

During 2012, the Palestinian Authority (PA) made a minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under PA control. The PA amended the Children’s Law to include stiff penalties for child labor violations. While the PA may have started some initiatives to generally address the social protection of vulnerable children, there is no evidence of any targeted programs for children working in dangerous activities on the streets or in agriculture. The PA continued to lack an adequate number of inspectors and child protection officers to enforce child labor laws. Although the PA solicited donor support to hire additional inspectors and expand vocational programs for youth, it did not receive such funding. Children continue to engage in the worst forms of child labor in dangerous activities in agriculture and on the streets.

Statistics on Working Children and Education

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

Sources:

Primary completion rate: UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children’s Work Project’s analysis, 2013.(2)

Prevalence and Distribution of the Worst Forms of Child Labor

Children in the West Bank and the Gaza Strip are engaged in the worst forms of child labor, many of them in dangerous activities in agriculture and on the streets.(3-9) Limited evidence suggests that some children working in agriculture help to cultivate dates.(4, 8, 10) Children working in date cultivation may work in trees for long hours. There is limited evidence that children work in the farming of fruits and vegetables such as peppers and tomatoes.(4) Palestinian children working in agriculture apply harmful pesticides.(9) Some may also use dangerous tools and carry heavy loads.(3) During the reporting period, the PA compiled reports of children trafficked to, from, and within the West Bank for work in Israeli agricultural settlements in the West Bank and sites located within Israel.(7)

Children engage in street vending, which involves working long hours standing in the sun and traffic, and working as a porter, which may involve carrying heavy loads. (5, 7, 11) The PA’s Ministry of Labor (MOL) reports that many children working on the street do so all day, often without food or water. (6, 12) Children working in the streets are vulnerable to harassment and assault.(6, 11, 13) Some children work in auto body shops and are exposed to unsafe tools and machinery.(14, 15) Children also collect metals and other salvageable materials from garbage dumps and structures demolished from the on-going conflict. This scavenging exposes children to harmful and unsanitary materials, as well as to potential hazards from unexploded ordnance or structures that may collapse.(5, 9, 11, 16)

Children in the West Bank and the Gaza Strip collect pebbles and gravel for construction purposes, and limited evidence suggests that children may also perform other activities in construction.(5, 7, 9, 10, 13, 15-18) This work often takes place in dangerous areas that put the children in the middle of ongoing conflict.(16-18).

A study of 780 children working in various activities by local and British academics and government representatives published in 2011 found that there was an association between working long hours and depression in the Gaza Strip.(19)

In the Gaza Strip, a limited number of Palestinian children work in underground tunnels that run between the Gaza Strip and Egypt, smuggling food and other goods, including chemicals, and digging and laying wire for electricity and pipelines for fuel.(5, 6, 9, 13, 20-23) Some children may work up to 10 hours at a time in the tunnels, with only a short break.(13) Many of these children use stimulant drugs to decrease pain and increase stamina during long shifts in the tunnels. Some Palestinian children have died in the tunnels as a result of Israeli attacks, which attempt to block the smuggling.(7, 22, 24)

Reports indicate that children have been used as human shields and as informants in the West Bank and the Gaza Strip.(16, 25) There is limited evidence that children are trained as combatants by Hamas.(26)

Laws and Regulations on the Worst Forms of Child Labor

No unified and comprehensive set of child labor and education laws exists for all of the Occupied Palestinian Territories.(27) Since the 2007 takeover in Gaza by Hamas, the PA no longer has jurisdiction, including enforcement capabilities, in the

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Gaza Strip. In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization and the Israeli Government, the PA has civil law enforcement authority in the area of the West Bank that is designated Area A and Area B. In Area C, the Israeli Government has control.(7, 26) This report discusses only the efforts of the PA in the areas it controls. For more information, see the USDOS's 2012 Human Rights Report at <http://www.state.gov>.(26)

International Conventions and Selected Laws on Child Labor and Education

| | | |
|---|---|-----|
|  | 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 | 16 |
| | Free Public Education | Yes |

Unified Labor Law No. 7 of 2000 and the Palestinian Child Law No. 7 of 2004 (PCL) prohibit the employment of any person under age 15. The former also requires that children ages 15 to 18 receive medical examinations every 6 months while working.(28) The Labor Law prohibits children ages 15 to 18 from working more than 4 consecutive hours at a time and requires employers to give these children a 1-hour break during their shift.(27, 28) In addition, the Labor Law states that these children are prohibited from work night shifts, which are from 8 p.m. to 6 a.m.(28, 29) The Labor Law includes an exception to the above restrictions 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.(28)

