



## Education under occupation The case of Jerusalem

Education in East Jerusalem is supervised by four separate authorities: the Islamic Waqf, the Israeli Ministry of Education/Jerusalem Municipality, the private sector (including churches, monasteries, Islamic charitable society, and individuals), and the United Nations Relief and Works Agency (UNRWA). Coordination among these providers is minimal, resulting in major discrepancies in the quality of education. (See Table 1)

### Quick Facts:

- *The Compulsory Education Law of 1949* rules that children between five and 16 years of age living in occupied East Jerusalem are entitled to free, compulsory education. Thus, the Jerusalem Municipality and Israeli government are obligated to provide Palestinian Jerusalemite children equal access to public education.
- There are approximately 15,000 children between three and four years living in East Jerusalem who are entitled to free education. Yet, about 90% are not enrolled in pre-schools.<sup>1</sup>
- Only 50.6% of all Palestinian students entitled to public education are enrolled in public schools. The rest attend private and other schools and must pay high fees.
- According to the Palestinian Department of Education, approximately 9,000 children in East Jerusalem do not attend school. The Israeli authorities report that this number is 5,300. The gap in data is due

to the fact that Israeli authorities do not consider the unregistered children of East Jerusalem. This low school enrollment increases child labor and juvenile delinquency.<sup>2</sup>

- The drop-out rate of Palestinian students from Municipal schools is 50%, compared with only 11.8% for Jewish students.<sup>3</sup>

### Background:

- After the Israeli occupation of Jerusalem in 1967, Israel's Ministry of Education (MoE) and the Jerusalem Municipality imposed the Israeli education curriculum on Palestinian schools in East Jerusalem. In protest, Palestinian teachers, students, and parents went on strike.
- During the 1971 – 1972 academic year, schools began teaching extra classes under the Jordanian curriculum in addition to the Israeli courses. The following year, the Jerusalem Municipality began to gradually shift its East Jerusalem courses to follow the Jordanian curriculum.

<sup>1</sup> There are only two Municipal pre-schools in East Jerusalem (for children under five years), compared to 56 in West Jerusalem. About 1,900 children attend private schools. United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 'East Jerusalem – Key Humanitarian Concerns' (March 2011), 89.

<sup>2</sup> Association for Civil Rights in Israel (ACRI), 'Failed Grade: Palestinian Education System in East Jerusalem 2010' (August 2010), 5, available at: <http://www.acri.org.il>.

<sup>3</sup> Alternative Information Center (AIC), 'The Economy of the Occupation' (2006). ACRI and Ir Amim (2010).

- By the 1980 – 1981 academic year all schools in East Jerusalem followed the Jordanian curriculum. However, Israeli authorities continued to censor this curriculum, completely removing three textbooks and altering others. Changes made included the history of the Israeli – Palestinian conflict and the geography of the Middle East.<sup>4</sup>
- In 1994, the Palestinian Authority (PA) began developing a Palestinian curriculum to replace the Jordanian. Six years later, schools in East Jerusalem implemented the PA curriculum.

### Infrastructural Problems and Challenges:

- **Classroom Space**
  - There are 1,883 classrooms in East Jerusalem (including special education)<sup>5</sup>
  - Existing infrastructure is entirely unsuitable and substandard. Greater than half of Municipality-run classrooms are inadequate.
  - The majority of schools are located in former residential buildings. These are overcrowded and ill-equipped. There is a noticeably shortage of school facilities such as science and computer labs, libraries, sports facilities, and playgrounds.
  - Approximately half of these buildings are rented at extremely high prices.<sup>6</sup>
  - The Israeli Municipal school system in East Jerusalem is ill-equipped and

unable to handle the establishment of new schools in different neighborhoods.

