**The Environment and the Rights of the Child**

The State of Palestine, hereby, submits this response to the letter issued by the Special Rapporteur on Human Rights and the Environment, and in order to provide the answers of the State of Palestine to the questionnaire prepared in the context of the Special Rapporteur’s upcoming thematic report on children’s rights and the environment.

**Q1:**

The amended Basic Law of 2003 states that “a balanced and clean environment is a human right, the preservation and protection of the Palestinian environment for present and future generations is a national responsibility”. With respect to the legislation which provides protection of children’s rights from environmental harm, Article 2 of Law No. 7 of 1999 Concerning the Environment provides that the aim of this law is the protection of health and welfare, which entails the protection of individuals, including children, from any environmental harm.

Consequently, children, or those who represent them, can make a complaint against a cause of an environmental harm according to Article 3 of the said law, which provides that “(a) any individual has the right to submit and follow up a complaint or judicial proceeding without taking any consideration to the private interests of any natural or corporate person who causes damage to the environment; (b) The individual has the right to obtain official data that is necessary to disclose the environmental effects of any industrial, agriculture, or constructional activity or other developmental programs”. Children’s right for protection from environmental harm is inherent in this legislation as stated in Article 5 that “every human being has the right to live in a sound and clean environment as well as to enjoy the highest extent of public health and welfare”.

With respect to the policies and programs in relation to the protection of children’s rights from environmental harm, it is to be noted that the Palestinian strategy of Awareness and Environment Education (2014-2020) focused on providing the awareness of environmental harm and protection. It aims for spreading educational curricula, sustainable and educational methods and activities.

 **Q2:**

* On 1 April 2014, the State of Palestine acceded to seven core human rights treaties, including the Convention on the Rights of the Child. After the accession, The State of Palestine initiated a process on the harmonization of its legislations with the newly acceded to treaties and conventions, including the Convention mentioned above. While laws inherited from different historical phases are in many aspects contradictory to the State of Palestine's international obligations, the laws adopted by the Palestinian Legislative Council aimed at ensuring protection for human rights in domestic legislation;
* The Environment Quality Authority conducted different activities that aim for the protection and promotion of children’s rights and to raise awareness of environmental issues including:
1. Specialized environmental summer camps;
2. Continuous lectures and activities at schools;
3. Fatima Zahra’a campaign against Israeli Geshori industrial park in Tulkarim city; and
4. Environmental tracks.
* After becoming a party of UNFCCC, The State of Palestine has submitted the initial National Communication Report (INCR) and National Adaptation Plan (NAP), which addressed the country’s most vulnerable sectors to climate change, including women and children, and the options of adaptation the country has to develop, in the near future, to tackle climate change;
* Recently, the State of Palestine started a communication with The United Nations Institute for Training and Research (UNITAR) requesting support through **UN CC**: Learn. The aim is to develop a long-term and strategic approach to climate change education that includes designing national strategies, developing learning materials for both formal and non-formal learning contexts, and raising international awareness of the need to integrate of climate change fundamentals into national curriculums;

**Q3:**

The main challenges the government of the State of Palestine is experiencing in the integration of children’s rights protection in environmental related matters include:

* According to the Palestinian Hydrology Group (PHG) survey, more than 20% of all communities reported that at least 1% of the population had water-related health problems. For example, in the State of Palestine, Diarrheal diseases are significant causes of morbidity between infants and children. Forty-four percent of Palestinian children suffer from diarrhea in herder and Bedouin communities in so-called “Area C”. Lack of water and highly saline water can also result in kidney dysfunction or failure; a situation exacerbated by hot weather. Reduced dilution of contaminants in water ingested can have long-term consequences for health, e.g. nitrate concentrations can increase anemia and induce spontaneous abortion;
* The territory of the State of Palestine is subject to a prolonged foreign Israeli occupation, which continues to impose restrictions on the movement of people and goods and restrictions on the access of the Palestinian government to so-called “Areas B and C” and East Jerusalem. Palestinian society, especially the children who live nearby the Israeli industrial parks or settlements and who replaced behind the Wall of annexation and expansion, continue to suffer from, inter alia, the environmental impact of the military occupation and the illegal settlement regime;
* Israel, the occupying power, continues to destroy Palestinian houses and businesses, as well as seizing and denying access to their natural resources. These practices undermine efforts to build a strong economy and achieve fiscal independence and Sustainable Development, which consequently, has a detrimental impact on the governments' ability to secure basic services to the community, especially children, women and elderly people;
* Israel, the occupying power, take actions that directly affect the environmental well-being of the Palestinian people. Such actions include the extensive used of illegal ammunitions and weaponry in the Gaza Strip, the dumping of hazardous waste in the West Bank, the overexploitation of Palestinian resources, including minerals of the Dead Sea, water and other resources that are mainly located within so-called “Area C”;
* Lack of awareness in some sectors of the Palestinian society, especially Bedouin communities residing in so-called “Area C” who are denied access to various basic services.

**Q 4:**

The Environment Quality Authority has conducted different memorandums of understanding (MOU) with various institutions in Palestine for the protection of children’s rights from environmental harm, which forms a part of its regulations. The memorandums include:

* A Memorandum of Understanding with The Palestinian Environmental NGOs Network;
* The Environmental Charter of Honor with the Palestinian NGO’s;
* A Memorandum of Understanding with four Palestinian Universities;

Additionally, the Environment Quality Authority is currently in the process of signing a Memorandum of Understanding with Ministry of Education and Higher education.

**Q5. Please specify, where relevant, any laws or policies referring to the rights of future generations in relation to environmental matters.**

* As mentioned above,according to Article 33 of the Amended Palestinian Basic law of 2003 **“A Clean, balanced environment is a right of human rights and the preservation and protection of the Palestinian environment for generations’ present and future is a national responsibility”.**

 **Strategies:**

* The national strategy of Awareness and Environmental Education (2014-2020) was issued in 2014, with three main strategic goals. The second goal is **“Educational curricula, and sustainable and creative educational methods and activities”;**
* The State of Palestine has launched many projects based on a gender perspective to decrease major diseases related to water and sanitation. However, major issues limiting adaptive capacity are, but not limited to, increase in poverty and unemployment rates; lack of alternative plans for emergencies, including financial shortages, and; insufficient resources to develop the water and sanitation infrastructure, and to expand community-based behavior-centered programs that promote improved hygiene practices at the community and household level.