



MA'AN Development Center

ATTACKS ON EDUCATION:

A FOCUS ON 10 SCHOOLS IN AREA C





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2015

EXECUTIVE SUMMARY

Attacks on education by Israeli military forces and Israeli settlers in the Palestine constitute grave violations of children's rights to education and development. These attacks are particularly prevalent in the most vulnerable areas of the West Bank – Area C, H2 and Jerusalem. The perpetrators act with impunity and the attacks are persistent and regular enough to create a constant atmosphere of fear and terror for children and their teachers, generating great psychological distress, anxiety, helplessness, and severely diminishing levels of educational attainment. The need to create safe and protective environments for education is critically urgent, as is the enforcement of a strong accountability mechanism to hold Israel responsible for its actions.

This report outlines two interrelated courses of action, which if implemented, could make progress in ensuring better protection for children and schools against attacks and promoting schools as protected safe zones. By directly addressing the actors who have distinct responsibilities for Palestinian children and education –from Israel and the

international community to the Palestinian Authority – this document outlines what each party can, and must, do to end attacks and ensure that Palestinian children can realize their rights to a safe and quality education.

The main recommendations of this report are:

- The **United Nations** should demand an end to attacks on Palestinian schools.
- The **United Nations** should include Israel in the UNSC report so that the MRM accountability framework created by Security Council Resolution 1612 can be operationalized.
- **Donors** should push for greater accountability of all parties, including guarantees of the end to all attacks on schools
- **States** must endorse the Safe Schools declaration and must push for the Israeli government to incorporate the guidelines into their military protocols and documents. At the same time, **States** must push for the Palestinian government to begin implementing the guidelines set out in the Safe Schools declaration.



1

INTRODUCTION

“To safeguard the rights of children to education, schools need to be inviolable safe spaces for children, restrictions to access must be removed, and measures taken to avoid conflict or confrontation. Every child has the right to protected access to education. Israeli authorities must ensure that this right is fulfilled and that those responsible for attacks against defenseless children are brought to account”

-Humanitarian Coordinator for the occupied Palestinian territory, James W. Rawley, February 2015, Jerusalem.

In 2015, the education of Palestinian children is under persistent attack, with schools, children, and teachers on the frontlines of conflict, particularly in Area C and East Jerusalem. Schools have increasingly become targets of attacks by Israeli military forces (IOF) and Israeli settlers living in the

expanding settlements across the West Bank and Jerusalem. Children and their teachers are systematically harassed, humiliated, and physically abused by the IOF and settlers while travelling to and from school. When children are not allowed to feel safe at school or while travelling to school, their education and their prospects suffer, and the futures of their families and communities are undermined. Children’s rights to education are being violated on a daily basis, threatening the significant advances made in education in Palestine over the last 20 years.

Although the quantitative data gathered over the past few years provides compelling evidence of both the increase in occupation-related violence and its impact on the educational process, the issue goes well beyond numbers. It is about how the denial of education perpetuates a cycle of violence and exclusion, depriving Palestinian children of the knowledge, skills, and values they need to build a better and more peaceful future. In order to cope with this situation, children are internalizing this intolerable



reality as normal. The lack of an effective accountability framework has meant that the IOF and settlers have operated with total impunity. Getting an education in parts of Palestine is an increasingly risky undertaking.

In order to produce this report ten Palestinian schools selected to be studied. The schools were chosen based on two criteria; first they were already implementing the SZOP program and second, MRM data from 2014 identified them as the ten schools most in danger of attacks. After identifying the schools, Arab World for Research and Development (AWRAD) drafted guidelines for the creation of focus groups within the ten schools that were then agreed upon by MA'AN and Save the Children. Each focus group contained a minimum of seven students, six parents and seven teachers. There were at least two focus groups per school. All participants were randomly chosen. AWRAD collected and analyzed the data from the focus group meetings. AWRAD also conducted interviews with individuals from the Ministry of Education, Save the Children, various UN agencies, and the ten school principals in order to gain insight into the current efforts in place for the protection of schools and what each of these groups viewed as the biggest challenge to the protection of schools. Additionally, AWRAD reviewed MRM data and existing literature pertaining to the protection of schools in war zones. After all of the information was analyzed, AWRAD produced a draft report. Based on this draft report MA'AN prepared a presentation for the Education Cluster and collected their feedback. MA'AN then utilized the Education Cluster's comments to elaborate on areas of the report that were highlighted by the cluster and produce the finalized report.



The legal framework for accountability

In 2005, the UN took a groundbreaking step in the protection of children affected by conflict. UN Security Council resolution 1612, passed in July of 2005, established a mechanism for Security Council oversight of “grave violations” against children, of which attacks on schools are a part. The Resolution focused on increasing the protection of schools and students through directly addressing violations by perpetrators with the aim of ending them.

Israel has persistently disregarded its obligations to protect Palestinian children's right to education and to facilitate access to properly working institutions devoted to the education of Palestinian children, under all relevant international legal instruments and agreements including the Fourth Geneva Conventions,¹ the International Covenant

1) International Committee of the Red Cross (ICRC), *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 12 August 1949, 75 UNTS 287.

against Discrimination in Education,² and the Convention on the Rights of the Child.³

The 2005 UN resolution 1612 reflects the inadequacy of state responses to address fundamental violations of the rights of children, despite the obligations contained in the Convention of the Rights of the Child (November, 1989). Israel has never reported on the violation of children's rights in Palestine, despite its obligations to do so as a signatory to the Convention on the Rights of the Child⁴. The children and armed conflict agenda has rapidly developed a profile and a series of UN resolutions⁵, subsequent to 1612⁶, have increasingly defined the processes intended to protect children in situations of conflict, including attacks on schools and students. Resolution 1612 requires specific measures for monitoring and reporting of grave violations committed both by states and by armed groups. In the case of Palestine, the primary duty bearer is the obligated state party, the Government of Israel.⁷ In 2007, an informal and voluntary

Palestinian/Israeli working group comprised of UN agencies, INGOs, local NGOs and community-based child protection networks under the leadership of UNICEF, began documenting and reporting to the UN on the six grave violations, including attacks on schools

The six grave violations against children include recruitment and use, killing or maiming, sexual violence, attacks against schools or hospitals, abduction of children, and denial of humanitarian access. These violations against children during armed conflict stress the gravity of attacks against educational institutions and their teachers and students.⁸ Derived from relevant conventions and international law instruments, 1612 states that “the deliberate targeting of schools....may amount to grave breaches of international law.”⁹ In order to trigger the accountability framework of 1612, Israel has to be listed in the annexes of the Global Annual Report of the Secretary General for Children and Armed Conflict. Listing is based on the decision of the Secretary General in consideration of the strength of the evidence submitted and presented in the report. Despite the particularly strong evidence against Israel that merits this listing, Israel was not listed this year.¹⁰

2) United Nations Educational, Scientific and Cultural Organization (UNESCO). *International Convention against Discrimination in Education*. 1960

3) Convention on the Rights of the Child, November 1989

4) Convention on the Rights of the Child, November 1989; Art. 44

5) UN Security Council, Security Council resolution 1882 (2009), the Council expanded the trigger to include patterns of killing and maiming of children, including rape and other forms of sexual violence against children; UN Security Council resolution 1998 (2011) instructed the Secretary General to list parties to conflict who attack schools and/or hospitals and attack or threaten to attack protected persons in relation to schools or hospitals.

