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Submission of NGO Monitor to the 74th Session of the Committee on Economic, Social and Cultural Rights for the Consideration of the Periodic Report of the “State of Palestine”

NGO Monitor, a project of the Institute for NGO Research, an organization in Special Consultative Status with UN ECOSOC since 2013, respectfully submits the following information to the Committee on Economic, Social and Cultural Rights (Committee) in advance of the consideration of the periodic report of the “State of Palestine” and its compliance with the International Convention on Economic Social and Cultural Rights (ICESCR). We hope that this submission will aid the Committee in its review and in the preparation of its report.

Introduction

This submission focuses on the rampant campaign of antisemitic and anti-Israel incitement within the Palestinian Authority (PA), violating the PA’s obligations under the ICESCR. This campaign of incitement is endemic throughout Palestinian society and is especially aimed at inculcating hatred within many generations of Palestinian children. Palestinian incitement undergirds the ongoing armed conflict with Israel and is responsible for countless deaths of both Palestinians and Israelis. It also underlies the extensive recruitment and use of Palestinian children as combatants. Any review of the PA’s compliance with the ICESCR must address this issue in depth. Failure to do so will represent a significant lapse in evaluating the PA’s adherence to and compliance with the Convention.

We also call the Committee’s attention to the PA’s political warfare campaign against Israel that prioritizes zero-sum campaigns to demonize Israel at the expense of improving the lives of the Palestinian people – notably in the realms of health, economics, and water. The on-going political infighting between the PA and Hamas has also resulted in human rights violations by both the PA and Hamas against Palestinians primarily in Gaza in violation of the ICESCR.

We are also highly disturbed that the PA’s report to the Committee and claims made by NGOs that have participated in this and other treaty body reviews of “State of Palestine” appear to use the ongoing armed conflict with Israel and control of Gaza by Hamas to excuse or diminish the PA’s obligations under the ICESCR. The PA’s obligations to uphold the ICESCR do not cease in the context of armed conflict or situations of occupation.

More than 95% of the Palestinian population falls under the control of the Palestinian Authority and the PA has jurisdiction and control over many aspects of life for Palestinians living in Jerusalem and Area C of the West Bank. In Area C, for instance, the PA retains jurisdiction and control over education, health, non-security related criminal offenses, and other matters pertaining to the daily life and human rights of

Palestinians living in those areas. This jurisdiction and responsibility also includes Gaza. It is important, therefore, that the Committee does not give the PA a pass on compliance with its obligations under the ICESCR while shifting blame onto others. The Committee is tasked with upholding human rights as specified by the ICESCR. The PA purports to be a state, even though it does not meet the legal criteria for statehood, and it acceded to the ICESCR, despite the manipulation of established treaty rules to do so. The PA is therefore bound by its choices and the Committee must not indulge excuses by the PA for noncompliance.

The ICESCR Mandates Respect for the Rights of Self-Determination and Explicitly Prohibits Discrimination and Incitement Campaigns Based on Religion or National Origin

According to the ICESCR, “State of Palestine” is required to respect and honor the right to self-determination of all peoples (Art. 1); eliminate all forms of discrimination (Art. 2); equal right of men and women to the enjoyment of all economic, social and cultural rights (Art. 3); allow for the special protection for the rights of children (Art. 10); and promote and protect the highest standards of physical health including protection of the environment and the prevention and amelioration of pollution (Art. 12).

The “State of Palestine” has extensively violated all of these provisions.

Article 2: guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind

The Palestinian Authority Promotes Incitement and Violence against Jews and Israelis

Despite the clear obligations mandated by the ICESCR, the PA systematically promotes hatred and violent incitement against Jews and Israelis. Much of this campaign is aimed at poisoning the minds of children by inculcating antisemitic hatred. The PA floods Palestinian society with racist and antisemitic messages, encouraging participation in violence, and heroicizing those who engage in antisemitism and extreme violence. The campaign of discrimination and incitement begins from birth and continues throughout the entire life of a Palestinian. It takes place through state media, schools (including those run by UNRWA), youth groups and centers, sporting and cultural events, unions, and civil society programming in both the West Bank and Gaza. Denial of Jewish history and self-determination coupled with destruction of Jewish cultural property is also a central component of PA antisemitism and incitement. The many aspects of this campaign has been documented by NGOs, governments, and international institutions.

