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Social and Economic Situation of Palestinian Women and Girls

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**SOCIAL AND ECONOMIC SITUATION
OF PALESTINIAN WOMEN AND GIRLS
(JULY 2012 - JUNE 2014)**



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The views expressed in the present report do not necessarily reflect the views of ESCWA.

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Executive summary

In accordance with Economic and Social Council Resolution 2003/42 on the situation of and assistance to Palestinian women, the United Nations Economic and Social Commission for Western Asia (ESCWA) issues periodic reports on the status of women and girls in Palestine, which provide a comprehensive overview of progress made and challenges faced in the advancement of the political, social, economic and human rights of Palestinian women and girls. The reports draw on statistics collected by the Palestinian Central Bureau of Statistics (PCBS) and on the findings of national and international organizations and United Nations agencies, including the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

The present report reviews the status of women and girls in Palestine over the period July 2012 - June 2014, outlining positive developments in and significant challenges for gender equality. The first chapter presents the political situation in Palestine during the reporting period and the impact of the ongoing Israeli occupation on women's rights. It shows that, as a result of gender discrimination, women are particularly susceptible to poverty and suffering brought about by periodic escalations of violence. The chapter also describes relevant political developments in the State of Palestine and analyses their implications for women, including General Assembly resolution 67/19 that grants Palestine non-member observer State status in the United Nations. Given the extent of the devastation caused by the 50-day military offensive launched against the Gaza Strip by Israel in July 2014, a brief update of this operation is provided although it occurred just after the close of the reporting period.

The second chapter sets out the demographic and socioeconomic factors, including poverty and food security, that affect the lives of women and girls in Palestine. Since a blockade was imposed by Israel on Gaza in 2007, the population has struggled to survive. The effective closure of the tunnel economy by Egypt in July 2013 pushed households further into economic insecurity, with young women hardest hit by the ongoing employment crisis. The resulting food, fuel and electricity crises have exacerbated women's vulnerability, forcing them to stretch their coping strategies to the limit. Meanwhile, the livelihoods of Palestinians in the West Bank continue to be negatively impacted by restrictions on the movement of people and goods as a result of checkpoints, the construction of an extensive system of walls and the strict permit regime imposed by Israel on Palestinians seeking to move between Gaza, the West Bank, East Jerusalem and Israel. Women in the West Bank's Israeli-controlled Area C, Hebron and East Jerusalem tend to be affected the most by the adverse impacts of movement restrictions, including limited access to health services.

Despite high education levels among women, stark gender disparities persist, including high unemployment, low wages and low participation rates in the formal labour market. Female unemployment tends to be highest among better-educated women, demonstrating the continued mismatch between the skill sets of educated women and labour market demands. Moreover, violence against women and girls remains a serious issue, despite the implementation of a number of commendable measures, including the governmental endorsement of the national referral system for victims of violence in December 2013.

The third chapter examines women's political representation and rights. Notwithstanding high levels of educational achievement and strong participation in civil society, Palestinian women remain underrepresented in public life. Interventions aimed at mainstreaming gender within the political system have not been fully implemented and women's political participation has generally been limited to lower levels of decision-making. Disparities also exist between the West Bank and Gaza with regards to gender-sensitive legislation and political representation.

The reporting period saw advances in efforts to align national legislation with international women's rights standards, including those set out in Security Council resolution 1325 (2000) on women, peace and security. The accession of the State of Palestine to the Convention on the Elimination of All forms of

Discrimination against Women (CEDAW) was a historical step for Palestinian women's rights. As the occupying power, Israel is responsible for reporting on the situation of women in Palestine to the CEDAW Committee, but refutes this responsibility. Furthermore, a number of measures and reforms have been put in place to address violence against women in Palestine, in line with the Palestinian National Strategy to Combat Violence Against Women (2011-2019). However, discrepancies persist between CEDAW commitments and the formulation and enforcement of policies and laws.

The present report concludes with a set of recommendations for decision-makers aimed at promoting the realization of Palestinian women's social, economic and political rights amid ongoing occupation and periodic violence. They encompass legislative and judicial reforms and programmes to advance women's socioeconomic and political participation.

ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
ESCWA	Economic and Social Commission for Western Asia
GDP	Gross domestic product
ICHR	Independent Commission for Human Rights
PCBS	Palestinian Central Bureau of Statistics
PCHR	Palestinian Centre for Human Rights
OCHA	Office for the Coordination of Humanitarian Affairs
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nation's Fund for Children
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSCO	United Nations Special Coordinator in the Occupied Territories
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
WCLAC	Women's Centre for Legal Aid and Counseling

I. POLITICAL SETTING OF THE PALESTINIAN TERRITORIES UNDER ISRAELI OCCUPATION

The State of Palestine, which has been under Israeli occupation since 1967, consists of the non-contiguous areas of the West Bank, including East Jerusalem, and the Gaza Strip. Pursuant to the Oslo Accords between the Palestinian Liberation Organization and the Government of Israel, the Palestinian Authority was established in 1994 as the recognized governing authority of Palestine. In accordance with the Oslo Accords, the West Bank is divided into three zones, known as areas A, B and C. Area A falls under the civil jurisdiction and security control of the Palestinian Authority, whereas Area B falls under Palestinian civil control and Israeli security control. Area C is under full Israeli military and partial civil control, and contains Israeli settlements, roads and so-called “buffer zones”.

In accordance with Economic and Social Council resolution 2003/42 on the situation of and assistance to Palestinian women, the Economic and Social Commission for Western Asia (ESCWA) issues periodic reports on the status of women and girls in Palestine.¹ The information contained in the present report is based on data collected by the Palestinian Central Bureau of Statistics (PCBS) and reports published by United Nations entities, namely the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Children’s Fund (UNICEF), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Development Programme (UNDP) and the United Nations Special Coordinator in the Occupied Territories (UNSCO). Data and analyses have also been provided by government entities and national and international development agencies.

The present report covers the period from 1 July 2012 to 30 June 2014, which was marked by striking developments in the security and political situation in Palestine.

A. POLITICAL DEVELOPMENTS

The political and humanitarian situations in Palestine remain challenging and highly uncertain. The ongoing Israeli occupation of Palestine and violations of international law have resulted in a humanitarian crisis, adversely affecting advances in women’s political, civil, social and economic rights. The most recent peace efforts sponsored by the United States collapsed in 2014 after nine months. Previous peace efforts have also collapsed, including attempts by the Obama administration in 2010 to launch direct talks and revive the stalled negotiations. Prospects for the resumption of negotiations between Israel and the Palestinian Authority for a final status agreement have dwindled, resulting in another political impasse.

1. *Political and security situation*

The reporting period saw multiple escalations in violence. In November 2012, an Israeli military offensive was launched in the Gaza Strip (box 1), which lasted eight days and exacerbated the already fragile humanitarian situation in Gaza. The ceasefire that ended the hostilities was followed by a severe humanitarian crisis. In the West Bank, periodic unrest and clashes between Palestinians and the Israeli army throughout the reporting period resulted in a sharp increase in the number of Palestinians injured.

¹ Five reports precede the present report. Available from <http://www.escwa.un.org/divisions/ecw.asp?division=ecw>.

Box 1. Gaza war of November 2012

The Israeli military operation in Gaza, code named Operation Pillar of Defence, was launched on 14 November 2012 following several weeks of escalating violence. A ceasefire was announced on 21 November 2012. The following took place during this operation:

- 174 Palestinians were killed in Gaza; 168 were killed by Israeli military action, 101 of whom are believed to be civilians, including 33 children and 13 women;
- The Gaza Ministry of Health reported that 1,399 Palestinians were injured, the majority of whom are believed to be civilians;
- Israel conducted over 1,500 air strikes on Gaza. In addition, the Israeli Navy carried out seven strikes and 360 mortar shells were fired into Gaza, all of which were recorded by the United Nations;
- Some 450 houses were totally destroyed or severely damaged as a result of the Israeli military offensive, displacing most of their residents. An estimated 8,000 houses sustained minor damage;
- One hospital was directly hit and severely damaged, and two other hospitals and 13 primary health care centres sustained light to moderate damage from nearby explosions;
- Eight water networks, one water carrier, a water well and two water reservoirs were damaged during airstrikes;
- At least 66 schools and other educational institutions sustained damage (mostly light) from nearby explosions;
- Two bridges, several mosques, universities, media and research centres, sports facilities and various government buildings were damaged.

Sources: OCHA, 2012a, p. 6; Human Rights Council, 2013a, pp. 4-6.

In June 2014, three Israeli teenagers living in Israeli settlements were reportedly kidnapped. This event was followed by an Israeli military clampdown in the West Bank and by heightened tensions and insecurity. Following several weeks of escalation, in July 2014, the Israeli army launched an air, sea and land military offensive on Gaza, resulting in massive destruction, devastation and displacement (box 2). These events took place directly after the end of the reporting period but are included in the present report because of the extent of the devastation.

General Assembly resolution 67/19, which granted Palestine non-member observer State status in the United Nations, was a historic development. While this resolution has raised expectations regarding international recognition of Palestinian statehood, institution-building has remained a challenge owing to the ongoing fiscal crisis of the Palestinian Authority, which has been exacerbated by a persistent shortfall in donor funding for budget support and by lower-than-expected clearance revenues that represent more than two thirds of the Authority's total income.² Fiscal difficulties also stem from Israeli Government delays in transferring clearance revenues to the Authority. During the reporting period, the suspension of clearance revenues had a highly disruptive short-term impact on socioeconomic conditions within Palestine, limiting the Authority's ability to pay wages to public sector employees.³

² World Bank, 2013a, p. 4.

³ United Nations Conference on Trade and Development (UNCTAD), 2013, p. 8.

Box 2. Gaza war of July - August 2014

The 2014 Gaza War, code-named Operation Protective Edge, was launched by the Israeli army on 8 July 2014 following several weeks of escalation. The 50-day conflict caused massive destruction in a region that had already suffered the devastating impact of consecutive military operations. A preliminary assessment by OCHA, published on 9 September 2014, indicated that the following had occurred during this 50-day period:

- At least 2,133 Palestinians were killed, including 187 girls and 257 women. Many fatalities involved multiple family members, with around 142 families suffering the death of three or more family members in one incident;
- According to the Palestinian Ministry of Health, at least 11,000 people were injured, including 2,088 women and 3,374 children;
- At the height of the conflict, an estimated 28 per cent of the population (over 500,000 persons) was internally displaced and took refuge in various locations, including schools designed as emergency shelters. Displacement proved especially difficult for women and girls, with increased evidence of gender-based violence in shelters, limited privacy, compromised dignity and reduced hygiene;
- At least 15 of 32 hospitals were damaged, increasing pressure on functioning health facilities. During this time, more than 40,000 pregnant women could not access basic reproductive health care. Neonatal mortality reportedly doubled from 7 per cent to 14 per cent at Al-Shifa Hospital;
- Around 26 schools were completely destroyed and 122 were damaged;
- Some 13 per cent of available housing (44,300 housing units) was affected;
- Between 20 per cent and 30 per cent of water and sewage networks were still damaged at the time of reporting, mostly within the former Israeli-imposed 3 kilometre buffer zone.

Source: Adapted from OCHA, 2014a, pp. 2-5.

Moreover, the capacity of the Palestinian Authority to extend vital services in Area C, comprising 60 per cent of the West Bank, has remained severely constrained due to political restrictions (box 3). A recent World Bank study found that lifting Israeli restrictions on Area C would dramatically improve the Palestinian Authority's fiscal position, cutting the fiscal deficit by half and significantly reducing the need for recurrent donor budget support.⁴ Moreover, if Israeli restrictions on Area C were lifted and businesses and farms were permitted to develop, direct and indirect benefits would amount to \$3.4 billion, or 35 per cent of gross domestic product (GDP) for 2011.⁵

The daily lives of Palestinians in the West Bank over the period July 2012 - June 2014 continued to be marked by access restrictions implemented by the Israeli authorities, including physical obstacles, such as checkpoints, roadblocks and the Separation Wall, as well as a complex bureaucratic permit regime. The majority of the Wall, both constructed and under construction (445 kilometres), consists of fences, ditches, razor wire, groomed sand paths, an electronic monitoring system, patrol roads and a buffer zone.⁶ Ten years after the International Court of Justice issued an advisory opinion⁷ stating that the sections of the Separation Wall running inside the West Bank, including within East Jerusalem, violated Israeli obligations under international law, the Wall continues to obstruct the movement of Palestinians and to significantly undermine their rights. As in previous reporting periods, the Government of Israel has taken no measures to comply with the Court's advisory opinion.

