transmission.³⁷⁵ Among children and youth, awareness of condom use to prevent STIs is also low, as is knowledge of STI symptoms.³⁷⁶

Information on reproductive health, STIs, and HIV/AIDS is increasingly being made available to children and youth in the oPt. Education on reproductive health, including prevention of HIV/AIDS, is part of the curriculum in schools. In 2001, the MoEHE launched an HIV/AIDS awareness programme for schools, that reaches almost 54,174 students per year.³⁷⁷ From grade seven to 10, sex education, reproductive health, family planning and prevention from HIV/AIDS are part of the formal educational curriculum.³⁷⁸ According to a “Knowledge, Attitudes and Practices” survey conducted by Save the Children Sweden, the majority of parents interviewed (91.4%) were supportive of including sexual and reproductive health rights in school programmes.³⁷⁹

The survey also reveals that adolescents are not aware of sexual and reproductive health services offered by health centres, suggesting the need to make health centres more child-friendly. Most of the services available on HIV and STI—and in general most reproductive health services—are tailored to married women, and there is a lack of youth friendly spaces with access to means of prevention, treatment, and care.³⁸⁰

Recognising that one of the main challenges in prevention is the lack of services and a safe space to conduct prevention activities for young people, particularly girls, at the community level, the PA and UN agencies are working to promote “youth friendly spaces.” The UNFPA and UNICEF are working across the oPt to empower children to develop healthy behaviours to protect themselves from

HIV/AIDS, STIs, and drug use. With various partners³⁸¹, UNICEF has conducted awareness training through their “Adolescent Friendly Spaces” Programme.³⁸² In ten districts across the oPt, teenagers were trained in these peer-to-peer education techniques; extra districts were added in 2011. In 2010, UNICEF in the oPt conducted a survey to assess children’s perceptions of HIV/AIDSs³⁸³, following this with awareness-raising training for 230 educators and social workers in workshops in Nablus, Hebron and Ramallah.³⁸⁴ The sessions included the input of religious leaders and lawyers who discussed the legal and *Shari’a* law background for HIV and AIDS awareness.³⁸⁵ In addition, the MoH runs awareness programmes in schools and clinics, using audiovisual materials and brochures on HIV/AIDSs prevention (although it was reported in 2011 that there still are some medical staff that are not aware of the means of transmission).³⁸⁶ With support from the Global Fund for the fight against AIDS, Tuberculosis and Malaria, the PA is scaling up projects to ensure universal access to HIV/AIDS prevention, treatment, and care in the oPt. The project trains stakeholders, such as religious leaders and the media, to strengthen their role in addressing HIV/AIDSs and in initiatives to reduce the vulnerability of at-risk children.

Despite the taboos on sexual topics in the region, commendable steps have been taken to improve reproductive health. These are the development of the National Strategic Plan to fight HIV/AIDS (2010-2015); the inclusion of the subject of reproductive health in the curriculum; and the UNICEF-led initiative in the “Adolescent Friendly Spaces” Programme. National and international organisations are also active in advocating for more enabling laws with regards to abortion. The Coalition for Abortion, for example, was formed in 2006 with the main goal of amending the articles related to abortion in the Penal Code Law and in the Health Law and to combat unsafe abortion.³⁸⁷



The lack of availability of credible data regarding the prevalence of STIs and the number of children living with HIV/AIDS reflects denial of the problem, and results in the isolation of children who are affected. A coordinated positive approach is needed by MoEHE, MoH and the MoSA to partner with the UN and other agencies experienced in this field to ensure a comprehensive plan is in place to prevent the spread of HIV/AIDs and other STIs, and to promote the reproductive health of adolescents.

g. Education

The Palestinian MoEHE was created after the Oslo Accords in 1994 and the first national curriculum was established in 2000.³⁹¹ The PA allocates 19% of its general budget to education,³⁹² whereas UNRWA allocates over 50%. All refugee children registered with UNRWA are entitled to up to ten years of free education in UNRWA schools and can also attend national PA schools. Both PA and UNRWA schools are free, except for a small registration fee of USD 14 for primary school students and USD 19 for secondary school students.³⁹³ Under the Palestinian Basic Law, some vulnerable children³⁹⁴ do not have to pay this fee.³⁹⁵

As of 2010, there were 1,141,828 students in primary education, attending 2,611 schools across the oPt.³⁹⁶ Of these, almost 70% attend 1,955 government schools, 22% attend 325 UNRWA schools and the remaining 8% attend 308 private schools. UNRWA schools, comprising 13% of all schools in the oPt, educated 50.6% of the children in Gaza, and 9.9% in the West Bank from 2007 to 2009.³⁹⁷ As permanent residents of Israel, children between the ages of 5 and 18 in East Jerusalem are entitled to free public education, according to the 1949 Compulsory Education Law. In practice, however, out of an estimated total of 87,624 school-age population in 2009/2010, less than half attended municipal schools, and the education sector in East Jerusalem has multiple providers, with little coordination and wide discrepancies in the quality of education offered.³⁹⁸

The MoEHE has been working since 2001 to overhaul the PA education system under Five-Year Education Development Plans I (2001-2005), and II (2008-2012).³⁹⁹ The current plan provides for a comprehensive education system including pre-school; basic and secondary education; formal and non-formal education; technical and vocational education, and higher education.⁴⁰⁰ Efforts have been made to provide special education for children with

EDUCATION INDICATORS		YEARS OF COMPARISON		
		1997-2000 ³⁸⁸	2002 ³⁸⁹	2003-2008 ³⁹⁰
Primary school enrolment ratio (gross)	Male	107	101	80
	Female	109	102	80
Primary school enrolment ratio (net)	Male	96	95	73
	Female	98	95	74
Primary school entrants reaching grade 5 (Administrative data)			98	99

special needs, and they are included in formal education as part of the “Inclusive Education” approach.⁴⁰¹

Although school enrolment rates are high, they have dropped from 96.8% in 2000/2001 to 91.2% in 2005/2006.⁴⁰² In 2010, almost 30% of students dropped out after basic education (10th grade).⁴⁰³ Educational achievement also dropped, with only 19.7% of 16,000 school graduates in Gaza passing Arabic, Mathematics, Science and English state exams, according to an UNRWA 2007 survey.⁴⁰⁴ UNRWA Gaza also experienced a 50% increase in failure rates in 2008/2009 exams.⁴⁰⁵

Enrolment is also a problem in East Jerusalem, where over 9,000 Palestinian children had no place in school in 2009/2010.⁴⁰⁶ In 2010/2011, there was a shortage of 1,000 classrooms.⁴⁰⁷ It is estimated that for the 2011/2012 school year, a minimum of an additional 1,500 classrooms will be needed.⁴⁰⁸ In July 2009, the Israeli High Court gave the Jerusalem Municipality and the Minister of Education until 31 January to open at least 400 classrooms in East Jerusalem,⁴⁰⁹ but as of January 2011 no action had been taken on this. As a direct consequence of classroom shortages and sub-standard facilities, which do not meet minimum health or educational standards, parents have to resort to paid alternatives. This is despite the stipulation in Israeli law that pupils are entitled to free education.⁴¹⁰ Among those enrolled, many fail to complete secondary school, with an especially high drop-out rate of boys aged 12 to 14. In Gaza the shortage of school slots is even more severe. During Operation “Cast Lead”, a total of 18 UNRWA, PA and private schools were destroyed and more than 260 were damaged.⁴¹¹ Reconstruction has proved impossible due to the ongoing siege on Gaza.⁴¹² As a result, overcrowding is a problem, with the average number of students per classes at 38, rising to 45 to 50 in some grades. In order to cope, 95% of these schools run double shifts,⁴¹³ and class times have been reduced by

one third.⁴¹⁴ It is estimated that an additional 105 governmental schools and 100 UNRWA schools are needed in Gaza.⁴¹⁵ In late 2010, UNRWA received permission to import enough building materials to construct two schools.⁴¹⁶

Another problem facing schools are settler and soldier attacks, with nearly half of all students having experienced their school besieged by troops.⁴¹⁷ Between February 2007 and December 2009, there were 16 direct and three indirect Israeli military attacks on schools, eight settler attacks on schools, four settler attacks on schoolchildren on their way to school, and five attacks from unknown sources.⁴¹⁸ In 2010, there were 34 attacks on schools, 18 at the hands of Israeli forces, four settler attacks, and two attacks from armed gunmen (in Gaza, on UNRWA summer schools).⁴¹⁹ In addition, closures and access issues often prevent children from attending their schools with regularity. In at-Tuwani, in the Hebron district, attacks by settlers from the Ma’on settlement on five-to-10 year old children walking to school were so violent and frequent that an army jeep was needed to escort the children.⁴²⁰ The army jeep does not appear regularly, however, exposing the children to further attacks.

In 2002, the Committee on the Rights of the Child expressed concern about the “serious deterioration of access to education of children in the oPt as a result of the measures imposed by the Israeli Army, including road closures, curfews and mobility restrictions, and the destruction of school infrastructure.”⁴²¹ The Committee recommended that every Palestinian child have access to education, and restrictions on mobility be lifted during school hours.⁴²² In 2010, the Committee again expressed concern about these issues and the impact of the construction of the Wall on education when it analysed Israel’s compliance with the Optional Protocol to the CRC on the involvement of children in armed conflict.⁴²³

In response to dropping school rates, the MoEHE implemented a school feeding programme in 2007 with the WFP to combat falling enrolment rates, and to improve students' concentration while in school.⁴²⁴ A year prior to that, the Adolescents Friendly Spaces Programme⁴²⁵ was developed by UNICEF as an after-school support programme for educationally vulnerable adolescents at risk of dropping out of school.⁴²⁶ An evaluation conducted by UNICEF in 2009 found improved academic performance and increased self-confidence in adolescent participants.⁴²⁷

UNICEF responded in 2008 by providing “a broad package of support including supplies and training”⁴²⁸ to the 100 lowest achieving schools and the following year distributed maths and science kits to 227,840 schoolchildren in the West Bank.⁴²⁹ In 2010, a “Learning through Enjoyment” summer programme reached 22,500 under-achieving students.⁴³⁰ Remedial classes were given throughout the year in 100 Gazan schools, reaching 21,000 students, with a 10% improvement in test results.⁴³¹ In 2008, UNRWA launched an educational recovery programme in Gaza.⁴³² UNRWA did the same one year later in the West Bank.⁴³³ MoEHE has responded by providing in-house training for teachers, who are evaluated regularly.⁴³⁴ On a community level, Save the Children Sweden Family Centres Project⁴³⁵ provides learning support for children with low school grades in 20 family centres in Gaza, which reached 12,153 children between August 2009 and June 2010.⁴³⁶ Since April 2010, ASD's Right to Education campaign has helped families claim school seats for their children in East Jerusalem, by petitioning the Israeli courts. From the campaign's inception in April to October 2010, 94 children have been successfully enrolled in East Jerusalem schools.⁴³⁷ In late 2010, ASD's legal clinic was petitioning the courts for another 20 seats for the year 2010-2011.⁴³⁸

Since 2002, rates of enrolment in Gaza and West Bank, excluding East Jerusalem, have risen. There have been significant efforts on the part of the PA and UNRWA, with the help of Save the Children Sweden and UNICEF, to improve education and respond to the declining levels of educational achievement in state exams. Children face problems in accessing schools due to closures, and in Gaza a large number of schools were destroyed and damaged in Operation “Cast Lead”, leading to severe overcrowding in classrooms.

b. Violence against Children

Children Vulnerable to Political and Military Violence

From 2002 to 2010, 1,145 children were killed and 7,223 were injured in conflict-related incidents, either at the hands of the Israeli army, settlers, Palestinian forces, or armed groups.⁴³⁹ In 2010, 11 Palestinian children were killed, and 360 were injured in the oPt.⁴⁴⁰ Settler violence rose from 25 children injured and one dead in 2005 to 40 injured and one dead in 2010.⁴⁴¹ Settlers intimidate, harass, beat, stone and shoot children walking to school, grazing sheep, or playing outside their home. The perpetrators are rarely held accountable.⁴⁴² In December 2010, OCHA reported a 70% increase in settler violence against Palestinians and their property in East Jerusalem and Area ‘C’.⁴⁴³

In 2002, the Committee on the Rights of the Child called for an end to the violence against children, effective investigations into the killings of children, and compensation and rehabilitation for children suffering human rights violations.⁴⁴⁴ In addition, the Committee expressed serious concerns about “the impact of military action on the rights of children in the oPt”⁴⁴⁵ and emphasized the need for the State Party, and other non-state actors to

“[e]stablish and strictly enforce rules of engagement for military and other personnel which fully respect the rights of children as contained in the Convention and protected under international humanitarian law.”⁴⁴⁶

In 2010, the Committee also expressed grave concern about “the serious violations suffered by children in Gaza during Operation “Cast Lead” in December 2008 and January 2009 as documented by the United Nations Fact-Finding Mission on the Gaza Conflict, endorsed by the General Assembly (A/RES/64/10) and the Human Rights Council (A/HRC/RES/S-12/1).”⁴⁴⁷ The Committee further “urged” the State party to “take prompt measures to comply with the fundamental principles of proportionality and distinction enshrined in humanitarian law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, which set out the minimum standards for the protection of civilians in armed conflict.”⁴⁴⁸ In particular, the Committee urged the State party to comply with the recommendations of the Goldstone report, especially those affecting children.⁴⁴⁹

Children Vulnerable to Violence in Their Homes, Schools, and Their Communities

Article 42 of the Palestinian Child Law prohibits all forms of violence against children, and Article 29 of the Amended Basic Law (2003) states that children have the right to “protection from harmful and cruel treatment” and “not to be subjected to beating or cruel treatment by their relatives”. However, this is not interpreted as prohibiting all forms of corporal punishment by parents, caretakers, or teachers.⁴⁵⁰ The explicit prohibition of corporal punishment in homes, schools, alternative care settings, and juvenile centres has not yet found its way into the legislation.

UNICEF estimates one-fifth of children suffer domestic violence in the oPt.⁴⁵¹ In 2006, it was reported in a PCBS study that half of the mothers surveyed admitted that their children (aged five-17 years) had been exposed to domestic violence.⁴⁵² After Operation “Cast Lead”, UNIFEM found that over half of men surveyed (51%) claimed that domestic violence against children had increased.⁴⁵³ The UNIFEM report also found that “women became nervous, verbally and physically abusing children especially during the course of the war”. Children are not just victims, but also the perpetrators of violence, according to UNICEF, which found that 51% of school children were also using physical violence against each other.⁴⁵⁴

Whether perpetrated by teachers or by school children themselves, violence against children is widespread in school. A study on violence in schools in 2004 found that 44% of teachers used physical punishment on students and 77% used verbal punishment.⁴⁵⁵ Another study on violence in public and private schools in the West Bank found that of 2,331 students surveyed (aged 14-17), 50.8% reported having been beaten by a school teacher. Only 0.6% said that teachers are never violent towards students.⁴⁵⁶ To change attitudes and practices towards corporal punishment, the MoEHE has issued directives and regulations that prohibit the use of corporal punishment within schools, and has started to organise training on alternative disciplinary measures.

The PoCD in the MoSA⁴⁵⁷ employs protection officers, who have the power to take a number of measures,⁴⁵⁸ such as removing a child from his family if his wellbeing or safety is at risk.⁴⁵⁹ Article 15 of the MoSA Child Protection Guidelines lists a number of conditions that must be fulfilled before the child can be placed in a social care institution,⁴⁶⁰ while Article 40 stipulates that only children who have lost one or both parents and have no alternative foster family⁴⁶¹ can be institutionalised. It is



only in extreme cases that children are removed from their family, and only when the child is suffering abuse and no other family members can care for him.⁴⁶² There are now 12 protection officers serving the West Bank and Gaza.⁴⁶³ However, in 2010, the PoCD was working on employing an additional four child protection officers, who will be on call 24 hours a day.⁴⁶⁴

Save the Children Sweden funds a child protection helpline that documented almost 10,000 incoming calls in 2009 related to physical abuse, sexual abuse, and violence.⁴⁶⁵ However, feedback from the children indicated that referral agencies were not helpful; in some cases they were even defunct.⁴⁶⁶

From 2006 to 2008, to fill the gap for a referral system and ensure follow-up, DCI-Palestine and UNICEF developed a CPN for the West Bank. The network implemented a functioning referral system, with comprehensive psychosocial services for children across ministries⁴⁶⁷ with national NGOs. The network is accessible to children.⁴⁶⁸ During this period, members of the network, including the PoCD, were trained on legislation, responses and best practices. From 2006 to 2008, a helpline was functional and children were taught how to use it.⁴⁶⁹ Subsequently, the CPN, including the helpline, was handed over to the government with UNICEF support. The helpline was officially launched by MoSA in late 2007 under the National Child Care and Protection Referral and Networking System Protocol,⁴⁷⁰ but then was immediately frozen until 2010, when a new Minister worked to rejuvenate it.

The referral system is now part of MoSA's National Strategic Plan in Child Protection for 2011 to 2013.⁴⁷¹ Caregivers, educational workers and police officers are to be trained on early detection in order to implement the referral system.⁴⁷² Boys⁴⁷³ who need to be removed from their home can be referred to a child protection centre

in Ramallah.⁴⁷⁴ However, the centre only has capacity for roughly 14 children, and it is always full.⁴⁷⁵ In order to increase the outreach of services, MoSA intends to expand the Child Protection Network, and a referral system is to be located in every district throughout the oPt.

In parallel, Save the Children Sweden supports community-based child protection systems. Child Protection Committees (CPCs) were set up in Qarara and Khoza'a, with the active involvement of CBOs, municipality officials, police officers, teachers, doctors, parents, and religious figures such as *mukhtars* and *imams*. The CPCs are responsible for protecting children in their communities through a referral system by which children victims of abuse, violence, neglect and exploitation can benefit from professional support. They also run community awareness-raising sessions on the risks faced by the children, underlying the responsibilities of adults to protect children. Save the Children Sweden also includes a child protection component in its Family Centres Project in Gaza, which was launched in January 2010.⁴⁷⁶ Working with community-based and partner organisations, the centres provide psychosocial support for children suffering from violence, abuse and neglect. They also lobby to strengthen the national protection system, and raise awareness within the community on issues of child abuse, neglect and violence. The centres have a confidential case-management and referral mechanism, providing victims of child rights violations access to governmental, civil society and UN services.⁴⁷⁷

Within the refugee population, the PA reports that there is "hesitancy" on the part of "many UNRWA counsellors and health workers to provide information on children that have been abused or violated for fear that the families will respond negatively to the intervention."⁴⁷⁸ To keep the work local, while strengthening their internal referral system, UNRWA is coordinating with the external MoSA

“In UNRWA in the West Bank, a 2009 comprehensive recovery education plan directly addresses the problem of violence in schools. At the beginning of each school year, codes of conduct are drawn up in cooperation with students and a zero tolerance policy on corporal punishment and peer violence is evoked.”



where there is need of protection. During 2010, the various committees worked together to define a work plan for late 2010.⁴⁸⁰

In terms of peace education, in 2002, after the first year of the *Intifada*, the Ramallah-based TCC⁴⁸¹ initiated a programme to protect children from violence. Here 26,000 children and teachers were trained to deal with the effects of violence, and principles of civic education were incorporated into schools to enable children to deal with violence in constructive and alternative ways. The TCC core programmes focus on capacity-building, and advocacy and lobbying of influential decision-makers in order to promote safe, democratic, learning environments. Since 2004, it has lobbied the MoEHE to fully incorporate courses on human rights and civic education into the curriculum.

referral system, to detect cases of children in need of protection.⁴⁷⁹ In addition, UNRWA is working to establish Family and Child Protection Committees in the camps, in a pilot project with Bir Zeit University. The committees are comprised of UNRWA staff, the Camp Service Officer, head teachers, medical officers, nurses, psychosocial counsellors, and social workers, and joined by members from CBOs such as women's centres, popular committees, youth clubs and other associations dealing with family and children. These committees handle cases in each camp

In UNRWA in the West Bank, a 2009 comprehensive recovery education plan directly addresses the problem of violence in schools. At the beginning of each school year, codes of conduct are drawn up in cooperation with students and a zero tolerance policy on corporal punishment and peer violence is evoked.⁴⁸² UNRWA also integrates human rights into the curriculum in three subjects: Social Studies, Islamic Studies and Arabic Studies.⁴⁸³ The human rights programme “promotes non-violence, healthy communication skills, conflict resolution and human rights. It also emphasises the importance of tolerance and good citizenship.”⁴⁸⁴ Also tackling the issue is the TRC, which works with the MoEHE in schools, starting in seventh grade to train students and teachers on topics of child violence and trauma.⁴⁸⁵

A number of measures have been taken to improve child protection, starting with the efforts of civil society and the PA to implement a functioning referral system for children. However, as long as the State party continues to neglect its duties to protect children from settler violence, while staging military offensives that show no regard for the principles of proportionality and distinction, children will remain trapped in a cycle of violence.

i. Sexual Exploitation and Abuse

Article 44 of the Palestinian Child Law explicitly prohibits the sexual exploitation of children, as does Article 29 of the Amended Basic Law of 2003⁴⁸⁶, which states that children should not be “exploited for any purpose whatsoever.” Nonetheless, the subject of sexual exploitation and abuse remains largely a taboo subject in the oPt.

Comprehensive information is lacking on the prevalence of sexual abuse occurring in the home, in the schools, in the penal system and alternative care settings. Furthermore, it is difficult to gauge the number of children



victims of sexual exploitation in the oPt as it remains an underground problem.⁴⁸⁷ Reports indicate that children from the ‘Seam Zone’ and Area ‘C’ are particularly vulnerable to sexual exploitation, with children from these areas crossing into Israel or settlements to work.⁴⁸⁸ It has also been reported that economic insecurity is pushing girls into prostitution.⁴⁸⁹

Although the PoCD of MoSA is mandated to deal with sexual exploitation and abuse, due to taboos surrounding the subject it is very difficult to ascertain if anything comprehensive is being done to tackle the subject; stakeholders are unwilling to discuss the issue in any depth. The MoSA has protection officers to handle such cases. Under the Palestinian Child Law, school counsellors have the duty to report abuse to child protection officers. If the case is brought to the attention of child protection officers, a solution is aimed for that keeps the child in the family, removing instead the perpetrator.⁴⁹⁰ Save the Children Sweden found that of 365 abused children who came to MoSA in 2004, 18 were sexually abused.⁴⁹¹ It is commendable that MoSA is working on this issue, despite these taboos, but protection can only be carried out with cases that reach their attention. The detection of cases of sexual abuse is made even more difficult by current legislation, under which children cannot file sexual abuse charges; only a child’s legal guardian or custodian is allowed to do so.⁴⁹²

Childhood marriages remain common in the oPt, despite the draft Penal Code that recommends imprisonment for any person who engages in the marriage of a girl under the age of 15 years without court permission. According to Save the Children Sweden, 50% of Palestinian women are married before the age of 18.⁴⁹³ In 2008, as many as 4.3% of 15-to-19 year old girls were pregnant.⁴⁹⁴ The risk of early pregnancy puts these children at risk of health complications, such as anaemia and other pre-natal

problems. There are several explanations for the phenomenon in the oPt; the explanation most frequently cited is the traditional system of values that underpins a belief that marriage will prevent women from misbehaving (the ‘culture of shame’). Another explanation is economic conditions and poverty, with many families feeling forced to marry girls off to ease a financial burden.⁴⁹⁵ In January 2011, the PA reported on a number of ministerial and *Shari’a* court interventions to reduce the amount of early marriages in the oPt.

