
# Palestine: Children Laboring

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ZBEIDAT, West Bank—The electricity in the village went out for the third time on a warm July night. But the young men, some in their teens, didn't want to stop playing cards. A few took out their mobile phones to project some light on the patio's low table outside Amjad's house, the regular hangout for a dozen or so of the young men of Zbeidat, a village of 1,870 in the northern West Bank. Three minutes later, the lights flicked back on, illuminating the cards strewn across the table, the young men's grinning faces, and a few additional patio areas outside other Zbeidat homes, where men were drinking tea or coffee and talking. On Amjad's patio, Hamza Zbeidat, a Palestinian from the village, and Christopher Whitman, a New Englander from the United States, were sitting with the guys, some teenagers in high school, others in their twenties and working or in universities.

Hamza, 28, moved to Bethlehem last February after getting married five months earlier, but he sees his family in Zbeidat regularly. Having visited the village dozens of times, Chris, 27, was welcomed as an honorary resident. Both speak Arabic and English, though each is fluent only in his native language. Hamza works for Ma'an Development Center, a Palestinian non-governmental organization, out of its Ramallah office, as did Chris until February. Their development projects and advocacy work have been based in Jordan Valley villages and tied to Zbeidat. Since their reports compare the quality of life and resources available to Jordan Valley Palestinians and Israelis, Chris and Hamza's work has also focused on 31 Israeli settlements in the Jordan Valley, including Argaman, the settlement nearest Zbeidat.

Many of the men and boys in this West Bank village—including some children as young as 13—work on Argaman's farms. They earn below the Israeli minimum wage, receive no social security or health benefits from their Israeli employers, and have no job security. Many are hired on a daily basis by a Palestinian intermediary, a *waseet*, contracted by the Israeli farm owner to recruit Palestinian laborers. Some 500 to 1,000 Palestinian children work on Jordan Valley agricultural settlements, according to Ma'an. The workers, some 10,000 to 20,000 Palestinians, plant, harvest, transport, clean, and package settlement produce for sale mostly in European markets. "The whole point of the agricultural settlement is exports," Chris says. Unlike a *kibbutz*, or cooperatively owned farm, Argaman is a *moshav*, a farming settlement, where settlers own some of the land in common, though most is privately owned.

Under international law, enshrined in Article 32 of the Convention on the Rights of the Child, which Israel has signed, participating nations must "recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development." The convention defines a child as any person under 18. International Labor Organization (ILO) conventions and Israeli and Palestinian child labor laws set the minimum age to work as 15, but for employment considered hazardous to a young person's health or safety, the minimum age is 18.

THE CHILD LABOR ISSUE ENCOMPASSES A HOST OF OTHER PROBLEMS—POVERTY, UNEMPLOYMENT, AND A POOR SCHOOL SYSTEM.

In the Jordan Valley, many child laborers, aged 13 to 17, work before and after school and on breaks, averaging six to seven hours daily. But in Zbeidat and other villages, some leave school before graduating to work full time and help support their families. Few teenagers return to finish their education after starting to work full time. The physically demanding labor puts children at risk of exposure to pesticides, skin cancer from working long hours in the sun, and fatigue, resulting in stunted growth and bodily injury. Moreover, chil-

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dren are not monitored, work long hours, and are doing jobs not suitable for their age nor physical capacities, says Mira Nasser, a child labor program coordinator in the ILO's Jerusalem office. "There are more children dropping out of schools entering the labor market to work," she adds.

Despite the low pay and taxing physical labor, young Palestinians go to work on settlements because there are few other jobs. In the Jericho governorate, which includes Zbeidat, the unemployment rate is among the highest in the West Bank—19 percent. In Zbeidat, at least two generations have worked on Argaman, where labor relations between the earliest Israeli settlers and older Palestinian residents stretch back a generation further. Many Zbeidat men see working on Argaman as a natural progression, following their fathers, uncles, and older brothers to the date orchards and tomato fields.

