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COI QUERY RESPONSE

PALESTINIAN AUTHORITY AND GAZA - INFORMATION ON TREATMENT OF WOMEN

The *Palestinian Centre for Human Rights (PCHR)* in October 2024 reported that: “Palestinians are subjected to inhuman and degrading treatment at checkpoints, hindering their movement and endangering their lives based on mere fallacious suspicions that have led to their killing or arrest allegedly for being “wanted”. These checkpoints have also brought unbearable suffering to Palestinian women, particularly pregnant women after being delayed at these checkpoints.”¹

The *Office of the United Nations High Commissioner for Human Rights (OHCHR)* in September 2024 mentioned that: “The Commission documented unsafe conditions for women giving birth in hospitals, including lack of specialized personnel, medication and equipment. Medical professionals noted that it was extremely challenging to manage patients' pain and prevent infections, as hospitals were often lacking adequate supplies, including epidurals, anaesthesia and antibiotics. An emergency specialist who worked in Nasr Hospital in January described significant challenges in diagnosing and treating pregnant women because of the lack of reliable lab testing or equipment, leading to avoidable complications. Obstetricians stated that women had received very little obstetric care and that a number of them were suffering from vaginal infections that, if untreated, could lead to premature births, miscarriages or infertility. Medical personnel described receiving maternity patients suffering from malnutrition and dehydration, as well as various infections and anaemia.”²

This report further states that: “Female detainees from the West Bank were subjected to the same restrictions as men in Israel Prison Service facilities and were affected in particular ways by insufficient and inadequate food and water and unhygienic conditions. The Commission learned that pregnant women held in an Israel Prison Service facility did not receive either sufficient or adequate food and were denied medical care. Several women reported that they had not been allowed to use

¹ Palestinian Centre for Human Rights (PCHR) (3 October 2024) Israel's Violations of Human Rights and International Humanitarian Law in the West Bank in September 2024

² Office of the United Nations High Commissioner for Human Rights (OHCHR) (11 September 2024) Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (September 2024)

toilets despite having requested access, or that they had been handcuffed for prolonged periods of time and therefore required help from other detainees to use the toilets. Female detainees had limited access to or were denied sanitary pads.”³

The document also notes that: “Female detainees were also subjected to sexual assault and harassment in military and Israel Prison Service facilities, as well as threats to their lives and threats of rape. The sexual harassment included attempts to kiss and touch their breasts. They reported repeated, prolonged and invasive strip-searches, both before and after interrogations. Women were forced to remove all clothes, including the veil, in front of male and female soldiers. They were beaten and harassed while being called “ugly” and had sexual insults, such as “bitch” and “whore”, directed at them. In one case, a female detainee in an Israel Prison Service prison was denied access to her lawyer after she had informed him of rape threats. The Commission received reports from the Palestinian Authority about the rape of two female detainees. It is attempting to verify the information. Female detainees were photographed without their consent and in degrading circumstances, including in their underwear in front of male soldiers. In one case, a detainee was subjected to repeated and invasive strip-searches following her arrest at a police station in northern Israel. She was beaten, verbally abused, dragged by her hair and photographed in front of an Israeli flag. The photos were posted online.”⁴

The *International Court of Justice (ICJ)* in July 2024 notes that: “...it is reported that Palestinian women and girls are subjected to gender-based violence in the form of excessive use of force and abuse, including physical, psychological and verbal abuse and sexual harassment, by Israeli security forces and settlers...”⁵

A report issued by *Amnesty International* in July 2024 states that: “Among the detainees interviewed by Amnesty International were five women all of whom had been detained incommunicado for over 50 days. They were first held in a women-only detention camp at Anatot military detention centre, in an illegal Israeli settlement near Jerusalem in the occupied West Bank, then in Damon prison for women in northern Israel, under the control of the Israeli Prison Service. None of the five was informed of the legal grounds for their arrest or brought before a judge. All of them described being beaten while being transported to detention. One of them, arrested on 6 December from her home, said she was separated from her two children- a four-year-old and a nine-month-old baby – and held initially alongside hundreds of men. She was accused of being a Hamas member, beaten, forced to remove her veil and photographed without it.”⁶

