



## SECURITY COUNCIL INFORMAL EXPERT GROUP ON WOMEN, PEACE AND SECURITY

### THE SITUATION IN THE MIDDLE EAST, INCLUDING THE PALESTINIAN QUESTION

June 24<sup>th</sup> 2022

#### **Security Council resolution 2242 (2015):**

*OP 5. Recognizes the ongoing need for greater integration of resolution 1325 (2000) in its own work in alignment with resolution 2122 (2013), including the need to address challenges linked to the provision of specific information and recommendations on the gender dimensions of situations on the Council's agenda, to inform and help strengthen the Council's decisions, and therefore in addition to elements set out in resolution 2122 (2013), and in accordance with established practice and procedure: (a) Expresses its intention to convene meetings of relevant Security Council experts as part of an Informal Experts Group on Women, Peace and Security to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts.*

#### **Security Council resolution 2467 (2019):**

*OP 4. Recognizes the work of the Informal Experts Group on Women, Peace and Security, as expressed in resolution 2242, and expresses its intention to consider its information, analysis, and recommendations, acknowledging UN Women's important role in this regard, and emphasizes that sexual violence in armed conflict and post-conflict situations and all other aspects of the Women, Peace and Security agenda should continue to be addressed in this forum.*

#### **Security Council resolution 2493 (2019):**

*OP. 7. Takes note of the work of the Informal Experts Group on Women, Peace and Security as expressed in resolution 2242 (2015) to facilitate a more systematic approach to Women, Peace and Security within its own work and enable greater oversight and coordination of implementation efforts; and acknowledges UN Women's important role in this regard.*

## RECOMMENDATIONS<sup>1</sup>

### Considerations for upcoming decisions of the Security Council

If the Council proposes the adoption of a resolution or a presidential statement on the Palestinian question, this is language that could be considered:

*Calls for the full, equal and meaningful participation of women in conflict prevention, peacebuilding, internal reconciliation efforts and post-conflict reconstruction efforts.*

*Calls on the Israeli government and the Palestinian Authority to create a safe and enabling environment for civil society, including formal and informal community women leaders, women peacebuilders, political actors, and women human rights defenders, to carry out their work independently and without undue interference, and to address threats, harassment, violence and hate speech against them.*

*Calls on the Israeli government to end the occupation and ensure independent and impartial investigations of allegations of excessive use of force by the Israel Security Forces and settler violence, and ensure accountability and justice for victims, including women human rights defenders and journalists.*

<sup>1</sup> This background note, including the recommendations at the end of this document, is prepared by UN Women as the secretariat of the Informal Expert Group on Women, Peace and Security, in consultation with other UN entities.

*Calls on the Israeli government to refrain from all measures affecting the physical and psychological well-being impacting all aspects of the daily lives of Palestinian women living under occupation, including to cease the demolition of Palestinian-owned property and prevent the possible displacement and eviction of Palestinians, in line with Israel's obligations under international humanitarian and international human rights law. Expresses strong concern about the impact of evictions and demolitions on the human rights of the women and children concerned, including their right to adequate housing, and to life, liberty, and security of person.*

*Calls on the Palestinian Authority to adopt legislation to protect women from gender-based violence, in line with the recommendations of the Committee on the Elimination of All Forms of Discrimination Against Women.*

*Requests the Secretary-General to include in his reporting to the Security Council analysis on developments related to women, peace and security and the situation of women and girls in the Occupied Palestinian Territory.*

*Calls on the United Nations Special Coordinator for the Middle East Peace Process to engage and consult regularly and meaningfully with women's civil society.*

#### **Other recommendations for the IEG and the Security Council**

In addition, the IEG co-chairs and other Council Members should:

- Include in their statements at Security Council meetings on the Palestinian question references to women, peace and security and request UN briefers to include gender analysis in their briefings.
- Advocate for the holding of free and fair elections in the Occupied Palestinian Territory with the full and equal participation of women.
- Support the implementation and resourcing of the Palestinian National Action Plan on Women, Peace and Security (NAP); and urge the Israeli government to develop and adopt of a NAP, in close cooperation with Israeli civil society.
- Advocate for the prompt investigation and prosecution of violations against women and girls committed by State and non-State actors in the Occupied Palestinian Territory and at checkpoints and for the provision of effective access to legal remedies and adequate compensation for victims.
- Provide flexible funding to women's rights organizations and ensure that funding remains accessible in an increasingly restricted civic space.
- Advocate with Palestinian authorities for the adoption of the draft Family Protection Law.
- Urge that gender is mainstreamed and local women's organizations engaged throughout the humanitarian response.

