THE CLOSED ROAD TO EDUCATION

Palestinian Students Suffer Under Violent Settlement Expansion

Southern Hebron Hills
Occupied Palestinian Territories

2008-2009
CREDITS

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INTRODUCTION

During the 2008-09 school year, nearly 20 Palestinian children, ages 6 to 14, from the villages of Tuba and Maghayir al Abeed attended primary school in At-Tuwani. To reach school, the children typically took the shortest route – the main road that connects their villages with At-Tuwani and passes between the Israeli settlement of Ma'on and the Israeli outpost of Havat Ma'on (Hill 833). Because of ongoing Israeli settler violence against the school children, the Israeli military continued a daily escort of the children to and from school. Notwithstanding the Israeli military escort, settlers from the settlement of Ma'on and outpost of Havat Ma'on (Hill 833) continued to impede the children’s journey to school and use violence against the children. This school year, settlers used violence against the children on 10 occasions. The soldiers executing the escort at times failed to protect the children and frequently arrived tardy, causing the children to wait, sometimes for hours, before and after school. In addition, the soldiers regularly failed to provide a complete escort of the children, almost always leaving the children to walk unescorted beside settlement buildings, in an area where settlers have attacked them.

According to the Fourth Geneva Convention, the Hague Regulations, the International Court of Justice, and numerous United Nations resolutions, all Israeli settlements and outposts in the Occupied Palestinian Territories are illegal. Most settlement outposts, including Havat Ma'on (Hill 833), are considered illegal under Israeli law. In 2006 the Israeli government released a list of West Bank outposts slated for evacuation; Havat Ma'on was at the top of the list. More than three years later, no action has been taken to implement the evacuation.
Since 2001, settlers have routinely attacked the children on their journey to and from school. In November 2004 Israeli authorities established a daily military escort. Since then the children have been victims of violence 92 times.

Israeli authorities have failed to protect the children: first, by not providing immediate protection to the children when settlers become violent, and second, by failing to apprehend any settlers who use violence against the school children. Israeli police have failed to indict any person responsible for violence against children, despite the presence of military and police during settler attacks on the children.

Furthermore, Israeli authorities have allowed expansion of the settlement of Ma’on and the Havat Ma’on outpost to interfere with the children’s route to school. A gate constructed by settlers in 2008 has become the de facto end of the military escort, even though the children are harassed and attacked by settlers beyond this point. Soldiers consistently refuse to escort the children past this gate, even in the presence of armed settlers. The military claims they cannot complete the escort because this is a private gate belonging to the settlers, yet Israeli soldiers at times drive past this gate to reach Palestinian villages on the other side. Without safe access to this road, not only are the children in danger when

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2 In November 2004, the Israeli District Coordinating Office (DCO), a branch of the Israeli military that administers civilian affairs, issued a verbal order for a daily escort of the school children. The Israeli Knesset Committee for Children’s Rights later confirmed this order. For more information on the attacks preceding the escort and on Israeli reaction, see the 2005-06 school patrol report - snipurl.com/tjhd2 and the 2006-08 school patrol report, “A Dangerous Journey: Settler violence against Palestinian schoolchildren under Israeli military escort” - snipurl.com/tjhcl

3 This report counts only direct, physical violence, including threats, rock throwing, pushing, hitting and beating. This report does not statistically include other forms of violence, such as structural violence. However, the real violence suffered by the school children and their families is more extensive than the acts statistically counted in this report. As peace researcher Johan Galtung notes, “I understand violence as the avoidable impairment of fundamental human needs or, to put it in more general terms, the impairment of human life, which lowers the actual degree to which someone is able to meet their needs below that which would otherwise be possible. The threat of violence is also violence” (Johan Galtung, “Cultural Violence,” Journal of Peace Research XXVII, No 3, 1990).
they walk to school, but their communities are effectively shut off from access to basic services (educational and medical services, and a direct route to the nearby city of Yatta).

Despite the failures of the military escort, without the escort many of the children would not attend school. Alternative routes to the school take up to 2 hours by foot through a rocky, hilly landscape. Furthermore, settlers attack the children and their relatives also on these longer paths.⁴

Hence a perilous situation continues: each day the schoolchildren of Tuba and Maghayir al-Abeed must choose whether to walk to school and potentially face violence on their journey.

