The motives of gender-based violence in the Palestinian society

Cultural and Structural Values, Patriarchal Attitudes and Power Relations that May Contribute to Gender-Based Violence in Palestinian Society

naseej نسيج
ربط الأصوات والعمل
على إنهاء العنف ضد النساء والفتيات
في منطقة الشرق الأوسط وشمال إفريقيا

REFORM

OXFAM أوكسفام

The Motives of Gender-Based Violence in the Palestinian Society

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January 2023

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INTRODUCTION

People of all social classes, races and ages are affected by gender-based violence (GBV), which transcends national, cultural and religious boundaries. However, women face the most significant risk to GBV, including deprivation of equity, security, dignity, equality and the right to fundamental freedoms and self-esteem.

A 2019 opinion poll conducted by the Palestinian Central Bureau of Statistics (PCBS) revealed that 27% of Palestinian women who are currently married or have been married experienced at least one form of violence from their spouse in the twelve months prior to the interview. This is despite Palestinian legal and civil society spaces making commendable attempts to combat GBV. In 2019, the rates of psychological, economic, social, physical and sexual violence were 52%, 41%, 33%, 17% and 33%, respectively. Sixty-one percent of survivors did not formally or informally report violence. While 20% of survivors stayed in their houses and asked a parent or relative for assistance, 24% of survivors sought safety in the homes of their parents or siblings and 6% consulted a co-worker or neighbour for advice. Only 5% of survivors sought official aid, typically from the police or legal agencies, even though 40% of survivors claimed to be aware of support services (Palestinian Central Bureau of Statistics, 2019).

This analysis is part of a larger project by the Palestinian Association for Empowerment and Local Development - REFORM to develop policy papers to combat GBV in Palestine. Its objectives include mapping cultural and structural factors, patriarchal attitudes and behaviours that may contribute to incidents of GBV. Additionally, it analyses power relations in public and private spheres to identify key assumptions and stereotypes and their effects. The first section analyses the relationship between social norms and beliefs and GBV, while the second section focuses on Palestine's legal, political and social environment. This overview will produce a map of cultural and structural factors and patriarchal attitudes that may contribute to GBV and an analysis of gendered power relations in private and public settings.

METHODOLOGY

This study utilised a mixed method approach, including a review of relevant secondary literature. The quantitative technique took the form of a questionnaire, while the qualitative methodology utilised in-depth interviews and focus group discussions. Purposeful random selection was chosen as the most suitable and feasible option for the study's exclusivity and feasibility of population sampling. The variety of data sources and multiplicity of data collection methods ensures triangulation of the data to better inform the research.

1. Literature Review

The literature review encompassed an examination of Palestine's political, legal and social framework for preventing GBV, as well as the specifics of Israeli settlements in Palestine and its relation to the construction of masculinity in Palestinian society. These factors were analysed in addition to the legal framework governing violence prevention in Palestine. Finally, literature regarding the social background and patriarchal structure in Palestine were reviewed.

2. Focus Group Discussions

The establishment of the Focus Group Discussions utilised an intentional sampling methodology (intentional expert sample). Although the sampling method is not random, it is acceptable to presume that it is representative of the population since it necessitates the selection of participants based on their traits. This can assist in explaining the field of research and the gathering of data, insights and observations that can be relied upon as representative of a larger group of the population under study. Three focus groups were organised, described as follows:

1. Focus group discussions with stakeholders working on GBV in the West Bank

    Stakeholder participants in the first set of focus group discussions were invited based on recommendations from the Women's Centre for Legal and Social Counselling. The following grassroots organisations in the West Bank participated: Nahdhat Bint Al-Rif Association, the Jericho Women's Association, the Najda Tulkarm Association, the Tubas Charitable Association, the Tubas Anti-Violence Forum, the Hebron Family Planning

and Protection Association, the Nablus Working Women's Association, the Young Women Association, the Miftah Foundation, the Health Work Committees, the School Nablus Mothers, the Family Defence Association, Rural Women's Association, Sawa Foundation, Stars of Hope Association, Qader Bethlehem Foundation, and the Family Protection Police. Held via ZOOM, the focus group discussion aimed to identify the highest priority issues to be addressed in policy interventions, discuss a range of policy options and identify alternatives in relation to GBV in Palestine.

2. A focus group with male and female REFORM volunteers, as well as women's affairs staff volunteers

This group consisted of nine women and eight men from a mix of northern, central, and southern governorates in rural, urban, and camp settings. The purpose of this focus group discussion was to assess the participants' attitudes and perceptions about GBV and understand potential regional correlations.

3. A focus group of 23 women volunteers from the Centre for Women's Studies

A group of 23 women participated in a focus group discussion to further understand their perspective and understanding of social norms contributing to GBV in Palestine.

3. In-Depth Interviews

The study team conducted six in-depth interviews with survivors of GBV who agreed to speak about their experiences. The in-depth interviews were designed to learn how women perceive and analyse the causes of violence in their lives. This survivor-centred research approach ensured that the policy solutions presented in this document integrate and centre survivors' perspectives.

Interview participants were selected in attempt to include women from various West Bank regions. Participants included a woman from Tulkarem, two women from Nablus (the city and a camp), a woman from Bethlehem and two women from Ramallah (the city and a village).

4. Survey

A questionnaire was administered to poll the opinion of Palestinian men and women about the society's views and attitudes toward GBV. The survey was divided into eight major sections. The demographic information of the participants was included in the first section of the questionnaire consisting of age, gender, geographical location, work and education level. The second section contained society's attitudes toward women's roles, particularly within the family. The third section had information about men's roles, while the fourth section contained information about gender norms and standards of masculinity and femininity in Palestinian society. The fifth section contained information on domestic violence and its acceptance in Palestinian society. This section covered physical violence, economic violence resulting from inheritance, honour killing cases and divorce. The sixth section focused on the effects of sexual assault on families and spousal relationships and their associated stigma. Section seven included statements on societal expectations from women's labour regarding hours worked, the quality of work and the right to work in general. Finally, the eighth section included data on women and disabilities to demonstrate the challenges faced by women with disabilities, the causes of these challenges and the impact on their community participation.

STUDY FINDINGS

First: Mapping of Cultural, Social and Structural Factors that Contribute to Gender-Based Violence

Gender norms are social patterns and behaviours that play a significant role in maintaining and normalising gender inequalities in a particular society. Structural and cultural factors contribute to creating and maintaining gender norms in Palestine in interconnected ways. Key themes found in the research related to cultural, social and structural factors will be explored in this section.

1. Cultural Factors that contribute to Gender-Based Violence

Patriarchy refers to a particular type of economic and social organisation, mindset, behaviour and action through which men hold power over women in the society. In much of Palestinian society, this results in the father representing the absolute physical and spiritual authority within a family unit. This authority does not extend to any other authority in the Palestinian patriarchal family. The father exercises all rights and decisions over those considered under his responsibility, including his wife and children. Maintaining the central social values of the family is given great importance in the patriarchal system, resulting in each family member bearing responsibility for the behaviour, needs and living conditions of others in most cases. A family member's success or failure in patriarchal societies are a matter related to the family as a whole and not a particularly personal matter.

In the patriarchal system, reputation is the most crucial social morality. It supersedes every other value. In these circumstances, deviation from moral and social norms means a loss of social status, economic opportunities and guarantees social exclusion. Consequently, men have the power, privileges and the right to make decisions over women. In these cultures, men seek to maintain the reputation of being firm, strict and controlling, particularly over the women of the family (Jabr, 2022) and punish them for any misbehaviours. In the patriarchal system, legitimacy ensures men's continuous dominance and supremacy.

Thus, violence against women in the Palestinian society is used by men to

gain and maintain power and control over women. Other cultural factors associated with patriarchy include feminine stereotypes and normative expectations, masculinity and socialisation, understanding of the family sphere as private and under male authority, and the public acceptance of violence and patriarchal religious traditions.

Social roles and stereotypes

The patriarchal culture in Palestine encourages the portrayal of men as defenders, the most significant of which is that men's roles are to support, govern and thus defend the family. In contrast, women's roles are considered subordinate to men, concentrating on bearing children and primary care for the health and welfare of the family.

This division of roles has caused a distinction between two realms, public and private, in which the two genders perform their respective duties without crossing over into the other's realm except under specific conditions. For example, in this social culture, it is not considered masculine for a man to stay at home (private). In the cases that a woman wants to enter the masculine realm of the public, she must adhere to modest dress codes and behaviours. Women also frequently are not allowed to venture out at night or alone. Violence originates from the stereotype that men control, wield and use power, often over women.

Women's roles and gender norms

The attitudes and values adopted by Palestinian society remain unjust in terms of roles and gender equality. Evidence shows that the gendered roles and expectations are taught to sons and daughters from birth. In Palestinian society, women are taught to be polite, weak, submissive, emotional, peaceful and docile. A woman learns from birth that her role is to care for the family, bear the responsibilities of childrearing and arrange the home, essentially to remain in the domestic/private sphere.

While bachelor men have the social ability to live independently, society places limitations on women, especially unmarried women. They are seen as a burden on the family and are restricted in regards to whom they can talk to and the time they are allowed to return home. These constraints are based on social values, orientations, education and social upbringings, which state that wives ought to be careful not to arouse the husband's anger and worry. Women are socialized to remember that

decisions are made by the man, not the woman.

These social expectations regarding gender roles place great burdens on women and men, especially if these expectations are not met. Women can be subjected to psychological violence, physical harm or other forms of violence in the event of violating these norms and traditions. In a culture that sees women as subordinate to male family members, these violent acts are supported by society and the family. The link between these social norms and women's roles is evident in their unequal relationships with their husbands, roles in the home, and unequal economic and political participation.

Relationship with the husband

Family education and community upbringing assist in maintaining the conventional roles and subjugation of women and their inferior status to men. This also promotes society's negative perception of women who disobey their husbands.

Care Giving Roles

In Palestinian society, women continue to perform most of the caregiving, housekeeping and cooking duties for the family, as social gender norms restrict women's primary and most significant responsibilities to domestic work and childcare. This negatively impacts women's ability to participate in public life compared to men and perpetuates an unequal division of labour between men and women. Further, these norms reinforce the idea that women's work outside the home negatively impacts their ability to perform domestic duties. As a result, women who do work outside the home and engage more actively in public life must make an extra effort to manage their work alongside their responsibilities for the home and family affairs. This creates multiple burdens and responsibilities for women to balance in ways that men often do not.

Participation in the labour force and politics

The proportion of women in political life, the labour market and sovereign and senior positions is extremely low. Palestinian society accepts and celebrates the presence and success of men in these positions while limiting women's participation in political life and leadership positions.

This is particularly true for wives or mothers, who face the social obligations of maintaining traditional care roles.

Women's political participation remains low, influenced significantly by social gender norms that view men as more capable and efficient, thereby discouraging the participation of women. This is reflected in social practices and the challenges that women face in political participation in parties, local councils and public institutions, particularly in high-ranking positions. The percentage of men is high, indicating a gendered participation gap. This is also due to society's perception of women as emotional, which influences their performance and decisions, as well as men's unwillingness to create space for women in the political sphere.

Gender norms and men's roles

Gender norms are the societal attitudes, values, perceptions and ideas that prescribe men's and women's behaviour in a given time and place. These gendered behaviours are formed at a young age as a result of social upbringing based on stereotypes in the family, society and various institutions, according to what is set by society and the culture of society at a specific time.

The stereotyped expectations of men in Palestinian society is that they are strong, independent and aggressive. Men are expected to adopt the role of head of household and impose authority to preserve the honour, dignity, stability and reputation of the family. Within these gender roles, men are not allowed to express their feelings, such as crying or showing love or tenderness; rather, these are considered feminine traits reserved for women. These harmful pressures also burden men, as they are forced to supress their feelings and emotions. Men are thus subjected to gender-based violence, mainly because these behaviours are linked to the concept of masculinity and stewardship stemming from patriarchal traditions. Further, this burden on men to maintain gendered societal expectations regarding their relationships with women and (in)ability to express emotions can increase instances of violence against women and girls in all forms. Due to the gendered norms and expectations of men's behaviour, this violence is accepted and justified by society. The effects of social norms are evident in determining men's roles in care, maintenance and protection. These gender norms continue to be maintained by individuals and society alike, reinforcing harmful expectations and behaviours that continue to define the roles of men in Palestinian society.

The role of men as caregivers

Women in Palestine have been entering the labour market more frequently in recent years, which is contributing to small changes in gender relations. However, dominant gender societal gender norms still maintain divisions between the types of labour women and men engage in based on their social identities. This is unequal division of labour is exemplified by men's limited participation in domestic work, childrearing and caring work. Men are expected to work outside the home while women still remain limited to domestic spheres of labour. However, this varies depending on geographical location, level of education and the work of both parents in the family.

The role of men as breadwinners

In Palestinian society, the husband is considered the primary earner for the family. While women's slow entry into the labour market is slowly changing perceptions to consider women as a partner, this remains a minority opinion. The dominant promotion of men as the primary providers is reflected in policies that prioritize men as heads of households and reduces women to dependents. This burdens both men and women by limiting their engagement in society, the home, and the labour market to specific roles and responsibilities. Men's roles are linked to their status as the breadwinner and the rejection of women's work outside the home. As a result, the role of women is limited to the home and childcare, which despite its importance, is undervalued in society. It is not appropriate to reduce the role of women in society to the role of care, excluding half of society from production and achieving economic development and prosperity.

In this context, society believes that men can rely on themselves because they do not need anyone. In contrast, women and girls rely on the family in making decisions and moving forward in their lives according to the values and beliefs that constantly refer to women's dependence on the men of the family, which affects the opportunities available to them.

The role of men as protectors

Although there have been positive changes and transformations in terms of rejecting violence and not associating it with power and control, Palestinian society considers harshness and violence to be among the

qualities that a man is required to possess to prove his manhood and domination over the women of his household and in front of society.

Palestinian society believes that men should protect their wives, have control over their mobile phones and social media and have the right to compel women to wear a certain attire, which may include a head covering. Society justifies this by repeating and referencing societal gender norms, which show the man as the protector, breadwinner, observer and final decision-maker in the family. This includes everything related to the woman's life, such as clothing, marriage, education, health and so on.

The prescribed duty of men to protect their wives frequently translates into control. A man may interpret controlling how women dress, whom they see, where and when they go out and even monitoring cell phones and social media as natural expressions of love and protection for women from other men who may want to exploit them. These attitudes reinforce the notion that men "own" women, as well as the belief that women, like children, require protection. This can expose women to abuse, deprivation of choice, violence and, in some cases, murder.

Moreover, society accepts men's use of violence in order to protect the family and justifies practices that may harm women and girls if they violate society's established gender norms and the stereotypical roles. This indicator is dangerous, especially when women's clothing and behaviour directly link to men's honour.

Public acceptance of domestic violence and an understanding of the family sphere as a private matter

One of the learned behavioural patterns from social upbringing is domestic violence. It is one of the violent behaviours that arises from the fact that there are uneven power relations within the family as a result of defining both the roles and the status of each family member on gendered norms regarding the prevailing economic, social and political system. These factors give men legitimacy and justification for the violence they practice against women. If women engage or refrain from actions and behaviours outside of those accepted by society, they are subjected to abuse and violence of various forms. Many women adhere to societal gender norms and behaviours, and accept patriarchal actions and practices to avoid the risk of violence; however, this lowers their social, political, and economic participation while still maintaining their vulnerability to gender-based abuse and violence.

Physical abuse

Palestinian society is divided over whether domestic violence should be classified as a crime that should be deemed illegal or as a natural matter intended to discipline, educate and preserve the family's interests. Violence outside the family is condemned and society recognises that a woman has the right to defend herself if exposed to violence outside the family. Society is also divided over the existence of times and situations in which it feels that women deserve to be beaten and that violence is permissible and essential. Some even rely on a mistaken view that religious traditions authorise corporal punishment of women to justify their actions.

Furthermore, some victims, police and justice and health workers regard domestic violence as a private matter. This is one of the barriers to addressing violence against women in Palestinian society and within families, as this internalization of gender-based violence prevents the execution of effective programmes and policies to end violence against women. This idea helps explain why women are hesitant to report violence to those outside the immediate family unit, or the belief that domestic violence is less severe than violence outside the home. These dominant views exacerbate the privacy and isolation of the home for women, concealing domestic violence in which survivors of violence are unable to seek help. As a result, the justification of violence against women in the private sphere prevails.

Women practice violence by tolerating violence and influencing other women to also tolerate violence by framing it as a sacrifice to preserve the family. Studies show that women who accept domestic abuse may be more vulnerable to abuse and continuous beating than those who reject this behaviour. One of the strongest relationships associated with domestic violence is women's internalisation of patriarchal gender norms. Women's attitudes towards domestic violence may influence how it is reported, help seeking strategies and subsequently receiving assistance. It also significantly impacts the survivor's chances of receiving help or leaving violent relationships when the survivor believes she is the cause of the violence or that she deserves the violence she receives.

The patriarchal social and cultural environment continues to pose a significant challenge for protecting women from violence, restricting their access to resources and services. There is a weakness in the capabilities and orientations of service providers that affect the provision of services.

The culture of service providers is similar to that of society in terms of assigning blame, taking responsibility and responding to violence in an unprofessional manner.

Marital Rape

Marital rape is accepted and not considered a crime in Palestinian society since, under the patriarchal gender norms in this society, a man is considered to have the right to have sexual intercourse with his wife even if she refuses. Social discrimination against women is most visible in the sexual relationship with the husband, where society does not allow women to refuse to have sexual intercourse with her husband and exposes her to blame, punishment and violence. This is directly related to the findings of some studies that emphasize women's exposure to marital rape and punishment from the husband, as well as blame and reprimand from the parents in the event of refusing to have sexual intercourse with the husband. It is considered to be a natural and legitimate right for the husband to obtain sexual intercourse at any time without any considerations. Women are threatened by polygamy and other forms of punishment and abuse, especially because men, according to the prevailing social culture, validate their manhood through sexual relationships with women.

