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**A Joint Written Submission to**

**The Committee on the Elimination of Discrimination against Women (CEDAW)**

**On the Sixth Periodic Report of Israel (2017)**

**By MIFTAH, Kayan and the Non-Governmental Women Coalition for the Implementation of CEDAW**

**August 2023**

**List of Organizations participating in this Report.**

1. The Palestinian Initiative for the Promotion of Global Dialogue and Democracy. “MIFTAH”
2. Kayan – Feminist Organizations
3. General Union of Palestinian Women – Jerusalem Branch
4. Juzoor for Health and Social Development
5. Women Center for Legal Aid and Counseling
6. Women Studies Center
7. Sunflower Association for Human and Environment Protection

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# **Overview of the Organizations Submitting this Report:**

**The Palestinian Initiative for the Promotion of Global Dialogue and Democracy- MIFTAH** was established in Jerusalem in 1998. MIFTAH seeks to promote the principles of democracy and good governance within various components of Palestinian society; it further seeks to engage local and international public opinion and official circles on the Palestinian cause. To that end, MIFTAH adopts the mechanisms of an active and in-depth dialogue, the free flow of information and ideas, as well as local and international networking. MIFTAH, seeks to advance policy advocacy and lobbying to ensure social justice and equality in reference to international conventions and relevant UN resolutions like UNSCR 1325 and CEDAW. MIFTAH strategically works to amplify Palestinian women voices at the national and international fora, and to urge UN bodies and Member States in addition to national actors, to take actions against the escalation of Israeli occupation violence and human rights violations against Palestinian women and girls.

**Kayan Feminist Organization's** emphasis lies in empowering women to become transformative leaders on local and national levels, protecting and promoting the human and civil rights of Palestinian women in Israel, and dismantling social and institutional barriers to gender equality. Our work is deeply rooted in a holistic approach that acknowledges the complex issues we face as a community. We have developed strategies to address these issues, primarily focusing on combating violence and bolstering women's autonomy.  Kayan envisions a secure and just society free of gender-based discrimination, in which Palestinian women enjoy full and equitable opportunities for self-actualization and take a leading and active part in society through realizing their individual and collective rights. Kayan strives towards consolidating an active, systematic, nationwide Palestinian feminist movement that actively affects social change through contesting the root causes of gender-based discrimination, defending and promoting the rights of women, and ensuring their integration into decision-making positions. To be effective, we realize the necessity of engaging at the community level, rather than solely at the individual level. Our projects include A Hotline for Legal and Emotional Support, Grassroots Work – Local and National Activism, Ending Sexual and-Gender-Based Violence (including sexual harassment), Promoting Women's Rights in Personal Status Issues, Implications of the Nakba on Palestinian Women and Youth, Increasing Women’s Participation in Politics, and Amplifying Youth Voices.

**The Palestinian NGO Coalition for the Implementation of CEDAW**: is a coordinating framework that seeks to organize work among its member institutions that work on CEDAW and harmonize national laws and legislation with the Convention by working on follow-up and accountability mechanisms for the implementation of CEDAW in Palestine at all levels: governmental, non-governmental, and the private sector. The Coalition was formed with the purpose of preparing and following up on shadow reports under the leadership of the General Union of Palestinian Women. The Coalition consists of 70 human rights and women’s institutions, trade unions and feminist frameworks that work in terms of advocacy, protection and empowerment of women in the social, economic, political, health, educational, legal, local and international fields and the rights of people with disabilities, in all of the West Bank, including Jerusalem, and the Gaza Strip.

MIFTAH supported the Palestinian NGO CEDAW Coalition in collecting evidence of human rights violations against Palestinian women and girls in occupied Jerusalem, within the framework of Israel’s obligations towards the implementation of CEDAW and the General Comment 35, highlighting the gendered and disproportionate impact of the Israeli occupation which led to the deterioration of the human rights status of women and girls and the escalation of violence and discriminatory acts against them in occupied Jerusalem. The collected violations focused on five major essential rights and linked to CEDAW articles 9-16: Education, Health, Political Participation, Economic- Labor rights, and Family rights.

# **Introduction:**

On June 5, 1967, Israel occupied the West Bank including Jerusalem and the Gaza strip with full control over the people and land. Israel committed different human rights violations and crimes against Palestinians by killing, mass arbitrary detention, home demolitions, forced displacement, construction of illegal settlements, spreading military checkpoints with direct influencing Palestinians mobility and movement, confiscation of land and resources, and state sanctioned setter colonialism. Palestinian women and Girls in Jerusalem continue to be isolated from their natural political, economic, and social surroundings; prevented from participating in political and civic space and denied access to economic opportunities, education, and healthcare.

