



**THE ASIA PACIFIC FORUM**  
OF NATIONAL HUMAN RIGHTS INSTITUTIONS

... a partnership for human rights in our region

ABN 98 099 972 997

## Advisory Council of Jurists

### Terms of Reference on the legal obligations of States for the implementation of economic, social and cultural rights, with respect to the right to education

### Questionnaire for the Background Paper on the Right to Education

Please complete the questionnaire and send all responses by e-mail to Stephen Clark: [stephenclark@asiapacificforum.net](mailto:stephenclark@asiapacificforum.net)

Responses to this questionnaire will be used in the Background Paper on the Right to Education which will be distributed to the Advisory Council of Jurists.

The APF Secretariat requests APF members to submit all responses to the questionnaire by **Friday 12 May 2006**. Thank you in advance for your time and contribution.

Information about the Advisory Council of Jurists and the terms of reference on the right to education is available at <http://www.asiapacificforum.net/jurists/>

## Documentation

Please provide the APF Secretariat with the following documentation:

### Constitutional provisions relating to:

- Right to education;
- Non-discrimination and the access for all; and
- Relevance of international law in the national jurisdiction.

### Relevant legislation referring to:

- Right to compulsory and free primary (or basic) education on a non-discriminatory basis;
- Right to secondary and higher education;
- Financing of education;
- Minimum age of employment;
- Minimum age of marriage; and
- Minimum age of criminal responsibility

### NGO reports

- Reports on education by local, national and / or international non-governmental organisations within your country, especially the shadow reports produced for the country sessions of the UN Treaty Bodies.

## **Part 1: Issues raised in the Terms of Reference**

### **Preliminary Questions**

#### Education Policy and Programs

- 1. Please provide an overview of the framework of government education policies and programs in your country, including the division of responsibilities and financing between national, state and local governments.**

(The questionnaire is completed with reference to the Ministry of Education documents.)

After 27 years of Israeli military control of the Palestinian educational system, leaving it in complete disarray, the Ministry of Education and Higher Education took responsibility in 1994. Since then, the Ministry has endeavoured to develop and advance Palestinian education and to provide quality education for every Palestinian child. We are presently talking about a system that accommodates 1,078,488 school children (this figure excludes the 73,119 children in pre-school education), 48,674 teachers and 2,276 schools. In addition, there are 138,139 students enrolled at 43 different institutions of higher learning. The West Bank and Gaza have a total population of 3.7 million and an average growth rate of 3.8%. The median age is 16.5 years. According to the Palestinian Central Bureau of Statistics, the age structure for 2004 reads as follows: 46% of the population are between the ages of 0-14; 10.6% between 15-19; 38.7% between 20-59; and 4.4% above 60 years of age. This means that Palestine is a very young country where not less than 56% of its people are enrolled in the education system. Such a situation constitutes a big financial burden on the PA.

Education is as well the largest public service sector within the Palestinian Authority. Educational services in the West Bank and Gaza are provided by the Palestinian Authority (PA), the United Nations Refugees and Works Agency (UNRWA), private and non-governmental organizations, with the latter two dominating the pre-school and tertiary levels while the others focus on basic and secondary education. Many schools are over crowded with some 25% operating on more than one shift. Out of a total of 1,078,488 school children, the distribution among the different sectors is as follows: 757,615 students study in PA schools (70%), 254,552 in UNRWA schools (24%) and 66,321 (6%) in private schools. It is to be noted that UNRWA offers basic education only, grades 1-10 as well as vocational, technical and teacher education and serve the refugee population in the first place. The distribution of the school population is 536,752 males and 541,636 females, which indicates that gender parity has been attained. The rate of school drop out is 0.9%. In school year 2005/2006, there were 5,999 students enrolled in 279 vocational training classes in 90 schools. According to the Ministry of Finance report, the Education budget for 2005 was \$293,299,000 constituting 14.17% of the total PA budget and second only to the Ministry of Interior

(which includes the security agencies). UNRWA education budget for 2005, covering both Gaza and the West Bank, totalled \$97,856,000.

Since its establishment, the Ministry of Education and Higher Education committed itself to reform the inherited education system, with its main goal being the preparation of a future generation that is able to build a democratic Palestinian state. In pursuing this vision, the Ministry faced several challenges, chief of which was the unification of two systems of education, one in Gaza and the other in the West Bank. Since Palestine has never had its own curriculum, therefore it was incumbent on the Ministry to construct a Palestinian curriculum that met the needs of the Palestinian people. Other challenges included the continued expansion of school buildings to meet the enormous demand on education, the equipping of school buildings with needed laboratories and equipment, the provision and training of teachers, and the development of programs to meet the different needs of the population.

The strategy formulated by The Ministry of Education and Higher Education is developed into Five-Year-Plans focusing on five key areas: access to education for all children; quality of education; formal and non-formal education; management capacity in planning, administration and finance; and human resources of the educational system.

Five developmental principles have been considered:

1. Education as a human right: All children between the ages of 6 and 16 years old have the right to receive free basic education, regardless of social or economic status, gender, or religious belief.
2. Education as the basic component of citizenship: Together with the family and the community, the school shall be a main catalyst for developing the Palestinian citizen's character, moral values and social responsibilities.
3. Education as a tool for social and economic development: Education must meet the political, social and economic challenges of Palestinian society.
4. Education as the basis for social and moral values, and democracy: Education shall be the cornerstone for building a Palestinian society with strong commitment to ethics, principles, and openness to the global culture.
5. Education as a continuous, renewable, participatory process: Education is a life-long activity, in and out of school, fuelled by classroom learning, social relations and communications, community activities, and the mass media.

In 2005 illiteracy rates declined, with the number of illiterate people in the Palestinian territories estimated at about 145,000. This is about 7.2% of the adult population, compared with a rate of 15.7% in 1995. Although the rate declined for both men and women, it is still higher among females (11.4%) than males (3.1%). The illiteracy rate in Palestine is lower than the Arab world average which is approximately 35% and the world average which is approximately 18%.

**2. Please provide details of cases from the national courts of your country with respect to the justifiability of economic, social and cultural rights, with a particular focus on the right to education.**

There are no enforcement measures on the ground to the right of education despite the fact that education is compulsory as stipulated in the Basic Law (temporary constitution). Furthermore, due to the residues of the occupation culture where Palestinians boycotted the occupation military courts prior to the coming of the PA in 1994, people in Palestine seldom resort to legal procedures to follow up on their right to education. Added to this is the fact that the Israeli occupation targeted the infrastructure of the judiciary and the security agencies and imposed stringent measures on the freedom of movement with the result that the judiciary cannot function efficiently or independently and the security agencies are unable to protect judges or implement court decisions.

