

The Situation of Palestinian Children

in The Occupied Palestinian Territory, Jordan, Syria and Lebanon

An assessment based on the Convention on the Rights of the Child



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INTRODUCTION

Palestinians represent the world's largest refugee population and one of its longest standing. Military conflict and political turmoil stemming from the Arab-Israeli dispute have forced millions of Palestinians to leave their homes and seek refuge elsewhere, many more than once. The great grandchildren of the original refugees are now parents to refugee children, testimony of the duration of the dispute. Sadly, prospects of a just and lasting resolution of the conflict are not yet in sight. The socioeconomic hardship in which the Palestinian people have been living, whether it is in The Occupied Palestinian Territory itself or in the neighbouring countries of Jordan, Syria or Lebanon, is therefore likely to continue to be a serious challenge for the new generation in the foreseeable future.

The lives of Palestinian children in the West Bank - including East Jerusalem - and the Gaza Strip have been heavily affected by the presence of Israeli occupation forces, settlers and checkpoints since the 6-day war of 1967 between Israel and Arab States. The Palestinian uprising, or intifada starting in 1987 transformed the dynamics on the ground, producing a new form of expression - more violent - by young Palestinians inside the occupied territory. This was followed by the 1st Gulf war, where Palestinians across the region had to bear the negative consequences of their leadership siding with the then Iraqi head of State, Saddam Hussein. A "peace process" was thereafter initiated, culminating in the Oslo agreements of 1993. These set a timetable for the gradual assumption of Palestinian self-rule in The Occupied Palestinian Territory (OPT), although not in occupied East

Jerusalem. In 1994, the Palestinian Authority (PA) was set up as a temporary "self-rule" administration to govern areas of the West Bank and Gaza Strip, pending the conclusion of a "final status" agreement between Israel and the Palestinians.

The "Oslo II" "implementation agreements" of 1995 divided the West Bank - the largest part of OPT- into three zones (Areas "A", "B" and "C") with shared Palestinian-Israeli control in two of them but with Israel remaining in total control of Area C. The latter comprises 60 per cent of the West Bank and is an arrangement still in place today. In the 15 years since Oslo II, Israeli forces have repeatedly re-occupied towns and cities in the West Bank, have carried out "targeted" assassinations of Palestinian leaders and have launched two full scale military offensives against the Gaza Strip, resulting in thousands of Palestinians killed, tens of thousands wounded and great destruction of Palestinian institutions, homes and livelihoods. During this period, Israeli civilians were also repeatedly targeted by attacks from Palestinian militants.

Since 1994, the Palestinian Authority set about establishing the mechanisms of self-government and civil society, and developing a distinctly Palestinian infrastructure of institutions and social services, thus laying down the building blocks of a future state. The Palestinians of the occupied territory are at present separated not only geographically but by a split in leadership. The mainstream Fateh faction of the Palestine Liberation Organization dominates the Ramallah-based PA and rules the West Bank, while the Islamist movement Hamas is ruling the Gaza enclave de facto since 2007, after its win in legislative

elections in 2006 was contested by Fateh and after clashes between Hamas and Fateh over control over the enclave led to a Hamas military victory.

Although talks on a “final status” agreement have continued fitfully, the timetable set out in the Oslo agreements was not met, and Palestinian frustrations exploded in the second (or “Al Aqsa”) intifada in 2000, since which harsh new Israeli measures have been imposed on Palestinian lives in OPT. In 2002, Israel began construction of a Barrier, or “separation wall” enclosing the West Bank and along much of its route looping deep into Palestinian territory and effecting a de facto annexation of significant tracts of Palestinian land, with serious consequences on the livelihood of many Palestinian children.

Since 2003, the “peace process” has been spearheaded by the “Quartet”, comprising the United Nations (in the person of the Secretary-General), the United States, the Russian Federation and the European Union, and they have laid out a “Roadmap” of phased implementation, based on mutual steps by both sides. Few of the commitments agreed by both parties under the Roadmap have been implemented. In 2005, Israel withdrew its soldiers and evacuated illegal settlers from the Gaza Strip, but it remains in control of all but one of Gaza’s border crossings and its sea, air, and telecommunications spaces, and since 2007 has imposed a near-total blockade under which the exit and entry of people and the importation of all but humanitarian goods is prevented. These developments with their impact on children are discussed further in the OPT sections below.

The Palestinians in Jordan are almost all Jordanian citizens and live and work under the protective legal and political framework of one of the more stable and forward-looking Arab governments. There are, however, different categories of Palestinians in Jordan – including about 100,000 refugees formerly from Gaza who do not enjoy Jordanian nationality or full rights – and this has implications for the rights of children and women.

In Syria, where Palestinians comprise only about 2 per cent of the total population, they enjoy almost all of the rights of Syrian nationals and full access to education, health care, and employment. However, there are still economic and social conditions and constraints that define their lives and the welfare and future prospects of their children.

It is in Lebanon where, after the occupied territory, the Palestinians face the most severe constraints on their daily lives and endure the harshest living conditions, partly because of the right apparently given to the Palestinian Liberation Organisation in the Cairo agreement of 1969 to carry weapons and to engage in combat with Israel, a right that no other Arab country had granted to Palestinians. The Palestinians in Lebanon, most of them registered refugees but including thousands of unregistered refugees and “non-ID holders” who suffer particular hardship, had never been given any official status and faced severe restrictions on where they can live, or work and depend on UNRWA (the United Nations Relief and Works agency for Palestine refugees in the Near East) () for their basic needs. This status has changed since August 2010, when the Lebanese parliament voted to grant registered Palestinians access to the same jobs as any foreigner.

Demographic trends

The Palestinian population in the region under study is characterized by a very rapid growth rate (one of the highest in the world) and the predominance of youth in the population. The majority of Palestinians (3.7 million children and young people) are under the age of 25, and nearly 40 per cent of them (2.5 million) are under 18. The median age is estimated at around 16.

There is a slow, gradual shift in the ratio of youth-to-aged dependency among the Palestine refugee population. The observed decline in fertility and infant and child mortality rates, together with increased life expectancy, will most likely result in higher dependency ratios among refugees of children under 15 and of aged over 65.¹ Youth dependency is seen as decreasing while child and aged dependencies increase. This trend will have implications for governments and other stakeholders, as demand will increase for social support services for children and for older people alike.²

Until this gradual demographic shift is complete, the predominantly youthful characteristic of the Palestinian population will remain, and demand will continue to increase in the near term for quality education and other youth-related services and facilities. These include vocational training and post-secondary education that will be needed to develop skills for today's Palestinian children and youth to compete in the labour market

¹ UNRWA, *Annual Report of the Department of Health 2005*, UNRWA Headquarters, Amman, 2005.

² Blome Jacobsen, Laurie (ed.), *Finding Means, UNRWA's Financial Crisis and Refugee Living Conditions: Socio-economic Situation of Palestinian Refugees in Jordan, Lebanon, Syria, and the West Bank and Gaza Strip*, Fafo-report 427, vol. 1, Fafo Institute for Applied International Studies, Oslo, 2003.

and thus take advantage of this intermediate phase of demographic transition.³

Palestinian children and women experience greatly varying living conditions within and among the four locations studied in this study. The 2.85 million registered Palestine refugees living in Jordan, Syria and Lebanon depend on UNRWA for their basic needs – especially primary health care and basic education – and on the host governments, other UN agencies and local and international NGOs for other human-development assistance. In Jordan and Syria, a minority of the refugees live in officially recognized “camps”. The majority live in crowded urban dwellings, often in sub-standard housing conditions. In Lebanon, more than half of the Palestinians live in slum-like camps adjacent to the main cities and they do not receive much assistance from the government. In OPT, the population is roughly split between refugees from 1948 Palestine and non-refugees, yet there are still nearly 700.000 Palestinians living in refugee camps inside the Palestinian homeland. They benefit from a mixture of government, UN and NGO services, but the lives of children and women are sharply proscribed by the daily realities described above barrier encircling the West Bank and a two-and-a-half-year-old blockade locking in Gaza.

Living standards

The global economic downturn and financial crisis that started in 2007 has exacted its toll on economic growth in the region where the Palestinians live, and this has inevitably had an impact on livelihoods, as price inflation

³ *Ibid.*

and unemployment have tended to hit refugee families the hardest.

The Occupied Palestinian Territory has been experiencing a downward trend since the “second intifada” broke out in September 2000, resulting in retaliatory closures (external and internal) and new restrictions on movement imposed by Israel in the West Bank, and a gradual tightening of the noose around the Gaza Strip, culminating in the imposition of a near-total blockade on all movement of goods and people into and out of the territory since Hamas assumed power in Gaza in 2007. The result has been a sharp decline in living standards, especially given that the employment options have narrowed dramatically with the virtual closure to Palestinians of the Israeli labour market (except, with tragic irony, in construction work on new and expanding Jewish settlements, illegal under international law, which Israel continues to build in the West Bank and East Jerusalem).

In Jordan, enlightened policies and steady infusions of development assistance have helped maintain steady economic growth and stability, but at the cost of widening income gaps between the richer and poorer segments of society, and, as will be shown below, there is clear evidence that substantial socio-economic gaps remain among Palestinians, between camp refugees and non-camp refugee and with host populations, particularly in terms of income and employment.

In Syria, where a transition is taking place from a command to a mixed economy, Palestinians generally are well served and have full access to the labour market. Still, as

will be seen below, fully three quarters of the refugee population in Syria live at or below the poverty line, and, again, income gaps with the host country population are widening and jobs are growing scarce – a source of alarm throughout the region as tens of thousands of young Palestinians graduate every year from secondary, vocational or higher education and are unable to find jobs in the countries in which they have grown up.

In Lebanon, the socio-economic situation of Palestinians has been arguably the worst in the region except for blockaded Gaza. Discriminatory laws and regulations have trapped them in poverty. They have been barred from many jobs and professions, making their living conditions alarming. It is to be hoped that the recently passed law allowing Palestinians to access all jobs opened to foreigners will help improve their overall socio-economic situation.

This study will reveal that poverty among Palestinians in the region is on the increase in all fields, particularly among families living in the 61 Palestine refugee camps. In blockaded Gaza, fully a third of the population now live in “extreme poverty and the trends are growing alarmingly in the West Bank as well. Childhood stunting, a consequence of chronic malnutrition, is making an appearance in Gaza and West Bank and elsewhere in vulnerable, remote pockets of the Palestinian refugee population. It will also present the progress made in certain areas, despite the severe challenges the Palestinian population face in the four cases.

Conceptual and methodological framework

This study is anchored in a human-rights based approach. Its basic points of reference throughout are the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). These rights in turn generate duties and responsibilities which the structures of society – government at various levels, communities, and local, national and international non-governmental organizations – are obligated to fulfill in clear lines of accountability. States parties to the Convention are obliged to develop and undertake actions and policies in the light of the best interests of the child. This study seeks to determine the extent to which duty bearers are fulfilling their obligations to rights holders in the region under study.

The CRC guarantees rights to all children regardless of age and also emphasizes the child's evolving capacity and maturity in particular instances – such as her or his being deemed capable of forming and expressing opinions and of exercising increasing degrees of autonomy. With that in mind, children, as the primary rights holders in society, have participated actively in the preparation of this study. In focus group discussions constituting the qualitative analysis phase of data assessment, children of both sexes (either in separate groups or together, depending on the social context of the location) have been invited to offer their views and to identify gaps and shortcomings in the fulfillment of their claims to the rights guaranteed to them. Women, as parents and as rights-holders themselves, have also participated in focus

group discussions on their issues and on their perceptions of the fulfillment of their children's rights and well-being.

Throughout the 60-plus years represented in this evolution of the root causes of the Palestinian situation, one must also recognize the continuing obligation of the international community, principally in the form of the United Nations, through dozens of resolutions adopted by the General Assembly, Security Council and subsidiary organs, and through such responsible bodies as UNRWA, UNSCO⁴ and OCHA and development partners such as UNICEF, as key duty-bearers in the realization of rights and of human and social development.

In devising this study, careful data collection and assessment methodology have been employed to isolate conditions, identify causal factors, and analyse vulnerabilities and trends affecting Palestinian children and Palestinian women of reproductive age (including adolescent girls).

In OPT, where a large number of UN agencies are present and where the national institutional partners are the Palestinian Authority and an array of local and international NGOs, abundant data are available on the living conditions of the largest single Palestinian population concentration in the world. Data available from the Palestinian Central Bureau of Statistics (PCBS), from other Palestinian Authority sources, and from UNRWA, UNICEF, and other UN agencies – including the important monitoring work of the Office for the Coordination of Humanitarian Affairs in the OPT (OCHA/OPT) – have been collected,

⁴The United Nations Special Coordinator represents the Secretary-General and leads the UN system in all political and diplomatic efforts related to the Middle East peace process, and coordinates the humanitarian and development work of UN agencies and programmes in The Occupied Palestinian Territory, in support of the Palestinian Authority and the Palestinian people.

collated and analysed. In OPT and particularly in Jordan, Lebanon and Syria, the study has relied heavily on UNRWA data on the 4.7 million Palestine refugees (over 1 million refugee families) registered in the region.

The assessment phase began in all locations with a “desk review” of available data and reports, information gathered by UN agencies, NGOs, academics and other researchers, and of evaluations and policy-planning (“needs assessment”) reviews.

In analysing the situation of women, particular attention has been given to their own rights as well as aspects which have the highest impact on the lives of their children. Trend analysis has been conducted to identify positive developments and risk factors relating to children and women in the overall social, economic, political, and cultural context. Gaps in data, in relevant legislative and policy frameworks, and in institutional and service delivery have been identified, and key recommendations emerging from the assessment have been linked with responsible duty bearers.

Structure of this report: One document, four components

The next cycle of the UNICEF Palestinian Programme (2011-2013) will be based on an Area Programme Document, supported by the findings of this study, with four components representing the four locations – The Occupied Palestinian Territory, Jordan, Syria, and Lebanon – in which interventions will be carried out to address the challenges faced by Palestinian children and women.

Each of the four components of the Area Programme will be analysed separately in terms of present conditions and factors most influencing the lives of Palestinian children and women, as well as of assessed needs and areas of particular concern in addressing capacity gaps and fulfilling children’s and women’s rights. In all but OPT, where the population is entirely Palestinian, careful data collection and assessment have been used to the extent possible to isolate conditions, identify causal factors, and analyse vulnerabilities and trends affecting Palestinians specifically. This has been especially challenging in the case of Jordan, where most Palestinians, including most refugees, are Jordanian citizens, with nominal full rights and economic opportunities.





CHAPTER 1

THE OCCUPIED PALESTINIAN TERRITORY

The total population of The Occupied Palestinian Territory (OPT) was estimated at about 3.9 million as at mid-2009: 2.4 million in the West Bank (including East Jerusalem) and 1.5 million in the Gaza Strip.¹ As elsewhere in the region, OPT population is youthful: 52 per cent are under the age of 18, and 42 per cent under 15.² Population density in the OPT is high by world standards: the 2007 estimates were 439 people per square kilometre in the West Bank (including East Jerusalem) and 3,881 people per square kilometre in the Gaza Strip. The West Bank includes large areas of arid and unproductive land, most of it under total Israeli control. Still, 72 per cent of the overall OPT population was characterized as “urbanized” in 2007.³

In 2004, the World Bank reported that “16 per cent of the total population and one-quarter of all Gazans are living in deep or ‘subsistence poverty’. Household poverty disproportionately impacts children, partly due to the consequences for larger families as well as the effects of poverty on the child’s access to necessary developmental opportunities, including child health and education services. PCBS data estimate an overall poverty rate that is an average of 13 percentage points higher for households with children than for those without children⁴.

¹ “Palestinian Central Bureau of Statistics (PCBS) on the Eve of International Population Day, 11/7/2009”, PCBS press release, 9 July 2009. Figures based on estimates prepared by PCBS according to the results of the Population, Housing and Establishment census of 2007.

² PCBS press release, 9 July 2009, *op. cit.*

³ UNICEF, *State of the World’s Children – Special Edition*, UNICEF, New York, November 2009.

⁴ PCBS, *Palestinian Children – Issues and Statistics: Annual Report, 2008*, April 2008, p. 55.

In the face of these conditions, Palestinian households have resorted to a variety of coping strategies, including reducing expenditure and consumption, postponing payment of bills, applying for credit, seeking family support, engaging in subsistence activities and other measures. The ILO found that the negative consequences of coping strategies of households tend to fall disproportionately on women and to restrict women’s options.⁵

1.1. The Convention on the Rights of the Child (CRC) and its shortfalls in OPT

The Palestinian Authority is not an internationally recognised State and therefore has not been in a position to ratify the CRC as a State party. The occupying power, Israel, ratified the CRC on 3 October 1991 and has also ratified both of the Optional Protocols – on children in armed conflict in 2005 and on sexual exploitation of children in 2008. However, Israel has rejected requests by the Committee on the Rights of the Child to supplement its CRC State reports with information on children within The Occupied Palestinian Territory on the grounds that it had transferred (some) powers and responsibilities to the Palestinian Authority and thus “could not provide” such information. Israel has to date submitted only its initial CRC report – doing so in 2001, eight years after its due date. That report contained no reference to children in The Occupied Palestinian Territory. This lacuna leaves 2 million Palestinian children – already stateless and nearly half of them refugees – without the measure of internationally recognized protection and recourse that the CRC is designed to impart.

⁵ *Commission on the Status of Women*, UN document E/CN.6/2005/4, *op. cit.*, para. 15.

In addition, in its comments on that State report, the Committee called on Israel, inter alia, to rescind the discriminatory provisions of domestic law that defines Israeli children as those aged under 18 years, but children in OPT as being aged under 16 years for purposes of its Military Order No. 132, and more properly to investigate and prosecute the killing and torture of children in the course of the conflict (and to report on this in its next periodic report, for which it requested a consolidated 2nd, 3rd and 4th periodic report to be submitted by 1 November 2008).⁶

The Committee restated its view that Israel retains jurisdiction for children within The Occupied Palestinian Territory, as had been interpreted by the Legal Counsel of the UN, until such time as the PA attained the status of a State party under UN human rights treaties.⁷ As Israel does report on the human rights status of Israeli settlers within the occupied territory, its non-reporting stance clearly concerns the occupied people rather than the occupied territory. In its observations on the Israeli report, the Committee noted: "Given the responsibility of the State party for the implementation of the Convention in the occupied Palestinian territories, the Committee deeply regrets the lack of any information about the situation of children in the occupied Palestinian territories".⁸

There is no other existing formal capacity for CRC (or CEDAW) reporting to the UN on the rights of Palestinian children and women.

⁶ Committee on the Rights of the Child, *Consideration of reports submitted by States Parties under Article 44 of the Convention; Concluding observations: Israel, 31st session, UN document CRC/C/15/Add. 195, 9 October 2002, paras.25, 32, 37, 66.*

⁷ Committee on the Rights of the Child, *Summary Record of the 829th Meeting: Consideration of Reports of States Parties, Initial Report of Israel, 31st session, UN document CRC/C/SR.829, 2 October 2002, paras. 17-21.*

⁸ Committee on the Rights of the Child, *Consideration of reports submitted by States Parties under Article 44 of the Convention; Concluding observations: Israel, 31st session, UN document CRC/C/15/Add. 195, 9 October 2002, para. 2.*

The PA is currently assessing the situation of children within the OPT in accordance with the CRC, and it is to be hoped that the UN Committee on the Rights of the Child affords the PA an opportunity to brief it in the context of the next process of considering the Government of Israel's periodic state report. In addition, both the PA and the de facto authority in Gaza have affirmed their commitment to respect and protect human rights.

1.2. The right to survival

Levels and trends in infant and under-five mortality

The under-five mortality rate (U5MR) in 2008 was 27 per 1,000 live births, down from 38 per 1,000 in 1990, placing The Occupied Palestinian Territory 91st among 193 countries and territories in this key indicator.⁹ The available data, from other sources, indicate that the U5MR is lower than in many Arab countries, and OPT ranked as the fourth fastest among the Arab countries in reducing this rate from 1990 to 2003, after Egypt, Oman, and Libya.¹⁰ As shown in Table 1.1, infant mortality accounts for more than 85 per cent of the under-five mortality risks (Table 1.1) Infant mortality rates have also declined from 33/1000 in 1990 to 24/1000 in 2008. However, over the most recent period, there has been a slowdown in the decline of both under-five and infant mortality rate. In fact, disaggregated data from the 2006 Palestinian Family Health Survey show that in West Bank and Gaza, under-five, infant and neonatal mortality have been on the rise since the late 1990s (Figure 1.1)

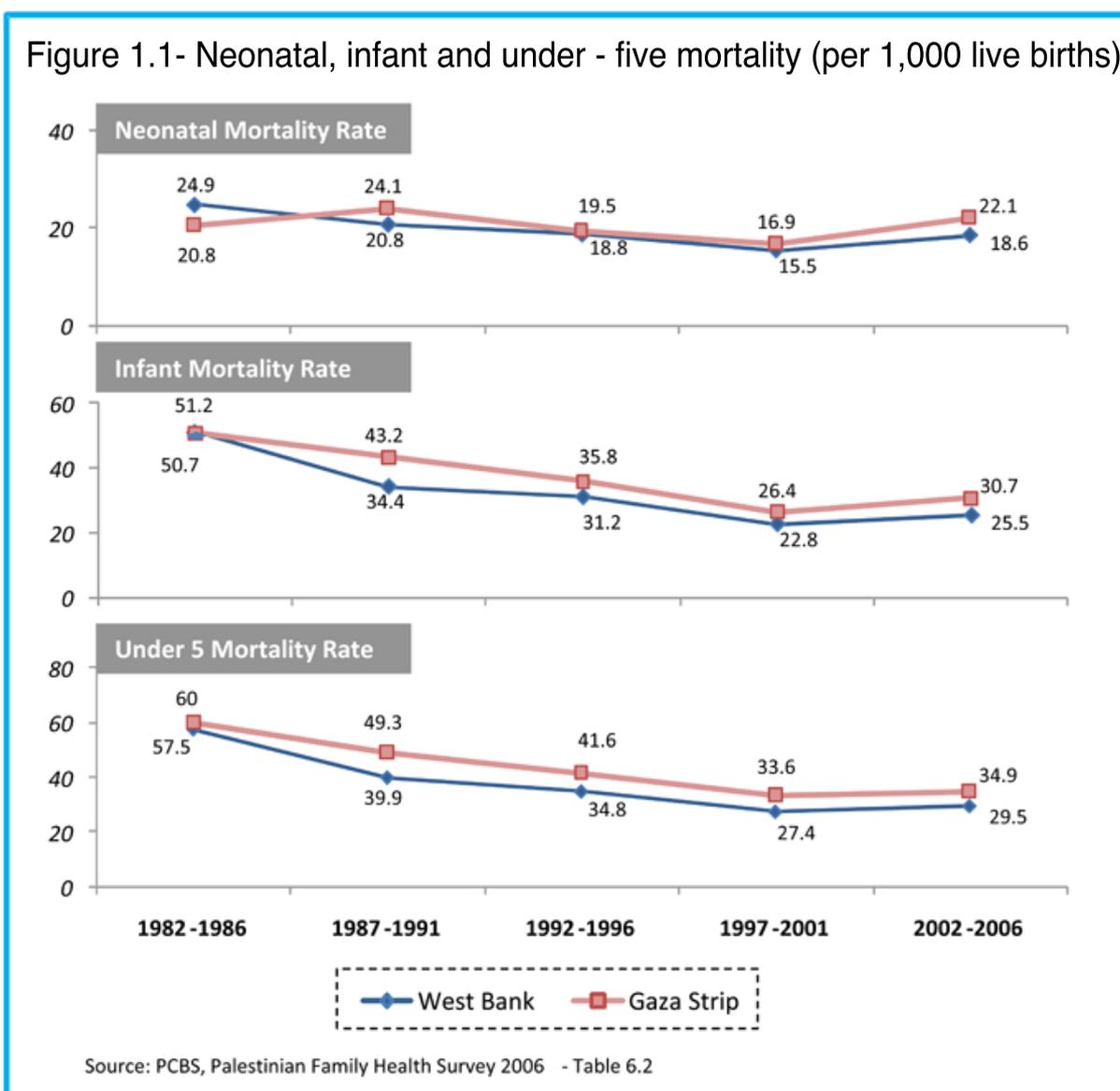
⁹ UNICEF, *The State of the World's Children – Special Edition, UNICEF, New York, November 2009.*

¹⁰ UN Economic and Social Commission for Western Asia (ESCWA), *The Millennium Development Goals in the Arab Region 2003, ESCWA, Beirut, 2003.*

Table 1.1. Under-5 and infant mortality rates (/1000 live births) in OPT: 1990-2008

Year	Under-5 mortality rate(U5MR)	Infant mortality rate (IMR)	Ratio of IMR over U5MR (%)
1990	38	33	87
1995	32	28	88
2000	29	26	90
2005	28	24	86
2007	27	24	89
2008	27	24	89

Source: 2009 UNICEF State of the World's Children. .



Causes of child mortality and morbidity

The available data from the Palestinian Authority Ministry of Health (MoH) annual reports in the last decade show no change in the four top causes of infant deaths; however, the magnitude or disease burden has changed for a few conditions such as prematurity, low birth weight, infections and congenital abnormalities and the progress vary strongly. For example, in 2007, respiratory infections accounted for 35 per cent of deaths, compared to 22 per cent in 2005, while low birth weight and prematurity accounted for 13 per cent in 2007 compared to 25 per cent in 2005; and congenital abnormalities, 16 per cent in 2007 compared to 21 per cent in 2005.¹¹

Neonatal mortality contributes more than 70 per cent of all infant deaths while the post-neonatal period deaths (contribute about 28 per cent. These figures are higher among females and in the Gaza Strip.¹² Further analysis of MoH Gaza health data for 2007 and 2008 from the neonatal units indicates a prevalence of 11 per cent of high-risk newborns in the respective years, with newborn mortality rates from 64-67 per cent in the first week of life compared to deaths in the 7-28 day period.¹³

Conflict conditions and the restrictions and closures imposed by Israel likely had an adverse impact on services and staff at neonatal centres in Gaza, and hindered access to services for new borns with congenital malformation and prematurity/low birth weight, which are among the main causes

of neonatal deaths.¹⁴ The same would apply for the West Bank where curtailed access and movement and infant deaths at Israeli checkpoints are yet to register in recorded data. Data for 2008 for Gaza show that the primary factors in newborn deaths now are asphyxia, congenital anomalies, sepsis and low birth weight, and that fully 67 per cent of neonatal deaths occur within the first seven days. UNICEF reported a 30 per cent reduction in newborn infections and asphyxia in Gaza over the period 2006-2007, in part due to the provision of basic essential obstetric and neonatal equipment to 17 primary health centres and referral hospitals.¹⁵ This trend can be correlated to the high rate of births occurring within government hospitals (98.9 per cent Gaza, 95.2 per cent in the West Bank, 96.6 per cent in OPT as a whole), which receive such equipment.¹⁶ Coinciding with this was the phasing-in starting in 2006 of the Maternal and Child Health Handbooks, which record information on an increasing number of infants' developmental health details concerning immunization and height and weight data, and play an important role in enabling both parents and health workers to monitor a baby's progress.

Data released by the Ministry of Health on under-five mortality revealed that pre-birth related complications (premature or low birth-weight births) accounted for 44 per cent of child deaths in 2007, while congenital abnormalities accounted for 13 per cent. It is evident that respiratory infections and congenital abnormalities are key causes of death. The rate of child mortality caused by

¹¹ Palestinian Authority, Ministry of Health (MoH), Annual Report, 2005; Annual Report, 2007.

¹² Palestinian Central Bureau of Statistics, Palestinian Family Health Survey, 2006: Preliminary Report, Ramallah-Palestine, April 2007.

¹³ MoH, Gaza, Newborn unit morbidity and mortality data for 2007 and 2008.

¹⁴ Palestinian Central Bureau of Statistics (PCBS), Palestinian Family Health Survey 2006, p. 93.

¹⁵ UNICEF, Annual Report 2007: occupied Palestinian territory, UNICEF/OPT, Jerusalem, 31 December 2007 (internal document).

¹⁶ PCBS, Palestinian Family Health Survey, p. 111.

respiratory infections was 5 per cent, whereas child mortality resulting from the symptoms of sudden death was 4 per cent in 2007. For children ages 1-4, accidents account for 27.7 per cent of total deaths, with traffic accidents contributing 11.7 per cent.¹⁷

Immunization

Improving post-neonatal survival rates are linked to improvements in the primary health care system's neonatal service, including immunization rates. Immunization is provided by the PA Ministry of Health, UNRWA (for those with a refugee status) and the Israeli Ministry of Health for those with Jerusalem identity cards. The MoH and UNRWA have unified their immunization schedules.

Data show that the proportion of immunized children increased from 49 per cent in 1996 to 96.8 per cent in 2006 to 98.5 per cent in 2008.¹⁸ The percentage is high in both the West Bank and Gaza Strip, and for all types of localities (urban, rural, refugee camps).

The findings of the Palestinian Family Health Survey indicated that two thirds of children under five had vaccination record cards (67%), more in the West Bank (69 per cent) than in the Gaza Strip (63%), and slightly more among males (67.6 per cent) than females (66%). The findings indicated that 99 per cent of children (ages 12–23 months) whose vaccination record card was inspected had received polio vaccination (third dose), 99 per cent had received the DPT vaccination (third dose) and 97 per cent received measles vaccination. The proportion of immunized children was the lowest in Jerusalem governorate, which follows the Israeli vaccination programme.

¹⁷ Palestinian Authority, Ministry of Health, *Health Status in Palestine, Annual Report, 2008*.

¹⁸ WHO-UNICEF EPI Joint reporting form 2008.

The percentage of children who received all vaccinations was lower in the West Bank than in Gaza Strip, probably due to UNRWA coverage in Gaza.¹⁹

Nutrition

Child under-nutrition rates have been increasing since 1996, especially with respect to chronic malnutrition (stunting – low height for age), although still within the alert threshold levels. Stunting (below -2SD [standard deviation]) had increased from a national average of 7 per cent in 2004 to 10 per cent in 2006 with a significant difference between the West Bank (8%) and Gaza Strip (13%). There are pockets within the districts with stunting rates of serious concern, such as North Gaza (30%).

The 2006 Palestinian Family Health Survey reported that 98 per cent of children under five were breastfed, with minimal geographic variation, and with 85 per cent of infants commencing breastfeeding within the first three hours. Breastfeeding rates are slightly lower for older mothers and the duration is shorter for mothers with higher educational attainment (which may reflect their engagement in economic activity), and by 24 months barely 20 per cent of children are still being breastfed. The main reasons for weaning are reported to be, in the infant's first year, a further pregnancy and, in the second year, a decision that the child is at weaning age.²⁰ The need to return to work is also a leading factor, in view of the difficult economic situation of so many households, especially those with children and the coping mechanism burden on women.

¹⁹ Palestinian Central Bureau of Statistics, *Annual Report 2009: Palestine Children-Issues and Statistics, Child Statistics Series (No. 12)*, Ramallah-Palestine, 2009.

²⁰ *Ibid.*, pp. 98-101.

Exclusive breastfeeding rates average 25 per cent for the first five months, with geographic variations (34 per cent in Qalqiliya and 33 per cent in north Gaza, but 11 per cent in Bethlehem). The MoH has been collaborating with UN and NGO partner agencies to develop a “National Strategy for Infant and Young Child Feeding” in conformity with international standards on exclusive breastfeeding in the infant’s first six months. MoH is also developing a “National breast-milk substitute law”, which will also require enabling legislation. Early Childhood Development protocols and policies were adopted in March 2005.²¹

Selective micronutrient deficiencies, especially anaemia, remain a challenge for children under five and pregnant women. According to a 2006 UNRWA survey, anaemia is still a public health problem among children and pregnant women, despite ongoing supplementation and food fortification programmes. The prevalence of anaemia among Palestinian pregnant women and children, 39 per cent and 48 per cent respectively, is almost three times the observed levels in Europe.²² Iron deficiency remain the main cause of anaemia; this is also indirectly related to other nutritional deficiencies such as lack of folate, vitamin B12 and vitamin A, diets rich in phytates and poor consumption of animal diets as reported by several other studies by the FAO, WFP and the Palestinian Medical Relief Society.

MoH has instituted primary surveillance of the critical age period of 9-12 months as being more efficient in monitoring micronutrient measurements than for the broader under-five year age group. The associated priority

21 Discussion with MoH staff (Nutrition Department), January 2009; Palestinian Authority Ministry of Planning, “Plus 5” Review of the 2002 Special Session on Children and World Fit for Children Plan of Action: Occupied Palestinian Territory, Child Rights Planning Unit, MoP, 2007, p. 14.

