

Educational Rights and Academic Freedoms in the Palestinian Authority Territories

Semi-Annual Report

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Part One

The Theoretical Framework

Introduction

The International Bill of Human Rights considered the right to education as a fundamental human right; an enabling right upon which the realization of other rights depend on its application and respect. In this sense, educational rights have occupied a special and important status in the International Bill of Rights starting from the Universal Declaration of Human Rights in 1948, and reaching the Convention on the Rights of the Child in 1989.

The International Bill of Human Rights has set certain criteria that must be respected in education, as spelled out in the second paragraph of Article 26 of the Universal Declaration of Human Rights, the first paragraph of Article 13 of the International Covenant on Economic, Social and Cultural Rights, Articles 4 and 5 of the Convention against Discrimination in Education issued by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1960, or those contained in Article 10 of the Convention against All Forms of Discrimination against Women in 1979, as well as articles 28 and 29 of the Convention on the Rights of the Child.

The criteria are based on the following:

- Education shall be directed to the full development of the human personality and its empowerment to fully integrate and actively participate in public life;
- Ensuring compulsory and free of charge primary education and make higher education, vocational and technical education accessible to all with the aim to make it accessible free of charge;
- To make higher education available to all without discrimination and on the basis of equal opportunities with the aim to make it accessible free of charge;
- To make education accessible to adults to eliminate illiteracy throughout the encouragement and support of the state;
- The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations; the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin.

These educational objectives reflect the fundamental purposes and principles of the United Nations enshrined in Articles I and II of the United Nations Charter. They also form the theoretical foundation upon which those interested in educational rights direct their efforts towards the development of these rights and giving them the importance they deserve, by making them a complete system in its own through the stipulation of a special convention for academic freedoms.

The birth of international declarations related to academic freedoms

The motive behind the attention given to academic freedoms by the international network of national committees affiliated with “World University Service,” at national or regional levels was surely not an intellectual luxury, but has reflected a strategic trend that seeks to face the increasing violations affecting these freedoms. The first attempts related to academic freedoms began in the form of panel discussions among a number of academics in some universities in the 1980’s, because they felt that human rights violations in universities by political authorities have become a significant issue, threatening academic freedoms and the autonomy of universities. This has urged a group of academics and human rights defenders to hold training sessions and discussions around a document specifically related to principles of academic freedoms in universities and higher educational institutions. These efforts have aimed at protecting and enhancing the climate of scientific research in universities and opening prospects for creative work. Efforts made in this regard have resulted in the birth of international and regional declarations, much focused on these freedoms and on the autonomy of universities from any interference or subservience. Prominent among these is the Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education in 1988, the first declaration of its kind on academic freedoms. The declaration was followed by a number of regional declarations such as the Kampala Declaration on Intellectual Freedom and Social Responsibility in 1990 related to African universities and the Amman Declaration on Academic Freedom in 2004 related to Arab universities, and the UNESCO Declaration on Academic Freedom of 2005.

The concept of academic freedom

Methodologically, there is a need to clarify the concept of academic freedoms in accordance with frequently used definitions in order to standardize measurable criteria and to identify interventions and violations affecting these freedoms.

The Lima Declaration on Academic Freedom and Autonomy of Institutions of Educational Rights and Academic Freedoms in the Palestinian Authority Territories

Higher Education defines academic freedom as: “the freedom of members of the academic community, individually and collectively, in the pursuit, development and transmission of knowledge, through research, study, discussion, documentation, production, creation, teaching, lecturing and writing.” The Declaration defines the academic community by “all those persons teaching, studying, researching and working at an institution of higher education.” The definition adds some details clarifying a number of the concepts such as “Autonomy” which “means the independence of institutions of higher education from the State and all other forces of society, to make decisions regarding its internal government, finance, administration, and to establish its policies of education, research, extension work and other related activities.” “Institutions of higher education” comprise universities, other centers of post-secondary education and centers of research and culture associated with them.”

UNESCO in its 2005 Declaration of Academic Freedom defined academic freedom as “freedom to conduct research, teach, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.”

The UN Committee on Economic, Social and Cultural Rights has defined the right to education as follows: “Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction. The enjoyment of academic freedom carries with it obligations, such as the duty to respect the academic freedom of others, to ensure the fair discussion of contrary views, and to treat all without discrimination on any of the prohibited grounds. The enjoyment of academic freedom requires the autonomy of institutions of higher education. Autonomy is that degree of self-governance necessary for effective decision-making by institutions of higher education in relation to their academic work, standards, management and related activities. Self-governance, however, must be consistent with systems of public accountability, especially in respect of funding provided by the State. Given the substantial public investments made in higher education, an appropriate balance has to be struck between institutional autonomy and accountability. While there is no single model, institutional arrangements should be fair, just and equitable, and as transparent and

participatory as possible. “

The Amman Declaration of Academic Freedoms in the Arab world and Autonomy of Institutions of Higher Education defined these freedoms as: “Academic freedom includes the right of expression, freedom of conscience, the right to disseminate and exchange information and knowledge, the right of the academic community to manage itself, take decisions concerning the conduct of its work, and to issue its own appropriate regulations and procedures that help in achieving the objectives of education and scientific research.”

All of the above definitions agree that academic freedom in universities is not a target in itself but means to provide an environment characterized by openness, dialogue, debate and free and creative interaction inside universities, and to develop the role of universities on the cognitive level and upgrade the quality of education. The autonomy of universities means their ability to protect their scientists and researchers, provide protection and support for students and to scientifically empower them to refine their capacities and to prepare them to be future leaders and influential social actors through the acquisition of administrative and multiple life skills. This in the end means agreeing on a democratic partnership between the three components of the academic community: the administrations of universities, the academics, researchers and scientists, and the students.

Educational rights and academic freedoms in the Palestinian Authority Territories

The right to education is considered one of the fundamental and crucial rights; it is an economic, social and cultural right; it can also be seen as a civil and political right. Education occupies an advanced and major status for the achievement of other rights; it is the tantamount in enhancing the link and unity between all human rights. The right to education, like all human rights, involves three levels of duties; respect, protection and administration. Respect means refraining from the adoption of measures that may hinder or prevent the enjoyment of the right of education. Protection means preventing others from interfering with the enjoyment of the right to education. The administration duty means taking effective measures to enable and assist individuals and groups to enjoy the right to education.

Educational rights and academic freedoms in occupied Palestine is a multifaceted issue given the complexities and interventions resulting from the current Palestinian conditions. The existence of Israel as an occupying force since forty-one years, and its interference in all aspects of Palestinian life, including public and university

education, is one of the elements affecting the right to education. Israeli violations to the right of education ranged between murder crimes, detention, restriction of movement, bombing of schools and turning them into military barracks, interference in the educational curriculum, and its attempts to exclude all national elements in these curriculum.