- UNRWA schools in Jerusalem suffer from a continuous funding shortage due to UNRWA budget cuts. These schools only offer courses through the ninth grade, increasing the burden on secondary schools run by other providers.<sup>7</sup>
- **Discriminatory Budgeting**
  - Israel’s zoning and planning restrictions in East Jerusalem hinder construction of new schools and expansion of existing buildings. Such constraints mean that many schools have sections that were built without the necessary permits and have been served with demolition or closure orders.
  - The Jerusalem Municipality and Israeli government show little to no concern for the education of East Jerusalem’s children. This is clearly demonstrated through discriminatory budget allocation. Yosef Pepe Alalo, Deputy Mayor, Jerusalem City Council member, and head of the East Jerusalem Education Portfolio through June 2010, stated: “The budget shortage of the schools in East Jerusalem is huge, they do not have money like in West Jerusalem where schools have budgets for self-administration.”<sup>8</sup>
  - Palestinian students in East Jerusalem represent 30% of the Jerusalem student population but receives only 11% of the Municipality’s education budget.<sup>9</sup>

<sup>4</sup> AS Chesin, B Hutman and A Melamed, ‘Separate and Unequal: The Inside Story of Israeli Rule in East Jerusalem’ (Harvard University Press, 1999), 101 – 105.

<sup>5</sup> ACRI and Ir Amim, ‘An Assessment of Arab – Palestinian Educational System in East Jerusalem’ (2007).

<sup>6</sup> The annual rent for Waqf schools is now greater than 750,000 USD.

<sup>7</sup> The sole exception is the school in Shu’fat Refugee Camp, in which 10<sup>th</sup> grade is also available.

<sup>8</sup> ACRI and Ir Amim, ‘Palestinian Education System in East Jerusalem’ (2010).

<sup>9</sup> Palestine Monitor, March 2011.

- According to the Jerusalem Municipality education budget for 2008 -2009, an average of 2,372 NIS is spent on every child in Jewish elementary schools, while only 577 NIS is spent on each child in the Arab elementary system.<sup>10</sup>
- According to Manhi, a joint body of the MoE and the Municipality of Jerusalem, there was a shortage of 10,600,000 NIS (approximately 3,029,000 USD) in the East Jerusalem schools budget.<sup>11</sup>
- While there were 257 educational advisors for Jewish Public schools, there were only 12 for Arab schools in East Jerusalem. Such discrimination adversely affects the quality of education.
- **Access and movement restrictions**
  - Shortage of qualified teachers, due largely to restrictions of movement and access in Jerusalem. Many schools offer high salary incentives to attract qualified teachers, leaving the poorly funded schools with less qualified teachers.
  - Approximately 100,000 students with West Bank ID cards are affected by restriction on access. Most must cross checkpoints on a daily basis to reach their schools, resulting in delays and absences.

### Absence of a Unified Authority for Education:

The lack of a unified educational authority presents several challenges and obstacles to the achievement of an adequately funded and cohesive education system in East Jerusalem.

<sup>10</sup> Harriet Sherwood, 'Palestinian children in East Jerusalem face classroom shortage, says report' *The Guardian* 24 August 2010.

<sup>11</sup> ACRI and Ir Amim, 'The East Jerusalem School System' (2011).

- The lack of one source of data (data either comes from multiple sources or is intentionally denied) adversely affects short and long term planning.
- Uncoordinated planning from various supervising bodies creates often contradictory and conflicting systems and directions for schools.

### Laws and Policies Strengthening Israeli Control of East Jerusalem Education:

- *The Compulsory Education Law of 1949* makes the Israeli MoE responsible for providing education services to all Palestinian children in East Jerusalem (kindergarten through 12<sup>th</sup> grade) and for supervising the Jerusalem Municipal Education Department, which is responsible for providing school facilities and services.
- In 1969, the Israeli government passed the *Law of School Supervision No. 564*, allowing Israel to fully oversee all Palestinian schools in Jerusalem.<sup>12</sup>
- In 1984, the government amended the *Compulsory Education Law*, granting free, public pre-school education to all children of ages three and four.
- In 2009, Israeli authorities outlawed teaching the *Nakba*, censoring the curriculum and preventing Palestinians from teaching their history, expressing their identity and pursuing social change.
- On 7 March 2011 the Israeli MoE requested that all recognized non-public schools in East Jerusalem disseminate and post the Israeli Declaration of Independence in highly visible locations within the school.
- In June 2011, the Municipality and the Israeli MoE informed Palestinian non-public schools of a change in the

<sup>12</sup> *Law on School Supervision No. 564* (7 July 1969).