The MoEHE conducts programming on the issues of early marriage and sexual abuse.⁴⁹⁶ Health centres, schools, and youth programmes are some of the areas where these projects target children, educating them about the risks of early marriage for the child and mother, and encouraging them to finish their secondary school education before getting married.⁴⁹⁷ The MoSA organises awareness-raising sessions, mainly through its social cash assistance programmes and work with charitable associations, to raise parental awareness on early marriage, while the Ministry of Women conducts research and information dissemination on early marriage. *Shari’a* courts have also started to engage this issue through procedures to prevent early marriage approvals by judges and courts.⁴⁹⁸

Although some legislation exists to protect children against sexual exploitation, taboos on the subject ensure that such cases will remain under the radar. While there are reports of children victims of sexual exploitation, cultural mores and the difficulty of ascertaining if the problem exists mean that no measures can be taken to protect these children. Save the Children Sweden has encountered cases of children who have been sexually abused, and these children have recourse to MoSA’s PoCD, although not the right to file legal charges. Childhood marriage is one area that is being tackled, however more work needs

to be done in this area to ensure children are fully protected from this practice.

j. Child Trafficking

Human trafficking is illegal under Israeli and Palestinian law.⁴⁹⁹ Jordanian Penal Law No. 16 (1960) applies in the West Bank, and Egyptian Penal Law No. 58 (1937) applies in Gaza. Articles 310 to 315 of the Jordanian Penal Law detail the punishments for running brothels, trafficking and forcing women into prostitution by various means. The punishments range from a fine of USD 140, to three years imprisonment, with no specifics relating to children.⁵⁰⁰ The general perception is that trafficking of children, especially sexual trafficking, does not exist in the oPt. However, a report funded by UNIFEM found that “trafficking and prostitution in the oPt thrives mostly in urban areas, mainly in two major cities, Ramallah and Jerusalem.”⁵⁰¹ Although the report focussed on trafficking of adult women, cases of children being trafficked were also found, but not documented.⁵⁰² In some cases, girls as young as 12 and 14 were found to have been trafficked.⁵⁰³ Trafficking occurs across the Green Line,⁵⁰⁴ from Gaza and the West Bank into Israel and East Jerusalem, from Israel into the West Bank and within the West Bank.⁵⁰⁵

In addition, children who drop out of school, refugees, children from dysfunctional families, children in alternative care institutions, and ex-child prisoners are all are vulnerable to trafficking.⁵⁰⁶ Particularly vulnerable are children from the ‘Seam Zone’ and Area ‘C’ who often cross into Israel or settlements to work.⁵⁰⁷

The Israeli *Knesset* or Parliament has a special committee to combat human trafficking, focusing on arrivals to Ben Gurion airport from Sinai. However, it does not focus on or investigate trafficking from the oPt of either adults or children.⁵⁰⁸ Children found in Israel are often dealt with

as a security issue and transported to the border, or in some cases the police will call Bet El, the Israeli military headquarters in the West Bank.⁵⁰⁹ There a department for health and social affairs will handle the case.⁵¹⁰

The issue of child trafficking is even more overlooked than that of sexual abuse, the perception being that it does not exist in the oPt. Coordination is needed with Israel to adequately deal with the issue and, as this is not a security issue, there currently exists no mechanism for this coordination to take place.

k. Children Associated with Armed Groups and Forces

Children in the oPt can be involved in the conflict in a number of ways, either through association with armed Palestinian groups, as collaborators with Israel, or as human shields. The PA condemns the recruitment of children below the age of 18 and will not accept anyone below that age into its forces. Israel allows recruitment of Israeli children at the age of 17.⁵¹¹

According to the Coalition to Stop the Use of Child Soldiers, “while there are reports of children participating in hostilities, there is no evidence of systematic recruitment by armed groups [in the oPt.]”⁵¹² Al-Aqsa Brigades, the Popular Front for the Liberation of Palestine (PFLP), and Hamas all claim their minimum age of recruitment for military activities is 18. This is not true of Islamic Jihad, which considers that a person reaches adulthood at age 16.⁵¹³ Hamas has officially, and informally through religious leaders, called on Palestinian children not to take part in suicide attacks.⁵¹⁴

Between October 2001 and September 2003, there were 22 documented cases of children killed while committing armed attacks.⁵¹⁵ The PFLP claimed a child suicide bombing in late 2004,⁵¹⁶ and Islamic Jihad claimed responsibility



for an attack on an Israeli settlement in 2005, in which a participating child was killed.⁵¹⁷ From 2005 to 2008, there were five recorded cases of children killed while participating in hostilities.⁵¹⁸ In 2010, there were no such cases.⁵¹⁹ Since 2004, there have been no recorded cases of children used as suicide bombers.⁵²⁰ During Operation “Cast Lead”, there were 15 confirmed cases of Palestinian children killed while bearing arms and acting as combatants during the hostilities.⁵²¹ Again, the actual number of cases is believed to be higher, as there were other unconfirmed reports of children being trained and/or used by Palestinian militant groups in Gaza. Community members are, however, reluctant to provide information on this practice.⁵²² While Hamas and Fatah continued to openly condemn the recruitment of child soldiers, a 2008 report claimed that both parties regularly run television shows for children in which martyrdom is glorified. There have also been reports that ideological training, and possibly recruitment of children took place in summer camps run by Hamas and Fatah in Gaza in 2007, and that unidentified groups attempted to recruit children outside schools in Gaza.⁵²³

Children are also recruited by Israel to work as collaborators while under interrogation in Israeli interrogation and detention centres. DCI-Palestine estimates that one out of every four collaborators may be a child. In 2004, DCI-Palestine reported that in 40 documented cases of child prisoners, 25 were pressured to become informers under interrogation. The tactics included 24 cases of children being beaten, six threats of long sentences, four threats of demolition of the family home, two threats of arrest of family members, and one case of sexual exhortation.⁵²⁴ Four children admitted agreeing to collaborate.⁵²⁵ The actual figure is suspected to be much higher, but as testifying puts the lives of the children at risk, information is not actively sought on this practice.⁵²⁶

In a 2005 ruling by the Israeli High Court of Justice, the use of human shields was found to be illegal. Since this ruling, as of December 2010, DCI-Palestine documented 15 cases of children used as human shields by the Israeli army.⁵²⁷ According to the Special Representative of the Secretary General for Children and Armed Conflict, there were seven confirmed cases of Palestinian children used as human shields in three separate incidents during Operation “Cast Lead”.⁵²⁸

In 2002, the Committee on the Rights of the Child strongly urged the State party and all relevant non-State actors “to take immediate and all necessary measures to ensure that children are not recruited and do not participate in the conflict”.⁵²⁹ The Committee also expressed its concern over the use of children in armed conflict, calling for the State party and non-state actors to “[R]efrain from using and/or targeting children in the armed conflict and comply fully with article 38 of the Convention, and as much as possible with the Optional Protocol on the involvement of children in armed conflict.”⁵³⁰ In its examination of the State party’s report on the Optional Protocol on the involvement of children in armed conflict, in January 2010, the Committee on the Rights of the Child commented that although it was aware of investigations into the use of human shields by the State party, it regretted that there was no information on the outcome. The Committee reminded Israel to abide by the ruling of *Adalah et al. v. Commander of the Central Region et al.* (HCJ 3799/02, Judgement of 23 June 2005) and urged Israel to furnish information about the results of its investigations and results. Since these comments, there have been a further three cases of children used as human shields in the oPt.⁵³¹

In 2002, all Palestinian factions condemned the recruitment of children as soldiers in their verbal “Code of Conduct”.⁵³² Any recruitment since then has been ascribed to



Two Palestinian girls paint at a child-friendly space in the West Bank. *Courtesy of Save the Children Sweden*

“mistakes by individuals.”⁵³³ The Palestinian Child Law states in Article 46 (1): “Children shall not be used in military actions or armed conflicts. The state shall take all the appropriate measures to guarantee the above.”⁵³⁴ Article 46 continues: “The state shall take all appropriate measures for the physical and mental rehabilitation and social reintegration of child victims of armed conflicts and from the difficult cases set forth in article (44) herein above.”⁵³⁵ To fill the gap in the legislation for accountability, in 2004 the Palestinian Child Rights Coalition successfully lobbied for the inclusion of an article⁵³⁶ in a draft amendment to the Penal Code forbidding the recruitment of children in armed conflicts. In 2007, the Palestinian Child Planning Unit (CPU) at the MoP reported to the Coalition to Stop the Use of Child Soldiers that, although there was a legal framework to prohibit the recruitment of child soldiers, there is no enforcement or monitoring of these laws.⁵³⁷

In terms of disarmament, demobilisation and reintegration, the Coalition to Stop the Use of Child Soldiers reported that in 2007, UNICEF had 14 teams who visited homes, and undertook counselling, training and playground activities.⁵³⁸ Save the Children US, the GC-

MHP and DCI-Palestine ran psychosocial programmes in Gaza.⁵³⁹ The PA reported that it does not have any psychological support or rehabilitative programmes for children who were involved in armed hostilities.⁵⁴⁰ The MoYS monitors summer camp activities to ensure there is no military training or activities that mimic military activities. Since 2007, Hamas has taken over the MoYS in Gaza and there have been unconfirmed reports that activities in the summer camps “imitate the carrying of weapons in defence of the country.”⁵⁴¹

Significant efforts have been made to stop the association of children with armed groups, and the drop in the numbers of children injured or killed in such activities is testament to the effectiveness of this work. However, no debriefing and reintegration programme currently exists for children who have been recruited as informers. The danger that exists within society for children who have been recruited by Israel as informers, and the parallel but contradictory acclaim that persists for children ‘fighting the occupation’, means that efforts need to be invested in changing attitudes within society, in order to mobilise at the community level to work against child recruitment.

l. Landmines and Small Arms

Landmines and other UXOs are an on-going threat to children in the oPt.⁵⁴² From 2002 to 2008, there were 34 children killed and 120 injured by mines.⁵⁴³ In 2009, there were 46 child and adult casualties, 43% of which were children.⁵⁴⁴ This number dropped in 2010 to 11 child casualties.⁵⁴⁵ The Palestinian MoI speculated that there have only been six or seven casualties from UXOs during the last six years, and gave a rough estimate that only a few of these were children.⁵⁴⁶ It is estimated that there are 15 minefields in the West Bank⁵⁴⁷ and 1,642 sites in Gaza totalling 882.57 sq. km in Gaza as of April 2010.⁵⁴⁸ Throughout the oPt, after the *Intifada* and Opera-

tion “Cast Lead” the number of UXOs increased, “encompassing minefields, military training zones, and areas of confrontation, where many explosive devices are left behind.”⁵⁴⁹ During Operation “Cast Lead”, Israel, Hamas, and armed Palestinian groups are all believed to have left behind Improvised Explosive Devices (IEDs), predominantly in urban areas.⁵⁵⁰

In 2010, the Committee on the Rights of the Child commented on Israel’s compliance with the Optional Protocol on the involvement of children in armed conflict. The Committee expressed concern to Israel about the threat to the lives of children from anti-personnel mines placed in parts of the oPt and urged Israel to clear all anti-personnel mines,⁵⁵¹ and support programmes for children who have been victims of anti-personnel mines.⁵⁵² The Israeli army works to clear mines in the West Bank on a limited basis, in coordination with Palestinian police Explosive Ordinance Disposal teams.

Throughout the oPt, from 1999 to 2008, mine risk education training sessions were given in schools.⁵⁵³ However, within the PA, there is still no formal mandate for the coordination of risk education and victim assistance.⁵⁵⁴ In Gaza, the PCCR provides counselling and support for child victims of mines, as well as adults, whereas Handicap International supports their physical needs. The Artificial Limb and Polio Centre and the International Trust Fund for Mine Victims also provide support to children in Gaza.⁵⁵⁵ In 2009, after Operation “Cast Lead”, UNICEF took on a de-facto mandate and provided mine-risk education to 20,000 children.⁵⁵⁶ Save the Children Sweden runs mine risk education sessions in its Family Centres Project in Gaza.⁵⁵⁷ Between August 2009 and June 2010, 7,486 children and 5,213 caregivers were educated on the risks from UXO and IED and on safe behaviours in mine-contaminated areas.⁵⁵⁸ In 2008-2009, the PRCS also implemented a mine awareness campaign in the West

Bank and Gaza, targeting 100,000 children in partnership with UNICEF and the PA.⁵⁵⁹ Mine clearance operations were being phased out of Gaza in early 2011, with only a small residual capacity remaining.⁵⁶⁰

Although there numerous programmes carry out mine risk education, clear mines and rehabilitate victims of mines, casualties still occur. While Israel works to clear mines in coordination with the PA, the lack of PA engagement with armed Palestinian forces who store or plant devices in the oPt ensures children continue to be injured and killed.

m. Internally Displaced Children and Refugees

Refugees

The UNRWA definition of a refugee is “any person, or their descendants through the male line, who lived in Mandate Palestine between June 1946 and May 1948 and lost both their home and their livelihood as a result of the Arab/Israeli war.”⁵⁶¹ According to Badil Resource Centre for Palestinian Residency and Refugee Rights in 2009, the Palestinian refugee population is young; in Gaza, 46.4% of refugees are less than 18 years old and 13.7% are under age four.⁵⁶² Badil defines a refugee more broadly as “those who became refugees following the first Arab-Israeli war in 1948 and the second Arab-Israeli war in 1967, as well as those who are neither 1948 nor 1967 refugees, but outside the area of former Palestine and unable or unwilling to return owing to a well-founded fear of persecution.”⁵⁶³

As of 1 January 2010, there were 1,885,188 refugees registered with UNRWA in the oPt.⁵⁶⁴ However, not all Palestinian refugees are registered with UNRWA, as their definition of a refugee is limiting.⁵⁶⁵ Those displaced after 1948 cannot register with UNRWA and are therefore denied UNRWA assistance, although child descendants of

registered refugees receive this status.⁵⁶⁶ In the West Bank, 40% of registered UNRWA refugees are children.

In UNRWA refugee camps, children are daily confronted with an atmosphere of violence, high rates of poverty, unemployment, and frequent Israeli military invasions with violence at home and at school.⁵⁶⁷ UNICEF reports that the psychosocial problems children face as a result of the conflict⁵⁶⁸ are intensified in the camps, due to the vulnerability of these areas to military incursions and actions.⁵⁶⁹ A 2003 study found that 44% of refugees required psychosocial support compared with 20% of the whole Palestinian population.⁵⁷⁰ In addition, the poor sewage and water infrastructure in camps mean children face a multitude of health risks. This is compounded by poor quality and cramped living conditions.⁵⁷¹

Nutrition related figures for 2008 show food security remains a problem for the refugee population. In 2008, 44% of refugees in the oPt were facing greater food insecurity compared to non-refugees (33%).⁵⁷² Refugees living in camps were found to have the highest food insecurity rate (50%).

UNRWA's long-running Social Safety Net Programme delivers cash and food subsidies to the most vulnerable refugee population, provides short term employment opportunities and delivers school snacks to children in need.⁵⁷³ In 2011, UNRWA initiated a food assistance and back-to-school programme, reaching 200,000 child refugees.⁵⁷⁴ The Health Department launched a school health screening programme in 2011 to identify children at risk, linking health to academic performance.⁵⁷⁵ Since 2003 in the West Bank, five mobile health teams⁵⁷⁶ have been providing health services to around 13,000 patients per month in over 150 isolated locations.⁵⁷⁷ In response to the need for psychological support and counselling, UNRWA Departments of Education, Relief and Social Services

and Health are working together to implement a Community Mental Health Programme.⁵⁷⁸

Displaced Persons

According to Badil, there were half a million Palestinians at risk of displacement in the oPt in 2009.⁵⁷⁹ Palestinian children face displacement mainly as a result of the Israeli policies of house demolitions, forced evictions, denial of building permits, land confiscation, settlement building and the construction of the Wall.⁵⁸⁰ In 2003, the UN Special Rapporteur on the situation of human rights in the oPt warned of the threat of displacement posed by the Wall for large numbers of Palestinians.⁵⁸¹ These factors, coupled with a high number of military operations, have resulted in the displacement of approximately 120,000 Palestinians over the last 40 years.⁵⁸² Many of those affected were displaced for a second or third time.⁵⁸³ During Operation “Cast Lead”, approximately 38% of Gazans, over half a million people including 28,560 children,⁵⁸⁴ fled their homes at some point of the conflict.⁵⁸⁵

The Internal Displacement Monitoring Centre and Norwegian Refugee Council consider an internally displaced person (IDP) to be those displaced from their homes within the West Bank and Gaza and currently living in these areas.⁵⁸⁶ Badil estimates that from 1967 to 2009, 128,708 Palestinians have been made IDPs in the oPt.⁵⁸⁷

While refugees receive limited aid, mainly in form of emergency assistance from UNRWA, no international agency has been mandated for IDPs.⁵⁸⁸ Although IDPs may receive limited temporary assistance in the oPt, there is a lack of a coordinated response, with an emphasis on food aid, while medical aid for chronic illness or disability is lacking.⁵⁸⁹ At PA level, “the government is focussing its efforts on peaceful resistance and negotiations” as a long term solution to the factors that lead to forced



displacement.⁵⁹⁰ In 2008, OCHA adopted an inter-agency Displacement Working Group (DWG) to improve the international protection provided to IDPs, by preventing displacement and protecting those that have been displaced.⁵⁹¹ However, the DWG's work is limited to improving advocacy through documenting and monitoring displacements.⁵⁹² The PA intends to set up a database in order to furnish institutions such as the ICJ, as well as the Israeli justice system and the international community, with accurately documented information.

One can hope that this strategy will immediately be put in place and implemented effectively. However, without the cooperation of the State party, which continues to demolish houses and prohibit the reconstruction of those already destroyed, such responses will be severely limited in their reach. In such a case, Palestinian IDP children will find it difficult to escape the cycle of displacement and the life sentence of refugee status. While refugees' needs are being provided for under UNRWA, their temporary situation has become permanent, and there is no longer a perceived urgency to find durable solutions for this group.

n. Orphaned, Separated and Unaccompanied Children

Over the last five years, an average of 1,450 children annually were living in institutions and shelters across the oPt.⁵⁹³ Currently, there are between 23⁵⁹⁴ and 26⁵⁹⁵ institutions in the West Bank, East Jerusalem and Gaza that take in children. However, there is no institution or charity that is dedicated solely for orphaned children.⁵⁹⁶ MoSA reports that there were 2,800 children in orphanages in the oPt in 2010. According to their West Bank database, there were 9,016 orphaned children in 2009. Of these, 144 had lost both parents.⁵⁹⁷ SOS Children's Village reported in August 2010 that they had 2,400 children under their care across the oPt. The PA reports that in approximately 40% of all cases, children are institutionalised due to poverty.⁵⁹⁸

Article 31 of the Palestinian Child Law provides that orphaned children, and those whose parents are missing or have no provider, should receive social assistance. Those children who are being raised outside of their natural family environment shall be provided with an alternative—either a guardian family or welfare institution—according to Article 32. Article 48 of the same law details conditions for the foster care of children. Muslim children cannot be adopted, but may be fostered by *kefulah* procedures, where the child does not take the father or grandfather's name but otherwise has a relationship with the family similar to adoption.⁵⁹⁹

The MoSA reports that there are only two to three cases of children born out of wedlock who are abandoned each year.⁶⁰⁰ However, other sources cite greater numbers, from eight⁶⁰¹ to 12⁶⁰² a year. These children are mostly found in hospitals, who call the police, who then alert the MoSA. From 2003 to November 2010, there were 29 children found in this way.⁶⁰³ There are three protection facilities for these children in the West Bank—in Nablus, in Tulkar-em, and in Bethlehem. In Gaza, there is only one orphanage that will accept children born out of wedlock; prior to 2007, it was receiving on average 11-12 infants annually.⁶⁰⁴ Since 2007, the MoSA in Ramallah has not had contact with this orphanage and suspects that it has closed.⁶⁰⁵

MoSA's PoCD runs the system of "Alternative Family Care" for orphaned children, children of unknown parents and children born out of wedlock. Only children who have lost one or both parents and have no alternative, extended or willing foster family⁶⁰⁶ can be institutionalised. MoSA recommends that children living in institutions be integrated as much as possible into society, that they attend public schools and receive health services in public health clinics.⁶⁰⁷ When families are chosen to take care of children, many factors are taken into consideration, such as the psychosocial status of the family, income

“It is commendable that CSOs run prevention and support programmes for orphaned, separated and unaccompanied children. However, funding is limited and there are not enough protection officers or sufficient child friendly care facilities to cater to these children.”



for 4,176 children throughout the oPt. However, child protection officers are not properly trained in following up on cases of abuse, neglect, harm, and exploitation of children living in institutions. Children report physical punishment, and a lack of access to recreation, information and the outside world. There are even reports of attempted suicides in these institutions.⁶⁰⁹

A number of measures are available for reintegrating a separated child with his family; these children have the right to maintain relationships with their parents. In 2011, MoSA introduced a new policy to ensure that all orphanages reintegrate children into their family/extended family or arrange alternative family care, rather than keeping them in orphanages.⁶¹⁰ The PA reported in January 2011 that in the last five years there have been no cases in which children separated from parents were

and age (men from 18 to 50 years old and women from 18 to 40, for example). The application has to be approved by MoSA and each district has a child protection officer to follow and monitor the situation of the child for the first five years. Initially, visits are made weekly, then twice a month, then once a year.

In East Jerusalem, the Israeli MoSA is in charge of these cases and they are not brought before the PA.⁶⁰⁸

From 2006 to 2009, the PA MoSA coordinated the process of adoption/*kefaleh*

not reunited.⁶¹¹ SOS Children’s Village Bethlehem also runs a “Prevention of Child Abandonment Programme”, ensuring children have access to proper nutrition, care and living conditions by working with identified families at risk, thereby decreasing the risk of abandonment of the child by his/her family. Currently, the programme offers support to 50 at risk families in Bethlehem. In the context of protecting children living in violence-prone areas, psychosocial medical centres for children have been set up in Hebron, Nablus, Jericho, and Jenin.⁶¹² Over 8,500 children, especially those suffering extreme fear, anxiety, and psychological tension due to the political situation, have received therapy and assistance.