22 UNRWA, Anaemia survey in OPT, 2006.

of preventing and treating micronutrient malnutrition combines measures in micronutrient supplementation, food fortification and dietary diversification. This includes the flour fortification initiative (a formula defining levels for 10 nutrients), which is receiving support and cooperation from Palestinian millers and importers as well as the customs department, and aims to attain a 90 per cent level of household consumption of iodized salt. This is part of a public-private partnership aiming to achieve universal salt iodization and the elimination of iodine deficiency by 2015.

1.3. The right to development

The formal education system in The Occupied Palestinian Territory has undergone substantial development since the establishment of the Palestinian Authority in 1994. The Ministry of Education and Higher Education (MoEHE) and UNRWA are the primary education providers in a system that has seen a two-thirds growth in student numbers in basic education since 1994, and a trebling of numbers in secondary education over the same period.

Hundreds of new schools have been built, thousands of teachers have been recruited, and a modern Palestinian curriculum prepared for all grades in general education, with a main part of it related to information technology. Compulsory education was expanded from nine to ten years, and the new Palestinian curriculum reform plans were gradually introduced for implementation during the scholastic years from 2000 to 2006. These accomplishments resulted in increasing enrolment rates, especially among females,

with full gender equity being achieved in enrolment in basic education by 2008.²³

Early childhood development

Early childhood education (ECE) in OPT is considered informal education for children under six years of age. ECE is divided into two stages; the nursery stage for children between 0-3; this is under the supervision of Ministry of Social Affairs, which is responsible for licensing, inspection and supervision of caregivers. The second stage is pre-school for children between 3 and 5.8 years. The private sector runs both nurseries and pre-schools. There are four pre-schools run by the Ministry of Education and Higher Education, two in the West Bank and two in Gaza. One third of children of this age group attend pre-school.

The MoEHE is responsible for licensing and supervision of kindergartens (KGs). In 2006-2007 kindergarten enrolment was 77,142 children in 935 KGs with 2,974 teachers. The majority of teachers only hold a high school diploma. The child/teacher ratio was 30:1. The Ministry sees the need to develop and establish a comprehensive Palestinian national framework to provide broad guidelines and standards for the coordination and harmonization of quality services across the early childhood sector. The existing sector guidelines related to early childhood education services are not supported by a clear overarching framework, and there are clear gaps in service delivery affecting the quality of educational services for the overall development of the child.

²³ Palestinian Central Bureau of Statistics, Millennium Development Goals (MDGs) - Statistical Report. Ramallah – Palestine, 2009

School infrastructures and enrolment

The number of schools in OPT totaled 2,430 in 2007/2008: 1,615 for the basic stage and 815 secondary schools. Of the total schools, 74 per cent are in the West Bank and 26 per cent in the Gaza Strip.²⁴ Government schools made up 75.4 per cent of the total, UNRWA-run schools constituted 13 per cent, and private schools the remaining 12 per cent. Since the PA took responsibility for education in 1994, there has been an emphasis on increasing school capacity to accommodate more students. The number of basic schools increased from 1,098 in 1995/1996 to 1,615 in 2007/2008. The number of secondary schools in 2007/2008 was 815, compared with 372 in 1995/1996.²⁵

Average student/teacher ratios in 2007/2008 were 25:1 for government schools, 29:8 in UNRWA schools, and 17:3 in private schools. As for teacher qualifications, 25 per cent of teachers at basic and secondary schools had intermediate diplomas and 71 per cent had BA degrees, and only 3 per cent had Masters degrees or higher.

At the outset of the scholastic year 2007/2008, just over 1 million students were enrolled in the basic and secondary stages of education in OPT. Female students constituted almost exactly 50 per cent of the total enrolled. Female enrolment varied from one stage to another: in basic education, females constitute 50 per cent, compared with 53 per cent in the secondary stage. Of the total student enrolment, only 13 per cent were enrolled in the secondary education stage, and 87 per cent in the basic stage; 60 per cent of all students in the basic education stage were in the West Bank and

²⁴ Palestinian Central Bureau of Statistics, Annual Report 2009. Palestine Children – Issues and Statistics. Child Statistics Series (No. 12). Ramallah – Palestine, 2009.

²⁵ Includes schools that have both basic education and secondary school education as well as secondary schools.

40 per cent were in the Gaza Strip. For the secondary stage, 59 per cent were in the West Bank and 41 per cent in Gaza.²⁶

Increasing enrolments in OPT need to be viewed in the context of a fast-growing child population. Despite the growth in the pre-school population, enrolment rates have sharply declined from an estimated 34 per cent of 4-5 year olds in 1996/97 to 25 per cent in 2006/07, and the data trends point to reversals particularly coinciding with the second intifada that began in September 2000. Other contributing factors are costs and capacity – poor pupil-teacher ratios, insufficiently trained staff and low rates of entry to basic education of pre-school attendees.

In OPT as a whole, the average number of students per classroom in the scholastic year 2007/2008 was 35 at basic stage and 31 at secondary stage. Classroom density in basic schools was higher in Gaza than in the West Bank (42 students per classroom in Gaza Strip and 31 students per classroom in the West Bank). At the secondary stage, class density was 40 in Gaza and 27 in the West Bank. The situation is worse at UNRWA schools where average classroom density in the basic stage was 42.

In the West Bank, where UNRWA operated 94 schools with 56,000 pupils, UNRWA cooperates very closely with the Ministry of Education, participating in technical coordination committees to discuss issues such as textbooks, schools buildings and teacher training. UNRWA was involved in the discussion regarding the new Palestinian curriculum, which was implemented gradually

²⁶ Palestinian Central Bureau of Statistics, Annual Report 2009. Palestine Children—Issues and Statistics. Child Statistics Series (No. 12). Ramallah—Palestine, 2009

from 2000 to 2005 in public, UNRWA and private schools.

Learning achievements

The results of international exams for evaluation of the learning skills of pupils at the basic education stage indicated that Palestinian schools ranked among the lowest in comparison to other countries. Overall, learning outcomes have plummeted in OPT. The 2007 Trends in Mathematics and Science Study (TIMSS) showed that Palestinian 8th graders scored 133 and 96 points below the global average in mathematics and science respectively; in 2003, their scores were 38 and 76 points below the global average, respectively. The *Tawjiji* national matriculation exam (which could be compared to the baccalaureate) results reveal downward trends in both sciences and literature. West Bank results in literature dropped by 13 per cent and Gaza *tawjiji* results in science dropped by 10 per cent between 2008 and 2009.²⁷ In 2007-2008, only one in five of 16,000 Gazan sixth-graders passed standardized tests in math, science, English and Arabic, as did about half of their peers in Nablus and Jenin.

These results can be partially explained by internal closures and other restrictions on movement and access, including the impact of the West Bank Barrier. Limited resources to fund employment of additional teachers, school maintenance and construction of new classrooms have also affected the learning process, as well as the overall stress and burden of violence and occupation on Palestinian children.²⁸ While the PA has increased the number of government schools from just over 1,000 in 1994 to more than 1,800 today,

²⁷ Ministry of Education and Higher Education (MoEHE) figures, 2009.
²⁸ UNRWA West Bank Field Office, Needs Assessment, June 2008.

UNRWA has had to seek dedicated donor funding for construction of additional schools and classrooms. Still, the Agency was able to reduce the proportion of its schools that run on “double shifts” (two schools sharing one building in morning and afternoon shifts) from 26 per cent in 2006 to just 6 per cent in 2008.²⁹ That figure increased again in Gaza after the 2008-2009 conflict where a significant amount of schools in Gaza were either partially or completely destroyed.

Gender balance in education

Of the total of more than 1 million students enrolled in all grades in all schools in OPT in the 2005/2006 scholastic year (the latest year published in MoEHE statistics), as well as in PA and UNRWA schools, the gender distribution overall was 50 per cent male and 50 per cent female. In private schools, the balance tipped heavily in favour of male students (59%) over females (41%). In the Gaza Strip, where the total number of students in all schools in 2005/2006 was 235,151, there was near equal gender balance, with 51 per cent female and 49 per cent male.³⁰

In the West Bank, gender disparities can be found at the secondary, vocational and tertiary level. Enrolment rates for girls in secondary education are higher (85 per cent) than for boys (78 per cent). Secondary education is divided into academic and vocational education. Girls account for over 50 per cent of students in academic education, but this is not the case for vocational education. By 2006, girls' enrolment in vocational education – which comprises industry, agriculture, commerce, hotel/catering and religion streams – stood at

5 per cent. The majority of girls concentrated in commerce and religion, two subjects that provide girls with skills that are useful for the service sector or education, jobs that are traditionally acceptable for women. Tertiary enrolment also presents an unbalanced picture as most female students are enrolled in subjects that represent an extension of their traditional roles: health care, teacher training, arts and humanities.³¹ Moreover, gains made by women in education are not being translated into employment.³²

School drop-out

The drop-out rate at the basic stage in the scholastic year 2006/2007 in OPT was one per cent for male and female students. At the secondary stage, the rates were 3 per cent for males and 4 per cent for females. The drop-out rate among females at the secondary stage in 2006/2007 was 4 per cent - 3 per cent in the West Bank and 5 per cent in Gaza Strip - while the rate at the basic stage was less than one. For a variety of reasons – including poor learning environments, violence and limited extra-curricular activities, adolescents are prone to drop out after basic education (grade 10, roughly age 16). In 2007, almost 30 per cent did not enroll in secondary school at all. Primary reasons cited were the need to work to help support their families, early marriage, drug abuse, and political polarization.

School violence

According to the Palestinian Central Bureau of Statistics, 53 per cent of mothers in the West Bank reported that one of their children aged 5-17 years old had been exposed to violence in 2005, mainly at home (93 per cent) and at school (45 per cent). Moreover, a United

²⁹ *Ibid.*

³⁰ Ministry of Education and Higher Education, *Statistics About General Education in Palestine 2005-2006*, available at www.moehe.gov.ps/downloads/pdf/files/statisticE.pdf, accessed 26 November 2009.

³¹ UNRWA West Bank Field Office, *Needs Assessment, June 2008*.

³² UNRWA West Bank Field Office, *Needs Assessment, June 2008*.

Nations Girls Education Initiative (UNGEI) survey showed that more than 50 per cent of students in West Bank schools are subjected to physical and verbal violence practiced by teachers and sometimes by students themselves. Anecdotal evidence and teachers accounts in UNRWA schools report that school violence has increased in recent years.³³

Focus group discussions conducted for this study showed that participants identified discrimination (“poor” vs. “rich”) and jealousy between students as leading causes of school violence. Some participants said parents were not aware, were passive or allowed their children to engage in aggressive behaviour. Participants also said that stress caused by poverty, family problems, home density, parental arguments, psychological problems, the political situation, and violence and abuse at home were other causes of violence at school.

The Birzeit study revealed a situation of persistent violence being experienced in schools. Figures reported included those of violence practiced by teachers against students, revealing that 41 per cent of school students were beaten by their teachers at least once in the year that preceded the date of the study, with 48 per cent of respondents reporting having been insulted by teachers in the same period.

The study also showed that 20 per cent of students acknowledged having used violence (beating) against their teachers at least once. More than 27 per cent of students acknowledged verbally abusing their teachers, while 20 per cent of teachers reported having been subjugated to violence inside schools by

students and 30 per cent had endured violence by parents.

There was also peer-to-peer violence, with 21 per cent of students having faced severe beating by their peers and 61 per cent of students experiencing verbal abuse from other students. While verbal and psychological abuse was almost equally used against male and female students, the study revealed that physical forms of violence were mostly directed at males.

Another finding in the study was that teachers found recourse to violence a “socially acceptable” way of disciplining children. Overall, 44 per cent of teachers interviewed said they had used beating to punish students during the past year, 51 per cent believed that beating was an acceptable means of punishing students and improving educational attainment, while 70 per cent of the teachers interviewed said that they carried sticks and hoses while in school.

The study found that the monitoring of violence and systems for problem follow-up in schools were weak. There was a lack of communication and dialogue among teachers; parents found it acceptable that teachers beat their children; and students were not aware of regulations that should be applied in schools for their protection. Most significantly, the study revealed that school achievement was shown to have a clear link to the level of exposure to violence by school staff: the lower the achievement level of the students, the higher were the levels of different forms of violence being perpetrated against them.

Much of the violence experienced by school-age children in OPT outside homes and schools

³³ UNRWA West Bank Field Office, *Needs Assessment, June 2008*.

is related to the Israeli occupation and occurs at checkpoints or roadblocks or other locations where Palestinians come into direct contact with Israeli occupation forces or settlers. A 2005 study by Birzeit University (West Bank) on school violence in OPT found that the following types of abuse were encountered by children on their way to school:

- Beatings (7 per cent)
- Sexual harassment (verbal or touching) by Israeli soldiers (5 per cent)
- Arrest (2 per cent)
- Tearing up of books and notebooks (2 per cent)
- Being forced to wait long hours at Israeli roadblocks (36 per cent)
- At times not being able to reach schools (19 per cent)
- Subjected to cursing and swearing by soldiers (15 per cent)
- Having schoolbags searched (11 per cent)

The blockade and education in the Gaza Strip

The blockade and restrictions on the movement of goods and people across Gaza's borders have constrained the functioning of the education system in Gaza, negatively impacting the quality of the education provided to Gaza's students. The lack of building materials needed to expand or repair existing educational facilities has resulted in overcrowding in schools and kindergartens.³⁴

The problem was compounded by heavy damage to schools resulting from the 22-day Israeli offensive on Gaza in December 2008-January 2009. According to a rapid assessment by the UN, at least 280 schools and kindergartens were damaged, including

³⁴ UN Office for the Coordination of Humanitarian Affairs, *occupied Palestinian territory, Locked in: The humanitarian impact of two years of blockade on the Gaza Strip, Special focus, OCHA/OPT, Jerusalem, August 2009.*

18 educational facilities totally destroyed (8 governmental schools, 2 private schools and 8 kindergartens).³⁵ No significant rebuilding and repair had been done by the middle of 2010, due largely to restrictions on the import of building material.³⁶

The blockade has also been affecting education by restricting the import of some school supplies, including paper, text books, computers, and educational kits. However, following intense pressure in the aftermath of the Turkish flotilla incident in June 2010, Israel announced a new policy in which whatever was not on the "restricted list" would now be allowed into the Gaza Strip. The only goods that are currently restricted, Israel says, are arms, weapons and various war "materiel", and certain items that could have dual military as well as civilian applications. These last items, which include construction materials are currently allowed in only for PA-approved projects that are under the supervision of international bodies³⁷. UNRWA had been unable to print 10 per cent of its required textbooks due to shortages of ink and paper. More than 5,000 new school desks were also being prevented from entering Gaza. By the end of the 2007/2008 school year, 88 per cent of the 221 UNRWA schools and 82 per cent of government schools were operating on a double-shift system to accommodate the growing number of students.

The internal Palestinian political divisions resulted in the teachers' union in Ramallah issuing a call to strike in Gaza at the start of the 2008/2009 academic year, with a reported 50 per cent of teachers heeding the initial call.

³⁵ *Ibid.*

³⁶ UN Office for the Coordination of Humanitarian Affairs, *occupied Palestinian territory, weekly Protection of Civilians reports, OCHA/OPT, Jerusalem, 2010.*

³⁷ Israeli Ministry of foreign Affairs website, 14/8/10

Approximately 6,000 teachers were appointed by the Hamas authorities to replace the striking teachers, but there were concerns about the quality of education in PA schools in Gaza³⁸.

1.4. The right to protection

Policy development in the field of child protection has been uneven in OPT. Some institutions such as the Ministry of Social Affairs (MoSA), have drafted policy documents directly addressing certain child protection issues. Other institutions rely on unwritten procedures leading to *ad hoc* treatment or neglect of cases. Currently, there are no sector-wide national policies establishing a child protection system or referral network.

In the absence of a Palestinian state, these rights remain, first and foremost, obligations on the occupying power, Israel, even while the Palestinian Authority assumes statutory responsibilities in this regard across the occupied territory. In addition to evolving PA legislation, there are different laws in place, including Jordanian law in the West Bank, Egyptian law in Gaza, UNRWA registration regulations and religious laws. Israeli police orders and a wide range of military orders also apply in the OPT.

Birth registration

The authority responsible for registration of births is the PA Ministry of the Interior, which has registration offices in all main population centres, although the Ministry of Health carries responsibilities for issuing the documentation necessary to enable such registration to be made, in accordance with Child Law No. 7 of

2004 (Article 15). A written record of birth is issued to parents prior to the mother and baby being discharged from the maternity service. This specifies the details of the child's birth and parentage, and is the document then used to register the infant's birth with the Ministry of the Interior. The parents are required to register the birth within 14 days, and there is a financial penalty for late registration. In practice, the late penalty may be waived for an acceptable reason, such as birth outside of the OPT, and – under the continuing authority of Israeli martial law – births need to be registered before the child turns five years of age. This requires production of the hospital birth certificate; otherwise the registration must take place via an application to Israel for family reunification.

As a consequence of the Palestinian-Israeli "Declaration of Principles" in 1993, a 1995 agreement provides for birth registration up to 16 years, which has also permitted some rectification of the non-registration by Israel of many Palestinians born before that date. Nevertheless, for some children aged 5-15 years, the Israeli authorities may reject or delay requests for family reunification, so that a child may have to remain outside of the country with its parents if their claim is rejected, or live in the OPT with a single parent. This means Palestinian children may remain isolated from their families, and many may not be granted the opportunity even to know them. At the end of 2008, 90,000 requests for family unification remained pending with the Israeli authorities, and 32,000 such requests had been approved since October 2007³⁹.

³⁸ Country Team, *occupied Palestinian territory, Consolidated Appeals Process (CAP) report*, OCHA, 2009.

³⁹ Human Rights Watch, *World Report 2009: Events of 2008 (2009)*, p. 474.

Children affected by armed conflict

In OPT, occupation policies and practices actively increase the vulnerability of children to violence, abuse, neglect and exploitation. The Occupied Palestinian Territory is a place where children may become, deliberately or incidentally, the victims of extreme acts of violence and brutality, such as targeted and/or negligent killings, indiscriminate attacks on their homes, schools, camps and

neighbourhoods, maiming, and other forms of physical and psychological violence—including torture, arbitrary arrest and detention, house demolitions, land confiscation and obstruction of livelihoods, discrimination and harassment. It is estimated that over the 2005-2008 period, 334 Palestinian children were killed and 1,461 injured; the corresponding figures among Israeli children were 11 killed and 26 injured (Table 1.2).

Table 1.2: Occupation-related deaths and injuries of Palestinian and Israeli children

		2005	2006	2007	2008
Deaths	Palestinian	61	135	53	85
	Israeli	5	2	0	4
Injuries	Palestinian	145	493	299	524
	Israeli	4	7	3	12

Source: OCHA, Protection of Civilians: Casualties Database at <<http://www.ochaopt.org/poc/index.php>> (accessed 31 January 2009), data for direct and indirect causes of the conflict (2008 data appear to be up until 2 December)

The number of Palestinian children killed or injured during the 7 months following the December 2008 – January 2009 Gaza crisis is higher than those recorded during the 2005-2008 period (Table 1.3)

Table 1.3. Palestinian and Israeli children killed and injured: January-July, 2009

Deaths/Injuries	Jan	Feb	March	April	May	June	July	Total
Palestinian Children Killed by Area								
Gaza killings	350	4	2	0	0	1	2	359
West Bank killings	0	1	1	0	0	0	0	2
Total killed	350	5	3	0	0	1	2	361
Palestinian Children Injured by Area								
Gaza injuries	1,600	11	3	0	0	2	2	1,618
West Bank injuries	0	16	18	0	24	17	6	81
Total- Injured	1600	27	21	0	24	19	8	1699
Israeli Children Killed								
Deaths	0	0	0	1	0	0	0	1
Israeli Children Injured								
Injuries	0	0	0	1	0	0	0	1

Source: Israel/OPT Working Group on grave violations against children

The issue of children in armed conflict has been given progressively stronger shape by three particular UN actions:

- the General Assembly's decision in 1996 to establish the mandate of the Special Representative of the Secretary-General for Children in Armed Conflict
- the General Assembly's adoption in 2001 of the optional protocol to the CRC on 'the involvement of children in armed conflict'
- the Security Council's adoption in 2005 of Resolution 1612 concerning 'the protection of children affected by armed conflict'.⁴⁰

On one hand, this cumulatively reflects the inadequacy of state responses to address fundamental child rights violations despite the obligations contained in the CRC. On the other, it affords a more formal action and response framework to monitor the situation of children affected by armed conflict.

Resolution 1612 requires specific measures for monitoring and reporting of grave violations committed both by States and by armed groups – in the case of OPT, the primary duty bearer is the obligated State party, the Government of Israel. The list of grave violations to be monitored are: killing or maiming of children; recruiting or using child soldiers; attacks against schools or hospitals; rape or other sexual violence against children; abduction of children; and denial of humanitarian access for children. In addition to these six violations the Israel/OPT working group on grave violations against children also monitors and reports on

40 UN Security Council Resolution 1882 was adopted on 4 August 2009. This resolution builds upon UN SC Resolution 1612, and states that countries will be obligated to report on grave violations if there are systematic reports of sexual violence, and/or killing and maiming of children. The Resolution also calls for Action Plans to be developed.

detention, torture, and forced displacement of children as there are continued violations against children in this regard. A "1612 working group" of various organisations has been established to monitor the resolution's application and gather information on the violations against children in OPT and reports them to the SRSG for Children Affected by Armed Conflict on a regular basis

The working group is an inter-agency set up made of UN agencies and NGOs, chaired by UNICEF's OPT representation. Members of the working group include: al-Mezan Center for Human Rights, Save the Children UK, Save the Children Sweden, DCI-Palestine, B'Tselem, and Palestinian Centre for Human Rights (PCHR), UNOCHA, UNOHCHR, UNICEF, UNRWA, and WHO. In 2009 the Working Group provided regular reports to the SRSG CAAC, a submission to the UN Fact Finding Mission on the Gaza Conflict (Goldstone Report), and UNICEF OPT, DCI-Palestine/DCI-Israel, and the OSRSG provided written submissions to the Committee on the Rights of the Child OPAC (Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict).

Use of children by state and/or armed groups

For military recruitment, the relevant provision within OPT is *Child Law No 7 of 2004*, which prohibits the 'use of children in military actions, or armed conflicts' (art 46). The *General Intelligence Law No 17 of 2005* similarly forbids recruitment before the age of 18 years (art 27). Although there is no explicit reference to the voluntary enlistment or conscription of minors – including within the *Law of Service in the Palestinian Security Forces No 8 of*

2005 – those existing legal provisions appear to sufficiently prohibit such enlistment or involvement of children. The CRC Optional Protocol provides that recruitment into armed services of persons below the age of 18 should not occur for children below 15 years (by virtue of its reference in the preamble to the International Criminal Court’s deeming of this as a war crime, but also bearing in mind the similar provision of CRC article 38(3)), must be voluntary and must ensure that they are not engaged in hostilities; OPT law appears to be consistent with those provisions. There is no military training within the education system.

The UN Secretary-General has reported that there is no evidence of systematic attempts to recruit children to Palestinian armed groups for training or operations (the Optional Protocol prohibits armed groups from the recruitment or use in hostilities of under-18 year olds (article 4(1)). However, there are individual cases that appear to breach the Optional Protocol, including – for the period October 2006 to August 2007 (the Secretary-General’s reporting period) – a 13 year old boy recruited by Hamas for monitoring and information-gathering on drug dealers and collaborators with the occupying force, and a 16 year old boy detected by IDF soldiers carrying explosive devices for a suspected suicide attack against them. In addition, UNICEF has recorded 15 anecdotal reports considered to be reliable of adolescent recruitment by militia factions in mid 2007 and of some participation by 16-17 year olds in assisting in rocket launching.

The Secretary-General has cited reports that Israel’s security agency “continues to seek to recruit Palestinian children to be used as collaborators inside prisons or upon

their release”, but that such children are (understandably) reluctant to comment, although he cites one 2007 case involving a 16 year old boy.⁴¹ DCI/PS has reported that 40 per cent of Palestinians accused of collaboration with the IDF and arrested by the PA were children.⁴² With respect to Israeli children, the IDF administers schools in which children from 13-14 years dress in military uniform and, from 14-15 years, are able to engage in voluntary military training. The Israeli police force recruits children into its civil guard, and provide weapons training from 16 years. An Israeli NGO – New Profile – reports that young Israelis are “saturated with the idea of enlistment” in the military service from age 16.⁴³ As a state party to the Optional Protocol, this surely raises concerns about its requirement that the military recruitment of under-18 year olds be “genuinely voluntary”, as well as the military affiliation of under-15 Israeli children.

The Secretary-General, in his 2007 and 2008 report on children and armed conflict, also raises the issue of IDF use of Palestinian children as human shields. This was recently discussed at the Committee on the Rights of the Child during their discussions on Israel’s OPAC Report in October 2009.⁴⁴ The written submissions highlighted grave concerns about the use of children as human shields, notably during the Gaza crisis of December 2008 – January 2009, but also on other occasions. The Israel/OPT Working Group on grave violations against children has reports of seven children used as human shields in three

⁴¹ *Ibid.*, paras 82-3.

⁴² Cited in *Coalition to Stop the Use of Child Soldiers*, *op. cit.*, p 185.

⁴³ *Ibid.*, pp 184-185.

⁴⁴ Israel submitted its Initial Report concerning the implementation of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (15 April 2009). UNICEF OPT, DCI-Palestine, and the OSRSG CAAC provided written submissions to the pre-session meeting of the Committee. The Government of Israel will present its Initial Report and answer questions before the Committee in January 2009.

separate incidents during this crisis. Despite being a war crime as well as a contravention of an Israeli High Court ruling of 2005 banning its use, investigations of documented cases of IDF use of children as human shields are rarely carried out. Practices include deploying civilians to an area to protect it from attack, forcing them to enter houses to search for explosives or to remove suspicious objects from roads, or having them walk in front of IDF soldiers during incursions to prevent Palestinian retaliation, even whilst the soldiers fire over them.

Children in Israeli detention

Israel's occupation of the Palestinian West Bank is governed by 1,500 Military Orders that are enforced in the Military Courts of the territory. Children are defined under Military Order 132 as persons aged less than 16 years, even whilst an Israeli child in either Israel or in an illegal settlement in the West Bank is considered to be a child for the purposes of judicial process until reaching 18 years. Furthermore, the age of the Palestinian child under occupation law is defined as that at the age of sentencing rather than at the time of the alleged offence. The sentence that may be imposed is a period of up to six months imprisonment for a child aged 12-13 years (at the time of sentencing) and, for a child aged 14-15 years, a period of 6-12 months imprisonment for offences with a maximum penalty of five years, and a potential life sentence for offences with a greater maximum penalty.⁴⁵

Children aged 16 years or over at the time of sentencing are sentenced as for adults. As described below, the use of torture and other measures to force a confession are common

45 Defence for Children International/Palestine Section, *Palestinian Child Prisoners 2007 (2008)*, pp 9-10.

for children in Israeli detention. Delays in bringing cases to trial – even in getting a charge laid – also constitute cruel treatment commonly leading to a plea bargain where the child is facing a critical birthday that will elevate the sentence; that is, 14 years and, even more catastrophically for the child, 16 years. Detention periods may be extended up to 188 days before a charge must be laid. Despite a 1999 ruling by the Israeli High Court prohibiting anything beyond a 'reasonable interrogation', DCI/PS reports that the "specific techniques used regularly by Israeli interrogators on Palestinian children include a combination of": excessive use of blindfolds and handcuffs, beatings (slapping and kicking), sleep deprivation, solitary confinement, denial of food and water for up to 12 hours, denial of access to toilets, denial of access to a shower or change of clothes for days or weeks, exposure to extreme cold or heat, position abuse, yelling and exposure to loud noises, insults and cursing.⁴⁶ Such measures are supplemented by a range of threats of physical violence to the child or its family members, unduly lengthy sentences, sexual abuse, attack by a dog, electrical shocks or other forms of abuse, and family home demolition. DCI/PS reports that the frequency of such practices indicates their official, if unwritten, sanction, and that there has been a move away from more physical forms of torture to psychological methods.

On 29 July 2009 a new Military Order was issued purporting to establish a juvenile military court in the West Bank. Military Order 1644 provides for the appointment of 'juvenile judges' amongst other steps. Yet much of the language in the Order is discretionary, and

46 *Ibid*, p 15.

is not mandatory. While the adoption and implementation is a useful step, children are still going to be tried under a military system, by the Occupying Power. Military Order 1644 came into effect in October 2009 – it has not yet been fully implemented, and it is not yet clear how the Order will be rolled out and applied in practice. Child Protection organizations do not agree with children being brought before military courts – such courts do not have sufficient due process guarantees, and from a Child Protection perspective charging children under military measures is highly problematic.

The result of such fundamental breaches of so many international instruments – and not the least the CRC – is that there is a high rate of confession by children to whatever they are alleged to have done. DCI reports that confession is often pre-prepared for the child, sometimes in Hebrew, and in the lead-up to

signing a confession the child is denied access to his or her family and lawyer.⁴⁷ Military Order 378 permits a Palestinian child detainee to be denied access to a lawyer for 15 days with possible extension for a further 90 days. Once signed, the confession forms the basis of the child’s indictment in the Israeli Military Court. Judges in these courts frequently are career military officers who lack a legal background or training, thus failing international standards for a fair trial.

In 2008 the most common offence Palestinian children were charged with under Israeli Military law was stone throwing (Table 1.4) – this charge was made in 26% of cases and carries a maximum penalty of twenty years imprisonment.⁴⁸ “In 91% of all cases involving Palestinian children, bail was denied.”⁴⁹

Table 1.4: Palestinian children in the Israeli justice system: age groups, sentences and charges (%) (2004-2007)

Child’s age, sentence and charge	2004	2005	2006	2007
Age group				
12-14 years	15.7	15	-	12.7
15-16 years	33.4	32	11.7	32.2
17 years	50.9	53	88.3	55.1
Sentence				
<6 months	42	34.8	28.2	37
6-12 months	9.8	13.9	16.4	12.3
1-3 years	28.5	36.4	47.9	35.8
>3 years	19.7	14.9	7.5	14.9
Charge				
Stone throwing	31	22.2	63.8	25.7
Possess &/or throw Molotov cocktail	14.2	14.3	6.6	10.1
Member of banned organisation	15.3	9.7	18.8	6.2
Attempt to kill an Israeli & conspiracy	18.3	21.3	3.8	30.1
Possess explosives	7.3	12.2	3.2	10.6
Possess weapons	13.9	14.5	3.8	11.2
Other	-	5.8	-	3.6

Source: DCI/PS, Palestinian Child Prisoners 2007 (2008), p 26.

⁴⁷ Ibid, p 17.

⁴⁸ As per Military Order 378. See DCI-Palestine, “Palestinian Child Prisoners: They systematic and institutionalized ill-treatment and torture of Palestinian children by Israeli authorities.” June 2009, page 6.

⁴⁹ Ibid.

It appears that the Military Court has been applying heavier sentences to Palestinian children. Table 1.4 shows DCI/PS data on age groups, sentences and charges for the period 2004-2007. An imprisoned Palestinian child can expect very poor physical conditions of incarceration, and negligible if any suitable education. For example, girls will only receive an education if provided by adult female prisoners, and the teaching of geography has been withheld from instruction on the grounds of 'security', despite a 1999 Israeli District Court ruling that Palestinian children have the same right to an education as do Israeli children in detention. In addition, the Secretary-General has observed that the "systematic transfer of Palestinian child prisoners outside The Occupied Palestinian Territory into Israel is in direct violation of the Fourth Geneva Convention".⁵⁰

Palestinian children are detained in 15 prisons, of which 13 are operated by the Israeli prison service and two by the IDF, and at least nine of these prisons are located outside OPT, in Israel. Approximately 30 Palestinian children each year are subject to 'administrative detention', which means detention for up to six months without charge or trial, and the possibility of repeated extensions indefinitely, on the basis of 'evidence' that is not made available to the child or his or her lawyer. This is a practice – only permitted under international law in very limited circumstances and only as a very last resort and for the shortest possible period of time for a child – that has been applied to Palestinian children by Israel only since the second Intifada in 2000. At the end of December 2009, 42 children aged 12-15 were under Israeli detention, up from 30 in December 2008⁵¹.

⁵⁰ General Assembly & Security Council, UN Doc A/62/609-S/2007/757, op. cit., para 86.