6) UN Security Council Resolution 1612, adopted on 26 July 2005 is based on an action plan proposed by the Secretary General to bring about the “era of application”. It mandated the UN to develop a monitoring and reporting mechanism on grave violations against children in armed conflict and established the Security Council Working Group on attacks on children in armed conflict, called for Task forces at country level lead by the UN to monitor and report on grave violations, to develop action plans for enforcement, and to support national institutions and local civil society networks.

7) Concluding observations of the Committee on the Rights of the Child: Israel. 09/10/2002, CRC/C/15/Add.195, section A, Para. 2

8) Office of the Special Representative of the Secretary-General for Children and Armed Conflict. *The Six Grave Violations against Children during Armed Conflict: The Legal Foundation*. 2013.

9) Ibid.

10) See Human Rights Watch, UN: Ensure Integrity of Children's List of Shame, press release, June 4, 2015 and Defense for Children International, UN Shields Israel from accountability for attacks against children, press release, June 8, 2015



The context of education in occupied Palestine in 2015:

Increasing Israeli containment and control

MRM raw data shows that schools in the West Bank, Area C, the H2 area of Hebron city and Jerusalem remain the regions most at risk of attacks. Area C and H2 comprise over 60 percent of the West Bank and are under Israeli's direct civil and military control. Palestinian civil jurisdiction is limited to less than 40 percent of the West Bank (Areas A and B). These towns and villages of Area A and B comprise an archipelago of islands in the sea of Area C. The movement and access restrictions imposed by the Israelis throughout the West Bank since 2000, the construction of the Separation Wall begun in 2002, the expansion of settlements in

Area C¹¹, and Israel's lack of respect for international laws and conventions,¹² have grave implications for Palestinian children's safe and continued access to education.

Obtaining permits for school construction in Area C is severely hampered by the discriminatory planning regime applied by the Israeli authorities.¹³ Structures including schools built without permits are vulnerable to demolition.¹⁴ For example, in 2013 EAPPI reported that over 39 schools had received demolition orders or written

11) UNCTAD, Report on UNCTAD assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory, July 2015, p.4

12) Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, January 2014, p.3, para 3.

13) See OCHA, 2015 Strategic Response Plan for the oPt, Page 11.

14) UNOCHA, Humanitarian Factsheet on Area C of the West Bank July 2011. Most of Area C has been designated as military zones and for expansion of Israeli settlements, severely constraining the living space and development opportunities of Palestinian communities. While it is virtually impossible for a Palestinian to obtain a permit for construction, Israeli settlements receive preferential treatment in terms of allocation of water and land, approval of development plans, and law enforcement. See also interviews with teachers at Qurtoba School, Hebron, by Brendan O'Malley in May 2012.



stop work orders. In total these 39 schools serve around 4,305 students.¹⁵ In 2012, movement between towns and villages in the West Bank were controlled by a series of roughly 500 Israeli checkpoints, gates, earth mounds and trenches dramatically increasing the time needed to travel to and from schools and fueling the uncertainty of arrival. These checkpoints affect roughly 2,500 children from a multitude of communities.¹⁶ By 2005, the Separation Wall had already impacted both the quality of and access to education through shortened teaching hours and growing dropout rates (See Box 2).

Box 1: *Impact of the Wall “The quality of education has deteriorated because schools have been obliged to shorten teaching hours as a result of wall gate-opening times. Furthermore, children are being forced to drop out of school either to help supplement diminishing family income or because their parents can no longer afford to send them to school”.*

John Dugard, United Nations Human Rights Special Rapporteur for the Palestinian territories, August, 2015

Arguably the most significant factors impacting education are the daily unpunished physical and verbal attacks, harassment and abuse by the IOF and settlers, which create a permanent climate of fear among school children, creating psychological distress, hampering the functioning of schools, impeding access,

15) See EAPPI Factsheet 2013 No. 3, Access to Education: Creating a safe environment despite occupation.

16) See OCHA, 2012 Protection Cluster and Education report on Protection issues affecting access to education in the West Bank.

reducing attendance and diminishing levels of educational attainment. All students and teachers interviewed for this report said that harassment and abuse were a daily occurrence on their way to and from school.

Box 2: *“When we walk on the street, we always look behind us as we are expecting an attack”*

– student, Tarek Bin Zayad School, Hebron, H2

Scope and purpose of this document

Today, nearly 10 years after the landmark UN Security Council Resolution 1612, Palestinian children continue to suffer regular physical attacks against them and their schools. Israel persists in non-compliance of its obligations under this specific resolution and other relevant UN resolutions by allowing its occupation forces - and the settlers they protect - to persistently and deliberately attack Palestinian schools, children and teachers, creating immense psychological and physical damage and impeding the educational process.

If we cannot take action to correct these core issues, the situation for Palestinian children will only continue to worsen. Without the protection of accountability for those who physically attack children and their schools, and the guarantee of safe and protected spaces for their education, increasing numbers of Palestinian children risk being gradually excluded from school or having access to only limited and low-quality learning opportunities. The purpose of this document is to outline the main obstacles to students’ safety in schools in the West Bank and methods that can be used to address them.



2

ATTACKS ON EDUCATION

An analysis of the quantitative data available from the Monitoring and Reporting Mechanism (MRM) database for 2012-2014¹⁷ illustrates that attacks on schools are multiple, deliberate, recurrent. These attacks form a consistent pattern of abuse resulting in the impaired functioning of the school facilities, denying students access to education, and endangering the lives and safety of students and staff. Attacks on students and staff on their way to and from school are distinct from attacks on schools. Both types of attacks on education are now considered categories of triggers for listing as per UN resolution 1998 – Guidance Note on Security Council Resolution 1998, Office of the Special Representative of the Secretary General for Children and Armed Conflict.¹⁸

Incidents of attacks documented over the last three years include harassment, verbal abuse, physical violence, shooting of

17) The Monitoring and Reporting Mechanism (MRM) Database's creation was requested by the UN Security Council in Resolution 1612. The purpose of the MRM is to collect and compile reliable statistics and information on the six grave children's rights violations, of which attacks on schools is one. 18) UN SCR 1998 indicated concern over attacks on children, including on schools and hospitals. Furthermore, it called on parties to end all actions that hinder children's ability to receive an education.