### **Introduction**

This is the first time that the Security Council's Informal Expert Group on Women, Peace and Security will discuss the Palestinian question. The Israeli-Palestinian conflict is one of the world's longest conflicts and has entered its 55<sup>th</sup> year. The situation remains volatile. In May 2021, a major escalation of violence erupted between Israel and militant factions in the Gaza Strip in which 261 Palestinians were killed, including 23 girls and 41 women of whom four were pregnant. Ten Israeli citizens and residents were killed, including three women and one girl. A year later, violence escalated again, and five Palestinians were killed and 1240 injured between 10 May 2022 and 30 May 2022. On 1 June, Israeli forces shot and killed a Palestinian woman at the Arroub refugee camp in the southern Israeli-occupied West Bank. The recent killing of the Palestinian-American woman journalist Shireen Abu Akleh on 11 May 2022 and the subsequent use of

force by the Israeli police against the participants at the mourning procession led to an international outcry and was widely condemned by the international community, including by the UN Security Council.

Israel (in 1991) and the State of Palestine (in 2014) both ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The State of Palestine is ranked 160/170 in the Georgetown WPS index.

Since 1994, the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) represents the Secretary-General and leads the UN system in all political and diplomatic efforts related to the peace process. UNSCO also coordinates the humanitarian and development work of UN agencies and programs in the occupied Palestinian territory (OPT), in support of the Palestinian Authority (PA) and the Palestinian people.

### **Developments in the Security Council**

**Issues related to women, peace and security only play a minor role in the work of the Security Council concerning the Palestinian question.** None of the resolutions adopted by the Council or Presidential Statements issued since 1990 on the Palestinian question includes a reference to women, peace and security. During debates, Council members only sporadically reference gender issues. Similarly, UN reporting to the Security Council usually includes few references to issues related to women, peace and security.

On 13 May 2022, the Council president issued a press statement in which the members of the Security Council strongly condemned the killing of Palestinian-American journalist Shireen Abu Akleh and called for an immediate, thorough, transparent, and fair and impartial investigation into her killing.

The Security Council has invited **five Palestinian women and four Israeli women from civil society to brief in its meetings on the Palestinian question.** In their briefings the women focused on issues such as water insecurity affecting Palestinians, the discrimination of Palestinians and the eviction from their homes, Israeli-Palestinian reconciliation efforts, and the illegal expansion of settlements in the OPT. Only few of the briefers touched on issues related to women, peace and security. In September 2021, Meredith Rothbart, Co-Founder and Chief Executive Officer of Amal-Tikva, told the Council that negotiation attempts have failed because they are secret processes between elite leaders, with no involvement from women and other stakeholders. Tania Hary, the head of an Israeli human rights organization, told the Council in her briefing in November 2019 that women in Gaza are less likely to meet Israel's criteria for work-related travel and called on Israel to remove obstacles on people travelling to reunite with family and to reach jobs, especially women.

In 2018, the Palestinian women's rights activist **Randa Siniora** briefed the Council in its open debate on women and peace and security. She told the Council that the Israeli occupation and the resulting humanitarian crisis are deeply gendered and exacerbate existing gender inequalities. Emphasizing that the occupation reinforces the patriarchal structures of Palestinian society, she warned of high levels of domestic violence and an increase in femicides. At the same time, Palestinian women lack access to justice and the means to live because of the fragile conditions created by the occupation. Ms. Siniora also warned that the fear and deprivation accompanying the occupation have prevented women from participating in public life and defending their rights. She told the Council that only few women have been represented in peace talks and Palestinian women have not been consulted in shaping political or humanitarian responses despite clear evidence that they have often played critical roles in working across political divides, building grass-roots support for peace, and providing expertise on human rights and other issues. She urged the Council to ensure women's meaningful participation in conflict prevention, democratic transition, reconciliation efforts, and any humanitarian work, to ensure accountability for abuses and violations against women and

women human rights defenders by Israeli forces or any other actor, and to ensure that all humanitarian efforts are gender responsive.

