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***Position Paper on the so-called “Deal of the Century”***

***Palestinian women speak up: Accountability  
delayed.... Peace and justice delayed***

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74 years have passed since the Nakbeh and the Palestinian people continue to suffer from discriminatory policies of prolonged Israeli settler colonialism that deprives them fundamental human rights and freedoms, including the right to nationality, right to self-determination, right to movement, education, and right to live equal in dignity. The declaration of the so-called “Deal of the Century” by the President of the United States underscores years of occupation by using an international cover to breach International laws and conventions. Such a destruction, which is not new to Palestinians, has worsened the situation and negatively deepened the impact of the occupation on the lives of women and girls and their rights to protection, peace and security. To this end, this position paper highlights human rights violations against Palestinians by the Israeli colonization and focuses on the situation of women in specific within the larger context of the framework of the “Deal of the Century”.

The US plan, also known as “peace for prosperity” plan, disregards Palestinians’ right to self-determination. Firstly, it threatens the global security as it destroys the two-state solution and the Palestinian right to return guaranteed in [UN Security Council Resolution 194](#). Secondly, the plan violates both International Human Rights Law and International Humanitarian Law, and disrespects resolutions issued by the United Nations Security Council that are related to the Palestinian cause. The implementation of “Trump’s Middle East Plan” would pave the way for further escalation in human rights violations and have serious implications on Palestinian people, especially women and girls who are exposed to multi-layered vicious systems of violence in the context of the Israeli colonization and living in a patriarchal tribal structure. Israel's discriminatory policies and practices fuel the rise of violence against women and girls<sup>1</sup>.

Furthermore, the annexation of occupied Jerusalem, Golan Heights and Jordan Valley as well as the continued construction of illegal Israeli settlements and subsequent annexation and fragmentation of the Palestinian land, as indicated in section four and five of the plan<sup>2</sup>, would have repercussions that negatively impact the lives of Palestinians in general and women and girls in specific. The continued construction of illegal Israeli settlements breaches UNSCR 2334 (2016) that calls on “Israel to immediately and completely cease all settlement activities in the occupied Palestinian territory, including east Jerusalem”. For Palestinian women and girls, the policies and practices implied in “The Plan” will further exacerbate more suffering, violation of their rights to free-movement, family reunification, peace and security, and restricting their participation in public spheres. On one hand, the aforementioned policies affect the entirety of Palestinian people and women in specific, as they tackle key issues relating to their daily life; including but not limited to the cutting of funds supporting UNRWA’s mandate<sup>3</sup> in an attempt to end educational and health services that are rendered to refugee women and children, the continued fragmentation of land and the ongoing blockade imposed on the Gaza Strip since 2007, the annexation of east Jerusalem, and the control over Palestinian economy. On the other hand, “The Plan” disregards prisoners in Israeli military prisons among whom are women and young women. Ultimately, the Israeli Knesset elections, which took place at the beginning of March 2020, have shown increased support for right wing parties that support settlement expansion and annexation of Palestinian land among other measures indicated by the US plan.

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<sup>1</sup> Al Haq Center for Applied International Law <http://www.alhaq.org/advocacy/6094.html>

<sup>2</sup> <https://www.whitehouse.gov/wp-content/uploads/2020/01/Peace-to-Prosperity-0120.pdf>

<sup>3</sup> United Nations Relief and Work Agency for Palestine Refugee in the Near East

## **Palestinian women in Israeli prisons**

As of February 2020, 43 female prisoners had been arrested in Israeli military prisoners, according to Addameer organisation<sup>4</sup>. Women and young women in Israeli prisons include university students who are exposed to torture, denied their right to education and fair trial. Additionally, in the end of 2019 female prisoner Mais Abu Gush, a refugee living in Qalandia camp, has been subject to torture and ill-treatment among other prisoners, which violates the [United Nations Convention against Torture](#). Abu Gush has given her [testimony](#) to Addameer explaining brutal policies and tactics used against her during her arrest and in detention centers. Mais's house was searched and damaged and she was treated brutally and strip searched and threatened to be strip searched by a male soldier. She was also cursed and threatened with rape by Israeli soldiers. During interrogation, she experienced physical and psychological torture and abuse for one month, including long interrogation sessions, sleep deprivation, threats of arrest of family members, house demolition, and deprivation of basic physical needs including showers and using the toilet. Moreover, Mais was blackmailed with her personal relationships and subject to pressure by the arrest of her younger brother and by questioning both of her parents at al-Mascobiyya interrogation center in Jerusalem. She was also subjected to extreme physical torture, harsh slaps and was forced into stress positions including the banana position, squatting in front of a wall, and hands cuffed to a table position to her back.

