**The 2016 Palestinian Juvenile Protection Law**

**A Quest for Further Reform**

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**Introduction**

The State of Palestine became party to the International Convention on the Rights of the Child of 20 November 1989 (CRC)[[1]](#footnote-1) on 2 April 2014.[[2]](#footnote-2) Less than two years later, on 4 February 2016, President Mahmoud Abbas enacted Decree-Law No. 4 Concerning Juvenile Protection (hereinafter "Juvenile Protection Law" or "the Law"),[[3]](#footnote-3) which set forth the rights of children in conflict with the law and reformed the entire child justice system.[[4]](#footnote-4) The Law incorporated the international standards relating to children as enshrined in the CRC and other soft law rules. The question remains: would the legal texts, as manifested by the accession to the Convention and by the aforesaid Law, be materialized at the institutional and practical levels?

The number of children in conflict with the law is on the rise.[[5]](#footnote-5) While the number of children who broke the law in the West Bank was 637 in 2005,[[6]](#footnote-6) it increased into 2,457 in 2014.[[7]](#footnote-7) Yet no concrete effort has been undertaken to systematically resolve the issue of such children, despite the progress made at the global level and in certain states in the Middle East,[[8]](#footnote-8) and the significant developments of the Palestinian legal

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   1577 *United Nations Treaty Series* (UNTS) 3, entered into force 2 September 1990. [↑](#footnote-ref-1)
2. Spokesperson for the UN High Commissioner for Human Rights, *Press Briefing Notes on Palestine* (Geneva, 2 May 2014). [↑](#footnote-ref-2)
3. Palestine Gazette, No. 118, 28 February 2016, p. 7. [↑](#footnote-ref-3)
4. The Law came into force, in accordance with its Article 68, on 29 March 2016. [↑](#footnote-ref-4)
5. This study relates to juvenile justice in the Palestinian Authority-controlled territory. It does not cover the violations of children's rights by Israel. Nor does it discuss Palestinian children in East Jerusalem. See Defense for Children International, *Palestinian Child Prisoners* (Ramallah, 2008); and Rinad Abdallah, *Rights of Jerusalem Children* (Ramallah 2010). [↑](#footnote-ref-5)
6. These numbers are mainly taken from Ministry of Social Affairs in 2010. [↑](#footnote-ref-6)
7. Defense for Children International, *Juvenile Police in Palestine between Practice and International Standards* (Ramallah 2015), p. 61. [↑](#footnote-ref-7)
8. Taher Buomidra & Netham Assaf, eds., *Arab Experience on Juvenile Justice* (Amman 2007); Zeinab Aouin, *Juvenile Justice: Comparative Study* (Amman 2009). [↑](#footnote-ref-8)