**3. Please provide information about remedies available and the enforceability of the decisions of national courts with respect to the right to education.**

Due to the existing chaos and lawless situation and lack of independence of the judiciary, a number of court rulings are difficult to implement. Until such time comes when the rule of law dominates, the avenues available are Palestinian public pressure (media, open-hall meetings, PICCR Annual Report etc.) and donor requirements.

**4. Please provide information relevant to your government's position regarding the proposed Optional Protocol for the International Covenant on Economic, Social and Cultural Rights.**

Palestine is not a state yet and consequently it has not ratified any conventions. However, the Charter of Independence and the Basic Law confirm the future state's commitment to signing these conventions.

The Basic Law/ article 24/1 acknowledges the right to compulsory free education for every citizen in the basic cycle of education, that is grades 1-10.

**The right to receive an education:  
available, accessible, acceptable, and adaptable**

**Availability**

*Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. (CESCR General Comment No. 13)*

## Expenditure

- 5. Please provide an overview of government expenditure on all levels of education in your country. Where there is a divide in education expenditure between national, state and local governments please provide this information. Where possible, figures should be disaggregated (primary, secondary, higher education, formal and non-formal) and expressed in both real terms and as a percentage of gross national product.**

According to the Ministry of Finance report, the Education budget for 2005 was \$293,299,000 constituting 14.17% of the total PA budget and second only to the Ministry of Interior (which includes the security agencies). UNRWA education budget for 2005, covering both Gaza and the West Bank, totalled \$97,856,000. Only 6% of general education is private and in essence, these schools are primarily funded through the collection of relatively high fees.

Donors have spent \$353m on education-specific projects in Palestine since 1994. Many of the achievements in education would have been unattainable without this support although there has been a recent substantial decline in donor commitments to the PA. A recent World Bank study showed 78.8 percent satisfaction with the PA record on educational infrastructure development. The study found slightly less satisfaction with educational quality, although satisfaction with PA performance was higher in the education sector by comparison with the other government sectors. Families contribute about \$20 (school contributions) a year per pupil in education related expenses. A survey of community attitude to public spending marked education as top priority.

Implementation of the comprehensive Five-Year-Plan:

To translate the Plan into action, procedures and standards were prepared to ensure proper implementation in achieving the five elements of the Plan.

### ONE

This program aims to provide the opportunity for all children and adults of all ages to receive proper education, from kindergarten to secondary school, by recruiting new teachers, adding new classrooms, textbooks, increasing the level of enrolment in the secondary stage, and decreasing the dropout rate. The expected cost of the program is approximately \$1319.7 million for the five-year period of the plan.

### TWO

The program's main objective is to develop and achieve quality education through the production of school textbooks, enrichment materials and instructional manuals to accompany the Palestinian Curriculum; pre-service and in-service teacher education; and capacity building of other education staff. This program will cost \$35.7 million.

### THREE

The development of a vocational and technical training program that focuses on meeting the basic needs of the local market, and providing a skilled and proficient workforce that can contribute positively to the national economy. The plan also offers extended learning within the framework of formal education through the introduction of vocational training, as well as providing schools with the necessary equipment and resources. The overall cost of the program is estimated to be around \$72.1 million.

### FOUR

Developing new programs for general education, pre-school care, informal education, adult education, and special education, that is available for the general population. By providing schooling for kindergarten-age children, the program offers support for parents and improves the quality of education in the long-run. \$9.1 million will be allocated for the program.

### FIVE

Restructuring the financial and administrative systems to ensure efficient use of available resources. The program will include the school-mapping project, as well as reinforcing strategic planning and organizational administration. It focuses on developing and reviewing policies, and rules and regulations; updating administrative structures and job descriptions; and developing relations between schools and the local community. The estimated cost of this project is about \$109.2 million.

The Ministry of Education's budget for 2005 did not specifically include any allocations for students with special needs. The Department of Special Education at the Ministry depends on external funding for the implementation of its programmes. Such projects are subject to continuous change depending on the donor's priorities rather than the Ministry's plans.

## **6. Please provide information about education funding models used in your country. Issues for consideration could include (but are not restricted to):**

- **Funding for state and non-state (private) education institutions;**
  - **The dependence on school fees in any form, direct or indirect**
  - **Use of education vouchers;**
  - **Privatization of the education system.**
- 
- Only 6% of general education is private and in essence, these schools are primarily funded through the collection of relatively high fees.
  - 24% of basic cycle schools (grades 1- 9/10) are run by UNRWA and they are donor funded. Schools collect negligible amounts from school contributions and they are encouraged to run school canteens in order to cover needed school supplies or promote extra-curricular activities. The local community is

supportive of UNRWA schools and it contributes land for the construction of schools, equipment, school supplies, school clothing and bags.

- 70% of the schools are public and they are run by the Ministry of Education and Higher Education. The Ministry collects school contributions that are higher than UNRWA's which amount to about \$20 dollars a year from each student. Of course, there are exemptions to special cases. Similarly to UNRWA and depending on the initiatives of head teachers, the schools receive community support, whether financial or in-kind. In general, the budget is provided by the government. Taxation is the PA's main source of income. Currently, fiscal deficit is financed by budgetary support of the donor countries.

N.B. Article 14 of the Education Law No.16 of 1964, permits collection of donations (school contributions from pupils) according to special regulations issued by the Ministry in order to promote and strengthen various school activities.

- With regard to higher education, the 43 existing institutions are classified as follows: There are 10 regular universities of which one only is a government institution, in addition to the Open University. The others are considered public institutions because they receive some financial support from the PA. One university is strictly private. There are 13 university colleges, 8 of which are governmental, 2 run by UNRWA and 3 are private. There are 19 community colleges offering two years of technical education, of which 1 is governmental, 1 run by UNRWA and 17 being private institutions.

### Higher Education Financing Strategy

**Higher education has developed very quickly in Palestine over the last three decades and faced several challenges, expansion problems dictated by an ever increasing number of high school graduates; introduction of a variety of new specializations; provision of quality education; development of the university infra-structure including laboratories, equipment and libraries; and financing problems resulting from the cut-off of Arab financial support to the Palestinian Liberation Organization (PLO), in the aftermath of the Gulf War in 1990 which negatively affected the financing of Palestinian colleges and universities. The outbreak of the second Intifada in September 2000 further aggravated the situation because of the imposition of tight closure by Israel. In a context of severe fiscal constraints, PA contribution towards higher education has declined substantially, raising further concerns about the financial sustainability of the sub-sector.**

In response to the challenges facing the Palestinian Higher Education sub-sector, the Palestinian Ministry of Higher Education and Scientific Research has developed an overall higher education strategy, the main purpose of which is to create a more effective, accessible, efficient, sustainable and accountable higher education system. In developing the strategy, a fundamental reality was acknowledged, namely, that the level of public financial support for Palestinian higher education is not now nor likely to be in the foreseeable future sufficient to ensure financial sustainability of the system as it currently exists. Therefore, the financing strategy has been based on the following principles:

- Targeting public funds to national and regional human resource development by focusing on programs identified as having high priority;
- Increasing dependence on student fees to maintain the continuity of higher education institutions;
- Promoting quality through competitive funding of selected projects by PA;
- Promoting expansion capacities and quality improvement, especially in priority fields, through partial funding of selected projects on a competitive basis and identification of potential donors;
- Promoting research through competitive funding of selected projects by PA;
- Respecting the autonomy of public non-profit Palestinian universities but at the same time calling for greater accountability, relying on incentives rather than regulations; and
- Improving the management of the higher education sector.

