

**THE IMPACT OF THE ISRAELI OCCUPATION ON THE  
PALESTINIAN EDUCATION IN THE SHADOW OF THE  
SECOND INTIFADA ‘UPRISING’**

**By**

**Abou Al-Awar, Amro Hassan**

**THESIS**

Submitted to

KDI School of Public Policy and Management

in partial fulfillment of the requirements

for the degree of

**MASTER OF PUBLIC POLICY**

(Department of International Relations and Political Economy)

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Committee in charge:

Professor Byung-Joon AHN, Supervisor \_\_\_\_\_

Professor Hun Joo PARK \_\_\_\_\_

Professor Dong Young KIM \_\_\_\_\_

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## **ABSTRACT**

# **THE IMPACT OF THE ISRAELI OCCUPATION ON THE PALESTINIAN EDUCATION IN THE SHADOW OF THE SECOND INTIFADA ‘UPRISING’**

**By**

**Abou Al-Awar, Amro Hassan**

The Palestinian-Israeli conflict, particularly from the Second Intifada in late September 2000 till now, has been marked by military attacks, killing, injuries, and arrests directed against the Palestinians. This study is intended to explore the impact of the Israeli occupation on the Palestinian education in the period of the second Intifada from 2000 to present. In order for understanding the Palestinian-Israeli conflict, this study first introduced history background information about the origin of the conflict between the two nations. Then, it went further to examine the Israeli aggression impact on the Palestinian education including schools and universities.

Moreover, this study explored the Israeli construction of the Separation Wall as one of the main reasons caused the obstruction of the education system in OPT. The thesis concludes that the difficulties and violations faced by the students and teachers, whether of the public schools, private schools or UNRWA schools, have impacted the educational system of schools and universities throughout the OPT and has resulted in abandoning the education from students. Avoiding what they face on their daily life from Israeli military aggression on Palestinian education including hundreds of military roadblocks, checkpoints, prolonged curfews, closure of cities and finally the Wall's gates.

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**Abou Al-Awar, Amro Hassan (Full legal name)**

**2008 (Year of publication)**

**I dedicate to**

My parents for their never-ending support

My friends who always have a faith in me with whatever I do

My soul-mate with whom I will share my future and my life

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## **ABBREVIATIONS AND ACRONYMS**

<b>AIDA</b>	The Association of International Development Agencies
<b>DCI\PS</b>	Children international\Palestine Section
<b>EOHR</b>	The Egyptian Organization for Human Rights
<b>ICJ</b>	International Court of justice
<b>IDF</b>	Israeli Defense Forces
<b>IOF</b>	Israeli Occupation Forces
<b>IPCRI</b>	Israel/Palestine Center for Research and Information
<b>GOI</b>	Government of Israel
<b>MOEHE</b>	Palestinian Ministry of Education & Higher Education
<b>OCHA</b>	UN Office for the Coordination of Humanitarian Affairs
<b>OPT</b>	Occupied Palestinian Territories
<b>PA</b>	Palestinian Authority
<b>PENGO</b>	Palestinian Environmental NGOs Network
<b>PLO</b>	Palestine Liberation Organization
<b>PNA</b>	Palestine National Authority
<b>PNGO</b>	Palestinian network for Non-Governmental Organizations
<b>UN</b>	United Nations
<b>UNCRC</b>	UN Convention on the Rights of the Child
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNRWA</b>	United Nations Relief and Works Agency
<b>USSR</b>	Union of Soviet Socialist Republics
<b>WB</b>	West Bank

# **The Impact of the Israeli Occupation on the Palestinian Education in the Shadow of the Second Intifada<sup>1</sup> ‘Uprising’**

## **Chapter I**

### **Introduction:**

The Palestinian-Israeli conflict has become a fixture in Middle Eastern Politics and in the lives of many people.<sup>2</sup> The ongoing conflict between the Palestinians and the Israelis is both simple to understand, yet deeply complex.<sup>3</sup> The most important event in this conflict was the year 1948, when the Zionist movement won the war and established the State of Israel. The establishment of the Israeli State was at the expense of the Palestinian people, for whom the same date is remembered as Al-Nakba (which means ‘the catastrophe’ in Arabic).<sup>4</sup>

The problem of the Palestinian-Israeli conflict is still waiting for a long lasting solution. A lot of peace agreements have come to the ground with failure such as Camp David in 1980, the Madrid Conference in 1991 and the Oslo Accords in 1993. This is at the time of the Jewish settlements increased rapidly, more Palestinian lands have been taken over, and the situation has become more dangerous in the occupied

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<sup>1</sup> Literally, "shaking off" in Arabic, the word intifada has come to denote Palestinian uprisings against Israel. The first intifada began in 1987 and developed into a massive campaign of civil resistance by all sectors of Palestinian society in the West Bank and Gaza. It was not initially led by the PLO, but erupted spontaneously. It did not for the most part employ the use of guns or bombs, but it was violent, often involving clashes between stone-throwing youths and the Israeli army. It persisted intermittently for several years and ended when the Oslo peace agreement was signed in 1993. The second intifada began in late September 2000, after comprehensive peace talks at Camp David failed the previous summer. The second intifada has grown into Israel's longest war. It has involved widespread and intensive military activities on both sides, and led to thousands of Palestinian and Israeli deaths. Available at: <http://www.npr.org/templates/story/story.php?storyId=4510714>

<sup>2</sup> Hollinder, 2006.

<sup>3</sup> Roger, 2007.

<sup>4</sup> Rabah Halabi, Deb Reich, 2004.

territories. The role of the international law and United Nations efforts appeared to be ineffective since the US veto in the Security Council has made it impossible to this day to adopt any type of sanctions against the Israeli aggressions on the Occupied Palestinian Territories.<sup>5</sup>

In late 2002, the United States, Russia, the European Union and the United Nations presented a new peace plan known as the 'Road Map', which included the establishment of a Palestine state by the year 2005. Both sides accepted the plan. However, the Israeli government raised 14 objections on the proposed plan and they did not care whether or not to stop the aggression on the Palestinian unarmed citizens and continued its aggression policy against the Palestinians.

On 28<sup>th</sup> September, 2000, was the start of the second Intifada 'uprising' when Ariel Sharon, the Israeli Prime Minister, entered forcibly and without permission Haram El-Sharif / Temple Mount under the protection of 1000 armed guards. His visit to Al-Aqsa Mosque marked the end of the peace process and violations of human rights, democracy and international law.<sup>6</sup> As a result of Al-Aqsa Intifada, the educational process has affected a lot due to the Israeli aggressive policy on the 28<sup>th</sup> September until now.<sup>7</sup>

The Palestinian education has witnessed a lot of violations represented in the Israeli aggressions, sieges and incursions directed against students, teachers, schools and the educational institutions. The Israeli military attacks and its humiliated policy towards, schools, universities, teachers and students are a clear picture which describe

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<sup>5</sup> Choike, 2005.

<sup>6</sup> Tocci, 2005.

<sup>7</sup> Ministry of education & Higher Education, 2007.

the impact of the Israeli occupation and illegal policies of collective punishment on Palestinian community in general and the educational sector in particular.<sup>8</sup> In addition, the Israeli soldiers on military checkpoints have arrested many students, teachers and employees. Moreover, many students were martyred, others were injured and suffering difficulties whenever they want to go or come to their schools. All of this created a kind of psychological and mental problems that has its effect on their school performance and future.<sup>9</sup>

In addition to these violations, Israeli construction of the Separation Wall - which is expected to reach at least 404 miles (650 kilometers) in length and 25 feet (8 meters) in height - has affected the educational process drastically.<sup>10</sup> The Wall cuts through the Palestinian districts such as Tulkarem, Jenin, Ramallah, Qalqilya, Jerusalem, Beithlehem, and Salfit.<sup>11</sup> The construction of the Wall has affected the educational process on a large scale by making the students and teachers suffering and being humiliated when passing the Wall to their schools. Israel's argument for building the Wall is that to protect their people from the Palestinian attacks along the Green Line (1967 borders). However, the route of the Wall did not build across the Green Line but deep inside the Occupied Palestinian Territories in the West bank. It seems clear that, the real purpose of the Wall is to annex large amounts of the West Bank to Israel. The reason behind that is to secure more than 50 settlements to the Israeli side in the OPT taking into consideration that those settlements are illegal

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<sup>8</sup>Murray, 2004. *Barriers to Education* was written by Helen Murray, Coordinator of the Right to Education Campaign, in conjunction with the Right to Education Committee at Birzeit University: Riham Barghouti (Public Relations Office); Dr. Rema Hammami (Women's Studies Institute); Dr. Lisa Taraki (Sociology); Dr. Rita Giacaman (Institute of Community and Public Health); Anita Abdallah (Institute of Community and Public Health); Dr. Mudar Kassis (Institute of Law); Mounir Qazzaz (Dean of Student Affairs); Dr. Ziad Izzat (Faculty of Science); and Marwan Tarazi (Birzeit Information Technology Unit).

<sup>9</sup> Ministry of education & Higher Education, 2007.

<sup>10</sup> Parry, 2003.

<sup>11</sup> Ministry of education & Higher Education, 2007.

under the international law. It is estimated that at least 45 % of the West Bank will be taken after the construction of the Wall is completed.<sup>12</sup>

This study aims to examine the impact of the Israeli occupation on the educational sectors in Palestine to schools and university students in the West Bank and Gaza Strip during the current Intifada since 28<sup>th</sup> September, 2000 till now. In addition, the study reviews the Israeli construction of the Separation Wall and its impact on the educational process and to what extent does it affect the schools and university students from reaching their schools. This study is based on objective research carried out by a range of reputable organizations whose main concern to have a just and sustainable solutions to the Palestinian- Israeli conflict in the Middle East.

In terms of structure, I would like to divide this paper into four chapters. In the first chapter I will present brief historical hints about the origin of the Palestinian-Israeli conflict since the British foreign minister, Lord Balfour issued his support for the establishment of a Jewish state in Palestine in 1917. Moreover, the study puts an emphasis on how Palestine has been occupied illegally from Israel and how does it violate the international law.

Following this, the second and the third chapters of the study are the main chapters because it will give an emphasis on the research question which is the impact of the Israeli occupation on the Palestinian education in the period of the second Intifada since 2000 to date. The second chapter has concentrated on the impact of the Israeli aggression on the Palestinian educational sectors such as movement restrictions

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<sup>12</sup> Ministry of Education , 2004.



that has imposed on Palestinians and what it has from negative effects on the daily life of thousands of Palestinian in OPT and the inability to access the educational institution. This chapter is aimed also to present the Israeli military invasions and attacks on schools and universities which decreased the quality of education in the occupied territories.

In the third chapter, the emphasis is on one of the big issues and challenges within the Palestinian territories and to the international law and human rights conventions which is the Israeli construction of the “Separation Wall” in 2002 and its impact on the educational process. This physical Wall which runs deep inside the West Bank has a disastrous impact on the freedom of movement to the Palestinian society as a whole and on the inability to reach the schools and universities in the affected areas. Additionally, the study will point out the international positions on the legibility of the Wall. Lastly, the fourth chapter will present policy recommendations to the future relations between Palestine and Israel including the recognition of Israel to the Palestinian political and national rights.

## **2. Historical Background of the Palestinian-Israeli Conflict**

The Palestinian issue remains one of the most significant and difficult dilemmas facing the international community.<sup>13</sup> The Palestinian-Israeli conflict is an ongoing dispute between the Palestinian people and Israel. It is considered as part of the wider Arab-Israeli conflict and is essentially a dispute between two national identities with claims over the same area of land.<sup>14</sup>

The struggle between Israelis and Palestinians goes back to ancient times, when the ancient Israelites lived in and around Palestine and fought many wars with their neighbors. In other words, the current conflict is an extension of those religious wars.<sup>15</sup> The Palestinian Land was occupied by the Ottoman Empire, a large group of territories ruled by an oppressive regime that found itself on the losing end of World War I. Great Britain had the most troops in Palestine when the war ended, and so Britain "won" the right to administer Palestine. Other territories became independent; Palestine did not. (See figure 1)

In 1917, the British Foreign Minister, Lord Arthur Balfour, issued a declaration (the "Balfour Declaration") announcing his government's support for the establishment of a "Jewish national state in Palestine."<sup>16</sup> Moreover, this declaration guaranteed an envisioned future national, political entity for Jewish people all over the world. According to that declaration, the dispute between Palestine and Israel has started and a lot of violations have been committed by Israel.

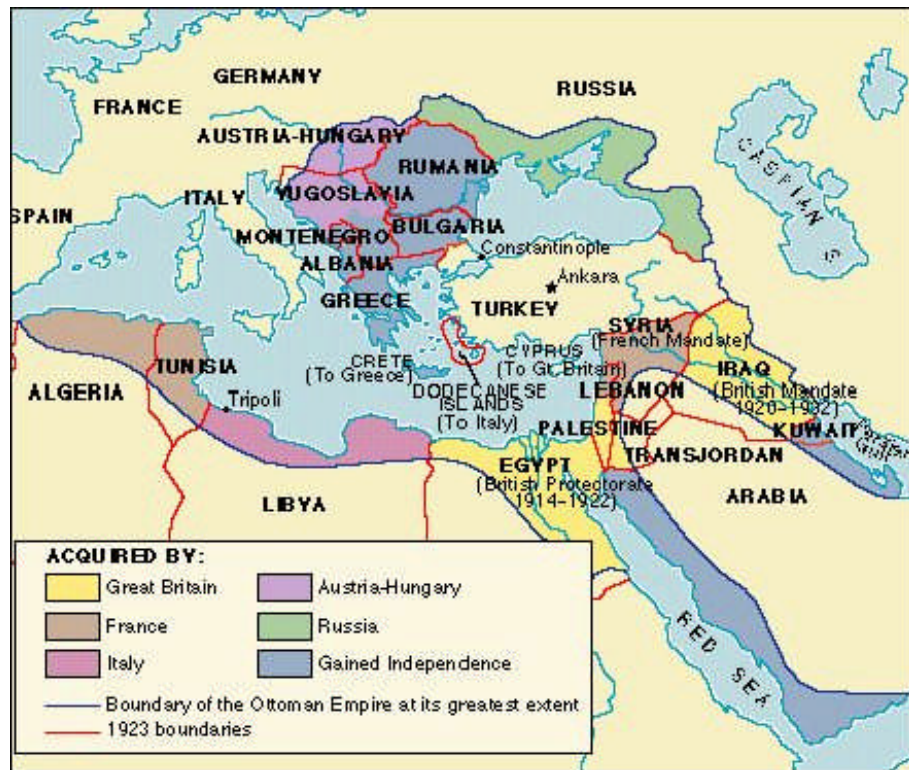
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<sup>13</sup> Gerner, 2004.

<sup>14</sup> Wikipedia, 2007.

<sup>15</sup> Social Studies, 2002.

<sup>16</sup> MERIP, Primer, P.4.



**Figure 1:** Ottoman Empire as its greatest extent.  
**Source:** Social Studies, 2002

Beginning in 1922, large numbers of Jewish people migrated to Palestine, pursuant to the Balfour Declaration. This migration continued for the rest of the decade and accelerated in the 1930s and 1940s. In 1937, many Palestinians rebelled, calling for an independent nation, just like their neighbors were granted. Great Britain tried to find a way to satisfy both sides but gave up and, after the end of World War II, turned the problem over to the newly formed United Nations.<sup>17</sup>

On 14 May 1948 Jews proclaimed their independence in Palestine as a new state called Israel. As a result, USA recognized this immediately after the declaration. This declaration of independence unfortunately created new conflicts in the region, the conflict between Arabs and Jews have escalated.<sup>18</sup> In addition, after declaring the State of Israel, the Israeli army committed a lot of massacres

<sup>17</sup> Social Studies, 2002.

<sup>18</sup> UCOGLU, 2006.

and expelled the Palestinian citizens in order to accommodate newcomers from overseas. As a result, Israel occupied % 78 of the Palestinian Land. Notable among these changes, is the Palestinian Nakba (catastrophe, holocaust) which has no equal in modern history.<sup>19</sup> A foreign minority expels the majority of the inhabitants of a country, occupies their land, obliterates their physical and cultural landmarks in a military campaign that is planned, armed, manned, and is financially and politically supported from abroad (Abu Sitta, 1997).

During the 1948 War, around 750,000 Palestinians lost their homes and became refugees. To force Palestinians to leave their lands, the Israeli army, under the command of Menahem Begin, penetrated the village of Deir Yassin, killing 254 civilians which led to the exodus of tens of thousands of Palestinians.<sup>20</sup> After that, Israel unilaterally declared itself an independent nation. As a result, more than half of the Palestinian population have left their homes and lived as refugees on the West bank and Gaza Strip.<sup>21</sup> That was a turning point in the Palestinian-Israeli conflict which led to the emergence of the Palestine Liberation Organization (PLO)<sup>22</sup> in 1960s that defended the Palestinian people for the right to self-determination and the right of return to their homeland.<sup>23</sup>

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<sup>19</sup> Sitta, 1997. Dr. Salman Abu-Sitta is a Palestinian researcher with special interest in Palestinian refugees. He is a former Member of the Palestine National Council and holds a Ph.D from the University of London. He resides in Amman.

<sup>20</sup> Choike, 2005.

<sup>21</sup> Ibid.

