



MIFTAH- Palestinian Initiative for the Promotion of Global
Dialogue and Democracy

Protection of Women from Violence in Times of Armed Conflict: Palestinian
Women as a Case Study

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Abstract in English

Violence against women in Palestine at the hands of Israeli occupation forces and settlers is part and parcel of the wider framework of violence against the Palestinian people. Violence by occupation forces takes many different forms, some are evident and clear such as targeted killing and injury, as well as imprisonment. Other forms of violence are less pronounced but equally important as they pertain to the forcible displacement of Palestinians; these include house demolitions, house evictions, revocation of residency, land and property confiscation and imposition of restrictions on the registration of newborns.

While this violence is targeted against the entirety of the Palestinian people, including women, children and the elderly, it has a disproportionate impact on women due to reinforcement of patriarchy, traditional gender roles and stereotypes, as well as the reproduction of the cycle of violence by the stronger social group against the weaker social group, and signifying diminishing acceptance and tolerance to diversity and difference.

Violence against the Palestinian people as a whole has persisted for over fifty years despite the multitude of instruments and mechanisms to protect from violence in times of armed conflict. This includes instruments within the framework of international humanitarian law, international human rights law and international criminal law, as well as the women, peace and security agenda. Notwithstanding the multitude of instruments and mechanisms, their effectiveness remains constricted by a large number of factors including the absence of enforcement mechanisms due to the alleged primacy of state sovereignty, provided that this does not contravene the economic and geopolitical interests of a few select states. Another important factor is that these instruments are not designed to appreciate the impact of protracted occupation, and are instead tailored to armed conflicts that do not give rise to protracted military occupation and that are time-bound even if they persist for a long period of time, such as the wars in Yugoslavia and Rwanda. This paper seeks to highlight forms of Israeli violence against the Palestinian people, describe their disproportionate impact on women, analyse why violence persists against women in times of armed conflict, and identify stakeholders and recommendations to increase protection of women from violence in times of armed conflict.

ملخص الدراسة باللغة العربية

يعتبر العنف ضد النساء في فلسطين على يد قوات الاحتلال الاسرائيلي والمستوطنين جزءاً لا يتجزأ من إطار العنف الأوسع الموجه ضد الشعب الفلسطيني. يتخذ عنف الاحتلال ضد الشعب الفلسطيني عدد من الأشكال، فبعضها واضح وجلي مثل القتل المتعمد والاصابة والاعتقال. أما أشكال العنف الأخرى فهي أقل وضوحاً ولكنها مهمة بنفس القدس حيث أنها تتعلق بالتهجير القسري للفلسطينيين، وتتضمن التوسع الاستيطاني وهدم المنازل وإخلاء المنازل، وسحب الاقامات، ومصادرة الأراضي والممتلكات، وفرض قيود على تسجيل المواليد.

وبالرغم من أن هذه العنف موجه ضد جميع مكونات الشعب الفلسطيني، بما في ذلك النساء والأطفال وكبار السن، إلا أنه لديه أثر مضاعف على المرأة الفلسطينية، فيؤدي إلى تعزيز النظام الأبوي وأدوار النوع الاجتماعي والصور النمطية التقليدية، وإعادة انتاج حلقة العنف من قبل المجموعة الاجتماعية الأقوى ضد المجموعة الاجتماعية الأضعف، في دليل على تناقص القبول والتسامح مع الغير والتنوع.

فستمر العنف الموجه ضد الشعب الفلسطيني لأكثر من خمسين عاماً بالرغم من العدد الكبير من الأدوات والآليات المتوفرة للحماية من العنف في أوقات النزاع المسلح، بما في ذلك في إطار القانون الدولي الإنساني، والقانون الدولي لحقوق الإنسان، والقانون الدولي الجنائي، وأجندة المرأة والأمن والسلام. ويأتي هذه في سياق أن فعالية هذه الأدوات والمسارات تبقى محدودة نظراً لعدد من العوامل، في مقدمتها غياب آليات إنفاذ القانون نظراً للأهمية المزعومة لسيادة الدول على ألا تتعارض هذه السيادة مع المصالح الاقتصادية والجيوسياسية لبعض الدول. عامل آخر في هذا الإطار أن هذه الأدوات لم تصمم لتأخذ بعين الاعتبار أثر الاحتلال الطويل الأمد، وبدلاً من ذلك مصممة للنزاعات المسلحة التي لا تؤدي إلى احتلال عسكري طويل الأمد ومقيدة بفترة زمنية محددة حتى لو طالقت المدة مثل الحروب في يوغوسلافيا وروندا. تسعى هذه الورقة لتسليط الضوء على أشكال العنف الاسرائيلي الموجه ضد الشعب الفلسطيني، وصف الأثر المضاعف لهذا العنف ضد المرأة الفلسطينية، تحليل الأسباب وراء استمرار العنف ضد النساء في أوقات النزاع المسلح، وتوجيه التوصيات للجهات ذات العلاقة التي يتم تحديدها بهدف زيادة حماية النساء من العنف في أوقات النزاعات المسلحة.

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Table of Abbreviations

Full Name	Abbreviation
1. Gender Based Violence	GBV
2. Violence Against Women	VAW
3. International Law	IL
4. International Humanitarian Law	IHL
5. International Human Rights Law	IHRL
6. International Criminal Law	ICL
7. West Bank	WB
8. East Jerusalem	EJ
9. Gaza Strip	GS
10. United Nations	UN
11. Security Council	SC
12. General Assembly	GA
13. Fourth Geneva Convention	GCIV
14. International Court of Justice	ICJ
15. International Covenant on Civil and Political Rights	ICCPR
16. Convention on the Elimination of all forms of Discrimination Against Women	CEDAW
17. General Recommendation	GR
18. Women, Peace and Security	WPS
19. International Criminal Tribunal for the Former Yugoslavia	ICTY
20. International Criminal Tribunal for Rwanda	ICTR
21. International Criminal Court	ICC

Protection of Women from Violence in Times of Armed Conflict: Palestinian Women as a Case Study

1. Introduction

Gender-Based Violence (GBV) is a pervasive worldwide phenomenon that is defined as “violence which is directed against a woman because she is a woman or that affects women disproportionately”¹. Violence against women (VAW) is a subset of GBV that takes various forms, including acts or omissions that are intended or are likely to lead to death, physical, sexual, psychological or economic harm or suffering, in addition to threats of such acts, harassment, coercion and arbitrary deprivation of liberty.²

VAW is underpinned by various contextual factors that, on the national level, seek to maintain and/or reinforce the asymmetry in the power dynamics between men and women, such as cultural, economic, ideological, technological, political, religious, social and environmental factors. Additionally, VAW is further exacerbated with the continuously changing global order and in times of instability, such as in the contexts of displacement, migration, globalisation of economic activities, militarisation, foreign occupation, armed conflict, violent extremism and terrorism.³

Over the past thirty years, international, regional and national organisations, social movements and the like have worked extensively on issues of GBV and VAW, lobbying for the adoption of provisions and measures to address this issue in times of peace and times of war. This paper seeks to analyse the reasons behind the persistence of VAW in times of armed conflict despite the plethora of measures and provisions to address this issue. The paper will take the military occupation of Palestine and Palestinian women as a case study and will make use of a variety of primary and secondary sources, including legislation, international law (IL) instruments, official statistics, interviews, testimonies, books, reports and journal articles. The paper will take the form of qualitative research, and will include content and legal analysis. Furthermore, the paper will utilise key informant interviews and testimonies from survivors of violence to demonstrate the oppression exercised by the occupation apparatus and showcase its disproportionate impact on women.

The paper will commence in demonstrating the applicability of International Humanitarian Law (IHL), International Human Rights Law (IHRL) and International Criminal Law (ICL) to the State of Palestine. Thereafter, the paper will outline and present the plethora of provisions, instruments and mechanisms within the framework

¹ UN Committee for the Elimination of All Forms of Discrimination against Women, ‘General Recommendation No 35’ in ‘Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies’ (26 July 2017) UN Doc HRI/GEN/1/Rev.1 paragraph 1.

² Ibid paragraph 14.

³ Ibid.

of the aforementioned branches of IL, with respect to protection of civilians from violence in times of armed conflict with a special focus on women.

The third section will clarify the persistence of violence by the Israeli occupation against Palestinian civilians and demonstrate its disproportionate impact on women; Israeli measures to be highlighted will be house demolitions, house evictions, revocations of residency and targeted killing, injury and imprisonment.

The fourth section will analyse the reasons behind the persistence of VAW in times of armed conflict. The final section will present recommendations at the level of the State of Palestine and Palestinian civil society to ensure the protection of the Palestinian people in general and Palestinian women in particular from violence.