Remarks by PA Minister Jibril Rajoub and President of the Palestine Olympic Committee and of the Higher Council for Youth and Sports at the March 2022 Opening Ceremony of the Bethlehem Marathon provides a disturbing example. On stage, while standing next to senior European diplomats, Rajoub [stated](#) that “The international law must be enforced against the ugly face of Naziism, meaning Zionism.

They are the new Nazis that are trying to eliminate the Palestinian people. The time to banish them or resist them has come.”

Additionally, the PA does nothing to prevent incitement campaigns and recruitment and use by Hamas, Islamic Jihad, PFLP, and other Palestinian armed groups. Failure to prevent these activities is a violation of the PA’s legal obligations, For instance, in the Concluding Observations to the [2019 CERD review of Palestine](#), the Committee expressed concern over “the existence of hate speech, in particular hate speech directed against Israelis, which at times fuels anti-Semitism towards this group, in certain media outlets, in particular those controlled by Hamas, as well as on social media, in public officials’ statements and in school curricula and textbooks, which also fuels hatred and may incite violence.”

Contrary to these recommendations, the PA, Fatah, Hamas, and other armed factions routinize the grooming of children as combatants in the Palestinian war against Israel and Jews. They have enacted a widespread and systematic program of violent and antisemitic incitement. Children are encouraged by cuddly animals on PA and Hamas TV to kill Jews. Fatah publishes manuals for kids on how best to kill with stones and knives.

Recreation centers and sports tournaments are named after terrorists, including minors who carry out violent actions. UNRWA schools teach antisemitism, hate, and glorify Palestinian killers and the elimination of Israel. Kids are encouraged to skip school to participate in violent riots, slingshot rocks at passing cars, and even to stab children and mothers to death in their homes.

For instance, in April 2022, the PA [inaugurated a garden at the Al-Adawiya High School for Girls in Tulkarem](#) in “honor” of the “freedom tunnel prisoners,” six prisoners who were convicted for planning and carrying out numerous terror attacks, including suicide bombings and shooting attacks on civilians. Additionally, on March 18, 2019, on the official PA TV station, a Fatah official referred to two murderers who killed four Israelis as “[the role models for the children](#).”

Palestinian Terrorism

The majority of submissions to the Committee undo this fundamental right as it is applied to Israelis by completely erasing the context of Palestinian terrorism and the ongoing attacks against Israel’s civilian population. Hamas, the Popular Front for the Liberation of Palestine (PFLP), Islamic Jihad, and other terror groups that subject Israeli population centers to suicide bombs, kidnappings, continual rocket and mortar attacks, shooting attacks, stabbings, fire bombs, fire kites, intentional burning of agricultural land, and thousands of tires to destroy the environment.

The [ruling party Fatah](#) and its [armed militia](#) are also involved in such attacks. Moreover, official PA media in both the West Bank and Gaza repeatedly incite and praise such attacks. For example, in February 2023, Fatah [published a video](#) bragging about the number of terror attacks carried out. Referring to the murder of two Israeli civilians, the video praises the killing of the brothers who were

shot in the head, proclaiming that it “teaches us that continuing the path and keeping its spark burning will be carried out by blasting bullets into heads, and not by blasting words and grinding out chatter.” Additionally, in April 2023, official PA TV held a [special event](#) glorifying a terrorist who murdered 14 civilians, including a baby in Netanya, 3 people at a restaurant in Tel Aviv, and 6 people at a Bat Mitzvah in Hadera.

In 2022, there were [more than 2,500 terror attacks](#) documented by the Israeli security services. In one week alone, eleven civilians were murdered in three terrorist attacks. On March 22, a [terrorist drove his car into a cyclist](#), killing him, then stabbed 3 people to death outside a shopping center. Five days later, 2 terrorists killed 2 police officers in Hadera, after opening fire on them at a bus stop. ISIS reportedly said that it was [behind the assault](#). Two days later, 5 people were killed and 10 were wounded in a [shooting attack in Bnei Brak](#).

This wave of Palestinian terrorism continued in 2023. In January, 7 people were shot and murdered while leaving a synagogue after attending Shabbat services. Seven civilians were killed in shooting attacks and a car ramming in February. In April 2023, a mother and two of her daughters were murdered execution-style in the West Bank by Palestinian terrorists. During the five-day conflict in May 2023, Palestinian terror groups [fired over a thousand rockets](#) – each one a war crime – at Israeli population centers, including salvos of hundreds of rockets simultaneously at Tel Aviv.

