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Measuring Human Rights: A comparative report on human rights trends at An Najah University

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Since their founding, Palestinian universities have struggled to realize the right to education for their students, educators and communities as a whole. The right to education is both an articulated individual right within the international human rights framework as well as a right that is inextricably intertwined with the panoply of other fundamental human rights. However, although considerable resources are spent on promoting, monitoring and protecting access to education, when it comes to higher education, there is a dearth of data and analytic analysis. While it is true that in most cases the right to adequate primary and secondary education and the protection of children whose education is at stake are considered the priority for national and international actors, in the case of Palestine, universities and their students are many ways far more vulnerable as they suffer both the indirect consequences of a decades-long military occupation as well as targeted attack on their institutions, faculty and student body.

Although the Israeli occupation of the West Bank is now entering its 45th year, each generation of Palestinian university student has experienced the occupation often in a dramatically different way. Elements of the Israeli occupation that affect Palestinians as a whole and certainly students such as periods of intense violence, arrest campaigns, closure policies, mobility

restrictions, settlement growth and strangulation of the local economy can radically change both quickly and frequently. In order to understand the extent and degree of the many human rights violations experienced by university students, the R2E Campaign at An Najah University has conducted a series of surveys of our students. These surveys serve both as a measurement of the current occupation policies as they affect students as well as a way to monitor and compare trends throughout the years.

In this report, we will focus on the three surveys carried out by the R2E Campaign in 2007, 2009 and 2011 to compare and contrast changes in violations to the right to education as well as other fundamental human rights. The first survey, which was conducted in 2007 and was given to 166 students on a volunteer basis, focused on checkpoints, as mobility restrictions and abuse at checkpoints were a widespread and severe human rights concern affecting the student population at the time. The second survey was administered in 2009 to 240 students also on a volunteer basis and was expanded to include the indirect effects of mobility restrictions and economic hardship indicators. The most recent survey conducted in the Fall of 2011 was given to 1,419 students. The 2011 survey was distributed in required general education classes in order to ensure a variety of

ages and majors. The survey expanded on the previous two surveys both in topics and details in order to obtain as precise a record as possible of the human rights challenges facing the current student population.

This report draws on data from the three surveys and is divided by analyses of checkpoint abuses, economic concerns, geographic impact, and gender based issues.

Checkpoints

The most noticeable change throughout the three surveys conducted by the R2E Campaign is the impact that checkpoints have on students' lives and ability to exercise their right to education. Checkpoints—roadblocks manned by Israeli soldiers designed to control the movement of the Palestinian population—have been a constant in students' lives for decades and were especially disruptive to An Najah students during the second Intifada.

Long considered by Israel to be one of the main centers of resistance within the West Bank, Nablus has been especially targeted by the checkpoints and closure policies of the Israeli occupation forces. The city of Nablus, which is situated in a valley and flanked by mountains on its northern and southern sides, was ringed by checkpoints for the entirety of the second Intifada. According to the Palestinian District Coordination Office, all of the main checkpoints leading into the city were completely closed to civilian and commercial traffic in 2001 and 2002, forcing anyone wishing to enter the city, including thousands of university students, to be funneled into back roads before being inspected at manned checkpoints, a process which transformed a 15-minute commute into an hours-long ordeal. Many students and professors from outside of Nablus were compelled to rent apartments in the city, while others, who could not afford such an expense took their chances hiking over the mountains to class, where they faced the risk of being arrested or shot by Israeli patrols. (For

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more on student experiences during the Second Intifada, see UNESCO Chair's report on "Education Denied: Accounts from An Najah during the Second Intifada.")

Though these restrictions began to ease in 2003, students who must cross checkpoints have continued to be subjected to long delays, frequent closures and physical and verbal abuse by Israeli soldiers. In 2007, the United Nations counted up to 563 physical closure obstacles in the West Bank including manned and unmanned checkpoints, earth mounds and concrete road blocks, and as many as 141 "flying" checkpoints (i.e., *ad hoc* manned inspection points) per week, and highlighted Nablus city as the most affected area in the West Bank. Accordingly, of the students surveyed in 2007, 57% stated that they had to cross checkpoints in order to reach the university. Students from outside of the city Nablus had to cross at least one checkpoint to enter the city and students from cities or villages farther afield had to cross several checkpoints in their daily route in order to reach the campus.

