



Gender-Based Violence In Occupied Palestinian Territory

A Case Study

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GENDER-BASED VIOLENCE IN OCCUPIED PALESTINIAN TERRITORY

A CASE STUDY



UNFPA NATIONS POPULATION FUND (UNFPA)

*Women, Peace and Security Initiative
Technical Support Division*

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PREFACE

The impetus for this case study was the “Advocacy for Reproductive Health” project of the United Nations Population Fund (UNFPA). The study was funded by UNFPA as part of the “Women, Peace and Security Initiative”, to implement United Nations Security Council resolution 1325. Led by Ms. Sahir Abdul-Hadi, Women, Peace and Security, Technical Support Division, UNFPA, the case study was carried out by Ms. Sana Asi, The Palestinian Initiative for Global Dialogue and Democracy (MIFTAH), a Palestinian non-governmental organization (NGO), with the assistance of Ms. Laila Baker of UNFPA, and was researched and written by an independent consultant, Ms. Amelia T. Peltz. The case study examines the extent of gender-based violence in Palestinian society, identifies the types of services available to victims of gender-based violence, assesses the state of networking and coordination among service providers and makes recommendations to policy makers and advocates at national, regional and international levels.

LIST OF ACRONYMS AND ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CST	Country Technical Services Team
FWCW	Fourth World Conference on Women
HIV/AIDS	Human immunodeficiency virus/acquired immunodeficiency syndrome
ICPD	International Conference on Population and Development
MDG	Millennium development goal
MIFTAH	The Palestinian Initiative for the Promotion of Global Dialogue and Democracy
NGO	Non-governmental organization
OCHA	United Nations Office of the Coordinator of Humanitarian Affairs
PCBS	Palestinian Central Bureau of Statistics
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
WHO	World Health Organization
WSC	Women's Studies Centre

EXECUTIVE SUMMARY

This case study assesses the political, legal and socio-economic status of Palestinian women and discusses the extent to which gender-based violence is prevalent within Occupied Palestinian Territory. Gender-based violence is defined as “any act... that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”¹ The case study examines institutional responses to gender-based violence at the governmental and non-governmental level; assesses the state of coordination among organizations working in the field; analyses the challenges, successes and lessons learned within the context of the political and socio-economic situation in Occupied Palestinian Territory; and offers recommendations for combating gender-based violence at national, regional and international levels.

A. METHODOLOGY AND BACKGROUND

The impetus for this case study arose in the “Advocacy for Reproductive Health” project, funded by the United Nations Population Fund (UNFPA) and implemented by The Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH), a non-governmental organization (NGO). The study is based on desk research and personal interviews conducted in July 2005 with representatives of government bodies, NGOs and the police force.

With the outbreak of the second intifada (uprising) in September 2000, Israel imposed a series of movement restrictions, economic closures and military responses that have had a drastic effect on the overall quality of life of the Palestinian population. Humanitarian indicators have dropped significantly, and the economy has been damaged, resulting in high levels of poverty and unemployment. Women are deeply affected by the widespread political violence and the subsequent socio-economic pressures on the family² and often find themselves the targets of angry male relatives, frustrated at the erosion of their ability to be traditional providers for their families.³

Reliable data on the extent of gender-based violence are lacking. A study conducted in 1999 reveals that more than 2,000 cases of abuse had been reported to local social, health and criminal-justice organizations.⁴ Between 1996 and 1998, 33 cases of women murdered by their families were reported to the police, along with an additional 273 “suspicious deaths”.⁵ The types of gender-based violence prevalent within Palestinian society included physical, sexual and psychological abuse.

There has been growing anecdotal evidence and, to a lesser extent, quantitative data that the incidence of gender-based violence in Occupied Palestinian Territory has been increasing during the past five years. This trend would not be surprising given the strong evidence that links military occupation and political violence with gender-based violence directed at women and

¹ United Nations Declaration on the Elimination of Violence against Women, Article 1.

² United Nations Economic and Social Council, “Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women,” *Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences* (February 2005).

³ Amnesty International, *Conflict, Occupation, and Patriarchy: Women Carry the Burden*, (March 2005).

⁴ Ibrahim Masri and Ihsan Totah, *Survey about women’s abuse in the northern area of the West Bank* (Family Defence Centre, 1999).

⁵ Vivian Khamis et al., *Feasibility Study*. . . .

children. The existing laws give women insufficient protection from gender-based violence. The laws are extremely broad and subject to varying degrees of interpretation by legal institutions and law enforcement officials. Compounding this problem, the laws are only occasionally enforced.

In the light of the ongoing humanitarian situation in the country, the UNFPA programme (the third cycle of assistance) will strive to balance emergency needs with developmental needs. For stakeholders working on issues of gender-based violence, there are numerous challenges as well as successes in terms of networking among service providers, advocates, and governmental and non-governmental organizations. The best example of success is the extensive coordination among women's NGOs working on issues of gender-based violence or other issues of common interest, such as protests against the murder of women in the name of "family honour".

B. RECOMMENDATIONS

1. National level

To address gender-based violence at the national level, a series of comprehensive and interconnected issues must be addressed. These include focusing on long-term policy, advocacy and community-mobilization strategies with key messages related to gender equality, women's rights and an end to gender-based violence; establishing a well-functioning referral system and operational protocols by strengthening policy, networking and coordination; and ending the impunity of those who commit acts of gender-based violence and promoting legal reform and legal empowerment for women.

2. Regional level

Increasingly at the regional level, national foreign policy agendas are narrowly defined by military security. There is great potential to enhance local and regional discussions of what security means to people, specifically women, on a daily basis. Many common issues face women in the region, such as human rights, law and educational reform, and the need to confront cultural and gender stereotypes. Dealing with these issues could help launch greater regional initiatives for women. Such initiatives could, in turn, strengthen linkages with other global initiatives such as the action programmes of the International Conference on Population and Development (ICPD) and the Fourth World Conference on Women (FWCW), and the Millennium Development Goals (MDGs).⁶

3. International level

The priority at the international level must be renewed diplomatic activity that seeks comprehensive, just and lasting solutions to the conflict and to the challenging problems of borders, settlements, the use of natural resources, the status of Jerusalem and the plight of Palestinian refugees. Implementing United Nations Security Council resolution 1325 would ensure that Palestinian women have a much stronger influence over the political, social and economic developments of their country. The power of this resolution for Palestinian women lies in its call to protect women in situations of armed conflict and to ensure that their unique perspectives and life experiences are taken into account in political discourse and negotiation.

⁶ Web site: <http://www.unfpa.org/icpd/summary.htm>.

I. INTRODUCTION AND BACKGROUND

A. PURPOSE

The impetus for this case study arose from the “Advocacy for Reproductive Health” project, funded by UNFPA and implemented by MIFTAH, a Palestinian NGO. The case study was initiated by Ms. Sana Asi of MIFTAH and Ms. Laila Baker of UNFPA and was researched and written by an independent consultant, Ms. Amelia T. Peltz. The purpose of the study is to examine the extent of gender-based violence in Palestinian society, identify the types of services available to victims of gender-based violence, assess the state of networking and coordination among service providers, and make recommendations to policy makers and advocates at national, regional and international levels.

B. METHODOLOGY

This case was developed using a combination of desk research and personal interviews conducted in July 2005 with representatives of governmental ministries and bureaux, NGOs, and the Palestinian police. The interviews were conducted around a set of questions that sought to gain insight into programmatic, policy and advocacy responses to gender-based violence, networking and coordination strategies among service providers and advocates, and the wider challenges of addressing issues of gender-based violence given the political and socio-economic situation.

A multisectoral approach to gender-based violence was used to frame this case study. The researcher examined the coordinated efforts of the health, legal/justice, law enforcement, psychosocial and educational/advocacy sectors to address gender-based violence. Interviews were conducted with individuals from key governmental and non-governmental organizations (see annex for list of persons interviewed).

The case study has several limitations, most stemming from the short period of time in which it had to be produced. Limited information was gathered from the health sector, and it was not possible to arrange an interview with a representative of the judiciary. Additionally, the lack of up-to-date, reliable statistics on the extent of gender-based violence restricted the case study to anecdotal evidence and few data.

C. OVERVIEW OF THE POLITICAL AND SOCIO-ECONOMIC SITUATION

To understand the context in which gender-based violence occurs within Palestinian society, it is necessary to review the interrelated social, political and economic factors that shape the environment. With the outbreak of the second intifada (uprising) in September 2000, Israel imposed a series of movement restrictions, economic closures and military responses that had a drastic effect on the overall quality of life of the Palestinian population. Humanitarian indicators dropped significantly, and the economy was damaged, resulting in high levels of poverty and unemployment. Despite numerous attempts to revive the fledgling peace process, as of 2005, there was little sign of progress.

1. Political status

With the failure of the Oslo agreement to offer sustainable peace, the second intifada and subsequent Israeli military and economic responses had a devastating effect on the Palestinian

population of the West Bank and Gaza. By 2005, a total of 28,980 Palestinians had been injured and 3,645 had been killed, of whom 657 were children (153 of these under 12 years old).⁷ In its attempts to end the uprising, Israel conducted widespread mass arrest and detention campaigns (more than 7,000 Palestinian prisoners were in Israeli jails).⁸ Israel's continued confiscation of private Palestinian land, much of it agricultural land, either for the construction of the Separation Wall or for the expansion of settlements, had a significant humanitarian impact on the Palestinian population, among other effects, depriving farmers of their livelihoods.

2. Economic situation

According to a World Bank study, the proximate cause of the economic crisis was closures imposed by the Israeli military.⁹ These restrictions prevented the flow of goods between cities and restricted the movement of labourers among cities in the West Bank, Gaza and Israel. Approximately 32 per cent of the labour force was unemployed, according to International Labour Organization definitions.¹⁰ The estimated percentage of Palestinians living below the poverty line (\$US2/person/day) was approximately 67 per cent, 58 per cent in the West Bank and 84 per cent in Gaza.¹¹ The average household income declined by 25 per cent from before the start of the intifada. In 2005, according to a PCBS publication, approximately 65 per cent of Palestinian households reported that their income had declined over the past five years, with 59 per cent losing more than 50 per cent of their income.¹² Women resorted to a variety of mechanisms to increase household income and supplies of food through the development of the domestic economy.¹³

3. Social situation

Access to health care in the West Bank and Gaza was severely limited due to a combination of Israeli-imposed restrictions on movement and the associated costs of health care, which became out of reach for many impoverished Palestinians. Approximately 47 per cent (44 per cent in the West Bank and 54 per cent in Gaza) reported that treatment costs were the primary barrier to accessing health care, whereas 38 per cent (40 per cent in the West Bank and 34 per cent in Gaza) reported that Israeli military closures prevented them from accessing needed health care.¹⁴

The construction of the Separation Wall significantly affected the overall health and well-being of the Palestinian population and the ability of health-care providers to offer timely and quality health care. As a result of the construction of the Separation Wall, 26 clinics providing primary health care were isolated, and 52 per cent of doctors working in these clinics were either given delayed access or were denied access to these clinics.¹⁵

According to a Food Security Assessment conducted by the Food and Agricultural Organization of the United Nations (FAO) and the World Food Programme (WFP) and published in 2004,

⁷ Palestine Red Crescent Society, *Table of Deaths and Injuries of Women and Children* (19 July 2005).

⁸ Statistics from Addameer, web site: www.addameer.org, and Israeli Committee against Home Demolitions, web site: www.icahd.org.

⁹ World Bank, "Twenty Seven Months – Intifada, Closure and Palestinian Economic Crisis" (July 2003).

¹⁰ United Nations Office of the Coordinator of Humanitarian Affairs (OCHA), *CAP Mid-Year Review* (June 2005).

¹¹ PCBS, *Impact of the Israeli Measures on the Economic Conditions of Palestinian Households* (May 2005).

¹² Ibid.

¹³ Eileen Kuttab and Riham Bargouti, *The Impact of Armed Conflict on Palestinian Women* (April 2002).