The Labor Law prohibits children under age 18 from being employed in industries that the Minister of Labor (MOL)

identifies as dangerous or unhealthy. It also prohibits children from working night shifts and overtime, performing piece work, and working in remote areas.(26, 28) The PCL prohibits the employment of children in the drug, tobacco and alcohol industries, the use of children in begging, and the use of children in armed conflicts.(28)

In December 2012, the PA adopted amendments to the PCL that include explicit penalties for child labor violations.(7, 26) For example, exposing children to dangerous work conditions is subject to fines up to approximately \$2,800. The law calls for the doubling of fines and closure of work facilities upon repeated child labor violations.(7, 26, 30)

While there is no regular military force in the West Bank or in Gaza, recruitment for government service, including security services, is voluntary beginning at age 18.(28, 31)

The PA Labor Law does not expressly prohibit forced and compulsory labor, and research found no evidence of laws against trafficking.(6, 28)

The PA reports on the Implementation of the CRC states that the PCL prohibits sexual exploitation of children.(27) . In addition, the PCL prohibits creating or possessing materials that will induce delinquency in children.(28) Based on historical ties with Jordan, Jordanian Law No. 16 of 1960 remains the Penal Code in effect in West Bank.(28) According to Jordanian Law No. 16, sexual intercourse and engaging in lewd acts with a child younger than age 15 are criminalized, as is allowing a child less than 16 to frequent or reside in a house of prostitution.(28) Rather than applying higher penalties, Law No. 16 applies the same penalties for rape and sexual assault of 15-to-18-year-olds as it does for such crimes committed against adults.(32)

Article 37 of the PCL obliges the state to provide free and compulsory education for all children. The law requires the Government to take action to encourage student attendance, eliminate discrimination, and promote the dignity of students.(27) Education in PA-controlled areas is compulsory from age 6 through age 16. Most students finish compulsory education by age 16 after completing 12 academic years.(26, 27, 33) The West Bank and the Gaza Strip lack adequate schools to serve all children. Children often travel long and dangerous distances to attend schools, in some instances, due to Israeli restrictions on access and movement and the Israeli separation barrier. Schools are sometimes poorly equipped and unhygienic.(34)

Institutional Mechanisms for Coordination and Enforcement

Although the Ministry of Social Affairs (MOSA) is charged with coordinating efforts to protect children's rights, research found no evidence that the PA has established a coordinating mechanism to combat the worst forms of child labor in the PA-controlled areas of the West Bank.(27)

MOSA, working with UNICEF, is currently leading the work of eight Child Protection Networks (CPNs) in eight districts in the West Bank. The CPNs are comprised of relevant ministries and key NGOs working in child protection.(35) These CPNs have specific annual work plans that guide their work with children affected by violence or at risk of becoming subject to violence, abuse, neglect and exploitation. One of the main tasks of the CPNs is to protect children from child labor.(35) Within this initiative, there is an on-going campaign directed toward children, families, employers and others against child labor through communicating the damaging impact on child development and well-being, as well as making clear the legal implications for adults involved.(35) However, it is unclear if there is a coordinating mechanism in place across all PA-controlled areas.

The MOL's Inspection and Protection Administration is responsible for enforcing child labor laws.(7, 36) The MOL employed 43 labor inspectors, 6 of whom are specifically assigned to monitor child labor conditions.(7) Government officials describe the MOL as understaffed and in need of at least 300 labor inspectors in order to cover most of the private establishments in which children often work.(7, 26)

Over the last few years, MOL inspectors engaged business owners on child labor laws in an effort to raise awareness on minimum age requirements for work eligibility.(7, 13) In 2012, the MOSA and the police made visits to homes of children found working on the street to obtain commitments from parents that the child would not continue to work.(37) No current or reliable data were found on the precise number of child labor investigations conducted or violations reported during the reporting period. However, between 2007 and 2011, the MOL referred only 10 people to the Attorney General for employing children under age 15 in dangerous work; further information on the result of these referrals, fines imposed, or other penalties is not available.(13) The Government also reported that numerous people were fined for child labor violations, although the exact nature of the violations is not known.(13)