***In priority fields of study, fees will be subsidised through vouchers funded by the PA, and granted to students who meet the specific income and achievement criteria, and cashed by the institution where the students study.***

***With regard to fees, the Ministry, in coordination with the universities, has introduced in 2001 a revolving loan scheme known as SRLF (Students Revolving Lending Fund) whereby a student will be entitled to apply for a loan to help him/her finance his/her education. Loan beneficiaries will be selected on the bases of achievement and income. A limited rate of interest will be charged to cover administrative costs. Repayment will start only after graduation and after having secured employment and the amount to be paid should not exceed 10 percent of the income. The student loan scheme, which could possibly grant new loans in the order of \$ 4 to 5 million in 2005/06 and \$ 7 to 8 million in 2010/11, should be funded from grants and soft loans, and the PA will contribute a limited amount. Between 2001-2006, a total of \$80,453,478 has been expended in loans to some 287,145 students in 11 universities.***

In addition, a Budget Trade-off Model has been designed whereby universities collaborate in the following areas to reduce cost, admissions into higher educational institutions; staff; premises and equipment needs; priority areas; fees

and vouchers; student loans; the PA financial contribution and distribution among universities; and higher institutions financial situation.

The fact still remains that higher education financial sustainability is mainly dependent on the level of fees in relation to normative costs. Unless the PA and the Ministry of Education and Higher Education are able to increase substantially the resources they channel to institutions through vouchers, there is no way to escape increases in fees in the future.

**6. Please provide information about your government's laws, policies and programs regarding acceptance of international assistance and cooperation in relation to education.**

Balance between development planning and current expenditure is achieved through coordination between the two PA Ministries of Finance and Planning, both having a shared role in overseeing funds received in the Occupied Palestinian Territories. The former is responsible for drawing up the Plan budget, and ensuring a sound and sustainable budgetary execution and given the prevailing fiscal crisis, draws up contingencies to ensure the financing of any gaps without too much delay. The Ministry of Planning is responsible for aid management and resource mobilization in the Palestinian Occupied Territories and liaises accordingly with the MoF on budgetary needs. Its primary function, as a planner, is to ensure that the medium-term needs of the Palestinians can be served through donor assistance while keeping its sights on short-term relief efforts that can help alleviate the negative impact of six years of heightened Israeli closures.

The Medium Term plan provides a framework for better donor coordination that adheres to a clear national agenda comprising:

- well articulated priorities;
- geographical and demographic differentiation leading to equitable financing;

- a clear focus on vulnerable population groups and more broadly on poverty and the means to eradicate it;
- affirmative action for women's empowerment and gender mainstreaming;
- proper accountability and transparency on the part of the PA and donors;
- regular monitoring of donor commitments and disbursements by sector, agency and project/programs.

**7. Please describe the role and impact of non-state actors such as international financial institutions and trans-national corporations on the realisation of the right to education in your country. For example, if your country has adopted a structural adjustment program, has this impacted upon government expenditure on education policies and programs?**

Donors have spent \$353m on education-specific projects in Palestine since 1994. Many of the achievements in education would have been unattainable without this support although there has been a recent substantial decline in donor commitments to the PA. Moreover, the role UNRWA played in the education of Palestine refugees is of paramount importance. Not only has it extended its educational services to Palestinians in the West Bank and Gaza but also to Palestinian refugees in Jordan, Syria and Lebanon. Its education program covers besides basic education (and secondary education in Lebanon) vocational, technical, pre-service and in-service teacher education and a scholarship program for study at universities in the Middle East. Half a million Palestine refugees study in UNRWA schools in the four countries, approximately a third of Palestinian school aged children in Palestine. (Palestinians studying at government or private schools in Palestine, Jordan, Syria and Lebanon are not taken into account.) In 2005, UNRWA Education regular budget totalled \$383,130,000 and project budget \$42,469,000. Great credit goes to UNRWA for the high literacy rate Palestinians have achieved.

**8. Please provide information the availability and adequacy of infrastructure, especially for girls, for schools and other educational institutions in your country, including classrooms, library, sanitation facilities, safe drinking water and any other relevant facilities**

Of the 2276 school buildings in the West Bank and Gaza, 75% are government schools, 13% UNRWA and 12% private. 34% of the schools are designated for boys, 34% for girls and 32 % are co-education schools. The Ministry of Education has made significant achievements since 1994, building 484 additional schools (53.8% increase) and bringing up the public school population from 418,807 in 1994/1995 to 729,340 in 2004/2005 (68.9%). The average annual school population growth is 6.9% and for the secondary cycle, it is 13.5%. School enrolment on average constitutes not less than 98% of school aged children in the compulsory cycle of education. It is obvious that in Palestine, there are no obstacles to the enjoyment of girls and boys to the right to

education. The practice of running three daily class shifts in schools has been eliminated, although many schools still run on double shift basis (25%). As for higher education institutions, there are 11 universities, 13 university colleges granting BA degrees, and 19 community colleges. The number of university students and other post-secondary educational institutions rose from 29,380 students in the academic year 1994/1995 to 129,137 students in 2004/2005. The Open University has contributed to this hike in the number of students. It is to be noted that the percentage of females enrolled at these institutions has risen to 52% in 2004/2005 compared to 45% in 1994/1995. Whereas 57% of school teachers are females, sadly enough only 13% of the university lecturers are females.

Despite the above, several schools still complain about their weak infrastructure. The percentage of schools with science laboratories has risen from 39.6% in 1994/1995 to 51.6% in 2004/2005, whereas school libraries have increased from 24.4% to 57.5% during the same period. There has been as well a significant increase in the percentage of schools having a computer laboratory, from 3.5% in 1994 to 47.4% in 2005. Of the 1661 government schools, 1210 have school canteens, 452 sports playgrounds, 168 lecture halls, and 314 domestic science laboratories.