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⁴ A recent instance of such violence occurred on 17 November 2009, when 5 adult settlers harassed a Palestinian family with 3 young children. See release “Israeli settlers threaten Palestinian family, beat and rob CPTers,” 18 November 2009 - snipurl.com/u61bc
2 2008-09 SCHOOL YEAR

(24 August 2008 through 4 June 2009)

“The children were very afraid when they arrived home”

— O*, one of the children’s fathers

During the 2008-09 school year, an average of 12 children from Tuba and Maghayir al-Abeed went to and from school each day with the military escort (minimum 3, maximum 19). In 97% of the children's trips to and from school, they were escorted by the military (321 out of 330 cases). In 9 cases, the Israeli military either did not arrive for the escort or arrived so late that the children had already taken an alternative route. Of these 9 cases, the children walked alone 8 times and were accompanied by internationals once. In all 9 cases, the children were not able to use the shortest route but instead took alternative paths. Along these paths, children are still vulnerable to settler attack.

2.1 Settler Violence

Settlers used violence against the children 10 times during the children’s journey to school. In these 10 cases, settlers shouted, threatened, or chased the children. In one case settlers yelled death threats at the children. In 2 of these cases, settlers also threw stones at the children, and in another case a settler video-taped the children. In addition, in at least 12 other cases, settlers were present on or next to the path of the schoolchildren during the escort.

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5 This report uses information gathered during the school year by Christian Peacemaker Teams (CPT) and Operation Dove (OD). For the 2008-09 school year, a total of 345 cases were recorded. A case is defined as a situation where Tuba and Maghayir al-Abeed children walked from their villages to the At-Tuwani primary school or from the school to their villages. These include school days when the Israeli military failed to provide an escort. Out of the 345 cases, 15 are missing data and so the following statistics are calculated from 330 cases.

6 In 15 cases the children went to/from school, but CPT/OD did not record military escort presence or absence.
One account follows:

Israeli settlers attacked Palestinian children on their way home from school on Tuesday 14 October 2008. The children were returning from school in the village of At-Tuwani to their homes in villages of Tuba and Maghayir al-Abeed. As the children passed beyond the boundary of the settlement, two adult Israeli settlers ambushed them, throwing stones at the children and chasing them towards Tuba. “The children were very afraid when they arrived home,” said O*, one of the children’s fathers.7

2.2 Soldier Aggression

In 4 cases, soldiers forced the children to run. On at least 2 occasions, soldiers attempted the escort without waiting for all of the children. Soldiers took photos of the children to show the police on one occasion.8

2.3 Children are Late for School, Children Wait for Military Escort Home

Late for School

The children were late to school by 5 minutes or more on 31% of the mornings, and missed a total of 1,083 minutes of classes (more than 18 hours) because of late military escorts.

7 “At-Tuwani: Israeli military escort fails again to protect Palestinian children from settler attacks,” 15 October, 2008: snipurl.com/tvz2 and snipurl.com/tjhxz

8 Soldiers took photos of the children claiming that several children threw rocks at them during an earlier unrelated incident.
Table 2.3a
Number of minutes late to school in the morning

<table>
<thead>
<tr>
<th>Minutes Late</th>
<th>Number of Cases</th>
<th>Percentage of Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5</td>
<td>115</td>
<td>68.9</td>
</tr>
<tr>
<td>6 to 15</td>
<td>27</td>
<td>16.2</td>
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<tr>
<td>16 to 30</td>
<td>17</td>
<td>10.2</td>
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<tr>
<td>31 to 45</td>
<td>5</td>
<td>3.0</td>
</tr>
<tr>
<td>46 to 60</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>61 to 75</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>76 to 90</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>91 to 105</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>167</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

The above figures take into consideration only the children’s lateness at school, not their total time waiting for the escort to arrive. The military escort sometimes arrives early, so the children generally wait for the morning escort from 7 a.m. onward. Therefore, the total time spent waiting is actually greater than indicated above.

Children Wait for Military Escort Home

In 64% of the cases, the children had to wait after school for the military escort. They waited a total of 2,894 minutes (more than 48 hours) for the military to arrive and escort them home.