2. *Applicability of Different Branches of International Law to Palestine*

2.1 International Humanitarian Law

The definition of occupation is provided in the Convention Concerning the Laws and Customs of War at Land with Annex of Regulations as follows:

“Territory is considered occupied when it is actually placed under the authority of the hostile army...”⁴

The Rhodes Armistice Line of 1949, signed between Israel and the Arab States that took part in the 1948 war, placed the West Bank (WB), including east Jerusalem (EJ), under Jordanian control, and the Gaza Strip (GS) under Egyptian administration.⁵ Israel’s admission to the United Nations (UN), via Security Council (SC) Resolution 69 on 4 March 1949,⁶ and General Assembly (GA) Resolution 273 on 11 May 1949⁷ was based on the borders demarcated in the Armistice agreement. One of the results of the 1967 war was the *de facto* annexation of EJ on 28 June 1967,⁸ following seizure of control of the WB from Jordanian rule.⁹ This took place through authorisation given by the Israeli legislative body (Knesset) to extend Israeli laws to the eastern part of the city.¹⁰ Immediately after, the Israeli government issued orders that united both parts of the city under the jurisdiction of the existing Jerusalem Municipality.¹¹ This annexation was thereafter judicially authorised by the Supreme Court, which held that both parts of Jerusalem had become an integral part of Israel.¹²

Codified into Article 2(4) of the UN Charter,¹³ IL prohibits the acquisition of territory through the use of force. Furthermore, Article 43 of the Hague Regulations requires the occupying powers to respect and refrain from amending the laws already in place, unless truly necessary.¹⁴ Accordingly, the annexation of EJ was declared several times null and void by both the UNGA and UNSC, including in UNSC Resolution 242,¹⁵ and UNGA Resolution 2253.¹⁶ These and many other resolutions emphasised the inadmissibility of acquisition of territory through war, called upon Israel to withdraw

⁴ Convention Concerning the Laws and Customs of War at Land (Hague, IV) with Annex of Regulations (signed 18 October 1907) art 42.

⁵ Palestinian Academic Society for the Study of International Affairs, ‘Fragmenting Palestine: Formulas for Partition since the British Mandate’ (May 2013)

http://www.passia.org/publications/bulletins/Partition/Partition_Plan1792013.pdf 7.

⁶ United Nations Security Council Resolution 69 (4 March 1949).

⁷ United Nations General Assembly Resolution 273 (11 May 1949).

⁸ PASSIA, *The Palestine Question in Maps* (PASSIA 2014) 48.

⁹ PASSIA (n 5) 8.

¹⁰ Benjamin Rubin, ‘Israel, Occupied Territories’, Max Planck Encyclopaedia of Public International Law (1st edition, OUP 2009).

¹¹ *Ibid.*

¹² *Hanazalis v Court of Greek Orthodox Patriarchate* [1968] HCJ, 171/68(HCJ) 269.

¹³ UN, *Charter of the UN*, 24 October 1945, 1 UNTS XVI art 2(4).

¹⁴ Hague Regulations (n 4) art 43.

¹⁵ UNSC Resolution 242 (22 November 1967).

¹⁶ UNGA Resolution 2253 (4 July 1967).

from the recently occupied territories, rescind all measures and refrain from taking any further measures to change the status of EJ in light of their invalidity.

Despite the applicability of the IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (GCIV)¹⁷ to cases of occupation, Israeli governments have stated on numerous occasions that it does not formally apply to the WB and GS, primarily basing their argument that the previous status of the territory is different from that envisaged by the convention.¹⁸ For instance, Israeli Foreign Minister Moshe Dayan reiterated the position of the government before the UNGA in 1977, arguing that as neither the WB nor the GS were the territory of a “High Contracting Party” when occupied by Israel in 1967,¹⁹ this leaves the Occupied Palestinian Territory outside the scope of application of GCIV.²⁰ The Israeli interpretation of Article 2 of GCIV argues the concept of the “missing sovereign,” whereby the ousting of a sovereign power is a precondition for the applicability of the Convention.²¹ As such, Israeli officials and spokesmen have elaborated that since both the WB and GS were under Jordanian and Egyptian occupation respectively, the automatic applicability of the convention would accord rights to Jordan and Egypt that they are not entitled to.²²

The international community, however, has rejected these elaborate interpretations. The applicability of the GCIV has been affirmed at least 126 times,²³ by -to name a few- the GA,²⁴ SC,²⁵ Economic and Social Council²⁶ and Human Rights Commission.²⁷ This international consensus was further vindicated by the Advisory Opinion of the International Court of Justice (ICJ) “Legal Consequences of the Construction of a Wall in the OPT”²⁸ as well as the continuous emphasis and reiterations by the International Committee of the Red Cross of its applicability, as recently as December 2014.²⁹

¹⁷ ICRC, *Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)*, 12 August 1949, 75 UNTS 287.

¹⁸ Adam Roberts, ‘Decline of Illusions: The Status of the Israeli Occupied Territories Over 21 Years’ (1988) 64 *International Affairs* 345, 348.

¹⁹ David Kretzmer, *The Occupation of Justice: The Supreme Court of Israel and the Occupied Territories* (State University of New York Press, 2002) 33-34.

²⁰ Harvard Program on Humanitarian Policy and Conflict Research, *Review of the Applicability of International Humanitarian Law to the OPT* (International Humanitarian Law Research Initiative, 2004) 3.

²¹ Yehuda Z. Blum, ‘The Missing Reversioner: Reflections on the Status of Judea and Samaria’ (1968) 3 *Israel Law Review* 279-293.

²² Meir Shamgar, *Military Government in the Territories Administered by Israel 1967- 1980: The Legal Aspects* (Alpha Press, 1982) 37.

²³ Harvard Program (n 20) 13.

²⁴ UNGA Resolution 2252 (4 July 1967).

²⁵ UNSC Resolution 446 (22 March 1979).

²⁶ ECOSOC Resolution 1988/25 (26 May 1988).

²⁷ Human Rights Commission Resolution 1993/2 (19 February 1993).

²⁸ *Legal Consequences of the Construction of a Wall* (Advisory Opinion) 2004 <<http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>> [140].

²⁹ Conference of High Contracting Parties to the GCIV Declaration (17 December 2014) 1.

2.2 International Human Rights Law

With the confirmation that IHL applies to the WB and GS, there remains the contested issue of the applicability of IHRL. Under the *Lex Specialis* principle and the definition of occupation in the Hague Regulations, the more relevant body of law is IHL.³⁰

Conversely, others scholars argue that IHRL applies simultaneously with IHL, filling in any gaps and increasing protection of civilians, which is the main purpose of IHL. Thus, arguably, the application of IHRL complements that of IHL.³¹

Article 2(1) of the International Covenant on Civil and Political Rights (ICCPR) defines the scope of application of the Covenant as: “Each State Party to the present Covenant undertakes to respect and to ensure to all individuals **within its territory and subject to its jurisdiction...**”³² The primary interpretation of this article specified that the scope of application extends to persons *both* within the State’s territory and subject to its jurisdiction.³³ However, the interpretation has now evolved such that the UN Human Rights Committee asserted in its General Comment 31 that States parties are required “to respect and to ensure the Convention rights...and to all persons subject to their jurisdiction.”³⁴ Furthermore, the ICJ emphasised, in its ruling on the Wall, the applicability of IHRL to the occupied territory, including both the ICCPR and International Covenant on Economic, Social and Cultural Rights,³⁵ citing the first concluding observations of the Committee on Economic, Social and Cultural Rights to the State of Israel in 1998 that emphasised the applicability of the covenant.³⁶

2.3 International Criminal Law

The applicability of ICL was made possible with the upgrading of the status of the Palestinian Liberation Organisation to non-member Observer State, through UNGA Resolution 67/19, which was adopted on 29 November 2012, and where 138 States voted in favour, 9 against and 41 abstained.³⁷

The accession of the State of Palestine to the Rome Statute of the International Criminal Court³⁸ was realised by lodging an Article 12(3) Declaration on 1 January 2015, accepting the jurisdiction of the Court, and followed by depositing an instrument of

³⁰ Wall Advisory Opinion (n 28) [178].

³¹ Adam J. Roberts, ‘Transformative Military Occupation: Applying the Laws of War and Human Rights’ (2006) *American Journal of International Law* 580, 594.

³² International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR) art 2(1).

³³ Michael J. Dennis, ‘The Application of Human Rights Treaties Extraterritorially in Times of Conflict and Military Occupation’ (2005) 99 *American Journal of International Law* 119, 122.

³⁴ UN CCPR, ‘General Recommendation No 31’ in ‘Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies’ (26 May 2004) UN Doc CCPR/C/21/Rev.1

³⁵ Wall Advisory Opinion (n 28) [197].

³⁶ UN CESCR, *Concluding Observations: Israel*, 4 December 1998, E/C.12/1/Add.27, 2.

³⁷ UNGA Resolution 67/19 (29 November 2012).

³⁸ Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS

accession to the Statute with the UN Secretary General.³⁹ The Declaration clarified that the State of Palestine grants the court retroactive jurisdiction to 13 June 2014.⁴⁰

³⁹ International Criminal Court, *Report on Preliminary Examination Activities* (ICC 2015) 11.

⁴⁰ ICC, 'Palestine Declares Acceptance of ICC Jurisdiction Since 13 June 2014' ICC-CPI-20150105-PR1080 (1 January 2015).

3. Protection of Civilians and Women from Violence in International Law

Significant focus has been paid to VAW over the past two decades by the international community through various branches of public IL. These include but are not limited to IHL, IHRL and ICL, with each contributing through different strategies and mechanisms. This section will present and elaborate the plethora of conventions and mechanisms that prohibit violence against civilians in general and women in particular.

