State of Palestine
Ministry of Foreign Affairs and Expatriates
Multilateral Affairs Sector

Response to the questionnaire related to Safety as an Element of the Right to Education

1. **Please provide examples of national legislation and/or policies governing physical, digital, emotional and psychological safety in education, including measures to address:**
   a. **Challenges related to building and upgrading educational facilities to the child, disability, and gender-sensitivity, and that provide safe, non-violent, inclusive, and effective learning environments for all.**

The Palestinian Basic Law and its amendments and the General Education Law of 2017, clearly indicates the child's right to safe schools all over Palestine. It is the Ministry responsibility to guarantee safe access to schools including the vulnerable localities that surrounded with occupation measure e.g. settlers' harassment, occupation check points that prevent both teachers and students from reaching to their schools.

   b. **Presence of security personnel in schools, including armed police or other law enforcement officials.**

In Palestinian schools there is no need for security personnel in schools nor armed police. So, no laws are needed. The General Education Law of 2017, clearly indicates the child's right to a safe educational environment that guarantees him freedom of appropriate education while providing full protection for his life

   c. **Access to schools and safety *in route* to and from schools, including safe transportation.**

Only the international rules that deal with children's right to education including

The Ministry of Education and higher Education is concentrating on the right to education for all children in Palestine. So, the first objective of The Palestinian "Education Sector Strategic Plan" is Strengthening the basic requirements to ensure equitable and safe enrollment and retention in the national education system.

   d. **School health and safety services, including water and sanitation, school meals, medical support and vaccination requirements to access education;**

From the first day of baby's birth, it is the Ministry of Health responsibility for all needed vaccinations including the vaccinations that are given during the schooling age. So, during the years of study in schools, the Ministry of Health coordinates vaccination schedules with

the Ministry of Education & Higher Education to ensure that all students receive vaccination doses in an orderly and easy manner. Meals during school hours are a shared responsibility between the parents and the school, because the parents are responsible for the food that their child brings to school, which must be healthy and not subject to spoilage from the morning until break time. Schools are also responsible for the food that their canteens sell to students, based on the official instructions issued by the Ministry, which require that everything sold be healthy, varied and fresh.

As for attention to water sources, sanitation, and other standards related to health and safety in schools, they are dealt with in accordance with the school environment policy document issued by the Ministry of Education & Higher Education, which was prepared in partnership with the Ministry of Health, the Environmental Quality Authority, and other institutions concerned with health and the environment.

e. School violence, including physical and sexual harassment, bullying. weapons, and school shootings, as well as existing reporting mechanisms

Since violence has many bad impacts on students and their right to education, the Ministry prepares and spreads the violence reduction policy. This policy is based on the Palestinian Basic Law and its amendments, the General Education Law of 2017, the Palestinian Child Law of 2004, the Convention on the Rights of the Child of 1989, and the guidelines and instructions issued by the Ministry, and is based on the following principles:

- Child protection as a basic right guaranteed by Palestinian and international law
- Caring for students' humanity, preserving their dignity, and their right to life, growth, learning and respect.

f. Data privacy and cybersecurity.

According to government regulations, it is the responsibility of each Ministry to keep its date in Safe server. So, the Ministry data base including all schools and students data are stored on Azor servers.

g. Cyberbullying and any form of online violence against students, teachers and staff.

The Cabinet Resolution No. (3) of 2019 regarding personal data of citizens, declares that the use of personal data (direct/indirect) of citizens receiving the service is prohibited From companies and institutions providing it for commercial purposes, without obtaining their prior permission, under penalty of legal liability.

h. Surveillance in schools and educational environments, including online surveillance, facial recognition and emotional recognition.

