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Factsheet

Violations documented by Palestinian youth human rights defenders in Hebron and Jerusalem

2019-2020

This factsheet highlights the most prominent violations monitored and documented by youth human rights defenders in Jerusalem and Hebron throughout 2019 and 2020. It includes facts and figures that point to an overall systematic Israeli policy to intentionally violate religious freedoms, the right to worship, right to education, cultural rights, housing rights and the freedom of movement in both Jerusalem and Hebron.

The human rights defenders monitored and documented 100 violations in Jerusalem and 126 in Hebron throughout 2019-2020.

This paper attempts to highlight the results of this documentation through comprehensive data, facts and figures on violations in the areas of operation.

Violations of educational, cultural and religious rights and the right to housing in East Jerusalem and the old city of Hebron

One: The right to education

The right to education is considered one of the most important rights guaranteed by all international conventions and a common denominator among several UN declarations including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and The Convention on the Rights of Persons with Disabilities.

Patterns of violations against the right to education in East Jerusalem and the old city of Hebron

During the preparation of its analytical report, MIFTAH documented several patterns of violations committed by Israeli occupation authorities against Palestinians' right to education, such as: house arrest of children, attacks on schools by Israeli forces and settlers, preventing students from reaching their schools due to closures and checkpoints and school dropout rate due to Israeli measures.



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1. House arrest of children in East Jerusalem

Israeli forces impose forced house arrest on children for varying periods during which they must remain inside their homes or in the home of a relative. Israeli authorities sometimes extend the period of house arrest and also impose additional punitive measures if the child violates the arrest order. These orders are considered violations of international humanitarian law, particularly the Fourth Geneva Conventions and conventions on the right to education such as the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights, and have dire impacts on children's right to education.

According to data provided by the Commission of Detainees and Ex-Detainees Affairs, the number of Jerusalemite children who have been put under house arrest is as follows:

Year	Number
2019	120
2018	90
2017	95
2016	78
2015	60

Furthermore, the number of detainees from Jerusalem in the first half of 2020 was: 1,057 residents, including 57 women (including two minors), 202 male minors and five children below the age of responsibility. ¹

According to the Committee for the Families of Prisoners in Jerusalem, the new Israeli approach is to replace house arrest with actual detention, which is why there is no clear data on the number of Jerusalemites who were put under house arrest in the first half of 2020. ²

Throughout the period of the report, MIFTAH documented 22 cases of house arrest of children by Israeli courts in the Jerusalem district. It should be noted that this policy is only applied to Jerusalemite children.

- 96% of children who were placed under house arrest are between the ages of 10 and 17
- High school seniors (Tawjihi) who were placed under house arrest comprise (77%) of the victims monitored

¹ <http://www.silwanic.net/index.php/article/news/77908/ar>

² Interview with Amjad Arar, head of the Committee for the Families of Jerusalemite Prisoners



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- 38% of children of the monitored children who were put under house arrest are school dropouts
- 62% of the students who were interviewed stated that they had fallen behind in their studies
- 33% of students said they experienced continuous tension
- 22% of students said they had no desire for social interaction with friends or others.
- 44% of student expressed their desire to leave the house

Age of students interviewed and who had experienced house arrest:

- 23% of students were 10-15 years old
- 73% of students were 15-17 years old
- 4% of students were 20-25 years old

It is important to stress that house arrest is not a substitute for actual detention, whether before the house arrest order or after. In the case when students are actually sentenced to jail time, none of the period of their house arrest is included in their sentence.

2. Attacks on schools by Israeli occupation forces and settlers in the old city of Hebron

International humanitarian law is based on a set of fundamental principles put in place to protect civilians, including the protection of civilian venues such as schools. In the H2 area of Hebron, teargas is regularly used around schools in addition to the implementation of new arrangements at checkpoints where students and teachers are subject to violence. Over 20 incidents in one school were documented in the H2 area in 2018³. All over Hebron, military checkpoints impede approximately 4,200 students on their way to school every day. These students are often harassed, intimidated and delayed, which cuts into their school time.⁴

School dropout rates are considered one outcome of the uncondusive atmosphere with the right to education imposed by the Israeli occupation in the Palestinian territories. Measures by Israeli forces and settlers hamper students' access to their right to education such as checkpoints and army and settler violence.