It is commendable that CSOs run prevention and support programmes for orphaned, separated and unaccompanied children. These children are provided for in law and the Government has put in place a referral system within the CPN to ensure these rights are upheld. However, funding is limited and there are not enough protection officers or sufficient child friendly care facilities to cater to these children. Nonetheless, the MoSA is working to recruit additional child protection officers and to open new centres, which will go some of the way to addressing these needs.

a. Birth Registration

Articles 15 to 18 of the Palestinian Child Law stipulate that each child should be registered “immediately” after birth. This is in discrepancy with the Palestinian Civil Status Law which requires registration to take place “within ten days” of the birth of a child. Birth registration requires the presence of a ‘birth report’ (provided to mothers by hospitals or clinics immediately after delivery), a copy of the marriage certificate, and the parents’ identity card. Birth registration is free of charge. A penalty is paid for late registration. There are reports that parents in remote areas of the country and poorer families who may



have difficulty paying for transportation to Civil Registration Offices, located in all the major towns, may be less likely to file birth registration forms.⁶¹³

Significant advances have been made in birth registration procedures to protect children born out of wedlock. The Palestinian Child Law 2004 entitles them to the same registration papers as other children and a family name if they have been found abandoned. This law also grants them the right to social assistance, as well as the right to be placed with a foster family or social welfare institution.⁶¹⁴ In addition, Article 17 of the Palestinian Civil Status Law, passed in 1999, allows the mother to register the child without the presence of the father.⁶¹⁵ For those children who have been abandoned, the MoSA arranges for them to be registered with the MoI.⁶¹⁶

p. Children Living and/or Working in the Streets

The majority of children found in the street in Palestine are working, not living there, found a study by DCI-Palestine.⁶¹⁷ In a sample of 120 children found in the street, only four do not sleep at the houses of their families or any of their relatives.⁶¹⁸ Of these, one child was sleeping in a deserted place, one at school, and two others in public places. Few of these children receive support from child-care institutions.

Article 29 of the Palestinian Child Law states that every child has the right to have his basic needs fulfilled, and while it is the responsibility of the parents to provide these, the state must take all measures to ensure these rights are fulfilled. Article 44 states that children should not habitually leave their home without their parents' knowledge. The Advisor for the Protection of Childhood, established under Article 52, has a duty to intervene when the child finds himself in vulnerable situations. Article 53 places responsibility for reporting violations of these

rights on the Advisor for the Protection of Childhood, whereas Article 54 ensures that children be facilitated in reporting such violations whenever necessary. The Jordanian Penal Code of 1960 criminalises some acts that lead to children living in the street, such as lack of care and exploitation, for example, or forcing children to beg. In these cases, the parent, custodian or guardian shall be liable to a sentence of between one month and one year.⁶¹⁹

As it is not considered to be an endemic problem in Palestinian society, there is not much data on children who find themselves in this situation. Children who are seen in the streets are usually working, rather than living there, and have some form of shelter provided for them, albeit perhaps not a particularly nurturing one.

q. Child Labour

The Palestinian Child Law, Article 14, states that children under the age of 15 should not be employed, as does Article 93 of Labour Law No. 7 of 2000. According to the latter law, children between the ages of 15 and 18 can work under certain conditions.⁶²⁰ Article 99 of the Palestinian Labour Law permits children, from the age of 16, to work for relatives under the proper health and safety conditions.

Save the Children UK reported in 2007 that the recorded levels of child labour in the oPt rose from 3.1% in 2004 to 4.2% in 2006. The highest increase was for female child labour, which rose from 0.7% to 3.1%.⁶²¹ In 2009, there were 3.7% of children aged 10-17 involved in child labour⁶²²; by the last quarter of 2010, however, this had slightly decreased to 3.3%.⁶²³ A significantly higher proportion of children work in the West Bank than in Gaza—5.1% and 0.4% respectively. In total, an estimated 32,000 children aged 10 to 17 years old work either as unpaid family labour, as waged workers or are self-employed.

As many as 98% of girls work as unpaid family labour.⁶²⁴ Data on working children under 10 years of age is currently unavailable. Reports indicate that 10% of child labourers are working in dangerous conditions, such as children collecting gravel for building materials in or near the 'Buffer Zone' in Gaza or in the tunnels.⁶²⁵ While local authorities have prohibited the employment of children in the tunnel economy, the lack of adequate enforcement mechanisms prevent the eradication of this practice.⁶²⁶

WHERE CHILDREN ARE WORKING ⁶²⁷	PERCENT-AGE
Working for families as unpaid labourers	67.3%
Working outside the home and are paid	27.6%
Self-employed	5.1%
Working in agriculture	47.3%
In commerce, restaurants, hotels, shops	27.3%

The table above gives an indication of how children are employed across the oPt. Working children face a range of difficulties, including physical, psychological and sexual abuse and work long hours for low wages.⁶²⁸ Children's wages decreased from USD 14 for a 43-hour working week in 2008 to USD 12 for an average working week of 44.6 hours in 2009.⁶²⁹

Child labour is closely linked to poverty, with children sent out to work as a coping mechanism across the oPt. Currently, 71% of children in the labour market work out of economic necessity.⁶³⁰ In Gaza, poor households have

reacted by pulling male children out of school in order to work,⁶³¹ as have families in the West Bank (particularly those who have suffered house demolitions).⁶³² In addition, it was reported in 2005 that 7.7% of mothers in Gaza permit or encourage their children to work, in comparison to 11.3% in the West Bank, and 5.8% in refugee camps.⁶³³

The PA was working with UNICEF in January 2011 to set up a monitoring system on child labour.⁶³⁴ The Ministry of Labour (MoL) has five juvenile labour officers responsible for monitoring child labourers, but their resources have been stretched. In addition, while the MoL has the responsibility to monitor child labour within the oPt, it does not have access to East Jerusalem and Area 'C' of the West Bank, where children are frequently found crossing into Israel to seek labour or work in settlements, and where the phenomenon of child labour is most likely to occur due to high poverty rates. The MoL tackles the issue of child labour from various perspectives through legislation, education, and monitoring. In 2011, it worked to ensure the draft Penal Code contained suitable penalties for anyone exploiting children under the legal age. In addition, it undertook vocational rehabilitation for school drop-outs and raised community awareness to prevent children leaving school early for the labour force. The MoSA provides social assistance and runs 13 vocational centres for early school leavers, training 400 students annually across the oPt. However, the centres are reported to be badly run, with overcrowding and outdated training programmes.⁶³⁵

The high number of children involved in labour in the oPt is a symptom of the poverty levels throughout the country. Although a high value is put on education, economic needs demand that children are sent out to work.



r. *Juvenile Justice*

Israel applies military law in its dealing with Palestinians in the West Bank, while Israelis, living in settlements in the same area, are bound by the Israeli civilian justice system. One particular way this discriminates against Palestinians is in the age of majority. In the military system, a child becomes an adult at 16. In the Israeli civil system, the age of majority is 18.

Around 700 Palestinian children are detained by the Israeli military each year, with 6,500 detained since 2000. Detainees routinely report ill-treatment and abuse. In a study of 100 sworn affidavits taken from children in detention, 69% of the children reported being beaten and kicked, 49% reported being threatened, 14% were held in solitary confinement, 12% were threatened with sexual assault (including rape), and 32% were forced to sign confessions written in Hebrew, a language they did not understand. In addition, 58% of the children were being detained inside Israel, in contravention of Article 76 of the Fourth Geneva Convention, significantly limiting family visits.⁶³⁶ Their status as security prisoners means children cannot use the phone, further denying them any form of family contact. Few receive adequate health or education services. Throwing stones is the most common offence that children are detained for. From October 2009 to October 2010, Israeli police opened 1,267 criminal files against children for the charge of throwing stones in East Jerusalem.⁶³⁷

According to the Special Representative of the Secretary General for Children and Armed Conflict, there was a sharp increase during Operation “Cast Lead” in the arrest and detention of Palestinian children. The Secretary Representative reported that “while in detention the children are subject to ill-treatment and torture.”⁶³⁸ From 2009 to 2010, there were 177 cases of ill-treatment and torture of Palestinian children while in detention.⁶³⁹ In 2010, there

were 14 cases of sexual violence against children while in Israeli detention. A study conducted by Save the Children Sweden and the EJ-YMCA on the impact of detention shows that Palestinian ex-detainee children released from Israeli prisons tend to suffer from depression, isolation, and difficulty reintegrating into their school and work environment. The study also shows that the younger the child is the more likely he/she is to suffer from severe psychosocial symptoms.⁶⁴⁰

The Committee on the Rights of the Child raised the issue of the use of techniques that constitute ill-treatment while in detention and, in 2002, expressed serious concern over specific allegations and complaints. “The Committee is seriously concerned at allegations and complaints of inhuman or degrading practices and of torture and ill-treatment of Palestinian children by police officers during arrest and interrogation and in places of detention (i.e. Ma’ale Adummim, Adorayim, Beit El, Huwarra, Kedumin, Salem and Gush Etzion police station and prisons such as Terza, Ramleh, Megiddo and Telmond).”⁶⁴¹ In relation to these, the Committee recommended that the military be instructed on the provisions within the Convention prohibiting such treatment and that all cases be investigated, with the perpetrators brought to justice and compensation and rehabilitation provided for the victims.⁶⁴² In addition to this, following the principles of the best interest of the child, the Committee recommended that deprivation of liberty only be used as a measure of last resort, and for the shortest time possible, that children are not detained with adults, and that children have access to legal representation.⁶⁴³

In October 2009 a juvenile military court was established in the West Bank.⁶⁴⁴ However, no substantive changes have been noted by lawyers and children are still tried with adults in the military court. In 2010, the Committee again noted the State party’s failure to comply with its previous

recommendations and stated that “provisions in military orders (specifically Nos. 378 and 1591) violate international standards”⁶⁴⁵. Again, the Committee urged the State party to rescind these orders, not subject children to administrative detention, nor to trials in military courts, guarantee due process within juvenile justice standards and regulate the definition of terrorist crimes within international standards.⁶⁴⁶ In addition, the Committee insisted that detention conditions be suitable for children, that parents be informed and contact allowed, and that free and independent legal representation be guaranteed, with a periodic review of their detention and with access to educational programmes while detained, including measures for social reintegration. Furthermore, training

of all relevant professionals in the CRC and international standards should be completed.⁶⁴⁷

The Committee has also repeatedly expressed concern about the differential application of law concerning the age of majority where a Palestinian child can be tried as an adult from the age of 16, whereas an Israeli child attains majority at the age of 18.⁶⁴⁸

Under Article 3 of the Palestinian Prisoners and Ex-Prisoners Law No. 19 of 2004, child ex-detainees are to be provided with psychosocial services in order to facilitate their rehabilitation and reintegration within society.⁶⁴⁹ The MoDeD supplies legal aid, food, clothing, books and

EVENT	ISRAELI DOMESTIC LAW	ISRAELI SECURITY LEGISLATION	MILITARY ORDERS
Age of majority	18 ⁶⁴⁹	-	16 ⁶⁵⁰
Legal right of parent to be present during interrogation of child	Yes ⁶⁵¹	-	No
Legal right of lawyer to be present during interrogation of child	No	No	No
Audio video recording of interrogations	Yes ⁶⁵²	No ⁶⁵³	No
Maximum period of detention before being brought before a judge	48 hours ⁶⁵⁴	4 days ⁶⁵⁵	8 days ⁶⁵⁶
Maximum period of detention without access to a lawyer	48 hours ⁶⁵⁷	21 days ⁶⁵⁸	90 days ⁶⁵⁹
Maximum period of detention without charge	40 days ⁶⁶⁰	75 days ⁶⁶¹	188 days ⁶⁶²
Maximum period of detention between being charged and brought to trial	6 months ⁶⁶³	-	2 years ⁶⁶⁴
Minimum age for custodial sentences	14 years ⁶⁶⁵	-	12 years ⁶⁶⁶
Administrative detention	-	3 months ⁶⁶⁷	6 months ⁶⁶⁸



personal items for children in prison in Israel.⁶⁷⁰ While the MoDED considers rehabilitation of child-ex detainees as one of its priorities, it is unable to provide comprehensive rehabilitation services due to limited financial and human resources.⁶⁷¹

DCI-Palestine provides legal representation for Palestinian children in Israeli prisons and conducts monthly visits of children detained there. In 2009, DCI-Palestine represented 277 cases for children before Israeli military courts.

Save the Children Sweden is implementing a “Post-trauma Rehabilitation of Palestinian Ex-detainee Children” programme in partnership with the EJ-YMCA in Beit Sahour,⁶⁷² providing educational and vocational services and psychosocial support including individual and group counselling sessions to ex-detainee children and their families.⁶⁷³

The absence of systematic, Government-run support for children when they are released is a wasted opportunity to catch children who have suffered ill treatment, threats and torture, and lend assistance to those who have been recruited as informers by Israel.⁶⁷⁴ Israel, however, should apply the same legal standards to Palestinian children as it does to Israeli children regarding juvenile justice standards.

The Palestinian System

There are 200 to 300 Palestinian children detained each year in the Palestinian system,⁶⁷⁵ with 1,960 in conflict with the law in 2009.⁶⁷⁶ In the majority of cases, they are school-going children charged with theft or destruction of property, with 3.5% charged with murder or sexual assault.⁶⁷⁷ There is no official database in the system detailing how many children have been detained since 2002,⁶⁷⁸ but police reports indicate that the number is rising.⁶⁷⁹

The central laws relating to juvenile justice in operation in the West Bank are the Jordanian Juvenile Justice Reform Act of 1954,⁶⁸⁰ the Regulations on Assistance to Juveniles of 1959, and the Jordanian Penal Code of 1960. In Gaza, the central laws relating to juvenile justice are the following: Regulations of Prisons and Reformatory Schools of 1932; Penal Code of 1936; Juvenile Offenders Ordinance of 1937; Juvenile Offenders Ordinance of 1938; Rules of Trails of Juvenile Offenders of 1938 and 1941; Ordinance of Supervising the Conduct of Offenders of 1944, and Regulations on Supervising the Conduct of Offenders 1944. Common to both jurisdictions are the following: the Amended Palestinian Basic Law of 2003; Palestinian Child Law of 2004; and Penal Procedure Law of 2001. In addition, there is a draft Palestinian Juvenile Justice Law pending signature by the President.

Article 69 of the Palestinian Child Law stipulates that children charged with an offence should be treated according to their age, with honour and dignity, in a manner that facilitates their reintegration into society. To this end, the law continues, legislation should be enacted in order to educate and reintegrate the offender rather than resorting to detention. Children have the right to legal representation but it is not necessary that his/her legal representative be present during interrogation.⁶⁸¹ A child can be detained for up to 48 hours without charge. However, this can be extended for a further six months and often is.⁶⁸²

A child cannot be detained below the age of nine, which is the age of criminal responsibility.⁶⁸³ Between the ages of 12 and 15, if the child commits a crime normally punishable by death and hard labour, the child’s sentence will be at least three years in prison. There is no death penalty for children. From ages 15 to 18, the sentence will be reduced from death to at least five years in detention.⁶⁸⁴ The child has the right to appeal to the Appeals Court, but in practice rarely does.⁶⁸⁵ The ICHR conducts visits to

prisons and indicates that, while children are kept separate from adults, the conditions in which they are kept are not conducive to the health of those children.⁶⁸⁶ Despite the stipulation in the Palestinian Child Law that detention should be avoided, and priority be given to preventative and educational measures,⁶⁸⁷ there are few alternatives available to a judge. Currently, there are three juvenile rehabilitation centres in the oPt. However, these are underfunded and understaffed with poor educational facilities. The girls' centre functions as a centre for girls in conflict with the law and as shelter for abused girls.⁶⁸⁸

The Draft Juvenile Justice Law has been under development since 1999 and is pending signature by the President.⁶⁸⁹ The draft law sets the minimum age of criminal responsibility at 12, addresses preventive measures and programmes, and creates a domestic juvenile court.⁶⁹⁰ It aims to reduce the time a child spends in custody pre-trial, and stipulates that the child be immediately taken to court, or released to a custodian under certain conditions.⁶⁹¹ The draft Juvenile Justice Law also offers more options to children in conflict with the law, such as referral to a vocational centre, probation, housing in a child care centre, counselling, foster care, or educational training programmes.⁶⁹²

Research on juvenile justice by DCI-Palestine shows a very low awareness among judges, lawyers, prosecutors and police of the needs and legal rights of juveniles.⁶⁹³ Recognising that the current juvenile justice system does not operate with the best interests of the child in mind,⁶⁹⁴ the PA has set up a Juvenile Justice Programme, led by MoSA, with the support of the European Union and European Police Coordinating Office for Palestinian Police Support (EUPOL COPPS).⁶⁹⁵

A National Committee for Juvenile Justice has been set up, and has contributed to MoSA's National Strategic Plan

2008-2011 and 2011-2013. This plan includes educational programmes for children in detention and prioritises the establishment of two juvenile centres in the north and south of the West Bank that will include technology for learning and vocational programmes to train children in detention.⁶⁹⁶ In response to lobbying efforts by DCI-Palestine, plans for the establishment of four juvenile police officers per governorate who have been trained to deal with children, have been included.

Should the work of the National Committee for Juvenile Justice proceed as outlined in MoSA's National Strategic Plan for 2011 to 2013, significant advances will be made in the field of juvenile justice. However, the disharmony between the various laws currently in force governing child justice between the West Bank, East Jerusalem and Gaza is a stumbling block to reaching a unified strategy across the oPt.

iv. The Right to Express Views/to be Heard/Child Participation (Article 12)

In January 2011, the PA declared that “in the long run, increasing children’s participation in decision making helps to strengthen society’s long term political and developmental trajectory and children and their communities must ultimately take responsibility for creating a strong society and facilitating change for themselves.”⁶⁹⁷ The Palestinian Child Law Article 33 also states that the “the child shall have the right to obtain, receive, transfer and disseminate all types of information and ideas, provided that this does not contradict with public order and morals”. This article also obliges the State to work towards implementing and embodying this right, in accordance with its resources and capabilities.⁶⁹⁸



In the court system, the Criminal Procedures Law of 2001 grants children under age 15 the right to provide information to the court, and thereby participate. Unfortunately, it does not give children a space to take part in decisions concerning their best interests.⁶⁹⁹ Furthermore, in contradiction to the above law, the Code of Penal Procedures Law No. 3 of 2001 stipulates that children under 15 “can only give information to the court for ‘information only’ without the right to go under oath in civil and criminal cases.” Nor can children complain or petition a court without the consent of the parent or guardian.⁷⁰⁰ As a result, children cannot participate in decisions directly concerning them.

a. Participation in All Contexts

There have been a number of sporadic initiatives to develop child participation, including workshops on child rights, and training on the CRC.⁷⁰¹ Since 1997, participatory workshops have been organised by the PA to involve children and youth in developing the National Plan of Action for Palestinian Children. Workshops in schools and youth and recreational clubs were organised, for example, to enable children and youth to outline a number of programmes that need to be included in the National Plan of Action for Palestinian Children 2009-2011.⁷⁰² MoYS, MoEHE, and MoSA report that they have all included the theme of child participation in their National Strategic Plans for 2011-2013.⁷⁰³

The initiative of a child- and youth-led parliament is becoming popular in the West Bank. In 2005, the PA initiated a project to build and establish a Child Parliament across the various ministries, as well as developing child-friendly municipal initiatives.⁷⁰⁴ As the theme became more popular, DCI-Palestine and Save the Children Sweden created five focus groups and a child-led lobby was formed in 2008 to advocate for child rights-based

amendments to the Palestinian Child Law.⁷⁰⁵ In 2010, at DCI-Palestine’s National Palestinian Children’s Conference, participants of the focus groups presented their work from the year and led panel discussions on issues of interest to them.

UNRWA’s Education Department launched a programme of student-based school parliaments in 2010. The parliaments work with teachers and education staff to resolve issues such as violence in schools. In PA schools, the MoEHE has also established school councils, which gives a forum for students to participate in, and in theory, make decisions on educational matters. However, they are not as successful as the UNRWA parliaments because the students are prohibited from addressing matters related to the curriculum, teachers, and administration.⁷⁰⁶ Juzoor Health and Social Development, with technical and financial support from Save the Children Sweden, has also initiated a Youth Parliament project, which aims to increase civic participation of youth across the West Bank.

Initiatives that empower children to advocate and lobby for their rights have continued to grow since 2002. The TCC is very active in this field. Together with MoEHE in 2008, it implemented a citizenship project throughout the West Bank, empowering children to tackle social problems that affect them.⁷⁰⁷ In 2009, the Central Elections Committee trained teachers on citizenship and child participation to mobilise students to participate in school. This programme connected with the Shadow Youth Council, coordinated by Sharek Youth Forum, which also ran a programme to encourage youth participation in the municipal elections, which were postponed. UNICEF’s Adolescents Friendly Space Programme centres have management committees of local residents, made up of five adolescents and five adults, 50% of which are female.⁷⁰⁸ Members have been trained in child rights, facilitation and project management. There are 800 facilitators, the major-

ity of whom are under the age of 25. In 2010, through the centres, 10,000 adolescents conducted a nationwide advocacy campaign to launch the International Year of Youth in August 2010.⁷⁰⁹ The campaign advocated for support for adolescent led initiatives and worked to teach children skills of campaigning and research.⁷¹⁰

The Palestinian Youth Association for Leadership and Rights Activation (PYALARA) empowers children to use resources available to them in society, such as the media, to lobby decision-makers on specific issues.⁷¹¹ The group maintains regular contact with school principals, municipal leaders, members of parliament and other stakeholders.⁷¹² Techniques such as “Animate-It”, used by Save the Children Sweden, have also proved to be an effective child participation tool. Through the production of simple animated films, children at risk, such as ex-detainees, are able to discuss their concerns, report on their situation and educate other children and adults about issues important to their lives.⁷¹³

b. Knowledge about the Convention

The Committee has expressed concern over the lack of awareness among the general public regarding the CRC and recommends that “in the light of article 6, paragraph 2, of the Optional Protocol on the involvement of children in armed conflict, that the State party ensure that the principles and provisions of the Optional Protocol are widely disseminated to the general public and among both Israeli and Palestinian children.”⁷¹⁴

Special note is made of professionals’ knowledge of the Convention, where the Committee noted that the military, police and those working in the administration of justice were not adequately trained in the Optional Protocol on children in armed conflict, and recommended that human rights training, with specific training on the Optional Protocol, be administered to members of the armed forces.