MIFTAH in coordination with the Palestinian NGO CEDAW Coalition, is sharing the Shadow Report and List of Issues to the Periodic State Report developed by Israel to the CEDAW committee in the 88th Pre-Sessional Working Group. The Coalition through the written submission provide evidence in relation to Israel’s denial of CEDAW implementation to the benefit of Palestinian women in occupied Jerusalem. Furthermore, the Occupying Power “Israel”, deliberately overlooks any mention of the Palestinian Jerusalemite women in its internal and international reports. It does not provide data related to the services provided to them or the challenges they face to obtain those services. It should be noted that some scattered information is available in Hebrew, and this reflects the marginalization and exclusion of this group, as it hinders the ability of the civil society and the international organizations to provide services. The reason is the lack of data, information and indicators that reflect the status of Palestinian women in Jerusalem.

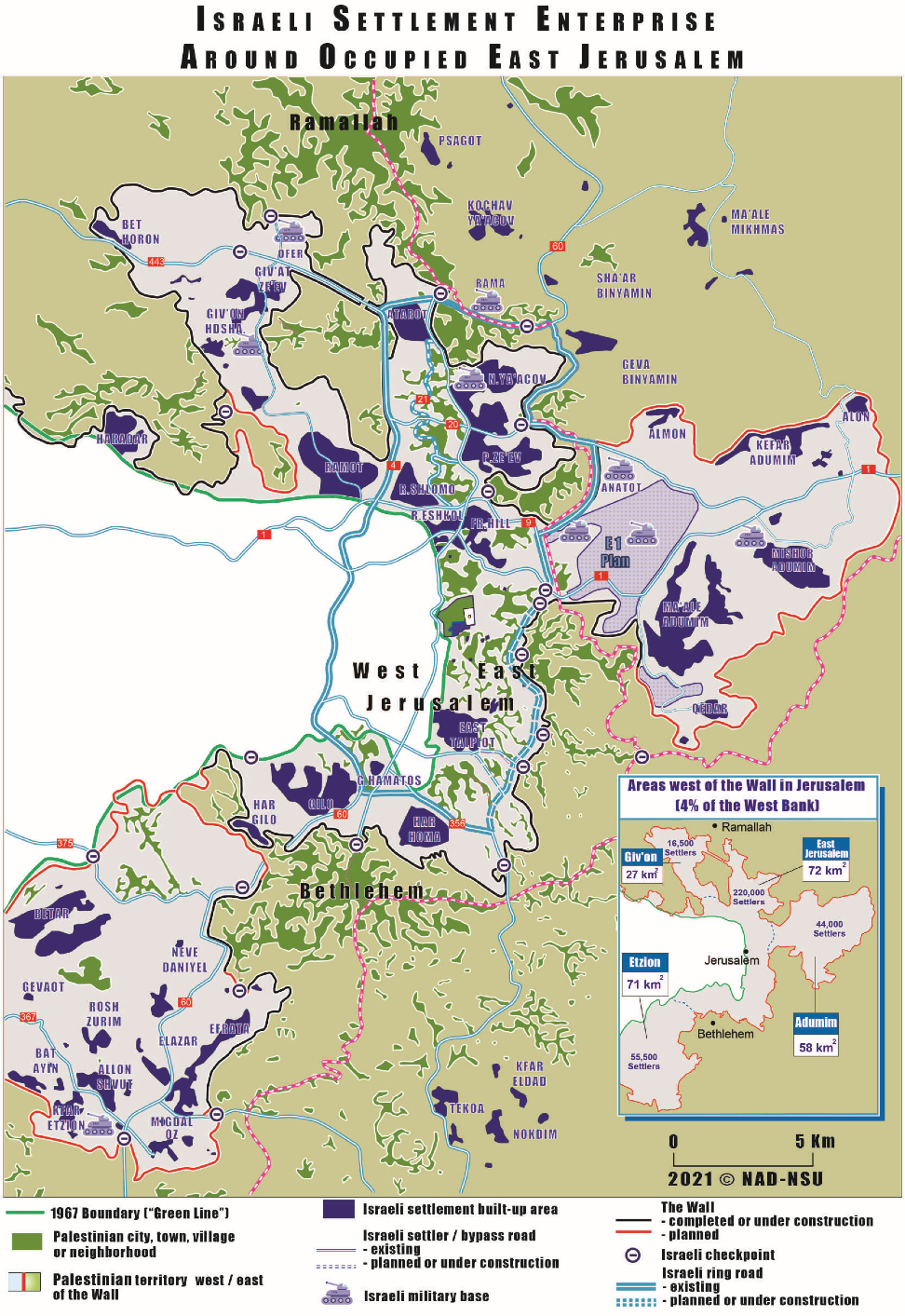
The Coalition expects the esteemed committee members to urge Israel to meet their obligations towards the Jerusalemite Palestinian women and girls without any discrimination based on religion or national identity, and stop their biased policies against Jerusalemite women, stop assaults and maltreatment, which constitute an integral part of the maltreatment and racial discrimination policies practiced against Jerusalemite Palestinians in general.