⁴ World Bank, 2013b, p. 34.

⁵ Ibid.

⁶ OCHA, 2014c, p. 2.

⁷ International Court of Justice, 2004, p. 1.

Box 3. Area C – key facts

- Over 60 per cent of the West Bank comes under Area C. Israel retains near-exclusive control of this Area, including law enforcement, planning and construction;
- An estimated 300,000 Palestinians live in and around Area C in about 530 residential areas, 241 of which are located entirely in Area C. Approximately 341,000 Israeli settlers live in some 135 settlements and 100 outposts in Area C, in contravention of international law;
- 70 per cent of Area C is within the boundaries of the regional councils of Israeli settlements (distinct from the municipal boundaries) and is off-limits for Palestinian use and development;
- Palestinian construction in 29 per cent of Area C is heavily restricted, with only approximately 1 per cent planned for Palestinian development;
- Around 6,200 Palestinians reside in 38 communities located in parts of Area C that have been designated as “firing zones” for military training, increasing their vulnerability and risk of displacement.

Source: OCHA, 2014b, p. 1.

Access and movement have been especially restricted in the “Seam Zones” (areas between the Separation Wall and the Green Line, where access is dependent on a permit and gate regime), in the Jordan Valley, in villages in the vicinity of Israeli settlements and within the Israeli controlled part of Hebron City.⁸ Moreover, tens of thousands of East Jerusalem Palestinians remain physically separated from their urban centre and must pass through burdensome checkpoints to access the health, education, and social services to which they are entitled.⁹

Palestinian women, men and children have been affected in diverse ways by the Separation Wall, which divides neighbourhoods and isolates communities from urban centres, impeding access to essential services and livelihoods. The Separation Wall and other barriers to movement have a gender-specific impact and present particular risks for expectant mothers, female students and workers, resulting in the denial of their rights to health, education, decent work and an adequate standard of living.¹⁰ Israeli-imposed restrictions wreak havoc on women’s daily lives, leading to a systematic denial of their socioeconomic rights. Checkpoints and other physical obstacles often cause long delays in reaching schools, jobs and farmland, and complicate visiting family members and places of worship.

Moreover, the right of Palestinian women to a family is also severely compromised by the complex system of permits and narrowly defined criteria for family unification that prevent Palestinians with different residency statuses (West Bank, the Gaza Strip, East Jerusalem, Israel or another nationality) from legally residing together. Palestinians with West Bank identification cards, for example, are prevented from residing with their families in East Jerusalem, while Palestinians from the Gaza Strip are prohibited from joining spouses in the West Bank.

During the reporting period, ongoing settlement expansion and encroachment on Palestinian land exacerbated the fragmentation of the West Bank and the isolation of East Jerusalem and has contributed to undermining the peace process. Although these settlements are deemed illegal under international law and a serious violation of international humanitarian law, between March and November 2013 alone, tenders were published for 3,472 new units in settlements and plans were promoted for no fewer than 8,943 new settlement units.¹¹

⁸ Pursuant to a 1997 agreement with the Palestine Liberation Organization, Israel has continued to exercise full control over 20 per cent of Hebron City, known as H2.

⁹ OCHA, 2012b, p. 1.

¹⁰ Euro-Mediterranean Human Rights Network, 2014, p. 29.

¹¹ Peace Now (Israel), and Americans for Peace Now, 2013, p. 1.

The land, air and sea blockade of Gaza, imposed by Israel following the Hamas takeover in June 2007, remains in place. The movement of Palestinians out of Gaza continues to be limited and women's access to basic services, utilities, shelter and livelihoods is severely restricted as a result of the blockade. New controls imposed by Egypt on the Rafah Crossing in the second half of 2013 have further hampered the movement of people and goods in and out of Gaza.¹² The Egyptian authorities also closed the vast majority of smuggling tunnels under the Egypt–Gaza border, which were built primarily to counteract Israeli-imposed restrictions on the import of construction materials through official crossings.

2. Ramifications of accession to treaties

An important development during the reporting period was the application by the State of Palestine in April 2014 to join 15 international conventions, including those that relate to the advancement of the rights of women and girls, such as CEDAW, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It should be noted that, in 2009, the Palestinian President had already issued Presidential Decree No. 19 on the ratification of CEDAW.

Accession to international treaties is a significant step towards enhancing the promotion and protection of women's rights in Palestine, given that they impose legal duties on States parties with regard to individuals living under State jurisdiction. Israel, as the occupying power in Palestine and signatory to CEDAW, is the State party responsible for reporting on the situation of women in Palestine to the CEDAW Committee, yet has consistently contested its responsibilities under CEDAW within Palestine.

The accession of Palestine to CEDAW is a positive step for the rights of women and girls. Palestine now has a duty to amend legislation and policies relating to the rights of women and girls in accordance with the provisions of CEDAW, the Convention on the Rights of the Child and other relevant treaties, and to report back to associated human rights bodies that monitor the implementation of these treaties, including the CEDAW Committee.

However, for accession to have a tangible impact on the lives of women, it is essential that policies and legislative reforms are expedited, implemented and monitored in conformity with Palestinian obligations under CEDAW. In particular, rapid reform of national legislation on women's rights, including current personal status laws and elements of the Penal Code, is necessary to further gender equality and women's rights, as is the adoption of new laws in line with CEDAW and other international conventions.

3. National policy developments

National reconciliation talks between Hamas and the Fateh-dominated Palestinian Authority culminated in the political agreement of April 2014 and the inauguration of a unity Government in June 2014, which might be a promising development for the reactivation of the Palestinian Legislative Council that has been paralyzed since 2007 owing to political divisions between these two major Palestinian factions. Women's formal role in national reconciliation talks, however, remains limited.¹³

On the policy front, following an extensive consultation process, the Palestinian National Development Plan for 2014-2016, entitled "State building to sovereignty", was finalised in 2014. The Plan is structured around the following four key issues: economic development and employment; good governance and institution building; social protection and development; and infrastructure. Gender mainstreaming is one of the five governing principles of this three-year Plan. To ensure gender mainstreaming in national planning

¹² OCHA, 2014d, p. 47.

¹³ Euro-Mediterranean Human Rights Network, 2014, p. 38.

processes, sector strategies were reviewed from a gender perspective, and gender unit staff¹⁴ were included in the national planning and budgeting processes.¹⁵ UN-Women provided technical support to planning and budgeting teams in all line ministries to build their capacities with regard to a gender-responsive budget.¹⁶ The Palestinian Authority's emphasis on gender mainstreaming is in line with the 2009 Council of Ministers' decision on the adoption of gender-responsive budgeting.

The Cross-Sectoral National Gender Strategy for 2014-2016 was developed by the Palestinian Ministry of Women's Affairs, and was endorsed in April 2014. The strategy focuses on the following five main objectives: increasing women's participation in the labour market; reducing all forms of violence against women; increasing women's participation in decision-making institutions; ensuring that women have access to all basic services without discrimination; and mainstreaming and universalizing gender equality in policies and budgeting.¹⁷

B. LIFE, SECURITY AND DISPLACEMENT

Palestinians continue to face various threats to their lives and security. During the reporting period, sporadic Israeli military operations in the Gaza Strip and the West Bank, clashes between Palestinian protestors and Israeli forces during demonstrations, and instances of Israeli settler intimidation and violence against civilians were recorded; these were the main causes of injuries and fatalities in the area.

The November 2012 military operation in Gaza, code named Operation Pillar of Defence, had a devastating impact on lives and livelihoods, killing 168 Palestinians of whom 101 are believed to have been civilians, including 33 children and 13 women.¹⁸ According to investigations conducted by the Palestinian Centre for Human Rights, the majority of women were killed either inside or around their houses, which were targeted by Israeli warplanes.¹⁹ A further 92 women were injured²⁰ and many more endured the trauma of evacuation or displacement, witnessed their family members being killed or injured and had their homes damaged or destroyed.

Partly as a result of the Egyptian-mediated ceasefire in Gaza, the overall number of Palestinian fatalities caused by the Israeli military dropped significantly from 272 in 2012 to 38 in 2013.²¹ However, the number of Palestinians injured in the West Bank during this period as a result of conflict-related violence increased from 3,029 to 3,735.²² OCHA reported that this was the highest number of injuries recorded since 2005, when it first began collecting data, caused by tear gas inhalation and rubber-coated metal bullets, especially during weekly protests by Palestinians against Israeli settlements and outposts in the West Bank. In addition, incidents of violence and intimidation by settlers, including physical assault, harassment, damage to private property and livelihood assets, obstruction of access to water resources and attacks on holy places, have been on the rise. The total number of cases in 2013 increased to 399, compared to 368 in 2012.²³

¹⁴ Each Ministry has a gender unit responsible for gender mainstreaming and for ensuring that women's needs and perspectives are included in sectoral policies.

¹⁵ State of Palestine, 2014, p. 25.

¹⁶ Information provided to ESCWA by UN-Women.

¹⁷ Palestinian Ministry of Women's Affairs, 2014, pp. 7-9.

¹⁸ Human Rights Council (HRC), 2013a, p. 4.

¹⁹ Palestinian Centre for Human Rights (PCHR), 2013, p. 9.

²⁰ Ibid.

²¹ OCHA, 2014d, p. 3.

²² OCHA, 2014d, p. 2.

²³ Ibid.

Political violence, including settler violence, has a gendered dimension. While men and boys are more likely to be exposed to physical security risks, women and girls are indirectly affected by the trauma of death, injury or detention of family member; and by experiencing high levels of anticipatory terror from the threat of night raids, child arrests and settler violence.²⁴ A recent United Nations fact-finding mission also revealed that women alone in their homes were easy targets for settler violence.²⁵ A 2009 study on the gendered implications of military operations in Gaza found that women who had lost their husbands to military operations faced severe discrimination in their new roles as breadwinners. Widows often find themselves falling victim to economic and social marginalization. In Gaza, it is exceptionally difficult for a woman to live alone, and so widows are forced either to return to their family home or remarry.²⁶ This situation often results in social conflict and increased family tensions.

There was no indication during the reporting period of any improvement in efforts to investigate acts of settler violence against Palestinians and bring perpetrators to justice. Over the period 2005-2013, only 8.5 per cent of investigations relating to suspected attacks by Israelis on Palestinians or Palestinian property resulted in the filing of an indictment.²⁷ Documentation collected by the Women's Centre for Legal Aid and Counselling indicated that women do not report incidents because of a lack of confidence in the Israeli judicial system and fears of reprisal by settlers.²⁸

The issue of Palestinian prisoners continued to dominate the political agenda during 2012-2014. As of May 2014, there were 5,271 prisoners held in Israeli prisons and detention centres, of whom 17 were women.²⁹ Of continuing concern during this period was the practice of administrative detention, which permits detainees to be held for indefinitely renewable periods without charge or trial. Detention and imprisonment have a direct impact on family relations and women's economic and household responsibilities. The mass arrests of Palestinian men place a greater burden on women, who must not only intercede on behalf of prisoners, but in many cases must also maintain their households and provide for their children alone. Moreover, women often face these challenges without any social assistance or support from organizations, while simultaneously enduring social pressures.³⁰

In Area C, where Israel retains full control over security, planning and zoning, Palestinians face severe difficulties in obtaining building permits from the Israeli authorities, rendering them vulnerable to eviction, forced displacement, land appropriation and to the destruction of their homes, livelihood assets and infrastructure. For East Jerusalem Palestinians, these risks are compounded by their lack of secure residency status and by the threat of settler takeover and appropriation of their property. Over a third of all Palestinian homes in East Jerusalem lack Israeli-issued building permits, placing over 90,000 residents at potential risk of displacement,³¹ with adverse economic and psychological impact. In the Old City of Hebron, thousands of Palestinians have been displaced as a result of access restrictions imposed by Israel authorities (including more than 120 physical obstacles), Israeli military orders ordering the closure of Palestinian businesses and systematic harassment by settlers and Israeli forces.³² Moreover, 6,200 Palestinians, largely from Bedouin and herding communities, are vulnerable to home demolition and eviction threats because they reside in parts of Area C that have been designated as closed Israeli military training zones, primarily for use as firing zones.³³

²⁴ OCHA, 2013a, p. 19.