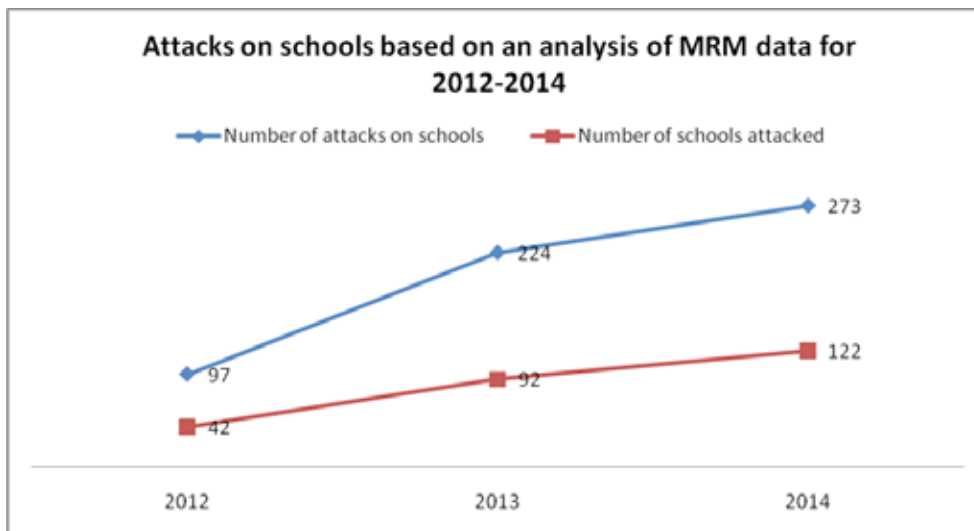
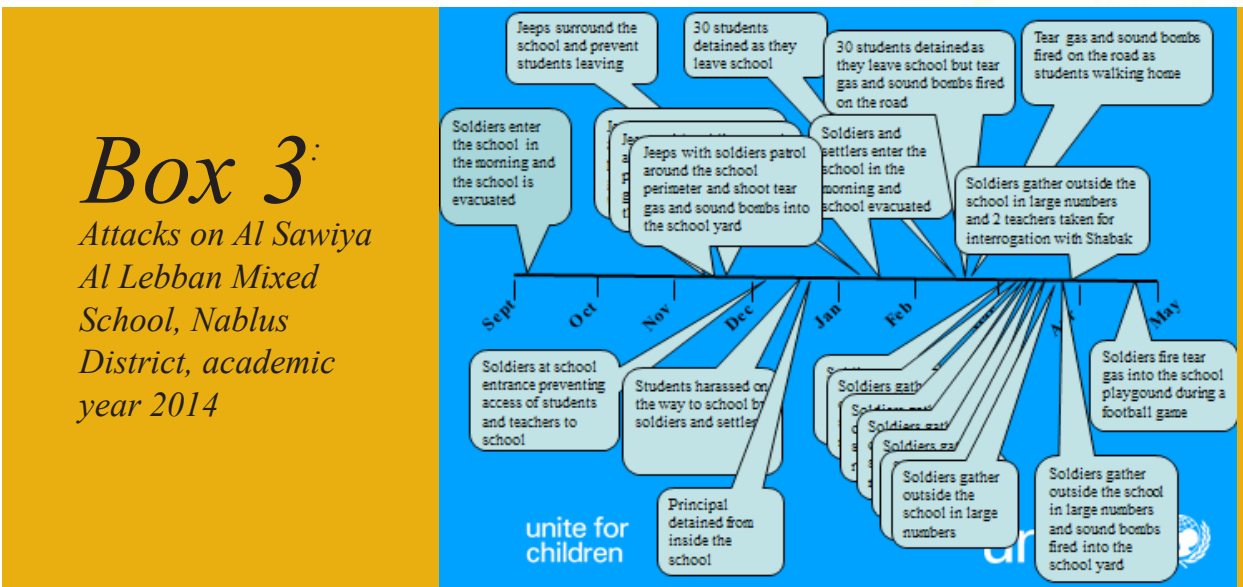
rubber bullets, gas and sound bombs, live ammunition, and arbitrary detentions by the IOF of students and teachers at military checkpoints and along the access roads to and from school, and from inside the school itself.¹⁹ The IOF have directly prevented the entrance and exit of students and teachers at the school entrance, have entered schools and classrooms with their automatic rifles during classes, and shot tear gas and rubber bullets into school playgrounds during classes and recess. They have also maintained a threatening presence around the school during the school day by driving their jeeps around the school perimeters, then parking in front of the school gate and honking their horns. The IOF have stood by while settlers, armed with sticks, knives and axes, have attacked schools, students and teachers, thrown stones, physically assaulted and spat on students and teachers, climbed on school roofs and destroyed cameras. The IOF have taken over schools for use as interrogation centers and sniper points, and have used school premises to provide protection to settlers visiting Jewish holy sites in the center of Palestinian cities in Area A. Unidentified assailants have burned school premises at night, destroying school records and equipment, and painting anti-Arab graffiti on school walls. Some abuses have been isolated incidents, while others reflect a clear pattern of deliberate and

19) See MRM Report on the oPt



multiple attacks, often on the same schools, students and teachers. Most of these incidents constitute grave violations detailed in UN Security Council Resolutions 1612 and 1998. According to MRM data, a total of 42,151 students have been affected by these attacks

over the past three years. The chart below (Box 3) shows the attacks recorded in the UNICEF MRM database for the year 2014 for Al Sawiya Al Lebban Mixed School in the Nablus district.



In the past three years, attacks against schools in the West Bank have risen dramatically. From 97 reported attacks in 2012 to 273 in 2014, this constitutes a 300 percent increase (based on MRM data). The number of schools targeted has also increased significantly. As Figure (1) shows,

attacks have increased incrementally, tripling from 2012 to 2014. The IOF remains the primary perpetrator of abuses, accounting for 85 percent of violations of humanitarian access and 94 percent of attacks against schools since 2012 (MRM data).



