

West Bank and Gaza Strip (Occupied Territories Subject to the Jurisdiction of the Palestinian Authority)

During the reporting period the Palestinian Authority continued to implement social programs to address and prevent child labor. However political conditions and a lack of resources for enforcement prevented the Palestinian Authority from adequately protecting children in Gaza and other areas. Children continued to engage in hazardous work such as street vending and agriculture.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable

Prevalence and Distribution of the Worst Forms of Child Labor

Children in the West Bank and Gaza Strip are engaged in the worst forms of child labor, many of them in dangerous work in street vending and agriculture.⁶⁴⁸² Many help to cultivate dates.⁶⁴⁸³ Such work exposes children to risks including using dangerous machinery and tools, applying harmful pesticides and carrying heavy loads. Children in the Occupied Territories collect pebbles and gravel for construction purposes.⁶⁴⁸⁴ This work requires heavy lifting and often takes place in dangerous areas that put children in the middle of ongoing conflict.⁶⁴⁸⁵

Children also work as street vendors and porters, in which they are vulnerable to harassment and assault and may be required to carry heavy loads

and spend long hours standing in traffic and the sun, often without food or water.⁶⁴⁸⁶ Some children work in auto body shops, in which they are exposed to unsafe tools and machinery.⁶⁴⁸⁷ Children also collect metals and other salvageable materials from garbage dumps, exposing them to potentially harmful and unsanitary materials.⁶⁴⁸⁸ Some children also work in mining, manufacturing and construction.⁶⁴⁸⁹

Some Palestinian children cross into Israel and Israeli settlements in the West Bank to work.⁶⁴⁹⁰ Children traveling to and working in Israeli settlements may be subject to exploitation and harassment.⁶⁴⁹¹

Children are reportedly recruited for use in armed conflict as human shields and informants. Some child informants have been tortured.⁶⁴⁹² Children thought to have collaborated with Israeli authorities may be subject to retaliation.⁶⁴⁹³

Children also work inside underground tunnels that run between the Gaza Strip and Egypt, smuggling food and other goods, digging and laying wire for electricity and pipelines to smuggle fuel.⁶⁴⁹⁴ Some children may work up to 10 hours at a time in the tunnels with only a very short break.⁶⁴⁹⁵ Many children use stimulant drugs to lessen pain and increase stamina during long shifts in the tunnels. Some Palestinian children have died in the tunnels as a result of attacks and efforts to block the smuggling.⁶⁴⁹⁶

Laws and Regulations on the Worst Forms of Child Labor

The Unified Labor Law No. 7 of 2000 and Palestinian Child Law No. 7 of 2004 (PCL) prohibit the employment of any person younger than age of 15. The former also requires children between ages 15 and 18 to receive medical examinations every six months while working.⁶⁴⁹⁷ The Labor Law limits working hours for juveniles, requires an hour break and prohibits children working more than four successive hours per day.⁶⁴⁹⁸

	C138, Minimum Age	n/a
	C182, Worst Forms of Child Labor	n/a
	CRC	n/a
	CRC Optional Protocol on Armed Conflict	n/a
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	n/a
	Palermo Protocol on Trafficking in Persons	n/a
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15/No
	Free Public Education	No

The Labor Law prohibits children younger than age 18 from being employed in industries identified by the Minister of Labor (MOL) as dangerous or unhealthy as well as from working night shifts, overtime, piece work and employment away from their communities.⁶⁴⁹⁹ Research could not identify specific industries or activities deemed dangerous or unhealthy by the MOL. The law also creates exceptions for children who work for and are directly supervised by relatives as long as the work does not negatively impact the mental and physical development of the child or the child's education.⁶⁵⁰⁰

The PCL prohibits the exploitation of children in any work that is against the law, hinders a child's education or is harmful to his or her health, physical or moral safety.⁶⁵⁰¹ The PCL specifically prohibits the use of children in drug and alcohol-related industries, the publication, circulation or possession of child pornography and the use of children in armed conflicts.⁶⁵⁰² Prostitution is illegal.⁶⁵⁰³

There are no specific laws prohibiting forced labor in the West Bank and Gaza.⁶⁵⁰⁴

