



# PALESTINIAN WOMEN: THE DISPROPORTIONATE IMPACT OF THE ISRAELI OCCUPATION



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# 1. Introduction



For over half a century, Israel has occupied Palestinian territory and subjected Palestinians to systematic human rights abuses, in violation of international law. Since the occupation began, Israel's "ruthless policies of land confiscation, illegal settlement and dispossession, coupled with rampant discrimination, have inflicted immense suffering on Palestinians, depriving them of their basic rights."<sup>1</sup> Palestinian women in particular have been forced to endure both direct and indirect gendered violence emanating from the occupation, which has affected women in distinct and specific ways. This report has been prepared by the Women's Centre for Legal Aid and Counselling (WCLAC), the Palestinian Working Woman Society for Development (PWWSD), the Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH), and Women Media and Development (TAM) as part of the Karama network. The aim of this report is to demonstrate, through personal testimonies and quantitative research, the disproportionate impact of Israeli occupation on Palestinian women. The reality of this will be demonstrated with reference to four categories of Palestinian women: refugees; female Jerusalemites subjected to residency revocation/family reunification refusal; female prisoners subjected to gender-based violence, and Gazan women, focusing on denial of their access to healthcare.

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<sup>1</sup> Amnesty International, "Israel's Occupation: 50 Years of Dispossession" (2017) <https://www.amnesty.org/en/latest/campaigns/2017/06/israel-occupation-50-years-of-dispossession/>

## **Brief History**

In 1947, with increasing Jewish immigration into Palestine, and with the British Mandate for Palestine ending the following year, the United Nations (UN) proposed a partition plan. Under UN General Assembly Resolution 181<sup>2</sup>, adopted on 29 November 1947, historic Palestine would be divided into two independent Jewish and Arab states, while Jerusalem would be governed by a special international regime, administered by the UN.

The adoption of the partition plan led to the Arab-Israeli civil war, which would last until 1949. This marked the beginning of the ethnic cleansing of Palestine by Jewish paramilitaries and later Israeli forces. From a population of 1.9 million Palestinians, 750,000 were forcibly expelled and fled the war, becoming refugees. 530 villages and cities were destroyed and many thousands of Palestinians were slaughtered.<sup>3</sup> Following the war, Israel claimed approximately 78% of historic Palestine, marking its borders far beyond those proposed in Resolution 181. The death of many Palestinians, the dispossession and the destruction of their property, as well as the expulsion from their homeland, marks what Palestinians term “*Al Nakba*” – the catastrophe.

During the Six Day War of 1967, a further 300,000 Palestinians fled conflict or were expelled from their homeland. Israel occupied Gaza, the West Bank and East Jerusalem, establishing military control. Both waves of refugees, of 1947-1949 and 1967, formed a population of Palestinian refugees that today numbers over 5 million.<sup>4</sup> Israel continues to deny these Palestinian refugees the right of return, despite condemnation by the international community.<sup>5</sup>

As an occupying power, Israel has continued the process of ethnic cleansing, and began a relentless process of illegal annexation – *de jure* and *de facto* – of the occupied Palestinian territories.

As part of this project, Israel has, since 1967, continued to construct and sustain settlements in occupied Palestinian territories, despite virtually unanimous condemnation by the international community and it being in violation of international law.<sup>6</sup> There are now over 200 illegal settlements on Palestinian territory, housing almost 600,000 Israeli settlers.<sup>7</sup> The establishment of the settlements is leading to a creeping, illegal annexation that undermines the establishment of a viable Palestinian State and the right of the Palestinian people to self-determination. The settlements are maintained through a system of discrimination and segregation, supported by

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<sup>2</sup> UN General Assembly, Resolution 181 (II) on “*Future government of Palestine*” 1947, A/RES/181(II)

<sup>3</sup> See, for example, Saleh Abdel Jawad (2007), “*Zionist Massacres: the Creation of the Palestinian Refugee Problem in the 1948 War*” in E. Benvenisti & al, *Israel and the Palestinian Refugees*, Berlin, Heidelberg, New-York : Springer, pp. 59-127

<sup>4</sup> UNRWA, ‘*What We Do: Protection*’ Available at: <https://www.unrwa.org/what-we-do>

<sup>5</sup> See, for example, UN General Assembly, Resolution 194 ‘*Palestine -- Progress Report of the United Nations Mediator*’ (Resolution 194) A/RES/194 (III) para 11.

<sup>6</sup> Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, 75 UNTS 287, Article 49

<sup>7</sup> B’tselem “*Settlements*” Available at: <https://www.btselem.org/topic/settlements>

strict military policing, at the expense of Palestinian rights and livelihoods. Settler violence creates fear and instability for Palestinians, especially for women who are constantly alert with the fear that their children will be injured or killed. Such violence - as well as destruction of property - overburdens women with increased worries and responsibilities to provide for their families.<sup>8</sup> In addition, women in particular experience anxiety over leaving their homes for fear of settler violence.<sup>9</sup>

In Gaza, Israel's blockade dating from 2007 and restriction of resources have led to what the UN has termed a "dramatic" humanitarian crisis.<sup>10</sup> However, the de-politicised language of "humanitarian crisis" must not distort Israel's political motivations; the deprivation of food, water, electricity and freedom of movement in Gaza by Israel is a deliberate plan to make the lives of Gazans (living under Hamas) unbearable. This collective "punishment" has only worsened since the 50 day war on Gaza in 2014, during which 2,251 Palestinians and 73 Israelis were killed, and Gaza suffered extensive destruction.<sup>11</sup> Again, these conditions in Gaza have placed particular strain upon women, who experienced the loss husbands and sons in the fighting, and continue to bear the disproportionate burden of responsibilities towards their families in extremely challenging living conditions in Gaza.

Today, 51 years after establishing its military presence in Palestine, Israel continues to occupy Palestine through force and subjugation. It is an occupation built on the gradual removal of Palestinian rights, which, as will be highlighted in this report, is experienced in distinct and specific ways by Palestinian women.

### **Disproportionate Impact of Israeli Occupation on Lives of Women**

The structure of the occupation and its effects are especially damaging to women, who do not have equal access to justice or equally effective social platforms to address this imbalance. The militarised nature of occupation is inherently masculine; the occupation was established by men, it is led by men, and continues to be imposed largely by men. The occupation rests on constructed gender identities and roles, in turn it perpetuates gender inequalities emanating from patriarchal norms. The occupation can be said to affect women specifically both directly and indirectly. In a direct sense, the violence of the occupation - whether directed at men or women - is disproportionately borne by women: those who cannot reunite with their families and homes; those that are made to watch as their husbands and children are detained, attacked and killed around them; those who suffer gender-specific torture in Israeli prisons; those refugee women that must endure continuous refugeehood in an already patriarchal society; those female human

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<sup>8</sup> Women's International League for Peace and Freedom (WILPF) "*Palestinian Women Under Prolonged Israeli Occupation: The Gendered Impact of Occupation Violence*" Joint Submission to the UPR Working Group 29<sup>th</sup> Session p.15 (WILPF – UPR Submission) (2018) Available at: [https://wilpf.org/wp-content/uploads/2017/11/Palestine-UPR\\_web-2-5.pdf](https://wilpf.org/wp-content/uploads/2017/11/Palestine-UPR_web-2-5.pdf)

<sup>9</sup> *Ibid.*

<sup>10</sup> UN News, "*In the Gaza Strip, UN chief appeals for Palestinian unity; renews call for two-state solution*" (2017) Available at: <https://news.un.org/en/story/2017/08/564132-gaza-strip-un-chief-appeals-palestinian-unity-renews-call-two-state-solution>

<sup>11</sup> UN Human Rights Council, "*Report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1 [on the 2014 Gaza conflict]*" (2015) A/HRC/29/52

rights defenders who are specifically targeted by Israel, and those women, particularly in Gaza, that are denied their most basic right to health. The occupation continues to substantiate and reinforce the patriarchal structure of Palestinian and Israeli societies, the gendered and negative effects of which are again borne by women.

Throughout Palestine, in many cases, these violations of civil, political, economic, social and cultural rights, including actions constituting ill treatment and degradation, are committed directly by Israeli State actors - including night raids, property destruction and demolition, forced evictions and population transfer, separation of families, mistreatment of female prisoners, targeting of human rights defenders, restrictions on freedom of movement and expression and checkpoint violence.<sup>12</sup> Such violations, whether perpetuated directly against women or their family members, have a profound and damaging effect on women. In their roles as primary caregivers for their children and families, the threat of violence, separation and other abuses perpetuated by the Israeli occupation is an extremely onerous burden for Palestinian women to bare.

In other cases, gendered human rights abuses are committed by non-State actors, such as settlers, but endorsed by the Israeli State by their failure to investigate and prosecute the Israeli perpetrators.<sup>13</sup> Furthermore, women continue to be subjected to gender-based violence and other gendered human rights violations by Palestinian men. As UN women report, the relationship between occupation violence and gender-based violence, including domestic violence, is complex and multi-layered, where the presence of occupation limitations feeds into a more conservative environment based on insecurity and protectionism.<sup>14</sup> The report states that communities, men and women suffering from occupation are more likely to fall into a cycle of domestic violence.<sup>15</sup>

As observed by the UN Special Rapporteur on Violence Against Women, violence (and other human rights abuses) against Palestinian women occur both in private and public spheres, with women suffering multiple sources of discrimination and violence: they suffer the violence of the Israeli occupation, whether directly or indirectly, but they also suffer from a system of violence emanating from tradition and culture, with embedded patriarchal social norms and multiple outdated legal frameworks.<sup>16</sup> The experiences of women under occupation are distinct and specific, yet are all too often overlooked by mainstream human rights organisations, which routinely fail to include or adequately address gender concerns in their reporting.<sup>17</sup>

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<sup>12</sup> WILPF – UPR Submission

<sup>13</sup> UN Human Rights Committee, “*Concluding observations on the fourth periodic report of Israel*,” (2014). CCPR/C/ISR/CO/4, available at: <https://unispal.un.org/DPA/DPR/unispal.nsf/1ce874ab1832a53e852570bb006dfaf6/724da0c48e837f0a85257d9a0070d766?OpenDocument>

<sup>14</sup> UN Women, “*In-depth Gender Needs Assessment in Area C and Hebron H2*” (2018) P.53

<sup>15</sup> *Ibid.*

<sup>16</sup> Report of the UN Special Rapporteur on Violence Against Women, (Special Rapporteur VAW) (2017) A/HRC/35/30/Add.2, para. 32. Available at: [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session35/Documents/A\\_HRC\\_35\\_30\\_Add\\_2\\_EN.docx](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session35/Documents/A_HRC_35_30_Add_2_EN.docx)

<sup>17</sup> Ní Aoláin, F ‘*Gendering the Law of Occupation*’ (2016) p.15, Political Settlements Research Programme, Available at: [http://www.globaljusticeacademy.ed.ac.uk/\\_data/assets/pdf\\_file/0020/201746/20160503\\_Occupation\\_Working\\_Paper\\_5.pdf](http://www.globaljusticeacademy.ed.ac.uk/_data/assets/pdf_file/0020/201746/20160503_Occupation_Working_Paper_5.pdf)

## Israel's International Obligations

Israel is a signatory to a number of International Humanitarian Law (IHL)<sup>18</sup> and International Human Rights Law (IHRL)<sup>19</sup> treaties, which apply to the occupation.

Israel, as an occupying power, is bound by a number of obligations under IHL. Articles 43 and 55 of the Hague Regulations 1907, which is customary international law and therefore must be respected by all states, provide that an occupying power must respect the laws in force in the occupied territory, must ensure public order, and act only as an administrator of property, preserving the status quo. It further provides in Articles 23 and Article 46 that the seizure of private property is prohibited and the family lives and religious convictions of persons must be respected.

Furthermore, in respect of IHL, the Fourth Geneva Convention also applies to Israel as an occupying power. Important aspects of this Convention include the prohibition on collective punishment<sup>20</sup>, the prohibition on population transfer<sup>21</sup> and the obligation to preserve the family, cultural and religious lives of the occupied population.<sup>22</sup> While Israel invariably attempts to deny the applicability of the Fourth Geneva Convention on the basis that the sovereign status of Palestine was disputed when Israel became an occupying power, its attempts to do so are legally incorrect and incongruous with the purpose of the Geneva Conventions, which is to ensure protection of civilians who find themselves under occupation. Article 4 of the Convention defines persons protected by the Convention as those who, "...at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals." Furthermore, it has been confirmed by the International Court of Justice<sup>23</sup> as well as the Israeli Supreme Court<sup>24</sup> that the Fourth Geneva Convention is applicable to Israel in the Palestinian territories.

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<sup>18</sup> For example, but not limited to: Hague Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land, (Hague Regulations) 18 October 1907, which is considered customary law by the ICJ (*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, I.C.J. Reports 2004, p. 172, para. 89); Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, 75 UNTS 287

<sup>19</sup> For example, but not limited to: UN General Assembly, International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171; UN General Assembly, International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3; UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13; UN General Assembly, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85; UN General Assembly, Convention on the Rights of the Child (UNCRC), 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3.

<sup>20</sup> Fourth Geneva Convention, Article 33

<sup>21</sup> Ibid. Article 49

<sup>22</sup> Ibid. Article 27

<sup>23</sup> *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (ICJ – the Wall Opinion), Advisory Opinion, 2004 I.C.J. 136 para.101

<sup>24</sup> Judgment of the Supreme Court of Israel dated 30 May 2004

In respect of Gaza, although Israel claims that IHL does not apply following its “disengagement” in 2005, Israel still controls Gaza’s borders, airspace and sea and as such its access to resources, medical supplies, food, water and electricity. Furthermore, Israel exercises “police” functions over Gaza through technology such as drones.<sup>25</sup> Israel also retains its ability to exercise physical control at any time. As such, Israel still retains effective control over Gaza. Article 42 of the 1907 Hague Convention, states that “*territory is occupied when it has actually been placed under the authority of the hostile army. The occupation only extends to the territory where such authority has been established and can be exercised.*” Despite the “disengagement” Israel has not relinquished control over the Gaza strip. GISHA argues that “...where control is exercised, responsibility attaches.”<sup>26</sup> Furthermore as GISHA highlights, even if the occupation in Gaza were to be considered as having ended, Israel would still owe post-occupation obligations to Gaza under IHL. Owing to Israel’s failure to preserve public life and institutions in Gaza under Article 43, GISHA argues that if and when the occupation of Gaza comes to an end, Israel “...would likely continue to owe certain duties to the occupied population, until such reasonable time as Gaza residents can build the structures and systems that should have been provided by the occupying power.”<sup>27</sup> In light of the above considerations, the UN has affirmed that it considers Gaza still to be under occupation by Israel.<sup>28</sup>

It is widely accepted that fundamental human rights obligations continue to apply in times of armed conflict.<sup>29</sup> Furthermore, the actions of an occupying power must be scrutinised through the lens of both IHL and IHRL, with IHL being *lex specialis*, as it affords particular protections to the occupied population.<sup>30</sup> The legal obligations of IHL and IHRL are complementary, and the applicability of one set of obligations does not preclude the applicability of the other. As such, international human rights instruments to which Israel is a signatory are applicable in the occupied Palestinian territories.<sup>31</sup> Israel’s obligations exist beyond its territorial limits, extending to the jurisdiction under Israel’s effective control.<sup>32</sup> The applicability of human rights obligations to the Palestinian territories has been affirmed extensively by, amongst others, the UN Secretary-

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<sup>25</sup> MIFTAH “*International Humanitarian Law: The Siege on the Gaza Strip*” 2017, Available at: <http://www.miftah.org/Doc/Factsheets/Miftah/English/FactSheet240717.pdf>

<sup>26</sup> GISHA “*Disengaged Occupiers: the Legal Status of Gaza*” p.20, Available at: [http://www.gisha.org/UserFiles/File/publications\\_english/Publications\\_and\\_Reports\\_English/Disengaged\\_Occupiers\\_en.pdf](http://www.gisha.org/UserFiles/File/publications_english/Publications_and_Reports_English/Disengaged_Occupiers_en.pdf)

<sup>27</sup> Ibid. p.91

<sup>28</sup> Economic and Social Commission for Western Asia (ESCWA) “*Israeli Practices towards the Palestinian People and the Question of Apartheid*” (2017) E/ESCWA/ECRI/2017/1 p.44 Available at: [https://electronicintifada.net/sites/default/files/2017-03/un\\_apartheid\\_report\\_15\\_march\\_english\\_final\\_.pdf](https://electronicintifada.net/sites/default/files/2017-03/un_apartheid_report_15_march_english_final_.pdf)

<sup>29</sup> UN General Assembly Resolution 2675 (A/RES/2675); ICJ, *Legality of the Threat or Use of Nuclear Weapons*, 1996 I.C.J. 226, para. 25.

<sup>30</sup> ICJ – The Wall Opinion, para.106

<sup>31</sup> Ibid. See also: ICJ, *Case Concerning Armed Activities on the Territory of the Congo* (Democratic Republic of the Congo v. Uganda); Request for the Indication of Provisional Measures, 1 July 2000

<sup>32</sup> Principle of ‘effective control’ discussed in *Al-Skeini and Others v. United Kingdom*, Application no. 55721/07, Council of Europe: European Court of Human Rights, 7 July 2011 and territorial applicability of IHRL in ICJ – The Wall Opinion, paras 107-113

General<sup>33</sup>, the UN General Assembly<sup>34</sup>, the UN High Commissioner for Human Rights<sup>35</sup>, and by the International Court of Justice in its opinion on the Israeli annexation wall.<sup>36</sup> Furthermore, in relation to women specifically, the Committee on the Elimination of Discrimination Against Women (CEDAW Committee) General Recommendation No. 30 on Women in Conflict Prevention, Conflict and post-conflict situations has affirmed the application of the Convention in situations of armed conflict and occupation,<sup>37</sup> The CEDAW Committee emphasises that States parties to the convention are responsible for the human rights of individuals “*within their territory or effective control, even if not situated within their territory.*”<sup>38</sup> This is a clear affirmation that the Israeli government is responsible for the human rights situation of Palestinian women and girls living under Israeli occupation.

Despite the clear applicability of both IHL and IHRL to Israel’s actions, Israel continues to commit violations of both IHL and IHRL against Palestinians in the West Bank, East Jerusalem, Gaza Strip and within the territory of Israel, in addition to preventing of the right of return for Palestinian refugees.

In respect of IHL, examples of violations discussed above, including night raids<sup>39</sup>, settlement construction<sup>40</sup>, housing demolitions<sup>41</sup> and residency revocations leading to forced population transfer<sup>42</sup>, are clear breaches of IHL In Gaza, the denial of humanitarian access—both in and out of the Gaza Strip—is a further violation of IHL.<sup>43</sup> This report will highlight and demonstrate the specific and distinct effects of these of violations on women.

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<sup>33</sup> UN General Assembly, “*Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan*” (2014) A/69/348, para.5; see also UN General Assembly “*Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan - Report of the Secretary-General*” (2015) A/HRC/28/44, para.6.

<sup>34</sup> UN General Assembly Resolution 71/98 (A/RES/71/98)

<sup>35</sup> UN General Assembly, “*Human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip Report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution 7/1*” (2008) A/HRC/8/17, para.7, and Un General Assembly, “*The grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolution S-9/1*” (2009) A/HRC/12/37, para.5-6.

<sup>36</sup> ICJ – The Wall Opinion paras. 106-113.

<sup>37</sup> CEDAW Committee, “*General Recommendation No. 30 on Women in Conflict Prevention, Conflict and post-conflict situations*” (2013) CEDAW/C/GC/30 para.4

<sup>38</sup> Ibid. para.5

<sup>39</sup> Fourth Geneva Convention, Art.33: “*All measures of intimidation or of terrorism are prohibited.... Reprisals against protected persons and their property are prohibited.*”

<sup>40</sup> Fourth Geneva Convention, Art.49: “*The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.*”

<sup>41</sup> Hague Regulations, Art.46: “*...private property must be respected and cannot be confiscated. Art. 53 Fourth Geneva Convention – destruction of property by the occupying state is forbidden.*”

<sup>42</sup> Fourth Geneva Convention, Art.33: “*...collective punishment is strictly prohibited.*”

<sup>43</sup> Fourth Geneva Convention, Arts. 23, 59Rule 55 CIL.

IHL provides that military occupation is a temporary state of affairs whereby sovereign power remains with the occupied population and does not vest in the occupying force (in line with the principle of self-determination). As such, the occupying power has obligations to manage the public order and civil life in the interests of the local population. Israel's continued dispossession and subjugation of the Palestinian people violate this obligation. As such, it can be convincingly argued that Israel's continued occupation and annexation of Palestine is in itself illegal.<sup>44</sup> This has been echoed by the UN Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory, who, in a statement made to the UN General Assembly in 2017, said that *"Israel's role as occupier in the Palestinian Territory – the West Bank, including East Jerusalem, and Gaza – has crossed a red line into illegality."*<sup>45</sup> In IHRL terms, Israeli practices cause constant and severe violations of women's civil, political, economic, social and cultural rights, as described above, and inhibit the development of Palestinian society in line with international human rights obligations.

For Palestinian refugee women, Israel continues to bar their return to their homeland, forcing them into a state of perpetual refugeehood. Palestinian refugee women have been socially, politically, and economically subjugated as a result of discriminatory laws and decades of marginalisation, and are forced to endure not only the hardships of protracted refugeehood while living in an already patriarchal community. As will be discussed in this report, this untenable situation is in violation of countless UN General Assembly<sup>46</sup> and UN Security Council resolutions<sup>47</sup> that have urged Israel to allow the return of Palestinian refugees. For example, Article 11 of UN General Assembly Resolution 194 of 1948<sup>48</sup> provides that *"refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible."* Furthermore, UN Security Council Resolution 237 of 1967 calls upon Israel to *"...facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities."*<sup>49</sup> Several other UN General Assembly and UN Security Council Resolutions<sup>50</sup> have required Israel to allow for the return of Palestine refugees. Yet, Israel has continued to ignore all of these resolutions, barring the return of Palestine refugees and refusing to compensate them for their stolen land and property.

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<sup>44</sup> Orna Ben-Naftali, Aeyal M. Gross, and Keren Michaeli, *"Illegal Occupation: Framing the Occupied Palestinian Territory,"* (2005) 23 *Berkeley J.Int'l Law*. 551

<sup>45</sup> UN Human Rights Office of the High Commissioner *"Israel must face new international legal push to end illegal occupation of Palestine, UN expert says"* (2017), Available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22315>

<sup>46</sup> For example UNGA Resolution 194; UNGA Resolution 3236 (XXIX) (1974)

<sup>47</sup> For example, UN Security Council Resolution 237 S/RES/237 (1967)

<sup>48</sup> UNGA Resolution 194 (1948) A/RES/194 (III)

<sup>49</sup> UNSC Resolution 237 (1967) S/RES/237

<sup>50</sup> For example, UNGA 3236(XXIX), 22 November 1974 A/RES/3236 (XXIX); UN Security Council Resolution 242, 22 November 1967, S/RES/242

In Gaza, the siege has reached such a critical point that conditions are increasingly “unliveable”, violating the right to be free from inhuman and degrading treatment<sup>51</sup>, the right to health<sup>52</sup> and even the right to life.<sup>53</sup> It is an “open-air prison” with 56% youth unemployment and a shocking 78% of young women unemployed<sup>54</sup>, in violation of their economic and social rights to adequate living conditions, including shelter, food<sup>55</sup> and a livelihood.<sup>56</sup> Since the end of the 2014 war, Gaza has seen a 73% perceived increase in Gender-Based Violence.<sup>57</sup> As the UN Special Rapporteur on Violence and Against Women, its Causes and Consequences, on her mission to the Occupied Palestinian Territory/State of Palestine wrote in 2017, the political situation “*serves as mitigating circumstance that makes violence against women more acceptable.*”<sup>58</sup> Furthermore, contrary to General Recommendation 35 of the CEDAW Committee, gender-based violence committed by Israelis against Palestinians remains pervasive throughout Palestine.<sup>59</sup>

Female Palestinian prisoners are subjected to a number of human rights violations and gender-based violence by Israeli actors. Prolonged isolation, sleep deprivation, denial of access to sanitation, stress positions, beatings, sexual harassment are all commonplace for Palestinian female prisoners, contrary to international human rights standards.<sup>60</sup> The transfer of Palestinian women to Israeli prisons is also in violation of international humanitarian law prohibiting the occupying power from forcibly transferring the occupying population from the occupied territory.<sup>61</sup>

Collective punitive measures against Jerusalemites, including restrictions on freedom of movement, residency revocation, forced evictions, home demolitions, house arrests and denial of family reunification applications place a disproportionately harmful impact on women, who

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<sup>51</sup> ICCPR, Article 7.