In addition awareness-raising educational and training programmes on the Optional Protocol should be given to relevant professional groups working with children, such as; prosecutors, lawyers, judges, law enforcement officers, social workers, medical professionals, teachers, media professionals and local and district officials. The Committee once again requested that the State party report back on its progress in this in the next report.⁷¹⁵

MoEHE organises teacher trainings on child right issues, through courses, conferences, and workshops. The TCC is one of the training organisations, working to raise teacher’s awareness of these issues.⁷¹⁶

Despite a number of moves to include children in society and make their voices heard, no legislation exists supporting this right; in fact, the law in force prevents children from being heard in court proceedings and truly participating in matters of their lives. Nor do any bylaws exist that allow space for children to be represented in the community, or bodies providing services for children. The PA has identified a need for training of judges, probation officers, police, child protection officers, teachers and health professionals on the right of the child to be heard in all contexts.⁷¹⁷

The MoSA Draft Law represents an important legislative step towards improving child participation. It includes specific articles on the child’s right to express his/her opinions and views in all issues and matters relevant to their well-being, including *inter alia* custodial and institutionalisation processes, children in conflict with the law, child orphans, and all other children who are in need of protection against abuse, violence, neglect and exploitation.



Concluding Remarks and Way Forward

As the State party, Israel, refuses to acknowledge the applicability of the CRC and the Optional Protocol on the involvement of children in armed conflict in the oPt, no positive developments can be reported on its part. On the other hand, despite great challenges such as the *Intifada*, the construction of the Wall, the Hamas/Fatah split and military operations such as Operation “Cast Lead”, the PA, along with international and national civil society, has produced quite a number of positive developments for children. The passing of the Palestinian Child Law, the drafting of amendments, the establishment of the CPN, the National Committee for Juvenile Justice, and the Referral System are just some of the achievements of this decade. However, without the work of civil society, these achievements would not have been quite so successful. In addition, the establishment of coordinated response clusters, such as the Water, Sanitation and Hygiene Cluster, as well as the Health Cluster, the DWG, and the Area ‘C’ Response Plan, have yet to prove themselves. However, they have a vital role to play in ensuring a unified and multilayered approach to affecting a durable solution in the upholding of child’s rights.

The Palestinian Child Law contains a number of provisions to protect children from physical, sexual and psychological abuse and neglect, as well as providing for orphaned, separated and unaccompanied children. Although there is a lack of precision in outlining the police’s role in upholding these provisions, and the “basic elements for the rule of law and execution of the law” are not in place,⁷¹⁸ amendments have been made, which are awaiting ‘ratification’ by presidential decree. The respon-

sibilities of the ministries have yet to be detailed through the enactment of enforceable bylaws, and the establishment of an Ombudsman has yet to happen. In addition, a lack of awareness of these laws and procedures, as well as specialized courts to apply them, remains a concern.⁷¹⁹ Community awareness of the Convention, and of child rights in general, also remains a concern.

The establishment of the CPN is a giant step forward in realising children’s rights in the oPt. As a fledgling initiative, the network needs a clear mandate for all its members—which is currently being developed. In conjunction with MoSA’s National Strategic Plan for the years 2011 to 2013, and under the guidance of the current Minister, the network should play a substantial role in protecting children’s right to life, survival and development. It is heartening to see steps being made toward tackling the problem of violence in schools, as it is to see human rights studies becoming part of the curriculum (not the case in Israel, for example).

Positive advances have been made in health, thanks to a comprehensive immunisation programme, mobile clinics and free health care for those under three years of age. These are all factors contributing to the improved health indicators of children in the oPt. However, children’s health still varies depending on where they are living, as isolated parts of the country are cut off from health care centres and more susceptible to poverty. Malnutrition remains a significant problem, particularly in pockets of vulnerability, such as Gaza, Area ‘C’ and the ‘Seam Zone’, with high rates of stunting and anaemia.

Education has improved since 2002 with the overhaul of the curriculum. Girls are enjoying equal access to education, and generally achieving higher grades than males in state exams. In response to falling grades in Maths, Science and Arabic, a number of measures are being

implemented, albeit more effectively in UNRWA than PA schools. Also noteworthy is the promotion of school feeding programmes to maintain enrolment, promote attendance and increase children's capacity to learn. However, there remains a need for further reform in terms of the curriculum, the quality of teaching, pre-school and secondary enrolment, as well as combating violence in schools. The inclusion of HIV/AIDS prevention and awareness programmes in schools and youth centres is progressive and commendable considering lingering taboos.

As a result of inter-party campaigning, fewer children are involved in armed conflict on the Palestinian side. However, many are still recruited as collaborators by Israel, which also persists in using Palestinian children as human shields. While efforts are made to monitor child labour, and to involve increasingly more children in vocational training programmes, these programmes need reform.

A very positive and welcome development was the introduction of legislative changes in birth registration procedures for children born out of wedlock. These children are now registered with a four generational family name, like other children. Despite this, when children are adopted or taken in by a family, they need to be able to take the full name of the adoptive family in order to fully insulate them from discrimination in later life. In addition, mothers are now able to register their children, and the father need not be present.

There are a number of gaps remaining regarding child rights in the oPt. One of the most neglected areas of child protection is in child trafficking, which society for the most part denies is taking place. Also in need of attention is the issue of sexual abuse. Although there is a system for children to report sexual abuse, it is believed that most cases go unreported. To a lesser extent, chil-

dren living with disabilities have been forgotten. While these children have seen minor improvements, a proper commitment needs to be made at the Government level through budgeting, amendments to the Disability Law, and the maintenance of databases. Significant levels of gender discrimination remain, particularly in issues dictated by the *Shari'a* courts. A sustained campaign at the community level needs to be put in place to combat negative attitudes towards women and girls. As for the principle of the best interests of the child, mere lip service is paid to this concept and further training of the judiciary is needed. Tragically, despite mine risk education and demining efforts, children are still being killed and injured by UXO every year.

As for the State party, the denial of the applicability of the Convention and its Optional Protocols to the children of the oPt has left Palestinian children exposed to a number of violations of their rights. The following practices have a significant impact on their lives: the demolition of structures providing them an adequate standard of living, such as their homes, schools, water infrastructure; the displacement that often results from such demolitions and the negative impact this has on their psychological health; closures; attacks on schools; attacks on children working in or near the buffer zone in Gaza; the use of human shields; the recruitment of children as collaborators; the blockade of Gaza; and restrictions on travel throughout the oPt; settlements and settler violence; arbitrary detention of children; abuse and ill treatment of children while in said detention; and the denial of school slots in East Jerusalem. All of these measures impact on the lives of Palestinian children in a myriad of ways, denying them the rights guaranteed to them in the CRC and the Optional Protocol on the Involvement of Children in Armed Conflict.



Endnotes

¹ *Manara* means 'lighthouse' in Arabic.

² United Nations Development Programme, (UNDP), "Human Development Report 2009/2010", 2010, pg. 34, available on-line at <http://www.undp.ps/en/newsroom/publications/pdf/other/phdreng.pdf> (last accessed 14 December 2010)

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⁴ UNICEF, "The State of the World's Children: Special Edition: Celebrating 20 Years of the Convention of the Rights of the Child: Statistical Tables", 2010, pg. 30, available on-line at http://www.childinfo.org/files/SOWC_Spec_Ed_CRC_Statistical_Tables_EN_111809.pdf (last accessed 26 November 2010)

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⁸ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "Statistics", available on-line at <http://www.unrwa.org/etemplate.php?id=253> (last accessed 17 March 2011)

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¹¹ United Nations Development Programme, (UNDP), "Human Development Report 2009/2010", 2010, pg. 35

¹² United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "Prolonged Crisis in the Occupied Palestinian Territory: Recent Socio-Economic Impacts on Refugees and Non-Refugees", 2006, pg. 3. Available on-line at: http://www.ochaopt.org/documents/UNRWA_report_061127.pdf (last accessed 15 December 2010)

¹³ United Nations Development Programme, (UNDP), "Human Development Report 2009/2010", 2010, pg. 23

¹⁴ United States Central Intelligence Agency (CIA), "The World Factbook: Gaza", available on-line at <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html> (last accessed 3 April 2011)

¹⁵ United Nations Development Programme, (UNDP), "Human Development Report 2009/2010", 2010, pg. 34

¹⁶ In 1994 the Palestinian Authority (PA) was established pursuant to the Oslo Accords between the Palestinian Liberation Organization (PLO) and the government of Israel as a five-year interim body to govern the Palestinian territory in the West Bank and Gaza Strip.[

¹⁷ This statistic takes into account the presence of Jewish settlers in the West Bank (17%). United States Central Intelligence Agency (CIA), "The World Factbook: West Bank", available on-line at <https://www.cia.gov/library/publications/the-world-factbook/geos/we.html> (last accessed 3 April 2011)

¹⁸ Palestinian Central Bureau of Statistics (PCBS) "Palestine in Figures 2008", 2009, pg. 10, available on-line at http://www.pcbs.gov.ps/Portals/_PCBS/Downloads/book1553.pdf (last accessed 4 August 2011)

¹⁹ United Nations Development Fund for Palestine (UNDP), "Human Development Report 2009/2010", 2010

- ²⁰ Palestinian Central Bureau of Statistics (PCBS) “Palestine in Figures 2008”, 2009, pg. 10
- ²¹ 2007 data, Palestinian Central Bureau of Statistics (PCBS) “Palestine in Figures 2008”, 2009, pg. 9, available on-line at http://www.pcbs.gov.ps/Portals/_PCBS/Downloads/book1553.pdf, (last accessed 25 March 2011)
- ²² Estimated by the World Bank, World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg. 7, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)
- ²³ United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, “The Origins and Evolution of the Palestinian Problem, 1917-1922”, 1990, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/57C45A3DD0D46B09802564740045CC0A> (last accessed 27 November 2010)
- ²⁴ The UN partition resolution awarded 56% of the territory of Palestine to the Jewish State, which comprised 32% of the population. According to the plan, Jerusalem would be a corpus separatum with a special legal and political status. United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, “The Origins and Evolution of the Palestinian Problem, 1917-1922”, 1990, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/57C45A3DD0D46B09802564740045CC0A> (last accessed 27 November 2010)
- ²⁵ According to the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, almost half a million fled their homes, leaving about 900,000 Palestinians in the areas newly occupied by Israel. In “The Origins and Evolution of the Palestinian Problem, 1917-1922”, 1990, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/57C45A3DD0D46B09802564740045CC0A> (last accessed 27 November 2010)
- ²⁶ Law and Administration Ordinance (Amendment No. 11) Law, 5727-1967
- ²⁷ UN General Assembly Resolution 2253, 4 July 1967, “Measures taken by Israel to change the status of the City of Jerusalem”, UN Doc. A/RES/2253 (ES-V).
- ²⁸ The Security Council reacted by stating that the enactment of the law violated international law, and that “all legislative and administrative measures and actions taken by Israel, the Occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem... are null and void.” UN Security Council Resolution 478, 20 August 1980, “Territories occupied by Israel”, UN Doc. S/RES/478
- ²⁹ Israel has not formally declared its borders with the West Bank and Gaza.
- ³⁰ Area ‘A’ falls under full security and civil control of the PA and includes the largest Palestinian urban cities. Area ‘B’ includes population centres outside major urban areas. Civil affairs there fall under the control of the PA, while Israel retains security control. Area ‘C’, which amounts to almost 60% of the West Bank, remains under full Israeli control.
- ³¹ Despite being boycotted by the Palestinian movements opposed to the accords, including Hamas.
- ³² Fatah means ‘the victory’ and is the largest Palestinian political faction. It was founded by Yasser Arafat in the 1950s.
- ³³ When Israeli opposition leader Ariel Sharon entered the Haram al-Sharif in Jerusalem surrounded by hundreds of Israeli riot police, leading to the outbreak of the second Intifada.
- ³⁴ Sometimes referred to as ‘Apartheid Wall’, or ‘Separation Barrier’, See Stop the Wall, “Apartheid Wall: Land Theft and Forced Expulsion” available on-line at <http://www.stopthewall.org/downloads/pdf/Wall-fc-En.pdf> (last accessed 13 January 2011), and United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Three Years Later: The Humanitarian Impact of the Barrier since the International Court of Justice Opinion” (OCHA Special Focus: occupied Palestinian territory) July 2007, available on-line at http://www.ochaopt.org/documents/ICJ4_Special_Focus_July2007.pdf, (last accessed 23 November 2010), B’tselem – The Israeli Information Centre for Human Rights in the Occupied Territory, “Separation Barrier”, available on-line at http://www.btselem.org/english/Separation_Barrier/index.asp (last accessed 4 August 2011)
- ³⁵ Notwithstanding, Israel retained effective control of Gaza’s borders, airspace and territorial waters.
- ³⁶ DCI-Palestine “Operation Cast Lead: Legal and Political Background”, 16 April 2009, available on-line at <http://www.dci-pal.org/english/display.cfm?DocId=962&CategoryId=1> (last accessed 4 April 2011)



³⁷ Articles 88 and 89 of the Palestinian Basic Law guarantee the independence of the Judiciary, to be subject only to law. Article 91 of the Basic Law provides for a High Judicial Council, presided over by the Chief Justice, to serve as the administrative authority of the Judiciary. The Supreme Court is composed of a High Constitutional Court; a Court of Cessation to hear civil, criminal, and commercial matters; and a High Court of Justice to rule on administrative disputes. The High Constitutional Court has the authority to review laws and rules to ascertain their constitutionality. The legal system is comprised of Common Law practices and Islamic legal principles. Finally, Shari'a law is applied on civil matters. See United Nations Development Programme-Programme on Governance in the Arab Region, (UNDP-POGAR), "Country Theme: Judiciary: Occupied Palestinian Territories", available on-line at <http://www.undp-pogar.org/countries/theme.aspx?t=9&cid=14> (last accessed on 4 April 2011)

³⁸ Salam Fayyad was appointed as head of an emergency government on 15 June 2007 following the dismissal of Prime Minister Ismail Haniyyah by President Mahmoud Abbas on 14 June 2007.

³⁹ United Nations Development Programme, "Programme on governance in the Arab region", 2010, available on-line at <http://www.undp-pogar.org/countries/theme.aspx?t=3&cid=14> (last accessed 18 February 2010)

⁴⁰ Defence for Children International-Palestine Section (DCI-Palestine and Save the Children Sweden (SCS)), "Child Rights Situation Analysis, Right to Protection in the occupied Palestinian territory", 2008, pg. 19, available on-line at <http://mena.savethechildren.se/Documents/Resources/CRSA%202008%20-%20OPT%20-%20December%202008.pdf>, (last accessed on 21 December 2010)

⁴¹ Central Intelligence Agency, "The World Factbook", 2010, available on-line at <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html> (last accessed 23 February 2011)

⁴² Central Intelligence Agency, "The World Factbook", 2010, available on-line at <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html> (last accessed 23 February 2011)

⁴³ Central Intelligence Agency, "The World Factbook", 2010, available on-line at <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html> (last accessed 23 February 2011)

⁴⁴ World Bank "The Economic Effects of Restricted Access to Land in the West Bank", 2008, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/EconomicEffectsofRestrictedAccessToLandintheWestBankOct.21.08.pdf>, (last accessed 23 March 2011)

⁴⁵ See United Nations Conference on Trade and Development (UNCTAD), "Report on UNCTAD assistance to the Palestinian people: Developments in the Economy of the occupied Palestinian territory", 2010, available on-line at http://www.unctad.org/en/docs/tdb57d4_en.pdf, (last accessed 28 December 2010). See also the Palestinian Academic Society for the Study of International Affairs - Passia Diary 2010.

⁴⁶ See United Nations Conference on Trade and Development (UNCTAD), "Report on UNCTAD assistance to the Palestinian people: Developments in the Economy of the occupied Palestinian territory", 2010, available on-line at http://www.unctad.org/en/docs/tdb57d4_en.pdf, (last accessed 28 December 2010). See also the Palestinian Academic Society for the Study of International Affairs - Passia Diary 2010.

⁴⁷ Palestinian Authority and Palestinian Private Sector Coordinating Council estimates cited in World Bank "Palestinian Economic Prospects: Gaza Recovery and West Bank Revival", 2008, pg. 12

⁴⁸ Human Rights Watch, "World Report 2011: Israel/Occupied Palestinian Territories", January 2011, available on-line at <http://www.hrw.org/en/world-report-2011/israel-occupied-palestinian-territories> (last accessed 1 February 2011)

⁴⁹ The package of easing measures announced by Israel in June 2010 include the relaxation of import restrictions; the gradual approval of building projects funded by certain international organizations; the expansion of the capacity of commercial crossings; and the 'streamlining' of the permit policy regarding movement of people to and from Gaza. See United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), "Easing the Blockade: Assessing the Humanitarian Impact on the Population of the Gaza Strip", 2011.

⁵⁰ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), "Easing the Blockade: Assessing the Humanitarian Impact on the Population of the Gaza Strip", 2011, pg. 2

⁵¹ International Monetary Fund (IMF) "Macroeconomic and Fiscal Framework for the West Bank and Gaza: 6th Review of Progress", 2010, pg. 3, available on-line at <http://www.imf.org/external/country/WBG/RR/2010/092110.pdf>, (last accessed 23 March 2010)

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- ⁵³ Economic and Social Council “Assistance to the Palestinian people. Report of the Secretary-General”, 07/05/2009, A/64/78–E/2009/66.
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- ⁵⁵ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) “UNRWA Students Make a Stand Against Poverty”, October 2009, available on-line at <http://www.unrwa.org/etemplate.php?id=161>, (last accessed 9 April 2011)
- ⁵⁶ United Shelter Sector Database, “Shelter Advocacy Fact Sheet 3”, January 2011, pg. 2, available on-line at <http://www.sheltergaza.org:8081/ussd/fr/Gaza%20Shelter%20Fact%20Sheet%203.pdf>, (last accessed 9 April 2011)
- ⁵⁷ Based on the relaxed definition of unemployment, which includes all persons aged 15 or over who are available for work but are without work, regardless of whether seeking or not seeking jobs. Palestinian Central Bureau of Statistics, Fourth Quarter 2010 Labour Force Survey data, cited by Human Rights Watch, “World Report 2011: Israel/Occupied Palestinian Territories”, January 2011, available on-line at <http://www.hrw.org/en/world-report-2011/israel-occupied-palestinian-territories> (last accessed 1 February 2011)
- ⁵⁸ World Food Programme / Food and Agriculture Organisation “Socio-Economic and Food Security Survey”, 2010, pg. 8, available on-line at <http://home.wfp.org/stellent/groups/public/documents/ena/wfp232473.pdf>, (last accessed 25 March 2011)
- ⁵⁹ The ‘Seam Zone’ is the area between the Green Line and the Wall. These are closed areas and permits are needed to enter and leave the area. The Green Line describes the line between Israel and the territories captured in the Six-Day War, including the West Bank, Gaza Strip, Golan Heights and Sinai Peninsula (later returned to Egypt). (The Green Line goes also back to the 1948 Arab-Israeli war describing the 1949 Demarcation-line between Israel, but includes also the expansion of the 1967 war).
- ⁶⁰ Relaxed definition of unemployment Palestinian Central Bureau of Statistics (PCBS) “Labour Force Survey (October-December, 2010)”, 2010
- ⁶¹ International Labour Force definition of unemployment. Palestinian Central Bureau of Statistics (PCBS) “Labour Force Survey (October-December, 2010)”, 2010
- ⁶² Special Rapporteur on the Palestinian territories occupied since 1967: Richard Falk, “Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967”, 2010, UN Doc. A/65/150, available on-line at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/498/94/PDF/N1049894.pdf?OpenElement> (last accessed 1 February 2011)
- ⁶³ Special Rapporteur on the Palestinian territories occupied since 1967: John Dugard “Implementation of General Assembly Resolution 60/251 of 15 March 2006 Entitled Human Rights Council”, 2007, UN Doc A/HRC/4/17, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/B59FE224D4A4587D8525728B00697DAA>
- ⁶⁴ Article 33, Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Adopted 12 August 1949, entered into force 21 October 1950, 75 UNTS 287
- ⁶⁵ Special Rapporteur on the Palestinian territories occupied since 1967: Richard Falk, “Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967”, 2010, UN Doc. A/65/150, pg. 18-19 § 16, available on-line at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/498/94/PDF/N1049894.pdf?OpenElement> (last accessed 1 February 2011)
- ⁶⁶ Amnesty International, “Suffocating: The Gaza Strip under Israeli Blockade”, 2010, AI Index: MDE 15/002/2010, available on-line at <http://www.amnesty.org/en/library/asset/MDE15/002/2010/en/c8e6742a-b52a-4c70-b641-986de2db878a/mde150022010en.pdf> (last accessed 1 February 2011)
- ⁶⁷ Special Rapporteur on the Palestinian territories occupied since 1967: Richard Falk, “Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967”, 2010, UN Doc. A/65/150, pg. 18-19 § 16, available on-line at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/498/94/PDF/N1049894.pdf?OpenElement> (last accessed 1 February 2011)
- ⁶⁸ United Nations, “Occupied Palestinian Territory: Consolidated Appeal 2011”, 2011, pg. 29, available on-line at http://www.ochaopt.org/documents/ocha_opt_consolidated_appeal_cap_2011_full_english.pdf, (last accessed 25 March 2011)
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⁷⁸ International Court of Justice (ICJ) Advisory Opinion, “Legal Consequences of the Construction of a Wall”, 9 July 2004, § 102-11, available at <http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>, (last accessed on 21 June 2010)

⁷⁹ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt) “Five Years after the International Court of Justice Advisory Opinion”, 2009, pg. 8

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⁹⁰ Freedom House “Freedom of the Press 2010 - Israeli-Occupied Territories and Palestinian Authority”, 2010, available on-line at <http://www.unhcr.org/refworld/docid/4ca5cc5d28.html>, (last accessed 25 March 2011)

⁹¹ Human Rights Watch “World Report 2011”, 2011, available on-line at http://www.ecoi.net/local_link/153344/254944_en.html, (last accessed 25 March 2011) also see Freedom House “Freedom in the World 2009 - Palestinian Authority-Administered Territories”, 16 July 2009, available on-line at <http://www.unhcr.org/refworld/docid/4a645291c.html>, (last accessed 25 March 2011 (last accessed 4 August 2011)

⁹² Palestinian Central Bureau of Statistics (PCBS) “Palestine in Figures 2008”, 2009, pg. 9

⁹³ Palestinian Central Bureau of Statistics (PCBS) “Press Conference on the Preliminary Results: Domestic Violence Survey 2005”, 2006, pg. 6, available on-line at http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/Domestic_e.pdf, last (last accessed on 25 March 2011)

⁹⁴ Prior to the 2004 Palestinian Child Law, children born out of wedlock could be identified (and potentially discriminated against) because their official transcripts differed from that of children not born out of wedlock. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 46

⁹⁵ In their Concluding Observations the Committee invited Israel to submit a consolidated version of its 2nd, 3rd, and 4th report by 1 November 2008 due to the delay in submitting the first report.