# **Indicators of discrimination policies against the Palestinians in Jerusalem**

Since the 1967 occupation, the Israeli government and Jerusalem Municipality adopted a policy of “separate and unequal” discrimination, through:

* 1. **The residency rights:** To reduce the numbers of Muslim and Christian Palestinians in Occupied Jerusalem, Israel has applied an active policy of revoking the residency card of those Palestinians. Israel requires the Palestinians residing in East Jerusalem to prove regularly that Jerusalem is the “center of their lives”. Consequently, the Palestinian residents of Jerusalem risk losing their residency right in their own city if they study or work outside the city. Around 7,000 Palestinians have lost their residency right as of end of 2008[[1]](#footnote-1). The Israeli Ministry of Interior refused to grant the residency for 13 thousand Palestinian residents of Jerusalem since 1955 until 2022, depriving them from living in Jerusalem, and compelling thousands to file lawsuits to protect their residency rights[[2]](#footnote-2). The Israeli Jews who live illegally in Occupied East Jerusalem became Israeli citizens with full rights, and it is not possible to strip them of their residency right in Jerusalem.
  2. **Constraints on construction**: The biased relevant master plans made it very hard for the Palestinian landowners to build on their lands or add rooms to existing buildings. Consequently, The Palestinian lands in East Jerusalem remain empty until they are confiscated to build Israeli settlements. Since 1967, Israel has confiscated around 34% of the lands of East Jerusalem for “public use”. It has allocated another 53% of the lands of East Jerusalem for settlements or declared them “Green zones”. Hence, the Palestinians in East Jerusalem can live and build on only 13% of their lands. The Israeli occupation forces have demolished more than 2000 Palestinian homes in East Jerusalem since 1967[[3]](#footnote-3).
  3. **Taxes**: The Palestinian Jerusalemites, who constitute more than 30% of the residents of Jerusalem (East and West), receive, 5-10 % only of the social services expenditures in Jerusalem[[4]](#footnote-4).
  4. **The Apartheid Wall**: In 2003, Israel started to construct a wall around Occupied East Jerusalem, to unilaterally impose its expanded borders of Jerusalem and strengthen the isolation of East Jerusalem from the rest of the West Bank. The Wall de facto annexes 320 Square Kilometers inside and around East Jerusalem (around 5.6% of the total area of the West Bank).

**(Map**: Israeli Settlement Enterprise Around Occupied Jerusalem, May, 2021)[[5]](#footnote-5).



# **General remarks on Israel’s Compliance with the Convention**

* Israel divides the residents of the city of Jerusalem on a religious basis (Arabs and Jews), which constitutes a blatant discrimination in rights and the principles of citizenship. Based on this standard, the Jerusalemites were deprived of their citizenship, and were considered “residents”, not “citizens”, who receive some services and rights. This status enables them to live and work in Israel without the need for special permits, are entitled to social security, and may participate in the municipal elections. However, unlike the status of “citizen”, the Minister of Interior (MOI) may revoke the status of “permanent resident” of any person upon his own discretion, and this status may be revoked automatically under certain circumstances.
* Although Israel has ratified CEDAW in 1991, it has not signed on any international mechanism that enables individual complaints or accept the procedure of investigation provided in the Optional Protocol of the Convention.
* Israel has not withdrawn any of its reservations on appointing women in religious courts (Art. 7 b- if it contravenes with any religion), in addition to its reservation on Article (16) and declared its non-compliance with Paragraph (1) of Article (29) concerning international disputes concerning the interpretation of the Convention itself.
* Upon following up the level of Israel’s implementation of the Committee’s recommendations, it is evident that Israel is not responsive, especially to recommendations related to home and school demolitions, in addition to forceful evictions in the Palestinian Territories and Jerusalem[[6]](#footnote-6), the measures of treatment and searches of the Palestinian women at the checkpoints that have an adverse impact on the rights of Palestinian women, including the right of pregnant women to receive healthcare. The Committee called on Israel to “issue instructions to the authorities at the checkpoints to ensure access to healthcare services to pregnant women[[7]](#footnote-7). The Committee pointed out Israel’s measures on the reunion of Palestinian families[[8]](#footnote-8).
* Despite the Committee’s recommendations and demands to the Israeli government to provide information about the Palestinian women in general and the Palestinian women in Occupied Jerusalem in particular, it is noted that the Israeli Government persistently refrains from providing the data and information in its statistics in a segregated form from the general figures it provides in the reports.
* Israel does not provide data and information on the condition of Palestinian women in Jerusalem and the services provided to them, which indicates the marginalization and exclusion of this group and restrains the ability of the civil society and the international agencies to provide services.
* On the other hand, conducting surveys to collect data in Occupied Jerusalem faces serious challenges and obstacles related to the attempts to isolate it from the rest of the Occupied Palestinian Territories (OPT), although IHL, particularly Geneva Conventions and the international conventions which Israel had ratified are applicable, considering Israel as an Occupying Power - has the obligation to respect the rights provided therein, implement them and report on them to the relevant committees.
* Israel’s periodic reports overlook the conditions that East Jerusalem suffers from at all economic, social, educational and health levels. The poverty rates constitute a source of concern, the social findings are bad, the labor market is defaulting and is not proportionate with the size or growth rate of the population, in addition to large increase in prices of goods and commodities, linked to high taxes imposed by the occupation authorities, particularly after the closure of the city and the construction of the Apartheid Wall and placing checkpoints on all its entrances. More than 280 shops in the Old City of Jerusalem have shut down because of accumulated taxes.

