

# WEST BANK AND THE GAZA STRIP

## MINIMAL ADVANCEMENT

In 2023, 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. The Palestinian Authority amended the child law to prohibit forced labor, child trafficking, and the commercial sexual exploitation of children. However, there are no criminal penalties for recruitment of children by non-state armed groups. Labor investigators also cannot inspect worksites at night, when they suspect child labor occurs, because of insufficient funding for overtime. In addition, it is unknown whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the West Bank and Gaza Strip are subjected to the worst forms of child labor, including commercial sexual exploitation. Children also perform dangerous tasks in farming and construction.

### Overview of Children's Work by Sector and Activity



#### Agriculture

Fishing† and farming.†



#### Industry

Mining and quarrying,† and construction.†



#### Services

Scavenging garbage and gravel at trash pits, and collecting scrap metal and solid waste.† Street work, including begging and street vending. Working in shops, hotels, and restaurants. Domestic work.



#### Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation. Recruitment in non-state armed forces.

† 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.



## SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in the Palestinian Authority's implementation of its international commitments to eliminate the worst forms of child labor.

### Legal Framework

Raise the minimum age for work from age 15 to 16 to align with the compulsory education age.

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.

Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.

### Enforcement

Ensure that child labor laws are enforced in the Gaza Strip.

Publish information on criminal law enforcement efforts, including the number of investigations into the worst forms of child labor and whether penalties were imposed for the worst forms of child labor.

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.

## *Suggested Government Actions to Eliminate Child Labor (Cont.)*

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.

### **Coordination**

Establish a coordinating mechanism to prevent and eliminate all relevant forms of child labor.

### **Government Policies**

Adopt policies to address child labor in construction, street work, and agriculture.

### **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.

Expand programs to further address child labor, specifically in construction, street work, and agriculture.

Collect and publish data on the extent and nature of child labor to inform policies and programs.



## **CHILDREN AT HIGHER RISK**

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. Some Palestinian girls from the West Bank are also vulnerable to being exploited for sex and labor in the West Bank and in Israel after family members force them into marriages with older men, in which they often experience physical and sexual abuse, threats of violence, and restricted movement.














## **BARRIERS TO EDUCATION ACCESS**

The escalation of hostilities following October 7, 2023 has produced dire consequences for children in the Gaza Strip, where over 1.8 million people were internally displaced in 2023. As a result, 625,000 children were unable to access education in the Gaza Strip. Children have also faced increased barriers to education in the West Bank due to further restrictions on movement, military actions, and increased settler violence, with some schools moving to virtual classrooms. 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. Access to education is key to preventing children's engagement in child labor



## **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 Convention on the Rights of the Child (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. However, the PA's laws do not meet international standards on the minimum age for work, which does not apply to minors who work for their first-degree relatives, and the prohibition of military recruitment by non-state armed groups, for which there are no criminal penalties.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>15 Years</b>		Articles 3 and 93 of the Labor Law for the West Bank and the Gaza Strip
Minimum Age for Hazardous Work, <b>18 Years</b>		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
Identification of Hazardous Occupations or Activities Prohibited for Children		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 1 and 48 of the Palestinian Child Law for the West Bank and the Gaza Strip
Prohibition of Child Trafficking		Articles 1 and 48 of the Palestinian Child Law for the West Bank and the Gaza Strip
Prohibition of Commercial Sexual Exploitation of Children		Articles 1 and 48 of the Palestinian Child Law for the West Bank and the Gaza Strip; 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
Prohibition of Using Children in Illicit Activities		Article 48 of the Palestinian Child Law for the West Bank and the Gaza Strip; 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
Minimum Age for Voluntary State Military Recruitment, <b>18 Years</b>		Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip
Prohibition of Compulsory Recruitment of Children by (State) Military	<b>N/A*</b>	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip
Compulsory Education Age, <b>16 Years</b>		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
Free Public Education		Articles 3 and 15 of the Palestinian Education Act for the West Bank and the Gaza Strip

\* No conscription in the West Bank and the Gaza Strip

† No standing military in the West Bank

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization (PLO) and the Israeli government, the Palestinian Authority 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. Although the Palestinian Authority's laws apply 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.

In 2023, the Palestinian Authority amended the child law to prohibit forced labor, child trafficking, and the commercial sexual exploitation of children. However, 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. Additionally, there are no criminal penalties for recruiting children into non-state armed groups.



## ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in the West Bank took actions to address child labor. However, insufficient financial resources limited law enforcement efforts.

### Agencies Responsible for Child Labor Law Enforcement

**Ministry of Labor (MOL), General Administration of Labor Inspection and Protection:** Enforces labor laws, including those related to child labor. Includes the Juvenile Unit, which specializes in child labor.

**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.

### Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **138** labor inspectors conducted **18,720** worksite inspections, finding **604** violations related to child labor and issuing **490** penalties of various types. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



## COORDINATION, POLICIES, AND PROGRAMS

### Key Mechanism to Coordinate Government Efforts on Child Labor

The Palestinian Authority established a mechanism to coordinate its efforts to address child labor. However, this mechanism does not cover all relevant child labor issues.

**Ministry of Social Development (MOSD) 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. 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. Comprising MOSD, MOL, Ministry of Education, Ministry of Interior, and other PA and non-governmental organizations. Active in 2023. Although the MOSD Child Protection Network coordinates services, research found no evidence that the committee functions as a coordinating mechanism to address all aspects of child labor.

### Key Policies Related to Child Labor

Research found no evidence that the Palestinian Authority established policies to address child labor.

**Coordination, Policies, and Programs (Cont.)**

<p><b>Key Social Programs to Address Child Labor</b></p> <p>The Palestinian Authority funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the full scope of the problem.</p> <p><i>† Program is funded by the Palestinian Authority.</i></p>	<p><b>MOL's Vocational Centers:</b>† Palestinian Authority 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. Active in 2023.</p> <p><b>UN Education Programs:</b> 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. Active in 2023.</p>
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For information about USDOL's projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)  
 For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)