For this report, MIFTAH documented 48 cases of school dropouts, 37 in the Hebron district and 11 in the Jerusalem district. These are broken down as follows:

³ Joint statement by the humanitarian coordinator in the occupied Palestinian territories, Jamie McGoldrick, the UNICEF special representative in Palestine Genevieve Boutin, and UNESCO, 2018

⁴ A rise in the percentage of incidents that have interrupted school throughout the West Bank, published on December 14, 2018 as part of a November 2018 OCHA report.



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- 52.1% of cases were of high school seniors
- 33.3% were of middle school students
- 14.6% were of elementary students

Occupation forces and settlers are considered to be the most major cause for dropping out of school, represented in military checkpoints, soldier and settler attacks and arrests, which constituted 61% of the reasons why children dropped out of school. The reasons were also broken down as follows:

- Settler attacks: 29%
- Military checkpoints: 9%
- Arrests by Israeli forces: 23%
- The desire to marry: 4%
- In order to look for work: 8%
- Failure to assimilate with school environment: 2%
- Other reasons: 25%

Two: The Israelization of curriculum in Jerusalem

At the start of the 2017/2018 school year, the Israeli municipality in Jerusalem announced that the number of Palestinian students studying the Israeli curriculum had reached 5,800 students, distributed among 12 schools, which is a 14% rise from the previous year. In 2012, the number stood at only 1,400 students, which means there was a four-time increase within six years.⁵ This is a violation of the right of people under occupation to study a curriculum in line with their national culture and cultural specificity. Following is the breakdown of schools that either partially or fully teach the Israeli curriculum, which was updated by Israeli authorities in order to adopt the Israeli education system (according to the Jerusalem Educational Forum: source: Arab Education Department in the Israeli municipality):

2018-2019: 41 schools (with 7,300 students)

2019-2020: 50 schools (8,300 students)⁶

⁵ The Mitras website on the curriculum battle in Jerusalem <https://cutt.us/eoUoF>

⁶ According to a study published by the Jerusalem Educational Forum entitled "A review of education in Jerusalem", according to the Arab education department in the Israeli Jerusalem municipality, the number of schools that teach the Israeli curriculum has developed over previous years as follows:

2012-2013: 3 schools

2013-2014: 7 schools

2014-2015: 13 schools

2015-2016: 19 schools



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This was compounded by the ban on the PA from operating in Jerusalem and the closure of the Palestinian Education Department in the city in November, 2019 in addition to Israeli authorities allocating budgets worth millions of shekels within the five-year plan to Judaize the education sector in the city.⁷

The chart below shows the number of times Palestinian curriculum was falsified and misrepresented.⁸

Subject	Number of books	Number of falsifications
Islamic Studies	8	35
Arabic Language	12	221
Social Studies	6	235
Socialization	4	90
National and Life Studies	4	32
Science and Life	10	26

Three: The right to freedom of movement

International human rights treaties focus on the protection of the right to movement, enshrined in articles of the International Covenant on Civil and Political Rights.⁹

In Hebron:

2016-2017: 25 schools (with 5,000 students)

2017-2018: 32 schools (with 6,140 students)

⁷ The Ministry of Education and Higher Education, the Jerusalem Affairs Unit in occupied Jerusalem 2019-2020. ON November 20, 2019, Israeli occupation authorities stormed the education directorate building in Jerusalem, confiscated computers and files and close the office for six months upon order by Israeli public security minister, Gilad Erdan. Director Samir Jibril was also arrested and sentenced to house arrest for five days with a fine of ILS7500 on the premise of his collaboration with the PA and the teaching of the PA curriculum in schools. On 13/5/2018, the Israeli government allocated ILS2 billion to the Judaization and Israelization of East Jerusalem, including ILS445 million to the education sector in the city for the next five years. According to Israel's 2018-2023 five-year plan, Israeli curriculum would be imposed on 90%-95% of students in occupied Jerusalem and schools in the Old City would be closed and turned into religious tourism sites.