Surveillance cameras are only allowed in the corridors and entrances of school buildings, and they are prohibited inside classrooms and activity rooms, as it is forbidden to monitor students and teachers inside these rooms, as the goal of surveillance cameras is the safety and security of students and not to monitor them, since inside the classrooms they are under the supervision of the teacher.

i. **Mental health, including sufficient mental health resources, counselling and psychological support for students struggling with stress, anxiety, depression and trauma.**

According to the General Education Law of 2017, it is the Ministry of Education responsibility to providing psychological counseling, health awareness, and vocational guidance services to all students in cooperation with the Ministry of Health and relevant institutions. The Ministry is hiring one counselor for each school in order to address and study any matters related to students' problems, whether related to the student's family, among the students themselves, or psychological problems specific to the student in particular, etc

2. **How does your country's education policy address the balance between security measures, like facial recognition, surveillance or school security officers, and the rights of students to privacy and a non-intimidating learning environment?**

The Schools in Palestine are considered small scale schools, usually it is one building with 1-4 floors. The Ministry's instructions include that teachers continue to be present on the school's floors and courtyards while students are there so that students are not left with opportunities to cause trouble, in addition to that the corridors, entrances to the school and its courtyards are monitored, which makes managing the building possible for the principal, his deputy, and the teachers on duty during school hours.

3. **What are the national regulatory approaches to monitoring and ensuring safety? These may include licensing, accreditation, monitoring of compliance with safety requirements and the work of oversight bodies. Are there different safety requirements for public and private educational institutions and safety requirements for homeschooling and private tutoring?**

The construction of schools, which are considered public facilities, follows the licensing requirements in the country, including considering all civil defense requirements, and in terms of designing the structural elements, they follow international codes. In addition, schools are designed to resist earthquakes. Also, one of the standards for building schools

is that they be kept away from places that could pose a danger, such as keeping schools away from potential flood sites or possible soil drifts, etc.

This is also considered when building private schools, which organize a licensing mechanism and procedures by the Ministry based on instructions issued by the Ministry to ensure the availability of environmental safety and security factors for students in them.

4. **Please share recent statistics on safety incidents, violence, bullying and harassment in schools at the national level. Which data collection methods are used to track such incidents, and how is the data used to shape policies? Which indicators are used for measuring safety in education?**

   The Ministry of Education and Higher Education monitored the reality of violence to which students are exposed in schools in its various forms, through the follow-up and evaluation report that it prepared in 2017 and confirmed that more than 42% are exposed to physical violence and 41% are exposed to verbal violence. While the measurement results produced by the Central Bureau of Statistics in 2019 indicated that 17% of students are exposed to physical violence inside school in Palestine.

5. **What are the legal standards of criminal, civil or administrative liability of students under 18 years old, for harm they caused in an educational context. Please include examples where either their parents (legal guardians) or educational institutions would be held liable for such harm. Please provide reference to available cases.**

   Decree Law No. (4) of 2016 regarding the protection of juveniles. A young person who has not reached the age of fifteen if he commits a criminal act shall be sentenced to one of the following measures: 1. Reprimand. 2. Delivery. 3. Attachment to vocational training. 4. Obligation to perform certain duties. 5. Judicial test. 6. Social control order. 7. Placement in a social care home. 8. Placement in a specialized hospital.

6. **Please share available information on militarization and securitization of public schools, including presence of the military in or around schools, compulsory military training in schools, teaching of military-related subjects or the recruitment of students for the army by either state or non-state entities. Which rules govern the work of specialized military schools?**

   Palestinian schools are not used for any military or security training, including those related to the police. As military training has colleges and facilities that are not related to schools, but are far from them, to ensure the safety and security of students. However, schools and students suffer from the obstacles of the occupation soldiers and settlers, who

constantly attack schools, destroy their infrastructure, and deliberately kill and injure students with the aim of disrupting the educational process there, harming the interests of students, and weakening the education process in Palestine.

7. **Please provide examples of institutional measures to ensure safety in educational institutions, such as safety protocols, emergency preparedness protocols, teacher trainings, crisis management plans**

   Students and teachers are trained to evacuate and deal with emergency situations on an ongoing basis, ensuring that they acquire the skills that will help them escape in an organized manner, should the need arise.

   The Ministry also provided an emergency room to deal with emergency situations, in addition to an emergency plan that explains the best procedures to deal with the emergency that could be caused by weather or natural factors and those imposed by the occupation with its soldiers and settlers.

8. **Please provide examples of community-based measures to ensure safety in education, such as 'neighborhood watch", carpooling or other community projects.**

   The school buildings in many cases, and especially those for girls and basic schools for boys and girls are in the center of the localities to guarantee safe and easy access to schools. The communities are also responsible for keeping the school's infrastructure safe and well maintained as possible. In many cases the local council