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**Human rights situation in Palestine and other  
occupied Arab territories**

**Joint written statement\* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (IAFORD), the Arab Organization for Human Rights, the Indian Movement "Tupaj Amaru", the International-Lawyers.Org, the Union of Arab Jurists and the Women's Centre for Legal Aid and Counseling, non-governmental organizations in special consultative status, the International Educational Development, Inc., the World Peace Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 May 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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## **Integrated System of Occupation of Palestinian Women\***

The prolonged illegal Israeli occupation and apartheid – in conjunction with patriarchy – have extremely detrimental effects on the exercise of human rights of Palestinian women of the Occupied Palestinian Territory (OPT). This submission reveals that Israel’s occupation of Palestine perpetrates gross human rights violations against Palestinian women 1) through legislation, institutions, and practices that disproportionately affect Palestinian women; 2) through submitting the entire Palestinian population to systematic human rights violations, which entrench intra-societal and intra-family violence against women; and 3) through obstructions of Palestinian domestic reform towards women’s rights.

### **Occupation Compounded**

Pervading all spheres of life<sup>1</sup>, the occupation infringes on the economic, social, and cultural as well as civil and political rights of Palestinian women. Due to the intersection of patriarchy with Israel’s system of occupation and apartheid, Israel’s policies and practices have specific and compounded effects on the human rights situation of Palestinian women. This submission focuses on Israel’s policy of military actions, arbitrary detention, movement restrictions, land confiscation, and lack of socioeconomic rights.

### **Military Actions and Excessive Use of Force**

At the hands of the occupying Power, Palestinian women experience harassment, violence, and acts of intimidation and degradation in their everyday lives. Israel’s military activities penetrate their public and private domains as soldiers, while acting as constabularies, occupy checkpoints, patrol pathways, convert homes into military posts, and search homes for ‘suspect objects’. Heavily armed soldiers and police officers conduct intrusive body searches and ask for identification documents. These acts are often accompanied with physical and verbal abuse.

Palestinian women are afraid to set foot into the streets as they fear being attacked, arrested or killed for ostensibly carrying knives. Palestinian citizens of Israel express fear about leaving their houses wearing headscarves, about speaking Arabic in public, or opening their bags – especially in the face of mounting evidence of extrajudicial killings<sup>2</sup>. Israeli authorities have repeatedly been accused of incitement against Palestinians.

Women continue to be injured and killed as a result of Israel’s excessive use of force disproportionately affecting Palestinian civilians – on their way to work, in their homes, and during protests. Particularly Israel’s military offensives in Gaza<sup>3</sup> inflict indescribable suffering as homes, villages, educational institutions, holy sites, medical centers, vital

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<sup>1</sup> Women face perilous socioeconomic conditions under a besieged economy that is hardly accessible to them, have to provide for their families while witnessing the demolition of their homes and villages, and face violence in the public and private domains executed on the part Israeli forces.

<sup>2</sup> Since the wake of the new escalation in violence incepted in September 2015, Israeli forces have committed extrajudicial executions against Palestinians allegedly trying to carry out “stabbing attacks”. Israeli forces are allowed to shoot at anyone ostensibly threatening the life of a third party, while Jewish Israeli civilians, including settlers, are allowed to carry and utilize weapons. Numerous cases have been reported in which emergency medical attention was prevented from reaching shot and wounded alleged assailants.

<sup>3</sup> The IDF incursions in Gaza, prior to the ceasefire between the Hamas and Israel in June 2008, caused the killing of civilians, the demolition of residential structures, and the targeting of non-military objectives – attacks considered contrary to the principles of distinction and proportionality (A/HRC/WG.6/3/ISR/3). Among the high numbers of civilian casualties, at least a third of those killed being women and children. In Israel’s last major military operation in Gaza, in July and August 2014, 2,251 Palestinians were killed, of whom at least 1,492 were civilians, including 551 children

infrastructure and services lie in ruins and result in psychological traumata and insecurity. Women who lose their loved ones are forced to obtain the role as heads of households, primary caretakers and providers of the family. The psychological impact of bereavement is a further dimension permanently affecting the wellbeing of Palestinian women and can impede their ability to cope with accompanying burdens. Pregnant women suffer from complications such as preterm labor, miscarriages, and stillbirths as consequences of injury or stress.