⁵¹ See www.dci-pal.org

Overall, although the number of Palestinian children (below the age of 16 years) in Israeli detention facilities fell from 342 in December 2008 to 305 in December 2009, the monthly average in 2009 was 355, 11 per cent higher compared to the corresponding figure of 319 for 2008.

Israeli settler violence

There is an increase in information on incidences involving violence, assaults, beatings, shootings, stone throwing and hit-and-run attacks by settler groups against Palestinian children in the West Bank. Israeli settlements in the West Bank and East Jerusalem are considered illegal by the United Nations. In the first five months of 2008, OCHA documented 42 settler attacks, including two child death and forty-two children injured as a result of Israeli settler attacks. In 2007, Israeli human rights NGO Yesh Din reported that the settlers are committing these violations with impunity⁵². The IDF is responsible for settler protection and tends to ignore their attacks. Moreover, the victims face significant physical and bureaucratic difficulties in filing complaints, and investigations – if finally carried out – show serious negligence and disregard for the most cursory investigative procedures. Poor procedures include the handling of complaints in Hebrew, police rarely visiting the scene, key witnesses not interviewed, suspect identification lineups rarely being conducted, alibis often remaining unchecked, and cases often closed while the files are still incomplete. The NGO focused its first project on an examination of Israeli law enforcement procedures upon Israelis who harass Palestinians in the West Bank. In this regard, it has reported that 96 per cent of cases of trespassing, including the harming of

⁵² Yesh-Din activity report, September 2006 – September 2007

orchards and trees, where the investigation was completed were closed without indictment; similarly for 100 per cent of property offences and 79 per cent of assault cases. In July 2008, Yesh Din reported that 85 per cent of the settler assault cases they had been monitoring since 2005 and for which investigations had been completed were closed without indictments.⁵³

Protection from abuse, violence and neglect

In 2005, Palestinian authorities reported that 51 per cent of Palestinian mothers in the OPT stated that one of their children (aged 5-17 years) had been exposed to violence during 2005, 53 per cent in the West Bank and 49 per cent in Gaza Strip. Data showed that rural children were more exposed to violence (56%) with 50 per cent in urban areas and 47 per cent in refugee camps. Data also revealed that 93 per cent of children experienced domestic violence and 35 per cent stated to have been subjected to violence in the neighbourhood.⁵⁴ In 2007, UNRWA reported that the number of refugee children who notify UNRWA counselors regarding exposure to different forms of violence has been increasing with a rise from 18,171 cases reported in 2006 to 36,156 cases in 2007. A total of 11,112 children were referred to the counselors in the first quarter of 2008.⁵⁵

Data are limited on the issue of sexual violence. It is widely understood that acts of sexual violence against women and girls are not infrequent and go unreported. A survey of 1,153 adolescent girls from the West Bank

conducted in 2004 reported that 7 per cent of respondents claimed to have been sexually harassed by a brother and 4 per cent reported to have been raped by their father.⁵⁶

Duty bearers for child protection

The 2004 Palestinian Child Law appoints the Ministry of Social Affairs (MoSA) as the lead ministry with responsibility for ensuring child protection in the OPT. The Ministry is responsible for establishing a comprehensive referral system for children, carrying out preventive measures, appointing key figures for intervening in serious cases and establishing relevant institutions to offer Palestinian children the legal and social support they require. There are, however, only 23 MoSA child protection officers (CPOs) across OPT (13 in West Bank and 10 in Gaza) to undertake these responsibilities. CPOs have the authority to investigate a suspected case of child domestic violence and separate the child from his/her family, should the protection officer determine that the child is at risk. A new detection and referral protocol is currently being piloted and an electronic database is being developed to record and track all case forms.

The current Child Law is deficient, however, in not stating any further legal obligation for other ministries. The Ministry of Health's main policy document addressing child care, the Guidelines for United Work for Mother and Child, makes no mention of the detection or treatment of child abuse. For refugee children, UNRWA's child healthcare system follows "Technical Instructions" addressing the check-up procedures for infants and young children.

⁵³ DCI/PS, *Submission to the UPR of Israel*, op. cit., paras 12-13; Yesh Din, *A Semblance of Law: Law Enforcement upon Israeli Civilians in the West Bank* (June 2006), p 6. See also, *Defence for Children International/Palestine Section, Under Attack: Settler Violence against Palestinian Children in the Occupied Territory* (November 2008).

⁵⁴ Palestinian Central Bureau of Statistics, *Child Statistics Series* (No. 9): *Palestinian Children – Issues and Statistics Annual Report*, 2006.

⁵⁵ Interview conducted by Defence for Children International (DCI) with Amal Hadweh, Community Mental Health Programme Manager, UNRWA, Ramallah, 14 April 2008.

⁵⁶ Al-Rafai, A., "Political Instability and Nation-Building: Sexual Violence against Female Teenagers in the Occupied Palestinian Territories," in P. Ouis and T. Myhrman, *Gender Based and sexual violence against teenage girls in the Middle East*, SCS, Beirut, Lebanon, 2007, p. 78.

While the focus is on detection of health warnings, detection of abuse is not mentioned. UNRWA's school health programme is also based on the policies outlined in the Technical Instructions, and they do not explicitly mention the detection of physical or sexual abuse or neglect. The Ministry of Education and Higher Education has draft detection and referral guidelines not yet piloted in schools.

The amended 2004 Child Law awaiting final ratification will require the Palestinian Authority to develop further policies and bylaws for the protection of children. In April 2008, MoSA launched a national child protection referral mechanism through a system of child protection networks. The process of signing memorandums of understanding between the MoSA and other relevant ministries for the further development of a national child protection network system is ongoing.

Children in contact with the law and the Palestinian Authority

The issue of children in conflict with the law should involve coordinated policies between the Palestinian Authority's MoSA, the Ministry of Justice (MoJ) and the police. However, due to the lack of a nationalized juvenile justice system with appropriate laws, policies and services, children in contact with the law do not always receive access to due process and/or are not offered alternative measures to find justice and appropriate support services.

There are two specialized juvenile rehabilitation facilities in the West Bank (one male and one female) and one in Gaza (male) housing children between the ages of 12 and 18 years. Children are also held in detention in adult prisons and police stations in the West Bank.

In October 2008, the police-MoJ established the Family and Child Protection Administration as a component of the police structure. Under this administration, child protection Units (CPUs) in five West Bank districts will be piloted in 2010 in which specialized police will specifically handle cases of children coming into contact with the law.

In 2008, a total of 499 children were registered as having been detained in West Bank PA prisons and detention centres⁵⁷ of which 287 were housed in MoSA juvenile detention centres. In the first six months of 2009, the number of children who were referred to the Ministry of Social Affairs juvenile detention centre reached 172.⁵⁸ The number of children hosted in these centres varies from day to day with an average of between 15 and 20 children at any given time.⁵⁹ There are no data on children as witnesses who came into contact with the law.

In the West Bank, lack of coordination among police departments in different geographical areas, the difficulties of transferring children between Areas A, B and C,⁶⁰ lack of alternatives to sentencing and shortage of probation officers (only 11 in the West Bank) are all cited as reasons for children being held in adult detention centres. Taking into consideration that children who commit crimes are also dealt with outside of the official justice system through informal traditional channels, all of the above statistics are only indicative of the actual situation.⁶¹

⁵⁷ European Union Police Mission in the Palestinian Territories (EUPOL COPPS), Ramallah, 2009.

⁵⁸ Ministry of Social Affairs records.

⁵⁹ Defence for Children International/Palestine Section and Save the Children (Sweden), *Child Rights Situation Analysis: Right to Protection in The Occupied Palestinian Territory – 2008*, published report, 2009.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

There are no specialized juvenile courts, although two juvenile judges were appointed by 2005 (one each in Nablus and Gaza), and the court of first instance may be convened as a juvenile court on an ad hoc basis. There remains a need for improved judicial training on juvenile justice international standards and for a procedural law to regulate trials concerning children's cases.

Several different systems pertaining to juveniles in conflict with the law currently exist within OPT, including laws drawn from the British Mandate, Egyptian and Jordanian law within the West Bank and Gaza as well as subsequent legislation adopted by the PA. These laws all use differing age definitions in relation to the minimum age of criminal responsibility as well as different sentencing allowable per age group.

In practice, this means that the PA inherited a complex and disjointed juvenile justice system. In 1999 governmental departments in the West Bank and the Gaza Strip, in conjunction with UNICEF and NGOs, began to develop a juvenile justice law that would encompass international safeguards for children in conflict with the law, including preventive measures and programmes, specialization for police officers and judges, regulations for police and prosecutors, establishment of a domestic juvenile court, and the introduction of "diversion" measures. The bill did not reach the Palestinian Legislative Council (PLC). This draft Juvenile Justice Law still requires additional drafting before adoption, following which by-laws and policies will need to be developed to support each of the areas outlined in the law across the relevant ministries.

It is important to note that the draft MoSA Child Law allocates responsibility to MoSA for many of the issues covered in the juvenile justice law, including coordinating and monitoring the creation of courts. The draft MoSA law does not mention the MoJ, and policies will be needed with the passing of either the MoSA law or the draft juvenile justice law to clarify the division of labour among the various agencies.

Children without parental care

The issue of children without family care falls within the mandate of the Ministry of Social Affairs and its Systematic Guidelines for Child Care form the body of relevant policies.⁶² Article 38 states that "[t]he Ministry is entrusted in the care and upbringing and protection of disadvantaged children through the care of entitled children by services of the ministry in the manner of its specialized unit in this field". The guidelines define children entitled to social care as including children of unknown parentage, children in social care institutions, children of divorced or separated parents with no families, among others. Articles 41-52 outline the services that the ministry should provide including oversight and supervision of governmental and non-governmental children's institutions and regulation of procedures for the admission of children into institutional care. However, due to lack of resources, this responsibility is largely unmet. MoSA's guidelines define the foster family as "The family that undertakes the education, upbringing and care of the child in the totality of aspects of life for the non-existence of the original family." According to Article 73, the children who may be subject to foster care are children born out

62 Institute of Community and Public Health, Birzeit University and National Plan of Action Secretariat, Child Protection in The Occupied Palestinian Territory: Structures, Policies and Services, Ramallah, April 2006.

of wedlock (unknown father) and abandoned or lost children. MoSA is developing a foster care process (*kafalah*) alongside institutional placement as child adoption is prohibited in accordance with Islamic teaching

Child labour

Of the OPT population of children aged 10-17 (constituting 20 per cent of the total population), 4 per cent were employed, in either paid or unpaid work, in 2008 – 5 per cent in the West Bank and 1 per cent in the Gaza Strip.⁶³

A Palestinian official labour force survey of children undertaken in 2004 provided disaggregated data for the age groups 5-11 years, 12-14 years and 15-17 years, consistent with International Labour Organization (ILO) provisions on child labour. That survey showed that 3 per cent of children aged 5-17 years were engaged in work.

Of all working children, 76 per cent were attending school and 24 per cent were not. Of those attending school, 15 per cent were working at least 35 hours a week. Of working children who were attending school, 18 per cent reported that their school attendance was affected by their work.⁶⁴

A recent UNRWA labour market study reported a substantial increase in youth unemployment (15-24 year olds) and that those rates are the highest of any age group or demographic segment, increasing to 46.7 per cent in the second half of 2007 and ranging over 2007 between 36-41 per cent in the West Bank and 52-58 per cent in the Gaza Strip. It also reports the increase in hidden youth unemployment

⁶³ Palestinian Central Bureau of Statistics, *Labour Force Survey 2008 – Labour Force Database (unpublished)*, Ramallah – Palestine.

⁶⁴ PCBS, *Child Labour Survey, op. cit.*, Tables 24, 25, 43.

due to this population group becoming correspondingly more discouraged in seeking work.⁶⁵

An overwhelming reason for a child to work is to assist in a family project or to contribute to the family income (this is the case for 75 per cent of children in the West Bank and 57 per cent of those in Gaza). Few children are paid for their labour, with just 14 per cent of working children attending school receiving wages (10 per cent West Bank, 28 per cent Gaza), and even only 58 per cent of children not attending school receiving wages (54 per cent West Bank, 66 per cent Gaza). For the small number of working children who receive a wage, 75 per cent hand it fully or partly to their parents. Despite the family-based reasons for working, more than half of households report that there would be no consequences if the child ceased working, while a quarter of households report that this would have an adverse effect on household living standards.⁶⁶

One relatively new phenomenon in Gaza is the army of workers, including young men and almost certainly a number of boys under 18, employed as “runners” through the network of tunnels through which virtually all of the Gaza Strip’s daily needs are smuggled, literally underground, from Egypt. There are reported to be between 800 and 1,000 tunnels, typically about 15 metres deep and 75 metres long, extending between Rafah in Gaza, burrowing below the border into Egypt.⁶⁷ Most of the tunnels were built starting in 2008 to circumvent the near-total Israeli blockade on Gaza. While the tunnels are a lifeline for

⁶⁵ UNRWA, *Prolonged Crisis in The Occupied Palestinian Territory: Socio-Economic Development in 2007, July 2008*, pp. 32-33, 45.

⁶⁶ PCBS, *Child Labour Survey, op. cit.*, Tables 11, 29, 33 and 34.

⁶⁷ “Tunnels to Egypt swallow investments and turn up the heat on Hamas” by Jonathan Ferziger, *Bloomberg News, International Herald Tribune*, 8 October 2009.

Gazans, they are also often a death trap for the men and young boys hired to smuggle goods through them. The Palestinian Human Rights Monitoring Group reported in August 2009 that 112 persons had been killed, and 121 wounded, in tunnel-related incidents, including 43 in 2009 alone; many of them suffocated when fuel they were smuggling through the tunnels leaked, releasing deadly fumes.⁶⁸

Child labour in OPT is governed by the Palestinian Labour Law No. 7 of 2000, which sets 15 years as the minimum age for entry into employment, with restrictions concerning hazardous work prior to 18 years of age. Child Law No. 7 of 2004 complements this by also prohibiting the employment of children below 15 years (Article 14). This means that both the Ministry of Labour and MoSA have statutory obligations concerning the working child. Monitoring and surveillance of child labour is the responsibility of the Ministry of Labour, which established a Juvenile Labour Section within the labour inspection area of the Ministry in early 2008. However, due to inadequate resources, there are no dedicated juvenile labour inspectors and no associated data on juvenile labour inspections. There is also no training of labour inspectors on child labour provisions. As labour regulations apply only to those aged 15 years and over, labour inspectors lack powers in dealing with under-age labour, including informal street commerce, which needs to be referred to the Ministry of Social Affairs – and MoSA similarly lacks statutory powers in this regard.⁶⁹

Children and psychosocial well-being

While the situation concerning the psychological wellbeing of Palestinian children remains uncertain, there are many indicators of widespread adverse and deteriorating conditions. The area of mental health is especially prone to uncertain use of diagnostic categories and thus to the “labeling” of many children who may simply be passing through developmental stages, so that caution is important.

There is a clear sense in which Palestinian culture is central to the mental health status of its children, especially to the extent that it acts as a powerful mediating factor in which the shared adversity of the occupation is very often a constructive force for social and family coherence. Research studies have pointed to most adverse symptoms having emerged during the Israeli offensive known as “Operation Defensive Shield” in March 2003 and associated incursions, thus constituting an escalation of an already serious situation. The exposure of children to distressing events” includes having had family members or friends or classmates killed or injured, the child’s exposure to tear gas, seeing injured or dead people, and witnessing shootings and funerals. Stress factors for children and adolescents include their not feeling safe, and feelings of exposure to attack, injury, house demolition and arrest. A 2004 survey by the Bureau for Statistics indicates that such distress is associated with a variety of consequences for personal behaviour for 5-17 year olds. Boys were most commonly suffering “excessive nervousness/continuous shouting” (14 per cent West Bank, 10 per cent Gaza), followed by “bad temper”, “constant fear of darkness”, “constant fear of loneliness”, and

68 “Tunneling toward danger”, by Bassem Eid, director of the Palestinian Human Rights Monitoring Group, East Jerusalem, Haaretz (English), 11 September 2009.

69 Interview with the PA Ministry of Labour, January 2009.

“feelings of distress and frustration”, while girls most commonly reported constant fear of darkness (13 per cent West Bank, 9 per cent Gaza) and loneliness (12 per cent West Bank, 10 per cent Gaza) ahead of other conditions. That survey also reported that approximately 70 per cent of children had received psychosocial or mental health support, which was fairly uniform between sexes and age groups – which also meant that 68 per cent of 5-9 year olds were receiving such services. Around three-quarters of children responded that they had benefited from that intervention, and approximately 43 per cent (including 41 per cent of 5-9 year olds) continued to receive those services. Regardless, such children overwhelmingly (66 per cent, higher in West Bank than in Gaza) reported feeling optimistic about the future and of their capacity to act to improve it.⁷⁰

A 2006 Quality of Life survey in the West Bank and Gaza, by WHO, Birzeit University and the Bureau for Statistics, reported that approximately 45 per cent of respondents seriously feared losing their homes and/or being displaced, and that – of all respondent groups – adolescents were at most risk, due to the longer-term trans-generational implications of exposure to traumatic events. A 2007 psychosocial assessment by Save the Children UK reported that 86 per cent of respondents suffered sleeping disorders, 77 per cent suffered deterioration in family relations, and 72 per cent suffered increased tensions among other children. A 2007 study by the Geneva-based Graduate Institute of Development Studies (IUED) reported that approximately 63 per cent of Palestinian families included children who displayed signs of anxiety.⁷¹

⁷⁰ PCBS, *Psychosocial Health Survey for Children*, op. cit., pp 35-49, 97.

⁷¹ Studies cited in UNRWA, unpublished West Bank field summary, op. cit., pp. 22-23.

Research presented to an October 2008 conference held by the Gaza Community Mental Health Programme and WHO included several further insights into the situation of children and adolescents. A consequence of the blockade of Gaza is that 47 per cent of patients are unable to maintain their prescribed medication, and 80 per cent of those patients experience increased suffering. Among children, 51 per cent lack the desire to participate in activities, and 47 per cent are no longer able to perform school and family duties; 63 per cent complained of anxiety symptoms, 61 per cent displayed signs of fear and 46 per cent showed signs of anger.⁷²

Another 2008 study of a random sample of almost 2,300 8-14 year old children across Gaza produced similar findings, including that 92 per cent suffer feelings of insecurity and anxiety, and 68 per cent suffer school problems such as lack of concentration. This study also reported that 64 per cent of the parents behaved with violence toward each other and with their children.⁷³ A third study reported that, of the sampled population of 386 children aged 7-18 years, there was an average exposure to 10.2 events of Israeli aggression and 7.4 events of factional fighting, with no sex differences. It identified a need for programmes in communities and schools to develop better coping strategies and social skills training to increase children’s resilience, as well as the importance of involving parents and teachers in such programmes.⁷⁴

⁷² Qouta, Dr Samir and Kassab, A., “Study on the Effects of the Siege on the quality of life of citizens in Gaza”, in WHO and Gaza Community Mental Health Programme, *Siege and Mental Health...Walls vs Bridges (pre-conference report)*, 2008, p. 29.

⁷³ Abu Hein, F., “Emotional and Behavioural Problems of Palestinian Children and their Parents under Siege: Gaza Experience”, in WHO and Gaza Community Mental Health Programme, *Siege and Mental Health...Walls vs Bridges (pre-conference report)*, 2008, p. 32.

⁷⁴ Thabet, A., “Trauma, PTSD, Mental Health, and Resilience as mediator factor in Palestinian children in Gaza Strip”, in WHO and Gaza Community Mental Health Programme, *Siege and Mental Health...Walls vs Bridges (pre-conference report)*, 2008, p. 59.

Studies systematically reveal very high levels of stress and anxiety among Palestinian children, with the aftermath of the December 2008 – January 2009 Gaza crisis also showing a peak among the children of Gaza⁷⁵. What is not so clear is how systematically such conditions are able to be identified and addressed. This would likely be assisted by improved consistency of approach and terminology across the various studies carried out in this area. Coordination of research efforts may yield improved policy utility. This is an easily marginalized area of resource commitment, and agencies such as UNICEF, UNRWA, Palestinian Authority ministries and NGO service agencies would surely benefit from a more strategic approach to researching and understanding what is to be done.

Parents seem reluctant to seek out established health services for treatment of their children, and this is likely to be even more so for psychological or psychosocial conditions. Schools (PA-run and UNRWA-run) are becoming the main locus of such services, even though the numbers of suitably trained professionals remain inadequate. By late 2008 (pre-Israeli offensive), the UN reported that imposed power shortages within Gaza had caused a 20 per cent reduction in the number of children participating in group counseling sessions.

At the same time, MoH is moving towards community-based mental health services within its primary health care programme, and has established that the 2006 level of 319 psychiatric beds in its two hospitals (280 in Bethlehem and 39 in Gaza) exceeds requirements for a number of years: its

⁷⁵ Household Sample Survey, 3-12 March 2009, Gaza, WHO report Gaza Health Assessment, 29/7/09

forecast requirements are, respectively, 206 and 34 (2008), 217 and 36 (2010) and 252 and 42 (2015).⁷⁶ This seems to indicate a greater emphasis on community-based care services for the present, which may also serve to improve parental awareness of available clinical options for their children.

1.5. The right to participation

Adolescents between the ages of 13 and 18 comprise 14 per cent of the total population of the OPT.⁷⁷ They are considered particularly vulnerable due to high exposure to conflict and violence. More than three out of four children killed during conflict in 2007 were adolescents aged 13-17, and almost all children in Israeli detention centres are between 15 and 17 years old.⁷⁸ For most, the only space for interacting with peers is at school.

A significant achievement has been the development of the National Youth and Adolescent Policy (NYAP), which concerns persons aged 13-24 years. This has been a process – interrupted by the second *intifada* – that resulted in a draft policy, under the auspices of the Ministry of Youth, with a detailed framework for adolescent participation. The NYAP was formally adopted by the Council of Ministers in February 2005, and “depends on the integration of adolescents and youth into the development process, by taking consideration of their position, interests, requirements and opinions vis-à-vis all policies, programmes and laws”.⁷⁹ It thus comprised a key input document to the development of the Palestinian Development

⁷⁶ MoH, National Strategic Health Plan, op. cit., pp 26, 31.

⁷⁷ Palestinian Central Bureau of Statistics, 2006. Population projection.

⁷⁸ Defence for Children International – Palestine Section (DCI/PS).

⁷⁹ MoYS, National Youth and Adolescent Policy (Draft), 2005, Part II: Vision and bases.

and Reform Plan and this policy is being reviewed and will feed into a national strategy for the youth sector as part of the Palestinian National Plan for 2011-2013.

Access to economic activity is far greater for males, and females are much more likely to engage in domestic chores, including care of family members – and to spend much more time doing so. According to youth responses incorporated in the NYAP, the main leisure activities for adolescents are watching television (34 per cent) and spending time with friends (15 per cent), with primary places of leisure being, in descending order, at home, with friends and relatives, places of worship, university and school clubs, the street, youth centres and clubs, cafés, NGOs and the library.⁸⁰

A 2005 poll of adolescents aged 14-19 years indicated the following usage of free time: “hanging out” with friends (73 per cent), playing in the neighbourhood (57 per cent), engaging in hobbies or interests (34 per cent), participating in sports activities (25 per cent), attending remedial classes (21 per cent), working (18 per cent), attending clubs (15 per cent), attending political or cultural meetings (11 per cent), and walking around the streets (10 per cent).⁸¹

In her report to the UN Human Rights Council in June 2008, the UN High Commissioner for Human Rights addressed the issue of cultural rights in the OPT. Her report noted the impact of the Israeli closure policy in impeding the right of Palestinians to the enjoyment of their cultural rights, especially in restricting their access to places of cultural significance and

⁸⁰ MoYS, *National Youth and Adolescent Policy*, op. cit., Section III.

⁸¹ Graduate Institute of Development Studies (IUED), *Palestinian Public Perceptions, Report IX: Children*, Geneva, April 2006, p 4.

locations where cultural events were held, and to separate cultural events in the West Bank, Gaza and East Jerusalem. Cultural exchanges within the region are hindered, restrictions placed on the importation of Arabic language books, and “Palestinians, notably the younger generation, were prevented from visiting renowned places of historical or cultural interest in The Occupied Palestinian Territory, although they were accessible to international visitors”.⁸² The High Commissioner noted the work of a joint Israeli and Palestinian archaeological working group to prepare an agreement on Israeli-Palestinian cultural heritage, premised on the assumption of a two-state solution.⁸³

Media

The media are an important partner in promoting awareness of children’s rights as well as in acting to fulfill many of those rights. The CRC expects the child to benefit from the media both as consumer and recipient of information relevant to “the promotion of his or her social, spiritual and moral well-being and physical and mental health” (Article 17) and as media participants and users in their own right to “impart information and ideas of all kinds” (Article 13).

Children have access to a fairly diverse range of print, television and radio media, and these play a significant role as daily sources of information and entertainment. The PA’s Ministry of Information coordinates regular usage of, in particular, the print media in promoting improved public awareness of issues such as domestic violence, public

⁸² Human Rights Council, *Human Rights Situation in Palestine and Other Occupied Arab Territories: Religious and cultural rights in The Occupied Palestinian Territory, including East Jerusalem. Report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution 6/19, 8th session, UN document A/HRC/8/18 (10 June 2008)*, paras 47-51.

⁸³ *Ibid.*, paras 53-7.

health matters and the schooling of children. These commonly take the form of the inclusion of special lift-out supplements within newspapers.

In a mental health study conducted in 2006, the most common distressing event reported by children was watching mutilated bodies on television, followed immediately after by the experience of actually having witnessed bombardment or shelling, and hearing shelling by artillery. Equally worrisome has been the development of programmes, especially since the second *intifada*, developed specifically for younger children, and with the participation of children (including some that employ cartoon characters), promoting political violence.⁸⁴

With widespread and increasing access to satellite television, international media and the Internet, this also brings into sharp focus the challenges to cultures and traditions within many households and communities. The Ministry of Information reports that the media are also a partner in promoting public awareness in tackling traditional notions of “shame” and “family honour” in strengthening gender equality, especially for the girl-child.⁸⁵

According to the 2004-2010 National Plan of Action for Palestinian Children⁸⁶, the current strengths of the child media sector in the OPT are that it includes:

- an interest in the local issues affecting Palestinian children;
- a focus on programming that fosters cultural identity;

⁸⁴ Thabet A.A., Abu Tawahina A., El Sarraj, E., Vostanis, P. (Gaza Community Mental Health Programme), “Exposure to war trauma and PTSD among parents and children in the Gaza Strip” in *European Child and Adolescent Psychiatry*, vol. 17, no. 4, June 2008, pp. 191-199.

⁸⁵ Meeting with PA Ministry of Information, January 2009.

⁸⁶ National Plan of Action for Palestinian Children 2004-2010 : Action Today for a Better Future.- Al-Bireh : Ministry of Planning , Secretariat of the National Plan of Action for Palestinian Children, 2004.

- programming that provides entertainment and joy to children;
- programming that is educational;
- programmes that guide children in appropriate behaviour in different situations;
- Provision for child-to-child media programming.

The National Plan of Action does, however, acknowledge shortcomings in associated skill levels and technical capacities. Palestinian children and adolescents are engaged in TV programming on a range of issues, including – via NGO support. These initiatives aim to not only improve public awareness and openness but also young people’s technical skill levels.

1.6. The situation of women

Early marriage

Early marriage is still prevalent in OPT with rates that have not varied in recent years.⁸⁷ The median age at first marriage stands at 18 years old (for females 15-54). This means that approximately 50 per cent of women married before they turned 18.⁸⁸ The findings were the same across OPT, with no variance between the West Bank (including East Jerusalem) and the Gaza Strip. The rate is high for those who married at age 14 or below, standing at 10 per cent among women aged 15-19.⁸⁹

CEDAW provides that there is to be equality of men and women in entering into marriage, and that “the betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for

⁸⁷ PCBS, Palestinian Family Health Survey 2006.

⁸⁸ Al-Rafai, Dr. A., *Sexual Violence Against Female Teenagers in the West Bank: From a Gender Perspective*, Women’s Studies Centre, Jerusalem, 2007.

⁸⁹ PCBS, Palestinian Family Health Survey 2006.

marriage" (Article 16.2). There are no present provisions concerning the marriage of children within the PA's Child Law No. 7 of 2004, which is also silent on the issue of sexual consent. However, the Jordanian Personal Status Law No. 61 of 1976 (applicable in the West Bank) stipulates that the potential male and female marital partners must be at least 16 and 15 years of age respectively according to the hijri calendar (Article 5).⁹⁰

The Egyptian Family Rights Law of 1954 appears still to have some applicability in Gaza, and provides for minimum ages of 17 for females and 18 for males (Article 5). In the West Bank, there is also a legal requirement for a girl aged 15-18 years to have her father's or grandfather's consent, and restrictions against marrying a male more than 20 years older than her. A 1995 administrative decision by the head judge of the *shari'ah* courts rose the minimum age of marriage to 15 years for girls and 16 years for boys.⁹¹ The Draft Penal Code provides for imprisonment for persons involved in the marriage of a girl aged less than 15 years, and for the marriage of a girl aged between 15-17 years without the permission of a judge or her guardian.

Domestic violence

Comprehensive figures on the number of cases of gender-based violence in The Occupied Palestinian Territory are unavailable due to a lack of accurate data collection systems and disagreements over what constitutes violence. For example, the number of officially reported complaints of gender-based violence registered with the police is extremely low when compared with the vast amount of anecdotal evidence, indicating a rising number

⁹⁰ PCBS, *Palestinian Family Health Survey 2006*.

⁹¹ *Administrative Decision No. 78/1995 of the Qadi al-Quda on the Age of Marriage – Gaza Strip*.

of cases. There are also unreliable statistics on the number of women murdered in the name of "family honour", as many are documented as accidental deaths or suicides.⁹²

As indicated earlier, the types of gender-based violence within Palestinian society include physical abuse, such as beating, hitting and murder; sexual abuse, including rape, assault and incest; and psychological abuse, such as verbal assaults and insults, the intentional tarnishing of a woman's reputation through the spreading of rumours and gossip, and the reinforcement of negative gender stereotypes. A 2005 Bureau of Statistics survey⁹³ showed that 23 per cent of women reported being exposed to physical violence at least once, 61 per cent to "psychological violence" and 10 per cent to sexual violence. Exposure to physical violence against women with a secondary school diploma was generally lower compared to women with lower or no education. Similarly, exposure to violence for women inside the labour force was lower than those outside the job market.

Maternal health

Estimates released by the National Maternal Mortality Review committee in 2008 put the rate at between 80 and 90 deaths per 100,000 live births.⁹⁴ MOH annual reports over the last decade continued to show a significant decrease in MMR, but that was in contradiction to estimates provided by the National Review Committee, which showed virtually no change from the 1995 status⁹⁵ when the MMR estimate was 70-80 per 100,000 live births.⁹⁶ The lack

⁹² UN Population Fund, *Gender-Based Violence in Occupied Palestinian Territory, A Case Study*, UNFPA 2005.

⁹³ Palestinian Central Bureau of Statistics, *Domestic Violence Survey (December 2005-January 2006): Main Findings Report, Summary of Findings, Ramallah-Palestine, 2006*.

⁹⁴ UNICEF, *Annual Report 2008: occupied Palestinian territory*, UNICEF/OPT, Jerusalem, 31 December 2008 (internal document).

⁹⁵ MoH, *Annual reports, 2005, 2006, 2007*.

⁹⁶ PCBS, *Demographic and Household Survey, 1995*.

of reliable data – despite cooperative efforts involving the Ministry of Health and UN agencies – has been attributed to under-reporting, misclassifications and other data quality issues; it could also directly related to the weak health management information system. High antenatal clinic attendance (98 per cent) and the rate of births taking place in institutions (97 per cent) place OPT on track to meet the targets for MDG5 on reducing maternal mortality.⁹⁷ However, due to the large margins of uncertainty around estimated MMR rates, trend analysis is problematic. Progress towards MDG5 was therefore being assessed based on the latest available estimates and is classified according to a low threshold (MMR below 100 per 100,000). A further reduction by 50 per cent is seen as feasible with quality reproductive health and enhanced emergency obstetric care through skills quality improvement programmes and community awareness for postnatal uptake.