⁹⁶ State party Declarations and Reservations to the Convention on the Rights of the Child available on-line at http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en and State party Declarations and Reservations to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict available on-line at http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en (last accessed 4 August 2011)

⁹⁷ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195. §2

⁹⁸ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195. §66

⁹⁹ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 04/03/2010, CRC/C/OPAC/ISR/CO/, §4

¹⁰⁰ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, §4

¹⁰¹ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 04/03/2010, CRC/C/OPAC/ISR/CO/ §5

¹⁰² Written Replies by the Government of Israel concerning the list of issues to be taken up in connection with the consideration of the initial report of Israel under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Israel, 7/2/2010, CRC/C/OPAC/ISR/Q/1/Add.1, §1

¹⁰³ Written Replies by the Government of Israel concerning the list of issues to be taken up in connection with the consideration of the initial report of Israel under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Israel, 7/2/2010, CRC/C/OPAC/ISR/Q/1/Add.1 §7

¹⁰⁴ The Committee reiterates that, in accordance with State responsibility in international law and under the prevailing circumstances, the provisions of the Convention and Optional Protocols apply to the benefit of the children of the occupied Palestinian territory, notably for all conduct by the State party’s authorities or agents that affects the enjoyment of rights enshrined in the Convention. The Committee underlines the concurrent application of human rights and humanitarian law, as established by the International Court of Justice in its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalls the explicit references to humanitarian law in the



Optional Protocol. Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, §4

¹⁰⁵ Human Rights Committee, Replies of the Government of Israel to the List of Issues, CCPR/C/ISR/Q/3/ to be taken up in connection with the consideration of the third periodic report of Israel, CCPR/C/ISR/3, 12/7/2010, CCPR/C/ISR/Q/3/Add.1, Question 1: Reply.

¹⁰⁶ “It is Israel’s view that these two systems-of-law, which are codified in separate instruments, nevertheless remain distinct and apply in different circumstances...” Human Rights Committee, Replies of the Government of Israel to the List of Issues, CCPR/C/ISR/Q/3/ to be taken up in connection with the consideration of the third periodic report of Israel CCPR/C/ISR/3, 12/7/2010, CCPR/C/ISR/Q/3/Add.1, Question 1: Reply.

¹⁰⁷ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 04/03/2010, CRC/C/OPAC/ISR/CO/. See also UN Doc S/RES/237/1967; UN Doc S/RES/237/1967; UN Doc. A/RES/2675/1970

¹⁰⁸ Where two laws cover the same issue, the specialist law prevails to the extent where there are any inconsistencies. See W. A. Schabas, “Lex specialis? Belt and suspenders? The parallel operation of human rights law and the law of armed conflict, and the conundrum of jus ad bellum”, 2007, pg. 40, Israel Law Review 592 See also L. Doswald-Beck, International Committee of the Red Cross (ICRC), “International Humanitarian Law and Human Rights Law, International Review of the Red Cross” No. 293, April 1993, available at <http://www.icrc.org/web/eng/siteeng0.nsf/html/57JPG2>, (last accessed on 27 July 2010)

¹⁰⁹ International Court of Justice (ICJ) Advisory Opinion, “Legal Consequences of the Construction of a Wall”, 9 July 2004, § 102-113, available at <http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>, (last accessed on 21 June 2010)

¹¹⁰ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 04/03/2010, CRC/C/OPAC/ISR/CO/. See also UN Doc S/RES/237/1967; UN Doc S/RES/237/1967; UN Doc. A/RES/2675/1970

¹¹¹ Loizidou, The European Commission on Human Rights in Cyprus v. Turkey (1975), Applications No. 6780/74 and No. 6950/75.

¹¹² Human Rights Committee, Concluding Observations: Israel, 4/8/2003, CCPR/CO/78/ISR, and Committee on Economic, Social and Cultural Rights (CESCR), Concluding Observations: Israel, 15/5/2003, E/C.12/1/Add.90.

¹¹³ International Covenant in Civil and Political Rights [Hereinafter ICCPR] Article 2(i); International Convention on the Elimination of all Forms of Racial Discrimination [Hereinafter ICERD] Article 6.

¹¹⁴ For a comprehensive account of all laws which address children’s rights in the occupied Palestinian territory (oPt) see, Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 270, §284

¹¹⁵ Byzantine Law of Family for Greek Orthodox, the Personal Status Law of the Assyrian Orthodox Church, The Law of Personal Status and Endowments of the Arab Anglican Community of 1954, the Law of the Personal Status of the Catholic Communities of 1924.

¹¹⁶ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 80 §40

¹¹⁷ Article 4 (1), Palestinian Child Law, No 7 of 2004

¹¹⁸ Article 3, Palestinian Child Law, No 7 of 2004

¹¹⁹ Article 11, Palestinian Child Law, No 7 of 2004

¹²⁰ Chapter 2: Basic Rights, Palestinian Child Law, No 7 of 2004

¹²¹ Chapter 3: Family Rights, Palestinian Child Law, No 7 of 2004

¹²² Article 19 (1), Palestinian Child Law, No 7 of 2004

¹²³ Article 19 (2), Palestinian Child Law, No 7 of 2004

¹²⁴ Chapter 4: Health Rights, Palestinian Child Law, No 7 of 2004

¹²⁵ Chapter 5: Social Rights, Palestinian Child Law, No 7 of 2004

¹²⁶ Article 29 (1), Palestinian Child Law, No 7 of 2004

¹²⁷ Article 30, Palestinian Child Law, No 7 of 2004

¹²⁸ Chapter 6: Social Rights, Palestinian Child Law, No 7 of 2004

¹²⁹ Chapter 7: Social Rights, Palestinian Child Law, No 7 of 2004

¹³⁰ Article 41, Palestinian Child Law, No 7 of 2004

¹³¹ Article 37, Palestinian Child Law, No 7 of 2004

¹³² Chapter 8: Protection Rights, Palestinian Child Law, No 7 of 2004

¹³³ Chapter 9: Protection Mechanisms, Palestinian Child Law, No 7 of 2004

¹³⁴ Chapter 10: Protection Measures, Palestinian Child Law, No 7 of 2004

¹³⁵ Bir Zeit University, “The Legal Context in Which the Palestinian Child Law Will Be Implemented and Enforced by the Palestinian Judiciary- Select Issues” Prepared for the Secretariat for the National Plan of Action for Palestinian Children, February 2006, cited in Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 16 §6

¹³⁶ This included lack of legal resources, insufficient infrastructure, no training of the judiciary or the police, lack of sovereignty, and an absence of child law on the school curriculum. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 16 §6

¹³⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 16 §6

¹³⁸ Bir Zeit University Institute of Law, “Harmonising Palestinian Child Law with Relevant Legislation”, Research Commissioned by the Ministry of Planning and UNICEF, cited in Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 17 §12-15

¹³⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011 pg. 18 §16

¹⁴⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 17 §9

¹⁴¹ Formerly known as the Palestinian Independent Commission for Citizens’ Rights (PICCR), ICHR was established in 1993 upon a Presidential Decree issued by President Yasser Arafat. Palestinian National Authority (PA). “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 36 §2

¹⁴² Ministry of Education and Higher Education (MoEHE), “Education Development Strategic Plan 2008-2012”, 2008, pg. 15.

¹⁴³ Palestinian Curriculum Development Centre (PCDC), “About PCD: Establishment” available on-line at <http://www.pcdc.edu.ps/establishment.htm> (last accessed 23 January 2011)

¹⁴⁴ In 2010, there were 14 countries, including the oPt, that report to the Security Council on grave violations against children in armed conflict. In the oPt, UNICEF leads a coalition of Palestinian, Israeli and international organisations in reporting voluntarily on nine conflict-related indicators, including numbers of children killed or maimed; attacks on schools and hospitals; children in detention. UNICEF occupied Palestinian territory,



“Monthly Update July 2010”, 2010, pg. 3, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/25E47F48180E71528525777D00511F64>, (last accessed on 12 January 2011)

¹⁴⁵ Integrated Regional Information Networks, “Middle East: Palestinian Refugee Numbers/Whereabouts” 22 June 2010, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=89571> (last accessed 10 July 2010)

¹⁴⁶ Integrated Regional Information Networks, “Middle East: Palestinian Refugee Numbers/Whereabouts”, 22 June 2010, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=89571> last (last accessed 10 July 2010)

¹⁴⁷ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt) “About OCHA oPt” available on-line at <http://www.ochaopt.org/about.aspx> (last accessed 7 January 2011)

¹⁴⁸ UNESCO “Implementation of 33 C/Resolution 70 and 176 Ex/Decision 49 Concerning Educational and Cultural Institutions in the occupied Arab Territories”, 2007, UN document 177 EX/62, pg. 3

¹⁴⁹ Young Man’s Christian Association in East Jerusalem (YMCA-EJ) “East Jerusalem Rehabilitation Program; Target Group” available on-line at http://www.ej-ymca.org/index.php?option=com_content&view=article&id=68&Itemid=142, (last accessed on 14 December 2010)

¹⁵⁰ Interview between Defence for Children International - Palestine Section and Treatment and Rehabilitation Centre for Victims of Torture (TRC), 26 October 2010

¹⁵¹ Defence for Children International-Palestine Section and Save the Children Sweden, “Child Rights Situation Analysis, Right to Protection in the occupied Palestinian territory”, 2008, pg. 35, available on-line at <http://mena.savethechildren.se/Documents/Resources/CRSA%202008%20-%20OPT%20-%20December%202008.pdf> (last accessed 4 August 2011)

¹⁵² Defined as 18 in the 1962 Guardianship and Legal Capacity Law, and the Youth (Trial, Punishment and Modes of Treatment) Law), Committee on the Rights of the Child, Concluding Observations: Israel 9/10/2002, CRC/C/15/Add.195. pg. 6, §24

¹⁵³ Persons under 16 in Military Order No. 132. Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 6, §24.

¹⁵⁴ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 6, §25.

¹⁵⁵ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 6, §27

¹⁵⁶ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 6, §8,9

¹⁵⁷ All Palestinians are equal under the law and judiciary, without discrimination because of race, sex, colour, religion, political views, or disability.

¹⁵⁸ Jordanian Personal Status Law, no. 61 of 1976

¹⁵⁹ Save the Children Sweden and Women Studies Centre “Summary of Legal Study On Compatibility of Women and Female Children Rights Legislations Enforced in Palestine with International Covenants”, 2009,

¹⁶⁰ United Nations Development Fund for Women (UNIFEM), “Towards Gender Equality in Humanitarian Response: Addressing the Needs of Women and Men in Gaza”, 2009, available on-line at http://www.unifem.org/materials/item_detail.php?ProductID=170 (last accessed on 23 July 2011)

¹⁶¹ Phone interview with DCI-Palestine and Ahmad Al-Khatib, Head of the Arabic Language Department and Coordinator of Arabic Language Curricula, Ministry of Education and Higher Education (MoEHE), Ramallah, 11 January 2011.

¹⁶² Building on existing youth and community centres, the programme grew from four centres in 2006 to 100 in 2010, 40 of which are in Gaza, reaching over 25,000 adolescents by June 2010. After Operation “Cast Lead”, the AFS in Gaza extended its services to include younger children and caregivers. UNICEF occupied Palestinian territory (oPt) “Monthly Update: June 2010”, 2010, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/9670E218267D7DF68525775900716AE1>, (last accessed on 29 December 2010) and meeting between DCI-Palestine and Linda Sall, Youth and Adolescent Development Specialist, UNICEF oPt, Jerusalem, 14 October 2010

- ¹⁶³ The programme offered the girls a unique opportunity to practice sport, providing them a space to run and play, with a teacher trained in the use of sport to deal with conflict and restrictions faced by girls.
- ¹⁶⁴ DCI-Palestine “Annual Report 2004”, 2004, pg. 31.
- ¹⁶⁵ Articles 31 and 32), Palestinian Child Law, No 7 of 2004
- ¹⁶⁶ Salwa Duaibis, Women’s Centre for Legal Aid and Counselling (WCLAC), email communication to DCI-Palestine, Ramallah, on 13 December 2010
- ¹⁶⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 61, §5
- ¹⁶⁸ This practice is traditionally used to protect the other family member’s rights to inheritance. Foster parents can provide ‘Kefalah’ children with their share of inheritance prior to their death, if they so wish, or draw up wills. Meeting between DCI-Palestine and Cairo Arafat, Child Rights Consultant, Convention on the Rights of the Child (CRC) Researcher, Ramallah, 23 March 2011
- ¹⁶⁹ Meeting between DCI-Palestine and Eman Ayoub, Child Protection Department, Ministry of Social Affairs, Ramallah, 28 November 2010
- ¹⁷⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” 2011, pg. 59 §2
- ¹⁷¹ Meeting between DCI-Palestine and Cairo Arafat, Child Rights Consultant, Convention on the Rights of the Child (CRC) Researcher, Ramallah, 23 March 2011
- ¹⁷² Palestinian Central Bureau of Statistics (PCBS), “Palestinian Children – Issues and Statistics” No 12, 2009, pg. 29
- ¹⁷³ For a comprehensive account of the refugee situation see; Badil Resource Centre for Palestinian Residency and Refugee Rights, “Survey of Palestinian Refugees and Internally Displaced Persons: 2008-2000” (al-Ayyam, Ramallah, 2009) ISSN 1728-1679, pg. 2-44, limited version available on-line at http://www.badil.org/en/publications?page=shop.product_details&flypage=garden_flypage.tpl&product_id=119&category_id=2, (last accessed on 18 January 2011)
- ¹⁷⁴ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 196, §2
- ¹⁷⁵ Badil Resource Centre for Palestinian Residency and Refugee Rights, “Survey of Palestinian Refugees and Internally Displaced Persons: 2008-2000” (al-Ayyam, Ramallah, 2009) ISSN 1728-1679, pg. 2-44, limited version available on-line at http://www.badil.org/en/publications?page=shop.product_details&flypage=garden_flypage.tpl&product_id=119&category_id=2 (last accessed on 18 January 2011)
- ¹⁷⁶ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 196, §2
- ¹⁷⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 198, §14
- ¹⁷⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 198, §14.
- ¹⁷⁹ There was no data found on children living with disabilities since that date. Palestinian Central Bureau of Statistics (PCBS): “Palestinian Children: Issues and Statistics” (Annual Report 1999), Executive Summary, available on-line at <http://www.pcbs.gov.ps/DesktopModules/Articles/ArticlesView.aspx?tabID=0&lang=en&ItemID=747&mid=11135>, (last accessed on 6 January 2011)
- ¹⁸⁰ Palestinian Central Bureau of Statistics (PCBS): “Palestinian Children: Issues and Statistics”(Annual Report 1999), Executive Summary, available on-line at <http://www.pcbs.gov.ps/DesktopModules/Articles/ArticlesView.aspx?tabID=0&lang=en&ItemID=747&mid=11135>, (last accessed on 6 January 2011)
- ¹⁸¹ Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, Jerusalem, 1 November 2010



¹⁸² Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, Jerusalem, 1 November 2010

¹⁸³ Article 2, Palestinian Disability Law No. 3 of 1999. The disabled have the right to enjoy a free life, dignified living, and various services in a manner equal to that of other citizens and he/she shall have the same rights and obligations that are within his/her capabilities. It is not permissible to prevent any disabled from enjoying those rights because of his/her disability. Also legal rights are found in 3, 9, 10, and 14. Allam Jarrar, "Disability in Palestine, Realities and Perspectives" in *This Week in Palestine: Millennium Development Goals*, Issue No. 148, August 2010, pg 20-22

¹⁸⁴ "The text of the law and bylaws has limited clauses on responsibility and accountability by specific agencies for the execution of the law." Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 92 §4

¹⁸⁵ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 98 §33-35

¹⁸⁶ For further details on the role of the MoH see: Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 93 §9

¹⁸⁷ Those that have facilities are on the first floor, and there is not any transport provided to reach the schools. Secondary schools have no such facilities.

¹⁸⁸ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 46 §3

¹⁸⁹ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 94 §11

¹⁹⁰ A field survey of 620 disabled children and 380 parents. This was conducted by Riyada Consulting and Training.

¹⁹¹ Regarding the effectiveness of community based rehabilitation (CBR) programmes, 26.8% said that these provided the needed services and 34.4% said that the programmes encouraged them to participate in the community. Shu'aa Marrar et al, Riyada Consulting and Training, "The Rights of Disabled People in Education", 15 December 2010, Translated from Arabic by DCI-Palestine

¹⁹² Some of these are rejection, poverty, a lack of cooperation of the school, maltreatment and violence. Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 99 §39

¹⁹³ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 99 §36-39

¹⁹⁴ The MoEHE has also adapted 650 schools to be wheelchair-accessible since 2007, added 35 inclusive education supervisors and three coordinators, three resources centres across the oPt and five specialists, and subsidizing the salaries of 230 special needs teachers in private schools. The curriculum is adapted for visually impaired children for grades 8-10. Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 95-6 §20

¹⁹⁵ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 97 §26

¹⁹⁶ Students and teachers from six schools in North Gaza were trained in various aspects of special needs education. EducAid, "Promotion of School Inclusion in Gaza Strip" available on-line at <http://www.educaid.it/gas-inkenglish.htm>, (last accessed 4 January 2011)

¹⁹⁷ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 94-5 §11-15

¹⁹⁸ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory", January 2011, pg. 94 §3

¹⁹⁹ Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department,, Jerusalem, 1 November 2010

²⁰⁰ Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department,, Jerusalem, 1 November 2010

²⁰¹ For children aged 6-11 with learning difficulties such as dyslexia, epilepsy, and dysgraphia and memory problems The children are treated in small groups through play therapy that is linked to their school homework and curriculum. The Palestinian Counselling Centre (PCC), “Clinical Department” available on-line at http://www.pcc-jer.org/english/dept2_en.php, (last accessed on 13 January 2011)

²⁰² For details see for example, Health Work Committees: Palestine, “Annual Report: 2009” pg. 48.

²⁰³ For details see, for example, Health Work Committees: Palestine, “Annual Report: 2009” pg. 48.

²⁰⁴ Medical Aid for Palestinians (MAP) “Programme Report 2010”, 2010, pg. 20, available on-line at http://www.map-uk.org/files/674_map_programme_report_2010.pdf, (last accessed on 17 January 2011)

²⁰⁵ The project runs in five villages in north east Ramallah, reaching 1,200 people. Palestinian Medical Relief Society (PMRS) “Community Based Rehabilitation (CBR) Programme”, available on-line <http://www.pmr.ps/last/etemplate.php?id=34>, (last accessed on 12 January 2011)

²⁰⁶ Palestinian Red Crescent Society (PRCS) “Rehabilitation and Ability Development”, available on-line at http://www.palestinercs.org/Rehabilitation_Ability.aspx, (last accessed on 12 January 2011)

²⁰⁷ Specifically for children, the centre runs a Speech Language and Hearing Programme that includes a unit for children with speech and language problems. The Deaf Children Education Project provides educational and pedagogical services to deaf children from the ages of three to seven. The programme includes hearing screening for children, educational, health and community services for deaf children, and a speech and language therapy clinic where children receive classes in reading and writing as well as speech therapy. The centre also runs a “Community Awareness and Education Programme” to raise awareness and promote integration and full participation of people with disabilities. One of the main foci of this programme is training in dealing with children affected by this disability, early detection and training in sign language. Their “Home Care” programme provides medical and psychological support and care to families of disabled children throughout Gaza. The family receives training and care support. See National Centre for Community Rehabilitation, “Speech-Language and Hearing Program (SLHP)” available on-line at http://nccrgaza.org/eng/?page=menu_det&type=0&id=65, (last accessed on 4 August 2010)

²⁰⁸ Meeting between DCI-Palestine and Dima Arqan, Rehabilitation Programme Manager and Raed Hamadeh, Director of Primary Health Care Unit, Ramallah, 14 October 2010

²⁰⁹ Medical Aid for Palestinians (MAP), “Programme Report 2010”, 2010, pg. 20, available on-line at http://www.map-uk.org/files/674_map_programme_report_2010.pdf, (last accessed on 17 January 2011)

²¹⁰ For details see, for example, Health Work Committees: Palestine, “Annual Report: 2009” pg. 48.

²¹¹ European Union Technical Assistance Office for the West Bank and Gaza, “ Mercy Corps and the Palestinian Paralympics Committee Launch a two year Programme to Empower Palestinian Youth with Disabilities”, 2010, available on-line at http://ec.europa.eu/delegations/westbank/press_corner/il_news/news/2010/20100614_en.htm (last accessed 5 January 2011)

²¹² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 97 §28

²¹³ This information was confirmed by two UN sources, UNICEF and the United Nations Development Programme (UNDP). Meeting between DCI-Palestine and Maysoon Obeid, Youth and Adolescent Development Specialist, UNICEF oPt, Jerusalem, 14 October 2010, and email communication between DCI-Palestine and Veronique Maeva Fages, Health Advisor, Global Fund, United Nations Development Programme (UNDP), 1 October 2010.