Divorce

Divorce is viewed as a negative social stigma for women in Palestinian society. By law, women are not considered to have the same right to divorce as men. Women must go to the judiciary and prove the dispute in order to obtain a judicial divorce, whereas men face much less hurdles and legal barriers.

Customs That Support the Murder of Women and Girls for "Honour"

Traditional norms in Palestinian society support harmful cultural traditions, including the execution of women who are thought to have offended the family's honour. So-called "honour" crimes include killing family members who are thought to have offended the family by indulging in actions deemed immoral and undesirable by current societal gender norms. Male family members frequently carry out these killings in the name of "family honour."

In terms of society's treatment and attitudes toward killing girls and women based on "honour," as with any other crime, society is divided on the necessity of punishing men who commit femicide. This reflects the prevalent culture that supports killing or harming females under the guise of protecting the family's honour, which means that society considers killing based on what is called "honour" a natural behaviour for a man to protect his honour and reputation and his family to get rid of shame. These behaviours came as a result of social conditioning, the consolidation of beliefs and masculine thought and behaviours that have come to be regarded as trends followed by both men and women.

Women who act in ways that challenge traditional gender norms, or in ways considered dishonourable to the family's reputation, are heavily stigmatised by Palestinian society. This can affect their rights and access to services, as well as the rights and services offered to their family. However, men's violation of these social expectations and gender norms are less likely to result in severe punishments compared to women. Examples are emerging through social media of individuals justifying violence based on the deviation from social gender norms.

The Impact of Social Norms on Sexual Violence

Any sexual interaction, whether verbal or physical, that the abuser threatens to engage in or tries to engage in without the survivor's consent is considered sexual violence. This is also known as coercion. Within Palestinian society, sexual violence (rape, harassment, and indecent assault) is viewed as a disgrace on girls and women. These perceptions about sexual violence, as well as the stigma and need to conceal and treat it within the family framework, result from society's proclivity for sex for girls and women. It is viewed to harm and damage the family's honour. For example, a woman may lose her husband and her family if she reports that she has been exposed to sexual violence. Women can face significant barriers to engaging in society if their husband leaves her as a result of the stigma attached to surviving sexual violence.

The patriarchal gender norms in Palestinian society encourage women and girls to remain silent when facing sexual violence to avoid potential shame, stigma, and unacceptable justifications for the violence. The social stigma perpetuates the culture of silence and attempts to address the violation within the boundaries of the family, exposing women to numerous physical and psychological violations. It also deprives them of

safety and protection on both private and public levels, reinforcing the perpetrators' behaviour by not taking legal action against them.

Social norms and economic violence

Palestinian women experience economic violence at both family and community levels. As previously discussed, men are considered the economic breadwinners of the family of the community; this maintains women's economic dependence on men and limits their economic freedom. Women are frequently deprived of inheritance, work opportunities and access to credit and land ownership. Any income women do make is often controlled by other family members.

Forms of economic violence against women stem from the social view of women's roles and perceptions about their work, enshrined in the labour market's practices and the private sphere of the family. Social factors emphasizing the division of labour in accordance with the orientations and perceptions of society leads to the belief that care and domestic work is limited to women. As a result, women become less involved in other aspects of life. For example, Palestinian society believes that part-time jobs or flexible work hours is more appropriate for women to maintain the social and caretaking roles assigned to them. The same holds for wages, where much of society accepts higher wages for men, given that men are assumed responsible for family spending, though divisions remain on this topic. At the same time, women's role is defined as the home caretaker, making work outside the home secondary and non-essential, placing less value and thus less justifying less pay for women's work. There are also those who believe that wages should be determined by the nature of work, further devaluing women's contributions in favour of more traditionally male-dominated sectors.

Women with disabilities and social norms

Palestinian women with disabilities face violence that reflects a state of triple oppression based on gender. The first oppression is existing as women within a patriarchal system and the resulting social determinants. The second factor is being a women living under military occupation. The third is living as a as women with disabilities. These compounding and intersectional factors reinforce marginalisation and exclusion, making women with disabilities in Palestine more vulnerable to violence,

abandonment and social isolation compared to men with disabilities.

The lack of social acceptance of women and girls with disabilities contributes to the deprivation of many fundamental rights, such as marriage, childbearing, play, education and other rights at various stages of their lives. This increases their marginalisation and poverty levels, affecting their participation in public life and society. Discriminatory norms limits their abilities to reach decision-making positions in society. This is due to limited institutional service provision capabilities and available support systems that consider the special needs and status of women with disabilities. These gaps in services also expose women with disabilities to marginalisation and increases violence against them. Women with disabilities do not receive health services that meet their needs, confirming the limitations of health institutions' capabilities and efforts.

The inadequate infrastructure deprives women with disabilities of access, services and protection from violence. Thus, the failure to create safe and accessible support spaces contributes to depriving women of the services they require. Institutional infrastructure is not suitable for people with disabilities particularly women, and does not provide them with protection from violence. The legal and legislative systems also contribute to discrimination against women with disabilities.

2. Structural Factors that contribute to Gender-Based Violence

Structural violence refers to a form of violence where specific social structures or institutions may harm people by preventing them from meeting their basic needs. Structural inequality is particularly harmful to women due to the intersection of gender with existing conditions such as poor health, inadequate education and care. Also, the lack of reliable data on violence against women and the prevalence of the public/private divide led to a relative reversal of structural violence (Sinha, Gupta, Singh, & Srivastava, 2017). The most important of these structural factors are as follows:

Legal Factors

A variety of legal factors may contribute to gender-based violence in Palestine. Although discrimination is prohibited by Article 9 of the amended Basic Law establishing essential rights that must be exercised based on equality and non-discrimination, there is no comprehensive definition of discrimination against women in Palestinian legislation. It does not cover all prohibited grounds of discrimination, including direct and indirect discrimination in public and private spheres, as required by Article 1 of CEDAW.

On the other hand, the West Bank's 1960 Penal Code expressly prohibits marital rape. While the law criminalises incest, it imposes penalties on both parties to an incestuous relationship, regardless of power dynamics. While the 1960 Penal Code criminalises consensual sexual relations and adultery, it allows unmarried women to be prosecuted for having a consensual relationship outside of marriage if their guardian files a complaint. In contrast, men cannot be prosecuted for having a consensual relationship outside marriage.

In general, Palestine lacks a domestic violence law, making it challenging to protect survivors and prosecute abusers. Although a law was drafted in 2006 and included in the government's legislative plan by the Cabinet in 2013, all ministries were asked to provide feedback on the draft. Further, the draft Family Protection Law includes several favourable provisions, such as issuing emergency protection orders to prevent contact between the accused and the victim, criminalising forced marriage as a form of violence, harsher penalties for physical violence and the assignment of police and family protection units. The draft law does not explicitly state

the state's core obligations to prevent violence, protect survivors and prosecute abusers. It does not explicitly criminalise marital rape, leaves the definition of sexual assault vague and lacks specific guidelines on sexual assault penalties. Unmarried partners, like married couples, are also excluded from the bill's definition of "family." Furthermore, the law does not mention the financing sources used to carry out its protection provisions.

Economic Factors

When jobs are scarce, the majority of the population in Palestine believes that men should have a greater right to work than women. Additionally, when men are affected by unemployment and poverty, it can lead to them to assert their masculinity through violent means. The lack of economic resources therefore increases women's vulnerable to violence and creates self-perpetuating patterns of violence and poverty, making it extremely difficult for survivors to extricate themselves.

Political Factors

Since women are underrepresented in power and politics, they have fewer opportunities to shape the debate, influence policy changes or implement measures to combat gender-based violence and support equality. Gender-based violence is sometimes dismissed as unimportant and domestic violence receives insufficient resources and attention in political spheres.

Second: Mapping of Masculine Behaviours that May Contribute to an Increase in Gender-Based Violence

Masculinity can be defined as either an identity or a set of practices associated with men's attitudes in various gender systems. Masculinity formations vary over time, across and within cultures. There is often a hierarchy of masculinity in which one (or more) types of masculinity are socially dominant while others are marginalised. It is possible to map masculine behaviours that may contribute to an increase in gender-based violence by analysing the interrelationships between gender and violence across levels of social organisation using the social and environmental model. As a result, the analysis is conducted at the individual, family, local community and social levels.

At the Individual Level

The individual level influences individual behaviour and attitudes toward partner relationships. The following four themes stand out in particular:

1. Personal history, such as exposure to and experiences with domestic violence. While the association of violence with organised gender roles within the family does not guarantee future violent behaviour, it does imply that the gendered nature of power is internalised and passed down to the next generation of relationships.

2. Parents who reinforce their children's separate gender roles and identities.

3. Personal experiences of frustration with social masculinity expectations. In Palestine, common beliefs about being a man include traits such as strength, courage and the ability to overcome challenges and provide for a family. However, the empowerment of women and the movement for equal rights for women have been linked to some men's dissatisfaction with these social expectations and what it means to be a "real man."

4. There are contradictory concepts about the meanings and significance of gender equality for Palestinian society and women under their direct jurisdiction.

At the Family Level

The second level, the family level, investigates power hierarchies inside the family structure by examining the context in which violence happens, how people interact with one another, family dynamics, male dominance within the family, marital conflicts and conceptions of private family space. The family is the centre of society and serves as a micro-community representing the full spectrum of social connections and gender conventions. Understanding the reasons contributing to the prevalence of violence against women requires an in-depth examination of the meanings connected with familial relationships and the nature of power dynamics, which is critical to understanding the factors that play a role in the prevalence of violence against women.

The combination of Palestinian society's dominant patriarchal structure and pervasive notions of the division of labour between the sexes results in an environment where men head the Palestinian family structure, often

as the primary decision-maker. At the same time, women are confined to the family and have limited access and power in society.

This division of roles, as well as the strength of the male breadwinner role in Palestinian society, places female-headed households in a difficult position, both socially and economically. It also has implications for women's access to justice when they are victims of violence.

Examining relationships with parents and within the family can also provide insight into individuals' behaviour and attitudes toward spouses and children. Children may inherit unfair views between the sexes that subsequently affect their future relationships with women and children or they may inherit fair concepts about women, gender relations and what it means to be a man. Gender dynamics within the family also influence an individual's gender perceptions in society. The family's strong gender division reflects perceptions of unequal gender patterns in education and work in society.

At the Community Level

The third level is the level of society, the roles of gender within society, the dominance of relations between male peers and the influence of community leaders. While some male relationships involve behavioural issues such as drugs, alcohol and prostitution, which frequently correspond to violent behaviour against women, male relationships and hierarchies can also be positive experiences.

There is also a level of privacy maintained at the community level, which contributes to the fact that issues related to domestic violence are not discussed outside of close family relationships (mothers, sisters, brothers and so on). This directly correlates to increasing violence.

At the Social Level

The individual experiences of men and women, cultural perceptions of acceptable forms of violence and the degree of acceptance of interpersonal violence all reflect society's beliefs and attitudes. By pressuring males to live up to established conventions of masculinity and asserting the conventional gender order in society, women may play a part in maintaining gender norms. These norms dictate that women must respect their husbands and social standards by respecting and not disputing their husband's decisions.

On the one hand, male domination is encouraged by social and cultural norms in Palestinian society, which legalises violence against women. However, social conventions treat each instance of domestic abuse as a private and familial matter, denying survivors access to crucial resources, including medical care, family support, community and social services, psychiatric help and legal counsel. On the other hand, people's opinions toward domestic violence are influenced by conventional cultural views on marital roles and religious beliefs.

Third: Gender Power Dynamics in the Public and Private Spheres.

Gender-based violence at the local level is deeply rooted in power struggles as men attempt to maintain control over women at home and in society as a whole. In the context of Palestine, as patriarchy defines roles and authority within the family environment and authorises and legitimises the use of violence, it is clear that patriarchy is a key factor in the various ways in which women victims of violence seek to explain the abuses they have experienced. It is an essential component of the nature of social culture. It is well understood as the structural relationships and cultural constructs that take advantage of the masculine gender's initiative in regulating the existence of others. The male-dominated system provides an avenue for them to gain power while also disempowering and subjugating women.

Unequal relationships between family members define the patriarchal family. The father has ultimate power within the family and derives this power from his status in society as the family's guardian, guarantor and social defender. The father's concentration of power does not signify dominance on his side. Instead, it is necessary to transfer some of the patriarchal power to the married sons and the mother once she takes on the role of mother-in-law. The patriarchal authority leads to obedience and submission. Violence is thus exercised without restrictions and in various forms, except for those to which customs and traditions limit. It is practised in various vital fields related to family planning and its survival, including discipline by beating, scolding and cursing demands that are enforceable without delay and prohibitions. It is not permissible to argue and oppositions are followed by punishment.

In the Palestinian family, men are expected to control relationships and families. In contrast, women and girls are expected to submit and care for the family's needs, serve the husband, start a family and raise children. While men are expected to exercise power and control over their families and relationships, as well as to discipline their wives as they see fit, women are expected to tell their husbands where they go, whom they talk to, when they return home and to ensure that the husband is not irritated. In this setting, physical violence is viewed as an acceptable method of settling marital problems, sex is a man's right under marriage and a male has the authority to physically chastise a woman for behaviour that goes against his wishes or the patriarchal gender norms in society. Divorce remains stigmatised and nearly inaccessible for women. All of these aspects contribute to the continuation of gender-based violence. According to Bougsiaa (2014), the purpose of violence is to "protect" weak and dependent women. Hence, any woman who experiences violence after defying these social norms is to blame for the violence and is accused of defending it. This is especially true in the home / family setting (OXFAM, November 2018).

Palestinian society accords men's power and authority in the public sphere in a manner similar to how it accords his power and authority in the private sphere. This power is protected in several ways, including presuming superior personal qualities, skills and special abilities like intelligence, wisdom, judgment, knowledge, professional standing and ability to provide. Additionally, society expects men to have stronger and broader power than women. This dominance, in particular, is especially over women. Men are also expected to be more ambitious and capable of self-realisation than women. Because of this, many men in Palestinian society view any danger to their perceived superiority and the rights they perceive—as well as the rights that they perceive society as a whole to have—as a justification for using violence to be a force to "fix" men's standing.

First Policy Paper:

Protecting the rights of Palestinian women in the informal economy in the Israeli settlements in the Jordan Valley

Prepare dr. Manal Al-Jubeh and Prof. Serene Hoso

January 2023

Introduction

The Palestinian economy suffers from the repercussions of the Israeli occupation policies of control and exploitation of the Palestinian resources. These policies, which deepen the Palestinian economy's adherence to Israel's, are aimed to impose economic peace on the Palestinian people. They also pose significant and variable challenges to the Palestinian economy, causing it to deteriorate, weaken its operating capacities and increase the rates of poverty and unemployment. This especially impacts among women, whose participation in the workforce was just 16.1% in 2020. (Esim & Kuttab).

In light of the socio-economic and political crises the Palestinian economy faces and the need to enter the labour market, many poor and marginalised of women and children are forced to join informal economy to reduce the severity of their poverty. For example, a report released by the ILO in 2021 indicated that informal labour constitutes a key element of the total growth of job opportunities in Palestine. Informal labour's share of the total job opportunities increased to at least 51.0% (though estimates vary). Half of paid workers were hired by the Palestinian private sector without a written contract. Further, less than one third of workers contributed to a pension fund. Further, just half of women working in the private sector enjoyed paid maternity leave (ILO, 2022).

High unemployment levels continue to be a severe and growing concern for Palestinians, especially in the Jordan Valley and Dead Sea areas of Palestine. The Israeli government prohibits Palestinians from cultivating 85.2% of the Jordan Valley and the Dead Sea areas, whereas it allows Israeli settlements to occupy 83% of the whole area. These regions are now largely occupied as natural reserves, military drill zones or state lands. The lack of agriculture and other employment opportunities for Palestinians in these regions based

on these Israeli policies pushes Palestinians to search for work in the Israeli labour market and Israeli settlements. Under the Israeli labour market, the average wage is more than double to that in the Palestinian economy, further encouraging Palestinians to become dependent on the Israeli labour market for employment.

Nearly 37,000 Palestinian workers obtained job opportunities in Israeli settlements in the West Bank in 2021, with the majority in the construction sector (ILO, 2022). A study by the Ministry of Women Affairs indicates that there are 6,000 Palestinian women working in Israeli settlements (Ministry of Women Affairs, n.d.). The informal labour rate among Palestinian workers in Israel and its settlements reached 47.6%, which is higher for men at 53.2% than for women at 38.9%. Such disparity can be attributed to the fact that women are more likely to join the formal public sector than men (ILO, 2022).

However, despite the role of the informal economy in creating job opportunities in times of crisis, people's need for work is exploited. While women in the informal economy are exploited on more than one level, women and men are exploited by the formal economy. Women are also exploited by companies and factories as workers, and they are exploited by men as subordinates (Al-Serafy, 2016).

Problem

The workers of informal economy in the Israeli settlements in the Jordan valley area have no legal coverage. The nature of their informal labour prevents them from accessing benefits or other advantages offered through both Palestinian and Israeli labour laws.

As settlements increase throughout the Jordan valley region, Palestinians, including Palestinian women, are no longer able to own land and businesses, and instead become low-earning and informal labourers inside the settlements. They experience blatant rights violations, being forced to work without formal written contracts, for low wages, under harsh and long conditions, and without safe transportation. They also have no collective bargaining and no health and occupational safety measures. Working in these poor and informal conditions prevents them from accessing health insurance, social security, pension benefits, nor compensation against job injuries, in violation of both Palestinian and Israeli labour laws. Furthermore, Palestinian labour brokers who recruit them for work in Israeli settlements deduct some of their wages for themselves.

In informal labour, Palestinian women are also more likely to experience

gender-based violations involving abuse and harassment. These violations are practiced by Israeli soldiers manning military checkpoints, employers, brokers and settlers. Survivors may hesitate to disclose these violations to avoid social stigma.

The Israeli policies of maintaining Palestinian dependence on the Israeli economy also increases examples of economic violence against Palestinian women. These patterns of violence involve control, deprivation, coercion and denial. Palestinians are forced to work in Israeli settlements for low wages under indecent and unsafe working conditions.

The difficult economic conditions Palestinians experience are exploited in violation of their economic rights, despite being guaranteed in international conventions, including SEDAW and the international covenants on economic, social, cultural, political and civil rights.