The creation of the Palestinian National Authority has been a landmark in the Palestinian educational process. For the first time in their modern history, Palestinians were able to have control over the administration of education without direct interference or custodianship. This has enabled them to form a national curriculum committee to develop a comprehensive Palestinian educational curriculum by Palestinian expertise to replace the Jordanian ones used in the West Bank, and the Egyptian curriculum used in Gaza Strip. As of the date of PA mandate over the Ministry of Education, there has been a tangible improvement on the enrolment level and a reduction in dropout rates. In addition, there has been a substantial progress achieved in the field of combating literacy and providing educational opportunities to those who were deprived of education. Conditions of women's education have improved and this has contributed to reducing the gap in education between males and females in general at the university education level; the overall percentage of females joining Palestinian universities has exceeded that of males, and this in itself is undoubtedly of great significance.

The current conditions of education in the Palestinian territories

Education was, throughout the different historic phases, of great importance for the Palestinian people and still occupies significant importance.

The first Palestinian Intifada has impacted the level of education in different ways and it is for that reason, the Palestinian National Authority has paid due attention to this sector. The Palestinian legislator stressed the right to education in the draft Basic Law and the draft constitution. Article (24) of the PA amended Basic Law stipulated that:

- Every citizen has the right to education. It shall be compulsory until at least the end of basic grades, and it shall be free in public schools and institutes.
- The Palestinian National Authority shall supervise all levels of education and its institutions, and shall strive to upgrade the educational system.
- The Law shall guarantee the independence of universities, higher institutes, and scientific research centers, in a manner that guarantees the freedom of scientific research, as well as literary, artistic, and cultural creativity. The Palestinian National Authority shall encourage and support such creativity.

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- Private schools and educational institutions shall comply with the curriculum approved by the Palestinian National Authority, and shall be subject to its supervision.

The draft constitution however, stipulated that education is a right for every citizen and that the state guarantees education until the completion of the secondary school level and education will be free of charge in colleges, schools and public institutions. The second article of the Palestinian Law on Higher Education stipulates that: "higher education is the right of every citizen who meets the scientific and objective requirements as defined in this law and its pursuant regulations."

Available data on the current state of education in the Palestinian territories indicate that there are eleven academic universities with a total number of 79877 male and female students, as well as Al-Quds Open University, with branches in all the Palestinian provinces, and with a number of approximately 52914 students. In addition, there are twelve colleges with a total number of 6347 students, and nineteen community colleges with an average of 11136 male and female students.

A report published by the Ministry of Education and Higher Education on 30/4/2008, containing the results of the fourteenth annual statistical survey of schools in the Palestinian territories for the 2007/2008 academic year, indicated that the number of Palestinian students in government, private and UNRWA schools for the academic year (2008) has reached (1097095) students, 653355 in the West Bank and 443740 in Gaza Strip, distributed among a total of 2429 schools. The report also indicated that the total number of teachers is (52784) and the number of classroom divisions is 33333. The survey results showed that there were 2429 schools in the Palestinian territories, 1808 in the West Bank, and 621 in Gaza Strip among these are 1833 government schools, 308 UNRWA schools and 288 private schools.

The results revealed that the number of UNRWA schools in Gaza Strip is higher than its number in the West Bank reaching 214 schools in Gaza compared to 94 schools in the West Bank. The survey results have also indicated that the number of schools with regular morning classes is 2157 only, 1780 schools in the West Bank and 377 in Gaza Strip. There are 9 schools with evening and morning classes under a single administration, 2 in the West Bank and 7 in Gaza. There are 263 evening schools; 26 in the West Bank and 237 schools in Gaza. In terms of numbers of schools owned by the government and those rented, the survey results indicated that there are 1986 schools owned by the government, 352 rented schools and 91 schools owned and rented at the same time. Schools owned by the government in

the Gaza Strip form 92% while in the West Bank they form 78% of the total number of existing schools.

Concerning the number of classroom divisions, the results indicated that there were 33333 divisions distributed among West Bank and Gaza Strip schools as follows: 21734 divisions in Gaza schools and 11599 in the West Bank. Divisions are distributed according to sex as follows: 13675 for males, 13577 for females, and 6081 mixed. They are also distributed according to educational phases as follows: 28729 divisions for the elementary stage, and 4604 for the secondary level. Regarding the number of students in each division, the survey results showed that it varies from one stage to another and also according to the supervising authority. With regard to the average number of students in each division, the results of the survey revealed that the average is different from one stage to the other. In the elementary stage, the average is 33.3 students in each division and in the secondary stage it reaches 30.5 students in each division. The average number of students in each division according to supervision authority was as follows: 32.6 students in each division in government schools and 37.9 students for each division in UNRWA schools, and 24.5 students for each division in private schools.

The number of teachers in all schools of all stages was 52784 male and female teachers with a number of male and female teachers of 34359 in the West Bank and 18425 male and female teachers in Gaza Strip. The number of male teachers was 24007 compared to 28777 female teachers distributed among schools according to supervising authorities as follows: 38134 teachers in government schools, 9246 in UNRWA schools and 5404 in private schools.

The results of the survey indicated that the percentage of failure in schools was 3% and the drop-outs was 1.2%; these ratios vary from one class to the other. As with regard to school drop-outs, it is noticeable that the percentage steadily increases with grade-level. The percentage of drop-outs in the first elementary classes was around 0.3% and reached 2.6% in the tenth grade, increasing to about 4.1% in the first grade of the secondary school. It is also noticeable that drop-out rates are higher among males in the lower grades compared to females. However the rate starts to be higher among females compared to males after the tenth grade. The number of students per teacher differs according to the supervision authority reaching 20.1 students per teacher in public schools, 27.3 students per teacher in UNRWA schools, and 14.4 students per teacher in private schools.

Other emerging educational and freedoms issues with the creation of the PA

The other dimension that has more evidently emerged with the establishment of the Palestinian National Authority is the presence of an official authority with policies and rules that will be reflected in one way or another on the Palestinian society as a whole, including the Palestinian universities. The PNA has paid due attention to universities in its attempts to keep them under its umbrella and its official policies. The motive behind the emerging PNA and its ruling party's (Fateh) interest in Palestinian universities at that time, besides that of other parties and factions, is the pioneering and distinguished role played by the students' movements in the Palestinian territories at the political and national level; gaining the confidence of the students' movements and winning their support for PNA's policies became an issue of great importance.