In 2009, although the total number of closure obstacles increased to 613, there was some easing of movement restrictions such as less rigid inspections for entering Nablus and a decrease in "flying" checkpoints, with a weekly average of 70. This slight improvement in movement was reflected in the 2009 survey, in which the number of students who had to cross a checkpoint daily decreased to 53%.

The number of movement obstacles recorded by the U.N. for 2011 went down to 522. Although relaxation measures were put in place starting in 2008 to reduce travel time and friction between Palestinians and Israeli soldiers, significant movement restrictions—many of them unexpected—continue to be a

staple of daily life for Palestinians living in the West Bank. In the 2011 survey 49% of the students reported that they had had been delayed or prevented from getting to school because of checkpoints or road blocks in the last three years. Of those students, 44% stated that the checkpoints had impeded their access to the university more than five times and 16% said they had been held up or denied passage over 20 times.

Student responses to the three surveys confirm that in addition to checkpoints being significant physical barriers to access to education, they are often sites of serious human rights abuses perpetrated by the Israeli army. While the overall numbers are decreasing, the surveys reveal that exposure to checkpoint inspections is directly correlated to reports of soldier violence. In 2007, 36% of all the students surveyed reported being the victim of physical abuse at a checkpoint. By 2009, 7% of students reported being physically assaulted at a checkpoint, while a total of 26% of students reported experiencing some kind of abuse at the checkpoints, including verbal intimidation and property damage. Although the 2011 survey did not include a question regarding abuse specifically at checkpoints, in terms of general army violence against students, 6% of the student population reported having been physically assaulted by Israeli soldiers and 15% reported property damage by Israeli soldiers. The survey additionally revealed that students who regularly cross checkpoints (i.e., students who reported they had been delayed or prevented from attending class more than five times) are twice as likely to experience abuse by Israeli soldiers than those who only infrequently pass through checkpoints.

Disturbingly but not surprising, students in the 2011 survey indicated a high level of apathy and distrust towards making any kind of official report of abuse they experience. Over two-thirds of the students surveyed reported having been subjected to at least

one of a variety of human rights abuses, including one third of the students who had been the victim of physical violence, verbal threats or witnessing the physical assault of a family member by Israeli settlers or soldiers, and 20% who stated that the military had confiscated family lands in the last three years. However, very few students were willing or interested in reporting these

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violations to Palestinian or Israeli law enforcement, NGOs or lawyers. Of the students who experienced a human rights violation, 88% did not make a report or file a complaint. Of those students, 83% stated that their reasoning for not filing a complaint was that “complaints do not make a difference.” (15% stated that they didn’t know where to go while 4% reported being too scared to make a report.)

The students’ lack of confidence in accountability mechanisms available to them is not unfounded. A recent study by an Israeli human rights organization found that 96.5% of complaints filed by Palestinians against Israeli soldiers were closed without indictment and 90% of Palestinian complaints filed for offenses committed by Israeli settlers were closed due to failure to properly investigate. Accordingly, of the few students who did make a complaint, 70% reported that as far as they know nothing happened in response to the complaint, including the taking of any follow up information.

Economic Challenges

While the battered Palestinian economy affects all people in the oPt, its impact on students is both immediate and forward looking: on the one hand, students, like their family, have limited financial resources and often must struggle to fund their education, and on the other hand students are aware that because of the

bleak employment situation, the sacrifices made to attain higher education will most likely not translate into a professional career.

During the second Intifada, the already weak Palestinian economy went into freefall after Israeli policies and military operations created massive unemployment within the oPt and paralyzed the economy. From 2000 to 2008, the unemployment rate within Palestine doubled, rising from 12% to 23.8%. The Palestinian economy was further destabilized by the hundreds of internal Israeli military checkpoints, roadblocks and other barriers that obstruct the transportation of goods and people; the virtual closure of major cities and economic hubs through Israel's imposition of checkpoints and curfews; and the physical damage to Palestinian commercial and industrial centers by military attack.