Table 2.3b
Number of minutes waiting for military escort after school

<table>
<thead>
<tr>
<th>Minutes Late</th>
<th>Number of Cases</th>
<th>Percentage of Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5</td>
<td>57</td>
<td>35.8</td>
</tr>
<tr>
<td>6 to 15</td>
<td>33</td>
<td>20.8</td>
</tr>
<tr>
<td>16 to 30</td>
<td>35</td>
<td>22.0</td>
</tr>
<tr>
<td>31 to 45</td>
<td>17</td>
<td>10.7</td>
</tr>
<tr>
<td>46 to 60</td>
<td>10</td>
<td>6.3</td>
</tr>
<tr>
<td>61 to 75</td>
<td>4</td>
<td>2.5</td>
</tr>
<tr>
<td>76 to 90</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>91 to 105</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>106 to 120</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>159</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Summary

Total time late for school = 1,083 minutes (more than 18 hours)
Total time children wait for after-school patrol = 2,894 minutes (more than 48 hours)
Total = 3,977 minutes (more than 66 hours)
When children were ready to go to school or home, but soldiers were tardy, the internationals made calls to the military office responsible for dispatching the military escort. Internationals made phone calls in 29% of the total cases (94 cases of the 326 total in the two tables above). They often called more than once because the escort vehicle did not appear within a reasonable time from the first call. In total, internationals made 192 phone calls.⁹

### 2.4 Other Military Escort Violations: Refusal to Walk, Refusal to Stop Settler Violence, Refusal to Complete the Escort

In contravention of the agreement between the Israeli DCO and the At-Tuwani mayor, Israeli soldiers did not walk with the children during the escort in 35% of the cases (111 times of the 321 recorded cases of the soldiers escorting the children). On several occasions, soldiers refused to protect the children during the escort.

One example follows:

*Israeli settlers harassed and yelled death threats at Palestinian elementary schoolchildren on their way home from school on Thursday, 23 October 2008. The children were returning from the At-Tuwani village school to their homes in the villages of Tuba and Maghayir al-Abeed escorted by an Israeli army humvee. When two adult Israeli settlers chased the children, throwing stones and threatening...*

⁹ These are phone calls by members of CPT and Operation Dove. Additional calls were made by members of Israeli human rights organizations.
kill them, the Israeli soldiers remained in their vehicle and got out of the humvee only at the conclusion of the escort.\textsuperscript{10}

In further contravention of the protective mandate of the escort, the Israeli military failed to fully complete the escort in 85\% of the cases (94 of 111 recorded cases\textsuperscript{11}).

In 92 of these cases, the escort stopped at a road junction uphill from the west end of the Ma'on chicken barns near the Havat Ma'on (Hill 833) outpost. This junction is approximately 500 meters from the east end of the newest Ma'on chicken barns (built in 2006), which is the agreed-upon meeting point to start or conclude the military escort. In 2008 settlers erected a lockable gate near the junction. When the military escort stops at the junction or the gate, the children are left to walk unaccompanied 500 meters along the chicken barns. This year nearly all of the settler violence and harassment toward the children happened in this area.

On one occasion, internationals reported the following:

\textit{Israeli soldiers in charge of escorting schoolchildren from At-Tuwani to their homes in the villages of Tuba and Maghayir al-Abeed refused to escort the children past two adult settlers on 23 March 2009. As the soldiers and children approached the chicken barns that mark the end of the area where settlers frequently attack, they saw settlers approaching the barns. The children asked the soldiers to complete the escort. Internationals watching from a nearby ridge also called the army twice \ldots specifically demanding that the escort complete the obligatory accompaniment past the chicken barns as required by the protocol.}

\textsuperscript{10} “At-Tuwani: Israeli settlers yell death threats at Palestinian children walking home from school” 24 October, 2008 - snipurl.com/tji5h and snipurl.com/tji7u

\textsuperscript{11} The 111 recorded cases refer to instances when internationals were able to see the end of the escort.
The soldiers did not walk further with the children. Instead, they directed the children to continue alone, and they left the scene before the children had passed the hill where the settlers were walking. One child reported to At-Tuwani team members, "The soldiers saw the settlers and they said to us, 'Okay, run fast. Go.' These soldiers are new. I don't want these soldiers. I want good soldiers."  

The hilly terrain also impedes the children’s ability to see approaching settlers. Moreover, because the military escort does not come to the agreed-upon meeting area, several children walk to the barns to scout for the military jeep, which is sometimes not visible from where the children wait for the escort. As noted above, every time a child walks unaccompanied in this area, the risk of violence is high.