Rivalry between political parties and factions and their quest to control students' councils has created complex problems, abuses and violations of academic freedoms, particularly among students, affecting universities that are supposed to be kept away from political and partisan conflicts. There were attempts to establish the presence of PNA's central role in universities by employing those who are politically affiliated with the PNA in important and sensitive positions in universities and through the direct interference of government agencies in campus affairs. In addition, the manifestations of security chaos and absence of rule of law inside universities, have directly contributed to the rapid increase in violations against academic freedoms in all Palestinian universities with slight variation here and there. The serious political rift and Hamas military win in Gaza Strip on 14/6/2007, has left negative impact on universities as they became part of the conflict and splits leading to the closure of some universities and attacks on professors, students and universities' administrative staff.

Starting not from scratch

Before the creation of the Palestinian Authority, Palestinian human rights organizations have played a focal and important role in documenting war crimes and violations committed by Israeli occupation forces against Palestinian human rights, including violations of educational rights. With the creation of PNA, new challenges were posed; monitoring and documenting Palestinian human rights violations, including violations of academic freedoms. In the later stages, violations of education, educational rights and academic freedoms occupied an ever increasing part of these centers' concerns, as a result of the internal political conflict and the deliberate or accidental involvement of universities in this conflict.

As of the day of its creation, Ramallah Center for Human Rights Studies (RCHRS) has paid particular attention to the topic of educational rights. In 2003, RCHRS launched the educational rights advocacy programme focusing on the two dimensions of education: the first through a monthly bulletin 'free education' published by the Centre and specialized in advocating educational rights as well as monitoring and documenting violations of these rights; the second dimension is the awareness and education provided to university students, student councils, unions of universities' workers on these rights, and how to defend them democratically, through the implementation of workshops and training events. During the last years, RCHRS was following up on issues related to academic freedoms. Although it is too early to judge the center's experience in defending academic freedoms, the experience in itself has highlighted the need of Palestinian universities for such initiatives and programs, on the monitoring and documenting violations of academic freedoms level in order to curb them, and on organizing workshops and training events level, to make the academic community aware of its rights and freedoms as stated in international declarations and according to the human rights system.

In a new step by RCHRS to advocate educational rights and to defend academic freedom in Palestine, the centre has prepared this semi-annual report on violations against academic freedoms and educational rights during the period between 1/1/2008 and 30/6/2008. The aim of this report is not only to monitor such violations, but to analysis them, to call upon the concerned authorities to desist breaching them and to remind them of their obligations towards the realization of the right to education based on international standards of human rights, and national laws and legislations.

Part Two

Violations of Academic Freedoms and Educational rights

■ **Violations committed by Israeli occupation forces**

Israeli occupation forces continued to commit war crimes and grave violations against Palestinian civilians and their public and private properties during the period covered by this semi-annual report. Such violations have deliberately targeted the educational sector in areas under the Palestinian Authority, through daily incursion operations. Israeli crimes and violations took the shape of murder, bombardment, storming and occupying schools, impeding the movement of students and teachers and preventing them from travelling ... etc. In this section of the report we will review the major violations inflicted on the educational sector in the occupied Palestinian territories by the Israeli occupying forces during the period between 1/1/2008 and 30/6/2008.

● **Violation of the right to life and physical integrity:**

Israeli occupation forces, during the period covered by this report, continued to commit its crimes against Palestinian students and their teachers. During the period covered by the report, Israeli troops killed thirty two students, 26 in Gaza Strip and 6 in the West Bank increasing the number of students killed since the outbreak of Al-Aqsa Intifada on 28/9/2000 until 30/6/2008 to (658) students, and the number of injured to (3607) students. The period from 27/2/2008 to 3/3/2008 was the most brutal one; during this period, occupation forces killed 22 students; 20 of them were killed in Gaza. In its use of excessive lethal force in targeting resistance members, without taking account of their presence in residential areas crowded with civilians and civilian facilities, Israeli occupying forces killed on 7/2/2008 41 years old Hani Sha'ban Na'im, a Palestinian history teacher, resident of Beit Hanoun, injuring three students when an Israeli rocket, targeting resistance members, landed in their school, raising the number of teachers killed to 37 since the outbreak of the Intifada.

Status		1/9/2000 – 31/8/2001	1/9/2001 – 31/8/2002	1/9/2002 – 31/8/2003	1/9/2003 – 31/8/2004	1/9/2000 – 31/8/2001	Total
		Martyrs	Teachers	3	12	10	3
	Students	96	154	145	114	149	658
	Employees		4	2	1	1	8
Detainees	Teachers	21	55	45	46	23	190
	Students	71	101	140	296	120	728
	Employees	--	13	5	11		29
Injured	Teachers	--	31	18	5	1	55
	Students	2151	453	387	386	230	3607
	University students						1245
	Employees	--	5	4	1	3	13

Number of dead, injured or detained people
28/9/2000 – 30/6/2008

Source:
Ministry of Education and Higher
Education

● Crimes of bombing schools

Palestinian schools, especially in Gaza Strip, were not spared from direct targeting. On 7 February 2008, Israeli occupation forces stationed along the border strip, east of Gaza City, fired ground-to-ground missile targeting a group of Palestinian resistance men who were present near al-Zira'a secondary school, north of Beit Hanoun town. The missile fell on the school's hall, just minutes before the time when students enter their classrooms. Seventy students and 35 staff members were present inside the school when the missile fell killing one teacher.

● Storming and closure of schools

Public schools and schools run by charities were not immune from acts of intrusion by Israeli troops. During the period covered by this semi-annual report Palestinian human rights organizations recorded many of these violations, notably:

- On 1 January 2008, Israeli occupation forces stormed "Harbi Abu al-Dhaba'at" primary school for boys in "Bi'er al-Muhajir" northwest of Hebron. Soldiers stormed the administration offices and pupils' classrooms conducting their search, verifying identities of those who were present and tampering with the school's furniture and documents.
- On 26 February 2008, Israeli occupation forces stormed several buildings, schools and stores of the Islamic Charitable Society, the Young Muslims Association and their branches, located in different areas of the city of Hebron. The storming operation covered orphanages, Islamic schools and the kindergartens of the two associations in al-Hawooz al-Awal and Ein Sara Street, al-Huda School for Girls, Islamic Girl's School in al-Salam Street, the buildings of the Orphanage House in the Dowerban area, al-Anwar al-Ibrahimiyyah library for children and other offices owned by the Charitable Society in al-Huda market in the city center. Before their withdrawal, troops confiscated many of the buildings, offices and schools' possessions then handed a number of military orders closing the buildings of the two societies as well as their branches and putting them under Israeli control.
- On 27 February 2008, Israeli occupation forces raided the premises of the Charitable Society, an orphanage house and al-Rabat School affiliated with the society in Bani Na'im town east of Hebron. Before their withdrawal, troops seized the furniture of the society, part of the school's furniture and equipments such as computers and electrical apparatuses, seats and students' and staff files. They smashed windows and doors and left a military order putting the society

under Israeli control and closing its facilities for three years.