Article 37 of the PCL states that all children have the right to complete their secondary education. It requires the government to take action to retain student attendance, eliminate discrimination and promote the dignity of students.⁶⁵⁰⁵ Education is compulsory for 10 years. Children start school on average around the age of 6, which means that Palestinian children should be in school until approximately age 16.⁶⁵⁰⁶ The Palestinian education system offers two additional years of schooling but attendance for those last two years is not required by law.⁶⁵⁰⁷ The Jordanian Education Law No. 16 of 1964 is the reigning education law in the West Bank. Article 10 of this law makes education compulsory from ages 6 to 15, regardless of grade.⁶⁵⁰⁸ The British Mandate Education Law of 1933 takes precedence in the Gaza Strip, and contains no mention of compulsory education. No unified and comprehensive education law exists for all Palestinian Occupied Territories.⁶⁵⁰⁹

Furthermore, West Bank and Gaza suffer from a lack of adequate schools. Children must travel long and often dangerous distances to attend schools that can be poorly equipped, and unhygienic.⁶⁵¹⁰

The West Bank and Gaza do not have a regular military force.⁶⁵¹¹ Recruitment for government service, including security services, is voluntary beginning at age 18.⁶⁵¹²

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government has established a coordinating mechanism to combat the worst forms of child labor in the West Bank and Gaza. MOL's Inspection and Protection Administration is responsible for enforcing child labor laws.⁶⁵¹³ During the reporting period, the MOL employed 45 labor inspectors, five of which are specifically assigned to monitoring child labor

conditions.⁶⁵¹⁴ Government officials describe MOL as understaffed and in need of at least 150 labor inspectors in order to cover most of the private establishments where children often work.⁶⁵¹⁵ Furthermore, during the reporting period, the Palestinian Authority was only able to conduct investigations in the West Bank because of Hamas's control of Gaza since 2007.⁶⁵¹⁶ No current or reliable data was found on the precise number of investigations conducted or violations reported during the reporting period.

MOL officials state that there are no enforceable laws to monitor and protect Palestinian children working in Israeli settlements. There are no Israeli inspectors in the Israeli settlements in West Bank and industrial zones.⁶⁵¹⁷

Palestinian Authority law requires the MOL to investigate suspected cases of children recruited for armed conflict and mandates trial of those responsible in court.⁶⁵¹⁸

The Child Protection Department within the Ministry of Social Affairs (MOSA) is responsible for preventing the abuse and sexual exploitation of children as well as providing assistance to victims of such maltreatment. During the reporting period, MOSA began an initiative to register all employed youth in an effort to improve the monitoring of working conditions.⁶⁵¹⁹ In cooperation with the local police force, MOSA Child Protection Officers are responsible for the investigation of cases of sexual exploitation. The ministry employs fewer than 13 child protection social workers in the West Bank and 8 in Gaza.⁶⁵²⁰ Because of current political circumstances, these agents cannot monitor conditions in all areas in which Palestinian children are working.⁶⁵²¹ According to government officials, while the Child Protection Officers receive reports of both child labor and child abuse, they are burdened with too large of a case load, and too few resources to follow up on child labor violations.⁶⁵²²

Government Policies on the Worst Forms of Child Labor

The National Plan of Action for Palestinian Children 2004-2010 addresses many child protection issues. The Plan of Action includes a strategic goal to monitor all workplaces where children are employed.⁶⁵²³

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Palestinian Authority is currently working with UNICEF to examine matters of child labor including the means of monitoring child laborers and eliminating the illegal use of children.⁶⁵²⁴

The Ministry of Social Affairs (MOSA) provides child vocational centers for school dropouts and child protection programs to reduce the risk of economic exploitation of children.⁶⁵²⁵ Furthermore, families receiving social assistance through MOSA are monitored to ensure that their children remain in school and complete the mandated minimum education.⁶⁵²⁶ MOSA runs 13 vocational centers for drop outs and poor youth. During the reporting period the eight centers in the West Bank trained 400 youth and the five centers in Gaza trained 600 youth.⁶⁵²⁷ Of the 1,460 child laborers registered with MOSA in 2010, 379 are receiving assistance through the MOSA centers.⁶⁵²⁸ A report published in 2010, by Save the Children and funded by the Palestinian Authority has criticized these programs, alleging that they are outdated, poorly resourced and ineffective.⁶⁵²⁹

There is one help line service available for children in the occupied Palestinian territories. The free Palestinian Child Protection Helpline 121 is part of Child Helpline International, a network of child helplines, and aims to provide free support and counseling to children and adolescents to protect them from abuse, neglect, violence, and exploitation.⁶⁵³⁰ Save the Children Sweden provides funding for the hotline.⁶⁵³¹

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in West Bank and Gaza:

IN THE AREA OF LAWS AND REGULATIONS:

- Enact legislation that specifically prohibits forced child labor.
- Identify the industries or activities that are deemed dangerous or unhealthy and are thus prohibited from employing youth.
- Take necessary steps to ensure education is free and compulsory in all occupied territories.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Provide adequate resources and staff to the MOL and MOSA for inspections of the worst forms of child labor.
- Collect and distribute data on the current inspection and enforcement of child labor laws.
- Explore ways to monitor and protect children in all areas of the Occupied Territories

IN THE AREA OF PROGRAMS:

- Allocate resources to and update the curriculum in programs offered by MOSA that address the worst forms of child labor.