Objectives

This policy paper aims to present a practical vision that would ensure protection for Palestinian women working in Israeli settlements and reduce economic violence against them.

Policy problem analysis

The fact that the Palestinian economy is subject to the Israeli control enables the continuation of the informal economy through the lack of formal employment opportunities. Palestinian women who work in Israeli settlements face meagre income and poor working conditions. However, these workers face significant challenges accessing legal support: the Palestinian Authority considers working in settlements illegal, and Israeli labour law does not recognise Palestinian workers (Sadiq, 2017). These conditions prevent Palestinian workers from compelling their employers to applying labour law provisions or to contribute to providing benefits, such as maternity leave or breastfeeding hours for women. Therefore, this type of work does not provide the minimum conditions for decent work, dignified life, or work sustainability.

Hence, the policy problem that the paper seeks to provide solutions and alternatives to is related to the increase in economic violence against Palestinian women in the Jordan Valley and its impact on women's participation in the labour force and the provision of justice in society.

The participation of women in the labour force is considered a crucial

development indicator in economic and social development in order to reach social justice and human dignity. It also indicates the ability of society to keep social disintegration to its minimum limits.

Suggested Policy Alternatives

The First Alternative: Reconsidering Economic Policies

This alternative includes encouraging and providing facilities and incentives for investments that guarantee the generation of decent job opportunities to absorb the labour force, encourage investment and agricultural projects in the Jordan Valley and provide protection for the Jordan Valley areas from the encroachment of the Israeli occupation, by establishing productive Palestinian agricultural projects and employing Palestinian labour forces.

Since it is the responsibility of decision-makers to provide a suitable work environment, the decision-makers must provide government programs and interventions to enable women to establish private businesses and small cooperatives inspired by their current work in the settlements or from skills acquired from training courses. They must provide facilities for small and micro businesses and for self-employed workers, including during the registration processes. They should also grant businesses tax exemptions and incentives and enhance access to finance, linking this to the ability of their projects to generate new and decent job opportunities.

It is also possible to provide technical support to women owned small businesses through organised tours in the Jordan Valley and the establishment of an incubator to market women's products in the Jordan Valley. Accordingly, the Palestinian government must work to intensify its tangible support for the residents of the Jordan Valley, according to their needs and within clear action plans.

The second alternative: the Ministry of Labour and other authorities play an active role in the economic and social empowerment of women working in the informal economy.

The Ministry of Labour, Ministry of Women's Affairs and other relevant authorities should study the needs of women in the informal economy in various sectors. The study should include an exchange of information and updated statistical data on the conditions of women in the informal sector to support and advocate for their rights. In addition, an alternative

solution to support a safe environment for women is to involve women working in the settlements in developing plans, making decisions and building the interventions. The Ministry should also participate in the preparation and implementation of awareness campaigns on decent work conditions and raise women's awareness of their rights.

A survival plan1 was also developed by the Ministry of Labour and in partnership with civil society institutions, specialised agencies working on economic and social empowerment of Palestinian women, and women working in the informal economy to understand their needs. This plan works to follow up on urgent and agreed-upon interventions between the relevant parties, through which these parties aim to provide a safe environment for women.

The Ministry of Labour affirmed its readiness to follow up on the conditions of female workers in Israeli settlements, cooperate with all official and unofficial bodies according to their respective capabilities and control, to put an end to the violations working women are subjected to and to provide them with social protection by sending teams to monitor their work conditions in the settlements. It also affirmed its readiness to prosecute labour brokers for their mistreatment of workers and their management of their case. It intends to provide opportunities for women workers, learn about their cases, raise awareness of their rights, and discuss ways to provide them with protection.

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1   A plan to complete the follow-up to reach urgent and agreed-upon interventions between the relevant parties in order to provide a safe environment for women.

The third alternative: Expanding technical and vocational education, especially among women

Existing skill gaps are exacerbated in the informal economy, and the low levels of education and vocational skills of workers in the informal economy lead to a vicious cycle of low productivity, low income and underinvestment in skills. Thus, improving the skills of workers in the informal economy is essential to their ability to access rewarding employment. Upgrading skills also provides immediate benefits to entrepreneurs and workers in the informal economy by improving their productivity, earnings and product quality, reducing waste, encouraging innovation, improving working conditions, improving literacy, numeracy, negotiation and communication, and enhancing bargaining power. Skills development programs must be available, flexible and practical, in line with the various educational levels of the trainees, and be free of charge.

The fourth alternative: Taking measures to provide a comprehensive social protection system and extending the application of occupational safety and health measures to informal workers

The association of retirement systems, health and disability benefits with employment in the organised sector constitutes a gap in the social protection system and harms workers in the informal economy. A practical plan must be put in place to gradually expand target groups benefiting from the social protection system, including formal workers in the private sector and their families and informal workers, to improve the quality of services.

As occupational health and safety are considered among the main elements that must be available in the labour system to achieve decent work for working men and women in both the formal and informal sectors. It is necessary to provide a sufficient number of staff for inspection and expansion of awareness-raising activities to cover workers in the informal economy, including domestic workers.

Comparison between alternatives

The proposed alternatives are complementary and interconnected because of their importance in reducing economic violence against women and providing gender justice. However, the first alternative related to reconsidering economic policies in terms of investment policies and in terms of the presence of integrated government policies and facilities for women's projects constitutes a more reasonable alternative in light of the

current Palestinian context and the conditions of the Israeli occupation. This limits the authority of the Palestinian government to provide the required protection for workers in the informal sector.

Recommendations

1. Enhancing integration and cooperation between official agencies and developmental civil institutions operating in the Jordan Valley to enhance women's benefit from projects.

2. Developing and adopting a methodology for measuring and conducting periodic and regular surveys of the informal economy and its workers, male and female, in order to provide accurate data and information on the informal economy and work, the demographic characteristics of men and women workers in the Jordan Valley, their economic conditions and social repercussions, and enabling the government to plan and influence it.

3. Issuing punitive legislation for those who exploit women's work and violate their rights as workers, including brokers.

4. Providing technical and vocational training opportunities for workers in the informal economic sector and facilitating provision of technical knowledge and skills to raise the level of production and improve the provision of services and supply the informal sector with trained labour in a way that helps the gradual integration into the formal sector.

5. Implementing a media campaign to raise awareness of the rights of women working in the informal economy.

6. Providing a social protection program for working women through the competent authorities.

7. Formation of a Palestinian organising body to define the economic violence practiced against female workers inside the Israeli occupation settlements.

8. Analysing the main reasons and actual motives behind women working in settlements.

9. Intensify efforts to provide projects that integrate women into the formal labour market and provide adequate support to increase the percentage of women in the labour market.

10. Study and determine the real needs of the residents of the Jordan Valley, and intensify the Palestinian governmental support for them by counting the marginalised families and the unemployed, providing them with social, psychological health, economic and educational support.

11. Support the students of the Jordan Valley through scholarships, educational supplies, etc.

12. Develop the Palestinian labour law in line with international laws and agreements to consider the requirements necessary for addressing the rights of men and women informal workers, especially workers in settlements. This could include legal and social protection and punitive legislation for those who exploit women's labour and violate their rights as workers, including brokers.

Conclusion

The Israeli occupation policies weakened Palestinian society's operational capabilities, which, in turn, increased unemployment and poverty rates, especially among women. This increased reliance on the informal economy in Palestinian and in the Israeli settlements, which are not covered by any protective law and leave workers subject to exploitation and rights violations. To reduce the existing economic violence that exceeds the capabilities of the institutions individually, and to raise the percentage of women's participation and employment in decent working conditions, this paper recommended the development and implementation of integrated government policies and facilities for investment, for small and micro women's businesses, for self-employed workers, and for government programs and interventions to enable women to establish small private businesses, and providing facilities for small and micro businesses and for self-employed workers in registration processes. This also includes granting establishments tax exemptions, incentives, enhancing access to financing, in addition to providing the necessary social protection for workers in the informal sector, just as their counterparts in the formal sector.

References:

- Abu Shadi, Radwa Sami. (2018). Challenges faced by women in the informal sector of small enterprises. Public Policy Forum.

- The Palestinian Central Bureau of Statistics. (2014). Informal Sector and Informal Employment Survey: Main Findings, October-December 2008, Ramallah, Palestine.

- B'Tselem. (2011). Looting and Exploitation: Israel's Sovereignty in the Jordan Valley and Northern Dead Sea Region. https://tinyurl.com/ycy43pf6.

- Sadek, Mervat. (2017). "Bloody Basil"... Palestinian workers in the Jordan Valley settlements. https://tinyurl.com/ycy5rjzv.

- Al-Serafi, Imad and Nahed Samara. (2016). Women in the Shadows: Women and the Informal Economy of Palestine.

- Arman, Nazih. (2015). The unorganized economy (concept - characteristics - inclusion). Palestinian Ministry of Labour.

- Aita, Samir. (D.T.). The reference paper for informal labour in the Arab countries. https://www.annd.org/uploads/summernote/41614354876.pdf

- The Palestinian Economic Policy Research Institute (MAS). (July 2022). The future of Palestinian employment in the Israeli labour market in the light of economic and political realities. Round table background paper (4).

- The Phoenix Centre for Economic and Informatics Studies. (2018). Enhancing the Protection of Women in the Informal Economy in Jordan (Policy Paper). The Jordanian National Committee for Women's Affairs.

- International Labour Office Geneva. (2014). Transition from informal economy to formal economy. International Labour Conference.

- International Labour Organization. (2022). The situation of the workers of the occupied Arab lands. International Labour Conference. 110th Session. ILC.110/DG/APP. https://www.un.org/unispal/wp-content/uploads/2022/05/ILOANRPTa_170522.pdf

- Esim, S., & Kuttab, E. (2002). Women's informal employment in Palestine: Securing a livelihood against all odds. Cairo: ERF.

- Ministry of Women Affairs. "Israeli Occupation Impacts on the Palestinian Work Sector", briefing note for the ILO fact finding mission (unpublished).

Second Policy Paper:

Towards a General Policy to Ensure Commitment to the Age of Marriage at 18 Years Old, and to Accurately Identify Exceptions

Researcher: Dr. Ahmed Musleh

January 2023

Participants: Sama Ihab, Sanabel Bisharat, Laith Abu Farha, Beirut Abu Hulayil, Yazan Abdel Wahhab, and Mohammad Abu Al-Khairan

Introduction

The Palestinian President issued Decree-Law No. (21) of 2019, amending the legislation governing personal status regarding the age of marriage in the State of Palestine. Paragraph (1) of Article (2) of the decree-law reads, "The eligibility for marriage requires that both parties to the marriage contract be of sound mind, and each of them shall have completed eighteen solar years of age." Therefore, the decree-law amended the age of marriage set forth in Article 5 of the Personal Status Law No. (61) of 1976, which stipulated that "the eligibility for marriage requires that both parties to the marriage contract be of sound mind" and that the "husband shall have completed 16 years of age, and the wife shall have completed 15 years of age."

The amendment included in the decree-law – of raising the age of marriage to 18 years from 15 years – is important because it aims to end many of the substantial social problems in the Palestinian society resulting from early marriage and the consequent violation of the rights of girls in particular, such as the denial of education. Other social problems include high divorce rates and the lack of responsibility and ability to take care of the family within the framework of marriage, as well as domestic violence. The decree-law is also in line with Palestine's accession and commitment to international agreements, foremost of which is the United Nations Convention on the Rights of the Child (UNCRC). Palestine acceded to the UNCRC on 1 April 2014, and which affirms that a child is someone who has not exceeded the age of 18 years.

Despite the amendment in the decree-law to raise the age of marriage to 18 years, the decree-law kept the door open to early marriage before the completion of the age of 18, by stipulating in Paragraph (2) of Article (2) that "an exception to what was stated in Paragraph (1) of this article, the competent court may in special cases, and in the event that the marriage is deemed necessary and

in the interest of both parties, authorize the marriage of a person who has not completed 18 solar years of his age, with the approval of the Palestinian Chief Justice or the religious authorities of other denominations. Thus, the married person shall acquire full capacity in everything related to marriage and separation and their effects."

Problem

The problem in this paper is that the amendment brought by Decree-Law No. 21 of 2019, as set forth in Paragraph 1 of Article No. 2, to raise the age of marriage to 18 years, allowed exceptions in the same article. Paragraph 2 of the article allows the completion of the marriage contract even if one or both parties have not reached the age of 18 years and the court finds that such marriage is in the interest of both parties and is approved by the Chief Justice. The law gives the Sharia Judge broad discretion to determine this interest and does not identify cases that represent a mutual interest of both parties. This allows the completion of the marriage contract without adhering to the prerequisite that the parties shall have reached 18 years of age.

Objectives

This policy paper seeks to achieve the following objectives:

1. Uphold the commitment of the competent courts not to complete marriage contracts for those who have not reached the age of 18.

2. Rationalise the exceptions set forth in Decree-Law No. (21) of 2019 which amends the legislation regulating personal status regarding the age of marriage in the State of Palestine. By amending the text of Paragraph 2 of Article 2 of the Decree-Law, the exceptions do not become a rule.

Policy Problem Analysis

Legal Framework

Early marriage represents a major problem in the Palestinian society due to its many negative repercussions on the family, individuals in the marriage, and society. Until 2019, the Personal Status Law No. 61 of 1976 in effect in the West Bank determined the minimum age of marriage in Article No. 5 at 16 years for the husband and 15 years for the wife. In the Gaza Strip and until 2019, the Family Rights Law No. 303 of 1954 issued under the Egyptian

administration of the Strip applied: Article No. 5, which sets age 18 as the minimum age of marriage for the husband and age 17 as the minimum age of marriage for the wife.

Following social pressures and in response to the social problems resulting from early marriage, Decree-Law No. 21 of 2019 was issued, which amended Article 5 of the Personal Status Law No. 61 of 1976. Paragraph 1 of Article 2 of the Decree-Law sets the minimum age of marriage for both husband and wife to 18 years. Due to the existing division between the West Bank and the Gaza Strip, and the rejection of the authority in the Gaza Strip to implement the decree-laws issued by the President, the aforementioned amendment was implemented only in the West Bank, while the Family Rights Law continued to be valid in the Gaza Strip.[2]

Many international agreements to which Palestine has acceded set a number of obligations relating to the rights of the various segments of society, including women and children. For instance, Palestine joined the Convention on the Rights of the Child in 2014, which defines a child as every human being who has not exceeded 18 years of age, making marriage under this age inconsistent with the obligations within the framework of this convention. Palestine also joined the Convention on the Elimination of Discrimination Against Women (CEDAW) in 2014, Article 16 of which states that the engagement or marriage of a child has no legal effect. Therefore, the marriage of children according to these agreements is null and does not have any legal effect.[3]

Exceptions regarding the age of marriage:

Article No. 2 of the Decree-Law, which sets the age of marriage at 18 years for both husband and wife, includes in Paragraph No. 2, the provision for exceptions by granting the judge the authority to complete the marriage contract even if one or both parties have not reached the age of marriage (18). This exception can be made if it is found that the marriage is in the interest of both of them, and under the condition of approval of the Chief Justice. The Decree-Law and the paragraph do not include any texts on specific conditions for this exception, or a definition of the nature of the interest according to which the article grants the judge a freehand to complete the marriage contract exceptionally. Thus, the decree-law grants the judge wide

2   Tahani Qasim, The Decree Determining the Age of Marriage.. Exceptions and Applicability, Masarat Centre - Sixth Session 2019-2020.

3   Omar Ramadan Sabra, Determining the Age of Marriage between Sharia and Law, https://www.wattan.net/ar/news/294521.html

discretionary power that would open the door wide for exceptions, which might make these exceptions overshadow the basic rule related to raising the age of marriage and preventing early marriage.

The is also the case in the Family Rights Law in force in the Gaza Strip. Articles 6 and 7 grant the Sharia judge the right to hold the marriage contract for a girl and boy who have not reached the age of marriage if they claim puberty and the judge finds that their bodies allow this marriage.

The size of exceptions in force

Data from the Palestinian Central Bureau of Statistics show that 19.3% of females married in 2019 were girls under the age of 18 years (19% in the West Bank and 19.9% in the Gaza Strip). Meanwhile, less than 0.9% of males married in 2029 were under 18 years . Early marriage continued after the issuance of Decree-Law No. 21 of 2019 through exceptions, and PCBS data show that 329 marriage contracts were concluded in 2020 in which the wife was 14 years old. Data also show the number of marriage contracts in which the age of the wife was 15-19 years reached 14,193, or 34.4% of all marriage contracts in 2020.[4] In many cases, the age of marriage set forth in the Decree-Law is circumvented by various means, including the conclusion of the marriage contract outside the Sharia court and later documenting it in the court when the conditions are met or when pregnancy occurs. The absence of a provision for penalties in the Decree-Law enables people to conduct child marriage legally.[5]

Negative effects of early marriage on family stability

Early marriage is a type of forced marriage whereby one or both of the parties in this marriage lack complete freedom of choice. At this age, they are unable to select the appropriate partner due to a lack of physical, psychological and sexual development and life experience to make the appropriate decision. Young girls are considered the most affected by child marriage, as it causes negative health effects through early pregnancy and childbearing, which endangers her life and the lives of her children. This is in addition to the difficulties of establishing the motherhood relationship, fatigue, fear and anxiety leading to thoughts of self-harm as a result of the girl losing her childhood experience.