Despite some welcome signs of incremental growth in the last few years, the Palestinian economy continues to be highly vulnerable to Israeli policies and still suffers from very high unemployment rates in all sectors. This latter factor is aggravated by the fact that every year more and more Palestinian university graduates enter the market. Since the start of the second Intifada, the combined total of students enrolled in higher education programs has tripled from 65,986 in 2000 to 196,625 in 2010. Students today not only are faced with an economy and job market that has been enervated by years of Israeli assaults but must also compete against an exponentially growing pool of university-educated job seekers for the few scarce job opportunities available.

Economic hardships experienced by students' families directly impact their access to education. In 2009, 30% of the students surveyed indicated that financial problems affected their ability to continue studying. In the 2011 survey, 13% of the students reported that during high school, their families faced extreme financial hardships leading to difficulty buying food, clothes and school books. These same students continued to face significant financial shortfalls while at university, with students in the 2011 survey reporting their

families' inability to pay for essential costs related to their education including tuition (38%), computers and other technical equipment (23%), transportation to and from the university (17%), school books and other materials (11%), lunch at school (7%), and required lab equipment (8% of the students in academic programs that entail laboratory work).

Although An Najah University is considered a public university and has one of the lowest tuition rates of the traditional universities in the West Bank, students and their families must make significant sacrifices to afford the cost of a university education. Tuition at An Najah varies depending on the academic faculty and amount of credit hours per semester, but in general students expect to pay between 4500 NIS and 17,000 NIS. Considering that 86% of students surveyed in 2011 indicated that they come from a single-parent earning household and that the median monthly wage of a Palestinian worker is around 1700 NIS, financing a child's tuition often equals between 3-10 months of a family's earnings. This financial deficit is compounded by the fact that many students have siblings attending university at the same time. According to the 2011 survey results, over 60% of students reported that during their university career three siblings would be attending university at the same time.

In addition to struggling to afford their university education, the majority of students surveyed are pessimistic about their ability to find their place within the constricted Palestinian job market after graduation. Of the students surveyed in 2011, 91% predicted that it is either likely or very likely that they will have difficulty finding a job in Pal-

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estine. In response to this dismal outlook on the Palestinian job market, 60% of the students believe it is likely or very likely that they will have to leave Palestine to find work abroad, and 38% of students reported that they actively want to leave Palestine to work or study abroad after graduation.

While mass emigration of Palestinian university graduates is unlikely due to the high financial costs of moving abroad and strict Israeli control of all international borders, the elevated number of students who are predisposed to leaving the country if they are able is alarming. Despite ongoing and concerted efforts to maintain and even expand by numbers and breadth the higher education system in Palestine (e.g., adding several PhD degrees and academic programs previously unavailable), it appears likely that universities and more generally, the Palestinian economy will be weakened by the “brain drain” phenomenon as talented Palestinian university graduates are forced to leave a job market that cannot absorb them.

Geographic indicators

Where a student comes from often determines the type and degree of human rights violations they experience. The increasing fragmentation of the occupied Palestinian West Bank—carried out through imposed road closures, checkpoints, settlements, the Separation Wall and the isolation of Jerusalem and the Gaza Strip from the rest of the West Bank—is most commonly framed as a political issue that affects the emergence of a Palestinian state. However, the changing map also illustrates the different realities that residents of each of these areas face, whether it be the different economic opportunities available to cities and villages, loss of family lands, or the increased exposure to settler and military violence

for those living near settlements or the Separation Wall.

Generally speaking, the three main population centers in the West Bank are cities, villages, and refugee camps. While cities certainly have residents from all socio-economic backgrounds, they tend to be more economically advantaged as the cultural and financial centers of the regions. As part of the agree-

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ments reached in the Oslo Accords, the major cities in the West Bank (17% of the total area) are designated as Area A—meaning that the Palestinian Authority has full security and civil control over the areas, whereas the remaining 83% is completely under Israeli security control and limited Palestinian civil control. In reality, however, P.A. control of Area A is completely circumscribed by frequent Israeli military incursions into the cities and the system of checkpoints which surround road access each Palestinian city.