3.1 International Humanitarian Law

The protection afforded to civilians within the framework of IHL in times of armed conflict is based on the principle of distinction. The first rule of Customary IHL entitled “The Principle of Distinction between Civilians and Combatants” states:

“Rule 1. The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.”⁴¹

This principle is based on the purpose of the GCIV, which prohibits the targeting of civilians in times of war. The principle was later codified into the Additional Protocol to the Geneva Conventions,⁴² which states:

“In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.”⁴³

Furthermore, Articles 51(2) and 52(2) of the Additional Protocol specifically prohibit the attack on civilians and civilian objects, respectively. However, while these provisions provide general protection instead of specialised protection to vulnerable social groups, they remain important and crucial as they are considered customary IL, which incurs legal obligations on States, irrespective of whether they are signatories to the relevant treaty or not.

3.2 International Human Rights Law

At the time of the drafting of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)⁴⁴ in the mid and late 1970s, VAW was not a matter whose significance was recognised. Therefore, VAW was not explicitly addressed in the Convention or the preceding Declaration on the Elimination of all forms of Discrimination Against Women.⁴⁵

⁴¹ International Committee of the Red Cross, *IHL Database- Customary IHL* https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule1.

⁴² International Committee of the Red Cross (ICRC), *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 8 June 1977, 1125 UNTS 3

⁴³ *Ibid* article 48.

⁴⁴ Convention on the Elimination of all Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13 (CEDAW)

⁴⁵ Declaration on the Elimination of Discrimination Against Women (adopted 7 November 1967) UNGA Res 2263(XXII) (DEDAW)

Nonetheless, with the increasing rates of VAW, identification of its different forms, causes and implications, the CEDAW committee issued in 1992 the elaborate General Recommendation (GR) 19 that framed gender-based violence (GBV) as one form of discrimination against women. The Recommendation identified the forms of GBV as physical, mental and sexual, and expanded the definition beyond the acts of harm or suffering to include threats of such acts, coercion and other forms of deprivation of liberty.⁴⁶ The GR elaborated that GBV hinders enjoyment of basic rights and fundamental freedoms, including but not limited to right to life, freedom from torture, and equality in the family.⁴⁷

The GR also provided a rereading of some of the substantive articles of CEDAW through a violence lens; these include Articles 2,⁴⁸ 3,⁴⁹ 5⁵⁰ and 6⁵¹ on State parties obligations, alongside Article 11 on employment,⁵² Article 12 on healthcare,⁵³ Article 14 on rural women⁵⁴ and Article 16 on equality within the family.⁵⁵

Furthermore, the issuance of GR 19 facilitated the adoption of the Declaration on the Elimination of Violence Against Women by the UNGA in 1993,⁵⁶ as well as the appointment of the first ever Special Rapporteur on Violence Against Women, its causes and consequences in 1994, with both the Declaration and the mandate of the Special Rapporteur along the same lines of the GR.

Notwithstanding this persistence in rhetoric and approach, the Beijing Declaration and Platform for Action,⁵⁷ issued in September 1995, dedicated a complete section on VAW, which not only elaborated the parameters on VAW in general, but specified different forms of VAW in armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy.⁵⁸

Advancements on the international level were followed by regional ones, with each subsequent convention building on and adding to the previous one. The first regional convention on VAW was the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women “Convention of Bellum do Para”,⁵⁹ adopted by the Organization of American States in 1994. The Convention resembled a blueprint

⁴⁶ UN CEDAW, ‘General Recommendation No 19’ in ‘Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies’ (1992) UN Doc HRI/GEN/1/Rev.1 paragraph 6.

⁴⁷ Ibid paragraph 7.

⁴⁸ Ibid paragraphs 10, 11 and 12.

⁴⁹ Ibid paragraph 10.

⁵⁰ Ibid paragraphs 11 and 12

⁵¹ Ibid paragraphs 13- 16.

⁵² Ibid paragraphs 17-18.

⁵³ Ibid paragraphs 19-20.

⁵⁴ Ibid paragraph 21.

⁵⁵ Ibid paragraphs 22-23.

⁵⁶ Declaration on the Elimination of Violence Against Women (adopted 20 December 1993) UNGA Res 48/104.

⁵⁷ Beijing Declaration and Platform for Action- The Fourth World Conference on Women (adopted 15 September 1995).

⁵⁸ Ibid paragraph 114.

⁵⁹ Organization of American States (OAS), *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (“Convention of Belem do Para”)*, 9 June 1994,

of both the GR and UNGA Declaration and identified the scope of violence within the parameters of physical, sexual and psychological harm incurred in both the public and private spheres.

Bellum do Para was followed by the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.⁶⁰ As VAW was a major issue that received significant attention at the time, it was integrated throughout the substantive provisions of the Protocol. Furthermore, the African Protocol was the first instrument to expand the scope of VAW to include its economic dimension.

These regional instruments alongside other factors have informed the conceptions and perceptions of the CEDAW committee on the framing and understanding of VAW, particularly in terms of the factors that inform and exacerbate it, including armed conflict. Within this framework, CEDAW issued GR 30 on "women in conflict prevention, conflict and post-conflict situations"⁶¹ in 2013, which required that State parties report on measures they have adopted to implement the provisions of the Convention, including in conflict prevention, conflict and post-conflict situations.⁶² The GR also set the scope of application to include International Armed Conflict, Non-International Armed Conflict, foreign occupation and post-conflict situations. Finally, the GR elaborated the connections and synergies between the situation of women in conflict (including protection from violence) with ICL,⁶³ International Refugee Law, IHL⁶⁴ and the Women, Peace and Security (WPS) Agenda.⁶⁵

This is taken one step further with the issuance of GRs 33⁶⁶ and 35. While GR 33 "women's access to justice" identified armed conflict as a factor that hinders women's access to justice,⁶⁷ GR 35 updated and replaced GR 19 on VAW. Firstly, GR 35 expanded conception and understanding of VAW beyond physical, mental and sexual harm to include the economic dimension of violence. Furthermore, despite the highly limited focus, occupation and armed conflict were among the factors identified that effect and exacerbate GBV against women, alongside other cultural, economic, ideological, technological, political, religious, social and environmental factors.⁶⁸

3.3 Women, Peace and Security Agenda

Despite the plethora of protection provided to civilians in general and women and girls in particular under both IHL and IHRL, the gendered dimensions of violence in war and

⁶⁰ African Union, *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa*, 11 July 2003.

⁶¹ UN CEDAW, 'General Recommendation No 30' in 'Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies' (1 November 2013) UN Doc HRI/GEN/1/Rev.1

⁶² Ibid paragraph 27.

⁶³ Ibid paragraph 23.

⁶⁴ Ibid paragraph 24.

⁶⁵ Ibid paragraph 25.

⁶⁶ UN CEDAW, 'General Recommendation No 33' in 'Note by the Secretariat, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies' (3 August 2015) UN Doc HRI/GEN/1/Rev.1

⁶⁷ Ibid.

⁶⁸ UN CEDAW 'General Recommendation No 35' (n 1) paragraph 14.

armed conflict have a disproportionate impact on women and girls. Furthermore, rates of GBV, particularly sexual and domestic violence, tend to increase during and after war.⁶⁹

Within this framework and following concerted efforts on the global level in response to the atrocities committed during the Yugoslav wars (as well as other wars) in terms of sexual violence against women, the WPS Agenda came into being through the adoption of Resolution 1325 by the UNSC.⁷⁰ The WPS Agenda seeks not only to protect women and girls from violence in times of armed conflict, but also to advance women's participation at all levels, as it perceives post-conflict situations, peace and state-building as an opportunity to challenge and address discriminatory gender roles and advance gender equality.⁷¹

As such, UNSC Resolution 1325, and its subsequent Resolutions⁷² identify four pillars for WPS,⁷³ as follows:

- **Prevention:** the prevention of conflict and all forms of VAW and girls in conflict and post-conflict situations.
- **Protection:** refers to the protection and promotion of the rights of women and girls, including protection from GBV, in conflict-affected situations.
- **Participation and Representation:** refers to women's equal participation in peace and security decision-making processes at the national, local and international levels. This primarily takes place through the increased appointment of women as negotiators, mediators, peacekeepers, police and humanitarian personnel.
- **Relief and Recovery:** this pillar focuses on ensuring that the relief needs of women and girls are met, in for example, repatriation and resettlement; disarmament, demobilisation and reintegration programmes; the design of refugee camps; support for internally displaced persons; and in the delivery of humanitarian assistance.

While accountability is not identified as a separate pillar of WPS, it is perceived as a crosscutting issue across the four pillars, which is crucial for ensuring their effectiveness and sustainability.⁷⁴

3.4 International Criminal Law

The fall of the Soviet Union and end of the Cold War brought about an end to the stalemate in the prosecution of perpetrators of international crimes. Within this framework, the first Tribunal to criminalise and hold perpetrators of heinous crimes to

⁶⁹ Swedish International Development Cooperation Agency, *Women, Peace and Security {Brief}* (March 2015) <<https://www.sida.se/contentassets/3a820dbd152f4fca98bacde8a8101e15/women-peace-and-security.pdf>>

⁷⁰ Interview with Lamis Shuaibi, Director of Policy Dialogue and Good Governance Programme, Palestinian Initiative for the Promotion of Global Dialogue and Democracy- MIFTAH (Ramallah 14 March 2019).

⁷¹ SIDA (n 69) page 1.