Promoting schools as protected spaces:

Schools as Zones of Peace

In an attempt to provide children with a safe and protected space for education in the West Bank, the project Schools as Zones of Peace (SZoP) was launched in 2014. This project aims to advocate for and to practically model an approach that supports an advocacy strategy founded on the prevention of attacks to ensure that every child can thrive, grow and be educated in an atmosphere free of political interference, violence and attack.

The concept has been successfully piloted by Save the Children in Sri Lanka and Nepal. A multi-year project was launched in the Palestine July 2014.²⁰It is designed to enhance resilience and protection of children and schools in the most vulnerable conflict-affected communities in the West Bank.

The Schools as Zones of Peace Project is both a program and advocacy concept. The military use of schools is not – in and of itself - a violation of international humanitarian law(IHL), although evidence suggests²¹that the military use of schools is a precursor to attacks on schools. Recognizing that military use of schools may result in increased risks of violence, the UN Security Council has encouraged governments to consider concrete steps to deter military use of schools.²²In Palestine,

20) The project is managed by Ma'an Development Center in partnership with Save the Children

21) Lessons in War: Military Use of Schools and Other Education Institutions during Conflict, Global Coalition to Protect Education from Attack, November 2012

22) UN Security Council resolution 2143

the Palestinian Authority (PA) has endorsed the Safe Schools Declaration.²³ Israel does not formally recognize schools as protected spaces and has not signed the Declaration. It would be of great value to have both the Israeli and Palestinian governments support compliance with these standards as this would effectively remove the presence of military forces from around and within schools in Palestine.

Evidence from the front lines:

Specific violations against SZoP schools

The MRM data, illustrated in Box 3 above, from one of the 10 schools involved in the SZoP Project, provides a cross section of the varying obstacles schools and education in Area C continue to face. Data shows that all schools struggle with settler violence and harassment, the daily presence of IOF around the school and its access roads, multiple and violent incursions by the IOF onto and into school property, and detention, humiliations and delays at checkpoints. These abuses are not distributed equally across all schools as each school has very particular circumstances

Based on the MRM and Ministry of Education (MoE) data, six of these schools have been categorized as being most at risk for the past three years. Chart 1 below shows that 34% of all attacks over the period 2012-2104 were on schools targeted by the SZOP program.

23) The Safe Schools declaration, developed through state consultation led by Norway and Argentina, provides States with an opportunity to endorse broad political support for the protection and continuation of education in armed conflict. The Declaration was opened for endorsement on May 29th, 2015. Palestine and 48 other states have endorsed the Declaration.

**Chart 1: Attacks on all West Bank schools compared with SZOP schools
(analysis of MRM data 2012-2014)**

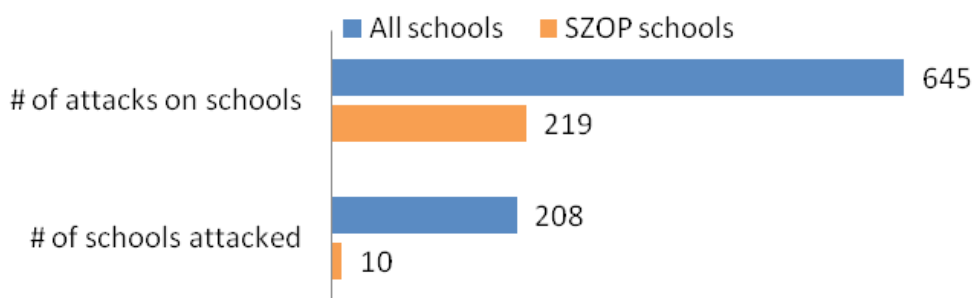
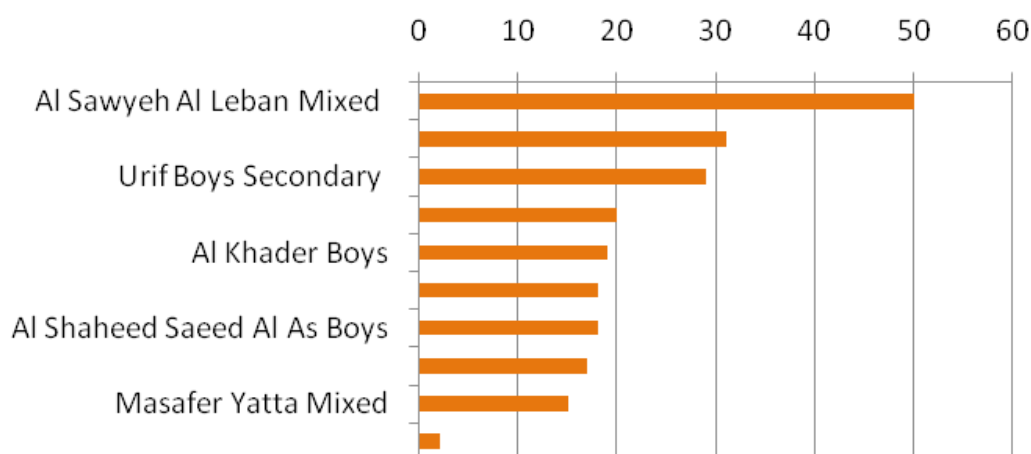


Chart 2: Number of attacks on all SZOP schools (2012-2014)



All of the schools do share one common feature: since their construction, they have been increasingly impacted by settlements,²⁴ which have been established nearby. Some of the schools are also adjacent to the recently constructed Separation Wall and designated settler bypass roads; others are on main roads with no pavements. Several of the schools are located on the