#### Teachers and support staff

- 9. Please provide information about the availability of qualified teachers and support staff for all levels of education in your country, on teacher training initiatives to meet 'education for all' goals, and any other relevant issues that impact upon this availability.**

The number of school teachers in Palestinian schools increased by 87.5%, from 19,844 in 1994 to 38,907 in 2005, with 104.2% increase in government schools, 73.3% in UNRWA schools and 91.5% in private schools. Appointment of two-year diploma holders decreased from 64.1% to 35.3% and of bachelor's degree holders increased from 54.8% to 64.5% during the same period. 45.9% are male teachers and 54.1% are females. The average ratio of pupil to teacher is 26.8. Administration members of staff increased from 3236 in 2001 to 4780 in 2005 and support staff from 531 to 1061. Of the 1661 government schools, 823 have school counsellors. A national action plan (2005-2010) for the implementation of the "Education for All" goals has been devised with the technical and financial support of UNESCO. The Ministry of Education has invested a lot in the in-service training programs of teachers.

In total, 9829 employees are in the higher education service, distributed as follows:

Category	Males	Females	Total
Academic/Teaching	3895	697	4592
Academic/Administ.	382	36	418
Administrative	321	88	409
Office Staff	815	807	1622
Teaching Assistant	489	222	714
Professional	191	57	248
Technical	426	86	512
Unskilled Staff	1127	187	1314
Total	7646	2183	9829

As far as academic qualification is concerned, there are 1971 Ph.D holders (1841 M, 130 F); 2715 Master Degree holders (2213 M, 502 F); 78 H. Diploma holders (54 M, 24 F); 2444 Bachelor Degree holders ( 1660 M, 784 F); 964 two-year Diploma (520 M, 444 F) and the rest are high school graduates or below.

#### Teaching facilities and materials

**10. Please provide information about the availability and adequacy of teaching facilities and materials including: classrooms, books and writing materials, information and communications technology equipment, libraries, laboratories, workshops, sporting equipment and facilities and other relevant materials.**

The percentage of schools with science laboratories has risen from 39.6% in 1994/1995 to 51.6% in 2004/2005, whereas school libraries have increased from 24.4% to 57.5% during the same period. There has been as well a significant increase in the percentage of schools having a computer laboratory, from 3.5% in 1994 to 47.4% in 2005. Of the 1661 government schools, 1210 have school canteens, 452 sports playgrounds, 168 lecture halls, and 314 domestic science laboratories.

The Ministry of Education and Higher Education continued the policy of expanding the network of educational institutions in 2005, providing infrastructure, increasing the number of classrooms to alleviate overcrowding, improving school cleanliness and environmental conditions, and protecting schools from drug abuse. During 2005, 77 new schools were inaugurated, 42 of them with new buildings, 1,364 new classrooms were also opened to absorb the 30,000 new students enrolled the year before. Regarding school furniture, 86,000 seats and 40,000 tables were provided, and 45 new schools were linked to the internet. Commercial specialization was also introduced in 73 schools, and 15 specializations were provided in industrial schools. Sixteen government schools teach foreign languages other than English, and 110 literacy classes were opened. Developments in gender equality included starting two specializations at the industrial schools for female students.

In answering questions 5-11, please give consideration to the issue of diversity and the impact of 'availability' on the rights of minorities and indigenous people.

### **Accessibility**

*Educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. (CESCR General Comment No. 13)*

### Non-discrimination

- 11. Please provide details of legislation and government policies and programs relevant to issues of non-discrimination, equal treatment and equality of opportunity in education. Information provided should include (but is not limited to) consideration of issues of access for people living with disabilities, internally displaced persons, non-nationals, prisoners, refugees and other minorities.**

The right to education is upheld through legislation defining the authority's commitments to this right, guaranteeing equal opportunities in education to all citizens, prohibiting all forms of discrimination, asserting the diversity of education, and that it is free and compulsory at the elementary stage. Such laws also define the authority's responsibilities and the measures it is required to take to respect, protect and administer this right. This includes guaranteeing academic freedom, preventing any political indoctrination by educational institutions, and assuring union freedoms inside educational institutions. Such legislation also guarantees the freedom of publication, and the existence of a transparent and effective system that can make sure that education achieves its set objectives.

### **Disparity of Opportunities to Enjoy a Suitable Educational Environment**

It could be generalised from data published by the Ministry of Education that the educational environment in the Gaza Strip is less advantageous than that of the West Bank. While the average number of students per class section is 32 in the West Bank, it is 41 in Gaza. The pupil/teacher ratio is 29 in Gaza compared to 26 in the West Bank. The Ministry of Education statistics also indicate the lack of equal opportunities for pupils studying in double-shift schools. There are 18 such schools, 4 in the West Bank and 14 in Gaza. The number of schools that operate in the afternoon shift is 241. of which 64 are in the West Bank and 177 in the Gaza Strip.

### **No Educational Opportunities for Drop Outs**

Despite a decline in school drop out rates, some students are still deprived of educational opportunities due to leaving school early, although the law acknowledges that education is compulsory at the basic stage. The Child's Law No. 7 of 2004 states that education is compulsory until the end of the higher basic level at least, and that the state is committed to take all suitable measures to prevent the early exit of children **from** schools. The number of students dropping out in the school year 2004-2005 was 9,395, which is 0.9% of the total number of students. Three years ago, however, the rate was 1.8%.

The Ministry of Education and Higher Education published a study in 2005 about the phenomenon of dropping out from schools. The study highlighted the decline in drop out rates during the Intifada. There was nothing, however, indicating that the decline was the result of actions or policies taken by the Ministry of Education to eradicate the phenomenon. Although dropping out of school is not currently a big problem in Palestinian society, the decline in drop out rates may be attributed to unexpected external factors, like the lack of job opportunities due to the closures or the Israeli siege on the Palestinian territories. Therefore the concern remains that the drop out rate may increase once again if there are no specific policies adopted by the Ministry of Education to stop the phenomenon. The top priority is to enact legislation to criminalize dropping out from the basic education stage, with penalties to be imposed on the students' parents if they force their sons or daughters to drop out from compulsory schooling.

### **Opportunities for the Disabled**

Regarding the educational opportunities for the Disabled, the Ministry of Education and Higher Education continued its policy of supporting the right of the disabled to education in 2005. The Ministry has been able to adapt the buildings of 541 schools so far to meet the needs of the disabled, and has trained the staff of 321 schools on how to deal with them. It has also prepared the educational curriculum in Braille for students with visual impairment, and introduced 26 Braille machines for students to use. The Ministry also set up three resource centres to serve the students with speech disabilities. The Ministry is supporting non-governmental educational institutions providing services to the disabled, and is covering the salaries of 160 of their teachers by placing them on the Ministry's payroll.

Despite all that, however, the opportunities for the disabled in education remain low. According to Ministry of Education data, there were 4,283 pupils with mobility, audio or visual impairments enrolled in government schools during 2005, out of a total of 729,340 students enrolled in government schools. This translates to one disabled student for every two hundred enrolled student. The low numbers of disabled students enrolled in schools in general and in government schools in particular is attributed to several factors, most important of which are the following:

- School buildings are not properly equipped to receive them, as only 17% of schools have so far been rehabilitated to facilitate their movement. The Ministry of Education and its schools still lack teaching teams specialized in the field of

special education, because such a specialization does not exist in any Palestinian university or institute, either as a major or as a minor. Government schools also lack a sufficient number of Braille printers to be used by people with visual impairment. The number of such printers currently existing is no more than 26, while the number of students with visual impairment being 76. This means that 50 students do not have printers, which of course deters them from receiving equal opportunities in education.