<sup>52</sup> ICESCR Article 12; CEDAW Article 12. See also, CEDAW Committee, “*General Recommendation No. 24 -Article 12 of the Convention (Women and Health)*” 1999, A/54/38/Rev.1, chap. I

<sup>53</sup> ICCPR, Article 6

<sup>54</sup> UNDP Report: “*Three Years After the 2014 Gaza Hostilities - Beyond Survival: Challenges to Economic Recovery and Long-Term Development.*” Available at: <http://www.ps.undp.org/content/papp/en/home/library/poverty/beyond-survival--challenges-to-economic-recovery-and-long-term-d/>

<sup>55</sup> ICESCR. Article 11

<sup>56</sup> Ibid. Article 6

<sup>57</sup> Gender & Adolescence: Global Evidence (GAGE) “*Adolescent Girls in Gaza, the State of the Evidence*” (2017) p.15 available at: <https://www.gage.odi.org/sites/default/files/2018-02/GAGE%20Gaza%20State%20of%20the%20Evidence.pdf>

<sup>58</sup> Special Rapporteur VAW para. 32.

<sup>59</sup> CEDAW Committee, “*General Recommendation No. 35 on gender-based violence against women*”, CEDAW/C/GC/35. Available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/35&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/35&Lang=en)

<sup>60</sup> CAT; ICCPR Articles 6 and 7; CEDAW Articles 1 and 3, read with CEDAW Committee, General recommendation No.19 on gender-based violence against women’ CEDAW/C/GC/19 para.7 and 8 and CEDAW, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, CEDAW/C/GC/35 para.17; United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules’) A/RES/65/229; UN Security Council, “*Resolution 1325 (2000), Adopted by the Security Council at its 4213th meeting, on 31 October 2000*” (2000) S/RES/1325 para.10

<sup>61</sup> Fourth Geneva Convention, Articles 49 and 76

overwhelmingly bear the responsibility of caregiving in the family.<sup>62</sup> These measures continue to violate the human rights of Palestinian women in a myriad of ways, including, but not limited to, exposing them to inhuman and degrading treatment, causing them emotional, psychological and physical harm,<sup>63</sup> violating their rights to property and a livelihood<sup>64</sup> and private and family life,<sup>65</sup> as well as restricting their rights to access to basic services such as healthcare and education.<sup>66</sup>

Israel is obliged to refrain from committing such human rights abuses and prevent non-state actors from committing such acts.<sup>67</sup> Yet, rather than legislating against these practices, Israel actively promotes and participates in them. As a whole, the collective punishment, forced displacement and ethnic cleansing of the Palestinian people represent some of the gravest breaches of IHL and IHRL, breaches which have very distinct and damaging effects for women.

### **International Support of Israeli Violations**

These violations are occurring in a political climate that favours the occupying force. The occupation is now in its 51<sup>st</sup> year. It is uniquely long, but is being normalised and legitimised globally, most notably by US President Donald Trump's declaration in December 2017 that Jerusalem is the "eternal capital of Israel". This policy decision was particularly damaging, as will be discussed in section 3 of this report on residency revocation and family reunification. The president's declaration supports the collection of Israeli policies designed to implement the intentional forced transfer of Palestinians from Jerusalem. For example, the housing demolition regime, which saw 155 Palestinians from East Jerusalem left homeless in 2017 as a result of Israeli demolition orders.<sup>68</sup> By declaring Jerusalem as Israel's capital, the US president has legitimised Israel's breaches of international law and endorsed its anti-Palestinian regime.

The declaration was followed by another decision: to cut US aid given to the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) by \$65 million - over half of the agency's \$125 million budget. As will be highlighted in this report, the rights and needs of Palestinian women refugees are neglected by Israel and their host states abroad, such as Lebanon and Jordan. Israel refuses both to take responsibility for the situation of Palestinian refugees, including those in Gaza, the West Bank, the 1948 territories or Jerusalem. Furthermore, Israel continually bars refugees outside of these territories from returning to their homeland. It will be

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<sup>62</sup> WLIPF, UPR Submission pp.19-21

<sup>63</sup> CAT; ICCPR Articles 6 and 7; CEDAW Articles 1 and 3, read with CEDAW Committee, "General recommendation No.19 on gender-based violence against women" (1992) CEDAW/C/GC/19 paras.7-8 and CEDAW Committee, "General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19," (2017) CEDAW/C/GC/35;

<sup>64</sup> CEDAW Article 13, ICESCR Article 6

<sup>65</sup> ICESCR Article 10

<sup>66</sup> ICESCR Articles 11-12; CEDAW Article 12

<sup>67</sup> CEDAW Committee, "General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19," (2017) CEDAW/C/GC/35, Paras 21-24.

<sup>68</sup> BTSelem, "Statistics on demolition of houses built without permits in East Jerusalem" (2018), available at: [https://www.btselem.org/planning\\_and\\_building/east\\_jerusalem\\_statistics](https://www.btselem.org/planning_and_building/east_jerusalem_statistics)

seen that Israel has obligations towards Palestinian refugee women under international law, yet is rejecting these to the detriment of Palestinian women. Women and girls are left heavily dependent on UNRWA aid; removing this aid makes the United States complicit in their suffering.

### **This Report**

This report has been prepared by the Women's Centre for Legal Aid and Counselling (WCLAC), the Palestinian Working Woman Society for Development (PWWSD), the Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH), and Women Media and Development (TAM) as part of the Karama network. Drawing on the issues above, the aim of this report is to demonstrate, through personal testimonies and quantitative research, the gendered nature of the Israeli occupation.

Four themes are covered in this report: women refugees; residency revocation and denial family reunification in respect of female Jerusalemites; female prisoners; and access to health in Gaza. In addressing each of these issues, Israeli abuses are examined through the framework of international law in order to highlight the effects of these abuses on Palestinian women. Some Israeli actions represent direct discrimination against Palestinian women; others are generalised, but have effects which are particularly damaging to Palestinian women. They are the result of the disproportionate impact of the occupation on women in a patriarchal society and can be contextualised by broader Israeli motives: "to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967."<sup>69</sup>

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<sup>69</sup> United Nations Security Council resolution 465, Adopted 1 March 1980

## 2. Women Refugees



*“To become a refugee is to find oneself summarily deprived of the protections and safeguards which nationality and citizenship normally confer. At a stroke, the refugee loses home, property and means of livelihood, the whole array of civil and political, economic and cultural rights which the state is traditionally expected to uphold and guarantee...It is this situation which those assisting refugees must confront as a most urgent practicality.”<sup>70</sup>*

### **Background**

According to the most recent UNRWA figures, there are 5,340,343 Palestinian refugees spread across 58 camps in Jordan, Lebanon, Syria, West Bank and Gaza.<sup>71</sup> Figures from humanitarian agencies are higher, with Badil recently placing the number at 7.98 million.<sup>72</sup>

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<sup>70</sup> Peter Hansen, ‘Foreword’ to Lex Takkenberg, *“The Status of Palestinian Refugees in International Law,”* (Clarendon Press, Oxford 1998) p. vii.

<sup>71</sup> UNRWA *“UNRWA in Figures 2017”* (2017) Available at: [https://www.unrwa.org/sites/default/files/content/resources/unrwa\\_in\\_figures\\_2017\\_english.pdf](https://www.unrwa.org/sites/default/files/content/resources/unrwa_in_figures_2017_english.pdf)

<sup>72</sup> Nidal Al-Azza & Amaya Al-Orzza, *“Survey of Palestinian Refugees and Internally Displaced Persons 31”* (Vol. VIII 2013-2015). Available at: [www.badil.org/phocadownloadpap/badil-new/publications/survey/Survey2013-2015-en.pdf](http://www.badil.org/phocadownloadpap/badil-new/publications/survey/Survey2013-2015-en.pdf)

The Palestinian refugee problem is unique. The majority of Palestine refugees are the product of the 1948 war, forced off their land to reside in other areas of Palestine or neighbouring states such as Syria, Jordan or Lebanon. Yet, there was also a second major expulsion, following the 1967 war where Israel occupied by force the West Bank, East Jerusalem and Gaza. In only three months - June, July and August of 1967 - UNRWA recorded a total of 200,000 Palestinian refugees crossing into Jordan. In the Jericho area alone, 65,000 persons are reported to have fled from their homes, leaving only about 7,500 behind.<sup>73</sup> Almost half of those were the victims of secondary displacement – initially displaced in 1948, and uprooted for a second time in 1967.

70 years after the initial exodus, the plight of Palestinian refugees remains one of the world's most enduring refugee crises. Supported by the Israeli occupation, it is also one of the most entrenched. After the Israeli decision in late-1948 not to allow the return of Palestinian refugees, concrete steps were taken—the destruction of Arab villages, the acquisition and handing-out of Arab property, the development of Israeli settlements on Arab land—that collectively rendered that return virtually inconceivable.<sup>74</sup> These developments continue today. The Zionist project continues to seek an Israeli state in Palestine. While highly desirable, it is equally difficult to envision Israel opening its doors to the millions of Palestinians that wish to return. This enduring state of refugeehood produces specific effects and distinct harms for Palestinian refugee women.

## **Findings**

The practical effect of the legal ambiguity under IRL and the clear violations of IHL and IHRL is a removal of Palestinian rights and a lesser quality of life more broadly. In the West Bank and Gaza, the refugee community is young, but faces the highest rates of unemployment and poverty. They face “repeated violations of human rights and high levels of violence, with individual, familial and community resilience stretched to the limit.”<sup>75</sup> In Gaza, issues are compounded by the severe and abusive blockade; in the West Bank, by “socioeconomic conditions rooted in occupation-related policies and practices imposed by the Israeli authorities.”<sup>76</sup> For women, already denigrated by patriarchal communities and by the disproportionate effects of the occupation, this is a double detriment to already difficult lives.

The specific disadvantage to women is well documented by a study recently completed by MIFTAH, entitled “*Documenting Violations by the Israeli Occupation against Refugee Women the Palestinian Refugee camps in West Bank and Gaza Strip*”. [Appendix xxx] Speaking to 500 Palestinian refugee women from 12 Palestinian camps (7 in the West Bank, 5 in Gaza), their main findings are as follows:

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<sup>73</sup> UNRWA “*Report of the Commissioner-General 1966-1967*,” General Assembly, para. 30. Available at: <https://unispal.un.org/DPA/DPR/unispal.nsf/eed216406b50bf6485256ce10072f637/2a43e4d980f2c20685256a48004d0424>

<sup>74</sup> Lex Takkenberg, “*The Status of Palestinian Refugees in International Law*,” (1998), Clarendon Press, Oxford p. 17.

<sup>75</sup> UNRWA, “*Occupied Palestinian Territory Emergency Appeal 2018 - Fact Sheet*” (2018) Available at: <https://www.unrwa.org/resources/reports/occupied-palestinian-territory-emergency-appeal-2018-fact-sheet>

<sup>76</sup> Ibid.

- **Physical and Psychological Abuse.** 33% of those interviewed had been directly exposed to physical assault by Israeli Occupation Forces. 9% had been exposed to threats of being attacked by policing dogs during Israeli night raids on their homes.
- **Arrest, detention and foul language.** 37% had been exposed to detention or interrogation. 38% said that they or members of their households had been exposed to verbal abuse during Israeli army raids, at checkpoints or while visiting religious places.
- **Women's Economic Circumstances.** 4% had been forced to work in substandard conditions after Israeli forces had detained or killed the breadwinner of the family. 2% had quit their job after the killing or detention of a family member to take care of their children. 7% reported that they were forced to disregard their health to reduce expenses, due to the absence of a breadwinner.
- **Displacement and family dispersion.** 24% were forced to live in shelters or with extended family. 22% were forced to live under unhealthy conditions. 13% stated that the female and male members of their families were separated as a result of having to live in shelters.
- **Women's Health.** 21% had been exposed to beatings or tear gas at Israeli checkpoints while they were pregnant. 4% reported that they aborted or gave birth at Israeli checkpoints.
- **Women's Education.** 5% of refugee women or their children had been forced to drop out of school because of reasons related to the Occupation.
- **Prohibitions on cultural and social participation.** 64% (321 cases) were unable to visit religious or recreational places because of Occupation restrictions.
- **Psychological Effects.**
  - 31% were suffering from psychological distress, cramps or seizures because of Israeli Occupation measures.
  - 29% of the women reported that they feel physically paralyzed when Occupation Forces assault them.
  - 72% reported feeling panicked when they hear the sounds of Israeli bullets, war jets, bombs or Palestinian ambulances.
  - 88% confirmed that they feel terrified when Occupation Forces storm the camp.
  - 77% reported that they suffer from anxiety over fears of being expelled again.

- 49% still have scenes of killing and destruction etched in their memories.

According to MIFTAH, there is a “triangle of oppression” for Palestinian refugee women<sup>77</sup>: the combination of violations of the Israeli occupation, the hardships of daily life and traditional attitudes towards women. Palestinian refugee women bear the brunt of Israeli abuses, and are forced to endure them in an environment that is already suppressive and patriarchal.

The effects of women outside of Palestine is also profound. One 2013 survey<sup>78</sup> found that Palestinian refugees residing in camps in Lebanon were “*socially, politically, and economically disadvantaged as a result of discriminatory laws and decades of marginalisation*”. Reviewing 2,575 households, 82% of respondents were women: 52% of respondents reported chronic illness, 28% reported acute illness, and 55% were psychologically distressed.<sup>79</sup>

### International Law

The 1951 Convention on the Status of Refugees (‘Refugee Convention’) and its 1967 Protocol relating to the Status of Refugees (‘1967 Protocol’) provide the primary protection for refugees under International Refugee Law (IRL). They provide a definition of ‘refugee’, as well as a series of basic obligations for signatory states. In its application to Palestinians, however, the Refugee Convention is problematic. A number of the states in which Palestinian refugees reside, for example Jordan, Lebanon and Syria, are not signatories to either of these instruments. Israel is a signatory to both, but it is unclear from the text of the Refugee Convention whether or not its obligations extend to the Palestinian territories it occupies. It has been argued, for example, that Article 40 of the Refugee Convention, the ‘Territorial Application’ clause, does not apply to situations of prolonged occupation.<sup>80</sup> On the other hand, the trajectory of both IHL and IHRL has in recent years seen a shift from jurisdiction and traditional sovereignty to control: states become responsible for all those over whom they exercise a sufficient level of control.<sup>81</sup> This interpretation would ensure protection to those refugees in the West Bank and Gaza who Israel does not feel obliged to protect.

Equally contentious is Article 1D of the Refugee Convention, the clause that disapplies the Convention to those receiving protection or assistance from other organs of the UN. With Palestinian refugees receiving assistance from UNRWA (and previously from UNCCP), they fall under this provision. Immediately, the clause places Palestinian refugees at the mercy of an agency, UNRWA, that is itself dependent on foreign aid (see introduction). And, while UNRWA

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<sup>77</sup> MIFTAH “*Documenting Violations by the Israeli Occupation against Refugee Women the Palestinian Refugee camps in West Bank and Gaza Strip*”

<sup>78</sup> Dr Rima R Habib, Karin Seyfert, Safa Hojeij, “*Health and living conditions of Palestinian refugees residing in camps and gatherings in Lebanon: a cross-sectional survey*” *The Lancet*, Volume 380, Supplement 1, October 2012, Page S3. Available at: <https://www.sciencedirect.com/science/article/pii/S0140673613601890>

<sup>79</sup> *Ibid.*

<sup>80</sup> See, Takkenberg, 1998, p.89.

<sup>81</sup> *Ibid.*

was designed to grant special protection for Palestinians, its mandate to protect Palestine refugees has in fact led to a loss of protection under international law due to a series of confused interpretations.<sup>82</sup> Furthermore, it places many Palestinian refugees into a ‘protection gap’<sup>83</sup> – once they have received UNRWA assistance, they are excluded from the protections of the Refugee Convention, even if that assistance was only short-term or one-off. Many are thus left stateless, unable to rely on the Convention’s protections and no longer qualifying for UNRWA’s assistance.

Refugees have fundamental rights in IHRL, which must be respected by states. The Universal Declaration of Human Rights establishes in that "Everyone has the right to leave any country, including his own, and return to his country." The CEDAW Committee, in its General Recommendation 32, emphasises that CEDAW requires that women refugees are granted, “...without discrimination, the right to accommodation, education, health care and other support, including food, clothing and necessary social services, appropriate to their particular needs as women. In addition, women refugees should be offered sources of livelihood and employment opportunities.”<sup>84</sup> As well as these rights specific to refugees, it should be emphasised that refugees are entitled to the enjoyment of their civil, political, economic, social and cultural rights. Therefore, restrictions including, but not limited to, accessing healthcare,<sup>85</sup> practicing their religion,<sup>86</sup> education<sup>87</sup> constitute violations of such rights.

In relation to Palestine refugees specifically, as noted, this untenable situation is in violation of countless UN General Assembly<sup>88</sup> and UN Security Council resolutions<sup>89</sup> that have urged Israel to allow the return of Palestinian refugees. For example, Article 11 of UN General Assembly Resolution 194 of 1948<sup>90</sup> provides that “*refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible.*” Furthermore, UN Security Council Resolution 237 of 1967 calls upon Israel to “...*facilitate the*

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<sup>82</sup> Jinan Bastaki, “*The Legacy of the 1951 Refugee Convention and Palestinian Refugees: Multiple Displacements, Multiple Exclusions*” (2017), 8 Berkeley Journal of Middle Eastern & Islamic Law 1 Available at: <http://scholarship.law.berkeley.edu/jmeil/vol8/iss1/1>

<sup>83</sup> Badil, “*Closing Protection Gaps: Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Refugee Convention*,” 2<sup>nd</sup> Edition, Feb 2018. Available at: <http://www.badil.org/phocadownloadpap/badil-new/publications/Handbook-art1d/Art1D-2015Handbook.pdf>

<sup>84</sup> CEDAW Committee, “*General Recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women No. 19*,” CEDAW/C/GC/32, Paras 33-34.

<sup>85</sup> ICESCR, Article 12; CEDAW, Article 12

<sup>86</sup> ICCPR, Article 18; ICESCR, Article 2(2);

<sup>87</sup> ICESCR, Article 13; UNCRC, Article 28

<sup>88</sup> For example UNGA Resolution 194; UNGA Resolution 513 (VI), 26 January 1952; UNGA Resolution 3236 (XXIX) (1974)

<sup>89</sup> For example, UN Security Council Resolution 237 S/RES/237 (1967); UN Security Council Resolution 242, 22 November 1967, S/RES/242;

<sup>90</sup> UNGA Resolution 194 (1948) A/RES/194 (III)

*return of those inhabitants who have fled the areas since the outbreak of hostilities.*"<sup>91</sup> United Nations General Assembly Resolution No. 3236 of 1974 recognises the "*inalienable right of the Palestinians to return to their homes*".<sup>92</sup> And, specific to Women in Conflict, United Nations Security Council Resolution 1325, calls for parties to armed conflicts "*to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls.*"<sup>93</sup> Yet, Israel has continued to ignore all of these resolutions, barring the return of Palestine refugees and refusing to compensate them for their stolen land and property. These calls for justice for Palestine Refugees are falling on deaf ears, as Israel continues to bar their return or take any responsibility for the refugee population.

Israel has an obligation to respect the fundamental rights of Palestinian refugees, principally, the right to self-determination, the right of return and the right to restitution and compensation. Yet, it is actively legislating against these – previously through laws such as its Law of Return (1950), but more recently through the 2001 Ensuring Rejection of the Right of Return Law. This prevents refugees, defined as "*a person who left the borders of the State of Israel at the time of war and is not a national of the State of Israel, including the persons displaced in 1967 and refugees of 1948 or a member of his family*" to return to Israel except through specific Knesset authorisation. It is an unquestionably discriminatory law, targeting Palestinian refugees at the expense of Israeli citizens.<sup>94</sup>

The above findings demonstrate Israel's disregard for Palestinian refugees, as well as its disregard for international law. Women refugees, in particular, are treated as second-class citizens, deprived of their rights. Without political and international will to achieve a resolution to the status of Palestinian refugees, Israel will continue to disregard international law and reject its refugee obligations. International pressure must be applied to this end to bring about the end to the normalisation of this protracted displacement and the suffering endured as a result.

### **Recommendations:**

***Recognize the Palestinian right of return, as contained in United Nations General Assembly Resolutions 194 and 513. It is also necessary to confirm United Nations Security Council Resolution 1325, pertaining to the rights of women and peace, along with Security Council Resolution 237 of 1967, calling on Israel to respect human rights in the regions affected by the Middle East conflict of 1967, to ensure safety and security for their residents and facilitate the return of the displaced.***

***Confirm the importance of implementing United Nations General Assembly Resolution No. 3236 of 1974.***

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<sup>91</sup> UNSC Resolution 237 (1967) S/RES/237

<sup>92</sup> UNGA Resolution 3236, para. 2.

<sup>93</sup> UNSC Resolution 1325, para. 12.

<sup>94</sup> Badil, "*Addressing Women's Empowerment in Times of Occupation and Colonization*," Available at: <http://www.badil.org/en/component/k2/item/921-addressing-women's-empowerment-in-times-of-occupation-and-colonization.html>

*Donor states and organizations should fulfill their obligations towards UNRWA so that the Agency can continue providing services to Palestinian refugees.*

*Provide psycho-social support for individuals exposed to traumatic experiences as a result of violations committed by the Israeli Occupation. This should include a heightened role for international bodies (governmental and non-governmental organizations) in Palestinian refugee camps.*

*Design developmental economic programs that address women's psycho-social and recreational needs as a means of providing relief from the daily suffering resulting from the Israeli Occupation.*

*End all restrictions on refugee camps; allow them to develop, if necessary, into healthy and thriving areas.*

*Provide support for local women's institutions and human rights organizations to monitor human rights violations, with an emphasis on those committed against refugee women, and providing regular updates to the UN and other international human rights organizations.*

### 3. Jerusalem: Residency Revocation and Family Reunification



Israel's closely linked policies of residency revocation and family reunification are used to target Palestinians and forcibly transfer them from their homes. The harmful effects of these policies are particularly felt by Palestinians living in Jerusalem, where Israel is intent on diminishing the Palestinian presence.<sup>95</sup> Residency revocation is the process where Palestinian residency permits are revoked by Israeli authorities, while family reunification is the process whereby individuals apply for residency permits to reunite with their families. Both represent the power Israel holds over fundamental Palestinian rights – the right to private and family life – and both are examples of Israeli demographic reconstruction by decree. These policies form part of Israel's 2020 "Master Plan" with the aim of reducing the Arab population of East Jerusalem to under 28%.<sup>96</sup> Thus, residency revocation and denial of family reunification are designed with the aim of altering facts on the ground and forcibly transferring Palestinians from Jerusalem, in order to maintain a majority Jewish Israeli demographic.

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<sup>95</sup> Al-Haq "Residency Revocation: Israel's Forcible Transfer of Palestinians from Jerusalem" (2017) Available at: <http://www.alhaq.org/publications/papers/VP-ResidencyRevocation-FINAL-20170612.pdf>

<sup>96</sup> This Week in Palestine "The Israeli Master Plan 2020 for Jerusalem" Available at: <http://thisweekinpalestine.com/wp-content/uploads/2014/07/The-Israeli-Master-Plan-2020-for-Jerusalem.pdf>

## Residency Revocation

During the 1967 war, Israel annexed East Jerusalem, in breach of international law, and began to apply its law there. Israel re-drew the map of Jerusalem, adding 7,000 hectares of mainly Palestinian-owned West Bank land to East Jerusalem. The annexed area is currently home to at least 370,000 Palestinians and some 208,000 Israeli settlers.<sup>97</sup> Having annexed the region, Israel changed the residency status of resident Palestinians and labelled them ‘permanent residents’ – the same legal status as foreigners wishing to reside permanently in Israel. Unlike those foreigners, however, this change of status was not optional.

According to official figures, 14,595 Palestinians from East Jerusalem had their residency status revoked between 1967 and the end of 2016.<sup>98</sup> These revocations were carried out for a number of reasons, but mostly due to what Israel has deemed the failure to demonstrate a “centre of life” in East Jerusalem. The “centre of life” policy entails the practice of permanent revocation of residency for Palestinian Jerusalemites where the Israeli Ministry of the Interior deems that a Jerusalem Palestinian does not have his/her “centre of life” in Jerusalem but rather lives in the occupied West Bank or elsewhere, or has stayed abroad for 6 years or obtained residency/citizenship of another country.<sup>99</sup> Providing proof that Jerusalem is one’s “centre of life” is onerous. This necessitates providing to Israeli authorities numerous documents, “including such items as home ownership papers or a rent contract, various bills (water, electricity, municipal taxes), salary slips, proof of receiving medical care in the city, certification of children’s school registration.”<sup>100</sup> Through residency revocations, Israel has separated husbands from wives, parents from children, and extended families from one-another, causing traumatic complications for women attempting to remain with their families in both Jerusalem and West Bank.