²⁵ HRC, 2013b, p. 21.

²⁶ PCHR, 2009, p. 5.

²⁷ Yesh Din, 2013, p. 3.

²⁸ WCLAC, 2010, p. 61.

²⁹ Addameer Prisoner Support and Human Rights Association, 2014, p. 1.

³⁰ UN-Women, and Palestinian Ministry of Women's Affairs, 2013, p. 15.

³¹ OCHA, 2014e, p. 1.

³² OCHA, 2013b, p. 1.

³³ Ibid.

In total, 663 structures were demolished in 2013, mainly in Area C. This represents an increase of approximately 10 per cent from 2012, when the annual number of structure demolitions reached 604.³⁴ From 2012 to 2013, the number of persons displaced increased by almost 25 per cent, from 886 to 1,103.³⁵ The destruction of property and productive assets has impoverished households, eroded women and men's ability to earn a living, and increased household dependency on social assistance. Moreover, displacement frequently disrupts household access to basic services such as water, education and health care.

House demolition and forced displacement have a gendered impact (box 4). Many women face a "double tragedy" of not only losing their domestic space but also facing increased domestic violence as a result. Becoming a guest in an overcrowded relative's house often means that a woman has little control over the domestic sphere, further diminishing her role and status. In many cases this results in severe tensions within families, including domestic violence spawned by the wife's demands (even unspoken) for a home of her own, and the husband's inability to provide it.³⁶ Within this context of overcrowding and dependence, uncertainty about the future puts women in a situation of heightened insecurity. Meanwhile, as primary caregivers, women must also attend to the well-being of their children, many of whom suffer psychosocial trauma as a result of witnessing their homes being demolished and of having their lives disrupted by forced displacement.

An anthropological study conducted by UNRWA and Bimkom (a non-governmental organization), published in 2013, illustrates the manifold socioeconomic impacts of displacement on Bedouin women.³⁷ They lose the economic duties that had previously defined their role in the family and community, and their pastoralist expertise is rendered redundant as a result of displacement.

Box 4. Impacts of house demolition

Ahlam Abu Ghalia, a 30-year old woman from East Jerusalem, describes how Israeli bulldozers demolished her house as she was preparing breakfast for her children.

Ahlam lives with her husband and children in East Jerusalem on land they purchased more than 10 years ago. "In May 2011, we finished building our house", says Ahlam. As their repeated efforts to apply for a building permit had been refused, the family received an order for the house to be demolished. "One week before the scheduled demolition, our lawyer called my husband and informed him that we have one week to remove the contents of the house. However, the next day, which was 26 March, at about 6:00 a.m., we were surprised to see Israeli bulldozers and soldiers around our house. At the time, I was preparing breakfast for my children. I immediately locked the doors as my husband had just left for work and I was alone with the kids. Then about 30 soldiers broke through the front door and yelled at me to get my money and jewellery and leave. We left the house and never looked back. I didn't want to see my home being demolished. It meant everything to me. After the demolition, I had a nervous breakdown. I went and stayed at my brother-in-law's house. I refused to take any medicine because I wanted to stay awake to witness all these painful moments of my life.... This is the second [time] a house of ours has been demolished; the first one was demolished in 2007."

Source: WCLAC, Women's Voices: Ahlam Gh. - Property destruction/Jerusalem women. Available from www.wclac.org/english/etemplate.php?id=1298.

³⁴ OCHA, 2014d, p. 27.

³⁵ Ibid.

³⁶ Israeli Committee against House Demolitions, 2013, p. 13.

³⁷ UNRWA, and Bimkom, 2013, p. 30.

II. DEMOGRAPHIC AND SOCIOECONOMIC TRENDS AMONG PALESTINIAN WOMEN

Statistics on population and socioeconomic conditions in Palestine over the reporting period reveal that gender inequalities persist despite an array of measures taken by the Government to promote women's rights. The Israeli occupation, combined with entrenched gender discrimination, continues to adversely impact the socioeconomic rights and well-being of Palestinian women and girls.

A. POPULATION

Demographic indicators and trends shed light on the situation of women and girls in Palestinian society. Existing gender gaps can be assessed, in particular by reviewing data pertaining to population growth, fertility rates and age at marriage.

1. Population size, age structure and fertility rates

The population of Palestine increased from an estimated 4.29 million in mid-2012 to 4.55 million by mid-2014. Around 2.79 million live in the West Bank and 1.76 million in Gaza.³⁸ Men comprise 50.8 per cent of the total population and women make up 49.2 per cent; the male–female sex ratio is 1:1.032.³⁹ The population includes a large number of refugees, particularly in Gaza. UNRWA estimates that, as of January 2014, there were 754,411 registered refugees in the West Bank and 1,240,082 refugees in the Gaza Strip.⁴⁰

Population growth in Palestine is rapid, both by regional and international standards. Owing to a progressive decline in overall mortality rates and relatively high fertility rates, the population growth averaged 3 per cent in mid-2012, compared to an international population growth rate of 1.2 per cent.⁴¹ This translates into a continuous need for related health-care services, especially in Gaza, where fertility rates remain consistently higher than in the West Bank (5.2 per cent as opposed to 4 per cent in 2013).⁴²

TABLE. SUMMARY TABLE OF DEMOGRAPHIC INDICATORS

Demographic indicator	Estimate	Year
Population of Palestine	4.29 million	Mid-2012
Population of Palestine	4.55 million	Mid-2014
Population of the West Bank	2.79 million	Mid-2014
Population of the Gaza Strip	1.76 million	Mid-2014
% of males in total population	50.8%	Mid-2014
% of females in total population	49.2%	Mid-2014
Number of registered refugees in the West Bank	754,411	As of January 2014
Number of registered refugees in the Gaza Strip	1,240,082	As of January 2014
% of children (under 18)	47.1%	2013
% of elderly persons (over 60)	4.4%	2013

Sources: Data from PCBS and UNRWA.

³⁸ PCBS, Estimated Population in the Palestinian Territory Mid-Year by Governorate, 1997-2016, available from http://www.pcbs.gov.ps/Portals/_Rainbow/Documents/gover_e.htm.

³⁹ PCBS, 2014a, p. 1.

⁴⁰ UNRWA, 2014a, p. 1.

⁴¹ PCBS, 2013a, p. 23.

⁴² PCBS, 2013b, pp. 38-39.

Palestinian society is young. In 2013, children under the age of 18 constituted 47.1 per cent of the overall population (45 per cent in the West Bank and 50.6 in the Gaza Strip).⁴³ The percentage of elderly persons (60+) is low, at 4.4 per cent of the population, with a higher percentage of elderly women than men (81.4 males to 100 females).⁴⁴ While the majority (91.6 per cent) of elderly men in Palestine are married, nearly half of elderly women are widows (44.4 per cent).⁴⁵ Older women, especially widows without children or any source of income, are especially vulnerable. Economic vulnerability tends to be compounded by health vulnerabilities, with many elderly women suffering from chronic diseases and needing regular medication and care.⁴⁶ However, extension of social protection and assistance for elderly women by the Palestinian Government and civil society remains limited.

On average, women headed one in ten households in 2013.⁴⁷ Female-headed households are relatively small, averaging 2.8 persons, compared to 5.7 persons for male-headed households.⁴⁸ The relationship between female-headed households and food insecurity rates in Palestine is complex. In Gaza, where many households are dependent on aid, including food aid, female-headed households tend to be more food secure, as they receive higher monthly levels of assistance on average than other households. The food insecurity level of female-headed households in Gaza is 2 per cent lower than the rest of the population. In the West Bank, where food aid is less prevalent, food insecurity levels of female-headed households are 6 per cent higher than that those of other households.⁴⁹ Nonetheless, pre-assistance food insecurity rates among female-headed households remain markedly high: 54 per cent overall compared to 37 per cent for other households.⁵⁰ Poverty rates considerably reflect the impact of aid on poverty alleviation among female-headed households as opposed to male-headed households. The poverty rate among female-headed households decreases from 40 per cent to 25 per cent after receipt of aid, compared to a drop from 30.9 per cent to 25.9 per cent for male-headed households.⁵¹

2. *Marriage age*

Traditionally, women in Palestine are married at a younger age than men. In 2013, the median marriage age for women was 20.2 years, compared to 24.7 years for men.⁵² There is no discernible difference between the median marriage age for women in Gaza and in the West Bank. Personal status laws, applicable in both the West Bank and Gaza, set the minimum age of marriage at less than 18 years, in clear departure from the international norms prescribed in international treaties. The Jordanian Personal Status Law No. 61 of 1976 (applicable in the West Bank) allows for the marriage of a female at the age of 14 years and 6 months. The 1954 Egyptian Law of Family Rights (applicable in Gaza) sets the age of marriage at 17 years; however, a directive issued in 1996 in Gaza by a Chief Shari'a Judge allows for the marriage of a female at 14 years and 7 months if judicial consent has been obtained.⁵³ These personal status laws contravene Palestinian legislation, such as Palestinian Child Law No. 7 of 2004, which specifies a minimum marriage age of 18 years.

⁴³ PCBS, 2014b, p. 1.

⁴⁴ PCBS, 2013c, p. 1.

⁴⁵ Ibid.

⁴⁶ Jones and Shaheen, 2012, p. 45.

⁴⁷ PCBS, 2014c, p. 2.

⁴⁸ Ibid.

⁴⁹ OCHA, 2013a, p. 16.

⁵⁰ World Food Programme, 2012, p. 32.

⁵¹ 2011 data provided to ESCWA by PCBS.

⁵² PCBS, Median age in Palestine at first marriage by sex and governorate - 2013 data. Available from www.pcbs.gov.ps/Portals/_Rainbow/Documents/Vs-2013-05e.htm.

⁵³ United Nations Development Programme (UNDP), 2011, p. 23.

Despite being on the decline, child marriage remains relatively widespread. Of all marriages registered in 2013, 20.2 per cent involved girls under the age of 18, compared with 1.2 per cent of marriages involving boys under the age of 18.⁵⁴ The Government's National Strategy to Combat Violence reports that, in many cases, girls are denied the right to choose their own spouses by male family members (e.g., fathers or brothers) "who force them to marry in order to protect the dignity of the family".⁵⁵ In Gaza, where poverty and unemployment rates are high, economic difficulties resulting from the Israeli-imposed blockade also push families to marry girls off at an earlier age to ease financial pressures on households. Other explanations for early marriages include the climate of fear related to the security situation in Palestine, especially in areas vulnerable to Israeli settler violence, where parents may feel that young girls are better protected if married.⁵⁶

The potentially adverse consequences of early marriage on the education, emotional and health status of young women have been extensively documented. In one study, the women interviewed expressed the difficulties they faced in terms of family commitments and jobs as a result of not being able to continue their education, including higher education, and thus falling into a trap of low education, high fertility and poverty.⁵⁷ The Palestinian Ministry of Education's policy of encouraging married students to continue their studies aims to counteract this trend and to ensure that girls complete their schooling.⁵⁸ Early marriage is also linked to higher divorce rates; 9.5 per cent of total divorce cases in 2013 involved girls under the age of 18.⁵⁹ In 2013, 13 girls aged 14 obtained a divorce.⁶⁰

At the same time, an increasing number of Palestinian women are delaying marriage or remaining single. One in 10 Palestinian women aged 35 to 39 has never been married, compared to 4.1 per cent of men of the same age group.⁶¹ In a society that places value on motherhood and marriage, the role and status of single women needs further research. The Government's Cross-Sectoral National Gender Strategy for 2014-2016 establishes a link between women's marriage status and access to health care, reporting that "unmarried women are excluded from healthcare services which focus on mother, child and prenatal care".⁶² One study suggests that the level of education attained might be an influencing factor in the social status of single women. "There is more of an appreciation for the role of single educated women than for the role of single uneducated women who are usually alienated and have no choice."⁶³

B. POVERTY AND FOOD INSECURITY

Amidst ongoing political uncertainty, economic growth has been steadily declining. Palestinian GDP declined from an average of 9 per cent over the period 2008-2011 to 5.9 per cent in 2012 and to 1.9 per cent in the first half of 2013 (with negative growth of -0.1 per cent in the West Bank).⁶⁴ The World Bank reports

⁵⁴ Calculated by ESCWA based on data provided by PCBS. Some data are available from www.pcbs.gov.ps/Portals/_Rainbow/Documents/VS-2013-04e.htm.