- Government schools still lack sign language facilities to communicate with students with audio impairment, which lessens the benefit such students enrolled in government schools can get. Schools lack teachers of sign language which deters students with audio impairment from mixing with other students and prevent them from having the same educational opportunities as others. In addition, there is also the difficulty disabled students face in accessing schools.<sup>1</sup>
- Disabled students do not get the same opportunities as other students when it comes to sports activities. The Ministry of Education has not formed sports teams or provided special playgrounds for them. The Ministry has not exempted audio-impaired students from sitting the exam for the expression subject, although it did exempt students with visual impairment from sitting the mathematics and map-drawing subjects. Government schools also lack spoken-word teaching materials for students with visual impairment. These schools also lack a special manual to inform disabled students on the requirements of the academic process. Such a manual can be prepared in either an audible way or written in Braille for students with visual impairment, or photographed in sign language for audio-impaired students. The Ministry does not coach visually-impaired students in reading, writing, and mobility, relying on what private schools for the blind offer.

The Ministry of Education also lacks any data on the number of mentally handicapped pupils (slow learners) joining government schools. It is difficult to define what constitutes a mentally handicapped person, and the special identity cards stated in the Disability Law have not yet been introduced.

Regarding prisoners and their rights to education, the Program for Rehabilitating Prisoners and Released Prisoners stopped all its activities in 2005 for some time, including educational services due to shortage in funding. Consequently, the program stopped paying 50% of the university fees to released prisoners which forced some beneficiaries to withdraw because they were unable to cover their educational expenses. However, in its September 6 session, the Council of Ministers decided to provide financial assistance to the program, to enable resumption of the services.

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<sup>1</sup> There are no special buses to transport disabled children to schools, which deters many families from sending their disabled children to school.

## Gender parity and gender equality

### **12. Please provide details of legislation and government policies and programs directed to improving gender parity and gender equality in education at all levels.**

*The first principle on which the five- year strategic plan rests is the principle of "Education as a human right." All children between the ages of 6 and 16 years old have the right to receive free basic education, regardless of social or economic status, gender, or religious belief. This of course reflects the concern of the Ministry to gender equity. Legislation defining the authority's commitments to this right, guaranteeing equal opportunities in education to all citizens, prohibiting all forms of discrimination, asserting the diversity of education, and that it is free and compulsory at the elementary stage, admitting women to agricultural schools makes PICCR view these measures as a qualitative improvement in achieving gender equality in education.*

*Dakar" goals ensures that , in which goal No.2 says that giving children access to good and free primary education by the year 2010, and encouraging them to continue their education afterward, especially young girls, needy children ,and children of minority groups. It is obvious that gender parity is taken with high consideration through the strategy and plans.*

*ONE OF THE CHALLENGES IN Basic Education is preserving rducational gender quality in the coming years to achieve the goal of "eliminating gender disparities in primary and secondary education by 2005,and achieving gender equality in education by 2015 with ensuring girls 'full and equal access to and achievement in basic education of good quality".*

Ps. Dakar refers to the international forum on education for all which was held in Dakar in 2000.

## Physical accessibility

### **13. Please describe the main issues regarding geographical location of and physical access to educational institutions for people from urban, rural and remote communities, as well as for people with physical disabilities.**

It is to be noted that 38% of the schools are in the cities, and 51.3% in villages and 10.7% in refugee camps. Some villages do not have secondary schools and the pupils have either to commute to other villages to complete their high school or to stop their education at the end of the basic cycle. Some village schools do not have science laboratories, and therefore students can only enroll in the Literary Stream, thus limiting their choices for higher education.

Some schools are situated in areas that are not conducive to learning – adjacent to taxi-parking areas, bazaars or factories. Others are near-by Israeli settlements and are thereby constantly subjected to different kinds of harassments. Still others operate in rented premises that hardly meet the minimum standard requirements.

Above all, the Israeli occupying authorities have imposed a wide-ranging internal and external closure of the Palestinian territories. The closure, and the subsequent violence, has significantly limited the provision of and access to education in the territories.

### Economic accessibility

#### *Primary education*

**14. Is primary education compulsory and free for all? Please provide details of relevant legislation and government policies and programs. For example, does your government have a plan of action for making primary education free?**

The right to education is upheld through legislation defining the authority's commitments to this right, guaranteeing equal opportunities in education to all citizens, prohibiting all forms of discrimination, asserting the diversity of education, and that it is free and compulsory at the elementary stage.

The Palestinian Basic Law of 2003 provides protection of the right to education through its acknowledgement that every citizen has the right to education, that education is compulsory until at least the end of the basic level, and that it is free in public schools. (It is also free in UNRWA schools.) The Palestinian Authority supervises all levels of education and its institutions, and strives to improve the educational system. Article 24 of the Basic Law also guarantees the independence of universities and higher education institutions. However, the laws that regulate the right to education vary within the Palestinian territories. In addition to Law No. 11 of 1998 pertaining to higher education, Jordanian Law No. 16 of 1964 is applicable in the West Bank, and the Education Law of 1933 and its amendments are still in force in the Gaza Strip.

Laws that regulate school education are the same as existed before the Israeli occupation in 1967, which means that there is also no legal unity between the West Bank and the Gaza Strip. No changes have been introduced to the applicable education laws in 2005, although the Legislative Council accepted the General Law of Education in general discussion on October 18, 2005. There has also been no progress in the implementation of the draft law regulating the teaching profession that was endorsed on March 10, 2001.

The Child's Law No. 7 of 2004 states that education is free and compulsory until the end of the higher basic level at least, and that the state is committed to take all suitable measures to prevent the early exit of children from schools.

Although education is compulsory at least until the end of the basic stage, and free at least in public schools, however, the Ministry of Education collects school 'contributions' from students in a manner which makes it mandatory. In doing so, the Ministry relies on Article 14 of the Education Law No. 16 of 1964, which permits collecting donations according to special regulations in order to strengthen various school activities. There is therefore a need for a decisive decision acknowledging that donations are voluntary and that no student can be deprived of his or her right to education for not paying school contributions.

**15. Please provide information about any school fees, charges and other costs imposed on parents or guardians for primary education. Please describe the extent of financial assistance available for the completion of primary education, and secondary education.**

The question has been answered before.

**16. Is secondary education compulsory and free for all? Please provide details of relevant legislation and government policies and programs.**

Secondary education in Palestine is of two years' duration (grades 11& 12). It is not compulsory but it is free. Extensive efforts are however invested by the Ministry and the community to increase enrolment in the secondary cycle and to decrease dropouts.