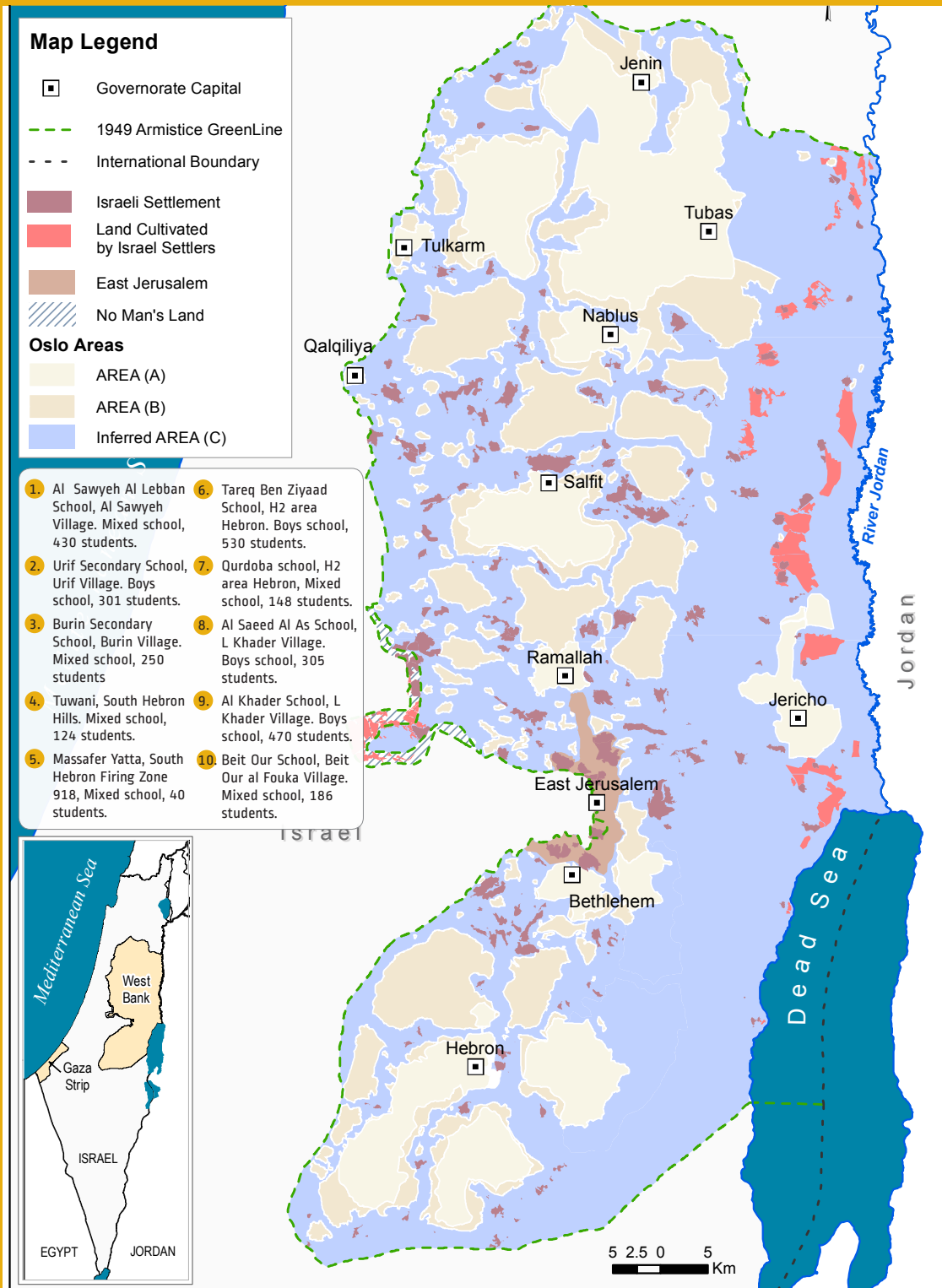
24) National religious settlement types. See <http://peacenow.org.il/eng/content/settlements> for full analysis of settlement typologies.

outskirts of the village at some distance from their villages. One is located in a firing zone²⁵ which the IOF has designated a closed military area, and two are inside the H2 area of Hebron, where the PA has no jurisdiction.²⁶

25) This is firing zone 918 in the south of the West Bank. Approximately 18% of the West Bank has been designated as a closed military zone for training or "firing zone". This is roughly the same amount of the West Bank under full Palestinian Authority (Area A, 17.7%) http://www.btselem.org/area_c/taking_over_land, accessed 2 September, 2015

26) H1 H2 agreement, http://www.tiph.org/en/About_Hebron/Hebron_today/, accessed 2 September, 2015

Box 4: Proximity of Settlements to West Bank Schools, SZOP project.



Source: OCHA maps
 *schools overlay by MA'AN Development Center, SZOP project in partnership with Save the children and MOE ,KAP survey

Students and faculty of the Burin, Al Sawiya, Urif, Tira Beit Ur Al Faquaa, Qurtoba and Tarik Bin Zayad schools live under constant threat of settler attacks either from nearby settlements or from settlers on the by-pass roads, which students have to walk across to get to school. In the past year, there have been regular attacks by settlers throwing stones, vandalizing schools, recruiting the IOF to take punitive action against facilities or individuals and creating such a terrifying atmosphere that students abstain from attending classes or take such circuitous routes to school that they miss significant class time. In some of the most extreme cases, students at these schools have been hospitalized due to attacks. Particularly damning is the dereliction of duty by IOF soldiers who have been assigned by the Israeli Knesset Committee on the Rights of the Child to protect Palestinian schoolchildren in their daily commute to Tuwani School from Tuba village. The commute crosses two settlements in the area. MRM data shows that soldiers fail to show up on time to provide escorts, do not show up entirely, or leave the children in vulnerable positions near the settlements.²⁷

27) In a press release on the 4th of September 2014, Operation Dove reported that on 6 out of 132 school days the escort was missing. On 50% of school days, the escort arrived last, causing the children to miss morning classes, or arrive home late. The lateness of the escort often means that the children have to wait in dangerous places such as the land of the Ma'on and Havat Ma'on settlements where attacks frequently occur. As a result, the press release states that on 96% of school days, the escort did not fulfill its protective mandate, exposing the children to settler violence on their way to and from school. Quoted in Education Under Fire, Ma'an, 2014

***Box 5:** In order to reach the school in the village of at-Tuwani, the Palestinian children from Tuba and Maghayir Al Abeed, who are between the ages of six and seventeen, usually walk through the shortest route that passes between the Israeli settlement of Ma'on and the outpost of Havat Ma'on (Hill 833). This route is the main road linking their villages and At Tuwani and takes about twenty minutes to complete. On the morning of 9 April, 2014 at 7:40 a.m., two Israeli children coming from Havat Ma'on attacked the Palestinian children by launching stones at them with slingshots, injuring a twelve-year-old girl and fourteen-year-old girl on their legs. At the moment of the attack, the Israeli soldiers were not walking with the children as they are supposed to, but were inside the military vehicle, following behind the group of children.²⁸*

28) Christian Peacekeepers Team, AT-TUWANI: Military escort misconduct exposes Palestinian children to risk on their way to and from school, April 9, 2014, <http://www.cptnet.org/cptnet/2014/04/09/tuwani-military-escort-misconduct-exposes-palestinian-children-risk-their-way-and->

Soldiers frequently use checkpoints as mechanisms to harass, detain and arrest students and teachers, infringing on their education. Students and educators at the Qurtoba School in Hebron report constant difficulty in crossing checkpoints and are forced to endure unnecessary harassment and loss of educational time. It is common for Israeli soldiers to close the checkpoint without warning, leaving commuters to wait until it is reopened. Teachers may have their IDs confiscated and be forced to go through a lengthy and demeaning process to retrieve them.