⁵⁵ Palestinian Ministry of Women's Affairs, 2011, p. 11.

⁵⁶ Kvinna till Kvinna Foundation, 2012, p. 5.

⁵⁷ Jarallah, 2008, p. 4.

⁵⁸ Pettigrow, 2013, p. 60.

⁵⁹ Calculated by ESCWA based on data provided by PCBS. Some data are available from www.pcbs.gov.ps/Portals/_Rainbow/Documents/VS-2013-01e.htm.

⁶⁰ PCBS Divorces Registered in Palestine by Age of Divorces and Divorcee - 2013 data. Available from www.pcbs.gov.ps/Portals/_Rainbow/Documents/VS-2013-08e.htm.

⁶¹ PCBS, 2013d, p. 52.

⁶² Palestinian Ministry of Women's Affairs, 2014, p. 19.

⁶³ Jarallah, 2008, p. 4.

⁶⁴ World Bank, 2013a, p. 1.

that political uncertainty and restrictions on movement and access are the main reasons why the Palestinian economy is unable to take off.⁶⁵ Limited access to Area C, restrictions on movement in the West Bank and the blockade of the Gaza Strip have led to an economic downturn, which has had a severe impact upon the ability of Palestinian women to achieve their socioeconomic rights, including the right to adequate living conditions.

According to the Atlas of Poverty, published by PCBS in 2013, 37.6 per cent of the population in Gaza lives in poverty, compared to 21.3 per cent in the West Bank. In the Khan Younes governorate in Gaza, the poverty rate reached as high as 45.9 per cent in 2013.⁶⁶ Gender disaggregated data indicate that women's poverty rates in 2011 in Palestine were slightly higher than that of men at 26.2 and 25.5, respectively.⁶⁷

The ongoing sea, air and land blockade has continued to adversely affect economic growth and poverty reduction in Gaza. Despite the ceasefire understanding of November 2012, which specifically provided measures for opening the border crossings, there has been no significant easing of controls and restrictions by Israel. In addition, the closure of tunnels to Egypt during the reporting period has led to a sharp decline in construction activity and fuel shortages, further exacerbating the economic downturn. Following the halt in smuggling Egyptian-subsidised fuel via the tunnels, the electricity deficit became even more pronounced, disrupting delivery of basic services. Restrictions on exports and imports, along with frequent fuel shortages, have also stifled the development of the private sector, leading to soaring unemployment rates, low private sector wages and high poverty rates.

Even when taking into account United Nations food distributions to almost 1.1 million people,⁶⁸ 57 per cent of households in Gaza (compared to 19 per cent in the West Bank) were found to be food insecure in 2013.⁶⁹ Pregnant and lactating women within the food-insecure population are at an even higher risk of not maintaining a healthy diet containing required micronutrients.⁷⁰ Such food insecurity has implications not only for women but also for their children.

In Gaza and the West Bank, food insecurity is driven by poverty. In other words, although food is available in the market, poor households cannot afford to buy it. Any increase in the price of basic food items is therefore likely to push more households into food insecurity. While the West Bank has lower poverty and food insecurity rates than Gaza, pockets of vulnerability exist, especially in Area C, owing to severe impediments imposed by Israel on Palestinian access to natural resources. Without access to their land and to water resources, agriculture-dependent households have fallen into poverty. This is especially true in the Jordan Valley, although it is a region known for its favourable climate and fertile soils. The 31.3 per cent poverty rate in the Jericho and Al-Aghwar district is almost comparable to that of Gaza.⁷¹

Palestinian women also face gender-specific constraints, including limited control over economic assets, which exacerbate their economic marginalization. For example, although women contribute actively to the agricultural sector, less than 5 per cent actually own agricultural property. The prominent role that women play in the agricultural sector is largely unrecognized, according to the National Cross-Sectoral Gender Strategy for 2014-2016.⁷²

⁶⁵ World Bank, 2014, p. 4.

⁶⁶ PCBS, 2013e, p. 22.

⁶⁷ PCBS, 2012, p. 66.

⁶⁸ OCHA, 2014f, p. 2.

⁶⁹ PCBS, and United Nations, 2014, p. 1.

⁷⁰ OCHA, 2012c, p. 29.

⁷¹ PCBS, 2013e, p. 22.

⁷² Palestinian Ministry of Women's Affairs, 2014, p. 18.

Palestinian women in East Jerusalem also face specific constraints that have led to high food insecurity and poverty rates. As permanent residents, Palestinians living in East Jerusalem are required to pay Israeli taxes and are legally entitled to all the rights and services provided to Israeli citizens, with the exception of the right to vote in general elections. However, reports indicate that women in East Jerusalem live in poverty and insecurity because of a chronic shortage of health, education and welfare services, water and sewage systems and roads.⁷³ The discriminatory policies implemented by Israel, including those related to the delivery of basic services, land zoning and planning (for example, only 13 per cent of East Jerusalem is zoned for Palestinian construction),⁷⁴ have contributed to the impoverishment of Palestinian women. According to one report, 79 per cent of Palestinians in East Jerusalem live below the poverty line.⁷⁵

C. EDUCATION

In Palestine, basic education is almost universal. Girls and boys are admitted to basic education at nearly equal rates, and more female than male students are admitted to secondary school. In basic education, girls constitute 49.6 per cent of all students; 54.4 per cent of students in secondary schools are girls.⁷⁶ More boys than girls drop out of basic education.⁷⁷ In the academic year 2011-2012, the drop-out rate for boys was 0.9 per cent, compared to 0.5 per cent for girls; this trend is reversed in secondary schools, where a slightly higher percentage of girls (2.5 per cent) drop out of school compared to boys (2.4).⁷⁸

While attainment rates indicate progress in the education of girls, the quality of education remains problematic, especially in refugee schools in Gaza. One of the main challenges is the shortage of schools, resulting in overcrowded classrooms. In addition to an average of 38 children per classroom, 74 per cent of UNRWA schools in Gaza continue to run double shifts, reducing teaching time and teachers' ability to concentrate on low-achieving students.⁷⁹ In general, basic education continues to suffer from limited infrastructural development because of the political situation. The long-term blockade of Gaza has hindered efforts to allow construction materials to enter, thus impeding the building and reconstruction of schools. This situation has been exacerbated by military operations. In Gaza, 285 school buildings, including 62 UNRWA schools, were damaged in November 2012 as a result of Israeli airstrikes.⁸⁰ Access to schools can also be dangerous for girls living in access restricted areas in Gaza, with many schools disrupted or damaged during regular Israeli incursions and teachers reporting signs of psychosocial distress among school children.⁸¹

In Area C of the West Bank and East Jerusalem, efforts to build new schools or expand existing ones are severely hindered by the significant difficulty in obtaining Israeli permits for new construction. In East Jerusalem alone, Israeli discriminatory planning policies have resulted in a shortage of over 2,000 classrooms. As a result, the right of Palestinian girls and boys to education is not respected, in clear violation of the Compulsory Free Education Law.⁸² In addition, in Area C, including East Jerusalem and the old city of Hebron, the presence of the Israeli military and settlers results in heightened vulnerability of school children

⁷³ WCLAC, 2012, p. 43.

⁷⁴ OCHA, 2014d, p. 1.

⁷⁵ Association for Civil Rights in Israel (ACRI), 2013a, p. 5.

⁷⁶ PCBS, 2013a, pp. 40-41.

⁷⁷ UNRWA, 2013, pp. 4 and 21.

⁷⁸ PCBS, 2014b, p. 1.

⁷⁹ UNRWA, 2014b, p. 43.

⁸⁰ United Nations Children Fund (UNICEF), 2013, p. 4.

⁸¹ OCHA, 2013c, p. 1.

⁸² ACRI, 2013a, p. 5.

to violence, while movement restrictions cause delays in reaching schools. Reports indicate that fear of settler violence may result in girls being prevented by their families from accessing schools in Area C.⁸³ Access to education, especially for girls, has also been rendered difficult by the Separation Wall. To access schools on the Palestinian side of the Wall, students must pass through checkpoints, gates or other security systems on their daily journey,⁸⁴ leading to long delays. In certain communities, searches and harassment have resulted in increased stress levels and low school achievement.

The Palestinian Ministry of Education and Higher Education Strategy for 2014–2019 also identifies school health and hygiene standards that disproportionately affect girls. In particular, the availability of toilets for girls is well below international standards. In Gaza, there is an average of one toilet per 76.11 females and an average of one toilet per 59.11 males. International standards recommend the provision of one toilet for every 25 or 30 females and one toilet in addition to a urinal for every 50 males, or one toilet per 60 males.⁸⁵

In tertiary education, the gender gap is clearly in favour of girls: in the 2012-2013 academic year, 60 per cent of students were females.⁸⁶ However, fields of study continue to be influenced by gender roles, with female students tending to be concentrated in the arts and social sciences.⁸⁷ Female rates of admission to scientific fields and specializations in line with labour market demands remain relatively low. According to the Palestinian Ministry of Education and Higher Education, female participation in vocational education also remains low because of limited suitable programmes and socio-cultural factors.⁸⁸ Offering vocational fields of study for young women that correspond to the demands of the labour market is therefore still a priority need.

Among older adults, the gender gap in education, while still visible, has decreased over the past decade. In 2001, the male literacy rate was 95.3 per cent, over 10 percentage points above the female literacy rate of 84.7 per cent.⁸⁹ In 2013, the male literacy rate was over 4 percentage points higher than female literacy rates (98.4 per cent and 94.1 per cent, respectively).⁹⁰ Female illiteracy rates are highest among those over 65, especially among women living in rural communities, followed by those in refugee camps.⁹¹ Although school enrolment is nearly equal between girls and boys, girls are much less likely to find jobs after graduation.

D. EMPLOYMENT

Employment trends indicate systematic gender disparities in the labour market. The Government's labour sector strategy for 2014-2016 acknowledges that the previous sectoral strategy for 2011-2013 had failed to meet its goals of reducing unemployment and increasing women's labour force participation.

Despite high educational attainment rates, Palestinian women continue to fare worse than their male counterparts in nearly every employment indicator. In the second quarter of 2014, the labour force

⁸³ Kvinna till Kvinna Foundation, 2012, p. 6.

⁸⁴ OCHA, 2014g, pp. 11, 13.

⁸⁵ Palestinian Ministry of Education and Higher Education, 2014, p. 71.

⁸⁶ PCBS, 2014d, p. 29.

⁸⁷ UN-Women, 2013a, p. 2.

⁸⁸ Palestinian Ministry of Education and Higher Education, 2014, p. 47.