Chris started researching and reporting on the child labor issue in late 2011, five months after he began working at Ma'an Development Center. When writing advocacy reports that illustrate the hardships of life in the Jordan Valley, he doesn't look for the "best" story or the most exploitative. "I want to have the rule, not the exception," Chris says. According to him, Zbeidat is the rule.

## RULE, NOT EXCEPTION

In Zbeidat, the child labor issue encompasses a host of other problems—poverty, unemployment, and a poor school system. Furthermore, Chris observes, the practice of using children for manual labor is simply wrong. Still, their labor helps fuel the settlement enterprise, which keeps Palestinians of all ages from working their own land, developing sustainable agricultural businesses, and utilizing the Jordan Valley's land and water resources. The cycle of poverty means villagers earn a scant daily wage to survive, but have few opportunities to move beyond their present circumstances or provide a better future for their children.

Indeed children are the ultimate and all too often invisible victims. By age 16, some in Zbeidat don't see the point in finishing high school because regardless of the level of education they attain, they know they will likely end up working in Argaman's farms, like many of their family members and neighbors. "Agriculture is not something that you should be doing when you're 15, 16 years old," Chris says, sitting in a hookah bar near the Ramallah central bus station. "There's no choice in the matter. Kids don't work in settlements because they're like, 'oh, I'm bored, let's go get a job.' They're not doing it so they have [spending money], so they can spend the nights in Ramallah drinking or buying cigarettes. They're doing it to support their families." Taking another puff of flavored tobacco, Chris jots down all the Jordan Valley settlements that he knows employ children: Tomer, Petza'el, Argaman, Yafit, Na'ama, Niran, Gilgal, Netiv Hagedud, Qalia, Beit HaArava, Ro'i.

Though Argaman does not have nearly the number of child laborers as Tomer, Chris says Argaman—the second Israeli settlement built in the Jordan Valley, and the third in the West Bank—has a long history. For Hamza, the Palestinian from Zbeidat, Argaman was where he first learned about settlements, working with his father and brothers as a child. He started going to the farm in the fourth or fifth grade, first asking his father to bring him during school breaks, later doing manual labor like weeding fields and moving large water pipes with sprinklers to irrigate the land. By the eighth or ninth grade, Hamza says, he,

two of his brothers, and another worker were responsible for preparing 50 acres of land for cultivation. The children worked before and after school. Hamza could have become a *waseet* as he got older, but he got a job with Ma'an in 2012, around the time one of his family members, now 19, dropped out of school to work full-time on an Argaman farm. Hamza speaks humbly about his opportunity. "The only thing I have is my experience in the region and my information about the Jordan Valley," he says.

## GOOD NEIGHBORS

Located in the northeastern Jordan Valley, Zbeidat sits just off Israel's longest road, Highway 90, which runs north to south through the West Bank. The village is surrounded by land designated as Area C, under Israeli control. In the summer, Zbeidat children play outside their homes, kicking a soccer ball in dusty side streets and in one of the few empty lots in the late afternoon and evenings. Groups of older men sit nearby in plastic deck chairs, with seats that have been repaired with wire, staples, or string.

Most of the people living here have the same surname—Zbeidat—including Hamza and his family. Their ancestors, a Bedouin tribe of Palestinian refugees displaced in 1948 from Be'er Sheva, located in central Israel, founded the village. In 1962, Jordan agreed to allow Zbeidat residents to continue leasing village land for five years, according to a Ma'an report. After that period, the residents would own the land. But after the 1967 Six Day War, when Israel gained control of the West Bank, Zbeidat's future was altered. Israel appropriated some 990 acres of village land. In 1968, part of that land was used to establish the Israeli settlement of Argaman, originally as a military camp.

One of the original Argaman settlers, David Levy owns a date orchard on 14 acres, down the hill from the settlement, and a short drive from Zbeidat. In a roadside restaurant nearby, Levy describes the history of Argaman, and the long-standing, good relations between Argaman and Zbeidat residents. He employs seven to 10 Palestinians, none under 18, to work his land during the harvest season. Some 20 Argaman farmers employ Palestinian workers, he adds.