**The Coalition urges the committee to question Israel about: Israel’s implementing the Convention without enabling complaints or procedures related to investigation? How does Israel address the above women’s issues without providing clear data and information about them? The Government of Israel- as the occupying power- is required to provide detailed information and publish complete information about implementing the rights and items provided in the Convention on the Palestinian women in Occupied Jerusalem.**

# **Economic Rights**

According to the Israeli reports, the residents of Jerusalem reached (951,100) in 2020, including (570,100) Jews (61%) and (366,800) Palestinians (39%). The rate of Palestinians who live under the poverty line reached (75%), and (85%) among children, while the poverty rate among the Jewish households reached (33%), and (25%) among children. This reflects discriminatory policies and the impoverishment of Palestinian households in Jerusalem[[9]](#footnote-9). These attributed the poverty to home demolitions, fines imposed on Jerusalemites, limited livelihood, low wages, in addition to the lack of structural plans for the Palestinian neighborhoods, shortage in classrooms and increase in school dropouts. It explained that home demolitions lead to poverty and aggravate the economic crisis, and living in congested neighborhoods with little services produces poverty at concerning rates[[10]](#footnote-10).

The deep-rooted poverty of the Palestinian households in Jerusalem has led to a drop in the level of spending of the households, reaching (20%) of the general level of spending, amid well-established discriminatory policies in the social protection policies, whereby only 5.5% of the Palestinian households in East Jerusalem receive social welfare services from the Israeli National Insurance Institute[[11]](#footnote-11). Elderly Jerusalemite women are subject to degrading and humiliating treatment of their human dignity as they seek to get their national insurance allocations that do not reach the minimum wage in Israel; they are compelled to sign every week at the MOI offices in East Jerusalem (which constitutes a real nightmare for Jerusalemites because of its discriminatory and arbitrary measures)[[12]](#footnote-12).

Since 1967, Israel confiscated around (26,300) Donums, i.e. (35%) of the lands of East Jerusalem[[13]](#footnote-13). Palestinians are allowed to build on 13% only of the lands of East Jerusalem, and only 7% of them obtain building permits. The policy of home demolitions deprives women of the shelter and leaves them and their children on the street, another form of exposure to poverty. Around 39% of the houses that are built without building permits in East Jerusalem are subject to demolition[[14]](#footnote-14). Moreover, the Palestinian households in East Jerusalem pay the fees of demolishing their own homes.

**3.1 Employment and employing Palestinian women in Jerusalem.**

- The rate of participation of Jewish women in the labor force in Jerusalem amounted to 82% in 2021, compared to 26% for Palestinian women. 71% of Jewish men participate in the labor force compared to 69% for Palestinian men, because of several discriminatory policies and practices in education and the labor market. The low participation rate among women in Jerusalem is linked to several factors, including that the employing Israeli institutions do not recognize the academic certificates and degrees of Palestinian institutions, lack of support infrastructure (child daycare) for working mothers and the lack of experience.

- The labor and employment conditions reveal discrepancy in wages based on religious identity. The average wage for the residents of East Jerusalem reached around (5538 Israeli Shekels), compared to (8741 Shekels) in the Jewish neighborhoods, and (6899 Shekels) in the Arab neighborhoods. The wages of Jerusalemite women are the lowest, among Arabs and Israelis, amounting to around (4407 Shekels) compared to (7250 Shekels) for Jewish women in the same city[[15]](#footnote-15).

**The Coalition urges the committee to question Israel about**: **What measures is the state taking to stop discrimination in work between Palestinian and Jewish women in Jerusalem? To increase the participation of Jerusalemite women in the labor market? To Bridge the wage gap between the Palestinian and Jewish women in Jerusalem?**

3.2 **The impact of the Apartheid Wall and the siege imposed on the City on the economic status of women**

Jerusalemite women and girls lost more lands, and properties, which lost their value because of the Wall. PCBS estimates that around (2900) households in the area of Jerusalem Governorate lost their lands because of the Wall, as 9100 Donums were confiscated[[16]](#footnote-16). UNCTAD estimated that around (55,000) Jerusalemites (one fifth of the Palestinian residents of East Jerusalem) are disconnected from the City Center because of the Wall[[17]](#footnote-17).

**The Coalition urges the committee to question Israel about**: **What measures has Israel taken amid this reality to ensure that women enjoy their basic rights and access the different services provided to this group of Palestinian women?**

# **Health Rights:**

-The Wall, which amounts to around 770 Km in length, and around 168 Km in Jerusalem Governorate, in addition to the military posts and checkpoints, prevent the Jerusalemite women and girls from accessing the health services concentrated within the Wall. Hence, the Palestinians have to cross the Israeli army crossing point, known as “Shayyah” checkpoint, to access the public services.

-The punitive measures contribute to preventing Palestinians from access to healthcare centers, especially hospitals, which leads to a decrease in the numbers of patients, and ultimately to a reduction in the number of licensed hospital beds[[18]](#footnote-18).