⁷² Subsequent Resolutions are 1820 (2008); 1888 (2009); 1889 (2009); 1960 (2010); 2106 (2013); 2122 (2013) and 2242 (2015).

⁷³ SIDA (n 69) pages 1+2.

⁷⁴ Interview with Lamis Shuaibi (n 70).

account was the International Criminal Tribunal for the Former Yugoslavia (ICTY), which was established in 1993 by the UNSC.⁷⁵ This was followed with the establishment by the UNSC of the International Criminal Tribunal for Rwanda (ICTR) in 1994.⁷⁶ The Statutes of these tribunals criminalised a number of generic practices of violence against civilians alongside other provisions criminalising practices that are particularly relevant to women and girls.

In terms of general protection both the ICTY⁷⁷ and ICTR⁷⁸ codified the killing of members of an ethnic, religious, racial or national group with the intent of destroying the group as one practice constituting genocide, in addition to the criminalisation of violence to life by the ICTR as a crime against humanity.⁷⁹ In terms of criminalisation of acts that are more likely to be directed at or impact women, these include enslavement⁸⁰ and rape⁸¹ as crimes against humanity; and outrages to personal dignity, including rape and enforced prostitution as a violation of Article 3 common to the Geneva Conventions and of Additional Protocol II.⁸²

With the view of addressing and combating impunity, the list of criminalised acts expanded significantly with the adoption of the Rome Statute of the International Criminal Court (ICC), the first *permanent* tribunal mandated with prosecuting perpetrators of international crimes. Within this framework, the Statute criminalised acts of violence against civilians within the categories of genocide, crimes against humanity and war crimes, as follows:

- Genocide: killing members of an ethnic, religious, racial or national group with the intent of destroying the group in whole or in part.⁸³
- Crimes Against Humanity:
 - Murder,⁸⁴
 - Enslavement,⁸⁵
 - Torture⁸⁶ and
 - Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity.⁸⁷
- War Crimes

⁷⁵ UNSC Resolution 827 (25 May 1993) UN Doc S/RES/827

⁷⁶ UNSC Resolution 955 (8 November 1994) UN Doc S/RES/955

⁷⁷ UNSC, *Statute of the International Criminal Tribunal for the Former Yugoslavia (as amended on 17 May 2002)*, 25 May 1993, article 4(2)(a).

⁷⁸ UNSC, *Statute of the International Criminal Tribunal for Rwanda (as last amended on 13 October 2006)*, 8 November 1994, article 2(2)(a).

⁷⁹ *Ibid*, article 4(a).

⁸⁰ *Ibid*, article 3(c); ICTY (n 76), article 5(c).

⁸¹ ICTR (n 78) article 3(g); ICTY (n 77), article 5(g).

⁸² ICTR (n 78) article 4 (e).

⁸³ Rome Statute (n 38), article 6(a).

⁸⁴ *Ibid*, article 7(1)(a).

⁸⁵ *Ibid*, article 7(1)(c).

⁸⁶ *Ibid*, article 7(1)(f).

⁸⁷ *Ibid*, article 7(1)(g).

- Wilful killing,⁸⁸
- Torture,⁸⁹
- Wilfully causing great suffering or serious injury to body or health.⁹⁰
- Targeting attacks against civilian population or against individual civilians.⁹¹
- Committing rape, sexual slavery, enforced prostitution, forced pregnancy, forced sterilisation, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions.⁹²

⁸⁸ Ibid, article 8(2)(a)(i).

⁸⁹ Ibid, article 8(2)(a)(ii).

⁹⁰ Ibid, article 8(2)(a)(iii).

⁹¹ Ibid, article 8(2)(b)(i)

⁹² Ibid, article 8(2)(b)(xxii)

4. Violence by the Israeli Occupation and its Impact on Women

Palestinian women are continuously subjected to violence, whether directly or indirectly, at the hands of Israeli occupation forces or by society. Palestinian women are subjected to violence directly at the hands of the occupation as part of the wider framework of violence against the Palestinian people. However, this violence targeting Palestinian civilians has a disproportionate impact on Palestinian women in light of traditional gender roles and as it reinforces masculinities and reproduces violence.⁹³ Direct violence against women takes place through the killing of Palestinian civilians, imprisonment, house arrest, destruction of property and forced displacement. Forced displacement measures include house demolitions, house evictions and revocation of residency. This chapter will take a closer look at the forms of violence perpetrated by the Israeli occupation and zoom into their disproportionate impact on Palestinian women, making use of documented testimonies.

4.1 Forms and Shapes of Violence Perpetrated by the Israeli Occupation

4.1.1 House Demolitions

House demolitions primarily take place in EJ and Area “C” of the WB. Area “C” refers to the area of the WB that is under complete Israeli civil and military control, and consists of 60 percent of the land. In Area C, Israel controls every aspect of livelihood, including zoning and planning, and has thus allocated 70 percent of the land for settlement construction and expansion, 14 percent for natural reserves and has prevented entry and residential areas on 30 percent of the land under the pretence of being firing zones. This, coupled with the absence of planning schemes for Area C, for which the occupying power is responsible, restricts the area that Palestinians are allowed to build on to only 1 percent of the land; it also makes the process of obtaining construction and expansion permits a highly protracted and difficult one, forcing Palestinians to build “illegally”. Within this framework, between 1988-2015, Israel issued 14,087 demolition orders in Area C, 2,802 were executed and 11,134 were suspended but not rescinded.

A similar situation is observed in EJ. Under the current United Jerusalem Town Planning Scheme,⁹⁴ 35 percent of the land has been confiscated for “public purposes,” mostly for the construction of Israeli settlements. Another 35 percent has master plans approved by the Jerusalem District Committee, yet construction is not allowed on 22 percent of the land, due to it being designated as “green land” for public use. A further 30 percent remains unplanned, thereby leaving only 13 percent of the land for Palestinian construction,⁹⁵ much of which is already built up.⁹⁶

⁹³ Human Rights Council, ‘Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to the Occupied Palestinian Territory/ State of Palestine’ (8 June 2017) UN Doc A/HRC/35/30/Add.2, paragraph 23.

⁹⁴ Israeli Jerusalem Municipality, *United Jerusalem Town Planning Scheme* (Jerusalem Municipality, 2004).

⁹⁵ BADIL, ‘Forced Population Transfer: The Case of Palestine: Discriminatory Zoning and Planning’ (2014) A Series of Working Papers, 38-39.

The application process to acquire building permits is complicated, expensive and often delayed. The process can take **five to ten years**, simply to learn later that the application has been denied.⁹⁷ The requirements to obtain building permits include an adequate road system, parking spaces, sanitation and sewage networks and public buildings and institutions –elements over which Palestinians do not have control.⁹⁸ Furthermore, the process costs approximately \$30,000,⁹⁹ in a context where more than 80 percent of the Palestinians in EJ live under the poverty line.¹⁰⁰ Within this framework, of the total number of construction or expansion permits requested by Palestinians, only five percent of the applications were granted.¹⁰¹ Furthermore, of the total construction or expansion permits issued over the past few years, only seven percent of them were granted to Palestinians.¹⁰² Consequently, Palestinians are forced to build or expand their houses “illegally”. As such, it is estimated that at least 33 percent of all Palestinian homes in EJ lack building permits,¹⁰³ placing over 90,000 individuals at risk of displacement.¹⁰⁴ Within this framework, at least 597 housing units have been demolished between 2004 and 2015.¹⁰⁵

The following testimony, given by Raghda H. aptly captures the impact and consequences of house demolitions:¹⁰⁶

Raghda is a 32-year-old mother from the neighbourhood of Silwan in East Jerusalem.

“Since 2014 we started to receive home demolition warrants from the Israeli authorities. We hired a lawyer, and paid over 10000USD in fees but the lawyer could not revoke the demolition order.”

“On 15 March 2017, our lawyer told us that the authorities sent us another demolition order which was written in Hebrew. The reason for the demolition warrant was lack of a building permit. We never applied for a building permit because we were certain that the authorities would deny our application, just as they do with so many other Jerusalemites.

“On 29 March 2017, at around 4:30a.m., I woke up to the sound of loud banging at the

⁹⁶ Munir Nuseibah, ‘Decades of Displacing Palestinians: How Israel Does It’ (2013) Al-Shabakah: The Palestinian Policy Network <<https://al-shabaka.org/briefs/decades-displacing-palestinians-how-israel-does-it/>>, 6.

⁹⁷ Civic Coalition for Palestinian Rights in Jerusalem, ‘Urban Planning in Jerusalem’ (2012) http://www.civicoalition-jerusalem.org/system/files/urban_planning_in_jerusalem_final.pdf 2.

⁹⁸ Nur Arafah, ‘Which Jerusalem? Israel’s Little-Known Master Plans’ (2016) Al-Shabakah: The Palestinian Policy Network <<https://al-shabaka.org/briefs/jerusalem-israels-little-known-master-plans>> 8.

⁹⁹ Ibid

¹⁰⁰ Centre for Continuing Education, *Reality of Palestinian Children’s Wellbeing in Occupied East Jerusalem: A Participatory Community Case Study Analysis of Five Marginalised Neighbourhoods* (CCE, 2014) 14.