**17. Please provide information about any school fees, charges and other costs imposed on parents or guardians for secondary education. Please describe the extent of financial assistance available for the completion of secondary education.**

Secondary school students pay \$20 a year in the form of school contributions and some categories are exempted from payments, similar to pupils studying in the basic cycle of education.

**18. Please provide information about fees, charges and other costs for higher education. Please describe the extent of financial assistance (if any) available for the completion of higher education.**

*Fees depend on the number of credit hours students register for. Of course, charges vary from one faculty to the other, with the science colleges being the more expensive. However, the Ministry of Education and Higher Education provides financial*

*assistance either through the revolving loans mentioned earlier or through the award of fellowships. The loans are given to needy students in colleges and universities on the basis of academic achievement. These loans cover from 30% to 75% of the university fees. In addition, there is the Saudi Scholarship Program which covers 75% of the fees for the most needy students, the total amount that was disbursed reached six million dollars in 2005. There is also the Arabic Fund Box which has 40 million dollars to be expended on scholarships between 2002-2006.*

*The Ministry of Education and Higher Education exerts every effort to seek funding for higher education.*

### **Non-formal education**

**19. Please provide information about access to non-formal education in your country. Issues for consideration include (but are not restricted to):**

- **The existence of and support for Community Learning Centres**
- **The legal and policy framework for the improvement of literacy for women.**

*The Ministry of Education and Higher Education launched a literacy program in 1997 following the Hamburg Conference for teaching the adults in order to ensure social justice, and equal opportunities for all. The program aims to provide educational opportunities for those who did not have it before.*

*MOHE is responsible for the planning, implementation and follow up of the Non-Formal Education Programmes. It provides the classrooms, stationary, educational materials and teachers for the programmes. It also conducts the exams and offers the certificates for those who pass them successfully. The ministry pays teachers involved in projects sponsored by international bodies such as UNESCO, ALICS & ISISCO.*

*According to statistics available at the Ministry for 2006, the number of the literacy centres affiliated to it, is 127 with 2278 females and 1367 males enrolling at them. Regarding the literacy centres which are run by NGOs, they number 22 with 125 males and 522 females.*

*To promote literacy among women, the Ministry extended the compulsory cycle of Education from nine to ten years of schooling. In addition, it conducted, in conjunction with women non governmental institutions, awareness campaigns on the importance of literacy for women. The Ministry submitted a draft legislation to prevent work for children under the compulsory education age. The Ministry also builds and rents places for schools in the villages and rural areas to promote women' education.*

*The Ministry has introduced a new non-formal programme known as "Parallel Education" to serve students who have dropped out from school and are aged 13-20. Participants study in the afternoon classes, two days a week for the*

*duration of two years, after which they receive a certificate that they have completed the basic cycle of education. Another type of non-formal education program is directed to those students who failed the Tawjihi state examination. The program provides classrooms and teachers for 5 days a week against minimal pay. The program aims at helping the students to pass the exam and pursue higher education.*

#### **Acceptability**

*The form and substance of education, including curricula and teaching methods, have to be acceptable (eg – relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents. (CESCR General Comment No. 13)*

#### Quality education and minimum standards

- 20. Please identify the relevant national and/or local institutions which are responsible for the implementation of the right to education. In particular, are there any specialised agencies, authorities or officials that have a mandate on the right to education?**

The Ministry of Education and UNRWA are responsible for the implementation of the right to education.

- 21. Please provide information about measures adopted by education authorities to provide quality education and to establish minimum education standards and an effective and transparent system for monitoring standards.**

*The provision of quality education is one of the priorities delineated in the Ministry's plan of action and in response to the realization of the EDUCATION FOR ALL goals. The Ministry main objective is to develop and achieve quality education through the production of school textbooks, enrichment materials and instructional manuals to accompany the Palestinian Curriculum; pre-service and in-service teacher education; and capacity building of other education staff.*

*In addition, the Ministry since its establishment, employed only qualified university graduates in the educational sector and endeavoured to reduce the students/ teacher ratio in order to alleviate the burden of teachers and help them ameliorate their performance.*

*It is important to note also that Palestine takes part in the international exam (TIMSS), which is held every four years. This exam measures the competencies of students all*

*over the world in Maths and Science. At the same time, it is an indicator for countries as to where they stand by comparison to others, and points out to educators areas that require special attention.*

**22. Please describe the indicators (including human-rights-based indicators) used by education authorities to monitor the realisation of the right to education in your country.**

*Presently, the Central Bureau of Statistics, in coordination with PICCR, the Ministry, educators from universities and civil society, among others, are working on indicators to the RIGHT TO EDUCATION. This is part of an international initiative, METAGORA PROJECT, to develop indicators for measuring human rights, democracy and good governance*

**23. Please provide details of legislation and government policies, practices and programs which may impact upon academic freedom and the autonomy of educational institutions.**

The Law for Higher Education guarantees academic freedom, preventing any political indoctrination by educational institutions, and assuring union freedoms inside educational institutions. It also guarantees freedom of publication, and the existence of a transparent and effective system that ensures that education achieves its set objectives.

Discipline

**24. Please provide information about the legal status of corporal punishment and other forms of discipline that operate within the education system in your country.**

**There is no law or even administrative regulations prohibiting corporal punishment in public schools. On the other hand, UNRWA is very strict about the exercise of any form of violence in its schools and administrative measures can lead to the termination of service to any teacher who is guilty of resorting to corporal punishment as a form of disciplinary measure.**

Curriculum

**25. Please provide an overview of how education authorities determine curriculum development at all levels of education within your country.**

As previously mentioned, one of the biggest responsibilities the Ministry of Education had to face was the unification of the education system between Gaza and the West Bank and its biggest achievement was the development of a Palestinian curriculum, for the first time in the history of modern Palestine. The Ministry adopted a participatory approach where practically anybody concerned with the issue of education had a say, be it educators, politicians, civil society etc.

**26. To what extent is human rights education incorporated into the curriculum of primary, secondary and higher education?**

In some colleges and universities, it is mandatory to take a course in human rights.

UNRWA already introduced human rights education into the curriculum six years ago. The Ministry of Education is working now at incorporating human rights education into the curriculum in response to UNESCO's initiatives and it is being aided by OHCHR/Ramallah.

Parents / Legal Guardians

**27. Please describe the extent to which parents and legal guardians are able to exercise freedom of choice with regards to educational institutions and educational programs.**

The choices are indeed very limited for parents to select the school they want to send their child to. UNRWA admits refugees only into its school system. Well-to-do families can choose within their own cities because there are no boarding schools since the start of the occupation and with the difficulties imposed on freedom of movement, parents would rather have their children in near-by localities. With regard to public schools, the placement of children is dependent on the proximity of residence to the school.