-Subjecting the hospitals, which are (6) in East Jerusalem to Arnona municipal taxes since 2005, retroactively, incurred additional costs that threaten the financial status of those medical institutions, although they are classified as charities. Arnona bill of Makassed Hospital reached US$ (600,000). The Ophthalmic Hospital in East Jerusalem may have to reduce its medical services to avoid bankruptcy[[19]](#footnote-19).

-The Occupying Power used deprivation of the Palestinian households from their health rights as a punitive measure. Haaretz Israeli daily newspaper said the National Insurance agreed to the Israeli Security Agency (Shabak) demands and deprived the families of around 20 Jerusalemite activists from their medical rights, on the pretext that they participated in the protests on the assaults of the occupation forces and the settlers in Jerusalem during May 2021 uprising[[20]](#footnote-20).

The occupation authorities neglected taking the necessary measures to protect the Jerusalemites from Covid-19 pandemic, especially in the Jerusalemite neighborhoods that lie behind the Expansion and Annexation Wall, such as Shu’fat Refugee Camp and Kufr Aqab, where over 100,000 Jerusalemites reside. The authorities did not attempt to impose quarantine and social distancing, or even set up Covid testing centers there. The occupation authorities relentlessly sought to impede any initiative of intervention by the Palestinian Authority to protect the Palestinians in Jerusalem from the spread of the pandemic.

**The Coalition urges the committee to question Israel about**: **How does Israel guarantee that the Palestinian Jerusalemite women receive and access the different health services, especially maternity and child health clinics, hospitals and patients’ funds?**

**What measures are taken to protect access of Palestinian women and girls to specialized health centers? How do you provide protection to the women and girls who go to the clinics located in the settlements surrounding Jerusalem?**

**4.1 The language barrier and lack of consideration for confidentiality and privacy in health services**

The language used in providing health services in the Israeli health system is Hebrew, which constitutes a major obstacle that impedes access to health services, because the Palestinian women cannot read the details of their health condition. All referrals, medical reports, requests for tests and appointments in specialized clinics are written in Hebrew.

Providing the health services in Hebrew constitutes a violation of the rights of privacy and confidentiality for the Palestinian women, as they are compelled to accompany any available person who is willing to help as an interpreter if they had no family member. This has a negative impact on their physical and mental health, especially in illnesses related to their reproductive roles, or adolescence or cases of domestic sexual harassment. The companion who interprets to Hebrew may be the perpetrator, and this puts the woman/girl at risk upon disclosing the incident and the rape[[21]](#footnote-21).

**The Coalition urges the committee to question Israel about**: **What steps has the Government of Israel taken to provide health services without violating the rights of Palestinian women amid the current situation? What measures has it taken to prevent the continuation of the above-mentioned violation, since reviewing the previous report?**

There is not sufficient information about the availability of mechanisms for healing from mental sicknesses and treating mental disorders for Jerusalemite women and girls, since there are no awareness programs about the importance of mental health services.

**The Coalition urges the committee to question Israel about**: **Are there any data with the state about the mental disorders of Jerusalemite women?**

**Has the state developed any plan or procedures to address the mental health issues of the Palestinian Jerusalemite women?**

# **The Right to Education** [[22]](#footnote-22)

The number of school students in Jerusalem amounted to around 98,428 male and female students, of whom around 45,500 students attend 146 schools that are under the Palestinian administration (the Endowments (Awqaf) schools, private schools, UNRWA schools), while the rest attend schools that fall under the administration of the occupation authorities[[23]](#footnote-23).

No data exists about the number and distribution of the Palestinian female students in Jerusalem, which reveals that the occupation marginalizes the educational status of Arab women in Jerusalem and practices its coercive policies against education.

Jerusalem schools suffer from shortage in classrooms and staff, in addition to the systematic Judaization policy, difficult access to schools because of the Wall and the military checkpoints and the high cost of students’ commuting, which leads to the increase in truancy rate. The movement of students and the imposed security constraints put the students’ lives at risk, and in the best-case scenario lead to delays and disruption because of the hours of waiting and the search measures at the crossing points, which Israel has set up around Jerusalem. The Occupying Power adopts a policy of strangling the schools of Jerusalem, especially those that refuse to teach the Israeli curriculum, with the aim of Israel-ization of the education sector in the city. They impose Arnona housing tax on the schools. The Jerusalem municipality considers rented schools residential buildings and imposes very high fines for long years on schools that add a classroom, or toilet, or a sunshade.

The morning disruption and the late return to houses has an adverse impact on the educational achievement of female students, since they arrive to school feeling stressed, tired and upset from the long journey to school and the late return. They cannot finish their homework because they are tired, exhausted, and sleepy. They have to wake up early; the students have no time for any activity other than studying. The female students suffer from various forms of violence, harassment, ridicule and bullying by the soldiers at the military checkpoints, in the alleys of the Old City and in public transport[[24]](#footnote-24).