⁸ Waqf Department, Education Directorate, Jerusalem; 2018-2019 follow-up and evaluation report. Prepared by: Educational planning department

⁹ Article 12 of the International Covenant on Civil and Political Rights of 1966



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- Approximately 30% of Palestinians live in the H2 Israeli-controlled area of Hebron (estimated at 12,000 Palestinians) in neighborhoods adjacent to settlement communities and who are subject to severe restrictions that limit their ability to access other areas.
- There are over 100 physical barriers at present, including 20 checkpoints manned around the clock by Israeli settlers, 14 partial checkpoints that separate settlement areas from the rest of the city, several roads in this area for settler-use only in addition to some roads where even Palestinian pedestrians are not allowed to walk on.¹⁰
- Inside the old city of Hebron, there are 23 permanent checkpoints¹¹ and 64 closed military roadblocks¹²
- Throughout the preparation of this report, MIFTAH documented 27 testimonies including bans on crossing Israeli military checkpoints in the Jerusalem and Hebron districts. The testimonies also indicated that 12 arrests were made at checkpoints
- Israeli occupation measures constitute a violation of Article 13 of the 1948 Universal Declaration of Human Rights and Article 12 of the International Covenant on Civil and Political Rights. Furthermore, restrictions on the freedom of movement have grave impacts on Palestinian lives, which are tantamount to collective punishment and which violates Article 33 of the Fourth Geneva Convention.

Four: Right to Housing

- The total number of houses demolished in Jerusalem between 1967 and 31/3/2020 is: 2,369¹³
- According to OCHA, the number of homes and structures either fully or partially demolished in 2020 and until the end of November is: 162 residential and non-residential homes and

¹⁰ OCHA: further restrictions on Palestinian movement in Israeli-controlled H2 area of Hebron: October 11, 2017 <https://www.ochaopt.org/ar/content/further-restrictions-palestinian-movement-israeli-controlled-h2-area-hebron-city-1>

See also: <https://www.masarat.ps/article/5481/%D9%88%D8%B1%D9%82%D8%A9-%D8%AD%D9%82%D8%A7%D8%A6%D9%82-%D8%A7%D9%84%D9%82%D9%8A%D9%88%D8%AF-%D8%A7%D9%84%D8%A5%D8%B3%D8%B1%D8%A7%D8%A6%D9%8A%D9%84%D9%8A%D8%A9-%D8%B9%D9%84%D9%89-%D8%AD%D8%B1%D9%83%D8%A9-%D8%A7%D9%84%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%8A%D9%8A%D9%86-%D9%81%D9%8A-%D8%A7%D9%84%D9%85%D9%86%D8%B7%D9%82%D8%A9-H2-%D8%A8%D9%85%D8%AF%D9%8A%D9%86%D8%A9-%D8%A7%D9%84%D8%AE%D9%84%D9%8A%D9%84>

¹¹ https://www.btselem.org/arabic/freedom_of_movement/checkpoints_and_forbidden_roads

¹² https://www.btselem.org/sites/default/files/2019-09/201909_hebron_roadblocks_arabic.pdf

¹³ http://info.wafa.ps/ar_page.aspx?id=9265

The overall number of Palestinian houses demolished in Jerusalem alone since 1967 to 2018 is 2,07, which resulted in the displacement of 9,492 Palestinians. 2019, which is considered one of the years with the most number of demolitions, by the end of September, Israeli occupation forces demolished 140 Palestinian homes, displacing 238 Palestinians. In contrast, from 2004-2018, an average of 54 homes were demolished each year, which means that demolitions in 2019 were the highest in over 10 years and therefore one of the hardest years for Jerusalemites.