In April-May 2021, in addition to the thousands of rockets launched on Israeli cities, rioting incited by Hamas led to attacks on Jews in “mixed cities” in Israel and on roadways in the Negev and Galilee. In Jerusalem, this incitement led to attacks on Orthodox Jews that were filmed and posted on TikTok. On the Jewish holiday of Shavuot, Palestinian rioters attacked a Chabad house with dozens of worshippers inside conducting prayers, and bombed a home in the West Jerusalem neighborhood of Abu Tor. A second bomb that failed to detonate was found in the yard of the house. Bombing of homes in the neighborhood continues to today.

Pay to Slay

Despite the clear obligations mandated by various international agreements and human rights conventions, the PA has routinely ignored the protection of children. Not only does the PA fail to protect its children from incitement, it has fully adopted and implemented a program specifically targeting them, flooding them with racist and antisemitic messages, encouraging children to participate in violence, and heroicizing those who engage in antisemitism and extreme violence. This program strongly emphasizes the commission of hate-based violence against Jewish civilians.

Instead of prioritizing social programs and economic development, the PA rewards and encourages this violence, spending more than [\\$350 million a year](#) incentivizing murder. This “pay to slay” policy – enabled by funds from the UN, EU, and many governments – rewards those who commit violence

(including children) with cash payments. The greater the crime and the more victims injured or killed, the more money received. This campaign targeting children begins from birth and continues throughout childhood and the teenage years. It takes place through state media, schools (including those run by UNRWA), youth groups and centers, and sporting and cultural events in both the West Bank and Gaza. Many Palestinian NGOs and officials that claim to promote children's rights are not only silent about these atrocities, but are even affiliated with armed groups that recruit and use children to commit acts of violence.

Article 3: Equal right of men and women to the enjoyment of all economic, social and cultural rights

PA Prevention to the Development and Advancement of Women

Palestinian women and their interest groups operate in a precarious space within larger Palestinian society. Pervasive and discriminatory patriarchal cultural traditions not only make gender equality a difficult issue to broach in society, but also permeate all aspects of life for women. This sentiment is echoed by a [UN Women study](#) in which the authors note, "The challenges and rights violations facing women and girls in the Arab region are many, including low political and economic participation, violence and discrimination grounded in deep-rooted inequalities and established systems of patriarchy."

Personal status laws in the "State of Palestine" discriminate against women in matters of marriage, divorce, child custody, and inheritance. Repressive cultural practices such as child marriage, female genital mutilation, polygamy, and "honor" crimes are endemic. Coupled with unsatisfactory educational and employment opportunities, the laws and customs create an environment where there is both entrenched de jure and de facto discrimination.

For example, the PA states that marriage and divorce documents must be registered with the sharia courts. As admitted, these courts are dictated by men, giving little to no voice of women in their own material matters. For instance, noting the discrimination between men and women, the PA [explains](#) in a submission to the UN Committee on the Elimination of Discrimination against Women that "a marriage contract for a virgin daughter requires the approval of a guardian, who is always a male. Males do not need the approval of a guardian." The minimum age for marriage in the West Bank and Gaza can be overruled by a judge, allowing girls as young as nine years of age to be wed if "she is ruled to be sufficiently mature and her physical constitution is equal to it."

In addition to legal and cultural discrimination, the PA exploits women and girls to carry out and incite acts of terrorism against civilians. The PA promotes female terrorists as national role models for young girls, enabling a culture of violence. The PA also supports so-called "civil" society organizations that promote the exploitation of women for nationalism and violence, denying women the ability to access legitimate organizations that might aid them in achieving equality and prosperity. As well as failing to

promote peace, the PA's promotion of terrorists as role models effectively prevents young women from developing and advancing in society.

For example, in May 2017, the Women's Affairs Technical Committee (WATC) inaugurated a center for Palestinian girls, [naming it for Dalal Mughrabi](#). In 1978, Mughrabi was part of a terror cell that [murdered 38 Israeli civilians](#) - including 13 children in what would come to be known as the "Coastal Road Massacre." When the Norwegian government – whose taxpayers had paid for the center through funding to UN Women – discovered the incident, it [demanded](#) that its logo be removed from the building and for its funding to be returned.