<sup>22</sup> PLO-The Palestine Liberation Organization. A coalition of various Palestinian resistance organizations of differing ideologies forged in 1964 and led by Yasser Arafat until his death in November 2004. The PLO provided most of the personnel for the current Palestinian Authority. Available at <http://www.npr.org/templates/story/story.php?storyId=4510714>

<sup>23</sup> Rabah Halabi, Deb Reich, 2004.

After that, tensions flared between the neighboring nations which led to the ‘Six Day War’<sup>24</sup> on June 1967. The 1967 war was between Israel and its Arab neighbors, Egypt, Syria and Jordan. At the war's end, Israel had gained control of the Sinai Peninsula from Egypt, the Gaza Strip, the West Bank and eastern Jerusalem from Palestine and the Golan Heights from Syria.<sup>25</sup> Following the war, Israel became an oppressive occupying power, using military and excessive power to rule the Palestinian territories under the support of the United States.<sup>26</sup> Moreover, Israel began to violate the human rights conventions and started to demolish the homes and confiscate more lands as a way to accommodate new comers and to build and expand their settlements. As a result of 1967 War, the Palestinian national movement emerged as a major actor in the form of the political and military groups that made up the Palestine Liberation Organization (PLO).<sup>27</sup>

After that, Israel insisted that they have the right to occupy the Palestinian territories. On the other hand, Palestinian rejected the Israeli claims pointing that they have the right to live in their land under the UN recognition. The situation has escalated between both of them and an increase in Israeli attacks on the Palestinian territories led to the “First Intifada” in 1987 (meaning ‘uprising’ in Arabic). During the Israeli occupation, the Palestinians experienced every conceivable violation of human rights. They had seen their land confiscated and Israeli settlements built on it;

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<sup>24</sup> The **Six-Day War**, also known as the 1967 Arab-Israeli War, the Third Arab-Israeli War, Six Days' War, an-Naksah (The Setback), or the June War, was fought between Israel and Arab neighbors Egypt, Jordan, and Syria. The nations of Iraq, Saudi Arabia, Kuwait and Algeria also contributed troops and arms to the Arab forces

<sup>25</sup> Wikipedia, 2007.

<sup>26</sup> Gordon, 1999.

<sup>27</sup> Joel Beinin and Lisa Hajjar, 2002. The Arab League established the PLO in 1964 as an effort to control Palestinian nationalism while appearing to champion the cause. The Arab defeat in the 1967 war enabled younger, more militant Palestinians to take over the PLO and gain some independence from the Arab regimes. Yasser Arafat is the leader of Fatah, the largest group, and has been PLO chairman since 1968 till his death in 2004.

their sons and relatives killed, imprisoned, or deported; their homes demolished; and collective punishments, such as the closures of schools and curfews imposed on entire communities. The Palestinians, frustrated and unhappy under an occupation that deprived them of their rights and subjected them to continuous harassment and humiliation, took matters into their own hands and rebelled.<sup>28</sup> Palestinians were treated as second class citizens by Israeli occupation forces in their homeland.<sup>29</sup> As a result, resistant movements have emerged to stand in front of the occupation such as Hamas, Fateh and Islamic Jihad. It was thus natural to have the intifada that aimed to end the occupation and to set up the relationship with Israel based on mutual recognition rather than on might and control.<sup>30</sup>

In 1991, the United States and the USSR invited the Palestinian, Israel, Syria, Lebanon and the Jordanian to an opening conference called the Madrid Conference<sup>31</sup> as a way to resolve the conflict in the region between the disputed nations. According to Madrid Conference, Two parallel negotiating tracks were established: the bilateral track and the multilateral track. Four separate sets of bilateral negotiations put Israel together with Syria, Lebanon, Jordan and the Palestinian delegation, aiming to set down the disputed issues and find solutions through peace treaties. On the other hand,

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<sup>28</sup> Laila A. Nazzal and Nafez Y. Nazza, 1996.

<sup>29</sup> Keramati, 2007.

<sup>30</sup> Gershon Baskin, Ph.D. and Zakaria al Qaq, Ph.D, 1999.

<sup>31</sup> **The Madrid Conference** was hosted by the government of Spain and co-sponsored by the USA and the USSR. It convened on October 30, 1991 and lasted for three days. It was an early attempt by the international community to start a peace process through negotiations involving Israel and the Arab countries including Syria, Lebanon, Jordan and the Palestinians. In the aftermath of the [1991 Gulf War](#), US President [George H.W. Bush](#) and his [Secretary of State James Baker](#) formulated the framework of objectives, and together with the [Soviet Union](#) extended a [letter of invitation](#), dated [October 30, 1991](#) to Israel, Syria, Lebanon, Jordan, and the Palestinians.

Available at: [http://en.wikipedia.org/wiki/Madrid\\_Conference](http://en.wikipedia.org/wiki/Madrid_Conference)

the multilateral negotiations targeted issues that concern the entire Middle East, such as water, environment, arms control, refugees and economic development.<sup>32</sup>

Following the 1991 Madrid peace Conference, Israel initiated secret negotiations in Norway, Oslo with PLO representatives. The Oslo Agreement<sup>33</sup> negotiations produced the Israel-PLO Declaration of Principles, which was signed in Washington in September 1993.<sup>34</sup> The agreement outlined that Israel was to withdraw its troops from the Gaza Strip and the West bank city of Jericho after the declaration went into effect. Israel would redeploy its troops in other areas of the West Bank and Gaza Strip and elections would be held for a Palestinian council.<sup>35</sup> The agreement was to be held during a five-year interim period.<sup>36</sup> This interim period resulted in establishing the Palestinian national Authority chairing Yasser Arafat in the Gaza Strip and Jericho in May 1994 as the first step toward a comprehensive peace based on United Nations Security Council resolutions 242 and 338.<sup>37</sup>

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<sup>32</sup> Palestine Facts, 2007.

<sup>33</sup> The Oslo Accords officially called the Declaration of Principles on Interim Self-Government Arrangements or Declaration of Principles (DOP) was a milestone in Israeli-Palestinian conflict. It was the first direct, face-to-face agreement between Israel and the Palestinians. It was the first time that the Palestinians publicly acknowledged Israel's right to exist. It was also a framework for the future relations between Israel and the anticipated State of Palestine, when all outstanding final status issues between the two states would be addressed and resolved in one Package Agreement. Available at [http://en.wikipedia.org/wiki/Oslo\\_Accords](http://en.wikipedia.org/wiki/Oslo_Accords)

<sup>34</sup> Joel Beinin and Lisa Hajjar, 2002.

<sup>35</sup> Kamrava, 2005.

<sup>36</sup> Joel Beinin and Lisa Hajjar, 2002.

<sup>37</sup> Ghanem, 2002. **United Nations Security Council Resolution 242** (S/RES/242) was adopted unanimously by the UN Security Council on November 22, 1967 in the aftermath of the Six Day War. It was adopted under Chapter VI of the United Nations Charter. It calls for "the establishment of a just and lasting peace in the Middle East" to be achieved by "the application of both the following principles:" "Withdrawal of Israeli armed forces from territories occupied in the recent conflict" and: "Termination of all claims or states of belligerency" and respect for the right of every state in the area to live in peace within secure and recognized boundaries.

See: [http://en.wikipedia.org/wiki/United\\_Nations\\_Security\\_Council\\_Resolution\\_242](http://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_242). The three-line **United Nations Security Council Resolution 338** (S/RES/338), approved on October 22, 1973, called for a cease fire in the Yom Kippur War (October war) in accordance with a joint proposal by the United States and the Soviet Union. The resolution stipulated a cease fire to take effect within 12 hours, no later than 6:52PM of that day. See:

[http://en.wikipedia.org/wiki/UN\\_Security\\_Council\\_Resolution\\_338](http://en.wikipedia.org/wiki/UN_Security_Council_Resolution_338)

On the other hand, the Oslo accords set up a negotiating process without specifying an outcome. The agreement had a plan to reach to a final solution by May 1999. However, unfortunately, there were many delays from the Israeli side to give the sovereignty to the occupied territories besides to Israel's unwillingness to make any concessions to reach a final status agreement.<sup>38</sup>

Between July 11-24, 2000, U.S. President Clinton, Israeli Prime Minister Ehud Barak and PNA Chairman Yasser Arafat, along with other officials and technical advisers met at Camp David in order to negotiate a final settlement of the Palestine-Israel conflict based on the Oslo accords.<sup>39</sup> However, the negotiations failed to reach a final agreement due to the Israeli intransigent side towards the issue of Jerusalem and the refugee issue. That was clear when the Israeli Prime Minister Ehud Barak announced his "red line": 'Israel would not return to its pre-1967 borders; East Jerusalem with its 175,000 Jewish settlers would remain under Israeli sovereignty; Israel would annex settlement blocs in the West Bank containing some 80 percent of the 180,000 Jewish settlers; and Israel would accept no legal or moral responsibility for the creation of the Palestinian refugee problem.'<sup>40</sup> On the other hand, the Palestinians, according to the UN Security Council resolution 242 and the Oslo Accords proclaimed Israel to withdraw from Gaza Strip and the West Bank including East Jerusalem and the Israeli recognition of an independent Palestinian state.<sup>41</sup> Because of the Israeli side not to reach an agreement on the refugees and the Jerusalem issues, the Camp David Summit meeting failed in July 2000.

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<sup>38</sup> Joel Beinin and Lisa Hajjar, 2002.

<sup>39</sup> MidEastWeb, 2002.

<sup>40</sup> Joel Beinin and Lisa Hajjar, 2002.

<sup>41</sup> Ibid.



On September 28, 2000, the second Palestinian intifada started when the Israeli opposition leader Ariel Sharon visited and entered forcibly the Haram El-Sharif \ Temple Mount in the company of 1000 armed guards in the site of AL-Aqsa Mosque in Jerusalem which is a place disputed by Israelis and Palestinians. Sharon's Visit to Al-Aqsa Mosque was the main cause of the Second intifada.

The Second intifada was bloodier than the First one that Israel exceeds its use of excessive force towards the unarmed Palestinian citizens in the form of the destruction of homes, bombing and shelling raids, imprisonment, razing of agricultural property, the uprooting of olive trees, the construction of fences and barriers around or through their communities, as well as stringent curfews and closures confining them to their homes during prolonged periods of time.<sup>42</sup> This outbreak the situation again between Palestine and Israel and declined all the efforts made toward the peace process and for a future Palestinian state. Without a Palestinian state and Jerusalem its capital, there can be no viable peace on the ground and the conflict will last forever and the violence will never end.

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<sup>42</sup> Arafat, 2003.

## Chapter II

### THE ISRAELI AGGRESSIONS IMPACT ON THE PALESTINIAN EDUCATION

“Blockages have prevented 10% to 90% of teachers from reaching educational institutions”

Stated Dima Al-Samman, head of the media department at the Ministry of Education in a press conference held the premises of the Palestine Media Center, on July 16, 2001.<sup>43</sup>

“Violence and blockages the Israeli government imposed on Palestinian areas hindered the educational process on all levels. Teachers have been forced to take difficult and rough side routes and bypass roads, which are extremely dangerous in light of the Israeli settler aggression. Teachers have also been subjected to physical and verbal abuse. Furthermore, teachers were over burdened with transportation fees that doubled due to the prolonged routes.”

The Palestinian Education has faced many obstacles and barriers since 1967. The Israeli aggression policy in the West bank, East Jerusalem and Gaza Strip has had a negative impact on the educational process in OPT. Direct military attacks on the Palestinian schools and universities has resulted in arresting, injuring, detaining to school and university students, a complete disruptions to the educational process besides to the destruction of the Palestinian institutions and facilities.<sup>44</sup> Since the beginning of the Intifada in 2000, the educational process has had a bad effect on the infrastructure in many different ways. For instance, Killing Palestinian children and university students, closures to schools and universities, damage school and university building by rockets and tanks, changing school buildings into military bases in

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<sup>43</sup> Al Quds Jerusalem , 2006.

<sup>44</sup> Negotiations Affairs Derpartment, Palestinian Monitoring Group, 2005.

addition to the inability to reach schools and universities due to closures and movement restrictions.<sup>45</sup>

All of these activities from Israel have increased repeatedly during the current Intifada in 2000 and still continuing till the present day. During the previous period from 2000 to 2007, the Palestinian Ministry of Education & Higher Education (MOEHE) has recorded a lot of violations represented in the Israeli invasions and destructions to schools in the West Bank and Gaza Strip which caused the loss of many schooling days in many areas.<sup>46</sup>

### **A. Movement Restrictions to the Palestinian Educational Institutions**

"The restrictions on movement that Israel has imposed on the Palestinian population in the Occupied Territories over the past five years are unprecedented in the history of the Israeli occupation in their scope, duration, and in the severity of damage that they cause to the three and a half million Palestinians who reside there."

Source: B'Tselem Israeli Information Centre for Human Rights in the Occupied Territories. [www.btselem.org](http://www.btselem.org).<sup>47</sup>

Movement restrictions have a daily impact on hundreds of thousands of Palestinians inside the Occupied Palestinian Territories.<sup>48</sup> The UN Office for the Coordination of Humanitarian Affairs (OCHA) has noted that there were 376 movement restrictions in place as of August 2005. These kinds of restrictions are

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<sup>45</sup> ESCWA Press Releases :Economic and Social Commission for Western Asia, 2004.

<sup>46</sup> Ibid.

<sup>47</sup> Right to Education Campaign of An-Najah National University, 2007.

<sup>48</sup> Joint Written statement submitted by Al-Haq, the Palestinian centre for Human Rights (PCHR) and the International federation for Human Rights (FIDH), Ittijah (Union of Arab Community based Organisations), non-governmental organisations in special consult, 2006.

represented in roadblocks, road gates, road barriers, dirt mounds and others which cause the suffering and humiliation for Palestinians who are trying to pass these checkpoints (See figure 2). Moreover, such restriction affect the daily life of the Palestinians on a large scale that they cannot travel freely which prevent them from reaching their work, education, agriculture property, healthcare, family and their basic things of daily life.<sup>49</sup>

### Road barrier



**Figure 2:** 2 meters high fencing along West Bank roads which are reserved, generally, for Israeli traffic. These fences impede Palestinians from using and crossing these roads many of which run between main cities.

**Source:** Office for the Coordination of Humanitarian Affairs (OCHA), 2007

In addition, the Israeli army has created a lot of physical barriers which obstruct the Palestinians to move within the occupied territories. For example, between the West bank and Gaza Strip, besides to East Jerusalem and the rest of the West Bank. As a result, the Israeli government proclaimed a new permit system to pass between those permanent checkpoints from one city to another in OPT in which

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<sup>49</sup> Ibid.

the Palestinians are required to obtain special permits from the Israeli authorities allowing them to cross the checkpoint.<sup>50</sup> Additionally, there are no clear procedures from the Israeli side that determine certain requirements to get these permits. On the other hand, there are no restrictions at all for the movement of the Israeli settlers within the OPT. These physical barriers along with the permit system caused and still causing a severe impact on the Palestinian's right to movement which is protected under international law, in particular by Article 12 of the ICCPR<sup>51</sup> which states: "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence."<sup>52</sup>

Furthermore, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has been monitoring the closures in OPT since 2003 and in 22<sup>nd</sup> February, 2007 they recorded a total of 72 checkpoints, 12 partial checkpoints, 95 road gates, 60 roadblocks, 211 earth mounds, 12 trenches (35.9 km), 72 road barrier (82.2), and 16 earth wall (10.1) forming a total number of 550 physical barriers throughout the West Bank.<sup>53</sup> The following figure shows the number of West bank closures since 2003 to 2007. As the diagram shows, there is % 46 increase in the number of closures since the Israeli disengagement in 2005<sup>54</sup>. (See figure 3)

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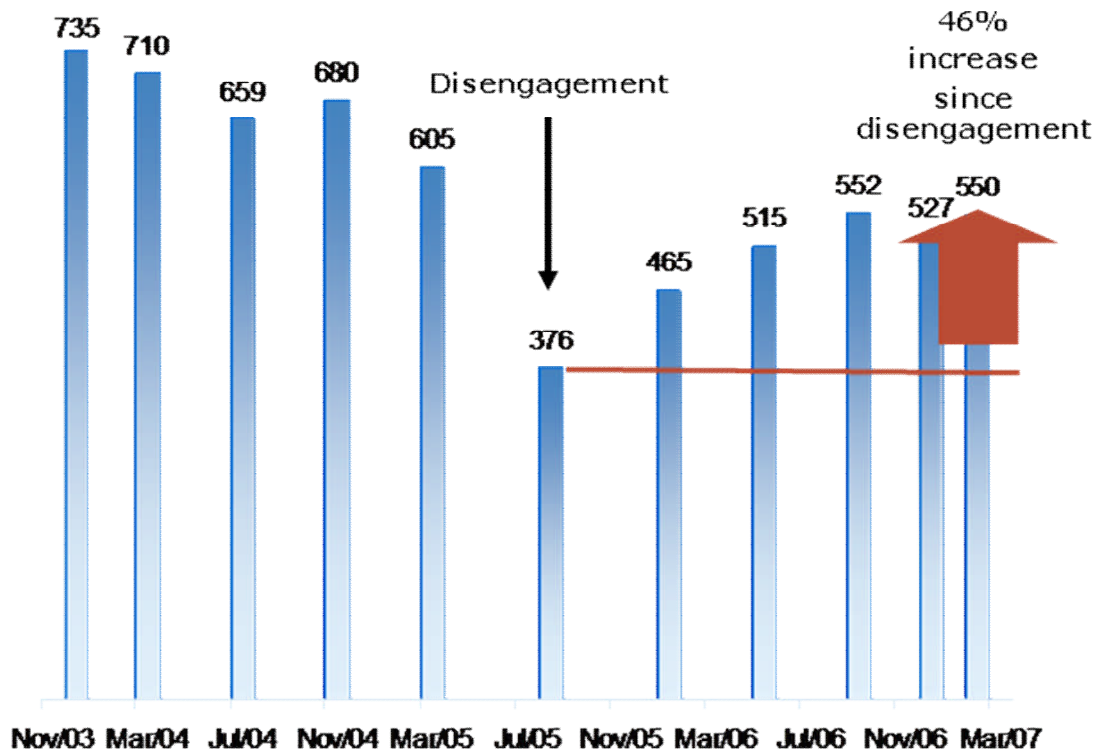
<sup>50</sup> AL-HAQ "Stop Collective Punishment", 2005.