Jerusalem Residency confers fewer rights than nationality and can be revoked at Israeli discretion.<sup>101</sup> It is governed by the Law of Citizenship and Entry into Israel (Temporary Order, 2003), a law described by the UN as encompassing blatant discrimination.<sup>102</sup> This “temporary order” was renewed in June 2017 for the 14th consecutive time.<sup>103</sup> Until recently, residency status could be revoked for a failure to show a “*minimal obligation of loyalty to the state of Israel*”. As well as

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<sup>97</sup> B’Tselem, “*East Jerusalem*” (2017) Available at: <https://www.btselem.org/jerusalem>

<sup>98</sup> Hamoked, “*Update 6.4.17*” (2017) Available at: <http://www.hamoked.org/Document.aspx?dID=Updates1864>

<sup>99</sup> Civic Coalition for Palestinian Rights in Jerusalem, “*From Diversity to Racial Segregation and Domination: Palestinians in Jerusalem*” (2014) p.5 Available at: <https://bdsmovement.net/files/2014/05/Fact-Sheet-Jerusalem-1948-present.pdf>

<sup>100</sup> Economic and Social Commission for Western Asia (ESCWA) “*Israeli Practices towards the Palestinian People and the Question of Apartheid*” (2017) E/ESCWA/ECRI/2017/1 p.42

<sup>101</sup> Entry into Israel Law, s.11 (a): “*The minister of the Interior may at his discretion cancel any permit of residence granted under this law.*”

<sup>102</sup> UN General Assembly “*Human rights situation in the Occupied Palestinian Territory, including East Jerusalem: Report of the Secretary General*” (2016) Human Rights Council A/HRC/31/44 [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/\\_layouts/15/WopiFrame.aspx?sourcedoc=/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A\\_HRC\\_31\\_44\\_E.doc&action=default&DefaultItemOpen=1](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/_layouts/15/WopiFrame.aspx?sourcedoc=/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A_HRC_31_44_E.doc&action=default&DefaultItemOpen=1)

<sup>103</sup> Israeli Knesset, “*The plenum approved the extension of the validity of the Citizenship and Entry into Israel Order (Translated from Hebrew)*” (2017) Available at: <http://m.knesset.gov.il/News/PressReleases/Pages/press12.06.17w.aspx>

a degrading basis upon which to remove an occupied people's rights, the Israeli Supreme Court recently deemed it unconstitutional, disproportionate and sweeping.<sup>104</sup> The Court, however, suspended the decision for six months to allow the Knesset to amend the law and so to permit revocation of residency on this ground.

The purpose of residency revocations is to force people to leave their homes and to divide families. This leads to traumatic fears of separation from children for mothers and, contrary to Art. 5(a) of CEDAW, an entrenching of patriarchal practices across society. Palestinian women living in Jerusalem lose residency rights if they get divorced or their husbands remarry.<sup>105</sup> There are no options for their children and their best interests are not considered<sup>106</sup>: if they remain with the father, the mother will no longer be allowed to reside in the same city as them or even visit. Limiting their access to justice, and contrary to CEDAW General Recommendation 30, female victims of domestic violence fear going to authorities in case they are forcibly transferred away from their children<sup>107</sup>.

If a Jerusalemite woman has been residing with her husband outside the city of Jerusalem, but got divorced and wanted to return to live in Jerusalem, she will have no residency rights, devoid of fundamental liberties such as the right to movement or work.<sup>108</sup> She will not be able to access health insurance or social security benefits<sup>109</sup>, losing her financial independence. According to a report by HaMoked, in May 2016 there were 9,900 Palestinians residing in East Jerusalem without residency rights, living with the social limitations outlined here.<sup>110</sup>

Furthermore, Israel continues the practice of revoking residency as collective punishment. That is, in cases where a Palestinian Jerusalemite has committed a crime, it is Israeli practice to revoke the residency not only of the perpetrator, but of their entire family. For example, a Palestinian man from East Jerusalem rammed an Israeli vehicle on 8 January 2017, killing four soldiers and injuring 15 more. The following day, fifteen members of his family were told their residency permits would be revoked. Ultimately, before the end of January, thirteen of his family had their residency removed and were evicted from East Jerusalem. On the decision, Aryah Deri, Israeli Minister of the Interior said: *"let this be known to all who are plotting, planning or considering carrying out an attack, that their families will pay a heavy price for their actions and the consequences will be severe and far-*

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<sup>104</sup> Adalah, "After 10 years of litigation, Israeli Supreme Court rules interior minister cannot revoke Palestinian parliamentarians' Jerusalem residency for 'breach of loyalty'" (2017), Available at: <https://www.adalah.org/en/content/view/9227>

<sup>105</sup> CEDAW, Art. 16(1)(h)

<sup>106</sup> CEDAW, Art. 5(b)

<sup>107</sup> CEDAW Committee, "CEDAW Committee, General Recommendation No. 30 on Women in Conflict Prevention, Conflict and post-conflict situations" (2013) CEDAW/C/GC/30, para. 81(k).

<sup>108</sup> CEDAW, Art. 11

<sup>109</sup> CEDAW, Arts. 12-

<sup>110</sup> HaMoked, "figures released 18 May 2016" available at: <http://www.hamoked.org/Document.aspx?dID=Updates1729>

reaching.”<sup>111</sup> Such practices place enormous psychological strain and stress upon women, who are disproportionately affected by this kind of collective punishment, as it is often men who are victims of extra-judicial killings or arrests, while their wives and families are evicted, their residency revoked and they are made homeless.<sup>112</sup>

As a result, Jerusalem has been described by Human Rights Watch as having a “two-tiered system” with “one set of rules for Jews and another for Palestinians.”<sup>113</sup> Israeli decisions on residency are based not on residency or property law, but on punitive measures and collective punishment fed by “entrenched discrimination.”<sup>114</sup> Ultimately, it discriminates against Palestinians and aims to reduce the number of Palestinians residing in Jerusalem. It is a “quiet deportation”<sup>115</sup> that “has treated the Palestinian residents of the city as unwanted immigrants and worked systematically to drive them out of the area.”<sup>116</sup> It is the most direct tool used to forcibly transfer Palestinians from East Jerusalem.

### **Family Reunification**

Under this residency system, spouses must submit family reunification applications where one member holds a Jerusalem ID and the other does not. Only if both have Jerusalem IDs can they live legally in Jerusalem. As of 2003, however, with the passing of the Law of Citizenship and Entry into Israel (Temporary Order, 2003), this reunification became almost impossible. Under this law, Palestinians are blocked from attaining Jerusalem ID on the basis of marriage. Palestinians in East Jerusalem, in other words, are barred from living with their spouses from the West Bank in all but the most exceptional status. Their children are denied permanent residency status. Reunification with Gazan spouses is strictly forbidden.

The application process for family reunification is long, burdensome, and highly bureaucratic with the policies and procedures surrounding the process often changed. Applicants report of the rules and requirements changing so that they are constantly having to resubmit new applications or supporting evidence.<sup>117</sup> Applications for family reunification are routinely refused by the Israeli authorities without providing the applicant with reasons for the refusal. It has been reported that the average timescale for applications to be approved, from the date of original submission to the date granted, is ten years.<sup>118</sup>

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<sup>111</sup> Al-Haq “Field Report: Collective Punishment in Jabal Al-Mukabir” (2017) <http://www.alhaq.org/documentation/weekly-focuses/1097-field-report-collective-punishment-in-jabal-al-mukabir>

<sup>112</sup> WLIPF – UPR Submission p.20, para.5.4

<sup>113</sup> Human Rights Watch ‘Israel: Jerusalem Palestinians Stripped of Status’, (2017), <https://www.hrw.org/news/2017/08/08/israel-jerusalem-palestinians-stripped-status>

<sup>114</sup> Ibid.

<sup>115</sup> Hamoked “update, 6.4.17” (2017) Available at: <http://www.hamoked.org/Document.aspx?dID=Updates1864>

<sup>116</sup> B’Tselem, “East Jerusalem,” (2017) Available at: <https://www.btselem.org/jerusalem>

<sup>117</sup> MIFTAH, “Fact Sheet – Family Reunification” (2017) Available at: <http://www.miftah.org/Display.cfm?DocId=14464&CategoryId=4>

<sup>118</sup> Ibid.

To illustrate the effect of these policies on Palestinian women, PWWSD have documented a number of cases of attempted family reunification. These testimonies are located in **Annex 1**. Almost every case refers to the burden that reunification places on their families and social relations. **Na'ima K** used to travel to and from the United States with her husband. At one stage, after he was out of Palestine for six years, his residency was revoked and he could never return again. Na'ima now lives in Saffah, Ramallah, lonely and without her husband. **Sawsan S** was forced to live for 18 years without her husband because he was not issued a Jerusalem ID. **Nahed N's** husband, who does not have Jerusalem ID, could not be present for the birth of their child.

Families are divided and women are held as prisoners in their own cities. If **S.A.** leaves Jerusalem, she will instantly lose her status. She cannot either move away permanently, or her husband and children would lose their status. Economically, where the unification process is being attempted, legal costs can be huge. **Afaf A** has been trying to reunify with her husband in Jerusalem for 18 years. She still has no Jerusalem ID, and has so far spent 70,000 NIS on legal fees.

The Israeli reunification and residency systems discriminate against female Palestinians. These systems divide families and causes traumatic complications for women attempting to reside with their families in both Jerusalem and the West Bank. They remove Palestinians from the region, gradually re-shaping East Jerusalem towards an Israeli-majority demographic.

### **Violations of International Law**

Under both IHL and International Criminal Law, residency revocations are forcible transfer, a 'coercive act' with no grounds under international law.<sup>119</sup> They are collective punishment, inflicted on entire families rather than individual perpetrators of crimes. They affect women disproportionately since men are more often the victims of extra-judicial killings or arrests by Israel. This collective punishment, supported by evidence from OCHA and Human Rights Watch<sup>120</sup>, is a violation of Article 33 of the Fourth Geneva Convention, a war crime. Within a widespread and systematic policy to transfer the protected Palestinian population, these practices may amount to a crime against humanity.<sup>121</sup>

Israel's practice of residency revocations and denial of family reunification also violates a number of IHRL standards, including both civil and political rights and economic, social and cultural rights. The UN Human Rights Committee has noted that the prohibition against collective punishment is non-derogable.<sup>122</sup> The intentional targeting of Palestinians and separate, specific policies aimed specifically at dispossessing and forcibly transferring Palestinians from Jerusalem

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<sup>119</sup> Fourth Geneva Convention, Art.49; UN General Assembly, Rome Statute of the International Criminal Court (Rome Statute), 17 July 1998 (Rome Statute), Art. 7(2)(d)

<sup>120</sup> Human Rights Watch, 'Israel: Jerusalem Palestinians Stripped of Status'. Available at: <https://www.hrw.org/news/2017/08/08/israel-jerusalem-palestinians-stripped-status>

<sup>121</sup>Rome Statute, Article 7(1)(d)

<sup>122</sup> The Office of the UN High Commission for Human Rights, "Core Human Rights in the Two Covenants" (2013) p.2 Available at: <https://nhri.ohchr.org/EN/IHRS/TreatyBodies/Page%20Documents/Core%20Human%20Rights.pdf>

are inherently racist and discriminatory, in violation of a number of international human rights standards.<sup>123</sup> Furthermore, the disproportionately harmful effects of these practices for women violates the prohibition against discrimination enshrined in a range of international human rights instruments.<sup>124</sup>

The separation of families, forced evictions and home demolitions constitute violations by Israel of the right to private and family life. International human rights instruments recognise that the family is a fundamental unit of society<sup>125</sup> that performs valuable functions for that society and that States “...bear the primary obligation to provide protection and assistance to the family so it can fully assume these functions.”<sup>126</sup> Article 12 of the Universal Declaration on Human Rights and Article 17(1) of the ICCPR provide that no one shall be subjected to arbitrary interference with their privacy, family, home or correspondence.<sup>127</sup> This right has been interpreted as encompassing the protection against forced evictions, the demolition of homes or property, and forced expulsions.<sup>128</sup> In addition, the UN Convention on the Rights of the Child provides for the right of children not to be unnecessarily separated from their parents against their will.<sup>129</sup>

The Human Rights Committee has urged Israel to immediately cease punitive house demolitions and provide effective remedies to victims of property destruction, forced eviction and forcible transfer.<sup>130</sup> Furthermore, the Committee against Torture has recognised house demolitions as a form of cruel, inhuman and degrading treatment, in violation of Art.16 CAT.<sup>131</sup> The psychological trauma and ill treatment faced by women through, arrests, detentions, night raids, separation from their family, invasive body searches and restrictions on free movement, amongst other things, can also constitute torture, cruel, inhuman and/or degrading treatment, in violation of several IHRL instruments, including the CAT and Art.7 of the ICCPR.

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<sup>123</sup> Many IHRL treaties prohibit racial discrimination, but see in particular UN General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination (CERD), 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195

<sup>124</sup> For example, CEDAW, Articles 1, 2, 3 and 5; ICCPR, Articles 2-3; CERD Article 2.

<sup>125</sup> ICCPR, Article 23

<sup>126</sup> Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and Reports of the Office of the United Nations High Commissioner for Human Rights and the Secretary-General “*Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development*” A/HRC/31/37 para.22

<sup>127</sup> Convention on the Rights of the Child, art. 16;

<sup>128</sup> Committee on the Elimination of Racial Discrimination, General recommendation XXX, para. 28; and General recommendation XXXI, para. 37; Human Rights Committee, CCPR/C/BGR/CO/3, para. 24; CCPR/C/KEN/CO/3, para. 24; CCPR/CO/78/ISR, para. 16; CCPR/C/60/D/549/1993, Add.1, para. 10(3).

<sup>129</sup> UNCRC, Art.9(1)

<sup>130</sup> UN Human Rights Committee ‘Concluding observations on the fourth periodic report of Israel’ (2014), CCPR/C/ISR/CO/4 para. 9(a)

<sup>131</sup> UN Committee Against Torture, ‘*Concluding Observations of the Committee Against Torture: Israel*’ (2009), CAT/C/ISR/CO/4 Para.33; UN Committee Against Torture, ‘*Concluding Observations of the Committee Against Torture: Israel*’ (2016), CAT/C/ISR/CO/5 Paras.40-41

Israel's measures against Palestinians in Jerusalem also deprive Palestinians of a range of their economic, social and cultural rights including shelter, food,<sup>132</sup> a livelihood<sup>133</sup> and education.<sup>134</sup> Furthermore, as noted, these measures constitute violence against women both directly and indirectly. The measures are often directly violent, or they have the effect of placing women at greater risk of violence by non-state actors, for example, as they are too afraid to report domestic abuse, contrary to CEDAW General Recommendation 30.<sup>135</sup>

It should be noted that the above outline of human rights violations committed by Israel against Palestinian Jerusalemites is by no means comprehensive. These measures by their nature are designed to infiltrate every aspect of Palestinian Jerusalemites' lives, with the aim of forcibly removing Palestinians from the city, and or/ making life in Jerusalem so unbearable for Palestinians that they will "choose" to leave. As such, the human rights violations that result from these policies are numerous and interrelated. It should be emphasised, however, that for women, the consequences of these policies are particularly disastrous.

### **Recommendations:**

*Immediately cease the practice of residency revocations and have Israel review its Entry into Israel law, which allows the MoI to revoke the residency rights of Palestinians.*

*Reinstate the residencies of all Palestinians who wish to reinstate their Jerusalem residency status and give all current residents of Jerusalem indefinite right-to-remain.*

*Immediately repeal the "temporary order" to the Law of Citizenship and Entry into Israel (2003) related to family unification. Grant Palestinian spouses of Jerusalem I.D holders Jerusalem residency status.*

*Take positive steps to facilitate family reunification; compensate those who have lost large amounts of money due to the costly procedures.*

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<sup>132</sup> ICESCR. Article 11

<sup>133</sup> Ibid. Article 6

<sup>134</sup> ICESCR Articles 11-12; UNCRC Article 28.

<sup>135</sup> CEDAW Committee, General recommendation No. 30, para. 81(k).

## 4. Female Prisoners



Since the beginning of the Israeli Occupation of Palestine in 1967, approximately 10,000 Palestinian women have been arrested and detained by Israeli military forces.<sup>136</sup> In January 2018, Addameer reported that the number of Palestinian females detained in Israeli prisons had risen to 59.<sup>137</sup> The majority of these are detained in Hasharon and Damon prisons located inside Israel (an unlawful transfer in violation of Articles 49 and 76 of the Fourth Geneva Convention and Article 8 of the Rome Statute), neither of which is equipped for female prisoners.

There is only one prison in Israel – Neve Terza Prison in Ramleh – that is designed to meet the gender specific needs of women. Yet, even here, Palestinian women face being labelled a 'security prisoner' and placed in cells with Israeli women criminals who threaten, assault and humiliate them. They are discriminated against by the institutions itself – granted less (or no) recreation time, and living in dormitories without access to books, newspapers or other media.<sup>138</sup>

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<sup>136</sup> Addameer, *“Occupied Lives: Imprisonment of Palestinian Women and Girls”* (2016) Available at: <http://www.addameer.org/publications/occupied-lives-imprisonment-palestinian-women-and-girls>

<sup>137</sup> Addameer “Statistics” (2018) Available at: <http://www.addameer.org/statistics>

<sup>138</sup> Addameer, *‘Imprisonment of Women and Girls’* (2017). Available at: [http://www.addameer.org/the\\_prisoners/women](http://www.addameer.org/the_prisoners/women)

CEDAW Recommendation 35 requires that when assessing whether treatment of women constitutes torture, inhumane or degrading treatment, “a gender sensitive approach is required to understand the level of pain and suffering experienced by women and that the purpose and intent requirement of torture are satisfied when acts or omissions are gender specific or perpetrated against a person on the basis of sex.”<sup>139</sup> However, contrary to this, there are reports of inhumane treatment and routine psychological abuse on sexual grounds. Prolonged isolation, sleep deprivation, denial of access to sanitation, stress positions, beatings, and sexual harassment are all commonplace for Palestinian female prisoners.<sup>140</sup>

Further to the above mentioned realities, there are numerous examples of child detention. According to the Commission of Detainees and Ex-Detainees Affairs’ 2017 annual report, 6,742 Palestinians were arrested, including 1,467 children.<sup>141</sup> In Israeli Criminal Law the age of responsibility for a crime is 15 years old. As of August 2016, however, the Knesset approved a law allowing courts to sentence children as young as 12-years old in cases of allegedly ‘terrorist offenses’. The law, applicable in Israel and occupied East Jerusalem, has been widely condemned by human rights groups. It offers broad definitions of ‘terrorist offences’ and grants police wide discretion over whom to arrest and detain. Under this law, acts such as waving a flag, sharing a post on social media, or chanting a slogan could be deemed a terrorist offence and could lead to long periods of detention without access to a lawyer.

Shocking in itself, the law has been used retroactively to detain Palestinians at Israeli discretion. Tasnim Halabi, a 15-year-old Palestinian girl, was sentenced in January 2017 to 18 months in HaSharon Prison for a supposed stabbing attempt against Israeli soldiers.<sup>142</sup> When the alleged attempt took place in April 2016, Halabi was 14 years old, placing her 4 months below the age of criminal responsibility. Similarly, in November 2016, a 14-year-old Palestinian boy was sentenced to 12 years in prison. Aged 13 at the time of his arrest, it was, at the time, against Israeli law to imprison a child under 14<sup>143</sup>. According to his lawyers and human rights groups, he received ill treatment during the interrogations, a violation of international humanitarian law. Detainment as a means of punishment displays a high level of disregard for international human rights law by Israeli Occupation Forces, especially in cases where children are held in detention for long lengths of time, only to be tried under new laws that were non-existent at the time of their arrest.

The most prominent recent example, however, was the arrest in December 2017 of Ahed Tamimi a 16 year-old Palestinian child, following the emergence of a video showing her slapping two

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<sup>139</sup> CEDAW Committee, “General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19” (2017) CEDAW/C/GC/35, Para. 17.

<sup>140</sup> Addameer, ‘Imprisonment of Women and Girls’, December 2017. Available at: [http://www.addameer.org/the\\_prisoners/women](http://www.addameer.org/the_prisoners/women)

<sup>141</sup>Addameer, “Palestinian Prisoners Organizations: Israeli Occupation Forces Detained around 7000 Palestinian in 2017” (2017), Available at: <http://www.addameer.org/news/palestinian-prisoners-organizations-israeli-occupation-forces-detained-around-7000-palestinian>

<sup>142</sup>Telesur, “Israel Gives 15 Year Old Palestinian Girl 18 Months in Prison” (2017) <http://www.telesurtv.net/english/news/Israel-Gives-15-Year-Old-Palestinian-Girl-18-Months-in-Prison-20170109-0027.html>

<sup>143</sup>Silver, C “Palestinian child sentenced to 12 years in Israeli prison” Electronic Intifada (2016) <https://electronicintifada.net/blogs/charlotte-silver/palestinian-child-sentenced-12-years-israeli-prison>

Israeli soldiers after hearing that her 15-year-old cousin had been severely wounded by Israeli soldiers.<sup>144</sup> Despite video evidence demonstrating that she posed no threat to the soldiers she had slapped, Ahed, now 17 years old, was sentenced to 8 months in prison. While detained, she endured aggressive interrogations, and threats made against her family. There is nothing she has done to justify this. This can be contrasted with the recent reduction in sentence for Elor Azaria, an Israeli Occupation Forces soldier who, in Hebron, murdered a wounded Palestinian lying on the ground, Abdel Fattah al-Sharif, by shooting him in the head. The Israeli Occupation Forces parole board reduced his sentence by one third, meaning that he will only serve 9 months in prison.<sup>145</sup> This serves to highlight the extremely disproportionate and discriminatory imprisonment and sentencing of Palestinians.

Addameer highlights that the detention of women and girls results in them being deprived of their right to education. Addameer notes that minors are not provided with any school classes in detention, which is in direct violation of international laws and standards.<sup>146</sup> This has lasting and damaging effect for these girls' futures.<sup>147</sup>

The practice by Israel of denying Palestinian prisoners sufficient communication and visits with their families is well documented, often on 'security grounds.' Even where visits are permitted, they are often cut short by lengthy security checks, and required to take place with a glass screen separating the prisoner from their family. Addameer emphasises that the denial of family visits has a profound and damaging effect particularly on female prisoners in terms of their psychological and physical wellbeing, leading to conditions of anxiety and depression and exacerbated feelings of isolation.<sup>148</sup> Furthermore, the arrest and detention of Palestinian women political prisoners also "...serve as a form of collective punishment against their entire family" with incidents of violence during arrest have an enormous psychological impact on the children who witness them.<sup>149</sup>

As part of their contribution to this report, Women Media and Development (TAM) has documented evidences of Israeli violations against female ex-prisoners. The 20 testimonies compiled for this report are extremely concerning. In documenting such violations, TAM has noted the following themes: (1) physical and psychological torture at the moment of imprisonment; (2) physical and psychological torture during investigation; (3) prison conditions and family visits prohibition and (4) medical negligence/denial of access to services. Testimonies

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<sup>144</sup> Amnesty International, "URGENT: Release 16 year old Palestinian activist Ahed Tamimi" (2017), Available at: [https://www.amnesty.org/en/get-involved/take-action/release-16-year-old-palestinian-activist-ahed-tamimi/?utm\\_source=google&utm\\_medium=cpc&gclid=Cj0KCQjAnuDTBRDUARIsAL41eDpVORrcdEvxQPz0dAsV04w3MfngmVSyKSS3OqZOXEK-IF56ozGH2eQaApsGEALw\\_wcB](https://www.amnesty.org/en/get-involved/take-action/release-16-year-old-palestinian-activist-ahed-tamimi/?utm_source=google&utm_medium=cpc&gclid=Cj0KCQjAnuDTBRDUARIsAL41eDpVORrcdEvxQPz0dAsV04w3MfngmVSyKSS3OqZOXEK-IF56ozGH2eQaApsGEALw_wcB)

<sup>145</sup> Middle East Monitor 'Hebron Shooter to be Released in May for Good Behaviour' (2018) Available at: <https://www.middleeastmonitor.com/20180320-hebron-shooter-to-be-released-in-may-for-good-behaviour/>

<sup>146</sup> For example, UNCRC, Article 28

<sup>147</sup> Addameer "Arrest and Detention of Palestinian Women and Girls" (2018) Available at: <http://www.addameer.org/news/arrest-and-detention-palestinian-women-and-girls>

<sup>148</sup> Addameer "Families and Family Visits" (2014) Available at: <http://www.addameer.org/publications/families-family-visits-0>

<sup>149</sup> Ibid.

gathered by TAM, found in **Annex 2**, detail physical and psychological torture at the point of arrest and imprisonment, physical and psychological torture during interrogations and detention, shocking and unhygienic prison conditions, and worrying incidences of medical negligence. Many of our testimonies document women being kept in solitary confinement without reason for long periods at a time. Cells are filthy, overcrowded and flooding with sewage. Beds and bedding are soiled and food is inedible.

Arrests usually take place during night raids. These tactics are a form of collective punishment that deny Palestinian women their privacy,<sup>150</sup> create inadequate living conditions<sup>151</sup> and regularly subject women to gender-based violence in their own homes. Such raids usually encompass the following characteristics: entrances at 4am, violent threats made towards Palestinians by Israeli soldiers, gratuitous property damage, and overwhelming and intimidating numbers of soldiers. Invasive bodily searches are rife, with no awareness of or concern for cultural or gender-based sensitivities. Rape threats are common, as are threats to family members. In violation of one of the most fundamental human rights, the right to fair trial<sup>152</sup>, these women are so often denied access to their lawyers.