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structures as a result of which 382 people were displaced, including 84 women, 200 children and 97 men.¹⁴

- Throughout 2019: 205 residential and non-residential homes and structures were demolished, displacing 347 people, including 95 women, 88 children and 89 men.¹⁵
- According to B'Tselem: the number of homes (only) demolished in 2019: 169 homes, in addition to 95 non-residential structures. As of 31/7/2020, 57 homes and 25 non-residential structures were demolished within Jerusalem (not in the governorate but inside the separation wall)¹⁶
- According to the Wadi Helwa Information Center, 61 structures were demolished within the first half of 2020, including 38 structures demolished by their owners, some inhabited and others still under construction. These structures included two residential apartments, 40 homes and seven commercial structures, in addition to the demolition of rooms, sheds and shed-like residences, fences and building foundations.¹⁷
- Israel's home demolition policy in Jerusalem constitutes a violation of the regulations of international law.¹⁸
- The Committee on Economic, Social and Cultural Rights focused on its General Comment No. 7 that: "all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats" concluding that: forced evictions are prima facie incompatible with the requirements of the Covenant".
- The regulations of international humanitarian law guarantee the right of housing given that homes are civilian objects.¹⁹
- It is clear from the documentation by human rights defenders in Jerusalem that the policy of home demolitions has led to grave impacts on Jerusalemite women in that women bear the brunt of the burden to restore stabilization of the family. The violation and shock of losing their home means women lose their world, in the material sense, along with their sense of social

¹⁴ MIFTAH factsheet entitled: "The impact of house demolitions on women in Jerusalem, 2019. <http://www.miftah.org/arabic/Display.cfm?DocId=15393&CategoryId=19>

¹⁵ <https://www.ochaopt.org/data/demolition>

¹⁶ https://www.btselem.org/arabic/planning_and_building/east_jerusalem_statistics

¹⁷ <http://www.silwanic.net/index.php/article/news/77908/ar>

¹⁸ Article 25 of the Universal Declaration of Human Rights stipulates the following: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care". Furthermore, Article 11 of the International Covenant on Economic, Social and Cultural Rights stipulates: Article 11 "recognises the right to an adequate standard of living. This includes, but is not limited to, the right to adequate food, clothing, housing, and "the continuous improvement of living conditions" It also creates an obligation on parties to work together to implement this right.

¹⁹ Article 33 of the 1949 Fourth Geneva Convention states: "No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible". Furthermore, the demolitions carried out by Israeli occupation forces in Jerusalem violate Article 53 of the Fourth Geneva Convention, which states: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations." These do not exist in Jerusalem given that the structures are civilian and the population is civilian.



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stability. This is because she is no longer responsible for this home but is living in someone else's house. In most cases, most of the families whose homes are demolished cannot endure the costs of an alternative place of residence and are forced to move in with relatives. This is also due to the fact that the family's income largely goes to paying fines imposed by Israeli courts, for legal consultation and building permit fees.

- In addition to the psychological impacts, the home demolition policy has huge impacts on the family's economic and social condition. The loss of shelter is largely linked to poverty whereby the family's savings are wasted in vain. When a women's home is demolished, its loss impacts her physical security, her privacy, movement and way of life, her safety and her social security, mental and physical health and social protection system. Women and families not only endure the shock of losing their home but also endure material loss. Their home embodies the family's history and heritage and houses intimate belongings and lifelong memories .²⁰

Five: the right to assembly and association (cultural and educational institutions)

International human rights conventions afford considerable attention to confirming the assembly of associations, unions and federations as a basic human right. In spite of this, Israeli occupation forces systematically close or halt the activities of Palestinian institutions and organizations in Jerusalem and Hebron. The measures most employed by Israeli occupation forces are: raids, bans on activities, searches and confiscation, arrest of employees and temporary and permanent closure.

Article 21 of the International Covenant on Civil and Political Rights stipulates the following: "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others." Moreover, Article 20 of the Universal Declaration of Human Rights reaffirms that: "Everyone has the right to freedom of peaceful assembly and association."

The Israeli occupation targets social and cultural activity in Jerusalem by pursuing the activities of national and cultural institutions under several pretexts, including so-called "imposition of sovereignty" over the city. There have been 122 institutions either partially or fully closed between 1967 and 2019. ²¹

²⁰ Hanan Abu Ghosh, study on the impact of home demolitions on gender roles and relations. Women's Affairs Technical Committee, 2013. Pg. 19

²¹ http://info.wafa.ps/ar_page.aspx?id=9327



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Number of institutions partially or fully closed or banned from activities	Year
8	As of 31/08/2020
6	2019
116	1967-2018

During the writing of this report, MIFTAH documented 10 cases of closure or banned activity for cultural centers and institutions, most of which (9 cases) were in Jerusalem, while one case was documented in the Hebron district.