The PA has established a National Child Protection System through which the MOSA coordinates with the police, Attorney General, and nongovernmental organizations to provide appropriate services for vulnerable children, including those exploited in the worst forms of child labor.(27) The Child Protection Department within the MOSA is responsible for preventing the abuse and sexual exploitation of children, as well as for assisting victims of such maltreatment. Since 2010, the MOSA has attempted to register all employed youth in an effort to improve the monitoring of working conditions.(27) In cooperation with the local police force, MOSA Child Protection Officers are responsible for investigating cases of sexual exploitation. The most recent data available indicate that the MOSA had employed fewer than 13 child protection social workers in the West Bank and 8 in Gaza.(27) Child Protection Officers receive reports of both child labor and child abuse, but lack the resources to follow up on the large case load of child labor violations.(7)

Government Policies on the Worst Forms of Child Labor

The PA has recently revised and updated its national plan of action on children. In its report to the Committee on the Rights of the Child, the PA has prioritized monitoring all workplaces in illegal settlements in which children are employed.(27) Due to the lack of data regarding monitoring and enforcement efforts, research did not uncover whether the Government had achieved this goal during the reporting period.

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

The Palestinian Authority Ministry of Social Affairs (MOSA) undertook social assessments of children's families and included poor families in the ministry's social protection program (cash assistance, health insurance, free education) with the goal of preventing families from resorting to child labor. The MOSA and Ministry of Education (MOE) took efforts to ensure that children who recently dropped out of schools were sent back to school. Lastly, the CPN teams have also worked to build the capacity of the MOL and MOSA child protection workers and inspectors in managing cases of child laborers.(35)

The PA reported in 2010 that it was working with UNICEF to examine matters of child labor, including the means of monitoring child laborers and eliminating the illegal use of children.(27) However, research did not identify any activities carried out through this collaboration.

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Save the Children and the PA published a report in 2010, discussing MOSA-supported vocational centers for children who dropped out of school or were considered poor and child protection programs to reduce the risk of economic exploitation of children.(27) However, the same report evaluated these programs, indicating that they are outdated, poorly resourced, and ineffective. The current status of these vocational center and programs is unclear.(27) In the past, the PA has solicited donor support to expand vocational programs for youth but did not receive the funding.

Palestinian children can use the free Palestinian Child Protection Helpline 121 as part of Child Helpline International, a network of child helplines that aims to provide free support and counseling to children and adolescents to protect them from abuse, neglect, violence, and exploitation. Started by a civil society organization, SAWA, government officials work with the Helpline to provide services to victims of violence, including children.(38, 39) Save the Children Sweden provides funding for the Helpline.(38)

The UN Relief and Works Agency (UNRWA) is working to improve education in the West Bank through such efforts as encouraging better school management and community

participation in education as well as providing remedial education services for children in the West Bank. The UNRWA provides microfinancing to a variety of groups, including women and those who own small businesses, which support family investments in education, among other needs.(40-42) Research found no studies that demonstrate the impact of this microfinancing on child labor.

Lower than expected international donor support has contributed to a reduction in the PA's enforcement efforts and social programs.(7) In addition, Israel withheld the PA's customs and Value Added Tax (VAT) revenues collected on imported goods destined for the West Bank and Gaza via Israeli points of entry. This lack of revenue negatively impacted the PA's ability to implement social protection efforts, including those to combat child labor, in late 2012 and early 2013(7, 43) Israel announced the resumption of these revenue transfers on March 25, 2013.(44)

Given the scope and magnitude of child labor in the West Bank and the Gaza Strip, the limited breadth of these programs is not sufficient to combat child labor, especially in dangerous activities in agriculture and on the streets.

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

| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|---|----------------------------|
| Laws and Regulations | Amend the law, possibly through establishing a united criminal code, that would: <ul style="list-style-type: none"> Expressly prohibit forced and compulsory labor as well as trafficking. | 2009, 2010, 2011, 2012 |
| Coordination and Enforcement | Provide sufficient resources and staff to the MOL and the MOSA to enforce child labor laws adequately. | 2010, 2011, 2012 |
| | Collect and distribute current data on the enforcement of child labor laws. | 2010, 2011, 2012 |
| | Clarify whether the Child Protection Networks (CPNs) constitute a national coordinating mechanism, and if not, establish such a mechanism. | 2012 |
| Policies | Establish a new children's policy that includes provisions to protect children from the worst forms of child labor | 2012 |
| | Implement programs to address child labor, particularly in street work and agriculture. | 2011, 2012 |
| Social Programs | Update, expand, and improve the resources for programs offered by MOSA that address the worst forms of child labor. | 2010, 2011, 2012 |

| Area | Suggested Actions | Year(s) Action Recommended |
|-----------------|---|----------------------------|
| Social Programs | Improve educational access by increasing the number of well-equipped and hygienic schools available for students. | 2011, 2012 |
| | Research the impact of microfinancing programs on the worst forms of child labor. | 2012 |

REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.*; accessed February 4, 2013; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the “Children’s Work and Education Statistics: Sources and Definitions” section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys.* February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, 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 of this report.
- International Labour Office. *Children in hazardous work: What we know, What we need to do.* Geneva, International Labour Organization; 2011. http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_155428.pdf. While country-specific information on the dangers children face in agriculture is not available, research studies and other reports have documented the dangerous nature of tasks in agriculture and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
- Alenat, S. *Working for Survival: Labor Conditions of Palestinians Working in Settlements*, Kav La Oved, [online] December 15, 2010 [cited March 2, 2013]; <http://palestinakomiteen.no/working-for-survival-labor-conditions-of-palestinians-working-in-settlements/>.
- ILO-IPEC International Training Centre. *The Worst Forms of Child Labour in Conflict and Post Conflict Settings: Results from a Research Project.* Turin, Italy; 2010. <http://www.itcilo.org/en/community/news/download-child-labour-2>.
- U.S. Department of State. “Israel and the Occupied Territories,” in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dclid=186430>.
- U.S. Consulate- Jerusalem. *reporting, February 8, 2013.*
- Report of the Director-General. “The Situation of Workers of the Occupied Arab Territories,” in International Labour Conference, 98th Session 2009; Geneva: ILO;
- Save the Children Sweden. *Children’s Rights Violations Caused by Armed Conflict in Gaza – March 2011 to June 2011*; 2011. <http://sca.savethechildren.se/PageFiles/3667/Fact%20Sheet%20IV%20Gaza.pdf>.
- Korkus, S. *Child Labour in Jewish Settlements*, Kav La Oved, [previously online] December 11, 2008 [cited source on file].
- Integrated Regional Information Networks. “Israel-OPT: Poverty Driving Palestinian Children onto the Streets.” IRINnews.org [online] June 12, 2007 [cited January 26, 2011]; <http://www.irinnews.org/report.aspx?ReportId=72677>.
- U.S. Consulate- Jerusalem. E-mail communication to USDOL official. June 2, 2010.
- U.S. Consulate- Jerusalem. *reporting, January 10, 2012.*
- UNICEF. *Growing Poverty in Gaza Pushing Children to Work.* Occasional Story. Gaza Strip, Occupied Palestinian Territory; July 22, 2009. http://www.unicef.org/infobycountry/oPt_50318.html.
- Najjar, N. “Gaza Children Labour to Help Families.” *gulfnews.com* [online] December 19, 2010 [cited June 5, 2012]; <http://gulfnews.com/news/region/palestinian-territories/gaza-children-labour-to-help-families-1.732196>
- UN Special Representative of the Secretary-General on Children in Armed Conflict. *Children and Armed Conflict: Report of the Secretary-General*; April 26, 2012. Report No. S/2012/261. <http://www.un.org/en/sc/documents/sreports/2012.shtml>.
- Gaza Gateway. *Children of the Gravel*, Gaza Gateway, [online] September 16, 2010 [cited May 3, 2012]; <http://www.gazagateway.org/2010/09/children-of-the-gravel/>
- Shamalak, S. “Gaza Children Go to Work to Help Families.” *xinhua.net* [online] November 2, 2010 [cited]
- A. Thabet, S. Matar, A. Carpintero, J. Bankart, P. Vostanis. “Mental Health Problems among Labour Children in the Gaza Strip.” *Child Care, Health & Development*, 37(No. 1)(2011); [source on file].
- U.S. Consulate- Jerusalem. *reporting, February 10, 2011.*
- Tamimi, I. “The Children of Gaza.” *Aljazeera.com* [previously online] November 11, 2009 [cited hard copy on file].
- Moser, P. “OPT: Children Risk Their Lives in Gaza’s Blockade-Busting Tunnels.” *AFP* [online] July 12, 2009 [cited June 5, 2012]; <http://www.google.com/hostednews/afp/article/ALeqM5hYZkIggV1jw5s97PTU10UDj1yNcQ>.
- 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.* East Jerusalem; August 2009. www.ochaopt.org/documents/Ocha_opt_Gaza_impact_of_two_years_of_blockade_August_2009_english.pdf.
- National Society for Democracy and Law. “National Society for Democracy and Law Precedence on Children Work in Tunnels.” *nsdl.org.ps* [previously online] November 15, 2009 [cited February 19, 2013]; <http://www.nsdl.org.ps/english/mainnew1/new1.html> [source on file].
- 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. Report No. CRC/C/OPAC/ISR/CO/1. <http://www2.ohchr.org/english/bodies/crc/docs/CRC-C-OPAC-ISR-CO-1.pdf>.
- U.S. Department of State. “Israel and the Occupied Territories,” in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186429.
- 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. [source on file].
- Law Library of Congress. *West Bank and Gaza: Child Labor Laws.* Washington, DC, The Law Library of Congress; May 2010. Report No. 2010-003857.
- Palestinian Authority Minister of Labor and Cabinet. *2000 Labor Law No. (7)*, enacted 2000.
- XE.com. *XE Currency Converter*; accessed February 28, 2013; <http://www.xe.com/currencyconverter/>.
- Coalition to Stop the Use of Child Soldiers. “Occupied Palestinian Territory,” in *Child Soldiers Global Report 2008*. London; 2008; <http://www.childsoldiersglobalreport.org/content/occupied-palestinian-territory>.
- Jallad, Z. *Palestinian Women and Security: A Legal Analysis*; 2012. http://www.dcaf.ch/content/download/96628/1489600/file/Legal_Analysis_EN.pdf.