¹⁴ PCBS, *Impact of the Israeli Measures on the Economic Conditions of Palestinian Households* (May 2005).

¹⁵ Medecins du Monde, *The Ultimate Barrier: Impact of the Wall on the Palestinian Health Care System* (February 2005).

access to food was limited by both physical factors -- curfews, checkpoints and closures -- and economic factors, such as the loss of work and exhaustion of all coping mechanisms.¹⁶ The study revealed that 40 per cent of Palestinians were food insecure, and an additional 30 per cent remained under the threat of food insecurity.¹⁷ Additionally, 40 per cent of Palestinian children below the age of five were suffering from anaemia, and 7 per cent of those suffered from stunting (growth delay caused by chronic malnutrition).¹⁸

From the beginning of the intifada to 2005, 269 schools were shelled or invaded by Israeli military forces.¹⁹ Classroom density ratios increased at the classes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).²⁰ As a result of the construction of the Separation Wall in the West Bank, school attendance declined. Approximately 42 per cent of students and 47 per cent of teachers reported absences due to checkpoints or closures that prevented them from reaching their schools. Additionally, 81 per cent of families affected by the construction of the Separation Wall said that their children had been forced to miss several days of school due to closures.²¹ Net enrolment in primary education fell every year between 2000 and 2005. Between 2000 and 2003, students' grades in UNRWA schools in Gaza deteriorated by 8 per cent (Arabic) and 12 per cent (mathematics).^{22 23}

A growing proportion of the Palestinian population has become dependent on humanitarian aid. According to a 2005 report of the Palestinian Central Bureau of Statistics (PCBS), 70 per cent of Palestinian households (69 per cent in the West Bank and 72 per cent in Gaza) depended on humanitarian assistance, primarily in the form of food or in-cash assistance.²⁴ Most households identified their need for food as a top priority (36 per cent), followed by employment (23 per cent), cash (21 per cent), medicine (6 per cent), and shelter (4 per cent).²⁵

D. UNFPA SITUATION ANALYSIS

For the second cycle of assistance (2001-2004), the UNFPA programme focused on ensuring women's access to appropriate and quality reproductive health care, especially emergency obstetric care and psychosocial counselling. Training consisted of working with health-care professionals (physicians, nurses, midwives) at the community level and the organization of community campaigns to disseminate information on emergency obstetric care. Additionally, the

¹⁶ FAO and WFP, *Report of the Food Security Assessment West Bank and Gaza Strip* (March 2004).

¹⁷ Ibid.

¹⁸ Ministry of Health.

¹⁹ Birzeit University, *Barriers to Education Fact Sheet* (April 2005).

²⁰ Palestine Economic Policy Research Institute (MAS), *Quarterly Economic and Social Monitor* (April 2005).

²¹ Ibid.

²² United Nations Office of the Coordinator of Humanitarian Affairs (OCHA), *Review of the Humanitarian Situation in the Occupied Palestinian Territory for 2004*.

²³ Despite the numerous obstacles to obtaining an education, 60 per cent of Palestinian youths age 10-24 believed that education is the first priority in their life. Birzeit University, *Barriers to Education Fact Sheet*.

²⁴ PCBS, *Impact of the Israeli Measures on the Economic Conditions of Palestinian Households* (May 2005).

²⁵ Ibid.

programme focused on the delivery of essential drugs for family planning and reproductive health. In partnership with the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF), the UNFPA programme developed an advocacy network to promote access to health care and raise awareness about the health situation of the Palestinian population, especially on issues related to women's health.²⁶

As the second cycle of assistance to Occupied Palestinian Territory came to its conclusion, UNFPA prepared a situation analysis to guide the development of the organization's third cycle of assistance (2006-2009). The situation analysis is described as:

“a participatory exercise, inclusive of governmental, NGO and other civil society members and UNFPA technical counterparts in headquarters, as well as advisors from the Country Support Team (CST) in Amman....The situation analysis highlights the priorities of the country in the fields of population and development, reproductive health, and gender within the framework of the mid-term developmental plan, and the link between emergency and development within the perspective of reinforcing the process of building the Palestinian state.”²⁷

For the third cycle, both the MDGs and the ICPD Programme of Action are to provide the framework for programming.²⁸ In the light of the ongoing humanitarian situation, the programme would strive to balance emergency needs with developmental needs. It would provide strategic assistance at the programmatic and policy levels in the areas of population and development, reproductive health, and gender equity, equality and empowerment of women, especially assistance that contributes to alleviating social and economic impoverishment.²⁹

A key point within the situation analysis is the need to integrate gender-based violence as a cross-cutting theme within the reproductive health and reproductive rights focus of the programme.

With the rise in political violence, the rapid decline in key socio-economic indicators and the subsequent humanitarian emergency scenario, there are numerous challenges in terms of reaching the MDGs. The Israeli military occupation has had an overarching impact on all aspects of life, including timely access to quality health care and education. Opportunities to empower women to make informed reproductive health choices and initiatives to reducing early marriage have all been negatively affected by widespread poverty and unemployment. Additionally, widespread psychosocial trauma, high levels of food insecurity and an increase in malnutrition and anaemia, especially among women, present serious challenges to the achievement of the MDGs.

²⁶ United Nations Economic and Social Council, *Situation of and Assistance to Palestinian Women: Report of the Secretary-General*, E/CN.6/2004/4 (22 December 2003).

²⁷ UNFPA Press Release, “The Situation Analysis for UNFPA Country Programme Development in the OPT” (15 March 2005).

²⁸ Ibid.

²⁹ Ibid.

II. STATUS OF PALESTINIAN WOMEN AND GIRLS

A. POLITICAL RIGHTS

For Palestinian women living in the West Bank and Gaza, the status of their political and civic rights has been, like most aspects of their lives, inherently linked to both the Israeli occupation and the patriarchal Palestinian culture and society. Although many women believed that ending the occupation and advocating for women's rights were two simultaneous struggles, others found it difficult to advocate for women's rights, in particular, when the entire Palestinian society was undergoing such repression and trauma. During the second intifada, women played a less significant role than they did in the first, given the central role that armed groups played instead of civil society. The result of both internal divisions within the women's movement and the limited involvement of such movements was the shrinking of the political space in which women could advocate for their rights.

Historically, women were always active in the various Palestinian political factions; however, they were seldom represented at senior levels within the movements. Numerous Palestinian women were arrested and detained by the Israeli military and subjected to harsh conditions. There have been cases of women giving birth in prison, and many were denied contact with their families. Women and men have equal voting rights, although, because of prevailing cultural stereotypes and limited financial resources that restrict women's ability to campaign in elections, women are underrepresented in public office, especially at the higher levels.³⁰ In recognizing these limitations, women's organizations have lobbied for a quota system that would set aside a specific number of seats in the legislative council for women.

Women's NGOs always played a key role in Palestinian civil society, addressing a range of social, political and economic issues through advocacy, training and awareness-raising campaigns, and lobbying for political, legal and socio-economic change. In 2003, the Ministry of Women's Affairs was established with the mandate of promoting women's empowerment.³¹

B. LEGAL RIGHTS

The status of Palestinian women's and girls' legal rights is subject to a wide range of interpretations by a multitude of legal codes and prevailing cultural attitudes. The third draft of the constitution declares that all Palestinians are equal before the law and that no person will be subjected to discrimination based on race, sex, colour, religion, political convictions or disability.³² However, the implementation of laws has not fully protected or promoted women's legal rights. To date, the Palestinian Authority has not ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); it is not an independent country and is, therefore, ineligible for signatory status.

The overlapping systems of Israeli, Jordanian, Egyptian and Palestinian laws complicate the process. Different codes apply to different areas of law, some of which are more discriminatory against women than others, such as the personal status laws (Jordanian for the West Bank, Egyptian for Gaza). As of 2005, citizenship laws were still covered by Jordanian law (West Bank) and Egyptian law (Gaza), which deny women's right to pass citizenship to their husbands

³⁰ Freedom House, *Survey of Women's Rights in the Middle East and North Africa* (2005).

³¹ Ministry of Women's Affairs.

³² Freedom House, *Survey of Women's Rights . . .*

or children.³³ The system of identity cards was also discriminatory. A woman with a Jerusalem (Israeli) identity card could not pass along her legal status to her husband if he was from the West Bank, limiting the family's ability to move freely.³⁴ Women faced extensive discrimination from laws governing marriage, divorce, the custody of children, inheritance and domestic violence.³⁵ Men and women did not have equal access to justice or legal support. Given the male dominance of law enforcement and the judiciary, combined with patriarchal views of the rights and roles of men and women within society, legal decisions often favoured men. Women were often hesitant to pursue their rights through legal channels due to pressure from family and society not to discuss such matters in public.

One example of how the law discriminates in favour of men is in regards to the murder of women by a close male relative (father, brother or uncle). Such cases are referred to as "honour killings", as the perpetrators believe that they are killing a woman because she "damaged the name and reputation of the family." This linking of women's sexuality with the "reputation of the family" sets the ground for tremendous discrimination against women. The laws do not recognize such killings as murder. The Jordanian Penal Code, in force in the West Bank, confers a lesser sentence on those who commit such crimes. In Jordan, this law was amended in 2001 to give equal treatment to women; in the West Bank, however, the older version continued to apply.³⁶ In Gaza, the Egyptian Penal Code applied and similarly discriminated in favour of men.

Under criminal law, violence was a punishable offence. Thus, in theory, women should have been able to have this law applied to cases of gender-based violence. The reality is that women were pressured not to pursue legal redress due to both cultural factors that deem family matters a private affair and a lack of adequate social and legal support for victims of violence.

C. ECONOMIC RIGHTS

Palestinian women's economic rights have been governed by a combination of occupation policies that restricted their freedom of movement, thus curtailing employment options, and cultural and legal factors that limit their access to economic justice and independence. As of 2005, significant numbers of Palestinian women were outside of the formal labour force, engaged in unpaid domestic work or in work within the informal sector. Women constituted only 15 per cent of the paid labour force.³⁷ With increasing economic hardships and growing poverty, especially in rural and isolated areas, more women were seeking work in the formal workforce as a way of increasing household income. It has been reported that women earned only 65 per cent of men's wages in the West Bank and 77 per cent in Gaza.³⁸

Prevailing laws governing inheritance stipulate that men and women have the equal right to inherit. In practice, many women come under pressure from male relatives to give up their inheritance in order to keep property within the family and not allow it to be transferred to a woman's husband and his family.³⁹ In a similar manner, although women are legally entitled to own land, they are often pressured to give up their share of an inheritance to male family members or to keep the land ownership in the name of a male family member. Legally, women

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Palestine Economic Policy Research Institute (MAS), *Quarterly Economic and Social Monitor* (April 2005).

³⁸ Freedom House, *Survey of Women's Rights . . .*

³⁹ Ibid.

and men have independent financial status, although many women lack control over their own income and assets. This is primarily due to customs that view the male as the sole breadwinner and, thus, the authority on all financial decisions. However, many women claim that they are equal participants regarding decisions over household matters.⁴⁰

D. SOCIAL RIGHTS

The Ministry of Education and Higher Education emphasizes equal opportunities for boys and girls to receive an education. More schools for girls have been constructed, and schoolgirls who are engaged or married have been encouraged to complete their studies. There is a high level of girls' enrolment in primary education (89 per cent); it declines at the secondary level (58.5 per cent) due to high dropout rates, which are higher for girls (8 per cent) than boys (6 per cent) at the secondary level.⁴¹ For girls, dropping out of school is often the result of early marriage or the absence of a girls' secondary school. Also, as transportation becomes more difficult and distances farther to travel, families are reluctant to send their girls to school out of fear for their safety.

Women have made significant gains in higher education, narrowing the gap between male and female enrolments.⁴² Yet, the curricula still promote gender stereotypes. Moreover, conservative and traditional stereotypes of women dominate the mainstream Palestinian press, which thus reinforces existing attitudes towards women within society and the educational system.