Religious and cultural practices, languages of minority groups

**28. Please provide details of relevant legislation and government policies and programs regarding respect for religious and**

## **cultural practices and the use of languages of minority groups within schools and other educational institutions.**

The Basic Law rejects all forms of discrimination including religion. The Ministry of Education has included in the new curriculum, the teaching of Islamic Education to Moslems and the teaching of Christianity to Christians. Luckily enough (for a change) Palestine does not have to cope with the problems of ethnic minorities, cultures and languages.

### **Adaptability**

*Education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings. (CESCR General Comment No. 13)*

### Education and work

- 29. Please provide details of legislation which prescribes the age for the completion of compulsory education and the minimum age of employment in your country.**

**Basic compulsory education in Palestine covers ten years of schooling, and an age group of 5/6-15/16. The minimum age therefore for employment is around 15.**

- 30. Please provide an overview of the strategies, policies and programs of governments and education institutions which enable the education system in your country to adapt to the education needs of those people who would otherwise not be able to undertake education. For example: working children and young people; children and young people in juvenile detention; working women; prisoners and other people in detention.**

**Most of the issues have been covered in other questions – the disabled, prisoners, dropouts, parallel education.**

- 31. Please provide details of legislation which impacts upon the right to education of women. Issues for consideration could include (but are not restricted to):**

- **The minimum age of marriage**

**Sixteen years**

- **Pregnancy**

**No pregnant girls are admitted into regular schools. There is no problem with regard to university students.**

**(Maternity leave is for three months. Beyond that working mothers can request unpaid nursing leave for a year.)**

- 32. Please provide an overview of the strategies, policies and programs of governments and education institutions which enable the education system in your country to adapt to the education needs of women.**

*Covered in previous questions*

### **Special Needs Education**

- 33. Please provide information about any special needs education policies and programs that have been developed and implemented by government and non-governmental organisations in your country.**

**Covered in previous questions**

- 34. To what extent are schools able to adapt to the special education needs of individual students?**

**Under the present circumstances, this is no easy task to implement considering the difficult political and economical situation..**

## **Israeli Violations of Palestinian Rights to Education**

The right to education has suffered seriously at the hands of the Israeli occupation authorities. The continued Israeli incursions into towns, villages and refugee camps, assaults, and siege have the worst effect on the educational process. Students, teachers and education staff are often barred from crossing check- points or leaving their towns. Most of the times, they face humiliation and harassment by the Israeli soldiers or settlers. The construction of the separation wall has further aggravated the situation and in certain areas, children are cut off from their schools and access is at a specified hour in the morning and in the afternoon. For example, in Nazlet Issa School, the "apartheid wall" cuts through the village, and separates it from its school. So the students are forced to pass through one of the Wall's gates in order to reach their school which exposes them to confront the aggressive behaviour of the Israeli soldiers everyday.

Between September 2000 and May 2006, 32 school- teachers, 601 pupils, 200 university students and 14 employees have been killed by Israeli soldiers. 76 teachers, 405 pupils, 720 university students, and 29 education employees have been detained. 54 teachers, 3471 school children, 1245 university students and 13 education employees have been injured. Studies are being constantly disrupted either due to closures or to curfews imposed by the occupation authorities. School buildings have been damaged as a result of being exposed to shelling. Damages incurred to schools totaled \$2,298,389 and to institutions of higher learning \$7,888,133.

Moreover, the Israeli violations and aggressions have affected the implementation of many educational projects and programs. The MoEHE have to constantly adopt new emergency plans, and alternative strategies to cope with the circumstances of closures, curfews and siege and to decentralize the management of the education program as much as possible.

Palestinian children in East Jerusalem are also victims of discriminatory practices. Only one school was built for Palestinian residents of East Jerusalem, despite a yearly population growth of 6%. The Israeli government spends less per Palestinian Arab child than it does per Jewish child and Arab schools are inferior to Jewish schools virtually in every respect – school building, equipment and educational facilities and materials. Palestinian Arab children attend schools with larger classes and fewer teachers than those in the Jewish school system, with some children having to travel long distances to reach the nearest school. Palestinian children with disabilities are particularly marginalized. Many Palestinian communities lack Kindergartens, despite legislation making such schools and attendance obligatory. While Palestinians contribute about 25% of tax revenue to the municipality, they receive only 5% of municipal services.

While the official policy of the Jerusalem Municipality is to grant access to education to any child resident of the city, actual policies demonstrate that it is a legal fiction that obscures the realities on the ground. Only children who are recognized residents of Jerusalem by the Israelis, and hold an Israeli identity card number, may attend the

municipal schools. As a result, many parents do not practice their right to education in Jerusalem and they are forced to send their children to schools in the West Bank. This has significant consequences for the future because children are required to present record of attendance in a Jerusalem school in order to obtain an ID when they reach the age of 16.

This situation, coupled with the generally poor economic situation of Palestinian Jerusalemites (28.6% below the poverty line), contributes to a very high dropout rate for Palestinian school children. A 1999 report by the Israeli Ministry of Education determined the rate of dropout for Palestinian children in East Jerusalem to be a staggering 40%.

Although primary education is compulsory and free to all children, in East Jerusalem, only 41% of school-aged children are enrolled in public schools, while 31% attend schools in the West Bank and 28% attend private and religious schools. 40% of classrooms in East Jerusalem are in rented houses or apartments with the result that 30 or more pupils are cramped into a class-room, roughly 4 by 5 meters in size, with four students sharing one small desk. Ventilation is a grave problem in many of these classrooms, with small windows, and lack of heating and cooling systems. Toilets and drinking fountains are extremely unsanitary and in disrepair.

## **Part 2: Activities of National Human Rights Institutions**

**1. Please describe the mandate of your Commission for the protection and promotion of economic, social and cultural rights. What methods and approaches does your Commission use for the protection and promotion of human rights?**

**PICCR mandate is wide in that it deals with all cases of human rights violations. PICCR pursues its objectives in the following manner:**

- It receives and follows-up on complaints submitted by citizens, individual or collective, related to maladministration, abuse of power and squandering of public funds by public authorities that result in the violations of human rights.**
- It reviews laws and draft laws to ensure that they conform to international standards of human rights.**
- It follows up on plans, policies and programs of public institutions to ensure compliance and respect for human rights.**

**- It educates Palestinian citizens about their rights and freedoms and the mechanisms for their protection against violations.**

**-It publishes annual reports and special reports on the status of Palestinian citizens' rights.**

**2. Has your Commission received complaints from individuals or groups relating to the right to education? If so, please provide a breakdown of the different type of complaints and, where possible, describe some of the most important cases and the role of your Commission in resolving these complaints.**

Yes, it has. We can consider the complaints that were submitted to PICCR as one of the main indicators to violations in the right of education. In 2005 PICCR received 46 complaints against the Education Ministry. They dealt with the inadequacy of school infra-structure in certain geographical areas; imposition of high "school contributions"; promotions and appointments; unsuitability of a large number of schools to accommodate the disabled despite the fact that "mainstreaming" is a strategy that the Ministry of Education has adopted; accreditation of certificates and courses at some of the universities; prohibiting some students to sit for state examinations; arbitrary dismissals; and arbitrary school transfers.