As many as 80 per cent of maternal deaths are preventable;⁹⁸ the causes of death include obstructed labour, bleeding after delivery (post partum haemorrhage); high blood pressure, infections and related maternal anaemia. The Ministry of Health has pointed out that “inadequate medical care during pregnancy was the third cause of mortality among Palestinian women of reproductive age”.⁹⁹ It is apparent that Israeli barriers to access and movement have resulted in life-threatening conditions for pregnant women trying to seek help in Gaza, the West Bank and East Jerusalem, especially because of protracted delays at Israeli military checkpoints.¹⁰⁰ A growing proportion of Caesarean births (15 per cent in 2008)¹⁰¹ were linked to tight movement and access restrictions affecting women.¹⁰²

⁹⁷ UNICEF, *Annual Report 2008: occupied Palestinian territory*, UNICEF/OPT, Jerusalem, 31 December 2008 (internal document).

⁹⁸ UNICEF, *Annual Report 2008: occupied Palestinian territory*, UNICEF/OPT, Jerusalem, 31 December 2008 (internal document).

⁹⁹ Human Rights Council, *Implementation of General Assembly Resolution 60/251 of 15 March 2006 entitled “Human Rights Council”: The issue of Palestinian pregnant women giving birth at Israeli checkpoints*. Report of the High Commissioner for Human Rights, 4th session, UN document A/HRC/4/57, 23 February 2007, para. 12.

¹⁰⁰ *Ibid.*

¹⁰¹ MoH data, 2008.

¹⁰² UNICEF, *Annual Report 2008: occupied Palestinian territory*, UNICEF/OPT, Jerusalem, 31 December 2008 (internal document).



لا أمي



CHAPTER 2

PALESTINIAN CHILDREN IN JORDAN

At least half of Jordan's 5.9 million total population is of Palestinian origin, including the 1.9 million Palestine refugees registered with UNRWA in the kingdom and about 120,000 Palestinians, mainly from Gaza, who are not Jordanian citizens.^{1,2} Statistics for the 2003-2008 period show that, out of the registered Palestinian refugee population, 29 per cent are children under 15 compared to a national figure of 37 per cent.³ Palestinian refugees in Jordan are free to move from the camps and live where they like in the kingdom. Only 17 per cent of the refugee population are registered as living in the 10 official camps.⁴ Another one per cent (21,500 registered refugees) lives in three "unofficial" camps (Sukhneh, near Zarqa; Madaba, and the Prince Hassan quarter of Amman).⁵ The remaining 82 per cent live within the vicinity of the camps and in squatter areas throughout the country.⁶ Sixty seven per cent of the registered Palestinian refugees who live in camps live in the area of greater Amman⁷—where they have access to the labour market and educational opportunities. There are no camps in the south of Jordan. However, there are populations of Palestinian refugees in the southern governorates of Karak, Aqaba, and Ma'an. In Karak there are around 11,000

1 Population Reference Bureau, Washington, D.C., 2008 World Population Data Sheet, available at http://www.prb.org/Datafinder/Geography/Summary.aspx?region=127®ion_type=2, accessed 6 October 2009.

2 UNRWA, Annual Report of the Department of Health 2008, UNRWA, HQ Amman, 2008.

3 UNRWA, Annual Report of the Department of Health 2008, UNRWA, HQ Amman, 2008.

4 UNRWA, UNRWA in Figures (figures as of 30 June 2009), from the UNRWA website: <http://www.un.org/unrwa/publications/pdf/uif-june09.pdf>, accessed 5 October 2009.

5 Hashemite Kingdom of Jordan, Department of Palestinian Affairs, 60 Years Serving Refugee Camps, booklet, DPA, Amman, 2008.

6 UNRWA Jordan Field Office, Needs Assessment, June 2008.

7 UNRWA Jordan Field Office, Needs Assessment, June 2008

registered Palestinian refugees, out of which 110 families (607 persons) have remained living in tents, consistent with their Bedouin heritage. In Ma'an and Aqaba there is a combined population of over 22,000 registered Palestinian refugees, including a gathering living in extremely deprived living conditions near the port of Aqaba.⁸

There exist various categories of Palestinians in Jordan that are the result of combined political, legal and socio-economic factors. From a legal perspective, categorization is based upon two criteria: citizenship status and refugee status. These categorizations greatly affect the extent to which Palestinian children and women in Jordan can enjoy their rights or have access to government services, and this can affect their quality of life and health status. Those who do not enjoy Jordanian citizenship may hold a temporary Jordanian passport without a "national identification number"⁹; an Egyptian travel document, or a letter of proof of nationality provided by the Palestinian Authority embassy in Amman. An unknown number do not hold any documents at all. Holders of Jordanian citizenship have full access to government services regardless of refugee status, unlike Palestinians who do not enjoy Jordanian citizenship.¹⁰ Jordanian citizenship provides them with the right to vote, work, access social services, own property and travel. This is applicable to the majority of Palestinians in Jordan.¹¹ However, Palestinians who entered Jordan from the Gaza Strip during the 1967 war and other

8 UNRWA Relief and Social Services Records, September 2009.

9 By one definition, the national number is: "A civil registration number accorded at birth or upon naturalization to persons holding citizenship. The national number is recorded on national identity cards and in family registration books, which are issued only to citizens." United States Department of State, Country Reports on Human Rights Practices for 2002, Washington, D.C., 2003, <http://www.state.gov/drl/rls/hrrpt/2002/18279.htm>, accessed 22 September 2009.

10 Al Abed, O., "Palestinian Refugees in Jordan," Forced Migration Online Research Guide, <http://www.forcedmigration.org/guides/fmo025/>, 2004.

11 Hejoj, I., "A Profile of Poverty for Palestinian Refugees in Jordan: the Case of Zarqa and Sukhneh," Journal of Refugee Studies, vol. 20, 2007, pp. 120-145.

holders of temporary passports remain stateless unless they obtained the nationality of a third state. Regardless of status, however, birth registration is assured for all children in Jordan.¹² In terms of livelihoods and income sources, temporary passport holders have limited options compared to holders of Jordanian citizenship. For instance, they do not have access to public sector employment, which accounts for 37 per cent of those employed in Jordan. Although temporary passport holders may sometimes be recruited to teach in government schools - usually to fill temporary vacancies in schools, often in remote areas of the country - they cannot have health insurance. However Palestinians who hold neither Jordanian nationality nor a temporary passport are in a much more vulnerable situation. Particularly vulnerable among them are those who are not registered with UNRWA.

2.1. The Convention on the Rights of the Child (CRC)

Jordan ratified the CRC in 1991. However, it entered reservations on Article 14 regarding a child's freedom of thought with respect to religion; Article 20 regarding foster care for children; and Article 21, regarding the adoption procedures for children.¹³ In 2000, Jordan ratified the Optional Protocols to the CRC. It submitted its initial national report in May

1993 and two periodic national reports in 1997 and 2003. In response to the recommendations made by the Committee on the CRC in its 2006 report, the CRC was given legal effect within the domestic legal system by being published in the Official Gazette in October 2006.¹⁴ Jordan has enacted several amendments to national legislation to harmonize its legal framework with the principles and standards of the Convention and Optional Protocols. Jordan has ratified other child-related conventions, including ILO Conventions No. 138 and No. 182 specifying the minimum age for admission to employment and the elimination of the worst forms of child labour.¹⁵

A draft comprehensive Child Rights Act was submitted to the National Assembly in 2004.¹⁶ The enforcement of the Act in national law is still pending.¹⁷ In 2008, the draft Act was amended in order to align its child-related provisions with the principles of the CRC. However, according to the Jordan National Centre for Human Rights, the Act needs further improvement in terms of legal and administrative procedures, especially with regard to the issue of birth registration, abuse, foster care, alimony, and registration of handicap from birth.¹⁸ The Committee on the CRC has also called upon Jordan to expedite the enactment of the Act and allocate all necessary human and financial resources for its most effective implementation.¹⁹

¹² UNICEF and National Council for Family Affairs, *Children in Jordan: Situation Analysis, 2007*, op. cit.

¹³ In its "End-of-Decade" report, Jordan explains that the reservations made are "not directed to any of the CRC's basic principles such as those relating to the definition of the child, equality, and non-discrimination." In drawing up Jordanian laws, "most of the provisions" declared in the CRC are abided by. See *The Hashemite Kingdom of Jordan, National Report on Follow-Up to the World Summit for Children (Jordan's End-of-Decade Report)*, page 6. <http://www.arabhumanrights.org/publications/unconf/child/unicef/jordan-00e.pdf>, accessed on 12 October 2009.

¹⁴ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Jordan, 43rd session, UN document CRC/C/JOR/CO/3, 29 September 2006*.

¹⁵ National Council for Family Affairs (NCFA) and UNICEF, *Children in Jordan: Situation Analysis, 2006/2007*, op. cit.

¹⁶ Committee on the Rights of the Child, *Consideration of Reports submitted by States Parties under Article 44 of the Convention: Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR/3, 2 March 2006*.

¹⁷ National Council for Family Affairs and UNICEF, *Jordan Country Office, Children in Jordan: Situation Analysis, 2006/2007, Amman, December 2007*.

¹⁸ National Centre for Human Rights, *Status Report of Human Rights, Hashemite Kingdom of Jordan, 2008*.

¹⁹ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Jordan, 43rd session, UN document CRC/C/JOR/CO/3, 29 September 2006*.

Jordan has drawn up a number of strategies and national plans directly related to children's rights, including the Jordanian National Plan for Early Childhood Development (2004-2013), the National Strategy for the Elimination of the Worst Forms of Child Labour (2003), the National Anti-Poverty Strategy (2002), and the draft National Strategy for Youth (2005-2009).²⁰ At the institutional level, several mechanisms have been established to ensure the development, implementation and monitoring of relevant strategies and plans. Most important have been the launch and establishment of the National Council for Family Affairs (NCFA) in 2001; the Child Labour Unit (CLU) within the Ministry of Labour (MoL) in 2001; the National Centre for Human Rights (NCHR) in 2002; and the Family Protection Department (FPD) in 1998.²¹

2.2. The right to survival

Levels and trends in under-five mortality

Mortality rates for infants and children under five in Jordan as a whole have decreased from 39 and 34 per 1,000 live births respectively in 1990 to 20 per 1,000 for under-fives and 17 per 1,000 for infants in 2008.²² This places Jordan firmly in the middle ranks of the world's nations, in 105th place among all countries in terms of child survival rates.²³ Jordan's MDG targets for 2015 are 13 per thousand for under-five mortality and 11 per thousand for infant mortality. To achieve the target for

²⁰ Committee on the Rights of the Child, *Consideration of Reports submitted by States Parties under Article 44 of the Convention: Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR/3, 2 March 2006.*

²¹ National Council for Family Affairs and UNICEF, Jordan Country Office, *Children in Jordan: Situation Analysis, 2006/2007, Amman, December 2007*, and Committee on the Rights of the Child, *Consideration of Reports submitted by States Parties under Article 44 of the Convention: Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR/3, 2 March 2006.*

²² UNICEF, *The State of the World's Children – Special Edition*, UNICEF, New York, November 2009.

²³ *Ibid.*

infant mortality rates, special attention will be needed in the neonatal stage (when 73 per cent of infant deaths occur). The target under-five mortality rate is seen as achievable with special interventions for high-risk groups.²⁴

Estimated at 180 deaths per 1,000 live births in the 1960s, infant mortality among Palestinian refugees in Jordan declined sharply to 32 per 1,000 by 1990s, to 22.5 per 1,000 in 2004²⁵ and has been stable around this level up to 2008²⁶.

Causes of child mortality and morbidity

The main causes for child mortality in 2008 were congenital malformations (32 per cent), respiratory infections (18 per cent), and accidents (16 per cent). Almost 63 per cent of the deaths occurred during the second year of life and 37 per cent during the third year of life.²⁷

Vaccine preventable diseases among the Palestinian refugee population are well under control. In 2008, 99.1 per cent of infants 12 months old were fully immunized. The immunization coverage has increased in the last decade with 98.8 per cent of infants 12 months old being fully immunized in 2000. Second-year immunization marked a significant increase from 95.4 per cent in 2000 to 98.7 per cent in 2008.²⁸ Immunization is a key element of UNRWA's maternal and child health programme in all locations.

Stunting, as opposed to wasting, is the main nutritional problem among the Palestinian

²⁴ UNICEF and National Council for Family Affairs, *Children in Jordan: Situation Analysis, 2006/2007, Amman, 2007.*

²⁵ Sabatinelli, G et al. 2009. *Palestinian refugees outside The Occupied Palestinian Territory, Lancet, Published online March 5, 2009 DOI:10.1016/S0140-6736(09)60101-X*

²⁶ UNRWA, *Annual Report of the Department of Health 2008, UNRWA, HQ Amman, 2008.*

²⁷ UNRWA Health Records, Jordan Field Office, Sep 2009.

²⁸ UNRWA, *Annual Report of the Department of Health 2008, UNRWA, HQ Amman, 2008.*

refugee population in Jordan. Among camp refugees, the level of moderate stunting in the early 2000s was 5 per cent among children under the age of five, compared to 4.8 per cent among non-camp refugee children and 7.2 per cent among non-refugee children in Jordan. Additionally, 7 per cent of camp females in Jordan were found to be moderately stunted and 5 per cent were severely stunted.²⁹ Protein-energy malnutrition and iodine, vitamin A, and iron deficiencies are common among the Palestinian refugee population. The prevalence of anaemia among registered refugee children in 2004 was 28.4 per cent³⁰ among children under three years of age compared to 20 per cent³¹ of children below five years of age for Jordan. Moreover, for 2008 the prevalence rate of growth retardation among Palestinian refugee children below three years of age was 7.5 per cent, with 46.5 per cent of those having low recovery rates³².

Breastfeeding is common in Jordan, with 93 per cent of children ever breastfed. However, only about two in five infants are breastfed within one hour of birth, and 58 per cent receive a prelacteal feed. About 22 per cent of children less than six months of age in Jordan are exclusively breastfed, but on average children are exclusively breastfed for less than one month.³³

UNRWA has been providing nutrient supplement in the form of dry food rations for children and pregnant and nursing mothers since 1951. However, due to budget cuts, the nutritional assistance to preschool and school

children was discontinued more than 10 years ago. In addition to this, since 2005 dry food rations received by refugee pregnant women and nursing mothers have been reduced by 50 per cent, and very strict criteria for eligibility have been adopted.³⁴ In August 2009, it was announced that the Jordanian government was extending a school nutrition programme to include UNRWA schools, due to the difficult economic conditions facing low-income families in Jordan, including refugees, caused mainly by increases in fuel prices.³⁵ This meant that some 70,000 Palestinian refugees would benefit from a programme that provides a daily mid-morning snack containing essential vitamins that children from low-income families often lack. For many children from impoverished families, the snack is often their only meal of the day.³⁶

Palestine refugee women cited several reasons contributing to micronutrient deficiencies among children and women. Poverty caused by unemployment, low salaries, high cost of living, polygamy, and the large number of family members were among the main reasons cited in discussion groups conducted in connection with the assessment. Lack of knowledge of good dietary practices and limited access to healthy food, discrimination against females, early marriage, and repeated miscarriage were also reported as factors.³⁷ Medical officers interviewed in Jerash, Madaba and Baqa'a camps cited similar reasons for micronutrient deficiencies among children and women: poverty and lack of knowledge of good dietary

29 Blome Jacobsen, Laurie (ed.), *Finding Means*, 2003, op. cit.

30 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

31 UNICEF and NCFA, *Children in Jordan: Situation Analysis 2007*, op. cit.

32 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

33 UNICEF, *Jordan Country Office, 2008 Annual Report: Jordan*, Amman, 2008 (internal document).

34 *Ibid.*

35 UN Office for the Coordination of Humanitarian Affairs, "Palestinian refugees to benefit from nutrition programme", IRIN news service, Amman, 14 August 2009.

36 *Ibid.*

37 Focus group discussions were conducted for this Situation Analysis in three Palestinian refugee camps in Jordan in September 2009. The discussions engaged children, parents, women, adolescents, and duty-bearers on topics including education, health, protection, participation and issues of concern to the community. See Annex XX for a summary of the discussions.

practices. They added that the habit of drinking tea immediately after or with meals is one of the main causes of micronutrient deficiencies, as it inhibits absorption of iron. According to them, eating bread with tea is common among poor families due to its affordability. Other causes cited by the doctors include lack of food variety, low quality of food, ignorance and lack of knowledge of alternative sources of needed nutrients, premature delivery, and Caesarean births.³⁸ The medical officer working in Jerash camp specifically added that parasites and worms are considered one of the main causes of micronutrient deficiencies and are found in drinking water contaminated with sewage. This is common in Jerash camp because of the open sewage system and degraded water network. Other causes cited include frequent pregnancy and miscarriage without compensating for missing iron, and unavailability of some medicines.

2.3. The right to development

By the late 1990s, efforts to develop the education system in Jordan had helped to reduce the disparities between Palestinians (refugees and displaced) and the rest of the population.³⁹ In 2000, the Committee on the Rights of the Child encouraged the Government of Jordan to expand its efforts to provide education for all refugee children.⁴⁰ Both UNRWA and the government have given education a priority, and hence there has been a major improvement in this area, with decreasing illiteracy rates and the closing of gender gaps, thanks to measures such as

gender parity in enrolment.⁴¹ Women are, in general, better educated than men at all ages under 35. There are also higher expectations for girls to succeed in school.⁴² Illiteracy rates are lower for women than men between the ages of 15-25⁴³.

Early childhood development

In Jordan generally, there is an increased awareness of the importance of Early Childhood Development (ECD) services, particularly to meet the growing requirements of working mothers.⁴⁴ Private-sector kindergarten and child-care facilities are concentrated in the more urban middle and upper middle class areas, thus limiting access for children in rural areas and in urban pockets of poverty, either due to lack of facilities or related costs. This has seen the public sector place more emphasis on locating facilities in rural and disadvantaged areas.⁴⁵ The overall number of kindergarten increased from 545 in 1990/1991 to 1,595 in 2004/2005. Overall kindergarten enrolment has risen from 24.5 per cent in 1991 to 29.4 per cent in 2002 and 37.9 per cent in 2005⁴⁶. Around 13,901 children benefited from these services in Jordan in 2005, representing 2 per cent of children under the age of four. This is quite limited considering that this age group represents 12.9 per cent of the population. Of the 795 registered nurseries in 2005, 52.5 per cent were public, 36.5 per cent private, and 11 per cent were run by NGOs.⁴⁷ UNRWA does not provide either nurseries or kindergartens as part of its education or social programmes.

³⁸ Focus group discussions, September 2009.

³⁹ Arneberg, M., *Living Conditions Among Palestinian Refugees and Displaced in Jordan, 1997*, op. cit.

⁴⁰ Badil Resource Centre, *Palestinian Refugee Children: International Protection and Durable Solution, Brief Issue no. 10, 2006*.

⁴¹ Khawaja, M. and Å.A. Tiltne, *On the Margins: Migration and Living Conditions of Palestinian Camp Refugees in Jordan*, Fafo Institute for Applied Social Science, Oslo, 2002, and Badil Resource Centre, *Palestinian Refugee Children: International Protection and Durable Solution, Brief Issue no. 10, 2006*.

⁴² Blome Jacobsen, L., *Educated Housewives, 2004*, op. cit.

⁴³ Khawaja, M. and Å.A. Tiltne, *On the Margins, 2002*, op. cit.

⁴⁴ UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

⁴⁵ Ibid. # 54.

⁴⁶ Ibid. #54.

⁴⁷ Ibid.

Concerns have been raised about the quality of ECD services provided, including the limited number of services, especially in terms of infrastructure, basic facilities and the quality of programme activities. Improvements could be made in resource availability, compliance of prescribed standards, programme design, specialized personnel, human resource management capacity, access to training and monitoring and supervision systems. Furthermore, other problems include the lack of accessibility of families in terms of distance, cost and availability, the mismatch of timing of the facilities and working hours of mothers, and the inadequate accessibility of children living in rural areas and poorer urban areas.⁴⁸

School infrastructure and enrolment

Current rates of enrolment in basic education in Jordan are quite high. Over the last decade, enrolment in the primary level (grades 1-10) generally remained well above 90 per cent. According to the National Centre for Human Resource Development (NCHRD), the net primary enrolment ratio in 2002 was 92 per cent, with no significant differences between boys and girls. By 2003, overall enrolment had reached an estimated 97 per cent with no major differences between boys and girls.⁴⁹ Primary enrolment rates are currently above 97 per cent for both girls and boys.

Although UNRWA runs a network of 174 elementary and preparatory schools in Jordan, with a pupil enrolment of close to 124,000⁵⁰, 50 per cent of Palestinian refugee children attend government schools, 40 per cent attend UNRWA schools and 9 per cent attend private schools, while at the

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ UNRWA, *UNRWA in figures, as of 30 June 2009*, available on the UNRWA website at <http://www.un.org/unrwa/publications/pdf/uif-june09.pdf>, accessed 7 October 2009.

preparatory level (grades 7-10), about 53 per cent of refugees attend government schools, 42 per cent attend UNRWA schools and 4 per cent attend private schools (figures for the scholastic year 2004/2005).⁵¹ Overall in Jordan in the 2004/2005 scholastic year, 98 per cent of children aged 6-11 and 93 per cent of those aged 12-15 were enrolled in school.⁵²

UNRWA schools tend to be concentrated in camps (there are 16 Agency schools, with an average enrolment of 1,000 pupils each, in the largest camp, Baqa'a, alone, and 13 UNRWA schools in the next largest camp, Wihdat). UNRWA provides six years of elementary education and three years of preparatory education free of charge to all eligible Palestine refugee children both inside and outside the camps. The majority of refugee children living in the camps, about 88 per cent, attend UNRWA schools. By contrast, 64 per cent of refugee children living outside the camps attend government schools.⁵³ This is slightly less than a decade earlier, when 73 per cent of refugees and displaced living outside camps attended government schools.⁵⁴ UNRWA does operate schools outside of camps, in urban and rural areas alike, including a network of crowded schools serving refugees living in the Jordan Valley.

Enrolment in UNRWA schools generally has been decreasing in Jordan since 1997.⁵⁵ Between 1994/1995 and 2003/2004, student enrolment at the elementary and preparatory levels in UNRWA schools underwent a decline of 9

⁵¹ Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees registered with UNRWA in Jordan, Lebanon, the Syrian Arab Republic, the Gaza Strip and the West Bank: A Synthesis Report*, Graduate Institute of International and Development Studies (IUED), Geneva, and Catholic University of Louvain (UCL), Belgium, 2007.

⁵² UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

⁵³ Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees, 2007*, op. cit.

⁵⁴ Arneberg, M., *Living Conditions 1997*, op. cit.

⁵⁵ Blome Jacobsen, Laurie (ed.), *Finding Means, 2003*, op. cit.

per cent and 12 per cent respectively.⁵⁶ There was also a negative enrolment rate growth (-3.47 per cent) in elementary schools from the 2005/2006 scholastic year to the 2006/2007 scholastic year. This was largely attributed to an increase in the number of refugee pupils going to government schools that have better facilities and conditions.⁵⁷ In one study, the reasons mentioned for not attending UNRWA schools were much more situational – such as the unavailability of schools in their areas and lack of transportation, rather than relating to actual classroom experience.⁵⁸ However, there was an increase in refugee student enrolment (1.6 per cent) at the preparatory level between the 2005/2006 and 2006/2007 scholastic years, which was attributed to natural growth in population.⁵⁹

UNRWA does not provide secondary education in Jordan. The government provides two free years of secondary education in addition to the ten compulsory years offered to Jordanian and Palestinian children. Net enrolment rates in grades 7-12 have been sustained at 80 per cent since 1999/2000.⁶⁰ However, overall in Jordan in the 2004/2005 scholastic year, for children aged between 16-17 years, the rate of enrolment was as low as 75.2 per cent.⁶¹

School drop-out

For Palestinian children, dropouts start after the third grade (age 9) and camp children are more likely to drop out than non-camp refugee children.⁶² This may indicate that factors associated with being in the camps affect the ability or willingness of these children to stay

in school.⁶³ Interestingly, only 10 per cent of dropouts said that they cannot afford to go to school, for both girls and boys.⁶⁴ In UNRWA schools, there seems to be a higher drop-out rate from preparatory schools than elementary schools (3.92 per cent and 0.76 per cent respectively).⁶⁵ Higher drop-out rates in older students could be due to their being lured into the labour force, among other reasons.⁶⁶ It is important to note that one study found that 40 per cent of adult males between the ages of 18 and 30 living in camps did not complete basic education – indicating more boys drop out than girls.⁶⁷

As for the secondary level (which is not covered by UNRWA), the Jordan Living Conditions Survey showed that many students or their parents in Jordan do not consider secondary education worthwhile, and drop out when school it is no longer compulsory.⁶⁸ Of the 17- and 18-year-olds who were not in school, approximately half had a basic education certificate and half dropped out before completing secondary school.⁶⁹

There are various reasons given for children dropping out of school in Jordan overall, with the main reasons being economic, this time.⁷⁰ The cost of education for households with many children has been a significant problem. Other reasons cited include low academic performance, dissatisfaction with the school environment and early marriage for girls.⁷¹ For

56 Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees, 2007*, op. cit.

57 UNRWA, *Annual Report (Education Programme), 2007*.

58 Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees, 2007*, op. cit.

59 UNRWA, *Annual Report (Education Programme), 2007*.

60 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

61 *Ibid.*

62 *Ibid.*, and Arneberg, M., *Living Conditions, 1997* op. cit.

63 National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children, 2004*.

64 Arneberg, M., *Living Conditions, 1997*, op. cit.

65 Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees, 2007*, op. cit.

66 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit., and Consultation with adolescent dropouts, parents and teachers from Madaba, Jerash and Baqa'a camps, August 2009.

67 Blome Jacobsen, Laurie (ed.), *Finding Means, 2003*, op. cit.

68 Hanssen-Bauer, J. and Pedersen, J., *Jordanian Society, Living Conditions in the Hashemite Kingdom of Jordan*, Fafo Institute for Applied International Studies, Oslo, 1998.

69 *Ibid.*

70 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

71 *Ibid.*

Palestinian refugees, reasons for dropping out were categorized into educational (32%), socio-economic (61%, though not necessarily linked to school affordability) and access issues (7%).⁷² The order of reasons differs among males and females. For males, 42 per cent cited the need to work to contribute to household income as the main reason for dropping out, 17 per cent cited repeated failure in their studies, and 15 per cent cited a lack of interest in school.⁷³ On the other hand, 26 per cent of females cited reasons of marriage, followed by the need to help at home (17%), lack of interest in school (17%) and repeated failure (15%) as the main reasons for dropping out of school.⁷⁴

In focus group discussions conducted for this study, reasons attributed by parents and teachers from Jerash, Baqa'a and Madaba camps for school dropouts could be grouped as follows:⁷⁵

- *Poverty*: causes included poverty and unemployment, the need to work and support the family, and seasonal work⁷⁶ (cited in Jerash camp only).
- *Academic performance*: causes included low academic achievement, failing school and having to repeat a grade, physical and/or verbal abuse inflicted by teachers, violence between children, overcrowded classrooms and "floating" classes, lack of extracurricular activities, lack of cooperation and communication between schools and parents, and insufficient numbers of specialized

psychological and educational counselors in UNRWA schools to work with those considering dropping out.⁷⁷

- *Family environment*: causes included a lack of follow-up by parents, domestic violence, parents' education levels and parents' neglect.
- *Peer pressure*: causes included bad peer influence, substance abuse and troublesome behaviour.

Teachers and parents expressed the view that the regulations imposed by UNRWA prohibiting corporal punishment had actually encouraged school dropouts, because teachers were no longer able to discipline children. This clearly indicated that teachers as well as parents lack knowledge of alternative disciplinary methods (or child rights). Representatives of relevant government agencies, UN agencies, and NGOs highlighted some of the same causes of dropouts as did parents, teachers and adolescent dropouts themselves.⁷⁸ Poverty-related causes are seen when families force their children into the labour market, partially because of a belief that education yields low economic returns. This is linked to a lack of awareness of the importance of education

Quality of education

Efforts to improve the quality of education in Jordan have resulted in bringing down the student-teacher ratio to a national 19:1. The ratio in UNRWA schools is 30:1, though it has improved from the 41:1 ratio of 1997/8.⁷⁹ The number of students per classroom is around

⁷² Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees*, 2007, op. cit.

⁷³ *Ibid.*; Arneberg, M., *Living Conditions*, 1997, op. cit.; and UNICEF and NCF, *Children in Jordan: Situation Analysis*, 2007, op. cit.

⁷⁴ Bocco, R., M. Brunner and F. Lapeyre, *Palestine Refugees*, 2007, op. cit.

⁷⁵ Focus group discussions, September 2009.

⁷⁶ Seasonal work: families move temporarily from the camp, such as to Eastern Jordan (Al Mafrq), for a few months to work in agriculture. The children join their parents to help in work.

⁷⁷ Each specialized counsellor is assigned 10-15 schools and supported by a teacher in each school trained for one year on psychological and educational counseling, the work load of such teachers are decreased by 5 hours a week.

⁷⁸ Focus group discussions involved representatives of relevant government agencies, UN agencies, and NGOs including UNRWA, Department of Palestinian Affairs, National Council for Family Affairs, the Higher Council for Youth, Jordanian Women's Union, Ministry of Education, Ministry of Higher Education, Ministry of Culture, Questscope, RUWAD, Save the Children and The National Centre for Human Rights.

⁷⁹ UNICEF and NCF, *Children in Jordan: Situation Analysis*, 2007

28.6 overall, with an average of 31.5 in urban schools, and 24.0 for rural schools. UNRWA classrooms are the most crowded with an average of 40 students per classroom.⁸⁰

UNRWA schools have for many years operated on a “double-shift” system, with two separate schools (teaching staff and pupils) sharing a single school building in morning and afternoon shifts each day. Fully 91 per cent of the 172 UNRWA schools in Jordan operate on double-shift bases (exactly the inverse of the proportion in government schools). Double-shifting disrupts family schedules, creates problems for the students who tend to receive fewer hours of schooling⁸¹, deprives students of the opportunity for extra-curricular and play activities (because schools are locked up at the end of the second shift), and exacerbates the poor state of some schools due to the overuse of facilities.⁸² It is estimated that children lose an entire year of schooling hours over ten years due to double shifting.⁸³ UNRWA also runs 51 schools (30 per cent of the total) in rented premises. These rented buildings were not originally designed as schools and often lack adequate classroom space, proper lighting, ventilation, and facilities such as libraries and playgrounds.⁸⁴ UNRWA continues to face the challenge of providing an adequate school infrastructure for Palestine refugee pupils in Jordan.⁸⁵

Parents and teachers interviewed during the focus groups held in Jerash, Baqa’a and Madaba camps blamed low quality of education services on overcrowded classrooms

and floating classes leading to the teacher’s inability to focus on students with lower academic performance, a lack of playground space or recreational facilities, a lack of school facilities and education resources (such as a science laboratory), poorly maintained school buildings and facilities, and the lack of extracurricular activities.⁸⁶ They also highlighted the lack of respect for teachers – they are seen as unqualified, and they have high workloads with low salaries which may demotivate them. Teachers specifically added a long and ever-changing curriculum as contributing to the low quality of education. Adolescent expressed many reasons for the low quality of education, which are similar to those identified by the parents and teachers.⁸⁷ Other reasons included the incompetent or unqualified teachers (some teachers are assigned to teach subjects that are not in their subject area or specialty⁸⁸), students’ lack of respect for teachers, and discrimination practiced by teachers against low academic performers.

2.4. The right to protection

As is the case with other socio-economic indicators for Jordan, Palestine refugee children are not identified as a separate group in available statistics on child protection. However, there are clear indications that Palestinian refugee children are victims of many of the same violations experienced by children in Jordan.⁸⁹ This would seem to

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⁸¹ Badil Resource Centre. 2006. *Palestinian Refugee Children: International Protection and Durable Solution*, Brief Issue No. 10.

⁸² UNRWA 2007 Annual Report (Education Programme)

⁸³ Blome Jacobsen, Laurie (ed.) 2003, *Finding Means, UNRWA's Financial Crisis and Refugee Living Conditions: UNRWA and other Service Providers and UNRWA Donor and Budget Environment*, Fafo-report 427 Volume III, Oslo: Fafo.

⁸⁴ UNRWA 2007 Annual Report (Education Programme)

⁸⁵ UNRWA 2007 Annual Report (Education Programme)

⁸⁶ Focus group discussions, September 2009

⁸⁷ Focus group discussions, September 2009

⁸⁸ This reason was cited by male adolescents from Jerash camp.

⁸⁹ UNRWA, Geneva Conference, 7-8 June 2004 on “Meeting the Humanitarian Needs of the Palestine Refugees in the Near East: Building Partnerships in Support of UNRWA”; Working Group I, “Promoting the Well-being of the Palestine Refugee Child”, discussion paper.

be especially so given that the prevalence of such violations is higher in urban centres such as Amman and Zarqa, where most of the refugees live.