Villages are defined by their agricultural character and can be located anywhere from minutes to hours from the nearest city. Because village residents must regularly commute to cities for health care, universities and work, they are more exposed to the long delays and dangers of passing through the hundreds of Israeli military checkpoints and other obstacles throughout the West Bank. The vast majority of land confiscated by Israel for construction of the more than 100 illegal settlements or the Separation Wall has come from village lands, gravely impacted local agricultural economies.

Finally, refugee camps, though primarily located within cities, are considered distinct population centers due to their social identification as refugees and structural overcrowding that defines the urban camps. Refugee camp residents in the West Bank experience a higher level of unemployment (the three camps in

Nablus have almost double the unemployment rate as the West Bank in general) and tend to be more politicized due to their specific set of demands of return to their family lands and thus have been more targeted by Israeli military operations.

The vast majority (95%) of An Najah students hail from the Northern West Bank, where the Separation Wall was first constructed and the most radical settlements continue to expand. According to the 2011 survey results, 25% of An Najah students reported living in an area directly abutting an Israeli settlement while 17% live next to the Separation Wall. Proximity to settlements and the Wall means that these students are subjected to increased military inspections and violence by settlers and soldiers alike. Fifteen percent of students living next to settlements indicated having had their property, including family lands damaged by settlers in comparison with only 3% of those students who do not live near settlements. Additionally, students who live near settlements are three times as likely as their peers to report being the victims of physical violence by settlers and twice as likely to suffer physical abuse by the Israeli army, who are sent to Palestinian village to “protect” settlers even as they attack the local residents.

The volatile nature of refugee camps during times of escalated conflict and the general economic deprivation endemic to the camps contribute to the higher risk of human rights violations that students from the camps face compared to their peers. While only 2% of An Najah students reported living in a refugee camp in the 2011 survey, their responses in the survey indicate that they have been subjected to disproportionately intense levels of violence and repression especially during their high school years. According to the 2011 survey, while in secondary school, students from camps were almost three times as likely to have had a family

member that was either killed or arrested than students from cities or villages. Students from camps are nearly six times more likely to have missed some secondary school due to arrest, with 9.1% of students from camps reporting being detained as a child in comparison to 1.6% from cities and 2.7% from villages.

Students from outside of Nablus who must commute from their home to the university are much more likely to report mobility problems due to Israeli military obstacles and inspection. As previously noted, the 2011 survey revealed that students who regularly pass through checkpoints—the vast majority from outside Nablus—are twice as likely to suffer abuse by the Israeli military, including physical and verbal attacks and damage or theft of property. According to the 2009 data, of the students from Nablus, 15% reported abuse at a checkpoint, while significantly more students from all other geographical areas reported such abuse, including 67% of students living in villages near the Wall and 41% of students from other cities in the northern West Bank.

Because of the dangers and grueling travel delays imposed on students living outside of Nablus, close to half these students—39%—reported being forced to take on the financial burden of leaving their family home to rent a room near the university. Even for those who did not find student housing in Nablus, mobility restrictions affected their education beyond time delays or abuse with 22% of 2009 survey students reporting that mobility restrictions affected their choice of university.

Though students tend to have suffered distinct human rights violations depending on where they live, they have unified opinions about the threats the illegal Israeli settlement enterprise poses for Palestine. Settlements, for example, are an issue that only

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directly affects a relatively small percentage of the students with 21% living near a settlement and 1.5% having experienced physical abuse by settlers. However, the vast majority of the students view settlements as a significant dilemma, not only to individual Palestinian families, but to Palestine in general. When asked how likely it was that continued growth of settlements would result in loss of family lands 74% of students from villages and 65% of students from cities and indicated that it is likely or very likely. When asked how likely it is that the continued growth of settlements would frustrate the establishment of a Palestinians state, 86% of students from villages, 84% of students from cities and 95% of students from camps indicated that it is likely or very likely to happen.

Gendered Violations and Abuse

Students face human rights abuses and challenges both at the structural and personal level. As described above, the severe economic hardships brought about by occupation policies in the last decade and the violence and land loss inherent in the construction of the Separation Wall and continued settlement growth all have an impact on the lives of the students at An Najah. Another factor the surveys have taken into consideration is the role that gender plays in students' exposure and reaction to human rights abuses. Unsurprisingly, certain human rights violations or experiences with violence occur in near equal levels amongst all students regardless of their gender, such as military raids on the family home, suffering prolonged water shortages and witnessing the arrest of a family member. Nonetheless, the surveys also indicate areas in which there are stark differences between male and female experiences.