After an hour, Levy drives up the hill in his SUV, past the settlement gate, waving to the soldier in the guard post, and into Argaman. It's mid-afternoon on a bright August day, and the streets are empty, the playground void of children, only a few people clustering around the gated, outdoor swimming pool. Walking through the settlement, the buildings and the streets seem sterile. Up a path, past a neat row of homes with a dog tied up outside, from a vantage point atop a lookout post, it's possible to see past a dirt road and barbed wire fence, down onto Zbeidat. The mosque in the center of the village protrudes into the landscape, with the homes of Hamza's family and neighbors packed in tight.

In Zbeidat, late one evening, Chris and Hamza are sitting on the tile floor in Amjad's living room. The television is still on when some of the young men who work in Argaman arrive. One of them, asked if he had ever been injured while working in the fields of the settlement, pulls up his T-shirt sleeve to reveal a three-inch long scar beginning in his left armpit and stretching to the top corner of his left shoulder. When he was 11 or 12, he began working with his father in Argaman. The accident happened when he was 14. He fell under the farm tractor he was riding, injuring his shoulder severely. After surgery and three

days recovering in a Jerusalem hospital, he and his family received no compensation from his Israeli employer. In fact, his parents didn't even bother to tell the farm owner what happened, knowing Palestinian laborers do not have health insurance or benefits. His father, who is also his *waseet*, paid his hospital bills. Today, 10 years later, he earns less than $3 per hour, or half the Israeli minimum wage, working seven hours a day, four days a week, picking grapes and peppers, along with other farm tasks. The other three days of the week, he studies physical education at Al Quds Open University. He has two more years until he graduates, when he hopes to get a better job as a physical education teacher. But if he can't find a job in Zbeidat or a larger city, he will continue working in Argaman.

## IN THE FAMILY

The scenery along Route 90 from Jericho north to Zbeidat is like an impressionist painting of faded yellows, browns, and grays, interrupted only by another occasional car, winding and dipping along mountain roads. Low desert shrubs, tufts of greenery, and goat and sheep pens made of corrugated metal and other scrap dot the landscape, marking the homes of Bedouin shepherds and their families. Despite the arid appearance at first glance, the region has fertile land and plentiful water resources, as seen by the large swaths of date palms and other cultivated tracts, some situated along the Jordan River.

In Zbeidat, two cousins, age 16 and 17, work together on Argaman. The younger boy's father is their *waseet*. The older one left school when he was 16 to work full-time on the settlement. He had moved in with his uncle's family after his father died. "If there was something else, I would do it, but there's nothing else," he says, smoking a cigarette between short replies. His younger cousin is still in school, but the 16-year-old works on the settlement everyday, from 2 p.m. until dusk. "Yes, it's hard, but this is the life. I have to do it," the younger boy shrugs. His family includes his parents, seven brothers, and cousins. All of the men work on Argaman.

WHEN THE *WASEET* REFUSES TO RECRUIT CHILDREN LOOKING FOR SETTLEMENT WORK, THE CHILDREN SIMPLY SEEK ANOTHER LABOR CONTRACTOR WHO IS WILLING TO HIRE THEM.

Hamza has at least three family members living in Zbeidat who work as *waseets* in Argaman. The eldest, 52, has worked with five different settlers in the past 30 years, recruiting workers and purchasing farm supplies. He started working on the settlement when he was 15 and became a *waseet* about five years after that. The congenial man, with graying hair and a trimmed beard, occasionally hires children, some five percent of his work force. He brought his sons to work with him when they were still in school. "I'm not a doctor. I'm not a professor. I'm a farmer," the *waseet* says.