**The Coalition urges the committee to question Israel about**: **What data exists about the numbers of female Palestinian Jerusalemite students, their distribution, the number of schools and their absorption capacity?**

**What steps has the state taken to facilitate access to Palestinian schools in Occupied Jerusalem?**

**What are the adopted procedures if the male or female students live in areas that the Apartheid Wall has disconnected from their schools?**

**5.2 The schools are not safe or suitable to receive students.**

The schools that belong to the Endowments (Awqaf) are old; some are crumbling and lack sufficient ventilation and light. Most schools in the Old City need renovation and maintenance. Despite the efforts of the Palestinian Ministry of Education (MOE), and some Jerusalemite institutions to renovate as much as possible, they require annual maintenance, which is very costly; sufficient renovation and maintenance budgets are not always available.

The schools lack facilities such as modern laboratories, libraries or courtyards for education and recreation. They also lack appropriate lavatories, sunshades and places for extra-curricular activities such as halls and playgrounds. Examples include Al-Fatat Al- Laji’a School (c), Annahda School (c) and Al-Maseera School in Shu’fat Refugee Camp and other schools.

Most schools are in rented buildings that do not have ramps or elevators to receive students with motor disabilities. Hence, female students with disabilities cannot enroll at those schools even if they were close to their place of residence.

**The Coalition urges the committee to question Israel about**: **What measures has the state taken to prevent the settlers and the soldier from harassing and abusing the female students on their way to school?**

**How many complaints were submitted on the settlers’ harassment of Jerusalemite women? How many indictments were issued since submitting the previous report?**

There are no vocational schools for female students in Jerusalem because the occupation authorities have prevented the Palestinian Ministry of Education from building a school for vocational education in Jerusalem. It did not permit increasing the numbers of classrooms and halls required for vocational education. This constitutes a violation of the right of female students to continue their education, get adequate jobs and improve their economic conditions and the conditions of their families.

**The Coalition urges the committee to question Israel about**: **What is the reason for such prohibition? Does the State provide alternatives that enable Jerusalemite girls to receive vocational education?**

**How many vocational schools are available for girls in Jerusalem within and without the Apartheid Wall? How many girls are enrolled in those schools?**

# **Family Rights:**

**6.1 Issues of reunion and illegal residency**

The state of occupation continues to impose constraints and strict standards on family reunion applications. Many applications are rejected, which means that the applicant is denied entry to Jerusalem or Israel to visit the family. Over 40,000 Palestinian family reunion applications in Jerusalem have not been approved. The reason is the Israeli Citizenship Law of 2003, which is a racially discriminatory law that violates Article 9, Paragraph (1) of CEDAW, and aims at preventing granting residency or citizenship to any person from the OPT married to a Palestinian citizen who holds a Jerusalem ID or an Israeli citizenship.

This Law prevents the male and female Palestinian citizens from entering Jerusalem and Israel, which obstructs the women’s ability to live with their husbands, holders of Jerusalem IDs. If the woman is a holder of the Jerusalem ID, and moved to live with her husband, holder of the Palestinian ID, she is at risk of having her ID revoked, which means depriving her of any rights, social security, health insurance and educational rights.

The difference in the legal framework that regulates the marital relationship, and the different identity cards constitute a main obstacle that impedes the ability of Palestinian women to enjoy their family rights in case of family disputes. At the same time, it is hard to implement visitation rights for mothers who are holders of the Palestinian ID, since they have no right to obtain entry permits, hence cannot implement the visitation decision. Around 12,700 Palestinian citizens are married inside Israel and Jerusalem with temporary Identity Cards that require regular renewal. For several years, the holders of temporary Identity Cards are not allowed to drive or open a bank account in Israel.

Alternately, the Israeli Law of Return grants every Jew anywhere in the world the right to come to Israel, and the immigrant Jew becomes a citizen. The Law of Return was amended in 1970 to enable wide scale immigration, granting immigration rights to non-Jewish children and grandchildren of persons with Jewish origin.

**The Coalition urges the committee to question Israel about**: **How does the State provide family rights and reunion of Jerusalemite women with their spouses and children while this Law violates basic human rights?**

**How many reunion applications and applications to enter Jerusalem have the Palestinian women married in Jerusalem submitted since submitting the previous report?**

**What are the criteria that the State put in place for family reunion? How does it address violations of family rights approved by the aforementioned Citizenship Law? Are there special facilitation procedures for Jerusalemite women?**

**6.2 Custody**

“The best interest of the child” constitutes the criterion according to the Family Affairs Law applicable in the regular Israeli courts and the Israeli Court of Justice. This constitutes a burden on the Palestinian mothers who have to prove their eligibility to raise their own children and keep their Jerusalem ID. If the mother has no family reunion, she cannot move easily to follow up her child custody rights at the official institutions in Jerusalem. If the mother has a reunion, in most cases the husband stops the application and deprives her from the residency permit. This compels the mother to seek alternative solutions to keep her child custody and the children’s rights, in addition to another battle to obtain reunion through her children with new process of proving, which has very high costs.