### **Physical and Psychological Torture at Arrest/Imprisonment**

At least 14 of these testimonies describe physical or psychological torture at the point of arrest or imprisonment.

**Ahlam H** was arrested and placed in a cell with a metal chain hanging from the middle of the ceiling. She suspected this was to hang prisoners. The scene had a traumatizing effect on her and all the other inmates put in this cell. She was also beaten by prison soldiers, who broke her nose and caused her to faint. She was placed in solitary confinement in a filthy cell full of insects and with an overflowing toilet.

**Suha M**, a child, was arrested at Al Aqsa mosque in Jerusalem. Over 15 Israeli soldiers surrounded her and pointed their guns in her face. They dragged her to the floor, beat her back and broke her arm. In prison, she was placed in an isolation cell, where she was handcuffed, blindfolded and her legs chained. She reports that the soldiers in the prison would treat her badly, swear at her and tell her “we will let you die in isolation”. When she could no longer cope with the humiliation and mistreatment, she went on hunger strike. When she was finally transferred to a regular cell, she was subjected to beatings and intimidation by Russian prisoners, and was regularly denied food by the prison soldiers.

**Amani A** was arrested at her home during a raid by Israeli soldiers and was stripped naked and searched by a female Israeli soldier, who also told her that she was forbidden to wear her Islamic

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<sup>150</sup> CEDAW, Art. 3

<sup>151</sup> CEDAW, Art. 14(2)(h)

<sup>152</sup> ICCPR Article 14(1) and Article 14(3)

dress, and would not let her take it to prison. She was taken away in a jeep and then taken to a room that she did not recognise, where she was forced to strip naked again and was searched while soldiers laughed and mocked her.

Following her arrest, **Hiba H** was blindfolded with her hands tied and dragged into a room. There, her clothes were removed and she was searched, naked. She was then blindfolded again and taken to a dirty cell. Twenty days later, Hiba was told by the warden to prepare herself for court; the warden led her to a small room, undressed her and inspected her naked body, and afterwards, she had her hands and feet tied.

**Ihsan D** was subjected to many strip searches in prison, including before and after transfer from the cell to the court or to the interrogation room. One day, she was fed up with all of the degrading searches, so she refused to be inspected. A female soldier threatened her that if she didn't take off her clothes, she would keep beating Ihsan until she was dead. But Ihsan insisted on not taking her clothes off. She was then severely beaten and forcibly strip searched.

**Manal G** was pregnant when she was arrested and was only fed one meal a day. When she went into labour at around 05:30 am, she was ignored until 1:30pm. When she was finally taken to hospital, her hands and legs were tied to the hospital bed during labour. When she returned to prison, she and her baby were placed in a 3-person cell with 7 other prisoners. She was eventually moved to solitary confinement and her baby was taken away from her.

**Radhad K** was arrested in Hebron in 2016 when her car brakes failed and she crashed into a bus near the settlements. First, she was shot in the leg. Then, a gun was pressed to her spine: she was shot point-blank and paralysed in her lower body. She was taken, without medical aid, to the hospital where she fell into a coma for 5 days.

### Physical and Psychological Torture During Investigation

At least 11 of our testimonies describe physical and psychological torture during investigation. These include physical stress positions, beatings, physical and verbal abuse, violations of personal privacy, harassment, and being kept in pitch-black, isolated cells. Many of our testimonies include hunger strikes.

**Ahlam H**, a child, was threatened with rape and with arrest of her mother, sister and relatives. Every day during interrogation, she was subjected to insults and abuse. She was also subjected to physical abuse, including beatings and being slapped in the face.

**Eman I** was taken to court as a humiliation strategy, with the needle through which she was being force-fed still in her body. Out of nowhere, a soldier yanked out the needle from her elbow area – cutting her lower arm from elbow to wrist. She fainted instantly, woke up in the clinic, and saw her arm bleeding intensely from where the needle was.

**Ouhoud S**, a child, was subjected to physical and verbal abuse during investigation. A detective pointed a gun in her face and threatened to kill her. She was placed alone in a dark and dirty underground cell for three days. Prison soldiers then took her back to the interrogation room and attached her to lie detector, in an attempt to force a false confession from her.

During investigation, **Suha M** was subjected to psychological torture, including death threats, threats made against her family, mocking, humiliation and curses made against her religion. She was also subjected to physical beatings.

In the worst example of physical torture, **Mona H**'s arms were tied above her head by 10 officers in a crucifixion position. She was left for 48 hours, without allowing her to rest or use the toilet. She urinated on herself and lost consciousness. On another occasion, she was crucified for over 12 hours outside in the cold weather and pouring rain. On another occasion, her brother was transferred to her prison and beaten in front of her, with threats made to kill him.

### **Prison Conditions and Prohibition of Family Visits**

Repeated throughout the testimonies were reports of appalling prison conditions, including dirty and smelly cells, insect and vermin infestations, inedible food, lack of functioning facilities and overcrowding. There were also reports of women being denied family visits or any other communication with their families.

**Suha M** was routinely denied visits from her family. Whilst Suha was in prison, her mother sadly died. Suha did not find out until a week later. She was also denied any contact with her lawyer or the Red Cross.

**Ahlam M** was one of 8 prisoners in one tiny cell, where 3 of them could not stand up next to each other at the same time. She also reported that the cells were dirty and full of insects, with poor toilet facilities.

**Jihan D** was denied visits by her family in prison. Only her mother was permitted to visit, and she was not allowed to see any of her siblings. While she was in prison, Jihan's uncle died, and she was not allowed a phone call. She also reported the cells as being dark, filthy and smelly. She reports that the food made her want to vomit and describes being given a foul smelling piece of chicken that still had the feathers on.

### **Medical Negligence and Denial of Access to Services**

There is a significant shortage of medical services for Palestinian women in prison. They are denied basic sanitary products, given incorrect medicines, made to suffer before treatment, and pregnant prisoners give birth while chained to prison hospital beds. There is also a lack of provision of education programmes, which is particularly concerning in cases where children are detained.

**Hiyam H** was taken to the doctor with a toothache. The doctor removed the wrong tooth and left the rotten one in her mouth. When she had appendicitis, she was operated on handcuffed to the bed, then left handcuffed to the same bed for the next three days.

**Eman F** was refused any sanitary products or sufficient toilet access when she had her period in prison. She asked a female soldier for some pads, but the soldier acted as if she didn't know what Eman was asking for. For two nights, she was bleeding with no sanitary pads or sufficient toilet access, and only had her clothes on.

When **Radhad K** was in hospital, being treated for her paralysis and gunshot wound, she was abused by officers. She suffered death threats and mocking continuously. When she was operated on to remove two bullet fragments in her stomach, they did so in the same room, handcuffed to the same bed, with no anesthetic. She watched and suffered through the whole operation. **Suha M**, a 15 year old prisoner, was denied access to education. Suha found a chemistry textbook in prison, which had been left behind by another prisoner and tried to use it to study, only for it to be confiscated by the soldiers, who told her it was forbidden.

### Violations of International Law

The testimonies highlight the brutality of Israel's practice of arrests, prison, detention and interrogation conditions for female Palestinian prisoners, as well as in hospitals while in Israeli custody. These practices breach numerous international human rights standards and are a stark example of the disdain in which Israel holds Palestinian female prisoners. When women are abused in custody, unequal power relations between men and women are manifested, reinforced and reproduced.<sup>153</sup> This is in violation of Israel's obligations under CEDAW both to prevent and address discrimination against women, and also to eliminate discriminatory patterns of conduct of men and women in society, including social and cultural practices, views and stereotypes which are "...based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."<sup>154</sup> Furthermore, in its Resolution 1325, the UN Security Council affirms the obligation of all parties to armed conflict to take special measures to protect women and girls from gender-based violence.<sup>155</sup>

Each instance of torture and cruel, inhuman or degrading treatment described above is a violation of IHRL and of the fundamental, absolute principle of international law that no one shall be subjected to torture, inhuman or degrading treatment.<sup>156</sup> This includes women prisoners being subjected to psychological torture and trauma, such as being denied contact with their families. In particular, a number of these abuses are particularly gendered in their nature and/or impact on

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<sup>153</sup> Amnesty International, "Violence Against Women: a Fact Sheet" (2005) Available at: [https://www.amnestyusa.org/files/pdfs/vaw\\_fact\\_sheet.pdf](https://www.amnestyusa.org/files/pdfs/vaw_fact_sheet.pdf)

<sup>154</sup> CEDAW, Art.5(a)

<sup>155</sup> Resolution 1325 (2000), Adopted by the Security Council at its 4213th meeting, on 31 October 2000" (2000) S/RES/1325 para.10

<sup>156</sup> Contained in numerous IHRL treaties, including but not limited to the CAT and ICCPR Art.7.

female prisoners, from threats of rape to invasive body searches, many of which constitute gender-based violence. The CEDAW Committee has expressly affirmed in its General Recommendations 19 and 35 that gender-based violence is inherently discriminatory and therefore in violation of CEDAW.<sup>157</sup> In its General Recommendation 35, the CEDAW Committee emphasises that states are obligated to provide “...mandatory, recurrent and effective capacity-building, education and training for the judiciary, lawyers and law enforcement officers, including forensic medical personnel, legislators, health-care professionals...all education, social and welfare personnel, including that working with women in...prisons, to equip them to adequately prevent and address gender-based violence against women.”<sup>158</sup>

International standards also require that women are afforded access to appropriate healthcare services in prison. In its General Recommendation 14 on the right to the highest attainable standard of health, the UN Committee on Economic, Social and Cultural Rights emphasises that “...States are under the obligation to respect the right to health by, *inter alia*, refraining from denying or limiting equal access for all persons, including prisoners or detainees...abstaining from enforcing discriminatory practices as a State policy; and abstaining from imposing discriminatory practices relating to women’s health status and needs.”<sup>159</sup> In relation to female prisoners specifically, the state must ensure that the delivery of healthcare in prison is gender sensitive and appropriate to gender-specific health needs. This is outlined in both the UN Standard Rules for the Treatment of Prisoners<sup>160</sup> and UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules).<sup>161</sup>

As noted, female prisoners are often denied access to quality legal representation, in violation of the fundamental right to a fair trial.<sup>162</sup> Furthermore, the practice of denying female prisoners access to their family during family visits, as well as potentially amounting to cruel and inhuman treatment for both the prisoner and her family members, also constitutes a violation of the right to respect for private and family life.<sup>163</sup> The continued detention of children has resulted in many girls being denied a proper education, in contravention of the UN Convention on the Rights of the Child.<sup>164</sup>

The imprisonment of female Palestinians by Israel also constitutes violations of IHL and International Criminal Law. Where a woman is transferred to an Israeli prison, this constitutes an

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<sup>157</sup> CEDAW Committee, “General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19” (2017) CEDAW/C/GC/35

<sup>158</sup> Ibid. para 38

<sup>159</sup> UN Committee on Economic, Social and Cultural Rights “General Comment no.14 on the right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights)” (2000) E/C.12/2000/4 para.34

<sup>160</sup> United Nations, Standard Minimum Rules for the Treatment of Prisoners, 30 August 1955, Rules 22-26

<sup>161</sup> UN General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules): 6 October 2010, A/C.3/65/L.5, Rule 6

<sup>162</sup> ICCPR, Article 14(1) and Article 14(3)

<sup>163</sup> ICESCR, Article 10

<sup>164</sup> UNCRC, Article 28

unlawful transfer, in violation of Article 49 of the Fourth Geneva Convention, which prohibits the transfer by an occupying power of protected persons from occupied territory to the territory of the occupying power. Furthermore, Article 76 of the Fourth Geneva Convention provides that where protected persons are to be imprisoned, they must be detained in the occupied territories. Article 76 also lists a number of express obligations held by the occupying power in relation to the treatment of prisoners who are protected persons i.e. from the occupied population, including access to healthcare, sufficient conditions of food and hygiene and proper treatment of minors. It is clear from the above evidence that Israel is not meeting these obligations as an occupying power. As such, Israel's continued practices of forced transfer and mistreatment of prisoners can be classified as war crimes as defined by Article 8 of the Rome Statute.

**Recommendations:**

*Demand that Israel cease its practice of transferring Palestinian female prisoners out of Palestine, a practice illegal under international law.*

*Grant all Palestinian detainees access to legal services and to their family during family visits. Accommodate such access with complementary practices at all relevant checkpoints.*

*Demand that Israel treats all Palestinian female detainees with dignity and respect, and with an acknowledgement of their gender-specific requirements;*

*Assert, without qualification, the absoluteness of the prohibition of torture. Put an end to any torture, inhuman or degrading treatment in Israeli prisons.*

## 5. Access to Health in Gaza



In Gaza, Israel pursues policies that are detrimental to human health and life and cause Palestinians much suffering, such as depriving Palestinians access to essential health care, medicine, fuel and adequate nutrition.<sup>165</sup> As noted, Israel has withdrawn its permanent presence from Gaza, but still controls the borders (with the exception of Rafah crossing). Citing security concerns, it does not allow Gaza to build an air or sea port, and so makes Gazans dependent on Israel for travel. It exercises ‘actual authority’<sup>166</sup> over the region and therefore this constitutes an occupation.<sup>167</sup> With effective control, Israel is bound by both IHL and IHRL in the region.

Given Israel’s human rights obligations over Gaza, the freedom of movement of Gazans must be protected.<sup>168</sup> This includes a right to travel between Gaza and the West Bank, recognised by Israel in the Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip as one single

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<sup>165</sup> Economic and Social Commission for Western Asia (ESCWA) “*Israeli Practices towards the Palestinian People and the Question of Apartheid*” (2017) E/ESCWA/ECRI/2017/1 p.44 Available at: [https://www.middleeastmonitor.com/wp-content/uploads/downloads/201703\\_UN\\_ESCWA-israeli-practices-palestinian-people-apartheid-occupation-english.pdf](https://www.middleeastmonitor.com/wp-content/uploads/downloads/201703_UN_ESCWA-israeli-practices-palestinian-people-apartheid-occupation-english.pdf) P.58

<sup>166</sup> Hague Convention 1907, Art.42: ‘...territory is considered occupied when it is actually placed under the authority of the hostile army’.

<sup>167</sup> See, for example, the ICRCs position: Peter Maurer, ‘*Challenges to Humanitarian Action in Contemporary Conflicts: Israel, the Middle East and Beyond*’, *Israel Law Review*, Volume 47, Issue 2 July 2014, pp. 175-180. Available at: <https://www.cambridge.org/core/journals/israel-law-review/article/challenges-to-humanitarian-action-in-contemporary-conflicts-israel-the-middle-east-and-beyond/E35E83492F421F01AC9E0FA36A3AC1CE>

<sup>168</sup> ICCPR, Art. 12.

territorial unit: Palestine.<sup>169</sup> It also includes a more general right to leave Gaza, subject only to certain justifications on Israel's part – public security, for example. Israel has a sovereign right to limit travel within its own borders, yet this right must be balanced with their corollary obligations under IHL, IHRL and local agreements: the right to health, humanitarian access, and freedom of movement.

As this submission demonstrates, Israel is abusing this balance. Israel's travel restrictions go beyond legitimate, sovereign interests, and discriminate against Palestinian women. Gaza is approaching the stage where "separation is the rule and access is the rare exception."<sup>170</sup> For patients, and particularly for women, this has tragic effects.

In a report recently submitted by WCLAC to the UN Special Rapporteur on the Occupied Palestinian Territories<sup>171</sup>, we highlighted three areas of concern: Israeli border policies; health rights and access to health; and the effects of the Israeli blockade on Gaza. Testimonies gathered from women in Gaza evidencing these concerns are contained in Annex No.3.

### **Borders and the Permit System**

Three key features of the border regime are important to note:

1. A consistent decline in the approval rate of patient permit requests since 2012.

The approval figures have fallen from 92.5% in 2012, to 88.7% in 2013, to 82.4% in 2014, to 77.5% in 2015 and to 62.1% in 2016.<sup>172</sup> At the end of November 2017, the approval rate was only 54% - the lowest since 2006 when WHO began monitoring patient access from Gaza.<sup>173</sup> There has been, in short, "a steep regression in access policy, primarily with respect to movement of people via Erez Crossing."<sup>174</sup>

2. The prevalence of shocking and inexplicable delays.

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<sup>169</sup> Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip, 28 September 1995, Art. 31(8). Available at: <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement.aspx>

<sup>170</sup> Gisha, "Separating Land, Separating People" (2015), p.1. Available at: <http://gisha.org/UserFiles/File/publications/separating-land-separating-people/separating-land-separating-people-web-en.pdf>

<sup>171</sup> WCLAC, "Access to Health in the Gaza Strip: The Gendered Impact on Palestinian Women" (2018) Available at: <http://www.wclac.org/english/etemplate.php?id=1965>

<sup>172</sup> WHO "Access Report 2016" (2016) [http://www.emro.who.int/images/stories/palestine/documents/WHO\\_-\\_Access\\_Report\\_2016\\_Book\\_Final-small.pdf?ua=1&ua=1](http://www.emro.who.int/images/stories/palestine/documents/WHO_-_Access_Report_2016_Book_Final-small.pdf?ua=1&ua=1) p.26 p.5

<sup>173</sup> OCHA "Palestinian access from Gaza Strip declined sharply in 2017" (2018) Available at: <https://www.ochaopt.org/content/palestinian-access-gaza-strip-declined-sharply-2017>

<sup>174</sup> GISHA, "Tightening of the Closure" (2017) Available at: [http://www.gisha.org/UserFiles/File/2017Tightening\\_of\\_the\\_closure.pdf](http://www.gisha.org/UserFiles/File/2017Tightening_of_the_closure.pdf)

Of the 26,282 permit applications submitted by patients aiming to exit through Erez in 2016, 8,242 (31.4%) were delayed.<sup>175</sup> Many applicants received no response from border authorities, even after lawyers filed formal applications on their behalf.<sup>176</sup> These delays regularly extend months and years beyond medical appointments, worsening already life-threatening diseases [Women's Voices: 5, 6, 9, 10] and in some cases resulting in death. This is even the case with children, as **Anwar T's** testimony demonstrates. Her daughter is 5 years old, yet is prevented from finishing her cancer treatment in Israel. Her situation worsens by the day. [7]

3. The aggressive interrogation of female patients, even when medically weak or vulnerable.<sup>177</sup>

**Fadwa S**, a 52 year old widow and mother of five, was suffering a malignant cancerous tumour in the ovaries and uterus. After being denied a companion to travel with, she was interrogated by two officials when crossing back in to Gaza. She was exhausted and in pain – the day after serious cancer treatment. She was stripped, invasively searched, interrogated for two hours, then left in a room crying for two hours. [1]

**Nidaa T**, a 32 year old mother of three, was suffering from an Arterial Aneurysm – a life threatening condition that demands urgent treatment. Since 2015, she has been rejected for permits 10 times. Gazan hospitals cannot treat her and she has lost feeling in her right hand. In October 2017 she was invited to 'interview'. She was invasively searched, left for hours in a freezing room, and aggressively interrogated. She still has no permit. [2]

**Subhuyeh S**, a 50 year of mother of 6, has cancer. She was questioned at the border by Israeli officials and locked for over an hour in a 2x2 metre room. She was interrogated for over two hours – attempting to gain information about her sons. She was placed on a list and denied entry. She now has three malignant tumours in her neck. She still has no permit. [3]

The combination of these measures indicates “*a severe and inexplicable tightening of the closure.*”<sup>178</sup> Targeting seriously ill women, they cannot be justified by security. As our testimonies demonstrate, they are punitive, humiliating and degrading. They are also arbitrary, and a breach of Israel's IHL and IHRL obligations: to respect free movement of Palestinians<sup>179</sup> and to ensure and

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<sup>175</sup> Ibid.

<sup>176</sup> The Palestinian Centre for Human Rights filed 1119 requests in 2017. Of these, 346 received a permit, 109 received a rejection, and 644 are still waiting under security examination [Appendix 5].

<sup>177</sup> Israeli General Security Services requested 755 patients for interrogation as a condition for applying for a permit in 2016. Source: WHO “Access Report 2016” (2016) [http://www.emro.who.int/images/stories/palestine/documents/WHO\\_-\\_Access\\_Report\\_2016\\_Book\\_Final-small.pdf?ua=1&ua=1](http://www.emro.who.int/images/stories/palestine/documents/WHO_-_Access_Report_2016_Book_Final-small.pdf?ua=1&ua=1), p.19.

<sup>178</sup> Ibid

<sup>179</sup> UN Human Rights Committee “*General Comment No. 27: Article 12 (Freedom of Movement)*”(1999) paras.12-15. Available at: <http://www.refworld.org/docid/45139c394.html>

facilitate access to health.<sup>180</sup> Israel must adhere to its obligations, and any restrictions on the human rights of Palestinians must not be arbitrary, must be proportionate, and “*must not impair the essence of the right*”.<sup>181</sup> Yet, Israel’s border policies are based on arbitrary distinctions, they target seriously ill women who pose no threat, and they create a climate of aggression and hostility that is slowly but surely eroding the rights of Palestinians.

### **Humanitarian Access**

Parties to a conflict must allow the free passage of medical equipment and humanitarian relief organisations.<sup>182</sup> Yet, without consent from the controlling state – Israel – no supplies will cross the border. Arbitrarily withholding consent and “*depriving civilians of objects indispensable to their survival, including wilfully impeding relief supply and access, can constitute a violation of international humanitarian law*”.<sup>183</sup> Such relief can never be lawfully withheld in situations of occupation, such as this.<sup>184</sup>

Yet, restrictions on access into Gaza for humanitarian relief are excessive, with an approval rate of just 48% in 2016 (314 requests) for health personnel exiting or entering Gaza. As with Gazans trying to exit Gaza, processing times are lengthy and require a minimum of 3 weeks.<sup>185</sup> By failing to facilitate humanitarian access, Israel is preventing the development and functioning of civil society inside Gaza.<sup>186</sup> Since most humanitarian workers focus on women and children, it is they who feel this the most.

### **Wider Issues: Infrastructure, Blockade and Health Rights**

The blockade of Gaza, described by former UN Secretary-General Ban Ki-moon as collective punishment that is suffocating Gaza’s people, is now 11-years long. As collective punishment, it is a grave breach of IHL.<sup>187</sup>

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<sup>180</sup> Fourth Geneva Convention, Article 56: “...the Occupying Power (with the cooperation of national and local authorities) must, to the fullest extent of the means available, ensure and maintain medical and hospital establishments and services and public health and hygiene.”; ICESCR, Article 12; CEDAW, Article 12

<sup>181</sup> UN Human Rights Committee “General Comment No. 27: Article 12 (Freedom of Movement)” (1999) paras.13. Available at: <http://www.refworld.org/docid/45139c394.html>

<sup>182</sup> Fourth Geneva Convention, Arts. 23, 59; Rule 55 CIL.

