



Background:

According to HNO 2021, humanitarian needs in the occupied Palestinian territory (oPt) continue to be driven by a protracted protection crisis that leaves many Palestinians struggling to live a life with dignity. This crisis is characterized by more than 53 years of Israeli military occupation, lack of respect for international humanitarian and human rights law, internal Palestinian political divisions, and recurrent escalations of hostilities between Israel and Palestinian armed groups. Women and girls in the oPt continue to experience various forms of violence (e.g. domestic violence, sexual harassment, early marriage, femicide) in private and public spheres due to entrenched discrimination and prolonged Israeli occupation. Outdated and discriminatory local laws limit survivors' access to gender-responsive services and justice 2022 analysis, the impact of the conflict in Gaza has worsened the existing mental health crisis. Prior to the escalation, but subsequent to the COVID-19 pandemic, amid increased pressure on access to basic services, households' violence and negative coping mechanisms, there was a reported quadrupling of suicide rates especially amongst adolescent girls, and according to some surveys 82% of adolescents in Gaza reported overall poor-very poor mental well-being. The fear for life, loss of loved ones, physical injuries and wide-scale damage and destruction during the escalation have only exacerbated the risk of psychological distress and mental disorders, with rapid needs assessments conducted following the escalation highlighting distress symptoms among children. The capacity to respond these needs was already adversely affected by major shortages in specialized personnel and drugs, and the May 2021 conflict directly affected many frontline workers, leaving some unable to resume work or at risk of overload. In Gaza, 63% of persons with disability lack of accessibility to mental health and psychosocial support services. Inter-sectoral MHPSS services for children, families and service providers in Gaza, are needed to respond to distress and prevent development or relapse of mental health disorders. Pursuant to the Rapid Needs Assessment conducted in May 2021 by the GBV SC, women and girls were subjected to different forms of violence, such as verbal, physical, economic, psychosocial, and sexual violence during escalation. The escalation and its consequences caused anger, fear, anxiety, over crowdedness, lack of security and privacy, and the inability to provide basic needs, which founded a fertile ground for continued and increased violence against women and girls. The most prominent types of violence that the majority of girls have been subjected to is psychological violence as a result of marginalization and lack of attention, ignoring their special needs, disrespecting their privacy, and restricting their freedom of movement and expression, especially displaced women. A number of women with cancer and disabilities have been bullied. Moreover, it was found that all women and girls, especially widows, bereaved and wounded women, survivors of GBV, women with disabilities, internally displaced, cancer patients and women with chronic diseases, have an immediate and critical need for MHPSS, including: Psychosocial First Aid (PFA), individual and group psychological counselling, and family counselling services, and specialized and advanced



psychological therapy for cases that require it in order to improve the psychological situation and self-care of groups of women and girls and their families and mitigate the effects of escalation. The immediate and priority need to provide multipurpose cash assistance to give women the freedom and flexibility to spend it according to their needs and priorities. The results from 2020 UNWOMEN gender alert stated that 31 % of female-headed households are vulnerable to food security challenges. Female-headed households face increased vulnerability due to COVID-19.

Gender justice

All legal aspects with regards to personal status are treated in the Sharia and family courts. As the Palestinian Legislative Council is inactive and has not convened since 2006 the existing personal status laws in Palestine are based on the British Mandate Criminal Code Ordinance of 1936 and the Egyptian Family Rights Law of 1954. Some presidential decrees have included amendments to Gaza's laws, but Hamas, as the de-facto authority, has not applied them and has instead issued separate laws. Informal justice, for example family mediation through Mukhtars (traditional community leaders), still has a very influential role in intervening in cases of gender-based violence. However, most of Mukhtars support patriarchal rules based on traditional tribal customary law.

Despite the fact that Palestine's joining the CEDAW Agreement is one of the important achievements for women's rights, the struggle for its inclusion in local laws continues. There is no gender equality prevailing in the legal system, which has led to strengthening patriarchal laws and informal customs and legislations, as well as to growing influence of fundamentalist groups.