As of 2005, Palestinian women had a fertility rate of 5.28.⁴³ The high rate of fertility was due to a variety of cultural factors, such as son preference, early marriage and a low percentage of women in the labour force.⁴⁴ Many Palestinian women do not participate in decisions regarding their reproductive and sexual health: in a study published by the United Nations Development Fund for Women (UNIFEM) in 2002, 43.5 per cent of women over 18 reported that they did not make the decision regarding their marriage, but that it was arranged by a male relative, and 44 per cent of the women did not participate in decisions related to pregnancy and childbearing.⁴⁵

Early marriage continues to be a problem in many areas. As the economic situation worsens and families look for ways to reduce household expenditures, many young girls are married before they are physically or emotionally ready to deal with the complexities of married life. Moreover, women's access to health care is limited by both financial costs and physical obstacles, such as the Separation Wall, checkpoints and a lack of freedom of movement.⁴⁶

As a result of the deteriorating socio-economic situation, the number of female-headed households increased. Statistics show that female-headed households suffered greatly from poverty. Approximately 30 per cent of households headed by women were poor, compared with 22 per cent of households headed by men.⁴⁷

⁴⁰ Ibid.

⁴¹ UNIFEM, *Evaluating the Status of Palestinian Women* (2002).

⁴² Ibid.

⁴³ UNFPA, *State of World Population 2005* (New York, 2005), p. 112.

⁴⁴ Freedom House, *Survey of Women's Rights*

⁴⁵ UNIFEM, *Evaluating the Status of Palestinian Women*.

⁴⁶ Freedom House, *Survey of Women's Rights*

⁴⁷ UNIFEM, *Evaluating the Status of Palestinian Women*.

III. CONTEXT AND EXTENT OF GENDER-BASED VIOLENCE IN OCCUPIED PALESTINIAN TERRITORY

Palestinian society is afflicted with two distinct but interrelated types of violence. The first is the violence perpetuated by the Israeli occupation, including death and injury, mass arrests, home demolition, land confiscation, the construction of the Separation Wall, closures, movement restrictions and the subsequent destruction of the Palestinian economy. The second type may be classified as the violence of a patriarchal, conservative society that is suffering from lawlessness, the most significant feature of which is gender-based violence.

A. POLITICAL VIOLENCE OF THE OCCUPATION

Palestinian women are subjected to the same types of occupation-related violence as Palestinian men, but the impact on women's lives is different. There are high levels of depression and anxiety among women, given the violence that permeates every aspect of their lives. The extensive network of curfews and closures has not only restricted Palestinians' movement outside of their towns or villages but also placed millions under effective house arrest, preventing them from leaving their homes for any reason.

Women have not been excluded from mass arrests and detentions. There are numerous testimonies concerning women's being beaten and tortured, including sexual harassment and sexual threats, in Israeli prisons.⁴⁸ According to Addameer, a Palestinian political prisoners' rights association, the number of Palestinian female detainees has increased since September 2000. By the end of 2004, more than 120 women were being held in Israeli prisons. Of these women, 17 were mothers and 2 gave birth while in prison.⁴⁹ Tremendous burdens have been placed on women who must assume the role of head of the household in the absence of husbands and brothers who have been killed or imprisoned. Because of the lack of a social security system, women and the family must carry the burden alone.

Home demolitions have had an extremely negative impact on women. Often, the increase in stress and tension within the family had led to increased violence.⁵⁰ As noted by the United Nations Special Rapporteur on Violence against Women, "Women suffer immensely from forced eviction. Domestic violence is higher in the precarious and often stressful situation of inadequate housing, especially before and during a forced eviction."⁵¹

The imposition of blockades around towns and villages, combined with partial and, in some cases, 24-hour curfews, impedes the access of children and their families to hospitals and health facilities. Further, the mobility restrictions placed upon emergency medical personnel deny ambulances access to the sick and wounded. The curfews and ongoing blockades have significantly affected children and women, particularly pregnant women. Due to movement restrictions, the number of pregnant women (15-49 years old) who received no prenatal care

⁴⁸ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁴⁹ Addameer statistics, web site: www.addameer.org.

⁵⁰ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁵¹ United Nations Economic and Social Council, "Integration of the Human Rights of Women and the Gender Perspective"

increased dramatically, from 4.4 per cent in 2000 to 19.6 per cent in 2001.⁵² From September 2000 to March 2004, 55 women gave birth at checkpoints and 33 newborns were stillborn at checkpoints due to delays or the denial of permission to reach medical facilities.⁵³ Births supervised by skilled health workers decreased from 97 per cent in 2000 to 67 per cent in 2002. Over the same period, home deliveries increased from 3 per cent in 2000 to 30 per cent in 2002 due to movement restrictions, resulting in some cases in the deaths of the mother and infant.⁵⁴

B. TYPES OF GENDER-BASED VIOLENCE

The dire economic situation and the pressures of the occupation have made men more violent. The loss of their ability to provide for their families and protect them from harm, combined with high levels of unemployment, poverty and humiliation at the hands of Israeli soldiers, has left many Palestinian men with a deep sense of frustration and hopelessness. This does not mean that if the occupation ended tomorrow gender-based violence would subsequently cease to exist in Occupied Palestinian Territory; the fact remains that deeply patriarchal elements within Palestinian society perpetuate gender-based violence.

The types of gender-based violence that are prevalent within Palestinian society include physical abuse, such as beating, hitting and murder; sexual abuse, including rape, assault and incest; and psychological abuse, such as verbal assaults and insults, the intentional tarnishing of a woman's reputation through the spread of rumours and gossip, and the reinforcement of negative gender stereotypes. Comprehensive figures on the number of cases of gender-based violence in Occupied Palestinian Territory are unavailable due to a lack of accurate data collection systems and disagreements over what constitutes violence. For example, the number of officially reported complaints of gender-based violence registered with the police is extremely low when compared with the vast amount of anecdotal evidence, indicating a rising number of cases. There are also unreliable statistics on the number of women murdered in the name of family honour, as many are documented as accidental deaths or suicides.

Notwithstanding the limitations of available statistical data, the information available over the past 10 years is illuminating in terms of the extent of the various types of gender-based violence found in Palestinian society. A study conducted in 1999 revealed that more than 2,000 cases of abuse had been reported to local social, health and criminal-justice organizations.⁵⁵ Between 1996 and 1998, the Family Defence Society in Nablus documented 552 cases of abuse, including 300 cases of psychological abuse, 126 cases of physical abuse and 99 cases of sexual abuse, while the Palestinian Working Women's Society documented 1,100 cases of abuse. Between 1997 and 1998, the Women's Centre for Legal Aid and Counselling documented 443 cases of abuse, and the Gaza Community Mental Health Project documented 230. The study also revealed that the central police station in Gaza dealt with more than 420 cases of abused women and children in 1996, 621 cases in 1997 and 895 cases in 1998. Between 1996 and 1998, 33 cases of women murdered by their families were reported to the police, and an additional 273 "suspicious deaths" were reported.⁵⁶

⁵²Women's Centre for Legal Aid and Counselling and Al Haq, *NGO Alternative Pre-Sessional Report on Israel's Implementation of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in the Occupied Palestinian Territories* (January 2005).

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibrahim Masri and Ihsan Totah, *Survey about women's abuse in the northern area of the West Bank* (Family Defence Centre, 1999).

⁵⁶ Vivian Khamis et al., *Feasibility Study*. . .

Two surveys in the West Bank and Gaza on wife abuse and battering revealed the following types of psychological abuse:

- 73 per cent of the women indicated that their husbands had yelled at them during a heated argument;
- 25 per cent of the women indicated that their husbands had belittled and insulted them or their acquaintances in an attempt to intimidate them;
- 22 per cent of the women reported that their husbands had forced them to do something with the intention of insulting them;
- 36 per cent of the women indicated that their husbands had scolded them while belittling their thoughts, beliefs and attitudes; and
- 26 per cent of the women reported that their husbands had belittled the way they dress, their body and the way they maintained their appearance.⁵⁷

The surveys reported on the following types of physical and sexual abuse:

- 37 per cent of the women indicated that their husbands had thrown, kicked or broke something while arguing;
- 32 per cent of the women reported that their husbands had slapped them;
- 15 per cent of the women reported that their husbands had attacked them with a stick, belt or other object of that kind;
- A relatively high percentage of the women reported that their husbands had attacked them with a dangerous implement, such as a knife or a metal rod;
- 33 per cent indicated that their husbands had tried to have sex with them without their consent; and
- 30 per cent reported that their husband had sex with them without their consent.

The data on incest are unofficial, and thus an accurate measure of its prevalence is unavailable. Anecdotal evidence suggests incest is committed by a first-degree male relative (husband, brother or uncle) in a majority of incest cases.

A recent study by the Women's Empowerment Project in Gaza found that 60 per cent of the participants were subjected to physical or verbal violence in the home.⁵⁸ That so much of the violence occurs at the household level places a tremendous burden on women, as their traditional "safe haven" is no longer a refuge from violence. In 2002, the Women's Centre for Legal Aid and Counselling documented 31 cases of the murder of women. Between 2000 and 2004, there were 21 cases of women being murdered in Gaza alone.⁵⁹

⁵⁷ Haj Yahia, Mohammed, *Wife Abuse and Battering in the West Bank and Gaza* (1999).

⁵⁸ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁵⁹ Women's Centre for Legal Aid and Counselling.

Despite the lack of recent quantitative data documenting trends in gender-based violence, there has been growing anecdotal evidence that gender-based violence in Occupied Palestinian Territory has been steadily increasing during the past five years. Such a trend would not be surprising. Evidence from conflict-ridden areas around the world has documented linkages between military occupation and political violence with gender-based violence directed at women and children.⁶⁰

Anecdotal data from Palestinian women's organizations show a rise in violence against women during times of increased economic and political turmoil in the West Bank and Gaza.⁶¹ In areas that are under increased pressure from high levels of unemployment, poverty and isolation, increasing frustration leads to more outward expressions of anger, with women and children being the most common targets. As noted by Amnesty International:

“Palestinian women, human rights organizations, community and social workers, counsellors, physicians and other professionals are concerned that violence against women in the family has increased in the past four and a half years, as the deterioration of the security and economic situation has exacerbated existing problems of gender inequality and control of women in Palestinian society.”⁶²

Palestinian women who are victims of abuse feel even less able to complain or report cases of abuse when others around them are suffering from the violence of the occupation, which many deem to be much worse than domestic violence. This has not only fuelled the stereotypes that demand that women remain silent when they are the victims of violence but also means that it remains hidden from the larger political and socio-economic agenda. If few people are willing to talk publicly about widespread gender-based violence, there is a lessening of the political pressure to address the interrelated issues that allow it to be perpetuated with impunity.

With the direct connection between occupation-related violence and patriarchal violence clear, it is necessary to create political space in which such connections can become part of the popular discourse and foster social change. To do this, it is necessary to change the public perception that women's rights can be addressed only after the Israeli occupation has ended.

C. THE INTERSECTIONS OF OCCUPATION AND GENDER-BASED VIOLENCE

The result of the military measures by Israeli forces intersecting with a conservative, patriarchal Palestinian society has contributed to an integrated system of violence against women.⁶³ The relationship between the occupation, patriarchy, and gender-based violence is clear: rising poverty and unstable living conditions have placed a tremendous strain on families and extended families, exacerbating social tensions. Women have been deeply affected by the widespread political violence and the subsequent socio-economic pressures placed on the family. As a result of the pressures within the household in general and on women in particular, women have often

⁶⁰ For more feminist analyses of gender and conflict, see the following: Cynthia Cockburn, *The Space Between Us: Negotiating Gender and National Identities in Conflict* (Zed Books, 1998); Cynthia Enloe, *Bananas, Beaches and Bases: Making Feminist Sense of International Politics* (University of California Press, 1989); Julie Peteet, *Gender in Crisis: Women and the Palestinian Resistance Movement* (Columbia University Press, 1991); and Simona Sharoni, *Gender and the Israeli-Palestinian Conflict* (Syracuse University Press, 1995).