¹⁰¹ Society of St. Yves, ‘Housing Issues in Jerusalem’ (2014) Society of St. Yves

<<http://www.saintyves.org/?MenuId=0&Lang=1&TemplateId=projects&catId=7&full=1&id=35>> 1.

¹⁰² Arafah (n 98).

¹⁰³ BADIL (n 95) 41.

¹⁰⁴ Al-Haq, *East Jerusalem: Exploiting Instability to Deepen the Occupation* (Al-Haq 2016) 4.

¹⁰⁵ Office of Coordination of Humanitarian Affairs, *Demolition System* (OCHA 2016) 2.

¹⁰⁶ Testimony given by Raghda H to Women’s Centre for Legal Aid and Counselling (Jerusalem 29 March 2017) <http://wclac.org/Wvoices/526/Womens_Voices_Raghda_Property_destruction>

front door. I followed my husband who went to answer and we were both shocked to see about 100 soldiers in full military gear surrounding our house. We also saw four military jeeps and a bulldozer. The commander told my husband to ask everyone to get out because they had come to demolish it.”

“We were not given any prior notice. We were shocked yet we had to follow orders. I went inside the house to wake up my children while my husband remained at the door talking to the commander.”

“My husband and I and our children stood outside by the main street; it was very painful for me to watch the house that I’ve been living in since 2004 being destroyed in front of my eyes. My children were by my side crying, terrified.”

“The commander didn’t give us a demolition order or tell us why they were going to demolish the house; they just proceeded. I couldn’t hold my tears back.”

“The commander didn’t allow me or my husband to bring out any of our clothes or other possessions. Around 20 soldiers entered the house; they brought out very few clothes and two pieces of furniture, most of our possessions remained inside the house, then they started to demolish it.”

“During the demolition process many of our neighbors gathered, we were all watching the house turning into a pile of rubble. At one point my son Mohammed (10y) ran towards the house yelling and crying, but one of the soldiers prevented him and held him off with his hand away from the house.”

“By 6:30 am, the house was gone and my family and I became homeless. My children cry all the time missing home; I also feel unsafe and unstable since we moved into my husband’s family’s house. I have no privacy and no personal space.”

4.1.2 House Evictions

House evictions of Palestinians in Jerusalem take place through legal proceedings undertaken by Israeli religious and settlement organisations,¹⁰⁷ such as Ateret Cohanim, Ela’ad, Sephardic Community Committee and Knesset Yisrael Committee.

One of the means utilised by these organisations is the Third Generation Law. The Ottoman Law of Rent applied from the period of the Ottoman Empire up until October 1968. Under this law the tenant was protected from eviction and was able to transfer the rent of the property to their family after his/her death. The new Israeli law stated that the status of protection remained for those who rented property before October 1968. Thus, Palestinians in EJ who rented property that belonged to Jews prior to the

¹⁰⁷ Arafah (n 98) 9.

1948 War and the division of the city were still protected under the Israeli Law.¹⁰⁸ However, on 19 October 1972 the Tenants Protection Law¹⁰⁹ was amended and enacted. The amendment lifted the tenancy protection after the death of the third generation of tenants and thus enabled Israeli authorities to vacate Palestinians from houses they had rented for centuries.¹¹⁰ This procedure, utilised by the settler organisation Ateret Cohanim in the Old City of Jerusalem, has rendered the displacement of 296 Palestinians.¹¹¹ Other organisations are focusing on other areas within the Holy Basin in EJ, including Sheikh Jarrah and Silwan.

4.1.3 Revocation of Residency

Revocation of residency is taking place primarily through the “centre of life” policy. Since the annexation of the city, Israeli laws have applied to Jerusalemites; of particular relevance to residency issues of east Jerusalemites is the Entry into Israel Law of 1952,¹¹² and its accompanying regulations of 1974.¹¹³ Regulation 11(c) states

“A permanent residency permit expires if the holder leaves Israel and settles in another country.”

Regulation 11(a) clarifies the statement “settles in another country” as: 1) having lived for more than seven years in another country, 2) having received the status of a permanent resident in a foreign country and 3) having become a citizen of a foreign country.¹¹⁴ Residency in the WB or GS was not considered settlement outside Israel at that time.¹¹⁵

Israel changed the revocation rules without warning, nor through the introduction of any official legal amendment in 1995. A new criterion called the “centre of life” was introduced and used to interpret a person’s residency.¹¹⁶ The interpretation of the term “leaves Israel” in regulation 11(c) was expanded to include residency in the WB and GS, effectuated through a directive issued by the legal advisor of the Ministry of Interior to the EJ office.¹¹⁷ Accordingly, Palestinian residents of Jerusalem must continuously prove their “centre of life” to avoid revocation of their residency, through submitting a high standard of proof, such as house ownership papers or rent contracts, electricity, water

¹⁰⁸ Khalil Tufakji, *Third Generation Law: Altering Jerusalem’s Palestinian Demographics* (Palestinian Vision Organization, 2015) 34.

¹⁰⁹ Tenants Protection Law 5732-1972

¹¹⁰ Palestinian Vision Organisation, ‘Third Generation Law’ (2015) <<https://www.youtube.com/watch?v=T41gMP3YwWc>>.

¹¹¹ Tufakji (n 108) 38.

¹¹² Entry into Israel Law 1952.

¹¹³ Entry into Israel Regulations, 5734-1974, Israeli Collection of Regulations No. 3201, 18 July 1974, p. 1517.

¹¹⁴ Ibid Sections 11(c), 11A

¹¹⁵ Nuseibah (n 96) 4.

¹¹⁶ Ibid.

¹¹⁷ Norwegian Refugee Council, *Fractured Lives: Restrictions on Residency Rights and Family Reunification in Occupied Palestine* (NRC, 2015) 39.

and telephone bills, payment receipts of municipal taxes, salary slips, proof of receipt of medical care and certificates of children's school registration.¹¹⁸

The impact of the "centre of life" policy is further compounded in mixed families, where one of the spouses holds Jerusalem residency and the other holds WB or GS residency. Until 1991, residents of the WB and GS could live with their Jerusalem spouses and children without the need to obtain any special permits. Israel then commenced imposing a policy of "closure" in Palestine during the first Gulf War, which required the spouse to obtain Israeli entry permits to reside with their family. A family unification procedure was introduced in 1995, in which the Jerusalem resident was required to apply to the Ministry of Interior to enable his/her spouse to receive permanent residency status.¹¹⁹ The unification process came to be known as the "gradual process," where applicants were given an annually renewable temporary permit, which would be upgraded to temporary residency after 27 months; this residency would be renewed annually for a period of three years, after which the applicant would receive permanent residency. The gradual upgrading process is contingent on the proof of "centre of life" throughout the process.

To the detriment of Palestinian family life, the Israeli government issued Order No. 1813 on May 12, 2002, which effectively froze the gradual reunification process. In 2013, the order was incorporated into what was meant to be a temporary piece of legislation called the "Citizenship and Entry into Israel Law;"¹²⁰ however, the validity of the law has been extended periodically. The law effectively prohibits the Minister of Interior, among other actors, from granting citizenship or residency status to the Palestinian population of the WB and GS. The law specifies and imposes very high standards for the acquisition of temporary residency, including age restrictions and "criminal or security" records of the applicant, as well as those of his/her family members, such as spouse, parent, child, brother, sister and their spouses. The law also sets the ceiling to the acquisition of temporary permits, preventing the applicant from ever receiving permanent residency status.

Furthermore, in 2012 the Israeli High Court of Justice upheld the constitutionality of the "Citizenship and Entry into Israel Law."¹²¹ Following the ruling of the High Court of Justice, a committee was founded to prove the possibility of making the law unlimited instead of temporary.¹²²

This legal framework leaves mixed families with the following options: they live separately in the unrealistic hope that their application will be accepted without delay;

¹¹⁸ BADIL, 'Forced Population Transfer: The Case of Palestine: Denial of Residency' (2014) A Series of Working Papers, 24. <http://www.badil.org/phocadownload/Badil_docs/publications/wp16-Residency.pdf> 24.

¹¹⁹ Ibid 41.

¹²⁰ Citizenship and Entry into Israel Law 2003.

¹²¹ MK Zahava Gal-on - Meretz-Yahad et al. v. Attorney General et al [2012] HCJ, 7052/03(HCJ), 3.

¹²² Society of St. Yves, 'The Legal Framework of Family Unification' (2014) Society of St. Yves <<http://www.saintyves.org/?MenuId=0&Lang=1&TemplateId=projects&catId=8&full=1&id=47>> 1.

they live “illegally” in EJ and risk being caught; or they leave Jerusalem to live together and risk revocation of their residency in light of relocating their “centre of life.”¹²³ The number of Jerusalem residencies revoked between 1967 and 2015 reached at least 14,565, more than 11,000 of which took place after the introduction of the “centre of life” policy.¹²⁴ This number does not include the number of dependent children whose parents lost their residency rights, which would bring the total number of those who lost their residency rights to over 86,000.¹²⁵

4.1.4 Targeted Killing, Injury and Imprisonment

Since the occupation of the GS and the WB, including EJ, in 1967, successive Israeli governments have suppressed Palestinian resistance of the occupation, despite its enshrinement as a right to peoples under occupation under IL.¹²⁶ This quashing of resistance, justified under pretences of self-defence and counterterrorism, has taken the forms of targeted killings and injury, as well as imprisonment of Palestinians, and can be clearly seen during the first and second Intifadas; the military assaults on Gaza in 2008-2009, 2012 and 2014; during and after the escalation of violence in the WB in October 2015; and most recently during the Great March of Return in Gaza.