### **Palestinian women's participation in politics and public life and women's participation in the Israeli-Palestinian peace process**

In its June 2022 report, the Commission of Inquiry on the OPT found that while Palestinian women play an active role within their communities and in social and political movements, **persistent gaps remain in terms of equal participation in political leadership**, decision-making and peace processes and access to resources. **Women are underrepresented in the Palestinian government.** Only three of the 14 members of the Council of Ministers are women, and all 16 members of the Executive Committee are men. Women make up about 25 per cent of the members of the Central Council and only 11 per cent of the members of the Palestinian National Council. Before the indefinite postponement of the **legislative elections** in April 2021, 50 per cent of the voters that had registered were women. Previously, an amendment to the elections law had raised the quota for female representation from 20 to 26 per cent. In the first round of **local council elections** held in December 2021 in the West Bank, women made up 25 per cent of the candidates despite widespread calls to increase the quota to at least 30 per cent. The same percentage was observed in the second round of the elections, held in March 2022.

Women have been largely **excluded from official reconciliation talks and dialogues to end Palestinian political division**. A very small number of women participated in official meetings held in Cairo in 2011, no women participated in the talks that led to the signing of the reconciliation agreements between Fatah and Hamas in 2017, and no women were appointed to the technical committees established afterwards. After protests from women civil society activists, there was minimal engagement of women in the PLO delegation and on the side-lines. Main barriers for Palestinian women to participate in politics are the ongoing occupation, disillusionment with politics, difficulties accessing decision-makers, restrictive elections laws (including a \$20,000 fee to register a political list), and a shrinking civic space.

Despite their active role at the grassroots level, only few **women participated in formal peace talks**, among them the Israeli foreign minister Tzipi Livni as chief negotiator at the Annapolis Conference in 2007 and Hanan Ashrawi as official spokesperson of the Palestinian delegation at the Madrid talks in 1991. No woman participated in the negotiations that led to the Oslo Accords in 1993. In its 2018 concluding observations, the CEDAW Committee noted that women are underrepresented in conflict prevention and peacebuilding processes.

UNSCO has supported **cooperation between Palestinian and Israeli women peacebuilders** which facilitated the development of new joint initiatives between them on WPS issues. In the wake of the recent 2021 May escalation in Gaza, discussions supported by UNSCO contributed to the issuance of a joint statement signed by 200 Israeli and Palestinian women and organizations – the first such initiative in over a decade – calling for immediate action to achieve long-term solutions to the conflict, based on the principles of Resolution 1325. However, the statement was not signed by any of the major Palestinian women activists' organizations, including by none of the members of the National Coalition for the Implementation of Resolution 1325 in Palestine.

The State of Palestine is currently implementing its second **National Action Plan (NAP) on WPS** covering the period 2020-2024. It builds on achievements and lessons learned from the implementation of the first NAP and is based on four pillars: (i) prevention/protection, (ii) accountability, (iii) participation, (iv) relief and recovery. With regards to the first NAP, the CEDAW Committee had criticized that the mechanism for its implementation is not adequately funded and that women are not fully involved in its implementation. The **Higher National Committee for the Implementation of UNSCR 1325**, which was established in 2012, oversees and monitors the implementation of the NAP. The Committee is chaired by the Ministry of

Women's Affairs and includes governmental and non-governmental organizations. The Israeli government has not yet adopted a NAP on WPS but has incorporated elements of Resolution 1325 into its national legislation since 2004, following intense lobbying by Israeli women's rights organizations.

**Space for civil society organization in shrinking**, including for women's organizations. In October 2021, Israel designated six Palestinian civil society organizations as "terrorist organizations", among them the Union of Palestinian Women's Committees. On 25 April 2022, a group of UN Special Rapporteurs denounced the designation and called on donors to resume funding for these organizations.