### **Arrest and Arbitrary Detention**

Palestinian women continue to be arrested and administratively detained for indefinite periods and without charge or trial. Usually, Palestinian women are arrested in their homes, in the middle of the night, by a number of armed soldiers, or at checkpoints while seeking to cross for school or work. Women are not given special considerations as provisioned by CEDAW, but are subjected to ill-treatment, including beatings, verbal and sexual harassment, and humiliation such as intrusive body searches. Pregnant women have reportedly been forced to give birth chained to their beds. Under Israel's practice of collective punishment, entire families are arrested during the search of a suspected terrorist. Women are then often held as "bait" to control the suspects.

### **Movement Restrictions**

Israel's permit and closure policies can be seen as patriarchal mechanism that rules over the Palestinian – and in particular female – population by dictating when, how long, where, with whom, and under what circumstances they can leave and return home, or whether they are allowed to move at all. This renders Palestinians constantly aware of Israeli control over their lives and humiliates them in the process. The closure and permit system leads to women, including pregnant women, being denied (safe) access to appropriate health care and hospitals, to infants being born on roadsides, to complications, to stillborn births, and causes death of infants and/or their mothers<sup>4</sup>.

### **Land Confiscation and House Demolitions**

Israel's policy of land confiscation and house demolitions deprives Palestinians of their safety and dignity and forces entire families into homelessness, displacement, and destitution. The psychological harm of witnessing the destruction of one's home executed with violence and often without prior warning, and living with the consequences is tremendous – especially for women, children, and the elderly. Women are forced to adjust to new conditions and to sustain their family when their homes, property, and entire villages are destroyed. Israel's illegal activities inhibit Palestinian women to grow professionally and economically.

### **Lack of Socioeconomic Rights**

Israel violates Palestinians' right to education<sup>5</sup>, including through its segregated and deeply discriminatory school system and infrastructure that negatively affect the standard of educational facilities and quality as well as enrollment numbers and academic achievements. Israeli violations in conjunction with the patriarchal social structures, which render the pursuit of education under occupation more difficult for girls<sup>6</sup>, inhibit Palestinian women's exercise of their

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and 299 women. At the same time, 66 IDF soldiers were killed, while 5 Israeli civilians died due to Palestinian rocket fire. (OCHA, 2014: Fragmented Lives. Humanitarian Overview.)

<sup>4</sup> Notably, the decade-old Gaza blockade severely restricts access to specialized care only available outside Gaza, as Gazan patients referred to hospitals in Israel are regularly denied permits or delayed in their transfer. This has caused the death of many Palestinians, including children and pregnant women.

<sup>5</sup> Israel limits Palestinians' right to education, inter alia, through restrictions on school development, demolitions and closing down of educational institutions, movement restrictions, military raids and the failure to prevent settler violence.

<sup>6</sup> For instance, some families discourage girls from pursuing education for reasons of personal safety in the face of military and settler violence; or respond to the difficult educational circumstances by placing more emphasis on the traditional role of women as homekeeper.

socioeconomic rights. Women thus record particularly high dropout rates, little representation in institutions of higher education, and high rates of poverty and unemployment<sup>7</sup>.

### **Entrenched Patriarchy**

Israel's occupation and protracted human rights violations have entrenched patriarchy within Palestinian society and increased intra-societal and -family violence against and oppression of women. First, the violent reality of occupation aggravates violations against women as it has increased poverty, perilous living conditions, and social tensions. In an effort to keep Palestinian society intact, the traditional patriarchal gender contract is reinforced. Gender inequality in Palestine is enhanced on the basis of the societal demand for women to conform to patriarchy, including by maintaining family honor, adhering to gender boundaries, and sustaining everyday life.

As Israeli measures undermine the Palestinian male traditional gender identity and authority as well as personal dignity, they strengthen enactments of masculine authority and enhance the traditional women's role as bearer of family honor to preserve societal identity – to the detriment of women's fundamental rights<sup>8</sup>. Violations committed against Palestinian women include honor killings, domestic violence, and discrimination in education<sup>9</sup>, economy and decision-making processes.

### **Impunity and Obstruction of Domestic Reform**

Neither Israeli nor Palestinian legislation and institutions provide protection to Palestinian women who fall victims to human rights violations by Israeli forces, Israeli civilians, or Palestinian perpetrators. The fragmented legal and territorial jurisdiction of the Palestinian Authority (PA) introduced under the Oslo Accords – which leaves the PA in charge of civil and criminal matters only in Area A and B – impedes effective governance, law enforcement, and administration of justice in occupied Palestine. Meanwhile, Jewish Israeli citizens, both military and civilian, are under Israeli responsibility and endowed with impunity when committing crimes against Palestinian women. Studies reveal that Israeli police re-victimize Palestinian female victims of violence on racist grounds. As a result, both Israeli and Palestinian perpetrators of violations against Palestinian women are endowed with impunity.