²¹⁴ Phone interview between DCI-Palestine and Jawad Al-Bitar, Director of Palestinian Health Information Centre, Ministry of Health, Ramallah, 11 January 2011

²¹⁵ Jordanian Personal Status Law, No. 61 of 1976

²¹⁶ Meeting between DCI-Palestine and Cairo Arafat, Child Rights Consultant, Convention on the Rights of the Child (CRC) Researcher, Ramallah, 26 October 2010



- ²¹⁷ Meeting between DCI-Palestine and Cairo Arafat, Child Rights Consultant, Convention on the Rights of the Child (CRC) Researcher, Ramallah, 23 March 2011
- ²¹⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 48, §4-5
- ²¹⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 35, §7
- ²²⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 72, §5
- ²²¹ UNICEF, “The State of the World’s Children 2004: Girls, Education and Development: Tables: Basic Indicators”, 2004, pg. 104, available on-line at <http://www.unicef.org/sowc04/files/Table1.pdf>, (last accessed 19 January)
- ²²² UNICEF, “The State of the World’s Children 2008: Women and Children: Child Survival: Statistical Tables: Basic Indicators”, 2008, pg. 116, available on-line at http://www.unicef.org/sowc08/docs/sowc08_table_1.pdf (last accessed on 19 January 2011)
- ²²³ UNICEF, “The State of the World’s Children: Special Edition: Celebrating 20 Years of the Convention of the Rights of the Child: Statistical Tables” 2010, pg. 10, available on-line at http://www.childinfo.org/files/SOWC_Spec_Ed_CRC_Statistical_Tables_EN_111809.pdf (last accessed 26 November 2010)
- ²²⁴ UNICEF, “The State of the World’s Children 2008: Women and Children: Child Survival: Statistical Tables: Health” 2008, pg. 124, available on-line at http://www.unicef.org/sowc08/docs/sowc08_table_3.pdf (last accessed on 19 January 2011)
- ²²⁵ UNICEF, “The State of the World’s Children: Special Edition: Celebrating 20 Years of the Convention of the Rights of the Child: Statistical Tables”, 2010, pg. 18, available on-line at http://www.childinfo.org/files/SOWC_Spec_Ed_CRC_Statistical_Tables_EN_111809.pdf (last accessed 26 November 2010)
- ²²⁶ Data for 2000 is given as ‘adequate drinking sources,’ data for 2004 is given as ‘improved drinking sources.’
- ²²⁷ UNICEF, “The State of the World’s Children 2004: Girls, Education and Development: Tables: Women”, 2004, pg. 132, available on-line at <http://www.unicef.org/sowc04/files/Table8.pdf> (last accessed 19 January 2011)
- ²²⁸ UNICEF, “The State of the World’s Children 2008: Women and Children: Child Survival: Statistical Tables: Women”, 2008, pg. 144, available on-line at http://www.unicef.org/sowc08/docs/sowc08_table_8.pdf (last accessed on 19 January 2011)
- ²²⁹ Data for 2003-2008 UNICEF, “At a Glance: Occupied Palestinian Territory: Statistics: Women” available on-line at http://www.unicef.org/infobycountry/oPt_statistics.html (last accessed 4 August 2011)
- ²³⁰ World Health Organisation (WHO) West Bank and Gaza Office, Occupied Palestinian Territory, “Health Service Review”, 2007, available on-line at http://www.emro.who.int/palestine/index.asp?page=library&option=health_policy_planning, (last accessed on 13 August 2010)
- ²³¹ World Bank: World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg. 7, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)
- ²³² World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg. 8, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)
- ²³³ It further details how children will be registered and issued a special health card, that pre-marital medical examinations will be given in order to ascertain if parents are healthy to have children, that children should be protected from environmental pollution, and that prevention and information dispersal programmes will be supported in schools. Chapter four, Palestinian Child Law, No. 7 of 2004
- ²³⁴ Palestinian Authority “Palestinian Reform and Development Plan 2008-2010”, 2008, pg. 60, 111

²³⁵ World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg 7, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)

²³⁶ Palestinian Authority “Palestinian Reform and Development Plan 2008-2010”, 2008, pg. 53

²³⁷ World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg 7, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)

²³⁸ World Health Organization “Palestinian Women’s Sexual and Reproductive Health Rights in a Long standing Humanitarian Crisis”, *Reproductive Health Matters Journal*, 2008, available on-line at [http://www.rhm-elsevier.com/article/S0968-8080\(08\)31343-3/abstract](http://www.rhm-elsevier.com/article/S0968-8080(08)31343-3/abstract), (last accessed 14 October 2010)

²³⁹ United Nations Population Fund (UNFPA), “Feature Story: Checkpoints Compound the Risks of Childbirth for Palestinian Women”, May 2007, available on-line at <http://www.unfpa.org/public/site/global/News/pid/310>, (last accessed 1 December 2010). See UN Human Rights Council, “Report of the United Nations High Commissioner for Human Rights on the issue of Palestinian pregnant women giving birth at checkpoints”, 2010, UN Doc A/HRC/13/68, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/DB42057AFC92874E852576C40052D61E> (last accessed on 19 January 2011)

²⁴⁰ Committee on the Rights of the Child, Concluding Observations: Israel 9/10/2002, CRC/C/15/Add.195 pg. 10, §44.

²⁴¹ Committee on the Rights of the Child, Concluding Observations: Israel 9/10/2002, CRC/C/15/Add.195 pg. 10, §44.

²⁴² Committee on the Rights of the Child, Concluding Observations: Israel 9/10/2002, CRC/C/15/Add.195 pg. 10, §45.

²⁴³ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “The Impact of the Barrier on Health” Special Focus, 2010, pg. 3, available on-line at http://www.ochaopt.org/documents/ocha_opt_special_focus_july_2010_english.pdf (last accessed on 17 October 2010)

²⁴⁴ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “The Impact of the Barrier on Health”, Special Focus, 2010, pg. 7, available on-line at http://www.ochaopt.org/documents/ocha_opt_special_focus_july_2010_english.pdf (last accessed on 17 October 2010)

²⁴⁵ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “The Impact of the Barrier on Health”, Special Focus, 2010, pg. 7, available on-line at http://www.ochaopt.org/documents/ocha_opt_special_focus_july_2010_english.pdf (last accessed on 17 October 2010)

²⁴⁶ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, (OCHA oPt) “Locked In: The Humanitarian Impact of Two Years of Blockade in the Gaza Strip” Special Focus, August 2009, pg. 20, available on-line at http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf (last accessed 4 August 2011)

²⁴⁷ World Health Organization (WHO), “Access of Patients to Specialized Medical Services: Summary Situation: July 2007-July 2008” cited by UNICEF “Humanitarian Action Report 2009”, 2009, pg. 140, available on-line at http://www.unicef.org/har09/files/HAR_2009_FULL_Report_English.pdf (last accessed on 22 January 2011)

²⁴⁸ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, (OCHA oPt) “Locked In: The Humanitarian Impact of Two Years of Blockade in the Gaza Strip” Special Focus, August 2009, pg. 20, available on-line at http://www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf (last accessed 4 August 2011)

²⁴⁹ UNICEF, “Humanitarian Action Report 2010”, 2010, pg. 134, available on-line at http://www.unicef.org/publications/files/UNICEF_HAR_2010_Full_Report_EN_020410.pdf, (last accessed 20 January 2011)

²⁵⁰ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Water and Sanitation Hygiene Monitoring Programme, (WASH 2006) on UNICEF, “General Fact Sheet: Country Profile: Palestine: ” February 2009, available on-line at http://www.unicef.org/oPt/General_fact_sheet.pdf (last accessed 4 August 2011)



²⁵¹ UNICEF, “Humanitarian Action Report 2010”, 2010, pg. 134, available on-line at http://www.unicef.org/publications/files/UNICEF_HAR_2010_Full_Report_EN_020410.pdf, (last accessed 20 January 2011)

²⁵² USAID studies in the rural areas of Nablus and Hebron governorates reveal the contamination level for tankered water—38% zero-level faecal coliforms—versus 80% zero level faecal coliforms for piped water.

²⁵³ For a comprehensive account of the dangers facing children in Gaza, see UNICEF, “Protecting Children from Unsafe Water in Gaza: Strategy, Action Plan and Project Resources”, (Draft), November 2010.

²⁵⁴ United Nations Environment Programme (UNEP) “Environmental Assessment of the Gaza Strip: following the escalation of hostilities in December 2008 – January 2009”, 2009, available on-line at http://www.unep.org/publications/contents/pub_details_search.asp?ID=4058, (last accessed on 21 October 2010)

²⁵⁵ Emergency water distribution, environmental drainage, hygiene promotion, installing sanitation units in homes, improving WASH facilities in schools, improving wastewater/sanitation facilities, water harvesting storage installation, water quality treatment, water source development, water quality treatment, water supply infrastructure installation. Prior to 2010, comprehensive data is not available as, unfortunately, there was no monitoring system in place for all the measures and data on these measures. Phone interview between DCI-Palestine and Thierry Foubert, WASH Cluster Information Management Officer, UNICEF West Bank, 13 January 2011.

²⁵⁶ UNICEF, “At a glance: occupied Palestinian territory” available on-line at http://www.unicef.org/infobycountry/oPt_statistics.html (last accessed 4 August 2011)

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²⁵⁸ Palestinian Hydrology Group (PHG), “Kids Corner” available on-line at <http://www.phg.org/kids> (last accessed 24 January 2011)

²⁵⁹ The project is aimed at comprehensively educating children on healthy and sustainable water use practices, raising awareness about water supply and demand and conservation, and enabling children to claim their right to be protected from pollution. In a similar initiative in the West Bank, Juzoor and the EWASH Advocacy Task Force are working to implement a project called: “Saving our Water” which aims to develop children into responsible and informed water consumers and advocates. Email communication between Cara Flowers, EWASH Advocacy Task Force Officer (West Bank) and Defence for Children International-Palestine Section, 24 January 2011.

²⁶⁰ In 2010, UNICEF trained more than 16,000 students and 500 teachers on good hygiene practices, and carried out awareness raising campaigns on the importance of safe water handling. UNICEF, “Monthly Update December 2010” 2010, pg. 3, available on-line at http://www.unicef.org/oPt/FINAL_UNICEF_oPt_December_2010.pdf, (last accessed 12 January 2011)

²⁶¹ In 2003 the teams were reaching 70,000 refugees: this number had doubled to 40,000 by 2008. Each team includes a medical officer, nurse, laboratory technician, assistant pharmacist and driver. They offer a full range of essential curative and preventive medical services to around 13,000 patients per month, in over 150 isolated locations. United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) “Projects in the West Bank: Mobile Health Teams” available on-line at <http://www.unrwa.org/etemplate.php?id=101> (last accessed 4 August 2011)

²⁶² UNICEF, “At a Glance: occupied Palestinian territory: Delivering Maternal and Child Health Services to Hard-to-Reach West Bank Communities” available on-line at http://www.unicef.org/infobycountry/oPt_49798.html (last accessed on 19 January 2011)

²⁶³ World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg 10, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)

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²⁶⁵ World Bank: Human Development Sector: the West Bank and Gaza, “West Bank and Gaza: Health Policy Report: Reforming Prudently under Pressure”, 2008, pg 10, available on-line at <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WBGHealthPolicyReport.pdf> (last accessed on 14 August 2010)

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²⁷² Some of the activities involved (1) individual and group counselling for mothers to teach them how to deal with children who have been psychologically affected by Israeli military attacks; (2) Support for injured children where children went and visited other mentally or physically injured children and gave them gifts and presents and shared their experiences; and (3) Psycho-drama, which took place during the days when there was no curfew, and a group of facilitators worked with children in order to empower positive feelings and address negative ones in order to address the issue of depression among children. In addition, DCI-Palestine offered psychosocial consultation in 261 cases and held 10 workshops for teachers in Hebron, Nablus and Bethlehem about mistreatment of children and the CRC and the Palestinian Child Law. Almost 3,000 people of both sexes were participants in 150 meetings to discuss issues of child abuse and exploitation. Defence for Children International-Palestine Section, “Annual Report, 2002.” 2002, pg. 48-49.

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³⁶³ Save the Children UK, “Children in West Bank facing worse conditions than in Gaza”, June 2010, available on-line at <http://www.reliefweb.int/rw/rwb.nsf/db900SID/FERB-86VD9T?OpenDocument> (last accessed 24 June 2010)

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³⁶⁵ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), “Food Security and Nutrition Survey of Herding Communities in Area C: Joint UNRWA-UNICEF-WFP Household Survey”, 2010, Executive Summary, available on-line at <http://www.unrwa.org/userfiles/2010042252922.pdf> (last accessed on 10 July 2010)

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³⁶⁷ The World Health Organization (WHO) recommendation is for a minimum of 100 litres per person per day. United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Area C Humanitarian Response Plan Fact Sheet”, 2010, pg. 5, available on-line at http://www.ochaopt.org/documents/ocha_opt_area_c_humanitarian_response_plan_fact_sheet_2010_09_03_english.pdf, (last accessed on 25 November 2010)

³⁶⁸ This is as of August 2010. United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Area C Humanitarian Response Plan Fact Sheet”, 2010, pg. 5, available on-line at http://www.ochaopt.org/documents/ocha_opt_area_c_humanitarian_response_plan_fact_sheet_2010_09_03_english.pdf, (last accessed on 25 November 2010)

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³⁷¹ Since AIDS was first diagnosed in the oPt in 1988, a cumulative total of 73 diagnosed HIV/AIDS cases have been recorded by the Palestinian Ministry of Health as of 2009. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 263

³⁷² Survey cited in “UN Theme Group on HIV/AIDS for the occupied Palestinian Territory & National AIDS Committee Proposal Round 7 Submission to the Global Fund to Fight Aids, Tuberculosis, and Malaria”, 2007, pg. 11

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- ³⁸³ UNICEF “UNICEF oPt Monthly Update” July 2010, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/25E47F48180E71528525777D00511F64> (last accessed on 4 August 2011)
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- ³⁹⁹ Ministry of Education and Higher Education (MoEHE), “Education, Development and Strategic Plan 2008-2012: Towards Quality Education for All”, 2008, pg. 15-17
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- ⁴⁰⁹ The High Court of Justice, Mohammad Hamdan list, Fadi Badriya (child) list versus the Jerusalem Municipality and Minister of Education, petitions nos. 3384/01 and 5185/01, 1 July 2009.
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- ⁴¹¹ The Special Representative of the Secretary-General for Children and Armed Conflict, “Report of the Special Representative of the Secretary-General for Children and Armed Conflict”, 2010, UN Doc. A/64/742-S/2010/18, pg. 25, §107.
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- ⁴¹³ Telephone interview between DCI-Palestine and Cathy Howard, Field Programme Support Officer, UNRWA Gaza Field Office, 7 December 2010.10 this figure had raised to 95% of schools which were operating on a double shift.

⁴¹⁴ Data from Ministry of Education and Higher Education and UNICEF, “Education Fact Sheet: Education in Numbers”, 2010, pg. 1, available on-line at http://www.unicef.org/oPt/FACT_SHEET_Education.pdf (last accessed on 4 August 2011)

⁴¹⁵ Data from Ministry of Education and Higher Education and UNICEF, “Education Fact Sheet: Education in Numbers”, 2010, pg. 1, available on-line at http://www.unicef.org/oPt/FACT_SHEET_Education.pdf (last accessed on 4 August 2011)

⁴¹⁶ Telephone interview between DCI-Palestine and Cathy Howard, Field Programme Support Officer, UNRWA Gaza Field Office, 7 December 2010.

⁴¹⁷ UNICEF “At a glance: Occupied Palestinian Territory: Issues facing children in the Occupied Palestinian Territory” available at http://www.unicef.org/infobycountry/oPt_1535.html (last accessed on 19 July 2010)

⁴¹⁸ Data compiled from the 1612 Monitoring and Reporting Mechanism (MRM) Working Group database and provided by Save the Children UK on 14 November 2010.

⁴¹⁹ 1612 Monitoring and Reporting Mechanism (MRM) Working Group, “Children Affected by Armed Conflict (CACC) Bulletin: Annual Review 2010”, 2010, pg. 4

⁴²⁰ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Area C Humanitarian Response Plan Fact Sheet”, 2010, pg. 4, available on-line at http://www.ochaopt.org/documents/ocha_opt_area_c_humanitarian_response_plan_fact_sheet_2010_09_03_english.pdf, (last accessed on 25 November 2010)

⁴²¹ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195. pg. 11

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⁴²³ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 5,

⁴²⁴ World Food Programme (WFP), “Protracted Relief and Recovery Operations-Occupied Palestinian Territories 200037”, 2010, pg. 9, available on-line at http://one.wfp.org/operations/current_operations/project_docs/200037.pdf (last accessed on 23 January 2011)

⁴²⁵ “AFS programmes have been implemented by two NGOs with an established community presence (Tamer Institute for Community Education, and Ma’an Development Centre), with support from the Ministry of Youth and Sports (MoYS) and the National Committee for Summer Camps.” in UNICEF “UNICEF oPt Monthly Update”, June 2010, available on-line at http://www.unicef.org/oPt/UNICEF-oPt_June_Update.pdf, (last accessed on 20 July 2010)

⁴²⁶ There are facilities for music, sport, art and interactive technology, as well as a library, all staffed with trained facilitators and teachers.

⁴²⁷ UNICEF, “UNICEF oPt Monthly Update”, June 2010, available on-line at http://www.unicef.org/oPt/UNICEF-oPt_June_Update.pdf, (last accessed on 20 July 2010)

⁴²⁸ Maths and science kits were distributed to 1,500 schools and 3,300 students received remedial tuition during a summer programme. Training in remedial education was also given to 500 teachers during this year 2008. UNICEF, “Humanitarian Action Report 2010”, 2010, pg. 134, available on-line at http://www.unicef.org/publications/files/UNICEF_HAR_2010_Full_Report_EN_020410.pdf, (last accessed 20 January 2011)

⁴²⁹ UNICEF, “Humanitarian Action Report 2010”, 2010, pg. 134, available on-line at http://www.unicef.org/publications/files/UNICEF_HAR_2010_Full_Report_EN_020410.pdf, (last accessed 20 January 2011)

⁴³⁰ Those who had performed poorly on standardised tests Arabic and Mathematics exams attended Arabic and Mathematics support classes and participated in recreational activities for five days a week over four weeks. UNICEF “UNICEF oPt Monthly Update”, July 2010, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/25E47F48180E71528525777D00511F64> (last accessed on 4 August 2011)

⁴³¹ UNICEF “UNICEF oPt Monthly Update”, December 2010, pg. 3, available on-line at http://www.unicef.org/oPt/FINAL_UNICEF_oPt_December_2010.pdf, (last accessed on 12 January 2011)

⁴³² This project involves a 10-point action plan comprising of a summer learning programme, increased teaching hours, remedial classes, a comprehensive medical and psychological assessment for students failing more than six subjects, the development of a human rights curriculum and an action plan to combat violence in schools, improved school governance, training for new teachers and rewards for high performance. United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA: Gaza Field Office,) “Schools of Excellence”, 2008, available on-line at <http://www.unrwa.org/etemplate.php?id=70> (last accessed 14 October 2010)

⁴³³ Under the Quality of Education domain, 300 overtime teachers and 160 remedial teachers were made available and existing staff were retrained to give remedial teaching on Arabic and Mathematics during and after school hours. Saturday classes are available for 30 weeks and include remedial support as well as games and activities. In addition, teachers are to be re-skilled in a comprehensive training course that will equip them to deal with current challenges in teaching, such as large classes and violence in schools. Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, Jerusalem, 1 November 2010

⁴³⁴ Ministry of Education and Higher Education: “Education Development Strategic Plan 2008-2012, towards Quality Education for Development; Executive Summary; Results related to Quality”, pg. 21

⁴³⁵ Since 2009, UNICEF, in partnership with Save the Children Sweden, the Palestinian Centre for Democracy and Conflict Resolution, NGOs and community-based organisations Ma’an Development Centre and Tamer Institute for Community Education.

⁴³⁶ Save the Children Sweden: Regional Programme for Middle East and North Africa, “The Family Centres Project: Impact Report August 2009 to June 2010”, 2010, pg. 13, available on-line at <http://mena.savethechildren.se/Global/scs/MENA/reports/IMPACT%20Report%20GAZA%20Family%20Centres%20%28Au%202009%20to%20June%202010%29.pdf> (last accessed 30 October 2010)

⁴³⁷ To alert families to the campaign, 15,000 brochures were distributed and advertisements were placed in al-Quds newspaper. Al-Maqdese approached the Palestinian Authority for a small donation, but they declined to donate. Meeting between Defence for Children International-Palestine Section and Moatz al-Za’tari, Director, al-Maqdese for Society Development Jerusalem, 30 September 2010. Interpretation by Hadil Nasser, al-Maqdese for Society Development

⁴³⁸ Meeting between Defence for Children International-Palestine Section and Moatz al-Za’tari, Director, al-Maqdese for Society Development Jerusalem, 30 September 2010. Interpretation by Hadil Nasser, al-Maqdese for Society Development

⁴³⁹ Statistics from DCI-Palestine, Monitoring and Documentation Unit. 17 January 2011.

⁴⁴⁰ 350 of these were under the age of 12. 1612 Monitoring and Reporting Mechanism (MRM) Working Group, “Children Affected by Armed Conflict (CACC) Bulletin: Annual Review 2010”, 2010, pg. 2

⁴⁴¹ This figure was arrived at by using the OCHA database, all incident types. United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Protection of Civilian Database” available on-line at <http://www.ochaopt.org/poc.aspx?id=1010002> (last accessed on 16 January 2011)

⁴⁴² United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Humanitarian Monitor: December 2010”, 2010, pg. 1, available on-line at http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_01_19_english.pdf, (last accessed 20 January 2011)

⁴⁴³ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA oPt), “Humanitarian Monitor: December 2010”, 2010, pg. 1, available on-line at http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_01_19_english.pdf, (last accessed 20 January 2011)

⁴⁴⁴ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 7 §32.

⁴⁴⁵ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 11 §58

⁴⁴⁶ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 12 §61

⁴⁴⁷ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 2, §10.



⁴⁴⁸ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 3, §11.

⁴⁴⁹ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 3, §11.

⁴⁵⁰ Global Initiative to end all Corporal Punishment of Children, “Palestinian Country Report”, 2010, available on-line at <http://www.endcorporalpunishment.org/pages/progress/reports/palestine.html>, (last accessed 25 March 2011)

⁴⁵¹ UNICEF, “At a Glance: Occupied Palestinian Territory: Activities and results for children” available on-line at http://www.unicef.org/infoby-country/oPt_1535.html, (last accessed on 19 July 2010)

⁴⁵² Palestinian Central Bureau of Statistics (PCBS), “Palestinian Children: Issues and Statistics”, 2006, pg. 20, available on-line at http://www.pcbs.gov.ps/Portals/_PCBS/Downloads/book1258.pdf translated from Arabic by Defence for Children International-Palestine Section (DCI-Palestine) (last accessed 22 January 2011). Cited in UNICEF, “Humanitarian Action Report 2008”, 2008, pg. 144, available on-line at http://www.unicef.org/har08/files/HAR_2008_FULL_Report_English.pdf (last accessed 22 January 2011)

⁴⁵³ United Nations Development Fund for Women (UNIFEM), “Voicing the needs of the Women and Men in Gaza, beyond the aftermath of the 23 day Israeli military operations”, 2010, pg. 56, available on-line at <http://www.unifem.org/jo/Attachments/1412/db797726-7bd2-48d6-af78-69f59e54c4c3.pdf>, (last accessed 15 December 2010)

⁴⁵⁴ Bir Zeit University, “Summer Study 2004” in UNICEF, UNICEF occupied Palestinian territory (oPt), “The Children: Primary School Years” available on-line at http://www.unicef.org/oPt/children_215.html (last accessed 7 December 2010)

⁴⁵⁵ Bir Zeit University, “Summer Study 2004” in UNICEF, UNICEF occupied Palestinian territory (oPt), “The Children: Primary School Years” http://www.unicef.org/oPt/children_215.html, (last accessed 25 March 2011)

⁴⁵⁶ Study quoted in Global Initiative to end all Corporate Punishment of Children, “Palestinian Country Report”, 2010, available on-line at <http://www.endcorporalpunishment.org/pages/progress/reports/palestine.html>, (last accessed 25 March 2011)

⁴⁵⁷ This is for primary caregivers such as teachers, guardians, and doctors.