Mais's testimony is one example of what Palestinian women encounter inside Israeli prisons. [Statistics](#) show that over 10,000 women were arrested since 1967, and the 43 female prisoners, currently arrested, are held in Damon prison which lacks basic life and humane needs. The prison is also located near Haifa, in violation of the [Fourth Geneva Convention](#), which prohibits the transfer of residents from the occupied territory to the territory of the Occupying Power. According to a study<sup>5</sup> published in the joint publication [Palestinian Women: The Disproportionate Impact of The Israeli Occupation](#), women experience the following while imprisoned:

- ❖ Physical and physiological torture and ill-treatment
- ❖ Deprivation of family visits
- ❖ Medical neglect
- ❖ Strip searches and threats of rape and harming family members
- ❖ Deprivation of education and privacy

## **Family reunification**

**“I am from Bab Hatta, Jerusalem and my husband is from Barta’ah, Jenin governorate. We married in 2008. In 2009, I submitted an application for reunification three times for my husband, where all applications were rejected under argument of security reasons”**

**Nahed N.**

Power imbalances between men and women in Palestinian society, and limitations on women's access to achieving justice and equality, contribute to increasing the consequences of occupation policies that they are subjected to. In cases of family reunifications, not only are

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<sup>4</sup> <http://www.addameer.org/statistics>

<sup>5</sup> Palestinian Women: The Disproportionate Impact of The Israeli Occupation, page 30

women denied their right to normal family life, they are also denied the right to free movement and access to their families and homes by Israeli checkpoints. Israeli discriminatory policies against Palestinians impose a system of identities that prevents Palestinians from the occupied territory from entering Jerusalem, while imposing racist political, social, and legal conditions on Jerusalemites, with the aim of vacating Jerusalem of Palestinian existence.

According to official statistics, the occupation revoked more than 14,595 Jerusalem residency permits from Palestinian men and women from Jerusalem between 1967 and the end of 2016<sup>6</sup>, hence depriving Palestinian families from normal family life and unity. A study conducted by the Palestinian Working Woman Society for Development indicated that “through residency revocations, Israel has separated husbands from wives, parents from children, and extended families from one-another, causing traumatic complications for women attempting to remain with their families in both Jerusalem and West Bank”<sup>7</sup>. The study underlined that residency revocations lead to “traumatic fears of separation from children for mothers and, contrary to Art. 5(a) of [CEDAW](#), an entrenching of patriarchal practices across society”<sup>8</sup>. Clearly, while the US Plan recognizes Jerusalem as the “united and complete” capital of Israel, these measures aim to forcibly transfer Palestinians from Jerusalem.

Moreover, residency in Jerusalem does not rise to the level of citizenship, and therefore Palestinians who hold Jerusalem identity cards do not obtain all the rights of citizenship according to Israeli law. This is particularly reflected among women, who are denied the right to reside in Jerusalem upon divorce or if their husbands remarry. In case children remain with the father, their mother would still not be able to live in Jerusalem or even visit her children. Residency revocations also limit women's access to justice, in contrast with the General Recommendation (30) of CEDAW, where victims of domestic violence are unable to submit complaints to relevant authorities for fear that they will be forcibly displaced from the city and separate from their children.

### **Refugees and Women in Gaza**

As mentioned earlier, the US plan emphasizes existing discriminatory measures of the systematic occupation that breaches both International Human Rights Law, and International Humanitarian law. For example, section 16 of the so-called “deal of the century” does not recognize the internationally guaranteed right of return for Palestinian refugees. In March 2018, The Great March of Return, was organized in the Gaza Strip as an example of a non-violent movement demanding refugee right of return and ending Israeli blockade imposed on Gaza, noting that two-thirds of the population in Gaza are refugees<sup>9</sup>. The Great March of Return has had a serious impact on traumatized population in Gaza, including women and girls following the excessive force used by the Israeli occupation against unarmed demonstrators. UNRWA reported that “the Israeli Security Forces (ISF) have responded to these civilian demonstrations

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<sup>6</sup> UN General Assembly “Human rights situation in the Occupied Palestinian Territory, including East Jerusalem: Report of the Secretary General”(2016) Human Rights Council A/HRC/31/44

<sup>7</sup> Palestinian Women: The Disproportionate Impact of The Israeli Occupation, page 23, <http://www.el-karama.org/wp-content/uploads/2018/11/Palestinian-Women-The-Disproportionate-Impact-of-the-Israeli-Occupation.pdf>

<sup>8</sup> Jerusalem: Residency Revocation and Family Reunification, page 25. <http://www.el-karama.org/wp-content/uploads/2018/11/Palestinian-Women-The-Disproportionate-Impact-of-the-Israeli-Occupation.pdf>