⁶¹ Freedom House, *Survey of Women's Rights . . .*

⁶² Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁶³ United Nations Economic and Social Council, “Integration of the Human Rights of Women and the Gender Perspective. . . .”

found themselves to be the targets of angry male relatives who feel frustrated that their ability to be traditional providers for the family has been eroded.⁶⁴

Gender-based violence is defined as “any act... that results in, or is likely to results in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.”⁶⁵ Gender-based violence also includes denial of women’s rights, decision-making and unequal distribution of resources.

Women experience violence as a direct and indirect effect of security measures, as well as violence within the family and community that is heightened as a result of the political situation.⁶⁶ The overall weakening of the Palestinian Authority during the past five years has led to widespread lawlessness within the West Bank and Gaza. Frequent Israeli military incursions into West Bank and Gaza cities targeted the security and law enforcement structures, often reducing the physical infrastructure to rubble. The subsequent security vacuum has meant that armed groups and traditional tribal structures have played more of a central role within society. This has caused further regression in the protection of women’s rights. Arbitration and justice are administered at the discretion of male members of the tribe, family or community and rarely take women’s equality and rights into account.

A poll conducted by the Palestinian Working Women’s Society for Development (2002) revealed that:

- 53.7 per cent agreed that it is inappropriate for the police to interfere when a man assaults his wife as this is considered a family affair;
- 55.5 per cent agreed that a wife assaulted by her husband should not talk about it to anybody but her parents;
- 86 per cent believed to varying degrees that political, economic and social conditions have increased violence against women; and
- 52.5 per cent believed that customs and traditions constituted a stumbling block to the advancement of women.⁶⁷

The results of this poll offer important insights into the prevailing culture and gender stereotypes surrounding cases of gender-based violence. Because gender-based violence is considered a private family affair, the police are likely to have a limited role to play in either protecting women who are subject to violence or in supporting the prosecution of those who perpetuate violence. There is a culture of silence around domestic violence that shames women who wish to report such violence to law enforcement officials, citing the reputation of the family and women’s role in preserving its sanctity. As noted by Amnesty International:

⁶⁴ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁶⁵ United Nations Declaration on the Elimination of Violence against Women, Article 1.

⁶⁶ United Nations Economic and Social Council. “Integration of the Human Rights of Women and the Gender Perspective. . . .”

⁶⁷ Palestinian Working Women’s Society for Development, *Violence Against Women in Palestine* (September 2002).

“All available information indicates that in the overwhelming majority of cases violence against women occurs within the family, including sexual harassment, abuse, or rape. However, lodging a police complaint or filing a legal action against a husband or relatives is frowned upon in Palestinian society and any exposure of such cases outside the family ultimately hurts the victim more than anyone else.”⁶⁸

Moreover, men who murder women in the name of “family honour” do so with impunity as there is a lack of political will on the part of the Palestinian Authority to prosecute the perpetrators.⁶⁹

The intensification of the conflict and occupation of the West Bank and Gaza has limited the public space in which Palestinian women can challenge patriarchy and gender stereotypes. Many would argue that the immense socio-economic hardships resulting from five years of intensified conflict, with its widespread death, injury and arrest, are the more pressing concern in people’s lives and not gender-based violence. In this way, women find themselves victimized twice, once by the forces of military occupation and again by the forces of patriarchal control.⁷⁰

⁶⁸ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁶⁹ Ibid.

⁷⁰ United Nations Economic and Social Council, “Integration of the Human Rights of Women and the Gender Perspective. . . .”

IV. GOVERNMENT PROGRAMMING AND POLICIES IN RESPONSE TO GENDER-BASED VIOLENCE

This chapter and the two that follow cover institutional responses to gender-based violence in Occupied Palestinian Territory. This chapter examines governmental responses to gender-based violence through the lens of multisectoral programming.

A. HEALTH AND PSYCHOSOCIAL SUPPORT

When a woman who has been the victim of violence seeks medical care at a Ministry of Health hospital or clinic, the health-care providers render medical treatment only for her external symptoms. In some cases, the health-care provider plays a counselling role; however, this is usually done on a voluntary basis and depends on the individual's skill, available time and attitude towards gender-based violence. Health-care providers will inform the police if requested to do so, although few survivors pursue legal justice. The women's health department within the Ministry of Health has made addressing gender-based violence a part of its five-year strategy. A joint project between the Ministry and UNFPA will seek to raise the capacity of staff to manage cases of gender-based violence.

One of the biggest challenges facing health-care providers is the lack of a formal referral system or protocols on how to work with survivors of gender-based violence. Networking is undertaken on an informal level and depends on the health-care providers' knowledge of the services available. Another challenge, even more fundamental than the absence of a referral system, is a general lack of awareness about gender issues, specifically the health rights of women. Although the Ministry of Health encourages its staff to attend training on gender issues, there is still a gap in the overall capacity for fully integrating a gender analysis into reproductive health, including the role of men in reproductive health, and on gathering health statistics that are disaggregated by gender.

B. EDUCATION

The Ministry of Education and Higher Education, in general, maintains an approach of equal opportunities for boys and girls to have a quality education. Within the past few years, the Ministry has introduced vocational training for girls, a field traditionally limited to boys, in the fields of industry, technology maintenance, nursing and administrative studies. Although there are no specific programmes that address gender-based violence within the school setting, in particular, there is a set of policies for school counselling, in general. The role of school counsellors is to help students reach overall well-being and sound mental health. Within the school setting, counsellors help to resolve conflicts between students and teachers and among students themselves by trying to find comprehensive solutions to problems. The school counsellors also work to build a bridge between home and school by actively involving parents and the community with school life. In extreme cases, where a student is suffering from violence or abuse at home, a school counsellor may visit the family in person. Primarily, though, their work is school-centred. The school curriculum includes a reproductive health section taught by the science, biology, civic education or home economics teachers. Several manuals have been developed to support teachers in their delivery of such a curriculum, including "A Manual for Teachers in Reproductive Health" to assist teachers in providing students with scientifically factual answers regarding reproductive health and psychosocial well-being, and another manual

developed in partnership with NGOs and government ministries on how to deal with the range of psychosocial issues confronting adolescents.

Violence within schools remains a pressing concern for the Ministry of Education and Higher Education. In every annual plan for the counsellors, violence and protection remain core issues to be addressed. A project conducted in partnership with UNICEF and implemented in 613 schools highlighted the importance of protecting children's rights. The project worked directly with students to design and implement activities. Of the main types of abuse prevalent within Palestinian society, physical and psychological abuses are easier to talk about than sexual abuse, a subject considered taboo. If a school counsellor finds out that a child is suffering from sexual abuse, the counsellor will work confidentially with the district school counselling supervisor and the head of the counselling department in the Ministry of Education and Higher Education. Due to the lack of proper protocols and the absence of a referral system, there is little for the counsellor to do except to use personal contacts and refer the student or family to NGOs that provide services or to the Ministry of Social Affairs or Ministry of Health.

School counsellors face numerous challenges. Because of the overall sensitivity of talking about certain types of violence, such as sexual abuse, incest, and rape, school counsellors will not address these issues directly. In addition, there is no protection law for social service providers, including school counsellors. If school counsellors were to involve themselves directly in a specific case, such an intervention would require a high degree of confidence and external support. Also, because of the lack of protocols, school counsellors are sometimes unclear about what role they should play in cases of sexual abuse, rape and incest. Additionally, the reproductive health curriculum still needs further development, refinement and support. The concepts are not always easy to discuss as some issues are seen as private matters, and many teachers define the concept of reproductive health according to their understanding of the topic. Thus, the delivery of such information to students is not standardized throughout the schools under the Ministry of Education and Higher Education. Overall, misconceptions of issues related to gender-based violence and the role that culture has in creating silence and shame continue to limit the degree to which these issues are addressed in schools by counsellors, teachers and administrators.

C. LAW AND POLICY

The laws in force in Occupied Palestinian Territory do not give women sufficient protection from gender-based violence. The laws are extremely broad, subject to varying degrees of interpretation by legal institutions and law enforcement officials, and are seldom enforced or institutionalized. Two sets of laws, broadly speaking, address issues of violence:

- Article 340 of the Jordanian Penal Code, in force in the West Bank as Law #16 of 1960, grants exemption from prosecution or reduced penalties for husbands or male blood relatives who kill or assault their wives or female relatives on the grounds of what they claim is "family honour";
- Article 308 of the Jordanian Penal Code allows legal proceedings to be dropped against a rapist who marries his victim; and
- Articles 285 and 286 of the Jordanian Penal Code stipulate that if a girl wants to file a complaint for violence or abuse, the complaint must be filed by a male relative.⁷¹

⁷¹ Amnesty International, *Conflict, Occupation, and Patriarchy*.

Similar types of Egyptian law are enforced within Gaza. In addition to the Jordanian Penal Code and Egyptian laws, the Palestinian Criminal Law, passed by the Legislative Council in 2003, has no provisions to protect women from gender-based violence. In the same way that the Jordanian Penal Code allows for a range of exemptions, the Palestinian Criminal Law allows perpetrators of violence to use a variety of excuses to avoid prosecution.

In November 2003, the Ministry of Women's Affairs was established with the mission "to empower Palestinian women and enhance their capacities and status so that they can exercise their human, political, and citizenship rights and share in building and developing a democratic Palestinian state and an active civil society that is based on equality and human rights."⁷² Through the creation of this ministry, the Palestinian Authority indicated the beginning of a political commitment to recognizing the importance of women's rights. This commitment was demonstrated, for example, by the creation, in each ministry, of gender units charged with reviewing laws and practices that discriminate against women. The Ministry of Women's Affairs also utilized lobbying groups from within Palestinian civil society to promote legislative change with regard to women's rights.

Based on the strategy of women's empowerment, the Ministry's goal is to "improve the Government's ability to integrate gender, democracy, and human rights into the policies, plans, and programmes within various Ministries and relevant legislation and law."⁷³ The Ministry has four general directorates to implement the core strategies. These are: advocacy, media and communications; planning and policy-making; human and financial resources; and international relations. For the 2005-2007 planning period, the Ministry plans to focus on three initiatives: empowering Palestinian women in policy and decision-making; combating poverty among young women and in female-headed households; and improving vocational and technical training opportunities for women. The Ministry coordinates its work with other ministries to ensure that the cross-cutting theme of gender mainstreaming is fully adopted.

Within the Ministry, the Training and Technical Assistance Department monitors cases of gender-based violence, compiles reports and uses them as tools for advocacy and policy change within the Government. The Ministry works with the NGO coordinating group Forum for Combating Violence Against Women (*Al Muntada*) (see chapter VI) by participating in regular meetings, discussing plans and strategies on how to combat gender-based violence and supporting lobbying efforts to pressure the Government to adopt progressive policy measures. The Ministry is on the board of directors of the Bethlehem women's shelter, works in coordination with the police in gathering information on cases of gender-based violence and strives to raise awareness in the media.

Because of the increase in the number of cases of gender-based violence and the overall urgency of the need to do more to protect women, the Ministry of Women's Affairs began working in partnership with other ministries and women's organizations to draft a new law that would protect women from domestic, community/social and institutional violence. It would include provisions, among other things, to establish more shelters for victims of violence. Such a law would also give the police a greater role in terms of prevention. The Ministry is working to establish a special unit within the police force to support women victims of violence who seek help from the police.

⁷² Ministry of Women's Affairs Mission Statement.

⁷³ Ministry of Women's Affairs Goal.

D. POLICING AND LAW ENFORCEMENT

In the absence of laws regarding the protection of women who suffer from violence, the Palestinian police have a limited role to play in cases of gender-based violence. For example, in the case of Faten Habash, a young Christian woman from Ramallah who was murdered by her father, the role of the police was limited. The police arrested her father, gathered evidence from the scene of the crime and from the doctor's report, wrote a formal police report and submitted it to the courts as evidence to use in the criminal trial.⁷⁴ There was little the police could do in terms of preventive measures, as there are no laws covering such cases.

