

# **Women, Armed Conflict, and Occupation-**

## **An Israeli Perspective**

**Implementation of the Beijing Platform of Action (Section E)**

**A Shadow Report**

Appendix:

**THE INFLUENCE OF THE ARMED ISRAELI-PALESTINIAN CONFLICT  
ON WOMEN IN ISRAEL: ASSESMENT RESEARCH**



**Isha L'Isha-Haifa Feminist Center - March 2005**

Submitted to the 49th session of the UN Committee on the Status of Women, reviewing implementation of the Beijing +10 Platform for Action

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**Acknowledgments:**

We express our gratitude to all the persons and groups mentioned, and to others who assisted with data and information, making it possible to produce this report. These include women and men from Israeli and Palestinian NGO's, women's organizations, women's peace organizations in Israel, human rights organizations, government officials and army units. A special thanks to Talma Bar-Din, Yana Kanopova, Adv. Orna Kohn, Barbara Swirski and Gideon Spiro.

The publication of this report has been made possible thanks to the generous funding

from the **Heinrich Boell Stiftung, Israel.**



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### *About Isha L'Isha-Haifa Feminist Center*

“Isha L'Isha”, literally meaning Woman-to-Woman, is a Jewish-Palestinian feminist center in Israel, established in 1983. It is comprised of women working for understanding and for cooperation among feminist activists in Israel, and for broad social change in Israeli society. The major goals of Isha L'Isha are to advance women's status and raise public awareness to women's inferior condition in society, to promote equality for all women, to campaign against all forms of gender violence, and to create cooperation between women from differing groups and backgrounds.

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### *The Project for Implementation of UN Security Council Resolution #1325-Isha l'Isha*

Despite the ongoing conflict in this region, the Israeli public has yet to learn of the existence of United Nations Security Council Resolution #1325. This project and the corresponding activities implemented by Isha L'Isha are intended to help raise public awareness to the various aspects of the resolution, speaking and organizing forums with varied audiences, and using various strategies, including legal strategies for implementing 1325 in Israel. Some activities have involved giving workshops and study days with various bodies and groups, emphasizing legal issues. Those participating included: army personnel from the Unit for the Advisor on Women's Affairs and Gender to the Chief of Staff, activists from the B'Tselem NGO for protecting human rights of Palestinians in the Palestinian Occupied Territories (OT), college students and many others. In addition, we have undertaken cooperative efforts in promoting the passage of an amendment to a law in Parliament, to help ensure women's representation and a gender perspective, in any and all future attempts to resolve the conflict in the region.

## Forward

### *UN Security Council Resolution #1325 – Women, Peace and Security*

In October 2000, this resolution was passed unanimously by the UN Security Council. It calls for incorporating women into peace initiatives in order to resolve violent armed conflicts, and to help prevent conflicts, and to rebuild countries once conflicts have been resolved. In addition, the resolution calls for taking into account the unique life experiences and needs of women and girls under situations of armed conflict,<sup>1</sup> in order to better provide them with appropriate protection, according to International Human Rights Law (HRL) and to the International Humanitarian Law (IHL).<sup>2</sup> This resolution is unique and significant not only from an international perspective. At the same time, it has helped catalyze change in day to day life in many places globally, in women's movements and in human rights organizations, which have incorporated it in order to create solutions and advance its agenda on the grassroots level. Here, the connections are made between advocating for feminism, and working to campaign for women's rights as human rights,<sup>3</sup> and enforcement of the IHL.

### *Beijing Platform for Action (1995) and Section E: Women in Regions of Conflict*

In 1995, at the 4th International Women's Conference in Beijing, China, the "Beijing Statement" and "Beijing Platform for Action" were passed, and they set out specific actions that governments must undertake to advance equality. They also discuss actions required to reduce the suffering of women and girls living in war-torn areas, and these are set forth in Section E, which includes the six Strategic Objectives:<sup>4</sup>

- Strategic Objective E1: Increase the participation of women in conflict resolutions at decision-making levels and protect women living in situations of armed conflicts or under foreign occupation.

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<sup>1</sup> Armed Conflict is called herein 'violent conflict'. Armed Conflict is defined by IHL as a conflict between nations, or armed confrontation between an army and organized militia, or between militia within a nation. *Report on Terrorism and Human Rights*, 2002, p.52 Organization of American States, Inter-American Commission on Human Rights. International Criminal tribunal for Former Yugoslavia, Prosecutor v. Dusko Tadic, IT-94-1, Appeals Chamber, Decision on the Defense Motion for Interlocutory Appeal on Jurisdiction, Oct 2, 1995, Para 70, <http://www.un.org/icty/tadic/appeal/decision-e/510027234562.htm>

<sup>2</sup> This decision is based on the CEDAW convention (1997), the Beijing Platform For Action (1995), the ECOSOC resolutions (1997), Security Council President's Declaration (2000), Windhoek Declaration (2000), and the Action Platform of Namibia to implement gender mainstreaming in all matters of Peace Keeping (2000), and a direct result of CSW, Beijing +5 (2000).

<sup>3</sup> In 1993, at the Vienna World Conference on Human Rights, a special focus was placed on gender inequality, and a declaration was made that women's rights are human rights.

<sup>4</sup> <http://www.un.org/womenwatch/daw/beijing/platform/armed.htm>

- Strategic Objective E2: Reduce excessive military expenditures and control over the availability of armaments
- Strategic Objective E3: Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations
- Strategic Objective E4: Promote women's contribution to fostering a culture of peace.
- Strategic Objective E5: Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.
- Strategic Objective E6: Provide assistance to the women in the colonies and non-self-governing territories

### *The Goals of the Report*

Over the past 10 years, in formal reports submitted by the State of Israel to the United Nations, references to Section E were extremely brief in nature. They included, for the most part, reporting on the status of women who serve in the Israeli army, and a very brief reference to the lack of involvement of women in conflict resolution processes. This report by Isha L'Isha-Haifa Feminist Center is a first and unique attempt by a non-governmental organization in Israel to add more details and information. It attempts to detail, in some length, the various and multiple aspects that affect women's lives in Israeli and in the OT, which have not received expression in any other formal report.

The report examines Israeli policy regarding the six point Strategic Objectives as set out in the Beijing Platform for Action, and as such, touches upon women and the violent conflict and the occupation. Both the Beijing Platform for Action and the UN Security Council Resolution #1325 serve as a framework, an opportunity and a stepping stone, for writing this report. Our aims, first and foremost, are to raise awareness in Israel, in order to advance Israeli policy and to achieve gender equality and the protection of human rights and the rights of women in Israel,<sup>5</sup> and in the Israeli OT. In addition, we seek to catalyze both the drafting and enforcement of new and of existing laws.

This report deals with subjects that are complex and highly charged. This is because these subjects are for the most part kept outside the realm of the public discourse and public consensus. These same topics are also outside the realm of the media in Israel. There are no discussions about the nature of the Israeli-Palestinian conflict and the occupation, the roles women may have in efforts to resolve the conflict, and the unique experiences and needs of

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<sup>5</sup> The effect of the violent conflict on women in Israel is in the appendix: The Influence of the armen Israeli-Palestinian conflict on women in Israel.

women and girls, both Israeli and Palestinian, living under conditions of violent conflict and under occupation. This lack of awareness also exists among leading human rights organizations in Israel<sup>6</sup>, those dedicated to campaigning for human rights in Israel, and for the rights of Palestinian women and men in the territories. These organizations also state that they do not use a gender perspective in their reports, or in legal aid they provide in matters relating to human rights in the OT.

This report does not attempt to be completely first-hand. It is meant to reflect upon both social phenomena and upon Israeli policy, which are gender blind, even when we know that certain policies or social phenomena can be disputed, factually or otherwise. At the same time, as representatives of Israeli civil society, we understand that with violence there can not be a resolution to the Israeli-Palestinian conflict. Only a permanent solution, based on principles of justice and peace, can bring reconciliation to the nations and provide real protection to all citizens living in the region. Most NGOs that provided input and information to this report also presented similar beliefs, whether in their public statements, or in ongoing grassroots activities to advance coexistence dialogues in Israel, or dialogues with Palestinian women in the OT. The call for an end to the Israeli occupation of the territories is aimed at bringing an end to human rights violations against Palestinian people; at the same time, it will bring security to Israeli citizens. And together, this will help to rehabilitate Israeli society and Palestinian society, and bring an end to the lengthy occupation.

This report is the first one to describe the current situation, both with data and with references to the law. At the conclusion are recommendations for action.

### *Methodology*

The statistics and information in this report were compiled from interviews and from responses to a questionnaire sent by Isha L'Isha-Haifa Feminist Center to NGOs and to official government agencies, to the Women's Legal Center in Jerusalem<sup>7</sup>, and to all women Parliament Members in Israel.<sup>8</sup> Data and personal comments were received from women's organizations<sup>9</sup>, including a women's organization for Israeli settlers in the OT<sup>10</sup>, from women's peace groups<sup>11</sup>,

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<sup>6</sup> Benziman, Rachel, Association for Civil Rights in Israel (ACRI), phone interview; Kershtein, Dalia, Hamoked; and Amzalak, Nimrod, B'Tselem. (Dec. 2004)

<sup>7</sup> Abu Dayyeh-Shamas, Maha, response that Palestinian organizations are preparing a similar report. All data and incidents relating to Palestinian women in the territories based on opinions and reports from international sources and human rights organizations in Israel.