Within this framework, 1,070 Palestinians were killed during the first Intifada from December 9, 1987 to September 13, 1993,¹²⁷ and 3,223 during the second Intifada from September 29, 2000 to January 15, 2005.¹²⁸ Furthermore, 1,391 Palestinians were killed during the 2008-2009 assault on Gaza,¹²⁹ and a further 2,203 Palestinians during the 2014 assault.¹³⁰ More recently, during and after the 2015 escalation in violence in the WB, 119 Palestinians were killed from October 2015 to January 2016.¹³¹ On the level of the Gaza March of Return Demonstrations, another 180 Palestinians, 30 of which were minors, were killed and 24,000 were injured between March 30 and December 31, 2018.¹³² On the level of injuries, 164,042 Palestinians have been injured from January 1, 2008 and July 1, 2019 in the GS and WB, including EJ.¹³³ With respect to imprisonment and detainment, 5,152 Palestinians were imprisoned as of April 2019, 479 of which

¹²³ NRC (n 117) 41.

¹²⁴ Munir Nuseibah, ‘Forced Displacement in the Palestinian-Israeli Conflict: International Law and Transitional Justice’ (PhD Thesis, University of Westminster 2013) 86.

¹²⁵ PASSIA, *Arab East Jerusalem: A Reader* (PASSIA, 2013) 174.

¹²⁶ UNGA Resolution 3070 (30 November 1973).

¹²⁷ Israeli Information Center for Human Rights in the Occupied Territories (B’Tselem), *Fatalities in the First Intifada* (B’Tselem) <https://www.btselem.org/statistics/first_intifada_tables>

¹²⁸ British Broadcasting Corporation News (BBC News), *Intifada Toll 2000-2005* (BBC News) <http://news.bbc.co.uk/2/hi/middle_east/3694350.stm>

¹²⁹ B’Tselem, *Fatalities during Operation Cast Lead* (B’Tselem) <<https://www.btselem.org/statistics/fatalities/during-cast-lead/by-date-of-event>>

¹³⁰ B’Tselem, *50 Days: More than 500 Children* (B’Tselem) <https://www.btselem.org/2014_gaza_conflict/en/>

¹³¹ Office of Coordination of Humanitarian Affairs, *Data on Casualties* (OCHA) <<https://www.ochaopt.org/data/casualties>>

¹³² Human Rights Council, ‘Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967’ (15 March 2019) UN Doc A/HRC/40/73/Add.1, paragraph 8.

¹³³ OCHA (n 131).

under administrative detention.¹³⁴ Since 1967, Israel has imprisoned over 800,000 Palestinians to subdue the population and quash resistance.¹³⁵

The following testimony, given by Obeida F. paints a very clear picture of the horrendous practices associated with arrest and detainment of Palestinians:¹³⁶

1. "My name is Obeida F. I am 43 years old and I have been living in the neighborhood of Saoud, Silwan for 14 years. I have been married for 23 years and I am the mother of four children."
2. "At 04:30 am on 11 September 2017, my husband and I were awoken by the doorbell and a voice saying "open the door, it's the police." My husband opened the door to three men, who identified themselves as intelligence agents, and two policemen."
3. "One of the intelligence agents, who said his name was Elias, said that he had an arrest warrant against my Mohammed, who is 17 years old, and that at 08:00 am he had a court hearing al-Maskobiya in Jerusalem."
4. "I started crying. Two police officers tied Mohammed's hands with plastic tapes to the back and took him outside."
5. "One of our neighbors' told us that two of the policemen hit my son's head against the wall while they were going down the stairs."
6. "At the Jerusalem Maskobiya detention center, an indictment was filed against Mohammed for "throwing stones and Molotov cocktails at the cars of settlers and the police." The court handed down a ban on us visiting Mohammed. We were not allowed to bring him any of his belongings. The reason we were given was that the investigation against him had to be completed."
7. "Mohammed was sitting in court smiling at me as if he was telling me not to cry. I could not stop myself from crying, I felt so weak and helpless that I could not protect my son."
8. "Three court sessions were listed for Mohammed on 11, 18 and 28 of September 2017, all of which were postponed, on the grounds that the investigation proceedings were incomplete. Each time, the atmosphere in the court was awful and the prejudice against my son from the judges was clear."
9. "Mohammed was transferred to Megiddo prison on 28 September 2018."
10. "We were finally allowed to visit Mohammed on second of October 2017. I saw him behind the glass and we talked through telephone speakers. I tried to pull myself

¹³⁴ B'Tselem, *Statistics on Palestinians in the Custody of the Israeli Security Forces* (B'Tselem, 2019) <https://www.btselem.org/statistics/detainees_and_prisoners>

¹³⁵ Palestinian Liberation Organization Negotiations Affairs Department, *Political Prisoners* <<https://www.nad.ps/en/our-position/political-prisoners>>

¹³⁶ Testimony given by Obeida F to Women's Centre for Legal Aid and Counselling (Jerusalem 26 July 2018) <http://wclac.org/Wvoices/637/Womens_Voices_Obeida_Arrest>

together to keep Mohammed strong."

11. "The prison entry procedures and checks were strict and provocative. They did not allow me to bring in all the necessary items for Mohammed like clothes and blankets. We paid a sum of 300 shekels for Mohammed's prison fees and 500 NIS for his so-called "canteen"."

12. " On 30 October 2017, another court hearing was listed for Mohammed. I prayed for the release of my son."

13. "Currently, the situation is difficult for the entire family. We are anxiously waiting for the court's decision to release Mohammed."

These acts of violence are illegal under IHL as the occupying power not only has a duty to maintain the safety of the occupied population but also to restore law and order.¹³⁷ Additionally, these practices violate the principles of distinction and proportionality and do not meet the internationally set standards for the lethal use of force. In terms of IHRL, these practices infringe on several rights, including the right to life, right to bodily integrity, right to liberty of person and freedoms of assembly, expression and opinion.¹³⁸

4.2 Disproportionate Impact on Women

Procedures of forced displacement and direct targeting of civilians, which lead to the loss, injury or house arrest of family members as well as the wider framework of oppression and violence are directed against the entirety of the Palestinian people. This does not negate, however, that they have a disproportionate impact on Palestinian women. This can be clearly seen at two levels: 1) the reproduction of the cycle of violence and 2) the reinforcement of traditional gender roles.

The reproduction of the cycle of violence refers to the exercise of violence by a stronger social group subjected to violence against the weaker social group. Within this framework, men subjected to violence at the hands of settlers and occupation forces are likely to subject their wives, sisters and children to violence. Studies have shown that in areas that are in proximity to the Wall, settlements and checkpoints, where the likelihood of being subjected to violence is heightened, women are not only worried for their children and families from attacks, but are more likely to be subjected to violence by the men in their lives.¹³⁹

¹³⁷ Hague Regulations (n 4) article 43.

¹³⁸ BADIL, 'Forced Population Transfer: The Case of Palestine: Suppression of Resistance'(2016) A Series of Working Papers < <http://www.badil.org/phocadownloadpap/badil-new/publications/research/working-papers/wp19-Suppression-of-Resistance.pdf>> 14.

¹³⁹ Human Rights Council, 'Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to Israel' (8 June 2017) UN Doc A/HRC/35/30/Add.1, paragraph 66.

The reinforcement of traditional gender roles increases the burden on women in the private sphere in the form of caretaking responsibilities and duties. In cases of the arrest of the father, women shoulder the emotional burden of caring for their children and playing the role of both mother and father.¹⁴⁰

Furthermore, in cases of house demolitions, not only are girls married off to decrease the economic burden, often in cases of early marriages, but also women are forced to provide shelter and carry out household chores in unfamiliar and uncomfortable surroundings, lacking basic rights including privacy.¹⁴¹ Raghad H from Jerusalem explains the impact that the demolition of her family's house in Silwan left on her and her family "My children cry all the time missing home; I also feel unsafe and unstable since we moved into my husband's family's house. I have no privacy and no personal space."¹⁴²

Additionally, in cases of families that have martyrs, the tradition of celebrating the life of the martyr places a taboo on the grieving of the martyrs' mothers and female family members.¹⁴³ Also, wives/ families of martyrs, imprisoned men and injured men left with a permanent disability would have to shoulder the economic burden of providing for the family. Furthermore, the social restrictions and stereotyping of the wives of martyrs' is manifesting in unprecedented restrictions on human rights and fundamental freedoms, particularly freedom of movement. Lastly, there have been an increase in reported incidents of mothers being blamed for their son's martyrdom or imprisonment, citing that she failed to protect him and remove him from harm's way.¹⁴⁴

On the level of arrests and imprisonment, given that incursions take place suddenly and in the very late hours of the night or very early hours of the morning, many women are forced to sleep with their headscarf on to comply with prevalent social norms. Furthermore, one very well known method utilised against and to provoke detained Palestinians is that of the social image of women, particularly in terms of sexuality. More specifically, in cases of house arrest the role of the mother/ grandmother is transformed to that of the jailer of her son, leading to severe psychological and emotional repercussions on her, especially in cases where the child attempted to commit suicide after sentencing him to a long period of house arrest. The impact of house arrest on mother's is aptly captured in the following testimony by Sireen A from Shufat, Jerusalem:

"I lived a very difficult period when he was arrested 45 days, before being sentenced to house imprisonment, I was tired at that time so much psychologically.

