

Executive summary

The Palestinian Initiative for the Promotion of Global Dialogue and Democracy [MIFTAH] seeks to create dialogue platforms to promote concepts of democracy and human rights based on the principles of international treaties and conventions recognizing these rights and which strive for their implementation while also overcoming social challenges.

In this report, MIFTAH aims to highlight violations related to the social and security rights specifically for women in Gaza Strip during the 11 years following the political division.

The report focuses on a series of violations related to social and security rights to show the direct impact of the political division on Palestinian women in Gaza, as well as the indirect violations that women suffer including violations endured by family members such as husbands, sons and brothers. This was reached through analyzing the key findings of a study on the division's impact from a gender perspective prepared by MIFTAH in 2017, in addition to **a desk-review** based on human rights reports prepared by human rights organizations which illustrate women's rights status in conflict situation. Twenty-two interviews and five focus group meetings were held in preparation of this report.

The figures, on which the report was based, showed high rates of violence, poverty and unemployment, depriving women of their social and security rights, direct assault on their right to life and personal security, restriction of their freedoms, and the violation of freedom of opinion, expression, movement and travel.

Social violations against women in the Gaza Strip:

The right to life has been exposed to multiple and widespread violations throughout the political division, especially in the Gaza Strip, as a direct result of the internal fighting. This was confirmed by women in their testimonies in the report and the study, citing torture, partisan disputes, the lack of basic life

necessities as a result of the Israeli-imposed siege as well as deaths inside tunnels, fires due to candles and generators, killing during family disputes and an increase in suicides. This is in addition to the cases of capital punishment which are in contravention of Palestinian law.

A breakdown of loss of life in Palestine (1,098) is as follows: 127 from the West Bank, (971) in the Gaza Strip in addition to the total number of suicides since 2009 until 2016 which is (47), six of which are women between 2016- 2017. Furthermore, the number of women victims between 2006 and 2017, according to al-Mezan's report is (124) deaths and (366) injuries; 61 cases were recorded under multiple classifications, primarily, murder under vague circumstances.

The political division has contributed to a decline in the quality of education because the formal establishment was affected by partisan and factional polarization, which led to staff division between Gaza and the West Bank. The division also hindered development regarding construction, buildings and various educational staff. The education system in the Gaza Strip also faces major challenges due to the lack of school buildings; the sector needs 142 new schools. Furthermore it suffers from strikes due to appointments and staff replacements. Rapid changes led to the decline of educational experiences, which has affected the academic standard of students at all levels. Moreover, there are attempts to **feminize** schools and restrict the freedom of female students through forcing them to wear a hijab in addition to the recent administrative procedures by the National Consensus government to cut salaries, which has deprived many students from completing their university education.

The division has also caused a collapse of the health system, which has affected women and their families' ability to access health care and treatment. It has also affected them in terms of the psychological impact of the political crisis on women's health foremost, and the acute lack of medical care for the victims and the injured; many cancer patients have also been deprived from being able to seek treatment abroad as a result of poor coordination between the governments in Gaza and the West Bank.

In 2017, 17 women died due to delayed medical transfers. The division also caused a shortage of health facilities that provide necessary treatment, a lack of medicines and a reduction in health services and medical transfers, with an increase in the number of patients: there were 6,100 elderly cancer patients and 460 child cancer patients who receive medical care at Al Rantisi Hospital in Gaza. There are also 1,700 elderly patients at the European Gaza Hospital in Khan Younis.

In addition, there is a lack of training and rehabilitation for emergency cases due to violence as a result of the lack of application of the national referral system (Takamol).

The division has decreased and limited employment opportunities with very low participation from Palestinian women compared to global statistics. Women represent only 19% of the labor force. This is linked to the division and blockade in that it prevents funding, controls remittances and shuts down many private sector institutions for political reasons. Other repercussions have been the prevention of the public sector from receiving new employees, many of whom have been referred to early retirement or discharged for political reasons.