Compounding the problem of developing legal protection for victims of gender-based violence are the overlapping legal systems (Jordanian, Egyptian, Israeli Civil Administration and Palestinian) and the perception within society that courts are ineffective. These have led to greater reliance on traditional and tribal mechanisms of dispute resolution. Such mechanisms are usually preferred when dealing with cases of gender-based violence, as issues of family and "honour" are considered a private matter in Palestinian society. The problem with the existing sets of laws and with using such tribal mechanisms is that they rarely take women's rights into account. Even if formal legal systems such as the courts are used, there is a considerable amount of family interference in cases related to the family or violence.

The Palestinian security infrastructure has been significantly weakened by frequent Israeli military incursions, and the network of restrictions on movement has limited its ability to respond in a timely way to cases of gender-based violence. Frustrations within society over the widespread lawlessness and perceived lack of ability of the police or security forces to play a significant role in conflict resolution or protection have left many to conclude that there is little point in relying on the police.

Finally, the lack of institutional commitment on the part of the Palestinian Authority to protect and promote women's rights has allowed for continued impunity for those who commit crimes of gender-based violence. The lack of resources, infrastructure and capacity to address the interrelated factors that sustain the phenomenon of gender-based violence, and the lack of legal protection for service providers who care for and support victims, have weakened the governmental institutional responses to gender-based violence.

E. STATISTICS ON GENDER-BASED VIOLENCE

The Gender Statistics programme of PCBS began in 1996 with a mandate to collect gender-disaggregated data on core human development indicators in the fields of health, education, labour and social welfare in order to identify gender gaps between women and men in Occupied Palestinian Territory. Based upon universally accepted definitions outlined by the United Nations, with some modifications to reflect the Palestinian context, the Gender Statistics programme collects data from various departments within PCBS and from other ministries that have reliable raw data, such as the Ministry of Education and Higher Education. These statistics are then analysed to identify key gaps between women and men and presented in reports and press releases. Institutionalizing the Gender Statistics programme within PCBS has been successful. All departments now collect gender-disaggregated data, and the process of setting key indicators is done in a participatory way, with workshops being held with key stakeholders from ministries, NGOs and universities. Such success reflects the collective acknowledgement that gathering

⁷⁴ Chris McGreal, "Murdered in name of family honour," *The Guardian* (23 June 2005).

these data is crucial to developing a clear picture of the socio-economic state of Palestinian society.

To date, there has been no comprehensive and reliable study that documents the prevalence of gender-based violence in Occupied Palestinian Territory. Although NGOs have conducted a significant amount of qualitative research for advocacy and lobbying purposes, the types of scientifically accurate statistics needed for comprehensive policy interventions at the governmental level are unavailable. There is still no commonly agreed-upon set of operational definitions that describe gender-based violence. Different stakeholders in the field use different definitions when collecting anecdotal data, which leads to a second challenge of perceptions versus measurement. The definition of what constitutes violence varies depending on who is addressing the issue.

In recognizing the need to have a comprehensive understanding of gender-based violence in Palestinian society, PCBS, through the Gender Statistics programme, has begun a new project to conduct a nationwide survey on the prevalence of gender-based violence. The process began in March 2005 with a workshop that included representatives from all stakeholders in the project, including ministries, NGOs and academics. The purpose was to begin to define the survey's objectives and methodology. A second workshop is expected to work on operational definitions of violence within the Palestinian context. Once the questionnaire has been designed, PCBS researchers would conduct the household-level survey throughout the West Bank and Gaza. The report would be analysed to identify key indicators that require further study and more raw data. It is hoped that policy makers and service providers would use this survey to design programmatic and policy interventions that reflect the realities within Palestinian society.

V. NON-GOVERNMENTAL ORGANIZATIONS' RESPONSES TO GENDER-BASED VIOLENCE

Various NGOs are working to address gender-based violence in Occupied Palestinian Territory. Taken together, each institution's response helps to form a multisectoral, holistic response to gender-based violence. For non-governmental stakeholders working on issues of gender-based violence, there are numerous challenges as well as successes in terms of networking and coordination among service providers, advocates and governmental organizations.

For this case study, representatives of four NGOs were interviewed: the Women's Studies Centre (WSC), the Women's Centre for Legal Aid and Counselling, the Palestinian Working Women's Society for Development and MIFTAH. These institutions were selected because most of their work focuses on women's rights and/or issues of gender-based violence.

A. MISSIONS OF FOUR ORGANIZATIONS DEALING WITH WOMEN'S RIGHTS

1. Women's Studies Centre

WSC is an independent, Palestinian NGO that is committed to the principle that women's rights are indivisible from human rights. In its efforts to promote equality between women and men, WSC works with female students, youth, teachers, community leaders and members of the media. It attempts to reach decision makers in the Palestinian Legislative Council, political parties and the Palestinian National Authority as well as private and public institutions to promote the consideration of the rights and needs of women in all aspects of legislation and development.

2. Women's Centre for Legal Aid and Counselling

Established in Jerusalem in 1991, the Women's Centre for Legal Aid and Counselling is an independent NGO with the aim of building of a democratic Palestinian society based on the principles of gender equality and social justice. The Centre develops programmes and projects according to an agenda based on international human rights standards. It has five units to implement and follow-up its programmes and projects:

- The research unit documents violations of Palestinian women's rights, specifically cases of gender-based violence such as femicide, domestic violence and incest, along with other issues related to the status of Palestinian women;
- The capacity-building unit works on developing local grass-roots leaders and volunteers, providing technical assistance to grass-roots organizations, training their staffs and board of trustees; developing by-laws, rules, procedures and external relations; and supporting referral institutions dealing with women victims of violence by training police, lawyers and doctors so that they are better equipped to handle victims of violence;
- The services unit provides social counselling and legal services for Palestinian women who are victims of violence;

- The advocacy/lobbying unit works at awareness-raising, networking, and internal and external relations with other organizations and with the Ministries of Women's Affairs and of Social Affairs; and
- The administration unit handles all aspects of the Centre's administration.⁷⁵

3. Palestinian Working Women's Society for Development

A secular and educational organization, the Palestinian Working Women's Society for Development is committed to empowering women so that they participate in all political, social and economic fields. The Society aims at eradicating all forms of discrimination against women, with attention to the following strategic issues:

- Marginalization and lack of women's participation and representation in policy- and decision-making positions;
- Discrimination against women in laws, legislation, regulations, procedures and administrative structures;
- Unequal employment opportunities and unequal pay for equal work;
- Weak psychosocial systems for women;
- The spread of violence in all its forms; and
- Poor coordination among democratic parties.

4. The Palestinian Initiative for the Promotion of Global Dialogue and Democracy

MIFTAH, based in Jerusalem, is dedicated to fostering democracy and good governance in Palestinian society. Its aim is to serve as a Palestinian platform for global dialogue and cooperation guided by the principles of democracy, human rights, gender equity and participatory governance. It generates and presents policy proposals and has formulated long- and short-term strategies to deal with pressing issues. MIFTAH networks with local, regional and international organizations committed to similar objectives as well as with expatriate Palestinian communities.

B. ORGANIZATIONAL RESPONSES IN SPECIFIC AREAS

1. Health and psychosocial support

The social and psychological counselling programme is the hallmark that defines the Palestinian Working Women's Society for Development's efforts to address gender-based violence. Before 1997, counselling services were open only to women. Later, it was recognized that, for real change to take place, the entire family must be involved in counselling. The counselling services are now open to all family members. There are four areas of counselling that the Society works on: community awareness, the individual, the dynamic group and an open line for counselling via telephone. The open telephone line began in 1996 to offer individual counselling for women, a

⁷⁵ Women's Centre for Legal Aid and Counselling, web site: www.wclac.org.

service that an evaluation found effective. The service operates in Nablus, Jenin, Tulkarem, Ramallah and Bethlehem and gives women access to psychological support for those who are unable to attend in-person counselling either because they cannot move from their homes or because they do not want to reveal their identity. Initially, women who phone the open line are advised by a counsellor, who continues to follow up the case via telephone. After a period of time, once the caller feels comfortable, she can come to the Society's office for individual counselling. The service is becoming popular, with the number of cases that counsellors are handling over the telephone increasing every year.

The Women's Centre for Legal Aid and Counselling, which has a strong working relationship with the Ministry of Health, launched a pilot psychosocial support project to train doctors, nurses and social workers in three workshops on how to integrate psychosocial support into patient care. Raising awareness of the various types of gender-based violence and the roles that doctors and nurses play in providing care for victims formed the core of the training programme. Numerous challenges were encountered when piloting this programme. Most of the trainees had little knowledge of violence-related issues and believed that such issues are private matters in which they should not interfere. The trainees were unsure of how to ask probing questions to see whether a patient was a victim of violence and did not know how to offer psychological counselling or refer the patient to other counselling services. The other significant challenges encountered were the absence of an official referral service, the lack of protocols for supporting victims of violence and the lack of a law to protect service providers. Despite these challenges, by the end of the training the trainees concluded that they had a crucial role to play when treating cases of gender-based violence and began referring some cases to the Centre. Another project initiated with the Ministry of Health was the creation of a manual for health-care providers on issues such as rape, violence, sexual dysfunction, depression and suicide. A training session was conducted on how to use the manual. The lack of a referral system for addressing these issues over the long term remains the critical challenge of ensuring the success of such training.

2. Education and awareness

One of the most successful campaigns that WSC implemented was related to the harmful effects of early marriage on the girl child. WSC categorized early marriage as a type of gender-based violence due to the negative impact that such a phenomenon has on their overall health and mental well-being along with the curtailment of girls' opportunity to pursue their education. The early marriage campaign, conducted in 20 villages in Jenin and 10 villages in Hebron, formed local committees in each of these locations from members of local organizations, municipalities and village councils. The committees played an active part in all aspects of the project. Project activities focused on working with students and parents to discuss what it means to get married at a young age and the impact it has on a girl's education, health and social life. In some cases, meetings were held with parents and their daughters where they listened to witnesses – women who had married at a young age – to understand the impact it had on their lives. Other activities included conducting theatre plays on subjects considered socially sensitive and asking the audience to comment and engage in a discussion of what they had seen. The key that made this project work, according to the WSC deputy director, was working closely with the local community to bring about social change and designing projects not as stand-alone activities but as a part of holistic social change.

Another project that WSC plans to implement on a 10-month pilot basis is an awareness campaign on sexual assault and rape. A study on the incidence of incest within the family revealed the extent to which this problem exists throughout the society. To date, there is a huge gap in the law that addresses incest. For example, if a girl or woman is sexually assaulted, the

law dictates that only a close male relative, such as the father or brother, can press charges against the perpetrator. This is a problem as in cases of incest, it is usually the father or brother committing the crime. The issue is extremely difficult to discuss in public as it is considered taboo. Nevertheless, WSC recognized the importance of raising awareness concerning incest. The project, to be implemented in four schools in Jerusalem and four schools in Hebron, would work with teachers, parents and students, beginning with a discussion of sexual health in general and then moving into a discussion of sexual assault and what it means. The Centre plans to work with the Women's Centre for Legal Aid and Counselling and Al Haq on the legal issues related to sexual assault. A professional family therapist will provide guidance on specific technical interventions.

In partnership with the Ministry of Education and Higher Education, the Women's Centre for Legal Aid and Counselling worked with school counsellors on how to address the needs of youth in grades 7-9. A manual on gender and reproductive health was developed and formally adopted by the Ministry; it supports teachers and school counsellors in raising awareness among students on key sexual and reproductive health issues. At first, there was resistance from teachers regarding the project, as they were concerned about the reactions from the community. However, the school counsellors were supportive of the initiative and helped to convince the teachers that having such a manual would help them answer students' questions with scientific facts. Parents were also supportive of the programme and admitted that they were happy their children were receiving the proper information. A knowledge, attitudes and practice (KAP) survey conducted after piloting the manual showed positive results. The success of this initiative was ensured by having the support of the school counsellors, who openly discussed the issue with parents and teachers and ultimately won their support.