⁴⁵⁸ For instance, a protection officer has the authority and duty to investigate a suspected case of child domestic violence and separate the child from his/her family, should the protection officer determine that the child is at risk.

⁴⁵⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 198 §37

⁴⁶⁰ The process is as follows: a) the child is deprived of family care, b) the ministry issues a decision for his entry into social care, c) the acceptance committee within the organisation accepts him after studying his situation based on a social report, d) each organisation identifies the amount of monthly or yearly fee including the specific conditions or conditions and standards for it, e) each organisation identifies the cases that are free or have reduced fees. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 79 §38

⁴⁶¹ MoSA guidelines define a foster family as “any family that undertakes the education, up-bringing, and care of the child in all aspects of life for a child whose family is absent or no longer exists.” Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 79 §38

⁴⁶² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 72 §5

⁴⁶³ Meeting between DCI-Palestine and Maisoon Atawneh Wehaidi, Expert in Child Protection, ex Director General of Child Protection Unit, Ministry of Social Affairs (MoSA), 13 October 2010.

⁴⁶⁴ Meeting between DCI-Palestine and Maisoon Atawneh Wehaidi, Expert in Child Protection, ex Director General of Child Protection Unit, Ministry of Social Affairs (MoSA), 13 October 2010.

⁴⁶⁵ Of these calls, 900 were reporting abuse and violence, and another 500 called about physical abuse.

⁴⁶⁶ Meeting between DCI-Palestine and Jalal Khader, Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.

⁴⁶⁷ Such as the Ministry of Health (MoH), the Ministry of Education and Higher Education (MoEHE), the Ministry of Interior (MoI).

⁴⁶⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 83 §61

⁴⁶⁹ To raise awareness about the helpline and how to use it, the network produced and distributed training materials to schools and various locations

⁴⁷⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 79 §39

⁴⁷¹ Meeting between DCI-Palestine and the Child Protection Department, Ministry of Social Affairs, Ramallah, 21 October 2010.

⁴⁷² Meeting between DCI-Palestine and Jalal Khader, Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.

⁴⁷³ There is conflicting information on these centres. According to Jihad Shomaly, Child Justice Unit Coordinator, Defence for Children International-Palestine Section, these centres do not take girls, and if the situation is extreme she is put in prison. However, according to the PA, girls are also accommodated in the Ramallah shelter. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 83 §61

⁴⁷⁴ Originally there were two child protection shelters in Jenin and Ramallah. The Jenin shelter is now closed. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 83 §61

⁴⁷⁵ Meeting between DCI-Palestine and Maisoon Atawneh Wehaidi, Expert in Child Protection, ex Director General of Child Protection Unit, Ministry of Social Affairs (MoSA), 13 October 2010.

⁴⁷⁶ The family centre initiative is a UNICEF programme implemented by Save the Children Sweden in partnership with NGOs and community based organisations, and funded by CIDA, ECHO and the Bank of Palestine. Save the Children Sweden: Regional Programme for Middle East and North Africa, “Family Centres in Gaza”, 2010, available on-line at http://mena.savethechildren.se/Middle_East_and_North_Africa/News-and-events/News/FamilyCentresProject-Gaza/ (last accessed 23 November 2010)

⁴⁷⁷ Save the Children Sweden: Regional Programme for Middle East and North Africa, “The Family Centres Project: Impact Report August 2009 to June 2010”, 2010, pg. 10, available on-line at <http://mena.savethechildren.se/Global/scs/MENA/reports/IMPACT%20Report%20GAZA%20Family%20Centres%20%28Au%202009%20toJune%202010%29.pdf> (last accessed 23 November 2010)

⁴⁷⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 198, §132.

⁴⁷⁹ “Child protection can be addressed in different ways depending of the service identifying the need and type or protection needed. For example, a teacher can identify a need, speak with the child and refer it to a school counsellor who can counsel the child, meet the family if needed... If it’s relevant, the school counsellor can refer the child to UNRWA health services that can provide psychosocial help and more specific cares. If it’s relevant, community mental health workers can also be contacted by the school counsellor to involve the child or and his family in some planned activities.” N.B., Programme Support Officer, UNRWA West Bank Field Office email communications with DCI-Palestine, 15 and 28 October 2010.

⁴⁸⁰ “Dealing with cases has shown them the importance of the initiative and they want to develop some activities around it to answer the needs of the communities: awareness activities around violence, identifying new cases of violence, improve the coordination with relevant institutions inside camps, disseminate brochures and do campaigns to inform communities, organise group counselling and individual counselling.” N.B., Programme Support Officer, UNRWA West Bank Field Office email communications with DCI-Palestine, 15 and 28 October 2010.

⁴⁸¹ The Teacher Creativity Centre (TCC) works to promote civic education and human rights within the school curriculum. Their two core programmes focus on capacity building and advocacy and lobbying to influence decision makers to promote safe, democratic, learning environments. available on-line at <http://www.teachercc.org/programs.htm> (last accessed on 4 August 2011)



- ⁴⁸² Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, 1 November 2010
- ⁴⁸³ Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, 1 November 2010
- ⁴⁸⁴ Meeting between DCI-Palestine and Eszter Szucs, UNRWA West Bank Education Department, 1 November 2010
- ⁴⁸⁵ Interview between DCI-Palestine and the Treatment and Rehabilitation Centre for Victims of Torture (TRC), 26 October 2010.
- ⁴⁸⁶ Palestinian National Authority, “Amended Basic Law”, 2003, available on-line at http://www.usaid.gov/wbg/misc/Amended_Basic_Law.pdf (last accessed on 4 August 2011)
- ⁴⁸⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 208, §42
- ⁴⁸⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 208, §42
- ⁴⁸⁹ United Nations Development Fund for Women (UNIFEM) and Sawa – All the Women Together Today and Tomorrow, “Trafficking and Forced Prostitution of Palestinian Women and Girls: Forms of Modern Day Slavery” 2008, pg. 21, available on-line at http://www.unifem.org/attachments/products/forms_of_modern_day_slavery_opt_en.pdf (last accessed on 1 August 2010)
- ⁴⁹⁰ Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, Defence for Children International-Palestine Section, Ramallah, 4 December 2010.
- ⁴⁹¹ Save the Children Sweden (SCS), “Concept Paper: Sexual and Reproductive Health Rights of Children and Adolescents in Palestine and Lebanon”, 2010, pg. 1.
- ⁴⁹² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 46
- ⁴⁹³ Save the Children Sweden, “Concept Paper: Sexual and Reproductive Health Rights of Children and Adolescents in Palestine and Lebanon”, 2010, pg. 1.
- ⁴⁹⁴ Palestinian Central Bureau of Statistics (PCBS, “Palestinian Children: Issues and Statistics”, 2006, pg. 27, available on-line at http://www.pcbs.gov.ps/Portals/_PCBS/Downloads/book1256.pdf, (last accessed 17 November 2010)
- ⁴⁹⁵ Euromed Gender equality programme, “National Situation Analysis Report: Women’s Human Rights and Gender Equality Occupied Palestinian Territory 2009-2010”, 2009, accessible on-line at http://www.enpi-info.eu/files/publications/Situation%20Analysis_Report_OPT.pdf, (last accessed 25 March 2011)
- ⁴⁹⁶ Email communication between DCI-Palestine and Mohammad Rimawi, Ministry of Education and Higher Education, 12 December 2010.)
- ⁴⁹⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 75-76
- ⁴⁹⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 76 §20
- ⁴⁹⁹ UNIFEM clarifies: “The Israeli legislation relevant to the topic are the Penal Law 1977 amendment 2000, the Law for Combating Criminal Organizations and the Prohibition on Money Laundering, among others”. According to the Penal Law of 1997: “Selling or purchasing of a person in order to engage him in prostitution or serving as a middleman in the selling or purchasing of a person for this purpose is punishable by a term of imprisonment of 16 years” and “causing a person to leave the state in which he lives in order to engage in prostitution, is punishable by a term of imprisonment of 10 years.” See also pg. 20 for details about Palestinian legislation. United Nations Development Fund for Women (UNIFEM) and Sawa – All the Women Together Today and Tomorrow, “Trafficking and Forced Prostitution of Palestinian Women and Girls: Forms of Modern Day Slavery”, 2008, pg. 21, available on-line at http://www.unifem.org/attachments/products/forms_of_modern_day_slavery_opt_en.pdf (last accessed on 1 August 2010)

- ⁵⁰⁰ United Nations Development Fund for Women (UNIFEM) and Sawa – All the Women Together Today and Tomorrow, “Trafficking and Forced Prostitution of Palestinian Women and Girls: Forms of Modern Day Slavery”, 2008, pg. 20, available on-line at http://www.unifem.org/attachments/products/forms_of_modern_day_slavery_opt_en.pdf (last accessed on 1 August 2010)
- ⁵⁰¹ All research conducted by Sawa in conjunction with UNIFEM. Information gathered from newspaper reports highlighted the phenomenon of families selling their daughters. This was followed up by interviews with trafficked women, hotel owners, taxi drivers, lawyers and police officers. According to Sawa, “since 2001, the police have found eight prostitution houses in Ramallah, and up to 2007, this number has increased”. United Nations Development Fund for Women (UNIFEM) and Sawa – All the Women Together Today and Tomorrow, “Trafficking and Forced Prostitution of Palestinian Women and Girls: Forms of Modern Day Slavery”, 2008, pg. 11, available on-line at http://www.unifem.org/attachments/products/forms_of_modern_day_slavery_opt_en.pdf (last accessed on 1 August 2010)
- ⁵⁰² Meeting between DCI-Palestine and Jalal Khader: Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.
- ⁵⁰³ Meeting between DCI-Palestine and Jalal Khader: Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.
- ⁵⁰⁴ Israel has not defined its borders so technically no border exists. The de facto border with the West Bank, the 1967 border is the Green Line; visible on the OCHA oPt maps of the West Bank.
- ⁵⁰⁵ Meeting between DCI-Palestine and Jalal Khader: Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.
- ⁵⁰⁶ Lataste, L. “Understanding the Contours of Child Trafficking-Country Assessment of Human Trafficking in the OPT and the Situation in Israel”, 2006, in UNICEF, cited in Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 208 §42
- ⁵⁰⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 208 §42
- ⁵⁰⁸ Meeting between DCI-Palestine and Jalal Khader: Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.
- ⁵⁰⁹ The Civil Administration in subordinate to the Ministry of Defence and run by a military commander.
- ⁵¹⁰ Meeting between DCI-Palestine and Jalal Khader: Advocate, Sawa: All the Women Together Today and Tomorrow, Ramallah, 5 October 2010.
- ⁵¹¹ State party Declarations and Reservations to the Convention on the Rights of the Child available on-line at http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en (last accessed on 4 August 2011) and State party Declarations and Reservations to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict available on-line at http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en (last accessed on 4 August 2011)
- ⁵¹² Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 23 October 2010)
- ⁵¹³ If children have been used in the past for suicide missions, groups all claim that that this was a mistake and that those responsible for recruiting them were punished. DCI-Palestine, “Use of Children in the Occupied Palestinian Territories: Perspective on Child Soldiers”, 2004, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 4 December 2010)
- ⁵¹⁴ Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, Defence for Children International-Palestine Section, Ramallah, 5 December 2010.
- ⁵¹⁵ DCI-Palestine documentation unit database
- ⁵¹⁶ This information was not documented by DCI-Palestine but reported on the Popular Front for the Liberation of Palestine (PFLP) website. See PFLP website, www.pflp.ps/ (last accessed on 4 August 2011); the Israeli Ministry of Foreign Affairs, www.mfa.gov.il (last accessed on 4 August 2011), Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed on 4 August 2011)
- ⁵¹⁷ Documentation from DCI-Palestine, 20 October 2007. Cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

⁵¹⁸ Documentation from DCI-Palestine, 20 October 2007, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

⁵¹⁹ Documentation from DCI-Palestine, 6 December 2010.

⁵²⁰ Information from DCI-Palestine, 20 October 2007, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

⁵²¹ In addition, there was a confirmed case of recruitment of a 16-year-old boy by the armed group Ezz al-Din al-Qassam Brigades. The Israel/occupied Palestinian territory working group created under Security Council resolution 1612 called for a monitoring and reporting mechanism in countries with an established pattern of child recruitment.

⁵²² Special Representative of the Secretary General for Children and Armed Conflict, “Children and Armed Conflict: Report of the Secretary General” 2010, UN Doc A/64/742-S/2010/18, §100.

⁵²³ Interview with confidential source, 9 September 2007, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

⁵²⁴ DCI-Palestine, “Use of Children in the Occupied Palestinian Territories: Perspective on Child Soldiers”, 2004, pg. 31-32, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 4 December 2010)

⁵²⁵ DCI-Palestine, “Use of Children in the Occupied Palestinian Territories: Perspective on Child Soldiers”, 2004, pg. 31-32, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 4 December 2010)

⁵²⁶ Special Representative of the Secretary General for Children and Armed Conflict, “Children and Armed Conflict: Report of the Secretary General” 2010, UN Doc A/64/742-S/2010/18, §104.

⁵²⁷ DCI-Palestine “Israeli army still using children as human shields in 2010”, 2010, Available on-line at <http://www.dci-pal.org/english/display.cfm?DocId=1714&CategoryId=1> (last accessed on 4 August 2011)

⁵²⁸ Special Representative of the Secretary General for Children and Armed Conflict, “Children and Armed Conflict: Report of the Secretary General” 2010, UN Doc A/64/742-S/2010/18, §101.

⁵²⁹ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 7

⁵³⁰ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg 12, §59

⁵³¹ DCI-Palestine, “Israeli Army Still Using Children as Human Shields”, 2010, available on-line at <http://www.dci-pal.org/english/display.cfm?DocId=1714&CategoryId=1> (last accessed 2 February 2011)

⁵³² Workshop funded by the Quakers, Forum on Armed Groups, background paper on Hamas, 4–7 July 2006, at www.child-soldiers.org, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

⁵³³ Information from Child Planning Unit, Palestinian Ministry of Planning, 8 November 2007, in response to Coalition questions, Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 4 December 2010)

⁵³⁴ Article 46 (1) Palestinian Child Draft Law

⁵³⁵ Article 44 Palestinian Child Draft Law

⁵³⁶ Article 46 Palestinian Penal Draft Law

⁵³⁷ Information from Child Planning Unit, Palestinian Ministry of Planning, 8 November 2007, in response to Coalition questions, in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 2, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)

- ⁵³⁸ UNICEF, “Humanitarian Action Update 2007”, 2007, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 3, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)
- ⁵³⁹ International Committee of the Red Cross (ICRC) activities in Israel and the occupied and autonomous territories: operational update, October 2007, available on-line at www.icrc.org, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 3, available on-line at <http://www.child-soldiers.org/regions/country?id=164> (last accessed 14 November 2010)
- ⁵⁴⁰ Information from Child Planning Unit, Palestinian Ministry of Planning, 8 November 2007, in response to Coalition questions, cited in Coalition to Stop the Use of Child Soldiers, “Global Report 2008: Occupied Palestinian Territory”, 2008, pg. 3, available on-line at <http://www.child-soldiers.org/regions/country?id=164>. (last accessed 14 November 2010)
- ⁵⁴¹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 203.
- ⁵⁴² UNICEF, “At a glance: Occupied Palestinian Territory: Activities and results for children” available on-line at http://www.unicef.org/infoby-country/oPt_1535.html (last accessed on 19 July 2010)
- ⁵⁴³ This is an approximate figure from DCI-Palestine provisional database.
- ⁵⁴⁴ Landmine and Cluster Munition Monitor, “Country Profile: Palestine Mine Action”, 2010, available on-line at http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/285 (last accessed 15 November 2010)
- ⁵⁴⁵ 1612 Monitoring and Reporting Mechanism (MRM) Working Group, “Children Affected by Armed Conflict (CACC) Bulletin: Annual Review 2010”, 2010, pg. 2
- ⁵⁴⁶ In an interview with Defence for Children International, the Ministry of Interior explained that there was no systematic data collection system but that they were working on resolving this. Meeting between DCI-Palestine and Khaled Sabateen, Legal Adviser to the Office of the Director-General of Police, Ministry of Interior, Ramallah, 5 December 2010.
- ⁵⁴⁷ Landmine and Cluster Munition Monitor, “Country Profile: Palestine Mine Action”, 2010, available on-line at http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/285 (last accessed 15 November 2010)
- ⁵⁴⁸ United Nations Mine Action Service: Department of Peace Keeping Operations, United Nations Development Fund, United Nations Children’s Fund, “2010 Portfolio of Mine Action Projects” (New York, November 2009), p. 262, available on-line at <http://www.mineaction.org/section.asp?s=projects>, (last accessed 6 December 2010).
- ⁵⁴⁹ Landmine and Cluster Munition Monitor, “Country Profile: Palestine Mine Action”, 2010, available on-line at http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/285 (last accessed 15 November 2010)
- ⁵⁵⁰ Elena Rice, United Nations Mine Action Team (UNMAT) email to Landmine Monitor, 9 June 2009, cited on Landmine and Cluster Munition Monitor, “Country Profile: Palestine Mine Action”, 2010, available on-line at http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/285 (last accessed 15 November 2010)
- ⁵⁵¹ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1 §11, pg. 3,
- ⁵⁵² Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, CRC/OPAC/ISR/CO/1, 4/4/2010, pg. 7, § 38.
- ⁵⁵³ NGO Mines Advisory Group (MAG), UNMAT-GO, Save the Children Sweden(SCS), UNICEF in collaboration with the Ministry of Education and Higher Education (MoEHE) United Nations Mine Action Service: Department of Peace Keeping Operations, United Nations Development Programme, United Nations Children’s Fund, “2010 Portfolio of Mine Action Projects”, 2009, pg. 262, available on-line at <http://www.mineaction.org/section.asp?s=projects>, (last accessed 6 December 2010)



⁵⁵⁴ United Nations Mine Action Service: Department of Peace Keeping Operations, United Nations Development Programme, United Nations Children's Fund, "2010 Portfolio of Mine Action Projects", 2009, pg. 262, available on-line at <http://www.mineaction.org/section.asp?s=projects>, (last accessed 6 December 2010)

⁵⁵⁵ United Nations Mine Action Service: Department of Peace Keeping Operations, United Nations Development Programme, United Nations Children's Fund, "2010 Portfolio of Mine Action Projects" 2009, pg. 262, available on-line at <http://www.mineaction.org/section.asp?s=projects>, (last accessed 6 December 2010)

⁵⁵⁶ UNICEF, "At a glance: Occupied Palestinian Territory: Activities and results for children", 2009, available at http://www.unicef.org/infoby-country/oPt_1535.html (last accessed on 19 July 2010)

⁵⁵⁷ The family centre initiative is a UNICEF programme implemented by Save the Children Sweden in partnership with non-government organisations and community based organisations, and funded by the European Commission for Humanitarian Affairs, CIDA, and the Bank of Palestine. Save the Children Sweden: Regional Programme for Middle East and North Africa, "Family Centres in Gaza", available on-line at http://mena.savethechildren.se/Middle_East_and_North_Africa/News-and-events/News/FamilyCentresProject-Gaza/ (last accessed 4 October 2010)

⁵⁵⁸ Save the Children Sweden: Regional Programme for Middle East and North Africa, "The Family Centres Project: Impact Report August 2009 to June 2010", 2010, pg. 18, available on-line at <http://mena.savethechildren.se/Global/scs/MENA/reports/IMPACT%20Report%20GAZA%20Family%20Centres%20%28Au%202009%20toJune%202010%29.pdf> (last accessed 15 October 2010)

⁵⁵⁹ See UNICEF occupied Palestinian territory (oPt), "Monthly Update: April 2010" 2010, available at http://www.unicef.org/oPt/Monthly_Update_April_09.pdf (last accessed on 25 March 2011)

⁵⁶⁰ Email to DCI-Palestine from Mioh Nemoto, Child Protection Specialist, UNICEF oPt, Gaza, on 14 December 2010.

⁵⁶¹ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "UNRWA Fact Sheet, January 2009", 2009, available on-line at <http://www.unrwa.org> (last accessed 25 January 2011)

⁵⁶² Badil Resource Centre, "Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009", 2009, ISSN 1728-1679

⁵⁶³ Badil Resource Centre for Palestinian Residency and Refugee Rights, "Historic Overview" available on-line at <http://www.badil.org/en/historical-overview> (last accessed on 18 January 2010)

⁵⁶⁴ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), "UNRWA in Figures: As of January 2010", 2010, available on-line at <http://www.unrwa.org/userfiles/20100628261.pdf> (last accessed 18 January 2010)

⁵⁶⁵ These are people whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict.

⁵⁶⁶ United Nations Office for the Coordination of Humanitarian Affairs-Integrated Regional Networks (IRIN), "Middle East: Palestinian refugees numbers/whereabouts", June 2010, available on-line at <http://www.irinnews.org/Report.aspx?ReportId=89571> (last accessed on 10 July 2010)

⁵⁶⁷ Badil Resource Centre for Palestinian Residency and Refugee Rights, "International Protection and Durable Solutions" Information & Discussion Brief, Issue No. 10, December 2006, pg. 27, ISSN 1994-0777

⁵⁶⁸ UNICEF "Humanitarian Action: Donor Update", 2006, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/FE95D-2C7611A6CB485257249004F390D> (last accessed 21 January 2011)

⁵⁶⁹ Badil Resource Centre for Palestinian Residency and Refugee Rights, "International Protection and Durable Solutions" Information & Discussion Brief, Issue No. 10, December 2006, ISSN 1994-0777. pg. 27

⁵⁷⁰ Save the Children UK, "Fact Sheet: June 2008", 2008, pg. 3, available on-line at http://www.savethechildren.org.uk/en/docs/palestinian-refugee-children-fact-sheet_june08.pdf, (last accessed on 17 January 2011)

⁵⁷¹ Palestinian Authority (PA), "The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory" January 2011, pg. 198 §14

⁵⁷² United Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), “Joint Rapid Food Security Survey in the occupied Palestinian territory”, 2008, pg. 4, available on-line at http://unispal.un.org/pdfs/RapidAssessmentReport_May08.pdf, (last accessed 17 January 2011)

⁵⁷³ⁱⁿ Gaza the programme provided food aid to 750,000 refugees, and employed on average 10,000 refugees per month. United Relief and Works Agency for Palestine Refugees in the Near East: Gaza Field Office (UNRWA), “Priorities, Programmes and Initiatives 2010”, 2010, pg. 2, available on-line at <http://www.unrwa.org/userfiles/2010042653732.pdf>, (last accessed on 27 January 2011)

⁵⁷⁴ United Relief and Works Agency for Palestine Refugees in the Near East, (UNRWA), “Emergency Appeal 2011” pg. 5, available on-line at <http://www.unrwa.org/userfiles/2010121464938.pdf>, (last accessed on 20 January 2011)

⁵⁷⁵ This programme will include the employment of specialised teams of paediatricians, optometrists, ophthalmologists and medical support staff based at UNRWA clinics in six educational areas to conduct assessments, screening and follow up. These programme targets 15,000 children over the course of the school year. United Relief and Works Agency for Palestine Refugees in the Near East UNRWA, “Emergency Appeal 2011”, 2011, pg. 22, available on-line at <http://www.unrwa.org/userfiles/2010121464938.pdf>, (last accessed on 20 January 2010)

⁵⁷⁶ This includes a medical officer, nurse, laboratory technician, assistant pharmacist and driver.

