

West Bank and the Gaza Strip

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In 2022, the Palestinian Authority made minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under its control. In 2022, the labor inspectorate detected 360 more violations of child labor laws than in 2021 and courts achieved 9 convictions for child labor crimes. However, children in the West Bank and the Gaza Strip are subjected to the worst forms of child labor, including commercial sexual exploitation. Children also perform dangerous tasks in construction and fishing. The Palestinian Authority's legal framework does not establish child trafficking or forced labor as a criminal offense in accordance with international standards. Labor investigators also reported that they cannot inspect worksites at night, when they suspect child labor occurs, because of insufficient funding for overtime. In addition, social programs to prevent or eliminate child labor are insufficient.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in the West Bank and the Gaza Strip. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		101.6

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2022. (1)
Data were unavailable from International Labor Organization's analysis, 2022. (2)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating fruits and vegetables,† including dates, olives, onions, sweet peppers, and tomatoes (3-7)
	Fishing,† including working on fishing boats and repairing nets (3)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (3,5,6)
	Manufacturing, activities unknown (4)
	Working in factories (3)
	Mining and quarrying† (4,8)
Services	Street vending, portering, and cleaning cars (3,5,9)
	Begging (3,5)
	Working in auto shops (3)
	Working in shops, hotels, restaurants, and bakeries (3,4,6)
	Domestic work (3)
	Transporting goods (3)
	Collecting scrap metal, cement bricks, and solid waste† (3)
	Scavenging garbage and gravel at trash pits (6)
Categorical Worst Forms of Child Labor‡	Recruitment in non-state armed forces (9)
	Forced recruitment in state armed forces (9)
	Commercial sexual exploitation (10)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children may be vulnerable to child labor in the agricultural sector, partly because the Palestinian Authority (PA) does not have jurisdiction or the resources to enforce laws in Area C's agricultural fields and Israeli settlements in the West Bank, which are administered by Israel. (7, 11) Some Palestinian girls from the West Bank are

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vulnerable to being exploited for sex and labor the West Bank and in Israel after family members force them into marriages with older men; these girls experience physical and sexual abuse, threats of violence, and restricted movement. (10)

Overcrowded classrooms, violence in schools, damaged schools, and disruption due to weather contribute to some children dropping out. (3,6) In the West Bank, long distances to schools, school closures, Israeli demolition and confiscation of schools, and attacks by settlers and harassment and detention by Israeli security forces at checkpoints prevent some children from attending school. (12,13)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The PA has Non-Member Observer status at the UN. In April 2014, PA officials presented to UN officials letters of accession to 15 UN treaties, including the UN CRC and its Optional Protocol on the Involvement of Children in Armed Conflict. In December 2017, PA officials acceded to the Palermo Protocol on Trafficking in Persons and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The penal code applicable to the West Bank is Jordanian Law No. 16 of 1960 (Jordanian Penal Code for the West Bank). The penal code applicable to Gaza is Penal Code No. 74 of 1936, which was enacted during the British Mandate (Penal Code for Gaza). (14) The PA has established laws and regulations related to child labor (Table 4). However, gaps exist in the West Bank and the Gaza Strip's legal framework to adequately protect children from the worst forms of child labor, including the failure to criminalize child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 3 and 93 of the Labor Law for the West Bank and the Gaza Strip (15)
Minimum Age for Hazardous Work	Yes	18	Article 95 of the Labor Law for the West Bank and the Gaza Strip; Article 14 of the Palestinian Child Law for the West Bank and the Gaza Strip (15,16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (17)
Prohibition of Forced Labor	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (17)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (17)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 306 and 310 of the Jordanian Penal Code for the West Bank; Articles 167 and 172(5) of the Penal Code for the Gaza Strip (18,19)
Prohibition of Using Children in Illicit Activities	Yes		Articles 27 and 44 of the Palestinian Child Law for the West Bank and the Gaza Strip; Article 389 of the Jordanian Penal Code for the West Bank; Article 193 of the Penal Code for the Gaza Strip (16,18,19)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (16)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (16)
Compulsory Education Age	Yes	16	Articles 3 and 18 of the Palestinian Education Act for the West Bank and the Gaza Strip; Article 37 of the Palestinian Child Law for the West Bank and the Gaza Strip (16,20)
Free Public Education	Yes		Articles 3 and 15 of the Palestinian Education Act for the West Bank and the Gaza Strip (20)