The actual scale of the problems are likely not reflected by the official numbers as they only cover the number of cases dealt with by the government and civil-society child protection organizations.⁹⁰ Lack of reliable quantitative and qualitative data on children in Jordan has made it difficult for the Committee on the Rights of the Child to track violations of human rights.⁹¹ This is necessary to assess implementation of the CRC in general, specifically with regard to Palestinian refugee children.

In reality, many children who are in need, vulnerable and at risk are “invisible” to the individuals and organizations that might be able to assist them. The most disadvantaged children, and the most vulnerable, remain on the periphery of the social systems for support and assistance.⁹²

Birth registration

Birth registration is assured to all children in Jordan. The law states that a child should be registered within 30 days of birth if born in the kingdom and 90 days if born in other countries. Registration of a child born in Jordan out of wedlock is not subject to the thirty-day period.⁹³

Acquisition of Jordanian nationality is not automatic for all children in Jordan. Article 3,

⁹⁰ UNICEF and NCFA, *Children in Jordan: Situation Analysis, 2007*, op. cit.

⁹¹ Badil Resource Centre, *Palestinian Refugee Children: International Protection and Durable Solution*, Brief Issue No. 10, 2006.

⁹² National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children*, 2004.

⁹³ UNICEF and NCFA, *Children in Jordan: Situation Analysis, 2007*, op. cit.

paragraph 3 of the Jordanian Nationality Act of 1954 stipulates that every child born to a father possessing Jordanian nationality is deemed to be of Jordanian nationality. However, a Jordanian mother who is married to a non-Jordanian does not have the right to pass on her nationality to her children. Still, paragraph 4 of the same Article makes provision for some exceptions: A woman may transmit her nationality to her child if the father’s nationality is unknown, if the father has no nationality, or if the child’s filiation (paternity) is not established.⁹⁴ These exceptions are based on the premise that the child is born in Jordan and permission is obtained from the Council of Ministers.⁹⁵ Children born to Jordanian mothers and non-citizen Palestinian fathers – within and out of the framework of marriage – are rendered stateless.⁹⁶ In terms of residency, children of a Jordanian mother married to a father of another nationality, are allowed to live in the country and are not liable to fines for exceeding the terms of such residence, if any.⁹⁷

Protection from abuse, violence and neglect

Legislation in Jordan does not include the necessary measures to protect children or women from all forms of violence and abuse. Domestic violence is not addressed in the Penal Code; Article 62 permits parents to use disciplinary beatings of children in a manner allowed by “public customs”. The law is strict in cases of sexual abuse: conviction for rape of

⁹⁴ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third periodic report of States parties due in 2003, Jordan*, UN document CRC/C/JOR/3, 2 March 2006, and Law No. 6 of 1954 on Nationality (last amended 1987) [Jordan], 1 January 1954, <http://www.unhcr.org/refworld/docid/3ae6b4ea13.html>, accessed 7 October 2009.

⁹⁵ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third periodic report of States parties due in 2003, Jordan*, UN document CRC/C/JOR, 2 March 2006.

⁹⁶ Refugees International, *Nationality Rights for All: A Progress Report and Global Survey on Statelessness*, 11 March 2009, <http://www.unhcr.org/refworld/docid/49be193f2.html>, accessed 7 October 2009.

⁹⁷ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third periodic report of States parties due in 2003, Jordan*, UN document CRC/C/JOR, 2 March 2006.

a child under 15 potentially carries the death penalty.⁹⁸

The Family Protection Department (FPD), established in 1997 under the Public Security Directorate (PSD), is the main institution for handling and recording cases of all types of violence and abuse against children and women.⁹⁹ In 2003, the FPD established four divisions in Irbid, Zarqa, Balqa and Aqaba. An additional two divisions were established in 2006 in Madaba and Karak. Furthermore, a shelter for abuse victims is functioning under the MoSD. NGO services for victims of domestic violence include shelters, legal and psychological counseling, and hotlines.¹⁰⁰

In 2000, a National Team for Family Safety/Protection was established by HM Queen Rania Al Abdullah. The team is housed at NCFA and aims at coordinating a national policy framework for the prevention, management, and treatment of cases of abuse. Members of the team include representatives of government agencies and NGOs working in this area.¹⁰¹ From 1999 until the end of 2006, the Family Protection Department received reports of 4,438 child abuse cases. The majority of reported cases (around 80 per cent) were related to sexual abuse while only 16 per cent and 3 per cent were related to physical abuse and neglect respectively.¹⁰² The low rates of physical abuse may be attributed to the prevailing child-rearing tradition that accepts corporal punishment as a means for disciplining children. Neglect is not well researched. In 2007, the PSD, jointly with the Jordan River Foundation, established a hotline

for helping abused children. By 2008, some 2,387 calls had been received, including about 40 per cent from abused children requesting assistance, support and protection.¹⁰³

Violence against children at home

In its Concluding Observations on Jordan's 2006 CRC report, the Committee on the Rights of the Child voiced its concern that physical punishment at home was still culturally accepted in Jordan, that children continued to be victims of direct and indirect violence, and that Article 62 of the Penal Code permitted parents to discipline their children within the limits established by "general custom".¹⁰⁴

In a study conducted in 2007, a sample of 2,286 families and 3,130 schoolchildren aged 8-17 from 229 public, UNRWA and private schools was taken to explore the extent of violence against children at home, in schools, and in neighbourhood. The study indicated that violence was inflicted on children by parents/guardians, siblings, relatives, and other children living in the house. About 52 per cent of children were victims of mild punishment and 34 per cent to moderate punishment by parents/guardians (46 per cent females, 59 per cent males). Parents/legal guardians and siblings were the perpetrators of violence in the majority of cases. Parents being responsible for mild physical abuse (53 per cent; 46 per cent females, 60 per cent males), moderate physical abuse (24 per cent; 16 per cent females, 33 per cent males) and severe physical abuse (34 per cent; 25 per cent females, 42 per cent males). Around 26 per cent were subject to mild punishment and 12 per cent to moderate punishment inflicted

⁹⁸ UNICEF and NCFA, *Children in Jordan: Situation Analysis, 2007*, op. cit.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children, 2004*.

¹⁰² UNICEF and NCFA, *Children in Jordan: Situation Analysis, 2007*, op. cit.

¹⁰³ National Centre for Human Rights (NCHR), *Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2006*.

¹⁰⁴ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Jordan, 43rd session, UN document CRC/C/JOR/CO/3, 29 September 2006*.

by siblings; 70 per cent of children reported being subject to parental verbal abuse, 31 per cent suffered nonverbal abuse and 6 per cent were financially exploited.¹⁰⁵

Within the neighbourhood, adults were the source of verbal abuse, nonverbal abuse, and financial exploitation in 38 per cent, 17 per cent and 16 per cent of cases respectively. Children were subjected to mild, moderate and severe physical abuse by adults at rates of 23 per cent, 12 per cent and 13 per cent respectively. Children were subject to mild, moderate and severe physical abuse by other children in the neighbourhood at rates of 32 per cent, 20 per cent and 27 per cent respectively. Children were sexually abused at the hands of neighbourhood adults and children (32 per cent and 37 per cent respectively), with reports of moderate sexual abuse (8 per cent and 6 per cent and severe sexual abuse 2 per cent and 1 per cent respectively).¹⁰⁶

School violence

A national UNICEF study on violence against children in Jordan showed that at school, 53 per cent of children are exposed to mild punishment and 52 per cent to moderate punishment by school heads, teachers and other staff. The study also reported that the most frequent level of physical abuse against children perpetrated by teachers and administrative is severe physical abuse. This amounted to 57 per cent followed by mild abuse (50 per cent) and finally moderate abuse (27 per cent). Children attributed violence inflicted on them by teachers to poor academic performance (60 per cent), troublesome behavior (54 per cent), lack of discipline (52

per cent) and minor mistakes (48 per cent)¹⁰⁷. However, according to the national baseline study carried out by the MoE in 2009 on the level of violence in schools, UNRWA schools had a slightly lower rate of violence that is practiced from teachers towards children 19% versus 23% for government schools. This is partly due to the fact that UNRWA started applying stricter measures for teachers using corporal punishment.¹⁰⁸

Focus group discussions for this study yielded the somewhat surprising – not to say shocking – finding that parents of students believe corporal punishment in schools is sometimes advisable in order to discipline them, and when administered appropriately, it can positively affect a child's education.¹⁰⁹ Disobeying teachers and errant behaviour of students are seen as causing the use of violence by teachers. Some parents also attributed the use of violence to the teachers' loss of patience and their low salaries. Teachers also expressed this view, adding that psychological stresses (including financial hardship, lack of job security, overcrowded classrooms, high workloads, lack of respect for teachers, their lack of training, and working under unqualified head teachers) were causes of using violence. Still, they also seemed to agree in the "appropriate" use of corporal punishment.¹¹⁰

When asked about the use of violence by teachers, both male and female adolescents agreed with some of the causes cited by teachers and parents.¹¹¹ Some adolescent males also said that it is the fact that parents

¹⁰⁵ UNICEF, *Violence Against Children Study in Jordan, Summary, 2007*.

¹⁰⁶ UNICEF, *Violence Against Children Study in Jordan, Summary, 2007*.

¹⁰⁷ UNICEF, *Violence Against Children Study in Jordan, Summary, 2007*.

¹⁰⁸ *Baseline Survey for violence in Schools, MoE – UNICEF, 2009*.

¹⁰⁹ *Focus group discussions, September 2009*.

¹¹⁰ *Focus group discussions, September 2009*.

¹¹¹ *Focus group discussions, September 2009*.

condone mild corporal punishment in schools to help discipline the child that encourages teachers to use it. Both male and females felt that a certain degree of corporal punishment was in the best interest of the child.

Representatives of relevant government agencies advised that the lack of communication between teachers and students, the use of traditional teaching methods that do not facilitate quality education and sound classroom management, together with child-rearing traditions that accept corporal punishment as the only method for altering children's behaviour, lead teachers to use corporal punishment.¹¹² Passing legislation prohibiting violence in schools is not enough. It must be accompanied by a comprehensive training and awareness-raising campaign to build the capacity and change the attitudes and beliefs of teachers, parents, and students, as well as the community in general.¹¹³

Violence inflicted on children by other children

The UNICEF study found children to be perpetrators of mild violence (13 per cent) (11 per cent females, 16 per cent males) and moderate violence (7 per cent). The study demonstrated that verbal abuse perpetrated by children against children (45 per cent) is less common than that perpetrated by teachers (71 per cent). However, verbal abuse perpetrated by children is more common among females 55 per cent than males 35 per cent. Nonverbal abuse perpetrated by children was 34 per cent (38 per cent females, 29 per cent males)¹¹⁴. Adolescent males reported that the idea of the "tribal community"¹¹⁵ and the provocation of

some children by mocking or abusing other children were causes of their use of violence. Furthermore, "gangs" of older students sometimes bullied younger students. In Jerash camp specifically, adolescent males reported that while male students physically abuse each other, girls use verbal abuse and rarely use physical violence.¹¹⁶ They also reported that the encouragement of children by parents to retaliate against those children who beat them was a contributing factor.

Young adolescent females identified different causes for children using violence against each other. They stated that fighting between students often occurred over petty things.¹¹⁷ There was discrimination against other students (for example, due to the inability of poor or orphan students to measure up to other students in terms of allowances, quality of clothes or school needs).¹¹⁸ Community perceptions of girls and the restrictions placed on them can cause issues of violence. Also, the unavailability of specialized psychological and educational counselors does not help the situation.

Teachers and parents in focus group discussions included the tribal community, a lack of extracurricular/recreational activities and facilities, the effects of poverty, and the acceptance of violence by parents and relatives, as causes for children's use of violence against each other.¹¹⁹ Teachers added that experiencing domestic violence was also seen as a cause of children using violence in schools. Some parents advised that girls are usually subject to verbal abuse, while boys are subject to both verbal and physical abuse.

¹¹² Focus group discussions, September 2009.

¹¹³ Focus group discussions, September 2009.

¹¹⁴ UNICEF, Violence Against Children Study in Jordan, Summary, 2007.

¹¹⁵ Children belonging to the same "tribe" defend each other against children outside their tribe.

¹¹⁶ Focus group discussions, September 2009.

¹¹⁷ Focus group discussions, September 2009.

¹¹⁸ As stated by adolescent males in the focus group discussions September 2009.

¹¹⁹ Focus group discussions, September 2009.

Psychosocial well-being

Data on the psychosocial well-being of Palestinian refugees in Jordan are rather scarce. The available data appear to be mainly from the *Jordan Living Conditions Survey* of 1998.¹²⁰ In Jordan, refugees have higher psychological distress than non-refugees. Furthermore, the camp refugee population systematically reports more psychological distress symptoms than refugees living in urban residential areas. Younger refugee men appear to express a lack of hope for the future and this is particularly the case for those living in camps.¹²¹

Higher incidence of psychological distress symptoms in camps could be attributed to prevailing socio-economic conditions. Women are generally more psychologically distressed than men (refugee and non-refugee population alike).¹²² Around 60 per cent of camp refugee women reported to have experienced at least three symptoms of psychosocial distress, compared to 40 per cent and 35 per cent of non-camp refugee women and non-refugee women respectively.¹²³ In addition to the general socio-economic context, reasons for higher psychological distress among refugee women include the restrictions imposed on their freedom of movement.¹²⁴

Rights of children in juvenile justice system

The Jordanian National Council for Family Affairs identified delinquency as “a category that actually is the result or symptom of a wide variety of risk factors that affect vulnerable and unprotected children. Identifying the numbers of these children and characterizing the reasons for their interaction with the

law will provide a picture of this group of disadvantaged children and will provide a basis to develop further initiatives to reduce and prevent juvenile delinquency and its consequences for young offenders and society.”¹²⁵

Although there are no disaggregated data on Palestinian children specifically, illegal acts by juveniles, aged 7-18 years, constitute 11 per cent of all crimes committed in the country. Most juvenile offences are petty, such as theft, fighting, or assault. Eight hundred children, mostly boys, are institutionalized annually in juvenile care centres which provide for basic needs, besides arranging schooling, legal assistance and counseling for the residents.¹²⁶

Figures published by the National Council for Family Affairs indicate that for the three-year period 1999-2001, around 30,000 young people (15 per cent repeat offenders) came into contact with police and juvenile authorities, with a noticeable increase in arrests in the last two years of that period. Ages of those arrested ranged from under 12 to 18.¹²⁷ The high percentage of repeat offenders suggested that a new approach to juvenile justice was required.¹²⁸ Around 67 per cent of juvenile offenders were from urban centres (Amman, Irbid and Zarqa). “Bad upbringing/bad social influences” along with “ignorance of law” were the two main reasons cited by the Ministry of Social Development (MoSD) for juvenile crime. Children themselves reported “ignorance of law”, “delinquent friends”, “faulty rearing” and poverty as causes contributing to their behaviour.¹²⁹

120 Hanssen-Bauer, J., Pedersen, J., *The Jordan Living Conditions Survey*, Fafo Institute for Applied International Studies, Oslo, 1998.

121 Arneberg, M., *Living Conditions 1997*, op. cit.

122 Ibid.

123 Blome Jacobsen, L. (ed.), *Finding Means*, 2003, op. cit.

124 Blome Jacobsen, L., *Educated Housewives*, 2004, op. cit.

125 National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children*, 2004.

126 UNICEF and NCFA, *Children in Jordan: Situation Analysis*, 2007, op. cit.

127 National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children*, 2004.

128 National Centre for Human Rights (NCHR), *Status Report of Human Rights, The Hashemite Kingdom of Jordan*, 2006.

129 UNICEF and NCFA, *Children in Jordan: Situation Analysis*, 2007, op. cit.

During 2008, the National Centre for Human Rights (NCHR) received 100 complaints about the treatment of detained juveniles (in 2007, there were 87); the most frequent complaint (37) was torture in captivity, followed by complaints related to the right to receive family care (21) and delay in litigation procedures (22).¹³⁰ The Juveniles Law includes special measures for juvenile offenders. Children are considered to lack adult legal competence to the extent that they cannot be given the death sentence or life imprisonment. Instead, they may be given a maximum sentence of 12 years; and in fact, the maximum penalty awarded to a juvenile at the Zarqa magistrates' court was three months.¹³¹ Furthermore, since the first priority is the reintegration of the child in the community, the court may release juveniles into the custody of the parents or place them under the supervision of a probation officer. Other measures include foster care or requiring the young offender to give a personal undertaking for future good behaviour.¹³²

The draft juvenile law, which has been in review at the legislative bureau since the end of 2007, introduces amendments to the Juvenile Act Law 52 of 2002.¹³³ The draft law proposes key changes to advance the rights of children in conflict with the law. The amendments include raising the age of criminal responsibility from 7 to 12 years, introducing specialized courts for juveniles, providing alternatives to detention in correctional and rehabilitation centres for those with lesser offences (such as community service), the presence of a probation officer

¹³⁰ National Centre for Human Rights (NCHR), *Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2006*.

¹³¹ *Ibid.*

¹³² Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR, 2 March 2006*.

¹³³ National Centre for Human Rights (NCHR), *Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2006*.

at all stages of the judicial proceedings and hearing and discussing the latter's report.¹³⁴

The NCHR signed a memorandum of understanding with MoSD in February 2008, aiming to expand cooperation in the area of juvenile justice. Since then, they have opened two new temporary detention centres for children, including the Mafraq male security centre which was added to centres in Amman, Zarqa, Irbid and Aqaba, and the Al-Hussein security centre, where the first lock-up house for girls was inaugurated. Offices entrusted with juvenile delinquents are seen as a good idea as they deal with cases away from courts and they can be managed by personnel who have special training in such cases.¹³⁵

Child labour

In Jordan, the problem of child labour became visible only in the last decade. Jordan has ratified all international treaties related to child labour and was among the first countries in the region to ratify ILO Conventions No. 138 and No. 182. The former specifies the minimum age for admission to employment which forbids employment of children under 18 in hazardous jobs, and the latter covers prohibition and immediate action for the elimination of the worst forms of child labour.¹³⁶

The labour law in Jordan that was amended in 1996 increased the minimum age for work to 16 years (it was previously 13) and explicitly barred the employment of children below 18 in any occupation labeled hazardous

¹³⁴ UNICEF and NCFR, *Children in Jordan: Situation Analysis, 2007 op. cit., and Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR, 2 March 2006*.

¹³⁵ National Centre for Human Rights (NCHR), *Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2006*.

¹³⁶ UNICEF and NCFR, *Children in Jordan: Situation Analysis, 2007, op. cit.*

by the Ministry of Labour.¹³⁷ However, the restrictions do not apply to children involved in agricultural work, family businesses and domestic services.¹³⁸ Written approval from the guardian, a copy of the minor's birth certificate and a health certificate should be obtained by the employer before hiring a minor. Employers who violate the law must pay fines ranging from JD100-500 (\$140-700); the fine is doubled if the offence is repeated.¹³⁹

Child labour has increased recently, despite the government's strategies and funding. A report published by the Department of Statistics in 2008 estimated the number of working children between the ages of 5 and 17 at 32,676 (89 per cent males and 11 per cent females). This constitutes 1.8 per cent of the total number of children in this age group. Almost 79 per cent of children work in urban centres while the remaining 21 per cent work in rural areas. Children mainly work in auto and mechanical repair shops (36 per cent), agriculture (27 per cent), chemical industries (11 per cent) and construction (8 per cent). The average working hours for children totaled 42 hours a week; the average monthly income did not exceed JD 81 (about \$115) a month. The main reason cited for child labour (38 per cent) was to earn extra income for their families.¹⁴⁰

According to a study by MoL on the worst forms of child labour, published in 2007, around 13 per cent of working children in

Jordan were subject to forced labour and 16 per cent earned JD 50 (\$70) or less per month. Heavy machinery, noise pollution, poor lighting, and exposure to chemicals were common risks faced by working children.¹⁴¹ Working children generally belong to poor families, with large numbers of brothers and sisters, and the head of household usually does not hold an educational degree.¹⁴² The eldest child in large families is more likely to join the labour market. This is because large and poor families are in desperate need to augment low income by relying primarily on their older children.¹⁴³ Reasons cited for work also include lack of parental awareness of children's needs and rights and parental and child dissatisfaction with the school. Around 30 per cent of working children work in auto and mechanical repair, blacksmithing and carpentry.¹⁴⁴

In discussions with Palestinian parents and institutions from Jerash, Baqa'a and Madaba camps, the groups cited poverty and unemployment as a primary push factor for child labour. However, the groups also identified school-related and family-related factors in addition to bad peer influence. School-related factors were related to stressors for school dropouts, including overcrowded classrooms, lack of extracurricular activities, high school-related expenses, low academic achievement, lack of teacher focus on low academic performers, unavailability of specialized psychological and educational counselors, verbal abuse by teachers, the "hard curriculum" and lack of prospects for

137 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

138 United States Department of Labor, *2008 Findings on the Worst Forms of Child Labor - Jordan*, 10 September 2009, <http://www.unhcr.org/refworld/docid/4aba3ed7c.html>, accessed 4 October 2009.

139 United States Department of Labor, Bureau of International Labor Affairs, *Jordan: Incidence and Nature of Child Labor*, <http://www.dol.gov/ILAB/media/reports/iclp/tda2004/jordan.htm>, accessed 4 October 2009.

140 Hashemite Kingdom of Jordan, Department of Statistics and International Labour Organization, *Working Children in the Hashemite Kingdom of Jordan: Results of the 2007 Child Labour Survey*, March 2009, available at <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=12013>, accessed 28 November 2009.

141 United States Department of State, *2008 Country Reports on Human Rights Practices - Jordan*, 25 February 2009, <http://www.unhcr.org/refworld/docid/49a8f17daf.html>, accessed 5 October 2009.

142 Ibid.

143 Saif, I., *Rapid Assessment of the Worst Form of Child Labour in Jordan: Survey Analysis*, Center for Strategic Studies, University of Jordan, Amman, 2006, available at <http://www.mol.gov.jo/Portals/0/child%20labour.pdf>, accessed 28 November 2009.

144 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*.

education and employment.¹⁴⁵ Among family-related factors were illness of the father, “large number of family members”, death of one of the parents, polygamy, lack of parental supervision, “parents’ lack of awareness and negligence”, lack of open dialogue within the family, and “tough treatment by parents to force children to study”.¹⁴⁶

During focus group discussions in Baqa’a camp, it was mentioned that begging and child labour in the camp took the form of “organized business” whereby children were recruited for selling newspapers, food, and gum at the traffic lights.¹⁴⁷ In 2008, the NCHR reported that the phenomenon of begging among children was growing and was taking the shape of an organized trade.¹⁴⁸

Focus group sessions with representatives of relevant government agencies, UN agencies, and NGOs emphasized the need to enforce the law of compulsory education, enact legislation to prohibit all forms of child labour, coordinate and integrate the efforts of the Ministry of Education, Ministry of Labour and the Family Protection Department, activate the role of civil society organizations, implement country wide awareness and advocacy campaigns, and ensure comprehensive regulations for child labour that include follow-up measures of accountability and enforcement.¹⁴⁹

Children with disabilities

In March 2008, Jordan ratified the Convention on the Protection and Enhancement of the

Rights of Persons with Disabilities¹⁵⁰ and took a seat on the UN Committee for the Rights of Persons with Disabilities. In compliance with its obligations under Article 33, a national tracking committee of experts in disabilities was established to monitor implementation of the Convention on the national level.¹⁵¹ In addition, the 1993 Persons with Disabilities care Law No. 12 and its amendments were replaced by the Rights of Persons with Disabilities Law No. 31 of 2007 and a Higher Council for the Affairs of Persons with Disabilities (HCAPD) was created to review and draft policies for persons with disabilities and to monitor their implementation.

The Jordanian Ministry of Education (MoE) has focused more efforts on working with children with learning difficulties and those with visual and hearing impairments.¹⁵² However, support services for children with learning difficulties are still not fully developed and most children with disabilities are out of mainstream schools and special education services.¹⁵³ It is estimated that 12-18 per cent of the total number of children enrolled in education suffer from various types and degrees of learning problems and difficulties. Around 10 per cent of children with mild mental disabilities attend private and public schools. Among camp refugees, 14 per cent of children between the ages of 5-14 with a disability are not enrolled whereas among the non-disabled, it is only 3 per cent.¹⁵⁴

¹⁴⁵ “Lack of prospects for education and employment” was mainly mentioned for ex-Gaza refugees due to their legal status in Jordan: Ex-Gaza refugees have limited access to university education and the labour market. Focus group discussions, Jerash camp, September 2006.

¹⁴⁶ Focus group discussions, September 2009.

¹⁴⁷ Focus group discussions, September 2009.

¹⁴⁸ National Centre for Human Rights (NCHR), Status Report of Human Rights, The Hashemite Kingdom of Jordan, 2006.

¹⁴⁹ Focus group discussions, September 2009.

¹⁵⁰ The publication of the Convention on Disabilities in the Official Gazette, an administrative act necessary for the Convention to become part and partial of national legal system, is still pending.

¹⁵¹ The committee of experts consists of representatives of the relevant government bodies, CSOs, persons with disabilities active in this area and NCHR. See NCHR 2008 report, para. 202, footnote 220.

¹⁵² UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties

Under Article 44 of the Convention, Third Periodic Report of Jordan, 2005, UN document CRC/C/JOR/3, 22 September 2006.

¹⁵³ UNICEF and NCF, Children in Jordan: Situation Analysis, 2007, op. cit.

¹⁵⁴ Blome Jacobsen, Laurie (ed.), Finding Means, 2003, op. cit.

By the end of 2006, the MoE established 300 resource rooms in its schools to support and enhance services for students with special needs. However, there is a need for developing mechanisms to help students reintegrate into regular classrooms.¹⁵⁵ Children with more severe disabilities and those without access to mainstream schools enroll in special education classes run mainly by NGOs, the MoE and the Ministry of Social Development (MoSD).¹⁵⁶

During focus group discussions, institutions working in Jerash, Baqa'a and Madaba camps reported several problems encountered and challenges faced by Palestinian children with disabilities in the camps. These include: poverty and financial stresses, the negative attitude of the community toward persons with disabilities and the way they are perceived as a burden; they are seen as a source of embarrassment for their families and they are verbally and physically abused. Children with disabilities reported being victims of verbal and physical abuse by their classmates and children in the camp. They also said that people focus only on their disability and not their other abilities. "The girls at school refuse to sit beside me; one of the girls puts her bag in between us," said one 11-year-old. "We want teachers to advise girls not to treat us cruelly and to tell them that we were created this way. We want playgrounds and recreational facilities and we do not want to be mocked by other children. We are human beings just like them but we are different."¹⁵⁷

¹⁵⁵ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Third Periodic Report of Jordan, 2005*, UN document CRC/C/JOR/3, 22 September 2006.
¹⁵⁶ UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.
¹⁵⁷ Focus group discussions, September 2009.

2.5. The right to participation

Young people need to participate more actively in decision-making processes at home, at school, college, and university, at work and in their local communities according to over three quarters of young Jordanians.¹⁵⁸ Traditional customs and values of society in Jordan constrain the potential of dialogue between children and authoritative family figures. This is especially the case for fathers and other older male relatives, because of the stringently patriarchal nature of society. Generally, children are able to make decisions about minor matters like what to eat but not decisions that affect their academic choices and marriage. Girls feel particularly constrained, as they are less free to choose their academic or career path.¹⁵⁹ Similar constraints also define the relationship between students and teachers as they represent the figure of authority. Ministry of Education guidelines concerning the participation of children in student councils and community members in parent-teacher associations (PTAs) are generally disregarded by head teachers.¹⁶⁰

Adolescent participation

There seem to be few programmes on offer for Palestinian children and youth in Jordan.¹⁶¹ There is also a lack of data on the extent of Palestinian refugee youth involvement in activities other than social or extracurricular activities. Despite the estimates of the number of women refugees who have higher education (53 per cent),¹⁶² many young women are largely confined to activities within education

¹⁵⁸ Higher Council for Youth, *Jordan National Youth Strategy 2005-2009*, prepared by the Hashemite Kingdom of Jordan Higher Council for Youth, UNDP and UNICEF, 2004, http://hdr.undp.org/docs/network/hdr_net/Jordan_Summary_NYSP.pdf.
¹⁵⁹ UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.
¹⁶⁰ Ibid.
¹⁶¹ Chatty, D. and S. Stamatopoulou-Robbins, <Youth>, UNRWA – Near East Project Thematic Report, May 2007.
¹⁶² Blome Jacobsen, L., *Educated Housewives, 2004*, op. cit.

and the home. For example, refugee women in Jordan are much more qualified than refugee women in camps in Lebanon. However refugee women in Lebanon hold proportionately more managerial positions.¹⁶³ The gender difference in Jordan is especially noticeable with regard to accessing and using civic spaces such as markets, youth clubs/facilities and Internet cafés. Young women have fewer places than young men in which to enjoy each other's company, to be part of social networks, to receive mentoring and other support, to acquire skills outside the classroom, and to work for a wage.¹⁶⁴ Therefore, women cannot experience the degree of independence that men are entitled to.

Even though as Jordanian citizens they have the right to vote, Palestinian refugees and displaced persons vote less than other categories of the citizenry, and this is especially true for women.¹⁶⁵ For instance, the regions of Amman, Zarqa and Mafraq have voting participation rates about 20 percentage points below that of other governorates.¹⁶⁶ This regional difference is to some extent explained by the lower participation rates among Palestinian refugees, since the majority of them live in Amman and Zarqa. At the same time, refugees often seem to have the most complaints about the government.¹⁶⁷ This apparent paradox may be explained by the lack of "wasta" or social connections to those individuals who have the power to impact such things as finding decent employment in Jordan, specifically within the public sector.¹⁶⁸ This is especially

the case for Palestinian refugees who came from Gaza who are 1.6 times more likely to be poor compared to other refugees, as they are severely disadvantaged in the Jordan labour market, being excluded from the public sector and more formal employment¹⁶⁹.

2.6. The situation of women

The Government of Jordan acceded to and ratified CEDAW in July 1992, with reservations on Article 9, paragraph 2, concerning granting women equal rights with men with respect to nationality of their children; Article 15, paragraph 4, regarding a wife's residence with her husband; and Article 16, paragraphs 1(c), 1(d), and 1(g) concerning the rights of women arising upon the dissolution of marriage.¹⁷⁰ Jordan has submitted one initial report and three subsequent periodic reports to the CEDAW Committee.¹⁷¹ In its 2007 Concluding Observations, the CEDAW Committee reiterated its previous recommendations that Jordan review the nature of its reservations with a view to withdrawing them and modify without delay discriminatory legislation, including discriminatory provisions in its Personal Status Act, Penal Code, and Nationality Act.¹⁷² Other major concerns raised by the committee included the persistence of cultural stereotypes of the roles of women in the family and society at large, the absence of a specific law protecting women and lack of prosecution for perpetrators of violence against women, including domestic violence.¹⁷³

¹⁶³ Ibid.

¹⁶⁴ Higher Council for Youth, *Jordan National Youth Strategy 2005-2009*, prepared by the Hashemite Kingdom of Jordan Higher Council for Youth, UNDP, and UNICEF, 2004.

¹⁶⁵ Arneberg, M., *Living Conditions 1997*, op. cit.

¹⁶⁶ Hanssen-Bauer, J., Pedersen, J. *The Jordan Living Conditions Survey*, Fafo Institute for Applied International Studies, Oslo, 1998.

¹⁶⁷ Arneberg, M., *Living Conditions 1997*, op. cit.

¹⁶⁸ Khawaja, M., "Migration and the Reproduction of Poverty: The Refugee Camps in Jordan," *International Migration*, vol. 41, no. 2, pp.29-59, 2003.

¹⁶⁹ Ibid.

¹⁷⁰ NCFCA and UNICEF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

¹⁷¹ UNICEF, *The situation of children, youth and women in Jordan*, UNICEF, Amman, 2003.

¹⁷² Committee on the Elimination of Discrimination against Women, *Concluding comments of the Committee on the Elimination of Discrimination against Women: Jordan, 39th session*, UN document CEDAW/C/JOR/3-4, 10 August 2007.

¹⁷³ Ibid.

