



## PALESTINIAN CENTRE FOR HUMAN RIGHTS

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UN Commission on Human Rights  
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### Item 12 – the integration of the human rights of women and the gender perspective

Palestinian Centre for Human Rights (PCHR) wishes to express grave concern at the serious position of Palestinian civilian women who continue to suffer under the continuation of the of the 37 year old belligerent Israeli occupation. The occupation and associated regime violates international law and has a devastating effect on every aspect of Palestinian life. The occupation affects every Palestinian, each part of society is targeted and suffers in specific ways. Palestinian women, therefore, suffer the full range of human rights violations perpetrated by Israeli occupation forces (IOF) that cut through every segment of Palestinian society, including collective punishment, extra-judicial executions, excessive and disproportionate use of force, willful killings, house demolitions and land razing. The effect of these violations is compounded by the fact that women are considered to be the primary care givers in Palestinian society. This places direct responsibility on women to deal with any issues relating to the home, care of children, the elderly and the infirm. The serious nature of the daily humanitarian issues that arise, means that because of the occupation, women's own needs are either ignored or set aside.

Women continue to be the victims of excessive and disproportionate use of force by the IOF. Throughout the *al-Aqsa Intifada*, between 29 September 2000 and 29 December 2004, 159 Palestinian women were killed by IOF, 25 of these deaths occurred in 2004. These deaths stand in breach of the inalienable right to life. Women are given responsibility for caring for the rest of the family in the event where the male member of the family has been injured or killed. Men are considered to be the primary bread-winners in Palestinian society so the killing or injury of a man also places an additional, particular burden, on women.

Palestinian women are routinely intimidated and harassed by IOF at military checkpoints. This can include being subjected to public strip searches as well as threats of both a physical and sexual nature. Women also come under direct threat during military incursions when houses are taken over by the Israeli military.

There are a total of 719 military checkpoints in the West Bank which separate it into isolated areas<sup>1</sup>. Palestinians wishing to travel between different areas have to obtain permits. The Wall will cause a substantial further deterioration on the restrictions placed on freedom of movement within the West Bank. Though travel within the Gaza Strip is not limited by permits, the Gaza Strip is regularly divided into three areas and travel between these areas is often impossible for extended periods of time. Gaza also suffers because its Palestinian civilians have only one entry/ exit point to the out side world – the Rafah international crossing point. This has been repeatedly closed for long periods (over days since the *Intifada* began), most recently from December 13<sup>th</sup> to 1<sup>st</sup> February, totally preventing any Palestinian leaving or entering the Gaza Strip. Women between the age of 16-30 have been prohibited from traveling through Rafah for much of 2004. The West Bank and the Gaza Strip also suffer

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<sup>1</sup> United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), November 2004.



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from curfews which are imposed by the Israeli military, often resulting from military incursions into the residential areas.

Freedom of movement is clearly protected under international human rights law and international humanitarian law. Movement restrictions imposed by the Israeli authorities within, to and from the OPT, prevent Palestinians from realizing their essential rights to work, family, health and education. Under the Fourth Geneva Convention, Israel, as the occupying power, must ensure the social and physical well-being of the civilian population under its control, including allowing them the right to leave the occupied territory. The Convention has provisions for those needing medical attention, providing them with the right to freedom of movement. However Israeli authorities regularly impose severe movement restrictions without regard to the humanitarian consequences. These restrictions have a particular effect on Palestinian women in relation to their right to education and on their right to health.

During the current *Intifada* there has been a continuous decline in women's access to healthcare which is directly linked to the heavy restrictions in their freedom of movement. This has had severe repercussions for, among other elements, their reproductive health. From the start of the *Intifada*, until March 2004, 55 Palestinian women gave birth at checkpoints (33 of these resulted in the children being stillborn) due to delays or prohibition on travel to medical facilities. In the first two years of the *Intifada* there was a 10 fold increase in the number of women who gave birth at home. They may have been motivated to stay at home because of the fact that more than 20 women have died giving birth at checkpoints. There has been almost a 5 fold increase in the number of pregnant women who received no pre-natal care due to movement restrictions. There has been a dramatic increase in births which take place in unsafe conditions or unsupervised by a skilled health worker, all of which has led to drastic increases in the dangers posed to women during pregnancy, and whilst giving birth, and has directly contributed to the infliction of enormous psychological strain on women.

Female students and teachers are disproportionately affected by roadblocks and checkpoints which are imposed throughout the West Bank. IOF regularly harass and injure Palestinian women who then decide not to go to school out of fear of continued harassment, or because they are no longer willing to endure the often long walks to school which they have to take to avoid settlers or soldiers. The construction of the West Bank wall will further exacerbate this situation and in many cases will totally cut women off from their schools and places of work.

Female teachers are routinely harassed at checkpoints and subjected to humiliating body searches which directly contributes to them giving up work at a higher rate than their male colleagues.

Similarly, in Gaza, female students are subject to long waits and delays at the Abu Houli checkpoint which controls movement between the north and south of the Gaza Strip. This also has the added impact of stopping female students from isolated areas taking degrees as many of Gaza's universities are located in Gaza City. The total closure of the Rafah crossing for women between the age of 16-30 created severe difficulties for students studying abroad, especially as the closure is often re-imposed just before the start and end of university terms. On the 2/Oct/2003 one woman was forced to drink cleaning fluid by the Israeli military, at the checkpoint to the sealed *al Mawasi* area of the Gaza Strip, which is indicative of the daily humiliations which women are subjected to.

The *Nationality and Entry into Israel Law*, passed by the Knesset in July 2003, is a racist law designed to prevent family unification when one spouse is a Palestinian and a resident of the OPT. It suspends the procedures



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whereby a resident of the OPT who marries either a Jerusalemite or Israeli citizen can eventually gain either permanent residency status or citizenship, respectively. This law does not apply to Israeli settlers living (illegally under international law) in the OPT.

The effects of the law are both wide spread and devastating. Many women have to live outside of occupied East Jerusalem in order to maintain family unity. However, they also have to continue to rent an apartment and pay all taxes in Jerusalem to prove it is their “centre of life” to keep their Jerusalem Identity Card (Id). The Jerusalem Id bestows certain privileges on the holder including on travel, health and social security benefits –losing it will result in the loss of these benefits and will leave them without any nationality.

Children born to women in the OPT can no longer automatically register their children in East Jerusalem even if the women hold residency there. If the children remain unregistered after the age of 12 the child may no longer live in Jerusalem or Israel with its mother, thus breaking the family unity and causing enormous suffering.

Israel justifies this law by citing “security concerns” however, such reasoning is insincere and fallacious. Of the 100,000 – 140,000 OPT residents that acquired legal status in Israel, or Jerusalem, for the purpose of family unity between 1992 and 2002, just 23 have been involved in “hostile attacks”. The law aims to maintain the ethnic integrity of the Jewish state while substantially affecting the character of the areas in Jerusalem occupied in 1967, and so contravening international humanitarian law.

PCHR is particularly concerned at all of these measures which disproportionately and directly effect women. PCHR insist that the Israeli government immediately ends its belligerent occupation which is the cause of these problems and that the international community immediately pressurize the Israeli authorities so that they will comply with their international commitments.