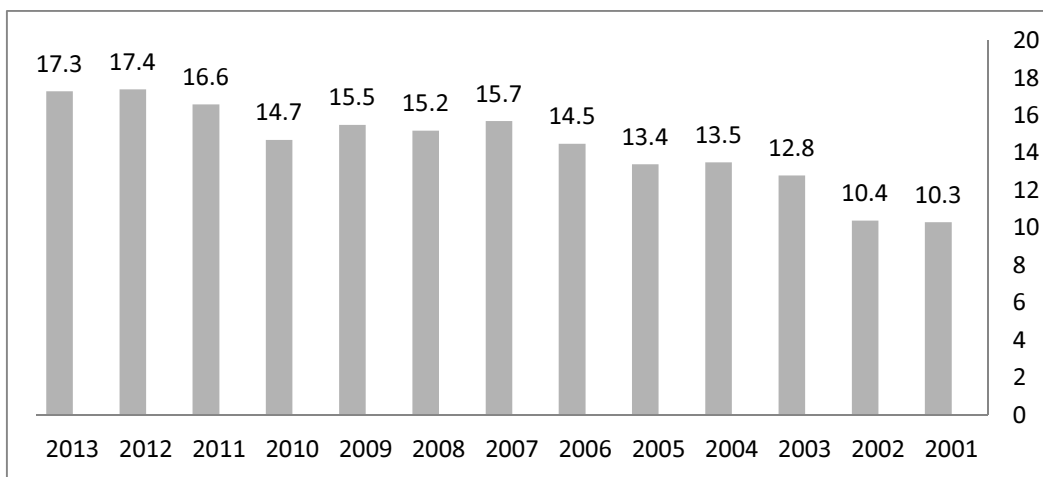
⁸⁹ PCBS, 2014a, p. 1.

⁹⁰ Ibid.

⁹¹ PCBS, 2013f, p. 1.

participation rate for men was nearly 71.8 per cent, compared to 19.7 per cent for women.⁹² This means that the majority of employable women (nearly 1.1 million) remain outside the labour force. Nevertheless, labour force surveys during the reporting period have indicated a rise in women’s economic participation, albeit from a very low starting point: in the first quarter of 2012, the female labour force participation rate was 17.3 per cent.⁹³ The figure below indicates the rise in women’s labour force participation rate over the period 2001-2013.

Figure. Women’s labour force participation rate (%), 2001-2013



Sources: PCBS, Time Series Data 2001-2012; and PCBS, 2014f, p. 94.

Low female labour force participation has considerable impact on women’s empowerment and on the national economy, given that it hinders women’s economic advancement and status. As such, it represents a critical policy issue, since it impedes the Palestinian economy from capitalizing on an untapped pool of educated human capital.

A 2014 labour force survey highlighted that the reason most commonly cited by women for being out of the labour force was housekeeping (67.6 per cent), followed by studying or training (27.0 per cent).⁹⁴ In general, according to the International Labour Organization (ILO), social and cultural norms, weak labour demand in the formal economy, institutional barriers and Israeli restrictions on movement compound to keep a large majority of women out of the labour market.⁹⁵ More broadly, economic structural impediments hinder women’s participation in the labour force. Owing to a range of Israeli-imposed restrictions, including restrictions on access to natural resources and on the movement of goods and people, the performance of the Palestinian private sector has been adversely affected. The corresponding inability to generate jobs has limited women’s ability to enter the labour force.⁹⁶

Women who are economically active tend to have higher educational levels; labour force participation rate for women with more than 13 years of schooling is high at 47.6 per cent.⁹⁷ However, of the women who have entered the labour force, many face challenges in gaining access to steady decent employment. In the

⁹² PCBS, 2014e, p. 5.

⁹³ PCBS, 2014e, p. 5.

⁹⁴ PCBS, 2014e, p. 33.

⁹⁵ International Labour Organisation (ILO), (2014a), p.10.

⁹⁶ UN-Women and Palestinian Ministry of Women’s Affairs (2013), p. 44.

⁹⁷ PCBS, 2014e, p. 14.

second quarter of 2014, the female unemployment rate in Palestine stood at 39.4 per cent, compared to a male unemployment rate of 22.6 per cent.⁹⁸ The female unemployment rate tends to be highest among young women with over 13 years of schooling (52.4 per cent).⁹⁹ This illustrates the extent to which transitioning from education to work is problematic for young women.

The unemployment rate is significantly higher in Gaza than in the West Bank for all labour force participants (44.5 per cent in Gaza compared to 16 per cent in the West Bank during the second quarter of 2014), reflecting the dire economic situation in Gaza.¹⁰⁰ While both women and men in Gaza face considerable difficulties in finding employment owing to the impact of the Israeli-imposed blockade on the economy, women suffer from a higher unemployment rate than men (59.3 per cent compared to 40.1 per cent).¹⁰¹ A staggering 83.3 per cent of women aged 15-29 in Gaza are unemployed, compared to 56.5 per cent for men in the same age group, indicating the dearth of economic opportunities for young people in general and young women in particular.¹⁰² Women on average also tend to be unemployed for a longer duration than men (16.4 months compared to 11.8 months).¹⁰³ As reported by ILO, the longer the unemployment period, the more likely prospective employers are to harbour negative perceptions of the young jobseeker, whom they may start to see as unemployable.¹⁰⁴

A high proportion of Palestinian women overall are therefore either unemployed or outside of the labour force. Even when women do work, they face challenges related to gender segregation. There is a tendency for women and men to be employed in different occupations across the entire spectrum of jobs, and/or to earn less than men. Women's economic participation is concentrated in a few professions, including in the public sector and especially in public education and health services, and in the agricultural sector. In the second quarter of 2014, 66 per cent of women were employed in the service sector and 26.7 per cent (compared to 6.7 per cent of men) in low-paying or unpaid agricultural sector jobs.¹⁰⁵ In Gaza, women tend to work outside the formal sector as cleaners, in childcare or as unpaid contributing family workers in agricultural activities.¹⁰⁶ The Cross-Sector National Gender Strategy affirms that the absence of protection in the labour law for informal work makes women in such professions vulnerable, since they lack basic rights such as health insurance and paid sick leave.¹⁰⁷ Gender disparities are also evident with regard to daily wages. On average, in 2013, the average daily wage of women was 81 per cent of the average wage of men.¹⁰⁸ Women also tend to be excluded from the construction sector, which is the highest paid economic sector.

Women with disabilities wishing to access employment tend to face the most challenges; they are less likely to join the labour market and are more likely to be unemployed than their male counterparts. A 2013 survey found that, among respondents, the unemployment rate of women with disabilities was 73 per cent.¹⁰⁹

⁹⁸ PCBS, 2014e, p. 18.

⁹⁹ Ibid.

¹⁰⁰ Ibid., p. 12.

¹⁰¹ Ibid.

¹⁰² Ibid., p. 17.

¹⁰³ Ibid., p. 20.

¹⁰⁴ ILO, 2014b, p. 2.

¹⁰⁵ PCBS, 2014e, p. 22.

¹⁰⁶ ILO, 2014a, p. 11.

¹⁰⁷ Palestinian Ministry of Women's Affairs, 2014, p. 17.

¹⁰⁸ PCBS, 2014f, p. 110.

¹⁰⁹ Independent Commission for Human Rights (ICHR), 2013a, p. 7.

E. HEALTH

1. Access to health care

Women's right to health, as inscribed in international treaties, such as CEDAW, the Convention on the Rights of Persons with Disabilities and the International Covenant on Economic, Social and Cultural Rights, is dependent on a complex interrelation of health, social, economic and political determinants. The continuing political crisis, the ongoing restrictions on the movement of people and goods, including medical personnel and supplies, and the worsening fiscal situation of the Palestinian Authority are undermining women's access to quality health services.

In Gaza, the health sector has been suffering from years of blockade and recurrent Israeli military operations that have affected the health infrastructure. Palestinian health facilities are overstretched, shortage of essential medicines is a chronic problem and frequent power cuts have interrupted health-service delivery. As an example, stocks of essential drugs, intravenous fluids and sutures, disposables, spare parts and laboratory instruments are no longer sufficient to sustain the medical needs of Al-Shifa Hospital; a situation posing a serious threat to patient treatment.¹¹⁰ Moreover, the physical working environment for female medical staff is poor. For example, in Al-Shifa Hospital, where 25–45 deliveries take place every 24 hours, including 5–10 emergency caesarean sections, female staff do not have decent wardrobe, shower and restroom facilities to maintain their personal hygiene and change their greens as needed.¹¹¹

The severe fiscal crisis faced by the Palestinian Authority and the *de facto* authorities in Gaza has also constrained the ability of public health providers to purchase medical supplies. While pressure on the public health system has increased the need for medical referrals, ongoing restrictions on the movement of people have negatively impacted patients referred for treatment outside their region by the Ministry of Health.

The World Health Organisation (WHO) reported that, in 2013, 40 patients were denied permits and 1,616 experienced delays at the Erez Crossing to access hospitals in East Jerusalem, Israel, the West Bank and Jordan, thus missing their scheduled appointments.¹¹² Access to medical care and patient referral for Gaza residents was rendered even more difficult during the reporting period because the Egyptian authorities closed the Rafah border crossing in July 2013. By early 2014, the number of patients crossing the Rafah border to seek treatment abroad dropped from 4,125 per month to less than 50 per month.¹¹³ In March 2014, two women (a 28-year-old heart patient and a 64-year-old breast cancer patient) and a 3-month-old infant died while waiting to access health-care destinations via Erez and Rafah.¹¹⁴ In general, a gender gap can be noted with regard to medical referrals from Gaza; in 2013, 56.6 per cent of referred patients were male and 43.4 per cent female.¹¹⁵

Women, men and children in the West Bank, who have been referred for medical care in East Jerusalem or abroad, may also face severe movement restrictions. Almost 10 per cent of the population of the West Bank applied for permits for medical reasons in 2013, but almost one in five patients or their companions were refused permits to travel to East Jerusalem for medical care.¹¹⁶ There are also major restrictions on the movement of ambulances to East Jerusalem. On average, 90 per cent of Palestinian Red

¹¹⁰ Gilbert, 2014, p. 13.

¹¹¹ Ibid.

¹¹² WHO, 2014a, p. 2.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ WHO, 2014b, p. 1.

¹¹⁶ WHO, 2014c, p. 1.

Crescent ambulances transferring patients to East Jerusalem hospitals are subject to prolonged security checks, obliging the transfer of many patients to Israeli-registered ambulances at checkpoints.¹¹⁷

In the West Bank, women living in communities where the Palestinian Authority is still unable to exert full administrative control, owing to restrictions imposed by Israel, are particularly vulnerable because of the lack of quality health care. There are at least 160 vulnerable communities (in Area C, areas adjacent to the Wall, in the Seam Zone and in East Jerusalem peripheries) that are in need of essential primary health-care services, yet experience various obstacles in accessing them.¹¹⁸ Restricted access to health services is primarily the result of physical and administrative obstacles to the movement of patients and service providers, as well as building and planning restrictions on the construction or rehabilitation of health clinics, especially in areas designated as closed military zones. In addition to not being able to address their own health needs, women are especially affected by the lack of accessible health care as they tend to bear the burden of additional travel to seek care for sick children, the elderly or the chronically ill.¹¹⁹

2. *Health status of women*

Palestine continues to witness improvements in overall health. Life expectancy has increased to 74.4 years for women and 71.5 years for men.¹²⁰ As in many other Arab countries, chronic diseases have become a key public health concern for women, with increasing incidences of cardiovascular disease, cancer, hypertension and diabetes, among other conditions.

Reproductive health needs are increasingly being met, although unmet family planning needs persist, especially in Gaza. The percentage of married women (aged 15-49 years) with unmet family planning needs in the West Bank and Gaza has been estimated at 14.9 per cent and 17 per cent, respectively.¹²¹ While the maternal mortality rate steadily decreased from 38 per 100,000 live births in 2009 to 24.1 per 100,000 live births in 2013,¹²² many women of reproductive age continue to suffer disproportionately from malnutrition and anaemia, often related to early marriage and successive pregnancies. In 2013, it was reported that 27.2 per cent of pregnant women suffered from anaemia.¹²³ In communities in Area C that are harder for the public health sector to reach because of Israeli restrictions, the provision of health services, including early detection of breast cancer and antenatal care, remains a critical concern.