Early marriage

Among Palestine refugees in Jordan, the average age at first marriage in 2006 was 20.4 years for females and 25.2 years for males.¹⁷⁴ The current minimum age of marriage as stipulated in the Personal Status Act (Law No. 82 of 2001) is 18, except where a court decides that an exception should be made in the best interest of the child.¹⁷⁵ The legal age for marriage of the bride is based on the Islamic hijri calendar year, which means that females who are married at age 15 or 16 may be as young as 14 by the Gregorian calendar year.¹⁷⁶

Reasons for early marriage identified by Palestine refugee women include poverty and financial stress and the large number of family members; poor families tend to push their daughters to early marriage to reduce the financial burden on the family. The focus group discussions held in the course of this study also emphasized the role of customs and traditions, intermarriage, and the fear that girls would be harmed or “led astray”, which results in ruining the family reputation. Added to this are the low education levels of parents, family problems, school dropout rates which makes girls more available to early marriage, and lack of prospects for education and employment.¹⁷⁷ During the same focus group discussions, male and female refugee adolescents listed much the same reasons for early marriage. Males cited the patriarchal nature of the community, the lack of knowledge of the implications of early marriage, pressure exerted by the family on female children to accept early marriage, family problems,

¹⁷⁴ Piquard, B. and Callens, I., 2007, *op. cit.*

¹⁷⁵ Committee on the Rights of the Child 2006, *Consideration of Reports submitted by States Parties under Article 44 of the Convention: Third periodic report of States parties due in 2003, Jordan, UN document CRC/C/JOR/3, 2 March 2006.*

¹⁷⁶ National Council for Family Affairs, *Jordan Country Study of Disadvantaged Children, 2004.*

¹⁷⁷ Focus group discussions September, 2009.

negligence of education, psychological stresses resulting from poverty, polygamy and the large number of family members, and lack of legal deterrence which can be achieved by imposing penalties. Reasons given by female adolescents included curiosity, to escape poverty, narrow mindedness and intolerance of parents, discrimination against female children, generational differences, lack of cooperation and dialogue within the family, fears that girls will grow old without getting married and the absence of “religious deterrence”.¹⁷⁸

Domestic violence against women

The Ministry of Social Development, with the help of relevant experts, developed a draft law on protection against domestic violence.¹⁷⁹ The draft law was endorsed by the parliament in January 2008 and was published in the Official Gazette in 2009. The law makes provision for the reporting of domestic violence and for victims’ compensation; however, it fails to criminalize domestic violence.¹⁸⁰

Honour crimes

With regard to what are called “honour crimes”, Article 340 of the Penal Code also provides for lenient sentences for those, often relatives, who commit crimes against females on suspicion of immorality. Additionally, the UN CEDAW committee requested that perpetrators of premeditated “honour crimes” should not benefit from a reduction of penalty under Article 98 (which reduces penalties for murders committed in a fit of fury); and that Article 99 (which halves a perpetrator’s sentence when he is excused by the victim’s

¹⁷⁸ Focus group discussions, September 2009.

¹⁷⁹ UNICEF and NCFCA, *Children in Jordan: Situation Analysis, 2007, op. cit.*

¹⁸⁰ Amnesty International Report 2009 – Jordan, <http://thereport.amnesty.org/en/regions/middle-east-north-africa/jordan>, accessed 6 October 2009.

family) is not applicable to “honour” killings.¹⁸¹ In 2004, the legislative assembly adopted the Family Shelter Regulation related to a system of shelters for victims of domestic violence. Additionally, a telephone helpline and shelters have been set up by NGOs to support battered women.¹⁸²

During 2006, the FPD and Ministry of Social Development reported dealing with 1,764 and 1,200 cases of violence against women respectively. During the same year, other NGOs, including Sisterhood is Global, Mizan (Law Group for Human Rights), and the Family Guidance and Awareness Centre, dealt with 3,146, 307, and 2,122 cases respectively. Additionally, the Jordanian Women’s Union reported transferring 775 abused women to the Union’s shelter and receiving 14,000 calls on the hotline during the period 1999-2006.¹⁸³

Among Palestine refugees, one study looking at perceptions of domestic violence across 12 camps in Jordan found that the majority of men (60.1 per cent) and women (61.8 per cent) believe that wife beating is justified in at least one of the eight hypothetical marital situations presented to them. Almost 50 per cent of the men interviewed reported having ever hit their wife, and 42.5 per cent of women noted that they were victims of intimate partner violence.¹⁸⁴ Another study reported that 14 per cent of Palestinian refugee women were ever beaten by their current husbands.¹⁸⁵ During focus group discussions held in the course

of this study, older Palestine refugee women were more resigned to domestic violence, but the younger and more educated ones were more critical.¹⁸⁶ Within the educated women, twenty per cent of Palestine refugee women with higher education experienced domestic violence compared to 10 per cent of women with basic and secondary education. (This may be because women with higher education have more courage to talk about it.¹⁸⁷)

Palestine refugee women reported several reasons for domestic violence. Psychological and financial stress caused by poverty, unemployment, growing demands of life and large numbers of family members were among the main reasons. Women also attributed domestic violence to customs and traditions that are manifested in the patriarchal nature of the community, accepted gender roles that reinforce the assumption that men have the right to beat their wives and brothers have the right to beat and control their sisters, as well as the predominant belief that there is always a need to control and domineer women and girls.

Other reasons expressed by women include age differences between spouses and differences in educational and social status, interference of the extended family, weak personality of women, broken families, early marriage, absence of religious deterrence, ignorance and lack of awareness and addiction to alcohol and drugs. Additionally, women cited fear of being socially excluded as a main reason for not reporting domestic violence.¹⁸⁸

Female and male refugee adolescents expressed much the same reasons for

181 Committee on the Elimination of Discrimination against Women, *Concluding comments of the Committee on the Elimination of Discrimination against Women: Jordan, 39th session, 23 July-10 August 2007, UN document CEDAW/C/JOR/CO/4, 10 August 2007.*

182 Committee on the Elimination of Discrimination against Women 2006: *Consideration of reports submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Combined third and fourth reports of States Parties, Jordan, UN document CEDAW/C/JOR/3-4, 10 March 2006.*

183 National Council for Family Affairs, *Status of Violence against Women in Jordan, 2008.*

184 Khawaja, M., Linos, N. and El-Roueiheb, Z., 2008, *op. cit.*

185 Blome Jacobsen, L., *Educated Housewives: Living Conditions among Palestinian Refugee Women, 2004, op. cit.*

186 UNICEF and NCFCA, *Children in Jordan: Situation Analysis, 2007, op. cit.*

187 Blome Jacobsen, L., *Educated Housewives: Living Conditions among Palestinian Refugee Women, 2004, op. cit.*

188 Focus group discussions, September 2009.

domestic violence. Male adolescents cited over-crowdedness in camps and lack of privacy, failure of women to carry out household chores properly, discrimination between male and female children and encouragement of brothers to control their sisters, and lack of open dialogue within the family as additional reasons for domestic violence. Female adolescents added narrow-mindedness, the weak nature of women and the lack of an advocate or protector, and the lack of understanding and trust between spouses as causes.¹⁸⁹

Discussions with representatives of relevant government agencies, UN agencies, and NGOs revealed much the same as causes of domestic violence. These groups cited the lack of awareness of the rights of women and children, sizes of families relative to the available space at home, and lack of women's and children's participation in planning and implementing interventions relevant to their lives as additional reasons for domestic violence.

Maternal health

The maternal mortality rate (MMR) in Jordan declined from 800 per 100,000 live births in 1979 to 48 in 1990, and further to 41 in 2002.¹⁹⁰ For registered Palestinian refugee women in the five fields, MMR was 22.4 in (2002)¹⁹¹ and increased to 27.7 in 2008,¹⁹² according to UNRWA figures. The main causes of maternal deaths were pulmonary embolism (37.5 per cent), eclampsia (37.5 per cent) and haemorrhage (12.5 per cent).¹⁹³

An increasing percentage of camp refugee women receive prenatal care by trained health personnel. In Jordan, however, non-camp and camp refugees have relatively low prenatal care coverage. It is believed that the reason for low prenatal coverage in Jordan is the lack of awareness of the significance of prenatal visits by women.¹⁹⁴ This could also be attributed to under-serviced Palestinian refugees living outside the camps.¹⁹⁵ This lack of awareness is reflected in other patterns among refugee women with regard to seeking prenatal care. UNRWA identifies late registration patterns among refugee women seeking prenatal care – often after the first trimester of pregnancy. It appears, though, that the percentages of early registration have increased, with 70.8 per cent of the total number of refugee women who registered having done so during the first trimester of their pregnancy.¹⁹⁶

Camp-dwelling refugee women in Jordan start their prenatal visits 3.5 months later than non-camp refugee women and the host population.¹⁹⁷ Camp refugee women in urban settings are twice as likely as those in rural areas to seek prenatal care. Moreover, refugee women in Jordan are more likely to seek prenatal care if they are having their first or second child. For example, camp refugee women pregnant with their first child are eight times more likely to seek prenatal care than women pregnant with their fifth or later children.¹⁹⁸

In Jordan, camp refugee women are more likely to deliver their babies at home than

189 Focus group discussions, September 2009.

190 UNICEF and NCF, *Children in Jordan: Situation Analysis, 2007*, op. cit.

191 Al-Adili, N., A. Johansson and S. Bergström, "Maternal mortality among Palestinian women in the West Bank," *International Journal of Gynaecology and Obstetrics*, vol. 93, no. 2, 2006, pp. 164-170.

192 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

193 *Ibid.*

194 Blome Jacobsen, L., *Educated Housewives: Living Conditions among Palestinian Refugee Women*. FafoReport 425, Fafo Institute for Applied International Studies, Oslo, 2004.

195 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

196 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

197 Blome Jacobsen, L., *Educated Housewives*, 2004 op. cit.

198 *Ibid.*

non-camp refugees and non-refugees. Home deliveries are often assisted by trained midwives available in the camps or refugee neighbourhoods. Around 30 per cent of camp refugee women deliver at home compared to 10 per cent of non-camp refugees. Most refugee women in Jordan however, deliver in government hospitals (60-70 per cent). Around 86 per cent of camp refugee women delivered their most recent child with the help of a trained assistant, compared to 93 per cent of non-refugees and 95 per cent of non-camp refugees.¹⁹⁹

Antenatal and post-natal care is offered free of charge at 395 maternal and child health (MCH) centres and at 23 comprehensive postpartum centres located in the major hospitals.²⁰⁰ UNRWA operates 24 primary health care facilities for the refugees (including the 1967 displaced in Jerash camp and other areas); the Agency also operates 31 dental clinics, including 13 mobile units. UNRWA health centres, which concentrate on MCH and preventive care, receive nearly 1.3 million patient visits a year.²⁰¹

¹⁹⁹ *Ibid.*

²⁰⁰ *Ibid.*

²⁰¹ UNRWA, *UNRWA in Figures (figures as of 30 June 2009)*, available on the UNRWA website, www.un.org/unrwa.



CHAPTER 3

PALESTINIAN CHILDREN IN SYRIA

The number of Palestinian refugees registered with UNRWA in Syria as at August 2010 was 472,000, representing about 2 per cent of the total population of Syria - the lowest proportion of Palestinian refugees in any of the five UNRWA fields of operation. Children and adolescents account for roughly half the total number of Palestinian refugees in Syria.¹ More than three quarters of the Palestinian refugees in Syria live in and around Damascus. The rest are distributed in urban areas and small refugee camps in other parts of the country, including the cities of Homs, Hama and Aleppo. The 10 "official camps" in Syria house some 127,831² registered refugees. In addition there are three "unofficial camps", established by the Syrian government. These are the huge refugee quarter of Yarmouk, with a population of more than 140,000, in the centre of Damascus; a camp housing some 10,000 refugees in the coastal city of Latakia, and the small gathering of Ein el-Tal, on a hillside outside the northern city of Aleppo, housing some 5,700 Palestinian refugees.³ The General Authority for Palestine Arab Refugees (GAPAR) is responsible for refugee registration, relief assistance, finding employment opportunities for the refugees, and managing funds and contributions intended for them. GAPAR administers the refugee camps, and UNRWA provides education, health care, relief and social services and sanitation services to refugees living inside and outside the camps.

Syrian Arab Republic Law No. 260 of 1957 grants Palestinians living in Syria almost the same rights and legal protection as Syrian citizens – except that Palestinians cannot be naturalized or vote or stand as candidates in parliamentary and municipal elections.⁴ The legal status of Palestinians in Syria is thus considered to be more favorable than what applies in most other Arab countries. As a 2007 study put it: "Equal rights have contributed to a situation where the living conditions of Palestinian refugees are basically on a par with those of Syrian citizens."⁵ All registered refugees have full access to government services (health, education, the legal justice system, etc.) and to the labor market – with the exception that those refugees who arrived on or after 10 July 1956 are not allowed to occupy civil posts in the government.

In 1960, when Syria was part of the United Arab Republic (UAR), together with Egypt, Egyptian President Gamal Abdel-Nasser issued Decree No. 28 granting Palestinian in Syria travel documents. In 1963, after Syria had seceded from the UAR, Syrian Law No. 1311 limited travel documents to resident Palestinians registered with GAPAR and holding Syrian provisional identity cards. The Palestinian travel document is valid for six years, like Syrian passports, and enables its holder to return to Syria without a visa. Travel documents can also be reissued by any Syrian representative office outside Syria. In 1999, a new law was passed allowing Palestinian refugees in Syria to travel to and from Lebanon using their identity cards.

1 UNICEF, *Draft Situation Analysis of Palestinian Refugee Children and Women in the Syrian Arab Republic*, UNICEF/SAR, 20 January 2007.

2 UNRWA in figures, as at 1/1/2010, www.unrwa.org

3 UNRWA website, <http://www.un.org/unrwa/refugees/syria.html>, accessed 1 October 2009.

4 McCann, P., "The Role of UNRWA and the Palestinian refugees", *Palestine-Israel Journal*, vol. 15, no. 4 & vol. 16, no. 1, August 2009, available at <http://www.pij.org/details.php?id=1225>, accessed 2 October 2009.

5 Fafo Institute for Applied International Studies, *Keeping Up: A Brief on the Living Conditions of Palestinian Refugees in Syria 2007*, Fafo, Norway, 2007, cited in UNRWA SAR Field Office, *UNRWA Needs Assessment*, 2008.

Palestinian refugees have freedom of movement in all parts of Syria.⁶ However, the Syrian government has taken strict measures to control the entry of Palestinian refugees with Egyptian, Jordanian and Iraqi travel documents as a precaution against any possibility of their resettlement in Syria.⁷

Palestinians in Syria have the right to own businesses and also to join labour unions.⁸ Refugees who have the means to do so can leave the refugee camps and buy houses; however, unlike citizens, they can own only one house or piece of land. In rural and unregulated residential areas they can own more than one property but not registered in their own names.⁹ Most refugee men undergo military service as part of a unit known as the Palestine Liberation Army under Syrian command.¹⁰

Although most Palestinians receive their primary and preparatory education at UNRWA schools, they continue their secondary school education in Syrian government schools. Under the law, they have equal status to Syrians concerning enrolment in the universities and institutes. In addition, Palestinian university students may be granted scholarships to study abroad by the Syrian Government.¹¹

After the 2003 American-led invasion of Iraq, there was a large movement of refugees from Iraq to the Iraqi border with Syria. Among

them were Palestinians, some 1,100 of whom were confined by the Syrian authorities in two camps: Al Hol, which is in its territory, and Al Tanf, over which it exercises some jurisdiction even though it is on the Iraqi side of the border. Other Palestinians remained in a third camp on the Iraqi side of the border. Palestinian refugees from Iraq, while remaining under the UNHCR mandate, receive temporary eligibility cards from UNRWA. However there are some exceptions: Al Hol residents cannot leave the camps without permission, except to attend school, and Al Tanf camp residents could not enter Syria except to obtain medical treatment, after which they had to return the camp. In February 2010, Al Tanf camp was closed with its refugees either being resettled by the UNHCR in countries such as Chile, Sweden and Australia or being redirected to the more hospitable Al Hol camp. A large number of Iraqi Palestinians are also reported to have entered Syria with false Iraqi documents.

3.1. The Convention on the Rights of the Child (CRC)

Syria signed the CRC on 18 September 1990 and ratified it in July 1993 with reservations on the provisions of Article 14, on religion, and Articles 20 and 21 which refer to adoption, arguing that these provisions were incompatible with the precepts of Islamic *shari'ah*, the provisions of the Syrian Personal Status Code, and prevailing Syrian law.¹² According to the Committee on the Rights of the Child, the CRC is fully incorporated into domestic law and the civil and criminal

6 Jarrad N., *A profile on Palestinian refugees in Syria*, Al-Majdal, Newsletter, December 1999, (<http://www.badil.org/en/al-majdal/item/518-profiles-palestinian-refugees-in-syria>), accessed 3 October 2009.

7 Ibid.

8 Ibid.

9 In June 2008, Syria passed a law allowing foreigners to purchase real estate, provided they use it as their primary residence, obtain permission from the Ministry of the Interior, it is at least 200 square metres, and they do not attempt to rent or resell it within five years of purchase. If the property passes to a non-Syrian via inheritance, they must transfer it to a Syrian within one year or the property will revert to the state. Foreigners and foreign companies can rent property for business purposes for a non-renewable maximum of 15 years.

10 Forced Migration Website, *op. cit.*

11 Brand, L., «Palestinians in Syria: The Politics of Integration», *Middle East Journal*, vol.42, no. 4, Autumn 1988.

12 Committee on the Rights of the Child, *Consideration of Reports submitted by States Parties under Article 44 of the Convention: Initial reports of States parties due in 1995, Syrian Arab Republic*, UN document CRC/C/28/Add. 2, 14 February 1996.

code provisions do not apply if they are in conflict with an international convention that is in force.¹³ Syria has also ratified the CRC Optional Protocols on sexual exploitation of children, and involvement of children in armed conflict.

Syria submitted its second periodic report on CRC implementation to the Committee on the Rights of the Child in August 2000. The report was considered by the CRC committee in June 2003.¹⁴ The third and fourth reports were submitted as a combined document in February 2009. In its concluding observations the Committee encouraged Syria to study its reservations, particularly concerning Articles 14, 20 and 21, with a view to withdrawing them, and to review its laws to match international human rights standards, including the Convention. The Committee urged Syria to strengthen efforts to make the Higher Commission of Childhood an effective body for implementation of the CRC and to strengthen the Child Information Unit, improving data collection and the reliability of data. It specifically sought to ensure that the collected statistics of persons under 18 years covered all groups – in particular marginalized and vulnerable groups (e.g., children living in remote areas, victims of abuse, children with disabilities, juvenile offenders, etc.).

The Committee also urged Syria to form an independent national human rights institution to monitor and evaluate progress in the implementation of the CRC at national and local levels, to prioritize and target budgetary

allocations for social services for children belonging to the most vulnerable groups, to review the legislation regulating NGOs as a step in facilitating and strengthening their participation in implementation of the Convention, to develop awareness-raising programmes (giving attention to civil rights and freedoms), targeting children and parents, civil society and all sectors and levels of government, including activities that reach those vulnerable groups who are illiterate or without formal education; and to develop continuous training programmes on human rights, including children's rights, for all professional groups working for and with children.¹⁵

Syria has made substantial achievements over the 2000-2009 period, including:

- The withdrawal of Syria's reservation on the articles 20 and 21 consistent with Act No. 12 of February 2007;
- The establishment of the Syrian Commission for Family Affairs as a governmental body with financial and administrative independence but directly linked to the Prime Ministry;¹⁶
- Procedures and steps to associate national legislation with international conventions;
- Development of a draft Child's Rights Law;
- Legislative actions taken to enable the implementation the Convention, including
- Increase in the minimum age for admission to employment to 15 years

¹³ Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Syrian Arab Republic, 14th session, UN document CRC/C/15/Add. 70, 24 January 1997.*

¹⁴ Committee on the Rights of the Child, *Consideration of Reports submitted by States Parties under Article 44 of the Convention, Concluding Observations: Syrian Arab Republic, 33rd session, UN document CRC/C/15/Add. 212, 10 July 2003.*

¹⁵ *Ibid.*

¹⁶ Law No. 42 for the year 2003, issued by the President of the Syrian Arab Republic on 23 December 2003; the SCFA is also considered as a policy coordinating and child's rights monitoring body.

- Increase in the age of compulsory education from 12 to 15 years; and
- Increase of the age of legal culpability from 7 to 10 years.

Other child-related conventions ratified by Syria include ILO Convention Nos. 138 and 182 on the minimum age for employment and the elimination of the worst forms of child labour, and the Convention on the Rights of Persons with Disabilities.¹⁷ All these positively impact the lives Palestinian children too.

3.2. The right to survival

Levels and trends in infant and under-five mortality

The national under-five mortality rate (U5MR) in 2008 was 16 per 1,000 live births (compared with 37 in 1990), and the infant mortality rate (IMR) was more than halved, from its 1990 figure of 30 per thousand to 14 in 2008.¹⁸ However, the picture among Palestinian refugee camps and gatherings in Syria is quite different. The “MICS3” data for 2006 give averaged-out rates of 30 per thousand for under-five mortality and 25 per thousand for infant mortality among Palestinians in Syria.¹⁹ Rates are much higher among refugee camps in the rural south (U5MR of 34 and IMR of 28 per thousand) than in the urban central area (18 and 16 respectively).²⁰

17 Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention, Concluding Observations: Syrian Arab Republic, 33rd session, UN document CRC/C/15/Add. 212, 10 July 2003.*

18 UNICEF, *The State of the World's Children – Special Edition, UNICEF, New York, November 2009.*

19 The third round of Multiple Indicator Cluster Surveys of health, education and social conditions in Palestinian refugee camps and gatherings in Syria, known as MICS3, was conducted in 2006 by the Syrian Arab Republic, General Administration for Palestine Arab Refugees (GAPAR) and the Palestinian Central Bureau of Statistics (PCBS), with support from UNICEF and the Pan-Arab Project for Family Health (PAPFAM): *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.*

20 *Ibid.*

Table 3.1 - Health status of Palestinian refugee children in Syria

Child Mortality	
Under-five mortality rate (per 1,000 live births)	30
Infant mortality rate (per 1,000 live births)	25
Child Morbidity	
Prevalence of diarrhea (%)	11.5
Prevalence of acute respiratory infection (%)	7.8
Nutritional status of children Under five	
Underweight prevalence (%)	9.9
Stunting prevalence (%)	26.9
Wasting prevalence (%)	9.1

Source: Palestinians in Syria MICS 3 – 2006

According to MICS3, the infant mortality rate in the Palestinian refugee camps and gatherings in Syria was 25 per 1,000 live births and the under-five rate was 30 per thousand.²¹ These results were higher than the overall rates for Syria for the same year, which were 18 and 22 respectively.²²

Causes of child mortality and morbidity

Causes of deaths among Palestinian refugees in Syria have been identified as being similar to those among their counterparts in Lebanon (see Chapter 5), namely: low birth weight, prematurity, congenital malformations, respiratory conditions and acute respiratory tract infections.²³

21 GAPAR, PCBS, PAPFAM and UNICEF, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.*

22 *Ibid.*

23 UNRWA, *Annual Report of the Department of Health 2008, UNRWA, HQ Amman, 2008.*

Immunization

UNRWA gets all vaccines from the MoH and applies the national immunization schedule in its PHC facilities. The majority of children have been immunized for the main diseases covered by the Expanded Programme of Immunization (EPI). The proportion of children aged 12-23 months immunized against all childhood illnesses was found to be 91 per cent in 2006.²⁴ In 2008, immunization coverage rates among infants 12 months and 18 months of age were more than 99 per cent.²⁵

Nutrition

According to MICS3 for 2006, almost 10 per cent of children under age five in Palestinian refugee camps and gatherings in Syria are moderately or severely underweight and 2 per cent are classified as severely underweight. More than a quarter of children (27%) are moderately stunted and 8 per cent are moderately or severely wasted. Some 13 per cent of children were overweight.

Boys appear to be more likely to be underweight, stunted, and wasted than girls. The age pattern shows that a higher percentage of children aged 12-23 months are undernourished according to all three indices, in comparison to children who are younger and older. This observation is related to the age at which many children cease being breastfed and may be exposed to diseases as a result of contamination in water, food, and the environment. Children in Hama camps are more likely to be underweight and stunted than other children, followed by those in Dera'a camps (some 13,000 refugees, both from 1948 and 1967, live in two parts of a remote camp at Dera'a, in the rural south of

²⁴ *Ibid.*

²⁵ UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

Syria next to the Jordanian border).²⁶ This implies nutritional problems or/and a poor health situation among children in these two areas, where more attention should be given to the child health and health education programmes.

In UNRWA, weight for age, a measure of both acute and chronic malnutrition, is the only index used to assess infants and children with growth retardation. The incidence, prevalence at year end, and recovery rates of growth failure among children under three years of age in 2003 were 3.3 per cent, 3.2 per cent and 43 per cent respectively,²⁷ while in 2008 the values of the incidence and the prevalence at year end were almost the same, with 3 per cent and 3.3 per cent, but with a lower recovery rate of 36 per cent.²⁸ The rates are lower than expected. This indicates that there are still under-reported cases, no improvement in the detection of children with growth retardation, and that the management of these cases has not been successful.

The 2006 MICS3 found that the proportion of Palestinian children in camps aged less than six months who are exclusively breastfed was 16 per cent, which is lower than the number should be. At age 6-9 months, 64 per cent of children are receiving breast milk and solid or soft foods. By age 12-15 months of age, 50 per cent of children are still being breastfed and by age 20-23 months the proportion is 7 per cent. Girls were more likely to be exclusively breastfed and also had higher levels than boys for continued breastfeeding. The MICS 3 of 2006 showed that only 44 per cent of children

²⁶ *Ibid.*

²⁷ UNRWA, *Annual Report of the Department of Health 2003*, UNRWA, HQ Amman, 2003.

²⁸ UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

aged 6-11 months are being adequately fed, while among all infants (aged 0-11) the percentage drops to 30 per cent. Proportions are higher in rural than in urban camps.²⁹ This is unexpected, as usually rural areas are poorer and more deprived of health care and food. It is not clear what factors negatively affect child-feeding patterns in the urban areas.

3.3. The right to development

The national education system in Syria consists of a compulsory basic-education cycle of six years of elementary and three years of preparatory education. After the basic cycle, children may either enter three years of public secondary school, or train for a vocation either at a vocational training centre or in an apprenticeship system. Students can pursue their higher education either through intermediate institutes that offer two-year and three-year vocational courses or through universities.³⁰

Syrian and Palestinian students have equal rights and access to all public educational facilities, free of charge. However, Palestinian refugee children tend to depend more on UNRWA in meeting their basic educational needs.³¹ UNRWA offers education for Palestinian refugee children at the basic level and at one vocational training centre. UNRWA schools apply the same curricula and use the same textbooks as government schools.

Early childhood development

Since 1995 the increase in the number of kindergartens has been less than 45 per

cent, resulting in a total number far lower than the need, with an unequal distribution between areas and camps. Three quarters of the facilities are centred in Damascus – half of them in Yarmouk, the huge refugee gathering in the centre of the city.³² The low number of kindergartens and the scarcity of nurseries are a common issue that was raised in discussions with members of the community in connection with this study. Like parents everywhere, working mothers were highly concerned about the care of their young children. Even a mother who works in one UNRWA kindergarten complained about not being able to take her two young children to work.³³ Unlike in other field operations, UNRWA does operate kindergartens (KGs) in Syria, serving some 3,500 children in 15 KGs distributed among all camps and gatherings except Ramadan, with 9 KGs in and around Damascus. There is a plan to establish another two in Damascus in the near future. All 90 teachers who care for KG children are volunteers and receive a token salary.³⁴ These teachers are not academically qualified, but 90 per cent of them are well trained. Most of the kindergartens are in apartment blocks which have been converted for the purpose.³⁵

At present, only 6.4 per cent of Palestinian refugee children aged 36-59 months are attending pre-school. There is gender equality in the use of the service.³⁶ The proportion of children in the first grade of primary school who attended pre-school the previous year

²⁹ GAPAR, PCBS, PAPFAM and UNICEF, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.*

³⁰ Fafo, *Keeping Up*, 2007, op. cit.

³¹ *Ibid.*

³² GAPAR, *Survey of Preschool Facilities in the Palestinian Camps and Gatherings in Syria, Damascus, July 2002.*

³³ Focus group discussions were conducted for this Situation Analysis in three Palestinian refugee communities in Syria in September 2009. The discussions engaged children, parents, teachers and community representatives on topics including education, health, protection, participation and issues of concern to the community.

³⁴ Personal communication with Chief, Field Relief and Social Services Programme, UNRWA, 4 October 2009.

³⁵ Interview with Women's Programme Officer, UNRWA, 2 September 2009.

³⁶ GAPAR and PCBS, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.*

was found to be 44 per cent in the MICS3 survey of 2006 – 45 per cent among males compared with 42 per cent among females. A difference was noted between urban and rural areas: while 54 per cent of children attending the first grade of primary school had attended pre-school the previous year in urban areas, only 25 per cent of this group did so in rural areas.³⁷

A draft national strategy for early childhood was developed in 2006. After prolonged discussions and high level consultation between the Syrian Commission for Family Affairs and the relevant partners, mainly UNICEF, it was decided to conduct a situation analysis for early childhood as a solid base on which to build a well-informed strategy. This analytical study was conducted in 2008 and disseminated in August 2009.

School infrastructure and enrolment

The MICS3 survey of 2006 found that 92 per cent of Palestinian refugee children aged 6 years were attending the first grade of primary school (Table 3.2), with no gender differences.³⁸ However, there were significant differences by region. While the proportion was 94 per cent in Damascus, in Dera'a (a rural camp in the far south) it was 87 per cent. But overall, the vast majority (98%) of primary school age children were attending school, without significant gender or rural/urban differentiation in net enrolment rates.

³⁷ Ibid.
³⁸ Ibid.

Table 3.2 – Primary and Secondary Education among Palestinian refugees in Syria (2006)

Primary Education	
Net intake rate in Primary education (%)	92.0
Net Primary school attendance rate (%)	98.1
Primary completion rate (%)	83.4
Secondary Education	
Net secondary school attendance rate (%)	70.5
Transition rate to secondary school (%)	94.8
Gender parity	
Gender parity index (primary)	1.0

Source: Palestinians in Syria MICS 3 – 2006

Net enrolment rates tend to be lower at the post-elementary level. The proportion of refugee children aged 12-17 years who were attending secondary school was 70.5 per cent (Table 3.2). The rest of the children are either out of school or repeating classes in primary school. There was a positive correlation between the net enrolment rate and the level of mother's education and also the levels of the wealth indicator.³⁹

Most refugee children managed to complete primary school and to move to the secondary stage. The net primary school completion rate in 2006 was 83 per cent while the transition rate to secondary (the percentage of children of primary school completion age who attended the last grade of primary education) was 95 per cent. No significant gender differences were noticed. In the basic education cycle, over 95 per cent of Palestinian children attend UNRWA school, 4 per cent government schools and 1 per cent private schools.⁴⁰ There are no UNRWA secondary schools, so Palestinian

³⁹ Ibid.
⁴⁰ Fafo, *Keeping Up*, 2007, *op. cit.*

refugee students must move to government schools for the secondary level, and this is where dropouts may occur.

There are 119 UNRWA schools in Syria, mostly located in or nearby the refugee camps and gatherings, with an enrolment of 65,479 pupils in 2009, 49 per cent of them females.⁴¹ Fully 93 per cent of UNRWA schools operate on a double-shift basis, compared to roughly 10 per cent of government schools.⁴² In 2008, the overall enrolment rates in the basic level for UNRWA schools were 99.8 per cent in the elementary stage and 99.4 per cent in the preparatory stage (grades 7-9) with no noticeable gender differences in both levels.⁴³ In 2007, fewer boys (75%) than girls (84%) from among UNRWA school students completed primary education (elementary and preparatory),⁴⁴ while the primary school completion rate in 2008 was 81 per cent (77 per cent for boys and 84 per cent for girls). This indicates substantial improvements in educational performance and an advantage for girls over boys in terms of educational attainment at primary stage.

UNRWA schools have been recently proving to be among the best in Syria.⁴⁵ The pass rate in the UNRWA preparatory cycle exams for the school year 2008-2009 was 86 per cent,⁴⁶ while in government schools it was 66 per cent.⁴⁷

The main challenges facing UNRWA schools in Syria, as elsewhere, are overcrowded classrooms and a lack of funds to upgrade,

renovate or replace school buildings. The average classroom occupancy rate in UNRWA schools is 38, but classrooms in the order or rented schools may have to accommodate as many as 50 pupils. Double shifting, crowded classrooms, the lack of recreational and support facilities, the lack of multi-purpose rooms such as computer rooms and libraries, are seen as obstacles that to achieving

School drop-out

Dropouts and violence inside and outside the schools are problems facing the education process in Syria as elsewhere, although the incidence of these two problems has been declining during the last 10 years. The proportion of drop outs remained the same for the school year 1999-2000 (4%), and the 2005-2005,⁴⁸ (3%) and fell to 2% per cent in 2007-2008.⁴⁹

The main reasons for school drop-out among those aged 16 and above are related to both educational and socio-economic factors. Most common educational reasons are repeated failures and lack of interest in school. As for socio-economic factors, outside work is a major reason for leaving school among males, while the need to help with work at home and marriage are important drop-out factors among females.⁵⁰

School violence

In a study that was conducted in August 2009, it was found that the proportion of the school population in all areas involved in violence cases was 7 per cent. The majority of violent cases, 72 per cent, were in male schools. Physical violence cases from all sources

⁴¹ UNRWA website, *UNRWA in figures, figures as of 30 June 2009*, available at <http://www.un.org/unrwa/publications/pdf/uif-june09.pdf>, accessed 10 October 2009.