Another member of Hamza's family has worked with the same settler for 15 years—since he was 14. He recognizes that the work is exploitative, which is why the *waseet* refuses to hire children. Still, he had dropped out of school to work on Argaman. "He is trying to tell the kids to go back to school," Hamza says, translating for his relative. But when the *waseet* refuses

to recruit children looking for settlement work, the children simply seek another labor contractor who is willing to hire them. Some teenagers are the sole breadwinners of their families, especially if their fathers are disabled or beyond the age to work in a physically demanding job, Chris says.

In Hamza's relatives' home, visitors sleep in the front room on twin-sized mattresses under thick blankets while the air conditioner is turned up high. The largest wall features a scenic painting of a Bedouin village done by a family friend. Another wall displays a framed childhood photograph of Hamza's 19-year-old relative, who sleeps in the room under his picture. He works on Argaman and is gone by 6 a.m.

## OFFICIAL RESPONSE

While Ma'an has produced two documentaries on child labor on settlements, few other organizations have reported on the issue. Government officials—Palestinian and Israeli—have been slow to respond to this exploitation that is already decades old. In recent years, however, some Palestinian officials have taken small steps. Amjad Jaber, director of the Palestinian Ministry of Labor's Jericho office, says his staff has worked with Palestinian police to prosecute five child labor cases related to work on settlements since February 2013. But there is little political will outside the Jericho governorate to pursue arrests of *waseets*, Jaber says. The government mainly brings charges for child trafficking when *waseets* are caught transporting minors through Jericho, after recruiting them from nearby Nablus or Tubas to work on Jordan Valley settlement farms.

Palestinian police and courts have no jurisdiction over settlements, which makes it difficult to prosecute Israelis who employ children, according to Palestinian attorney Khaled Quzmar, a legal consultant for the child rights group Defense for Children International-Palestine. "When a Palestinian child goes to work on Israeli settlements, we don't have control," Quzmar says. In 1995, Israel and the Palestinian Authority signed the Oslo Accords, which established administrative zones in the West Bank—Areas A, B, and C—and Israeli civil and military jurisdiction over Area C, about 60 percent of the West Bank, where Israeli settlements are located. Palestinians can prosecute *waseets* for child trafficking if they are traveling through Areas A or B, where the Palestinian Authority has complete or partial jurisdiction.

THE ISRAELI GOVERNMENT MUST ENFORCE ITS OWN LABOR LAWS ON TERRITORY IT SAYS IS UNDER ITS JURISDICTION.

In 2007, Israel's High Court of Justice ruled that Israeli labor laws must be equally applied to Palestinians working for Israeli employers in the West Bank. Quzmar, the attorney who helped draft the Palestinian Authority's child labor laws, reiterated the high court and stated Israeli law must provide Palestinian children equal protection.

But Israeli government oversight of settlement work conditions and enforcement of labor laws "remain largely absent," according to a 2013 ILO report on the situation of workers in the West Bank and Gaza Strip. "[Israel] ratified ILO conventions, including child labor-related conventions," says Rasha El-Shurafa, an ILO program officer in Jerusalem. "The responsibility falls to Israel's authorities to address this issue."

In response to questions submitted to the Israeli Ministry of Economy, Avner Amrani, senior research director in the labor relations division, says the ministry has received no complaints related to Palestinian children working in settlements. He adds that labor oversight in the West Bank is "less proactive," and labor inspectors investigate when violations are reported.

"As of today, the Youth Labor Law does not apply to the Judea and Samaria region [the West Bank]," Amrani replies. Jordanian labor law, as part of the legal system in the region that predates the 1967 war, is applicable in territory controlled by the Israel Defense Forces, he says. However, following the conclusion of work by a government team, including representatives of the Ministry of Justice, Ministry of Economy, and the legal counsel of the Judea and Samaria region, tasked with examining the application of Israeli labor laws in West Bank settlements, Israel's youth labor law will be implemented and enforced, including Israeli employment of Palestinians. Currently, Israel's minimum wage law, women's labor law, and the foreign workers law apply in the region, but the youth labor law has yet to be implemented through Israel's defense legislation.