<sup>8</sup> Responses received from Parliament Members Eti Livni, Chair, Committee on the Status of Women, and Maly Polishuk-Bloch, Chair, Committee for Culture, Education, Sport.

<sup>9</sup> Kayan-feminist organization, Kol HaIsha-Jerusalem, Achoti-organization for Feminist Mizrahi women, The Noah-Nuah Jewish-Arab Center, The School for Women and Gender in Givat Haviva, Kolach-Religious Women's Forum, The Israel Women's Network.

<sup>10</sup> Women in Green

human rights organizations in Israel<sup>12</sup>, and from the ADVA Center for Research and Social Justice in Israeli society. Data and responses were also received from the Ministry of Justice's department for international organizations, the Foreign Ministry (the Golda Meir Carmel Institute), the Israel Defense Force's Spokesperson Unit (the international organizations desk), and the unit for International Law in the Israeli army.<sup>13</sup> In addition the report relies on information taken from publications, newspapers, media interviews, research and reports from Israel and from around the globe.

## Introduction

As of the writing of this report, a new government has been elected to the Palestinian Authority in democratic elections. After a long respite, once again diplomatic contacts between the sides are renewed, and a peace summit is held in Sharm El-Shek. The Israel government votes to withdraw and evacuate all its settlements in the Gaza Strip, scheduled for summer 2005. This decision has caused a tense internal debate in the Israeli public.<sup>14</sup>

The Israeli-Palestinian armed conflict is deeply ingrained in the experiences and the identities of both peoples. While Israelis celebrate Independence Day, marking the establishment of the state in 1948, Palestinians mark that same day as the Naqba, the Catastrophe. Palestinians include those who live in Israel within the green line, those hundreds of thousands who became refugees in 1948, and those in Gaza and the West Bank, of whom tens of thousands became refugees after the 1967 Six-Day War. (In 1967, Israel occupied Gaza and the West Bank, formerly Egyptian and Jordanian territory.) Today, it is estimated that between 2.5 and 3.5 million Palestinians live in the OT.<sup>15</sup> During the years of the occupation, Israel set up settlements in these territories.

In Israel today, Palestinian men and women comprise 18% of the general population.<sup>16</sup> They are subject to forms of discrimination by the state due to their nationality, and to racist attitudes by the public, which generally become more acute when there is an escalation of the violent conflict. This discrimination against Palestinians is reflected in many areas, and includes policies regarding land allocation, housing, governmental allowances and benefits, and

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<sup>11</sup> The Women's Coalition for Peace, Women in Black, Tandy, Machsom Watch, New Profile, Bat Shalom, WILFP-Israel, The Fifth Mother.

<sup>12</sup> Association for Civil Rights in Israel, (ACRI), Hamoked, The Public Committee against Torture in Israel, Physicians for Human Rights, B'Tselem, Women for Women Political Prisoners.

<sup>13</sup> The Israeli General Security Services (GSS) were not interviewed for this report..

<sup>14</sup> Tal, Avraham "Hold on to Gush Katif?" Haaretz, Feb 2005. Settlers claim their resistance will be fierce, and could easily turn into a violent one.

<sup>15</sup> Figures provided by Natour, Salman, Emil Touma Institute for Israeli Palestinian research, Haifa.

<sup>16</sup> Figures provided by Natour, Salman



employment. Recently, it has also been reflected in their inability to marry someone who lives in the OT, and to remain in Israel; they are denied the right to family unification in Israel with Palestinians from the territories. Palestinian women citizens of Israel suffer from multiple forms of discrimination, as they are a minority within a national minority, and their needs are even more marginalized during periods of violent conflict, while they attempt to maintain both national and familial solidarity.<sup>17</sup>

After 1967, Palestinian resistance led to a broad Palestinian uprising in the OT, known as the first *Intifada* in 1987, and this continued up through the signing of the Oslo Accords in 1993. At that time, the Palestinian Authority received authority over parts of the territories. Then in October 2000, the Israeli-Palestinian conflict again escalated with the outbreak of the *Al-Aksa Intifada*, also known as the second *Intifada*.<sup>18</sup> During this *Intifada*, the Israeli army undertook extensive military operations inside the territories that included reoccupying areas previously handed over to the independent Palestinian Authority during Oslo. Organized groups of armed Palestinians undertook violent attacks against Israeli citizens, living in the OT and within Israel's green line. These acts included suicide bombings, shoot outs, stabbings and Kassam missile attacks. From the current period of escalated violence between the two sides, Israeli casualties and injuries were in the hundreds, and Palestinian casualties and injuries in the thousands.<sup>19</sup>

Women and girls are especially vulnerable from a gender perspective, when one examines their status and the traditional role they take on in both societies, where they suffer from violence and discrimination, and from the roles they must take on during situations of violent conflict and occupation. In both societies, the woman's role as wife and mother is dominant, and in both, women take on responsibilities for caring for children, the ill, the elderly and injured along with caring for those who suffer from combat fatigue.<sup>20</sup> At the same time, both Israeli and Palestinian women may take on other roles as a direct result of the conflict: as combatants<sup>21</sup>, as

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<sup>17</sup> Shalabi, Manal, from the Haifa Battered Women's Hotline, at a conference held on Nov. 29, 2004, at Haifa University, organized by Isha L'Isha and the Haifa Battered Women's Hotline. Hereafter, *The Haifa Conference*

<sup>18</sup> Notwithstanding the breakdown in negotiations at Camp David, in the summer of 2000, Ariel Sharon's presence on the Temple Mount on Oct 29, 2000, and the subsequent killing of 5 Moslems attending prayers, catalyzed the outbreak of the Second Intifada. Natour, Salman, op.cit.

<sup>19</sup> According to B'Tselem, Feb 2005. See <http://www.btselem.org/Hebrew/Statistics/Casualties.asp>

<sup>20</sup> Kuttab, E. and Bargouti, R., The Impact of the Conflict on Palestinian Women, to UNIFEM/ UNDP-PAPP (Apr. 2002). Hereafter, Kuttab & Bargouti, *Impact of Conflict on Palestinian Women* Also, see paper by Sofer, Hofit and Abouksis, Idit, "Enlisted without a Call up-The Lives of the Wives of Combat Fatigue Victims", Tel Hai College, Dr. Shaul Kimchi Professor.

<sup>21</sup> Wertzberger, Rachel and Russo, Dotan, Selected Data on Women 2002, July 2002. Of all Israel Defense Force (IDF) women soldiers, 0.9% serve in combat units. Presented to the Parliament Committee on Women's Status, Also <http://www.knesset.gov.il/mmm/doc.asp?doc=m00355&type=pdf>

victims of gender-based violence and as peace activists. All these roles can serve to maintain or to challenge the women's oppression in society. A gender perspective of the conflict is intended to assist us in examining what factors serve to empower women and what factors continue to oppress them. In addition, this helps uncover the ties between women's oppression in the family and society, and the bind that men and boys hold in this circle of deadly violence.<sup>22</sup>

## The Beijing Platform of Action

### 1. a. To Increase the participation of women in conflict resolutions at decision-making levels

Women may be incorporated in the conflict resolution process in several manners, either in formal and informal negotiations, or in their involvement as third parties.<sup>23</sup> Israeli women are almost completely removed from participation in formal discussions to resolve the Israeli-Palestinian conflict. Such was the case with the Oslo accords, the Road Map<sup>24</sup>, The Eylon-Nusseiba initiative, and the Geneva Initiative.<sup>25</sup> The Oslo negotiations and their partial implementation continued for a decade (1991-2000), and it was the longest attempt at attaining permanent status and peace between Israel and the Palestinian Authority. The character of the negotiations to sign and implement the Oslo accords changed over time, from confidential, to informal, then to formal, and finally to legal and binding. Those involved in various capacities on all sides (Israelis, Palestinians, and internationals) in the development of the negotiations were mostly military personnel, government officials and diplomats. Professionals from other fields were delegated to various sub-committees that dealt with arms control, economic development, water, environment, refugees, and others, and on these committees, women were scarcely represented.