- On 9 March 2008, an Israeli military force stormed al-Hawara Secondary School for Boys in the village of Hawara south of Nablus and besieged students inside their classrooms.
- On 15 April 2008, occupation forces stormed Abu al-'Ala' al-Ma'ari school in al-Qarara town east of Khan Younis, taking military positions inside the school making it a battle place.
- On 22 May 2008, Israeli occupation forces stormed Qiysaria secondary School in the village of Wadi Gaza, tampering with its possessions and causing material damage to its classrooms. The school administration was obliged to stop the examinations on that day.
- On 5 June 2008, Israeli occupation forces stormed the headquarters of the Islamic Charitable Society, a school and a kindergarten of the Society in al-Shiokh village, northeast of Hebron. Before their withdrawal, troops confiscated all their possessions. Soldiers confiscated chairs, computers, office equipment, the society and school documents and all stored items in the warehouses - such as food products, clothes and stationery brought for orphans - after which they sealed the doors of the Society. Troops then hanged a military order shutting down the society for three years.

● **Direct attacks on universities**

- On 20 January 2008, Israeli occupation forces bulldozers started bulldozing land inside al-Quds University campus in Abu Dis, Beit Hanina, north of occupied East Jerusalem, to construct a settlement road in this area. Occupation bulldozers cut down trees and bulldozed about ten dunums of the campus land.
- On Sunday 23 March 2008 noon time, Israeli occupation forces, supported by around thirty military vehicles besieged the Arab American University in Jenin, closing all roads leading to the area. This process was accompanied by air drop of soldiers in the vicinity of the university. Israeli forces closed the university and besieged it from every corner preventing students and staff from going to their homes while infantry troopers were deployed on hills opposite to the university. The operation continued until late next morning leading to interruptions in the educational process on that day.

● **Arrests and ill-treatment of students**

Israeli occupation forces, during the period covered by this report, have launched a persistent campaign of arrests targeting students, teachers and universities' staff. During the period covered by the report, Israeli forces arrested around sixty students

from al-Najah National University in Nablus; students from al-Quds University in Abu Dis and from the Palestine Polytechnic University in Hebron were also arrested. Student Council president, Abdullah Owais from Birzeit University and the student Council President of al-Quds Open University in Rafah were among the university students arrested by occupation forces.

As for school students, Israeli occupation forces have arrested during the period covered by this report, about one hundred and eighty school students, 143 students are under the age of eighteen. A report issued by the Ministry of Prisoners Affairs said that the number of children between 13 to 18 years detained in Israeli prisons is more than (350) children, including more than (100) students under the age of 15. The report pointed out that the occupation authorities deliberately restrained children's freedom and used torture methods to intimidate students and to force them to confess, especially in investigation and military arrest centers (Ofer camp, Beit El, Etzion, Salem, Qadumim and Hawara). Most of the detained children were subjected, during their detention period, to various types of torture, humiliation, and cruel treatment. As of the moment of their arrest, they are brutally taken away from their homes in late evening hours; while being taken to detention camps, they are subjected to degrading treatment, in addition to the various harsh methods of investigation practiced against them and the arbitrary and unfair court procedures. Moreover, children in prisons are heavily beaten specially on their heads; they suffer burns caused by cigarettes butts; they are threatened of being taken away from their families, putting dirty bags on their heads and blowing up their homes. In prisons, children's hands and legs are cuffed and their eyes are covered. The use of electric shock is common and putting children in awkward or damaging positions has been used - tying hands and legs and placing the child near to a wall, obliging him to stand on his toes for a period of time. Additionally, sleep deprivation, psychological pressure, verbal abuse, insults using bad words and curses are often used against children to humiliate them. Violent shaking is another torture method used against children by carrying the child and shaking him frequently until he faints. According to the Ministry of Prisoners' Affairs statistics, 99% of children who were arrested were subjected to one or more of the above torture methods used in prisons.

● **The impact of collective punishment policy on educational rights**

The policy of imposing restrictions on the movement of Palestinian civilians by Israeli occupation forces is considered as a sort of collective punishment policy prohibited under article thirty-three of the provisions of the Fourth Geneva Convention of 1949. According to this article of the Convention "no protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited." The continued collective

punishment policy adopted by Israeli occupation forces against Palestinian civilians in the occupied territories, in general, and the closure of border crossing points in the Gaza Strip in particular, is a clear violation of the rules of the international humanitarian law and international human rights law which have guaranteed everyone's right to freedom of movement and residence according to article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights of 1966.

This policy has greatly impacted on educational rights in the occupied territories. The closure policy of cities, considering them as closed military areas, imposing curfews in cities, towns and Palestinian refugee camps is a continuous Israeli policy with a huge negative impact on the educational process. In the framework of this policy, occupation forces, by its incursion into Nablus city on 5/1/2008, an operation lasting for three days, have prevented thousands of students living in the city and from different educational levels, and especially those whose schools are located near the city center and the old town from sitting for their quarterly examinations. Moreover, occupation forces chased students of other schools who were able to take their exams firing tear gas. Military vehicles were stationed next to some school gates and the students of Nabulus Agency School for Males were attacked, painfully beaten and their dignity and self-esteem dishonored when they were heading to their homes after finishing their exams on that day. This led to a wide spread of fear and terror amongst students in Nablus. In Qalqilya classes were suspended in a number of educational directorates in the city such as schools located in the villages of Azzoun, al-Funduq, and Hijah due to the curfew imposed on these villages.

In Gaza Strip, Israeli military occupation authorities on 9/4/2008, cut back the already reduced fuel supplies to Gaza Strip exacerbating the deteriorating humanitarian conditions in cities, villages and in refugee camps already living in bad conditions as a result of the continued use of collective punishment targeting civilians since 15/6/2007.

A report issued by the Palestinian Centre for Human Rights (PCHR) has described the impact of fuel supply shortage on educational rights. Absenteeism in schools and universities varied from 20-50% for two days during the second week of April 2008, especially in Gaza City that houses most schools and universities. By the end of the week, education has completely stopped in all Palestinian universities. The Islamic University, Al-Azhar University, Al-Aqsa University, and Al-Quds Open University registered 30-55% absenteeism. The Islamic University stated that 60% of its 19000 students and 600 faculty members were absent due to their inability to reach the university. Al-Azhar University stated that absenteeism among its

(19000) students increased from 30% on the first day of implementing the Israeli order to 55% in the morning of the day that followed. Al-Aqsa University in Gaza announced the suspension of classes until further notice due to 50% absenteeism of its (14000) students who study at the university with most of them unable to reach their university because they live in the center and southern provinces of the Strip.