***Box 6:** When we go home from school, the settlers come with sticks and hit us on the legs. One time settlers came from behind the school. I couldn't run away as my legs were paralyzed with fear. Ten settlers surrounded me, beat me and spit on me. They came into the school over the roof, took our flag down and destroyed all our security cameras. Student, Qurtoba School, Hebron H2*

Violence by the Israeli army can take many forms, but several common patterns have emerged. These include Israeli soldiers and military vehicles entering school premises, and remaining in front of the school gate, or around the perimeter fence, to create an intimidating presence. In other cases, soldiers fired tear gas and sound grenades into the schoolyards that terrify students and faculty. The shooting of tear gas is frequently followed by forced entry into the school itself. Soldiers also station themselves at the school gate when students are entering and leaving schools, detain individuals as they leave the school and harass and verbally abuse teachers and students (see Box 3, above). Soldiers vandalize facilities by defacing property, in addition to demolitions and verbal and written threats of demolition.

Interviews and focus groups carried out in SZoP schools in May of this year generally support the numbers and patterns of attacks on these schools, but also suggest that attacks against students and staff en route to and from school appear to be much more frequent than MRM data would suggest. Verbal accounts from school principals,



teachers, students and parents indicate that daily harassment and abuse continue to occur. This suggests- and was confirmed by UNICEF²⁹ – that there is almost certainly under-reporting of incidents through the MRM mechanism. Work on the MRM Palestine is voluntary and until Israel is listed in the UNSG Annual Report, the Palestinian MRM working group remains ineligible for UN funding, which would significantly strengthen the monitoring and reporting of grave violations. At present resources for this work are minimal, resulting in a lack of coverage. In addition, the continual threat of – and actual - attacks over a long period of time has led to a normalization of the situation by the students involved, in an attempt to cope with an intolerable situation that seems to have no solution. We were told by students and teachers from every SZoP school without exception - sometimes after describing a particularly horrifying and violent incident- that “it’s normal”, “we don’t think about it anymore” implying that many incidents may go unreported. However, and more importantly, these comments show the debilitating effects of the sustained violence on the students and teachers involved.



shoot tear gas in the yard and lock the teachers and principals in one room and then start beating the students. And I regard this as normal. I don't care. At the beginning it affected me. But now it's like the soldiers are students with us as they are around us every day. And sometimes they stay at night. But I got used to it. What can we do? – Student, Burin Mixed Secondary School

Box 7: *Normalizing the abnormal - I lived in the Emirates. When we came here, I saw lots of bombs and screaming and lots of kids throwing stones and soldiers chasing. It was a new thing and I did not know what to do. Now they (the IOF) come into our school,*

29) Interview with Mera Thompson, Coordinator, Education Working Group, Palestine, 12th May, 2015





IMPACT OF ATTACKS ON THE EDUCATIONAL PROCESS AND BEYOND

“If schools are repeatedly attacked and it becomes too dangerous for teachers to turn up to teach or for parents to send students to them, a keystone of stability and security is removed from children and from the community - increasing the likelihood of putting children at risk of other dangers. It is in the interests of all concerned with child protection to campaign for the protection of schools and other places of learning.”³⁰

Multiple studies³¹ on the effects of violence and degrading treatment of children and adolescents have highlighted common stress factors which include intense feelings of insecurity, anxiety, feelings of distress, frustration, anger, depression, lack of motivation and helplessness. Children’s cognitive and affective processes can be damaged by conflict, imprinting emotional, psychological and physiological scars.³²

30) Alec Wargo, ‘The Child Protection Viewpoint’, in *Even in Chaos: Education in Times of Emergency*, Ed Kevin Cahill, Fordham University Press, 2010, p37

31) For example, see Yoke Rabaia, Mahasin F Saleh, Rita Giacaman, *Sick or Sad? Supporting Palestinian Children Living in Conditions of Chronic Political Violence*, *Children and Society, Volume 28*, (2014), pp.172-181; *Inter-Agency Standing Committee, IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings, 2006: Education and Hope: A psychosocial assessment of Palestinian Children*, Cairo Arafat and Thahabieh Musleh in *A World Turned Upside down*, ed. Boothby, Strang and Wessells; UNESCO, *Education Under Attack*, 2010

32) *Education and Hope: A psychosocial assessment of*

Research shows that most children cope fairly well with low levels of risk. Their ability to develop and reach their full potential is only jeopardized when risk accumulates.³³ The West Bank represents such an environment.

The findings of studies (Arafat, Musleh 2006, and Giacaman 2014³⁴) on the impact of occupation-related violence on Palestinian children are well aligned. In the educational context, these stresses result in increased incidence of nightmares, bedwetting, higher levels of absenteeism from school, higher drop out and/or transfer rates, and lower levels of educational attainment. Effects reported in May by both teachers and principals from the 10 SZoP schools as a result of attacks had very common themes. Student were “always tired” because they are under constant tension, students experienced great difficulty focusing on lessons, were less motivated to come to school and violent behaviours had increased in the schools. The higher the frequency of attacks, the more marked these effects became.

Box 8: *We are a very organized school and our classes are well run but when the settlers start to approach the school, there is chaos. All students start looking through the windows and want to go outside. This ruins the whole day. The*

Palestinian Children, Cairo Arafat and Thahabieh Musleh in *A World Turned Upside down*, ed. Boothby, Strang and Wessells

33) *Ibid.*, p 112

34) See Yoke Rabaia, Mahasin F Saleh, Rita Giacaman, *Sick or Sad? Supporting Palestinian Children Living in Conditions of Chronic Political Violence*, *Children and Society, Volume 28*, (2014), pp.172-181; *Inter-Agency Standing Committee, IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings, 2006;*

whole day goes. The focus is always outside.

Teacher, Urif Secondary school for boys.

We always think about the soldiers when we are in school.

Student, Burin Mixed Secondary School.

They (students) want to express their anger, and they can't. Or they bring it into school.

Principal, Al Khader Secondary School for Boys.

Students themselves felt very low levels of safety when at school; many said that they were always afraid to come to school and were in a constant state of anxiety. Younger students reported stomachaches and a continual sense of panic. Older boys said that they felt anger more than fear, and were distinctly ambivalent about the capacity of the teachers to protect them.