3. Training

A key component of the MIFTAH Advocacy for Reproductive Health project was a training programme entitled "Dealing with Survivors of Gender-Based Violence". The training was conducted 9-13 October 2004 in Ramallah by expert trainer Jeanne Ward of the International Rescue Committee and was a product of cooperation between MIFTAH and UNFPA. The purpose was to enhance the skills and knowledge of the participants on mechanisms for supporting survivors of gender-based violence. Participants were from governmental agencies that work with survivors of gender-based violence, including the police force, High Court (*Shari'a*) and the Ministries of Education, Health and Social Affairs.

During the first day of training, participants discussed concepts such as the differences between "sex" and "gender"; how Palestinian society understands the concept of gender; how customs and traditions often condone gender-based violence; the different types of violence such as abortion and forced pregnancies; and the implications of silence, fear and punishment for women who have suffered from violence. The second day of training dealt with the context in which gender-based violence occurs within Palestinian society, including causes, socio-political factors, survivors' refusal to seek support, and discussions of the multisectoral approach to supporting victims; the psychological needs of individuals and the impact of trauma on an individual's life; and the types of skills and characteristics that service providers must possess to support victims of gender-based violence. On the third day of the training, participants learned how to distinguish between "assumption" and "assessment" and how these relate to providing support to victims of gender-based violence; the difference between "empathy" and "sympathy" when working with victims; and the importance of proper documentation and the paramount issue of confidentiality for victims seeking support.

At the conclusion of the training programme, participants arrived at several general recommendations, including the need for coordination, so that participants can keep in contact with one another through continual training, follow-up, and dialogue and communication; information-sharing, so that participants have access to cases, examples and recommendations from other countries that have participated in similar types of training; and resources and technical support to facilitate the creation of a working referral system.

Following the workshop, a round-table discussion was held in Ramallah on 12 October 2004. The purpose was to promote communication and coordination among organizations in the field of gender-based violence. Participants, who included representatives of local and international NGOs and Palestinian ministries, were divided into three groups – training, service provision, and policy development and support – in order to address the key issues related to gender-based violence, summarized as follows:

- *Training.* Participants agreed that a more permanent information network should be established with more frequent communication and coordination at both formal and informal levels. More information, education and communication (IEC) materials need to be developed, and organizations that specialize in providing services to survivors of gender-based violence need to make themselves more visible within the community. Participants in this working group agreed to assign a special team for external coordination that would emphasize improved communication systems (web pages, printed materials, etc.) and encourage cooperation among training institutions through the exchange of knowledge, experience, experts and networking;
- *Service provision.* Coordination among institutions occurs on the personal level and not through formal channels. Service providers need to have a complete picture of the range of organizations in this field, including the role of the *Shari'a* courts. This working group's recommendations included raising public awareness of women's health and safety as related to gender-based violence, emphasizing the role of religion in women's issues, providing legal protection for service providers, offering financial support to projects that provide support to women, revitalizing the role of institutions that work with women and revitalizing the role of the media and Internet in support of women; and
- *Policy development and support.* This working group emphasized the need for direct contact through joint workshops, coordination meetings and the establishment of joint projects with local, Arab and international institutions to address gender-based violence. Such activities would be tasked with reviewing legislation and engaging in lobbying activities. Written recommendations would be provided on issues of women's rights and gender-based violence. The working group stated the necessity of defining common aims or strategies to be initiated within a specific time frame; identifying partners and their roles within areas such as data collection, the media, and coordination; defining specific tasks; and implementing work plans and monitoring strategies.

All groups participating in the round table emphasized the need for well-established laws protecting women; the need for referring cases to the appropriate institutions, either governmental or non-governmental; and the need for joint training programmes with other institutions. At the event's conclusion, MIFTAH offered the following recommendations:

- Strengthen coordination among institutions and establish clear means for dealing with survivors of gender-based violence;

- Promote greater awareness of needed policy changes and define the main stakeholders;
- Support the role of the Forum for Combating Violence against Women for it to become the main coordinating body for the field; and
- Raise awareness among decision makers of the importance of their role in eliminating gender-based violence.

4. Law, policy and advocacy

For the Palestinian Working Women's Society for Development, gender and violence are cross-cutting themes in all projects. The Society's project on civic education aims at empowering women to encourage their participation in local political life. The project works at the grass-roots level and focuses on advocacy and lobbying on the laws related to women, specifically the Jordanian Penal Code. The Society raises awareness about women's rights and the labour law by conducting meetings and lobbying the Government to adopt legislation that guarantees equality in the workplace. It also teaches women how to advocate for their rights. A total of 50 working groups in Nablus and 20 in Ramallah form the core of programme activities.

As a part of the Empowerment of Palestinian Women's Leadership programme, MIFTAH implemented the Advocacy for Reproductive Health programme in partnership with UNFPA. The aim of this programme, implemented between October 2003 and March 2005, was to raise awareness among legislators, decision makers and opinion leaders of priority issues in population, reproductive health and gender, and the necessity of placing these issues on the political agenda due to their significance in advancing the status of the Palestinian family, consolidating its structure and activating its role within Palestinian society. The programme addressed such issues as early marriage, school dropouts, the need for youth to have access to information about reproductive and sexual health, and violence against women.

One core issue is the lack of a common terminology when defining the types of violence prevalent in Palestinian society. There may be agreement within organizations as to what constitutes gender-based violence but disagreements or differing analyses among NGOs, government ministries, the police and the legal system. Attempts to reach a consensus have been complicated by the multifaceted nature of gender-based violence and the range of services available. Hence, it was decided to produce a lexicon, with commonly accepted terminology and definitions, to be used as a reference by activists, service providers and policy makers. In partnership with MIFTAH, the Forum for Combating Violence against Women took the lead on the project. A committee of Forum members met to discuss commonly understood concepts in relation to gender-based violence and also to create a survey tool to analyse how other organizations conceptualized gender-based violence. A questionnaire was developed and disseminated to all members of the Forum, government ministries and the police. Work is now under way to analyse the results. Ultimately, the analysis will help to develop a common vocabulary related to gender-based violence that can be used by all stakeholders in the field. By having a clear set of definitions, organizations can begin to transform the language and attitudes within society regarding gender-based violence.

VI. NETWORKING AND COORDINATION AMONG GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS ON GENDER-BASED VIOLENCE

This chapter examines the state of networking and coordination among the many institutions – both governmental and non-governmental – that address gender-based violence.

A. THE FORUM FOR COMBATING VIOLENCE AGAINST WOMEN

The Forum for Combating Violence against Women (*Al Muntada*) was created by several NGOs in the year 2000 to raise awareness within Palestinian society of the serious social phenomenon of violence against women. Its aims are as follows:

- To enhance cooperation, coordination, consultation and networking among Palestinian NGOs working on issues of violence against women;
- To strengthen NGOs' influence over laws, policies and legislative issues related to violence against women;
- To enhance awareness within Palestinian society about the negative impact that violence against women has on society and how it hinders women's participation in public life; and
- To help build the capacity of local NGOs working in the field of violence against women, including knowledge, information, vision, strategies, tools and good governance.

The NGOs that are members of the Forum engage in a variety of joint activities including exchanging information, issuing collective statements, organizing and conducting lobbying campaigns, holding workshops and conferences, conducting media campaigns, networking and advocacy at local and international levels, enhancing the capacity of members and holding regular coordination meetings.

B. COORDINATION AND NETWORKING SUCCESSES

The best example of success is the strong degree of coordination among women's NGOs working on issues of gender-based violence or other issues of common interest and concern. For example, there was a high degree of cooperation and networking among organizations protesting the number of women murdered in the name of "family honour" (see section D below) and lobbying the Government to ensure a quota for women's representation within parliament.

The Forum for Combating Violence against Women was frequently cited as the best example of coordination among gender-based violence stakeholders. Some NGO representatives interviewed for this case study commented that although networking among women's organizations is strong, there is an overall lack of coordination with NGOs working in other sectors. For example, if a women's organization is holding a meeting or workshop and invites participants from different fields, other NGOs would send a woman to attend the meeting with the belief that women's issues are a separate sector unto themselves and not a cross-cutting theme that should be adopted by all NGOs.

Overall, most of the NGO representatives interviewed for this case study commented that there is a good level of coordination and direct networking with governmental ministries, such as those for Social Affairs and Women's Affairs. One example is the coordination with the Ministry of Interior and Ministry of Social Affairs regarding the women's shelter in Nablus. Other successful coordination efforts are those between NGOs and the police force. Some cases of gender-based violence do reach the police, and, in a few cases, the police who are aware of the various NGO programmes to support victims of violence will refer them to these organizations.

Most organizations commented that they have good relations with the media. There have been many programmes and projects to raise media awareness of gender issues within Palestinian society, and various media outlets are receptive to publishing or broadcasting stories that highlight the problems and challenges that Palestinian women face on a daily basis.

C. COORDINATION AND NETWORKING CHALLENGES

Despite these successes, numerous challenges need to be overcome in order to have comprehensive, multisectoral responses to gender-based violence. One of the most significant challenges is the lack of a formal referral system. While it is true that there is coordination among NGOs, government ministries and the police, and that the Forum uses its membership base to refer cases, referral is always done on an informal basis and relies on the personal contacts and the attitudes of those involved. For example, if a woman were to approach the police to ask for help or protection from a violent situation, it would be up to the individual police officer's knowledge of existing programmes to support victims. Moreover, an officer's attitudes towards women who are the victims of violence may determine what kind of support the woman would receive.

To establish a well-functioning referral system, there needs to be intense lobbying of the Government to prioritize the development of such a system, including the allocation of funds, the establishment of proper protocols, the institutionalization of a law to protect service providers, the building of the capacity of service providers, the expansion of the range of services offered and the correction of existing misperceptions and stereotypes of women who are victims of violence.

Another challenge noted by the NGO representatives interviewed is the duplication of services among NGOs. They emphasized the need for each organization or stakeholder to have a specialization, which would make a referral system more effective. One challenge that compounds this problem is the limited amount of funding and the subsequent competition for funds among NGOs. With diverse sources of funding that reflect individual donor priorities, there are frequently multiple projects being funded on the same issue at one time, leading to greater competition among NGOs working in the sector.

Despite the lobbying and awareness-raising activities regarding gender-based violence that NGOs have implemented, advocacy activities are sporadic and poorly coordinated. To produce the measurable and sustainable social change needed to eradicate gender-based violence, there needs to be much greater consistency in these efforts to see the desired outcomes regarding legislation, policy and behaviour change. For this to happen, relations must be strengthened not only among NGOs, but also between NGOs and government ministries. One way in which relations can be strengthened is by using the lexicon that is being developed. Such a tool would be valuable in developing a common language to use for advocating policy change.

D. COORDINATION AND NETWORKING TO ADVOCATE AGAINST KILLING IN THE NAME OF “HONOUR”

The killing of women under the pretext of “family honour” is not a new phenomenon in Palestinian society. No accurate statistics are available because such killings are often concealed as suicides or accidents, and the killers enjoy a relative degree of impunity from the law. The killing of women is the most horrific form of gender-based violence. The traditional term used for it – “crimes of honour” – is rejected by advocates and activists who have repeatedly stated that there is no honour in this kind of crime.

This phenomenon of killing women is sometimes the last stage of a long pattern of violence. Amnesty International reports:

“Such killings are often the last of many violations to which the victims have been subjected before being killed. In some cases rumours or suspicions that a daughter or sister behaved in a manner deemed to have tarnished the family honour – even if this was not the case in reality – have been enough for the woman to be killed. Other women and girls have been killed when family members discovered that they had been raped by other relatives. In some cases, those who killed them had long been aware of the abuse, or they themselves had been responsible for the abuse, and killed the victim when they learned that she was pregnant in order to hide their crime. In most cases such murders are committed by men, but women have also committed ‘honour’ killings.”⁷⁶

In May 2005, there were several widely publicized cases of young women murdered by male family members.⁷⁷ Reactions among the community ranged from outrage and sadness to a defence of the right of men to kill female relatives if there is a “good reason”, namely “preserving the name and integrity of the family”. The murder of women in these cases cannot simply be reduced to matters of religion, as both Christian and Muslim women had been murdered. This phenomenon is complex and is based upon the intersections of patriarchy, culture and control over women’s sexuality and identity.