Approximately 50% of the 6000 students in al-Aqsa University branch in Khan Younis were absent; and 10% of the staff members were unable to come to work because of the unavailability of transport means. Approximately 1000 students were absent from the Islamic University branch in Khan Younis and for the same reasons, 30% of the students Al-Quds Open University were absent.

On the other hand, schools in Gaza Strip, including government, private and UNRWA schools, during that period, have witnessed the absence of thousands of students and faculty members as a result of the paralyzed transportation sector. As an example, absenteeism in Gaza Strip schools ranged from 10-30% of the total number of the 448000 school students. UNRWA schools in the eastern part of Khan Younis registered 30% absenteeism (10500 students). A school in El-Qarara to the north of Khan Younis was completely closed due to the absence of a large number of teachers. Dar El-Arqam private school in Gaza announced a 3-day suspension of classes with the school's buses running out of fuel.

As a result of the blockade policy imposed on the Gaza Strip, Israeli occupation authorities prevented the entry of textbooks and special printing papers to Gaza Strip schools. According to al-Dameer Association for Human Rights, textbooks and necessary papers for the printing of books of the second quarter of 2008, were not allowed to enter Gaza Strip by occupation forces. According to the testimony of UNRWA, occupation authorities has promised to allow the entry of 750 tons of paper on 31/1/2008, but these authorities did not keep their promise.

In its report entitled "Gaza Students Face Denial of International Education Opportunities," issued on 5 February 2008, the Palestinian Center for Human Rights said that the complete Israeli Occupation Forces closure of the Gaza Strip border crossings used for travel has deprived the civilian population of their right to free and safe movement. This denial has affected thousands of students still in the Strip awaiting the chance to travel abroad to continue their education at various levels. Sources in the Ministry of Civilian Affairs indicate that more than 2,722 students from all educational levels are waiting for the chance to rejoin their educational institutions abroad. This number includes 722 students at university level (Bachelor, Masters, and PhD levels) already studying abroad or who have recently joined

universities. The remaining are students studying in primary and secondary schools abroad. In addition, there are hundreds of students at school level with residence permits in other countries, where they live with their families, whose permits have expired due to their inability to travel to their countries of residence after coming to Gaza for a summer vacation.

● **Violation of educational rights in occupied East Jerusalem**

The educational reality in Jerusalem is the result of multiple education systems applied in the occupied city in the absence of a single educational authority overseeing the diversity in educational systems. In addition, these multiple educational systems are not subject to one national binding authority and this has negatively impacted the educational process. The total number of schools in Jerusalem is (146), the ministry and the directorate of education supervises (38) school (26.0%), with a number of (13329) students, distributed among (472) divisions with (746) male and female teachers. UNRWA supervises (8) schools, (5.5%) of schools, with (3561) students in total, distributed among (105) divisions with (135) male and female teachers. The number of privately supervised schools is (46) (31.5%) with (15663) students distributed among (627) divisions with (135) male and female teachers. The number of schools supervised by the municipality and the Israeli Ministry of Education (Maaref) is (54) schools, (37.0%) with (37604) students distributed among (1240) divisions, with (1700) male and female teachers. (Check Suad al-Qaddoumi, vice president, public education, Ministry of Education).

The education sector in East Jerusalem city is suffering problems related to buildings and classrooms given the difficulty of obtaining building permits from the municipality for the construction of schools, and lack of land for this purpose. Therefore, the Ministry of Education and Higher Education resorts to buying or renting residential buildings to be used as schools. These buildings are not designed for this purpose; hence they are inappropriate in educational terms. Classroom density ranges between (0.5-0.9) square meters per student, while the international standards ratio is between (1.25-1.50) square meters per student, leading to over crowdedness in classrooms and to the lack of a proper teaching environment. In addition, most of these schools lack the needed periodic repair and maintenance, especially schools located in the old town where the majority of the buildings are old. In spite of this, demand for these schools is high as families insist on their existence because they are located inside Jerusalem walls and to strengthen the Arab presence inside the walls. These schools lack playgrounds, arenas, lining up areas for students, scientific laboratories, home sciences and computers.

The separation wall around Jerusalem city and the military checkpoints at all entrances, have adversely affected the educational process as they impede students and teachers from reaching their schools located within the wall, especially as more than (20%) of them carry the Palestinian identity. In addition, there are the schools situated in locations directly affected by the wall and separated from the city such as those in Sheikh Saad, al-Za'im, Shu'fat refugee camp, Anata, al-Ram, and al-Bareed suburb separated from the city by the wall hindering students and teachers from reaching their schools with students and teachers obliged daily to pass through military checkpoints and the wall to reach their schools located within or outside the wall. All these factors are negatively affecting the educational process.

A recent report by the Centre for Research and Information in the Israeli Knesset, has revealed that almost fifty percent of high school students in occupied Jerusalem, drop out of schools and educational institutions, because of the continuing neglect and racial discrimination Israeli policy towards Arab educational institutions. In addition, Jerusalem municipality refuses to register Palestinian students from Jerusalem in the municipality schools claiming lack of seats. The present report, which dealt with the conditions of education in occupied East Jerusalem, highlighted the severe shortage in classrooms reaching 1354 classrooms during 2007 academic year. The shortage is expected to reach 1883 classrooms in 2010. Occupation authorities represented by Jerusalem municipality and its Ministry of Education tries to justify this shortage and injustice, by calcimining that there is not enough land to build schools. However, the reality is that the shortage falls within the framework of an official policy, aimed at reducing the number of Arabs in East Jerusalem to the least possible number. Discrimination becomes clear when we know that the municipality allocates only 29% of the education budget to the educational system in East Jerusalem, which reflects a clear discrimination and constitutes a flagrant negligence against this system. This blatant discrimination against the educational system in Jerusalem is reflected in the lack of adequate number of schools and classrooms. The shortage during the years 1995 - 2005, has risen by 290%. Madar Centre said that the Israeli Supreme Court examined the issue of shortage in the number of classrooms in East Jerusalem, several times after a petition submitted by 117 children in 2000 because of the lack of classrooms' seats in East Jerusalem schools near the places of their residency. In 2001, another petition on the same issue, was submitted and the Israeli Ministry of Education then pledged to build 245 classrooms in the coming four years; the Jerusalem Municipality has pledged to push forward the implementation of building these classrooms' schemes. The court considered the pledge of the ministry and the municipality as a court decision. However, in the year 2005, the Ir Amim organization appealed again to the High Court saying that the ministry and the municipality have not fulfilled the responsibilities they have undertaken after the previous petition accusing them of lack of respect to court's orders. Judges who examined the petition said that

“authorities did not fulfill their obligations regarding the increase in the number of classrooms,” indication that the shortage in classrooms has increased since the issuing of the previous court verdict. Israeli authorities did nothing to solve the problem. Another petition was submitted in 2006 saying that the promised classroom additions have not materialized, and the problem has escalated.