<sup>9</sup> <http://www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3486>

with the use of tear gas, rubber-coated bullets and live ammunition<sup>10</sup>. The use of weapons against “no-armed resistance” is a violation of the General Provisions of the Fourth Geneva Convention. UNRWA reports refer to OCHA’s figures that indicate that as of 22 March 2019, the ISF have killed 195 Palestinians (including 41 children) and injured nearly 29,000 people (including over 7000 wounded with live ammunition)<sup>11</sup>

A study published by PWWSD and the Cooperation for the Development of Emerging Countries (COSPE) on violence experienced by women and girls as a result of the March of Return, has revealed facts regarding the deterioration of women and girls’ mental health. Women experience feelings of fear, anxiety and stress, and many lived in a state of sadness while their mental and physical health remain neglected. These feelings are exacerbated especially among women who encountered direct violence, and subsequently expressed feelings of remorse and blamed themselves for the violence that their children have witnessed during the non-violent marches. According to the report, these feelings are reinforced by the psychological violence inflicted by husbands in the domestic sphere. Finally, it is worth noting that the impact of the Great Return Marches on women and girls in the Gaza Strip came as an extension of the repercussions of the blockade imposed by the Israeli occupation. Further impacts can be summarized in the following<sup>12</sup>:

- ❑ 82% of women whose family members were injured in the demonstrations are fully responsible for the injured individuals.
- ❑ When women, who are mothers, are injured during the marches, their daughters bear full responsibility for caring for them, which adds to their burden; in 67% of cases daughters had to bear the full responsibility for caring to their mothers.
- ❑ 11% of women, who had experienced some form of non-physical violence, became vulnerable to physical violence after the marches.

### **Economy and ownership of land**

**“Our land is within the confrontation areas; we used to work hard and share our products with others. Now we are under stress and we tend to feel uncertain about our own share”  
(Female, Beit Hanoun, North Gaza)**

Section four of the US Plan indicates that Israel will annex the majority of Israeli settlements, causing violence and destroying hopes for a two-state solution. A forthcoming study conducted by PWWSD and We Effect reveal that the Israeli occupation constitutes one of the main barriers to women’s access to and control of land and productive resources. Women are particularly impacted by Israeli settlements as they lose their lands to the benefit of settlements and therefore are denied a possible source for economic support and independence. According to the study which incorporated 5 governorates in the West Bank and 3 governorates in Gaza Strip, women reported that occupation policies were major barriers to accessing and using their land including

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<sup>10</sup> <https://www.unrwa.org/campaign/gaza-great-march-return>

<sup>11</sup> [https://www.unrwa.org/sites/default/files/content/resources/gaza\\_gmr\\_one\\_year\\_on\\_report\\_eng\\_final.pdf](https://www.unrwa.org/sites/default/files/content/resources/gaza_gmr_one_year_on_report_eng_final.pdf)

<sup>12</sup> Full report available here: <https://www.cospe.org/wp-content/uploads/2019/03/FactSheetGMR3fin.pdf>

the separation wall, checkpoints and land policies comprising confiscation, zoning and land registrations in Area C.

**“All of our land is behind the barrier; it was taken over by the occupation; we are only allowed to collect the olives during the season.” (Woman, Village, Azzoun, Qalqilya)**

The following study results indicate important obstacles imposed by the Israeli occupation as pointed out by women:

- 75.4% of women consider the Separation Wall as an important obstacle.
- 73.7% consider Israeli land policies including land grab, zoning and land registration in Area C as an important obstacle.
- 72.1% of women respondents consider occupation-imposed checkpoints and roadblocks as an obstacle

The aforementioned policies that prevent women -and men- from accessing natural resources result in economic control and further discrimination against women. Additionally, the policies of economic control practiced by the Israeli occupation increase the unemployment rates among graduates and multiply the repercussions of the occupation on the lives of Palestinians, especially women. In this context, statistics indicate high unemployment rates among women compared to men, and low participation of women in the Palestinian workforce<sup>13</sup> deepening the poverty of women mainly those who are the family bread winners.

### **What are our demands?**

In light of the ongoing breaches of human rights explained in this paper and the specific impact and consequences they have on Palestinian women and Palestinian people, The Palestinian Working Woman Society for Development (PWWSD) demands that:

- The United Nations (UN) continue rejecting the US Plan and any other plans that violates the rights of Palestinians as enshrined in international conventions and treaties.
- The UN to impose accountability measures that hold Israel accountable for its war crimes and systematic violence against Palestinians.
- Immediate protection for Palestinians in the occupied Territory is provided.
- Palestinian prisoners are released in light of the spread of COVID-19 and the continued medical neglect inside Israeli prisons.

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<sup>13</sup> [http://www.wafainfo.ps/ar\\_page.aspx?id=3195](http://www.wafainfo.ps/ar_page.aspx?id=3195)