

**Pre-Session Report on Palestine for Consideration  
During the 68<sup>th</sup> Session of United Nation  
Committee on the Elimination of Discrimination Against Women**

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**A Joint Submission By<sup>1</sup>**



**And**



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<sup>1</sup> See Annex 1 for Compilation organizations' brief narrative

## Table of Contents

<b>Introduction</b> .....	3
<b>PERSONAL STATUS ISSUES</b> .....	3
<b>Age of Marriage</b> .....	4
<b>Equality in Marriage and After its Dissolution</b> .....	5
<b>Marriage and Divorce</b> .....	6
<b>Custody and Guardianship of Children</b> .....	6
<b>PENAL LAW ISSUES</b> .....	7
<b>Gender-Based Violence</b> .....	7
<b>Sexual Violence: Rape and Incest</b> .....	9
<b>Abortion</b> .....	10
<b>CONCLUSIONS</b> .....	10
<i>Concluding Recommendations</i> .....	11
<b>Annex 1: Compilation of Organizations' Brief Narrative</b> .....	14

## Introduction

1. Palestine's accession without reservation to CEDAW (the Convention) in April 2014 seemed a positive step for women's rights in the State of Palestine. Yet, the lack of real progress since that date is alarming. The only steps taken have been theoretical, with the Palestinian Authority failing either to develop or amend any relevant laws in accordance with CEDAW's provisions.<sup>1</sup> On the contrary, and largely due to the absence of the Palestinian Legislative Council since 2007, equality laws have stagnated;<sup>2</sup>
2. Palestinian law is fragmented: different bodies of law apply in different regions, and social and religious structures carry significant influence. With fragmentation and societal resistance in a patriarchal culture reproduced and reinforced by the Israeli military occupation, women's rights suffer. As summarised by the Palestine Independent Commission for Human Rights (ICHR): "the domestic legal context is a major obstacle to adapting the national Palestinian laws and legislation to conform to the Convention."<sup>3</sup>
3. The laws relating to women are thus scattered and unclear. With no Palestinian Legislative Council (PLC) convening since 2007, Palestinian law-making has been restricted and has lacked unity. Since ratification, reforms of the law relating to women have been limited to Presidential decrees. No changes on discriminatory legislation related to family status laws or penal laws and GBV protection laws have been adopted.
4. This report has been prepared by the Women's Centre for Legal Aid and Counselling (WCLAC), in collaboration with "Al Muntada" (Palestinian NGO Forum to combat Gender Based Violence) and "Equality Now". It is based on WCLAC's own casework, and is supplemented at times by secondary figures and reporting. It is divided into two sections. The first section, based on family status issues, will look at the following violations of Palestinian women's rights in relation to CEDAW Article 16:

- Age of Marriage;
- Equality in Marriage and After Dissolution;
- Marriage and Divorce; and
- Custody and Guardianship of Children.

The second section, based on Penal Law issues and Gender-Based Violence in relation to CEDAW General Recommendations (19) and (35), will highlight the following:

- Gender-Based Violence and Femicide;
- Sexual Violence: Rape and Incest; and
- Abortion.

## PERSONAL STATUS ISSUES

5. For women's personal status, the law applied in the West Bank is the temporary Jordanian Personal Status Law No. 61 of 1976 (JPSL). In Gaza, it is the Family Rights Law of 1954 based on order No. 303, which is in turn based on the Ottoman Personal Status Law of 1919. In addition to this, the Islamic Sharia is a legislative source and is the only source in family-related matters. It is based on the school of thought of Imam Hanifa, and does not take into consideration the more liberal interpretations of other Imams. For Christian families, ecclesiastical courts have jurisdiction over

family matters. The sources of personal status law are thus scattered and unclear. And, with the state viewing family matters as concerns of the religious courts, not the national ones, women's rights suffer.