To address this situation, an amendment to the existing Law for Women's Equality (women's representation in government processes),<sup>26</sup> was initiated by two women Parliament Members, Yulie Tamir and Eti Livni<sup>27</sup>, in July 2004. This proposed amendment, signed by 14 women Parliament Members, states that in all government negotiating teams, at least 25% of all

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<sup>22</sup> Aharoni, Sarai, in a lecture to Amnesty International, Apr.2003; Sa'ar, Amalia, "1325 –Is it relevant to the Israeli-Palestinian situation?" in Aharoni & Deeb, eds. *Where are all the Women? UN Security Council Resolution 1325*, Isha L'Isha-Haifa Feminist Center and Kayan-feminist organization, 2004. Hereafter cited as Aharoni & Deeb, *Where are all the Women?*

<sup>23</sup> The Jerusalem Link developed a model for international women's involvement. Hazan, Nomi, "Strategies for Involving Women in Conflict Resolution", in Aharoni & Deeb, *Where are all the Women?*

<sup>24</sup> The plan is an American initiative from Apr. 30, 2003, adopted by Israel, whereby the ending terrorism is the precondition for initiating talks.

<sup>25</sup> MP Eti Livni took part in the Geneva Initiative negotiations, from questionnaire, Dec. 2004.

<sup>26</sup> See *Book of Laws*, 1951, p. 248

<sup>27</sup> Acting in the spirit of the UN Resolution 1325.

members must be women. And although the law has yet to go for a preliminary reading,<sup>28</sup> its drafters state that it is not likely to pass due to its demand for a specific quota.<sup>29</sup> In addition to its low prospects of passing, the law evoked ridicule on the part of some male members of Parliament, which clearly reflects their lack of understanding on the matter.<sup>30</sup>

The law, as drafted, deals with the issue of women's equal representation in state processes,<sup>31</sup> and much like the UN Security Council Resolution #1325, it too fails to secure equal representation for women from different backgrounds. This could lead to a situation whereby all women participants in negotiations are members of the dominant national and socio-economic group, while women from less empowered and dis-empowered groups in society, such as Palestinian-Israeli and Mizrahi-Jewish women (Jews from Arab countries), would have no opportunity of representation.<sup>32</sup> The law also makes no attempt to appoint women with feminist perspectives to decision-making processes, where they would bring a gender mainstreaming perspective, and make the case for women and girls' specific needs.<sup>33</sup>

The absence of Israeli women in peace negotiations goes hand-in-hand with women's shallow representation in powerful and influential forums and in political decision-making in Israel. For example, 18 women currently serve in the Israeli Parliament, and this is an all time record for women, since the establishment of the state in 1948. Women's representation stands at 15%, out of the total of 120 Members of Parliament.<sup>34</sup> This low representation yet again serves to affect the low number of women in the cabinet, as of today there are three women ministers, but none of them has a position involving matters of foreign affairs or security.<sup>35</sup>

When women in Parliament choose to express their views on security matters, they may find themselves ignored or even ridiculed by male Members of Parliament due to sexist and stereotypic attitudes, and they may find themselves accused of being overly sensitive, and as over reacting. Oftentimes, women Members of Parliament may play out their role as mothers,

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<sup>28</sup> A preliminary reading and vote must first take place before a proposed law may be moved to a committee, for final drafting, and for voting upon.

<sup>29</sup> Sinai, Ruti, "Women in Security Matters? A Humorous Thought" Haaretz, Aug 4, 2004

<sup>30</sup> Sinai, Ruti, *ibid* MPs Livni and Tamir are working for the law to be reviewed in a joint session of the Committee for the Advancement of Women and the Foreign Affairs Committee.

<sup>31</sup> Beijing Platform recommendations stand higher than this, at 30% representation for women.

<sup>32</sup> Amar, Netta, "1325-Declaration or Reality?" in Aharoni & Deeb, *Where are all the Women?* p.37-44

<sup>33</sup> Hazan, Nomi, in Aharoni & Deeb, *Where are all the Women?*, p.49

<sup>34</sup> Kraus, A., *Women in Israel-Statistics and Data-2004*, Israel Women's Network, p.144

Israel's percentage of women stands slightly higher than the global average, but far from those in the Scandinavian countries, averaging 39.7%. For more on Women in municipalities, *ibid*. p.149

<sup>35</sup> Ministers of Justice, Education and Communications: Tzipi Livni, Limor Livnat, and Dalia Itzik

or else they may feel forced to take on a masculine discourse, as different ways of having their voices heard.<sup>36</sup>

Some women Members of Parliament express dissatisfaction with the low representation of women and their limited affect on decision-making forums. References to the "glass ceiling" in politics are especially common when discussing security matters. For example, Zipi Livni, the current Minister of Justice, stated in a TV interview, "As the decision-making forums become more intimate, you find fewer women, if any at all. There is a view that considers state processes on national matters as something reserved only for men who have been in the military, have fought, and been promoted within the army."<sup>37</sup> At the same time Livni, and others like her, do not believe that if the State decides to go to war, or undertake other programs, that they (women Members of Parliament) should represent women's interests as essential to representing all the citizens of the state.<sup>38</sup>

Data show that women who reach positions of power in politics tend to deal most exclusively with socio-economic issues.<sup>39</sup> This can also be seen in examining the protocols of meetings held by the Committee for the Advancement of Women in the Parliament over the past four years. And despite the recent violent conflict, there were practically no discussions on the gender nature of the conflict or integrating women in peace initiatives and in security matters.<sup>40</sup> However, the committee did hold frequent discussions on women combatants and police officers, on integrating more women into military professions, on sexual harassment in the army, and on women in the army reserves.<sup>41</sup>

Another venue for seeing how women in Israeli politics are viewed, is to look at how they appear in the media. Research on women, politics and the media show that television broadcasts prefer men over women. The overwhelming majority of those interviewed in current affairs and interview-type programs were men; while the vast majority of the women

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<sup>36</sup> Aviram, Inbar and Abramovitch, Tamar, "Men at the Barrel, Women in the Turrets-Examining the Gender Discourse in Parliament" Hebrew University, Political Science class, Prof. Naomi Hazan, 2004

<sup>37</sup> Interview with Tzipi Livni, currently Minister of Justice, on the program 'Mabat Nashi' Billie Mouscuna- Lehrman, The Israeli Educational Channel, March 2003.

<sup>38</sup> Interview with Tzipi Livni by Billie Mouscuna-Lehrman

<sup>39</sup> A continuing deterioration in the economy, with rising unemployment, increased numbers of women and children living in poverty, as a direct result of neo-liberal policies of the government and of the Minister of the Treasury, Binyamin Netanyahu. Welfare budget allocations are also severely cutback.

<sup>40</sup> On Nov. 9, 2004, the first ever discussion of this topic in Parliament took place, as a result of a visit by Mary Fitzduff, a highly regarded expert on the involvement of women in conflict resolution. Again, a discussion was held on Nov 23, 2004, International Day Against Violence to Women, when NGOs campaigning against gender violence gave annual reports, citing the rise in the numbers of women seeking support during the conflict. Women MPs have not responded to this data by the NGOs.

<sup>41</sup> Meetings on July 29, 2000, Oct. 27, 2003; in 2004 on June 8, July 21, Nov 24; and Jan. 25, 2005.

interviewed were victims of gender-based violence. In addition, women dominate the media when it comes to any discussion of personal and home lifestyles, of poverty and economic distress, of the environment, or personal life stories. These topics are in the periphery of the broader public sphere, and some of them are considered as belonging to the personal sphere. Israeli women politicians are represented in a stereotypical way; they are generally invited to programs to discuss social or welfare issues, and are questioned about their personal and family lives as well.<sup>42</sup>

Looking at the actual topics broadcast in private TV channels in Israel, we see that men dominate all discussions of the Israeli-Palestinian conflict and security issues. To be more exact, the dominant male media presence represents the voice of the Ashkenazi (Eastern European) Jewish male, who is also secular.<sup>43</sup> It is generally agreed that the reason women are not being represented in powerful and influential forums in Israeli politics is due to the attributes of Israel's hegemonic culture:

- The centrality of a constant security threat and its claim that military and security matters must always be first and foremost for the country.
- The role of the army and security forces, promoting men into and within the political system, specifically in the security forces, foreign affairs and cabinet.
- The central nature of traditional gender roles preserved for women in Israeli society, specifically motherhood.
- The division between two separate spheres in life: the intimate/private sphere, and the public sphere, which correlate to a gender dichotomy-the home as female and the public arena as male.<sup>44</sup>

Decision-making for managing the conflict also occurs at the military levels,<sup>45</sup> where women again have the opportunity to move ahead and influence foreign policy and security matters. In middle-management positions, where there has been some increase in the percentages of women in the past decade, this is especially true.<sup>46</sup> Today, a number of women hold high level positions, and this includes the chief army spokesperson, and the chief army censor.<sup>47</sup> Women in high level positions stress the fact they are helping to contribute to a change in attitudes and

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<sup>42</sup> Avraham, Eli, and First, Anat and Alfanat-Lepler, Noah, *Present and Absent in Prime Time, Cultural Diversity in Television Broadcasts*, research report by the 2nd TV Station, 2004.

<sup>43</sup> Ibid.

<sup>44</sup> Herzog, Hanna, *Gendering Politics-Women in Israel*, Ann Arbor, U. of Michigan Press, 1999

<sup>45</sup> Jewish women must serve two years of compulsory army service. If they are selected as officers, they serve additional time in the regular army corps.

