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## Commission on the Status of Women

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Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

### Statement submitted by Women’s Centre for Legal Aid and Counseling, a non-governmental organization in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

This statement will address the current state of women in the occupied Palestinian territory as a contribution to the review of the Beijing Declaration and Platform for Action. The submission highlights the gendered impact Israeli occupying authority violations against the Palestinian civilian population, and their impact on Palestinian women. We also address the issue of violence against women in the context of the patriarchal society and Palestinian women's political participation and access to decision-making.

### **The gendered impact of violations in the occupied Palestinian territory**

Since the illegal occupation of the West Bank, East Jerusalem, and the Gaza Strip in 1967, Israel is bound by international legal obligations under international humanitarian and human rights law to protect the civilian population in the occupied territory. Nevertheless, Israel has continuously failed to respect and meet these obligations.

A wide range of systematic violations, such as house arrest of minors, house demolitions, residency revocation, and punitive measures are committed continuously by the Israeli occupying authority against the Palestinian population in Jerusalem. These violations have an adverse gendered impact on Palestinian women, who must bear the weight of occupation both directly and indirectly within the context of a patriarchal society.

For instance, when an Israeli court sentences a child to house arrest, the child is forced to remain at home for a determined period of time. There are different factors conditional to house arrest, which directly impact Palestinian women. For one, the guardian who is required to stay with the child to make sure they do not leave the house must be one of the parents. The weight of this responsibility often falls on the mother, who must sacrifice her own personal and economic rights. The stress and burden of this can result in subsequent psychological strain and feelings of isolation, insecurity, and anxiety. Secondly, if the child breaks the conditions of their house arrest, a bail amount is to be paid in full. If the child does not abide by the court's conditions, they will face imprisonment in an Israeli prison.

Palestinian women who must endure the unjust imprisonment of their child suffer depression, anxiety, and hopelessness, while also having to remain a source of support for their families.

House demolitions under the pretext of "lack of permits" or as a punitive measure are forms of collective punishment against Palestinians across the territory. This practice is inherently discriminatory since Israel uses zoning and planning laws that target non-Jews, permitting the construction of buildings that benefit Jewish Israeli citizens, while denying building permits to non-Jews. Women are significantly affected by the house demolitions policy, especially since women in Palestinian society are more likely to be confined to the home. Hence, they are more likely to be home when Israeli officials come to inspect, serve demolition notices, evacuate residents, or implement other forms of intimidation. These punitive measures are placing psychological strain and stress upon women and girls, who are disproportionately affected by these kinds of collective punishment, leaving them at increased risk of poverty and homelessness, and forced to bear the enormous pressure of supporting their families.

Israel's policy of residency revocation in Jerusalem is another policy used to target Palestinians and forcibly displace them from their homes; the Israeli occupation authorities revoke Palestinian residency permits based on discriminatory criteria,

aiming to alter facts on the ground and forcibly transferring Palestinians from Jerusalem. The consequences of residency revocation often disadvantage and marginalize women, whether through separating them from their children or increasing their vulnerability to gender-based violence.

In the occupied Palestinian territory, women suffer under various environmental violations, such as pollution of water and air, as well as appropriation of water resulting in limited water for the Palestinian people. The discriminatory effect on Palestinian women is evident since the patriarchal and gender stereotypes are deeply entrenched in large parts of the Palestinian society, and women typically bear responsibilities such as water management, agricultural work, as well as securing drinking water and caring for the general health of their families.

### **Violence against women**

Systematic abuses associated with Israel's 52-year occupation fundamentally undermine the rights of Palestinian women. The occupation is an obstacle to the due diligence obligation of the State of Palestine to prevent violence in areas where it does not have jurisdiction because of the fragmentation of the areas under different control and the political divide between the Gaza de facto authority and the government of Palestine.

Violence against women in Palestine is a prevailing phenomenon related to a variety of sociopolitical and cultural factors combined with the continued Israeli military occupation. A survey by the Palestinian Central Bureau of Statistics in 2011 showed that 37 per cent of ever-married women were exposed to violence by their husbands – 29.9 per cent in the West Bank compared to 51.1 per cent in the Gaza Strip. Further, more than 58 per cent of women had been exposed to psychological violence at least once, 54.8 per cent had been exposed to social violence, 23.5 per cent to physical violence, and 11.8 per cent to sexual violence. The rate of violence against married women between the ages of 15-24 was 40.9 per cent, while this rate was slightly lower (40 per cent) among women aged 25-35. Femicide is also a prevailing problem that should be seriously addressed.

The Personal Status Laws for both Muslims and Christians discriminate against women in marriage, divorce, decisions concerning children, and inheritance. The Personal Status Laws for Muslims require women to obey their husbands in return for their entitlement to maintenance by their husbands. Men have a unilateral right to divorce, while women must either ask the husband to divorce them in return for a financial consideration or apply to the courts for divorce on specific grounds. Current Personal Status Laws should be reviewed in order to repeal or amend all provisions that discriminate against women, and a law that provides for an alternative legal regime to govern civil marriage should be adopted in the State of Palestine. Penal laws require critical amendments and the Family Protection Bill should be immediately passed to ensure compliance with the State of Palestine legal obligations under the Convention on the Elimination of All Forms of Discrimination Against Women and other international human rights law.

### **Palestinian women's political participation**

Women's participation in political life depends on social, political, and cultural factors and, in the case of Palestine, the Israeli occupation, which hinders political practice for both men and women.

According to the Palestinian Central Bureau of Statistics, females make up around 49 per cent of the Palestinian population. In the public sphere, however, Palestinian women occupy a mere 11.7 per cent of decision-making positions. The proportion of women assuming the position of minister reached a total of 5 out of 22,

and there is one female governor among a total of 16. Women hold 8 per cent of the seats in the Palestinian National Council, 10 women are members of the Central Committee of the Palestine Liberation Organization and one woman sits on its Executive Committee. On the level of external representation, the findings remain dire, with females comprising only 5.8 per cent of Palestinian ambassadors.

Despite the ratification of Convention on the Elimination of all Forms of Discrimination Against Women, the Palestinian polity has yet to publish the decision in the official gazette. This is an important step towards demonstrating the political will to work on advancing political participation. This political will needs to materialize by taking serious steps towards harmonizing national legislation with international standards in order to guarantee, at least minimally, the elimination of discrimination against women. The Palestinian polity also needs to develop and reach consensus through promoting platforms for dialogue on a collective women's agenda that sets women's priorities and confirms demands in relation to meaningful political participation and access to decision-making.

Realizing fiscal justice through gender-responsive planning and budgeting at the municipal and national levels remains important in order to address the disproportionate impact of intersectional oppression and marginalization, by strengthening women's capacities to engage and influence the formulation and development of community and fiscal policies, as well as prioritize the needs and rights of various social groups. Ultimately, there is a need to reform the educational system, including both curriculum and teacher rehabilitation, to address perceptions of women's inferiority and their status as auxiliary to men. Only then can societal patriarchy be dismantled and addressed, and the sustainability of interventions promoted.

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