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33. Jerusalem, USC-. Email communication to USDOL official. August 21, 2013.
34. UNICEF. "Palestinian Children Deprived of Basic Rights to Education." [previously online] September 15, 2010 [cited hard copy on file].
35. Jerusalem, USC-. E-mail Communication to USDOL official. July 9, 2013.
36. Palestinian Economic Policy Institute. "Palestinian Labour Law No. 7 & Worker's Rights," in Palestine Investment Conference; May 21-23, 2008; Bethlehem; http://www.palst-jp.com/eg/pdf/inv/02/Palestinian_Labour_Law.pdf.
37. Reuters. "Child labor Concerns as Palestinian Boys Sell Discarded Iron." Al Arabiya News Channel, West Bank, August 8, 2012. <http://english.alarabiya.net/articles/2012/08/08/231111.html>.
38. Save the Children Sweden. *SAWA's Child Helpline Service 121: Expanding Outreach to Vulnerable Children in oPt*. online. Stockholm; February 2010. <http://sca.savethechildren.se/Global/scs/MENA/Resources/SAWA%20Fact%20Sheet%20-%20%20Final.pdf>.
39. SAWA. *About SAWA*, [online] [cited May 6, 2013]; <http://www.sawa.ps/en/Views/PageView.aspx?pid=593>.
40. UNRWA. *Projects in the West Bank*, United Nations Relief and Works Agency for Palestine Refugees, [online] [cited March 3, 2013]; <http://www.unrwa.org/etemplate.php?id=101>.
41. UNRWA. *School Services*, United Nations Relief and Works Agency for Palestine Refugees, [online] [cited March 3, 2013]; <http://www.unrwa.org/etemplate.php?id=90>.
42. UNRWA. *Products and Services- Microcredit*, United Nations Relief and Works Agency for Palestine Refugees, [online] [cited August 19, 2013]; <http://www.unrwa.org/etemplate.php?id=20>.
43. Greenberg, J. "Abbas returns home to hero's welcome, but faces fresh punishment from Israel." Washington Post, Washington, DC, December 2, 2012. http://articles.washingtonpost.com/2012-12-02/world/35584448_1_tax-and-customs-revenues-west-bank-future-palestinian-state.
44. Greenberg, J. "Israel restores tax transfers to Palestinians following Obama visit." Washington Post, Washington, DC, March 25, 2013. http://articles.washingtonpost.com/2013-03-25/world/37995860_1_palestinian-tax-funds-successful-palestinian-bid-taxes-and-customs-duties.