* No conscription in the West Bank and the Gaza Strip (21)

† No standing military in the West Bank (13)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. The Labor Law's minimum age provision does not apply to minors who work for their first-degree relatives, which is not in line with international standards that limit the exception for family-based work to small-scale holdings producing for local consumption and not regularly employing hired workers. (15) The law also does not establish child trafficking or forced labor as a criminal offense in accordance with international standards. (15,17) In addition, laws criminalizing commercial sexual exploitation of children are insufficient because they do not criminalize the use, procuring, and offering of all male and female children for prostitution, the production of pornography, or pornographic performances. (16,18,19) Further, there are no criminal penalties for recruiting children into non-state armed groups. (16)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The PA has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
Ministry of Labor (MOL), General Administration of Labor Inspection and Protection	Enforces labor laws, including those related to child labor. (5)
Police Bureau for the Protection of the Family and Adolescents	Investigates violations of laws, including the commercial sexual exploitation and economic exploitation of children. Coordinates with the Ministry of Social Development (MOSD) to monitor cases of child labor and economic exploitation. (5)
Office of the Public Prosecutor for Children	Investigates and prosecutes cases of child exploitation, including child labor. (5)

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization (PLO) and the Israeli Government, the PA has civil law jurisdiction in the areas of the West Bank designated Area A and Area B, which represent approximately 39 percent of the West Bank's land area and contain approximately 94 percent of the Palestinian population. The Israeli Government has full administrative and security control over the city of Jerusalem and Area C; the latter represents 61 percent of the West Bank's land area and approximately 6 percent of the Palestinian population and the vast majority of the West Bank's agricultural areas. (22,23) Although PA laws in the Gaza Strip, along with Egyptian, British Mandatory, and Ottoman statutes, and *shari'a* law, Hamas continues to exercise *de facto* control over security and other matters. (22-24)

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Labor Law Enforcement

In 2022, labor law enforcement agencies in the West Bank took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including the insufficient allocation of resources.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	Unknown (13)	Unknown (9)
Number of Labor Inspectors	79 (13)	80 (9)
Mechanism to Assess Civil Penalties	Yes (13)	Yes (9)
Training for Labor Inspectors Provided	No (13)	Yes (9)
Number of Labor Inspections Conducted at Worksite	11,226 (13)	14,041 (9)
Number of Child Labor Violations Found	51 (13)	411 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	19 (13)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	Unknown (9)
Routine Inspections Conducted	Yes (13)	Yes (9)
Routine Inspections Targeted	Yes (13)	Yes (9)
Unannounced Inspections Permitted	Yes (13)	Yes (9)
Unannounced Inspections Conducted	Yes (13)	Yes (9)
Complaint Mechanism Exists	Yes (13)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (9)

Labor investigators have reported that they cannot inspect worksites at night, when they suspect child labor occurs, because of insufficient funding for overtime. (9) Moreover, inspectors are unable to inspect family-owned business, which make up a majority of business in the West Bank. While the PA has a mechanism to assess civil penalties for child labor violations through courts, the majority of cases are resolved when an employer terminates the employment of the child before the court takes up the case. (9)

The PA did not provide information on labor inspectorate funding, the number of penalties imposed, or the number of penalties collected.

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in the West Bank took actions to address child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Unknown (13)	Yes (9)
Number of Investigations	Unknown (13)	211 (9)
Number of Prosecutions Initiated	Unknown (13)	9 (9)
Number of Convictions	Unknown (13)	9 (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (13)	Yes (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (13)

Insufficient resources, including investigators' lack of access to vehicles, hamper the PA's capacity to enforce criminal laws related to the worst forms of child labor. (13)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The PA has established a key mechanism to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of a coordinating mechanism that covers all aspects of child labor.

Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Activities
Ministry of Social Development Child Protection Network	Monitors cases of child labor, ensuring that the MOL's services are provided to withdraw children from child labor. Includes eight technical committees throughout the West Bank that provide psychological and social support to children and caregivers. (5) Coordinates with the Ministry of Education on cases of school dropouts and child labor. Works with the MOSD's 13 Youth Social Rehabilitation Centers to provide children who have dropped out of school with social, education, vocational, and cultural training. (5) Comprising MOSD, MOL, Ministry of Education, Ministry of Interior, and other Palestinian Authority (PA) and non-governmental organizations. (25) Active in 2022. (9)

Although the MOSD Child Protection Network exists, research found no evidence that the committee functions as a coordinating mechanism to address all aspects of child labor.

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor.

The PA's National Policy Agenda (2017–2022) aimed to alleviate poverty through social programs for vulnerable groups and job creation programs for women and youth, improve primary and secondary school curricula, ensure equal access to education for marginalized areas, and ensure that technical and vocational training is aligned with labor market needs. (26) However, child labor elimination and prevention strategies do not appear to have been integrated into this policy as distinct issues. Further, research found no evidence of any other policies to address child labor in construction, street work, and agriculture.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the PA funded and participated in programs that include the goal of eliminating or preventing child labor (Table 9). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem.

Table 9. Key Social Programs to Address Child Labor

Program	Description & Activities
MOL's Vocational Centers†	PA program in the West Bank, consisting of 13 employment offices and 9 vocational centers operated by MOL, for children over the age of 15 to enroll in vocational training courses. MOL also provides financial assistance to families, ensuring that children return to school and no longer engage in child labor. (5)
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East programs that provide educational support for children and youth in refugee camps, and microfinance and other forms of support to families in the West Bank and the Gaza Strip. (27) Active in 2022. (28)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

† Program is funded by the Palestinian Authority.

Although there are programs in the West Bank and the Gaza Strip that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in construction, street work, and agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the West Bank and the Gaza Strip (Table 10).

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Table 10. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work from age 15 to age 16 to align with the compulsory education age.	2018 – 2022
	Ensure that the law criminally prohibits child trafficking, including both domestic and international human trafficking, in accordance with international standards.	2015 – 2022
	Ensure that the minimum age for work applies to all children, or excepts only those working in family and small-scale holdings producing for local consumption and not regularly employing hired workers.	2020 – 2022
	Ensure that laws prohibiting forced labor criminalize slavery and practices similar to slavery, including debt bondage and forced or compulsory labor.	2017 – 2022
	Ensure that the use, procurement, and offering of children for all forms of commercial sexual exploitation are criminally prohibited.	2017 – 2022
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2022
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2022
	Publish information on labor law enforcement efforts, including labor inspectorate funding and the number of violations for which penalties were imposed and collected.	2010 – 2022
	Provide further resources and staff, including budget for overtime hours and vehicles, to the Ministry of Labor to conduct labor inspections and criminal investigations in all sectors, including family-owned businesses and at night.	2010 – 2022
	Ensure that penalties against those who use child labor in contravention of Palestinian Authority laws are levied even if the employer terminates the employment of a child.	2022
Coordination	Establish coordinating mechanisms to prevent and eliminate child labor.	2022
Government Policies	Adopt policies to address child labor in construction, street work, and agriculture.	2017 – 2022
Social Programs	Expand programs to improve access to education; for example, ensure that children are not subjected to violence, schools are weatherproof, and delays at checkpoints do not prevent children from attending school.	2011 – 2022
	Expand programs to further address child labor, specifically in construction, street work, and agriculture.	2010 – 2022
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020 – 2022