⁵⁷⁷ In 2003, the mobile clinics reached 70,000 refugees, this number doubled to 140,000 in 2008. United Nations Relief and Works Agency for Palestine Refugees in the Near East: West Bank Office (UNRWA), “Projects in the West Bank: Mobile Health Clinics” 2010, available on-line at <http://www.unrwa.org/etemplate.php?id=101> (last accessed 17 January 2011)

⁵⁷⁸ This programme, which started in 2009, is headed by the Health Department and works with the whole family when dealing with child protection issues, offering support in cases of gender-based violence, disability, and crisis intervention. Complementary and coordinated services are provided by Health, Education, Relief and Social Services, which together provide a holistic and comprehensive approach to mental health and psychosocial service provision. Email communication between DCI-Palestine and Nuria Branders, Programme Support Officer, UNRWA West Bank Field Office, 15 October 2010.

⁵⁷⁹ Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009: Table 2.1: Palestinian Refugees and IDPs by Group”, 2009, ISSN 1728-1679

⁵⁸⁰ See Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 199 §17 and pg. 201 §22

⁵⁸¹ Karine MacAllister and Karim Khalil, Humanitarian Practice Network, “A forum for improving humanitarian action”, 2009, available on-line at <http://www.odihpn.org/report.asp?id=3033> (last accessed on 23 September 2010)

⁵⁸² Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009: Root Causes and ‘Triggers’ of Contemporary Forced Displacement”, 2009, ISSN 1728-1679

⁵⁸³ Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009: Root Causes and ‘Triggers’ of Contemporary Forced Displacement”, 2009, ISSN 1728-1679

⁵⁸⁴ United Nations Development Programme: Programme of Assistance to the Palestinian People (UNDP: PAPP), “One Year After: Gaza: Early Recovery and Reconstruction Needs Assessment”, May 2010, pg. 25, available on-line at <http://www.undp.ps/en/newsroom/publications/pdf/other/gazaoneyear.pdf> (last accessed 27 January 2011)

⁵⁸⁵ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA opt), “The Humanitarian Monitor: January 2009”, 2009, available on-line at <http://unispal.un.org/UNISPAL.NSF/0/947B24210E85DE3885257561005081BF>, (last accessed on 19 January 2011)

⁵⁸⁶ As Gaza and the West Bank form one, albeit non-contiguous, territorial unit crossing from one to the other does not constitute leaving one’s country for another. Internal Displacement Monitoring Centre (IDMC) and Norwegian Refugee Council (NRC), “Occupied Palestinian Territories: West Bank Wall main cause of new displacement amid worsening humanitarian situation”, April 2007, pg. 6, available on-line at <http://www.reliefweb.int/library/documents/2006/idmc-opt-21Jun.pdf> (last accessed on 18 January 2011)

⁵⁸⁷ Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009”, 2009, page 58. ISSN 1728-1679.

⁵⁸⁸ Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009”, 2009, ISSN 1728-1679



- ⁵⁸⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 201 §23
- ⁵⁹⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 201 §22
- ⁵⁹¹ Badil Resource Centre, “Survey of Palestinian Refugees and Internally Displaced Persons 2008-2009”, 2009, ISSN 1728-1679
- ⁵⁹² Save the Children UK, “Forced Displacement in the Occupied Palestinian Territory”, 2009, pg. 10, available on-line at [http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/D34676711347A0C9C125768D005B1076/\\$file/Save+the+Children_Briefing-paperOct09.pdf](http://www.internal-displacement.org/8025708F004CE90B/%28httpDocuments%29/D34676711347A0C9C125768D005B1076/$file/Save+the+Children_Briefing-paperOct09.pdf), (last accessed on 20 January 2011)
- ⁵⁹³ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 84 §67
- ⁵⁹⁴ According to the Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 79 §38
- ⁵⁹⁵ Meeting between DCI-Palestine and Eman Ayoub, Child Protection Officer, Child Protection Department, Ministry of Social Affairs, 28 November 2010.
- ⁵⁹⁶ Meeting between DCI-Palestine and Eman Ayoub, Child Protection Officer, Child Protection Department, Ministry of Social Affairs, 28 November 2010.
- ⁵⁹⁷ Palestinian National Authority, “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 78, §32
- ⁵⁹⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 49
- ⁵⁹⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 85 §75
- ⁶⁰⁰ Meeting between DCI-Palestine and Eman Ayoub, Child Protection Officer, Child Protection Department, Ministry of Social Affairs, 28 November 2010.
- ⁶⁰¹ Meeting between DCI-Palestine and Maysoun Obeid, Youth and Adolescent Development Specialist, UNICEF oPt, Jerusalem, 14 October 2010.
- ⁶⁰² Palestine Note, “Gaza: Number of Illegitimate Children on the Rise” available on-line at <http://palestinernote.com/cs/blogs/topnews/archive/2010/02/07/number-of-illegitimate-children-on-the-rise-in-gaza.aspx> (last accessed 21 August 2010)
- ⁶⁰³ In 2003-2005, there were six children found in this way; in 2006-2007 there were five; in 2008 there were four; in 2009 there were six and until 28 November 2010, eight children had been found. Eman Ayoub, Child Protection Officer, Child Protection Department, Ministry of Social Affairs meeting with DCI-Palestine, 28 November 2010.
- ⁶⁰⁴ Mariam Hamed “Gaza Number of illegitimate Children on the Rise”, in Palestine Note, 7 February 2010, available on-line at <http://palestinernote.com/cs/blogs/topnews/archive/2010/02/07/number-of-illegitimate-children-on-the-rise-in-gaza.aspx>, (last accessed on 21 December 2010)
- ⁶⁰⁵ Meeting between DCI-Palestine and the Ministry of Social Affairs, Child Protection Department, Ramallah, 28 November 2010
- ⁶⁰⁶ MoSA guidelines define a foster family as: “any family that undertakes the education, upbringing, and care of the child in all aspects of life for a child whose family is absent or no longer exists.” Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 79 §38
- ⁶⁰⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 83 §62

- ⁶⁰⁸ Meeting between DCI-Palestine and Eman Ayoub, Child Protection Officer, Child Protection Department, Ministry of Social Affairs, 28 November 2010.
- ⁶⁰⁹ Children complain that they are kept in the institutions and have limited contact with other children in the community. Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 84 §68
- ⁶¹⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 78, §33
- ⁶¹¹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 81 §48
- ⁶¹² Email communication between DCI-Palestine and Mohammed Said, Development Leader, SOS Children’s Villages-Palestine, 4 October 2010
- ⁶¹³ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 58, §2-5
- ⁶¹⁴ Articles 31 and 32), Palestinian Child Law, No 7 of 2004
- ⁶¹⁵ Email communication to DCI-Palestine from Salwa Duaibis, Women’s Centre for Legal Aid and Counselling (WCLAC), Ramallah, on 13 December 2010
- ⁶¹⁶ Meeting between Defence for Children International-Palestine Section and the Ministry of Social Affairs, Child Protection Department, Ramallah, 28 November 2010
- ⁶¹⁷ UNICEF/DCI-Palestine, “Children on the Street: The Palestinian Case”, 2005, available at [http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/$File/full_report.pdf) (last accessed on 9 August 2010)
- ⁶¹⁸ UNICEF/DCI-Palestine, “Children on the Street: The Palestinian Case”, 2005, pg. 34, available at [http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/$File/full_report.pdf) (last accessed on 9 August 2010)
- ⁶¹⁹ Jordanian Penal Code of 1960, article 290 cited by UNICEF/DCI-Palestine, “Children on the Street: The Palestinian Case”, 2005, available at [http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/$File/full_report.pdf) (last accessed on 9 August 2010)
- ⁶²⁰ The work should not expose them to harmful or dangerous situations or jobs. No child is allowed to work in conditions that pose a threat to their physical and/or psychological well-being. This includes working shorter working days and taking holidays and vacations at their expected times. The child should receive a medical exam every six months, his/her well-being must be monitored and immediate medical care be provided if needed. Children are not allowed to work during night shifts, in remote areas, or where there is not proper supervision available. All of the safety and occupational protection measures determined by the Minister, as well as executive bylaws and policies, apply to child labourers. In Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 207 §38
- ⁶²¹ Save the Children UK, “Child Rights Fact Sheet, October 2007”, 2007, pg. 1, available on-line at http://www.savethechildren.org.uk/en/docs/OPT_Oct_07_Eng.pdf, (last accessed on 06 December 2010)
- ⁶²² Palestinian Central Bureau of Statistics (PCBS), “Palestinian Central Bureau of Statistics Issued Child Statistics Report on the Eve of Palestinian Children’s Day April 5, 2010” 2010, available at <http://www.pcbs.gov.ps>, (last accessed on 22 March 2011)
- ⁶²³ Palestinian Central Bureau of Statistics (PCBS) “Labour Force Survey” Round (Q4/2010), October-December 2010, available on http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/LF_Q042010_E.pdf, (last accessed on 22 March 2011)
- ⁶²⁴ Palestinian Central Bureau of Statistics (PCBS), “Palestinian Central Bureau of Statistics Issued Child Statistics Report on the Eve of Palestinian Children’s Day April 5, 2010”, 2010, available at <http://www.pcbs.gov.ps>, (last accessed on 22 March 2011)
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- ⁶²⁶ United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (OCHA opt), “Easing the blockade: Assessing the humanitarian impact on the population of the Gaza Strip”, 2011, pg. 10
- ⁶²⁷ Palestinian Central Bureau of Statistics (PCBS), “Palestinian Central Bureau of Statistics issued Child Statistics Report on the Eve of Palestinian Children’s day April 5, 2010”, 4 April 2010, available on-line at <http://www.pcbs.gov.ps>, (last accessed on 22 March 2011)
- ⁶²⁸ UNICEF/DCI-Palestine, “Children on the Street: The Palestinian Case”, 2005, available at [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/TKAI-73235U-full_report.pdf/$File/full_report.pdf) (last accessed on 9 August 2010)
- ⁶²⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 206 §36
- ⁶³⁰ Palestinian Central Bureau of Statistics (PCBS), “Palestinian Children: Issues and Statistics”, 2006, pg. 97, available on-line at http://www.pcbs.gov.ps/Portals/_PCBS/Downloads/book1256.pdf, (last accessed 17 November 2010)
- ⁶³¹ For instance, boys mentioned working at food stands in the evenings. United Nations Development Fund for Women (UNIFEM), “Towards gender equality in humanitarian response: Addressing the needs of women and men in Gaza”, 2009, pg. 45, available on-line at http://www.unifem.org/materials/item_detail.php?ProductID=170 (last accessed on 23 July 2010)
- ⁶³² This was also the reaction of families when their homes were demolished, where 40% of respondents in a study on displacement admitted that they send their children out to work as a coping mechanism for the financial strain of losing their home. Save the Children UK, “Life on the edge: the struggle to survive and the impact of forced displacement in high risk areas of the occupied Palestinian territory”, 2009, pg. 9, available on-line at http://www.savethechildren.org.uk/en/docs/English_Summary_of_Research_Findings_low_res.pdf, (last accessed on 06 December 2010)
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- ⁶³⁴ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 206-7 §36
- ⁶³⁵ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 209 §46
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- ⁶³⁷ Israel/oPt Working Group on Grave Violations against Children (1612 Working Group), “Children Affected by Armed Conflict (CACC) Israel & the occupied Palestinian territory (oPt) Bulletin: Annual Review 2010”, 2010, pg. 4
- ⁶³⁸ Special Representative of the Secretary General for Children and Armed Conflict, “Children and Armed Conflict: Report of the Secretary General”, 13/04/2010, UN Doc A/64/742-S/2010/18. pg. 26, §105,
- ⁶³⁹ Figures accumulative from two reports: Special Representative of the Secretary General for Children and Armed Conflict, “Children and Armed Conflict: Report of the Secretary General” 13/04/2010, UN Doc A/64/742-S/2010/18. pg. 26, §105, and 1612 Monitoring and Reporting Mechanism (MRM) Working Group, “Children Affected by Armed Conflict (CACC) Bulletin: Annual Review 2010”, 2010, pg. 4
- ⁶⁴⁰ Save the Children Sweden / East Jerusalem YMCA “Findings of Baseline Study: The Impact of Detention on Palestinian Ex-detainee Children and their Families”, 2009, available at <http://sca.savethechildren.se/Global/scs/MENA/Resources/Baseline%20Findings%20-oPt.pdf> (last accessed on 4 August 2011)
- ⁶⁴¹ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 8, §36
- ⁶⁴² Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 13
- ⁶⁴³ Committee on the Rights of the Child, Concluding Observations: Israel, 9/10/2002, CRC/C/15/Add.195, pg. 13, §63.

⁶⁴⁴ Military Order No. 1,644. For more information see <http://www.dci-pal.org/english/display.cfm?DocId=1223&CategoryId=1> (last accessed on 4 August 2011)

⁶⁴⁵ These military orders allow for prolonged detention of children without due process. Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 6, §33,

⁶⁴⁶ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 6, §35,

⁶⁴⁷ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 6, §36

⁶⁴⁸ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, 4/4/2010, pg. 12, §62,

⁶⁴⁹ Youth (Trial, Punishment and Modes of Treatment) Law (1971) – Section 1.

⁶⁵⁰ Military Order 132.

⁶⁵¹ Youth (Trial, Punishment and Modes of Treatment) Law (1971) – Section 9H.

⁶⁵² In all cases where the maximum penalty is 10 years or more - Criminal Procedure (Suspects Interrogation) Law (2002) – Section 4, 17.

⁶⁵³ Criminal Procedure (Interrogation of Suspects) Law (2002) – Amendment No. 4 of 2008

⁶⁵⁴ Criminal Procedure (Powers of Enforcement- Arrests) Law (1996) – Section 30.

⁶⁵⁵ Criminal Procedures (Detainees Suspected of Security Offences) (Temporary Order) Law (2006) – Section 3.

⁶⁵⁶ Military Order 378, Chapter D, Article 78 (e1)(2).

⁶⁵⁷ Criminal Procedures (Powers of Enforcement-Arrests) Law (1996) – Section 34.

⁶⁵⁸ Criminal Procedure (Detainee Suspected of Security Offence) (Temporary Order) Law (2006) – Section 3.

⁶⁵⁹ Military Order 378, Chapter D, Articles 78c (c)(1) and (2) and 78d (b)(3) and (4).

⁶⁶⁰ Youth (Trial, Punishment and Modes of Treatment) Law (1971) – Sections 10I and 10K; and the Criminal Procedure (Enforcement Powers – Arrests) Law (1996) – Sections 17 and 59.

⁶⁶¹ Criminal Procedure (Detainee Suspected of Security Offence) (Temporary Order) Law (2006)

⁶⁶² Military Order 378, Article 78(e1)(2), (f)(1) and (f)(2).

⁶⁶³ Youth (Trial, Punishment and Modes of Treatment) Law (1971) – Section 10L; and the Criminal Procedure (Enforcement Powers – Arrests) Law (1996) – Section 61 – 9 months for adults

⁶⁶⁴ Military Order 378, Article 78(D).

⁶⁶⁵ Youth (Trial, Punishment and Modes of Treatment) Law (1971) – Sections 25(d).

⁶⁶⁶ Military Order 132.

⁶⁶⁷ The Emergency Powers (detention) Law-1979-section 2(b).



⁶⁶⁸ Military Order 1591.

⁶⁶⁹ Save the Children Sweden East Jerusalem YMCA “The Social Rehabilitation of Palestinian Child Ex-Detainees: A Long Run to Freedom”, 2008, pg. 50

⁶⁷⁰ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 203.

⁶⁷¹ Save the Children Sweden East Jerusalem YMCA “The Social Rehabilitation of Palestinian Child Ex-Detainees: A Long Run to Freedom”, 2008, pg. 50

⁶⁷² With funds from the European Commission for Humanitarian Aid (ECHO)

⁶⁷³ The Program runs in 11 districts of the West Bank and by close of 2010 had reached 584 ex-detainee children and 359 parents. The programme will continue until 31 March 2011. Young Man’s Christian Association- East Jerusalem (YMCA-EJ) “YMCA-East Jerusalem and Save the Children Sweden Mark the End of Phase I for the Rehabilitation Programme of Ex-detainee Children” available on-line at http://www.cj-ymca.org/index.php?option=com_content&view=article&id=111%3Aymca-east-jerusalem-and-save-the-children-sweden-mark-the-end-of-phase-i-for-the-rehabilitation-programme-of-ex-detainee-children&catid=1%3Alatest-news&Itemid=119, (last accessed on 14 December 2010)

⁶⁷⁴ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 204-205.

⁶⁷⁵ Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, DCI-Palestine, Ramallah, 8 December 2010.

⁶⁷⁶ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 212 §59

⁶⁷⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 212 §59

⁶⁷⁸ Due to the intifada and the seizure of documentation and computer files by Israel, the means to store this data was lost. Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, DCI-Palestine, Ramallah, 8 December 2010.

⁶⁷⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 212 §59

⁶⁸⁰ Juvenile Justice Reform Act, no. 16 of 1954. Amended in 1968

⁶⁸¹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 214 §68

⁶⁸² Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, DCI-Palestine, Ramallah, 8 December 2010.

⁶⁸³ The child cannot be detained between the age of nine and 12, only in exceptional circumstances, if the judge estimates that he was criminally responsible for the crime. Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, DCI-Palestine, Ramallah, 8 December 2010.

⁶⁸⁴ Article 12, Jordanian Juvenile Justice Reform Act of 1954

⁶⁸⁵ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 213 §63

⁶⁸⁶ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 85 §72

⁶⁸⁷ Article 69(3) Palestinian Child Law

⁶⁸⁸ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 215 §77-78

⁶⁸⁹ Defence for Children International-Palestine Section (DCI-Palestine and Save the Children Sweden (SCS), “Child Rights Situation Analysis, Right to Protection in the occupied Palestinian territory”, 2008, pg. 9, available on-line at <http://mena.savethechildren.se/Documents/Resources/CRSA%202008%20-%20OPT%20-%20December%202008.pdf>, (last accessed on 21 December 2010)

⁶⁹⁰ Phone interview with DCI-Palestine and Iman Abdel-Hamid, Legal Advisor, Palestinian Authority Ministry of Justice, 3 April 2011

⁶⁹¹ That the custodian signs a written statement, promising to attend the scheduled court hearing, Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 215 §72

⁶⁹² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 215 §71

⁶⁹³ Defence for Children International “From Legislation to Action: Trends in Juvenile Justice Systems across 15 countries”, 2007, available on-line at <http://www.defenceforchildren.org/files/DCI-JJ-Report-2007-FINAL-VERSION-with-cover.pdf> (last accessed on 4 August 2011)

⁶⁹⁴ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 49 §17

⁶⁹⁵ For more information see the website of and European Police Coordinating Office for Palestinian Police Support <http://www.eupolcopps.eu/content/drafting-palestinian-juvenile-justice-plan>, (last accessed 29 March 2011)

⁶⁹⁶ Meeting between DCI-Palestine and Jihad Shomaly, Child Justice Unit Coordinator, DCI-Palestine, Ramallah, 5 December 2010.

⁶⁹⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 52 §30

⁶⁹⁸ Palestinian Authority (PA) “Draft Palestinian Child Law” No of Draft Bill: 97/2002/M.O

⁶⁹⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 54 §36

⁷⁰⁰ Code of Penal Procedures Law no. 3 of 2001, Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 54 §37

⁷⁰¹ DCI-Palestine, “Annual Report 2004”, 2004, pg. 31.

⁷⁰² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 54, §40

⁷⁰³ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 54, §40

⁷⁰⁴ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory” January 2011, pg. 54, §41

⁷⁰⁵ Little Hands which was first published on November 2002 and is released every few months. It tackles issues related to children rights locally and internationally and focuses on the application of the laws pertaining to children

⁷⁰⁶ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 55, §44

⁷⁰⁷ Telephone interview with DCI-Palestine and Marwan Hantoly, Head of Supervision Division in Qabatiya Educational Directorate, 4 January 2011



⁷⁰⁸ Building on existing youth and community centres, the programme, grew from four centres in 2006 to 100 in 2010, 40 of which are in Gaza, reaching over 25,000 adolescents by June 2010. After Operation Cast Lead the AFS in Gaza, extended their services to include younger children and caregivers. UNICEF “UNICEF oPt Monthly Update”, June 2010, available on-line at http://www.unicef.org/oPt/UNICEF-oPt_June_Update.pdf, (last accessed on 20 July 2010) and meeting between DCI-Palestine and Linda Sall, Youth and Adolescent Development Specialist, UNICEF oPt, Jerusalem, 14 October 2010.

⁷⁰⁹ The National Campaign was in partnership with Ma’an Development Centre, Tamer, al-Nayzak, the National Committee on Summer Camps and the Ministry of Youth and Sport (MoYS). UNICEF “Unicef oPt Monthly Update”, June 2010, available at http://www.unicef.org/oPt/UNICEF-oPt_June_Update.pdf (last accessed on 20 July 2010)

⁷¹⁰ UNICEF “Unicef oPt Monthly Update”, December 2010, available on-line at http://www.unicef.org/oPt/FINAL_UNICEF_oPt_December_2010.pdf (last accessed on 15 January 2011)

⁷¹¹ Funded by Save the Children UK

⁷¹² Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 52, §31

⁷¹³ Save the Children Sweden (SCS) “Animate It”, internal document

⁷¹⁴ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1, pg. 3,

⁷¹⁵ Committee on the Rights of the Child, Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel, 4/4/2010, CRC/OPAC/ISR/CO/1

⁷¹⁶ Meeting between DCI-Palestine and Entisar Hamdan, Director of Right to Education at Teacher Creativity Centre (TCC), 10 October 2010

⁷¹⁷ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 54, §41

⁷¹⁸ This included lack of legal resources, insufficient infrastructure, no training of the judiciary or the police, lack of sovereignty, and an absence of child law on the school curriculum. Bir Zeit University (2006), “The Legal Context in Which the Palestinian Child Law Will Be Implemented and Enforced by the Palestinian Judiciary-Select Issues” Prepared for the Secretariat for the National Plan of Action for Palestinian Children, February 2006, cited in Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 16 §6

⁷¹⁹ Palestinian Authority (PA), “The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory”, January 2011, pg. 16 §6