Box 9: *“The school can't protect us, if they call for help, by the time they arrive, they (settlers) would have already killed us.*

”Student, Urif Secondary School for Boys

“Our children are always afraid to go to school.”

Parent, Al Shaheed Al Aasi Basic School for Boys.

Teachers felt that the quality of their teaching had deteriorated, especially when attacks were more frequent, not only because they found it difficult to contain the children, but also because they were in

a constant state of alert in order to protect the students. Teachers report being regularly humiliated at checkpoints, sometimes in front of their students, which reduces the respect they get from their pupils. They had very mixed feelings about their ability to provide protection for the students. A few felt very angry at their predicament, and desperately wanted to be transferred to safer schools. Many often felt that more time was devoted to support than to teaching.

Box 10: *“They (students) must be afraid all the time. So we encourage them all the time. Am I a counselor, a security officer or a teacher?”*

“Teacher, Qurtoba Mixed Basic School.

“When we can't defend our students, they lose respect for us.”

Teacher, Tariq Ben Ziyad School for Boys

Parents report that they are anxious about their children “every day, from the moment they leave home to the moment they come back”. They acknowledge that their children are tense all the time, becoming extremely anti-social or growing more aggressive and violent in their behaviour. Although principals were unable to provide illustrative empirical evidence of the multiple impacts on the school and students, some of them estimated that dropout rates were well above the national average of 4 percent. Levels of absenteeism ran at about 15 percent of the school year, and principals feel that the decline in educational achievements over the past three years had been marked.

Factors enabling greater protection in schools

- Commitment of the school principal to students and staff
- Psychological de-briefing and counseling
- Improved physical security of schools – higher walls, stronger gates, 24-hour guard
- Presence of Palestinian civil defense around schools
- Changing behaviours through discussions
- Safe transportation
- Accompaniment programs –EAPPI, Operation Dove, TIPH
- Community support
- Solidarity visits
- Twinning with foreign schools for advocacy purposes

Based on recommendations made during interviews and focus groups with the school communities

As UNESCO notes in its 2010 report,³⁵ while the short-term consequences of attacks on education are obvious but rarely reported, the long-term effects on the education system and the development of regions and countries are barely examined at all. It is easy to forget that significant advances have been made in some areas of Palestinian education. Since 1994, when the PA took over responsibility for education from the Israelis under the Oslo process, school construction in Area A and B has increased by nearly 70 percent.³⁶ However, the movement and access restrictions imposed by Israel across the West Bank in 2000 and the construction of the Separation Wall from 2002 onwards has reduced both access to and quality of public education (see Box 1 above) and the parallel expansion of settlements in the West Bank, which cover nearly 63 percent

35) UNESCO, Education Under Attack, 2010

36) Based on an analysis of Ministry of Education figures 1995 -2012, www.mohe.pna.ps

of the total area of Area C, has provoked increasing levels of conflict with Palestinian communities and – inevitably – their schools. Children are the main losers in this.

Establishing schools as protected spaces

The creation of protected spaces in the SZOP project is achieved through the establishment of school-based Crisis Cells (CCs), representative of all school stakeholders – students, teachers and principals- and charged with acting in an emergency. Through these CCs, the school principals provide leadership and training in school disaster management including Emergency Preparedness Planning (EPP) and risk mapping. The MoE is working on a common Code of Conduct for the 10-targeted schools and integrating the Code into its existing policies.

While the EPP will be generic for all schools targeted, it will also include, an MoE endorsed, specific component adapted and developed to fit the individual context of each of the 10 targeted schools. The EPP will then be rolled out in each school and tested for its applicability through, for example, undertaking emergency evacuation drills. Each school is provided with basic essential equipment required for proper EPP implementation. Full day workshops for teachers, school counselors, parents, and community members on children's rights and protection are conducted to extend emergency preparedness knowledge and capacity into the school community.

The project holds structured workshops with students, combined with extracurricular activities, parent meetings, facilitated

trainings for teachers and summer camps at the schools. In parallel, the project trains MoE staff in MRM methodology that then supports the staff of the targeted schools in the documentation of violations of SCR1998. The project also works with the MoE to support the decentralization of decision making authority thus conferring sufficient decision making authority on individual school principals so they can act effectively in an emergency. For example, when soldiers enter the school premises, principals must be empowered to order an immediate evacuation. The project adopts an approach which includes and empowers all stakeholders at local, district and national levels including children, teachers, parents, the MoE, local and international NGOs in the formulation and establishment of key documents and structures including the Crisis Cells, the Code of Conduct and the Emergency Preparedness Plans.

Advocacy work on MRM continues in conjunction with work on the programming response of SZoP. The program has already won strong support from the Palestinian MoE which sees a clear and necessary link between an international advocacy strategy which can hold those responsible for attacks on Palestinian education accountable and a development approach at the national level which increases the resilience of the school community in the face of on-going attacks and simultaneously promotes the concept of schools as protected spaces.

Box 11: *“This project should work in communities too so that we come back together”*

Boy 14 from Tariq Bin Ziyad

Psychosocial activities, including structured workshops for children, where resilience is built through discussions of how to manage oneself in key emergency situations, summer camps with peers, and student-led initiatives around issues in their schools, have allowed students to vent in a safe place. Furthermore, the broader community has been more systematically engaged in developing an emergency response plan. Recognising that the resilience of the school community and its members to attacks is, to a large extent, dependent on the leadership of the principal, the level of encouragement s/he provides to his teachers and students is critical for the success of the SZoP model. Students from the targeted schools are already reporting increased levels of confidence, better conflict management skills and better relations with their teachers. Quantitative pre and post survey data indicate that an overwhelming majority of students were satisfied with the resilience workshops. Improvements in psychosocial status were also registered, especially in student’s perceptions of their social relationships, which showed a positive increase of 8%. The numbers also indicate a possible connection between participation and increased levels of engagement at home and school.