<sup>46</sup> Kraus, A, op cit. p. 210

<sup>47</sup> Sinai, Ruti, "Equality Achieved in the IDF, as far as Budget Cuts Go" *Haaretz*, Dec 3, 2004

are stimulating new ways of thinking among those who make policy in the army.<sup>48</sup> At the same time, research on women combatants and their experiences in the army show that they feel they must internalize male attitudes, speech and thinking, in order to succeed in their posts, which shows the necessity for adaptation and psychological adaptation they must undertake in a highly male environment.<sup>49</sup> And in addition, the very small unit responsible for responding to women's needs in the Israeli army is under a constant battle to survive, as it is considered marginal in terms of the entire armed corps.<sup>50</sup> Known as "Yohalan" or Advisor to the Chief of Staff on Women's Affairs, this unit is responsible for women's advancement and equality in the army, using a gender mainstreaming approach.

And thus, the state of Israel has not established formal structures to guarantee representation of women in conflict resolution or in decision-making processes related to the management of the conflict. Furthermore, there has yet to be a formal public or parliamentary debate on the subject, and the lack of mechanisms guaranteeing women's representation has never been examined by any professional, advisory body.

### **1. b. To protect women living in situations of armed conflicts or under foreign occupation.**

Israel does not provide protection to women and girls living in the OT, and their rights are infringed on a daily basis. The government of Israel has also not taken into account those special needs of women living in Israel, under a situation of extended conflict. One example is in the southernmost development town of Sderot, where Kassam missiles from Gaza have continuously bombarded the population. Despite the existing law<sup>51</sup> that requires the local mayor to appoint an Advisor on Women's Affairs in every town and city in Israel, this town has no such appointee.<sup>52</sup> The town lacks an adequate psychological counseling service to which women can turn for support. The government has yet to respond to questions regarding the rights of women living under conflict. This reflects a lack of understanding and a refusal to recognize issues related to gender. As far as we know, the courts in Israel do not undergo gender sensitivity training related to the conflict, or to help understand issues of women's honor,

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<sup>48</sup> In a meeting with army personnel Feb. 8, 2005

<sup>49</sup> Sasson-Levi, Orna, "Digging down into oppressions-Women in the army in male roles, and gender identity" in Atzmon, Yael, ed. *Can You Hear My Voice?-Representing Women in Israeli Culture*, Van-Leer Institute Jerusalem, 2001, p 277-302

<sup>50</sup> Sinai, Ruti, "Equality Achieved in the IDF, as far as Budget Cuts Go" *Haaretz*, Dec 3, 2004

<sup>51</sup> The Local Authorities Law (Advisors for Women's Status) (2000)

<sup>52</sup> Phone conversation with the mayor's office in the town of Sderot, Feb.2005, and information confirmed by Yehudit Plotkin, Chair, The Authority for Women's Advancement, Prime Minister's Office

sexual harassment and assault, and domestic violence, as products of the conflict. This includes the military courts in the OT, as well as the civil and military prosecution.

In addition, we have no information regarding any use of gender-mainstreaming in the internal military investigations in the army, undertaken by officers, for evaluation and future recommendations.<sup>53</sup> These investigations are top secret, with full confidentiality required, in the words of the army, in order to provide combatants with a sense of being able to truthfully reveal all that happened during combat to its investigators.<sup>54</sup> These investigative reports may be opened at the request of human rights organizations.<sup>55</sup> At the same time, most victims are Palestinians and their families, and they have no access to legal aid or ongoing support from human rights organizations that can undertake a case and inquiry for them. And therefore the chances are high that most incidents are closed at the level of the local unit and never become criminal investigations. This may be the case even when dealing with a potential violation of the IHL.<sup>56</sup> Over the past four years, when thousands of Palestinian civilians were killed as a result of actions taken by Israeli armed forces in the OT, there were 63 investigations of civilian deaths by the Investigative Military Police, (IMP), and 28 investigations of injuries inflicted to Palestinian civilians.<sup>57</sup> Since the Israeli army cannot provide a gender breakdown for these cases, we can not know how many of the casualties were women and girls.

The Israeli army claims that it attempts to be gender sensitive to the unique needs of women and girls. An example is a computer learning module called “Rules of Conduct During Armed Conflict”<sup>58</sup> intended for use by all combatants and by those in operations duty. It contains many subjects<sup>59</sup> and is meant to provide combatants with a basic understanding of the rules of war and of the IHL. Women and girls are dealt with in the chapter, “the Treatment of Special Population Groups.” At the same time, it is not at all clear to what extent this program relates to the unique needs of Palestinian women and girls living under occupation and the violent conflict.

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<sup>53</sup> Section 359A, added to the law in 1997.

<sup>54</sup> Meeting with army personnel, Feb 8, 2005

<sup>55</sup> Response from the Unit for the IDF Spokesperson-Unit for International Organizations, Feb, 6, 2005

<sup>56</sup> An order by Army Chief of Staff, (33.0130) dated Apr. 20, 1982, including the Geneva Conventions, and the *Fourth Geneva Convention (1949)*, Relative to the Protecting Civilian Persons in Times of War

<sup>57</sup> Answer from the Unit for the IDF Spokesperson, Unit for International Organizations, Feb 6, 2005

<sup>58</sup> Both the Ground Forces and the Army Prosecution are in charge of this computer program.

<sup>59</sup> Among the subjects covered are: operations, necessary force, arms, honor, humane treatment, culture, religious concerns, looting, prisoners, surrender, arrests, detainment, ill and injured, diplomatic persons, persons with international organizations, special populations, reporting. It stresses that decision-making in the field should consider basic values, operational concerns, international law.

In a booklet distributed to soldiers serving in the OT, there are two citations that reference conduct towards women:

2.a (3) Abuse and humiliation is completely forbidden, and special attention must be taken not to hurt or injure women, elderly, the ill or children. 2.d (4) Body searches of women, as a rule, should be performed only by women soldiers or women police, except for when a woman is suspected of participating in enemy terrorist activity. However, when necessary, a soldier may ask that a woman remove the scarf covering her head and face, for purposes of identification.

In addition, within the unit called the Unit for the Passage Points, which is responsible for staffing the checkpoints, women make up half of the force.

In summation, the state of Israel, in occupation of the Palestinian territories, does not act to protect the unique rights of women, does not provide its soldiers with adequate training for gender sensitivity, and does not act to investigate events specifically related to women's rights. On the other hand, there are attempts by the army to create standard codes of conduct so as to reduce the likelihood of abuses of this type, however it is unclear to what extent these codes are enforced.

## **2. Reduce excessive military expenditures and control over the availability of armaments**

Israel is among the most heavily armed nations in the world, ranging from its military- security industry, all the way down to the number of small arms per person. And we stress the fact that the word itself—Security—the word used to substantiate Israel being heavily armed, is not a word whose meaning is under discussion or scrutiny. Rather, those who determine its meaning within the ongoing male public discourse, are Jewish men, who have or are serving in the Israeli army.

And so, among 16 members of the committee for Foreign Affairs and Security in Parliament, a committee responsible for foreign policy, armed forces and security, there is only one woman.<sup>60</sup> And among the five substitute members, two are women. The committee for Foreign Affairs and Security has a much smaller sub-committee, supposedly dealing with Israel's intelligence service, which has no women members. All the people who provided data about the sub-committee (a committee not referenced or mentioned in any media sources) firmly requested anonymity.<sup>61</sup> Also, in 1999 the government voted to establish the National Security

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<sup>60</sup> MP Naomi Blumenthal, member and MPs Gila Gamliel and Eti Livni, substitute members. The committee's secretary and its legal counsel are also women.

<sup>61</sup> Members of Parliament, and a women in the Foreign Services Committee in an administrative post.



Council, in order to serve in an advisory capacity to the Prime Minister and to the Cabinet on issues of national security, and here too, women are almost totally absent.<sup>62</sup>

All subjects discussed, and all decisions made regarding security and arms in Israel, are clouded in the greatest of secrecy, and are not known even to Members of Parliament. Israel's security expenditures are extremely high, but since security budget lines are kept secret, there is no possibility of holding a public debate on specific line items and examining to what extent they may or may not be necessary.<sup>63</sup> This total secrecy, even before the Parliament Members who approve the budget, is protected in a constitutional law.<sup>64</sup> In 2003, the then chair of the Foreign Affairs and Security Committee and the Parliament Chairperson, proposed a law whereby a public committee would present recommendations to Parliament for overseeing the Security budget. But nothing has been done on this subject.<sup>65</sup> Even discussions of this subject in both the public and in universities have not led to the creation of mechanisms to increase the degree of oversight over secretive bodies which report directly to the Prime Minister's Office.<sup>66</sup>

The annual security budget is very high, and in great part, this is due to the foreign aid the United States provides each year and that comprises close to 25% of the overall security budget. In 2004, some 75% of this foreign aid was allocated specifically for the purchase of military equipment in the United States in US dollars. This allows Israel to continue to operate a very large army, heavily equipped with sophisticated weapons, and without having to cut back on the standard of living of the Israeli citizens.<sup>67</sup> However, this arrangement also puts demands upon Israel to continue to arm itself rather than begin to limit its weapons.