<sup>183</sup> U.N. President of the Security Council, “Statement by the President of the Security Council” (2013) U.N. Doc. S/PRST/2013/15 Available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2013/15](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2013/15)

<sup>184</sup> Fourth Geneva Convention, Art. 59

<sup>185</sup> WHO “Access Report 2016” (2016) [http://www.emro.who.int/images/stories/palestine/documents/WHO\\_-\\_Access\\_Report\\_2016\\_Book\\_Final-small.pdf?ua=1&ua=1](http://www.emro.who.int/images/stories/palestine/documents/WHO_-_Access_Report_2016_Book_Final-small.pdf?ua=1&ua=1), p.31

<sup>186</sup> Human Rights Watch “Unwilling or Unable: Israeli Restrictions on Access to and from Gaza for Human Rights Workers” (2017) Available at: <https://www.hrw.org/report/2017/04/02/unwilling-or-unable/israeli-restrictions-access-and-gaza-human-rights-workers>

<sup>187</sup> Fourth Geneva Convention, Art.33

It is causing an infrastructure crisis, with chronic electricity shortages (18-20 hours a day) and inadequate sanitation as facts of everyday life. This is felt especially in the health sector. In mid-2017, 14 public hospitals and 16 health facilities faced partial or complete closure of essential services.<sup>188</sup> According to Head of the Women's Health Centre in Gaza, the situation is particularly detrimental to pregnant women who are subjected to dangerous risks due to a lack of services and equipment. Abortions, premature births and labour complications are at an increase. Many women are giving birth in shelters, and the few that give birth at hospitals are evacuated immediately post-labour, even those who have undergone a C-section.<sup>189</sup> In its Second Country Gender Action Plan (C-GAP II) for Palestinian Territories, the World Bank emphasizes the need to address gaps in access to maternal and reproductive health care, particularly in areas of high conflict i.e. Gaza, Hebron and Jerusalem. This includes assessing the impact of restricted mobility and the challenges this creates in terms of access to reproductive health care and rising rates of C-sections.<sup>190</sup>

*S.M is 56 years old, married with 6 children she lives in Gaza. During the bombing of 2014, S.M's home was destroyed. Her son bled to death over a four hour period, with ambulances unable to reach him. S.M lives in a temporary (4x6m) house made of wood, it has only two rooms: one bathroom and a kitchen.*

In such infrastructure crises, as the CEDAW Committee notes in General Recommendation 30, women and girls are at the front line of suffering, bearing the brunt of the socioeconomic dimensions.<sup>191</sup> As reported by the UN in 2015, the humanitarian crisis *"has forced thousands of women to neglect their own needs to save and support their families, with large numbers of them suffering from post-traumatic stress disorder, anxiety, depression and, in many cases, permanent disabilities."*<sup>192</sup> [11] January 2018 brought news of another hospital forced into closure due to fuel shortages.<sup>193</sup> The more the health system and wider infrastructure disintegrates, the more it *"hinders the full realization of sexual and reproductive health and rights for women and girls' affected by conflict."*<sup>194</sup>

The Right to health is fundamental to both IHL and IHRL. The latter, as expressed in CEDAW, calls for equality between men and women in access to health care services. This includes *"services in connection with pregnancy, confinement and the post-natal period...as well as adequate nutrition during*

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<sup>188</sup>World Health Organisation "WHO steps up emergency response in the Gaza Strip, June 2017" (2017) Available at: <http://www.emro.who.int/pse/palestine-news/who-steps-up-emergency-response-in-the-gaza-strip.html>

<sup>189</sup> Al-Monitor, "Gaza's pregnant women suffer." (2014) Available at: <http://www.al-monitor.com/pulse/fr/originals/2014/11/gaza-pregnant-women-lack-medical-services.amp.html>

<sup>190</sup> World Bank "Second Country Gender Action Plan (C-GAP II) for Palestinian Territories (FY2018-2021) Launched February 2018" (2018) p.30 Available at: <http://documents.worldbank.org/curated/en/446441520342346745/pdf/123946-WP-P160288-PUBLIC-Country-Gender-Action-Plan-II-for-Palestinian-Territories-Final-002.pdf>

<sup>191</sup> CEDAW Committee, General recommendation No. 30, paras. 48-50.

<sup>192</sup> Human Rights Council "Human rights situation in the Occupied Palestinian Territory, including East Jerusalem- Report of the Secretary-General" (2015) A/HRC/28/45. P. 41.

<sup>193</sup>Khoury, J "Gaza Hospital Suspends Services Due to Diesel Shortage" (2018) Haaretz Available at: [https://www.haaretz.com/middle-east-news/palestinians/gaza-hospital-suspends-services-amid-diesel-shortage-1.5770830?utm\\_source=dlvr.it&utm\\_medium=twitter](https://www.haaretz.com/middle-east-news/palestinians/gaza-hospital-suspends-services-amid-diesel-shortage-1.5770830?utm_source=dlvr.it&utm_medium=twitter)

<sup>194</sup> Centre for Reproductive Rights, "Factsheet: Sexual and Reproductive Health and Rights in Conflict" (2017) Available at: [https://www.reproductiverights.org/sites/crr.civicaactions.net/files/documents/GLP\\_GA\\_SRHR\\_FS\\_0817\\_Final\\_Web.pdf](https://www.reproductiverights.org/sites/crr.civicaactions.net/files/documents/GLP_GA_SRHR_FS_0817_Final_Web.pdf)

*pregnancy and lactation.*”<sup>195</sup> The failure to afford women access to pregnancy-related healthcare is gender-based discrimination. The ICESCR similarly recognises the right as entailing “*the enjoyment of the highest attainable standard of physical and mental health.*”<sup>196</sup> A vital component of this is accessibility: “*health facilities, goods, information and services...should be accessible to all individuals and groups without discrimination and free from barriers.*”<sup>197</sup> As long as Gazan women suffer, in pregnancy or otherwise, this right is not being realised. As long as they suffer due to the Israeli blockade, it is Israel that is violating this right.

### **Recommendations:**

*Ensure Israeli compliance with border procedures, not only facilitating access, but showing Palestinians the respect to respond to applications in a timely manner consistent with medical requests.*

*Put an end to aggressive and invasive interrogation practices at the border. Where women are concerned, allow access in all but the most pressing cases.*

*Provide meaningful and adequate reparations for women that have been unjustly searched, interrogated, or subjected to inhuman, degrading or similar treatment at border crossings or in permit applications.*

*Ensure Israeli compliance with the clear IHL obligation to allow humanitarian access to Gaza.*

*End the blockade of the Gaza Strip. Facilitate the free movement of infrastructure and energy supplies. Grant Gazans the opportunity to rebuild their lives after the 2014 war.*

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<sup>195</sup> CEDAW, Art. 12(1)

<sup>196</sup> ICESCR, Art. 12(1)

<sup>197</sup> UN Committee on Economic, Social and Cultural Rights “*General Comment No. 22 on the Right to sexual and reproductive health, Art. 15*” (2016) Available at: <https://www.escr-net.org/resources/general-comment-no-22-2016-right-sexual-and-reproductive-health>

## 6. Conclusions



The policies and outcomes outlined in this report fit into, and must be contextualised by, wider systems of discrimination against Palestinians. Free movement is being curtailed, individuals are being coerced off their land, and individual rights are being removed. These are fundamental breaches of international law, and must be recognised as ethnic discrimination.

Israel's rejection of its International Law obligations to recognise and facilitate a Palestinian right of return is denying Palestinian women from their homeland. It is leaving millions in a legal black hole, deprived of their rights and living as second class citizens across the Middle East. It is an openly discriminatory policy, fuelled by a fear that the Palestinian return will undermine the Zionist project. Residency revocations and family reunification laws constitute a forced transfer. They are the workings of an unspoken but clear aim: to reshape the demographic make-up of East Jerusalem in favour of Israel. At their core, they are inhumane, depriving women of their basic rights and forcing women to live lives apart from their loved ones. The treatment of female prisoners is gender-based violence. It capitalises on cultural differences that allow for intimidation, threats and bullying. They are a stark example of Israel's disdain for Palestinians. Restrictions on health access to and from Gaza, as well as the crippling tight blockade, are punitive measures on an already destroyed region that produce disproportionately harmful effects for women.

Women's rights, enshrined in conventions such as CEDAW, contain positive and negative obligations. They require facilitation, encouragement and enforcement as well as desisting and protecting from abusive practices. It is clear that Israel continues to violate many international laws, including IHL and IHRL, with impunity. Israel and its violent occupation, creeping annexation and ethnic cleansing is bolstered by the failure of the international community to hold Israel to account. Israel and the international community is responsible for the suffering of the various groups of women discussed in this report, as well as the subjugation and suffering of Palestinians more broadly.

As long as Palestinian women live according to the whims of Israeli occupation and creeping annexation of Palestinian land, their human rights will not be realised. As emphasised in the preamble of CEDAW, "*...the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women*". The effects of the occupation stifle the whole of Palestine and reinforce and reproduce gender inequality. The effects of the occupation are felt most intensely by the women who hold its communities together. It is for the international community, and for activists around the world, to call for its end.

# ANNEX 1 – TESTIMONIES: RESIDENCY REVOCATION AND FAMILY REUNIFICATION IN JERUSALEM

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## 1. Dua'a Y

**Current Location:** Kufur Aqab- Jerusalem

**Date of Testimony:** Dec.9. 2017

I'm Dua'a originally from Hebron. I married Ahmad who is originally from Jerusalem in 1998 and gave birth to six children. I'm 45 years old, I got separated from my husband 6 years. Before divorce, I used to live in Jerusalem through a residence permission that was renewed annually, but after divorce, the permission was automatically suspended. As such, I had to move with my children reside in to Kufur Akab so my children would not lose their IDs as residents of Jerusalem. In 2015, I applied for a reunification through my children's IDs and so far I have not received a response.

I really need this reunification because the interests of my children are attached to being able to go to Jerusalem such as treatment, national insurance and so on. I cannot enter Jerusalem to follow up with these issues, especially that their father does not follow these things as he should be. In addition to the psychological impact of this matter, in case one of my children got sick, I cannot be with them because I am do not have permit and I cannot have the permit as the Israeli authorities have suspended the possibility of attaining permissions through children.

Previously, the national insurance allocations for the children were deposited in the account of the father if he was from Jerusalem and marrying a woman from the West Bank. However, a decision was recently issued to allow these allocaitons to be deposited in the mother's account even if they bear the Palestinian identity. In my case, my child's allowances were stopped because the applications need to be reviewed by me personally so they could be transferred to my account, but I never got permit to enter Jerusalem and follow up with the Israeli authorities on this matter.

I am always worried about my children because they will eventually go on with their lives and settle in Jerusalem to preserve their identities, and if the obstacle of the reunification application never gets approved, I will be deprived from living with them.

## 2. Kamila A

**Current Location: Al-Zarqa' – Jordan**

**Date of Testimony: Dec.12.2017**

My name is Kamila A., and I am 49 years old. I am originally from the village of Ramoun, Ramallah, but I live in Al Zarqa', Jordan with my husband. I did not bear children. I married my husband, on 1987. Jamal was one of many who fled to Jordan in 1967. I possess a Jordanian National Number and Jamal and I both hold a yellow card. It is difficult for me to live away from my family, but what eases the pain of alienation are the frequent visits I pay my family in Palestine – given that I hold a Palestinian passport, unlike my husband.

Nearly ten years ago, I submitted an application for reunification for Jamal, however it was denied. Jamal constantly feels the pain of alienation for being unable to visit his relatives, many of whom had married or passed away without him being there to share in their happiness or grief. Each time I visit Palestine I feel the weight of how this displacement has forced us Palestinians to live, and which other international populations will never recognize.

Jamal and I often yearn for our homeland; living in estrangement is quite difficult, yet my husband and I have never given up trying for obtaining an application for reunification despite our financial situation. Jamal was an officer in the Jordanian Police force. Upon his retirement, we spent a great deal of money to obtain a visitor's permit for him. We even sought assistance from mediators but without any success. My husband is now 51 years of age and we both dream he will one day accompany me to Palestine and be reunited with his family and loved ones for nothing can replace the feeling of national presence. I am tired of carrying my husband's greetings to his family whenever I visit. In a few days I will return to Jordan and Jamal will be persistent in his asking me detailed questions related to his family and friends.

There are many who think that, after a few years or so, refugees will eventually get used to a life of estrangement. However, the reality of the asylum-seeker is that he/she begins to feel like a refugee with each passing day. I used to think my Palestinian passport would help my husband receive an application for reunification, or at least he might be able to receive a visitor's permit, but sadly our attempts have been unsuccessful. The Israeli Occupation persists on its harassment of Palestinians (in all forms).

## 3. Na'ima K.

**Current Location: Saffah- Ramallah Governorate**

**Date of Testimony: Nov.30.2017**

My name is Na'ima K., I am 59 years old. I married in 1975 and I am a mother of three sons and one daughter. A year after our marriage, my husband and I moved to the US as many of our relatives reside there. I would often travel between the US and Palestine without my husband, since he had first left the country six years ago on an Israeli travel document and never returned to Palestine. Therefore, he was denied the Palestinian National ID card. My husband applied for an application for reunification in 1994, but his application was denied by the Israeli government. Since then, my husband continued to travel to Palestine on a three-month visitor's visa through his US passport. Oftentimes, I would renew his visa through my Palestinian passport.

I gave birth to my eldest son in the US, where he now resides with his father. My son completed his schooling years in Palestine and only received the application for reunification ten years ago. He is now 45 years of age and is married to a US-born Palestinian woman. His wife also applied for an application for reunification ten years ago, but her application was denied. The rest of my children were born in Palestine, whom they all possess Palestinian passports.

All my children have grown and married and are currently residing and working in the US, except my youngest daughter. I have grown lonely living alone in my home. My husband's visits are no longer sufficient enough to ease my loneliness and I need him near me especially now that I am growing older. My boys often call and visit every chance they get.

My husband has retired and is now 63 years of age. His health does not always permit him to travel frequently, especially considering the fact that travel costs are not cheap. My husband yearns to settle down in his own country among his family and relatives.

I sincerely hope to find a solution to our problem, for I am one among thousands of women, including my neighbors, who face the same issue and the same struggle. Nothing can compare to family gatherings in your own home, and in your own country, and among friends and loved ones.

#### **4. Nawal L**

**Current Location: Saffah- Ramallah Governorate**

**Date of Testimony: Nov.20.2017**

My name is Nawal L., I am 45 years old and am married with three children. I was born in Amman, Jordan and married in 1995. My husband and I moved to the Palestinian village of Saffah, via a temporary visitor's permit. During that time, visitor permits were issued on a regular basis without any problems. In 1996, I applied for an application for reunification during which I traveled frequently between Palestine and Jordan to check on my parents. In 1999, I gave birth to my first daughter, Hala, just before the start of the Second Uprising in 2000. Just as the war had broken out, my family and I took one of our usual trips to Jordan. Though by that time, the war in Palestine escalated, the roads had been blocked and permit visas were banned from issuance. There was no return to Palestine. My family and I settled in Jordan for 12 years during which we

were neither granted passports nor applications for reunification. In any case, Palestinian citizens residing out of country were not permitted to return to accept the receipt of their passports.

Whilst staying in Jordan we struggled with many different issues: my husband, a Palestinian national, was forbidden from living in Jordan; therefore, I had to renew his temporary residency via my Jordanian national number annually. My children, also Palestinian nationals, were forbidden from studying at public schools – these were all decisions issued by Jordanian Authorities to prevent the temporary visit from becoming a permanent migration – and were forced to enroll in private schools (expensive tuition costs). According to the law, my children were also forbidden from taking the General Secondary Examination (Tawjihi) at the end of their senior year in high school, even if they had been enrolled in private schools.

In 2013, I was able to return to Palestine with my children via a Press ID, with the hopes of receiving my application for reunification (after President Mahmoud Abbas's decision to grant me the Palestinian passport). The transaction process for receiving the Palestinian passport went well at first, except that the procedures were not finalized at the Israeli Liaison office where they eventually decided to suspend the law regarding the issuance of applications for reunifications. This is where my life took a turn for the worst.

Three years had passed and still no Palestinian passport. I was unable to return to Jordan since I had surpassed the length of my visitor's permit; yet even if I had returned to Jordan I would be banned from entering Palestine. I suffered a complete nervous breakdown due to my inability to visit my family. I miss them dearly. We did everything we possibly could to obtain the application for reunification, we even hired a lawyer and spoke with more than one relevant party but the answer was always the same: there were no applications being issued at this time. What was even more irritating was that we received no convincing justifications from the Palestinian Liaison. Thousands of Palestinian citizens residing in Jordan face the same issue and have been unable to return to Palestine to see their families. For nearly five years now, the situation has been unbearable: all I can think of is my family and I find myself crying involuntarily. It's a shame that a passport and a number keep me from holding my mother. I just want to hold her if only for a day or a few minutes. All the technology in the world could not make up for seeing my family face to face.

The day my youngest brother married, my family sent me a live video of the wedding ceremony. I had trouble keeping myself together till I eventually set my phone aside and began to cry. My niece married a year ago and also I could not attend the ceremony. My youngest niece passed away at the age of 18 and I could not attend her funeral. I am always afraid the situation here will worsen and I will be cut off from my family in Jordan forever (they also hold Jordanian national numbers and are unable to travel to Palestine). I managed to grant my husband, my daughter and younger son Jordanian national numbers; they all hold passports except my youngest son who is three years of age.

I adore Palestine and I adore this land; this is from where I originate and belong. My only wish is to visit my family and hold my mother, for I miss them more than words can describe. From the

bottom of my heart, I wish my struggle, and the struggle of thousands of others, would end. We have reached the extent of our suffering.

## 5. Nariman M

**Current Location: Betunya**

**Date of Testimony: Dec.6.2017**

I am from Ramallah, Beitunia. Before marrying, I carried a Palestinian (West Bank) ID whereas my husband holds a Jerusalem ID. We are currently residing in 'Anata, Jerusalem and have faced many issues in receiving an application for reunification. My husband submitted an application for reunification for me in 2009, shortly after we were married, however the application was denied. We did not go about to submitting another application as it is too costly. When we inquired to the relevant parties about the reasons our applications were denied, we were not met with any convincing answers. Afterwards we handed the case to our attorney and applied a second time for an application for reunification and were met with yet another rejection two months later.

Four months later, we received a court order from the Israeli High Court of Justice to submit another application in 2011, which we did and I obtained a temporary residence permit in Jerusalem – a piece of paper stating that I am married to a Jerusalem ID holder and am permitted to apply for permanent residency in Jerusalem. This temporary residence permit must be renewed every six months.

However, in 2014 a new problem arose: my husband had lost his Jerusalem ID card. After heading to the Ministry of Internal Affairs to request a replacement for his ID card, and also to request the issuance of a birth certificate for our daughter who is only one year old, my husband was notified that his ID card had been revoked because, according to their claim, he was not a Jerusalem resident.

Not long after that incident my husband found his ID card, but our daughter did not receive a birth certificate nor did she obtain a Jerusalem ID because the Israeli Authorities insist that we are not residents of Jerusalem. Also, the provisions we receive by the National Health Insurance have all been documented. Since the Israeli Authorities claim we are not residents of Jerusalem, I request they pay us a visit to our home in 'Anata so they may see for themselves that we are residents. I am still waiting for their arrival.

## 6. Sawsan S

**Current Location: Kufor Aqab**

**Date of Testimony: Dec.19.2017**

My name is Sawsan S., born in 1975 and married in 1993. I hold a Jerusalem ID and my husband holds a West Bank ID. After we got married, my husband and I first moved to Al Ram area where I gave birth to four children, the eldest whom at that time was twelve years of age and the youngest was six years of age. We lived in Al Ram for nearly five years before deciding to move to Kufr 'Aqab. Prior to moving, I submitted an application for reunification for my husband and eldest son at least three times; each time our applications were rejected. We thought maybe changing locations would give us a better chance at receiving an approval for our application, yet our journey took a change for the worst. In Kufr 'Aqab, we were forced to change houses as each house was unfit for human habitation, not to mention it's a dangerous area with terrible public services.

After settling in a new house, I began to submit applications for reunification once more for my husband and eldest son. I remember collecting all types of documents and papers related to utility bills, certificates, etc. to show proof of residence, and each time when I had gone to submit an application, I was met with different excuses: for instance, once when I had gathered six months' worth of bills, they told me that there was a month missing. Whilst gathering said documents, I was always on edge that something was missing and that I may lose my ID, or that my husband and children would be denied a Jerusalem ID. All this can be easily said, but how it hurts when I think of it!

In reality, what hurts and infuriates me most is having to engage in all my family's gatherings and activities without my husband since he cannot enter Jerusalem. I would share in my extended relatives' joys and sorrows, holidays and special occasions without my husband. Even if my husband was able to obtain a temporary permit, which was once in a blue moon, he would have to take different routes/checkpoints; he would not be allowed in the car with the children and me. Over the years I have been answering the same questions from my children: Why is this happening to us? Why can't we live a normal life?

Eighteen years had passed till my husband finally received his application and my eldest son obtained Jerusalem passport. My three younger children still remain in a separate document appendix in my passport. Although, this arrangement is only temporary and will need to be changed annually until we obtain permanent residence, if we even obtain residency. In addition, we pay 5,000 NIS monthly as part of the Arnona Tax (the real estate municipal tax imposed by Israeli Authorities), including daily living costs and our children's tuition funds. We are expected to pay all these expenses when we don't even live in a suitable home or even in a safe environment.

## 7. Afaf A

**Current Location: Shu'fat- Jerusalem**

**Date of Testimony: Dec.13.2017**

I am from Hebron and my husband is from Jerusalem. We married in 1998. I first submitted for an application for reunification after becoming pregnant with my first son in the year 2000. I am often asked why I did not apply soon after marrying. In the year 2002, my application was suspended and then reopened (I cannot remember the exact date). After my case was re-opened, I received approval to remain in Jerusalem for two years during which I attended every deposition and handed in all necessary deposition proceedings, from electric and water bills to proof of residence. However, I was surprised when my application was rejected by the General Intelligence.

My case was not re-studied until the third year, after I had paid a sum amounting to 11,000 NIS for an attorney. Shortly afterwards, I received a written authorization from the Ministry of Internal Affairs ordering me leave Jerusalem. It is for this reason I turned to another lawyer who took on my case for a year after I paid him \$2,000, but he was unable to help me. I decided then to head to Lawyers without Borders for assistance, however my husband, believing they would not be able to assist us with our case, refused to follow up on procedures. Thus, I was forced to leave Jerusalem and transfer my work to Al Ram area, outside the Apartheid Wall. I once read of a lawyer named N. Z. and heard he has assisted many people with cases related to the application for reunification. Upon visiting him at his office, he requested a sum totaling to 25,000 NIS to help me regain my residency. At that point I was concerned for my children and so decided to accept his services despite the lawyer's costly fees. We spent five additional years working on my case which included three court hearings and an extra 2,000 NIS paid at every hearing session. At each court hearing session, it was ruled that Internal Affairs had no convincing reason for rejecting my application for reunification.

I went through much personal struggle during that time. It was especially painful each time I would travel to visit my family and I would be forced to take a different route to see my husband and son. This in particular aroused suspicion in others, leading them to believe I was my husband's mistress from the West Bank, but not knowing I am, in fact, his wife. My husband used to joke that it was safer to smuggle drugs than to sneak me into Jerusalem – Jerusalem ID holders are prohibited from transporting green card holders (Palestinian ID holders) into Jerusalem. I remember the day my husband's uncle passed away some time ago, I was forbidden from passing through the checkpoint into Jerusalem to pay my respects to my husband's family. Thus, my son and husband were obligated to go on their own.

Two years ago I received my application for reunification and returned to my work in Jerusalem; however, during every court hearing I am overcome by fear for no apparent reason. Despite providing all necessary deposition proceedings, and a payment summing up to 20,000 NIS in exchange for another lawyer, the court hearing held at the beginning of this year ruled against my favor and refused to grant me a temporary Jerusalem ID, where the judge claimed that I had failed to follow through with my application. To this day, we are denied the right to know the true reason as to why I am unable to receive a Jerusalem ID. All in all, this entire case cost me up to nearly 70,000 NIS.

## 8. Nayfa I

**Current Location: Gaza**

**Date of Testimony: Dec.13.2017**

I was born in Amman Jordan, I went with my family to Al-Kuwait in 1964. My father had a grocery store there. I studied my secondary education in Al-Salmya in Al-Kuwait. I got married in 1974 from my husband Ahmad K. I had one son and five daughters in Al-Kuwait and we moved to Jordan after the Gulf War in 1991, and I had another child in Jordan. My husband couldn't live there because we are Palestinians and we do not have rights as Jordanian citizens. As our life in Jordan was unbearable, we went to Gaza strip to visit my family and relatives in 1999, I got one of my daughters married in Gaza. In 2000, I applied to get a Palestinian ID, and for my husband and daughters as well but it hasn't been issued yet.

My husband died in 2014 after suffering with illness. I tried many times to get a Palestinian ID so we could travel and treat my husband who suffered from a spinal cord cancer and needed a dialysis. However, we waited for it so long and he died before we can get permission to go out of Gaza and get him treatment. All of this was because he did not have IDs.

I carry a Jordanian passport, I was deprived from the dream of travelling to my family, siblings and daughters in Jordan; I miss my daughters and family every minute. I feel so bitter after my mother battled with illness and I couldn't visit her before her death in 2014, it had a harsh impact on my psychological wellbeing.

In every holiday, celebrations and sorrow went by without seeing my family. I am Palestinian living in my home country with no ID, I only hope that I can get one before I die so I could visit Saudi Arabia and go to Al-Hajj (a place where Muslim pilgrimage go for prayer). I have been dreaming for this my whole life. I dream that I can go to Jerusalem and see Al-Aqsa mosque, but without having an ID, I can never accomplish this simple dream; to visit places within the borders of my home country.

I suffer from a heart illness, I need to travel abroad too so I could do a cardiac catheterization and I'm trying to live with it which affects my daily life activities. This unification and ID will make me live.

I'm requesting a fast approval for this demand before it's too late .I lived 64 years without an ID, what am I waiting for!

## 9. S. A. (she did not want to disclose her full name)

**Current Location: Jerusalem**

**Date of Testimony: Nov.16.2017**

I am originally from Ramallah and my husband is from Jerusalem. I lived with my husband for 20 years in Jerusalem and our reunification application is still rejected till this year (2017). We got married in 1997, and we applied for a unification as soon as we got married so I can be a legal resident of Jerusalem but our application got denied. At first, they refused to even take my application after I filled it out because my husband and his brothers were prisoners in the Israeli prisons. Since I got married, I am a prisoner in my own house as I am considered an illegal resident and I cannot move within Jerusalem borders. I was also unable to visit my family in Ramallah/West Bank and they could not visit me in Jerusalem as well. I am completely isolated from other people. I cannot go out to the market, I cannot drive my children to and back from schools, and I cannot visit my friends or use public transportation fearing that the Israeli soldiers would stop me at any moment and request to see my ID or a permit which I do not have which will lead to my imprisonment or being deported to the West Bank without my husband and children.