## Age of Marriage

6. Palestinian child marriage law is unclear. Under the JPSL, a boy may be married if he is 16 according to the Lunar calendar, 15 and 6 months in the Gregorian calendar. For girls, this age is 15 according to the Lunar calendar, or 14 and 6 months. The Palestinian Child Law of 2004 decrees that the age of majority is eighteen. To add to this confusion, a judge has the right to allow the marriage of a minor if they believe it is in the child's best interest. Granting judges such wide discretionary powers regularly has a detrimental impact: their subjective decisions are more easily influenced by customs, even if subconscious.
7. While there are no official sources for child marriage statistics, it was pointed out by the Special Rapporteur on Violence Against Women earlier this year that approximately 9-10% of marriages in Palestine happen between spouses who are under the age of 18.<sup>4</sup> The figures from UNICEF are higher: in an annual report, they highlight figures taken between 2008-2014 that reveal 1% of children being married by 15 and 15% of children being married by 18.<sup>5</sup> Worse still, according to the Palestinian Central Bureau of Statistics (PCBS), as of the end of 2015, 23.7% of the married population in Gaza had been married before the age of 18.<sup>6</sup>
8. There are many factors causing early marriages in Palestine. Socioeconomic factors are key<sup>7</sup>, but the occupation is also relevant: early marriages are seen as a coping strategy against the struggle and uncertainty – by marrying, a young girl can achieve some stability. Most importantly, however, early marriage is regularly used to cover up rape and incest, and to expunge the perpetrators of their guilt under Palestinian law (Art. 308 of the Jordanian Penal Code), as further explained below. As such, child marriage frequently traps young girls into abusive relationships with their rapists or incestual relatives, reproducing the violence and establishing a downward spiral of abuse and discrimination. With the persistence of child marriages, young girls cannot be protected from violence.<sup>8</sup>
9. Under many international conventions, including the UN Convention on the Rights of the Child, anyone under 18 years is considered a child. Yet, Palestinian decision-makers, under the pretext of Islamic law, are torn between modern laws and traditional religious ones. Traditional ones allow child marriage; modern ones do not. Under this tension, law enforcement becomes less clear and harder to enforce. Furthermore, the judicial discretion – regularly informed by social or religious pressure – and the unequal standard applied to boys and girls both highlight non-compliance with CEDAW Art. 16(2).

### ***Recommendations:***

10. *Set an absolute minimum age of 18 (Gregorian calendar) for marriage, applicable both to young men and women. Clarify in law that no judge has the authority to permit marriage below this age.*
11. *Begin a systematic and comprehensive monitoring system for child marriage in Palestine.*

## Equality in Marriage and After its Dissolution

12. There is no equality between men and women when initiating a marriage contract, during the marriage itself, or after its dissolution (CEDAW Arts. 16(1)(a) to (c)). When initiating a marriage, the JPSL states that women must have a male relative *in loco parentis* as a guardian, regardless of her (or his) age. The only exception to this is in cases where the woman has been married before or is a widow (and is over 18). If this woman has no one to take on the duty, a judge will fulfil the role. Displaying direct discrimination, there is no equivalent requirement for men.
13. During marriage, women are oppressed by a patriarchal culture that defines strict family roles: the husband as the employed head of the household, the wife as an unemployed housewife. In 2015, 66% of WCLAC's cases involved domestic housewives; in 2016, that figure was 58%. 76% of our cases in 2015 and 63% of our cases in 2016 involved women who were either unemployed or domestic housewives.
14. Even where women are employed, their capital gained is regularly not divided equally among the family, but becomes the property of the husband. There are laws granting women inheritance rights, yet, as noted by a study WCLAC completed in 2014, these are restricted in practice by prevailing social customs: a patriarchal culture, a feeling that it is shameful to claim inheritance, and a fear that families will distance themselves from, or even physically abuse, women who claim their inheritance.<sup>9</sup> At any rate, the laws governing inheritance are lacking in crucial areas and are so complex in others as to make their application highly problematic. There are no laws, for example, to incriminate fraudulent practices or practices aimed at intimidating women out of claiming their inheritance.<sup>10</sup>
15. At dissolution of the marriage, when the husband is obliged to provide his financially dependent wife with alimony, there are further problems. The alimony is not pre-defined, but is determined by a judge. Practically, this can have major problems: alimony depends on accurate financial evaluations of the husband's finances and three witnesses are required to testify, both of which prolong the period and increase pressure on the financially dependent woman. If women are granted alimony, this is only for three months following the divorce or for the amount stipulated in the marriage contract, if there is such a stipulation. There is no 50:50 divide of property obtained during the marriage. Faced with the difficulty and humiliation of these cases, many women drop proceedings altogether, the complexity acting as a barrier to justice. A woman's entitlement from her estate is not a matter of law; it is one of patriarchy and oppression.