The PA's personal status laws, exploitation of women and girls to promote terrorism and hatred, radicalization in the educational system, and denial of reproductive freedom represent widespread and systematic violations by the PA. Furthermore, the PA's regular blaming of Israel for all issues related to women's rights, including in areas where Israel has no jurisdiction or influence, clearly demonstrates the PA's attempt to shirk its responsibilities and obligations under various treaty bodies.

Article 10: Special measures of protection and assistance should be taken on behalf of all children and young persons

The PA Promotes the Recruitment and Use of Children for Antisemitic Violence

While the PA's international legal obligations explicitly forbid the recruitment and use of child soldiers, the recruitment and use of Palestinian children sanctioned by the PA and Palestinian armed groups is endemic.

The ruling Fatah party's Tanzim and the Al-Aqsa Martyrs' Brigades recruit and use children as combatants. Many other organizations in and members of the PA, the Palestinian Legislative Council, and the Palestine Liberation Organization are part of the Palestinian terror infrastructure including Hamas, the Popular Front for the Liberation of Palestine (PFLP), and the DFLP. The PA routinely allows armed groups to recruit on school campuses under the guise of carrying out "social programs." Such activity allows vulnerable children to be in contact with violent actors, placing them at risk for recruitment.

In the Concluding Observations of the [2020 CRC review of "Palestine,"](#) the Committee explicitly criticized the PA for "recruitment and use of children in hostilities by non-State armed groups operating from the territory of the State party."

In summer 2022, Fatah's Central Hebron branch held the "[Buds of Construction and Liberation](#)" summer camp where hundreds of Palestinian children as young as seven were taught to handle automatic weapons and to celebrate the murderers of Israeli Jews. [Photos](#) posted on social media show hundreds of children holding Kalashnikov rifles in front of a banner depicting former PLO/PA/Fatah leader Yasser

Arafat, and current PLO/PA/Fatah leader Mahmoud Abbas. A video on the Facebook page of the Fatah Commission of Information and Culture explains that the camp is necessary because “our battle with the sons of dogs [in other words, Jews] is long and we need a young generation.”

For more information regarding 68 Palestinian minors since 2018 who carried out attacks on Israeli civilians and soldiers, as well as those killed in the context of clashes between Palestinians and Israeli security personnel, see NGO Monitor’s database “[Excuse and Disregard: Palestinian NGOs on Teens’ Involvement in Terror Attacks and Violent Clashes.](#)”

Article 12: recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Violations of Right to Health and a Clean Environment

In addition to its on-going campaign of antisemitic and anti-Israel incitement, both the PA and Hamas violate the Palestinian rights to health and the environment under the ICESCR.

The power struggle between the PA and Hamas has directly harmed Gaza’s health infrastructure, leading Palestinians to seek treatment in Israel. For many years, the PA has reduced “essential services” to Gaza leading to a shortage of essential drugs and the delaying of medical referrals and treatment outside Gaza. More than two million Gazans are impacted. The [UN itself admits fighting between Palestinian factions](#) is responsible for Gaza’s health problems in its July 2017 funding appeal: “Delays in the shipment of essential drugs and disposables from the West Bank by the PA’s Ministry of Health (MoH), has resulted in some 37% per cent of essential pharmaceuticals and 32% of medical supplies being at zero stock at Gaza’s Central Drug Store.” This document also notes that it is the PA that has been responsible for permitting delays and not Israel: “The MoH appears to have also recently been delaying or suspending the payment for the referral of patients to medical treatment outside Gaza, as reported by the World Health Organization, with about 1,600 patients currently on a waiting-list at the time this document went to print. This may be resulting in higher mortality rates among waiting patients, including highly vulnerable neonates.” And [the PA’s reduction of support for Gaza](#) has led to severe electricity shortages at Gaza medical centers.

Similarly, Hamas has [consistently](#) stolen humanitarian aid intended for Gaza’s civilian population, including [accusations of theft](#) of [medical supplies](#). Hamas has regularly violated international law by commandeering ambulances and placing military command posts within medical facilities. This abuse directly and adversely affects the quality of health in Gaza. A committed effort on the part of Hamas to use international humanitarian assistance to develop quality medical care for Gaza residents would

remove the need to rely on Israeli facilities. Instead, the terrorist organization has [diverted these resources](#) towards [enhancing](#) its [military capabilities](#).