On several occasions, internationals monitoring the school escort explicitly asked the soldiers to escort the children past the gate to the far end of the chicken barns. On Monday, 6 April 2009, an Israeli officer performing the escort told internationals that the DCO decided the escort cannot go beyond the settler gate because the gate itself prevents the jeep from passing and soldiers on foot must stay within a short distance of the jeep.  

However, on at least two occasions in the spring of 2009, internationals witnessed military jeeps passing through the gate. In these instances, the military harassed and arrested older siblings of the Tuba children as the siblings were grazing sheep in their fields.

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12 “At-Tuwani: Israeli army refuses to escort Palestinian school children past settlers,” 28 March 2009 – snipurl.com/tvigp and snipurl.com/tji8j

13 CPT Log/Video, 6 April, 2009
3 SUMMARY OF VIOLENCE AGAINST CHILDREN 2004-09

3.1 Total Violence Against Children 2004-09

2008-09 school year: 10 documented cases of violence against the children
2007-08 school year: 16 documented cases of violence against the children
2006-07 school year: 12 documented cases of violence against the children
2005-06 school year: 40 documented cases of violence against the children
2004-05 school year: 14 documented cases of violence against the children

TOTAL CASES OF VIOLENCE AGAINST SCHOOL CHILDREN = 92

3.2 Other Military Escort Violations 2006-09

2008-09 school year: In 32% of cases soldiers did not walk with children
2007-08 school year: In 82% of cases soldiers did not walk with children
2006-07 school year: In 55% of cases soldiers did not walk with children

Children were late to school on 28% of the mornings, and missed a total of 3,230 minutes of classes (nearly 54 hours).

2008-09 school year: 1,083 minutes of missed classes (more than 18 hours)
2007-08 school year: 1,519 minutes of missed classes (more than 25 hours)
2006-07 school year: 628 minutes of missed classes (more than 10 hours)

14 During the 2004-5 school year CPT collected data exclusively regarding settler violence. No other statistical data is available for that year. Data from the 2005-06 school year is available at: snipurl.com/tji9o. Documented cases refer to one completed walk to or from school. One case could include more than one type of violence by settlers and/or soldiers. The cases include settler and soldier violence against the children and do not include cases when the soldiers forced the children to run.
Children late to school

* Graph does not include cases of 0-5 minutes late

2008-09 school year, total number of cases: 52
2007-08 school year, total number of cases: 63
2006-07 school year, total number of cases: 13

In 48% of the cases, the children had to wait after school for the military escort. They waited a total of 7,582 minutes (more than 126 hours) for the military to arrive and escort them home.

2008-09 school year: children waited 2,894 minutes for after-school escort (more than 48 hours)
2007-08 school year: children waited 2,516 minutes for after-school escort (more than 42 hours)
2006-07 school year: children waited 2,172 minutes for after-school escort (more than 36 hours)
Children Wait for Military Escort after School

2008-09 school year, total number of cases: 102
2007-08 school year, total number of cases: 72
2006-07 school year, total number of cases: 34
Moreover, the constant threat of violence invokes the prohibition against torture - which includes cruel and degrading treatment. The constant presence of a threat and/or violence by the settlers cause such a severe hardship on the children amounts to cruel and degrading treatment.

— Interview with Al-Haq, August 2009

The school children of Tuba and Maghayir al-Abeed are routinely denied basic rights. The circumstances of their journey to and from school are a flagrant violation of international law.

According to Al Haq, a Palestinian human rights group, “In this instance, there is a clear violation of the right to education, which is both a human right in itself and an indispensable means of realizing other human rights. In this particular case, there is an omission by the Israeli occupying power: to maintain law and order [by taking effective measures to prevent the attacks on children]; and effectively prosecute those responsible for the settler violence. This omission contravenes the convention as it creates a barrier to accessing education effectively and therefore becomes discriminatory. Moreover, the constant threat of violence invokes the prohibition against torture, which includes cruel and degrading treatment. The constant
presence of a threat and/or violence by the settlers cause such a severe hardship on the children [and] amounts to cruel and degrading treatment.”\(^\text{15}\)


Article 16 states:

1. *No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.*
2. *The child has the right to the protection of the law against such interference or attacks.*

 CRC, Article 19 states:

1. *States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s) ...*

 CRC, Article 28 states:

1. *States Parties recognize the right of the child to education, and... in particular: *(a) Make primary education compulsory and available free to all; ... (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.*

In addition to Israeli military and settler violence against the children, the children’s school itself is under threat. When the school was constructed in 1998, the Israeli Civil Administration refused to grant building permission. After the school was built, Israeli authorities issued a demolition order that was then suspended for ten years. The demolition order is now once again in effect. The school, which now holds grades 1-8, is the only primary school within a ten kilometer range of the children's homes.\(^\text{16}\)

\(^{15}\) Interview with Al-Haq, August 2009

\(^{16}\) In 2009-2010 school year, a new school opened in Al-Fakheit village, 4 km southwest of At-Tuwani to serve children from the southern villages of Massafer Yatta.
According to the initial agreement between the Israeli DCO and the mayor of At-Tuwani, the children and the military escort must use the shortest route to reach the school in At-Tuwani (about 2.5 km).

The shortest route is a road that passes between the Israeli settlement of Ma'on and the outpost of Havat Ma'on (Hill 833, a hill historically named Tel Abu Jundiya). The road is the main road, a public road, and the only viable road between Tuba and At-Tuwani. For decades Palestinians used this road to travel to At-Tuwani and the nearby city of Yatta, the main economic hub for the region and the location of critical services such as hospitals, secondary schools, and public administration offices. This main road is a vital passageway for those traveling by foot or by donkey, as well as tractors and cars transporting goods and people between Yatta and the villages of eastern Massafer Yatta.

In 1982, the settlement of Ma'on was built on one side of the main road, and in 2001, the outpost of Havat Ma'on (Hill 833) was built on the other side of the road. In the late 1990s, Palestinians using the main road (and other land nearby) increasingly came under

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17 Several different Palestinian families own the land of the road itself. However, the Israeli Land Administration (a department of the DCO) identifies parts of the road as belonging to the municipality of Ma'on, some as Israeli state land (but not inside Ma'on municipality boundaries), and other parts as private Palestinian land.

18 The main road forks off onto another road along Hill 833. This part of the road, on the southern edge of Hill 833 is used by settlers only. Settler and military violence also prevents Palestinians from using this portion of the road.
attack from violent settlers. Israeli authorities failed to intervene and stop settler violence against Palestinians. Settler violence eventually became so intense that Palestinians were deterred from using the main road and accessing their lands in this area. By 2003, Palestinians stopped using the main road completely. Meanwhile, settlers from Ma'on fenced off private Palestinian lands by the road and currently cultivate fruit orchards, vegetable fields and greenhouses on these lands. Thus, settlers use physical violence, land expropriation and illegal development as tactics to increase their land claims.

The use of the main road by settlers is illegal.\textsuperscript{19} Despite this fact, settlers continue to control and develop the road.

The following are the most recent illegal settler developments on and along the main road:

- **Summer 2005:** Settlers erected a padlocked gate on the section of the road nearest to At-Tuwani. Following this, the military escort often did not pass through the gate. At times soldiers did not know the padlock combination and refused to ask the settlers for the combination. Eventually the padlock was removed and the gate now stands open.

- **2005/2006:** Settlers constructed two large chicken barns on the northeastern edge of Tel Abu Jundiya, in close proximity to the previously existing chicken barns, just south of the main road. The children waited for the military escort at the far end (nearest to Tuba) of these barns.

- **2008:** Settlers erected a locking gate near the newest chicken barns. Soldiers then refused to pass through the gate to escort the children to the far end of these barns (and thus, to the escort’s completion).

\textsuperscript{19} Interview with Al-Haq, August 2009: “Settlements are illegal under international law. Article 49 of the Geneva Convention prohibits the transfer of by the Occupying Power of its civilians from its territory to the territory it occupies. Article 64 requires the Occupying Power ‘to maintain the orderly government of the territory’. Clearly, Israeli actions in East Jerusalem and the West Bank are in breach of the Fourth Geneva Convention and customary humanitarian law as set out in the Fourth Hague Convention, which the High Contracting Parties thereto reiterated were applicable to the Occupied Palestinian Territories as of December 2001. Therefore the use of the road by settlers is illegal (since their presence in the area is illegal).”
• 11 June 2009: Settlers added five new caravans near Ma'on on a slope north of the road.
• Fall 2009: Settlers began constructing several buildings on a hill near the Ma'on caravans, in close proximity to the main road from Tuba to At-Tuwani.
• October 2009: An Israeli civilian crew surveyed a hilltop area between the Ma'on chicken barns and the village of Tuba, accompanied by Israeli military and Ma'on settlement security. Local Palestinians expressed their concern about possible construction of additional chicken barns on that hill.20