**The Coalition urges the committee to question Israel about**: **What are the state’s instructions and procedures that preclude actions that prejudice the rights of the Jerusalemite women and their children to custody?**

**How many files were submitted to law enforcement to implement court decisions related to women’s custody of their children? What actual procedures were taken for enforcing them?**

# **The Right to Political Participation**

The occupation authorities exercise their policies that aim at arresting Palestinian women activists to deter them, restrict their freedoms, silence them, intimidate them and prevent them from participating in any activities against occupation or the settlers’ assaults or to defend the Holy Aqsa Mosque. The rate of arrests among Jerusalemite women has increased during 2019-2021 to 275 arrests, including mothers, elderly and sick women[[25]](#footnote-25).

The Israeli occupation forces continue with its aggressive and illegal treatment of woman human right defenders, especially journalists, because of their coverage of the Israeli violations against the Palestinians in Jerusalem and their continuous participation in peaceful protests. The Special Rapporteur on violence against women and girls, its causes and consequences has expressed her concern towards the “increase of violence targeting women’s rights activists, as well as increased criminalization of protests”.[[26]](#footnote-26) The Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, including East Jerusalem, allocated a large section of her report to the status of women human right defenders, including reports about threats and assaults. She mentioned that in accordance with the Universal Declaration of Human Rights Defenders, the work of those women should be protected in addition to their right to freedom of expression and peaceful assembly[[27]](#footnote-27).

The occupation prevents women’s organizations from implementing awareness raising events and activities, especially those related to elections, and commemorating 8 March. Often, the organizers and the participants in those activities face arrest or house arrest, heavy fines, and storming and shutting down the women centers that conduct such events. An example is Shu’fat Women Center, where they made a list of more than 100 women who were at risk of arrest because they intended to participate at the event, which was postponed.

Women suffer from arrests because of their participation in sit-ins and activities that protest the Judaization policies of the occupation. The women who protested against the displacement policy applied in East Jerusalem, such as Khan Al-Ahmar[[28]](#footnote-28) were arrested, in addition to subjecting them to mental torture and pressure and preventing them from contacting their families and children.

Since, 1967, Israel, the Occupying Power, has shut down more than 100 Palestinian institutions in Jerusalem, including women institutions and institutions in which Jerusalemite women participate in administration and activities. They stormed those institutions, destroyed their properties, and arrested their managers, staff and the activists. This constitutes part of the Israeli policy that aims at the Judaization of Jerusalem and exerting pressure on its residents, using the Emergency Law enacted by the British Mandate in 1945 on one hand and the Israeli Military Orders on the other hand.

1. The Israeli authorities arrest the Palestinian women activists, to prevent them from participating in any activities against occupation, confront the settlers’ assaults or defend Al-Aqsa Holy Mosque. The frequency of arresting Jerusalemite women has increased during 2019-2021, amounting to 275 arrested women, including mothers, elderly and sick women.

**Why are the Palestinian Jerusalemite women prevented from their right to protest and from political activity?**

**How many Palestinian Jerusalemite women were arrested since submitting the previous report as of today?**

**What measures has the State taken to alleviate the violation of the political rights of Palestinian women in this context?**

# **Recommendations**

In the end, and based on the international obligations stemming from the international conventions to which the state of occupation has acceded, and its obligations as an Occupying Power according to the provisions of the Human Rights Law and the International Humanitarian Law, we aspire that your esteemed Committee supports the rights of the Palestinian people to achieve their rights in all aspects of life and urges the Occupying Power to do the following:

1. Announce the state of emergency in occupied oPt including Jerusalem due to Israel’s escalation of Human rights violations and violence acts against Palestinian civilians residents in occupied Palestinian territory including Jerusalem and Gaza Strip.
2. Take the necessary measures to compel Israel to comply with its obligations within the international Human Rights conventions including CEDAW.
3. To confirm that the Occupying Power did not respond to your recommendation to stop their policy of demolishing the homes of Jerusalemites, which the Occupying Power has been practicing in a continuous and systematic manner.
4. To hold Israel accountable for changing the demographic structure of the city of Jerusalem through forcible transfer, which the Occupying Power practices through its various systematic policies. Those include the requirement to prove that “Jerusalem is the center of life of Jerusalemites”, home demolitions, revocation of Jerusalem IDs, continuous arrests and assaults against individuals and properties, family evictions and use of excessive force. and to consider all the measures taken to change the status quo of Jerusalem and its demographic structure illegal.
5. To hold Israel accountable for the denial of its obligations to providing data and information related to Palestinian Jerusalemite women and girls, to incorporate in their reports submitted to your esteemed Committee.
6. To urge the Occupying Power to provide the necessary resources and take the necessary measures at all levels to ensure that the Jerusalemite women access health services. This includes facilitating women’s access to health services by improving their freedom of movement and by making health medication affordable and available.
7. To urge Israel to promote women’s access to justice by facilitating the laws and court procedures.
8. To urge the Occupying Power to stop the process of Israelization of education in Jerusalem.
9. To urge Israel to stop placing obstacles that impede the female students’ access to education, remove military checkpoints, stop searching students and teachers, closing down schools, and continuous arrests to educational staff.
10. To compel the occupying power to refrain and stop the continuous arrests against the Jerusalemite activists and human right defenders and demand the immediate release of the detainees.
11. Provide equitable and effective health services to the marginalized communities in East Jerusalem, particularly women, girls, elderly and women with disabilities.