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4   Palestinian Central Bureau of Statistics https://www.pcbs.gov.ps/statisticsIndicatorsTables.aspx?lang=ar&table_id=926

5   Interview with Ms. Rania Jarad, Director of the Gender Unit at the Ministry of Justice, Sunday, 16 January 2022.

Furthermore, early marriage is a significant potential for instances of domestic violence, as the wife is more vulnerable to physical and sexual violence by the partner. It is also one of the reasons for the spread of poverty, as it constitutes an obstacle to girls' education and thus to obtaining better economic opportunities. Poverty and early marriage are thus two inseparable problems.[6]

Many studies conducted on the impact of early marriage on the continuation of the family, in Palestinian society or in others, suggest that the earlier the marriage, the greater the possibility of divorce. Their lower levels of education hinders their ability to adapt each other to the character of the other. Child marriages are often arranged by the family, which increases the possibility of family interference in marital issues.[7]

A study conducted on a sample of Sharia lawyers in the West Bank showed that 76.19% of respondents consider early marriage as one of the main reasons for divorce.[8] Data from the PCBS suggest that the number of divorce cases for wives at the age of 14 years in 2020 amounted to 13 cases, while for wives aged 15-19 years the number reached 1,671 divorce cases. As such, 21% of the total 8,006 divorce cases in the same year were from child marriages.[9] This also means that about 11.6% of marriage contracts in which the wife's age ranged from 14-19 years ended in divorce.

Proposed Policy Alternatives

First alternative: Amending Decree-Law No. 21 of 2019 by omitting Paragraph 2 of Article 2, which enables exceptions in the completion of marriage contracts for those who have not reached the age of 18. This amendment should stipulate age 18 as the minimum age of marriage without any exception.

Second alternative: Amending the decree-law by adding a paragraph to Article 2 with a provision that precisely defines the exceptions to the completion of marriage contracts for those under the age of 18. This does not leave it to the discretionary power of the judge to make exceptions. The amendment should stipulate penalties for those who breach the rules. The original paragraph reads, "The competent court may in special cases, and in

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6   Heba Kamel, research on early marriage, https://mawdoo3.com
7   Boudoukha Mariam and Fouad Karima, Early Marriage and its Impact on High Divorce Rates, Al-Sawra Journal for Human and Social Studies, Fourth Issue, March 2017.
8   Iyad Amawi, Reasons for High Divorce Rates in Palestine from the Viewpoint of Sharia Lawyers, Journal of Social Sciences, Issue 18, 2016.
9   PCBS https://www.pcbs.gov.ps/statisticsIndicatorsTables.aspx?lang=ar&table_id=931

the event that the marriage is deemed to be necessarily in the interest of the two parties, authorize the marriage of a person who has not completed eighteen solar years of age, with the approval of the Chief Justice of Palestine, or the religious authorities of the other denominations."

Third alternative: The Chief Justice issues instructions precisely defining the exceptions in the completion of marriage contracts for those under the age of 18. The instructions are circulated to the courts, and penalties are tightened for those who violate the limitations.

Fourth alternative: Organising awareness campaigns on the disadvantages and dangers of early marriage, educating girls about their rights to education, health, and choosing a life partner, and providing support, legal assistance, and protection to girls who refuse to get married at an early age.

A comparison of the alternatives:

The recommendation to set the age of marriage at 18 years without any exceptions is the ideal alternative to reduce early marriage in the Palestinian society. It addresses the a key legal element of the problem, and is supported by women's associations and civil society institutions. However, this alternative would likely face opposition from many social groups who believe that permanently preventing exceptions to the age of marriage contradicts the social reality that requires addressing in some cases.

The second and third alternatives are more realistic and feasible by amending Article 2 of the Decree-Law to clearly and accurately define the exceptions, or issue instructions by the Sharia Judicial Council that precisely define the exceptions. It is recommended that the concerned institutions organise an advocacy campaign to achieve this goal. Many institutions are likely to support this approach, and it is not expected to be met with opposition by the relevant parties (the Chief Justice of Palestine and the Sharia Judicial Council). The third alternative, the issuance of instructions clearly identifying the exceptions, is more feasible in terms of procedures and the time required compared to the second alternative. It also works in tandem with the approach followed by many Arab and Islamic countries (such as Jordan), which have issued instructions identifying exceptions the marriage age set by law.

The fourth alternative, spreading awareness on the dangers of early marriage, is an alternative that is workable at any time, and must be taken in conjunction with any other alternative adopted. An important aspect of applying this alternative is the responsibility of women and youth civil society organisations.

Conclusion

The third alternative that all the concerned parties demand the Chief Justice of Palestine to issue clear and specific instructions for exceptions regarding the age of marriage in the Decree-Law is the most applicable alternative. This will help reduce early marriage in Palestine and the resulting problems and serious repercussions on society and the stability of the Palestinian family.

Third Policy Paper:

Towards General Policies to Strengthen Protection Centres from Domestic Violence and Raise Awareness of Their Role

Researcher Dr. Ahmed Musleh

January 2023

Participants: Sawsan Karazon, Noura Ayman, Ya'rob Abdel Wahhab, Amir Qandil, and Suhaib Qandil

Introduction

While discussing the situation of Palestinian women on the eve of International Women's Day 2022, Dr. Ola Awad, head of the Palestinian Central Bureau of Statistics, pointed out that 58.2% of women who were currently married or had ever been married in Palestine had been subjected to violence by their husbands at least once,[10] and that 61% of them kept silent about the violence and did not report it.[11]

Cabinet Resolution No. 9 of 2011 on the System of Abused Women's Protection Centres regulates everything related to the work of governmental or non-governmental centres for the protection of abused women, in terms of their licensing, requirements, conditions and the prerequisites of their employees, referral mechanisms, tasks and supervising bodies. Cabinet Resolution No. (18/10/16/M.W/R.H) of 2013 also regulates the National Referral System for Abused Women, and aims to establish rules that together form a national pact for the protection of abused women. Despite these initiatives, the data of the PCBS show that only 1.4% of women who are currently married or have ever been married (18-64 years) and who have been subjected to any form of violence have gone to an institution or centre to seek advice.12 Also, only 40% of them (49% in the West Bank and 28% in the Gaza Strip) reported that they are aware of the existence of centres or institutions for protection from violence in their area, community, or governorate.[13]

10　Dr. Ola Awad, Head of the Palestinian Central Bureau of Statistics, "Dr. Awad reviews the conditions of Palestinian women on the eve of International Women's Day, 08/03/2022 under the title "Gender Equality Today for a Sustainable Tomorrow," 2022, https://tinyurl.com/ms5pfbvz.

11　PCBS, Preliminary Results of the Examination of Violence in the Palestinian Society 2019, November 2019, p. 22.

12　Same source, p. 23.

13　Same source, p. 23.

Policy problem

This paper addresses the problem in the data of the PCBS regarding the role played by protection centres for abused women, and the fact that only a very small percentage of abused women go to these centres, and that only 40% of the study sample heard of the existence of protection centres for abused women. This requires the adoption of public policies that enhance the role of these centres.[14]

Objectives

This policy paper aims to propose general policies to enhance the role of protection centres for abused women in Palestine, specifically as follows:

1. Increase the number of these centres and ensure their presence in all Palestinian   governorates.

2. Ensure the best quality of the services provided to abused women and boost confidence in these services.

3. Raise the awareness of society and abused women as a target group of the importance of these centres as destinations that can be resorted to in case of domestic violence.

Problem analysis

The Phenomenon of Domestic Violence

Manifestations of domestic violence are growing in the Palestinian society, especially violence against women. Data from the PCBS show that about 58.2% of married women, or women who have ever been married, have been subjected to a form of violence by the husband at least once. This means that one in every three women has been exposed to violence by her husband, not including violence against women committed by other family members.

Specifically, PCBS statistics show that 52.2% of women were subjected to psychological violence, 17.4% were subjected to physical violence, while others suffered from other forms of violence such as sexual violence and economic violence.[15] According to the Annual Statistics Report on GBV issued by the Ministry of Social Development in 2020, approximately 40%

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14   PCBS, p. 22.
15   PCBS, previous source, p. 2-20 https://palestine.unfpa.org/sites/default/files/pub-pdf/lntyj_lwly_lmsh_lnf_fy_lmjtm_lflstyny_2019.pdf

of the total women who were consulted by women's counsellors in the directorates of Social Development were subjected to psychological violence, and approximately 30% to physical violence. Other types of violence noted include economic violence, sexual harassment, rape, deprivation of liberty, cyber violence, and forced marriage. Data also show that violence against women pushed about 60% of them to flee the house, while about 18% of them attempted suicide.[16]

Violence against women is not limited to minor harm and may reach murder. The number of women murdered in the West Bank and the Gaza Strip in 2014 reached 28, 15 in 2015, 23 in 2016, 27 in 2017, 24 in 2018,[17] 23 in 2019, 38 in 2020, and 4 in 2021.[18]

Number of centres for protection from domestic violence

Ms. Heba Jibat, Director of the Women's Department at the Ministry of Social Development, says there are five centres for protection from domestic violence in Palestine: three in the West Bank and two in the Gaza Strip. These centres are the Hayat Centre and the Aman Centre in the Gaza Strip, and the Emergency Centre in Jericho, an affiliate of the Women's Centre for Legal Aid and Counselling, which is a feminist civil society. The second centre in the West Bank is Bayt Al Amn Centre (Safe House), which is affiliated with the Family Defence Society, also a feminist civil society. The third centre is Mehwar Centre in Bethlehem, which is directly run by the Ministry of Development.

Ms. Jibat notes that the referral to the Emergency Centre in Jericho takes place over a one month period, and after examination cases are referred to Mehwar Centre in Bethlehem. She points out that the work of these centres is highly confidential to ensure the safety and protection of the survivors. Ms. Jibat believes that the problem is not in the number of centres or the need to have more, because the approach should be to separate the abuser and not the survivor from the rest of the family. According to her, this is the new approach of the draft Family Protection Law, which is being carefully considered by the Council of Ministers in preparation for its approval.[19]

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16   Annual Statistical Report for the Year 2020 issued by the Ministry of Social Development, September 2021, pg. 56.

17   Palestinian National Information Centre - WAFA, Femicide in Palestinian Society, https://info.wafa.ps/ar_page.aspx?id=9144.

18   Iman Odeh, Hala Brahmeh, Abboud Al-Sayed, Violence against Women Between Law and Tribal Judiciary, Palestinian Centre for Policy Research and Strategic Studies (Masarat), 2022. See also the Palestinian News Agency WAFA, https://info.wafa.ps/ar_page.aspx?id=9144

19   An interview with Ms. Heba Jibat, Director of the Women›s Affairs Department at the Ministry of Social Development, Monday 17/1/2022.

Ms. Rima Nazzal, a member of the Women's Union, believes that the presence of only 5 centres to protect families from violence in the West Bank and the Gaza Strip is insufficient given the high rates of domestic violence in Palestine. She confirms the need to establish more protection centres. [20]

In the meantime, the Ministry of Social Development affirms that work is underway to develop and call in more human resources to cover the existing gaps. The Ministry says it aims to provide protection guides in sufficient numbers and 24 hours a day. This requires coordination between sectors, especially between the police and the health and social sectors. The Ministry also affirms its commitment to providing protection guides, and that the social guide would be evaluated from the moment the case arrives.

Number of abused women who benefit from protection centres

Regarding the number of abused women who benefited from the services of protection centres, the annual statistical report issued by the Ministry of Social Development shows that 258 women survivors of GBV sought advice at the Directorates of Social Development in 2020, and that violence against women prompted about 59.8% of them to flee their home. The report suggests that 36.9% of women survivors of GBV were acknowledged and benefited from the support and social guidance services. Approximately 21.8% of all women survivors of violence (385 women) who were referred to protection centres had their cases dealt with by the Ministry.[21]

The 2020 annual statistical report of the centres for protection of women from violence points out that a total of 37 women were protected in the Mehwar Centre during the year 2020, of whom 30 women[22] were received in 2020 and seven others remained there from the previous year. The number of women received at Mehwar Centre includes threewith disabilities. Another 40 women and 4 children were protected at the for Bayt Al Amn (Safe House) Centre in Nablus.[23]

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20   Interview with Mrs. Rima Nazzal, member of the Palestinian Women›s Union, Sunday 16/1/2022.

21   Ministry of Social Development, Department of Women›s Affairs, Annual Statistical Report 2020, unpublished report which was provided to the researcher during the interview with Ms. Heba Jibat.

22   Ministry of Social Development, Department of Women›s Affairs, Annual Statistical Report 2020, unpublished report which was provided to the researcher during the interview with Ms. Heba Jibat.

23   Ministry of Social Development, Department of Women›s Affairs, Annual Statistical Report 2020, unpublished report which was provided to the researcher during the interview with Ms. Heba Jibat.

Examples of services provided by the protection centres24

Service	Mehwar Centre – Internal	Bayt Al Amn - Internal[25]
Counselling sessions	795	281
Family visits	54	98
Phone calls for family communications	1153	454
Psychological follow-up	44	45
Health follow-up	94	65
Follow-up with the Directorate of Social Development	939	299
Follow-up with the Family Protection Unit	583	
Follow-up with institutions	403	
Case conferences	71	82
Social meetings	52	98
Number of extracurricular activities	109	29

The above table displays the various types of services provided by protection centres, which cover the various aspects required to protect abused women, inform them of their rights, and secure the legal, official and social means for them to live in a safe environment. Despite the importance and inclusiveness of these services and activities and their coverage of the needs of the abused women referred to these centres, they only cover a small portion of women survivors of violence (21%) whose cases are dealt with by the Ministry of Social Development. The capacity of these centres and their services is insufficient compared to the size of the existing issue.

24   Same source
25   Ministry of Social Development, Department of Women›s Affairs, Annual Statistical Report 2020, unpublished report which was provided to the researcher during the interview with Ms. Heba Jibat.

Obstacles facing the work of protection centres

Ms. Heba Jibat explains that there are a number of obstacles facing the work of protection centres, including the difficulty of referring abused women to these centres, which is the responsibility of the Ministry and requires an armed police escort. On some occasions, a referral may require security coordination that can take up to 15 days, which leaves the survivor in a vulnerable position during the waiting period. Survivors also face challenges returning to their homes upon leaving the protection centres, as police can refuge to sign off on the handover / case conference procedural documents.

Further, reintegrating the survivor into the family requires a report from the Risk Committee, which is the responsibility of the police, and in most cases reports a high degree of risk. This means that there are obstacles to integration and that the Ministry of Social Development bears responsibility for, even after the end of the intervention by the protection centres. In this respect, Lt Col Montaser Bani Odeh, Director of Public Relations in the Family Protection Department, suggests the role of the Department is to determine the degree of danger that the survivor is exposed to and to reduce it to the lowest degree. Bani Odeh says the tightening of rules in the matter is in favour of the survivor, and that the intervention is done according to an indicator or a form for measuring the degree of risk that is filled out in cooperation with many agencies following careful investigations.[26]

Likewise, Major Dr. Qutayba Ghanem, an officer of the Cyber Crimes Unit in the Family Protection Department, says many domestic violence cases are being resolved within the Department and in cooperation with relevant authorities, including the Ministry of Social Development, the Governorate and the Ministry of Women's Affairs. He adds that the goal is to address these issues and not escalate them. The Family Protection Prosecution also tries to resolve these issues before a lawsuit is filed before the court in order to protect the survivor and preserve family cohesion. Serious cases are addressed in cooperation with the Ministry of Social Development, which refers survivors to protection centres in accordance with the National Referral System, says Ghanem. He points out that the few centres cannot accommodate all survivors in the event that all of them are referred, which poses the need for more centres.[27]

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26   A telephone interview with Lt Col Montaser Bani Odeh, Director of Public Relations at the Family Protection Department at the Police, Monday 24/1/2022.

27   An interview with Major Dr. Qutayba Ghanem, an officer of the Cyber Crimes Unit in the Family Protection Department at the Police, Monday 24/1/2022.

Ms. Haneen Al-Tarifi, of the Public Relations Department in the Family Protection Department, says the department has several communication channels to respond to survivors of domestic violence, the most important of which is Hotline 106. A special application has also been developed to report incidents of domestic violence via mobile phones, in addition to a Facebook page for the Department with means for communication and reporting. Al-Tarifi adds that the Department has a specialised centre to deal with survivors of violence which accommodates the relevant institutions in one place, in addition to an in-house suite to shelter survivors.28

The lack of women's protection counsellors is also a significant obstacle, with only 15 female counsellors distributed throughout 15 directorates of the Ministry of Social Development. This makes most of the work focused on responding to cases of violence rather than on preventive action.29

Ms. Heba confirms the importance of raising the awareness of women on the protection centres and the services they provide. Women also need greater awareness on the role of the Family Protection Department in the police and the need for abused women to avoid security agencies. She says the Ministry of Social Development is aware of the need to raise awareness of its services, including social protection, and has started holding awareness meetings for women in several provinces, including Salfit, Qalqilya and Nablus.

Policy alternatives

First alternative: Increasing the number of protection centres. The current number of centres is extremely insufficient to address the current rate of domestic violence against women. The existing centres deal with only 1% of the women survivors of domestic violence who reach them.

Second alternative: Expediting the adoption of the Decree-Law on Family Protection, which has many mechanisms and tools to protect families from violence instead of relying only on protection centres. These mechanisms include the separation of the abuser from the family, rather than the survivor. This also includes a pledge from the abuser not to attack the survivor or any member of his family or incite violence against them. The draft law also makes filing a criminal lawsuit in domestic violence crimes not dependent on a complaint from the survivor, whereby court sessions in these crimes are

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28   An interview with Ms. Haneen Al-Tarifi, of the Public Relations Department in the Family Protection Department, Monday, 14/1/2022.

29   Ministry of Social Development, Department of Women›s Affairs, Annual Statistical Report 2020, unpublished report which was provided to the researcher during the interview with Ms. Heba Jibat.

held in confidentiality and in an urgent manner. Further, it gives the right to rescind the abuser's guardianship over the survivor in the event that he is proven to have committed any of the crimes of domestic violence. The draft law also defines a set of violence crimes and the penalties for them.

Third alternative: Strengthening awareness campaigns for women about the means for protection from domestic violence, especially the role of the protection centres. This is the responsibility of the relevant official institutions (Ministry of Social Development, Ministry of Women's Affairs, Family Protection Department in the police), civil society institutions (women's institutions and the General Union of Palestinian Women), and youth organisations.

The alternatives in comparison

It is evident that the second alternative is the most comprehensive option in addressing domestic violence, as it includes, besides the role of the protection centres, many other supportive means, perhaps the most important of which is the separation of the abuser and not the survivor from the rest of the family. This will reduce the pressure on the protection centres. Nevertheless, the first alternative of increasing the number of protection centres and activating them is important to accommodate the large numbers of abused women, as proven by data from the PCBS and the Ministry of Social Development. Putting the first and second alternatives into practice does not mean the adoption of the third alternative, which can be applied in parallel with the other alternatives, since an essential part of the problem lies in the lack of awareness of the existence and role of the protection centres.