The political situation continues to have a direct and significant impact on the mental health of women. Exposure to repeated and intense incidents of violence has given rise to stress-related and psychosocial disorders, with women exhibiting increasing signs of chronic depression, dissociative symptoms, psychic numbing, and other personality impairments affecting cognition, emotional regulation, intimacy and interpersonal relatedness.¹²⁴ In Gaza, a 2013 survey found that 90 per cent of women interviewed reported that the blockade and frequent Israeli military attacks directly triggering higher levels of nervousness, tension and anxiety.¹²⁵ According to ongoing research, women in access restricted areas tend to be the most vulnerable to insecurity, thus increasing their psychosocial needs (box 5).

¹¹⁷ Ibid.

¹¹⁸ OCHA, 2013a, p. 16.

¹¹⁹ UNRWA, 2014b, p. 53.

¹²⁰ PCBS, 2013c, p. 1.

¹²¹ PCBS, 2012, p. 43. (This data was collected in 2010).

¹²² Palestine Health Information Centre, 2014, p. 49.

¹²³ Ibid., p. 21.

¹²⁴ WCLAC, 2012, p. 57.

¹²⁵ Euro-Mid Observer for Human Rights, 2013, p. 7.

Box 5. Psychosocial needs of women and girls in access restricted areas

'On living in an emergency and insecure context: "Along with an entrenched feeling of insecurity, women face heavy pressure to secure the protection of their families. In many parts of the Access Restricted Areas (ARA), homes are scattered and vulnerable in addition to being isolated by lack of transportation. Women and girls reported that they are living in a constant state of fear and emergency and are unprepared to handle life-threatening situations."

'On psychosocial support needs: "A recurring issue that was brought about by women in all the ARA communities of the Gaza Strip is the desperate need for psychosocial support tailored for women and girls. Most women are immensely pressured to keep a sense of normalcy for their families under persistently volatile circumstances. This pressure, combined with lack of security leads to high rates of anxiety among women in the ARA. Unfortunately, lack of security and fear of leaving the house, which both contribute to psychosocial problems, are also the reasons that keep women from accessing psychosocial service providers."

Source: UN-Women, 2014a, p. 3.

F. VIOLENCE AGAINST WOMEN

In Palestine, violence against women poses a significant challenge to the attainment of women's economic, social, civil and political rights. Palestinian women and girls continue to suffer from a double burden of violence, resulting from the Israeli occupation and violence from within their own communities. Decades of political violence and the patriarchal structure of Palestinian society render women vulnerable to different forms of violence in both public and private spheres, endangering their right to life and physical safety.

Within their own communities, Palestinian women and girls are at risk from all forms of violence, notably domestic violence, sexual harassment, so-called honour killings and physical, psychological and verbal abuse. According to a 2011 domestic violence survey, 37 per cent of married women were subject to some form of violence by their husbands; 29.9 per cent in the West Bank compared to 51.1 per cent in Gaza.¹²⁶ The prevalence of gender-based violence in the workplace is also increasingly visible. A 2011 survey by ILO found that 22.8 per cent of women had experienced some form of violence in the workplace, with young women aged between 25 and 29 being the most vulnerable.¹²⁷

The Independent Commission for Human Rights has reported a clear increase in the cases of women murdered in Palestine. In 2012, 24 deaths were reported, with different explanations for cause of death including mysterious conditions, so-called honour killings and family disputes.¹²⁸ In 2013, the Women's Centre for Legal Aid and Counselling (WCLAC) documented 27 cases of murdered women (femicide)¹²⁹ and, in the first half of 2014 alone, 17 cases of femicide.¹³⁰

The reported increase in the incidents of domestic violence could also be attributable to increased reporting stemming from increased awareness, growing recognition of cases and access to support services.¹³¹ Public opinion is also increasingly opposed to the phenomena of violence against women, with a March 2012 poll revealing that an overwhelming majority (78 per cent) supports the stiffening of sentences

¹²⁶ PCBS, 2011, p. 17.

¹²⁷ ILO, 2011, p. 1.

¹²⁸ ICHR, 2013b, p. 68.

¹²⁹ WCLAC, 2014a, p. 13.

¹³⁰ WCLAC, 2014b, p. 9.

¹³¹ WHO, 2014d, p. 3.

against the crime of so-called honour killings.¹³² In December 2013, the first national conference on gender-based violence in Gaza, entitled “Towards a coordinated response to violence against women in Palestine”, was organized by national coalitions to combat violence against women, in cooperation with the General Union of Palestinian Women, UN-Women, UNRWA and the Office of the High Commissioner for Human Rights.¹³³ Legislative reform, however, has not developed at the same pace as public opinion. A survey published in 2012 showed that women found laws to be discriminatory, with 71.4 per cent of women not agreeing that laws are clear and take all sides into account.¹³⁴

In addition to discriminatory legislation that does not sufficiently ensure the protection of women and girls from violence, women in Palestine face an array of obstacles in accessing justice, including inadequate gender responsiveness within the justice system. Currently, only 3.3 per cent of police personnel in the West Bank are women, despite measures taken by the Palestinian police to increase recruitment of women.¹³⁵ This gender ratio is low compared to the global average of 9 per cent.¹³⁶ An increased presence of women police officers would play an important role in ensuring a more gender-responsive justice system. Lack of access by police to Area C, East Jerusalem, and Hebron H1 (all fully controlled by Israel) presents another critical obstacle to women’s access to justice. Moreover, the Public Prosecution faces numerous obstacles in investigating crimes, attending crime scenes, arresting offenders and operating in area C.¹³⁷ Among other major access-to-justice challenges faced by women is a lack of legal literacy, mainly affecting young women, low-income women and women in rural communities.

The Palestinian Ministry of Women’s Affairs reports that, while a number of interventions to address gender-based violence were implemented during the period 2011-2013, combating violence against women still stands at the top of the priorities for women’s empowerment in the coming period. Priority areas include ensuring women’s access to justice, developing social services for women suffering from or at risk of violence, exposing Israeli violations that victimize women (with special focus on Area C, Jerusalem, women prisoners and female relatives of prisoners), and reinforcing a culture of societal resistance to violence.¹³⁸ The Cross-Sectoral Strategy for 2014-2016 notes that the proportion of women victims of violence seeking assistance and advice from institutions is strikingly low, at 0.7 per cent, and it aims to increase it to at least 3 per cent by 2016.¹³⁹

G. MEDIA

A recent assessment of the media in Palestine, which reviewed the representation of women, highlighted the fact that, despite some progress in covering issues pertaining to women’s rights, a number of limitations remain in the portrayal of women in media content.¹⁴⁰ This is especially the case in Gaza, where journalists have consistently avoided addressing issues such as the veil or women’s control over their own sexuality.¹⁴¹ Leading media and women’s organizations in the West Bank also affirm that women “are often

¹³² Palestinian Centre for Policy and Survey Research, 2014, p. 4.

¹³³ UNRWA, 2014c, p. 1.

¹³⁴ UNDP, 2012, p. 18.

¹³⁵ UNDP, 2013, p. 28.

¹³⁶ UN-Women, 2013b, p. 59.

¹³⁷ Palestinian Public Prosecution Services, 2014, p. 1.

¹³⁸ Palestinian Ministry of Women’s Affairs, 2014, pp. 29-30.

¹³⁹ *Ibid.*, p. 32.

¹⁴⁰ UNESCO, 2014, p. 64.

¹⁴¹ Azzouni, 2010, p. 27.

stereotypically presented as victims” and as “a promotional tool to promote goods and body exposure”.¹⁴² The need to better utilize the media to address gender discrimination was also raised in the 2014-2016 Cross-Sectoral National Strategy for Gender Equality, which recommends activating gender-sensitive cultural media to address negative cultural and social traditions regarding women’s issues and roles in Palestinian society.¹⁴³ The strategy lists a range of constraints hindering improved representation of women, including an absence of media policies aimed at dealing with gender issues, poor worker capacities in media institutions, lack of training programmes to improve women’s ability to use the media to address gender equality and equity issues, and the weak role of editorial management in planning and formulating media policies.¹⁴⁴

In addition to the representation of women in the media, the issue of women’s participation in media outlets needs to be highlighted. According to statistics released by PCBS in 2012, 26.2 per cent of journalists in Palestine were women.¹⁴⁵ This is higher than the overall rate of female labour participation. Nevertheless, the positions of editor-in-chief and managing editor at Palestinian newspapers and of decision-making positions at radio and television stations continue to be predominantly held by men.

The use of social media, especially among young people, has also become increasingly prevalent. Although the majority of young women continue to use social media for communication and entertainment, there is a growing belief in the potential of social media to lobby decision-makers.¹⁴⁶

H. ENVIRONMENT

Access to quality water and sanitation, particularly in Gaza, East Jerusalem and Area C, especially in access restricted areas affected by the barrier, checkpoints and proximity to settlements and/or military structures in the West Bank, remained a major concern throughout the reporting period. Israeli policies and practices continue to restrict access to resources and limit infrastructure development. The destruction of water and sanitation facilities has compounded this problem. Over the period 2012-2013, the Israeli authorities destroyed at least 118 water and sanitation facilities across Area C, especially in the Jordan Valley and Hebron governorate, on the grounds that they lacked the appropriate permits.¹⁴⁷ The demolition of water resources and infrastructure vital to public health and water supply has placed Palestinians at increased risk of disease. It has also contributed to the displacement of herding communities that have lost their livelihoods.

In the West Bank, 55,000 Palestinians consume less than 30 litres of water per capita per day, compared to an internationally recommended requirement of 100 litres per capita per day.¹⁴⁸ In East Jerusalem, as a result of underinvestment owing to discriminatory planning, Palestinian communities lack adequate sewage infrastructure; it has been estimated that there is a shortage of at least 50 kilometres of sewage pipes.¹⁴⁹ Residents rely instead on septic tanks, with potentially serious health risks. Inadequate access to water and sanitation facilities in schools may also limit girls’ access to quality education in Area C (box 6).

¹⁴² Women Media and Development, n.d. Available from <http://tam.ps/en/women-and-media-in-palestine>.

¹⁴³ Palestinian Ministry of Women’s Affairs, 2014, p. 26.

¹⁴⁴ Ibid.

¹⁴⁵ PCBS, 2014a, p. 2.

¹⁴⁶ Sharek Youth Forum, 2014, pp.10 and 16.

¹⁴⁷ OCHA, 2014d, p. 91.

¹⁴⁸ Ibid., p. 88.

¹⁴⁹ ACRI, 2013b, p. 1.

Box 6. Water and sanitation in Area C schools

“Rhona’s school in the southern Hebron hills consists of three tents and a breezeblock office. The school serves 53 students, some of whom travel three hours a day to get there. The school suffers from a severe lack of water, relying on one tanker that frequently runs dry. “I like my school, but we need water,” says Rhona, aged 9. “It’s not clean and there is not enough water for drinking, so I get really thirsty.” Prior to the donation of mobile latrines, the school had no toilets and children were forced to go outside in the open. While the new toilets are an improvement, they empty into unlined cesspits, causing an environmental hazard.”

Source: Emergency Water and Sanitation Hygiene (EWASH) Advocacy Task Force, 2011, p. 3.

Gaza continues to face very significant environmental challenges, the most serious of which is the unavailability of safe drinking water. This is especially the case for households in access restricted areas, which extend along the northern and eastern perimeters of the Gaza Strip. An estimated 340,000 persons consume drinking water of unacceptable quality.¹⁵⁰ Around 90 per cent of the water from the aquifer is not safe for drinking without treatment and, at this rate, the aquifer may become unusable after 2016.¹⁵¹ The blockade has exacerbated water scarcity, with frequent electricity cuts stopping the pumps that supply water. Faced with electricity cuts, women in Gaza are now dedicating more time to domestic chores to cope with power and water cuts, and they are resorting to risky or unhealthy fuel alternatives for cooking, such as wood and gasoline.¹⁵²

Environmental policies in Palestine are increasingly mainstreaming gender issues. A strategy on water and gender was approved by the Council of Ministers in July 2013 and the Gender Action Plan for 2013-2017 has been developed.¹⁵³ The Palestinian Ministry of Women’s Affairs acknowledges, however, that in general the lack of gender-disaggregated statistics and data in the public sector and subsectors has limited the ability to understand gender gaps, which in turn has hindered the implementation of appropriate policies and interventions to bridge those gaps.¹⁵⁴

I. GIRL CHILDREN

Considerable progress has been made in improving the well-being of girl children. In reviewing health data for children under five, a gender gap in favour of girls can be discerned, as demonstrated by a number of health and education indicators. In 2010, under-five mortality rates for boys under the age of five were notably higher than for girls (26.6 per 1000 live births compared to 20.1 per 1,000 live births, respectively); and boys under the age of five were more likely to suffer from moderate and severe stunting (11.9 per cent) than girls in the same age group (10 per cent).¹⁵⁵ Repeated infections are a major reason for stunting in children; the higher prevalence of stunting in boys could be due to higher risks of parasitic infections, given that boys spend more time outdoors than girls.¹⁵⁶

Although life for girl children is steadily improving, many are still subjected to a wide range of discriminatory and often harmful practices, and continue to be harshly affected by the prevailing situation of occupation and political violence. In Gaza, the economic crisis brought about by the blockade could be contributing to the phenomenon of early marriage. According to a 2013 survey, 23.1 per cent of women

¹⁵⁰ OCHA, 2014d, p. 88.