In May 2024 the *European Union* points out that: “The Government for the most part has not publicly addressed the situation or taken any concrete measures to protect women human rights defenders from the ongoing intimidation and threats. Gender-based violence (GBV) also remains a significant problem in Palestine, with 59% of women and girls reporting experiencing at least one form of GBV, according to UNFPA. However, the uptake of multi-sectoral GBV services is very low, with less than 2% of survivors seeking healthcare, legal, or protection services due to weak protection systems and national referral mechanisms.”⁷

³ Ibid, p.13

⁴ Ibid, p.15

⁵ International Court of Justice (ICJ) (19 July 2024) Advisory Opinion: Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem

⁶ Amnesty International (18 July 2024) Israel must end mass incommunicado detention and torture of Palestinians from Gaza, p.5

⁷ European Union (29 May 2024) EU Annual Report on Human Rights and Democracy in the World: 2023 Country Updates - Israel; Palestinian Authority

The Office of the *United Nations High Commissioner for Human Rights (OHCHR)* in May 2024 notes that: “UN experts* today condemned the continued and systematic onslaught of violence committed against Palestinians in Gaza, with most victims being women and children over the past seven months. “We are horrified at details emerging from mass graves recently unearthed in the Gaza Strip. Over 390 bodies have been discovered at Nasser and Al Shifa hospitals, including of women and children, with many reportedly showing signs of torture and summary executions, and potential instances of people buried alive,” the experts said.”⁸

This document also states that: “The treatment of pregnant and lactating women continues to be appalling, with the direct bombardment of hospitals and deliberate denial of access to health care facilities by Israeli snipers, combined with the lack of beds and medical resources placing an estimated 50,000 pregnant Palestinian women and 20,000 new-born babies at unimaginable risk. Over 183 women per day are giving birth without pain relief, while hundreds of babies have died because of a lack of electricity to power incubators,” they said. “The dreadful conditions have resulted in increases in miscarriages by up to 300 percent. 95 per cent of pregnant and breastfeeding women face severe food poverty”.⁹

The document further points “The experts said women in labour deliver their babies in horrific circumstances. According to UNFPA, around 155,000 pregnant women and new mothers are struggling to survive and access basic health care. In addition, an estimated 690,000 women and girls in Gaza who require menstrual hygiene supplies are unable to manage their menstrual cycle in privacy and with dignity with some reports of contraceptive pills being taken to avoid the unhygienic menstrual conditions.”¹⁰

The document also notes that: “They were dismayed at continued reports of sexual assault and violence against women and girls, including against those detained by Israeli occupation forces. The experts said the Government of Israel has continuously failed to conduct an independent, impartial and effective investigation into the reported crimes.”¹¹

The *US Department of State Country Reports on Human Rights Practices* in April 2024 mentioned that: “According to the NGO Israel Observatory on Femicide, 22 women and girls were killed by their partners or other family members during the year. According to the NGO, half of the victims were Jewish and two-fifths were Arab, and more than 200,000 women lived in situations of domestic violence. According to a report by the Knesset Research and Information Center, in 2022 police opened approximately 16,500 investigations on offenses between partners and prosecutors filed 3,730 indictments in cases of domestic violence and threats.”¹²

This report also notes that: “The law provided equal pay for equal work, but a wage gap persisted between men and women. Part of the pay gap reportedly resulted from a differential between the average number of weekly hours men and women worked. The law restricted women younger than 45, pregnant women, and women who were nursing from working in jobs that had the possibility of exposure to certain chemicals. On June 28, the Supreme Court ordered the government to explain why it would not issue guidelines for appropriate representation of women in public service positions, in response to a petition by women's rights NGOs against the appointment of 28 men and only two women to director general positions in government ministries. The petition was pending at

⁸ Office of the United Nations High Commissioner for Human Rights (OHCHR) (6 May 2024) Onslaught of violence against women and children in Gaza unacceptable: UN experts