REFERENCES

- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Analysis received March 2022. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Terre des Hommes. Child Protection Rapid Assessment Report. 2018. Source on file.
- Palestinian Central Bureau of Statistics. Press Release: Ms. Awad highlights the Palestinian children’s situation on the eve of the Palestinian Child Day. April 4, 2019. http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_4-4-2019-child-en.pdf
- UN Committee on the Rights of the Child. Initial report submitted by the State of Palestine under article 44 of the Convention. March 25, 2019: CRC/C/PSE/1. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/PSE/1&Lang=en
- UN Office for the Coordination of Humanitarian Affairs (OCHA). Child labour increasing in Gaza. May 14, 2019. <https://www.ochaopt.org/content/child-labour-increasing-gaza>
- Tartakovsky, Joshua. “Israeli Settlers Make a Living Out of Our Suffering,” Says Palestinian Activist. Truthout. August 5, 2020. <https://truthout.org/articles/israeli-settlers-make-a-living-out-of-our-suffering-says-palestinian-activist/>
- Defense for Children International - Palestine (DCIP) et al. Joint Alternative Report to the State of Palestine’s Initial Report to the Committee on the Rights of the Child. INT_CRC_NGO_PSE_34737_E. April 20, 2019. [https://tbinternet.ohchr.org/Treaties/CRC/Shared Documents/PSE/INT_CRC_NGO_PSE_34737_E.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/PSE/INT_CRC_NGO_PSE_34737_E.pdf)
- U.S. Embassy- Jerusalem. Reporting. March 8, 2023.
- U.S. Department of State. Trafficking in Persons Report- 2021: Israel. Washington, D.C., July 1, 2021. <https://www.state.gov/reports/2021-trafficking-in-persons-report/israel/>
- U.S. Consulate General- Jerusalem official. E-mail communication to USDOL official. May 8, 2015.
- Human Rights Watch. Israel: Army Demolishing West Bank Schools. April 25, 2018. <https://www.hrw.org/news/2018/04/25/israel-army-demolishing-west-bank-schools>
- U.S. Embassy- Jerusalem. Reporting. February 15, 2022.
- Law Library of Congress. West Bank and Gaza: Child Labor Laws, Report No. 003857. 2010. Source on file.
- Palestinian National Authority. Labor Law No. (7) of 2000. Enacted: 2000. Source on file.
- Palestinian National Authority. Palestinian Child Law No. 7 of 2004 as amended. Enacted: 2012. Source on file.
- Palestinian National Authority. Minister of Labor’s Decree No. 1 of 2004 on hazardous activities and industries or those harmful to health in which minors are not allowed to work. Enacted: 2004. Source on file.
- High Commissioner for Palestine (British Mandate). Penal Code No. 74 of 1936. Enacted: 1936. Source on file.
- Government of Jordan. Penal Code, Law No. 16 of 1960. Enacted: 1960. Source on file.

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- 20 Palestinian National Authority. Education Act No. 1 of 2013. Enacted: February 10, 2013. Source on file.
- 21 U.S. Embassy- Jerusalem official. E-mail communication to USDOL official. March 24, 2022.
- 22 U.S. Department of State. Country Reports on Human Rights Practices-2016: Israel and the Occupied Territories. Washington, D.C., March 3, 2017. <https://www.state.gov/reports/2016-country-reports-on-human-rights-practices/israel-and-the-occupied-territories/>
- 23 U.S. Consulate General- Jerusalem official. E-mail communication to USDOL official. July 10, 2019.
- 24 U.S. Department of State. Country Reports on Human Rights Practices-2019: Israel, West Bank, and Gaza. Washington, D.C., March 11, 2020. <https://www.state.gov/wp-content/uploads/2020/03/ISRAEL-2019-HUMAN-RIGHTS-REPORT.pdf>
- 25 UN Committee on the Rights of the Child. Initial report submitted by the State of Palestine under article 44 of the Convention. Annex II. March 25, 2019. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/ADR/PSE/32919&Lang=en
- 26 Palestinian Authority. 2017–2022 National Policy Agenda. December 2016. <http://www.fao.org/faolex/results/details/en/c/LEX-FAOC175678/>
- 27 UNRWA. Where we work. 2020. <http://www.unrwa.org/where-we-work>
- 28 UNWRA. Investing in the Future Through Education of Palestine Refugees. January 24, 2023. <https://www.unrwa.org/newsroom/news-releases/investing-future-through-education-palestine-refugees>