### **Killings and arrests of Palestinian women activists and women journalists**

On 11 May 2022, the prominent Palestinian-American journalist **Shireen Abu Akleh** was shot dead while covering a raid by Israeli Defense Forces on a refugee camp in the occupied West Bank wearing a blue press vest. Palestinian authorities claim that Abu Akleh was killed by an Israeli soldier, while Israeli authorities say that preliminary investigations could not determine conclusively whether she was shot by Israeli soldiers or Palestinian militants. Israel announced that it would not launch an immediate criminal investigation into the killing and called on the PA to hand over the bullet to Israeli authorities so a further investigation could be conducted. The PA has rejected this request, stating that it does not trust Israel and pointing to previous cases of killings by soldiers who received little or no punishment. The PA announced that it would conduct its own investigation and share the results with the international community and the ICC. News investigations, such as the ones carried out by the journalism group Bellingcat and CNN, provided evidence that suggests that Ms Abu Akleh was killed by Israeli Security Forces.

On 7 July 2021, **Shatha Odeh**, the director of the Health Work Committees (HWC) was arrested by the Israeli army at her house in Ramallah after her organization had been declared an unlawful organization. HWC delivers health services to Palestinians in remote areas of the West Bank and focuses specifically on women's and children's health. On 12 May 2022, an Israeli military tribunal sentenced her to 6 months imprisonment and a fine.

On 6 June 2021, Israeli security forces arrested the 23-year-old Palestinian activists **Muna Al-Kurd** and her brother who both played a prominent role in protests against evictions of Palestinian families, particularly in the Sheikh Jarrah neighborhood of occupied East Jerusalem. They were released from custody after several hours.

On 2 July 2017, the Palestinian women civil society leaders **Khalida Jarrar** and **Khitam Saafin** were arrested by the Israeli Security Forces during night raids on their homes for their alleged membership in the Popular Front for the Liberation of Palestine (PFLP). Ms. Saafin is the president of the Union of Palestinian Women's Committees and Ms. Jarrar is a member of the Palestinian Legislative Council and a human rights activist. Ms. Saafin was released on 2 October 2017, after completing a three-month administrative detention order. Ms. Jarrar was released on 28 February 2019 after 20 months in administrative detention. She was again detained and arrested in 2019 and convicted to two years of prison after a plea bargain in which she declared herself guilty of membership in the PFLP.

Palestinian security forces responded to protests of Palestinians following the death of the Palestinian critic activist Nizar Banat on 24 June 2021 and **women protestors and journalists were particularly targeted**, including with sexual assault.

### **The impact of the Israeli occupation on the rights of Palestinian women and girls**

**House demolitions and forced evictions** have a specific impact on women and girls. Displacement and overcrowding puts women and girl at a heightened risk of violence and sexual abuse. Furthermore, the fear

of or the actual demolition of their homes has a severe psychological impact on women, causing anxiety and leading to depression which compel women to stay inside. The housing shortage has also led to an increased demand for legal aid for survivors of gender-based violence (GBV) and widowed women relating to issues of denial of resources, custody of children, and the loss of identity documents due to destruction of houses or while taking refuge.

**Movement restrictions** limit women's and girls' access to education, work opportunities and health care. Women reported having to miss medical appointments to avoid crossing checkpoints. In Gaza, the blockade imposed by Israel in 2007 places severe restrictions on women's right to health: Women who are in need of medical care in Israeli and the occupied West Bank, including East Jerusalem, require a referral from Palestinian authorities and a permit by the Israeli authorities, which is often difficult to obtain. In a 2021 assessment, around 10 per cent of households reported that women and girls avoid areas near settlements, checkpoints, community areas and markets, and public transportation because they feel unsafe.

**Settler violence** is directly and indirectly affecting the lives of women and girls. For example, on 5 July 2021, two Palestinian women travelled from a medical appointment to one of their homes in Hebron when they were stopped at a checkpoint by the Israeli border police. While the women were held at the checkpoint, settlers came and attacked one of the women, who was later taken to the hospital to treat her injuries. The constant risk of settler violence keeps women confined in their homes and is thus reinforcing traditional gender roles. Settler expansion in the occupied West Bank and East Jerusalem has also limited women's access to basic services. For example, in the Jaber neighborhood of Hebron's Old City, Palestinian residents are prevented from walking on newly paved streets and are forced to walk next to settlers' homes on the sidewalk where they are exposed harassment by settlers. This can lead to women and girls not accessing services.