In 2007, I got a temporary permit for six months and it had to be renewed when the deadline is near. In May, 2015, I was informed that my permit can no longer be renewed because my brothers in the West Bank got arrested by the Israeli soldiers, which means that I will be an illegal resident again in Jerusalem and I cannot visit my family in Ramallah, because if I did so, I will not be able to come back to Jerusalem where my husband and children are. I felt desperate at the time and did not know what to do.

My daughter is getting married within the span of the next two months, there are a lot of preparations to do which requires me to go with her to the market to buy the things she needs, but I cannot be with her buying her wedding dress and preparing for her future life. I always feel worried, and I cannot bear what I have to go through each day anymore to be able to stay with my husband and children. Moving to live in the West Bank is not an option as my husband and children would lose their IDs and their right to live in their home country.

## 10. Nahed N

**Current Location: Kufor Aqab**

**Date of testimony: Dec.17.2017**

I am from Bab Hatta, Jerusalem and my husband is from Barta'ah, Jenin governorate. We married in 2008. In 2009, I submitted an application for reunification three times for my husband, where all applications were rejected under argument of security reasons as my husband is a freed prisoner from Israeli prisons. Shortly after we got married, we moved to Kufor Aqab, but only to find life there was expensive, from rent costs to utility bills.

My main issue with this reunification is having to bear all responsibility pertaining to my presence in Jerusalem because my husband cannot enter Jerusalem as he is a holder of a Palestinian (West Bank) ID. This often puts more pressure on me than I can bear as I am the one who cares for the children and reviews my children's applications at different government departments in Jerusalem; I am also the one who keeps track of their medical records and hospital visits.

The toughest point in my life was during 2009, when I was giving birth to my daughter. My husband could not be by my side then, as he seldom is at any social event and I usually find myself feeling lonely without him.

My son had fallen ill in 2015, around the same time the violent attacks and harassment by Israeli settlers had increased in Jerusalem, and I was too afraid to drive him to the hospital alone so I had to call my brother to accompany me. This is usually the case whenever I need anything; I feel so weak and helpless for my inability to change this situation. In many occasions, I feel lonely without my husband near my side. This situation is stifling and I have no hope that things will take a turn for the better. My husband is sometimes able to visit Jerusalem on a visitor's permit granted during the Holy Month of Ramadan, however, the permit is set at a limited time, usually till 7:00 p.m. which means we are obligated to rush home.

This stifling feeling that I get sometimes is also related to our living conditions in Kufor Aqab, where it is known for being over-crowded and obnoxious. Yet, my husband and I are forced to live within the boundaries of Jerusalem municipality, otherwise, I would lose my ID. Recent events had sparked negotiation of whether or not Kufor Aqab should be considered part of the West Bank, in the light of which my husband and I have no clue as to what action we will be forced to take.

## 11. Amal A. S

**Current Location: Bala'a- Tulkarem Governorate**

**Date of Testimony: Nov.21.2017**

I am originally from Jabalia refugee camp in Gaza. I have five children (3 girls and 2 boys). I studied office administration but never had the chance to work. In early marriage years, we used to live in Gaza and my husband used to work in the West Bank. My husband got banned from working in the West Bank and he had to go to Jordan then come back to the West Bank and change his job and residency information. As soon as he changed the residency, I followed him

with my children and we lived in Bala'a/ Tulkarem and we also had to change our residency to be able to stay in the West Bank and not deported to Gaza. My husband used to work as a merchant before he was imprisoned by the Israeli authorities. I have been living here since 2004, and I was forbidden to go to Gaza for almost 7 years and was not able to see my family.

My father was a cancer patient, he came here to the West Bank to get treatment, I was able to see him for two days then he passed away. Each time I apply for permits to go visit my family in Gaza, I get rejected without any reason. My mother got sick as well and she went to Egypt for treatment, I sent my papers to the Human Rights organization to help get a permit to see my mother in Egypt, at first, the applications got rejected several times but then they gave me a permit only for five days and I was able to see her along with my husband and two of my children.

I wish if I can be with my brothers and sisters in Gaza, as both of my parents passed away. I feel sad whenever I have a ceremony and I cannot find any of my siblings by my side. Every time I hear that there is someone from Gaza being treated here in the West Bank hospitals, I go to help them until they can go back to Gaza as I feel their worries and fears being away from their families.

# ANNEX 2 – TESTIMONIES: FEMALE PRISONERS

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## 1. Ahlam H

Date: Dec 24<sup>th</sup>, 2017

I was arrested on 20/05/1979, I was a ninth grader student, at the time, I was writing my final term exam at Nablus school.

The soldiers who arrested me were all men, and no females. They were very abusive and treated me very badly. They chained my hands and took me in an Israeli tank to Nablus prison, they put me in a cell, I suspect it was a room to hang people, the ceiling of the cell was so high, and in the middle, dropped a metal chain; the scene had a traumatizing effect on me and all the other inmates who were put in this cell.

The investigator started threatening me and that he would do horrific things to me, which is to rape me, He also threatened to arrest my mother, sister and all my relatives, but I did not submit.

Every day during interrogation, I was subjected to the worst and most horrible insults and swearing from the investigators, I was also beaten up and was slapped on my face all the time.

I was sentenced to 5 years of imprisonment, despite my lawyers' repeated requests for mercy, because I was a minor back then, at last, another lawyer pleaded the case for me and the sentence was lessened to 2 years of actual imprisonment and 3 years of suspension of execution (which is if I commit any resistance act in the coming 3 years I would be sent back to prison) the ruling was in August 1979.

While in al Ramla prison, a problem happened between the female soldiers and the prisoners, one of the soldiers was very tall and I got beaten up by her, she slapped me in the face so hard she completely broke my nose, and I fainted and fell on the ground

The prison's conditions were very hard, I was sent to the solitary confinement so many times and for several days.

I had a dispute with one of the soldiers, so they sent me for 5 days to the solitary confinement; They put me in a very dirty cell, the toilet in the cell was flooded, bugs and dirt spread everywhere, and before leaving it, I had another dispute with another soldier, so they extended my isolation.

When I left the isolation cell, my color turned into blue because of the bad atmosphere of the cell. The worst thing happened to me in prison was the news of my father passing away, which I had a special relationship with.

In prison, we were 8 prisoners in one tiny cell, where 3 of us could not stand next to each other at the same time. In each cell, there is a toilet (that is not even close to being called a toilet) and it was a shower at the same time, the water to shower was cold, and very few times they provided us with warm water. Food was the worst kind; a very tiny portion given to each prisoner and was never enough, I had to add bread to all my meals to at least feel full.

## 2. Amani A

Date: 21/12/2017

In November 2005, the Israeli forces barged into our house and arrested me. One of the female soldiers searched my whole body naked, then she wanted to handcuff me, but I wanted to change my clothes, I was still wearing my praying gown, she refused by saying it is forbidden. I tried to stop her from grabbing my arm, yelled at her, and said I want to wear my Islamic dress, she shouted back at me that it is forbidden, held my arm so tight, put my hands behind my back, tied my hands with a plastic chain and pulled my arms so hard.

My father yelled at them to take my Islamic dress for me to wear it, they yelled back at my father, attacked him and pushed him to the ground.

The jeep stopped somewhere I did not recognize, and they entered me into a room and wanted to search me naked, I told them I was already searched naked, she shouted at me to get undressed right now, and took off the ties to be able to take off my clothes, and they searched me thoroughly while mocking and laughing at me.

Then they took me to a 3-meter square cell, which had a small steel closed window, its walls' color were grey with a rough texture, with a small-uncovered toilet. On the ground, there was a small mattress, with a small dirty smelly blanket. I found in the room cockroaches and small bugs, I felt disgusted.

I was sent to interrogation, an investigator came in, pulled a gun, pointed it at my head and asked: are you frightened? I looked up at him with silence. I could not move from fear.

After 6 days of investigation, they allowed me to take a bath, the water was extremely cold, and they did not even give me enough time.

After a week of investigation, a lawyer called was allowed to visit me called "Iyad Mahameed", and told me that my parents tried to send me clothes but they prevented them. My investigation lasted for 15 days.

## 3. Dima A

Date: 28/12/2018

In my way back from the school, I saw a soldier holding a gun, he told me to stop and then they cuffed me with plastic chains behind my back and made me sit on the ground

In the room, there was only one bed and a dirty bathroom and some food remains on the ground. Then they took us to the court in the iron bus called “Busta”, in the car there was a cold air condition despite the cold weather out, I didn’t know about the air condition before, I thought that the coldness was from the weather outside, but the girls told me that the coldness was from the air condition not the weather

We sat on the cold prison filled up with dirty things, we asked for cleaning tools to clean the prison so we can stay in it, and the whole time our legs cuffed. I was released on 24/4/2016.

Note: Below is a statement of Dima’s Mother.

### Statement Under Oath

When they arrested her, they cuffed her hands with plastic chains and put her on the ground, they closed her eyes and started to investigate her with a gun on her head and all of this was record with video

When she didn’t respond to the solider questions, he pushed her in the back and sometimes he took off the piece of cloth from her eyes and put the gun in front of her eyes and told her the he will kill her and all of this is recorded. They nakedly searched her by the female solider with male soldiers inside the jeep

After that, they took her to the investigation center related to Hebron police, they started to investigate with her, the investigate was done by seven investigators each one by himself which caused her horror, in the next day, they called us me and her father to investigate with us in the same place, and the investigator himself told us that Dima had a bleeding issue during the investigation and we didn’t know the reason

By 24/4/2016 Dima released from the jail, but she changed so much from what she was before, she became very stubborn and angry, fast-talking, and have no concentration to anything, and to this time after two years she still woke up in the midnight screaming loudly and she don’t remember the reason

## 4. Eman F

Date: 27/12/2017

They broke into a dorm where some girls and myself were staying, they started breaking everything, and then asked for our IDs, and then he looked at me and said he wants to arrest me and some other girl called Fatima, he wanted to blindfold me, I refused, and told me I can go out by myself, that I don’t even know why he’s arresting me, and that I need some socks and my glasses; he refused and dragged me outside, they kept us outside until they finished breaking everything.

When they put us in the jeep, I was blindfolded, so I curled down on myself, and all of a sudden, someone started to kick my back with his feet. The female soldier wanted to search me naked, but I refused, and told her that I am already cold and freezing, she then opened a room full of male soldiers and said if you don't take off your clothes, they will take off your clothes for you, once I heard her threat I fainted.

I woke up on a bed with a female nurse above my head and all the other male soldiers are in the same room, and ordered me to undress, I told her that I would only take my clothes off in front of her. When I went back to the cell, my friend Fatima told me they searched her naked.

One of the hardest times, is when you get your monthly period, things got worse with no toilets or any sanitary pads, I asked the soldier for some pads, she acted like she didn't know what I wanted, for two nights, I had no pads or the use of toilet, only my clothes on.

The investigator who interrogated me was always shouting in a very loud voice, and I was so tired, as I was in hunger strike for 17 days now. I was so tired, so they took me to the clinic, and gave me a forced feeding needle, they hung the needle on the ceiling of the cell with a very cold Air conditioning, I looked up at the needle after a while, and it was all blood, the fluids froze inside it and started to suck my blood.

Next day, they took me to the court (despite the fact it was not my trial, it was merely a humiliation strategy) while holding my forced feeding needle. The soldier then, and out of nowhere, pulled out the needle from my elbow area so fast, it cut my lower arm from elbow to wrist, there and then I fainted, afterwards I woke up in the clinic, and saw my arm bleeding intensely from where the needle was.

They were supposed to transfer me to the women's division to take care of me, based on the judge's ruling after he saw me at court cut and bleeding, still, they took me to the interrogation, an investigator, said he was called Tom, he continued: I will be investigating with you, and from the start he started shouting to scare me and said: who could stop me from raping and doing whatever I want with you, I said: God will protect me, he said: you're God is in the drawer and started banging on the table and shouting over and over close to my ear.

They took me back to one of the cells below the ground, it was a very disgusting cell, no sound, dead silent, with only the sound of water drops, all of a sudden, I saw rats coming out from the toilet seat, walking around, on the mattress, around the cell, I was scared to death, I closed my eyes frightened, and felt it touching my bare feet, I started to convince myself that it is only the mattress, so I would not drive myself crazy.

Afterwards, they took me and another prisoner (Abla Sa'adat) to another prison, where they keep the female Israeli convicts; they were swearing at us and saying you are arabs, you must die, they continued swearing at us and calling us names for 6 days in a row.

Interrogation prisons were the hardest, and regarding the prison's environment; it is very hard, Al-Ramla prison is extremely hot in summer and the floor is made from concrete, burning hot. I was never allowed to go out to the prison's ground, for a year and a half I was kept without my glasses because visits were forbidden for me, they wouldn't let anyone bring me clothes or

anything, I was not allowed to go to the clinic. Regarding the numbers, we were too many in one room, and the food was terrible.

Many women suffered from malnutrition, and many problems in their stomachs, and hemorrhoids, especially the food was very spicy, and there were no fluids or soups, which increases malnutrition.

I lived many phases in the prison, one of which is the 2004 strike, that time was hard, filled with events; the guards used to spray us with gas, and put gas bombs in our cells, and close the doors, simultaneously with power and water cut; we couldn't wash our faces from gas, we used to keep water bottles with sugar during the strike, they confiscated them and everything from us including food and drinks. It was a hard day to day basis.

We were always transferring between prisons, in Summer we would be in Al-Ramla – because is it extremely hot – in Winter they take us to Hasharon – because it is extremely cold – many prisoners in Hasharon Prison got rheumatism. Hasharon Prison was filled with insects, rats and cockroaches. Windows had steel nets, but light was coming through, after a while, they closed the windows with steel bars to increase humidity, bugs and rats.

## 5. Fayza F

Date: 10/01/2018

I was arrested in Jan 27<sup>th</sup>, 1990 when the Israeli forces took me from my home at dawn, and took me to “Al-Maskoubiyeh” (a prison where only interrogation takes place) and interrogated me for a whole month.

They put me in a cell that felt like I was in medieval ages, dirty cell, stinky smells, freezing weather, no clothes to change, no water, food was horrible, I couldn't eat, I had anemia, my hemoglobin ratio dropped to 6, there were no tissues or toilet papers toilets, it wasn't easy to use the toilet, complete dirtiness. They would use this against us, so when I asked them to take a shower, they told me, you be in your filthiness, and smell your stinky body, you are disgusting. Always insulting us. When they transfer us to interrogation section, they cover our head with a stinky cover and could not see a thing.

My hands were tied to the back of the chair all time during interrogation; they would bring to the interrogation cell big sized men to scare me.

In one of the interrogation sessions, he punched me in the face, my mouth started bleeding. The situation continued like this for over a month, moving me from one cell to another, they didn't even allow me to see my lawyer.

We were insulted and humiliated by all soldiers. The hardest thing I faced was being searched naked “just like God has created me”. Visits were only to first family members, as they claim, my nephew who is like a son to me, was not allowed to visit, they kept him waiting outside when he came to prison. My medical condition was deteriorating due to the bad quality of food. I had anemia, they took me to the hospital, hand cuffed and legs tied to bed. They wanted to infuse a

blood unit into my blood, but I refused, I was afraid they would infuse contaminated blood like they did to others, and until now I still suffer from anemia. I was released in 1994. Israelis have already fired me from my job, and deprived me from my service benefits and social security, and the debts to the insurance company kept piling up. They take what they think is theirs doubled, and we are deprived from our rights. I can't move around freely, they stop me every time to check my ID.

## 6. Hiba H

Date: 24/12/2017

I was arrested in Aug 20<sup>th</sup>, 2006. I was single back then and lived with my parents at the Jalazoun Refugee Camp in Ramallah. On that day, I woke up at 3 a.m. to find six Israeli soldiers standing at my room door. I didn't know how they broke inside the house, but I was extremely terrified, I asked them to go out so can change my clothes privately, but they refused. They searched the room, turning it upside down, broke and threw all my belongings.

I request that my father or brother to accompany me, my father accompanied me to their armored car, I looked around and found three armored cars and twenty soldiers standing outside my house.

They handcuffed my hands with plastic chains, and blind-folded my eyes. Then dragged me into a small room, untied me, undressed me and physically inspected my naked body, then they blind folded me again and walked me to a small 3-square-meter room, with an open space toilet, grey dark walls, with coarse texture, only a rotten mattress on the floor and a fouled blanket. The cell was surrounded by dark walls that I could not tell day time from night time.

The light inside the room was so bright, there was a big hole in the ceiling of the dungeon, through which came cold air currents, I was freezing from cold at night and burning from heat during the day.

A few days later, a female soldier came in, took me to an interrogation room and crossed my hands to the back of the chair (crucifix: a form of torture, in which the whole body attached to the back of the chair), and tied my feet to the chair as well.

The investigator kept threatening to arrest my family, and threatened me with a high sentence in prison to frighten me, other investigators would come in, shout and yell at me and try to frighten me as well.

The Red Cross came to visit me, and asked me if I have been tortured, I informed them that crucifixion is the hardest forms of torture.

The food in prisons was unhealthy, not sanitized, not tasteful, the quality of the food was so terrible.

Twenty days later, the warden told me to prepare myself for court, she led me to a small room, undressed me and inspected my body while naked, afterwards, she tied my hands and feet.

However, they postponed my trial to another day. They would assign a trial day and then would postpone it, this continued for over 20 times.

Our families were permitted to visit us every 15 days, if they received permits from the Red Cross. A Large-glass-closed windows would separate us, and we would speak to our families through a phone, we could not touch, hug or greet them in person, visiting times were very hard. Every time we say goodbye to our families, it felt like saying goodbye to strangers. Our families were allowed to bring us clothes once every three months. In prison, sometimes we would get collective punishment of no family visits, or closing the prison square not allowing us to go outside. If there was a training for the prison guards inside the prisons, they would barge in so savagely for practice, and one time, one of the prison guards opened a gas tube by mistake in the prison section, some of us suffered from fainting, others suffocation.

## 7. Hiyam H

In November 1978, midnight, Israeli soldiers broke into our house, entered my room, grabbed me from my name, held me up from my bed and surrounded me from every side, and started shouting at me to give them my ID, they couldn't let me know or allow me to get it, the soldier then took it from my purse, and turned the house upside down.

They handcuffed me so tight with a plastic chain, they blindfolded me, put me in their jeep, and tied my legs. I tried to move my legs because the chain was so tight, so I mistakenly touched the soldier's foot, so she punched my head so hard, I felt dizzy.

They drove for about 2 hours, and then stopped at Nablus prison, she took away the fold from my eyes, and looked at my hands and they were bleeding because of the plastic chain being so tight.

After a while, they took me to Al-Julma prison for investigation; the interrogations and questioning used to last for long hours, one could not tell time, could not tell day from night. Interrogation continued, and they deprived me from visits, I did not see my lawyer or the Red Cross.

I was taken to the investigation every day, and when the investigators needed a break, they would take me out to the prison ground under the rain, and put a stinky bag over my head, and in chains, I had my period on for a very long time, I do not know why, it seems because I was exhausted and physically tired.

While in investigation, I refused to eat, because food was terrible and contaminated. The guards used to barge in our cells for inspection, send us out of the division, and after they are done with inspection, we return to the cells to find them upside down.

Every time a prisoner went out to see a doctor, the doctor would describe "acamol" (pain reliever), we used to call it the magical pill, it was described for all kinds of illnesses. One day I had toothache, so they took me to the clinic, the doctor never treated any tooth, his solution was to take it off. He took off my healthy tooth and left me with the bad one. After few days, I couldn't take the pain any longer and had to go again to the clinic to take it off. One day I had a severe colic, it was unbearable, they transferred me to the hospital, put me in a bed, handcuffed me to the bed, and examined me to find I have appendicitis, they operated on me, and stayed in the hospital handcuffed to the bed for three days.

While in the hospital, An Israeli girl knew I was a security prisoner, so she attacked me, tried to strangle me and kill me by putting a pillow on my head, the female guard saved me in the last minute.

## 8. Ihsan D

Date: 23/12/2017

I was arrested in February 27<sup>th</sup>, 2017 during a raid to my home by the Israeli soldiers at 4 a.m.. The soldiers came knocking at my door in a beastly manner and shouting, that even all children in my neighborhood were so terrified. They started shouting at me and one soldier pushed me to the wall. They took me inside their armored moving cell, they didn't allow me to sit, they threw me on the floor which caused extreme pain in my leg, because the female soldier was pushing on my leg all the time.

The Israeli detective was very nervous, shouting, yelling and swearing insults. During my interrogation, they exerted huge pressure on me to confess on things I have never done and I have never heard about. They returned me to my cell after long hours on interrogation. After 3 days I went to court to find out that the judge had sentenced me to 6 months in prison. They have forbidden my family from attending the court session, claiming that my file and case are highly confidential.

Soldiers used to nakedly inspect us all the time, before and after transfer from the cell to the court or to the interrogation room. One day I was fed up with all the nude inspection, so I refused to be inspected. The female soldier threatened that if I don't take off my clothes she will keep beating me until I fall dead. But I insisted on not taking my clothes off, and indeed, they have beaten me in a beastly way that no human body can endure, and inspected me naked then.

The cell was crowded, filthy and totally unsuitable for any human to live in. Medical negligence was apparent and intentional. A large number of female prisoners were denied their right to medical care and services. Some of them used to suffer from chronic disease, but the prison administration used to continuously neglect their request for medical attention. I was an administrative detainee; for the Israeli, administrative detainees are not sentenced yet, and therefore, they are deprived from all their rights.

## 9. Itaf H

Date: 18/01/2018

They took me to the cell division without blindfolding me; they opened a heavy iron door, we entered a prison square with strong lights coming from headlights. The prison square was filled with prisoners; one was crucified standing on his head and his hands tied to the back of an iron pipe, others on their knees on a rough harsh floor and dirty bags over their heads, another crucified on a chair, the officer was walking me slowly so I would see everyone of them in an attempt to break me.

They put me in a cell around 3 meter square, with a 1 meter and a half height block in the middle separating bath from sleeping place.

The light in the cell was weak and tiresome for eyes, walls seems as painted with humidity. The prison guard took me to another investigation room, a little bigger than the first one, there were five investigators. They started to crack sexual jokes, jokes about arabs, and others describing the Jewish stunts and the greatness of Israeli secret intelligence. Then they started interrogating me and found I did not give them the least attention, they started shouting, yelling, cursing, calling me names and threatening me of rape and one of them took off my head carf and tried to take off my Islamic dress.

One of the investigators tried to play the good cop and took me to another interrogation room, but I told him that I have nothing to confess, then he started shouting, cursing, threating that my destiny would be mental hospital, that he will destroy my family and siblings, and will make me regret the day I was born on. Then, all of a sudden, he hit me with a cup of glass on my mouth and teeth.

I stayed in the investigation for a period of time, in which I did not get a shower, and without the flu I got; the stinky smell could have killed me. I had the Menstrual period twice at the time, I did not get any pads so I had to use the dirty blanket that was in the cell, it was rough which doubled my suffering. My health condition deteriorated, that I could not stand on my feet and had to be transferred to the hospital.

One time, they dragged me and started beating me until I was bleeding from my hands and face, I could not breathe anymore. The next day, my face and hands swelled; so they took me to the hospital, and as it turned out, my nose and one of my fingers were broken and they decided to do a surgery for me, which was done to me after a year in which during I had trouble breathing. When I entered the surgery room, a female doctor start to curse me and said that they should kill me instead of treating me, then my blood pressure increased and I started bleeding and the result was the failure of the surgery.

I was transferred to the prison of the Israeli female felonies. The Israeli criminals were helped and encouraged to fight with us, humiliate us, start a fight so we get punished, or even spray water on us. One of the times, they started a fight and assaulted us, as a result, we started a strike of not going out to the prison square and we demanded to be separated from them. The situation did not change much for two months; assaults continued, and the guards would only sit and laugh at us being humiliated.

A clash happened between us and a huge troops of soldiers who entered the jail and start spreading Pepper Gas and hitting us violently till we started bleeding. They transferred us to Abo Kbeer prison in Jaffa, and photographed us looking dirty with blood and blowzy hair, printed the photos and published them in the magazines, as we are the criminals and they are the victims.

Going to court was a journey of hell, and it increases with the level of baseness of the officer who is taking us there. Once I was going to the court near Ramallah, the officer tied my hands and legs, put a cover on my mouth and eyes with diesel on, I objected, but he started cursing me. When we reached the court, I told the judge about that, so he ordered the officer not to put the cover on my face and eyes. After leaving the court and getting to 100 meters away the officer

stopped the jeep, parked aside and started hitting me because I told the judge then he tied me again, put the cover back on my mouth and eyes, and took me to the police center. When we reached there, He pulled me out of the car and started hitting and kicking me until I lost my conscious. I filed a complaint against him but Nothing happened.

I was released in February 1997 and then re-arrested on 20 October of the same year.