<sup>51</sup> Joint Written statement submitted by Al-Haq, the Palestinian centre for Human Rights (PCHR), 2006.

<sup>52</sup> OHCHR:Office of the High Commissioner for Human Rights "International Covenant on Civil and Political Rights", 1966.

<sup>53</sup> OCHA: Office for the Coordination of humanitarian Affairs, 2007.

<sup>54</sup> The Israeli Unilateral Disengagement Plan was carried out beginning on 17th August 2005 and was completed soon after on 12th September 2005. The Plan consisted of the evacuation of 25 Jewish settlements in the Gaza Strip and West Bank, which had been established illegally over the past 35 years (since Israel's occupation of the Gaza Strip and West Bank, including East Jerusalem, in 1967). Many Jewish settlements still exist in the West Bank and East Jerusalem, where there are over 400,000 Jewish settlers, and are being expanded as a program of the Israeli government. Available at: [http://www.mezan.org/site\\_en/campaign\\_disengagement/Israel\\_Unilateral\\_disengagement\\_Plan.php](http://www.mezan.org/site_en/campaign_disengagement/Israel_Unilateral_disengagement_Plan.php)



**Figure 3:** Number of West bank Closures.

**Source:** Office for the Coordination of Humanitarian Affairs (OCHA), 2007.

On the one hand, the situation was not good in Gaza Strip. OCHA recorded a total of five checkpoints, nine roadblocks, 46 military posts, 12 earth mounds, 67 observation towers, 10 road gates, and five commercial entries, totaling 154 physical barriers to movement in the Gaza Strip.<sup>55</sup> As we can see, all of these restrictions imposed by Israel have directly obstructed access to education. Actually, they affect all sectors of Palestinian community and affect severely all aspects of livelihood in OPT.

Another restriction imposed by Israel which affects the Palestinian education severely is losing school days because of curfews (not allowing people to leave their houses). According to MOEHE data, during the 2003 – 2004 academic years, “curfew caused the loss of 1,152 schooling days in the West Bank and Gaza Strip, affecting

<sup>55</sup> OCHA, 2004.

197,527 Palestinians students in approximately 26 per cent of government schools.”

In spite of the number of the school days decreased to 373 in the following year, it still had a negative impact on the educational process.<sup>56</sup> (See Table 1)

**Table 1: School Days Lost Due to Curfew & Number of Affected Students and Schools**

<b>Time Period and Governorate</b>	<b>School Days Lost due to Curfew</b>	<b>Affected Student Population</b>	<b>Total No. of Students in Gov't Schools</b>	<b>% of Affected Students</b>	<b>No. of Affected Schools</b>	<b>Total No. of Gov't Schools</b>	<b>Percentage of Affected Schools</b>
West Bank 03-04	887	141952	502277	28.26	331	1262	26.23
Gaza Strip 03-04	265	55575	226453	24.54	85	317	26.81
<b>Total 2003-2004</b>	<b>1152</b>	<b>197527</b>	<b>728730</b>	<b>27.11</b>	<b>416</b>	<b>1579</b>	<b>26.35</b>
West Bank 04-05	321	73957	502277	14.72	174	1262	13.79
Gaza Strip 04-05	52	22251	226453	9.83	30	317	9.46
<b>Total 2004-2005</b>	<b>373</b>	<b>96208</b>	<b>728730</b>	<b>13.20</b>	<b>204</b>	<b>1579</b>	<b>12.92</b>

**Source:** MOEHE, Monthly Reports covering September 2003 – May 2004 and September 2004 – May 2005 & Yearly Reports for 2003 - 2004 and 2004 - 2005.<sup>57</sup>

## **B. Israeli Military Invasions and Attacks on Schools and Universities**

The Israeli military attacks on the Palestinian educational system reveal the fact that the Israeli authorities aiming to shatter an entire cultural infrastructure.<sup>58</sup>

Schools and universities are always targeted by the Israeli government and it has a dire impact on the educational process and on the physical and psychological side.

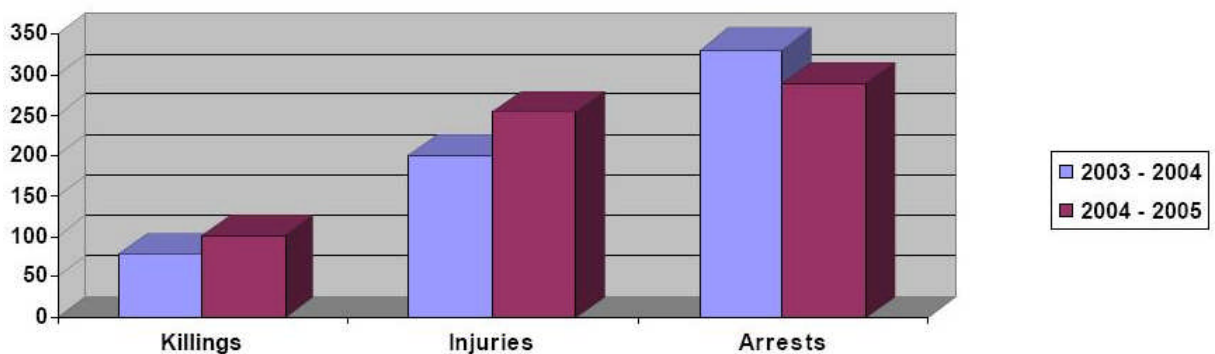
<sup>56</sup> Negotiations Affairs Department, Palestinian Monitoring Group, 2005.

<sup>57</sup> Ibid.

<sup>58</sup> Israel, Palestine, and Teaching, Summer 2002.

Such an attacks or raids of schools, or killing and injury of students while at school caused a bad effect on the other students' ability to concentrate on their studies during or after the period of military incursion.<sup>59</sup> Graph (4) shows the arrests of students and teachers in the academic years 2003 – 2005. According to a Palestine Monitoring Group report in 2005, mentioned that the MOEHE conducted a research analysis concerning the 2003 – 2005 academic years indicating the following:

- The number of students and teachers killed and injured increased, which can be partially attributed to an increased frequency of raids and incursions into Gaza Strip governorates.
- The number of arrests of students and teachers approached closely the combined numbers of killings and injuries among students and teachers.
- Out of 54 detention incidents targeting school students and staff, 66.7 per cent occurred outside of school grounds. Also, the number of detention incidents slightly increased during the second year under review.
- The number of schooling days lost as a result of Israeli-imposed curfew decreased significantly during the 2004 – 2005 academic year, whereas the number of incidents wherein Israeli military activity at checkpoints obstructed students' or teachers' access to schools increased.
- The Wall had a significant impact on students' and teachers' ability to access schools in Wall- adjacent areas.



**Figure 4:** Killings, Injuries and Arrests of Students and Teachers by Year<sup>60</sup>

**Source:** MOEHE, Monthly Reports covering September 2003 – May 2004 and September 2004 – May 2005 & Yearly Reports for 2003 - 2004 and 2004 - 2005

It is obvious that such intrusions and obstructions impede the educational system drastically and directly. As I mentioned above, such activities caused the

<sup>59</sup> Negotiations Affairs Department, Palestinian Monitoring Group, 2005.

<sup>60</sup> Ibid.



students the inability to concentrate for long periods as well as lack of comfort and desire to participate in class.<sup>61</sup> As a result, psychologically, students have lost their motivation to learn which affected their school performance on an unprecedented scale that declined the quality of education and increased the number of unemployment. Table 2 shows a summary of human losses in OPT from 2000 to 2008.

**Table 2: Summary of Human Losses from 28/9/2000-1/2/2008**

Case	Description	28/9/2000-31/8/2001	1/9/2001-31/8/2002	1/9/2002-31/8/2003	1/9/2003-31/8/2004	1/9/2004 till now	Total
<i>Martyrs</i>	Teachers	3	12	10	3	8	36
	School / Students	96	154	145	114	119	628
	Employees		4	2	1		7
<i>Detainees</i>	Teachers	21	55	45	46	23	190
	School Students	71	101	140	296	100	708
	University/Students				10		10
	Employees		13	5	11		29
<i>Injuries</i>	Teachers	-----	31	18	5	1	55
	School Students	2151	453	387	386	160	3537
	University Students						1245
	Employees	-----	5	4	1	3	13

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008

The difficulties and obstacles that our students have to face on their daily bases life prevent them the right to live as normal students. Additionally, it also includes collective punishments, humiliations and insulations against our students. These uncivilized practices of the Israeli occupation soldiers, which do not have any other goal but depriving our students from practicing their right to education despite the fact that many students and teachers were injured, killed and arrested. Many

<sup>61</sup> Ibid.

students (whether school or university students) were not able to resume their classes due to the danger they used to face on their way to schools or universities between cities and villages in all of the Palestinian districts. Table 3 shows the Israeli military attacks on schools, colleges and universities from 2000 to 2004.

**Table 3: Israeli Military Attacks on Schools, Colleges and Universities**

<b>Israeli Military Attacks on Schools, Colleges and Universities 28/9/00 – 14/6/04<sup>22</sup></b>	<b>Number of Incidents</b>
Schools shelled or invaded by Israeli Forces	298
Higher education colleges and universities shelled or invaded by Israeli Forces	11
Ministry of Education offices shelled or invaded by Israeli	7
Schools evacuated	51
Damage to schools by bulldozers	48
School property vandalized	49
University property vandalized	10

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 14/6/04”, June 2004<sup>62</sup>

Furthermore, the great damage due to incursions and obstructions to schools by the Israeli Occupation Forces (IOF) has its bad impact also on the financial side and considered the worst attacks on the educational institutions in recent history. The financial were to school buildings, educational instruments, equipments, and furniture<sup>63</sup> (See table 4). According to a recent study by UNESCO, mentioned that “the destruction of education buildings and resources via remotely detonated explosions, bombings, burnings, looting and ransacking” which disrupt and undermine the educational system due to the destruction of the educational buildings, resources and

<sup>62</sup> Murray, 2004.

<sup>63</sup> Ministry of Education & Higher Education, 2008.

materials.<sup>64</sup> Such incidents has proven that Israel pursue its aggression policy without being investigated or charged from the outside world.

**Table 4: Summary of the cost of the Israeli invasion to the schools (US \$)**

District	Buildings	Furniture	Equipments	Cars	Total
Nablus	51000	221388	95500	0	439168
Tulkarm	220000	11976	24500	0	545082
Qalqilya	8000	10764	20480	0	31764
Salfeet	4000	730	0	0	25480
Baithlehem	12320	2886	3020	0	59224
Ramallah	500	11276	43000	0	199679
South Jericho	15700	7358	91240	0	114178
Hebron	11200	1715	4460	0	7963
Jenin	54560	22300	41560	0	118450
Qabatia	22300	5670	36231	0	64201
West bank	399580	150596	374028	0	924204
Gaza	870520	35320	468345	0	1374185
Total	1270100	185916	842373	0	2298389

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008.

Moreover, the Palestinian universities had and still struggling against the military attacks in order to survive and keep the universities running in the face of the imposed military closures and continuing to fulfill its role. However, due to the barbaric incursions, the educational institutions have faces a financial crisis that has affected the higher learning on a large scale (See table 5). Additionally, the Oslo Accords did not bring an end of harassment by the Israeli army, so the struggle continues.<sup>65</sup> The university students found it very difficult to go to their universities within the OPT. This closure policy by Israel to universities for long periods of time brought greater hardships to students in terms of delaying their graduation and depriving them from engaging in their productive life which is considered the cruelest

<sup>64</sup> O'Malley, April 27, 2007.

<sup>65</sup> President, Birzeit University, 2005.

measure taken against the university community.<sup>66</sup> A recent report by MOEHE in 2008, recording how Israel violated several campuses sanctity, as follows:

- Bethlehem University on Dec. 8<sup>th</sup>, 2002 they besieged it, threw poisonous gas bombs and disrupted study. They stayed there for five days. Also damaged furniture, doors, windows, computers, and 245 books.
- An-Najah National University campus on Dec 14<sup>th</sup>, 2002 in Nablus city. They besieged it and forced teachers and students to leave it.
- Hebron University on Jan. 14<sup>th</sup> 2003. They damaged labs, computers and closed it for 6 months.
- Palestine Polytechnic University on Jan. 14<sup>th</sup> 2003. They closed it for three months.
- Al-Quds Open University /Ramallah, Al-Azhar university/Gaza, Palestine Vocational Girls college/ Ramallah, Palestine Vocational College/ Tulkarm , BirZeit University campus.

**Extract from MOEHE, the Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008.**

**Tale 5: A Summary of the cost of the Israeli invasion to the Universities (US\$)**

University/ College	Buildings	Labs	Salary deficiency	Students allowances	Animals expenses	Total
Al-Azhar / Gaza	4000	16800	887333			908133
Al-Islamyeh / Gaza			1837500			1837500
Birzeit	2000			5000		7000
Al-Qudus	660000		1380000			204000
Al-Qudus open university	34000					34000
An-Najah National University		185000			40500	225500
Vocational and Technical Colleges	2800000					2800000
Faculty of Education at Al-Aqsa University						
<b>Total</b>	<b>3536000</b>	<b>201800</b>	<b>4104833</b>	<b>5000</b>	<b>40500</b>	<b>7888133</b>

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008

<sup>66</sup> Baramki, 1996.

### **C. Checkpoints and the Threat to Access the Educational Institutions**

“The right to freedom of movement provides that people are entitled to move freely within the borders of the state, to leave any country and to return to their country.”

Article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights. December 10<sup>th</sup>, 1948.<sup>67</sup>

Israeli Checkpoints is one of the violent measures that affect the movement of students and teachers to and from schools which can paralyze all aspects of educational life in the Palestinian Territories (See appendix 2). These checkpoints set up on the way to schools and universities have its own purpose which is represented in the disruption of studies through delaying, preventing and scaring off the students from reaching their classes. Such delaying resulted in the loss of the teaching weeks which costs the students the inability to finish their studies in the required period, especially for university students. They rarely completed their studies within the required four year period for graduation.<sup>68</sup> Additionally, there are 543 permanent and 610 ‘flying checkpoints’<sup>69</sup> obstructing or preventing access to roads within the OPT. As a result of these checkpoints, students, children, mothers and old people had to walk for several kilometers in the heat to get past the soldiers patrolling these checkpoints.<sup>70</sup>

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<sup>67</sup> Israeli Checkpoints, 2007.

<sup>68</sup> Baramki, 1996.

<sup>69</sup> Palestinian National Initiative , 2007). The concept of a flying checkpoint (also known as temporary or random checkpoints) is that a few military cars stop in the middle of the road, block the road to cars and sometimes people, for a limited amount of time, often a full day. See:

<http://right2edu.birzeit.edu/news/article378>

<sup>70</sup> Flying checkpoint in Surda, again, 2006.

During the outbreak of the second Intifada in late 2000, the Israeli checkpoints affected the Palestinian daily life severely. Israel began restricting Palestinians who want to travel within the OPT – such as moving from Gaza Strip to the West bank – through issuing exit permits ‘a system enforced through a growing network of military roadblocks’ (See figure 5) to protect Jewish settlements built in occupied territories.<sup>71</sup> As a result, school and university students are prevented from reaching their schools and are subjecting to harassment, humiliating surveillance and physical abuse from Israeli soldiers. For example, a recent report by the General Union of Palestinian Students, Birzeit University in March 2007 recorded that “the village of Asira Alshamaleyah is 6km from Nablus, and in normal circumstances should not take the students more than 10 minutes to get to the University. Currently, with the presence of Checkpoints, the journey takes 2 or more hours (if they are permitted to pass).”<sup>72</sup>



**Figure 5:** The Gilo checkpoint in Bethlehem, 1.5km inside the West Bank.  
**Source:** Office for the Coordination of Humanitarian Affairs (OCHA): The West Bank Barrier, February, 2007.

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<sup>71</sup> Cook, 2007.

<sup>72</sup> General Union of Palestinian Students, 2007.

Furthermore, another report by Al-Haq (2005) mentioned according to MOEHE, that there were 1.125 cases of disruptions and 50 cases of school evacuations and they reported an incident, “on 8 February 2005 at 7:50 am, two Israeli soldiers broke through the gate of the al-Khader Boys Secondary School and began searching in classrooms for a boy who had allegedly thrown stones at them.”<sup>73</sup> So, it seems clear that with the Israeli army acting with excessive force, has violated and still violating the students’ basic rights to education ranging from the prevention of access to their schools and universities and subjecting them to collective punishment on an unprecedented scale. Following this, Israeli violations of Palestinians right to education consider as a failure to achieve its obligations under international law and the failure of the international community to take any procedures to stop these violations making the Israeli authority to comply with these obligations.