According to PCBS violence survey¹ issued in November 2019 and published by the Palestinian Central Bureau of Statistics, 37.5% of married women in Gaza experienced some form of sexual, physical and/or psychological violence. Only very few women and girls affected by violence find help because the necessary information and support services are lacking. There is no uniform and functioning legal system that holds the perpetrators accountable and protects victims of violence. Women are subject to multiple discrimination in this context. Outdated laws cement gender stereotypes, patriarchal traditional thinking and reinforce social inequalities. Local authorities do not have the necessary financial resources or competencies to respond effectively and efficiently to sexualized and gender-based violence (SGBV).

Role of local and national authorities and government services

Due to the internal schism and political division between the PA and the de-facto government Hamas, governmental services and resources allocated to it are extremely limited. There is a severe deficit in the operational budget allocated to the Gaza ministries. The government provides basic but very limited social services such as health, education and social affairs to the entire population. The health and educational systems are largely financed by external donors

¹PCBS Survey Nov 2019: <http://www.pcbs.gov.ps/Downloads/book2480.pdf>



and through UNWRA, who is providing humanitarian assistance to the refugee population in the Gaza Strip.

There is a national strategy to combat violence against women, issued in 2011 by the Ministry of Women's Affairs. All aspects related to gender-based violence are administered through the 1936 British Penal Code Law. The general Palestinian Basic Law of 2003 does not provide legal protection through the rule of law and hence women are seen as responsible for crimes perpetrated against them.²

The Ministry of Interior and Justice responds to GBV cases through police and courts. Since 2008, the PA has established Family Protection Units in the national police to protect women from violence. However, the police departments lack appropriate infrastructure and knowledge to respond to cases of gender-based violence. Furthermore, the police often refer to tribal system and customary law when dealing with GBV. Further governmental services include the forensic exams to GBV survivors offered by the Ministry of Health (MoH).

The Ministry of Social Development (MoSD) runs a shelter for survivors of GBV, the Beit Al Aman Shelter. However, the shelter provides very limited services. Due to the no-contact policy with the de-facto government, UN agencies and INGOs do not provide funding for the shelter. Beit Al Aman Shelter receives cases from governmental bodies such as the police, health clinics and different local NGOs. However, local sources report that the shelter hosting survivors of GBV is in poor conditions and is not offering proper legal or psycho-social support. During the state of emergency declared by the de-facto government due to the pandemic, all government institutions, including the Beit Al Aman shelter, have shut down their facilities.

Due to the lack of a responsive environment when dealing with cases of GBV, different NGOs play a major role in responding to GBV cases. This has been particularly the case following the pandemic, as governmental services have shut down during longer periods of time since March 2020. Complicated cases of SGBV are only dealt with at the Hayat Centre.

Partner organisation(s) (international and/or local)

The Center for Women's Legal Researches, Counselling and Protection (CWLRCP) is an independent non-profit organization established in Gaza in 2005 by a group of lawyers and legal activists. The Center works to formulate the legal and social vision for women as the main partner to men in building the Palestinian society on the basis of democracy, and to develop and empower the legal and social status of women to achieve their rights in all aspects of life. CWLRCP has been registered in May 2006 with the Ministry of National Economy Gaza and Ramallah.

CWLRCP has been working for the sake of vulnerable and marginalized women for 16 years, implementing a diversity of projects and achieving outstanding successes in terms of protecting women from all types of violence, providing them with legal and social support, and empowering

² Ministry of Women's Affairs 2011: National Strategy to Combat Violence Against Women 2011-2019.



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them economically with a view to integrating them in the society. CWLRCP is considered as one of the first local organizations that work on legal assistance and promotion of reaching justice and equality. The Center is committed, through its vision and message, to achieving human rights that include responsibility, commitment of rule of law, transparency, tolerance, justice, equality, participation and empowerment of marginalized categories.

CWLRCP has three main programs: (1) Legal Empowerment and Protection Program, (2) Research and Studies Program, and (3) Capacity Building Program. CWLRCP is running the Hayat Centre. Together with the state-run Beit Al Aman Shelter, it is the only safe house and protection centre for survivors of (S)GBV in the Gaza Strip. The multi-purpose shelter supports survivors of violence, women, girls and their families based on the human rights-based approach, transparency, non-dissemination, equality, neutrality and integrity. The center also ensures effective participation and empowerment of marginalized women through developmental projects and programs

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