¹⁵¹ Office of the United Nations Special Coordinator for the Middle East Peace Process, 2012, p. 11.

¹⁵² UN-Women, 2014a, p. 2.

¹⁵³ Palestinian Water Authority, 2013, p. 19.

¹⁵⁴ Palestinian Ministry of Women’s Affairs, 2014, p. 27.

¹⁵⁵ PCBS, 2014g, p. 2.

¹⁵⁶ Mikki, and others, 2009, p. 11

interviewed said that families were arranging marriages for at least one of their daughters at young ages, to reduce the number of mouths to feed.¹⁵⁷ Moreover, a participatory study in East Jerusalem suggests that child marriage is on the rise, generally carried out without girls' consent, owing to widespread impoverishment.¹⁵⁸ Sexual violence and abuse against girls in the private sphere often remain hidden and are generally under-reported (box 7).

Box 7. Violence against girls in East Jerusalem

“While it is commonly perceived by child rights organizations as a widespread phenomenon, it is difficult to obtain accurate data on the level of domestic violence against children in occupied East Jerusalem. Very little research exists on the topic and no clear data has been examined. Stakeholders interviewed attributed the prevalence of domestic violence towards children to the extremely overcrowded and repressive living environment and lack of privacy, especially inside the Old City of Jerusalem and Shufat Refugee Camp... According to community representatives, often feelings of frustration and tension reign within the family environment triggering violence, usually towards the most vulnerable, namely children and women. In addition, certain children groups are deemed to be most at risk of experiencing forms of domestic violence, namely, girls and children with disabilities.”

Source: Birzeit University Centre for Continuing Education, 2014, p. 36.

In terms of child labour, more boys aged 10–17 years are engaged in the labour force than girls in the same age group (6.5 per cent and 0.3 per cent, respectively).¹⁵⁹ However, labour force surveys generally underestimate the involvement of girls in the informal labour market and do not capture their involvement in household labour.

Another key issue facing girl children is whether their right to relax and play and to join in a wide range of cultural, artistic and other recreational activities, as specified in Article 31 of the Convention on the Rights of the Child, is respected. While boys are allowed to play outside, young girls in East Jerusalem, for example, are often forbidden from doing so because of socio-cultural norms and a lack of safe public spaces, such as playgrounds and parks.¹⁶⁰ This is especially the case for girls with disabilities. The inadequacy of playground spaces in East Jerusalem is attributed to Israeli planning restrictions, which hinder any investment in leisure facilities for children. In Gaza, increasing pressure for gender segregation, including in schools (as manifested by Educational Law 1/2013 passed in April 2013), could impact girls' mobility and ability to engage in cultural, artistic and recreational activities.

III. POLITICAL PARTICIPATION AND RIGHTS OF PALESTINIAN WOMEN

A. POLITICAL REPRESENTATION

Palestinian law largely conforms to international standards regarding women's political participation. The political rights of women in Palestine to vote and stand for election are guaranteed by General Elections Law No. 9 of 2005 that regulates parliamentary and presidential elections and by Local Municipality Councils Elections Law No. 10 of 2005. These legislative measures introduced quota systems and represent significant steps towards improving women's political representation. Women are granted 10-12 per cent of seats in the Palestinian Legislative Council and every candidate list for local council elections must have at least one woman among every five candidates (for local councils with a maximum number of 13 seats).

¹⁵⁷ Euro-Mid, 2013, p. 7.

¹⁵⁸ Birzeit University Centre for Continuing Education, 2014, p. 40.

¹⁵⁹ PCBS, 2014b, p. 2.

¹⁶⁰ Birzeit University Centre for Continuing Education, 2014, p. 50.

Moreover, in June 2012, the Palestine Liberation Organization Reform Committee agreed that party lists for Organization elections should have at least one woman among the top three candidates to increase the number of women candidates.¹⁶¹

Despite these legislative advances, however, women remain underrepresented at all levels in decision-making bodies, including the cabinet, municipal councils, camp committees, diplomatic corps and the judiciary. In the 2012 local elections in the West Bank, women won 739 of the overall 3,505 seats in local councils (i.e. 21 per cent of seats)¹⁶² and Bethlehem elected its first-ever female mayor. Moreover, a women-only list was formed, with the slogan “By participating, we can”, which stood, albeit unsuccessfully, in Hebron.

The National Cross-Sectoral Gender Strategy for 2011-2013 identified women’s empowerment for active participation in political life and decision-making as one of its key priority areas. Accomplishments during the reporting period have been modest, however, and half of the proposed political interventions were not executed; in particular, the proposed gender-sensitive legislative reviews, especially of the Law on Political Parties, Law on Elections, Law on Trade and Labour Unions and Law on Association, were not undertaken. The proposed modification of school curriculums to reflect the role and importance of women’s participation in the political field is also pending.¹⁶³

Women did not gain a major ministerial portfolio during the reporting period. The participation of women in the unity Government formed in June 2014 is rather low; only three of 17 ministers are women and only one woman is currently serving as a governor. While 41.1 per cent of public sector employees are women,¹⁶⁴ they tend to remain at the lower levels of decision-making.

The proportion of women ambassadors (4.3 per cent)¹⁶⁵ also indicates the extremely low participation of women in diplomatic affairs. By contrast, the participation of women in the Palestinian judicial system is relatively high: five of the seven prosecutors, including the chief prosecutor, are women.¹⁶⁶ The gender balance of judges (of the 178 sitting judges, 27 are women) compares favourably with some Middle Eastern countries, such as Jordan, but unfavourably with others, such as Lebanon.¹⁶⁷ As for religious courts, the appointment in the Shari’a court of three female judges, from a total of 42, can be considered as net progress, given the paucity of women Shari’a judges in the region.¹⁶⁸

While legislative advances have been made to enhance women’s political representation within the Palestinian Authority, they have been almost nonexistent in the *de facto* Hamas-led Government in Gaza. Moreover, refugee camp residents, who make up nearly a third of the population, do not participate in local council elections. Many camps are run by committees that have no female representation and to which the quota regime does not apply.¹⁶⁹

According to the results of an opinion poll published in 2014, while there is strong societal support for women’s rights to participate in political affairs, there is less support for women’s assumption of political

¹⁶¹ Euro-Mediterranean Human Rights Network, 2014, p. 37.

¹⁶² Miftah, 2014, p. 2.

¹⁶³ UN-Women, 2013c, pp. 1-2.

¹⁶⁴ PCBS, 2014a, p. 2.

¹⁶⁵ Ibid.

¹⁶⁶ UNDP, 2013, p. 46.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid., p. 57.

¹⁶⁹ UN-Women, 2013c, p. 2.

leadership roles.¹⁷⁰ The majority of respondents (83.4 per cent) indicated support for women's rights to participate in social and political issues, while just over half (54.8 per cent) reported support for women's leadership of a political party, and an even lower rate (39.7 per cent) supported women's leadership of the Palestinian Authority.

Women's participation is also limited outside of government structures. In 2012, for example, despite high university enrolment rates, only 26.8 per cent of members of student councils were young women.¹⁷¹

Similarly, women's participation in agricultural cooperatives is limited, despite their active engagement in this sector. In the West Bank, only 7 per cent of agricultural cooperative members are women, while as many 39 per cent of the cooperatives are exclusively composed of male members, and only one fifth of mixed cooperatives have any women board members.¹⁷² Some reports suggest that even the limited presence of women on cooperative boards may be the result of their donors' agendas.¹⁷³

B. ALIGNING NATIONAL LEGISLATION TO INTERNATIONAL WOMEN'S RIGHTS STANDARDS

Israel became a signatory to CEDAW in October 1991 and remains responsible under CEDAW for reporting on the situation of women in Palestine, given that it is the occupying power responsible for the welfare of the Palestinian people under its occupation. This of course does not relieve the State of Palestine of its responsibility under CEDAW to report on the situation of Palestinian women under its jurisdiction. Israel has consistently refuted the applicability of CEDAW to Palestine, asserting that the Convention does not apply beyond its own territory. For this reason, Israel refuses to report on the implementation status of the Convention in the Occupied Palestinian Territories; however, the CEDAW Committee has not accepted the position of Israel. In its 2005 Concluding Comments, the Committee urged Israel to reconsider this position and to give full effect to the implementation of its obligations under the Convention with regard to all persons under its jurisdiction, including women in the occupied territories.¹⁷⁴ Moreover, the International Court of Justice's advisory opinion on the legal consequences arising from the construction of a wall in the Occupied Palestinian Territories rejected the Israeli position on the non-applicability of international human rights instruments in the occupied territories and found that the protection offered by human rights conventions does not cease in cases of armed conflict, save through the effect of provisions for derogation of the kind to be found in Article 4 of the International Covenant on Civil and Political Rights.¹⁷⁵

Israel was the first member of the United Nations to pass a law (as an amendment to the Women's Equal Rights Law) implementing some of the principles of Security Council resolution 1325 on peace, security and women. In 2013, women's organizations in Israel finalized a comprehensive action plan intended to serve as a basis for a future government plan.¹⁷⁶ However, this plan does not explicitly mention peace, security and gender equality issues in Palestine, nor does it raise the question of the Israeli occupation of Palestine.

The President of the Palestinian Authority has also endorsed Security Council resolution 1325 (2000), calling for the protection of women in times of conflict. Over the period 2012-2014, progress was made

¹⁷⁰ UN-Women, 2014b, p. 3.

¹⁷¹ PCBS, 2014a, p. 2.

¹⁷² ILO, 2014c, pp.4 and 8.

¹⁷³ *Ibid.*, p. 8.

¹⁷⁴ United Nations, CEDAW, 2005, para. 23.

¹⁷⁵ International Court of Justice, 2004, paras. 102–113.

¹⁷⁶ iTach and others, 2013, p. 5.

towards applying this resolution to the Palestinian context. In 2012, an independent commission was established by the Palestinian Government to propose measures for the implementation of resolution 1325 to facilitate the development of a national action plan and ensure greater women's participation in political negotiations and in the peace process. Resolution 1325 has been added to the agendas of many civil society organizations active in the field of women's rights in Palestine. Under the umbrella of the General Union of Palestinian Women, a broad national coalition was formed in 2011, composed of representatives of women's organizations, rights-based and legal organizations that support women's rights, political, legal and social activists, lobbyists and advocates.

The accession of Palestine to CEDAW during the reporting period was a historical step. However, discrepancies continue to exist between CEDAW commitments and the formulation and enforcement of policies and laws in Palestine. The existing legal framework (an amalgam of different legal systems, including Ottoman, British Mandate and Jordanian laws in the West Bank and Egyptian laws in Gaza) contains laws that discriminate against women, particularly in matters of divorce, child custody, inheritance and violence against women. A review of the CEDAW provisions highlights that Palestine needs to adapt its effective legislation, especially its Penal Code, Personal Status Law and Law of Public Retirement No. 7 of 2005,¹⁷⁷ to conform to the provisions of the Convention.