According to a fact sheet report entitled “A Generation Denied” from the Defense for Children international\Palestine Section (DCI\PS) mentioned that, the Israeli army policy of forced closure of educational institutions, destruction of schools are a clear cut evidence of the Israeli authority complete violation of the right of Palestinian students to education. For instance: Since the outbreak of the second intifada in September, 2000:<sup>74</sup>

- 2,610 pupils have been wounded on their way to or from school; 245 Palestinian students and school children have been killed and 166 students and 75 teachers have been arrested.
- Between January and July 2002, Israeli military forces occupied 18 schools in the West Bank, converting them to military bases or prisons;

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<sup>73</sup> AL-HAQ "Stop Collective Punishment", 2005.

<sup>74</sup> Defence for Children International\Palestine Section (DCI\PS), 2001.

- In Hebron alone, four schools have been converted to military bases, with three still under Israeli control (as of December 2002), denying 1,920 students access to their schools;
- Between January and June 2002, 24 schools were heavily shelled by the Israeli military;
- Since 29 March 2002, the education process has been completely paralyzed in 850 schools;
- Since September 2000, 197 schools have been damaged, 11 schools completely destroyed and 9 vandalized;
- From 29 March to 1 May 2002: 1,289 schools were closed, 45,000 tawjihi students<sup>75</sup> supposed to take the general exam in June were prevented from accessing their schools, and 54,730 teaching sessions per day were lost due to complete cessation of classes in major West Bank towns during Israeli military operations.

#### **D. Decreasing the Quality of Education in the Palestinian Territories**

The restrictions on freedom of movement that Israel has imposed on Palestinians since the outbreak of the second Intifada in late 2000 are the primary cause of the decline of the quality of education in the Palestinian territories. The Israeli barbaric and brutal policy to access the educational institutions prevented students from access to quality education. A report by UNRWA stated that the primary reason for declining the education in OPT is the impact of the overall situation on the teachers and the educational staffs in MOEHE.<sup>76</sup> According to the United Nations Children's Fund (UNICEF), many schools in OPT are faced by closures and violence. Last year, nearly 200.000 children had their education disrupted in a way that obliged them to study at home or in makeshift classrooms. As a result, these factors were the primary reason for deteriorating the quality of

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<sup>75</sup> **Tawjihi** is the general secondary examination in Jordan, West Bank and Gaza, part of education in Jordan and education in Palestine. See: <http://en.wikipedia.org/wiki/Tawjihi>

<sup>76</sup> Murray, 2004.



education and it had drastic effects on basic education in Palestine and, consequently, secondary and higher education.<sup>77</sup>

Furthermore, unavailability or inability of providing the educational facilities, like classrooms, libraries, laboratories, textbooks and other materials, has a negative effect on teaching due to the persistent Israeli occupation. Nearly half of all students have seen their school besieged by troops, and more than 10 per cent have witnessed the killing of a teacher in schools.<sup>78</sup> Moreover, the International Association for the Evaluation of Educational Achievement stated that “the OPT was one of the lowest ranking countries. It ranked 39 out of 46 in Grade 8 Mathematics.”<sup>79</sup> So, the unattractive teaching methods, along with the poor conditions of the school buildings, lack of providing textbooks, unsuitable environment, and the general shortage of teaching materials are all obstacles facing the educational system in Palestine.<sup>80</sup>

According to a UNESCO report (2000), the reasons that affect the quality of education as “the dearth and insufficient use of school materials can be attributed to various causes: the inadequacy of classroom maintenance and furniture which does not permit a safe storage of school equipment, the lack of community funding, the poor ability and motivation of teachers most of whom rely on chalkboard and rote learning, and inadequate guidance by headmasters and district supervisors.”<sup>81</sup> The subsequent decline in the quality of education is expected to cause students to go to other schools which have higher quality of education. However, MOEHE has plans to construct new classrooms and train new teachers to improve the school system’s

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<sup>77</sup> United Nations Children’s Fund, 2006.

<sup>78</sup> UNICEF, 2005.

<sup>79</sup> OCHA, 2005.

<sup>80</sup> Developing Education in Palestine: joint Italian Ministry of Foreign Affairs, Palestinian National Authority and UNESCO / IIEP Project., 2000.

<sup>81</sup> Ibid.

ability to continue operating.<sup>82</sup> Additionally, what happened to MOEHE and its directorate's offices from the barbaric Israeli policy that destroyed many of office equipment such as computers, furniture, photocopying machines, laboratories as well as stealing hard and floppy disks containing lots of information that were not relating to military objectives. (See table 6).<sup>83</sup>

**Table 6: Types of physical damages from 28/9/2000-28/5/2004**

<b>Kind of Damage</b>	<b>Total</b>
Shelling & breaking into schools	<b>288</b>
Shelling & breaking in directorates offices	<b>6</b>
Shelling & Breaking in Colleges	<b>5</b>
Shelling & Breaking in Universities	<b>8</b>
Breaking in & Damaging Head Quarters	<b>2</b>
Changing Schools to Military Bases	<b>43</b>
Schools Closure	<b>10</b>
Universities Closure	<b>2</b>
Walls& Classrooms Bulldozing	<b>50</b>
Schools Disruption	<b>1125</b>
Schools Evacuation	<b>50</b>
School Contents Vandalized	<b>50</b>
Colleges Contents Vandalized	<b>2</b>
Universities Contents Vandalized	<b>8</b>

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008

<sup>82</sup> The Association of International Development Agencies (AIDA), 2006.

<sup>83</sup> Ministry of Education & Higher Education, 2008.

## **E. International Law and the Right to Education**

When talking about the Right to Education, we have to mention that according to statistics one third of the Palestinian population in the West Bank and Gaza Strip are students. Additionally, over half the population are children under 18 years old and almost 67% are under 24 years old.<sup>84</sup> Therefore, education is considered the backbone for the majority of the Palestinian citizens. In 1984, the General Assembly of the United Nations under the international law considers the Right to education as: (See Appendix A)

“Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.” (Article 26)<sup>85</sup>

According to the Palestinian network for Non-Governmental Organizations (PNGO) in 2001, they invited many delegations from different countries to come and visit Palestine and have a look about what is going on the physical ground from violations and intrusions against the Palestinian citizens. The delegations witnessed many human rights violations especially at Israeli checkpoints and collective punishments against the civilians in the OPT.<sup>86</sup> Additionally; the International Humanitarian Law aims to provide protection for civilians to practice their right of education and especially for children under Article 38 of the UN Convention on the

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<sup>84</sup> Murray, 2004.

<sup>85</sup> The Israeli Information Center for Human Rights in the Occupied Territories, 2007.

<sup>86</sup> Nancy Stohlman, Laurieann Aladin, 2003.

Rights of the Child (UNCRC). Therefore, Israel, as a State Party to the UNCRC as well as of the Fourth Geneva Convention, has a duty to abide by the following rules:<sup>87</sup>

- To prevent its military and security forces from committing abuses against children;
- To open investigations in alleged cases of human rights violations concerning children;
- To prosecute, where appropriate, those responsible for these violations.

However, the Israeli government did not comply with these obligations, not even the basic principles of International Humanitarian Law, specifically the principles of distinction, proportionality, and necessity and the use of lethal force. Such violations are considered as breaches to the Fourth Geneva Conventions.<sup>88</sup> (See appendix A)

Moreover, human rights law condemned these assaults on teachers and educational institutions and considered these intrusions a breach to the international law because of what it has from a severe impact on the availability to provide a fair education. Consequently, Israel continued its policy of targeting Palestinian education as a method of collective punishment. Furthermore, the UN convention on the Rights of the Child, articles 2, 4, 28 and 29, stated that the right of the children to receive an obstructed education that encourages their development and learning.<sup>89</sup>

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<sup>87</sup> Defence for Children International\Palestine Section, 2007.

<sup>88</sup> Ibid.

<sup>89</sup> Defence for Children International\Palestine Section (DCI\PS), 2001.

## 1. Israel Denies the Palestinian Right to Education

The Israeli military occupation and its aggressive systematic obstruction and destruction of education in the West Bank and Gaza Strip not only violate the human rights and the international law conventions, but nevertheless, it targets the Palestinian community development and infrastructure.<sup>90</sup> Additionally, the Palestinian institutions, researchers and academics have been ignored in the military occupation of the West Bank and Gaza Strip. Moreover, Laura (2006) explained that, under Israeli occupation, “all eleven Palestinian universities have been closed, the longest being Birzeit between 1988 and 1992, and the most recent Hebron Polytechnic which was closed by military order for 8 months in 2003.”<sup>91</sup> The Israeli soldiers practiced its aggressive policy during the time of closure and used to arrest the students and teachers.

Furthermore, according to the Right to Education Campaign at Birzeit University (2006), Israel is legally responsible for guaranteeing all human necessities and rights including the right to education in OPT. On the other hand, Israel is isolating the Palestinian educational institutions, for instance, students from Gaza are banned from reaching the 8 Palestinian Universities in the West Bank: In 2000 there were 350 Gazan students at Birzeit University, in April 2005 there were only 35.<sup>92</sup> As a result, Israel always tries to justify their actions against the Palestinian society as a whole. However, according to the International Court of Justice (ICJ) none of their security reasons were justified or even accepted to give them the right to abuse the Palestinian educational right.

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<sup>90</sup> General Union of Palestine Student, Birzeit University, 2006.

<sup>91</sup> Ribeiro, 2006. **Laura Ribeiro** is Coordinator of the [Right to Education Campaign](#) at Birzeit University on the West Bank.

<sup>92</sup> The Isolation of Palestinian Education, Birzeit University, 2006.

## 2. How is the Right to Education Denied?

On February, 2008, the Palestinian Center for Human Rights (PCHR) summary weekly report has recorded a lot of human rights violations against the Palestinians as follows:<sup>93</sup>

1. 10 Palestinians, including a school teacher and 3 brothers, were killed by IOF and an 11<sup>th</sup> one died from a previous wound in the Gaza Strip.
2. 40 Palestinians, mostly civilians, including 9 women and 8 children, were wounded by the IOF gunfire in the Gaza Strip and 2 others in the West Bank.
3. IOF conducted 31 incursions into Palestinian communities in the West Bank and 6 into the Gaza Strip.
4. IOF arrested 77 Palestinian civilians in the West Bank, and 5 others in the Gaza Strip.
5. IOF waged a harsh campaign against money exchange shops; they confiscated at least 3 million NIS (approximately US\$ 830,000) and closed a number of shops.
6. IOF razed 20 donums 94 of agricultural land in Wadi al-Salqa village in the central Gaza Strip.
7. IOF continued to shell Palestinian civilian facilities.
8. IOF destroyed a refrigerator, a factory and 2 workshops.
9. IOF damaged dozens of houses.
10. IOF have continued to impose a total siege on the OPT.
11. IOF have continued settlement activities in the West Bank and Israeli settlers have continued to attacks Palestinian civilians and property.
12. IOF demolished a house in Jerusalem.

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<sup>93</sup> Palestinian Centre for Human Rights, 07 – 13 February 2008. Available at: <http://www.pchrgaza.ps/>

<sup>94</sup> A **dunam** or **dönüm**, **dunum**, **donum** is a unit of area used in the Ottoman Empire. In Israel, Jordan, Lebanon, and Turkey it is 1,000 square metres (10,764 sq ft). Before the end of the Ottoman Empire and during the early years of the British Mandate of Palestine, the size of a dönüm was 919.3 square metres (9,895 sq ft), but in 1928 the **metric dunam** of 1000 square metres was adopted, and this is still used. Available at: <http://en.wikipedia.org/wiki/Dunam>

All of these violations and intrusions to the human rights conventions under the international laws were committed by the Israeli Occupation Forces (IOF). However, the list above does not indicate if the people were arrested, injured or killed were students because the IOF do not pay any attention to declare that or not.<sup>95</sup> So, school or university students are subject to the above right violations and in front of the international community that does not have the power to take any strict decisions to stop these violations.

According to An-Najah National University Campaign about the Right to Education (2007), they have defined what does violation mean to the right to Education as “Any rights violation (whether it is killing, arrest and detention, torture, physical assault, harassment, restriction of movement, damage to or misappropriation of educational property, and disruption of educational process) that prevents individuals or groups from pursuing their right to education.” As a result, it is clear that Israel denies the right to education with all possible means as a way to keep the Palestinian society under illiteracy and development.

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<sup>95</sup> Right to Education Campaign of An-Najah National University, 2007.

## Chapter III

### THE CONSTRUCTION OF THE SEPARATION WALL AND ITS IMPACT ON THE EDUCATIONAL PROCESS

Since the construction of the Separation Wall by Israel in 2002 through Palestinian territories, a lot of violations have been committed against OPT. This physical barrier which runs so far inside the West Bank has a disastrous impact on the Palestinian society as a whole and on education in particular. Cities and villages are isolated from one another which resulting in preventing citizens to move within the Occupied Territories as well as its negative effect on the vital services, such as medical facilities and schools and all aspect of livelihood. Farmers have been separated from their agricultural lands resulted in a poor economic situation (See figure 6).<sup>96</sup>



**Figure 6:** The Wall at Qalqilya, West Bank: The Wall separates the Palestinian farmers from their agriculture land.

**Source:** PENGON/Anti-Apartheid Wall Campaign.

<sup>96</sup> DCI\PS (Defence for Children International: Palestine Section: Little Voices, 2004.



In addition, the construction has prevented a lot of students and teachers from going to their schools for education. The Wall is 25 feet (8 meters) high, (See table 7) twice the height of the former historical Berlin Wall which was 11.8 feet (3.6 meters),<sup>97</sup> and according to statistics by Palestinian organizations, it will reach the length of 750 Km (despite a border with Israel of less than 200 Km) which means more than four times the length of the Berlin Wall which was 96 miles long (155 kilometers).<sup>98</sup>

**Table 7: The Separation Wall at a Glance**

<b>Total Cost:</b>	US \$ 4.3 billion (US\$ 4.7 million per kilometer)
<b>Implementation</b>	3 - 4 years
<b>Funder:</b>	Israeli Government
<b>Length:</b>	750 km (minimum)
<b>Beneficiaries:</b>	Settlers, right-wing Israelis and national extremists
<b>Risks:</b>	Pauperization of tens of thousands of Palestinian families and radicalization of population
<b>Sustainability:</b>	Fees from 6-month permits paid by Palestinians living between the Wall and the Green Line to live in their own homes; poverty will have to be partly ameliorated by international donor funding to Palestinians.
<b>Projected Collateral Damage:</b>	
22% of WB's land will be confiscated.	
60% of WB lands will be isolated into cantons, enclaves and military zones.	
10% of agricultural land of West Bank lost	
15% of WB population isolated in the "Israeli controlled side" of the Wall.	
680,000 Palestinians deprived of means of livelihood	
34% of Palestinian individuals directly affected.	
19% of WB population will be separated from their land and water resources.	
700 million cubic meters of water will become inaccessible annually.	
The area left to the Palestinians will be no more than 52% of the West Bank.	

**Source:** The quarterly newsletter of the Welfare Association on Palestinian development issues: The Separation Wall and its Impact on Development in Palestine. February, 2004

<sup>97</sup> The **Berlin Wall** (German: *Berliner Mauer*) was a barrier separating West Berlin from East Berlin and the rest of East Germany. The longer '**inner German border**' demarked the remainder of the East-West German border between the two states. Both borders were part of the Iron Curtain. The wall divided East Berlin and West Berlin for 28 years, from the day construction began on August 13, 1961 until it was dismantled in 1989. The fall of the Berlin wall paved the way for German reunification, which was formally concluded on October 3, 1990. See [http://en.wikipedia.org/wiki/Berlin\\_wall](http://en.wikipedia.org/wiki/Berlin_wall)

<sup>98</sup> The apartheid wall , 2003.

## A. The Argument behind Building the Wall

The main argument behind building the Wall is that Israel claims its purpose is to protect its citizens within the “Green Line”<sup>99</sup> – the general border that separated Palestine and Israel before the 1967 war – from the Palestinian attacks on the Israeli cities and eliminating the rockets launched by Palestinian militants towards the Israeli settlements. On the other hand, the Palestinian Authority (PA) argues that the Wall is an illegal attempt to annex and confiscate large amounts of the West Bank to secure more than 50 Israeli settlements in the Occupied Territories which are illegal under international law. It is estimated that at least 45% will be annexed by the completion of the Wall.<sup>100</sup>

Additionally, assuming the Israeli claim is right that the main purpose of constructing the Wall is to protect its citizens from Palestinian rockets fired by Palestinian movements, in this case the Wall must follow the Green Line (1967 borders) as it was planned to from Israel in the initial phase. However, the Wall did not follow the Green Line and it went deep into Palestinian territories obstructing movement of Palestinians. In addition, preventing large numbers of people living on the east side of the Wall from reaching their families, farms and fields which now lie between the Wall and the Green Line or the “closed zone” or “seam zone” as it was called by Israel. The Palestine Center, Washington, DC (2006) added that the consequence of not following the Green Line, is that after completing the construction

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<sup>99</sup> **Green Line** - This was the demarcation between the 1967 borders of Israel and the West Bank territories captured in the defensive Six-Day War. Although usually referred to as the "1967 border," it actually is the 1949 armistice line, as there was no internationally recognized border at the time. The reference came about because someone used a green pen on the map of the armistice agreement with Jordan to draw the border. See:

<http://www.theisraelproject.org/site/apps/nl/content2.asp?c=hsJPK0PIJpH&b=886017&ct=1181589>

<sup>100</sup> MOEHE: Expansion & Annexation Wall and its impact on the Educational Process, 2004.

of the Wall will be at least 730 Km long which is double the length of the Green Line that is estimated around 200 Km. Moreover, a large percent of the Wall goes deep inside the West bank and East Jerusalem which affect hundreds of thousands of local residents living nearby the Wall.<sup>101</sup>

Another report by Oxfam International (2004) explained that around 115,000 Palestinian in 53 villages are trapped into what Israel calls “seam zone” as I mentioned above.<sup>102</sup> Those citizens represent 14.5 percent of the total area of the West Bank<sup>103</sup> are suffering severely all means of livelihood in the area. For instance, on 2<sup>nd</sup> October, 2003, Israel issued a new system for those citizens who live in the “closed zone” to apply for a green permit<sup>104</sup> to live in their houses and to allow them to move between cities.