### ***Recommendations:***

16. *Ensure all women over 18 have the legal capacity to enter into marriage themselves, without the requirement for a guardian.*
17. *Take proactive steps in legislation and politics to end the culture that defines familial roles. Create an environment where women can work, earn money and receive education without any impediment to family life.*

18. *Ensure that, in marriage and after dissolution, all property is divided 50:50 between husband and wife. Ensure that, during the dissolution process, maintenance payments are continued at this rate until a judge orders otherwise after his/her decision.*

## Marriage and Divorce

19. Polygamy continues to be an issue in Palestine. Under personal status laws both in the West Bank and Gaza, men are permitted to marry up to four women, even if a man's present wife is opposed to it. Following a decision made by the Sharia courts in 2012, the first wife must be informed of her husband's intention to marry a second wife, but she cannot stop the marriage. She can only request a divorce, which is far from certain. Although not expressly prohibited by CEDAW, polygamy is widely considered to be against equality and to be an affront to the dignity of these women. CEDAW General Recommendations 21 and 29 both called for its prohibition, and 24 described it as a harmful practice. It is a legal violence in itself and numerous studies have indicated that women in polygamous marriages incur a higher chance of suffering from domestic abuse.<sup>11</sup>
20. In divorce, husbands have an absolute, statutory right to unilaterally end a marriage. Women, on the other hand, have two options: demonstrate one of seven barely achievable justifications for a divorce, or relinquish their financial rights in return for a separation. Even the latter of these is still under the condition that the husband approves. A woman can request a divorce clause in the marital contract that would allow her to divorce by herself, but this is very rare: it depends on initiative and, in many cases, is not sanctioned due to customary practices.<sup>12</sup> There is also a significant risk attached to such a proposition. In a marital study taken in Nablus and Ramallah between 1989 – 1994, only 1.2% (133) of the 11351 marital contracts contained any form of stipulation.<sup>13</sup>

### ***Recommendations:***

21. *Ban polygamy in all circumstances.*
22. *Grant men and women equal rights to end marriages. Remove the complex barriers to women being granted a divorce.*
23. *Take measures to ensure that only divorce officially registered in courts is counted.*

## Custody and Guardianship of Children

24. In cases of divorce, mothers have custody until children reach the legal age – 9 for boys, 11 for girls. If they choose to remarry, however, they lose their right to custody; this does not apply to men. At the age of majority, male children are given the choice of whether to live with their mother or father. Girls are not given this choice, however, and are immediately transferred to the father. In direct contravention of CEDAW Art. 16(1)(f), the best interest of the child is not considered and the mother is denied her rights regarding her children. If girls refuse to implement court decisions related to their custody when they reach the age of 11, fathers are legally not bound to continue paying the maintenance of the child; often the main reason why fathers file custody cases with the courts.

25. As above, there is a legal barrier preventing progress towards equality here. For children, the difficulty, time and cost of attending court through lengthy legal proceedings keeps pupils from school and submits them to distressing psychological situations. For mothers, often financially dependent, legal expenses are too great: husbands will stop paying upon the initiation of divorce proceedings. Without financial resources to maintain the children or to keep up the legal fight, many mothers accept the injustice instead.
26. During the marriage, Palestinian women suffer from discriminatory financial procedures against them. Following a recent change in the law, banks will allow mothers to open accounts for their children. They can pay money into these accounts, but cannot withdraw funds or close it. These are left solely for the father to take care of since they do not consider the mother to be their legal guardian. As stipulated in the JPSL, custody after a certain age (9 for boys and 11 for girls) is only for the male relatives of the child – the father, uncle or grandfather.

***Recommendations:***

27. *Give both boys and girls the same free choice whether to live with mother or father once they reach the age of majority. Ensure that husbands are obliged to continue maintenance payments to both children.*
28. *Create an age of majority of 18, applying equally to boys and girls.*
29. *Remove financial restrictions in motherhood; insist that mothers are granted the same status as guardian as the father.*

## PENAL LAW ISSUES

30. Penal law is applied according to region. The Jordanian Penal Code No. 16 of 1960 is applied in the West Bank, while the British Mandate Criminal Code Ordinance No. 74 of 1936 is applied in the Gaza Strip, and Israeli laws are applied in some parts of Jerusalem. These laws thus reflect the political climate of the Middle East through successive periods of foreign rule. They were created for, and persist in, a culture of domination and subjugation. They have little to no provision for gender equality.