Conducting advocacy and lobbying against this phenomenon is an ongoing strategy of women’s organizations. With the recent widespread media coverage of the killings, many NGOs stepped up their activities, both individually and in coordination with one another through the Forum. Organizations such as the Women’s Centre for Legal Aid and Counselling, WSC and the Palestinian Working Women’s Society for Development have conducted many awareness-raising campaigns through the media and community organizations; signed and circulated letters and petitions; engaged in public dialogues on what “honour” really means in such cases, lobbied governmental agencies for changes to the law, and organized demonstrations.

Many advocacy activities to raise public awareness within the community of the social consequences of the killing of women were conducted under the auspices of the Forum, which launched a campaign with the slogan “We have the right to live without killing.” On 2 May 2005, the Forum opened a traditional house of mourning (*‘azza*) for all the women who had been killed by their families. The Forum invited members of political parties, local and international organizations and other concerned citizens to attend. During this time, the Forum launched a discussion among the mourners about what specific types of actions they wanted to pursue to end

⁷⁶ Amnesty International, *Conflict, Occupation, and Patriarchy*.

⁷⁷ Chris McGreal, “Murdered in name of family honour”, *The Guardian* (23 June 2005).

the killings. The participants decided to form a committee to support the Forum's work on issues specifically related to policy advocacy and lobbying at the governmental level.

In addition to the *'azza*, members of the Forum called on the Government to give more support to female victims of violence specifically, by enacting a law to protect and defend women, creating safe spaces and clarifying the roles and procedures of the police when dealing with cases of gender-based violence. Forum members met with various government ministers, including the head of the cabinet, Samir Helali, who was supportive of the Forum's initiatives. He mobilized both the Ministry of Women's Affairs and the Ministry of Social Affairs to meet with a committee of human rights and criminal lawyers in order to open and review cases of violence against women so as to analyse the processes and procedures that were followed. Additionally, members of the Forum met with the Minister of Women's Affairs to begin drafting a new law to protect women who are victims of violence. Forum members have also begun an initiative with the police that would have a counsellor present to support women, if and when they report cases of violence.

E. EXPANDING THE GROUP AND IMPROVING LINKS WITH GOVERNMENT

For coordination to be effective within a multisectoral approach to gender-based violence, it will be necessary to continue expanding the networking and coordination circle in order to close gaps between governmental and non-governmental organizations. In the absence of a referral system and sets of operational protocols, greater awareness of the range of services and service providers that are offered can support those working on the "front lines" of gender-based violence (such as police and health-care providers). They can then direct the victim to sources of legal, psychological or social support. For example, the police have a limited role to play in cases of gender-based violence due to the absence of laws to enforce and the individual mentality of police officers. If the officers who receive a case of gender-based violence happen to know someone at the Ministry of Social Affairs or an NGO providing services, they can refer the case to one of these organizations. Police officers would be able to give victims of violence more support if they knew about the range of services provided and if they had acquired, as a core component of their police training, greater awareness of gender-based violence and its social impact.

Another example of expanding the group is already under way with the gender-based violence survey to be conducted by PCBS (see chapter IV, E). A working group has been formed to reach a consensus on terminology and indicators that will form the basis of the survey instrument. Consisting of activists, service providers, academics and law enforcement officials, the group offers diverse perspectives for the development of the survey.

VII. KEY CHALLENGES, SUCCESSES AND LESSONS LEARNED

The following section examines the challenges, successes and lessons learned from those working in the field of gender-based violence. It concludes with recommendations on how to address gender-based violence issues over the long term in Occupied Palestinian Territory.

A. CHALLENGES TO CONFRONTING GENDER-BASED VIOLENCE

The main challenges that confront activists, service providers, and policy makers can be summarized as the Israeli occupation, the lack of a referral system or established protocols, a conservative society and culture compounded by intersections of religion and patriarchy, inadequate legal protection for women victims of violence or service providers and the project structure of interventions rather than long-term programme-style interventions.

1. Israeli occupation

One of the main challenges that Palestinian society faces is continued Israeli occupation and the associated violence in all of its forms. With the extensive network of checkpoints, closures, the construction of the Separation Wall in the West Bank and the isolation of Gaza, traditional family networks have been disrupted. Many families are unable to maintain the close links that bind this family-oriented society together, resulting in a loss of the most important source of social support.

The link between the military and socio-economic violence inflicted by the occupation and the rise in gender-based violence in Palestinian society is clear. In addition, the continued impoverishment of the Palestinian people, and the relationship between violence and poverty, also poses a major challenge when addressing the root causes of gender-based violence.

The overriding political and security situation presents a major challenge to addressing gender-based violence as a social phenomenon within Palestinian society. Poverty, unemployment and access to education and health care form the core issues of concern for many people. Because gender-based violence is considered a private family matter, there is even less incentive to discuss these problems in public.

2. The lack of a referral system or operational protocols

One of the most difficult policy challenges discussed by activists, service providers and government officials is the lack of a proper referral system with an established set of operational protocols. As it stands today, referrals are made only on an individual basis and rely upon personal contacts among knowledgeable service providers. Another challenge is that gender-based violence services exist mostly in the larger cities in the West Bank and Gaza, not in the rural or isolated areas. This presents a significant challenge for service providers who, even if they are aware of available services, are unable to refer a victim of violence due to the extensive restrictions on movement or lack of support from a victim's family to seek care outside of the geographic area of residence. There is a perception among some service providers that the services provided by the Palestinian Authority, such as school counselling by the Ministry of Education and Higher Education or emergency health services provided the Ministry of Health, are unprepared to deal with cases of gender-based violence due to a lack of tools and expertise.

What is needed for a referral system to be established is greater awareness of the role a referral system plays in supporting victims of violence, training in protocols for care and support, budget allocations from the Government to establish such a service and enhanced networking between governmental and non-governmental organizations.

3. Conservative society and culture

There is growing support within Palestinian society for conservative and/or religious political forces that do not support gender equality and women's rights. Such forces intersect with cultural traditions that are resistant to change as well as patriarchal social structures that have led to a further shrinking of the political space in which topics such as gender-based violence can be addressed. Additionally, widespread poverty has also been a contributing factor in the increasing support for religious forces, a common phenomenon, as religiously oriented charities have played a major role in supporting hardship cases.

Socially, it is difficult to talk about gender-based violence due to traditional gender stereotypes, a general lack of awareness and the lack of knowledge about the negative social consequences that such violence has on society. Even the concept of gender is not well understood or well accepted by large segments of society. Rather, it is perceived as a Western import and thus as a form of cultural occupation. In this regard, many people actively resist talking about any concepts or issues that deal with gender.

Another factor that makes addressing gender-based violence complicated is the re-emergence of tribal systems for resolving community and family disputes. These networks do have an important role to play, but in cases of gender-based violence they make it difficult for "outsiders", such as the police, to intervene in what are considered family matters. Combined with the resistance to allowing non-members of the tribe to play a role in protection are the attitudes of the police themselves, many of whom believe that it is not right to interfere in "domestic issues", such as gender-based violence.

4. Inadequate legal protection for women and service providers

There is a great need to reform the legal system and ensure that law enforcement and the administration of justice are done in a way that protects women's rights. There are no laws to protect women from gender-based violence or to prosecute those who commit such acts of violence. The existing laws were not written with a view towards correcting gender discrimination, let alone protecting those for whom the law is invisible, namely women. Lawyers, judges and the police lack an awareness or sensitivity towards gender issues, which presents a further challenge when discussing matters of legal reform.

The multiple, overlapping legal systems and laws also add a great deal of confusion, especially when victims and perpetrators of violence potentially fall under different legal systems. One case that illustrates the complexities of multiple legal systems involved a woman with a Jerusalem (Israeli) identification card and her husband, who had a West Bank (Palestinian) identification card. The couple was living in the West Bank, and, for three years, the husband was raping his young daughter. Unable to cope with the trauma, the young girl explained the situation to a friend of hers at school who recognized the severity of the situation and reported it to the school counsellor. The counsellor, in turn, reported it the school headmaster. The headmaster called the mother to the school and told her about the crime her husband was committing. The problem then became how to remove the father from the house. There was no law in the West Bank to deal with incest, and the mother was afraid to talk to the Palestinian police, knowing that there

was no law to protect her and her daughter. She then wanted to talk to the Israeli police, but they could do nothing as she was living outside of the Jerusalem municipality and was thus beyond their jurisdiction. Additionally, the mother's family, while supporting her, was putting pressure on her not to make the case too widely known so as not to scandalize the family name. Once the father realized that the family knew about his crime, he ran away and hid in a mosque. He asked his family to forgive him and, after a time, moved back into the house with his family.

5. Programmes versus projects

One of the frequent criticisms of both NGOs and governmental organizations is that they are too project-driven, instead of focusing on long-term impact through programmes. A lot of this has to do with the competition over short-term donor funding and a duplication of projects within sectors. A similar criticism is that projects, because of their short-term nature, do not focus on long-term social change but instead on short-term coping mechanisms. As one employee of the Ministry of Women's Affairs said: "Coping is not what we want. It implies that the situation we are living under is normal. Coping keeps your mouth shut; we need real change." In practical terms, this has meant that initiatives to eradicate gender-based violence have often been implemented on an ad hoc or short-term basis, with little continuity from one project to the next. This has led to fragmentation in both service delivery and advocacy/policy initiatives and has weakened the holistic, multisectoral approach.

B. SUCSESSES AND LESSONS LEARNED

The framework through which all of the successes and lessons learned should be viewed is one that makes the linkages between the occupation violence and gender-based violence, especially the relationship between the worsening socio-economic situation, a result of the Israeli occupation, and the increasing violence within Palestinian society.

1. Programming

There have been numerous programmatic successes among the different institutions working to combat gender-based violence in Occupied Palestinian Territory. WSC found that its campaign on the rights of the girl child, specifically to raise awareness concerning the damage caused by early marriage, met with success in some of the areas where it was implemented. For example, by the end of the dialogue sessions, some mothers said that they would not force their daughters to get married at an early age. Other girls stated that they wanted to continue their education before they would consider getting married. In this case, talking about early marriage (which is not seen as a taboo subject) was an entry point into the community and a way of gaining the trust of the community with the potential of discussing more sensitive issues in the future. Another successful programmatic intervention was the awarding of 300 scholarships to young women to encourage them to pursue higher education. Often when financial resources are limited, families will pay only for a boy's higher education. A third programmatic success was WSC action research on women's mental health. The action-oriented study explored the impact of violence against women and how it affected their relationships with their families and society. Based upon the interviews with individual women and local service providers, a series of support groups was formed with women who had experienced similar losses.

The Palestinian Working Women's Society for Development cited the open-line service for counselling individuals as one of its greatest achievements. The vision of providing such services for women who are isolated or who want to remain anonymous was one shared by all of the staff. The increasing number of women who have referred their family and friends to the service is a

testament to its effectiveness, and the expansion of counselling services to include all family members has supported the process of social transformation that is needed to eradicate the phenomenon of gender-based violence.

The Women's Centre for Legal Aid and Counselling cited its long-term programme interventions as one of the keys to its success. Partnerships with the Ministries of Education and Higher Education, Health, Social Affairs and Women's Affairs all resulted in policy changes such as adopting manuals on teaching reproductive health in schools, convincing health-care providers that they have a crucial role to play in the care and support of victims of violence, and drafting a new law to protect and uphold women's rights.

Based upon these and other programming successes, several lessons are clear. In all cases, the language that is used makes a difference when addressing topics that are sensitive or taboo, such as sexual assault. It is important to have a common understanding of the issue being discussed and to ensure that all participants agree on the terminology. In this way, the use of the media to raise awareness among communities is extremely important for gender-based violence to become a commonly known term.