Additionally, teachers, university students and other employers from different organizations cannot reach their jobs, universities and school unless they are authorized to pass through green permits. Moreover, residents in the seam zone including school children whenever they want to pass the Wall have to queue up till an Israeli military jeep come and open the gate for them to pass the Wall taking into consideration that these gates do not usually open at time and are always closed by

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<sup>101</sup> Dolphin, 2006. Ray Dolphin is author of *The West Bank Wall: Unmaking Palestine* (Pluto Press, 2006). Dolphin has worked with various UN agencies in emergency relief situations for more than ten years. Available at: <http://www.thejerusalemfund.org/images/fortherecord.php?ID=278>

<sup>102</sup> Maycock, *Protecting Civilians: A cornerstone of Middle East peace*, 2004.

<sup>103</sup> Ibid. Interview conducted by Abd al Latif, senior groundwater engineer of Oxfam partner, the Palestinian Hydrology Group, 2 March 2004.

<sup>104</sup> Green permits are required for Palestinians to enter West Bank land located between the Barrier and the Green Line which the IDF declared as 'closed' in October 2003. The 'closed areas' include 12 Palestinian villages/towns and 13 individual households. Single households are: Tulkarem: 11 homes in Nazlat Isa, al Ras and Schweika; Qalqilya: 1 home in Jayyous; Salfit: 1 home in Masha - affecting approximately 5,000 Palestinian residents. (United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA), 2004. Available at: <http://domino.un.org/UNISPAL.NSF/eed216406b50bf6485256ce10072f637/8f429fe2b501212585256e80055f2fc!OpenDocument>

Israeli soldiers. The OCHA and UNRWA (2004) reported that the special permits (green in color) are valid to pass through one gate only and are required for: (See table 8)

- All Palestinians residing in the 'closed areas' (more than 5,000 people);
- categories of visitors: business owners, merchants, employees, farmers, teachers, students, Palestinian Authority employees, local staff of international organizations, local council/infrastructure company employees, medical staff, visitors, and a general category of 'special cases'.

**Table 8: Green Permits – Access through Barrier**

Green Permits - Access through Barrier – A Brief Chronology-
<p><b><u>2 Oct 2003</u></b>            The IDF declares the area between the Barrier and the Green Line along the completed Barrier in the northern West Bank a 'closed area'. The order is called, "Declaration of Closing an Area No. S/20/03 (Seam Zone)". A permit system to allow movement through the Barrier is introduced; people living in the area are now classified as 'long-term residents'.</p> <p>Throughout October, the IDF distributes a first round of permits to several thousand villagers in the 'closed areas'. These are issued without any formal application procedure on the part of the recipients. Palestinians complain about the randomness of the distribution: A number of those eligible do not receive permits while in other cases children, ex-residents and even deceased persons do. Certain communities resist accepting the permits on the grounds that it legitimizes a system they do not support.</p>

**Source:** United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA). West Bank Barrier, 23 April 2004. For more details, see appendix D.

Furthermore, the Palestine National Authority (PNA) refused the Israeli decision of constructing the Wall because of what it has from bad impact on the Palestinian society. According to a UN report, the Wall has resulted in the confiscation of 11, 4000 dunums (2,850 acres - 1,140 hectares) of privately-owned Palestinian land and in the destruction of 102,320 trees.<sup>105</sup> PNA added that the

<sup>105</sup> Israel's Separation Wall Divides Palestinian Families, 2006.

Palestinian Environmental NGOs Network (PENGON) reported massive destruction has been felt by communities' residents in the area, including the demolition of homes and infrastructure, the razing of agriculture land and the isolation of water resources. All of this prevents 385,000 Palestinians from reaching their lands, schools and hospitals.

## **B. The Construction Plan of the Wall and the Freedom of Movement**

The Israeli Prime Minister Ariel Sharon put forward a plan to begin the construction of the “security barrier” as he calls it on 16<sup>th</sup> of June, 2002 intending to stop attacks against Israel as he claims. In April 2002, the Israeli cabinet called for the immediate commencement of the Separation Wall in the northern West bank and the Jerusalem area. As the next step, the cabinet created Seam Area Administration” to implement the decision.<sup>106</sup> The first phase of building the Wall was completed in July, 2003 in northwestern West Bank and continued to the south affecting many areas like Jenin, Tulkarem and Qalqiliya (See appendix E). The PM Sharon added that the Wall will be continued on the east side of the West Bank, separating it from Jordan.<sup>107</sup>

The Wall consists of a series of 25 foot (8 meters) high concrete walls, trenches, barbed wire and electrified fencing with numerous watch towers, electronic sensors, thermal imaging and video cameras, unmanned aerial vehicles, sniper towers, and roads for patrol vehicles (See figure 7).<sup>108</sup> It received its names because of the division it is creating from separating the Palestinians cities and villages from each other.

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<sup>106</sup> Stop Israel's Stranglehod of Palestine, November, 2002.

<sup>107</sup> The apartheid wall , 2003.

<sup>108</sup> The Palestine Monitor, Israeli Apartheid Wall: The wall effects of Palestinian lands and people, 2004.



**Figure 7:** The West Bank Separation Wall.

**Source:** The Palestine Monitor organization: Israeli Apartheid Separation Wall.

Furthermore, the construction of the Wall has brought a lot of impediments on the freedom of movement for Palestinians residents near the Wall (See figure 8). Palestinians see no hope but a terrifying future for their families and children. Moreover, the Wall has its bad effect on the lives of Palestinians. For instance, the Bethlehem<sup>109</sup> district is home to more than 170,000 Palestinians living in three towns, Bethlehem, Beit Jala and Beit Sahour. 15 Kilometers of the Wall is surrounding the city and separates 15,000 dunums of agricultural land, mainly olive trees as well as annexing the religious places of the city such as Rachel's Tomb and Bilal Ibn Rabah Mosque.<sup>110</sup>

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<sup>109</sup> Bethlehem is a Palestinian city in the central West Bank, approximately 10 kilometers (6 mi) south of Jerusalem, with a population of 30,000 people. Bethlehem has a Muslim majority but is also home to one of the largest Palestinian Christian communities. See: <http://en.wikipedia.org/wiki/Bethlehem>

<sup>110</sup> Audeh: Living in the Shadow of the Wall (Bethlehem District), 2003.



## West Bank Barrier



**Figure 8:** The Barrier is an additional impediment to Palestinian movement. A 703km long complex series of 8-9m high concrete walls, electronic fences, observation towers, trenches, patrol roads and razor wire used to block Palestinian pedestrian and vehicular movement inside the West Bank and East Jerusalem.

**Source:** OCHA: Office for the Coordination of humanitarian Affairs: Closures, February, 2007.

### C. The Separation Wall Impacts on the Educational Process in OPT

Since the construction of the Wall in 2002, the educational process has had a serious impact by obstructing the movement of students and teachers in four main areas of the West Bank: Jerusalem, Qalqiliya, Jenin, and Tulkarem and other areas like: Salfit, Ramallah, Tubas, and Bethlehem. In these areas, students and teachers have to apply for permits from the Israeli military to travel to their schools. Moreover, reaching schools that are located in the “closed zone” are adding more suffering to students and teachers. They have to wait on one of the Wall gates till the military jeep come and open the gate. Generally, the gates close at four o’clock in the afternoon and sometimes opening the gates are delayed or being closed the whole day resulting

in missing the school. Students and teachers are also subject to daily searches and humiliating at school gates<sup>111</sup> from the Israeli soldiers (See figure 9). Consequently, many students and teachers changed their schools or homes to avoid wasting the time waiting to cross the wall.<sup>112</sup>



**Figure 9:** One of the Wall gates in the West Bank.

**Source:** Ministry of Education and Higher Education: Expansion & Annexation Wall and its Impact on the Educational, 2004

For instance, if we look into areas in the North West Bank and around Jerusalem, we can see a clear cut evidence how the construction of the Wall - that has been completed in these areas - restricted movements due to Wall gates which resulting in interrupting the daily routines of going to the educational institutions including schools and universities. Additionally, students fear of going to their schools because of any attempts from Israeli soldiers at breaking into classrooms and arresting and beating them along with various kinds of harassment. Of course, such

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<sup>111</sup> In some places the Barrier blocks a route used to reach a school, a gate is installed to allow Palestinian school children and teachers to cross. Opening times coincide with school hours twice daily, often the IDF supplies a school bus to transport the students through the Barrier gate. These gates are usually closed to green permit holders. See <http://domino.un.org/UNISPAL.NSF/eed216406b50bf6485256ce10072f637/8f429fe2b501212585256e80055f2fc!OpenDocument>

<sup>112</sup> Negotiations Affairs Department, Palestinian Monitoring Group, 2005.



incidents have a negative effect on the students' identity and personality development due to the Israeli arbitrary policies and its army's attacks against Palestinian people and its sectors including education.<sup>113</sup>

According to Palestine Monitor Group (2003-2005), students in the West bank and Gaza Strip are stressed their inability to concentrate in the classroom for the lesson taken. This is due to the danger they face every day on the gates which creates a sense of anxiety and fear whether they will come back home safely or not. Besides, the fear to what may happen on the way back to home from searching and arresting to them or to a fellow student. All of this has a subsequent psychological impact on students' behavior and mentality.<sup>114</sup> For example, MOEHE reported that in Nazlet Issa Secondary school, the Separation Wall cuts through the village, and separates it from its school with concrete blocks and wire fences. As a result, students have to pass through certain gates in the Wall to reach the school where there are no nearby crossing points through the Wall (See table 9).<sup>115</sup>

The DCI\PS (2005) added that, "students say they are frequently mocked and hassled by Israeli soldiers and in some cases female students have reported being sexually harassed".<sup>116</sup> Such a severe worsening of life imposed by the Israeli government through constructing the Wall has dangerous impacts on the Palestinian educational system which will manifest itself in increased unemployment and poverty as well as an increase in injury and health problems.<sup>117</sup>

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<sup>113</sup> Sfeir, Summer 2006.

<sup>114</sup> Negotiations Affairs Department, Palestinian Monitoring Group, 2005.

<sup>115</sup> Ministry of Education & Higher Education, 2008.

<sup>116</sup> DCI\PS, Sustained Education, Suspended dreams: An Analysis of Human Rights Violations against Palestinian Children in 2005.

<sup>117</sup> Stop Israel's Stranglehold of Palestine, November, 2002.

**Table 9: Number of students and teachers affected from building the Wall**

<b>School Name</b>	<b>District</b>	<b>Number of Students</b>
Barta Sec Boys School	Jenin	362
Barta Sec Girls School	Jenin	345
Um Al-raihan Basic co-ed School	Jenin	98
Alfarook Basic School	Jenin	85
<b>Total Jenin</b>		<b>890</b>
Nazlit Isa Secondary Boys School	Tulkarem	329
Nazlit Isa Secondary Girls School	Tulkarem	328
Baqa Alsharqia Basic Boys School	Tulkarem	389
Baqa Alsharqia Basic Girls School	Tulkarem	244
Baqa Alsharqia Sec Boys School	Tulkarem	208
Baqa Alsharqia Sec Girls School	Tulkarem	377
<b>Total Tulkarem</b>		<b>1875</b>
Aldaba,Ras Tira	Qalqilya	<b>133</b>
<b>Total Qalqeelia</b>	-----	<b>133</b>
<b>General Total</b>	-----	<b>2898</b>

**Source:** Ministry of Education and Higher Education: The Effect of the Israeli Occupation on Education from 28/9/00 – 02/01/08”, February 2008

While the IDF stated that there are 73 gates in the Separation Wall in which some of them for students, the UN staff has observed only 53 gates. 15 of them according to the UN observers were opened to Palestinian permit holders and the remaining 38 were closed for a variety of reasons which six of them fall into special

cases.<sup>118</sup> These gates are generally closed or opened at scheduled times. However, students face many obstacles and obstructions from the Israeli soldiers in opening the gates in the specified times or deliberately delaying opening the gates to let the students miss the school day.

The following table shows the Wall's gates as either opened or closed for Palestinian use. Considering that, the status of gates is subject to change by the Israeli authorities which led to the deterioration of movement surrounding West Bank towns and villages. Moreover, OCHA and UNRWA (2004) stated that "The location, type and status of each gate have been documented through consultations with local Palestinian and Israeli officials and field observations." (See table 10)

**Table 10: Gate Overview by Governorate**

	Barrier gates currently open	Barrier gates currently closed	Total gates recorded
Tulkarm	2	10	12
Qalqiliya	9	14	23
Jenin	3	9	12
Salfit	1	1	2
Bethlehem	0	4	4
<b>TOTAL</b>	<b>15</b>	<b>38</b>	<b>53</b>

**Source:** United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA). West Bank Barrier: an Update to the Humanitarian Emergency Policy Group (HEPG) and the Local Aid Coordination Committee (LACC), 23 April 2004.

<sup>118</sup> Special cases refer to gates that have official opening hours posted by the IDF, but in practice are not used, or rarely used by residents. Reported reasons for not using a particular gate include: lack of green permit, no access to land, fear of Israeli settler harassment, and lack of confidence that the gate will be open at scheduled times. ( United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA), 2004) See <http://domino.un.org/UNISPAL.NSF/eed216406b50bf6485256ce10072f637/8f429fe2b501212585256e80055f2fc!OpenDocument>

## **D. The Separation Wall Impacts on North and Central West Bank Cities**

The construction of the Wall has a very negative impact on Central West Bank cities like Jerusalem, Bethlehem and Ramallah in addition to the North West bank cities such as Jenin, Tulkarem, Qalqiliya, Tubas and Salfit. In this section, I am going to present two examples of the cities that are directly affected by the construction of the Wall. I will choose one city from Central West Bank which is Jerusalem and the other one from North West Bank which is Tulkarem. Additionally, I will point out in my analysis how the educational process is disrupted severely via these cities and to what extent does it affect students and teachers and the whole educational process. In my analysis, I will depend on the Ministry of Education & Higher Education (MOEHE) analysis besides to other verifiable and detailed research carried out by a range of reputable organizations.

As I mentioned before, the construction of the Wall prevented students and teachers from reaching their schools. Besides, the misery of waiting for hours at checkpoints gates<sup>119</sup> or Wall gates as well as being subjected to body searches, insulted, arrests and beatings along with various kinds of harassment whenever they want to go to their schools. According to MOEHE, such arbitrary and racist Israeli policies cause disruption in the educational system due to the delays and preventing students and teachers from reaching their institutions. As a result, students spend more time travelling than learning in the classrooms which lower the attendance rate of the

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<sup>119</sup> Checkpoint Gate – A crossing point from the West Bank into West Bank areas (de facto placed under Israeli jurisdiction) and Israel. Checkpoint gates are typically manned by Israeli Border Police or IDF, and are also used by Israeli settlers. Palestinians from the West Bank must have a permit to enter Israel. Since the Barrier lies inside the West Bank in most areas, many of these gates are not located on the Green Line. (United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA), 2004.

students and teachers. The impact on the schools has many negative effects as reported by MOEHE:

- The absence of teachers and the inability to provide substitute teachers cause the students to leave school earlier.
- The disruptions usually cause the students and teachers not to complete the curriculum assignment for the year, and a large part of the textbook is never studied, especially in the final secondary school-grades.
- Canceling of the extra-curricular informal activities such as after-school sports activities, field trips, and summer camps.
- Inability of school employees from the district offices to reach their district schools causes sharp decline in organization and coordination between the schools and the districts.