Box 12: *“Before if another student annoyed me I would just punch him, now I feel I can listen to him and give him time to explain himself”.*

Student, Al Shaheed Said Al Aasi Basic School for Boys³⁷

37) SZOP Project Report, Ma’an Development Centre, 10 July, 2015

4

CHALLENGES TO INCREASING ISRAEL'S ACCOUNTABILITY

“Without monitoring, we cannot denounce, and without denunciation, we cannot act to protect education and to end impunity. Effective monitoring is essential because without it, the resulting silence on the issue can serve to legitimize the attacks”

Nicholas Burnett, UNESCO's then Assistant Director-General for Education, UN General Assembly debate (on Education in Emergencies (18 March 2009

Promoting protection

In order to deter and limit future violence, it is important to ensure both Israeli government accountability and Israel's agreement to binding standards for compliance. The atmosphere of impunity is the chief enabling factor in Israeli military and settler abuses. Settlers, who harass, injure or kill Palestinian students or teachers rarely face arrest and operate with the knowledge that their crimes are rarely tried, or even reported.³⁸ One way to enforce accountability for non-repetition of violence and IHL violations would be to have Israel listed in the UNSG Annual Report on grave violations against children

38) Office of the United Nations High Commissioner for Human Rights (OHCHR). *Update on Settler Violence in the West Bank, including East Jerusalem*. 2013

in conflict. As mentioned previously, once a country is listed in the UNSG Annual Report it is obliged to meet a higher standard of accountability as laid out in the accountability framework of Resolution 1612.

The scope and quality of monitoring of grave violations must be expanded to ensure less underreporting, due in large part to Israel's refusal to fulfill its reporting obligations, through regular interactive trainings by the MoE and MRM documentation and reporting experts. The agency of students and teachers must be engaged to be aware of their rights to protection and education and to report all incidents that violate their rights under international humanitarian law. Monitoring can also act as a deterrent or be a useful tool for negotiations. Such documentation is also vital for improving rapid response, recovery measures and efforts to prevent future attacks.

Promoting prevention

In Palestine while the PA has formally recognized schools as protected spaces, Israel has not. Guidelines developed for endorsement by government and non-state armed groups to protect schools from military use during conflict have now been signed by 49 countries, including Palestine. The compliance with these standards as well as the integration of them into both the Israeli and Palestinian military manuals and training programs would effectively remove the presence of the Israeli forces from around and within schools in Palestine. This would remove the trigger for much of the violence.

The Palestinian Authority

The PA's ability to act is limited by a variety of factors. Under the Oslo Accords, Israel maintains total military and civil control of Area C, which comprises over 60% of the West Bank³⁹ rendering the Palestinian residents, the Ministry of Education and PA security forces effectively impotent to act. In order for Palestinians to repair or develop educational structures or access roads, Israeli authorities have to approve the request, which is seldom forthcoming. As a result, the space in which the PA can operate and act as an effective duty bearer is heavily circumscribed. The impotence of the PA was noted during interviews, as teachers and parents express a sense of abandonment and isolation.

39) UN OCHA, Area C of the West Bank: Key Humanitarian Concerns, January, 2013

The international community

The international community is in a position to pressure Israel and activate punitive measures to promote compliance with Resolution 1612. This constitutes a substantive means of applying pressure to change Israel's attitude of indifference and complicity. As the occupying power and a signatory to the Convention on the Rights of a Child, Israel is the duty bearer in this situation. To date, despite being repeatedly named in the body of the United Nations Secretary General Annual Report as a grave violator of children's rights, Israel remains unlisted. This has prompted human rights organizations to accuse UNSG Ban Ki Moon of not applying consistent standards in his decisions on which countries to list.⁴⁰

40) In a press release dated June 4, 2015 Human Rights Watch advocacy director Philippe Bolopion said "Secretary General Ban can strengthen child protection in war by compiling his list based on facts, not political pressure." UN: Ensure Integrity of Children's 'List of Shame', Press Release, Human Rights Watch, New York.



5

RECOMMENDATIONS: MOVING FORWARD

Positive incentives and strong deterrence are both essential for providing Palestinian children with the sustained peaceful conditions that will enable their education. Immediate measures under way to increase the resilience of school communities under attack must be expanded, accountability for violations of international humanitarian law and compliance with international standards for the protection of schools in conflict must be ensured.

The triggering of accountability frameworks must not be held hostage to broader political considerations or developments. Irrespective of changes in the political landscape, it is imperative that the immediate needs for safe and protected spaces for education are addressed, so that in the long term, students are able to secure their futures and livelihoods and develop as citizens of a Palestinian state.

In order for children to realize their rights to education, the international and donor community should act in accordance with its own obligation under international law, drawing on all available instruments to encourage Israel to comply with their obligations.

End the violence

The **international community** including **UN agencies** working in Palestine, the **EU and its member states** must demand an end to the attacks on schools, students and teachers, and push for Israel to be listed in the United Nations Secretary General Annual Report so that the accountability framework created under the MRM can be operationalized. **Donors** must press for their governments to intervene directly with the Israeli authorities in Tel Aviv, in their capitals and in all relevant UN platforms to abide by international humanitarian and human rights law and push for greater accountability of all parties, including guarantees of non-repetition in relation to attacks on schools.



Committing to schools as protected spaces

States must insist through high-level representations to both the Government of Israel and Palestine that (a) Israel endorses the safe schools declaration and (b) that both the PA and Israel agree to adhere to the standards outlined in the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict. These standards call for armed parties to avoid using educational buildings or making them targets of attack.

Build the resilience of school communities under attack

Palestinian and international education development actors providing educational assistance in Palestine, must integrate the concept of schools as protected and inviolable spaces into their educational programming and emergency responses. This will help protect against future attacks but also ameliorate the immediate effects of violence on children through building the resilience of the school community. **Donors** must be strongly encouraged to support this and other similar programs across the West Bank, including Jerusalem, starting with the schools listed in the MRM report. The **Palestinian Ministry of Education** must ensure that its decision-making system is sufficiently decentralized so that appropriate responses to emergency situations can be taken at local level. The Ministry should also encourage school principals to engage the students and teachers more effectively in the MRM reporting system, and to provide feedback to the schools on how the information is used.



Conclusion

As seen through this report international adherence to schools as protected spaces is imperative for securing the rights of children to access education within a protected and safe environment. Israel's consistent failings to report on UN security resolution 1612 despite being obligated to do so as a signatory to the Convention on the Rights of the Child (1989) has resulted in the establishment of an informal committee comprised of international NGO's and a reporting system to hold Israel accountable for grave violations against children and education. However, as this report has established data sets have become inconsistent, reporting mechanisms have not been fully utilized and Israel remains reprimanded for its illegal actions. Thus, as stated within the recommendations of the report, the international community must once again come together operating under one system to ensure accountability for violations and give the United Nations the evidence it needs to demand the state of Israel protects children and education. Simultaneously, on a national level the Palestinian Authority needs to become an active participant in providing protection for schools through the full implementation of the Safe Schools declaration with the support of third party states. These actions will help in creating a safer learning environment for Palestinian children and ensuring their right to an education is protected. Most importantly, a safe educational environment is key to enabling Palestinian children to secure their futures and develop into productive members of Palestinian society.



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