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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (IAFORD), the Arab Organization for Human Rights, the Indian Movement "Tupaj Amaru", the International-Lawyers.Org, the Meezaan Center for Human Rights, the Union of Arab Jurists and the Women's Centre for Legal Aid and Counseling, non-governmental organizations in special consultative status, the International Educational Development, Inc., the World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 May 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



Education as a Tool of Israeli Domination over the Palestinian People*

Education plays a crucial role in the life of the individual and is fundamental to the development of a country. Contrary to its international obligations, notably under the Apartheid Convention, the CESC (Article 13), as well as under Article 50 of the Fourth Geneva Convention, Israel takes legislative and other measures to create conditions preventing Palestinians' full development by denying them the fundamental right to education and the right to participate in the cultural life of their nation. Israel violates Palestinians' access, quality and equal enjoyment of the right to education through systematic illegal policies and practices. This submission sheds light on Israel's violations of the right to education, which continue under the longstanding Israeli system of occupation and apartheid oppressing the Palestinian people as a whole.

Ongoing Violations of the Right to Education

While Israel devolved responsibility for education in the Occupied Palestinian Territory (OPT) in 1993, Israel continues to systematically impede Palestinians' right to education there as well as in the territory of its own jurisdiction (Israel and illegally annexed East Jerusalem)¹. Particularly pertinent measures violating Palestinians' right to education include:

- Restrictions on school development
- Negation of Palestinian identity in education
- Restrictions on access and movement
- Settler violence and military action

Restrictions on School Development

Palestinians face serious challenges with regards to education due to, *inter alia*, inadequate school infrastructure and a chronic shortage of classrooms, building restrictions, and hampered access to educational facilities owing to physical, bureaucratic and other obstacles. These factors result in high drop-out rates, low learning achievements and, in some cases, displacement.

Israel imposes severe restrictions on school development in occupied Palestine. In *Area C* of the West Bank, no permits for the building or consolidation of educational institutions are granted, with nearly 94 percent of requests being denied. Those facilities built without a permit are subject to demolition or sealing orders. As it is almost impossible to build or to consolidate infrastructure in Area C, many schools are unsafe and at risk of demolition. As a result of the lack of local educational options, many children are forced to drop out of school or leave their families to study elsewhere.

The decade-old blockade of the *Gaza Strip* has also gravely affected the school system. The chronic shortage of classrooms, due to the siege and Israeli bureaucracy obstructing investment and building of new infrastructure, resulted in students having to attend school/university in different shifts either in classrooms or metal containers. Eligible students sometimes had to be rejected on grounds of insufficient facilities, including by UNRWA, which could thus not meet enrolment needs.

Israel also perpetuates a discriminatory and segregated educational system in illegally annexed *East Jerusalem*. Israel neglects the Palestinian education system, sustaining a deep discrepancy in the administration of budgets of the public

¹ While Israel officially devolved responsibility for education in the West Bank and Gaza to the Palestinian Authority and UNRWA in 1993, the Israeli government maintains overall responsibility for the guarantee of the enjoyment of the right to education by all children in occupied Palestine and must ensure that its actions do not contradict or obstruct this right.

schools and professional personnel standards in East Jerusalem, leaving educational facilities inferior and educational opportunities slimmer compared to those of their Jewish Israeli counterparts in West Jerusalem². The shortage in educational facilities and the generally deficient state of school infrastructure deprive Palestinians of their right of education.

The segregated school system also affects *Palestinian citizens of Israel* as investment in the educational system for Palestinians is lower, therefore negatively affecting the standard of educational facilities and quality, as well as enrollment numbers and academic achievements. Institutionalized discrimination is also reflected in enrolment statistics of university students in Israel by degree and field of study, according to which Palestinians are vastly underrepresented in fields such as engineering and architecture, sciences and mathematics, medicine, and law, with the disparity of Jewish Israelis and Palestinian citizens growing the higher the degree³.

Palestinian women are especially affected by these conditions, recording particularly high dropout rates and little representation in institutions of higher education.

Negation of Palestinian Identity in Education

Palestinians' right to participate in the cultural life of their community also continues to be hampered. Not only do the occupying authorities restrict cultural activity in East Jerusalem and the rest of the West Bank, for instance by closing down conferences and events, but they also prohibits the usage of Palestinian curricula and textbooks to deny the right of Palestinian children to be educated with respect to their cultural identity, language and values. For instance, Israeli authorities removed central information on Palestinian history, heritage, flag and cities from educational textbooks distributed to all private and public schools in East Jerusalem in 2011. (CRC/C/ISR/CO/2-4) This must be seen part of Israel's longstanding, strategic, and organized negation of Palestinian national identity and legitimate national claims. Restrictions on Access and Movement

In the occupied West Bank, restrictions on access and movement were particularly aggravated due to the construction of the Wall initiated in 2002 and the associated permit system, which were found to illegally impede Palestinians' exercise of the right to education by the ICJ in 2004. Additionally, the ongoing closures and the system of checkpoints seriously obstruct students' and teachers' ability to reach schools, delay their journeys tremendously, and expose them to daily verbal and physical harassment⁴.