In all three surveys male students are over-

whelmingly the most direct victims of a variety of human rights abuses involving violence, threats and intimidation. The 2007 survey reveals disturbingly high levels of physical violence by Israeli soldiers against students of both genders, with male students being particularly targeted. That year 41% of female students surveyed reported being physically abused at checkpoints, with almost double that amount, 79% of males reporting the same. Similarly, 62% of female students reported being detained at a checkpoint in comparison to 82% of male students. Two years later in 2009, with checkpoints less of a daily experience, 73% of male students and 27% of female students reported property damage and physical and verbal abuse at checkpoints.

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The 2011 survey revealed an overall decrease in direct abuses against students, but still showed that male students are disproportionately affected. In response to questions posed to students about Israeli military abuses, 14% of male students and 2% of female students reported being physically assaulted by Israeli soldiers, 24% of male students and 11% of female students reported having property confiscated or damaged by soldiers, and 25% of male students and 6% of female students reported being verbally threatened by soldiers. In terms of settler violence, four times more male students reported being physically assaulted by Israeli settlers and more than three times more male students reported settlers stealing or damaging their property. The largest divergence in experiences between male and female students was in response to a question about detention or arrest in the last three years, with 14% of male students answering affirmatively in comparison to 1% of female students. Similarly, 10% of male students and 4% of female students reported having a travel ban imposed on them, mean-

ing that they are not allowed to leave the West Bank to travel abroad.

Another noteworthy gender divide on the 2011 survey is in regards to the students' future plans. The increased levels of violence that male students have suffered, color their expectations for the future. Forty-three percent of male students considered it likely or very likely that they will be arrested in the future compared to 9% of women, and 43% of men considered it likely or very likely that they will be a victim of violence compared to 27% of women.

Each of the three surveys has consistently indicated high rates of human rights abuses amongst the male university population. However, this difference does not necessarily signify that men experience more human right abuses in general, but rather that they are affected in a more direct, and thus more easily measurable way. While these surveys focused quantifiable incidents of violence and economic hardship related to or caused by the occupation, they did not address factors such as social constraints, in which females are likely to be more significantly affected.

One of the 2011 survey questions aimed at an anecdotal comparison of students' hopes and expectations for the future, revealed an important gender divide. While both male and female students are almost equal in believing that it will be "very unlikely" that they find good work in Palestine, with 48% and 50% respectively, female students are noticeably more pessimistic about their professional and academic opportunities. When asked what they hope to do and what they expect to do in the future, women were three times more likely than men to indicate that they would like to continue studying or enter the work force, but realistically thought that they would get married and start a family instead.

In addition to topical issues not covered by the surveys, the survey pool is limited in its ability to accurately demonstrate female students' ability to attend university as it includes only students who are already

attending university and does not measure females who are being kept out of university for various gender related reasons. However, while there are undoubtedly reports of female students being forbidden from enrolling in university due their family's fear of human rights violations or of the students traveling alone, it is not a widespread trend in the West Bank as females make up 55% of the total university student population in the West Bank.

Conclusion

The analysis of the 2011 Right to Education survey at An Najah National University in combination with analysis from the two previous surveys, aims to measure both the current experiences of students at An Najah and trends that have developed over the preceding four years. While checkpoints are still of concern to the student population, they have become a less common experience than they were in 2007, crossing checkpoints continues to put students at higher risk for abuse by the Israeli army. The slow growing economy is becoming an increasingly significant concern for Palestinian students who, in addition to having problems paying for university, indicated that they fear that finding work after graduation will be near impossible. Students are also exposed to different risks based upon where they are from, including students from camps having increased violations during secondary school, students living in proximity to settlements being prone to settler and army violence, and students from outside the city of Nablus being more likely to experience mobility restrictions and abuse at checkpoints. Students are also divided along gender lines with male students being more commonly subject to direct abuse, while female students are challenged by a combination of direct effects from the occupation as well as social constraints.