**Violent night raids and search operations** by Israeli security forces cause severe sleeping disorders, stress issues and depression among Israeli women and girls. Palestinian women are regularly **arrested** off the streets, at Israeli checkpoints and during raids on their homes. The Special Rapporteur on violence against women, its causes and consequences (EVAW) reported that **women detainees** have been victims of torture and ill-treatment, including beatings, insults, threats, sexual harassment and intrusive body searches, which often occurred before and after court hearings or during the night. She also expressed concern about the overall lack of access to adequate medical services for female detainees. Specialized medical care, such as gynecological services, is generally unavailable and there are no Arabic-speaking female medical specialists.

### **Sexual and gender-based violence**

COVID-19 and the May 2021 escalation led to an **increase in reported GBV cases in 2021**. SAWA, an emergency helpline, reported a 135 per cent increase in caseload in May 2021 compared to May 2020. A UN Women survey found that following the Gaza escalation, 37 per cent of respondents reported an increase in the level of violence against women within the household and 31 per cent reported an increase in violence against girls within the household. CARE estimated that women with disabilities in the OPT are up to four times more likely to experience intimate partner violence. Before, in 2019, a survey done by the Palestinian Central Bureau of Statistics (PCBS) found that 29.4 percent of (married or previously married) women between the ages of 18 and 64 experienced violence in the past 12 months. The actual numbers are likely to be higher because of underreporting of GBV. Decades of occupation, conflict-related violence, prevailing patriarchal norms, low awareness among women of their rights, unemployment, early marriage, and the persistence of polygamy are conducive to violence against women. Women and girls living in overcrowded, unsafe shelters with lack of privacy and limited access to hygiene facilities are at a particular high risk of GBV. The dire situation of many Palestinian women and girls forces them to adopt **negative coping strategies** that expose them to further exploitation and abuse, including sexual exploitation and abuse.

In **Bedouin communities** GBV is particularly widespread, especially in polygamous families. The ERAW Special Rapporteur reported in her 2020 report that almost 97 per cent of the Bedouin women questioned in a survey described acts of repeated violence, 79 per cent reported being attacked by one spouse, and 95 per cent of the women who suffered from violence expressed a lack of willingness to enter a shelter, because of shame and fear of the community's reaction.

The ERAW Special Rapporteur reported in 2020 that in the past 15 years, **300 women were killed by their domestic partners** in Israel; Palestinian women citizens of Israel, including Bedouin women, were overrepresented among the victims of femicide. She noted that some of these killings were done by a husband or another member of the family to "cleanse the family's reputation" and that it was reported that investigations were often closed due to a lack of evidence and that those prosecuted received light sentences. In its 2018 concluding observations the CEDAW Committee noted a high prevalence of "**honour killings**" and domestic and sexual violence and that they remain socially accepted. Judicial rulings in these cases sometimes take several years to be issued and are often influenced by gender stereotypes that subordinate women to men.

Domestic violence is **often not reported** because of its perception as a private matter and social and cultural pressure not to disclose it, in particular among women from the Jewish Orthodox, Palestinian, Bedouin and Druze communities, as well lack of trust in the police and fear of retaliation and stigmatization. The CEDAW Committee noted a lack of family protection units in the Gaza Strip. In its June 2022 report, the Commission of Inquiry noted with concern the **climate of impunity for violence against women**. OHCHR reported that the occupation and the multiplicity of authorities and legal systems impede the prevention of and punishment for acts of violence against women and girls, particularly in East Jerusalem and in Area C. Furthermore, the complete lockdown of the family courts in the West Bank and Gaza during the COVID-19 pandemic has had a heavy impact on the ability of women and children to claim alimony, maintenance, custody, visitation rights, protection orders and inheritance rights.

For more than 16 years, Palestinian women's rights organizations have been leading a campaign advocating for the **adoption of a Family Protection Law**. A draft law was put on the government's 2013 legislative plan, and the Council of Ministers agreed to submit it to the President in 2016 but it has still not been adopted. Amongst others, the bill would establish reporting mechanisms, judicial procedures, and family protection counsellors which can support security and access to justice for women victims of violence. A strong campaign against both the draft law and CEDAW was carried out by sharia lawyers, judges, scholars and religious groups on social and other media platforms.