The long-term survival of communities like Tuba and Maghayir al-Abeed depends upon land access and access to the main road. Alternative routes by foot or donkey are at least four times as long as the main road. Tractors and other vehicles are forced to take routes up to ten times longer. These distances further exacerbate the rising cost of transporting essential supplies such as water,21 in addition to restricting access to education, health care and other essential services. The forced closure of the main road also prevents the village of Tuba from connecting to the electric grid from Yatta22 and the water pipeline (a project slated for future development by the Yatta Municipality).

20 For more detailed and comprehensive information on settlement expansion see Peace Now Settlement Watch web site snipurl.com/tviff
21 In 2009 local residents reported that the cost of transporting water is four times greater because they must take the longer roads.
22 In the fall of 2009 the Israeli Civil Administration prevented workers from connecting At-Tuwani to the Yatta electric grid.
The seizure of the road and surrounding lands is one piece of a larger picture of violent dispossession and forced eviction of Palestinians in the region of Massafer Yatta, the community to which At-Tuwani, Tuba and Maghayir Al-Abeed belong.

To view this picture clearly, one must see how Ma'on is one settlement in a string of Israeli settlements and outposts that stretch across the Southern Hebron Hills. During the 1980s, four Israeli settlements were established, followed by four settlement outposts. These eight sites together form a line that runs several kilometers into the Occupied West Bank and divides the rural communities of Massafer Yatta from the city of Yatta and the rest of the West Bank. Moreover these settlements and outposts host some of the more radical and violent settlers. As Idith Zertal and Akiva Eldar note in Lords of the Land, by the late 1990s, “Havat Ma’on in the Hebron Hills... emerg[ed] as a bastion of the extremists.”

The Massafer Yatta communities are thus isolated and exposed to land expropriation and settler violence.

Israeli authorities have also pursued their own plans to depopulate Massafer Yatta and annex the land through the creation of a giant military training area. The Israeli military has declared Massafer Yatta a closed military area and refers to it as “Firing Area 918”.

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24 For a detailed report about settlers violence and its consequences, see the UN/OCHA special report “Israeli Settler Violence and the Evacuation of Outposts - November 2009” - snipurl.com/u61cb
This area is nearly 30,000 dunams (about 7,500 acres) and includes twelve Palestinian villages, including Maghayir al-Abeed and Tuba.

The 2005 B’Tselem report, "Means of Expulsion: Violence, Harassment and Lawlessness against Palestinians in the Southern Hebron Hills," describes the eviction that resulted from this military closure:

("In October and November 1999, most of the cave residents received eviction orders on grounds of 'illegal stay in a closed military area.' On 16 November 1999, military forces came and expelled the residents by force. The army sealed the caves used as residences, destroyed water cisterns, scattered the flocks of sheep and goats, and confiscated tents and other property, primarily mattresses, blankets, and food. A total of some 700 people were evicted." 25

The evicted families filed petitions contesting the expulsion and in March 2000, the High Court of Israel issued an order permitting the residents to return to their homes and requiring all parties to preserve the status quo at the time prior to the expulsion. However, because the Ministry of Defense continues to seek the expulsion of the people from their villages, the case is still pending in the Israeli High Court.

The Israeli military's practices of expulsion, eviction, and confiscation have smothered Palestinians’ ability to live and move as they need. Meanwhile, Israeli settlers in the Southern Hebron Hills continue to expand their settlements, taking privately-owned Palestinian land for buildings and cultivation. Such settlement development and the closure of the Tuwani-Tuba road by settlers and Israeli authorities favors Israeli annexation of the land of Massafer Yatta.

In addition, irreconcilable interests prevent the Israeli military from protecting the children of Tuba and Maghayir al-Abeed. A military that has forcibly expelled the local Palestinian population from Massafer Yatta cannot realistically protect these same children – not on select occasions and certainly not on a daily basis. All of this results in a perilous journey for the children of Tuba and Maghayir Al-Abeed, and in the ongoing violation of their rights to education and security.