## Gender-Based Violence

31. In a Palestinian Central Bureau of Statistics survey on domestic violence in Palestine, it was shown that 37% of women who are, or who have ever been, married, have been exposed to some form of violence by their husbands – 29.9% in the West Bank compared to 51.1% in Gaza Strip. The types of violence those within this group had been exposed to was broken down as follows:

- Psychological: 58.6%
- Economic: 55.1%
- Social: 54.8%
- Physical: 23.5%

- Sexual: 11.8%

32. Despite these shockingly high numbers, 65.3% of those exposed to violence remained silent. The percentage of those that went to a women's centre for help or advice did not exceed 0.7%<sup>14</sup> and, of those, less than one-third made it to court, where again justice is not guaranteed.<sup>15</sup>
33. In Gaza, the protracted humanitarian crisis has exacerbated GBV in all its forms. Recent IDP figures have revealed a perceived increase in the incidence of GBV of 73% of households during the crisis.<sup>16</sup> As reported by the UNFPA, "distance, mobility restrictions, fragmentation of areas and services, and reluctance to report GBV due to fear of stigma, social exclusion, honour killings or reprisal, all limit survivors' access to and utilisation of critical services. In addition, survivors and communities have minimal information on existing services and how to access them."<sup>17</sup>
34. In many of WCLAC's cases, those who needed protection or who were suffering the most were housewives or those without strong education. In 2015, only 26% of the victims we assisted had been through higher education. In 2016, this figure was 27%. In 2015 and 2016, 33% and 39% respectively had not been educated beyond primary school. This is a point noted by the Special Rapporteur on Violence Against Women who, in 2017, highlighted three factors making women more vulnerable to violence: the economic situation, the level of unemployment and the pressure of the occupation. This was particularly the case in Gaza due to the unceasing blockade and the conflict, overcrowding, and poor health and living conditions that entails. She noted, in particular, that the political situation "serves as mitigating circumstance that makes violence against women more acceptable, while social norms shame women who report abuse to the police."<sup>18</sup>
35. Against this backdrop, femicide is prevalent and is on the increase. While there is no official government agency to monitor and report on femicides, NGOs have received large numbers of cases. In 2016, WCLAC observed 23 cases involving the killing of Palestinian women and girls. Our Shelter House protected 25 women and girls over the period, all of whom were facing a real threat to their lives. In the same year, counsellors at the Ministry of Social Development dealt with 874 women or girls, 40 of whom were transferred to the Centre of Protection and Empowerment of Women and Family of 'Mihwar' because of serious risks to their lives. In 2017, WCLAC has already observed 17 femicide cases in the first 6 months and four other cases raising the number to 21 cases until mid-September.
36. Many of these femicides are based on 'honour', which plays an important role in Palestinian society<sup>19</sup>, or at least use it as a pretext to deprive women of their legal rights<sup>20</sup>. The pervasiveness of honour in this criminal context has a twofold effect: first, it legitimises crimes; second, it labels women and acts as a barrier that prevents them receiving the help they need. Women are discouraged from reporting abuses by social norms and by family members who fear for their reputation. Even when women do seek assistance, honour will so often prevent them being treated fairly. In the words of Colonel Wafa Muammar, the highest-ranking female in the Palestinian police force, "a woman comes to the police to lodge a complaint, but she will be the one blamed, even though she is the victim, and she will be sent back home to live what she did not want to live anymore."<sup>21</sup> In Palestinian culture and in the legislation that governs it, victim blaming persists. While steps have been taken to amend or repeal certain provisions in the penal law, a worrying number of laws remain whose effect is to deny women their fundamental rights.