It was not easy leaving my child behind, her father sent her to visit me with the prisoners' families since all my family was banned from visiting me, even my 85 year old mother. I asked them to meet my daughter face to face instead of seeing her beyond the glass barrel and they refused. I negotiated with them through the prisoners' representative for two months and still, the response was negative. I asked them to let her come and live with me according to international law; that I have the right of incubation of my daughter until she reached 2 years old but they also refused.

I was released in 2008, and until now, they prevent me from traveling, and I was deprived from doing my pilgrimage as they always return me back from the bridge where we have access to the outer world, I am deprived from visiting Al-Aqsa Mosque.

## 10. Jihan D

Date: 09/01/2018

I was going home with my mother, they Israeli soldiers stopped us at the checkpoint and took our IDs, we were kept waiting, what worried me the most, was my mother's health condition. It was December and the weather was freezing, I asked the soldier to bring her a wool blouse for her to be warm, he said "if you keep talking, I will take off everything she is wearing"!

Then they took me to an inspection room, where a female soldier physically inspected my naked body, took off all my clothes, I was so worried asking myself could there possibly be cameras in the room.

They took me to my cell, and as much as I have heard from other prisoners about the horrible condition of the cells, I was shocked to see that it was even worse than I imagined. It was like an animal cemetery, its smell, its dirtiness, it was so dark, the walls were also dark, as if I was entering a grave, they left me there for two days without any investigation or interrogation.

On the third day, they took me to interrogation, they started provoking and intimidating me by indicating that I am a lonely child to my parents, if you I not cooperate, they will imprison me for a very long time, so I better confess to be released really quickly.

Interrogation was on a daily basis, they would only send me to my cell to eat the food, which one may call it whatever but not food; they would bring a piece of chicken with the feathers still on, stinky smell and one would vomit at its sight. I was kept for interrogation for 21 days.

They pressured me a lot during interrogation, I was about to collapse and faint. They wanted to search me naked, I refused, the female soldier said if you don't submit, you will stay in the cell.

Then they transferred me in the prisoners' car, it was a very tiring, unsettling mobile cell, still, I thought of it as my way out of death to life.

My uncle passed away, he was very young, and I did not even get a phone call, many events took place while I was in prison, I was totally absent from reality.

Everyone was denied from visiting me, they only allowed my mother, but I could not see my siblings anymore.

Despite the fact, I ended my sentence in prison, but my sentence was not due, I was denied leaving the country, I was engaged to a man in Jordan, and I had to call it off because I couldn't travel.

## 11. Manal G

Date: 28/12/2017

I was arrested from my house on 17/4/2003. 25 soldiers came to my house. They took me and all my family outside the house, They didn't let me wear my shoes and my clothes, and the female soldier held me when I was walking and hit me in the back, she and the soldiers laughed at me, and then they put me on the military jeep and after that the female soldier cuffed my hands and legs with iron chains and closed my eyes with a piece of clothes.

And then I told them that I'm pregnant so get me a nurse, the nurse told them to get me food (an apple, small amount of yogurt, and a small piece of bread), and I stayed in the same room at the same chair for three continued days, for the whole time I slept on that chair with my hands and legs cuffed, and with same daily meal.

On 10/10/2003, I felt parturition, and got labor, and started to scream while I was in the room at 5 a.m. in the morning, but nobody care about me, at 1:30 in the afternoon a female soldier and male soldier came and opened the room door, cuffed me and told me that they will take me to the hospital, I arrived to the Ramlah hospital, screaming from the pain, when I entered the room there was only one bed, and the soldiers tied my hand and legs to the bed sides

One meal in the day wasn't enough (soup and an apple) and every day with same meal  
After three days I went back to a different prison (Hasharon), where all the prisoners transferred, and they put me and my baby in the room.

In the room, there was seven prisoners and I was the eighth, the room was too small and can't hold more than three people, we can't move so we stay in the bed most of the time, but after that they took me to the solitary room in the same place, and took my baby from me, they didn't care about me or my baby, and they didn't give the baby in the right time.

## 12. Marah J

Date: 28/12/2017

I was arrested in 29/2/2017, my cousin and I were waking near a settlement in Qalqilia, we approached the soldiers asking them to go inside the settlement but they refused. They started shouting at us. At that time, we bought knives from Nablus for home use. We took out the knives as an attempt to defend ourselves. When they saw the knives they were shoot near our waist by many soldiers.

A female soldier searched me with her hands without the machine and then she put a plastic chains on my hands and put us in a white jeep, I was alone and didn't know anything about my cousin(Salem), they took me to a military camp full with rooms with motors, I sat on the chair in the room, my hands were cuffed on the chair, they kept asking me about my name and my father's name, and then laughing at me without any reason and they closed the door and left me alone near the motors, they were annoying and I was tired, and when I lean my head on the chair to rest, they open the door and start screaming at me with "what", after three hours I asked to go to the bathroom and to takeoff the chains from my hands, but they took me to a small bathroom with a single toilet seat, my hands were cuffed with chains and they refuse to release my hands, and I asked to call my family but they refused and laughed at me

They took me to the search (naked search) I refused it but after they screamed at me I accepted it.

## 13. May Al-Ghusein,

Date: 03/01/2018

I was arrested in June 1991, falsely claimed that I wanted to stab a soldier, the Israeli soldiers followed me, pushed me to the ground, put chains on my hands and pushed me inside the jeep, my glasses fell off my eyes, and I reached out to get it, one of the soldiers took it away and smashed it under his feet, two other soldiers started punching my face until I fainted.

I was awake few hours later, by the sound of a large number of soldiers, around 5 of them, cursing and calling me names that I am not used to hearing.

And there started the series of interrogation, with a male investigator (not a female). After the long hours (6-8 hours/day) of interrogation, they would send me back to a small 6-meter square jail, with an uncovered toilet, where if you are using the toilet and the police officer comes to get you to the interrogation again or simply passing by, he would see everything clearly; there was no privacy even when using the toilet.

After the interrogation and the trial, I was sentenced to life sentence and an extra 12 years, they transferred me to another prison, but the prison administration was not satisfied with my sentence, so they decided to send me to solitary confinement, but all the prisoners protested against that call. Hence, the prison administration changed their decision to preventing me from going out to the prison ground for a whole month (every prisoner was allowed two hours a day),

they also prevented my mother from visiting me for a year and a half, claiming there is no relationship between me and her.

Eventually they allowed her to visit me; it was a very touching moment, but the visit period (45 minutes) behind window glass that you can barely see anything, was not enough to compensate for the year and half of deprivation.

When I entered the prison, I still had residues of epilepsy, I was about to heal from before being arrested. I used to take regular medication, I told them from the start about my illness, the treatment and the quantity I needed, however, for not taking the medication regularly, the epileptic seizures have intensified. after 4 months of suffering and bringing medical reports, they were convinced to give me the medication with the right doses.

When we needed to visit the hospital for medical reasons, they would transfer us in a special car with steel seats with no ventilation. The soldiers would verbally abuse us as well. If we would visit the dentist, he would treat or even take off a healthy tooth instead of treating the hurting one.

The quality of food is so terrible; for example, the sausage they used to serve (as much as disgusting it was, and is not even edible) we would give to the cats in the prison.

One of the prisoners (Khameesa Mihna) who actually had a bullet in her leg, lost her sight because of medical mistake.

## 14. Mona Q

Date: 28/12/2018

I was arrested in February 1999, while going to work in a bus. They took me to Al-Jalma investigation center, they let me in a room, where the female soldier started inspecting my body while naked. She confiscated all my personal belongings. Then led me to a , 1 meter square room, with an uncovered toilet. It was too small to even sit in.

The female soldier tied my hands to the back of the chair and my feet to the bottom of the chair.

Afterwards, they took me to the small cell; I refused to eat my breakfast, because I was on hunger strike. Three hours later, they took me back to interrogation without allowing me to sleep at all.

I was tied again to the investigation chair; I was asked questions, shouted at, cursed, and threatened. Interrogation lasted for 8 hours, after long trouble, I was allowed to use the toilet.

When I refused to confess, they crucified my hands upward for a period longer than 5 hours.

Few days later at around 8 o'clock, I was taken to investigation again, with new rounds of torture, shouting, insulting, and crucifixion. It continued for more than 8 hours. They allowed me to use toilet once or twice. After that, they sent me to a small dark room; I felt like it is the coffin, there was no light, no space to sit down, everything was cut off including air to breathe. After midnight, they returned me back to investigation to start another round and lasted to the next morning, without getting any rest or sleep for even a few minutes.

I was still on hunger strike for the sixteenth day in a row, the investigator (Abu muneer) brought a piece of paper with a phone number on it, I took it from his hand and immediately swallowed it, after that, they started hitting me, punching me, torturing and shouting at me; more than 10 officers came in and tied my hands upward in the crucifixion method for 48 hours, without allowing me to rest, or use the toilet, until I urinated on myself, and lost conscious afterwards.

The 21<sup>st</sup> day of interrogation, (I was told time and date from investigators), was the hardest, I was crucified for long hours outside in the cold weather with rain pouring over my head; No human being can tolerate or bear. I was crucified for over 12 hours

To force me to confess, they brought my brother to the investigation room where I was, he is he was their prisoner in Majiddo prison. They hit him in front of me and threatened to kill and finish him.

Still, I refused to confess, so they re-crucified me for two days. Second day at night, they sent me back to my cell, hoping to find hot water to shower, but there was no water to shower at all, I was kept without shower for the entire time of investigation.

At dawn, I was again crucified under heavy rains and cold weather until I lost my conscious.

Next day they took me to Al Jalama investigation center, while unable to walk or talk. Despite that fact, they still started shouting, insulting and hitting me, but I did not speak at all.

I was released on 24/3/1999, and on 14/9/2004, they bombed our house and my brothers' houses doors, break into our house violently, and started destroying all house items; furniture and library, my mother and I were home alone.

I was released on 15/5/2006 and re- imprisoned on 2/8/2007 once again.

A completely new interrogation started; they locked me in a very small cell with tiny toilet, which had a stinky smell. Interrogation started by crucifying me on an iron chair, and continuous transferring me from interrogation centers to the cell, and now allowing my lawyer or the Red Cross to visit me. Interrogation lasted for 3 weeks. I was released in 2008, my administrative detention was for one year.

On 30/05/2011, they again broke into our house, and arrested me. As usual they started their investigation as in the past, crucifixion, shouting, insulting, sleep deprived. Interrogation lasted for 62 days. I was released on 18/12/2011, and re-prisoned on 13/11/2012, when they broke into our house again

They referred me to al Jalma investigation center, in which a new investigation round started and continued for 17 days. They were extremely rough because this time, they had information about me and I was denying. I was crucified for long hours in day time, and interrogation at night, depriving me from sleep, and they used the so called polygraph they have with me.

They did not sentence me for 3 years of detention. After long-agony and suffering between jails and courts in the Cursed Bosta – an iron jeep cause suffering to prisoners during transferring prisoners between jails and courts. I was released on 10/3/2016

## 15. Ni'meh H

Date: 06/01/2018

I was arrested in 1993 on my way back from Jordan to Palestine. I went to Jordan with my brother to visit my family. During our way back as I was crossing the bridge between Jordan and Palestine, the soldiers in the passport control unit, took my passport and asked me to wait. I waited until the bridge closed. Then they took me to a room with my suitcase, the female soldier had a blade and started ripping my things and clothes (my traditional Islamic robe), I do not know what they were looking for, but they have found nothing, when they were done, they handcuffed my hands and chained my legs and put me on an armored dark car.

During my transfer from the bridge to prison, they folded my eyes and took off the veil on my head. I stayed for a whole week in a small, dark dungeon, all dark, nothing but a small window in the ceiling and above it were bricks, one would not know day from night. The cell was extremely dirty with rotten blankets, doors and windows. The sewage was flooding everywhere and caused foul odors.

I was released a week later, however, the punishment was not finished yet. They deprived me from traveling until the year 2010, they deprived me from visiting Jerusalem until now, and deprived me from visiting my siblings in jail for a very long time.

## 16. Ouhoud S

Date: 07/01/2018

50 Israeli soldiers broke into my house on Nov 5<sup>th</sup>, 2004 at 1 a.m.. They detained my father and brothers in one room, and my mother and I in a different room. They searched the whole house, then came to the room where my mother and I were detained. They told me that they came to arrest me. My mother was so angry and started fighting with them telling them that I'm still a child, and what could have I done to be arrested, did I threaten their national security.

The handcuffed me, chained my legs and covered my head and took me in an armored black car to an unknown place. I stayed on the floor until the morning then they told me that I am in the Ramleh Prison.

I spent a week in that prison, before a female soldier came to me telling me that we have to move, I asked to where, my fellow inmates told me that I have a court session. The transfer car was black and closed, it looked like a grave. Soldiers with their guns where setting next to me, and dogs were also inside the car.

After we arrived, they detained me in a closed cell, tied me to a chair and I kept waiting for more than one hour. A detective came to interrogate me, asking me personal information, and questions about my family, classmates and friends, but I refused to answer. Another detective came and asked the same questions and I refused to answer again. Then a new detective came to the room, telling me "playtime is over" and pointed a gun to my face threatening that he will kill me if I don't start to speak.

After a while, a female soldier came and took me to an underground cell; she handcuffed me, chained my legs and covered my head. The cell was very dirty and dark and cold that I couldn't differentiate between day and night, the bathroom was inside the cell with no separation walls, there was no privacy at all. At that time, I was still a child and I was so terrified. They were very cruel to me.

3 days later, they took me back to the interrogation room, and connected me to a lie-detection machine to make me confess on things I had never done. A new detective came in and asked the same old questions, and I refused to answer.

After 13 court sessions I was sentenced to 12 months in prison and a financial penalty of 3000 shekels. My parents were never allowed to visit me. I was released on 14/8/2005.

## 17. Radhad K

I was arrested in September 2016; I was in a car with my cousin on the street to Hebron, and something went off with the brakes, we could not control the car, and the soldiers just started shooting at us, the car hit a bus near the colony, I was severely shot in the lower part of my body, then I saw someone wearing blue coming to the car, held the gun against my back, and shoot at zero distance, I became paralyzed.

They pulled me from my arms out of the car and dragged me on the ground. They took away all my clothes, my lower body was not moving, I couldn't stop them, then they put respiratory system because I needed to breathe, I needed air, but the system was not even working, it was only for media and propaganda, to improve the Israeli image and reflect a humanitarian side of the occupation, because press was already on the scene. Then, they took me without any first aid to the ambulance, I couldn't feel my legs, huge pain.

When I reached the hospital, I fainted. Woke up five days later. An officer came to my room, came to check up on me, started shouting and cursing, and another two persons, who were wearing civilian clothes, also were cursing and calling me names, and doing dirty moves with their bodies and hands, threatening me that they will kill me, and they would do that every time they entered my room to see me. The gestures, the moves and cursing frightened and bothered me, even the soldiers used to mock and laugh at me, they wouldn't let me sleep, even though I did not know day from night.

Every time I tried to explain to the investigator that the car brakes went off, and there was something wrong with the car and that we didn't try to commit anything, he would rage and start shouting, yelling and cursing.

He wrote, what they claim to be, "my statement" in Hebrew, and I told him to write it in Arabic so I know what he wrote, but started yelling and screaming, I told him I will not sign on something I don't understand, he got raged and fury, and ordered me to sign in a scary way, and said you are compelled to sign, you have no other choice. So I signed. He raised the paper up and said this is your official statement! And I said: it is all lie!

In the hospital, they informed me that I had two small fragments of the bullets in my stomach, which are life threatening. At the beginning, doctors refused to do the surgery, then an Israeli officer came signed a paper, gave it to the doctor as approving the surgery; they operated on me in the same room on the same bed, handcuffed with no anesthesia, I was watching how they opened up my stomach, and while they were operating on me.

They were bringing me food hospital which I did not trust, so I did not eat anything, that caused me dehydration and loss of weight, I was admitted in the hospital with a weight of 55 kilos and left with a weight of 38 kilos.

The soldier intended to tighten my hand chains to hurt me, and a settler would come in and start calling me names and swearing at me.

My parents were security rejected to visit the hospital in Israel. They, then, transferred me to Ramallah hospital, I got there in so much pain and suffering. My parents did not know anything about my condition, because they refused to provide them with any information, reports or any of the tests.

## 18. Siham A

They brutality searched my whole house, close to destroy and breaking things and they didn't let anything of the house furniture in its place. Then I told the Israeli officer that I was sick and he knew about me being in the clinic in the previous day, he asked me my medicines and x-rays, and he said: bring them with you to give you the right medicine, and this was the last time I see medicines because they didn't give me any after that.

And they roughly dragged me to get on the car, and they screamed on me, they were always making jokes about me and laughing because I am too old to be a prisoner. Then they told me that I will go to investigation center, I asked for a phone to reassure my daughters that I am fine but they refused.

And from the first moment I arrived they searched me naked, and all my ways of refusing and screaming to deny the search didn't work, they took my Islamic dress and said that I wasn't allowed to wear it there.

I slept two times in the hospital because my condition was getting worse during the investigation, I did not see no lawyer or any red cross during the seventeen days in the investigation

I said to the officer: this is your investigation. This what you learned in the life? He answered with swearing and he cursed and called my martyred brother names to provoke me, I was silent and didn't say anything, when the officer saw that I don't respond he said, "that I have no feelings and I don't understand nothing"

I felt that this was the end of my life because of the intensity of investigation and psychological torture

The mold smells was flushed all over the place coming from the mattresses on the floor, this wasn't a life I wished to die at the hour or hour and half I reaches the matter, tired and exhausted

hopping to sleep and never woke up, I desired death because of torture, officers and jailers didn't understand anything of humanity, they gave food to cats and animals I saw them doing this, but humans like me they confiscated food from us although of my old age.

Even the water is polluted and dirty, drinking this polluted water affected me and I went to the hospital because of it, and the doctor said to the officers that the water is polluted and it caused an infection in the stomach and asked them to give me filtered water.

One night in the investigation, my left hand stopped and my leg churned because of hypertension, I felt that I was suffocating in the prison because of lack air.

I laid on the ground to take a few air blowers coming from under the door, I saw my hand getting blue, and when I laid and put my nose on the ground, I fainted and then woke up in the clinic with liquid needle.

That day I didn't go to the investigation because of my health condition, the officer called it heart attack and recommended me to take care of my health more, and because they left me one night without investigation, the next day they took me to a twenty-four hours investigation; a reparation of the night I rested in torture

## 19. Suha M

Date: 24/12/2017

I was arrested in Jan 19<sup>th</sup>, 1997 when I went to pray in the Aqsa Mosque in Jerusalem, based on charges of attempted stabbing to one soldier in the square of the Mosque.

More than 15 Israeli soldiers surrounded me and pointed their guns to my face, they dragged me to the floor and beat me on my back and broke my arm. They then took me an interrogation prison, where the journey of suffering has begun.

They focused on psychological torture and threatening, and threatened to detain my family members. Back then I was only 16 years old; a female soldier used to always accompany me, but she was tougher than her male encounters, she used to beat me and humiliate me all the time.

The cell was very small and dirty, It was a means of torture. I was arrested in January so the weather was freezing; they took away my blanket and my traditional Muslim rope and left me light clothing. They used to provoke me swearing at me and cursing my religion as a Muslim.

They never let me settle in one cell, they used to move me from one place to another constantly; sometimes I used to sleep in the kitchen or in the hallways. I was exposed to huge suffering, especially as being a child alone in the prison, no lawyer and no communication with my family, they even did not allow the Red Cross to visit me.

They prohibited my parents from visiting me, I was all alone. An Israeli settler used to come into the prison, and threaten to kill me everyday and that made me so terrified.

I spent four and half months under investigation, then I was transferred to an isolation cell; they handcuffed me, chained my legs and folded my eyes. The soldiers in prison used to treat me so badly, swear at me and continuously telling me “we will let you die in isolation”.

The isolation cell was fairly sized, but the bathroom was inside the cell with no separation walls, and the door was transparent, so anyone walking through the hallways could see me showering or using the bathroom. It was an awful time for me, I was exhausted from all this humiliation, so I decided to go on a hunger strike. Later they moved me from the isolation cell to the regular prison cells, they were full of Russian women, all of them were older than me. I used to request going out to the square, but each time I went, the Russian women used to gather around me and try to beat me. The soldiers used to neglect me a lot, they even used to forget to bring me food. One time, they didn't bring me food for over three days, I was starving, then I started shouting and asking for food; they provided me with food and moved me back to the isolation cell, Simply because I shouted out of hunger.

Most of the time in prison, I was forbidden from being visited by my family. My mother died and I didn't knew until a week later. I wanted to study, so I had a Chemistry book with me, it was left in the prison from former prisoners. They took it from me claiming that it was forbidden. My prison experience was dramatically awful, I have been through significant torture and ill treatments.

## 20. Yasmine J

Date: 11.01.2018

I was going to my house which is near the colony (Kiryat Arba'), when all of a sudden, one of the soldier guards started yelling, shouting, insulting me and calling me names. Then he asked me to lift my clothes up showing my stomach and back, at the same time, 5 soldier jeeps came to the sight and stood there just looking at what was going on.

Then a group of soldiers attacked me, started beating me up, pushed me to the floor and held me there for a while.

Each time after interrogation, they would send me to a room full of electrical transformers full of electrical wires on the ground, I was too afraid to be hit by one of the wires.

They claimed there wasn't enough cells for me to stay with the other inmates, so they put me in a solitary confinement cell alone, the cell was so filthy, filled with first water filling up the space, there is nothing but a filthy wet mattress, with no clothes or anything.

After 3 days, I asked for water to shower, the soldier brought me water, it was yellow water, I did not think much of it, and thought this is the water in all prisons, and showered, after three days of being in the solitary confinement cell, they took me to the division with the other prisoners.

The cells were very small, filled with bugs, dirt and rats, rats were coming out from the toilet and other holes in the wall, the atmosphere was always humid, and in winter, very cold with no enough covers or even warm Air conditioning. In summer, there was no ventilation or fans, it was too hot. The food was horrible and crappy.

The cells were overcrowded, which made it even harder to live in. As for medical care, there was a significant medical negligence. The dentist used to fix the wrong tooth and then leave it open. Even their medical services was all about torture.

Prisoners used to spent long hours in “Oufar” court; I was always handcuffed and my legs were chained, there was no place to set, no bathrooms, all prisoners used to wait for other prisoners to finish their trial. Before and after our transfer from and to Oufar court, we were exposed to naked inspection.

Family visits were only limited to 30 minutes, and sometimes soldiers used to reduce it with no valid reason.

After my release I went to the hospital and made some medical tests, since my health situation dramatically deteriorated and my hair used to fall off during my time in prison. The medical tests proved that the water was contaminated with a poisonous chemical compound. I left the prison with no hair, no eyebrows or eyelashes. It’s been 11 years since my release and my hair has never grown back.

# ANNEX 3 – TESTIMONIES: ACCESS TO HEALTH

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## 1. Fadwa S

<b>Name</b>	Fadwa S
<b>Age</b>	Jabalia, Gaza
<b>Location</b>	Cancer patient/not allowed to travel
<b>Nature of Incident</b>	December 2015-Present
<b>Date of Incident</b>	26 September, 2017

“My name is Fadwa, I am 52 years old, a widow and a mother to 5 children (Rami-34, Miftah-32, Mai-28, Mohammad-25), and I live in a rented house with my younger son and his wife in Jabalia, North East of Gaza”

“In January, 2015, I felt a pain in my lower abdomen. Later, I started to have vaginal discharge and bleeding. I went to A’wda hospital in Tal-Za’atr to conduct several tests. The hospital is located in the eastern side of Gaza. The doctor instructed me to do a Computed Tomography (CT) scan, and he took a sample from my uterus. Two weeks later, the doctor told me that I have a malignant tumour in the ovaries and uterus.”

“After I got the results, they conducted a hysterectomy in my abdomen, removing my uterus and ovaries. The doctor told me that I will require constant check-ups, so they requested a medical transfer issued by the Palestinian Ministry of Health for treatment in Israel.”

“In February 2015, I arrived at Augusta Victoria Hospital in Jerusalem where they told me that there were no scans for the uterus, and sent me back to Gaza. Later, the Ministry requested a transfer to Rambam hospital in Haifa, but it took a long time to be issued. During this, I was physically and psychologically tired. I also had to take care of my husband who suffers from Osteosarcoma.”

“On 5 June, 2015 my husband passed away. The next day, Israel issued a permit for me to go to Haifa. My children urged me to go to Rambam hospital in Haifa and I had to leave with tears in my eyes. My sister Refqa accompanied me there.”

“I stayed at the hospital for three weeks. During my stay, the hospital did the ultrasound in which they took three samples. The doctor told me that I was better, but that the tumours were malignant so I would have to return for a check-up and Oncoscint Scans every three months.”

“I was able to travel in September 2015 and no complications occurred. However, in December 2015, Israel refused to issue me a medical permit. Afterwards, my son Rami who used to work with human rights organizations was able to get me a permit. They issued a permit only for myself, so my sister was not able to escort me. I travelled at 2:00 p.m. to Rambam hospital and preformed the Oncoscint Scan. Because I stayed late, Erez crossing was closed and I had to remain at the hospital.”