A parent’s testimony

Rasem Obeidat, a Palestinian journalist and union’s activist living in Jerusalem city wrote a sworn affidavit on education in the city and the deteriorating conditions reached saying:

“This is a sworn affidavit given by me, as president of the parents’ committee of West al-Sawahra Schools, Jabal al-Mukaber, East Jerusalem. I saw with my own eyes more than 40 students put in one classroom of 16 square meter size. There are no places for students to pass and those who want to go to the blackboard or the toilets need to learn the art of jumping or flying!! This phenomenon is not limited to a certain education phase but to all phases. The most dangerous issue is the privatization of education and giving the educational mission to profit companies whose main aim is to make profits without any concern to children’s interests and their needs. The schools, aside from being rented by these companies, lack the needed conditions and justifications for their existence as schools. They lack public facilities such as playgrounds and parks. They also lack libraries, scientific and computerized laboratories. Their administrative and educational staff is part of history most of them are from those who retired... One can imagine the quality of education students receive in these schools.”

■ violations of academic freedoms in Palestinian Authority Areas

The educational process witnessed, during the period covered by this report, a number of violations that touched the educational and academic freedoms in Palestinian universities and other institutes of higher education. The parties who committed these breaches varied. The political rift in the Palestinian society, aggravated by Hamas military take-over in Gaza Strip, resulted in an unprecedented escalation of such violations. Palestinian universities and colleges were towed into the political strife between Fatah and Hamas in a way that poisoned the educational atmosphere. Many brawls resulted in closing universities and suspending courses.

Some consequences of the political frictions in Palestinian universities were the administrative measures that clearly touched academic rights and freedoms. Motivated

by fear of flare ups and scuffles between the supporters of the conflicting factions university administrations completely froze all activities of the various student blocs, and restricted those activities to student councils exclusively, and subject to previously agreed limitations. Practically, this meant that the mandate given to these councils was curtailed. This in itself is a violation of academic freedoms which stipulate, according to the Lima Declaration, the freedom of the academic community in expressing their opinion through ads, publications, or free writing. This right is an individual and collective one.

The manifestations of political division took different forms in the West Bank and the Gaza Strip, in keeping with the party in control. Universities in the Strip faced direct interventions from the executive force of the Ministry of Interior in the deposed Government. In addition to that the students' trends loyal to Fatah and other factions in the PFLP were subjected to pressures, abuses, and constraints. In the West Bank things took a different twist. The Islamist student bloc, loyal to Hamas, faced a difficult situation, while the other blocs were in a relatively more comfortable condition.

In the following, we shall go through the most prominent violations of educational rights and academic freedoms during the first half of 2008:

● **Actions of peaceful protest**

The process of public education witnessed a state of instability due to the teachers' strike in the public schools. This strike was sometimes general and others partial according to the demands of general union of teachers for improving their income and linking it to the high cost of living, and paying them all their due and delayed salaries, in conformity with a new mechanism. The strike which was temporarily settled by an agreement between the union of civil servants and the general union of teachers, on one hand, and the Government, on the other, gravely impacted the educational process and disturbed it. The disruption somehow generated students' moves demanding the trimming of the syllabus especially for high school official exams because of shortness of time and the students' inability to cover the whole syllabus under the forced absenteeism linked to suspension of classes and the strikes of official schools' teachers.

The Center while espousing the legitimacy of teachers' demands to improve their livelihoods, and supporting their right to go on strike and peacefully protest in line with the stipulations of the Palestine Basic Law and the Universal Charter of Human Rights, still insists on some sort of balance between the rights of teachers and those of students. The teachers strike led to the rise of protests by students in some districts of the West Bank. Moreover, university students organized sit-ins and strikes to ask for specific claims.

Following is a chronology of these protests:

- The Staff association in Palestine Technical University in Tulkarem (Khdury) declared an open general strike starting on January 20, 2008. The association called upon all staff in the administrative and academic bodies, and general services, with exception of the guards, to engage in the open strike and abstain from coming to the University until the Ministry of education responds to the financial, administrative, and academic demands of the staff. The association demanded that the years of experience of faculty be taken effectively into account, and that staff studying at the university be exempted of all fees and tuitions including those of the summer semester. It is to be noted that these exemptions of the staff and their offspring do not cost the Palestinian Treasury anything; it is possible to coordinate in this regard with the other universities which offer scholarships to the Ministry, in all faculties up to the Bachelor degree.
- On February 21, 2008, several secondary schools in Bethlehem witnessed interruption of classes of High School students who took to the streets demanding to lighten the syllabus because they did not have enough time to cover all the materials required for taking the High School Exam. The students marched through the city streets reaching the premises of the Directorate of Education bearing inscriptions whereby they demanded facilitating their task through trimming the syllabus in a way that enables them to cope with it. The students submitted to the director of Education Mr Mazen Lahham a memo addressed to the Minister Ms Lamis al-Alami.
- On February 24, 2008 high school students in Nablus organized a sit-in near the Directorate of Education demanding to trim some parts of the syllabus for the school year 2008.
- On February 26, 2008 scores of al-Aqsa University students in Gaza Strip protested through a sit-in within the campus bearing slogans and inscriptions demanding loans and exemptions due to the dramatic conditions the Strip is going through.
- On March 3, 2008 students of the Faculty of Pharmacy in the University of Jerusalem organized a sit-in and suspended classes in protest against what they described as "the negligence of the University administration in finding a solution for the problem of recognizing the Faculty Diploma". Lack of recognition is preventing Faculty students from sitting for the Israeli proficiency exam that allows them to work inside Jerusalem. In a statement they issued, the students said: "that they started their sit-in at nine thirty a.m. at which time they gathered in the yard of the health complex, then their demo headed to the offices of the Administration within the University campus to deliver a plea to the President of the University, there a group of the administrative staff moved to talk to us and put an end to the activities of this peaceful and orderly sit-in."
- On May 17, 2008, the President's office of the Open University of Jerusalem

closed the Gaza educational sector for one day. The University clarified this action saying that "the Islamic Bloc organized a political rally despite the fact that the University had previously refused to allow such rallies for all students' blocs, in order to safeguard the smooth operation of academic life. Pursuant to that the Gaza educational sector was closed as a protective measure of students' security. The administration urged students to abide by the decision of the University Council to freeze students' activities and focus on teaching meetings in view of imminent final exams."