The subject of arms also touches upon Israel's last taboo—the topic of atomic power.<sup>68</sup> The 'vague policy' of Israel on this topic includes its lack of discussion in the larger global arena, alongside its invisibility within Israel, as shown in the systematic prevention of any public discourse on this matter.<sup>69</sup> Even government reports and those Parliament Members who are fervently working to increase the Parliament's oversight of the Security Forces, the Intelligence

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<sup>62</sup> Of six Division Heads in the National Security Council (NSC)

<sup>63</sup> Swirski, Shlomo, *The State Budget-What is Done with our Money?*, ADVA Center, 2004, p. 88 The Security Budget in 2004 was 46 billion IS-18% of the overall budget, 27% of the operational budget. Hereafter cited as Swirski, *The State Budget*

<sup>64</sup> Consitutional Law, the State Economy (1975) The budget is reviewed in joint meeting with the Budget and the Foreign Affairs and Security committees. Swirski, *The State Budget*, p.90

<sup>65</sup> Swirski, *The State Budget*, p.97

<sup>66</sup> Cohen, Avner, "The Democratic Black Hole", Haaretz, Jan 10, 2005

<sup>67</sup> Swirski, *The State Budget*, p.95

<sup>68</sup> Cohen, Avner, "The Democratic Black Hole", Haaretz, Jan 10, 2005

<sup>69</sup> ibid

and Secret Services ignore and bypass questioning whether Israel possesses atomic,<sup>70</sup> biological or chemical weapons.

The attitudes and concerns of Jewish citizens of Israel are generally focused on the “external threat to existence”. They simply do not direct their attention to the steadily growing threat from the proliferation of arms and handguns.

In Israel today, everyone is subject to routine security checks when entering nearly all public and commercial places. Between 2000-2004, the private security boom drove a small arms proliferation within Israel. Between 2001-2002, applications for gun licenses doubled, and of the overall 340,000 legally registered civilian guns, some 34,000 of these are reportedly held by private, (non-military, non-police) security companies. By the end of 2003, the overall number of armed security guards outside Israeli schools was 3,500-3,800.

Private policing and security forces has obviously been a response to the rise in suicide bombing attacks by Palestinians, who chose Israeli public spaces as their target between 2000-2004. However, there is a distinct lack of a relevant and critical public debate to examine and question, “What is the nature of living in a state of war?” The question that needs to be posed is whether this situation is imposed on Israel, or chosen by it. In order for the future governments in Israel to be able to secure public consent for their ongoing choice of a state of violence and war, this discussion must take place.<sup>71</sup>

Some 75% of all security guards in public places are members of the poorest and weakest citizens in Israeli society; they are for the most part immigrants from the former Soviet Union and from Ethiopia. While on one hand, the private security companies equip these workers with personal firearms, at the same time, many of these firms regularly break employment laws and violate basic worker’s rights, while offering them poor working conditions. Research examining the correlation between masculinity and violence has identified that a similar constellation of factors is a source for fortifying violent behavior.

It is difficult to answer the question “Does Israel prevent or try to prevent extensive military operations?” It is difficult because there is a general public discourse in Israel and there is the official government stand, both claiming that extensive military operations are used only in

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<sup>70</sup> *ibid*

<sup>71</sup> Mazali, Rela forthcoming (draft July 2004) “The Gun on the Kitchen Table: the Sexist Subtext of Private Policing in Israel” Farr, Vanessa and Schnabel, Albrecht, eds. *Book Project on: Gender Perspectives on Small Arms and Light Weapons*, UN University, Tokyo and Bern. Small Arms Survey Geneva.

response to the killing of Israeli citizens by armed Palestinians, including suicide bombers, mainly within Israel's green line. There are accusations from Israeli citizens and from Palestinians about this excessive use of force and weapons and about Israel's audacious oversight of the principles of the IHL, including the principle of proportionality. The security forces explain away human casualties of non-combatant Palestinians with the IHL concept known as "collateral damage", which is unavoidable and unintentional damage during combat.

The adverse effects that these extensive military operations have upon the lives of Palestinian women and girls are multiple. They range from the lack of access to clean water, to health services, to education, to the necessity of being the caretakers over children, the ill, the elderly and the injured, with no supportive services from government or adequate infrastructures. And it is clear that many, many women and girls lost their lives during the extensive military operations undertaken by the Israeli army.

### **3. a. Promote non-violent forms of conflict resolution**

The official Israeli government position, as seen over the past four years, has not acted to promote non-violent forms of conflict resolution for the Israeli-Palestinian armed conflict. In fact, the Israeli army undertook broad military actions in the OT that lead to a large number of Palestinian casualties among innocent civilians. From 2002, the data shows that more than 64% of the Palestinian population were closely attached or related to someone who was killed or injured as a result of these actions.<sup>72</sup> The exact number of women and girls who were hurt by the Israeli army is not known, however most of those women and girls killed were in head-on confrontations with Israeli soldiers in populated civilian areas.<sup>73</sup>

The Ministry of Justice states, "In the year 2000, the then Prime Minister Ehud Barak offered Arafat a full and final, peaceful solution to the conflict. The Palestinians response to this was a river of blood."<sup>74</sup> This stance is also the generally held belief among the Israeli public. According to the version the State presents today, Israel's adoption of the Road Map and the Disengagement from Gaza are two non-violent approaches to resolving the conflict.<sup>75</sup>

Since October 2000, Israel has refused to hold talks with the Palestinians "while under fire" or while "terrorism continues". It has chosen to take unilateral steps, whether in building a

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<sup>72</sup> A committee appointed by Army Chief of Staff, to investigate the use of House Demolition as a deterrent, recommended its discontinuation, due to extensive damage incurred to civilian Palestinians.

<sup>73</sup> Kuttab & Bargouti, *Impact of Conflict on Palestinian Women*

<sup>74</sup> Ibid.

<sup>75</sup> Attorney Boaz Oren, The Department for International Agreements and International Litigation Ministry of Justice, in a letter dated Dec 30, 2004. Hereafter, Answer from Ministry of Justice, Dec. 30, 2004

separation wall – which involves violating human rights, including confiscating land beyond the green line, and preventing free movement for thousands of Palestinian women and men.<sup>76</sup>

### **3. b. Reduce the incidence of human rights abuse in conflict situations**

Around the globe and in Israel, numerous reports have been published documenting violations of human rights and the International Humanitarian Law (IHL) to Palestinian civilians, living under the long Israeli occupation. And yet, despite this fact, the Israeli public in general regards the issue of human rights as being political in nature, and as a concern belonging entirely to those on the left of the political spectrum. And therefore, this issue has not found its place within the political-security discourse in Israel.<sup>77</sup> Since Israel is the occupying nation, there is also little information showing the violation of human rights to Israeli citizens, by armed Palestinians and by suicide bombers.<sup>78</sup>

Israel's policy regarding its efforts to diminish violations to human rights states, "Whenever Israel tries to take into account both the military and the humanitarian matters at the same time, then Israel pays a very high price in civilian casualties. Thus, by definition, the state is not providing its citizens with the best security response, when it tries to minimize human rights violations to Palestinians."<sup>79</sup> However, Israel's violations of human rights and the IHL to the Palestinian population, including women and girls, are not limited only to the casualties to innocent civilians in military operations that exceed the principle of proportionality. And they are not limited to the lack of delineation between civilians and those who are armed, which is repeatedly explained as a "military necessity" "preventing terrorism" or "unfortunate error."<sup>80</sup> Beyond this, there is a brash disregard for all responsibility of the state as the occupier, according to the IHL and to the conventions to which it is a signatory. Those who are most strongly affected by the conflict<sup>81</sup> and by Israel's human rights violations are Palestinian women and girls.<sup>82</sup> In almost every single family there is someone who has been injured, killed or imprisoned, and the women and girls in these households must go to work to support the household. Meanwhile, opportunities for employment and other options have diminished, and alongside this fact, their responsibilities and roles women have within the home have grown

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<sup>76</sup> Answers from Ministry of Justice, Dec. 30, 2004, and from MP Mali Polishuk-Bloch, Dec. 2004

<sup>77</sup> Attorney Gabi Lasky, in a telephone interview, Dec. 2004

<sup>78</sup> Human Rights Watch (HRW), *Erased in a Moment: Suicide Bombing Attacks Against Israeli Civilians*, 2002. Also see, HRW, *Eye of the Storm*, 2001, Israeli and Palestinian human rights violations in the Hebron area.