¹⁴⁰ Interview with Soraida Hussein, General Director of Women's Affairs Technical Committee (Ramallah 9 March 2019).

¹⁴¹ Interview with Randa Siniora, General Director of Women's Centre for Legal Aid and Counselling (Ramallah 12 March 2019).

¹⁴² Testimony given by Raghad H (n 106).

¹⁴³ Interview with Sama Aweidah, General Director of Women Studies Centre (Ramallah 14 March 2019).

¹⁴⁴ Human Rights Council, 'Report of the Independent International Commission of Inquiry on the Protests in the Occupied Palestinian Territory' (25 February 2019) UN Doc A/HRC/40/74/, paragraph 85.

My husband was hospitalized for two weeks because of the high-pressure problem that resulted from Mohammad's arrest. In addition, my eldest son had to leave his university in the Netanya area to stand with the family and follow Mohammad's hearing courts with his father.

I started escorting Mohammad to school every day after being allowed to go to school, I became a prisoner with him at home during house imprisonment period. I have lived through a very difficult period because of repeated police incursions into the house to make sure that Mohammad is committed to house imprisonment. They came home every two or three days. Between 12 midnight and 4:00 am."¹⁴⁵

¹⁴⁵ Testimony given by Sireen A to Women's Centre for Legal Aid and Counselling (Jerusalem 11 November 2018) <http://wclac.org/Wvoices/656/Womens_Voices_Sireen_Minors_House_Arrest>

5. *Why Does Violence Against Women Persist?*

Despite the prohibition of targeting of civilians in times of armed conflict, violence against civilians in general and women in particular persists. This can be attributed to a number of reasons that relate to the nature of IL, the structure of IL and modes of decision and policy making at the national and international levels, among other aspects.

The primary reason behind the persistence of violence against civilians in times of armed conflict is the absence of enforcement and accountability mechanisms. This comes within the context that the activation of the economic dimension of international law enforcement is contingent on the political will of the international community. This may be attributed to the bias of IL to interests of a few select states at the expense of interests of justice, in maintenance of the prevalent power asymmetry at the international level. For example, in the case of Palestine, while there a number of bodies, such as the UNGA and Human Rights Council that continuously highlight Israeli violations and adopt favourable resolutions towards the Palestinian cause and people, the abilities of these bodies do not match those of the UNSC, which is completely biased towards Israel in light of the permanent seat of the USA, whereby it used the veto 43 times between 1972 and 2017 to shield Israel from criticism and censor.¹⁴⁶ This organisation is grossly undemocratic in enabling five States to overturn the decision of over 190 other States, which truly negates the alleged sovereign equality of States at the international level.

On another level, while avenues of international criminal justice hold an increased hope and prospects for accountability, this remains contingent on a number of factors, some of which remain directly connected to the political will of the international community. Article 53(1) of the Rome Statute identifies three criteria for the opening of an investigation: jurisdiction, admissibility and interests of justice.¹⁴⁷ While the jurisdiction criterion can be fairly simply qualified, the gravity aspect of the admissibility criterion and the criterion of interests of justice provide large discretionary power to the Office of the Prosecutor of the ICC, which could cave in to international pressure through financial means or diplomatic channels to refrain from opening an investigation into Israeli crimes. Additionally, even if an investigation is opened, the court does not try defendants *in absentia*; this thus requires cooperation from member States to extradite defendants to the court, which again is contingent on these States' political will, which also cannot be considered to be homogenous across the board.

Furthermore, the bias of IL and international relations to the side of power instead of justice is a factor manifested in the persistence by the international community in “managing the conflict” instead of “solving the conflict” in a manner that ensures the

¹⁴⁶ The New Arab, *This is How Many Times the US has Used its Veto for Israel's Sake* (The New Arab 2017) <<https://www.alaraby.co.uk/english/blog/2017/12/19/how-many-times-has-us-backed-israel-at-un>>

¹⁴⁷ Rome Statute (n 38) article 53(1).

access of Palestinian people to justice. Consequently, this approach has given rise to a number of factors that have led to the reinforcement of masculinity.

To begin with, the lack of a political solution to the Palestine question following the passage of 26 years since the signing of the Oslo Accords, which resembled a highly significant concession on the part of the Palestinian people, has led to an ever increasing level of despair and loss of hope. This, in turn, has led to decreased tolerance and acceptance of others and diversity. Furthermore, the continuously deteriorating economic situation in Palestine, with unemployment standing at 29.1 percent in 2018,¹⁴⁸ and poverty rates at 29.2 percent in 2017,¹⁴⁹ has made it extremely difficult for men to fulfil their traditional gender roles of providing for their families. This reinforced masculinity is manifesting in increased societal and domestic violence. Within this framework, the most recent census conducted by the Palestinian Central Bureau of Statistics in 2019, shows that 29 percent of married or previously married Palestinian women (24 percent in WB and 38 percent in GS) were subjected to at least one form of violence in their lifetime, decreasing from 37 percent in 2011. The following table compares types of violence against women between 2019 and 2011 by subtype:¹⁵⁰

Type of Violence	2011 (%)	2019 (%)
Psychological	59 (49% WB, 76% GS)	52 (46% WB, 62% GS)
Economic	55 (42% WB, 88% GS)	36 (29% WB, 47% GS)
Social	55 (45% WB, 79% GS)	28 (20% WB, 41% GS)
Physical	24 (17% WB, 35% GS)	17 (12% WB, 26% GS)
Sexual	12 (10% WB, 15% GS)	7 (6% WB, 9% GS)

The data in the table above further supports the hypothesis that heightened violence, oppression and poverty reproduce the cycle of violence, which is directed against the weaker social group. This is clearly seen in the vast differences in VAW rates between the WB and GS, both in 2011 and 2019, Despite the decrease in VAW rates over the past eight years. Furthermore, in the case of individuals who are not married and have been married, the rates of certain types of VAW have increased while others have decreased, as follows:¹⁵¹

Type of Violence	2011 (%)	2019 (%)
Psychological	25.6	39.3
Economic	7.7	3.2
Social		8.1
Physical	30.1	13.9

¹⁴⁸ Palestinian Central Bureau of Statistics, *Labour Force Survey (October-December, 2018) Round (Q4/2018)* <http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_13-2-2019-LF-e.pdf> page 5

¹⁴⁹ PCBS, *Poverty Percentage among Persons According to Monthly Consumption Patterns by Region*, (PCBS, 2017) <http://www.pcbs.gov.ps/Portals/_Rainbow/Documents/Levels%20of%20living_pov_2017_01a.htm>

¹⁵⁰ PCBS, Preliminary Results of the Violence in Palestinian Society Census (PCBS, 2019) 24.

¹⁵¹ Ibid 26.

Sexual	0.8	0.6
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It is important to note that these figures could be underrepresented in light of the taboo nature of reporting GBV and VAW, particularly sexual and physical violence. Within this framework, 61 percent of married or previously married women subjected to violence preferred to remain silent about it, only one percent sought psychological, social or legal support and also only one percent went to the police station or family protection unit to file a lawsuit against her husband or seek help or protection from her husband.¹⁵²

This situation is further exacerbated by the absence of alternatives for Palestinian women, which comes within the context of the stigmatisation of divorce and women's economic dependency on men. For example, women's participation in the labour force stood at 19.2 percent in 2017, compared with 71.6 percent among men;¹⁵³ additionally, unemployment rates among women stood at 48.2 percent, compared to 23.2 percent among men in 2017.¹⁵⁴

Another significant reason is the absence of specialised focus on VAW in armed conflict within the aforementioned plethora. For example, while CEDAW GRs 19 and 35 focused on VAW, they did not give due attention to VAW in armed conflict, mentioning the latter one and four times respectively. Alternatively, while CEDAW GRs 30 and 33 focus on armed conflict and its implications, they attempt to address a wide array of women's issues in armed conflict, only one of which is VAW. Notwithstanding the exclusive focus on the WPS agenda on VAW in times of armed conflict, a major gap within the agenda is the restriction of the forms of violence to the sexual dimension of violence without due consideration to mental, physical and economic violence and deprivation of basic rights and fundamental freedoms. This overt focus on the sexual dimension of violence can also be seen in GR 30, which mentions sexual violence 29 times compared to zero times on other forms of violence. Another major gap in the Agenda is that it failed to recognise and differentiate between the implications of conventional armed conflict and protracted occupation, with its associated and institutionalised system of oppression and hegemony. Lastly, the WPS agenda failed in the seven Resolutions that followed UNSC Resolution 1325 to include concrete measures to activate responses and accountability mechanisms and instead restricted implementation to the development and adoption of national action plans.

Furthermore, the development of IHRL came at a time characterised by the polarisation resulting from the Cold War between the socialist camp on one side and the capitalist camp on the other. Despite the indivisibility of human rights, the socialist camp prioritised economic, social and cultural rights and the capitalist camp prioritised civil and political rights. Both covenants concerned with these rights provided generalised

¹⁵² Ibid 24

¹⁵³ PCBS, *Women and Men in Palestine: Issues and Statistics* (PCBS 2018) <<http://www.pcbs.gov.ps/Downloads/book2397.pdf>> 47.