“On next day, around 1:00 a.m., the soldier at Erez crossing told me to sit and wait. I was in pain because of what they had injected in my body at the hospital. I sat by myself, no one talked to me and I started crying. Later on, two soldiers approached me and they asked me to accompany them to the interrogation room. I was not capable of walking, I was really tired and I told them that I was not feeling well, to no response from them. I walked for 100 metres until I arrived at a very dark and scary place with a long corridor and many rooms. While I was walking, I heard yelling and screaming in Hebrew.”

“A female soldier approached me, took my bag and phone, and ordered me to go into the room; she closed the door after me. She yelled at me and asked me to take my clothes off. I took my clothes off and stood in my underwear. She inspected my body and put the inspection machine inside of my private area. I felt embarrassed; afterwards she asked me to put my clothes on and left me in the room for an hour by myself. I was crying from pain and fear.”

“Next, the same soldier returned to the room and took me to another room where a soldier dressed like a civilian was sitting. He started interrogating me and asking all kinds of questions about me, my family, my children, their names and their jobs. They interrogated me for two consecutive hours, and when we were finally done he ordered me to leave the room and threatened me in Arabic: “Tell your sons that out eyes are big and we do not sleep. Leave.”

“At around 5 p.m., I arrived home and told my children about what happened. I was so traumatized from this experience that I stayed in my room for a whole month.”

“My son Rami applied for a permit four times in 2016, and twice in 2017, and they were all rejected with no clarification as to why.”

“On the morning of 28 July, 2017, an employee from the Palestinian security coordination office called me and told me to go to Erez crossing, because I have an interview with the Israeli Intelligence Agency. I started shaking and I became scared. My children urged me to go but I refused because of what had happened to me the last time I was there.”

“I suffer from continuous lower abdomen pain. I take Morphine and pain-killers and I performed a CT scan in the Rantissi hospital in Gaza, but the Oncoscint Scan is more important”

“I feel really scared and I would prefer to live off pain killers and die in Gaza than go to Erez and be threatened again. I don’t want harm to come to my children.”

## 2. Nidaa T

<b>Name</b>	Nidaa T
<b>Age</b>	32
<b>Location</b>	Al-Shati Refugee Camp, Gaza
<b>Nature of Incident</b>	Medical Treatment; Unable to Travel
<b>Date of Incident</b>	30 October, 2017

“My name is Nidaa’, I am 32 years old and married with three children (Kareem-12, Saleh-9, Tala-8) I live in Al-Shati refugee camp, on the western side of Gaza.”

“Since 2012, I have suffered from a chronic and rare condition in my veins and nerves. I experienced pain for such a long time on my upper left side because of an Arterial Aneurysm.”

“On 7 December, 2012, I received a permit from Makassed Hospital in Jerusalem, where I received surgery to remove the Arterial Aneurysm. The surgery was successful, and after a month I returned to Gaza and the doctor told me that they will conduct Cardiac Catheterization surgery on me. In September, 2013, I did the Cardiac Catheterization surgery, and I visited the doctor every 6 months afterwards.”

“On 29 February, 2015, the doctor ordered that I have the same surgery for my right side, but this time the Israelis rejected my medical transfer request. Since then, I have requested more than ten permits, and all have been rejected with no clarification as to why.”

“I feel more exhausted, I am constantly stressed and have numbness in my hand. In my current state of health it is not good to feel stressed, and so my situation got worse. I visited Shifaa Hospital in Gaza and went to other doctors. Many did not understand my case, while others told me that my case is rare and there is no treatment for me in Gaza, and others recommended that my hand should be amputated.”

“I am no longer able to do any housework because I cannot hold heavy things and I am always tired. This have negatively affected my mental situation and that of my family.”

“On 30 October, 2017, at around 8:30 a.m. I went to Erez crossing after I received a phone call from the Israeli security coordinator asking me to come for an interview regarding my medical permit.”

“At the crossing, an Israeli soldier ordered me to sit in the waiting room, I stayed there for two hours, alone. The soldier took me to an inspection room with cameras, and asked me to take my hijab and clothes off. I only had my underwear on and she searched my whole body, I felt ashamed and embarrassed”

“Afterwards, she took me to another room where I told her that I am feeling sick and that the AC is effecting me. She did not care; she left the room and shut the door behind her. I again waited for more than two hours in a very low-temperature room. I felt like I was in a refrigerator, and that my body could not handle the cold temperature because of my heart condition.”

“Later, they took me to an interrogation room where a commander was waiting for me. He started asking all kind of personal and family questions. He then asked me for my brother’s phone number. I told him that I did not know his phone number, as I did not have it memorized. He started yelling at me and telling me that he is from the Israeli Intelligence Agency and that he has the right to defend the State of Israel. I was scared from the yelling.”

“After this, he brought me a juice bottle and continued to interrogate me. He asked if anything had bothered me lately, I told him that the room they placed me in was really cold and it is not good for my health situation. He later instructed two soldiers to take me back to that room and I stayed in it for another hour.”

“At around 4:00 p.m. they allowed me to leave. I left the crossing by foot, walking until I arrived at the Palestinian side. I was really tired and not fully aware of what was going on. I just wanted to see my husband, who was waiting for me at the Palestinian side.”

“My name is still under security screening. I am still waiting for my permit in order to go back to the hospital and complete the surgery. The doctor has told me that every day I wait, my health situation deteriorates.”

### 3. Subhieyh S

<b>Name</b>	Subhiyeh S
<b>Age</b>	50
<b>Location</b>	Gaza
<b>Nature of Incident</b>	Medical Treatment; Unable to Travel
<b>Date of Incident</b>	10 April, 2016

“My name is Subhuyeh S, I live in the north/western side of Gaza. I am a 50-year-old wife and a mother to 6 children (Ala’a-25, Ali-23, Ahood-20, Ahida-18, Fidaa-17, Ola-14).”

“I suffered from a sore throat, low blood-pressure, and dizziness for 6 years. The doctors in Gaza were not able to diagnose my situation and they said that I suffered from lung infections. Up until 2012, my health situation was deteriorating and they did a couple of tests, and told me that I had a swollen thyroid gland. They took two samples from my lungs and told me that I had a malignant tumour in my thyroid gland. I underwent surgery and they removed the gland in Shifaa Hospital in Gaza. The doctor had told me that I have to take Radioactive Iodine Therapy.”

“On 20 May, 2013, they transferred me to Mubarak hospital in Egypt to have Radioactive Iodine Therapy every 6 months (100 ml). I travelled twice to Egypt and stayed for up to 40 days to finish all the tests. I would take the iodine pill and stay in isolation inside the hospital for one week, then return to Gaza.”

“In July 2013, I had my third appointment at Mubarak hospital in Egypt. But the political situation in Egypt changed and they closed Rafah crossing. I could not travel, so the doctor decided to transfer me to a hospital in Israel.”

“In October 2013, I got my first permit to go to Meir Hospital in Tel Aviv. I did several tests and afterwards took the iodine pill at Beilinson hospital in Petah Tikvah. After taking the pill I returned to Meir hospital every two months to do tests and find out if the pills are working or not. I was able to do this for two years without any Israeli obstruction.”

“In November 2015, I returned to Meir hospital in Tel Aviv for other tests. They were able to spot three new lymphatic glands. I stayed at the hospital for a week. They later decided that they would do other tests on 10 April, 2016.”

“On 8 April 2016, around 8 a.m., I went to Erez crossing as the Israeli Intelligence Agency had called and asked me to come for an interview.”

“I waited at the Israeli side for three hours. No one approached or talked to me, and I started feeling a bit nauseous and worried. Eventually, two soldiers came and took me to a search room before moving me to another (2X2 meters) room and locking the door. I heard them close more than one lock.”

“I waited in the small room for more than an hour. Even though I knew I did nothing wrong, I was worried. A soldier took me to the interrogation room where there were two officers wearing civilian clothes and one soldier waiting for me.”

“I stayed for more than two hours. One of them started asking me many personal questions about myself, my brothers, my brothers-in-law. They also asked me about my son who goes to university. They asked about my brother Ah’ed who is a martyr and they also asked about my other brother Ra’ed, who was jailed during the first intifada at age fourteen.”

“After he finished interrogating me, I asked if I would be able to travel to get my treatment and he said ‘say inshallah, say inshallah’ then asked me to leave, so I went home feeling exhausted.”

“On 10 April, 2016, I was supposed to receive the Israeli permit to travel but I never heard from them. After three days I applied for another permit and never received an answer, so I had to cancel my tests.”

“In August 2017, I did another scan and they spotted three 2cm malignant tumours in my neck. The doctor transferred me to An-Najah hospital in Nablus on 24 October 2017 to surgically remove the tumours. I got a response from the Israelis saying that my name is under security check, I applied again and had the same reply.”

“After I contacted the civil affairs in Gaza, an employee told me that I had been banned from entering Israel or West Bank, and that I am only allowed to travel to Jordan.”

“A woman from Israeli human rights group called and informed me that they are interested in helping me and that they have filed a lawsuit in Israeli court. The Israelis prevented me from traveling to Jordan even though I was told that I could.”

“I am very tired now and always anxious. My hair is shedding, and there is no treatment for me in Gaza. I always think about my future and my children’s future. I am terrified of dying.”

“I have lost hope in traveling and my right to health, I am really sick and I need to be treated. I do not pose any threat to anyone, so should not be prevented from traveling.”

## 4. Sara M

<b>Name</b>	Sara M
<b>Age</b>	56
<b>Location</b>	Hajr Deek, Gaza
<b>Nature of Incident</b>	Not appropriate housing, access to health
<b>Date of Incident</b>	7 April, 2016 - present

“My name is Sara. I am 56 years old and married with six children (Sa’ed-29, Samah-25, Kifah-24, Ziyad-22, Mariam-20, Haleema-18). My husband is very ill. I live in Hajr Deek close to Wadi Gaza, one of the villages bordering the green line separating us from Israel, in a temporary house made of wood that is (4x6m) in size. It has only two rooms: one bathroom and a kitchen.”

“When the war started with indiscriminate bombing on Palestinian houses we fled our house, scared for our lives. We moved from one UNRWA school to another. The last school we took refuge at was Abu-Ariyban school in Nuseirat refugee camp. It was very tiring for me and my children – physically and mentally.”

“On 17 July, 2014, I learned that my house was demolished from a bombing and that my son Sa’ed was killed; he had bled for 4 hours and the ambulances were not able to reach him. When I heard this, I started sobbing.”

“After the war, it took them a long time to secure money and funds for rebuilding our house. As a result, the Ministry of Public Works, offered us a temporary housing made of aluminium until they rebuild our house.”

## 5. Hiba A

<b>Name</b>	Hiba A
<b>Age</b>	32
<b>Location</b>	Al-Shati refugee camp
<b>Nature of Incident</b>	Health; forbidden from travelling
<b>Date of Incident</b>	December 2016 - Present

“My name is Hiba and I am 32 years old. I am married with five children, the oldest is Shad (14 y.o.) and the youngest is Abdullah (11 m.o.). We live together in Al-Shati refugee camp in Gaza.”

“In December 2016 I was nine months pregnant when I found a lump in my breast. I went for an examination at Al-Shifa hospital in Gaza and, initially, they told me that they could not find anything wrong except my milk hormones were low. Two months after I had given birth the lump mass increased and I began to feel scared. I went to a private doctor and I was diagnosed with breast cancer.”

“The doctor told me to wean my son and in two weeks he would remove the lumps.”

“On 4 April 2017 I had an operation at the Gaza General Hospital and the doctor found some small black lumps that were secreting, showing that the disease was malignant.”

“After the operation I started four rounds of chemotherapy in Al-Rantis hospital, the treatment ended on 19 July 2017. The doctor informed me immediately after that I must start radiotherapy to ensure that the cancer would not become active again.”

“On 1 August 2017 I applied for a medical transfer permit to Augusta Victoria hospital in Jerusalem, but I was not given the permit. My husband applied once more for my permit but the Israeli side told me that my name was under security examination.”

“A month passed when I felt a lump in my breast and went in for another operation on 29 August 2017. I was scheduled to receive radiotherapy at Augusta Victoria hospital on 13 September 2017,

but did not apply for a medical permit. I was told during review that my name was still under examination and was given no reason as to the delay by the Israelis from completing it.”

“I was feeling worse and worse. As if it was not enough to be sick with a malignant disease, I was also unable to receive treatment for it. My family was very nervous about what was happening. My husband and brother continued to go to the travel department and were told there was no travel ban, but I could not get a permit as the Israelis still had my name under examination.”

“On 24 September 2017 I was issued a medical permit for Augusta Victoria hospital. They examined me and said that the malignant cells had re-activated and that I must return to Gaza for an operation, as they could not give me radiotherapy until afterwards. I returned to Gaza, exhausted and downtrodden.”

“On returning to Gaza, I was at square one. My health and mental state deteriorated. I underwent a third operation, each one financed by my family and I. This put severe financial strain on my family as we hardly have enough for daily expenses.”

“I was told by the doctor I would start chemotherapy again, and completed three rounds. My body is exhausted so I have moved in to my family’s house where my brother and mother can help care for my children.”

“All I want is to take my treatment when it is scheduled and access my right to receiving it so that I can return to my life and caring for my young children. I want to work to stop the Israeli Occupation’s unfair practices towards Palestinian patients.”

## 6. Saada N

<b>Name</b>	Saada N
<b>Age</b>	54
<b>Location</b>	Nuseirat refugee camp
<b>Nature of Incident</b>	Health; Prohibited from travelling
<b>Date of Incident</b>	14 December 2017 - Present

“My name is Saada and I am a 54 year old teacher. I am married with seven children, the oldest is Mohammad (32 y.o.) and the youngest is Ahmad (20 y.o.). We live together in Nuseirat refugee camp, in the central governorate of Gaza.”

“In November 2016 I discovered a lump under my right armpit. I went and had tests done at Al Shifa hospital in Gaza and was told that there is a malignant tumour in my right breast. On 31 January 2017 I had an operation to remove my right breast, and was registered for eight sessions of chemotherapy.”

“I completed four chemotherapy appointments, and after that the treatment became unavailable in Gaza. The treatment had been postponed by the Palestinian Ministry of Health because of the continued Israeli siege on Gaza. The doctor applied for my medical transfer to a West Bank hospital.”

“I waited for a month for the medical permit from Israel but had no response. My doctor then called to inform me that the chemo medicine had arrived in Ramallah, and I was able to complete my treatment in Al Rantis hospital in Gaza.”

“The chemotherapy exhausted me. It felt like my body was on fire and I suffered from loss of appetite, extreme tiredness, and the pain was even in my bones. In September 2017 I finished my treatment and the doctor applied for my medical transfer to Augusta Victoria hospital in Jerusalem to have radiotherapy to ensure the tumour did not re-appear.”

“On 10 September 2017 was my appointment to pick up my medical permit but I was told by the Israelis that my name was under security check. I applied again and on 14 December 2017 was again given the same response by the Israelis, with no indication how long the check would take.”

“By now, ten months had passed since my operation. The doctor informed me that every day I miss receiving radiotherapy it would become less effective, and the chance of my malignant tumour returning was increasing. He said I should stop trying to get my permit from Israel, and attempt to travel to Egypt to have treatment there. However, Rafah crossing had been closed by the Egyptian authorities.”

“I am angry and increasingly worried every passing day that without my treatment the tumour may come back. I work as a teacher and this illness has affected my work, and it affects my children. I can see they are filled with anger and grief when they see me exhausted or crying from the stress.”

“I applied again for a permit from Israel on 8 January 2017 and I hope that it will be a positive response so I can go and finish my treatment. I want Israel to stop its unjust treatment of Palestinian patients who need to receive medical treatment.”

## 7. Anwar T

<b>Name</b>	Anwar T
<b>Age</b>	33
<b>Location</b>	Khan Yunis
<b>Nature of Incident</b>	Health; forbidden to travel
<b>Date of Incident</b>	5 December 2017 - Present

“My name is Anwar and I am 33 years old. I am married with five children, one of them is Malak (5 y.o.). I live west of Khan Yunis in Gaza.”

“In the beginning of 2015 my daughter Malak began to feel fatigued and was unable to walk and had severe anemia. Her health deteriorated and we took her to Mubarak hospital in Khan Yunis where she was transferred to Al-Rantis hospital in Gaza. The specialist doctor decided to apply for a medical transfer so Malak could have an MRI scan at Tel Hashomer hospital in Tel Aviv to determine what was wrong.”

“In September 2015 we obtained Malak’s permit and for me to accompany her to Tel Hashomer hospital. She was diagnosed with glandular cancer above her right kidney and swelling in her lymph nodes around the aorta (neuroblastoma). The doctor decided to keep her in hospital for chemotherapy over four months. We made multiple trips to Tel Hashomer hospital for the treatment.”

“The chemotherapy would burn Malaks body. Every time I went with her to do her treatment my heart would ache for her as I saw her suffering. As she had to remain in hospital for so long she was unable to play or go to kindergarten like other children her age.”

“In November 2015 we returned to Tel Hashomer hospital and stayed there until 20 June 2017. Malak completed chemotherapy and had an operation to remove the tumour above her right kidney. She then had a bone marrow transplant and started radiation therapy. Over this period of time we never faced any obstacles from the side of the Israelis.”

“The doctor prescribed her an oral preventative medicine to take every 15 days in Tel Hashomer hospital until January 2018; afterwards she must begin to take inoculation injections to prevent

the cancer returning. The doctor also gave me four emergency doses to take back to Gaza so Malak could have them at home.”

“At the end of Malak’s treatment in August 2017 we applied for a medical permit so that my daughter could finish her treatment in Tel Hashomer hospital, but the request was denied as the Israeli’s said they are security checking our names. I applied more than 10 times for the permit, but each time we had the same response.”

“During this period my daughter was extremely exhausted and won’t sleep at night. She is continuously crying and her anaemia has returned, as well as a rising temperature reaching 39 degrees Celsius daily. She has pain in her knee and every week we must go to Al-Rantis hospital in Gaza for a blood transfusion.”

“My daughter is getting worse every day and desperately needs to return to Tel Hashomer hospital in Tel Aviv so that she can be monitored by her doctor and treated without interruption. With this she can heal and have a normal, healthy life like her siblings.”

## 8. Sahira S

<b>Name</b>	Sahira S
<b>Age</b>	44
<b>Location</b>	Nuseirat refugee camp, Gaza
<b>Nature of Incident</b>	Health/ forbidden to travel
<b>Date of Incident</b>	5 November 2017

“My name is Samira and I am 44 years old and unmarried. I live in Nuseirat refugee camp in central Gaza.”

“In August 2016 I found a lump in my left breast so went for an examination in Al-Shifa hospital in Gaza. The check-up found that there was a malignant tumour in my left breast. The doctor performed an operation to remove the tumour and prescribed me eight rounds of chemotherapy to be taken at Augusta Victoria hospital in Jerusalem.”

“I applied for my medical permit and travelled to Jerusalem four times, completing four sessions of chemotherapy without any obstructions from the Israeli side.”

“On 6 June 2016, I was due for my fifth chemotherapy appointment but the Palestinian Civil Affairs office made a mistake. They told me I had a permit, and when I arrived at Erez crossing I was told that the permit had already expired.”

“After that I made four more applications for a medical permit, the last of which was on 5 November 2017, but all of them were rejected for the reason that my name was under security check by the Israelis.”

“I was despairing at the hardship in getting a permit, so my doctor decided I should complete my chemotherapy at Al-Rantis hospital in Gaza. After two sessions of chemotherapy I started to get a strange red, itchy rash on the skin around my chest, armpit and back, accompanied by a fever. I returned to the doctor who performed a biopsy to see what was wrong.”

“I am now very scared and I regret agreeing to complete my chemotherapy in Gaza but there was no other option. Every day I am getting worse and I think that I have been poisoned by the chemotherapy here or my body is rejecting it. I am very concerned what the result of the biopsy will be and how it will affect my treatment.”

“I don’t know if it was the mistake by the Palestinian Civil Affairs that has affected my ability to renew my permit from the Israelis, but if only they had told me at the time I would have gone immediately. It was not my fault and I am the one being punished. All I want is to receive my treatment when it is scheduled so I can recover from cancer. I ask all those concerned to help me complete my treatment at Augusta Victoria hospital.”

## 9. Fayiza S

<b>Name</b>	Fayiza S
<b>Age</b>	48
<b>Location</b>	Nuseirat refugee camp, Gaza
<b>Nature of Incident</b>	Health/ forbidden to travel
<b>Date of Incident</b>	16 December 2017 - Present

“My name is Fayiza and I am a 48 year old widow with seven children, the oldest is Aynas (26 y.o.) and the youngest is Mohammad (14 y.o.). I live in Nuseirat refugee camp in central Gaza.”

“On 26 November 2015 I found a lump in my right breast during a self-check and so I went for an examination at the UNWRA agency in Nuseirat camp where the doctor transferred me to the Palestinian Red Crescent in Gaza. After the check-up a malignant tumour was found in my right breast.”

“On 6 December 2015 I had an operation to remove the tumour in the Gaza General Hospital and afterwards the doctor prescribed me eight chemotherapy sessions.”

“On 6 June 2016 I finished my last chemotherapy session and the doctor told me I will need to start radiotherapy at Augusta Victoria hospital in Jerusalem to ensure the tumour would not return.”

“On 7 August 2016 a medical permit was issued for Jerusalem to begin my radiotherapy, however the Israeli side refused it because my name was under security check. Between that time and 2 July 2017 I submitted ten applications for a medical permit to get treatment but every response was the same. ”

“On 28 August 2017 the disease returned but this time in my liver and lung because of the time it took for me to receive radiotherapy. I agreed to take a new round of chemotherapy at Al-Rantis hospital in Gaza but this exhausts me and burns my body from the inside. I get tired quickly and feel dizzy. I suffer from tightness of breath and a sharp cough, especially at night. ”

“My psychological condition is worsening and I think about my illness constantly and have become depressed and desperate, waiting every day for death. My husband had liver cancer and passed away over a year ago because the Israelis would not let him travel for treatment. ”

“I am now waiting to finish chemotherapy and I don’t know what will happen afterwards of if the Israelis allow me to travel for treatment as my doctor prescribes. I think a lot about what will happen to my children when I die. I wish for the Israelis to end these practices against Palestinian cancer patients so that they can access their right to treatment. ”

## 10. Jameela S

<b>Name</b>	Jameela S
<b>Age</b>	43
<b>Location</b>	Daraj, Gaza
<b>Nature of Incident</b>	Health/ forbidden from travel
<b>Date of Incident</b>	17 November 2017 - Travel

“My name is Jameela and I am 43 years old. I am married with seven children the oldest is Mahdi (23 y.o.) and the youngest is Tala (4 y.o.). I live in Daraj in Gaza. ”

“In September 2016 I had just finished six months of treatment for breast cancer and was pleased I had beaten this illness which had consumed my life for the last year. However, this did not last long as I started to get double vision in my right eye and headaches. I went to Al-Shifa hospital in Gaza and they prescribed me eye drops but this did not help me.”

“I went back to the hospital and the doctor did both a MRI and CT scan. A tumour was found near my frontal sinus but the doctors were unable to examine it properly or deal with it because the location of the tumour was in such a sensitive place. The tumour was attached to a cyst in my brain so they decided to make a medical transfer to Augusta Victoria hospital in Jerusalem.”

“I made three appointments for a permit to Jerusalem and every time the response from the Israelis was that my name was under security check. During this time my pain increased significantly and I was not able to open or see completely with my right eye.”

“On 8 December 2016 my permit to Augusta Victoria hospital was approved however the doctors there decided to not perform an operation because of the tumours position. Instead they gave me 20 rounds of radiotherapy and I stayed in hospital until 19 January 2017. Although the tumour was still there I began to feel better, but the doctor told me he was unable to monitor me any longer. ”

“I felt mentally drained from the situation with my eye and the time it took for me to receive the right treatment. Every three months I had to return to Augusta Victoria hospital to conduct an x-ray of my body. Additionally, every month I had to go there to receive antibody injections, and

hormone repressing injections into my ovaries which needed to be regularly administered; the injections are unavailable in Gaza. ”

“On 17 September, and 17 October, 2017 I had to wait more than three hours at the Erez crossing because of the delay by the Israelis in printing my medical permit. I missed a bus which specially transports cancer patients to the hospital. In order to not miss my treatment, I had to borrow money from people who were there to get to the hospital because I do not carry money with me. I already have trouble getting to the crossing as my husband does not help me. ”

“On 17 November 2017 my medical permit was refused and when I enquired at the external department they told me my name was under security check with the Israelis. Because of this I missed one of my injection appointments. My permit finally arrived on 17 December 2017. ”

“I am a woman who is unwavering and I want to use all my strength to fight cancer, for me and for my family. Psychologically, my situation is hard on me and I spend a great deal of time thinking about getting my treatment on time. My ability to follow the protocol is my biggest problem right now because of the procedures Israel makes Palestinian patients go through. ”