The division has affected the right of women and their families to social security in light of increasing rates of violence and unemployment. Unemployment rates in Gaza have seen a 43% rise among youth and graduates, reaching about 60%, which is more than a quarter of a million Gazans. Meanwhile, more than 72% of families lacked food security. In addition, the division caused a lack of services provided by the public sector to women with disabilities as a result of the failure to implement the law for the disabled No. 4 of 1999 and especially with regard to the National Disability Card, which allows persons with disabilities to obtain free medical services.

Throughout the division, women have suffered from a clear violation of their right to housing, a big part of which resulted from violations based on partisan disputes. Burnt homes led them to leave their homeland and travel to Arab countries or to the West Bank as a result of fear of death or detention. This was followed by recent administrative procedures that deprive many of the right to housing because of their inability to pay rent or complete the rest of the down payments on their houses.

In addition, there is a lack of guarantees for the right to housing because of prevailing circumstances. The people of the Gaza Strip have been suffering since 2006 from frequent power cuts of up to 8 or 16 hours, which has resulted in death among women and children in some instances due to unsafe use of lighting methods. In the period between the beginning of 2010 and the middle of December 2016, there were 30 recorded deaths including 24 children and one woman, and 30 others injured, including 16 children and six women. In addition, there is an absence of women's participation in reconstruction committees, despite the fact

that many of them were affected by the delay in the reconstruction process and the distribution of grants for apartments, based on political affiliations.

Second: security violations against women in the Gaza Strip:

Security violations pertaining to the right to expression were manifested in the excessive use of force against citizens and the use of electronic censorship by various means, in particular the control of social media sites, many of which were locked. 2017 saw another setback in the exercise of the right of expression in terms of arbitrary detention based on human rights and political affiliation in the West Bank, after the Palestinian Authority enacted the Cyber Crimes Law.

Furthermore, government employees were dismissed and dozens of media professionals and activists were arrested for expressing their political views. Journalists were also arrested, their freedoms restricted and some barred from their profession for years. In some instances, they were charged with the misuse of technology, in accordance with the amendment introduced by the PLC's "Change and Reform Bloc" in Gaza to Penal Code No. 74 of 1936. The year 2017 also witnessed a "sentence in absentia" against a journalist after publishing an investigative report.

Authorities in the Gaza Strip have sought to restrict the right to peaceful assembly by imposing a series of restrictions such as obtaining permits for peaceful assemblies, meetings and conferences. The women's march to end the division and many predominantly economic and social groups have been attacked including prohibiting marches calling for an end to the electricity crisis.

The Gaza Strip also witnessed continuous violations of personal rights. Violations of personal freedom were manifested in the violation of the dress code for women in the workplace and educational institutions. Gaza Strip authorities imposed clear control over the type of women's clothing in the Gaza Strip especially female students in schools and universities, lawyers, and even women in the streets through a number of declared or undeclared decrees without any legal basis. These restrictions are mostly based on Hamas' conservative ideology and its religious campaigns such as the "Virtue" campaign".

The division resulted in the arrest of several women political activists whose homes were raided without any arrest warrants or without taking into account the legal basis for the arrests, including the impounding of their personal belongings and mobile phones. Many of those interviewed reported that violations were not

confined to the activist alone but also to her brothers or husband in an attempt to limit her political activity by socially embarrassing her family.

Journalists and activists were also arrested because they published special reports or criticism of Gaza's conditions on social media, especially the humanitarian situation. Arrests and detention were unlawful and in contravention of the Code of Criminal Procedures, in terms of the duration of the arrest and summons, especially since the majority of these were carried out without judicial permission and in contravention of the principle of the rule of law. In 2017, complaints from women were recorded on violations of their right to liberty and personal security according to the Independent Commission for Human Rights (ICHR).