1. Ministry of Foreign Affairs and Expatriates, State of Palestine, “Basic Issues: Jerusalem (قضايا أساسية. القدس); <http://www.mofa.pna.ps/ar-jo>; Visited on 13/7/2023. [↑](#footnote-ref-1)
2. The website: <https://www.arab48.com>; the occupation deprives 13 thousand Palestinians from residency in Jerusalem ("الاحتلال يسلب 13 ألف فلسطيني الإقامة بالقدس".). [↑](#footnote-ref-2)
3. Ministry of Foreign Affairs and Expatriates, previous source. [↑](#footnote-ref-3)
4. The Palestinian Central Bureau of Statistics (PCBS). Awad, PCBS Chair, reviews the conditions of the Palestinian people through statistical figures and facts on the 72nd commemoration of the Palestinian Nakba. 2020.

   <https://www.pcbs.gov.ps/postar.aspx?lang>; Visited on 11/7/2023. [↑](#footnote-ref-4)
5. State of Palestine, Negotiations Affairs Department, 2021. [↑](#footnote-ref-5)
6. Paragraph 28 of the Closing remarks on the Fifth Report. [↑](#footnote-ref-6)
7. Final recommendations, third report. [↑](#footnote-ref-7)
8. Third to Sixth reports. [↑](#footnote-ref-8)
9. A report published by the Jerusalem Institute for Policy Research in 2019, entitled “Data about Jerusalem. The Status Quo and trends of change” (معطيات عن أورشليم القدس. الوضع القائم واتجاهات التغيير). The report relied on the annual statistical report that the institute prepares in cooperation with the Jerusalem Municipality, based on the data of the Central Bureau of Statistics, Jerusalem Municipality and the National Insurance Institute. Those institutions and departments publish their reports in Hebrew. [↑](#footnote-ref-9)
10. A report of Human Rights Watch published in 2021 entitled, “Israeli Apartheid: A threshold Crossed”. [www.hrw.org](http://www.hrw.org) [↑](#footnote-ref-10)
11. Report of the Jerusalem Institute for Policy Research, previous source. [↑](#footnote-ref-11)
12. Interview with Aida Touma through Zoom on 11/2021, She is an Israeli Knesset member, established “Women against Violence” association in 1992. [↑](#footnote-ref-12)
13. The previous source. [↑](#footnote-ref-13)
14. OCHA OPT report, 2018; previous source. [↑](#footnote-ref-14)
15. Report of the Jerusalem Institute for Policy Research, previous source. [↑](#footnote-ref-15)
16. PCBS, 2022, Dr. Awad reviews figures and statistics on the 47th commemoration of the Day of the Land [↑](#footnote-ref-16)
17. The previous source. [↑](#footnote-ref-17)
18. The number of licensed beds granted to a specific hospital depends -according to the Israeli Ministry of Health- on the number of patients who receive health services. [↑](#footnote-ref-18)
19. “The Health Services Sector in the City of Jerusalem” (قطاع الخدمات الصحية في مدينة القدس), report issued by the Department of Jerusalem Affairs, PLO, 2013 [↑](#footnote-ref-19)
20. Arab 48 website, Report, “The National Insurance Institute” cooperates with Shabak and deprives Jerusalemites from their medical rights ("مؤسسة "التأمين الوطني" تتعاون مع الشاباك وتحرم مقدسيين من حقوقهم الطبية). Released: 2022,

    https://www.arab48.com [↑](#footnote-ref-20)
21. WHO, Women health and human rights: Monitoring the implementation of CEDAW, ISBN 798 92 4 159510 0, (NLM classification: WA 309) Page (9). [↑](#footnote-ref-21)
22. All the data in this section come from a report on the impact of the Israeli violations on the right to education of the girls in Jerusalem (حول أثر الانتهاكات الإسرائيلية على حق الفتيات بالتعلم في القدس), prepared by the Women Studies Center (WSC) in Jerusalem, 2021. [↑](#footnote-ref-22)
23. The number does not include preschool pupils. [↑](#footnote-ref-23)
24. An unpublished report prepared by WSC; the impact of the Israeli violations on the right to education of the girls in Jerusalem (أثر الإنتهاكات الإسرائيلية على حق الفتيات بالتعلم فى القدس) October 2021. [↑](#footnote-ref-24)
25. Source: : <https://www.silwanic.net/index.php/article/news/77891/ar> [↑](#footnote-ref-25)
26. Report of the Special Rapporteur on violence against women and girls, its causes and consequences on her mission to Israel, Document No. A/HRC/35/30/Add.1, Paragraphs 51 & 52, 8 June 2017. [↑](#footnote-ref-26)
27. Report of The Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Document No. A/HRC/34/70, Paragraphs 30-61, 13 April 2017.

    [↑](#footnote-ref-27)
28. Interview with activist Rateeba Nashashibi, Previous source. She was arrested because of her participation in a sit-in against displacing the Bedouins in Khan Al-Ahmar. [↑](#footnote-ref-28)