CONCLUSIONS

“Get the settlements out of there. […] We understand all the inhumane things that happen in South Hebron Hills, which is a really hard place for the Palestinians. I go there a lot and in many cases, it is heart breaking.”
— Interview with Peace Now Settlement Watch Team, August 2009

Five years after the Israeli military’s agreement to provide an escort and the affirmation of this agreement by the Knesset Committee for Children’s Rights, the situation of the children of Tuba and Maghayir al-Abeed has not improved. In the last five school years, the children have been victims of violence on at least 92 occasions, and not one perpetrator has ever been arraigned. The children suffer from nightmares about violent attacks and often express fears for their safety. The violence continues without accountability, and the sum effect of settler attacks and military complacency and negligence is devastating for the children and their families.

“There are so many aspects that are really wrong regarding the escort and the way they get to school. There are children that don’t get education because of that. … They suffer a lot, the children suffer a lot, some soldiers deal with them one way and some another way. The whole situation is quite a mess. But the problem is that the settlements are there to begin with,” indicated a spokesperson from the Peace Now Settlement Watch Team. “Get the settlements out of there. When there will be an agreed situation between Israel and Palestine, these settlements will be evacuated. … We understand all the inhumane things
that happen in South Hebron Hills, which is a really hard place for the Palestinians. I go there a lot and in many cases, it is heart breaking."

Until now, the State of Israel has neglected to uphold the rights of Palestinian school children. The burden of responsibility lies on the Israeli authorities. In order to ensure the rights of the children, the Israeli government must fulfill its obligation to evacuate the settlement outpost of Havat Ma'on (Hill 833). As long as the outpost remains, the children and their families remain under threat of attack. Even if the Israeli military begins to escort the children in a safe and timely matter, the children will remain exposed to the outpost’s violent residents. Allowing violent people to continue to live in an illegal residence, perpetrating crimes against children, is intolerable.

26 Interview with Peace Now Settlement Watch Team, August 2009
8 APPENDIX

8.1 Further School Escort Data: 2006-09 Combined Data

Combining the data of the last three school years, the average number of Tuba and Maghayir al-Abeed children going to and from school each day with the military escort was 13 (minimum of 3, maximum of 23). In 97% of the children's trips to and from school, the children were escorted by the military (876 out of 895 cases). In 19 cases the Israeli military either did not arrive for the escort or arrived so late that the children had already taken an alternative route. Of these 19 cases, the children walked alone 17 times, were accompanied by internationals once and by their parents once. In all 19 cases, the children (and their accompaniers when present) were not able to use the shortest route but instead took longer paths. Along these paths, children are still vulnerable to settlers; the children and their parents have been attacked by Israeli settlers along these paths dozens of times in the past.

Children wait for military escort to and from At-Tuwani

Late for School

Children were late to school on 28% of the mornings, and missed a total of 3,230 minutes of classes (nearly 54 hours).

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27 In 34 cases the children went to/from school, but CPT/OD did not record military escort presence or absence.
Table 8.1a
Number of minutes late to school in the morning*

<table>
<thead>
<tr>
<th>Minutes Late</th>
<th>Number of Cases</th>
<th>Percentage of Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5</td>
<td>323</td>
<td>71.6</td>
</tr>
<tr>
<td>6 to 15</td>
<td>58</td>
<td>12.9</td>
</tr>
<tr>
<td>16 to 30</td>
<td>39</td>
<td>8.6</td>
</tr>
<tr>
<td>31 to 45</td>
<td>16</td>
<td>3.5</td>
</tr>
<tr>
<td>46 to 60</td>
<td>6</td>
<td>1.3</td>
</tr>
<tr>
<td>61 to 75</td>
<td>4</td>
<td>0.9</td>
</tr>
<tr>
<td>76 to 90</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>91 to 105</td>
<td>1</td>
<td>0.2</td>
</tr>
<tr>
<td>all school lessons</td>
<td>3</td>
<td>0.7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>451</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

*15 cases missing data

Waiting After School

In 48% of the cases, the children had to wait after school for the military escort. They waited a total of 7,582 minutes (more than 126 hours) for the military to arrive and escort them home.