Recommendations:

1. Integrating mental health interventions and services into the path of intervention for cases of violence.

2. Enhancing coordination and networking among partners, activating the role of protection networks, and boosting on the quality of services and control over them.

3. Monitoring the post-reintegration follow-up plan.

4. Reconsidering the policy of impunity for the perpetrators of violence. Accountability is a key solution to reduce the phenomenon of violence.

5. Exchange of experiences between higher education and the main sectors so that students are encouraged to research, study and learn about violence protection and solutions.

6. Special laws must be enacted, including the Family Protection Law, the Palestinian Penal Law, and a special law on violence against women.

7. Focus should be placed on prevention, especially before marriage. It is also advised that new couples undergo a pre-marriage qualification course, similar to the obligation to test for thalassemia.

Conclusion:

Addressing the issue of domestic violence requires the joint efforts of the various official and civil institutions. It also requires strengthening the legal treatment of this phenomenon, and organising campaigns to raise the awareness of women of their legal rights. Therefore, the three previous alternatives together are necessary to confront domestic violence, especially against women.

Fourth Policy Paper:

Integrating Gender Education and Respect for Women's Representation in the Curricula at the Level of the Educational Discourse of the Curricula and the Staff at all School Levels

Dr. Manal Al-Jubeh and Ms. Serene Hoso

January 2023

Introduction

The CEDAW convention obligates states to work to change the social and cultural patterns of behaviour for both men and women, aiming to get rid of any prejudices, customary traditions, and other practices based on the belief that either gender is inferior or superior to the other. It also aims to abolish all the stereotypes about the roles of women and men. In particular, the convention stresses the need for states to eliminate any stereotypical roles of men and women in all stages and forms of education, by revising textbooks and school curricula and adapting teaching methods.

Education is considered a fundamental axis of change, as it plays a substantial role in building and shaping the personality of individuals, contributes to the acquisition of societal values and trends, and influences the behaviour of individuals in various aspects of life. While many consider a textbook to be the same as a curriculum (Hamdan, 2001), for others, a school curriculum represents an integrated educational system consisting of carefully planned teaching methods, textbooks and educational activities that seek to achieve goals, competencies, or standard levels. Additionally, textbooks are determined and agreed upon by those concerned (Dabe, 2006). The Arab Bureau of Education for the Gulf States (ABEGS) says the content of a textbook has cultural and intellectual meanings that must be carefully taken into account when presented to students, because it is a rich source for forming positive attitudes, building community values, highlighting the rules of acceptance and rejection, forming a sense of patriotism, and developing a sense of responsibility and belonging (ABEGS, 2003). For the teacher and the student, a textbook represents the authority of the state and its plan to bring up future generations. It also represents the opinion of scholars and educators in terms of organising and implementing the curriculum.

Problem

The Palestinian Curriculum Centre was established following the establishment of the Palestinian National Authority, and the Palestinian curriculum was issued in phases. The first phase began in the academic year 2000-2001, the second phase was completed at the beginning of the academic year 2006-2007. The third development phase began in 2016. The Palestinian curriculum was based on a set of foundations, the most important of which are freedom of expression, accepting pluralism as a supreme national interest, achieving equality among the Palestinian people in their right to education, non-discrimination of people along political, religious or gendered lines, and achieving gender equality. The Palestinian curriculum also grants equal opportunities in all aspects of life[30] (Al-Assali, 2019).

The image of women in curricula and textbooks has been the focus of many local studies, which all suggest that women are randomly and unsystematically represented (Al-Assali, 2006). These studies also show a clear bias in favour of men in writing books, as the percentage of subjects on women reaches only 16%, compared to 84% on men (Dahlan, 2015). The study of Al-Jarbawi and Al-Saafin (2004) underscores the domination of masculine over feminine expressions in the sample books, and the presence of women is shown only in limited roles and activities outside of home. The study affirms the persisting stereotypes about roles drawn along gendered lines, the confusion in the use of language denoting gender, and the clear absence of women in the scientific, literary and political heritage. The study recommends a proportionately just representation of gender in school textbooks, and the embodiment of the historical, actionist and scientific achievements of women through the texts and images that Palestinian students should be exposed to. This should be integral part of the elements of the educational structure and other cultural knowledge that contribute to building the personality of a good citizen.

Men and women teachers are an important source of learning about gender, as many men teachers endorse cultural stereotypes about gender (for example, that math is easier for boys than for girls), prejudices (preferring individuals of the same gender), and prejudgments, which may be explicit (endorsed with premeditation) or implicit (subconscious). All of these issues influence the teachers' behaviour at school, whether by modelling gendered stereotypical behaviour (for example, a woman teacher might be less inclined to teach mathematics), demonstrating varying expectations for men and women (such

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30   The final draft document of the reference framework for the development of national curricula.

as creating, accepting, and facilitating different topics between boys and girls), or facilitating gendered prejudices among children by using gender to classify and organise students. Thus, men and women teachers provide students with different learning opportunities and feedback that involve gendered stereotypes and behaviour, which the children internalise and later unconsciously use in their preferences and behaviours (Bigler, Hayes, & Hamilton, 2013).

Goals

This policy document aims to:

1. Integrate gender education and respect for women's representation into the curricula, as well as into the educational discourse of both the curricula and the staff at all school levels. This can be achieved by improving the self-perception of boy and girl students, and by changing the stereotypes about women and reflecting that in the curricula. This measure aims to appreciate women rather than limit them to a narrow horizon as a result of societal and cultural perceptions.

    It also aims to empower educational leadership among administrators and teachers of both genders as a main source of influence to change the current stereotypes in society. It is also important to develop academic materials that promote gender equality, providing equal opportunities for future self-realisation as an infrastructure for personal and social well-being. These materials will guide boys and girls to reach personal achievements appropriate to their abilities and aspirations, to choose the field of higher education and integrate into the labour market.

2. Promote equal opportunities, reject the narrow stereotypical gender perceptions in educational institutions and in society and contribute to women's cognitive, economic, legal and social empowerment. This can be achieved by encouraging girls' access to disciplines that are traditionally (and incorrectly) viewed as more appropriate for men, such as science and mathematics. Further, promoting justice and equality in job opportunities for men and women, introducing students to the provisions of Islamic law in the field of women's financial independence and rights, and changing negative societal attitudes towards ensuring women receive their share of inheritance are all appropriate pathways to promoting gender equality. Finally, at the level of social empowerment, this policy aims to consolidate the foundations of democracy in terms of rights and duties, and to reconsider women's roles in the family and home (Hoso, 2009).

Policy problem analysis

The curricula are not disconnected from the social context, as both of them affect each other. The curricula in the Palestinian context are affected by the prevailing cultural stereotypes that differentiate between women and men in their pursuit of their future professions, with women underrepresented in certain professions. Educational curricula have an important role in shaping the awareness and knowledge of individuals in society.

The inclusion of the culture of gender and displaying women on an equal footing with men, rather than a subordinate subject, in the Palestinian curriculum is in line with the international conventions and covenants ratified by the State of Palestine. This requires the development of a modern Palestinian curriculum that takes into account differences, and which rejects stereotypes that diminish the role of women, including women with disabilities, and promotes equality and justice. The curricula should support cultural change as a framework for the reinforcement of gender equality, as mainstreaming a gender perspective in education would measure the impact of any planned action on girls, boys, women and men. Relevant actions includes legislation, policies and programs at all levels of the education system. It also includes a strategy to make the interests and experiences of girls, women, boys and men an integral part of the design, implementation, monitoring and evaluation of education policies and programs so that everyone will benefit equally. Gender mainstreaming in education is the final stage in the efforts to achieve gender equality in education.

From a practical point of view, Palestinian women have been denied active positions and participation in many aspects of life, including the right to participate in the authoring of curricula, although they have the qualifications and competencies needed to do so as men. For instance, it was found that out of the 81 staff members participating in the authoring, evaluation and follow-up of the curriculum, only thirty are women (37%). In the Arabic language textbook for the ninth grade, 11 co-authors participated in the composition of the curriculum, of whom only four were females (33%). A similar pattern applies to the rest of the curricula and at similar degrees, where women remain underrepresented throughout the design and implementation processes.

Proposed policy alternatives

The first alternative: The Minister of Education issues and implements a school system with a Palestinian vision that is committed to gender equality.

The integration of gender education in the curricula and the mainstreaming of the gender perspective at all school levels require the issuance of a system by the Ministry of Education. This means including the gender perspective and highlighting the contributions of women throughout history in all fields of knowledge, academic activities and research at all school levels. It is also important to enhance the work and participation of girl students, highlight their contributions in the scientific and technical fields, train teachers on a gender perspective, and adopt measures aimed at strengthening the gender perspective in schools and education directorates (including assessment measures). Other key measures include promoting the adoption of equality plans by the directorates of education, and filling the gaps in human capital regarding the unequal inclusion and professional development of women in the public and private sectors.

To achieve this alternative, the Ministry needs to conclude agreements with the Ministry of Women's Affairs and women's institutions to ensure continuous and sustainable interventions, and to reinforce the Gender Department in the Ministry of Education so that it includes gender experts. The women's institutions with which agreements are concluded will conduct trainings of trainers for the Gender Department on gender equality and the integration of a gender perspective in all schools. They will also develop regular guides to review the curricula from a gender perspective, ensuring appropriate teaching and learning evaluation to allow for equal opportunities in line with the learning styles, needs and interests of both girls and boys. Further, these agreements will allow for a critical examination of the educational materials related to gender issues, and will develop and implement teaching units that focus on gender issues, referring to both genders equally in spoken and written language.

To implement this system, the Ministry of Education is holding a dialogue for the educational staff to examine their gender awareness with the aim of applying the values of equality in the school culture and educational content. The Ministry is also holding remedial trainings and study days for teachers on the application of the gender equality values, while streamlining the absorption of gender equality in the existing policies

and programs of the educational institutions to confront the resistance to change.

The Ministry is also holding brainstorming sessions and discussions with girl and boy students to examine the influences of those around them on their lives, desires and achievements. Trainings are also held for young boys to change their views on gender.

The Ministry is also holding a dialogue with parents and the community to share values with them in order to change these values. In addition, it is also holding professional lectures on issues of gender and equality to educate parents, while showing a great deal of sensitivity and respect for the current educational standards that are based on centuries-old traditional education.

Mr. Jamal stresses that the new curriculum focuses on issues of concern to society (social, health, environmental, cultural, national, historical and intellectual issues), and that the development of methods that consolidate the gender concepts were integrated with existing concepts and activities or introduced in the form of lessons. In addition, educational content using gender-sensitive language was introduced, taking into account the origins of the Arabic language. Mr. Jamal points out that the rate of women's participation in writing textbooks, including supervisors, educators, teachers and school principals, amounts to 45%. One of the starting points for amending textbooks is the inclusiveness and respect for human rights in line with the culture of society, the rule of law, national legislation and international law in all cases, including armed conflicts.

Mr. Jamal Salem has given feedback on the policy paper, which adopts pre-2017 research references, while gender and women's issues are part of a program sponsored by the Ministry of Education (Citizenship and Human Rights Education Program) as part of the Ministry's strategic plans 2017-2022 and 2022-2024. However, the Palestinian educational curricula need to integrate and promote gender-sensitive concepts of gender in the school textbooks. In addition, some textbooks, such as the Arabic ninth grade textbook, still need to be reconsidered with regard to gender concepts. Meanwhile, the number of women participating in the development of the school curriculum remains limited.

Second alternative: Issuing legislation adopting the policy of gender transformative education

Transformative gender education seeks to draw on all aspects of the education system such as policies, teaching methods and community engagement, to change stereotypes, attitudes, norms and practices by challenging power relations, rethinking gender norms and opposites, and raising critical awareness about the root causes of inequality and oppression systems.

Gender transformative education goes beyond improving access to education for girls and women to empowering students, educators, communities, and policymakers to examine, challenge and change harmful gender norms and power imbalances in the best interest of boys, men, girls and women. The focus is on the systems, not just schools, including policies, administration, data collection and communities. Moreover, this approach addresses all levels of education and all the ways in which children and young people learn, such as early learning centres, schools, universities and colleges, online classes and vocational education centres. It also includes multiple and flexible pathways for marginalised children and youth with limited choices. Gender transformative education requires strategies and programs that intentionally challenge inequalities in gender roles and power dynamics in both the education system and societies. This approach is multisectoral, and includes all levels and all stakeholders to achieve maximal impact.

Transformative gender education can be achieved through a range of actions at all levels, and as follows:

1. Political participation of the power structures and leadership, whereby political leaders, ministers, lawmakers, civil servants, and heads of government are committed to transformative gender education, and are held accountable for progress in investing in approaches and solutions that incorporate gender equality. This includes placing gender equality at the core of the educational plans, budgets, and policies.

2. Transforming pedagogy in a way that consolidates the position of teachers as the cornerstone of the education system. Thus, schools need to train teachers on how to actively promote gender equality in their teaching practices, as well as on modifying curricula and learning mechanisms.

3. Transforming the school environment to ensure a sense of safety in the learning environment, including adopting a whole-school approach so that schools are safe for all students. It is important to ensure that professional regulations and codes of conduct are in place for teachers to take action to prevent gender-based violence at school. Education should also be connected to health and gender-sensitive protection services, including water, sanitation and hygiene, child protection, social protection, gender-based violence, comprehensive sex education, and sexual and reproductive health and rights.

4. Transforming the participation of children and youth, by involving them in decision-making with the local government and their communities, and ensuring their participation at the policy-making level.

5. Transforming community leadership by boosting civil society organisations, especially women's and girls' rights institutions, with SBCC tools and resources to engage parents and community structures, including traditional and religious leaders, school management committees and parent-teacher committees.

6. Strengthening institutional partnerships between government, civil society and youth at the grassroots level, women's movements, the private sector, the national government and the ministries. Action is needed to link education with labour market entry points, such as mentoring programs and role models for children and youth, in order to address gender discrimination.

7. Reviewing the existing gender-transformative education interventions to help understand what works and what does not, and how to expand practical strategies and intervention packages. This evidence can then be used to advocate for sustainable investment.

Third alternative: Implementing initiatives to mainstream the gender perspective at the school level, including educational staff, students, parents and society in general

Some changes may be introduced that would mainstream the gender perspective at all levels, including the language used by teachers, school principals and supervisors. Other changes may include reinforcing efforts to mainstream gender issues by an employee, specialist or a team (with higher pay or reduction of other duties for those in charge).

Therefore, efforts are needed to provide the liaison officers of schools with in-depth training in gender issues, so that trained staff can understand gender-related issues and how they appear in different contexts. Staff should also understand the need to address gender inequality at all levels and in all activities, and should monitor the behaviour of men and women staff. They also need to promote and enforce gender equality by making gender-responsive decisions, as well as to raise awareness about the importance of gender equality to others. Training may be provided by relevant institutions, such as Ministry of Education, non-governmental organisations or international agencies, and may be on a self-study basis, with resources from the Internet or the library.

Following this, schools will participate in the implementation of initiatives to mainstream gender in their school. This will promote a gender-sensitive discourse and culture, with the aim of narrowing gender gaps while enhancing talents, abilities and interests. This will also promote equal opportunities for both genders in a climate of mutual respect and personal growth. The participating schools will present an action plan explaining the approach and goal to achieve gender equality. The plan includes a declaration of commitment by the school to address gender inequality, and to develop and implement a gender equality policy. The plan clearly defines the goals, responsibilities and mechanisms for monitoring progress towards achieving gender equality. Moreover, conducting a gender analysis in the school is an essential step towards gender-responsive planning and programming. This analysis involves collecting and evaluating gender-disaggregated information and experiences in order to understand the differences, similarities, and interactions between women and men. It also examines the activities, conditions and needs of both women and men, access to and control over resources, access to development benefits and decision-making power. Finally, the analysis examines the links between these and other factors in the broader social, economic, political and environmental context.

The inclusion of women in the Palestinian curricula must be achieved in order to achieve the principle of equality and equal opportunities for all. The most prominent of these goals is to improve the status and image of women through curricula that reflect women's complementary role in society. The curricula should reflect the complementarity of women's rights with men's without discrimination on the basis of gender. They should address the stereotypes about the role of women, in harmony with the changes of recent history. The curricula should also include texts that

reflect the exchange of complementary roles between men and women away from the domination of men, shifting to an approach that shows the relationship between the genders as a participatory relationship with the aim of building a healthy society.

Comparison between alternatives

The alternatives presented are indispensable, integrated, and integral to achieving gender equality in the Palestinian society. Combining the first and third alternatives is an easy and workable option, as together they constitute a substantial step towards the long-term strategic level, especially as they are issued and regulated by the government. Many strategies and policies have already been issued by the government in this field, but there are rarely any initiatives that contribute to changing the stereotypes in the society about the roles of men and women. Therefore, these two alternatives combined are likely achieve the desired goal of enhancing the role of women.

The initiatives target the educational staff, administrators and teachers, and at the same time address students of both genders, parents, and all members of society. To this end, the initiatives use many tools that to change stereotypes, based on continuous rather than occasional action.

Recommendations

1. Adopting a human rights approach in developing academic curricula and preparing human resources.

2. Adopting a gender approach in planning educational policies and integrating gender concepts in curricula, textbooks, and teacher training plans.

3. Issuing training booklets on adopting a gender perspective in education, and implementing training courses for authors of curricula, textbooks and educational materials on basic gender concepts and how they differ from biological sex. This will help trainees acquire the skill of gender reading and analysing texts in textbooks. They measure will also help them write texts on the basis of gender and get rid of gender stereotypes. Further, it will highlight international covenants and conventions related to human rights and the elimination of gender discrimination.

4. Adding a gender review clause to the clauses required for approving any educational resource or book, and presenting the content of the books to gender experts for their feedback before circulating them.