- On March 11, 2008 and in a similar vein, representatives of Palestinian students in the Arab Republic of Egypt held a series of meetings with Palestinian officials and other officials in the League of Arab States to discuss a decision made by the Palestinian Ministry of Education concerning hundreds of Palestinian students in Egypt. Representatives of the students held a meeting with Ambassador Muhammad Sabih the assistant Secretary General of the League of Arab States for Palestine Affairs, and Dr Muhammad al-Azaar the cultural attaché at the Embassy of Palestine in Cairo, and Professor Dr. Ahmad Yusef Ahmad the Director of the Institute of Arab Researches and Studies, and representatives of the Palestine Permanent Delegation to the Arab League, to discuss the legality of the demand made by the Palestinian Ministry that documents and diplomas issued or awarded by the Institute of Arab Researches and Studies be approved by the Higher Council of Egyptian Universities. Researcher Mahmud Khaluf who attended part of the meetings affirmed that all present reached a conclusion to the effect that the decision of the Palestinian Ministry is illogical, in that it requires approval of documents issued by an educational institution affiliated to the Arab League through an authority whose jurisdiction is restricted to exclusively delivering equivalences of Egyptian Universities Diplomas, and has no authority with regard to the above-mentioned Institute. Researcher Yusef Salibi, the graduate student at the Institute expressed his extreme indignation over the decision, and the Ministry's insistence on implementing it with a retroactive effect. Researcher Salaheddeen Awwad threatened to resort to the Court of Justice to force the Ministry to rescind "its illogical and arbitrary decision", he added "the Ministry's decision plainly shows the lack of knowledge in the Ministry's decision-makers minds of the real nature of things; the proof is their confusion between the institutions of the Arab League and the Egyptian Universities; the issuance of such a strange decision is an encroachment on the Arab League." For its part, the latter asked on March 18, 2008 the Palestinian Ministry to annul its decision, on the ground that the Higher Council of Egyptian Universities has no jurisdiction with regard to the aforementioned Institute which in fact is affiliated to the ARESO.

● Assaults against Universities and schools and transgression on their campuses

Many universities and schools were exposed to assaults and transgressions by unknown offenders. Most of these attacks were concentrated in the Gaza Strip. Following is a list of the major acts of violence:

- On January 9, 2008 three armed men in a civilian car fired an RPG bomb on the premises of the American School North-West of the town of Bayt-Lahya and caused some physical damages. The violent blast triggered fire in the second floor and damaged the cafeteria and drawing room.
- On January 12, 2008 a number of masked armed men stormed the American School North-West of the town of Bayt-Lahya. The assailants locked the two school-guards inside the guards room, stole some computers and other equipments from the school, set five school buses on fire and one Volkswagen car belonging to the school.
- On February 21, 2008 a number of armed and hooded individuals driving one Magnum Jeep and another Peugeot 504 car, ordered the two guards to open the gate of al-Manara School in Hay al-Zaytoon in Gaza City, entered the school with their Magnum Jeep and parked it inside the school yard while the other car waited outside. They hit one of the guards and warned them of the consequences of working for the school.
- On March 31, students of the Islamic Bloc, the student organ of Hamas accompanied by a bus loaded with posters, inscriptions, and banners of Hamas forcibly broke into the Azhar University West of Gaza City, detained the two guards of the main gate in a room and confiscated their mobile phones. Members of the Bloc proceeded then to prepare for a commemoration of the martyrdom of Shaykh Ahmad Yasseen, despite a memo by the administration banning all activities of student's organs on its campus. As a result of this incursion, an exchange of words took place between the Bloc members and members of the administration who came to the University. The squabble escalated into an incident during which a number of the administrative staff and students were beaten up by Bloc elements. Faculty and administrative staff members sat in front of the main gate in protest, after which policemen dispersed them forcibly and hit a number of them.
- On May 4, 2008, a clash broke out between different students' groups on the campus of Azhar University in Gaza, and grenades were thrown which resulted in wounding thirteen students through flying shrapnels, one of whom, student Fady al-Farra, from Khan Yunis, was seriously injured. The administration said in a statement circulated shortly after: "While the Azhar University is diligently working to provide the appropriate academic environment, by making the means of transportation available to both students and staff to face the suffocating crisis our people is enduring in Gaza

Strip, a reckless intruding lot is stirring discord and violence inside the University campus, regardless of the risk of breaking the social fabric of our people and setting its national cohesion in jeopardy." The statement went on "what happened in Azhar University is a violation of the legitimate academic rights of students. Therefore, the Administration urges all those who care for the integrity and continuity of the academic process, and especially the Organization of National Action and the advocates of reform and all the honest people of Palestine to shoulder their full responsibilities to safeguard this process.

- On May 7, 2008, two armed men of al-Qassam Batalions broke into Muasi School, Rafah, and assaulted instructor Ziad al-Nada inside the school premises. An eyewitness reported that the two men tried to kidnap Mr al-Nada, and that they badly insulted and hit him.
- On May 31, 2008, unidentified armed men broke into al-Manara School, affiliated to the Bible Society (Baptist Church) located in Hayy al-Zaytoon East of Gaza City, they detained the two school guards and hit them. The two assailants stole a white Volkswagen bus owned by the Bible Society, then took to their heels. It is to be noted that the school had suffered a similar attack on February 21, 2008 by unidentified armed men.

● **Administrative measures infringing the right to learn**

The ongoing state of political division generated negative effects on the economic and social levels, as well as the educational sector. This sector underwent several disruptions due to the decisions and counter-decisions made by the deposed government in Gaza Strip, and the Palestinian government at Ramallah.

In the morning of Sunday March 23, 2008 a delegation of officials including Professor Imad Hadidy, chargé of the general directorate of higher education in Gaza, and Professor Raed Salhiyya, director of the undersecretary's office at the Ministry of Education in the deposed government, accompanied by an official of the Ministry of Interior and a number of guards and attendants, presented a decision issued by the Minister of Education in the deposed government, Dr. Muhammad al-Agha, discharging Dr Ahmad Abu Shanab of his post as Dean of the Faculty of Sciences and Technology in the city of Khan Yunis. The decision also included dismissing Dr Saad el-Din Beltagi, chargé of Deputy Dean for Academic affaires, and Mr Jamal Ahmad Sinwar, Deputy Dean for Administrative affaires, and a number of heads of sections and other staff from their jobs without further reasons, and appointing Dr Muhammad al-A'raj as chargé of Dean of Faculty duties, and a whole new team instead of the discharged one.