The total number of complaints which PICCR followed up with the Ministry of Higher Education during 2005 was 46, 22 of which are still under scrutiny by the Ministry. The rest were closed as follows: 10 with cooperation leading to satisfactory results, 11 with cooperation but with the results did not lead to a satisfactory conclusion, and 3 were closed for lack of cooperation altogether.

During 2005 there was notable cooperation by the Ministry to reach solutions to the citizens' complaints, often with satisfactory results. Examples of complaints against the Ministry for which PICCR achieved the desired outcome are the following:

1. A complaint by a citizen (I. H.) demanded the Ministry of Higher Education to pay his financial entitlements for teaching in one of the colleges. PICCR conducted several meetings with the Ministry and the money was paid to the citizen.
2. A complaint from a female citizen (N.Q.) demanded the Ministry to pay her salary for a short period of leave and to grant her early retirement. PICCR followed up the complaint through field visits and phone calls, and the Ministry agreed to accept the requests.

An example of a complaint against the Ministry for which PICCR did not achieve satisfactory results was that made by a citizen (A.H.) regarding his request to know the reasons why he was dismissed from his job. Despite several follow-ups by PICCR, no replies were received.

**3. Has your Commission conducted research and/or public inquiries on the issue of the right to education? If so, please provide the results of this research and the outcomes and recommendations of any public inquiries.**

So far PICCR has not conducted research or public inquiries, but it constantly monitors the right to education and one can refer to our Annual Reports for details.

**4. To what extent has your Commission identified laws / policies / practices in your country that impact on the realisation of the right to education?**

In 2005, the PA continued to improve on its commitment to the right to education, through a series of measures including expanding and improving the school network, improving teachers' living conditions and respecting their right to protest, and improving conditions for the education of the disabled. However, certain actions are still required to reinforce the right to education, the recommendations of which were included in the Annual Report. The recommendations dealt with the need for additional laws to regulate and protect this right, the provision of equal opportunities for all students, the enjoyment of full free education, the adaptation of schools to accommodate students with special needs, more respect for academic freedoms inside higher education institutions, the elimination of the use of violence (corporal punishment) against students, further follow-up of students dropping out of schools, and full adherence to fair standards in distributing grants to university students.

**5. Has your Commission conducted awareness and education campaigns relating to the right to education? If so, please provide information about these campaigns, identify the individuals or groups who have been trained and estimate how many people have been trained.**

Yes, PICCR has conducted since its establishment a sizeable number of training courses and awareness activities on human rights covering hundreds of teachers and students. Teachers, administrators, school supervisors and counsellors were trained in human rights education with special focus on children's rights. Children were made aware of their rights whether through play, art, songs, educational games, posters, brochures, diaries, writing of short stories on the theme of children's rights, summer camps, non-violent communication training, etc.

**PICCR** and the Ministry of Education and Higher Education organized a contest for the best short story written related to the concepts of children's rights. Seventh, eighth, and ninth-grade students from Palestinian schools participated in the competition. The contest aimed to encourage students in these grade levels to cultivate their creative

abilities in writing and at the same time incorporate human rights concepts, particularly those concepts and rights contained in the 1989 Convention on the Rights of the Child and the **Palestinian Law of the Child** of 2004.

**6. Please provide information about your Commission's general human rights education activities, including: materials used, information produced and how these activities have been made accessible to the community.**

**PICCR** undertakes a number of awareness raising activities in the subjects of human rights, international humanitarian law, and democracy and civil society. The various methods used include: short term training courses, extended instructional courses, public lectures, open meetings, television and radio programs, and other available media and promotional activities.

**PICCR** aims to achieve the following objectives through public awareness raising activities:

- Foster a culture of human rights and democratic principles among the various sectors of Palestinian citizens. This objective is based on the conviction that the protection of citizens' rights begins with educating citizens on their rights and the mechanisms for protecting them from violations.
- Raise the issue of citizens' rights as a public concern on a national level, and place it on the list of high priorities for the Palestinian National Authority and citizens alike.
- Inform Palestinian society about the status of citizen' rights, particularly as relates to the safeguards available for these rights and the necessity of having all individuals, groups, institutions, and public authorities respect them.
- Define the role played by **PICCR** in following up and handling citizens' complaints with the Palestinian public authorities, civilian and security alike.

**PICCR** and the topic of children's rights. About 70 relatives of students attended.

**7. Has your Commission addressed the issue of the right to education in its annual reports? If so, please provide a copy of the relevant sections.**

Yes, it has. The tenth and eleventh annual reports are on the website. [www.piccr.org](http://www.piccr.org)

**8. Has your Commission intervened in court proceedings on an issue related to the realisation of the right to education? If so, please provide details of the cases, the role of the Commission and the outcomes of the cases. Please provide copies of any submissions and court decisions.**

No, it has not.

**9. If your government has ratified any of the international human rights conventions listed below, has your Commission been approached by the government to contribute to the periodic reports to the relevant Committees, or alternatively, has your Commission provided a shadow report to the relevant Committees? If so, please provide copies of the sections relevant to the issue of the right to education.**

- Universal Declaration of Human Rights;
- International Covenant on Economic, Social and Cultural Rights;
- International Convention on the Elimination of All Forms of Racial Discrimination;
- Convention on the Elimination of All Forms of Discrimination Against Women;
- Convention on the Rights of the Child
- Convention Against Discrimination in Education;
- Minimum Age Convention 1973
- Worst Forms of Child Labour Convention 1999

The government cannot ratify any of the international human rights conventions since it is not acknowledged as a state yet. In spite of this, under international law, children are entitled to a number of specific rights. The existing conflict and use of force against Palestinian children deprive them of their rights to life, survival and development, protection from injury, and displacement whether within the occupied territories or outside them. The recurrent practice of closures violates children's rights to freedom of movement and the provision of various services, in particular health and education. Furthermore, children suffer from collective punishment, poverty, and subjection to various forms of violence.

In 2003, the PICCR coordinated and edited the Shadow Report to the UN Committee on CESCR regarding the Report of Israel concerning the International Covenant on Economic, Social and Cultural Rights.

**10. Does your Commission work in collaboration with civil society including the private sector, government or United Nations agencies or multilateral donors such as the World Bank, the International Monetary Fund and the Asian Development Bank on the issue of the right to education? If so, in what way?**

PICCR is presently working with the Central Bureau of Statistics on indicators for the right to education as part of an international initiative known as METAGORA PROJECT.

This is the end of the questionnaire. Thank you for taking the time to respond.