⁴² UNRWA, *Syria Field Office, Needs Assessment, June 2008*.

⁴³ UNRWA, *Education Programme Statistics, Syria Field Office, 2008-2009*.

⁴⁴ UNRWA, *Syria Field Office, Needs Assessment, June 2008*.

⁴⁵ Fafo, *Keeping Up*, 2007, *op. cit.*

⁴⁶ UNRWA, *Education Programme Statistics, Syria Field Office, 2008-2009*.

⁴⁷ Obtained from Ministry of Education Statistics, Syrian Arab Republic, 11 October 2009.

⁴⁸ IUED and UCL, *Living Conditions, 2007, op. cit.*

⁴⁹ UNRWA, *unpublished study on dropouts, Development Centre, November 2008*.

⁵⁰ IUED and UCL, *Living Conditions, 2007, op. cit.*

accounted for 32 per cent while the proportion purportedly involving teachers using verbal, psychological or physical violence towards students was 30 per cent.⁵¹ Members of the community suggested that many reasons were behind the persistence of these problems, including:

- Financial constraints facing UNRWA, resulting in overcrowding;
- Parents' attitudes that encouraged physical punishment inside and outside schools;
- Socio-economic status of students;
- Lack of safe and appropriate spaces for play and recreational activities inside the schools and in the camps, and
- Excessive teacher workloads.

3.4. The right to protection

Syria has drafted a national child protection plan, and taken legislative actions to enable the implementation of the CRC articles concerning child protection.⁵² During 2008, Syria improved the quantity and quality of its media activities aiming to raise awareness of children's rights in protection and care.⁵³

However, while Syria is on track to meet CRC goals and recommendations, it still has some central issues to work on and various challenges to meet. Areas of high concern include child labour, lack of juvenile justice capacities and legislation, violence against children, children in psychological distress especially among

⁵¹ UNRWA, unpublished study on violence, Development Centre, August 2009.

⁵² Concluding Observations of the Committee on the Rights of Children: Syrian Arab Republic, UN document CRC/C/15/Add.212, 6 June 2003 (unedited version).

⁵³ UNICEF, Syria Office, Annual Report, 2008.

refugee children and adolescents, as well as early marriage and early pregnancy.⁵⁴

In 2008, the school-based child protection system continued to be developed and tested in 22 schools as originally planned and a large capacity-building component was added. This allowed the establishment of a national training team and also the training of social counselors for a large number of Syrian schools. The same year, a Syrian Commission for Family Affairs-led Family Protection Unit, and a Ministry of Social Affairs-led help line for children were set up.⁵⁵

Birth registration

Birth registration is a legal requirement of parents in Syria, and it also applies to Palestinian refugees, as they enjoy the same legal rights as Syrians. MICS3⁵⁶ showed that 99 per cent of children under five in Palestinian refugee camps and gatherings in Syria were registered, and no variations in birth registration across any variable, including sex, age, or mother's level of education, were observed.

Protection from abuse, violence and neglect

MICS3 2006 data showed that 90 per cent of children in camps aged 2-14 had been exposed to some form of physical or psychological punishment at least once by their fathers, mothers or other household members. The study revealed that 9.6 per cent of mothers believe that physical punishment is a necessary component of child rearing. Male children were more subject to light physical punishment (75 per cent) and harsh physical

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ GAPAR and PCBS, Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.

punishment (14 per cent) compared to 67 per cent and 13 per cent for female children.

The extent of psychological and physical punishment applied varies significantly by camp. The highest rate was in the Damascus camps, with 92 per cent, while the lowest was found in Latakia camp, at 74 per cent.

Child labour

Decree No. 972, which was put into force in December 2004, prescribes rules for the work of minors, which it defines as any person under the age of 18. Minors under the age of 15 are not allowed to work, and between the age of 15 and 18 are only allowed to work in defined jobs and no more than 6 hours a day.

UNICEF reported that child labour is still affecting the Syrian and Palestinian refugee communities alike, with an estimated 4 per cent of Syrian children aged 10-14, and 6 per cent of Palestinian children reported to be working.⁵⁷ MICS3 also investigated the situation of Palestinian refugee children aged 5-14 years of age and involved in work activities. Survey results indicated that 2 per cent of boys and girls aged 5-14 were involved in work during the reference week. Child labour rates reach 5 per cent among children not attending school, as opposed to 1 per cent among children attending school regularly. In Aleppo camps it is as high as 3 per cent while it is practically non-existent in the Homs and Hama camps.

Children with disabilities

In 2005, GAPAR in cooperation with UNRWA and UNICEF conducted a comprehensive survey on the Palestinian refugees with

57 UNICEF, Syria Office, Annual Report, 2008.

disabilities in the camps.⁵⁸ The study identified 3 per cent of the people in the Palestinian camps as being disabled. The disability rate for children under 4 years of age was 5 per cent. Only a third of females above 15 with disabilities are married, while over half of men of the same age group with disabilities are married. Strikingly, a quarter of children with disabilities aged 10 years and above were involved in the workforce, while 54 per cent of the same group were unable to work.

The majority of females' and males' disabilities were due to congenital or other diseases (90 per cent for females, 75 per cent for males). The majority of cases (69 per cent) were diagnosed in hospitals or clinics. Only 9 per cent of persons with disabilities were receiving treatment. Only 63 per cent of children aged 10-14 with disabilities were attending school (compared with 90 per cent of their age group without disabilities); for students of the larger age group from 5 to 24 years, only 41 per cent were regularly attending school.

3.5. The right to participation

Schools are the main setting in which there is, at least, a plan to involve children and young people in different activities and to encourage them to participate in different community and extra-curricular activities. UNRWA schools adopted various strategies and procedures to ensure that students, parents and the local community were involved in the educational process. Student councils were constituted, together with various committees such as, for example, health, hygiene, counseling,

58 GAPAR and UNRWA, A comprehensive Survey on Palestinian Refugees with disabilities living in the Palestinian Camps, Damascus, July 2005.

and recreation, and a student parliament was formed.

Each year UNRWA holds many activities, such as “open days”, library weeks, exhibitions, cleanliness days, for example, as occasions for involving parents and the local community in the educational environment in order to improve communication and to create extracurricular activities for the sake of student enjoyment. The students are meant to participate in the educational process through planning, suggesting, evaluating class content and discussing emergent problems through the student parliament.

The level and effectiveness of student participation differs from area to area and from school to school, depending on the awareness of children about their rights and about the role of the parliament and the various committees, as well as the attitudes of principals and teachers toward student participation and their awareness of the real concept of the Parliament. The UNRWA focal point for human rights thought that there was still a critical need to make serious effort to conduct many more awareness raising activities targeting principals, teachers, students and parents, in addition to training for teachers and principals in all UNRWA schools.⁵⁹

In the IEUD/UCL 2007 living conditions survey, the proportion of children in the household who participated in all or some extracurricular activities, such as sports, scouts, cultural, and summer holiday programmes was 72 per cent.⁶⁰ Refugee children tended to participate less in scouts(4%), and cultural (10%) and

summer activities (11%). The reasons given by those who did not participate in extracurricular activities varied and included lack of interest, cost, and unavailability. Lack of availability was cited as the main reason (19%). Cost appeared to be the second most common (15%). Cost seems to be more significant than any other factor when a comparison was made of those in the lowest 20th income per centile to the rest of the population in the sample.

The findings of focus group discussions held in connection with this study regarding the reasons for not participating in extracurricular activities were similar to the study results. However, an interesting point made by many students and parents meeting in the discussion groups referred to “favouritism” for specific students and students’ parents by schools when special activities were run or when committees were formulated, or even when nominating students for the Parliament.

Since involvement in voluntary and civic organizations is an indicator of societal integration and the acquisition of social capital, the IEUD/UCL study investigated involvement in voluntary organizations. Some 55 per cent of Palestinian refugee youth in Syria are involved in voluntary organizations. For respondents of age below 16 who were asked about involvement in civic organizations and clubs, Syria showed the lowest level of participation.⁶¹

Refugee camps are generally lacking in parks, playgrounds, sport clubs or libraries. The only place where children and young people do go – and which parents are concerned about are the Internet cafés. Although there are some

⁵⁹ Interview with members of Educational Committees, UNRWA Development Centre, 28 August 2009.

⁶⁰ IEUD and UCL, *Living Conditions, 2007*, op. cit.

⁶¹ IEUD and UCL, *Living Conditions, 2007*, op. cit.

official restrictions on the websites available and on the age of access, these are frequently circumvented, and the cafés, where smoking is also widespread, are often unsupervised. .

Cultural centres or libraries are very rare in refugee communities. Even some school libraries have been turned into classrooms because of the shortage of rooms. UNRWA Educational Resource Centres (libraries) could be used for cultural activities for children, but they are only available during school hours, and most families are not aware of them.

Another issue that limits Palestinian refugee children and youth participation is that they do not have the right to travel outside Syria. Identity cards and travel documents are emblematic of the Palestinian refugee experience. None of the Palestinians in Syria have passports, according to the IUED/UCL survey. Instead, one-third of those 25 years old and above hold travel documents issued by the host authority. Among the younger age group, the figure is 17 per cent. This means that a minority of refugees in the Syrian Arab Republic hold legal documents that allow them to travel from and return to their places of residence safely.⁶² As indicated however, travel requirements have been eased since 1999 for Palestinians travelling to and from Lebanon.

3.6. The situation of women

Syria ratified CEDAW on 25 September 2002, with reservations on Article 2 in its entirety (equality, non-discrimination and legal

protection of women); Article 9, paragraph 2, on granting children the nationality of their mother; Article 15, paragraph 4, on freedom of movement and choice of domicile; Article 16, paragraphs 1 (c), (d), (f) and (g), which – in broad terms – grant men and women equal rights and responsibilities within marriage and family relations and paragraph 2, on the legal effect of the betrothal and marriage of a child, given, Syria says, the incompatibility with provisions of *shari'ah*, and Article 29, paragraph 1, on arbitration between countries in the event of a dispute between them.⁶³ In April 2007, Syria decided to withdraw its reservations to articles 2, 15 (4), 16 (1) (g) and 16 (2).⁶⁴ The other reservations remained.

Syria's initial report, prepared by the Syrian Commission for Family Affairs (SCFA), was discussed by the CEDAW Committee during its 38th session in 2007. The Committee approvingly noted actions including the establishment of the SCFA and the achievement of equality between girls and boys in secondary education. Various concerns were raised by the Committee, including occupational segregation between women and men in the labour market; persistent gaps in wages between women and men; the increase of women in the informal sector without social security or other benefits; obstructions to women's employment, such as inadequate child care facilities, and lack of protection against sexual harassment.⁶⁵

⁶² *Ibid.*

⁶³ Committee on the Elimination of Discrimination against Women, Consideration of reports submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Initial report of States Parties: Syria, UN document CEDAW/C/SYR/1, 29 August 2005.

⁶⁴ Coalition Equality with Reservation, www.cedaw.wordpress.com/2007/04/10/syria/, April 2007, accessed 15 November 2009.

⁶⁵ Committee on the Elimination of Discrimination against Women, Concluding comments of the Committee on the Elimination of Discrimination against Women: Syrian Arab Republic, 38th session, UN document CEDAW/C/SYR/CO/1, 11 June 2007.

Early marriage

The proportion of Palestinian refugee women aged 20-49 who were married before the age of 18 years was found to be around 22 per cent, according to the third MICS.⁶⁶ In investigating the reasons why parents often encourage their daughters to marry early, the majority of participants of the focus group discussions held for this study in different areas thought that socio-economic reasons were the lead cause of early marriage. Difficult living conditions, financial difficulties and the “protection of their honour” were mentioned particularly. About the effects of early marriage on children, the student groups identified many of the risks. One said: “The young mother is either not educated or has little experience of life. She doesn’t even know how to bring up her child”.⁶⁷

A study conducted in 2007 examined the preference and prevalence of kinship marriage among the Palestinian refugee community in Syria and found that 50 per cent of respondents had no preference towards the family type of marriage, 38 per cent prefer to have a non-kinship marriage partner, and only 12 per cent had a preference for inter-family marriage. Gender and education had led to a variation in preferences. Among married couples, 30 per cent were found to be married to a cousin – first cousin more often than the second cousin. Kinship marriage was more prevalent among the younger generation than the older one, indicating a need for awareness raising on the potential risks to children’s health from this form of “traditional” marriage.⁶⁸

⁶⁶ GAPAR and PCBS, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report, Damascus, May 2007.*

⁶⁷ From focus group discussions, students session, Yarmouk gathering, Damascus, 14 September 2009.

⁶⁸ IUED and UCL, *Living Conditions, 2007, op. cit.*

Domestic violence

There is a lack of available information on violence within the family among the refugee population in Syria. A study on violence against women in Syria was conducted by the General Women’s Union in cooperation with the Syrian Commission on Family Affairs in 2005, but it has not yet been disseminated. Another study was done in 2006 about violence against children but it was not disseminated until 2008.

Evidence from the focus group discussions held in connection with this study attributed the violence occurring within the refugee community to the difficult and worsening living conditions in the camps. A participant from Yarmouk camp in Damascus said: “There is an increase in domestic violence in the first place because of the pressing financial problems. It could be also because of incompatibility between couples in terms of the educational levels, especially when the woman is more educated and more successful than the husband. But all this is exacerbated because of the difficult living conditions and financial problems.”⁶⁹

Some speakers referred to the conflict in Gaza and other parts of oPt as a main cause for an increased prevalence of violence in the community in general, which is reflected in turn inside homes. As one respondent explained: “Every day the Palestinian refugee child witnesses the killing of Palestinians people on TV or the Internet. He sees Palestinian children and young people are being killed. Naturally, the feeling of weakness and discrimination will lead to compensation with violence”.⁷⁰

⁶⁹ From FGDs, parent session, Yarmouk gathering, Damascus, 14 September 2009.

⁷⁰ From FGDs, Teachers and Community Reps session, Yarmouk gathering, Damascus, 14 September 2009.

Maternal health

The MICS3 findings of 2006⁷¹ show that the maternal mortality rate (MMR) in Palestinian refugee camps and gatherings in Syria was 46 per 100,000 live births, while the State Planning Commission estimate of MMR in Syria (including Palestinian refugees) in 2008 was 56 per 100,000 live births. Both rates are still far from the MDG target of 32 per 100,000 live births by 2015, so maternal mortality continues to be an issue of concern for women in Syria, although the situation appears to be better for the Palestinian refugee camps than the national average. During 2008, only one case of maternal mortality was reported among the refugees. The cause of death was haemorrhage, which is preventable.⁷²

Antenatal care coverage is relatively high in Palestinian refugee camps and gatherings in Syria, with 95.1 per cent of women receiving antenatal care at least once during their pregnancies (Table 3.3). The proportion of women cared for by a doctor is 82 per cent, while 12 per cent receive care provided by nurses or midwives. Most pregnant women are provided with all basic types of care including weight and blood pressure measurement, urine testing and blood testing.⁷³ Care seeking when a child is sick is, however, an area where Programme Communication efforts can make a difference (Table 3.3).

71 Ibid.

72 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

73 GAPAR, PCBS, PAFAM and UNICEF, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report*, Damascus, May 2007.

Table 3.3- Health coverage among Palestinian refugee children and women in Syria – 2006 MICS3

Care of illness	
Care-seeking for suspected pneumonia (under-5 years old) (%)	12.1
Oral rehydration therapy with continued feeding (under-5 years old) (%)	71.9
Antenatal and Delivery care	
Antenatal care coverage (%)	95.1
Skilled attendant at delivery (%)	97.6

Source: Palestinians in Syria MICS 3 – 2006

According to UNRWA, the rate of high risk pregnancy among pregnant refugee women was 9 per cent in 2008 (compared with 8 in 2003), which is relatively low compared with other UNRWA field operations. This can be attributed to the decline in the total fertility rate (2.4 compared to 2.6 in 2000), and the increase in the marital age during the last two decades – from 15 years in 1935 to 21 years in 1991, and to 25 years 2004^{74,75}). The proportion of pregnant refugee women who paid for four antenatal visits or more to UNRWA maternal and health services was 87.6 per cent.⁷⁶ About 99 per cent of births were delivered by skilled personnel during 2004-2005⁷⁷, while in 2008 the proportion of pregnant women delivered by trained personnel was 99.6 per cent. Although the percentage of deliveries in health institutions is high, at 95 per cent, 5 per cent of deliveries are carried out at home. The coverage rate of post-natal care is 93.1 per cent.⁷⁸

74 Freedom House website, <http://www.freedomhouse.org/template.cfm?page=183>, accessed 16 October 2009.

75 Fafo, *Keeping Up*, 2007, op. cit.

76 UNRWA, *Annual Report of the Department of Health 2003 and Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2003 and 2008.

77 GAPAR, PCBS, PAFAM and UNICEF, *Multiple Indicator Cluster Survey III in Palestinian Refugee Camps and Gatherings in Syria 2006, Final Report*, Damascus, May 2007.

78 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.





CHAPTER 4

PALESTINIAN CHILDREN IN LEBANON

The number of Palestinian registered refugees in Lebanon at mid-2010 was circa 422,000 or approximately 10 per cent of Lebanon's total population.¹ The Palestinian refugees in Lebanon are a young population with 30 per cent below 18 years of age, and 27 per cent being women of reproductive age.² The number of registered refugees residing in the 12 official UNRWA-served camps was some 53 per cent of the total number of refugees – the highest percentage of camp dwellers in the refugee population of any of UNRWA's five fields of operation. The rest live in "gatherings", which are relatively autonomous refugee communities that constitute 25 or more households,³ or in cities and urban areas.⁴ However, there is significant debate regarding the actual number of Palestinian refugees in Lebanon. Due to the Lebanese civil war, and the difficulty in finding employment in Lebanon, large numbers of Palestinian refugees have emigrated to Europe and to other Arab countries, especially in the Gulf.⁵ It is estimated that less than two thirds of this figure [the registered refugee total] actually reside in the country.⁶

There are approximately 30,000 non-registered refugees in Lebanon.⁷ Despite the fact that they are unregistered, they can benefit from UNRWA education and health services (including immunization) under a temporary UNRWA project funded by the EU since 2004.⁸ Finally, there are an estimated 4,000-5,000 "non-identified" ("non-ID") refugees in Lebanon who are not registered by UNRWA or the Lebanese authorities, or any other agency.⁹ The non-ID population face restrictions on movement and on access to UNRWA services and public health care.¹⁰ Since 2006, the PLO has been issuing identification certificates or "proof of nationality certificates" for non-IDs living in Lebanon to facilitate movement, registration of marriages and births, and registration at schools and universities.¹¹ In November 2009, the Lebanese government said it would begin issuing documents to Palestinian refugees who had lost their papers.

Isolating the Palestinian refugee community in the camps, without the possibility of purchasing property outside of the camps, has a two-fold effect on their economic status in Lebanon. First, it limits the types of jobs they are able to find, since they are often limited to jobs within the vicinity of the camps. Second, it reinforces a common perception of Palestinians as "troublemakers", and prejudices potential employers against hiring Palestinian refugees as employees.

Migration, both within and outside Lebanon, seems to be quite common among the

1 UNRWA website, available at <http://www.un.org/unrwa/refugees/lebanon.html>, accessed 25 August 2010.

2 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

3 Uglund, O. (ed.), *Difficult Past, Uncertain Future: Living Conditions among Palestinian Refugees in Camps and Gatherings in Lebanon*, FAFO report 409, Fafo Institute for Applied International Studies, Oslo, 2003, p. 288.

4 Danish Immigration Service and Danish Refugee Council, *Survey report on the situation of Non-ID Palestinian refugees, Lebanon, September 2007*, p. 16.

5 *Ibid.*

6 *Ibid.*

7 Palestinian Human Rights Organization, *Lebanese Labor Laws. Palestinian Refugees Recent Situations: The Palestinians' Contributions to Lebanon's Economy*, PHRO, Beirut, (Second Edition – November 2008), p. 14.

8 PHRO, *Lebanese Labor Laws, 2008*, op. cit.

9 *Ibid.*, p. 15.

10 *Ibid.*, p. 5.

11 *Ibid.*, p. 49.

Palestinian refugee community in Lebanon. Major reasons for migration are marriage and family reasons, followed by war/security, housing then work.¹² The majority has relatives abroad, and around half have relatives abroad who contribute to the household income by sending money back to their families in Lebanon.¹³ Willingness to migrate is common among the younger generations, especially those who are educated at universities, as they are not able to find work in Lebanon. They join their Lebanese counterparts and search for work primarily in the Gulf countries.¹⁴

4.1. The Convention on the Rights of the Child (CRC)

The Government of Lebanon ratified the CRC on 14 May 1991, without reservations. Lebanon has since submitted three reports to the CRC Committee. The ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 8 November 2004 and of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime on 5 October 2005.

The Lebanon Higher Council for Childhood has made important progress in the legislative, awareness-raising and training areas, and has set up various specialized commissions within the Council, such as on sexual exploitation, child abuse and neglect, and child participation.

Lebanon has also established new institutions

¹² Khawaja, Marwan, "Population", 2003, *op. cit.*

¹³ *Ibid.*

¹⁴ Focus group conducted by IFI with children and youth, parents and community leaders in Burj el Barajneh, Burj el Shemali and Beddawi refugee camps, September 2009.

for the implementation and promotion of children's rights, such as the centre for child victims of sexual violence and the centre to combat child labour.

Although Lebanon has undertaken significant efforts to protect the rights of children, the Committee on the Rights of the Child in its concluding observations to the State Party's third periodic report of Lebanon held on 24 May 2006, recommended that additional efforts be invested in ensuring progress on the minimum age for marriage, the very low age of criminal responsibility, the right to a nationality, the right to be protected against violence, and abuse and the protection of refugee children, including Palestinian children.

4.2. The right to survival

Levels and trends in infant and under-five mortality

UNICEF data give a national under-five mortality rate for Lebanon as a whole of 13 per thousand for 2008, a considerable reduction from 40 per thousand in 1990, and an infant mortality rate of 12 per thousand in 2008, also down considerably from 33 per thousand in 1990.¹⁵ Despite harsh refugee living conditions, infant and child mortality among Palestinians in Lebanon have decreased considerably in the last decade. Infant mortality rates were 38 per 1,000 live births and under-five mortality rates were almost 50 per 1,000 in 2001¹⁶. These rates fell to 26 per thousand for infants and 31 per thousand for under-fives in 2006, according to the MICS3 data from that year.¹⁷

¹⁵ UNICEF, *The State of the World's Children – Special Edition*, UNICEF, New York, November 2009.

¹⁶ UNICEF and Palestinian Central Bureau of Statistics, *Second Multiple Indicator Cluster Survey of Health, Education and Social Conditions of Palestinian Women and Children in Lebanon (MICS2)*, June 2001.

¹⁷ UNICEF, the Pan-Arab Project for Family Health (PAPFAM) and the Palestinian Central Bureau of Statistics (PCBS), *Third Multiple Indicator Cluster Survey of Health, Education and Social Conditions of Palestinian Women and Children in Lebanon (MICS3)*, May 2007.

Although relatively low, the numbers are still higher than rates among camp populations elsewhere,¹⁸ and they vary geographically.

Table 4.1 - Health Status of Palestinian refugee children in Lebanon (2006)

Child Mortality	
Under-five mortality rate (per 1,000 live births)	31
Infant mortality rate (per 1,000 live births)	26
Child Morbidity	
Prevalence of diarrhea (%)	9.9
Prevalence of acute respiratory infection (%)	18.4
Nutritional status of children Under five	
Underweight prevalence (%)	4.6
Stunting prevalence (%)	19.9
Wasting prevalence (%)	4.6

Source: Multiple Indicator Cluster Survey, Palestinian Refugee Camps, Lebanon2006

Causes of child mortality and morbidity

The main causes of child mortality among Palestinian refugee children are low birth weight (65 per cent), prematurity (24.6 per cent), congenital malformations (23.1 per cent), respiratory conditions (18.5 per cent), and acute respiratory tract infections (10.8 per cent). Higher incidences of acute respiratory infections have been reported which are associated with living in crowded and cramped conditions¹⁹. Communicable diseases are still high resulting in high incidences of diarrhoea,

18 Khawaja, Marwan. «Population», 2003, op. cit., pp. 29-60.

19 Habib, Rima, et al., "Harboring illnesses: On the association between disease and living conditions in a Palestinian refugee camp in Lebanon," *International Journal of Environmental Health Research*, vol. 16, no. 2, April 2006, pp. 99-111.

hepatitis, brucellosis, typhoid fevers and intestinal parasites.²⁰

Immunization and nutrition

Child immunization rates are generally low, with 85 per cent of children vaccinated against polio and 83 per cent against measles. Anaemia is still prevalent among refugee children. Findings show that 44 per cent of 6-11 months infants, 40 per cent of children aged 12-17 months, 32 per cent of those between 18-23 months and 21 per cent of children aged between 24-36 months suffer from anaemia.²¹

4.3. The right to development

Between 1950 and 1982, the Palestinian refugee community in Lebanon was considered to be the most educated among Palestinians in the region.²² The Lebanese civil war, which heavily involved Palestinian armed groups and the expulsion of the PLO from Lebanon in 1982 severely affected the Palestinian education system, destroying much of the infrastructure and creating a sense of insecurity in the camps as well as a state of poverty, which was not a favourable learning environment.²³

Early childhood development

Children enroll in elementary school at age 6, and may attend two years of non-compulsory preschool. For the most part, however, preschool is available for Palestinian children through NGOs. They vary widely in quality

20 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

21 UNRWA, *Annual Report of the Department of Health 2008*, UNRWA, HQ Amman, 2008.

22 Sirhan, B., "Education and the Palestinians in Lebanon," paper presented at the Palestinians in Lebanon conference organized by the Centre for Lebanese Studies and Refugee Studies Programme, Queen Elizabeth House, Oxford, UK, 27-30 September 1996.

23 *Ibid.*, p. 5.

and only provide pre-school education to 9,092 children, leaving a large segment of pre-school age Palestinian refugee children without access.²⁴ There is little coordination among the different NGOs with regard to curriculum used, and there are variations in teacher qualifications and tuition as well as the funding that each NGO receives to implement its projects.²⁵ As a result, once students enter the elementary level, teachers find that many are not ready for the curriculum.²⁶ UNRWA is now working on a unified curriculum for all pre-schools, but that will only solve one aspect of the problem.

Enrolment in pre-elementary facilities accounts for 62 per cent of children aged 36 months to 5 years, according to the MICS2 data gathered in 2006,²⁷ which is high. Enrolment in kindergarten is an important stage in a child's education: students who go from kindergarten to elementary school are more likely to stay in school than students who have not.²⁸ However, the quality of the services provided at this early stage has not been properly assessed.

According to the same MICS data, 74 per cent of children of primary school age (6 years) are attending the first grade of primary school (Table 4.2), and 97 per cent of these students will eventually reach grade 5.²⁹ There are no significant differences between the number of boys and girls enrolled. However, only 37

per cent of the children of primary completion age (11 years) were attending the last grade of primary education, which signified a high rate of grade repetition.

Table 4.2 – Primary and secondary education among Palestinian refugees in Lebanon (2006)

Primary Education	
Net intake rate in Primary education (%)	73.5
Net Primary school attendance rate (%)	94.7
Primary completion rate (%)	37.4
Secondary Education	
Net secondary school attendance rate (%)	63.4
Transition rate to secondary school (%)	73.9
Gender parity	
Gender parity index (primary)	1.0
Gender parity index (secondary)	1.08

Source: Multiple Indicator Cluster Survey, Palestinian Refugee Camps, Lebanon2006

School infrastructure and enrolment

UNRWA is the main provider of education to the Palestinian refugees in Lebanon. The total number of students enrolled in the 81 UNRWA schools was 34,516³⁰, compared to 36,534 in 2008 and 38,370 in 2007, 38,370 in 2006 and 40,549 in 2005. These figures show a steady decline in the number of pupils despite an equally steady increase in the number of registered refugees.³¹ This is attributed to

30 UNRWA, *UNRWA in figures, figures as of June 2009*, available at <http://www.un.org/unrwa/publications/index.html>, accessed 24 September 2009.

31 All UNRWA figures can be accessed at <http://www.un.org/unrwa/publications/index.html>.

24 Ugland, Ole (ed.), *Difficult Past*, 2003, op. cit.

25 Interview with Mahmoud Abbas, director of the Children and Youth Centre in Shatila refugee camp, 23 September 2009; Ugland, Ole. (ed.) *Difficult Past*, 2003, op. cit., p. 110; Hillenkamp, B. "The Challenges of Palestinian Education", LPDC Briefing Note, Lebanese-Palestinian Dialogue Committee, Beirut, no. 1, March 2008, p. 3.

26 Interview with Mahmoud Abbas, Shatila refugee camp, 23 September 2009; Hillenkamp, B., "The Challenges of Palestinian Education", 2008, op. cit., p. 3.

27 UNICEF, the Pan-Arab project for Family Health, and the Palestinian Central Bureau of Statistics and Natural Resources, *Third Multiple Indicator Cluster Survey of health, education and social conditions of Palestinian women and children in Lebanon (MICS3)*, May 2007.

28 Meeting minutes from a brainstorming meeting organized by the Issam Fares Institute at the American University of Beirut (AUB) on the topic of school dropouts, involving researchers, UNRWA and NGOs, 23 February 2009.

29 This figure includes children who repeat grades.

the worsening socio-economic conditions of Palestinians in Lebanon, as well as to the fact that Palestinians, remarkably for a people once renowned for their hunger for education, no longer see the benefits of an education, given the work restrictions the Lebanese government had imposed for so long.

In addition to the pupils in UNRWA-run schools, there are currently approximately 10,000 Palestinian refugee children attending Lebanese schools (3,275 in government schools and 6,360 in Lebanese private schools). UNRWA schools follow the curriculum set by the Lebanese government.

School drop-out

The general socio-economic situation, as well as the legal restrictions imposed on Palestinian refugees in Lebanon, are seen as the main contributors to an increasing trend of school dropouts who no longer see the benefits in an education.³² Drop-out rates among students are exceptionally high. While a large percentage of seven-year-olds are enrolled in schools, by the age of 16, almost half of Palestinian refugees have dropped out of school. Net enrolment in elementary school (6-11 years) is 96 per cent, but this drops to 63 per cent in preparatory school (12-14 years) and furthermore to an alarming 40 per cent in secondary school (15-17 years).³³ A very recent survey of child labour commissioned by UNICEF in Palestinian camps and gatherings in Lebanon found that 50 per cent of 17-year-olds (57 per cent of boys and 42 per cent of

girls), and 40 per cent of 16-year-olds (46 per cent of boys and 33 per cent of girls) had dropped out of school.³⁴

It was only recently that dropouts became such a priority issue. Up until 2006, drop-out rates were extremely low at 1.5 per cent, and other issues such as overcrowded classrooms, student achievement, violence and political turmoil were receiving most attention.³⁵ The main reasons for dropouts are repeated failures and lack of interest for boys, and marriage and family care for girls.³⁶ Another correlative factor for boys and girls alike is the educational level of the household head: one in five children living in a household where the head has not completed primary education, have dropped out of school before age 15, compared to one in eight if the head has completed elementary, and to one in 35 if the head has post-secondary or higher education.³⁷ Palestinian refugees interviewed by Amnesty International said that they thought the years spent on education “would be wasted as this would not be enough to open the door to well-paid jobs in Lebanon.”³⁸

Enrolment and drop-out rates are heavily dependent on both structural as well as technical factors. One major problem is that UNRWA is facing difficulties in finding funds and spaces to build new schools; there are many camps with no empty spaces and high costs of rent.³⁹ As a result, many schools are

32 Makhoul, J. et al., “An ethnographic study of social and structural forces on children: the case of two low-income Beirut suburbs”, *Environment and Urbanization*, vol. 15, 2003.