5. Adhering to the principle of gender equality in education in terms of numbers and roles, including the number of authors of curricula and textbooks in all seminars and educational materials. This includes maintaining a gender balance in the number of characters mentioned/ present in both texts and graphics. The textbooks should highlight the societal, gendered roles of men and women and diversify them between political, productive, societal, reproductive, creative and leadership roles within the framework of the Palestinian values. This means not restricting women to traditional stereotypical roles.

6. Adopting a comprehensive approach in mainstreaming the gender perspective in education that includes students, teachers, curricula and parents.

7. Establishing a complaints and follow-up system in all schools that enables parents and students to submit complaints relating to gender-based discrimination against them, whether at the school level or by parents or any external party. The system defines follow-up mechanisms for complaints and, if necessary, refers them to the competent authorities.

8. Exerting efforts and investing in educational means and creative activities that take into account equality and justice, and which respond to different needs and roles, in a way that does not lead to stereotyped roles and perpetuation of the division of labour between the two sexes.

9. Carrying out continuous training on gender, achieving justice among educational staff, and allowing them to learn about new models.

10. Enhancing the awareness of women and men workers in the Ministry of Education on gender issues, and developing pre, post and periodic tests to check whether the Ministry's staff are committed to human rights and gender values. These tests include examining the awareness of citizenship and human rights.

11. The presence of women and their participation in the co-authoring of the curricula should be based on their competence, rather than on the point of view of individuals or on a masculine social culture.

12. Adopting the principle of equal opportunities for both men and women based on the principle of gender equality.

13. Stop viewing women as subservient to men, and should rather focus on the complementary role of both men and women in all aspects of life. This should be highlighted in graphics, especially in the curricula of the primary stage.

14. Paying attention to the quality of women's representation in the curricula, and that the representation should be real rather than superficial.

Conclusion

Education is an essential factor in change and in building and shaping the personality of individuals, instilling in them social values and attitudes, and directing their behaviour in various aspects of life. Therefore, the inclusion of a positive gender culture in the curricula will help achieve gender equality in education, in harmony with the international conventions and covenants ratified by the State of Palestine. Carrying out continuous initiatives to mainstream a gender perspective at the school level, including educational staff, students, parents and society in general, is a realistic alternative to integrate gender education in the curricula and respect the equal representation of women. This will contribute to changing stereotypes about the roles of men and women, thus strengthening the role of women in the field of development.

References

- Al-Jarbawi and Al-Saafin, Tefida and Nasser. (2004). "Gender in Palestinian School Textbooks." **The Future of Arab Education Journal**, Egypt: Arab Centre for Education and Development, No. 34.

- Hoso, Esmat. (2009). "The Role of Curricula in Empowering Women", **International Women's Conference on Science and Development**, December 14, Aden: University of Aden.

- Dahlan, Omar. (2015). The Image of Women in the Arabic Language Textbooks for the First Elementary Stage. Journal of Scientific Research in Education, Sixteenth Issue of 2015.

- Dabea, Mahmoud. (2006). **Curriculum Design and Evaluation**. Cairo: The Anglo-Egyptian Library.

- Assali, Alia. (2006). "The Image of Women in Civic Education Books for the Seventh, Eighth and Ninth Grades in the Palestinian curriculum," Najah **University Journal for Human Sciences**, Volume 20, Issue 3.

- Assali, Alia. (2019). Analysis of the content of textbooks (Arabic language, mathematics, Islamic education, national and social education, science and life sciences) for grades 1-9 in the year 2018/2019 and their sensitivity to gender. The Independent Commission for Citizen Rights. Special Reports Series No. (98)

- Bigler, R., Hayes, A. R., & Hamilton, V. (2013). The Role of Schools in the Early Socialization of Gender Differences. *Encyclopedia on Early Child Development*.doi:https://www.child-encyclopedia.com/pdf/expert/gender-early-socialization/according-experts/role-schools-early-socialization-gender-differences

Fifth Policy Paper:

Towards a General Policy to Start Criminal Proceedings in Domestic Violence Cases

Dr. Ahmad Misleh

January 2023

Introduction

The Palestinian Central Bureau of Statistics (PCBS) defines domestic violence as "any act or omission by a family member towards any other member of the family that involves physical, sexual or psychological abuse, or a threat to inflict physical, sexual or psychological harm, or generates fear". It also includes the deprivation of basic rights such as shelter, food, drink, clothing, education, freedom of movement, self-determination, and loss of self-security.[31]

Data issued by PCBS show that 29% of women who are currently married or have ever been married (18-64 years) in Palestine have been subjected at least once to one of the types of violence by the husband, which is a serious indicator of the extent of violence to which women are exposed to within the family. Furthermore, 61% of women who are subjected to domestic violence often remain silent and do not inform anyone. As a result, domestic violence incidences are likely to persist, and the abuser is more likely to evade consequences.[32]

Article 24 of the Criminal Procedures Law No. 3 of 2001 makes it binding for persons to report crimes to the Public Prosecution or a judicial officer, with the exception of criminal proceedings arising from a complaint, request or permission. Further, Article 4 of the same law stipulates that the Public Prosecution may not conduct an investigation or file a criminal lawsuit that the law has made its initiation dependent on a complaint, civil claim, request, or permission, except upon a written or oral complaint from the survivor or their attorney, or upon a civil claim by the survivor or their attorney, or upon permission or request from the competent authority. It is noteworthy that some the most prominent crimes that the Public Prosecution is

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31   PCBS, Preliminary Results of Examination of Violence in the Palestinian Society 2019, November 2019, p. 12.
32   Same source, p. 20, 22 https://palestine.unfpa.org/sites/default/files/pub-pdf/lntyj_lwly_lmsh_lnf_fy_lmjtm_lflstyny_2019.pdf

not allowed to file a public lawsuit include the crimes of adultery, incest, financial crimes between ascendants, descendants and spouses, as well as minor harm. As such, a criminal lawsuit cannot be initiated in respect of most domestic violence crimes except upon a complaint from the survivor, who is most often a woman or her parents.

Problem

The problem this policy paper aims to address is that the rising rates of domestic violence in Palestinian society, and particularly against women, coincide with poor legal procedures required to impose deterrent penalties against the abuser. This challenge is exacerbated by the requirement of a submission of a complaint by the survivor to report and initiate a criminal case. In the vast majority of cases, women are unable or unwilling to report the violence they face based on societal and familial pressures.

Objectives

This policy paper seeks to achieve a primary objective of pushing for amendment of the legal provisions in the Criminal Procedure Law No. 3 of 2001 to exclude the requirement of prior submission of a complaint by the survivor for domestic violence cases.

Problem analysis

Domestic violence (Violence inflicted upon women)

Size of the phenomenon

Incidents of domestic violence are increasing in Palestinian society, especially violence against women. PCBS data show that about 29% of married women, or women who have ever been married, have been subjected to a form of violence by her husband at least once. This means that one three married women have experienced domestic, not including violence enacted against women by other family members. PCBS data also show that 61% of abused women preferred to be completely silent, while only 1% of them went to the police station or the Family Protection Unit to file a complaint and get help.[33]

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33   Ibid, p. 22, 23

PCBS statistics show that 52% of women were subjected to psychological violence, 17.8% were subjected to physical violence, while others experienced other forms of violence such as sexual violence and economic violence.34 According to the Annual Statistics Report on GBV issued by the Ministry of Social Development in 2020, approximately 40% of the total women seeking support from women's counsellors in the directorates of Social Development were subjected to psychological violence, and approximately 30% to physical violence. Other types of violence include economic violence, sexual harassment, rape, deprivation of liberty, cyber violence, and forced marriage. Data also show that violence against women pushed about 60% of them to flee their house, while about 18% of them attempted suicide.35

Violence against women is not limited to minor harm and may reach the level of murder. The number of women murdered in the West Bank and the Gaza Strip in 2014 reached 27, 15 in 2015, 23 in 2016, 27 in 2017, 24 in 2018,36 21 in 2019, and 37 in 2020.37

Legal treatment of domestic violence (violence against women)

The consistent increase in domestic violence poses an urgent need to address the legal dimensions related to the problem. However, relevant legislation is either missing or weak. For example, the Family Protection Law, which, despite efforts since 2004 to approve it, it has remained a draft law on the government's agenda, subject to debate by the relevant parties. Other legislation available includes procedures that prevent a solution to this problem, as is the case in the Law of Criminal Procedures.

Ms. Rima Nazzal, a member of the General Union of Palestinian Women, says that the Draft Family Protection Law included a provision granting women's protection organisations the power to file complaints against the abuser, which was an important progress in the field of protecting women from violence. However, due to pressures by some parties, this provision has been cancelled based on raised concerns about privacy and

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34 PCBS, previous source, p. 2-20 https://palestine.unfpa.org/sites/default/files/pub-pdf/lntyj_lwly_lmsh_lnf_fy_lmjtm_lflstyny_2019.pdf

35 Annual Statistical Report for the Year 2020 issued by the Ministry of Social Development, September 2021, pg. 56.

36 Palestinian National Information Centre - WAFA, Femicide in Palestinian Society, https://info.wafa.ps/ar_page.aspx?id=9144.

37 Women›s Centre for Legal Aid and Counselling, Femicide in the Time of COVID: Analytical Report 2021, p. 22, https://www.wclac.org/files/library/21/11/oadcm6raannp1oehgzhtpw.pdf

disciplinary powers. Ms. Nazzal adds that the approval of the law would address some aspects of the problem, especially since the draft law also includes a provision for the development of counselling units with the power to separate the abuser from the rest of the family, in the event that they pose a threat to the survivor.[38]

Ms. Suna Nassar, Director of the Legal Department at the Ministry of Women's Affairs, says the draft Family Protection Law is on the government's agenda pending a third reading. Nassar says this law aims to protect family members, not just women, and that the it includes provisions allowing the Public Prosecution to initiate a lawsuit in cases of domestic violence with no need for a complaint. She adds that under this law, as soon as information is received about a case of domestic violence, the police and the Family Protection Prosecution will initiative a case, and that any family member can report an incident of violence that occurs within the family. Likewise, civil society institutions that provide services to women can report violence against women, as well as any public employee who is obligated to do so if they are aware of the existence of a crime of domestic violence while performing their job duties. The law imposes penalties on the employee if they do not report it. Ms. Nassar points out that the draft law deals with domestic violence cases in two stages: the first stage is mediation and prior to entering into litigation procedures, where mediation is offered by the Public Prosecution to reach a conditional amicable solution that includes recognition by the abuser and commitment to the victim's requests. The second stage is litigation before the court if mediation fails.[39]

There are multiple copies of the draft Family Protection Law, one of which does not include a provision that allows filing a lawsuit in domestic violence cases without the need for a complaint, or which stipulates the right of women's organisations to file a complaint on behalf of the survivor. However, an updated copy of the draft law issued in 2021 by the Ministry of Social Development, the authority responsible for implementing the law, is in line with what Ms. Nassar suggested. The copy states the parties that can submit a report and not a complaint of domestic violence, including women's institutions, members of the family in which the violence occurs, any person who witnesses an incident, and every public employee who knows about any such case throughout the

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38   Interview with Mrs. Rima Nazzal, member of the General Union of Palestinian Women, 16/1/2022.

39   Interview with Mrs. Suna Nassar, Legal Department, Ministry of Women›s Affairs, Monday 17/1/2022.

course of carrying out their job.

As mentioned earlier, the Criminal Procedures Law regulates the procedures related to complaints, reporting crimes, initiating a lawsuit into these crimes and the litigation procedures. Article (1) of the law gives the Public Prosecution the exclusive authority to file and initiate criminal lawsuits. Article (3) of the law also makes the Public Prosecution's initiation of the lawsuit dependent upon a claim by the abused party themselves in accordance with the rules specified by the law. Articles (24) and (25) of the law state that anyone who becomes aware of the occurrence of a crime, whether they are individuals, public employees, or those charged with a public service while performing their work, must inform the Public Prosecution or a judicial officer about the crime. However, the law excludes cases in which it stipulates that the filing of a criminal case arising from them is dependent on a complaint, request or permission, within which domestic violence crimes occur, which means the filing of a case in these cases to is subject to the submission of a complaint by the victim (often the abused woman) or her guardian.

According to Article (33) of the law, it is not permissible to arrest the accused when caught in the act, in which the initiation of a lawsuit depends on a complaint, unless the complaint is authorised by the concerned person. The complaint may be submitted with the competent members of the public authority who are on duty.

Hence, the law prevents filing a lawsuit in domestic violence unless a complaint is submitted by the survivor or someone with direct interest in the case. This means that not only no lawsuit is initiated in cases of domestic violence – often because the survivor (usually the abused woman) did not file a complaint against the abuser – but also that the judge can formally dismiss the case if the complainant or their representative is not directly affected or has no direct interest in the case.[40]

This is also the case in Article (44) of the Sharia Procedures Law, titled dismissal of the case for non-litigation, whereby the case is dismissed if there is no dispute between the two parties in reality.

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40   Mustafa Abdel-Baqi, The Law of Criminal Procedures Explained, Faculty of Law and Public Administration: Birzeit University, 2015, pp. 93-107.

Proposed policy alternatives

First alternative: Introducing a legislative amendment to the Criminal Procedures Law No. 3 of 2001, specifically Articles 1, 3, 24, 25 and 33 that define the procedures and conditions for initiating a case. These articles also define those entitled to file complaints and report crimes, and the procedures for arresting the accused when caught in the act. Such an amendment would make an exception in domestic violence crimes, and would also define physical violence against women in these procedures and conditions. This amendment will allow the competent agencies, including the police and the Public Prosecution, to initiate a lawsuit in these cases without the need for a complaint from the survivor or their representative, once an incident is reported by an eyewitness of the incident, including institutions that provide services to women.

Second alternative: Ensuring that the draft Family Protection Law includes explicit provisions that exclude domestic violence cases from the conditions stipulated in the Law of Criminal Procedures for filing reports and complaints. This amendment will make filing a lawsuit in these cases not dependent on a complaint by the survivor, the abused woman or her guardian. This was actually stated in one of the drafts of the aforementioned law.

The alternatives in comparison:

Working to include certain amendments to a draft law that has not yet been approved, such as the amendments proposed to the draft Family Protection Law, is easier in terms of procedures than introducing amendments to an existing law, in this case the Criminal Procedures Law. The draft Family Protection Law is on the government's agenda in the recent stages of approval.[41] Despite the fact that the content of the draft law is being kept confidential, information from relevant official sources indicates that the draft law follows the approach that filing lawsuits in domestic violence cases is not dependent on the submission of a complaint by the survivor, stakeholder, or the person affected by an incident.

However, the issue requires emphasis that the aforementioned draft law includes the required amendments, in light of the tremendous pressures on the draft law and its provisions that address domestic violence issues other than those related to social customs and traditions. Many past draft laws were exposed to similar pressures resulting in the failure to adopt

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41   Interview with Mrs. Rania Jarad, Director of the Gender Unit at the Ministry of Justice, Sunday 16/1/2022

new approaches addressing issues of personal status, domestic violence, protection of survivors, and tightening penalties on abusers. Despite lobbying from stakeholders in family and women's affairs, including governmental and civil society institutions, to enact the Family Protection Law, these efforts have all failed since 2004.

It should be noted that the risks to which survivors of domestic violence, especially women, are exposed to will remain even if the law is amended as described in this article. This may be adverse effects, and may expose the survivor to double violence,[42] which requires providing protection for the survivor in parallel with filing a lawsuit against the abuser. Likewise, the provisions of the draft Family Protection Law, which calls for the removal of the abuser from the family and not the survivor, may be one of the appropriate solutions to address this problem.

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42   Same as previous source

Recommendations:

1. Increase awareness-raising sessions for women about the role of the law in addressing their issues and providing them with protection.

2. Continue joint work between institutions to reform the legal system for protecting women against violence.

3. Approve the Family Protection Law, and address the shortcomings in the provisions of the laws in force and the conflict in legislation between the West Bank and the Gaza Strip.

4. Activate, enforce and review the effectiveness of the national system for referral of women from the health, social and legal services. This system should involve all the civil institutions, and should be upgraded to become more inclusive of the targeted groups, such as girls, women with disabilities, and the elderly.

5. Increase the budgets and programs that target women who are subjected to violence, adopt a fair distribution of the financial resources, and enhance the quantity and quality of resources for abused women in all governorates.

6. Assess the extent to which women who are subjected to violence benefit from the services, programs, interventions and strategies implemented by governmental, international and private institutions. Examine the impact of these items and services on fulfilling the needs of abused women, and whether women can easily access services to protect them from violence.

7. Empower institutions to protect women with disabilities, women in marginalised areas, and women in areas adjacent to the Israeli Separation Barrier (Area C).

Conclusion

Undoubtedly, the presence of the draft Family Protection Law on the government's agenda and in the final stages of discussion is an opportunity to add to this draft an explicit provision that filing a domestic violence lawsuit shall not be dependent on a complaint by the survivor or her attorney, and that the filing of such lawsuit by the police first and then by the Public Prosecution must only be dependent on the submission of a report of an incident of violence. This is already the case in one of the drafts of the Family Protection Law, and therefore care must be taken not to approve this law before this approach is followed.

It is possible to adopt an approach that guarantees the right of the survivors or abused women while preserving the right to self-determination. In addition to the person filing a lawsuit on behalf of the survivor, this approach would allow women's organisations to file lawsuit on behalf of the survivor, provided that the lawsuit is properly initiated by the police and the Public Prosecution. This will ensure that domestic violence lawsuits are not dependent on the submission of a complaint, and will expand the set of parties that have the right to initiate criminal action in these cases.

Sixth Policy Paper:

Towards General Policies to Improve Mental Health Services for Abused Women in the Ministry of Health

**Dr. Manal Al-Jubeh
and Ms. Serene Hoso**

January 2023

Introduction

The issue of violence against women and gender based violence has become one of the main themes on the agenda of local and international institutions and organisations in recent years. Based on the firm belief that the elimination of violence can only be achieved through joint efforts, as well as the importance of having national systems to arrange the relationship between the active partners and coordinate the services provided (which focus either on providing services, providing protection, or managing violence cases), Palestinian institutions and non-governmental organisations, in coordination and cooperation with Palestinian official institutions, have developed and adopted a nationwide referral system for abused women, called the Takamul (integration) system. This system aims to improve the provision of legal, health and social services to women who are survivors of violence and to provide integrated services for abused women in coordination with various sectors.