<sup>79</sup> Answer from the Ministry of Justice, Dec 30, 2004

<sup>80</sup> Ronit Piso, from a statement by The Association for Citizen Rights in Israel (ACRI), Jan 2005

<sup>81</sup> Children make up half of all those arrested during the *Intifada*. This violates the Convention for the Rights of the Child, article 37(6), which states that arrests must be used as a last resort, and should be time limited. Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>82</sup> Suad Abu-Daya, of the Jerusalem Women's Center for Legal Aid, *The Haifa Conference*, Nov 2004

considerably.<sup>83</sup> Palestinian women have been killed under many circumstances; they have been killed on their way to work, being refused entry to an ambulance, being refused access to reach medical care, as innocent bystanders in the center of clashes in civilian populations, and when in the line of fire when the Israel army undertakes the liquidation of wanted Palestinian political activists. Also, many women were killed either within their homes or in close proximity<sup>84</sup>, or in attempts to cross through the checkpoints.<sup>85</sup> Palestinian women, defined and considered to be "protected persons", are not recognized by the government of Israel in all of the above-mentioned injuries and violations. In actuality, the government of Israel is not able or does not want to provide them adequate protection.<sup>86</sup>

Palestinian women who are pregnant find it extremely difficult to get to health services, prenatal care, or treatment for high-risk pregnancies.<sup>87</sup> The right to health is also violated when women are prevented from having regular medical checkups. This is often the result of difficult passage on roads, checkpoints, and being forced to return to their homes when in transit to a scheduled appointment within the territories or in Israel, which may even cost them their lives.<sup>88</sup> Some violations that have been documented include: the loss of a child when checkpoints prevented timely access to medical care;<sup>89</sup> a woman in labor taken from an ambulance and forced to turn back;<sup>90</sup> a woman in her final weeks of pregnancy serving as a human shield for the Israeli army;<sup>91</sup> sexual harassment by Boarder Police<sup>92</sup>; and women beaten by Boarder Police<sup>93</sup>. Palestinian women report that they fear sexual harassment by Israeli Army soldiers, and also fear being beaten, imprisoned, and killed. Girls report being afraid of going to school because of the very long walking distances from home to school, and families fear for the safety of their girls.<sup>94</sup> In addition, we note that the documentation of human rights violations to women in the occupied territories is difficult. There are few complaints by Palestinian women, especially regarding harassment, because of the taboo within Palestinian society on subjects such as sexual assault.<sup>95</sup> And for this very reason, organizations for human rights in Israel and in the OT are called on to document and relate the stories of these women and girls.

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<sup>83</sup> Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>84</sup> Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>85</sup> Within the Palestinian Occupied Territory, there are numerous checkpoints.

<sup>86</sup> Answer from the Ministry of Justice, Dec 30, 2004

<sup>87</sup> Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>88</sup> Report by the Physicians for Human Rights, Israel, "Breast Cancer as a Test Case"

<sup>89</sup> Testimony given to B'tselem. Also see <http://www.betselem.org>

<sup>90</sup> *ibid*

<sup>91</sup> *ibid*

<sup>92</sup> *ibid*

<sup>93</sup> *ibid*

<sup>94</sup> Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>95</sup> Suad Abu-Dayye, of the Women's Center for Legal Aid and Counseling, Jerusalem

Some one hundred Palestinian women are imprisoned in Israel as high security prisoners<sup>96</sup>, including some who were arrested before the age of 18. They are kept in confinement, forced to give birth within the prison, repeatedly tortured and threatened.<sup>97</sup> They also are subjected to direct and intentional acts of violence, by prison guards and security forces within the prison, and subject to other annoying tactics, including electrical blackouts, and punishments that may include their children, while in their company.<sup>98</sup> These women prisoners sleep on the floor, in overcrowded conditions, are not allowed to regularly phone family, and often are prevented from holding a family visit. They don't receive the clean clothes brought for them,<sup>99</sup> and they receive inadequate medical care.<sup>100</sup> Officially, the prisoners are held under administrative arrest; often they have no idea why they are being held, and it is possible that some of them are in prison in order to exert pressure on their husbands, or in order that they turn in their husbands. They relate stories of torture by the GSS, and this includes food and sleep deprivation. They are viciously shaken during interrogation and interrogated daily for hours.<sup>101</sup> There are some reports of threats of rape by the GSS investigators.<sup>102</sup> More recently, appeals to the Supreme Court and lawsuits against prison authorities have requested that prisoners be able to realize their rights. These include the rights to education, to take Baccalaureate exams, to remove restrictions on prisoners in Neve Tirzah Prison from meeting with their lawyers, and allowing them to meet with their lawyers during hunger strikes.<sup>103</sup>

In recent years, Palestinian women and children have had their rights violated by Israel regarding personal and family matters. Some Palestinian women, both in Israel and in the OT, must live apart from their spouses, and their children are forced to live with one and not both parents. This is in contradiction to the Convention on the Rights of the Child to which Israel is

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*The Haifa Conference*, Nov 2004. Although there is no specific data or reports about rape by the soldiers or Boarder Police soldiers, it is reasonable to assume that there were incidents that did occur.

<sup>96</sup> Based on the talk given by Suad Abu-Dayye, of the of the Women's Center for Legal Aid and Counseling, Jerusalem, *The Haifa Conference*, Nov 2004: and Attorney Leah Tzemel, in a phone interview, Dec. 2004

<sup>97</sup> Kuttab & Bargouti, *The Impact of the Conflict on Palestinian Women*

<sup>98</sup> For example, the violence in the Neve Tirzah prison, Nov. 2004. Information from Attorney Tagreed Jashan, Women for Women Political Prisoners

<sup>99</sup> For example, families from Shchem are not allowed visiting rights. Clean clothes they hand over to the Red Cross to bring to their family members in prison, are often returned to them by prison authorities. Only one blanket is allowed, and no toys for the children. Information from Attorney Tagreed Jashan, Women for Women Political Prisoners

<sup>100</sup> Often medical treatment is no more than a dose of aspirin. Information from the Committee Against Torture in Israel, "Prison Conditions for Administrative Detainees in the Neve Tirzah Prison."

<sup>101</sup> Testimony given to the Committee Against Torture in Israel

<sup>102</sup> Testimony from a women, aged 26, given to the Committee Against Torture in Israel

<sup>103</sup> After an appeal to the Supreme Court by The Association for Civil Rights in Israel (ACRI), together with Physicians for Human Rights, Women for Women Political Prisoners, Public Committee Against Torture in Israel, Adalah for the Legal Rights of Arab Citizens in Israel, the court ruled that Palestinian prisoners have to receive their right for education, and to meet with their lawyers. Information received from Attorney Tagreed Jashan, and Attorney Sonia Boulus.

a signatory. In July 2003, a law drafted by the government and passed in Parliament,<sup>104</sup> and considered by human rights organizations as a 'racist law', put an end to all requests by foreigners of Palestinian origin for Israeli citizenship, and this included all those eligible for unification of family. In addition, a decision was made to stop the processing of citizenship cases already in the works, for Palestinians to receive Israeli citizenship.

Thus, Israel adversely affects the rights of Palestinian women to wed and to have families, and these rights are considered by most women to be integrally connected to the right for self-actualization, and to finding one's place within the society one belongs to.<sup>105</sup> And to this, the infringement on Palestinian women's rights to wed Israeli citizens, and rights of children born into these marriages, we add that when women and children are denied Israeli citizenship, they are denied basic rights in Israel, including the right to health care services.<sup>106</sup>

## Legal Analysis

Israel's official stand states that "The human rights conventions do not apply to the OT, for various legal reasons. However the the protection of human rights in the OT, is made by the application *de-facto*<sup>107</sup> of *The Fourth Geneva Convention (1949) Relative to the Protection of Civilian Persons in Time of War.*" (The Fourth Geneva Convention)<sup>108</sup>

The documents within the IHL, which determine the rules of war and the protections due during war, include basic concepts and detail the protections given to 'protected persons' during conflict. However, the specific protections afforded to women are few and weak. These laws

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<sup>104</sup> *The Nationality and Entry Law* (2003). The Explanatory Notes to the Law state that there is "growing intervention in the conflict by Palestinians who are living in the region, and who carry Israeli identity cards, after attaining these rights through the process of family unification." Adalah lobbied against the law, and appealed to the Supreme Court, (*Bagatz 7052/03*) and so did ACRI (*Bagatz 8099/03*). They stated that the law is not constitutional as it contradicts the Israeli Basic Law, *Human Dignity and Liberty*, it discriminated against certain citizens, and denied them certain rights on the basis of ethnic origin. The Law is currently under Supreme court review. See: <http://www.acri.org.il> and <http://www.adalah.org>

<sup>105</sup> Hazan, Manal, "1325-Looking at Unique Aspects of the Israeli-Palestinian Conflict" in Aharoni & Deeb, *Where are all the Women?*, p.33

<sup>106</sup> Revocation of residency from Arab-Bedouin Israel women, who married Palestinians from the occupied territories, from Physicians for Human Rights, Israel

<sup>107</sup> In fact, Israel has signed and ratified the Geneva Conventions in the 1950's. However, the reasons for Israel not enforcing them in the occupied territories are that, the Convention was not passed in Israel internally, as a law, and that the territories occupied were not under the binding and legal authority of another nation. Nonetheless, in the early 70's, although not obliged to, Israel stated that it would accept the humanitarian clauses of the Convention de facto. Human rights organizations and legal experts in Israel and around the globe do not accept this claim. They state that the Conventions are seen as binding on the occupied territories, defined as occupied and in a combat situation, by virtue of the customary law, and therefore, Israeli governments actions may be judged by the customary law.