During the reporting period, a number of measures and reforms were put in place to address violence against women. These reforms are in line with the National Strategy to Combat Violence against Women 2011-2019, prepared by the Ministry of Women's Affairs and the National Committee to Combat Violence against Women in cooperation with UN-Women, and endorsed by the Palestinian Cabinet in February 2011. To strengthen Presidential Decree No. 7 of 2011 (annulling Article 340 of the 1960 Jordanian Penal Code, applicable in the West Bank, and Article 18 of the 1936 Egyptian Criminal Code that enabled judges to consider mitigating circumstances in murder cases where the victim was a female relative of the perpetrator),¹⁷⁸ a Presidential decree was issued in May 2014. Under this decree, Article 98 of the Penal Code was amended to add the following provision: "The Perpetrator shall not benefit from mitigating excuse should the act be taken against a female under honour grounds".¹⁷⁹

Institutional measures to better protect women against violence were also put in place during the reporting period. The Family Protection Unit, a police body specializing in family protection and reducing family violence, has been expanding its services and now has 10 branches throughout the West Bank. In 2013, 3,660 complaints were lodged with this Unit, compared to just 15 in 2011.¹⁸⁰ Moreover, in 2013, the Palestinian Civil Police endorsed strategies, regulations and operating procedures for the Unit. However, its work is hampered by evidence-collection issues, coercion and diversion to informal justice.¹⁸¹ Customary justice mechanisms remain prevalent, with victims pressured into informal resolution of cases of violence against women.

The ratification in December 2013 by the Council of Ministers of the national referral system for women victims of violence (box 8) was a commendable development.¹⁸² Following a sharp increase in femicide cases, in January 2014, the Serious Case Review Mechanism to identify systemic justice and protection gaps was developed and endorsed by the National Committee to Combat Violence against Women, as part of the implementation plan of the National Strategy to Combat Violence.¹⁸³ The Technical

¹⁷⁷ ICHR, 2013c, pp.24, 28 and 32.

¹⁷⁸ Geneva Centre for the Democratic Control of Armed Forces (DCAF) and WCLAC, 2012, p. 5.

¹⁷⁹ Palestinian Public Prosecution Services, 2014, p. 3.

¹⁸⁰ UN-Women, 2014c, p. 8.

¹⁸¹ UN-Women, 2014d, p. 2.

¹⁸² Palestinian Public Prosecution Services, 2014, p. 7.

¹⁸³ UN-Women, 2014e, p. 4.

Committee, established to undertake the responsibilities of the Serious Case Review Mechanism, was trained in the Mechanism's implementation procedures.

Box 8. Ratification of a national referral system

Building on the results of a collaborative project (Takamol) between government structures, leading civil society organizations, including the Women's Centre for Legal Aid and Counselling (WCLAC) and the Foundation for Health and Social Development (Juzoor), and with support from the European Commission, a national referral system for women victims of violence has been developed in Palestine. It consists of referral procedures for women victims of violence in the police, health and social affairs sector, and seeks to provide standardized procedures in providing services for women victims of violence across the country. As a result of successful collaboration between key stakeholders, including the Ministry of Women's Affairs and the Ministry of Social Affairs, and intense advocacy efforts by civil society organizations, the national referral system was adopted by the Council of Ministers in session 16/10 on 10 December 2013.

Sources: WCLAC, 2014b, pp. 8-9 and www.wclac.org/english/etemplate.php?id=1124.

Despite these concrete measures to enhance women's rights, legislative gaps persist. The Family Protection from Violence Law, while provisionally accepted by the Council of Ministers, has been referred for further discussion on its compatibility with the Palestinian Constitution.¹⁸⁴ In the West Bank, Public Prosecution experience demonstrates that, despite legislative reforms, a number of articles in the Penal Code continue to allow for reduced sentences in gender-based killings. The articles in question (articles 79, 99 and 100 of the 1960 Jordanian Penal Code) give discretion to judges to reduce sentences as they wish.¹⁸⁵ Another challenge is the need for the Public Prosecution to rely on victims or their relatives to press charges to be able to prosecute some crimes (Article 6 of the Law of Penal Procedure of 2001).¹⁸⁶ Amendments to the Penal Code, formulated with the active participation of Palestinian civil society and encompassing articles providing increased protection for women more in line with international legal standards, were submitted to the Palestinian Presidential Office in 2011, but have yet to be ratified.

During the reporting period, in addition to steps to better protect women and girls from violence, a number of positive measures were taken, including judicial changes with regards to women-initiated divorce (box 9).

Box 9. Women-initiated divorce

“In August 2012, Shari'a Court Chief Justice Sheikh Yousef al Da'is announced changes in the treatment of woman-initiated divorce and judicial separation. Judges now have the discretion to determine if a marriage is harmful for the wife, rather than requiring her to submit evidence. Also, divorce proceedings must be completed in three months, husbands are banned from seeking unreasonable sums of money beyond the return of the dower in exchange for woman-initiated divorce, and women may initiate divorce without the husband's consent if the marriage was not consummated.”

Source: UN-Women, 2014b, p. 2.

¹⁸⁴ WCLAC, 2014a, p. 10.

¹⁸⁵ Palestinian Public Prosecution Services, 2014, p. 3.

¹⁸⁶ DCAF and WCLAC, 2012, p. 6.

C. NATIONAL MACHINERIES FOR WOMEN

The Palestinian Ministry of Women's Affairs, established in 2003, is the main national machinery for women. To advance gender equality priorities in national policies and plans, gender units were set up in 2008 in 19 ministries; however, they continue to face major challenges because of their limited involvement in national planning cycles and in key ministry processes.¹⁸⁷ To aid gender units in fulfilling their role, the Ministry of Women's Affairs is working together with UN-Women to strengthen their capacity and is urging the Ministry of Finance and other line ministries to ensure their inclusion in key decision-making processes.

The first-ever Cross-Sectoral National Gender Strategy was developed in 2011 and an updated strategy for 2014-2016 has been approved. Gender-responsive budgeting has been an official policy of the Palestinian Authority since 2009; however, implementation has remained limited. To ensure smoother progress in this area, a Gender Responsive Budgeting National Committee was established in 2013. In addition, during the reporting period, the Ministry of Women's Affairs implemented capacity-building training programmes for planning and budgeting teams in all line ministries, to build their capacity with regard to a gender-responsive budget. Technical support was provided to the Ministry of Finance to review the budget circular templates from a gender perspective and coaching support was provided to six ministries to ensure that their plans and budgets were gender responsive.¹⁸⁸

IV. CONCLUSIONS AND RECOMMENDATIONS

The continuation of the Israeli occupation of Palestine and its policies in the West Bank, Gaza and East Jerusalem adversely impacted the rights of women and girls during the reporting period. As long as Palestine remains under military occupation and Israel continues to violate human rights in general, and women's rights in particular, Palestinian women and girls will continue to be deprived of their political and human rights. Nevertheless, the accession of Palestine to various international treaties during the reporting period represents a significant opportunity for women. Human rights organizations in general, and women's rights organisations in particular, need to capitalize on these developments to better advocate for the promotion and protection of women's rights.

Implementation of the following recommendations, based on international standards and conventions such as the Beijing Declaration and Platform for Action, Security Council resolution 1325 (2000) on women, peace and security and CEDAW, will lead to advancements in the status of women and girls and will enable progress towards guaranteeing their socioeconomic, political and civil rights. The following recommendations build upon previous ESCWA reports outlining gender-sensitive socioeconomic policies and proposed legislative and judicial reforms. They are in line with policy measures included in the Palestinian Authority's national planning documents and in its commitments to human rights instruments, conventions and treaties, and comply with recommendations made by leading civil society and human rights organizations in the West Bank and Gaza:

(a) In light of its ratification of CEDAW without reservations and of other human rights conventions, to expedite legislative reforms to develop unified national laws in compliance with international human rights standards, especially regarding legislation key to women's rights, namely the Penal Code and the Personal Status Law, by undertaking the following:

- (i) Developing a unified personal status law applicable in the West Bank and Gaza and amending the Law of Personal Status No. 16 of 1976, enforced in the West Bank, and the Law of Family Rights No. 303 of 1954, enforced in Gaza, to promote women's

¹⁸⁷ UN-Women, 2014a, p. 6.

¹⁸⁸ Information provided to ESCWA by UN-Women.

rights with regard to minimum marriage age for girls, the guardianship clause, equal rights to divorce, child custody, inheritance, common wealth and polygamy;

- (ii) Modifying and amending the Penal Code with regard to crimes against women, particularly so-called honour killings. (Amendments to the Penal Code No. 16 of 1960, enforced in the West Bank, and Penal Code No. 74 of 1936, applicable in Gaza, were proposed as far back as 2011. These amendments, formulated with the active participation of Palestinian civil society, encompass articles that provide increased protection for women in greater conformity to international legal standards);
 - (iii) Expediently adopting the Family Protection from Violence Law that has been provisionally accepted by the Council of Ministers and amending Articles 99 and 100 of the Penal Code that give reduced sentences to perpetrators of so-called honour killings;
- (b) To complement legislative reform processes with the following:
- (i) Increasing the number of national campaigns and public consultations carried out by civil society organizations to influence public opinion on gender-equitable personal status laws and to garner public support for legislative reforms;
 - (ii) Enhancing legal aid to women, particularly with regard to legal consultations on Shari'a personal status issues, namely alimony, custody, divorce, marriage and dowry. For women living in poverty, fees should be waived and free legal aid provided;
 - (iii) Strengthening advocacy efforts by women's national networks and coalitions, such as the non-governmental organization Forum on Violence against Women (*Muntatda*), the National Coalition on United Nations Resolution 1325 and the General Union of Palestinian Women, to monitor government commitment to achieving legal reform in line with CEDAW commitments and with the principles of resolution 1325;
- (c) To advance women's socioeconomic rights through the following:
- (i) Ensuring that national planning processes better reflect the official policy of the Palestinian Authority with respect to gender-based planning; in particular, ensuring that the Gender Responsive Budgeting National Committee enhances the capacity of government structures with regard to gender-responsive planning, budgeting and implementation, and that gender units in governmental institutions are systematically involved in national planning and monitoring processes;
 - (ii) Proposing a participatory monitoring and evaluation system for gender mainstreaming and budgeting in government institutions, with the active participation of civil society organizations; in particular, assessing progress towards the implementation of the Cross-Sectoral Gender Strategy and the National Strategy to Combat Violence against Women, including determining whether sufficient resources have been allocated towards these strategies, and sharing findings with civil society during public consultation meetings;
 - (iii) Pursuing efforts by the National Committee on Women's Employment, established as an advisory body to the Ministry of Labour, to draft and implement a national gender and employment strategy focusing on ensuring women's access to vocational and technical training, including women with disabilities, in line with labour market demands, including in sectors such as information and communication technology, and on enhancing the competitiveness and profitability of rural producers;

- (iv) Increasing health-care funding, including funding for health interventions, especially mental health services and postnatal care; screening for cervical and breast cancer; interventions to address anaemia and micronutrient deficiencies in women and children; and health services for elderly women, and extending such services in refugee camps and marginalised communities in Area C, in partnership with civil society organizations, UNRWA and the Ministry of Health;
- (v) Ensuring that health, legal, social and other services provided to women who are victims or at risk of violence meet the standards of the protocols of the national referral system adopted by the Council of Ministers in December 2013;

(d) To promote Palestinian women's political participation and access to decision-making positions in legislative, executive and judicial fields through the following:

- (i) Including women in delegations related to reconciliation, ending occupation and conflict resolution as part of gender mainstreaming, for example through quota systems or enhanced leadership training;
- (ii) Stepping up efforts to redress gender imbalance in the police force, for example, by employing affirmative action policies and by addressing obstacles to women's entry into the service, including the absence of separate sleeping and restroom facilities for women officers, inadequate transportation facilities and resistance to women working outside of the home at night;¹⁸⁹
- (iii) Developing a diversity strategy to ensure that the gender imbalance among judges and court clerks is addressed.¹⁹⁰

¹⁸⁹ UNDP, 2013, p. 29.

¹⁹⁰ Ibid., p. 58.

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