- curriculum, removing significant information about Palestinian history, heritage, and identity in the region.
- The newly censored text books were issued on 6 September 2011. Portions removed referred to Palestinian history, culture, struggle, the Israeli Occupation, the Palestinian *Intifada*, the Palestinian National Anthem, the Palestinian flag, Palestinian cities, and anything else related to the Palestinian national identity.

### Palestinian Right to Education:

Education is an essential tool in the development of the individual's personality and dignity, and in the preparation of their ability to contribute effectively and positively to the progress of society. Education is a means through which one can realize all other human rights. The right to education, therefore, must be protected.<sup>13</sup>

- Palestinian residents of East Jerusalem are considered Protected Persons under international law. As such, they are entitled to the rights afforded Protected Persons under the Fourth Geneva Convention of 1949. Article 50 states that Israel (the Occupying Power) shall, with the cooperation of local authorities, "facilitate the proper working of all institutions devoted to the education of children." This means that the Occupying Power must not only refrain from adversely affecting educational institutions, but it must seek "to support them actively and even encourage them if the responsible

authorities of the country fail in their duty."<sup>14</sup>

- Article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights (ICCPR) – to which Israel is a signatory - obliges all State Parties to guarantee an individual's right to education.
- International law regards primary education as something that should be compulsory and available to all. Secondary education should be made generally available and accessible to all on the basis of capacity, by appropriate means, and particularly by the progressive introduction of free education.

**The Civic Coalition for Palestinian Rights in Jerusalem calls upon the international community, specifically United Nations agencies and the European Union, to intervene in order to: Halt Israel's illegal attempt to impose a foreign educational narrative on Palestinians in Jerusalem; Insist that Israeli uphold its obligations to Protected Persons in Jerusalem.**

---

<sup>13</sup> Committee on Economic, Social and Cultural Rights (CESCR), 'General Comment 13: The Right to Education' UN Doc E/C. 12/1999/10 (8 December 1999), 1; and Human Rights Council (HRC), 'Report of the Special Rapporteur on the Right to Education, Kishore Singh – The Promotion of Equality of Opportunity in Education' (18 April 2011) UN Doc A/HRC/17/29, 11.

---

<sup>14</sup> J Pictet, *Commentary: IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War* (Geneva, ICRC, 1958), 286.

**Table 1: Distribution of students by supervising body (2009-2010)<sup>15</sup>**

Supervising body	2009 - 2010	2009 - 2012	Percentage of Students
	Students	Classes	
Israeli Ministry of Education/Jerusalem Municipality	42,271	1,242	50.6
Islamic Waqf	12,338	479	14.8
Private	22,438	904	26.9
UNRWA	2,697	97	3.2
Other bodies <sup>16</sup>	3,764	138	4.5
<b>Total</b>	<b>83,508</b>	<b>2,860</b>	<b>100</b>

**Supported by:** *Islamic Bank* 

Civic Coalition for Palestinian Rights in Jerusalem  
<http://www.civiccoalition-jerusalem.org>



<sup>15</sup> Planning and Statistics Department, Jerusalem Directorate of Education; Jerusalem Municipality available at: <[http://www.jerusalem.muni.il/jer\\_main/defaultnew.asp?lng=1](http://www.jerusalem.muni.il/jer_main/defaultnew.asp?lng=1)>; Sakhnin Schools Administration.

<sup>16</sup> “Other bodies” include investors who open schools with financial support from the Municipality. These schools are known as Sakhnin Schools, of which there are currently eight.