In protest against these measures, Ms Lamis al-Alami, Minister of Education in Ramallah Government, issued a statement rejecting the changes and declaring the suspension of

classes in the faculty until further notice. Ms al-Alami described the administrative measures imposed by the Gazan Ministry as a blatant meddling by Hamas in the Faculty affairs. Media sources reported that Ms al-Alami called upon the Union of Arab Universities to boycott this Faculty starting from the day these changes took place on March 23, 2008.

● **Arresting students**

The violations of academic freedoms took on many aspects, chief of which is the arrest or detainment of students, or summoning them for investigations in security premises. In this respect sources of the Islamic Bloc in a number of Palestinian universities in the West Bank reported that the Palestinian security apparatus arrested some activists and leaders in the bloc, as in the case of detaining the two graduate students at al-Najah University Mus'ab Qatluni and Ubada Nawahida for more than two months. Ayman Yaseen, from the Northern town of Asira, a student at the Faculty of Shari'a (Islamic Law) at al-Najah University, was arrested after he was summoned for an interview. Equally among the arrested on April 23, 2008 was Murad Sanuri, head of the Islamic Bloc at Bir Zeit University.

● **Students' Bodies elections held in a tense atmosphere**

Students' councils elections in a number of Palestinian universities in the West Bank were held after several months of delay, and shrouded in tension and boycott specifically by the Islamic Bloc, the students' arm of Hamas. The latter Bloc took part in elections at Bir Zeit, and al-Khaleel Universities, but boycotted elections at Bethlehem and al-Quds (Abu Dis), and the Arab-American Universities. The student bloc of al-Jama'a al-Islamiyya, known for its leaning toward al-Jihad al-Islami emulated the Islamic Bloc in both participation and boycott, with the exception of its participation in the Students' Council elections of Bethlehem, contrary to the Islamic Bloc's boycott. This was viewed as a form of coordination of stands among the elements of the Islamic trend in the students' body.

The representative of al-Jama'a al-Islamiyya at the Arab-American University justified the nonparticipation of his bloc in the Students' Council elections by the security concerns and the pressures "exerted upon us by the Israeli occupation and by fear of arresting candidate students". For his part, the representative of the Islamic Bloc said: "we did not participate in the elections because of arrests against Bloc members by the security apparatus and the lack of democratic atmosphere and of freedom of opinion and expression". The Islamic Bloc representative in Bethlehem University stated that the reason for the nonparticipation of his bloc in the elections is "the intent to bar us from any activity or even from appearing on the scene besides being chased by the security apparatus, and the open threats we received, that in case our competitors lose we will not be OK."

Conclusions & recommendations

Conclusions:

First: **The Israeli violations:**

In light of the data gathered by the present report on the first six months of 2008 about the violations of academic freedoms and educational rights in the Palestinian territories, it is obvious, beyond any doubt, that they were enormous, and especially the Israeli ones. The report reached the following conclusions:

- Students' right to live suffered heavily, during the reporting period since the Israeli occupying forces killed thirty two schoolchildren, during military operations, especially in Gaza Strip, where twenty six of them were killed.
- During the same reporting period the Israeli occupying forces launched a continuous campaign of arrests targeting university students, faculty members, and staff. Through the same period these forces arrested around one hundred eighty schoolchildren, of which 134 are kids, and more than sixty university students.
- Palestinian schools were not out of harms way during direct bombing and shelling, especially in Gaza Strip.
- Official schools and other belonging to charitable organizations, as well as universities and their belongings suffered forcible storming by the occupying forces.
- Israelis settled in the Occupied West Bank against International Humanitarian Law went on with their organized crimes against Palestinian civilians and their properties, including schools.
- The Israeli occupying forces policy of curtailing Palestinian civilians' movements manifestly violated the rights to learn in the Occupied Territories, especially in the Gaza Strip.
- The teaching sector in Eastern Jerusalem is still subject to neglect by the occupying forces, and that because of their general policy in the city.

Second: **The Palestinian violations**

The internal political situation in Palestine was a disruptive factor for the teaching process. The political dissensions that reached unprecedented levels after the military take-over in Gaza Strip on June 14, 2007, had an extremely negative impact. Field observations in Palestinian Universities reveal that the overwhelming

majority of violations of academic freedoms during the reporting period were one way or the other linked to the aforementioned political rift. The report discloses the following:

- The process of official teaching witnessed a state of instability due to teachers' strike in government schools. The strike triggered a series of students' moves and protests demanding the trimming of the syllabus for the high school students taking the official exam, because of shortness of time and the students' inability to meet the requirements of the whole syllabus. The chief reason of their complaints was absenteeism resulting from suspension of classes, and the teachers' strike.
- Several schools and universities suffered attacks or were stormed by unidentified individuals. Most of these attacks took place in Gaza Strip.
- The ongoing state of political division generated negative effects on the economic and social levels, as well as the educational sector. This sector underwent several disruptions due to the decisions and counter-decisions made by the government.
- University life witnessed many forms of violations affecting academic freedoms in Palestinian Universities, including arrest or detainment of students or summoning them for investigations at security apparatus premises.
- Elections for students' councils took place after a long delay of several months.

Recommendations:

As a contribution to respecting human rights in general, and respecting educational rights and academic freedoms in Occupied Palestinian Territories more specifically, the Ramallah Center for Human Rights Studies recommends the following:

First: **regarding the Israeli violations:**

- The Center calls upon the High Contracting Parties to the Fourth Geneva Convention to shoulder their legal and moral responsibility, and to honor their commitments, and strive to force Israel to respect the Convention and implement it in the Palestinian Occupied Territories, according to article 1 of the Convention, and to honor their legal commitments stipulated by article 146 of the Convention to prosecute those responsible for grave violations of this Convention.
- The Center appeals to international CSO's, including human rights organizations, unions of students, teachers, and academicians, and the international solidarity commissions, to urge the governments of their countries to pressure Israel and compel it to respect educational rights and academic freedoms in the Palestinian Occupied Territories.
- The Center appeals to international community to put an end to the siege of Gaza Strip, in order to halt the negative effects of the siege on the learning process.

Second: **regarding the Palestinian violations:**

- The Center calls upon the responsible Palestinian authorities in both the West Bank and Gaza Strip to immediately bring an immediate end to any violation of educational rights and academic freedoms.
- To respect the properties of educational institutions.
- To release all detainees, whether students or teachers, who were arrested on account of their political allegiance.
- The necessity of discontinuing all decisions touching the legal status of any civil servant, and bring the policy of blocking salaries and functional exclusion to an immediate end.
- Ceasing the negative intervention in the institutions of higher education.