Deep in Argaman farmland, between greenhouses and fields, behind rows of date palms, and inside a produce packaging house, one of Hamza's relatives is working. This young man had dropped out of high school in the 10th grade, against his parents' wishes, to work on Argaman. He wears a sleeveless, white tank shirt, gray track pants, and the thin, wispy moustache of an adolescent. Six days a week he picks, cleans, and sorts dates, while also recruiting Palestinian workers—including some a few years younger than he. He earns less than $700 a month. "The money is not enough even for food for a family," he says. "The people [in Zbeidat] are good, but the life is bad." The 19-year-old, who started working as a child, can't leave the packaging house for long, nor leave the settlement now. He probably never will.

## GOING FORWARD

To start addressing the issue of child labor in settlements, the governments of Israel, Palestine, the United States, and the European Union, as well as international stakeholders, including private companies, philanthropies, and consumers can all play a role. On a large scale, diplomatic negotiations bringing an end to the Israeli-Palestinian confrontation could begin a new promise of peace, security, and economic development. Expanding Palestinian businesses, foreign investment, and trade would improve the financial circumstances of Palestinian parents who today have few alternatives but to send their children to work on settlements.

Jordan Valley settlements produce agricultural goods valued at some $143 million annually, according to the Jordan Valley Regional Council. At the same time, the Palestinian Authority is dependent on American and European foreign aid to keep the government running and develop and maintain infrastructure, including roads and schools. The World Bank reported in 2013 that Palestinians' lack of access to West Bank land has cost $3.4 billion to the Palestinian economy. Palestinian agricultural development in the region could help improve the Palestinian Authority's fiscal problems.

But barring a long-sought solution to the conflict, at a minimum, the Israeli government must enforce its own labor laws on territory it says is under its jurisdiction. This means prosecuting Israelis who illegally employ children, do not offer workers

minimum wages and social benefits, and fail to adhere to safety protocols required by law, including medical examinations for children. Moreover, if Israelis paid a wage allowing adults to support large families (the average Zbeidat family includes seven people, according to Ma'an), the economic necessity to send children to work in the settlements would be reduced. Further, Israel's Ministry of Economy must proactively inspect agricultural settlements for labor violations, especially the grossest violations that involve child laborers.

The Ministry of Economy expects the work of the inter-ministerial team to conclude by August 2014. When the youth labor law is implemented in the West Bank, the ministry says its inspectors will act in response to complaints from employees, employers, and on the inspector's initiative. Laws will be enforced in the Jordan Valley in accordance with Israel's labor regulations, and "as frequently as they are enforced in the rest of the State of Israel." But inspectors will only be able to prosecute Israeli employers for violations, not Palestinian contractors.

For its part, the Palestinian Authority must do more to prosecute *waseets* who recruit children in Areas A and B to work on settlements, and work with nongovernmental organizations and donor nations to offer alternative work programs to youths and adults that help build the Palestinian economy and provide stable income for families. Public advocacy campaigns can also help communicate the hazards of settlement work to children's health, safety, and development.

Still, Palestinian settlement workers whose rights are violated cannot easily access the Israeli legal system. "Palestinian lawyers cannot appear in front of Israeli courts," says El-Shurafa, the ILO program officer in Jerusalem. "If there is a case of child labor, there is no system to take up these matters." But the ILO and non-governmental organizations can help Palestinian workers, including children, by building the capacity of Palestinian unions to educate workers on their rights under international and Israeli laws. They can also help fund attorneys with Israeli citizenship to represent Palestinian workers seeking remedies in Israeli courts. This may help deter future abuses by employers.

At the same time, boycotts and pressure against private companies and consumers can effectively rally against abuses, particularly child labor violations, by refusing to do business with Israeli companies operating east of the Green Line in the West Bank. Governments, companies, and individuals must start by stopping the purchase of settlement produce planted, picked, and packaged for sale, in part, by Palestinian children. These minors deserve a present and future free of work that perpetuates their society's marginalization and generation's economic disenfranchisement. They have a right to enjoy their childhood. ●