### 1. Jerusalem (Central West Bank Barrier)



**Figure 10:** Anata Boys School with Barrier running along the playground, Jerusalem, May 2006  
**Source:** United Nations-Office for the Coordination of Humanitarian Affairs (OCHA): occupied Palestinian territory, June 2007 Updated No.7 Photo by: UNICEF-OPT / Awad Awad

Construction of the Separation Wall is rapidly progressing in Jerusalem which has extremely negative impacts on its people and surroundings and detaching it from the rest of the West bank (See appendix F). One of the most immediate consequences of the construction of the Separation Wall in Jerusalem is the access to education including the misery students and teachers face to and from their way to schools. Following this, the Wall resulted in the rapid and continuing deterioration of the quality of life in all parts of Jerusalem. Moreover, thousands of Palestinians are suffering in their daily lives on a continued deterioration of security and safety throughout the city.<sup>120</sup>

Concerning the Wall's impact on the access to education, MOEHE (2004) reported that it is hindering the operations of the Palestinian Public (government) Schools, Private Schools as well as hindering the access of refugee students to UNRWA<sup>121</sup> Schools. Regarding the public schools, there are ten schools in three communities, Abu Dis, Azaryeh, and Sawahreh Asharqieh as stated by MOEHE with students population of 4035 are affected by the Wall. Moreover, the Wall lets 105 students behind it and 228 students are not be able to reach their schools in the mentioned areas. Also, teachers are affected badly that around 42 are not be able to access these areas besides to 85 teachers who used to come from different places.<sup>122</sup>

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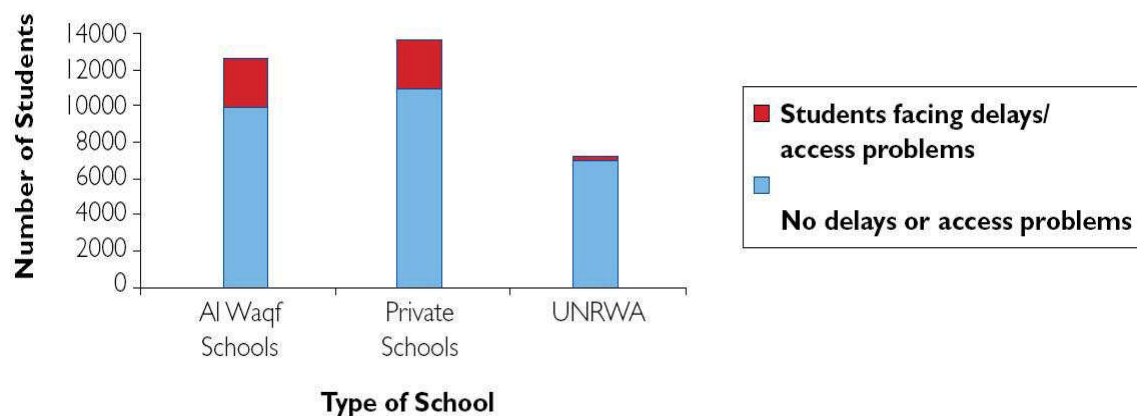
<sup>120</sup> Baskin, 2003. Dr. Gershon Baskin is the Israeli Co-Director of IPCRI, the Israel/Palestine Center for Research and Information

<sup>121</sup> Following the 1948 Arab-Israeli conflict, UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, was established by United Nations General Assembly resolution 302 (IV) of 8 December 1949 to carry out direct relief and works programmes for Palestine refugees. The Agency began operations on 1 May 1950. In the absence of a solution to the Palestine refugee problem, the General Assembly has repeatedly renewed UNRWA's mandate, most recently extending it until 30 June 2011. Since its establishment, the Agency has delivered its services in times of relative calm in the Middle East. Today, UNRWA is the main provider of basic services - education, health, relief and social services - to over 4.4 million registered Palestine refugees in the Middle East. Available at: <http://www.un.org/unrwa/overview/index.html>

<sup>122</sup> Ministry of Education , 2004.

Another report by OCHA (June, 2007) illustrated that according to MOEHE and UNRWA “33,000 student and 2,000 teachers in East Jerusalem schools, as many as, 6,000 pupils and more than 650 teachers face difficulties reaching their schools”. (See figure 11)

On the other hand, to overcome the problem UNRWA since 2003 has relocated a number of teachers to teach in schools which are closer to their home as a way to reduce the number of working days lost and to minimize the students’ absence to raise the rate of attendance. However, these efforts helped to solve the problem temporarily, students are forced to move to other schools which is less affected by the Wall resulted in an overcrowded classrooms due to large number of students moved to these schools.<sup>123</sup>



**Figure 11:** Delays and Problems of Access for Students Travelling to Schools in East Jerusalem, MOEHE.

**Source:** United Nations-Office for the Coordination of Humanitarian Affairs (OCHA): occupied Palestinian territory, June 2007 Updated No.7

In addition, many of university students and teachers from Al-Quds University in Abu-Dis are cut off from access to education beyond the Wall. This is due to the checkpoints in the Wall are regulating the movement of Palestinian students to and

<sup>123</sup> United Nations - Office for the Coordination of Humanitarian Affairs (OCHA): occupied Palestinian territory, June 2007.



from their university (See figure 12). According to UN-OCHA (June 2007), “One-third of the land belonging to Jerusalem/Al Quds University of Abu Dis is now either under or lies on the western side of the Barrier and is no longer accessible.” As a result, students and teachers have to find rental houses to the local communities, to avoid Israeli military assaults on the Wall’s gates.



**Figure 12:** View of Al-Quds University - Abu Dis, June 2005

**Source:** United Nations-Office for the Coordination of Humanitarian Affairs (OCHA): occupied Palestinian territory, June 2007 Updated No.7 Photo by: OCHA / Steve Sabella

Referring to UNRWA schools that are responsible for refugee students in OPT, 14 of their schools are located in the Wall’s areas. As UNRWA reported, 10 of them will be outside the Wall, whereas four will be inside.<sup>124</sup> 74 UNRWA teachers have to pass the Wall to go to their schools, and 12 have to enter from it. Additionally, 190 students have to go out of the Wall to their schools and 70 have to enter the city of Jerusalem because their home is on the wrong side of the Wall. Therefore, 86

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<sup>124</sup> United nations Relief and Works Agency, January 2004.



UNRWA teachers and 260 UNRWA students are restricted of movement through the Wall to and from the university (See table 12).<sup>125</sup>

**Table 11: UNRWA schools, Jerusalem area**

School	Location	Inside or outside the	No. of students	No. of students coming from		No. of teachers	No. of teachers coming from	
					affected			affected
<b>Abu Dis Girls</b>	Abu Dis	Outside	618	4	4	21	6	6
<i>Aida Girls</i>	Aida Camp	Outside	733	3	3	28	1	1
<b>Beit Jala Boys</b>	Beit Jala	Outside	601	1	1	26	6	6
<b>Beit Safafa</b>	Beit Safafa	Inside	70	0	0	5	0	0
<b>Jer. Boys</b>	Wad El Joz	Inside	204	50	39	12	7	7
<b>Jer. Girls</b>	Silwan	Inside	196	5	5	15	5	5
<b>Kalandia Boys elem.</b>	Kalandia camp	Outside	500	25	0	17	2	2
<b>Kalandia Boys prep.</b>	Kalandia camp	Outside	411	0	0	11	3	3
<b>Kalandia Girls elem.</b>	Kalandia camp	Outside	410	1	1	13	2	2
<b>Kalandia Girls prep.</b>	Kalandia camp	Outside	552	0	0	19	2	2
<b>Shufat Boys elem.</b>	Shufat camp	Outside	469	0	0	18	10	10
<b>Shufat Boys prep.</b>	Shufat camp	Outside	460	3	3	12	9	8
<b>Shufat Girls</b>	Shufat camp	Outside	1480	178	13	46	34	34
<i>Sur Baher</i>	Sur Baher	Inside	542	26	26	20	0	0
<b>TOTAL</b>			<b>7,246</b>	<b>296</b>	<b>95</b>	<b>263</b>	<b>87</b>	<b>86</b>

Source: UNRWA, Reports on the West bank Barrier: Impact of the Jerusalem Barrier, January 2004.

<sup>125</sup> Ibid.

## **2. Tulkarem (North West Bank Barrier)**

In Tulkarem city, the Wall restricted access of Palestinians in 4 isolated villages cut off by the Wall. These villages are Nazlet Abu Naar, Nazlet Eassa, Baqa Sharqieh, and Khirbet Jubara. The Israeli Separation Wall till 2004 has confiscated 3,000 dunums of land from the village's 7,000 residents which constituted 20% of the total area of the village. As a result, it disrupted the livelihood for a large percentage of the population without any consideration for their legal rights or future prospects.<sup>126</sup> (See appendix G)

Furthermore, the Wall's impacts on the city are of serious concern especially for students and teachers. Needless to say, what students face from travel restrictions to and from their schools are appreciable curb on the human right to education which impede the liberty of movement of students in particular and Palestinians in general. Students are being humiliated on a daily basis. They are subjected to frequent and prolonged arrests and detentions from the Israeli soldiers as a way to impede the educational process and deny school and college students their right to safe and accessible education.<sup>127</sup>

As MOEHE stated in 2004, there are 10 schools with 1728 students living in the above mentioned areas. Around 61 students in these areas have to travel to other places to further their education as they are looking for higher education which is not available in their areas. In respect of teachers, there are 20 teachers who have to cross the constructed Wall to teach in other areas. Moreover, there are 53 teachers have to travel within the mentioned areas in Tulkarem to teach in their schools. (See table 11)

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<sup>126</sup> International Press Center , 2004.

<sup>127</sup> Israeli Assault on Palestinian Education in Jerusalem and other Occupied Areas, 2005.

**Table 12: Number of students and teachers forced to cross the Wall to and from four communities separated from the Tulkarem area by the Wall**

Community	Schools	No. of Students	Students Out	Teachers In	Teachers Out
<b>Nazlit Issa</b>	Nazlit Issa Secondary/Boys	329	X	29	3
	Nazlit Issa Secondary/Girls	328			
<b>Baqa Sharqieh</b>	Baqa Sharqieh Basic/Boys	389	X	54	13
	Baqa Sharqieh Basic/Girls	244			
	Baqa Sharqieh Secondary/Boys	208			
	Baqa Sharqieh Secondary/Girls	377			
<b>Nazlit Abu Nar</b>	X	X	61	X	X
<b>Khirbet Jbara</b>	X	X	61	X	4

**Source:** Ministry of Education and Higher Education: Expansion & Annexation Wall and its Impact on the Educational, 2004

Considering all the above mentioned facts, the Wall has increased the suffering of the Palestinian students and teachers through encircling the Palestinian areas. The Tulkarem area and surrounding villages feel the Wall's devastating impact on the school system and operation which forced many students to drop-out of school due to their inability to reach their schools.<sup>128</sup> As a result, the unemployment rates drastically increased which pose a great threat to the inhabitants because the Wall separates them from their places of work inside the Green Line.<sup>129</sup>

<sup>128</sup> Ministry of Education , 2004.

<sup>129</sup> The racist separation wall in the West Bank: A look at its economic and social effects and its ramifications on the future of the Palestinian people , 2004.

## E. Human Rights Conventions and the legibility of the Wall

“The construction of the wall being built by Israel... in the occupied Palestinian Territory, including in and around East Jerusalem... [is] contrary to international law. Israel is under obligation... to dismantle forthwith the structure... [and] make reparation for all damage caused...”

**Source:** International Court of Justice (ICJ) advisory opinion in the Hauge, July 9, 2004.

In 2004, The ICJ advisory opinion in its judgment ruled that Israeli's construction of the Wall in the Occupied West Bank and East Jerusalem was illegal and violated human rights conventions under international law and called for the part situated on occupied territory to be dismantled. This is by a majority of 14-1. The ICJ judgment based on, the legal aspects of the route of the Wall through the West Bank and East Jerusalem. As I mentioned earlier in this chapter, if Israel built the Wall on the Green Line or inside its own territories, there would be none of the legal challenges especially for ICJ judgment.<sup>130</sup> Moreover, the ICJ said that the associated regime (meaning the permit system and gates) was contrary to international law. As Israel declared the area between the Green Line and the Wall as a “closed zone” since 2003, it had and still having a negative impact on the people living in the area especially for school children whose villages in the seam zone and their schools on the other side.

Immediately after the ICJ opinion there was a resolution in the UN General Assembly to halt the construction of the Wall by a majority of about 150-6 with 10

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<sup>130</sup> Dolphin, 2006.

abstentions<sup>131</sup>. The General Assembly called on Israel to comply with the ICJ opinion and to halt the construction of the Wall and tear down the portions built on Palestinian land, and provide reparations to Palestinians whose lives have been harmed by the Wall.<sup>132</sup> On the other hand, the Israeli government rejected immediately what the ICJ issued and declared the construction of the Wall would continue. On 15 September 2005, the Israeli High Court of Justice also dismissed the ICJ's ruling on the relevance of the Israeli settlements to the legibility of the Wall.

In addition, The ICJ called on the illegibility of the Israeli settlements - around 57 settlements - that are concentrated in the seam zone and these settlements violated international law. They added that when a state violates international law, it obliges to undo its legal act, if physically possible which means Israel must dismantle the settlements and in this case there would be no need to build the Wall on OPT in order to protect Israeli settlers.<sup>133</sup> However, if there is need to build the Wall as Israel claims to protect its citizens, in this case they must dismantle the illegal settlements on OPT in the seam zone and build the Wall on the Green Line or within its own territory taking into account that it must be on the Green Line border with Palestine which has a length of less than 200 Km.

According to Palestine Monitor factsheet, the “construction of the Wall and the annexation of occupied land is prohibited under the laws governing actions of occupying powers, specifically The Hague Convention of 1907 and the fourth Geneva Convention of 1949. The Wall's construction further violates a basic principle of the

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<sup>131</sup> Voting "no" were the United States, Israel, Australia and the Pacific island states of Marshall Islands, Micronesia and Palau, while “abstaining” were Canada, Cameroon, El Salvador, Nauru, Papua New Guinea, the Solomon Islands, Tonga, Uganda, Uruguay and Vanuatu.

<sup>132</sup> UN Assembly votes overwhelmingly to demand Israel comply with ICJ ruling , July, 2004.

<sup>133</sup> Sha'wan Jabarin, Raji Sourani, Hassan Jabareen, Issam Younis, 2006.

laws of occupation that legal rights to land cannot be acquired by way of military occupation.” Israel has the right to protect its citizens from attacks. However, building a Separation Wall as a means to prevent attacks inside Israel is the most extreme solution than had a severe negative impact and caused the greatest harm to the Palestinian society in general and to the local communities in particular. The Israeli government had to find another way rather than constructing a barrier that would cause less harm to the Palestinians or at least to build the Wall on the Green Line or within its territories.<sup>134</sup>

In this regard, according to an EOHR (2008), the human rights organizations condemn the international silence concerning Israeli crimes against Palestinian civilians in the occupied territories, calling upon the following:<sup>135</sup>

1. The UN High Commissioner for Human Rights has to go immediately to the occupied territories to inspect the Israeli crimes against Palestinian civilians, especially women and children and the elderly men, and the need for taking immediate action concerning the issue.
2. Arab League and the Egyptian government by virtue of its geographical location and regional weight and responsibility of the historic sector has to hold an emergency Arab summit aimed at elaborating a unified Arab attitude extend denunciation and condemnation to an effective deterrent attitude against Israel to stop its crimes against the Palestinian people and ensure the preservation of their rights, especially in Gaza Strip and the West Bank, and pushed in the direction of lifting the siege on the sector.

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<sup>134</sup> B'Tselem, 2005.

<sup>135</sup> The Egyptian Organization for Human Rights (EOHR), 2008. Palestinian cry inside walls of seclusion and silence: Human rights organizations appeal the Egyptian government to intervene immediately to lift the siege on Gaza strip.

3. Calling Egyptian government for giving Palestinian civilians the freedom of movement, and this claim comes as Egypt is one of the High Contracting Parties of Geneva agreement.
4. Calling the international society to put an end of the continued violations against Palestinians human rights by Israeli occupation forces, and to take immediate action in order to protect the victims of Palestinians in OPT, and the need to provide international protection for Palestinian civilians under the supervision of the United Nations.
5. The necessary for civil society to perform pressure on the Israeli government to respect its international commitments stated in the Geneva Convention relative to respect the rights of civilians in Time of War, as well as respect for the international conventions on human rights that guarantee the right to get adequate food and healthy environment.
6. Security Council has to establish an international commission for inquiring into war crimes and crimes against humanity committed by Israeli forces against Palestinian civilians in OPT, and performing investigation into the crimes committed by leaders of Israeli occupation against the Palestinian people.
7. Take positive steps by the European Union to halt the partnership with the Israeli government, pursuant to Article 2 of the Convention on the European - Israeli Partnership which admitted Israel's respect for human rights.
8. American administration has to abandon its explicit bias to Israel, which was not consistent with the role that is supposed to be played by USA in the peace process in the world, which must be neutral and impartial, and is based mainly to the international legitimacy decisions (194, 181, 242) that calling for the Israeli withdrawal from the Palestinian territories and granting the right of self-determination for the Palestinian people.

## **Chapter IV**

### **CONCLUSION**

#### **A. Summary of the Study**

This study has mainly tried to focus on the impact of the Israeli occupation on the educational process in the period of the second Intifada from September, 2000 to date. The difficulties and violations faced by the students and teachers, whether of the public schools, private schools or UNRWA schools, have impacted the educational system throughout the OPT. This has resulted in abandoning the education from students to avoid what they face on their daily life from Israeli military aggression on Palestinian education including hundreds of military roadblocks, checkpoints, prolonged curfews, closure of cities and finally the Wall's gates.

In chapter I, this paper has presented a historical background of the Palestinian Israeli conflict as one of the most significant and difficult issues in the Middle-East especially towards the international community. In this historic overview, I tried to focus on the origins of the conflict tracing the history since the Balfour declaration in 1917 announcing the establishment of a Jewish national state in Palestine. It was the starting point for a lot of violations have been happened by Israel. It then moved on, after declaring the State of Israel, the Israeli army committed a lot of massacres in 1948 and expelled the Palestinian citizens in order to accommodate newcomers from overseas. Following that, the conflict has escalated between both parties and an increase in Israeli attacks on the Palestinian territories led to the "First Intifada" in 1987. During the intifada, the Palestinians experienced every conceivable violation of human rights.