### ***Recommendations:***

37. *Establish a formal, neutral government organisation to monitor and report on femicide and GBV in Palestine which ensures confidentiality for victims of GBV.*
38. *Introduce proactive and comprehensive legislation that recognises femicide as a crime. Support this with clear policies across the state of Palestine, in partnership with local and national NGOs.*
39. *Amend articles 99 – 100 of the Jordanian Penal Law and equivalent provisions in Gaza Penal Laws (namely order no. 102) especially in cases of honour killings. Clarify that honour does not constitute a mitigating factor in criminal law. Remove the discretion granted to judges in cases of honour crimes and all other cases of femicides.*

### **Sexual Violence: Rape and Incest**

40. Rape and incest carry a social stigma that can lead to ostracisation of women and girls, already victims of attacks. This stigma is so strong, that women and girls who report cases of rape or incest are more likely to incur abuse or even murder by family members because it brings shame to the family reputation and tarnishes their ‘honour’.<sup>22</sup>
41. Marital rape is not legislated for in the Palestinian penal code. On the contrary, Article 292 of the Jordanian Penal Code identifies that rape can only happen against an unmarried female. Article 308 of the Jordanian Penal Code, which has been repealed in Jordan but not in Palestine, is also a particular concern: since it allows a rapist, abductor, or perpetrator of another honour crime, to escape punishment by marrying his victim. This, again, has two effects: pardoning a perpetrator; but also, given the social stigma attached to victims of sexual crimes, leaving the victim no option other than to marry the perpetrator—the rapist—as a way to avoid being cast out or losing her life.<sup>23</sup> This is a horrendous violation of women’s rights in itself, but it also runs counter to article 16 of CEDAW, which states that women have the right to freely choose a spouse and to enter into marriage “only with their free and full consent”.
42. With regards incest, Palestinian law views both parties to the sexual act as guilty, even in the case of rape by a family member.<sup>24</sup> This fails to take full account of consent in these situations; it ignores that it is “a relationship among members of a family which is based on power and domination.”<sup>25</sup> Where the victim of the incest is a female minor, the charge against her can be filed only by a male relative up to the fourth degree of kinship. This exemplifies the patriarchal culture inherent in Palestinian law and society, but is also a violation Article 15 CEDAW.
43. Attempts made by WCLAC and other human rights organizations to force an adoption of the draft Palestinian Penal Law (developed in consultation with civil society organizations in 2011) and the draft Palestinian Family Protection Law (proposed since the 90s and developed in its latest version in 2016) were all in vain. There is no political will on part of the Palestinian President to pass these two important laws by a Presidential decree. Instead, he insists they are important pieces of legislation that should be passed by the PLC. Yet, since the PLC has not convened since 2007, the rights of women victims of GBV is kept on hold. Equality legislation in line with CEDAW’s

principles, and those of other human rights treaties to which Palestine has acceded, is not progressing.

**Recommendations:**

44. *Redefine rape in Palestinian law so as to include marital rape.*
45. *Repeal Article 308 Jordanian Penal Code.*
46. *Adopt the draft Palestinian Penal Law of 2011 and the Draft Palestinian Family Protection Law.*
47. *Amend the law on incest so as to fully consider consent from female victims in family situations. Remove provisions that allow a male relative to file a charge on behalf of females.*

## Abortion

48. In Palestine, abortion is a crime with penalties in force, even in cases of rape and incest. Articles 321-323 of the Jordanian Penal Code prohibit self-abortions and criminalise the act of performing an abortion for another woman (whether with or without her consent). Yet, Art. 323 provides a mitigating factor: an abortion carried out, whether by the woman herself or by another (with or without her consent) will carry a lesser penalty if done to protect the honour of that woman.
49. With such laws, the state is taking punitive measures against women and those who help them. It is also shirking the responsibility to provide safe abortions for these women. This contravenes the provisions of CEDAW Art. 12, described in general recommendation 24 of CEDAW to include those “vulnerable to sexual abuse by older men and family members, placing them at risk of physical and psychological harm and unwanted and early pregnancy.”<sup>26</sup> Under this article, states should “prioritize the prevention of unwanted pregnancy through family planning and sex education and reduce maternal mortality rates through safe motherhood services and prenatal assistance. When possible, legislation criminalizing abortion should be amended, in order to withdraw punitive measures imposed on women who undergo abortion”.<sup>27</sup>
50. As before, the criminalisation in these laws regularly forces victims to marry in order to legitimise the pregnancy.<sup>28</sup>

**Recommendations:**

51. *Decriminalise abortion. Remove any links in the penal law between honour and abortion.*
52. *Demand that Palestine provides free, safe and confidential abortions for female victims of GBV.*

## CONCLUSIONS

53. Palestine has a unique combination of forces that act as detriments to women’s rights: the external forces of the Israeli occupation, with its gendered effects; and the internal forces of power and

control within a patriarchal society that reinforces and reproduces the culture of domination and subjugation.