33 Abdunnur, I., Abdunnur, S., and Madi, Y., *A Comprehensive Survey and Needs Assessment of Dropouts and Reform Strategies, UNRWA/ Lebanon, Education Programme, 2008.*

34 UNICEF, *Palestinian Central Bureau of Statistics (PCBS), Survey on child labour (7-17 years) in Palestinian refugee camps and gatherings in Lebanon, September 2009, preliminary report.*

35 Bilagher, M., *Early School Leaving, UNRWA/Lebanon, Education Programme, 2006, pp. 8-9.*

36 Uglund, Ole. (ed.), *Difficult Past, 2003, op. cit., p. 118.*

37 *Ibid.*, p. 119.

38 *Amnesty International Report, Exiled and Suffering, Palestinian Refugees in Lebanon, October 2007, pp. 24-25.*

39 Interview with Linda El Hajj Hussein, UNRWA Education Department, 14 September 2009.

located outside camps, but UNRWA does not provide transportation to and from school. Classrooms are also not equipped with laboratories, computers, and other resources needed to teach the Lebanese curriculum fully.⁴⁰

Classroom occupancy in UNRWA schools, at an average of 35 pupils per classroom, is higher than in Lebanese government schools, but lower than in UNRWA schools in other fields.⁴¹ However, this is due to the fact that UNRWA operates schools in two shifts, so teachers' and students' class time is roughly half of what is the norm, and they are often not able to cover all the subjects in the curriculum.⁴² UNRWA has managed to reduce the number of double-shift schools to 19 out of 75.⁴³ Additionally, the Agency has initiated a €15 million education project, with EU funding, which, has facilitated the construction of new school buildings, thus ending double-shifting in more areas of Lebanon. Under the EU project, construction has begun on eight new schools totaling 160 classrooms, 72 new classrooms in existing schools, 20 toilet blocks, 14 canteens, five science laboratories, 10 recreational rooms and 12 remedial teaching rooms.⁴⁴ When the project is completed, only schools in Saida town and Beirut will remain on double-shift and all schools in camps will be single-shift.⁴⁵

Aside from all the technical problems within the educational system, the majority of studies have found – and many parents believe – that the main reasons for declining enrolment rates and increasing drop-out rates in UNRWA

schools in Lebanon are poverty and the general socio-economic situation.⁴⁶ Studies have also related it to the educational attainment of parents: the more educated the parents are, the more likely the child will stay in school.⁴⁷ Other reasons given by dropouts are the need to work, low achievement, repetition, teachers' behaviour, marriage or engagement, and a lack of interest in learning.⁴⁸

A 2009 UNICEF-commissioned study found that only 38 per cent of dropout children (ages 7-17) were working – 55.5 per cent of dropout boys and 7.5 per cent of dropout girls – raising the question about the fate of the remaining dropout youths.⁴⁹ Unemployed dropouts are an especially vulnerable group, and regarded as an increasing problem in the Palestinian camps in Lebanon.⁵⁰ Under the EU education project, UNRWA is working with NGOs experienced in vocational training to develop the skills of students who have dropped out of school. The goal is to increase by 25 per cent the enrolment in vocational training of primary-school dropouts.⁵¹

One fourth of dropouts go into vocational training, and while UNRWA and several NGOs provide vocational training courses, only 27 per cent of dropouts aged 6-18 years who had received training are working in the vocation in which they had been trained.⁵² Many of the courses are criticized for being outdated and

40 Hillenkamp, B., "The Challenges of Palestinian Education", 2008, op. cit., p. 6.

41 Ibid., p. 4.

42 Ibid., p. 6.

43 E-mail correspondence with Khaled Dgheim, UNRWA Education Programme, 1 October 2009.

44 The European Commission and UNRWA, *Improving the lives of Palestinian refugees*, UNRWA, 2007.

45 E-mail interview with Salvatore Lombardo, Director of UNRWA Affairs, Lebanon, 5 October 2009.

46 Bilagher, M., *Early School Leaving*, 2006, p. 4; Ugland, Ole. (ed.), *Difficult Past*, 2003, op. cit., p. 118; Makhoul, J. et al., "An ethnographic study of social and structural forces on children: the case of two low-income Beirut suburbs", *Environment and Urbanization* 2003, vol. 15.

47 Ugland, O. (ed.), *Difficult Past*, 2003, op. cit., p. 118.

48 Abdunnur, I., Abdunnur, S., and Madi, Y., *A Comprehensive Survey*, op. cit., 2008; Ugland, Ole. (ed.), *Difficult Past*, 2003, op. cit., p. 118; Dgehim, K. *Reasons for lower enrollment of boys than girls in the secondary cycle*, UNRWA/Lebanon; Education Programme, 2008.

49 UNICEF, *Palestinian Central Bureau of Statistics (PCBS), Survey on child labour (7-17 years) in Palestinian refugee camps and gatherings in Lebanon, September 2009, preliminary report*.

50 Abdunnur, I., Abdunnur, S., and Madi, Y., *A Comprehensive Survey*, 2008, op. cit.

51 The European Commission and UNRWA, *Improving the lives of Palestinian refugees*, UNRWA, 2007.

52 Abdunnur, I., Abdunnur, S., and Madi, Y., *A Comprehensive Survey*, 2008, op. cit.

not compatible with labour-market needs in Lebanon.⁵³ In the NGO courses the length of training is only six months, which is regarded as not enough time to learn a skill properly,⁵⁴ and the certificates issued are not equivalent to documents issued by the Lebanese government.⁵⁵

Palestinians do have access to higher education in Lebanese public universities, but are granted admission as foreigners and therefore have limited chances. Few Palestinians in Lebanon are now pursuing higher education at all, due to a general perception among the younger generation of refugees that higher education simply has no value as a pathway to a better life. "Why should I continue my studies," said one 12-year-old in a focus group discussion for this study "A degree is useless. As a Palestinian I cannot be employed afterwards," he added. There is a tendency, though, for more women than men to pursue higher education.⁵⁶ This may be due to the fact that boys who drop out can help contribute to family income at an earlier age than women. The types of jobs women could work in, however, are limited to social work (education, health, NGOs)⁵⁷ and require a university degree. And many Palestinians still share the perception, long held by their elders and past generations, that education is the only tool that they have in their wider national struggle.

The amendments to the Lebanese labour and social security laws in August present nevertheless several positive outcomes,

⁵³ Interview with Rima Habib, Jihad Makhoul and Sawsan AbdulRahim from the Faculty of Health Sciences at the American University of Beirut, conducted on 17 September 2009.

⁵⁴ Meeting minutes from a brainstorming meeting organized by the Issam Fares Institute at AUB on the topic of school drop-outs, involving researchers, UNRWA and NGOs, 23 February 2009.

⁵⁵ Hillenkamp, B., "The Challenges of Palestinian Education," 2008, *op. cit.*, p. 4.

⁵⁶ Ugland, O. (ed.), *Difficult Past*, 2003, *op. cit.*

⁵⁷ Khalidi, A., *Working Unprotected: Contributions of Palestinian Refugees Residing in Camps and Gatherings to the Lebanese Economy*, Association Najdeh, 2008.

notably the lifting of the reciprocity injunction and the legislative removal of obstacles for registered Palestinian refugees to obtain work permits. Equally importantly, registered Palestinian refugees will be able to receive end-of-service benefits through the Lebanese Social Security fund to which employers are contributing on their behalf⁵⁸.

4.4. The right to protection

Only a few of the Palestinians in Lebanon were granted citizenship in the 1950s, and most of them have a legal status that denies them the rights to a nationality, and to protection and participation.⁵⁹ One of the main reasons for the reluctance to provide Palestinians with Lebanese nationality is thought to be the concern that it would upset the fragile sectarian balance among the Lebanese population. Identified as being stateless, the Palestinian refugees in Lebanon are particularly susceptible to violations of their basic human rights. Within this population, women and children prove to be the most vulnerable, and as a result they are often subject to exploitation and deprivation, including physical, emotional and sexual abuse.

Birth registration

Palestinians in Lebanon do not have the right to acquire nationality by being born in the country. Children who have a registered Palestinian refugee father are registered by UNRWA and this is recognized by the Lebanese state.⁶⁰ However, children born to

⁵⁸ UNRWA – ILO joint statement, 18 August 2010

⁵⁹ Badil Resource Center for Palestinian Residency and Refugee Rights. *Closing Protection Gaps: Handbook on Protection of Palestinian Refugees*, August 2005.

⁶⁰ Amnesty International, *Lebanon: Limitations on the Rights of Palestinian Refugee Children*, Briefing to the Committee on the Rights of the Child, 42nd session, May-June 2006, available at <http://asiapacific.amnesty.org/library/Index/ENGMD180042006?open&of=ENG-LBN>, accessed 28 November 2009.

“non-ID” Palestinian fathers (those refugees in Lebanon who are not registered with UNRWA and who do not possess Lebanese identity) are not registered, either with UNRWA or with the state, and they do not have the option to acquire a nationality even if they have a Lebanese mother.⁶¹ Lack of official identity documents limits the mobility of unregistered refugees and denies them access to health, education and social services provided by UNRWA or the government.⁶²

As elsewhere, the Palestinian refugees in Lebanon receive assistance from UNRWA. However, UNRWA’s mandate does not fully ensure the entire arrangement of rights afforded under international protection mandates. While registration with UNRWA can serve as an indicator of refugee status, such registration does not imply that the refugees enjoy protection in their countries of refuge.⁶³

Protection from abuse, violence and neglect

In workshops conducted by a Palestinian research centre, Palestinian refugee children in Lebanese camps expressed concern about their lack of protection against abuse.⁶⁴ Another study conducted in the southern camps in Lebanon reported a general concern of national NGOs and international NGO representatives, community leaders and UN representatives over child exploitation, abuse, violence and neglect.⁶⁵ Children are being exploited by employers at low wages, and under harsh physical demands and conditions. Sexual abuse is also a growing concern in the community. Oftentimes sexual

abuse happens in the workplace, but reports of abuse by relatives and other family members is also a concern. In turn, children engage in risky behaviour such as smoking (cigarettes and *argileh/water pipe*), consuming alcohol, and experimenting with drugs.

This protection vacuum is not only attributed to the general legal status of Palestinian refugees, but also to a lack of awareness among community members and NGOs working in the field of the available legislative resources. This results in weak referral pathways and protective assistance to children at risk, compromising child protection responses⁶⁶. The issue regarding the lack of protection of children that arises in camps and gatherings is the lack of a focal point for child protection concerns amongst the camps’ Popular Committees⁶⁷.

Child labour

Figures for child labour put it at 6 per cent for children between the ages of 7 and 17, but among those, 38 per cent are dropouts.⁶⁸ Some 55 per cent of male dropouts are working, compared to 7 per cent of female dropouts, and 46 per cent of dropout boys are not working. Some 38 per cent of female dropouts stay at home and 12 per cent have had to leave because of engagement or marriage. Some 38 per cent do not want to keep working where they are and 40 per cent of the boys and 19 per cent of the girls report harassment at the workplace, specifically from their employers. Harassment takes the form of verbal abuse, and there are very few reports of physical abuse, although children may not be comfortable reporting them.

⁶¹ *Ibid.*, also see Legal framework section above.

⁶² UNICEF, *Update on the situation of Palestinian children and women in Lebanon, Beirut, December 2004*.

⁶³ Badil Resource Center for Palestinian Residency and Refugee Rights, *Closing Protection Gaps: Handbook on Protection of Palestinian Refugees, August 2005*.

⁶⁴ *Ibid.*

⁶⁵ Terre des Hommes, *A child protection assessment in Palestinian camps and gatherings in Lebanon, March 2009*.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ UNICEF and PCBS study on *Working children and their socio-economic conditions in the Palestinian refugee camps and gatherings, May 2009*. All figures are for children between the ages of 7 and 17, and all figures mentioned in the child labour section are from the same study.

More than 80 per cent of both girls and boys say they work because of financial reasons, and almost half contribute to their family income, despite the average wage being less than \$100 a month for an average of 6 days a week. The children who work in sales (29 per cent) do not get any days off.

Some 22 per cent work on building sites, 39 per cent near dangerous machinery in workplaces such as metal, carpentry and mechanics shops, 37 per cent near flammable substance in places such as petrol stations, gas distributors and butcher shops, and 29 per cent near poisonous fumes in locations such as automobile paint shops, or as mechanics, but only 17 per cent have protective gear. Working in hazardous environments has detrimental effects on the children's health; almost 10 per cent suffer from chronic diseases or disabilities, a third from respiratory diseases, and 28 per cent from back or joint pain.

A study by the Ministry of Labour showed that many of Lebanon's street children are Palestinians, and very few of them keep their income. Their families push them onto the street and take their income from them. Street children are generally around 12 years of age and take in from \$2 to \$15 a day.⁶⁹

Children with disabilities

Lebanon has the lowest number of Women's Programme Centres (nine), Community Development Centres (one) and Community-Based Rehabilitation Centres (also one) in all of UNRWA's fields of operation.⁷⁰ Those most affected by this are the disabled. Around 3,000 Palestinians in Lebanon suffer from

disability. The majority are inherited (40 per cent), followed by diseases (35 per cent), and war-related injuries (16 per cent).⁷¹ Almost 50 per cent of disabilities are physical, followed by vision-related ones (35 per cent).⁷² It is estimated that almost 30 per cent of the total Palestinian refugees with disabilities are children below 18.⁷³ Difficulties faced are immense, as the camp infrastructure is a barrier to inclusion, given the restrictions on bringing building materials into the camps.⁷⁴ Studies have shown that most kindergartens do not accept children with disabilities,⁷⁵ although several findings indicate that children with disabilities can attend classes with non-disabled children and still benefit from services if specialists keep track of their progress.⁷⁶ As a result, more than half of children with disabilities are illiterate, and less than 1 per cent have undergone vocational training, despite the fact that almost 60 per cent are physically disabled and are therefore able to benefit from specific services.⁷⁷

A number of NGOs are working within the "Palestinian Disability Forum," which provides support to people with all forms of disabilities. The availability of services,

71 *Second Supplementary Report on the Rights of the Palestinian Child in Lebanon, Coordination Forum of NGOs working in the Palestinian Community, May 2001.*

72 Madi, Y., "Demographic and Socio-economic conditions among the elderly and youth in the Palestinian camps and gathering in Lebanon," Powerpoint presentation reporting findings, 2008. Figures are for Palestinians above the age of 60.

73 Madi, Y., "Disabled Palestinians in the camps and gatherings in Lebanon: Reality and Needs of the institutions working in the field of relief in the camps and gatherings in Lebanon," Norwegian People's Aid and Palestinian Coordination Forum, April 2003, cited in Azzi, Colette, "Access to education for refugee children with disability: the case of Palestinian refugee children in Lebanon," Disability Monitor Initiative, http://www.disabilitymonitor-me.org/n2_jour_2.php, accessed 27 September 2009.

74 Azzi, Colette, "Access to education for refugee children with disability", 2009, op. cit.

75 *Ibid.*

76 Interview with Leila Zakharia, Welfare Association, conducted on 18 September 2009.

77 Madi, Y., "Disabled Palestinians in the camps and gatherings in Lebanon: Reality and Needs of the institutions working in the field of relief in the camps and gatherings in Lebanon," Norwegian People's Aid and Palestinian Coordination Forum, April 2003, cited in Azzi, Colette, "Access to education for refugee children with disability: the case of Palestinian refugee children in Lebanon," Disability Monitor Initiative, http://www.disabilitymonitor-me.org/n2_jour_2.php, accessed 27 September 2009.

69 Ressler, Anna E., *Child rights situation analysis: Lebanon, Save the Children (Sweden)*, 2 May 2008.

70 UNRWA, *Relief and Social Services Programme factsheets*, received in September 2009.

however, depends on the availability of funds.⁷⁸ UNRWA also has special education classes in the camps, but Palestinian NGOs working in the camps feel that the teachers are not qualified and lack training on dealing with children with disabilities.⁷⁹ Although there are many local partners, there are not many resources available to people with disabilities, such as prolonged physiotherapy.⁸⁰ Almost 60 per cent of people with disabilities surveyed, however, report receiving medical care, 5 per cent report receiving both medical and social care, and only 2 per cent receive only social care.⁸¹ Palestinian children in Lebanon remain extremely vulnerable and marginalized and have very limited chances of being active participants in their communities and in the broader society.⁸²

4.5. The right to participation

Palestinians in Lebanon do not have the right to form associations. A Palestinian NGO must register as a Lebanese association, which means that its board of directors must all be Lebanese citizens in order to gain official recognition. This is a deterrent to Palestinian participation in society.

There are few public spaces for the children in the camps to use. The only spaces available are some NGO-run youth centres that have public libraries, exercise equipment, and/

or computers with Internet access. Open ground in the areas of the camps that once was available for children to play is often transformed into parking lots by the local municipality.⁸³ The lack of spaces for children and youth has a direct effect on how they spend their free time, and there is a high level of variation between the sexes.

Children have no real forum available for them to express their concerns and seek aid. The sense of hopelessness is pervasive in the community, rendering bleak perspectives of the future to manifest themselves in negative behaviour and actions that compromise the safety and protection of the Palestinian refugee community. A third of boys and more than 80 per cent of girls spend their free time at home.⁸⁴ The gender gap is understandable, as girls are often not allowed to leave home unaccompanied, but are allowed to visit friends and neighbours at home.⁸⁵

Half of children spend their free time in the streets, and fewer than 5 per cent spend their free time in the clubs or centres available in the camps.⁸⁶ Parents are concerned because so many children and young adults roam around on the streets. Parents expressed concern that many of the young boys stay in the streets driving mopeds and smoking *arghileh*. Many also worry about the increasing availability of drugs in the camps.

Media and social participation

The majority of households in the camps

78 Madi, Y., "Disabled Palestinians in the camps and gatherings in Lebanon: Reality and Needs of the institutions working in the field of relief in the camps and gatherings in Lebanon," Norwegian People's Aid and Palestinian Coordination Forum, April 2003, cited in Azzi, Colette, "Access to education for refugee children with disability: the case of Palestinian refugee children in Lebanon," Disability Monitor Initiative, http://www.disabilitymonitor-me.org/n2_jour_2.php, accessed 27 September 2009.

79 Focus group discussions in Burj el Barajneh, Beddawi and Burj el Shemali camps with community leaders, conducted in September 2009.

80 Interview with Kathy Evans, programmemanager, Danish Refugee Council Protection Programme, 16 September 2009.

81 Madi, Y., *Demographic and Socio-economic conditions*, 2008, op. cit.

82 Ibid.

83 Khalili, L., "Virtual Nation: Palestinian Cyberculture in Lebanese Camps" in Stein, R.L. and Swedenburg, T. (eds.), *Palestine, Israel and the Politics of Popular Culture*, Duke University Press, Durham, 2005, p. 127.

84 Madi, Y., *Working children and their socio-economic conditions in the Palestinian refugee camps and gatherings*, UNICEF and the Palestinian Central Bureau of Statistics, May 2009. All figures are for children between the ages of 7 and 17.

85 Tyldum, G., "Social Participation," in Ugland, O. (ed.), *Difficult Past*, 2003, op. cit., pp. 237-251.

86 Madi, Y., *Working children*, 2009, op. cit.

own a television, and hence a majority of youth watch television regularly.⁸⁷ There is a feeling that the attachment to the television is overriding community responsibilities. There is also concern about the content of the television programmes watched; there is confusion among young people between what their environment is teaching them and what they are seeing on television.⁸⁸ Television is also the main medium through which people get their news, with less than half of the youth reading newspapers or magazines, and only 7 per cent reading the news regularly.⁸⁹

Because public spaces are scarce in the camps, cafés and Internet centres have quickly become part of the range of “acceptable” places for young men – and especially young women – to go, in a country with more liberal social norms.⁹⁰ Many young people frequent the Internet cafés – there is at least one available in every camp – to play computer games, chat with friends, or attend gatherings where people access news sources and read them together.⁹¹ Young women are allowed to attend these gatherings, though the amount of time spent there is regulated.⁹² The majority of adolescent boys seem to frequent the web cafés to play computer games, mostly of the “shooting” nature,⁹³ but, according to one study, “the most prevalent reason for Internet use is personal communication,” which is “influenced by issues of Palestinian identity”.⁹⁴ While chatting online with Palestinians from around the region, adolescents are able to revive certain Palestinian idioms that Palestinians in Lebanon have stopped using.⁹⁵

87 Madi, Y., “Demographic and Socio-economic conditions, 2008, op. cit.

88 Interview with Mahmoud Abbas, Shatila, 23 September 2009.

89 Madi, Y., “Demographic and Socio-economic conditions, 2008, op. cit.

90 Khalili, L., “Virtual Nation, 2005, op. cit., p. 128.

91 Ibid.

92 Ibid.

93 Ibid.

94 Ibid., p. 132.

95 Ibid., p. 130.

As one study on Palestinian cyber culture in the Lebanese camps described it: “Palestinian ‘cyber nationalism’ has striven to unify the dispersed Palestinian communities across borders into a nation, and has demanded a convergence of needs, desires, concerns, and identities between the Diaspora community and the Palestinians in the homeland.”⁹⁶ Parents are concerned that because of the lack of supervision, their children are using the Internet for purposes that are inappropriate for their age.⁹⁷ But since children and adolescents do not have much space and opportunity to express themselves, the Internet seems to be one way in which they can do so.

Youth and popular culture

Recently in the Burj el Barajneh refugee camp in Beirut, two Palestinian rap groups have made it into the Lebanese music scene. With lyrics ranging from discussing Palestine to the 2007 Nahr el Bared (Palestinian camp near the northern city of Tripoli) conflict and everyday life in the camps, “I-Voice” and “Katibe 5” have both released records on regional or local independent labels and have been playing concerts in Beirut alongside other Lebanese artists.

Both bands’ members are in their early 20s, and address controversial issues in their music such as critiques of local politicians, humanitarian agencies creating dependence, and non-governmental organizations. In newspaper articles, they explain how at first the people in the camp condemned them, but how they now see truth in their lyrics, especially the elderly.⁹⁸ Music and culture

96 Ibid., p. 132.

97 Focus groups with parents in Burj el Barajneh, Burj el Shemali and Beddawi camps, conducted in September 2009.

98 Malik, S., “This is the Invincible Voice,” available at <http://thisisworldtown.com/2009/09/this-is-the-invincible-voice/>, accessed 29 September 2009;

Oghanna, A., “The sounds of Public Enemy re-routed through Bourj el Barajneh,” *The Daily Star*, Beirut, 2 January 2009.

are important media for youth to express themselves and their concerns. NGOs in Lebanon have picked up on this, organizing concerts with Lebanese and Palestinian bands to promote “intercultural understanding and dialogue”.⁹⁹

4.6. The situation of women

Lebanon ratified CEDAW on 16 April 1997 with reservations on Article 9, paragraph 2, Article 16, paragraphs 1 (c), (d), (f) and part of (g), and Article 29, paragraph 1 (see Syria above for details).¹⁰⁰

Marriage laws and women

The laws of citizenship and nationality in Lebanon have a particular impact on Lebanese women who marry Palestinian refugee men, as well as their children. Article 1 of the Nationality Act of 1925 provides that Lebanese citizenship is conferred on 1.) the children of a Lebanese father; 2.) a person born in “Greater Lebanon” who does not have any other foreign nationality by “filiation”, or 3.) a person born in Greater Lebanon from unknown parents or whose nationality is unknown. Article 5 of the same law conferred nationality on the foreign wives of Lebanese men automatically after one year of the marriage’s registration. Their children are also automatically granted Lebanese citizenship.

A Lebanese woman is also not able to provide her husband or children with automatic residency rights in Lebanon. While residency laws do not affect registered Palestinian

refugees who have residency rights, they have a significant impact on “non-ID” Palestinians and their spouses and children. UNRWA follows the same system for the determination of refugee status. Therefore, if a registered refugee or non-registered woman marries a non-ID man, she cannot pass her status to her husband or to her children. Similarly, if a non-ID woman marries a Non-ID, their children will inherit the father’s non-ID status. These policies are increasing the number of stateless persons in the country, including Palestinian children.

The effect of these laws is that, in Lebanon, a woman cannot pass her legal status on to her husband or her children. Therefore, if a female Lebanese citizen marries a Palestinian refugee, he is not entitled to Lebanese citizenship. Additionally, their children inherit the father’s refugee status and are not Lebanese citizens. As many as a quarter of third-generation Palestinian refugees in Lebanon are believed to have one Lebanese parent.

Marriage trends have been changing over the years, with a tendency developing for later marriages and higher rates of celibacy.¹⁰¹ According to MICS 3¹⁰² data, the proportion of women who were first married before reaching 18 was at 33 per cent, but fewer than 5 per cent of young women aged 15-18 were currently married. The mean age at first marriage is quite high for developing countries: 18 for women and 23 for men.¹⁰³

⁹⁹ Thelen, R., “Beirut hip hoppers sound out the rhythm of peace,” *The Daily Star*, Beirut, 4 December 2008.

¹⁰⁰ Committee on the Elimination of Discrimination against Women, *Consideration of reports submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Initial report of States Parties: Lebanon, CEDAW/C/LBN/1, Part II, 2 September 2004.*

¹⁰¹ Khawaja, M., “Population,” in Ugland, O. (ed.), *Difficult Past, Uncertain Future: Living Conditions among Palestinian Refugees in Camps and Gatherings in Lebanon*. FAFO report 409, 2003, pp. 29-60.

¹⁰² UNICEF, *The Pan-Arab Project for Family Health and the Palestinian Central Bureau of Statistic and Natural Resources, Third Multiple Indicator Cluster Survey of Health, Education and Social Conditions of Palestinian Women and Children in Lebanon (MICS 3), May 2007.*

¹⁰³ Khawaja, M., “Population,” 2003, op. cit.

Domestic violence

As developed above, the Palestinian refugee population in Lebanon lives in an environment characterized by marginalization, poverty and unemployment. The psychological strains of refugee life, and of being “second-class citizens” in society with no change in sight, contributes to pervasive aggressive behaviour, within the family and towards the neighborhood, in the refugee community. A 2004 survey¹⁰⁴ found that 42 per cent of respondents said they had disputes or conflicts within their families and with their neighbours, and that a third of respondents said they resorted to violence when trying to resolve conflicts or disputes within their households, with children or youths and wives. Nearly 28 per cent of women, and just over 17 per cent of youths reported being subjected to such violence – with the type of violence used split evenly between physical and psychological abuse. The majority of instances of physical violence left scars from wounds, burns and bruises; over 7 per cent resulted in permanent disability.

The majority of cases of violence against children/youth and women were inflicted by the father. The main causes of conflict within the family included differences of opinion, disobedience, staying out late at night, and failure in school. The majority of children/youth and women respondents said that they turned to extended family members when subjected to domestic violence. Surprisingly women express an acceptance of violence against women more often than men,¹⁰⁵ although this seems to be a decreasing trend.¹⁰⁶ In one study from 2003, some 60 per cent

of women and around 50 per cent of men thought beating an appropriate response to certain situations.¹⁰⁷ However, attitudes differ with age (younger generations being less approving than older ones) and income, but mostly with educational attainment, as people with a higher education are less accepting of violence than any other group.¹⁰⁸

In a more recent study on the incidence of domestic violence during pregnancy, 59 per cent reported having been abused at any time during their married life, 19.1 per cent of whom were abused during the last 12 months and 11.4 per cent of whom were abused during the current pregnancy.¹⁰⁹ Similar to the other studies on domestic violence in Palestinian communities, correlations were found between incidences and age, educational attainment and socio-economic status. Younger women were more likely to be abused, as well as those who had a lower level of education,¹¹⁰ and the desirability of the pregnancy was one of the main factors associated with domestic violence during pregnancy.¹¹¹ All the studies conducted showed the importance of education in preventing occurrences, as educated women are more empowered when it comes to managing their day-to-day lives and have better opportunities to participate in supportive life activities outside the home.¹¹²

Maternal health

The maternal mortality rate in Palestinian camps and gatherings in Lebanon was 51 per 100,000 births, according to the 2006 MICS3

¹⁰⁴ UNICEF study in Palestinian refugee camps in Lebanon, 2004.

¹⁰⁵ Uglund, O. (ed.), *Difficult Past, Uncertain Future: Living Conditions among Palestinian Refugees in Camps and Gatherings in Lebanon*, FAFO report 409, Fafo Institute for Applied International Studies, Oslo, 2003, p. 248.

¹⁰⁶ Khalidi, A. *Knowledge*, 2004, op. cit. p. 23.

¹⁰⁷ Uglund, O. (ed.), *Difficult Past*, 2003, op. cit., p. 249.

¹⁰⁸ Uglund, O. (ed.), *Difficult Past*, 2003, op. cit., p. 250.

¹⁰⁹ Hammoury, N., et al., “Domestic violence against women during pregnancy: the case of Palestinian refugees attending an antenatal clinic in Lebanon”, *Journal of Women’s Health*, vol. 18, no. 3, 2009, p. 339. The study was based on a sample of 351 pregnant women who were receiving care at an UNRWA primary healthcare clinic in the south of Lebanon.

¹¹⁰ Hammoury, N., et al., “Domestic violence” 2009, op. cit., p. 339.

¹¹¹ *Ibid.*, p. 340.

¹¹² *Ibid.*, p. 342.

data.¹¹³ As is the case for Syria (Chapter 4), antenatal and delivery care indicators among Palestinian refugees in Lebanon are high, but there is need to improve care seeking of households and mothers when a child is sick (Table 4.3). Programme Communication could be used to encourage the needed changes in behavior.

Table 4.3- Health Coverage among Palestinian refugee children and women in Lebanon (2006)

Care of illness	
Oral rehydration therapy with continued feeding (under-5 years old) (%)	79.6
Antenatal and Delivery care	
Antenatal care coverage (%)	90.5
Skilled attendant at delivery (%)	99.3

Source: Multiple Indicator Cluster Survey, Palestinian Refugee Camps, Lebanon 2006

The well-being of Palestinian women is very much affected by the adverse living conditions which they endure in both the camps and

gatherings in the country. The cost of health care and utilities also obstruct the possibility of improving health care services. UNRWA reported a prevalence of psychosocial problems among Palestinian women of child-bearing age (15-49 years). A Fafo survey showed how low-quality living conditions are a strong predictor for psychological health problems for women. The highest levels of emotional distress are reported by Palestinian women in Lebanon (about 63 per cent) in comparison to Palestinian women in other host countries. Women frequently report symptoms of anxiety and depression¹¹⁴.

UNRWA provides family planning services and during the last 15 years, there has been an approximate four-fold increase in the number of women enrolled in the programme and using modern contraceptive methods.¹¹⁵ A study conducted in Burjal Barajneh camp addressing Palestinian women's health concerns showed that reproductive health was of major concern. Women said economic comfort was a prerequisite for good reproductive health, and said economic problems prevent them from accessing basic health care.¹¹⁶

¹¹³ UNICEF, the Pan-Arab Project for Family Health (PAPFAM) and the Palestinian Central Bureau of Statistics (PCBS), *Third Multiple Indicator Cluster Survey of Health, Education and Social Conditions of Palestinian Women and Children in Lebanon (MICS3)*, May 2007.

¹¹⁴ Blome Jacobsen, L., *Educated Housewives: Living Conditions among Palestinian Refugee Women. Fafo-Report 425, Fafo Institute for Applied Social Science, Oslo, 2004.*

¹¹⁵ *Ibid.*

¹¹⁶ Kaddour, Afamia; Hafez, Raghda, and Zurayk, Huda, «Women's Perceptions of Reproductive Health in Three Communities around Beirut, Lebanon», *Reproductive Health Matters*, vol. 13, issue 25, pp. 34-42, May, 2005, <http://www.journals.elsevierhealth.com/periodicals/rhm/article/PIIS0968808005251704/abstract>.





CONCLUSION

As we have seen in this study, the situation of Palestinian children vary from one location to another, with Palestinians enjoying contrasting levels of political, social and economic rights according to their status and the country they live in.

Life in camps in all locations has been particularly taxing, with access to basic services limited and many other restrictions imposed on their livelihood and well-being.

All is not bleak however. Progress has been made in health indicators, for example, across

the region. Legislation governing Palestinian refugees have recently eased in Lebanon, for the first time in decades. Many Palestinians who were stranded in new makeshift camps on the border between Iraq and Syria, following their targeting after the change of regime in Iraq, have been relocated in developed countries such as Australia, Sweden or Chili.

Yet the most fundamental question many refugees have about the lives of their children: whether they will one day have the right of return to their original homes, remains unanswered.

All across the region, the level of uncertainty and instability remains high, as to what the future holds for Palestinian children.

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