¹⁵⁴ Ibid, 53.

protection from discrimination on numerous grounds, including gender. This generalised protection proved insufficient to ensure non-discrimination against vulnerable social groups, including women, children, migrants and persons with disability. Thus, the next major milestone in the evolution of IHRL was the development of specialised instruments concerned with the rights of these social groups. This approach has led to the fragmentation of these struggles to non-discrimination and equality, negating that the root causes of these struggles in the first place stem down to the hegemony of stronger groups over weaker groups. Examples of these include men vs. women, global north vs. global south, urban vs. rural, upper/ middle class vs. poor, ability vs. disability. This divisibility and fragmentation of struggles and rights has become the mainstream advocacy approach adopted by the various actors and components in Palestinian society. This approach frames the struggle of the Palestinian people at the level of women's rights, children's rights, disability rights...etc, and thus negates that the struggle of Palestinian women (and other components of Palestinian society) is directly connected to the wider struggle of the Palestinian people to self-determination. This is a highly contentious issue as it depoliticises the struggle of Palestinian women and feminist framework. Additionally, since the signing of the Oslo Accords, the Palestinian civil society has shrunk to consist predominantly of Non-Governmental Organisations. This can be partially attributed to the decline in Palestinian political parties who took a back step and whose national and social action continued through their organisational frameworks. These organisations, as well as larger Non-Governmental Organisations, rely on external funding that follow the approach of the categorisation of rights, thus negating the indivisibility of rights and more crucially the right to self-determination as a perquisite to Palestinian human rights.

Despite the major gaps in the approach of division of rights and struggles, one main advantage is the ability to concert advocacy efforts to focus on areas that require improvement in specific member states. However, this approach did not necessarily work for all nations of the world. While these developments took place following the decolonisation period, where a large number of peoples practiced their right to self-determination, these peoples had more pressing issues to address, including state and economy building. Nonetheless, their voices were not integrated in the same conventional fashion of the marginalisation of the global south by the global north, thus reflecting similar patterns of marginalisation and exclusion observed at national levels, including along the lines of gender, economic and social background, age and disability at the international level by the global north against the global south.¹⁵⁵

¹⁵⁵ Hilary Charlesworth, Christine Chinkin and Shelley Wright, 'Feminist Approaches to International Law' (1991) 85 *American Journal of International Law* 613, 619.

6. *Way Forward Recommendations*

There are multiple stakeholders in addressing the issue of violence against Palestinians in general and against women in particular- the State of Palestine, Palestinian civil society and the international community. While some of the reasons presented in the previous section fall beyond the control and scope of responsibility of any of these stakeholders, such as the structural and normative frameworks of IL, this does not absolve any of these stakeholders of their responsibility to address this issue within the parameters of their ability.

Within this framework, measures at both the international and national levels should be adopted and implemented to prevent and address GBV and VAW. On the international level, one major issue that could and should be addressed is the mobilisation of the political will of the international community. Nationally, policies should be adopted and legislation enacted not only prohibiting GBV and VAW but also mainstreaming gender equality. As such, this section will outline measures and strategies that should be adopted and employed by the State of Palestine and Palestinian civil society on both the national and international levels to address violence against Palestinian civilians in general and Palestinian women in particular.

- State of Palestine
 - **On the International Level:** The work of the State of Palestine on the international level has intensified over the past two decades, focusing mainly on the UN. It has focused on the ratification of and accession to treaty bodies, submission of periodic reports, cooperation and facilitation of the work of the Special Rapporteur on Situation of Human Rights in the Palestinian Territory Occupied since 1967 and regular attendance of the GA. Within this framework, additional strategies and measures should be adopted, as follows:
 - Intensify diplomatic relations and activation of Palestinian embassies with friendly states and lobby them to 1) encourage and support the Office of the Prosecutor of the ICC to open an investigation into Israeli crimes in Palestine, 2) review trade agreements with Israel and 3) highlight violence against Palestinian civilians with a focus on VAW within relevant international platforms and forums, such as the Universal Periodic Review of the Human Rights Council.
 - Further activate the role of the State of Palestine mission to the Human Rights Council with the view of integrating the role of the occupation as a primary issue into the work of the thematic Special Procedures mechanism, as well as promote coordination between these thematic Special Procedures with the Special Rapporteur on

the situation of human rights in the Palestinian Territory occupied since 1967.

- Increase demands to send Commissions of Inquiry and activate thematic Special Procedures mechanisms on the situation in Palestine, such that their mandate focuses on the disproportionate impact of the violence perpetrated by the occupation on Palestinian women.

➤ **On the National Level:** while the Ministry of Women's Affairs and Ministry of Social Development include programmes that support women and seek to empower them including in addressing VAW and economically empower them, budget allocations of these Ministries remain insufficient. For example, while the Ministry of Social Development dedicated ILS 40 million to the economic empowerment programme, 49% of which were allocated to families headed by women, not only is the allocation for the programme insufficient, but also the budget allocation for the whole Ministry did not exceed 5.1 percent of the public budget. With respect to the Ministry of Women's Affairs, the actual expenditure in 2018 did not reach 0.1 percent of the total national expenditure of the year. With these allocations, the programmes of the Ministry of Social Development can only reach a highly limited amount for women. For example, the Ministry was able to provide shelter to only 358 women subjected to violence in 2018. Within this framework, additional measures should be adopted, as follows:

- Systemise the periodicity of undertaking surveys and censuses on VAW in Palestine, as well as factors underpinning it, including poverty and unemployment. Furthermore, there is a need to more periodically monitor and survey this issue; as such, the decrease of the period from eight years to five years ought to be adopted.
- There is a need to prioritise the protection of women from VAW by the government through the allocation of sufficient budgets not only to address VAW directly, but also to facilitate women's economic empowerment, as a major factor preventing women from breaking the cycle of violence that they are subjected to.
- Allocate budgets and adopt procedures to effectuate the complete utilisation of the national referral system.
- Enact the Family Protection Law as an important piece of legislation not only in the protection of women and children from domestic violence but also in the rehabilitation of perpetrators and survivors of violence.
- Adopt programmes and formulate policies to proceed with the implementation of CEDAW in Palestine. Within this framework, focus should be on the Penal Code that applies in Palestine, which

the Palestinian civil society has been lobbying for its reform for the past two decades; the current law not only does not criminalise VAW but also tolerates and condones the killing of women under pretences of family honour.

- Palestinian Civil Society
 - **On the International Level:** the Palestinian civil society has played the role of the pioneer in engaging international forums for the past three decades periodically on the question of Palestine, including violence against Palestinian civilians, women and children. Civil society organisations played the role of the State before the establishment of the Palestinian Authority in exposing and highlighting the violations of the Israeli occupation, and continued to play an instrumental role after. These took place through the submission of shadow reports to Israel's state reports (and Palestine's State reports following its accession to treaties in 2014), as well as the periodic participation in the Commission on the Status of Women, WPS week and Item 7 Agenda of the Human Rights Council, as well as provide support to the work of the Occupied Palestinian Territory Special Rapporteur . Notwithstanding the importance of these strategies, additional strategies should be adopted in order to capitalise on the plethora of instruments and avenues, and compliment the work of the State of Palestinian to mobilise international public opinion and political will, as follows:
 - Diversify advocacy avenues beyond Item 7 of the Human Rights Council to activate other accountability mechanisms, such as the targeting of thematic special rapporteurs.
 - Network and forge partnerships with human rights NGOs on the international level with the view of invoking universal jurisdiction to hold Israel accountable.
 - Establish a unified complaint mechanism to document and collect testimonies of violations by the occupation to utilise them in international advocacy efforts. This could serve as the basis to consolidate efforts of Palestinian NGOs at the international stage.
 - **On the National Level:** Palestinian civil society organisations focusing on human rights in general and gender equality in particular have focused, since the establishment of the Palestinian Authority, on the reform of the legal system to promote human rights and fundamental freedoms, including gender equality. This may be attributed to the abysmal status of the legal system that has applied in Palestine before the establishment of the Palestinian Authority, particularly given the multiple previous jurisdictions that applied in the WB and GS and the patriarchal and masculine mentalities that dominated these systems. Despite the highly

competitive relationship that brought together Palestinian civil society organisations with the Palestinian Authority and the severe impact of Palestinian political division since 2007, several accomplishments were realised. Notwithstanding, additional strategies should be adopted to promote a more holistic approach to prevention and addressing of VAW in Palestine and wider framework of gender equality, including:

- Develop programmes and interventions that seek to address prevalent gender stereotypes at the social level, including the activation of the role of the media and the revision and reform of the educational system.
- Promote consolidation of efforts among Palestinian NGOs at the national advocacy stage, as well as efforts between feminist and human rights NGOs.
- Continue to work on legal reform with a focus on the enactment of the Family Protection Bill and reform of the Penal Code. Additionally, focus should be on VAW in the work place, including sexual harassment, which directly contributes to women's law participation in the labour force and prospects of advancement in the work place, thereby playing a pivotal role in hindering women's economic empowerment.
- Promote a conciliatory relationship based on a participatory approach with the official sector and particularly the Family Protection Units with the Palestinian Civil Police.

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