54. The political will to promote feminist legislation does not exist. Women have little to no influence in legislation or politics so, even if progress does happen with regards the implementation of CEDAW in domestic legislation, it will not be from a female perspective.
55. The fragmentation of the law, its sources in outdated legislative systems, the influence of illiberal interpretations of Shari'a law, and the all-pervasive systems of patriarchy are all factors that hinder women's right and prevent any form of equality with men.

### *Concluding Recommendations*

56. *Promote and enhance the level of women's education, both at the political and legal level.*
57. *Call for unity in the Personal Status and Penal laws that govern the State of Palestine.*
58. *Adopt a secular Palestinian Family Status law as an alternative for all Palestinian citizens. Ensure that issues relating to family status are dealt with by national, not religious, courts.*
59. *Clarify the sources of Palestinian law; create a clear system of hierarchy that prioritises the women's rights outlined in CEDAW and in other international human rights instruments. Emphasise that, where there is a clash, international law takes priority over national legislation and social customs.*
60. *Promote urgent amendments, at the level of presidential decree, to all existing laws that promote inequality, either indirectly or directly, or that pardon any form of violence against women and girls, including article 308 of the Penal Code. Call for urgent alignment in domestic law with the provisions of CEDAW.*
61. *Request the Palestinian President, Mahmoud Abbas, to publish CEDAW, and any other human rights treaties to which Palestine has acceded, in the official journal, the Gazette.*

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<sup>1</sup> The only exception was the freezing/amending in 2011 of two provisions related to honour killings (article 340 and its equivalent provision no. 18 of the penal law in Gaza, and article 98 in 2014) through presidential decrees which did not allow for mitigating measures in cases of honour killings. For more details see WCLAC's report entitled: Femicide Crimes in Palestine: between prevailing legislation and requirements for change", published in 2016 covering all documented cases of femicides in 2014 and 2015 (available only in Arabic).

<sup>2</sup> Palestine's obligation to uphold and promote CEDAW is not diminished or removed by Israel's corresponding obligations to the Occupied Palestinian Territories (OPT) under the Convention. It is established law that Palestine is responsible for the implementation of its provisions as reiterated by the CEDAW Committee and all other treaty-bodies.

<sup>3</sup> Palestinian Independent Commission for Human Rights, 'Palestine and the Convention on the Elimination of All Forms of Discrimination against Women: Implications of Ratification CEDAW 1979', 2013, p.21.

<sup>4</sup> Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to the Occupied Palestinian Territory/State of Palestine, June 2017, Para. 39. Available at:

[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwiA\\_63\\_4c\\_WAhXCJMAKHf9hBvYQFggoMAA&url=http%3A%2F%2Fwww.ohchr.org%2FEN%2FHRCBodies%2FHRC%2FRegularSessions%2FSession35%2FDocuments%2FA\\_HRC\\_35\\_30\\_Add\\_2\\_EN.docx&usg=AOvVaw0nO3qk-olbt1VfQDYcmiFk](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwiA_63_4c_WAhXCJMAKHf9hBvYQFggoMAA&url=http%3A%2F%2Fwww.ohchr.org%2FEN%2FHRCBodies%2FHRC%2FRegularSessions%2FSession35%2FDocuments%2FA_HRC_35_30_Add_2_EN.docx&usg=AOvVaw0nO3qk-olbt1VfQDYcmiFk)

<sup>5</sup> UNICEF, 'State of the World's Children', 2016, p.152. Available at:

[https://www.unicef.org/publications/files/UNICEF\\_SOWC\\_2016.pdf](https://www.unicef.org/publications/files/UNICEF_SOWC_2016.pdf)

<sup>6</sup> UNRWA, 'Girls not Brides: Ending Child Marriage in Gaza', 2017. Available at:

<https://www.unrwa.org/newsroom/features/girls-not-brides-ending-child-marriage-gaza>

<sup>7</sup> UNRWA, 'Girls not Brides: Ending Child Marriage in Gaza', 2017

<sup>8</sup> Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to the Occupied Palestinian Territory/State of Palestine, P 8

<sup>9</sup> WCLAC, Palestinian Women and Inheritance, Summary, p. 5-7. Available at:

<http://www.wclac.org/english/userfiles/Summary%20Inheritance%20Study%20English.pdf>

<sup>10</sup> Ibid, p.5

<sup>11</sup> See, for example: Institute for Family Studies, *The Problems with Polygamy*, July 2015, Available at:

<https://ifstudies.org/blog/the-problems-with-polygamy>

<sup>12</sup> Welchmann, L., *Islamic Family Law: Text and Practice in Palestine*, WCLAC, 1999. P. 65.

<sup>13</sup> Welchmann, 1999, p.69

<sup>14</sup> Palestinian Central Bureau of Statistics, 'Violence survey in the Palestinian Society', 2011

<sup>15</sup> <http://palestine.unwomen.org/en/news-and-events/stories/2016/03/path-to-justice>

<sup>16</sup> UNFPA, Mapping Interventions: Preventing and Responding to Gender Based Violence in oPt, p.4. Available at:

<http://palestine.unfpa.org/publications/mapping-interventions-preventing-and-responding-gender-based-violence-opt>

<sup>17</sup> UNFPA, p. 5

<sup>18</sup> SRVAW, Para. 32.

<sup>19</sup> Honour crimes are defined by UN Women as violent crimes committed against women for "tarnishing the name and the honour of the family." (UN Women Cross-Sectoral National Gender strategy Booklet: Promoting gender equality and equity, 2011-2013)

<sup>20</sup> SRVAW, Para. 26.

<sup>21</sup> <http://palestine.unwomen.org/en/news-and-events/stories/2016/03/path-to-justice>

<sup>22</sup> SRVAW, Para 35.

<sup>23</sup> ICHR report, p.25.

<sup>24</sup> Art. 285 Penal Code.

<sup>25</sup> ICHR report,

<sup>26</sup> 12b <http://www.refworld.org/docid/453882a73.html>

<sup>27</sup> 31 (c) GR 24

<sup>28</sup> SR VAW

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## Annex 1: Compilation of Organizations' Brief Narrative



### **Women's Centre for Legal Aid and Counselling (WCLAC)**

The Women's Centre for Legal Aid and Counselling (WCLAC), is an independent Palestinian, not-for-profit, non-governmental organisation that seeks to develop a democratic Palestinian society based on the principles of gender equality and social justice. WCLAC's vision is to see empowered women living in a just and equal Palestinian society where they enjoy all of their human rights. Established in Jerusalem in 1991, the organisation has special consultative status with the UN Economic and Social Council (ECOSOC). By forging a feminist vision based on equality and social justice, WCLAC plays a prominent role in addressing gender-based violence in Palestinian society in both the public and private spheres and under occupation through documenting violations against HR and IHL imposed by Israel occupation.



منتدى المنظمات الأهلية الفلسطينية لمناهضة العنف ضد المرأة  
Palestinian Non-Governmental Organization Against Domestic  
Violence Against Women (Al Muntada)

Al-Muntada are a Palestinian grassroots organisation supporting the eradication of violence against women and women's marginalisation in society. Established in 2000 as an initiative by a group of Palestinian NGOs working in the areas of strengthening and empowering women, Al-Muntada instigates fieldwork and research to demonstrate the seriousness of violence against women in Palestine and display how this is detrimental to society. In addition to this Al-Muntada pressures decision makers to adopt laws that protect women, organises various awareness-raising events on violence against women, and facilitates workshops and conferences on the issue, and networks with regional and international forums working in the same field.



Equality Now were established in 1992 and since then have strived to achieve social change which advances women's and girls' rights through legal and local advocacy, influencing policy makers, holding governments accountable, and building partnerships with activists and organisations. Their mission is to achieve legal and systematic change that addresses violence and discrimination against women and girls around the world. One of their methods to success has been a focus on the individual, which in hand will benefit the larger cause. Research on gender and security shows that when men and women are treated equally, societies function better.