² The neglect of the Palestinian educational system caused extreme shortage of classrooms, overcrowding, and generally inadequate educational facilities such as makeshift classrooms and tents, as well as substandard conditions and quality of teaching, low academic results and exceedingly high dropout rates. A great number of Palestinian children are thus sent to private or unrecognized schools, necessitating the payment of exorbitant costs or a lower educational attainment. Palestinian students are also discriminated against with respect to educational funding as primary school students receive only one fourth of the budget that Jewish Israeli students obtain (See CRC/C/ISR/CO/2-4; CRC/C/ISR/CO/2-4).

³ This is later reflected in the labor market, in which Palestinians are disproportionately relegated to semi-skilled and lower paid occupations and positions. Although Israel adopted a five-year plan (2011-2016) to reduce the gaps in the education of Bedouin Palestinians, serious discrimination against them persists as they lack access to schools and safe roads and transportation.

⁴ According to OCHA (2016), 288 (54 percent) of Palestinian residential areas in Area C are vulnerable to education, with vulnerability implying that residents are affected by the cost of roundtrip, the distance to school, settler violence, by closures, checkpoints, and the Wall, by lack of transportation to school, and/or by having to cross closed military areas. Students have reportedly been attacked with pepper-spray for stepping forward in the queue and had arms broken by soldiers for trying to avoid a checkpoint. The measures also limit the choice regarding educational institutions of those students who cannot afford to live outside their family home or do not obtain a permit, and cuts some of from their schools in East Jerusalem and others from their schools in the West Bank, rendering schools vulnerable to closure.

Israel prohibits Palestinian residents of Gaza from studying in the West Bank. The fragmentation of the West Bank and the isolation of the Gaza Strip effected demographic change of the student body in Palestinian universities to the detriment of production and exchange of knowledge and their ability to access programs and courses of their choice and attend conferences and events. The refusal by the Occupying Power of exit permits, especially for Palestinians from Gaza, denies thousands of students higher education opportunities abroad. Strict Israeli immigration controls furthermore refuse access of foreign academics and students to Palestinian higher educational institutions, further isolating these and threatening their sustainability.

Settler Violence and Military Action

The subjection of educational facilities and students to military and settler violence further represents a significant impediment to the exercise of the right to education. The Israeli army regularly invades educational premises and the student accommodation, conducting arbitrary arrest and detention of teachers and students. Palestinian children furthermore face daily attacks and excessive use of force by Israeli settlers and Israeli forces on their way to and from school, with reported regular excesses in East Jerusalem, Hebron, and the South Hebron Hills⁵.

Israel's recurrent brutal military incursions and operations in occupied Palestine imperil a sound learning environment, creating a constant atmosphere of terror and fear. Necessarily, this gravely impacts the school performance of Palestinian children and youth. Recurrent military incursions and operations by Israeli forces negatively affect educational institutions, children's educational attainment, as well as their sense of security during school days. During military operations, classes are regularly suspended and education interrupted for prolonged periods of time. Educational facilities are also threatened with or become target of military strikes and cannot be repaired or rebuilt due to the planning system in the West Bank and the siege in Gaza, depriving school children of days of school and adequate facilities. Schools have also been employed as military outposts or detention centers during military incursions. Especially during operations in Gaza, educational institutions have been damaged or destroyed, and school children injured or killed. The psychological effect on students is devastating, with thousands of children suffering from anxiety, sadness and hopelessness.

Conclusion and Recommendations

The submission has revealed that Palestinians see their right to education violated in all parts of historic Palestine while facing distinct circumstances due to the Israeli-imposed geographical and juridical fragmentation of the Palestinian people. Israel's denial of the right to education is rooted in its apartheid system, which entails strategic and institutionalized violations intended to dominate and oppress the Palestinian people as a whole – as outlines by ESCWA. This finding is underpinned by the parallel maintenance by Israel of a superior Jewish Israeli school system and infrastructure, particularly the West Bank's that is exclusively allocated to Jewish settlers. In the light of this, the signatories to this statement urge the UN and the relevant UN bodies to:

- Take all necessary measures to ensure that Israel ceases its apartheid policies and practices that degrade, dispossess, and discriminate against Palestinians in occupied Palestine and in Israel.

With special regard to the right to education, we recommend to the HRC to:

- Take the necessary action to guarantee the enjoyment of the right to education by Palestinians and ensure that its actions do not contradict or obstruct this right.

⁵ On their way to school, Palestinian children have to cross staffed checkpoints daily and are occasionally exposed to teargas and sound grenades fired by Israeli soldiers. In Hebron, Israeli forces regularly fire teargas canisters, stun grenades, and rubber-coated steel bullets while Palestinian children walk to and from school, sometimes aiming at crowds of children, which lead to the hospitalization of some owing to excessive teargas inhalation and to death.

In light of Israel's protracted violations of its international obligations and persistent non-cooperation with the UN, we ask the UN and its relevant bodies to:

- Take all necessary measures to hold Israel accountable and to ensure that Israel complies with its international obligations and recognizes and applies human rights and international humanitarian law, particularly the Fourth Geneva Convention, in all areas under its effective control - including occupied Palestine.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, Human Rights Defenders (HRD), The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Human Rights and Democracy Media Center "SHASM", Youth Against Settlements (YAS), Alternative Information Center (AIC), Association of Humanitarian Lawyers (AHL), Hebron Human Rights Defenders (HRD), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), The Iraqi Centre for Human Rights, The Perdana Global Peace Foundation, The International League of Iraqi Academics (ILIA), Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), Kuala Lumpur Foundation to Criminalise War, NGOs without consultative status, also share the views expressed in this statement.