<sup>108</sup> Attorney Boaz Oren, Ministry of Justice, in a letter dated Jan. 19, 2005.

relating to very specific issues, (such as the number of postcards a Prisoner of War can send each month), barely deal with women, both as combatants and as civilians. For example, in all of the *Hague Conventions*, only one article (46) specifically and vaguely refers to women, in its injunction against sexual violence as “Family honors and Rights” that must be respected.

Today, The Fourth Geneva Convention is considered as Customary Law around the globe, and therefore binding even upon nations that have not ratified it. The Fourth Geneva Convention defines in article 27, the protections given to 'protected persons', those who do not take part in hostilities. *“Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity. Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.”*

Today there is general agreement that a violation of the Fourth Geneva Convention carries criminal responsibility and punishment as a war crime. According to our viewpoint, these specific articles are binding to all crimes of a gender nature, and not only on the crime of rape; and we call upon human rights organizations in Israel and in the OT to expose gender crimes and crimes against women, within the violent Israeli Palestinian conflict.

The IHL serves as a special law (*Lex Specialis*) relating to times of war, and including violent conflicts and occupation. The International Human Rights Law (HRL) provides protection to all persons, in all places, at all times. The interrelationship between these two sets of laws is a subject for a much more detailed discussion, and particularly in light of Israel's official refusal to enforce the binding nature of the human rights conventions, (conventions to which Israel is a signatory), in the OT. These conventions include: the *Convention for the Elimination of all forms of Discrimination Against Women*, the *Convention for the Rights of the Child*, and the *Convention Against Torture*.<sup>109</sup>

In addition, the IHL also includes mechanisms meant to guarantee the protection of human rights, and to guarantee the rights of women and girls in situations of armed conflicts and occupation. The most well known among them is *Common Article 3*, which is common to all the Geneva Conventions and Additional Protocols from 1977. Common Article 3 is regarded as a “convention within convention”, of human rights within the IHL. It provides protection to those who are not combatants, and among them women:

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<sup>109</sup> Israel ratified these conventions in 1991.



*(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.*

*To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (c) outrages upon personal dignity, in particular humiliating and degrading treatment.*

The Israeli Supreme Court, as the highest seat of justice, placed restrictions upon the protections afforded to Palestinian 'protected persons', including women and children, when it allowed Israeli authorities to undertake actions, that were controversial in nature. These actions included the building of settlements and road infrastructures to serve them, and the land confiscation for these activities, house demolition as punishment and deterrent, and other violations described above, including the cases of preventing family unification.<sup>110</sup>

#### **4. Promote women's contribution to fostering a culture of peace**

In striking contrast to the complete lack of women's involvement in decision-making forums dealing with the Israeli-Palestinian conflict, there is a wealth of representation of women in the peace movements in Israeli civil society.<sup>111</sup> Since 1982, women in Israel have been actively involved in protest movements against the occupation and war, and the percentage of women involved in peace movements in Israel is much higher than the representation of women in the general population.<sup>112</sup>

Israel has a record number of women's peace organizations, women's organizations for peace and for coexistence between Jewish and Palestinian women in Israel, and for peace and against human rights violations of Palestinian women and men in the occupied territories. The Women's Coalition for Peace is comprised of nine women's organizations and groups,<sup>113</sup> seven of which are explained below. The Women's Coalition for Peace, established in 2000, works to

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<sup>110</sup> Kretzmer, David, *The Occupation of Justice: The Supreme Court of Israel and the Occupied Territories*, State University Press of New York, 2002, p.57-99, 165-187

<sup>111</sup> Goldman, Ogen, *Women in the Educational and Political Systems in Israel*, Israeli Parliament- Center for Research and Data, 2001, p.4

<sup>112</sup> Abiram, Inbar and Abramovitch, Tamar, "Men at the Barrel, Women in the Turrets-Examining the Gender Discourse in Parliament" Hebrew University, Political Science class, Prof. Nomi Hazan, 2004

raise awareness in the media and to oppose the occupation, and to act in cooperation with Palestinian women in the occupied territories. Bat Shalom, a feminist group, holds demonstrations and educational discussions on the occupation and works with the Jerusalem Center for Women in a joint initiative called The Jerusalem Link, since 1994. The TANDI movement (Women's Democratic Movement in Israel), works within Israel, with Jewish and Palestinian women citizens of Israel, towards the goal of broadening the circle of activists dedicated to finding a just peace. New Profile is a feminist movement working for the demilitarization of Israeli society, including support and information to conscientious objectors to military service. Women in Black are women who stand silently in major intersections across the country every Friday at noon; they dress in black and demonstrate against the continued Israeli occupation. The Fifth Mother works with the public and in the media, teaching techniques for conflict resolution and alternatives to the military discourse that exists in Israel. WILPF-Israel (Women's International League for Peace and Freedom) works for bringing an end to the reasons for war and to war itself, for disarmament, peaceful conflict resolution and more. The women of Machsom ("Checkpoint") Watch are a movement against the occupation that protests the limits on mobility for Palestinians. They stand at Israeli army checkpoints in the occupied territories, to watch over and report on human rights violations by the army and the border police, and they raise awareness on this topic in Israeli society and internationally.

Those organizations working for women's rights that do not define themselves as peace organizations also have many projects that engage both Jewish and Palestinian women in Israel, in projects that are meant to develop coexistence and dialogue. Some examples of groups include: Achoti – a feminist Mizrahi group, Kol HaIsha in Jerusalem, the Jewish-Arab Noah-Nuah center and the Community School for Women and Gender at Givat Haviva.

Peace activities by women have also taken place in the international arena, including a welcome attempt for international women to initiate progress in this region. In 2002, at the request of Equality Now, the UN Security Council met with two women from the Jerusalem Link, Terry Greenblatt and Maha Abu-Dayyeh Shamas, an Israel and a Palestinian, who called on the UN to recognize women's vital role in conflict resolution. They called for the equal representation of women on all sides in planned peace negotiations, and they urged the Security Council to create a means whereby women can contribute formally and integrally to Middle East conflict resolution efforts.

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<sup>113</sup> Bat Shalom, the Fifth Mother, Machsom Watch, Noga-feminist journal, Neled, Women in Black, New Profile, TANDI, WILPF-Israel

And yet, despite all of the above, in discussions with representatives of all the above-mentioned groups, all stressed the fact that the State of Israel neither encourages or helps with financial resources for women's contribution to developing a culture of peace and finding alternative solutions for conflict resolution. The State provides no funds, or moral support, or resources of any other type to women's peace groups,<sup>114</sup> partially because they see these groups, by definition, as political in nature, and therefore ineligible for government support.<sup>115</sup>

Moreover, the Israeli media has managed to ignore and cover up the fact that women's peace initiatives do exist. The fact that they exist is simply a non-issue, something the Israeli media considers irrelevant and lacking any interest to the public. The women who lead peace actions are seen as daydreamers; women's peace demonstrations and protests are never reported in the media; and when women's efforts have catalyzed a meaningful breakthrough for peace, here too, the women themselves remain invisible, without recognition.

This is true of many successful feminist initiatives, but one striking example of the lack of public recognition can be seen regarding the Four Mothers group. In the case of Four Mothers, after a very lengthy public battle, they succeeded in changing public opinion, which then led to the withdrawal of Israeli troops from southern Lebanon, where troops had been stationed for 20 years.<sup>116</sup> Many in the general public identified with the pain that inspired these women to set out on their campaign; however, the public did not see the women as 'rational thinkers', and therefore the women's campaign never became the basis for a public civil discourse.<sup>117</sup> As a rule, women are represented stereotypically in the media, and the preference is to show a mother mourning her fallen son, rather than a woman activist campaigning for peace. When a channel will finally show interest in a woman's peace initiative, there is a strong tendency to make sure the action has been stripped clean of all political messages, and that the activity is broadcast in a way that emphasizes its humanitarian and volunteer values.<sup>118</sup>

Since the media has an enormous effect and direct impact on public opinion and on decision-makers as well, women's continuous attempts to promote peace cannot break out of a vicious cycle and force these subjects to be seen and heard in the media by decision-makers and the general public. And so the opportunity has not yet arisen for women to challenge the public

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<sup>114</sup> Israel Women's Network, Kayan-Feminist Organization, Kolech-Religious Women's Forum, Kol HaIsha-Jerusalem, Achoti-Feminist Mizrahi Women and others.