When designing projects, planners need to recognize that it is crucial that projects are community-based and participatory, that they reflect women's and girl's voices, and that they are developed out of real-life experiences. Socio-economic needs assessments should be conducted on a regular basis to ensure that the most needy and relevant target groups are being addressed. The gender mix within specific activities depends on the type of intervention and whether it is appropriate. For example, support groups should be open only to women, whereas, in other cases, young men and women should be encouraged to participate in activities in mixed groups in order to feel comfortable together. The personal characteristics of service providers in this field are also extremely important, especially when working directly with victims of violence. Having emotional empathy and a deep understanding of the multifaceted and complex problems would bring service providers closer to the persons they are supporting.

2. Networking and coordination

The Women's Centre for Legal Aid and Counselling noted an increase in referrals to their services by the police and other ministries, reflecting growing awareness and use of the existing networking and coordination systems and a more widespread understanding of the importance of support and counselling networks. There has been good coordination and networking among governmental and non-governmental organizations, although there is still a need for more frequent dialogue on lessons learned, best practices, successes and challenges, and further areas of cooperation among advocates, service providers and policy makers. It has been suggested that all the organizations working in the field of gender-based violence should identify and pursue a specialization, such as religion, law or counselling, in order to avoid the duplication of services.

One of the noteworthy networking and coordination successes was the undertaking of multiple campaigns against the killing of women in the name of "honour". The media spotlight that was focused on the issue gave many organizations an opening to discuss these killings publicly. The subsequent media campaigns used this opportunity to engage in dialogue and debate and to press for legal and policy changes concerning such killings.

The importance of networking and coordination cannot be overemphasized. Although there is still no referral system, the existing networks are laying the foundation upon which such a system can be built.

3. Advocacy, law and policy

As a result of the intense lobbying and advocacy efforts of NGOs to pressure the Government to take a more proactive stand on the killing of women, a new law is being drafted. This is a significant achievement in many ways: it highlights the solid partnership between governmental and non-governmental organizations and emphasizes, in general, the importance of a gender-sensitive law and of sensitized law enforcement officials. There is a new initiative within the police department to have a special family protection unit to deal specifically with cases of gender-based violence.

The Women's Centre for Legal Aid and Counselling emphasized the need to be aware that the role of an NGO is to build a model and to pioneer that model on a small scale. Afterwards, it is necessary to identify the relevant stakeholders and to conduct lobbying and advocacy on behalf of adopting the model at the policy level.

4. Culture and society

All who work in the field of gender-based violence recognize that social change is a step-by-step process. Such change takes years of advocacy, the building of trustful relationships, the consistent delivery of new ideas and the appropriate techniques and communication skills. For sustainable social change to occur, it is necessary to work within all levels and all sectors, recognizing linkages among society, politics, culture and religion. On a personal level, advocates for change must have a commitment to the issues; must be consistent in their behaviour, attitudes and language; and, above all, must have courage to speak out and be a voice for change.

One of the most successful outcomes reflecting the dedication of many advocates has been to make gender-based violence an issue that is now beginning to be addressed within the community instead of being a taboo subject. It is no longer a private issue or an issue that only women's organizations address. Public space has been created to keep gender-based violence on the agenda despite the overwhelming political and socio-economic difficulties.

VIII. RECOMMENDATIONS

The following recommendations are based upon the principles of gender equality and women's rights, two of the most important elements needed for genuine social transformation that would eradicate all forms of gender-based violence.

A. NATIONAL LEVEL

To address gender-based violence at the national level in Occupied Palestinian Territory, a series of comprehensive and interconnected issues must be addressed. These include focusing on long-term policy, advocacy and community-mobilization strategies with key messages related to gender equality, women's rights and an end to gender-based violence; linking sexual and reproductive health with gender equality within the school curricula; establishing a well-functioning referral system and operational protocols by strengthening policy, networking and coordination; and ending impunity for those who commit acts of gender-based violence and promoting legal reform and legal empowerment for women.

1. Aim at long-term, comprehensive social change for gender equality and women's rights

A project-based approach is not enough to eradicate gender-based violence from Palestinian society. Significant social change is needed to bring about such a transformation, and it must occur within the interrelated spheres of political, social and economic life. For such a transformation to take place, it is necessary to look towards more long-term policy, advocacy and community-mobilization efforts that maintain gender equality and women's rights as their primary focus. For example, reproductive and sexual health education that includes sessions devoted to the negative impact of gender-based violence should be a mandatory component of the school curriculum for boys and girls. Such education should not only cover health topics from scientifically accurate perspectives but also be taught in a way that reinforces gender equality.

2. Establish a referral system and operational protocols

The establishment of a referral system and operational protocols is an essential step in building a functional, multisectoral, holistic support network for victims of gender-based violence. Such a system must strengthen service provision, policy development, networking and coordination among governmental ministries, NGOs and law enforcement officials. The system cannot be developed by one ministry or NGO alone. It must be a collaborative partnership that reaches consensus on issues such as gender-based violence terminology, roles and responsibilities of the police when intervening in cases of domestic violence, appropriate medical and forensic protocols for victims of violence, standards for counsellors and social workers providing psychosocial counselling and a supportive legal network and processes for victims of gender-based violence seeking to prosecute their cases in court.

3. Strengthen the rule of law and end impunity

To support social transformation, the instruments of justice and law enforcement must be strengthened. Laws that give almost no support to victims of violence, must be replaced with new laws that correspond to international standards on incest and the murder of women. The police

must enforce the new laws, and the justice system must end impunity for those who commit acts of gender-based violence. It is critical that all members of the justice and law enforcement system participate in cross-cutting sensitization on gender issues and women's rights, with monitoring mechanisms to ensure that officials involved in cases of gender-based violence are adhering to such principles. In addition to reforming the systems of justice and law enforcement, legal literacy and empowerment for women, in conjunction with socio-economic support for victims of gender-based violence seeking justice, must be pursued. In this way, a wider network of support for victims of gender-based violence is created, further supporting the needed social transformation that would see such violence eradicated from Palestinian society.

B. REGIONAL LEVEL

There is a need for strengthening regional initiatives on gender and human security. Increasingly, national foreign policy agendas are narrowly defined by military security. The subsequent militarization of societies has excluded any discussion of a human security agenda. There is great potential to enhance local and regional discussions of what security means to people, specifically women, on a daily basis. Many common issues face women in the region, such as human rights, law and educational reform and the need to confront cultural and gender stereotypes in a way that could serve as platform for launching greater regional initiatives for women, strengthening the linkages with other global initiatives such as the ICPD, the FWCW and the MDGs. These three global initiatives should be used as a guiding framework for development within the region.

The ICPD, held in Cairo in 1994, dealt with all issues of population and development. The approach of its Programme of Action was based upon the empowerment of men and women to make positive choices about their lives with regards to sexual and reproductive health. Additionally, the Programme addresses child and maternal mortality; the relationship among population, the environment and development; HIV/AIDS; internal and international migration; family structures; research, education and technology.⁷⁸ FWCW, held in Beijing in 1995, under the auspices of the United Nations Division for the Advancement of Women, sought to promote greater equality and opportunities for women. The main themes of the FWCW were the advancement and empowerment of women in relation to women's human rights, women and poverty, women and decision-making, the girl-child, violence against women and other areas of concern. The resulting documents of the FWCW are The Beijing Declaration and Platform for Action.⁷⁹ The outcome of the Beijing Conference is an agenda for women's empowerment. It deals with removing the obstacles to women's public participation in all spheres of public and private lives through a full and equal share in economic, social, cultural and political decision-making.⁸⁰ The MDGs "focus the efforts of the world community on achieving significant, measurable improvements in people's lives."⁸¹ The eight MDGs are as follows: eradicate extreme poverty and hunger; achieve universal primary education; promote gender equality and empower women; reduce child mortality; improve maternal health; combat HIV/AIDS, malaria and other diseases; ensure environmental sustainability; and develop a global partnership for development.

Within the framework of these initiatives and their corresponding objectives, there is great potential for stronger multilevel regional linkages in which organizations can work together on common issues, such as women's rights and human security, law and educational reform,

⁷⁸ Web site: <http://www.unfpa.org/icpd/summary.htm>

⁷⁹ Web site: <http://www.earthsummit2002.org/toolkits/women/un-doku/un-conf/fourth%20wcv%20intro.htm>

⁸⁰ Ibid.

⁸¹ UNFPA, *About the Millennium Development Goals*, web site: <http://www.unfpa.org/icpd/about.htm>.

challenging gender stereotypes and aiming at the elimination of all forms of gender-based violence. In this way, the influence of social change will have greater impact at the regional level.

C. INTERNATIONAL LEVEL

At the international level, diplomatic efforts for a comprehensive, just and lasting settlement to the conflict remain a priority. Implementing United Nations Security Council resolution 1325 would ensure that Palestinian women have a much stronger influence over the political, social and economic developments of their country.

1. Implement comprehensive, just and lasting solutions to the Palestinian-Israeli conflict

No set of recommendations can be complete without acknowledging what the Israeli occupation and prolonged conflict have inflicted upon Palestinian society. Decades of reverse development, coupled with the escalation of the conflict and the subsequent humanitarian crisis of the past five years, have left most of Palestinian society impoverished. The impact of the conflict on Palestinians cannot be overstated, and the relationship between the occupation and social breakdown within Palestinian society is well documented. There must be renewed diplomatic activity that seeks to find comprehensive, just and lasting solutions to the conflict for any kind of long-term sustainable development to take place. Solutions to the most challenging of problems, including borders, settlements, the use of natural resources, the status of Jerusalem and the plight of Palestinian refugees, are essential.

2. Utilize United Nations Security Council Resolution 1325

Globally, there is a lack of consistency in how gender-based violence is being addressed. The adoption of resolution 1325 by the United Nations Security Council in October 2000 and the report by the United Nations Commission on the Status of Women opened the door to ensuring women's participation in creating lasting solutions in areas of conflict.⁸² These measures also raised the global commitment to eradicating gender-based violence and to protecting and promoting women's rights in situations of armed conflict. Resolution 1325 "addresses protection of women during armed conflict, and calls for an end to impunity for gender-based abuses during and after conflict, the integration of a gender perspective in peace-making and peace-keeping, and the participation of women in all levels of decision-making and issues related to prevention management and resolution of conflict. It calls for action from a wide range of stakeholders, including Governments, the United Nations Security Council, United Nations Secretary-General and all parties to armed conflict."⁸³

The power of this resolution for Palestinian women lies in its call to protect women in situations of armed conflict and to ensure that their unique perspectives and life experiences are not

⁸² United Nations Commission on the Status of Women, Report on the 49th Session (E/2005/27-E/CN.6/2005/11).

⁸³ Amnesty International, *Women, Peace and Security*.

dismissed in political discourse and negotiation. There are several examples of ways in which this can be translated into practical terms. For the Israeli Government, this resolution requires the occupation forces to remove all obstacles, such as checkpoints, roadblocks and the Separation Wall, in order to guarantee women's access to quality and timely health care, especially obstetric care and children's health care. For the Palestinian Authority, it requires that laws and policies protecting women's rights be adopted and implemented, such as a law that prosecutes those who commit acts of gender-based violence.

ANNEX

INDIVIDUALS INTERVIEWED FOR THE CASE STUDY

Government Offices

Name	Ministry/Government Bureau
Fatima Batme	Ministry of Women's Affairs
Amjad Zidat	Ministry of Women's Affairs
Loay Shabaneh	Palestinian Central Bureau of Statistics
Ashraf Hamdan	Palestinian Central Bureau of Statistics
Ansam Barham	Palestinian Central Bureau of Statistics
Abdel Jaber Bourkan	Palestinian Police – West Bank Command
Bashar Anbousi	Ministry of Education and Higher Education
Abed Ghazal	Ministry of Education and Higher Education

Non-governmental Organizations

Name	Institution
Sana Asi	MIFTAH
Aline Batarsa	Women's Studies Centre
'Ittidal Jariri	Palestinian Working Women's Society for Development
Hanan Abu Gosh	Women's Centre for Legal Aid and Counselling
Shatha Odeh	Women's Centre for Legal Aid and Counselling
Ohaila Shomar	Forum Combating Violence against Women

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