Women were arrested and tortured by security forces even though their relatives were Hamas members, in addition to being subjected to degrading and inhumane conditions in detention. Al Mezan recorded 34 different injuries to women in 2006 and 2007 alone. This is in addition to various injuries suffered by women due to severe torture in interrogation rooms. Many suffered depression as a result of this torture. Additionally, the security authorities did not take into account the rights and privacy of women, which caused great psychological damage to women, led to depression, frustration and physical effects suffered by those who were tortured during interrogation. They also experienced verbal abuse, including threats of sexual violence against them or defamation, which the study considered undeclared statements that women fear to disclose as a result of fear of community perception and family accountability.

According to ICHR's annual reports, during the 10 years of the division, the commission received 5,156 complaints regarding allegations of torture during interrogation and arrests, of which 3,317 complaints were in the Gaza Strip.

The Palestinian dispute over the management of crossings in the Gaza Strip is a main reason for the lack of supervision and accountability for crossing employees and for the methods of registration for travel; that is, entry of all social sectors according to priority and need is also not taken into account, especially humanitarian cases such as patients, students and women. This is in addition to the political friction between the two rival parties, which has resulted in the prevention of hundreds of Gazans who were allowed under special permits to cross the Beit Hanoun / Erez crossing for political and partisan reasons. For example, political figures have been barred from crossing from the Palestinian side, which is controlled by Hamas or the so-called 4/4 point.

The report concludes with the following strategies:

The report sought to present strategic visions through which a number of alternatives could be presented by women, civil society organizations and international organizations, including official institutions such as the Ministry of Women's Affairs, Ministry of Social Development, Office of the President and General Union of Palestinian Women in cooperation with civil society. These strategies coincide with the contents of the report within the dialogue sessions organized in the Gaza Strip and West Bank in addition to the above mentioned institutions and a number of civil society organizations. The participants emphasized on the importance of the report and the importance of: reviving the women's movement; raising women's voices; taking advantage of previous experiences to develop mechanisms and work towards national reconciliation and popular action to preserve the national project; focusing on violations and popular movements through urging all sectors of Palestinian society to push relevant parties in the Gaza Strip and West Bank to accelerate the integration and involvement of women in an effort to end the division; to devise intervention strategies that ensure women's protection from direct and indirect impact; protection, prevention and accountability interventions and measures in accordance with international conventions should be realized in line with UNSCR 1325 in particular in terms of its fourth pillar to involve women in security and peace making. Investment in UNSCR 1325 is imperative given the emergence of serious risks to the Palestinian social and national fabric as one of the repercussions and consequences of internal strife and insecurity. This can be achieved through the following:

Strategies to end the political division and bolster women's participation in decision-making positions:

The first strategy is to end the division as the primary internal reason for the increase in violence against women and the violation of their social and security rights by actively involving women in the Palestinian public decision-making process. This strategy includes alternatives to policies through which women can form a framework not only through practicing their stereotypical roles, but also through their representation and participation in decision-making within the PLO and political parties.

The second strategy is the forming a women's movement to end the division (*Women's Committee to End the Division*). This alternative focuses on the creation of a women's social movement comprised of a number of institutions, groups and women activists, the General Union of Palestinian Women and the Ministry of

Women's Affairs. Additionally, the movement needs to include independent male and female figures pushing to accelerate the reconciliation process by pressuring the two rival parties and other political parties. The coalition will constitute protection for women affected by the division.

The third strategy emphasizes the need to discourage division through direct intervention during crises. This strategy sets out a number of objectives that women should achieve through necessary direct interventions, which are divided into three basic interventions; condemnation and criminalization, protection and guidance, and prevention interventions. Each intervention aims to limit the extended and negative impact of the division on women at different levels, starting with protecting women victims of the division, forming protection networks, pressuring towards adopting policies and laws that limit their vulnerability to violence by criminalizing discrimination within punishable laws, and seeking to improve policies in line with the contractual obligations of the State. This strategy implies that everyone should bear responsibility including the state, civil society and international organizations, which should be an essential part of addressing the collapse of the human rights system which has greatly impacted women in the Gaza Strip.