**Women's access to GBV services in the OPT** which was already limited because of the occupation and COVID-19 restrictions, has been further reduced by the 2021 May escalation particularly in Gaza, where GBV in-person services were suspended, and shelters closed with GBV survivors sent home during the hostilities. Women and girls with disabilities face additional barriers to accessing GBV services. A 2020 study found that in Gaza, 58 per cent of persons with disabilities lack information about GBV prevention and response, including how and where to access relevant assistance and services during emergencies. To enhance women's access to services, through the HAYA Joint Programme, supported by UN Women, UNFPA, UN-Habitat, and UNODC, the Palestinian Ministry of Health has established GBV rooms in hospitals and primary healthcare directorates in the West Bank and in the Al Shifa Hospital in Gaza.

### **Humanitarian issues and women's socio-economic situation**

11 percent of households in the OPT are **female-headed** and they are often in a dire situation. 20 per cent of them suffer from extreme poverty and 31 per cent from food insecurity (5 per cent more than male-headed households).

Twenty-four per cent of children in the OPT get **married before the age of 18**. Although overall rates of early and forced marriage seem to be declining, there has been a perceived increase in some areas, in particular parts of Gaza and isolated parts of Area C and occupied East Jerusalem. Girls with disabilities, Bedouin women, internally displaced women and women and girls living in refugee camps are particularly at risk of early marriage.

Women's **access to sexual and reproductive health rights** (SRHR) in the OPT is limited due to a severe lack of resources linked to the occupation and patriarchal norms within Palestinian society. The situation has been further compounded by COVID-19 which led to a dramatic decrease in the availability of services and of their usage due to fear of getting infected. In Gaza, the health cluster has reported a 90 per cent decrease of attending prenatal check-ups during the COVID-19 period. The damaging of 33 health facilities during the May 2021 escalation aggravated the situation. In a 2022 UN Women study, 90 per cent of respondents reported that the war negatively impacted the access of pregnant women to prenatal health services. The **Maternal Mortality Rate** (MMR) in the occupied West Bank and in Gaza significantly decreased over the past decades and fell from 55 per 100,000 births in 1999 to around 23 in 2014. However, these official statistics do not include births that were not documented, suggesting that the MMR may be higher.

Women and girls are **particularly impacted by the water crisis** in the OPT. Due to the traditional gender division of labor in Palestinian society which expects them to secure the water needed for domestic consumption and care for the children's hygiene, Palestinian women and girls are particularly affected by the shortage of WASH services. Furthermore, women and girls also have additional water needs related to their menstrual hygiene. Pregnant and lactating women face elevated threats from a lack of clean drinking water and a low state of hygiene.

Almost 93,000 Palestinians reside in low-lying areas at **risk of flooding** during winter, due to heavy rains and the overflow of stormwater facilities and sewage pumping stations. Women are disproportionately affected by the flooding of homes, as they are expected to continue fulfilling their domestic duties under these adverse conditions.

Women are disproportionality affected by **unemployment** in the OPT with 42 per cent of women being unemployed in 2019 compared to 20 per cent of men. In Gaza, the overall unemployment rate was at 50.2 per cent in 2021 but for women it was at 68.6 per cent due to the lack of opportunities and social barriers to securing formal employment. In Masafer Yatta, Masafer Bani Naem, and Al-Mofakara in the occupied West Bank where many communities depend on livestock as their main source of income, women play an important role in taking care of livestock, producing milk, and selling their products in the market. In the Gaza Strip, UN Women engaged 250 women in cash-for-work programmes; their household incomes increased by 345 per cent. Of those 250 women, 71 per cent reported a decrease in domestic tension and 55 per cent said that their new situation had enabled them to participate in decision-making in their household. Also in Gaza, women's cooperatives have created supportive spaces for women in agriculture. However, **only 6.7 per cent of agricultural land** in the OPT is held by women and the COVID-19 pandemic restrictions have created additional challenges for women farmers to access markets.

Women make up 60 percent of **workers in the care sector** and 70 per cent of frontline health workers. In addition to the risk to contract COVID-19 while at work, health care workers also face a social stigma and are perceived as vectors of the virus.