⁶⁴⁸² Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

⁶⁴⁸³ Salwa Alenat, *Working for Survival: Labor conditions of Palestinians working in settlements*, [online] 2010 [cited January 2011]; available from http://www.kavlaoved.org.il/media-view_eng.asp?id=3048 See also Check the Label, *Check the Label: Boycott Israeli Dates*, [Online] n.d. [cited January 2011]; available from <http://www.checkthelabel.org.uk/page3.html> See also Simone Korkus, “Child Labour in Jewish Settlements,” *Palestinian Workers*, December 11, 2008; available from http://www.kavlaoved.org.il/media-view_eng.asp?id=2049 See also Report of the Director-General, *The Situation of Workers of the Occupied Arab Territories*, pursuant to International Labour Conference, 98th Session, 2009.

⁶⁴⁸⁴ U.S. Department of State, “Israel and Occupied Territories,” in *Country Reports on Human Rights Practices-2010*, Washington, D.C., 2011, section 6, 7; available from www.state.gov/documents/organization/160463.pdf. See also Defence for Children International/Palestine Section, *Urgent Appeal*, [online] December 29, 2010 [cited February 2011].

See also Gaza Gateway, *Children of the Gravel*, [online] 2010 [cited January 2011]; available from <http://www.gazagateway.org/2010/09/children-of-the-gravel/> See also Nasser Najjar, “Gaza Children Labour to Help Families,” *Gulf News*, December 19, 2010; available from <http://gulfnnews.com/news/region/palestinian-territories/gaza-children-labour-to-help-families-1.732196> See also Save the Children UK, *Dying to Work in Gaza*, [online] 2010 [cited January 2011]; available from <http://www.savethechildren.org.uk/en/14693.htm> See also Siham Shamalakh, “Gaza Children Go to Work to Help Families,” *Xinhua General News Service*, November 2, 2010.

⁶⁴⁸⁵ U.S. Department of State, “Country Reports- 2010: Israel and Occupied Territories,” Sections 6 & 7. See also Defence for Children International/Palestine Section, *Urgent Appeal*. See also Gaza Gateway, *Children of the Gravel*. See also Najjar, “Gaza Children Labour to Help Families.” See also Save the Children UK, *Dying to Work in Gaza*. See also Shamalakh, “Gaza Children Go to Work to Help Families.”

⁶⁴⁸⁶ Integrated Regional Information Networks, “Israel-OPT: Poverty driving Palestinian children onto the streets,” IRINnews.org, [online], June 12, 2007 [cited January 26, 2011]; available from <http://www.irinnews.org/report.aspx?ReportId=72677>, U.S. Embassy- Jerusalem, *reporting*, June 2, 2010.

⁶⁴⁸⁷ UNICEF, *Growing poverty in Gaza pushing children to work*, Occasional Story, Gaza Strip, Occupied Palestinian Territory, July 22, 2009; available from http://www.unicef.org/infobycountry/oPt_50318.html. See also Najjar, “Gaza

Children Labour to Help Families.”

⁶⁴⁸⁸ Integrated Regional Information Networks, “Poverty Driving Palestinian Children Onto the Streets”.

⁶⁴⁸⁹ Ibid. See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁴⁹⁰ U.S. Department of State, “Country Reports- 2010: Israel and Occupied Territories,” Sections 6, 7. See also Integrated Regional Information Networks, “Poverty Driving Palestinian Children Onto the Streets”. See also Education International, *Country Profile- Palestine*, June 12, 2007; available from http://www.ei-ie.org/barometer/en/profiles_detail.php?country=palestine. See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*. See also Korkus, “Child Labour in Jewish Settlements.”

⁶⁴⁹¹ Korkus, “Child Labour in Jewish Settlements.” See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁴⁹² UN Convention on the Rights of the Child, *Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: Concluding Observations: Israel*, Geneva, January 29, 2010; available from <http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-OPAC-ISR-CO-1.pdf>. See also Defence for Children International with Coalition to Stop the Use of Child Soldiers, *Dealing with alleged child collaborators in the Occupied Palestinian Territories in the spirit of the Convention on the Rights of the Child*, Ramallah, April 20, 2005; available from www.child-soldiers.org/document/get?id=1019.