⁹ *ibid*

¹⁰ *ibid*

¹¹ *ibid*

¹² US Department of State (22 April 2024) 2023 Country Reports on Human Rights Practices: Israel

year's end. Incidents of gender segregation and women's exclusion in public spaces and events and in the IDF occurred during the year. On August 13, a public bus driver ordered teenage girls to separate from their male friends, sit in the back of the bus, and cover themselves with blankets, saying, "You need to understand this is the Jewish state...and this is what's happening in this country now." In one incident that received much publicity, on September 22, the Supreme Court reaffirmed the Tel Aviv municipality's condition that the NGO Rosh Yehudi could hold an outdoor Yom Kippur eve prayer gathering in downtown Tel Aviv only without separation between the genders. Despite the ruling, on September 25, Rosh Yehudi attempted to segregate participants by gender, leading to an altercation with Tel Aviv residents."¹³

Al-Haq in March 2024 points out that: "Palestinian women and girls in Gaza are confronted with the alarming risk of being forcibly disappeared or arbitrarily detained by Israeli forces. They frequently endure strip searches, humiliation, and other forms of torture, along with cruel, inhuman, and degrading treatment during their arrest and detention. UN experts expressed grave concerns over reports detailing instances where Palestinian women and girls in Israeli detention have also been subjected to multiple forms of sexual assault, such as being stripped naked and searched by male Israeli army officers."¹⁴

This document also states that: "With nearly 1 million women and girls displaced in Gaza, privacy and access to basic hygiene products has become nearly unattainable for most. It has been widely reported that women and girls have resorted to using makeshift materials, such as tent pieces and clothing, as sanitary pads. Some have even turned to norethisterone tablets, typically prescribed for menstrual disorders, in hopes of halting their menstrual cycle."¹⁵

The report further notes that: "UNFPA estimates that there are approximately 50,000 pregnant women in Gaza, with about 180 women giving birth every single day. These expectant mothers face dire circumstances, including famine, with inadequate access to nutritious food and clean water. Forced to consume contaminated water and animal feed-based bread, they endure unimaginable choices to sustain their pregnancies. With the near-total collapse of Gaza's healthcare system, prenatal care is often unavailable. For the 15% of women likely to experience life-threatening complications during childbirth, hospitals offer little solace, often overcrowded and lacking essential supplies. Postnatal care is virtually nonexistent, leaving mothers without basic necessities for their newborns. Instead of envisioning a hopeful future, these mothers grapple with the grim reality of whether their infants will survive starvation or illness."¹⁶

In February 2024 *Freedom House* reported that: "According to the Office of the UN High Commissioner for Human Rights, arrests by Israeli forces during the last three months of 2023 were often accompanied by physical and psychological abuse, including sexual and gender-based violence against men and women, beatings, isolation, and denial of medical care."¹⁷

This report further notes that: "While some PA laws and policies are designed to uphold equality for women and improve their status, such limited protections are often subordinated in practice to discriminatory societal norms. Palestinian women are underrepresented in most professions and encounter discrimination in employment, though they have equal access to universities. Women are legally excluded from what are deemed dangerous occupations. Gender-based harassment and

¹³ *ibid*

¹⁴ *Al-Haq* (8 March 2024) *Voices from Gaza: The Experiences of Palestinian Women Amid the Ongoing Genocide*

¹⁵ *ibid*

¹⁶ *ibid*

¹⁷ *Freedom House* (29 February 2024) *Freedom in the World 2024: West Bank*, p.12

violence remain major problems. Israeli women are treated equally in Israeli criminal and civil courts and have achieved substantial parity within Israeli society, though economic and other forms of discrimination persist, particularly in certain religious communities.”¹⁸

A report issued by *Human Rights Watch* in January 2024 notes that: “ Hamas authorities have blocked some women from traveling pursuant to regulations issued in February 2021 that allow male guardians to apply to courts to block unmarried women from leaving Gaza when such travel will cause “absolute harm,” a broad term that allows men to restrict women’s travel at will. In January, Hamas authorities tracked down and forcibly returned two women, Wisam and Fatma al-Tawil, to their father, whom they had previously fled from after reporting severe domestic violence, including death threats.”¹⁹

This report further mentioned that: “Personal status laws for both Muslims and Christians discriminate against women, including in relation to marriage, divorce, custody of children, and inheritance. Palestine has no comprehensive domestic violence law. The PA has long been considering a draft family protection law, but women’s rights groups have raised concerns that it does not go far enough to prevent abuse and protect survivors.”²⁰

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¹⁸ Ibid, p.13

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