This system defines the roles of the partners in the three sectors, namely the Ministry of Health, the Police and the Ministry of Social Development, and the related governmental and non-governmental organisations. This system also defines the values, principles and guarantees that must be observed in providing services and dealing with abused women in order to protect them from various forms of violence. This system was adopted by the Palestinian Council of Ministers in 2013 at the recommendation of the Ministries of Women and Social Affairs (Palestinian Gazette, 2013).

Despite the importance of this national achievement, it was not implemented in the Gaza Strip as a result of the political division (Miftah, 2022). In West Bank, there is still a gap in the integrative action and in defining the responsibilities and roles of the parties. Institutions face challenges related to the objective circumstances surrounding the nature of service provision, which are

related to the political conditions of Palestine and the division of territories and sovereignty over the land. The second challenge is related to the subjective dimension, that is despite the presence of national systems, institutions lack sufficient financial and human resources to provide the needed services.

Problem

All forms of violence result in physical, psychological, mental and behavioural impacts that must be addressed by the health system. Gender-based violence was identified as a health priority in the World Health Organisation (WHO) guidelines in 2013, with a particular focus on violence against women and girls due to socially acceptable forms of violence, inequality and discrimination between genders. These forms of violence are a violation of human rights, and women often hide their abuse due to stigma and fear of social isolation and judgement.

The results of the Violence Survey in the Palestinian Society 2019 show that women between the ages of 18 and 64 years represent the highest percentage of domestic violence survivors. The results show that 29% of currently married women were subjected to psychological, physical, sexual, social and economic violence (24% in the West Bank and 38% in the Gaza Strip) at least once by their husbands. Psychological violence is the most prevalent form of violence both in general and in Palestine. Of the women who are currently married or have ever been married, 57% of women (52% in the West Bank, 64% in the Gaza Strip) were subjected to psychological violence at least once by their husbands. Psychological/emotional violence includes repeated criticism, verbal insults, threats to harm loved ones or things a person cares for, and public humiliation. Furthermore, 50% of women with disabilities in Palestine who are married or who have ever been married report being subjected to psychological violence at least once by their husband. In addition, more than a third of young women (45%) aged 18-29 years who have never been married have been subjected to violence by one of the family members (41% in the West Bank and 51% in the Gaza Strip), according to the Palestinian Central Bureau of Statistics (2019).

In Palestine, mental health and psychological counselling services are provided by a number of governmental and private sectors, especially women's and private institutions. The government sector provides mental health services through the Ministry of Health within the framework of primary psychological care through community mental health centres. There are 10 community mental health centres in the West Bank and the Gaza Strip

(Bouchet, 2010). Article (15) of the National Referral System provides for intervention mechanisms following the healthcare provider's investigation. According to the article, if the result of the evaluation and diagnosis show psychological and behavioural disorders or suicidal thoughts, the beneficiary must be consulted to request a mental health specialist or a similar service for review and evaluation.

The article also provides for an assessment of the situation of the woman beneficiary to determine whether she needs psychological support and evaluation, either directly with a specialist or through referrals. This is particularly the case for those with suicidal thoughts or attempts. The article further provides for assessment of the situation of the beneficiary and whether counselling is needed to manage any resulting mental trauma or stress from the abuse.

However, there are a number of gaps in the provision of mental health services at the level of health institutions (Save the Children, 2019). A report of the Women's Civil Coalition for the Implementation of CEDAW (2018) confirms that despite the importance of mental health services for all groups, they are not integrated into primary care programs. This leads to a shortage in the provision of adequate psychological counselling services for abused women. A report by MIFTAH (2019) also confirms the need to develop policies on providing psychological support services to women victims of violence in the Ministry of Health centres. A 2016 report (Awrad) shows a severe shortage of psychological services in general, and that 18 cases (9% of total cases) were referred to the Mental Health Department of the Ministry of Health, although other data from the Ministry of Development indicate that 76 cases experienced difficult psychological conditions.

Yet, the available services are inadequate with the high demand for service, and there remains a shortage of specialised services in a number of governorates. There are 12 institutions in the West Bank and 14 institutions in the Gaza Strip that provide mental health services and psychosocial support (Child Protection Working Group, 2019). Available statistics also show that there are only 24 psychiatrists in the West Bank, of whom only 3 are female doctors, and 2 are specialised in child psychiatry (Al-Hadath, 2020). Other statistics show that only 12 psychiatrists work in the Ministry of Health in the West Bank, and there are 24 psychiatrists registered with the Palestinian Psychiatric Association for all Palestinian territories (The Reality of Mental Health in Palestine, D.T). This leads to the referral of abused women by the relevant institutions to a private psychiatrist (Save the Children, 2019).

The results of the Awrad report (2016) also suggest a lack of technical and specialised competencies in the field of violence against women, such as treatment, psychological counselling, follow-up, rehabilitation and empowerment, and the lack of health service providers to the basic skills and the principles necessary to improve the psychological health of abused women. This was reflected in the degree of women's satisfaction with governmental psychological support services for women victims of domestic violence during the COVID-19 pandemic. This degree of satisfaction reached only 48%, according to the results of an opinion poll conducted in the West Bank and the Gaza Strip in the period 15-28 February 2021, while the degree of satisfaction with those services provided by civil society organisations and women's institutions reached (56%) (Qaoud, 2021). As a result, there is a need for continuous interventions that respond to the psychological impact resulting from the different types of violence and psychological violence at the level of the Ministry of Health and the relevant civil society institutions.

Objectives

1. Contribute to strengthening the ability of the health sector to provide treatment services, enhance psychological support for abused women, and reduce the negative effects of violence.

2. Reinforce the support provided by various sectors to abused women, and reduce the negative effects of violence, by strengthening the capabilities of service providers to provide services to abused women taking into account their psychological health through coordination with other sectors.

Policy problem analysis

Gender-based violence has received great attention as one of the most important challenges that threaten individuals, families and societies. This demands further efforts by psychiatrics and those working in this field to deal with this phenomenon and provide care and attention to address it.

Gender-based violence is associated with a wide range of psychological and behavioural disorders that affect a woman's physical and psychological health and her ability to interact in her various roles and capacities in life. Among the psychological effects of violence are depression, anxiety, and suicidal thoughts. Browne & Herbert study (1997) points out that an abused woman views herself as incompetent, worthless, unwanted, useless, and

with no right to control her own life. She also tends to be uncertain in her relationships with others, and holds herself responsible for the violence inflicted upon her. An abused woman also constantly blames herself and lives in social and emotional isolation. This also impacts the rest of her family and their productivity by reducing their ability to work, in addition to family separation and instability. It also leads to many physical symptoms such as chronic headaches, digestive disorders, cardiovascular disorders, and severe menstrual pain. It may negatively affect healthy behaviour, leading to alcohol drinking, drug addiction, drug abuse, and fear of intimate relationships.

Despite the serious effects of GBV in all its forms on women, family and society, the society forces abused women to remain silent about the violence they are exposed to, increasing the risk of its effects on women and their surroundings. The Violence Survey in Palestine 2019 shows that 61% of women who were subjected to violence by their husbands preferred to remain silent about it. This is attributed to psychological and social pressures that prevent women from seeking help or from practicing their normal life and interacting with others, negatively affecting their mental health.

The same survey reveals that only 1% of abused women sought out psychological, social, or legal help . Also, just 1% of abused women went to a police station or the Family Protection Unit to file a complaint against the husband or obtain assistance or protection. This indicates alarming levels of suffering experienced by Palestinian women who face various forms of GBV, greatly impacting their psychological health. These figures also suggest a lack of confidence in the governmental and non-governmental institutions that provide psychological and other support, and that women are subjected to psychological violence as a result of the reflection of culture of the services provided. These facts are also affected by the existence of the aforementioned services and the readiness of the institutions to provide them in terms of infrastructure, procedures and human resources, and the extent of community awareness of the importance of mental health.

Recommendations

1. Integrating mental health interventions for abused women into their immediate healthcare by facilitating detection, support, response, referral, and the collection of forensic evidence – especially in cases of sexual violence.

2. Providing appropriate medical services and follow-up care, as well as brochures or leaflets about violence in private settings such as women's toilets and in schools.

3. Carrying out preventive policies and legislation aimed at creating an environment free of violence, as follows:

   • Recognising violence against women as a serious public mental health issue and a global emergency requiring universal access to emergency and essential services, including psychological support.

   • Reviewing policies and laws to ensure that they do not discriminate against women and appropriately punish acts of violence, including domestic violence.

   • Integrating questions relating to violence against women and mental health in national surveys.

4. Awareness and advocacy, through:

   • Creating coalitions for public mental health research, advocacy for policy reform, and appropriate allocation of resources.

   • Working to change the stereotypes about psychological treatment and mental health in Palestine and addressing its importance, as well as spreading awareness through educational campaigns and the media.

   • Enhancing communication skills and relationships within families and communities.

5. Capacity building and strengthening, through:

   • Sending researchers and students to the best universities in the world to study mental health disciplines.

   • Reviewing the training curricula for medical, nursing and other healthcare specialisations to include better understanding of, and response to, GBV and its repercussions on mental health.

- Providing mental health care providers, practitioners and psychologists with the necessary training on GBV.

- Training service providers in all sectors on the principles of responding to GBV, and carrying out courses on psychological support for women.

- Providing training for abused women on vocational skills as a measure of rehabilitation to ensure their ability to earn.

6. Enhancing networking and cooperation between the Ministry of Health and civil society institutions, especially those responsible for protection centres and for providing psychological and social support to abused women. Other measures include:

- Establishing cross-sectoral linkages/networks (e.g. clinics, shelters, police and legal networks) to provide comprehensive services to women survivors.

- Activating the role of protection networks for abused women by women's institutions working on violence issues, in collaboration with the relevant governmental institutions and international institutions that combat violence against women and girls.

- Encouraging groups of volunteers affiliated with women's organisations to start initiatives that support women and respond to their different needs in their local communities, focusing on women's mental health and its impact on the family and society.

7. Cooperating with unions of social workers, psychologists, and mental health graduates to help women and girls who are victims of domestic violence.

8. Adoption by governmental and non-governmental institutions of the guidelines and protocols for responding to GBV; commitment to applying the referral system; establishing emergency centres, hotline services and counselling centres to receive abused women and provide them with referral services; and improving links between community programs to combat violence and the local health authorities.

9. Pressing institutions and decision-makers to involve women in developing strategies and mechanisms for women's protection, as well as in planning, implementing and evaluating programs, to ensure that they meet the women's actual needs and supporting the mechanisms in place to deal with difficulties.

10. Details are needed for Article 15 of the National Referral System, which addresses psychological first aid for abused women, to assess the psychological situation. This is essential in most cases, especially in cases of suicide and running away from home. There is a need to detail the mechanisms to be followed in the initial / emergency psychological assessment, which is a basic determinant for establishing an intervention plan with the women and assessing their level of mental capacities. For instance, an initial psychological assessment can detect the presence of psychosis or schizophrenia diseases, which facilitates the planning to deal with the case and respond to its needs.

11. Setting up mobile psychological clinics and linking them to various media outlets to introduce them, their goals, and their services.

12. Developing a computerised system to treat mental illnesses, and conducting a general assessment at the community level about mental health, to provide treatment programs or behavioural and cognitive assistance to individuals.

Conclusion

Local and international studies have proved that abused women face significant mental health challenges when compared to non-abused women. Responding to gender-based violence, and providing protection and psychological support to abused women, requires further governmental and societal efforts and ensuring that services are readily available. The failure of any sector to provide financial and human resources and policies, and the lack of commitment to complementary work and to the holistic approach in providing protection, further burdens other sectors.

References

- The Palestinian Central Bureau of Statistics. (2019). Preliminary Results of the Violence Survey in Palestinian Society 2019- https://palestine.unfpa.org/sites/default/files/pub-pdf/lntyj_lwly_lmsh_lnf_fy_lmjtm_lflstyny_2019.pdf

- Al-Hadath. (2020).Vision of Mental Health in Palestine 2030. A new project for the Palestinian Neurosciences Initiative at Al-Quds University, with the support of the Arab Palestinian Investment Company (APIC). https://WWW.ALHADATH.PS/ARTICLE/123254/

- Vision of Mental Health in Palestine 2030. A new project for the Palestinian Neurosciences Initiative at Al-Quds University, with the support of the Arab Palestinian Investment Company (APIC). https://WWW.ALHADATH.PS/ARTICLE/123254

- Qaoud, Esraa et al. (2021). Fact Sheet: Protection and Psychological Support services for Women During the Emergency Period. The Palestinian Center for Policy Research and Strategic Studies (Masarat). Palestine. https://www.masarat.ps/files/

- The Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH). (2019). An Analytical Study on the Extent of Enforcement of the National Referral System for Abused Women: Challenges and Gaps, the Challenges of Applying the National Referral System for Abused Women Between the Hammer of Theory and the Anvil of Practice. http://www.miftah.org/Publications/Books/Rapid_Assessment_of_the_National_Referral_System_implementation_challenges_and_gaps.pdf

- World Health Organization. (2015). Global action plan to strengthen the role of the health system in addressing interpersonal violence, especially against women, girls and children. Geneva. https://apps.who.int/gb/vio/pdf_files/A_VIO_INF1-en.pdf

- The Reality of Mental Health in Palestine, (D.T). https://sites.google.com/site/infokolyom/health-9

- The Palestinian Ministry of Women's Affiairs and the United Nations Fund. (2021). Report of the Study on Modernizing the National Referral System for Abused Women and the Unified Procedures Guide.

- The Palestinian Gazette. (2013). Cabinet Decision No. (18) of 2013. http://muqtafi.birzeit.edu/pg/getleg.asp?id=16570

- Arab World for Research and Development (WRAD). (2016). A Comprehensive Analytical Study of Gender-Based Violence and the Reality of the National Referral System for Abused Women.

- MIFTAH. (2022). A special discussion session in Gaza about the status of enforcement of the national referral system "Takamul" in the Gaza Strip. http://www.miftah.org/arabic/PrinterF.cfm?DocId=15609

- Browne,K.and Herbert,M.(1997).Preventing family violence. (1 ed). England; John Wiley and Sons Ltd.
- Child Protection Working Group. (2019). A review of the humanitarian mentalhealth and psychosocial needs and gaps in West Bank and Gaza
- Save the Children. (2021). Developing an Engagement Strategy on Legislations that are an Obstacle to Prevention, Protection and Response to Gender Based Violence (GBV). Not published.
- WHO. (2013). Summary - Responding to intimate partner violence and sexual violence against women. file:///C:/Users/user/Downloads/WHO_RHR_13.10_eng.pdf%3Bjsessionid=B9B191E65D1796332E3C14BF5525F3C4.pdf

CONCLUSION

Preconceived notions about the traits or qualities men and women should or should not underlie harmful gender inequality behaviours, such as gender-based violence. Responding to sexual violence, protecting family honour and the husband's right to use violence are three social norms that contribute to the rise of gender-based violence and spur reprisals by male family members against female family members who are perceived to have disgraced the family. Under the current social gender norms, simply imagining that a woman has acted insultingly toward her family is reason enough to attack her body, psyche and life. In this regard, discriminatory stereotypes about women's and men's roles and responsibilities in the family and society persist in Palestinian society, perpetuating women's subordination. These discriminatory stereotypes are an underlying cause of gender-based violence against women and the harmful practices that are prevalent in Palestine.

By analysing the research team's findings, it was concluded that women and girls in Palestinian society are exposed to various types and levels of violence. Despite the presence of shifts and changes in attitudes toward gender-based violence in Palestinian society, it is still based on factors such as social, economic, educational background and geographical location. However, some attitudes and beliefs about the division of labour between the genders remain prevalent, affecting the rights and duties of women and men in Palestinian society and the violence that each gender may face.

Expectations of gender roles in Palestinian society and attitudes toward gender equality are inequitable. These expectations distinguish between men's and women's rights in society, whether before or after marriage, and between a man's and a woman's right to life. This social culture limits women's relationships with their husbands, access to the labour market and political participation. These limitations are directly related to gender stereotypes, women's subordination to men and women's lack of decision-making power. As a result, breaking social norms exposes women to blame and punishment, while also justifying the violence inflicted on them.

The findings show that the consolidation of traditional roles and the subordination of women, as well as their lower status than men, leads to a negative social view of women who do not obey their husbands. There is also discrimination against women in sexual relations with their husbands, as women are frequently subjected to marital rape based on social expectations towards sexual relations in a marriage. Furthermore, within the current

Palestinian socio-cultural system, social norms do not tolerate the commission of acts by women that violate social values and culture which harm the honour and reputation of the family. This is reflected in the severity of the punishment for crimes called honour. In contrast, society does not place the same expectations and outcomes on men when committing the same acts.

Women's ability to work in Palestine is significantly limited by stereotypical gender norms and roles attributed to women: family care, household affairs, cooking and child care. These assigned gender roles relate to Palestinian society's conviction that women's work outside the home would negatively affect their performance of domestic duties. These assigned gender norms also reduce women's participation in public life, particularly in political life, as these roles are outside the private and domestic sphere. Moreover, men are taught these gendered divisions of labour from birth, which also limits their participation in domestic work and maintains this gendered division of work. It is consistently perpetuated that men participate outside the home while women work inside the home, specifically in reproductive and care work.

In this context, men in Palestinian society learn that their role is to maintain the family's honour, stability and reputation. Additionally, men are taught to be the final decision-makers in the family. This includes everything related to women's life, such as clothing, marriage, education, health, property and work. Society grants men the right to control mobile phone and social media use for wives, based on his role in protecting women. These socially granted rights also enable violence against women, justified by men as preserving the family honour and as an expression of masculinity. Based on these social gendered norms, a violent man is considered as genuine, strong and commanding. As a result, society justifies practices that may harm women and girls if they violate ascribed gender roles.