Furthermore, the Occupying Power obstructs legal reform. Legislation in occupied Palestine, partly inherited from the former systems of occupation<sup>10</sup>, discriminates against women<sup>11</sup>. The protection of family reputation and honor are central to these laws, which deter women from seeking protection or support. Palestinian domestic reform for women's

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<sup>7</sup> According to the Palestinian Central Bureau of Statistics, the unemployment among Palestinian women in Gaza has increased from 35.2 percent before the closure was imposed in 2005 to 65.3 percent in 2015. In total, a mere 15 percent of Palestinian women are employed, compared to 76 percent of men. Half of the female employees work in the underpaid service sector. In all sectors, women receive lower salaries than their male counterparts. This also holds true within the Israeli job market. The underrepresentation of Palestinian women in education and employment is thus a consequence of Israeli occupation as well as of the patriarchy prevalent in Palestinian society.

<sup>8</sup> Israel's imposition of the Gaza blockade has significantly increased emotional, physical, and sexual abuse by spouses against women in Gaza, as Palestinian Central Bureau of Statistics figures clearly reveal.

<sup>9</sup> Severe movement restrictions and risks of dehumanizing treatment and attacks in the street and at checkpoints as well as bleak outlooks of employment compel families to marry their daughters at an early age instead of encouraging them to attend school and pursue higher education.

<sup>10</sup> Jordanian legislation is applied in the West Bank, while Egyptian and Ottoman mandate legislation is applied in Gaza. Neither of the penal codes provides adequate protection against violence against women but rather protects male perpetrators from legal persecution.

<sup>11</sup> Some laws reduce penalty for family members that commit crimes against female relatives accused of adultery, exempt rapists from criminal prosecution in case of marriage with their victim, and allow only men to file incest charges on behalf of minors.

rights – apart from the limited and divided autonomy of the PA – is compounded by Israel’s direct interference with Palestinian governance<sup>12</sup>.

A predominant obstacle to the women’s rights movement – apart from Israeli restrictions – is the prioritization of national struggle, which weakens support for and women’s ability to transform unequal gender structures. In a society that is confronted with a constant threat to life and safety, the destruction of their homes, a debilitated economy, and the loss of livelihood, the struggle for women’s rights is arduous. Still, women work tirelessly and intrepidly to achieve their rights along the inalienable rights of the Palestinian people.

### Conclusion and Recommendations

Palestinian women face multilayered occupation with concrete, societal, and mental walls and obstacles blocking their way to fundamental rights and freedoms. They fall victim to both the occupying and the patriarchal system, with the former buttressing the latter. The Israeli occupation directly and indirectly perpetrates severe and persistent violations against Palestinian women, helps cloak perpetrators in impunity, and inhibits any improvement of the status of women through domestic reform and women’s movements.

The signatories of this statement are convinced that only an end to the occupation and the realization of Palestinians’ inalienable rights, including self-determination in their independent State of Palestine, can bring about an end to the violations and substantive change towards gender equality and women’s rights. We, the undersigning organizations, therefore recommend to the HRC and other relevant UN bodies to:

- Take all necessary measures to finally end the prolonged occupation of Palestine and fulfill Palestinians’ right to national self-determination, which involves the end of all annexationist and settlement activity and the illegal and destructive blockade on Gaza.

With specific regards to the situation of women, we call on the HRC to ensure that Israel:

- Puts an immediate end to its occupation and apartheid policies and practices that disproportionately affect Palestinian women.
- Fully complies with the fundamental provisions of CEDAW in all areas under its effective control, thus in Israel, in occupied Palestine, and the Syrian Golan.

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\*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, Human Rights Defenders (HRD), The Brussels Tribunal, Human Rights and Democracy Media Center “SHASM”, Euro-Mediterranean Human Rights Monitor, Youth Against Settlements (YAS), Alternative Information Center (AIC), Association of Humanitarian Lawyers (AHL), Hebron Human Rights Defenders (HRD), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), The Iraqi Centre for Human Rights, The Perdana Global Peace Foundation, The International League of Iraqi Academics (ILIA), Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), Kuala Lumpur Foundation to Criminalise War, NGOs without consultative status, also share the views expressed in this statement.

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<sup>12</sup> Israel interferes with Palestinian governance through, *inter alia*, the withholding of funds, the prevention of development projects, the closing down of institutions and offices, the curbing of political activity, and the restriction on movement of Palestinian government officials