Then, the Oslo Accords came in 1993 in Washington to finish the first Intifada reaching an agreement outlined that Israel was to withdraw its troops from the Gaza Strip and the West bank city of Jericho. However, unfortunately, there were many delays from the Israeli side to give the sovereignty to the occupied territories besides to Israel's unwillingness to make any concessions to reach a final status agreement. In July 2000, the negotiations proceed in Camp David to reach a final settlement of the Palestine-Israel conflict based on the Oslo accords. However, the negotiations failed to reach a final agreement due to the Israeli intransigent side towards the issue of Jerusalem and the refugee issue. Following that, on 28<sup>th</sup> September 2000, the second Palestinian intifada started when the Israeli opposition leader Ariel Sharon visited and entered forcibly the Haram El-Sharif \ Temple Mount in the company of 1000 armed guards in the site of AL-Aqsa Mosques in Jerusalem. This outbreak the situation again between Palestine and Israel and declined all the efforts made toward the peace process.

Chapter II aimed to present the impact of the Israeli military aggression on the educational institutions in OPT resulting in complete disruptions to the educational process besides to the destruction of the Palestinian institutions and facilities. Following this, I focused on the Israeli policy of movement restrictions and how does it affect thousands of Palestinians inside the Occupied Palestinian Territories and how it is directly obstructed access to education. Moreover, I talked about the Israeli military incursions and attacks on schools and universities which are always targeted by the Israeli government and what it has from a negative impact on the educational process and on the physical and psychological side. In addition, an emphasis is given

to the Israeli checkpoints and how does it affect the movement of students and teachers to and from schools that paralyzed all aspect of educational life in OPT.

As a result of the restrictions on freedom of movement that Israel has imposed on Palestinians, the quality of education has declined due to the Israeli brutal policy to access the educational institutions and it had drastic effects on basic education in Palestine as well as secondary and higher education. Then, I moved on and discussed the right to education under international law concluding what the International Humanitarian Law aims from providing protection for civilians to practice their right of education and especially for children under Article 38 of the UN Convention on the Rights of the Child (UNCRC)<sup>136</sup>. However, the Israeli government did not comply with these obligations under International Law, continuing its policy of using lethal force and denying the right to education.

In the third chapter of my thesis, I focused on one of the most remarkable issues on the political arena these days which is the construction of the Separation Wall by Israel in 2002 on the Palestinian territories. This physical barrier which runs so far inside the West Bank has a disastrous impact on the Palestinian society as a whole and on education in particular. Notable among this issue is that, Israel claims its purpose is to protect its citizen from Palestinian rockets fired by Palestinian movements. Assuming that the Israeli claim is right, in this case the Wall must have followed the Green Line (1967 borders) and just along the border with Palestine which is less than 200 Km. However, the Israeli government did not follow the Green Line and it went deep into Palestinian territories obstructing movement of Palestinians

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<sup>136</sup> The United Nations Convention on the Rights of the Child, often referred to as CRC or UNCRC, is an international convention setting out the civil, political, economic, social and cultural rights of children. Nations that ratify this international convention are bound by it by international law. See: [http://en.wikipedia.org/wiki/UN\\_Convention\\_on\\_the\\_Rights\\_of\\_the\\_Child](http://en.wikipedia.org/wiki/UN_Convention_on_the_Rights_of_the_Child)

and preventing large numbers of people living on the east side of the Wall from reaching their families, farms and fields which now lie between the Wall and the Green Line or the “closed zone”.

As a result, the educational institutions had had a serious impact by obstructing the movement of students and teachers from reaching their schools that are located in the “closed zone” which disrupted the educational process severely as I explained earlier in this study. Following this, I showed two examples of the cities that are directly affected by the construction of the Wall, one is Jerusalem in Central West bank and the other one is Tulkarem in North West Bank. Finally, an emphasis was given to the international law conventions and the legibility of the Wall. Additionally, the focus was on the ICJ advisory opinion in its judgment ruled that Israeli’s construction of the Wall in the Occupied West Bank and East Jerusalem was illegal and violated human rights conventions and called to tear down what has already been built by a majority of 14-1.

To sum up, it seems clear that Israel, under its government, violates the Palestinian human rights to Education and movement considering a barbaric, inhumane and a crime against humanity. However, Palestinians reject the military obstruction of access to educational institutions which deprived students and children from their right to education. The right to education is legal under international law agreements and Israel’s attacks on educational institutions are against the conventions and declarations related to the protection of education.

Finally, I hope all the conclusions which I made are correct and can be accepted by the reader. I am not saying that the entire conclusions which I am

presenting are perfectly ok and there cannot be future discussion about them. I just tried to show clear evidences about what is going on in the Occupied Palestinian Territories based on detailed, verifiable, and objective research carried out by reputable organizations.

## **B. Policy Recommendations**

Since the Oslo Accords in 1993, the Palestinian Authority and the Government of Israel (GOI) called upon the future relations between both of them and the recognition of Israel to the Palestinian political and national rights. However, the ignorance of this fact by GOI is considered the root of the existing dilemma and violence between the two nations. Furthermore, it is essential to enrich each side conceptual maps to understand the main issues of the conflict and trying to find out the possibilities and means of resolving them and reaching a final status agreement.<sup>137</sup> Additionally, U.S. policy has tried to create a plan to resolve the conflict between the disputed parties through presenting “Road Map”<sup>138</sup> for peace in 2002 outline by U.S. President George Bush. But, nevertheless, by ignoring the realities of the region,<sup>139</sup> the United States has caused additional problems to the conflict by supporting Israel financially and diplomatically.

Since the beginning of the second Intifada in late September 2000, there should have been a serious intervention from the United States and the international

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<sup>137</sup> IPCRI, 2005.

<sup>138</sup> The "**road map**" for peace is a plan to resolve the Israeli-Palestinian conflict proposed by a "quartet" of international entities: the United States, the European Union, Russia, and the United Nations. The principles of the plan were first outlined by U.S. President George W. Bush in a speech on June 24, 2002, in which he called for an independent Palestinian state living side by side with Israel in peace: "The Roadmap represents a starting point toward achieving the vision of two states, a secure State of Israel and a viable, peaceful, democratic Palestine. It is the framework for progress towards lasting peace and security in the Middle East..." Available at:

[http://en.wikipedia.org/wiki/Road\\_map\\_for\\_peace](http://en.wikipedia.org/wiki/Road_map_for_peace)

<sup>139</sup> Press Release: U.S. Policy Recommendations for Dealing With the New Middle East, 2008.

community to stem the violence and stop Israel from practicing its excessive aggressive policy against the Palestinian people. It was Israel's most massive military action in the Occupied Palestinian Territory since 1967 which characterize the deteriorating situation on the ground.<sup>140</sup> In this regard, considering what has been done to the Palestinian people from arresting, injuring, beatings, confiscating their lands ...etc., Israel has the obligation to compensate and amend whatever possible.

According to a report by Jews for Justice in the Middle East, they stated "Among these amends should be assisting the creation of a sovereign Palestinian state in the entire West Bank and Gaza with its capital in East Jerusalem. Israel should not object to this state and, in addition, should help with its foundation via generous reparations." They added if Israel commits to do that, this would stem the violence against them because there would be a recognized Palestinian state. However, till the present day, the conflict escalates everyday and continues to suffer from the failure to create a more stable and mature political process that can address the conflict's core issues more rationally.<sup>141</sup> The following policy recommendations would appear reasonable for a viable two-state solution:

1. The establishment of a sovereign Palestinian state in the entire West Bank and Gaza Strip with its capital in East Jerusalem.
2. Israel must abide by the consensus of world opinion and withdraw to its 1967 borders, as demanded in numerous UN votes.<sup>142</sup>
3. Israeli reparations to the Palestinians educational institutions including schools and universities.

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<sup>140</sup> Chopra, 2003. Jarat Chopra is Chief Monitor of the Palestinian Monitoring Group and Professor of international law at Brown University.

<sup>141</sup> Alpher, 2005.

<sup>142</sup> The Origin of the Palestine-Israel Conflict, 2005.

4. Tearing down the illegal Jewish settlements in the Palestinians regions and tearing down what has been built from the Separation barrier in the West Bank and East Jerusalem.
5. Israel must withdraw from Jerusalem lands that it had occupied.

In addition, the Amnesty International USA put forward that if the Israeli and the Palestinians abide by, would have the potential of creating positive advances towards changing the political environment and decreasing violence and seeking a long lasting solution between the two nations:<sup>143</sup>

**To the Government of Israel (GOI):**

1. The destruction of houses, land and other properties violates the international humanitarian law and should stop immediately.
2. Israel must stop construction of the wall/fence within the Occupied Territories, remove what has already been constructed within the Occupied Territories, restore seized property, and ensure reparation for land and property seized, confiscated or destroyed.
3. A judicial commission of inquiry should be established to investigate all the cases of destruction, confiscation and damage to property carried out by the Israeli army in the Occupied Territories since October 2000, in order to establish the extent of the damage caused and the necessary reparation. The commission should also investigate the legality, according to international law, of the grounds that the army claims rendered the destruction necessary.

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<sup>143</sup> Israel and the Occupied Territories "Under the rubble: House demolition and destruction of land and property", 2005.

4. Responsibility for planning and building policies and regulations in the Occupied Territories should be removed from the Israeli authorities and placed solely with the local Palestinian communities.
5. All those whose properties have been destroyed in violation of international law should be granted effective redress.

**To the Palestinian Authority (PA):**

1. The PA should take all possible measures to prevent attacks by Palestinian armed groups and individuals against Israel.
2. The PA should support the call on the international community to deploy qualified and experienced observers in the Occupied Territories to monitor the conduct of the Israeli army, Palestinian armed groups and Palestinian security forces.

In conclusion, the Palestinian authority had hoped that the international community would exert more pressure on the Israeli occupation authorities to halt its aggressive policy and look forward to a two-viable state. However, this requires a firm international stand to protect the Palestinian people and to accord their legitimate right to establish their own state with full sovereignty over its territories and natural resources. Additionally, this sovereign state cannot exist without removing all the restrictions and impediments and having the freedom of movement all over the Palestinian territories and the access to all the countries all over the world.<sup>144</sup> We, Palestinians, look to all the countries of the world – particularly the international community including human rights conventions – to stand by us and support the

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<sup>144</sup> WHO: World Health Organization, 2002.

Palestinian issue by all possible means to foresee the prospects of living in peace and security.

### **C. Limitations of the Study**

The present study has a number of limitations which limited the scope of this study that need to be acknowledged and addressed and need to be taken into account when considering future research:

- First of all, as this study focused on the impact of the Israeli occupation on the Palestinian education, particularly, schools and universities, the information gathered could not cover all or most of the universities and schools due to difficulties in accessing these institutions. The Israeli military closures, checkpoints, attacks and obstruction of universities and schools could not allow me to access these institutions which would have enabled detailed results and analysis.
- Secondly, time as limiting factor did not allow further research.
- Thirdly, the inability to obtain some internal documents and references from the ministries which could help in giving more detailed analysis.
- Lastly, most of the information presented in this study was from history and reputable organizations, however, it might not necessary indicate what the future is likely to be, especially in a sensitive and complicated issue like the Palestinian-Israeli conflict.



## APPENDICES

### APPENDIX A:

**Table 13: The Right to Education in International Law<sup>145</sup>**

<b>Fourth Geneva Convention, 1949</b>	“The occupying power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children”
<b>Universal Declaration of Human Rights, 1948</b>	“Everyone has the right to education”
<b>International Covenant on Economic, Social and Cultural Rights, 1966<sup>146</sup></b>	“Education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and for fundamental freedoms”
<b>General Comment 13 on the Implementation of ICESCR, 1999</b>	“Academic freedom includes the liberty of individuals to fulfill their functions without discrimination or fear of repression by the State or any other actor”
<b>Convention on the Rights of the Child, 1989</b>	“States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity ... [and shall] Make higher education accessible to all on the basis of capacity by every appropriate means”

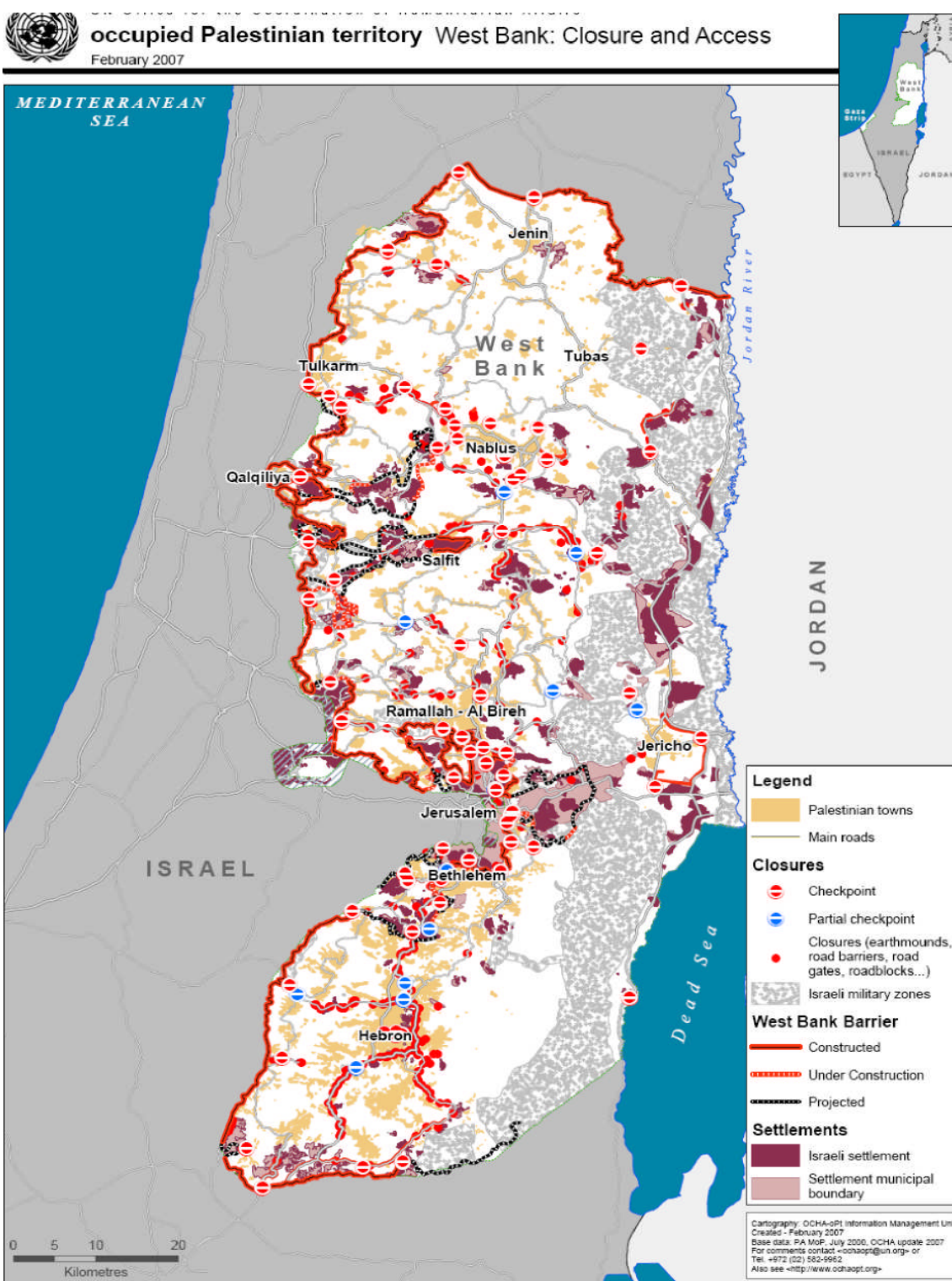
**Source:** International Court of Justice (ICJ)

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<sup>145</sup> Murray, 2004.