Among the factors influencing domestic violence within Palestinian society is the view of family issues as an internal private matter. As such, it is not deemed permissible to interfere with family matters or bring them into the public domain. This is especially the case when dealing with domestic violence against women, which is considered a private, family matter. In these cases, violence is accepted when used to discipline women who do not carry out their responsibilities, assuming that women tolerate violence to preserve the family, or even that they 'deserve' to be beaten. There is also the belief that honour killings should not be treated as other crimes because they affect men's and families' honour. As a result, rates of violence against women in the private sphere are not only increasing, but also justified by society.

As much of society believes that reporting sexual violence harms the survivor's reputation and may isolate her from her husband and family, many prefer to hide and conceal the abuse to avoid public scandal. Similarly, Palestinian society uses excuses of clothing or walking alone at night as justifications for violence, thereby placing the blame on the survivor.

Social culture, attitudes and perceptions about women's care work in the home, as well as devaluing women's work outside the home, lead to economic violence against women. This can be practised on two levels. The first is at the family level through deprivation of inheritance, prevention from work or obtaining loans for the benefit of others on her account. It also includes the inability to control her salary or forcing the issuance of checks and drafts with forged signatures. The second level is economic violence in the workplace, such as through low wages, denial of social security or acceptance to work without a contract, denying financial rights found in a formally established binding contract.

Palestinian women with disabilities face violence that reflects a state of triple persecution and discrimination. First, they face discrimination and violence as a result of their gender, then through living under military occupation, and finally as women with disabilities. These intersecting and compounding identities reinforce their marginalisation, exclusion and social isolation. This makes women with disabilities more vulnerable to violence. The lack of social acceptance of women and girls with disabilities contributes to their deprivation of many rights, including marriage, childbearing, play, education and others.

Despite the seriousness of these results, there are positive changes and transformations in terms of rejection of violence with varying acceptances violence of all kinds. Social attitudes are the reasons for blaming women and accepting the impact of norms on increasing violence, particularly workplace violence, sexual violence, occupational violence and violence against women with disabilities. This depends on geographical location, level of education and the work of both parents in the family.

RECOMMENDATIONS

According to the report, one of the causes of violence against women and girls is harmful social norms and their relationship to gender inequality and unequal power relations between men and women. The report concluded a direct correlation between social norms and violence against women in Palestine. This relationship is reflected in the patriarchal culture, which is demonstrated in men's control over women and their corresponding right to discipline women and make decisions on their behalf. As a result, girls are often forced into early marriage and to behave according to social norms in the home. This includes obedience to the husband, adhering to social norms outside of the house and in public and accepting social norms regarding opportunities, jobs and education.

Ending violence against women necessitates various individual, organisational and social level strategies. This includes changing social norms, empowering women, meeting the needs of survivors, and behaviour change with men and boys. However, recently, some people have been questioning the patriarchal structure. Attempts to deconstruct the patriarchy necessitates a collaborative effort among various stakeholders, including the government, civil society, religious groups, community groups and non-governmental organisations. Addressing gender inequality and power relations must adopt an integrated and multifaceted approach, and interventions against violence related to gender and power social norms should target men, women, boys and girls who adhere to these social norms.

The report suggests the following:

1. Education is regarded as an essential axis of change, as it plays a vital role in the development and shaping of individuals' personalities, contributes to the acquisition of social values and orientations for individuals and influences directing individuals' behaviour. Thus, it is necessary integrate gender education and promote equal representation of women in curricula to combat patriarchal ideology and mainstream gender equality in educational discourse for curricula and staff at all school levels.

2. While women's participation in the formal labour market does not exceed 19%, women working in care and domestic work are not considered workers under Palestinian labour law. As such, they are denied legal protection and are often forced to work in the West Bank's informal sector. According to the United Nations report (A/61/122/Add/1), economic violence is used against them in various ways, including control,

deprivation, coercion and prohibition. As a result, protecting women working in the West Bank's informal market from economic violence is a top priority to empower and combat economic violence against them.

3. It is important to prioritise the provision of psychological counselling for survivors of gender based violence to respond to depression, increase self-esteem, and even lower exposure to abuse, as well as a reduction in mental health problems. To improve health and psychological services provided to abused women in the Ministry of Health, it is critical to strengthen coordination and follow-up between the health and social sectors, as well as the police.

4. Rather than interventions aimed at changing attitudes and behaviour, adopting programmes and interventions is important to provide opportunities for women, girls, men and boys to challenge the gender norms that underpin violence against women, such as education and political   participation.

5. Consider adopting:

   • A rights-based strategy, which invests in the beneficiaries as rights holders. This establishes a legitimate forum for their voices to be heard and empowers them to take an active role in addressing violence against women. This strategy is preferable to one that bases support or services on a presumption of need without consulting the beneficiaries.

   • Research and benefit from relevant local expertise as much as possible.

   • Integration and multisectoral support is required to ensure the support and promotion of interventions from a variety of sources. This includes traditional and religious leaders who support the goals and methods of intervention, women's rights advocates and the private sector, such as telecommunications companies, advertising and marketing agencies, social marketing companies and media outlets. They should all be partners in order to capitalise on their ability to attract and reach a diverse audience.

   • Inclusive approaches so that the interventions address the various types of violence and discrimination women with disabilities face due to discriminatory social norms (based on gender and disability).

6. Harmful social norms can take time to change, requiring dedicated awareness raising efforts to dispel misconceptions and incorrect beliefs.

This will aim to change individual attitudes toward harmful behaviour to change social expectations and norms. This should be done through the following:

- Increase message exposure to increase impact.

- Prepare the precise sequence and timing of interventions, and concentrate geographically around specific areas so that they are logistically and financially feasible.

- Address false narratives, provide examples of the harm they cause, raise awareness of conflicts with other rules (for example, religious teachings about mutual respect and love between spouses) and reformulate issues (for example, framing gender inequality around inequal distributions of power).

- Encourage public debate and deliberation to change social expectations, allowing individuals to learn from others who may change their attitudes toward violence against women and girls. Community workshops and group discussions are common methods to facilitate discussion and deliberation. Media and educational entertainment, as well as social media and mobile technologies, can be utilised.

- Utilise multimedia approaches to frame gender equal behaviours as advantageous to society to promote adoption of new norms. This includes topics such as consensual sex, nonviolent conflict resolution and community rejection of domestic violence.

- Disseminate role models and the advantages of new behaviour. Role models, such as community leaders, religious figures or celebrities wield enormous power in the change process. They can persuade people to adopt new standards, condemn existing standards and / or make alternatives appear feasible.

7. Although changes in legal systems are unlikely to change social norms on their own, shifts in social norms without changes in legal systems and penalties impede large-scale norm changes. Therefore, adequate systems of penalties and rewards must be established to send an important precedent and consequences of non-compliant behaviour.

8. Early warning systems can be used to reduce gender-based violence by providing a way for women to contact law enforcement agencies. This allows the decision-maker to target interventions based on the type of crime and the location of its occurrence based on whether or not it is increasing.

BIBLIOGRAPHY

- Abu Nahleh, L & Johnson, P. (2002). Choices, Preferences and Aspirations for Male and Female Children. In R. Giacaman & P. Johnson (Eds.), Inside Palestinian Households: Initial Analysis of a Community-based Household Survey. Birzeit, Palestine: Institute of Women's Studies in cooperation with the Institute for Community and Public Health. Doi: https://urlshortner.org/VdNkg

- Al-Badayneh, D. M. (2012). Violence Against Women in Jordan. Springer Science+Business Media, LLC. doi:10.1007/s10896-012-9429-1

- Al-Haj, M. (1989). Social Research on Family Lifestyles among Arabs in Israel. Journal of Comparative Family Studies, 20(2), 175–195. doi:10.3138/jcfs.20.2.175

- Bougsiaa, H. (2014). Masculinity and the Social Violence Against Women. Ars Educandi, (11), 129-140. doi:10.26881/ae.2014.11.10

- Chaban, S., Daraghmeh, R., Steller, G., Ebnother, A. H., & Abu-Khalaf, I. (2010). Palestinian women and security: why Palestinian women and girls do not feel secure. Geneva: Geneva Centre for the Democratic Control of Armed Forces (DCAF).

- Dhaher, E. A., Mikolajczyk, R. T., Maxwell, A. E., & Krämer, A. (2009). Attitudes toward wife beating among Palestinian women of reproductive age from three cities in West Bank. Journal of Interpersonal Violence, 25(3), 518-537. doi:10.1177/0886260509334409

- Douki, S., Nacef, F., Belhadj, A., Bouasker, A., & Ghachem, R. (2003). Violence against women in Arab and Islamic countries. Archives of Women's Mental Health, 6(3), 165-171. doi:10.1007/s00737-003-0170-x

- El Feki, S., Heilman, B. and Barker, G., Eds. (2017) Understanding Masculinities: Results from the International Men and Gender Equality Survey (IMAGES) – Middle East and North Africa: Executive Summary. Cairo and Washington, DC: UN Women and Promundo-US.

- G. Medilo, Jr., C. (2015). Social Acceptability and Prevalence of Violence Against Women. Journal of Educational and Human Resource Development, 3(1), 43-50.

- Giacaman, R., & Johnson, P. (2002). Population: Demographic Characteristics and Labor-Force Participation. In R. Giacaman & P. Johnson (Eds.), Inside Palestinian Households: Initial Analysis of a Community-based Household Survey. Birzeit, Palestine: Institute of Women's Studies in cooperation with the Institute for Community and Public Health. Doi: https://urlshortner.org/VdNkg Giddens, A. (1991). Modernity and self-identity. Cambridge: Polity Press.

- Hammami, R. (2011). Introduction: A Decade of Catastrophe. A DANGEROUS DECADE the 2nd Gender Profile of the Occupied West Bank & Gaza (2000–2010). Institute for Women's Studies. Birzeit University. Ramallah

- Heiberg, M. (1994). Palestinian society in Gaza, West Bank and Arab Jerusalem: a survey of living conditions. Oslo: FAFO.

- Heise, L., & Manji, K. (January 2016). Social Norms. GSDRC Professional Development Reading Pack Birmingham, UK: University of Birmingham., 31.

- Jasinski, J. L. (2001). Theoretical explanations for violence against women (From Sourcebook on Violence Against Women, P 5-22, 2001, Claire M. Renzetti, Jeffrey L. Edleson, and Raquel K. Bergen, eds.--See NCJ- 201429).

- Jayachandran, S. (2020, June). Social norms as a barrier to women's employment in developing countries. NBER Working Paper No. 27449. doi:10.3386/w27449

- Johnson, P., & Hammami, R. (2013). Change & Conservation Family Law Reform in Court Practice and Public Perceptions in the Occupied Palestinian Territory (Rep.). Ramallah, Palestine: Institute of Women's Studies, Birzeit University.

- Joseph, S. (1996). Patriarchy and development in the Arab world. Gender & Development, 4(2), 14–19. Doi: 10.1080/741922010

- Kandiyoti, D. (1988). Bargaining with Patriarchy. Gender and Society, 2(3), 274-290. Retrieved from www.jstor.org/stable/190357

- Kelly, S., & Breslin, J. (2010). Women's rights in the Middle East and North Africa progress amid resistance. New York: Freedom House

- Khawaja, M., Linos, N., & El-Roueiheb, Z. (2007). Attitudes of men and women towards wife beating: Findings from Palestinian refugee camps in Jordan. Journal of Family Violence, 23(3), 211-218. doi:10.1007/s10896-007-9146-3

- Kuttab, E., Abu Awwad, N., Meari, L., & Hammami, R. (2020). Formation of Masculinities and Gender Dynamics in the Palestinian Colonial Context. Ramallah: Institute of Women's Studies- Birzeit University. doi:http://iws.birzeit.edu/sites/default/files/

- Miller, E., Culyba, A. J., Paglisotti, T., Massof, M., Gao, Q., Ports, K. A., Kato-Wallace, J., Pulerwitz, J., Espelage, D. L., Abebe, K. Z., & Jones, K. A. (2020). Male Adolescents' Gender Attitudes and Violence: Implications for Youth Violence Prevention. American journal of preventive medicine, 58(3), 396–406. https://doi.org/10.1016/j.amepre.2019.10.009

- Montesanti, S. R. (2015). The role of structural and interpersonal violence in the lives of women: A conceptual shift in prevention of gender-based violence. BMC Women's Health, 15(1). doi:10.1186/s12905-015-0247-5

- Montesanti, S.R., Thurston, W.E. (2015) Mapping the role of structural and interpersonal violence in the lives of women: implications for public health interventions and policy. BMC Women's Health 15, 100. https://doi.org/10.1186/s12905-015-0256-4

- Moors, A. (1995). Women, property and Islam: Palestinian experiences 1920-1990. Cambridge University Press.

- Moors, A. (1995). Women, property and Islam: Palestinian experiences 1920-1990. Cambridge University Press.

- Moors, A. (1996). Gender relations and inheritance: person, power and property in Palestine. In: Gendering the Middle East: emerging perspectives, edited by Deniz Kandiyoti. Syracuse, New York, Syracuse University Press. 69–84.

- Moors, A. (1999). Women, property, and Islam Palestinian experiences, 1920-1990. Cambridge: Cambridge University Press.

- Muhanna. A. (2010). Changing Family and Gender Dynamics during the Siege against Gaza: Spousal Relations and Domestic Violence. REVIEW OF WOMEN'S STUDIES. V. 6. Birzeit University. Ramallah.

- Obeid, N., Chang, D. F., & Ginges, J. (2010). Beliefs about wife beating: An exploratory study with Lebanese students. Violence Against Women, 16(6), 691-712. doi:10.1177/1077801210370465

- OXFAM. (November 2018). Let's Stop Thinking It's Normal' (Rep.).

- Pal, Sumantra (2018): Spousal Violence and Social Norms in India's North East, ZBW – Leibniz Information Centre for Economics, Kiel, Hamburg

- Perrin, N., Marsh, M., Clough, A., Desgroppes, A., Yope Phanuel, C., Abdi, A., . . . Glass, N. (2019). Social norms and beliefs about gender-based violence scale: A measure for use with gender-based violence prevention programs in low-resource and humanitarian settings. Conflict and Health, 13(1). doi:10.1186/s13031-019-0189-x

- Rizeq-Qazzaz, H. (2018). Assessment of The Services Of Anti-Violence Centres And Shelters In Palestine (Publication). Palestine: UN Women.

- Robinson, G. E. (2008). Palestinian Tribes, Clans, and Notable Families. Strategic Insights. Doi: https://urlshortner.org/UuguN Rosenfeld, H. (1968). Change, Barriers to Change, and Contradictions in the Arab Village Family. American Anthropologist, 70(4), new series, 732-752. Retrieved from http://www.jstor.org/stable/670555

- Rosenfeld, M. (2002). Power Structure, Agency, and Family in a Palestinian Refugee Camp. Int. J. Middle East Stud., 34, 519-551. Doi: 10.1017.S0020743802003057

- Rothenberg, C. E. (2017). A Review of the Anthropological Literature in English on the Palestinian "amūla" and the Status of Women. Journal of Arabic and Islamic Studies, 2(0), 24. doi:10.5617/jais.4549

- Scholz, B. (2006). Inheritance Rights in the Middle East and North Africa (MENA) Region. Centre on Housing Rights and evictions (COHRE) Geneva, Switzerland,

- Sinha, P., Gupta, U., Singh, J., & Srivastava, A. (2017). Structural violence on women: An impediment to women empowerment. Indian Journal of Community Medicine, 42(3), 134. doi:10.4103/ijcm.ijcm_276_15

- Spellings, C. R., & Barber, B. K. (2014). The role of family in well-being and quality of life among Palestinian adults (Unpublished doctoral dissertation). University of Tennessee, Knoxville.

- Stack, C. (2001). Frameworks for Studying Families in the 21st Century. In N. S. Hopkins (Ed.), the New Arab Family (Cairo Papers in Social Science) (Numbers 1/2, Vol. 24, pp. 5–20). Cairo: American University in Cairo Press.

- Taraki, L. (1997). Palestinian Society: Contemporary Realities and Trends (Palestinian Society). Ramallah: Birzeit University

- USAID. (May 2021). USAID'S Collective Action to Reduce Gender-Based Violence (Care-GBV) How to Identify and Advance Equitable Social Norms (Vol. NOTE NO. 1 IN A SERIES, Rep.).

- www.unescap.org/esid/psis/disability/decade/publications/wwd1.aspv

- Wolfe, P. (1999). Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnograph Event (Writing Past Imperialism). New York: Cassell.

- Women Convention - Concluding observations on the initial report of the State of Palestine to CEDAW - question of Palestine. (2018). Retrieved September 28, 2021, from https://www.un.org/unispal/document/women-convention-concluding-observations-on-the-initial-report-of-the-state-of-palestine-to-cedaw/

- Gabr, Samah. (2022). There is no honor in honor killings. https://www.facebook.com/drsamahjabr/posts/1029489594155929/?locale=pt_BR&_rdr

- Al-Jubeh, Manal. (2021). Gender, inheritance, and the change of kinship manuscript: Changing identities, models, and female family relationships (PhD thesis). Birzeit University. Ramallah - Palestine

- Juma, Abeer. (2021). A research paper on the impact of aggression on adolescent girls in the Gaza Strip. Women's Affairs Center. Gaza

- Palestinian Central Bureau of Statistics. (1999). Survey property and access to sources. Ramallah - Palestine

- Palestinian Central Bureau of Statistics. (2022). Dr.. Awad, reviews the situation of Palestinian women on the occasion of International Women's Day, 08/03/2020. (pcbs.gov.ps)

- Saadallah, Azza Ahmed. (2021). A research paper on the impact of the May 2021 aggression on the forms, types and causes of gender-based violence against women and girls. Women's Affairs Center. Gaza

- Chamoun, Hedayah and Noha Imad and Yusr Al-Atrash. (2009). The study of women and inheritance: causes and effects. Women's Affairs Center. Gaza

- Women's Center for Legal and Social Counseling. (2014). Palestinian women and inheritance. Ramallah - Palestine

- Women's Center for Legal and Social Counseling. (2019). Discrimination and violence against women... Fertile soil for murder: About cases of murder of women monitored and documented by the Center during the years 2016-2018 Ramallah