⁶⁴⁹³ Defence for Children International with Coalition to Stop the Use of Child Soldiers, *Child collaborators in OPT*.

⁶⁴⁹⁴ U.S. Embassy- Jerusalem, *reporting, February 10, 2011*. See also U.S. Department of State, “Country Reports- 2010: Israel and Occupied Territories.” See also Iqbal Tamimi, “The Children of Gaza,” *Aljazeera.com*, [online], November 11, 2009 [cited February 17, 2010]; available from <http://www.aljazeera.com/news/print.php?newid=298503>. See also Patrick Moser, “OPT: Children Risk Their Lives in Gaza’s Blockade-Busting Tunnels,” *AFP*, [online], July 12, 2009 [cited February 2, 2010]; available from <http://www.google.com/hostednews/afp/article/ALeqM5hYZkIqgVlJw5s97PTU10UDj1yNcQ>. See also 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*, August 2009; available from www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf. See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁴⁹⁵ U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁴⁹⁶ Moser, “Children in Tunnels”. See also National Society for Democracy and Law, “National Society for Democracy and Law,” [nsdl.org.ps](http://www.nsd.org.ps), [online], November 15, 2009 [cited February 19, 2010]; available from <http://www.nsd.org>.

ps/english/mainnenw1/new1.html. See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁴⁹⁷ Law Library of Congress, *West Bank and Gaza: Child Labor Laws*, 2010-003857, The Law Library of Congress, Washington, DC, May 2010.

⁶⁴⁹⁸ Ibid. See also The Palestinian National Authority, *The Palestinian National Authority Report on the Implementation of the Convention on the Rights of the Child in the Occupied Palestinian Territory*, The Palestinian Central Bureau of Statistics and Save the Children UK, December 2010, pg 207; available from http://www.savethechildren.org.uk/en/docs/OPT_PNA_CRC_Report_English.pdf.

⁶⁴⁹⁹ Law Library of Congress, *West Bank and Gaza Laws*. See also U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁵⁰⁰ U.S. Embassy- Jerusalem, *reporting, June 2, 2010*. See also Law Library of Congress, *West Bank and Gaza Laws*.

⁶⁵⁰¹ Secretariat of the National Plan of Action for Palestinian Children, *Child Protection in the Occupied Palestinian Authority Territory: A National Position Paper*, Jerusalem, June 2005; available from http://www.crin.org/docs/NPASEC_OPT_Child_Protection.pdf.

⁶⁵⁰² Law Library of Congress, *West Bank and Gaza Laws*. See also The Palestinian National Authority, *PNA Report on the Implementation of the Convention on the Rights of the Child*, pg 211.

⁶⁵⁰³ U.S. Embassy- Jerusalem, *reporting, June 2, 2010*.

⁶⁵⁰⁴ Law Library of Congress, *West Bank and Gaza Laws*.

⁶⁵⁰⁵ The Palestinian National Authority, *PNA Report on the Implementation of the Convention on the Rights of the Child*, pg. 158-159.

⁶⁵⁰⁶ Susan Nicolai, “Education and Chronic Crisis in Palestine,” *Forced Migration Review*; available from <http://www.fmreview.org/FMRpdfs/EducationSupplement/16.pdf>.

⁶⁵⁰⁷ Ibid.

⁶⁵⁰⁸ The Palestinian National Authority, *PNA Report on the Implementation of the Convention on the Rights of the Child*, pg 159.

⁶⁵⁰⁹ Ibid.

⁶⁵¹⁰ UNICEF, *Palestinian Children Deprived of Basic Rights to Education*, [online] 2010 [cited February 11, 2011]; available from http://www.unicef.org/media/media_66025.html.

⁶⁵¹¹ Law Library of Congress, *West Bank and Gaza Laws*.

⁶⁵¹² Coalition to Stop the Use of Child Soldiers, “Occupied Palestinian Territory,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.childsoldiersglobalreport.org/content/occupied-palestinian-territory>.

⁶⁵¹³ Palestinian Economic Policy Institute, *Palestinian Labour Law No. 7 & Worker’s Rights*, Ramallah, May 2008; available from http://www.palst-jp.com/eg/pdf/inv/02/Palestinian_Labour_Law.pdf. See also U.S. Embassy- Jerusalem,