Hamas and other Palestinian armed groups under Hamas control have also abused medical travel permits to engage in terrorist activity. For instance, in April 2017, two Gazan women were arrested while [attempting to smuggle explosives from Gaza into Israel](#), with the aid of their medical travel permits. This incident represents just [one episode in a long history](#) of attempts by Palestinian terrorist organization to take advantage of Israeli medical permits in order to launch attacks on Israeli citizens.

Claims that the number of Palestinians that crossed into Israel through the Erez crossing represented 1% of the number who had crossed in September 2000. The fact that this stark decrease corresponds to a decade-and-a-half period that saw the Palestinian suicide bombing campaign, Hamas' violent takeover of Gaza, and extensive rocket fire directed at Israeli civilians leading to multiple military conflicts, clearly proves the decisive role that Palestinian violence has played in limiting access to Israeli medical facilities.

The PA's zero-sum approach to its relations with Israel has also intensified during the Covid-19 pandemic endangering the lives of millions of Palestinians. For example, the [PA rejected multiple shipments of medical aid](#) from both Israel and the UAE and even [refused hundreds of thousands of doses](#) of the Pfizer vaccine under spurious claims that the vaccines were expired (after the [Palestinian refusal of the vaccines](#), Israel gave them to South Korea, which gladly accepted them).

The [PA has also rejected water desalinization projects and wastewater treatment infrastructure](#), in order to score political points against Israel rather than serve its own people. Water transcends conflicts and political boundaries, yet, the PA has weaponized these issues in violation of the ICESCR.

Article 15: recognize the right of everyone to take part in cultural life

Destruction of Jewish Cultural Property

As part of its campaign of antisemitism and incitement, the PA fails to safeguard Jewish cultural property and enables its destruction. For example, in April 2022, in the wake of a gun attack by a Palestinian terrorist on patrons at a Tel Aviv bar, killing 3 and wounding dozens, a mob of Palestinians set [Joseph's tomb in Nablus](#) (a revered Jewish cultural shrine) on fire and caused extensive destruction inside the tomb. Two Jewish worshippers who went the next day to try and repair the damage were violently attacked by Palestinians. The tomb is under PA jurisdiction, but the authorities did nothing to stop the attack. This is one of many such examples occurring since the PA's establishment.

Recommendations

This submission has highlighted only a small portion of the extreme campaigns of antisemitic and anti-Israel incitement, violence, and recruitment and use of child combatants actively carried out by the Palestinian Authority and Palestinian armed groups. It also has addressed the PA's weaponization of health and the environment and the failure to combat the commandeering of humanitarian aid by Hamas and other armed groups at the expense of the Palestinian people. Fully documenting these destructive campaigns would require providing thousands upon thousands of pages to the Committee.

Rather than creating a tolerant, liberal, and open society, the PA's campaigns foster hatred, antisemitic discrimination, prolonged armed conflict, and endemic societal violence. These poisonous campaigns are not only a violation of the PA's obligations under the ICESCR but are the primary obstacle to peace with Israel.

We therefore recommend the following:

- The PA must address the antisemitism and anti-Israel incitement. The PA must specify what measures it has adopted to combat campaigns of antisemitism, racial discrimination, and violent incitement by PA officials and Palestinian armed groups, including Hamas.
- The PA must stop promoting violence and hatred in educational programming and other cultural activities for children. The PA must revise its educational materials and curricula to ensure they are not used to promote conflict, violence, incitement, and hatred.
- The PA must document what it is doing to combat the recruitment and use of child soldiers by itself and other Palestinian armed groups.
- The PA must address the "pay to slay" program and the eligibility requirements of this perverse funding.
- The PA must address its policy, as codified in Penal Law No 16 (article 114) of imposing severe punishments ("life imprisonment with hard labor"), on Palestinians who sell property to Jews.
- The PA must specify what steps it is taking to protect Jewish cultural heritage and to preserve Jewish historical sites within PA territory and explain what measures it is taking to end its blocking access to these sites in violation of the Oslo Accords.
- The PA must address its role in the harassment and violence targeting non-Muslims visiting the Plaza of the Temple Mount.
- The Committee must ask the PA what steps it is taking to cooperate with Israel on issues relating to desalinization and the environment.