<sup>146</sup> Ratified by Israel in 1991

## APPENDIX B:

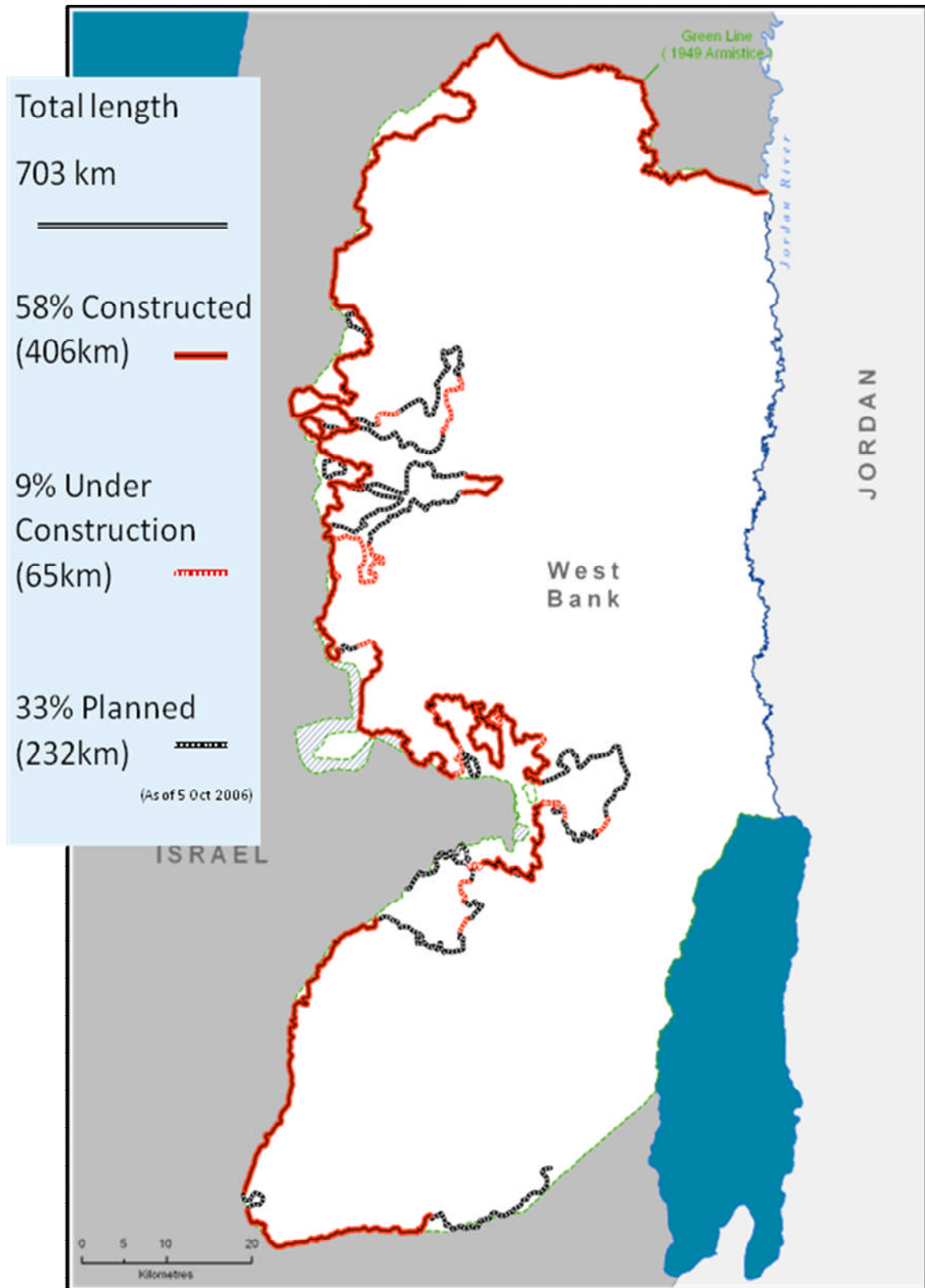


**Figure 13:** Occupied Palestinian Territory West Bank: Closure and Access.

**Source:** UN Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territories (OCHA). February 2007.<sup>147</sup>

<sup>147</sup> Israeli Checkpoints, 2007.

## APPENDIX C:



**Figure 14:** The Separation Wall in the West Bank

**Source:** OCHA: Office for the Coordination of humanitarian Affairs, 2007

## APPENDIX D:

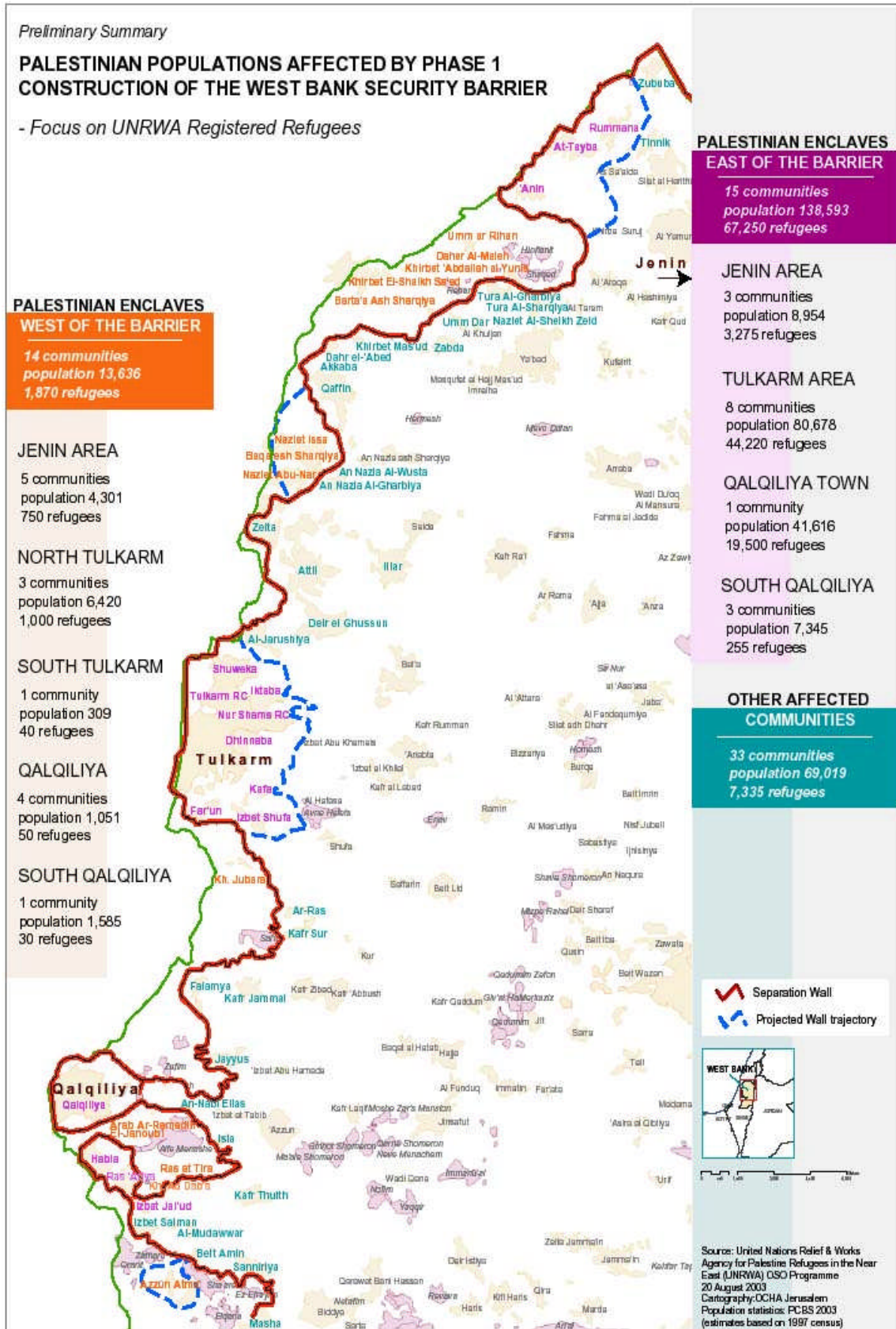
**Table 14: Green Permits – Access through the Separation Wall<sup>148</sup>**

<p><b><u>Nov 2003 – Jan 2004</u></b></p> <p>The initial permits expire. To renew, applicants are required to apply through the Civil Administration, presenting their ID cards and land ownership documents. Those not issued permits in the first round can also apply, with appropriate documents.</p> <p>Eligibility is limited to those who own land behind the Barrier. Landless agricultural labourers who were initially issued permits are now refused. The new policy has severe implications for the many farmers who depend on this workforce. Some applicants are also denied permits based on 'security reasons'.</p>
<p><b><u>22 Jan 2004</u></b></p> <p>The Israeli authorities issue more stringent requirements for application/renewal of permits. Requirements include: an application form; ID card with photograph; updated land ownership documents; certification from the local village council or municipality that the documents are valid; and a magnetic card signifying that the applicant is not deemed a security risk by the IDF. The DCL in Qedumim also requires applicants to present a document showing the payment of taxes for irrigated land since 1995.</p>
<p><b><u>12 Feb 2004</u></b></p> <p>The Tulkarm DCL is closed to implement a new high-tech electronic system to service green permits and register identity cards. This pilot project, once established, will be extended to other West Bank governorates. Meanwhile, Tulkarm residents are instructed to apply to Qedumim DCL for permits.</p> <p>In February, the magnetic card and back taxes requirements are relaxed.</p>
<p><b><u>13 Apr 2004</u></b></p> <p>The Tulkarm DCL reopens but is not yet accepting permit applications. Due to its limited capacity to process green permits from the Qalqilya, Tulkarm and Salfit governorates, the Israeli Tulkarm DCL instructs the Palestinian DCL to coordinate permit applications. No individual applications are now accepted.</p>
<p><b><u>21 Apr 2004</u></b></p> <p>There is confusion over permit requirements when the Qedumin DCL issues a new type of permit with a 'State of Israel' watermark rather than the previous IDF logo. The permits are valid for one year and indicate that the holder may enter Israel, which previous permits had strictly prohibited. Holders are no longer termed permanent or long-term residents but rather persons with a 'permanent purpose in the seam zone'. Many Palestinians refuse to accept these permits fearing a loss in their permanent resident status. The DCL declare the alterations a mistake and that there is no change in status.</p>

<sup>148</sup> United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations Refugee and Works Agency (UNRWA), 2004.

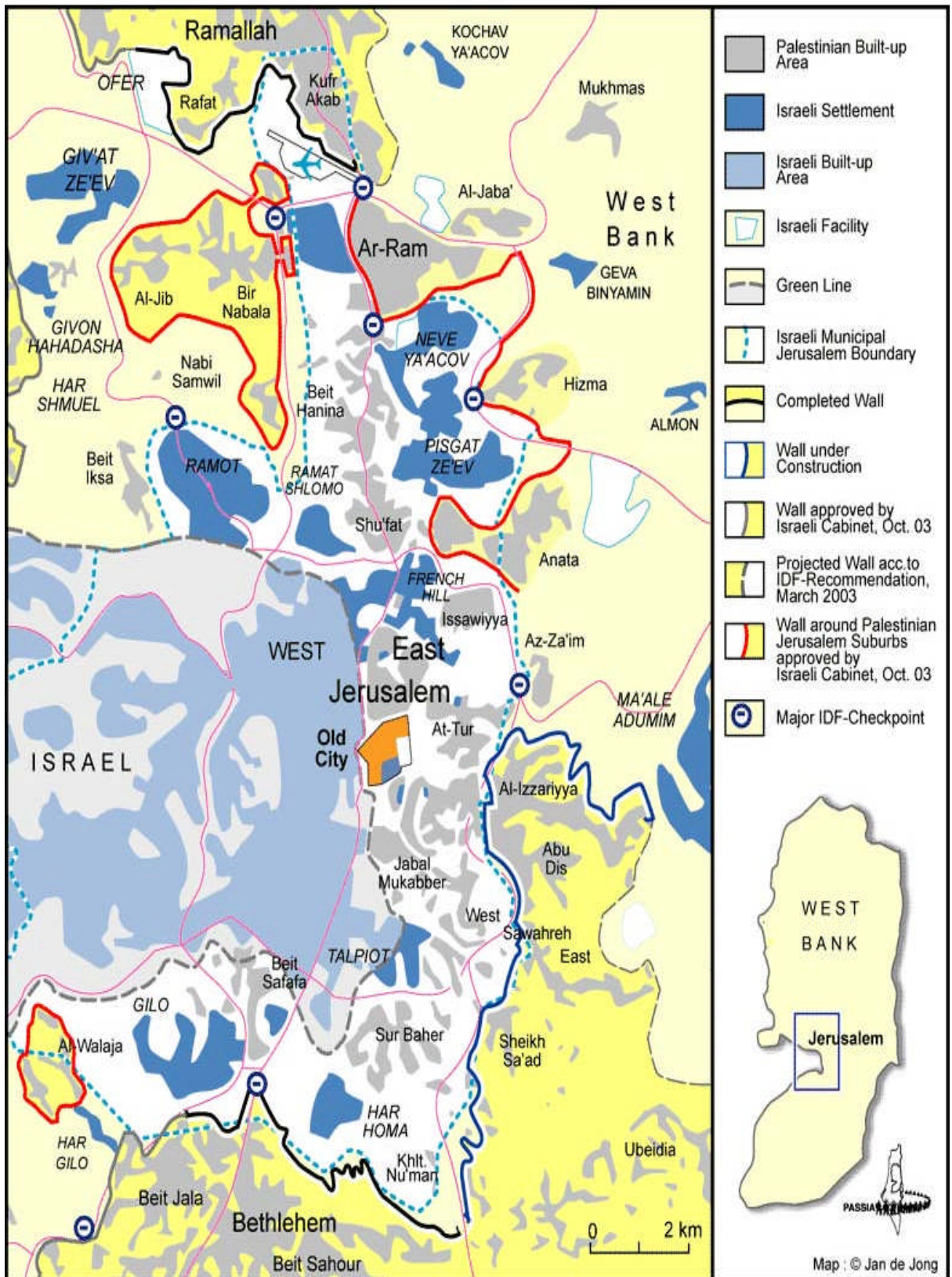


## APPENDIX E:



**Figure 15:** Palestinian populations affected by phase 1 construction of the West Bank security barrier.  
**Source:** United Nations Relief & Works Agency for Palestine Refugees (UNRWA), 2003

## APPENDIX F:

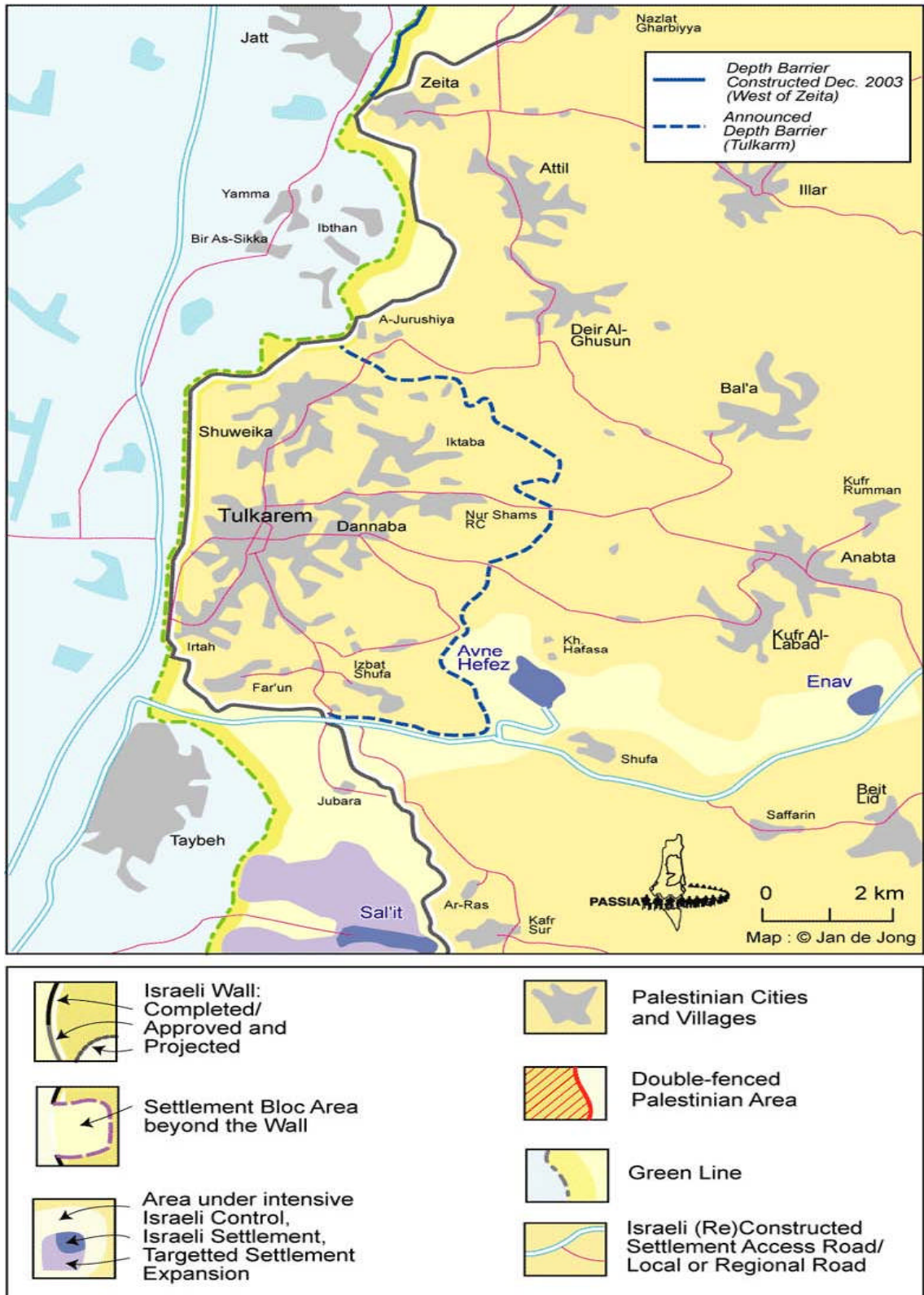


**Figure 16:** The Wall (Jerusalem), December 2003.

Source: (PASSIA): Palestinian Academic Society for the Study of International Affairs, Jerusalem



## APPENDIX G:



**Figure 17:** The Wall (Tulkarem), December 2003.

**Source:** (PASSIA): Palestinian Academic Society for the Study of International Affairs, Jerusalem

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