Table 8.1b
Number of minutes waiting for military escort after school*

<table>
<thead>
<tr>
<th>Minutes Late</th>
<th>Number of Cases</th>
<th>Percentage of Total Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5</td>
<td>223</td>
<td>51.6</td>
</tr>
<tr>
<td>6 to 15</td>
<td>53</td>
<td>12.3</td>
</tr>
<tr>
<td>16 to 30</td>
<td>57</td>
<td>13.2</td>
</tr>
<tr>
<td>31 to 45</td>
<td>39</td>
<td>9.0</td>
</tr>
<tr>
<td>46 to 60</td>
<td>29</td>
<td>6.7</td>
</tr>
<tr>
<td>61 to 75</td>
<td>13</td>
<td>3.0</td>
</tr>
<tr>
<td>76 to 90</td>
<td>6</td>
<td>1.4</td>
</tr>
<tr>
<td>91 to 105</td>
<td>3</td>
<td>0.7</td>
</tr>
<tr>
<td>106 to 120</td>
<td>5</td>
<td>1.2</td>
</tr>
<tr>
<td>more than 121</td>
<td>4</td>
<td>0.9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>463</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

* 31 cases missing data

Summary

Total time late for school = 3,230 minutes (more than 53 hours)
Total time children wait for after-school patrol = 7,582 minutes (more than 126 hours)
Total = 10,812 minutes (more than 180 hours)
The above figures take into consideration only the children’s lateness at school, not their total time waiting for the escort to arrive. The children often wait for the morning escort from 7 a.m. onward. Therefore, the total time spent waiting is actually greater than indicated above.

When children were ready to go to school or home, but soldiers were tardy, the internationals made calls to the military office responsible for dispatching the military escort. Internationals made phone calls in 30% of the total cases (277 cases). They often called more than once because the escort vehicle did not appear within a reasonable time from the first call. In total, internationals made 569 phone calls.28

Other Military Escort Violations

In contravention of the agreement between the DCO and the At-Tuwani mayor, Israeli soldiers did not walk with the children during the escort in 56% of the cases (523 times). The soldiers walked in 35% cases (328 times), although in 13 of these cases they walked only part of the way.

28 These are phone calls by members of CPT and Operation Dove. Additional calls were made by members of Israeli human rights organizations.
8.2 **Children’s Route to School and Places of Attack**

1. Place where military escort should meet the children (east end of newer chicken barns) and generally did meet the children until 2008.

2. Old chicken barns

3. **Black Point**: New closed settler gate
   
   **White Point**: Junction where military escort often stops (either to wait for the children in the morning, or to end the escort after school)

4. **Settler Gate** (built in 2006, now always left open) where the military escort leaves/meets the children near At-Tuwani primary school

5. **At-Tuwani School**

- **Yellow**: Children walk unescorted
- **Red**: Area where children have been walking unescorted since 2008 because of military escort noncompliance and settler gate
- **Blue**: Area where military escort accompanies the children
- **Green**: Longer, alternative path children take when there is no military escort
- **Purple**: Escort route in many cases during the 2004-05 school year and part of 2005-06 school year

Map courtesy of PeaceNow. Edits by CPT, HT & Operation Dove, 2009

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PALESTINIAN STUDENTS SUFFER UNDER VIOLENT SETTLEMENT EXPANSION
The chart above shows the number of settler attacks on the children in each part of the path to and from school during the last 6 years. Each column represents a different part of the path, according to the colors of the map on the previous page. The chart does not include 22 of the 92 cases because the data of the exact locations of those instances of violence are not available. The chart also does not show settler attacks on the children outside of their school journey, for example, when the children have been out shepherding or in their homes.

| Area where children have been walking unescorted since 2008 because of military escort noncompliance and settler gate |
| Escort route in many cases during the 2004-05 school year and part of 2005-06 school year |
| Area where military escort accompanies the children |
| Longer, alternative path children take when there is no military escort |
| Children walk unescorted |
8.3 Maps of the Area

South Hebron Hills, courtesy of OCHA oPt (www.ochaopt.org)

The area of At-Tuwani, Tuba, Maghayir al-Abeed, courtesy of OCHA oPt (www.ochaopt.org)
FOR ADDITIONAL INFORMATION

- **South Hebron Popular Committee**: www.tuwanisouthhebron.org
- **Christian Peacemaker Teams**: www.cpt.org
- **Humanity Together**: www.humanitytogether.com
- **Operation Dove**: www.operationdove.org - www.operazionecolomba.it