The sectors serviced by these institutions vary; however, 60% are youth-oriented. The remaining institutions are mostly children and women’s institutions in addition to others.

Six: freedom to access holy sites

The Hague Convention of 1954 for the Protection of Cultural Property prohibits the damage of cultural properties, whether on their land or the land of the other contracting political parties. It also calls for refraining from the use of these properties or places near them for the purposes of destroying or damaging them. International jurisprudence has settled on the condemnation of the violation of the sanctity of houses or worship or these houses being destroyed, plundered or closed or any other behavior that damages these places during the period of occupation. It also deems it the duty of the occupying authorities to respect the religious contractual rights of the civilian population of the occupied territories and to not subject places of worship in general to destruction, usurpation or plunder or hinder religious practices and rituals.²²

In this report, MIFTAH documented 23 cases, including prevention of access to places of worship such as the Ibrahimi and Aqsa Mosques, including 18 arrests. In the Aqsa Mosque, Israeli occupation forces harassed worshippers, in particular at the Bab Al Rahma prayer site.

- The Aqsa Mosque Compound was closed on 23/03/2020 because of the spread of Covid-19 upon a decision by the Islamic Waqf Council in Jerusalem. It was reopened on 31/05/2020.
- The ban period on citizens ranged between one week and six months

²² Dr. Ahmad Brak, “The crime of violating the sanctity of the Aqsa Mosque from the standpoint of international criminal law.” (page, 3)



Year	Number of settlers who broke into the Aqsa Mosque	Number of Waqf employees banned from entering the Aqsa Mosque	Number of banned Jerusalemites from entering the Aqsa Mosque	Number of people barred entry to Jerusalem	Number of banned people barred entry to the Old City
2019 ²³	29,610	60	355	10	44
As of mid-2020 ²⁴	6701 ²⁵	7	206	6	24

The most prominent violation against the Aqsa Mosque Compound was the Israeli court order issued on 13/07/2020 to close the Bab Al Rahma prayer site.²⁶

Attacks on the Ibrahimi Mosque and prohibition on the call to prayer

In Hebron, the Ibrahimi Mosque is surrounded by 12 military checkpoints and two Israeli police and border guard stations.²⁷ Israeli authorities have banned the call to prayer from the mosque 621 times throughout 2019, in addition to repeated break-ins by the Israeli Prime Minister, Defense Minister and settlers. The army also held military drills on the grounds of the mosque, in addition to other violations. In total, there were 99 attacks on religious sites in Hebron's old city.

The number of bans on the call to prayer from the Ibrahimi Mosque in the first half of 2020 and attacks on citizens and public property are distributed as follows:

²³ The number of those banned from the Aqsa Mosque, the Old City and Jerusalem throughout 2019 is found in the Wadi Helwa Center report entitled, "Violations committed by Israeli occupation authorities against Jerusalemites in 2019". Please see: http://info.wafa.ps/ar_page.aspx?id=9562

²⁴ The number of those banned from the Aqsa Mosque, the Old City and Jerusalem in the first half of 2020 is found in the Wadi Helwa Center report entitled "The first half o2020...violations and escalation in Jerusalem during the coronavirus pandemic". Please see: <http://www.silwanic.net/index.php/article/news/77908/ar>

²⁵ Number of settlers who broke into the Aqsa Mosque Compound and the number of employees and guards banned from entering during 2019 until the first half of 2020 was obtained from the Islamic Waqf Authorities; media department.

²⁶ <https://www.maannews.net/news/2012751.html>

²⁷ MIFTAH: first quarter report on violations in Hebron, 2019



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1/1/2020-30/06/2020	Attacks on citizens and public property	Ban on the call to prayer
Total:	174 attacks on citizens and public property in the first half of 2020	303 times in which the call to prayer was banned at the Ibrahimi Mosque in the first half of 2020