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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by BADIL Resource Center for Palestinian Residency and Refugee Rights, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Israel's Colonial-Apartheid Policies and Practices Against Palestinian Education

Since its creation, Israel has developed a comprehensive set of discriminatory policies and practices in all areas of Palestinian lives to enforce its subjugation, domination, and exploitation over the Palestinian people. A glaring manifestation of this is found in the area of education,¹ where Palestinians' right to education is perpetually undermined, denied, and coerced. The Zionist-Israeli policies and practices targeting the Palestinian right to education, especially the cultural dimension of education, seek to advance Israel's colonial enterprise and simultaneously undermine the Palestinian people's enshrined collective national rights, including their right to self-determination.

Israel's Control of the Palestinian People's Education: Vehicle of Colonization Energized Through Tools of Apartheid

Israel's attack on the Palestinian people's right to education is not only a violation of their right, but it also amounts to a form of colonization, as prohibited in the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples in that:

- The policies and practices are, in and of themselves, designed to entrench the subjection of the Palestinian people to alien (Zionist-Israeli) subjugation, domination and exploitation;
- These intend to generate political, economic, social and educational de-development of the Palestinian people as a means to discredit independence claims;
- They aim at specifically undermining the Palestinian national collective identity, pursuance of economic, social and cultural development and the ability to determine their political status within Mandatory Palestine, in short, the Palestinian people's right to self-determination and right to territorial integrity,² where the Palestinian people's education constitutes a determining pillar.

These policies and practices are further activated through three intertwined apartheid tools: institutionalized discrimination, alienation, and forced assimilation which essentially serve the goal of utilizing education to establish and maintain domination by the Jewish Israeli population over the Palestinian people.

Institutionalized discrimination is implemented in the education sector to primarily entrench categories of an inferior group, Palestinians, and a superior group, Jewish Israelis. This is then coupled with alienation and forced assimilation whereby the colonial regime works to change the Palestinian educational curriculum in a way that replaces Palestinian national collectivity with a negative self-image and a normalized view of the conflict.³ Importantly, these apartheid tools impact Palestinians on both sides of the Green Line.

Educational Apartheid Policies and Practices in 1948 Palestine

In what is now called Israel, Palestinian students - as enforced by legalized, institutionalized discrimination - attend public schools separate from those that service Jewish Israeli students and receive disproportionate funding, and thus reduced education quality and less extracurricular developmental activities. They are forbidden from learning about their Palestinian identity, history, and national rights to an extent where these schools are prohibited from recounting the historical facts of the Nakba and from including any content that is perceived as promoting Palestinian collectivity.⁴ The curriculum also takes measures to portray Palestinians and Arabs as inferior and uncivilized to instill feelings of shame and inadequacy amongst Palestinian children with Israeli citizenship. Palestinian students are additionally obligated to learn Hebrew, with Arabic having been given a "special" and deprioritized status as per Israeli Basic Law,⁵ thereby enforcing the colonial erasure of Palestinians' language and heritage, and forcing them to assimilate with their colonizers.

Altogether, these apartheid tools undermine the right to education of Palestinians with Israeli citizenship, especially considering that “the right to education should be understood as the right of each person to the cultural resources necessary to freely follow a process of identification [...]6 [and for] individuals and communities [to] pass on their values, religion, customs, language and other cultural references, and which helps to foster an atmosphere of mutual understanding and respect for cultural values.”7

By subduing their capacities, national awareness, and sense of belonging to the Palestinian people, Israel is enabled to contain Palestinians in a way that maintains a system of apartheid.

Occupied Palestinian Territory: Denial of Access to Education and the Role of the International Community

In the Occupied Palestinian Territory, institutionalized discrimination takes the shape of a comprehensive repressive system and associated human rights abuses that hinder and impede the realization of and access to the right to education. These include: access restrictions to schools, discriminatory planning and construction restrictions, demolition and confiscation of school equipment and facilities, military and colonizer violence around schools, threats and intimidation of students and teachers, military closures and incursions during school time, as well as detention of children on their way to school and within school premises.⁸

A central tenant in undermining the Palestinian right to education is carried out through exerting pressure on the Palestinian Authority, and now the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA),⁹ to alter the curriculum taught in Palestinian schools, including UNRWA schools. This is done through conditional funding by the international donor community, which is fostered, nurtured, and promoted by a series of biased Israeli studies on Palestinian textbooks that equate content covering the Palestinian people’s collective national identity, heritage and values with inciting racial hatred and violence.¹⁰

Both the Palestinian Ministry of Education and UNRWA are heavily dependent on international funding, meaning that these institutions are forced to comply with the conditional funding policies encouraged by Israel, which limit the capacity to create a viable education system that promotes the human development of Palestinians.

As for Gaza, Israel’s military blockade has severely deprived Palestinians of their right to education, through its suffocating control on resources and funding that enter the territory, and through explicitly banning Palestinians from exiting the Gaza Strip to pursue higher education in other areas of the Palestinian territories and elsewhere. These restrictions, in conjunction with Israel’s military assaults on Gaza through which it has totally destroyed multiple schools and partially dismantled hundreds, has forced the majority of schools to operate in double and sometimes triple shifts due to school and classroom shortages and lack of appropriate infrastructure.¹¹

Per article 13 of the International Covenant on Economic, Social and Cultural Rights, education should be directed to the full development of the human personality and the sense of its dignity, and should strengthen respect for human rights. Thus, all practices and policies that obstruct this process are a violation of the Palestinian right to education, which is also ultimately employed in a way that amounts to colonization and apartheid.

Accordingly, BADIL calls on:

- The UNHRC and third party states to recognize and condemn the Israeli colonial-apartheid policies and practices that deny and restrict the Palestinian right to education.
- The UNHRC and third party states to cease the practice of conditioning their financial support to the Palestinian Authority and UNRWA based on Israeli-guided interpretation of international legal provisions in the field of education;
- The Special Rapporteur on the Right to Education to undertake a country visit and report to the UNHRC on Israel’s policies and practices amounting to colonization and apartheid in the area of education, on both sides of the Green Line.

1 See United Nations General Assembly, “Right to education: the cultural dimensions of the right to education, or the right to education as a cultural right,” Report of the Special Rapporteur on the right to education, Koumbou Boly Barry, A/HRC/47/32.

2 See BADIL Resource Center for Palestinian Residency and Refugee Rights, “Palestinian Self-Determination: Land, People, and Practicality,” working paper no. 28 (Bethlehem: BADIL, 2021).

3 BADIL, “Israel’s Apartheid-Colonial Education: Subjugating Palestinian Minds and Rights,” working paper no. 26 (Bethlehem: BADIL, 2020).

4 Adalah, “The Prohibition on Teaching the Nakba in the Arab Education System in Israel,” September 2010

5 See Basic Law: Israel – the Nation State of the Jewish People, 5778-2018; BADIL, *The Nation State Law: The Culmination of 70 Years of Israeli Apartheid and Colonization* (Bethlehem: BADIL, 2018)

6 United Nations General Assembly, A/HRC/47/32, supra 1, para. 3.

7 *Id.*, para. 21

8 BADIL, *Israel’s Apartheid-Colonial Education*, supra 3, pp. 25-27.

9 BADIL, “US-UNRWA Framework Agreement: Assistance or Securitization?,” working paper no. 29 (Bethlehem: BADIL, 2022).

10 BADIL, *Israel’s Apartheid-Colonial Education*, supra 3, pp. 2-5.

11 BADIL, *Israel’s Apartheid-Colonial Education*, supra 2, pp. 24-31.