<sup>115</sup> Tamar Gozanski, responding to questionnaire on behalf of TANDI, Dec. 2004

<sup>116</sup> Saragusti, Anat, senior reporter, Second Channel TV Network, in a phone interview, Jan. 2005

<sup>117</sup> Herzog, Hanna,

<sup>118</sup> Yanna Kanofoba, responding to questionnaire for Women's Coalition for Peace, Dec. 2004

discourse in Israel on whether or not war is a necessity, and to catalyze a public discussion on the possibility of achieving peace.

Another very disturbing phenomenon is the exposure of Israeli women peace activists to violence by the Israeli security forces, police and boarder police while they participate in non-violent protest demonstrations against the occupation and separation wall. Women activists have suffered from physical and psychological injuries, as well as the inhalation of tear gas intended to break up a demonstration, and even when the activists are dressed in white and carrying sacks full of food for those living in the territories.<sup>119</sup> Among those who are present at demonstrations, serving as members of the army and the police, there are women too.<sup>120</sup> Activists are also exposed to violence at protests inflicted on them by other Israeli civilians, who include Jewish men and women settlers. Women peace activists are frequently exposed to violence. Many activists told us that official complaints filed with the police about this violence were ignored by the police force.

In the most difficult situations are those that face individual Israeli women peace activists who do not belong to any specific organizations, and simply take action from their inner and personal belief system. This is the case of Tali Fahima,<sup>121</sup> a 20-year old woman from Kiryat Gat, who acted out of her opposition to the Israeli policy of liquidating suspected terrorists without trial. She made contact with Zachariya Z'beideh, a terrorist suspected by Israel, and went to Jenin, in the occupied territories, to meet him. Upon her return to Israel, she gave a media interview and stated that if necessary, she would serve as a human shield to protect Zachariya, as an act of protest against Israel's policy of liquidation. In May 2004, she started a humanitarian project in Jenin, including setting up a computer library for children there. When she heard the Israeli army wanted to talk with her, she went to the checkpoint to meet them. There she was arrested and interrogated for six days, before being released due to lack of evidence for a criminal offense.

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<sup>119</sup> Orit Lavnin Degani, *The Fifth Mother*, describing the violence and force used by the Security Forces towards participants at a peaceful demonstration at the Aram checkpoint, March 2003.

<sup>120</sup> For example, when trying to break up a demonstration by Bat Shalom, Moly Melekar had her shoulder bone crushed by the women boarder police, on horses, who beat the women, near the village of Bidu near Jerusalem. Dec. 2004. Also see Karasin, Miri, "Biological Equality in the service of the Occupier" *Noga-feminist journal*.

<sup>121</sup> As of the writing of this report, Tali Fahima is on trial, accused of the most serious of crimes in Israel, among them Aid to the Enemy, which is even punishable by death. This does not intend in any way to serve to intervene or influence the processes of justice, rather to bring the facts about how she came to be arrested, how she has been tortured and treated, from information provided by her lawyer, Semadar Ben Natan, the Committee Against Torture in Israel, and from newspaper reports.

In September 2004, she was arrested and after a month of interrogation, which again found insufficient evidence for a criminal offense, she was placed under administrative arrest for four months,<sup>122</sup> in an order given by the Minister of Security.<sup>123</sup> This most extreme action is generally reserved for those suspected of being capable of crimes that threaten the security of the state. During her interrogations by the General Security Services, she was kept in solitary confinement, with light in her room 24 hours a day. Her interrogation by GSS investigators included violations of commitments by Israel to the International Convention against Torture, to which it is a signatory. In addition, she was interrogated for extended periods, at least 12 hours a day. She was painfully handcuffed, refused the use of the toilet, verbally humiliated, and threatened by the overly close proximity of interrogators to her body, as a form of sexual harassment. When she was transported from one facility to another, she was strip-searched. In addition, at the time of her administrative arrest, she was not allowed to take calls from her attorney or make calls to her family.

There are those who believe that the difficult conditions Tali has had to endure from the State and from the public were simply because she was exceptionally different from the profile of the typical Israeli peace activist woman. A Jewish-Mizrahi woman, she was not part of any radical or left-leaning group and had no connections to any organizations. “She was just the opposite, a right leaning voter, a former army commander in the armored forces, and a resident of Kiryat Gat”.<sup>124</sup> Tali is the exception to the rule, and the opposite of what an Israeli expects to see in the stereotypical woman, and more so when the woman is Mizrahi.

Women who are conscientious objectors to army service, specifically those who object to service on the ideological grounds that the army is an occupying force, find it difficult to receive a conscientious objectors discharge, as their refusal is seen as being selective. And since this very phenomenon is becoming more widespread in Israeli society, it is exactly for this reason that the state has hardened its position here towards women recruits.<sup>125</sup> In the past, the ability to get an army discharge on grounds of conscience,<sup>126</sup> religious observance or family reasons, was much simpler for females than it was for males. Liora Milo, who ‘objected to the occupation’ was sentenced to prison for refusing to serve in the army. She appealed to the

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<sup>122</sup> Section 4 of the Law for Authority in Emergency Situations (Arrests), 1979

<sup>123</sup> The case 92975/04, the state versus Tali Fahima, “On August 9, 2004, the accused was detained for questioning ...from her interrogation there was no evidence for convicting her of any wrongdoing. Nevertheless, based on Intelligence sources, and the opinion of the GSS, the Minister is certain that the state’s security and safety of the public, require her administrative arrest, for a period of 4 months.

<sup>124</sup> Shohat, Orit, “Angry at Tali Fahima” Haaretz, and Weitz, Gidi and Karni, Yuval, “Enemy of the People” Yediot Acharonot, Jan. 21, 2005

<sup>125</sup> From a phone conversation with Attorney Semadar Ben Natan, Feb 2004. Also see <http://www.freetalifahima.org>

<sup>126</sup> Section 39 (c) of the law for Security Service, 1987

Supreme Court,<sup>127</sup> and it ruled that her request for a discharge on ideological grounds was a ‘selective’ one, and as such was different from a discharge on the grounds of conscientious objection. The Supreme Court turned down her appeal.

Even those women from the international community who arrive in Israel with a mandate to undertake humanitarian activities in the occupied territories, including feminist and human rights activities, encounter great obstacles in trying to get into the occupied territories. Since the territories are under Israel’s authority, every entrance must have the approval of Israel. Some of the groups that were kept out and blocked from entering the occupied territories were given no explanation. Such is the case with international women who came to establish a women’s clinic in the Palestinian village of Salfit. In attempts to help these women gain entry, administrative appeals were filed. In response, the state of Israel provided the courts with confidential evidence, open only to court officials, supporting their refusal to permit entry of these international women. In these matters, the courts will, for the most part, take on the position of the state.<sup>128</sup>

### **5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.**<sup>129</sup>

The state of Israel provides no assistance, training or other protection to Palestinian women refugees and displaced women in the occupied territories. The aid that Palestinian women do receive is from international aid agencies, such as UNRWA and the International Red Cross.

### **6. Provide assistance to the women in the colonies and non-self-governing territories**

As explained earlier, Israeli’s official claim is that it provides assistance and protection to Palestinian women in the occupied territories, under the category of ‘protected persons’. In fact, and from all that has already been previously stated here, Palestinian women and girls do not receive adequate protection according to the human rights conventions and according to IHL. When women from WILPF in Israel (Women’s International League for Peace and Freedom) realized that the freedom and dignity of Palestinian women was “totally disregarded”, they

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<sup>127</sup> Liora Milo vs. the Minister of Defense, Supreme Court appeal 2383/04.

<sup>128</sup> Information from a phone interview with Attorney Gabi Lasky.

<sup>129</sup> This report does not deal with the broader issue of internally displaced Palestinian women within Israel, nor of the Bedouin women including those living in the unrecognized villages in the Negev. These women receive no protections.

appealed to the army to assist Palestinian women and they were told “it is not the army’s responsibility to protect Palestinian civilians.”<sup>130</sup>

At the same time, Israeli women settlers living in the occupied territories do receive extensive protection in every aspect of their daily lives, including personal protection. Under the term ‘assistance’, these women, along with all the settlers, are entitled to good living conditions, to community centers, schools and nurseries, and to receiving health services, and more.<sup>131</sup> In addition, women in the settlements, like all those in the settlements, are given full protection for their lives, even when this creates discomfort or causes restrictions on mobility to the Palestinian population in the occupied territories.

It is known that Israel’s security budget includes mechanisms for control over the occupied territories and for protecting the settlements there. The Ministry of Security funds the protection of settlers including: budgets covering defense of the settlements, ongoing army protection, training bases in the vicinity, large forces that enter the occupied territories when there are Palestinian uprisings, the Israeli civilian authority, and the building of roads that circumvent Palestinian villages, allowing settlers to travel in Palestinian territory while avoiding contact with local Palestinians.<sup>132</sup> Protection of Israeli citizens, including Israeli settlers living in the occupied territories, has come in the form of a separation wall, which was accompanied at the very outset by a widespread public debate.

In this context, we want to note that Israel has decided upon an upcoming withdrawal from the Gaza Strip, in the summer of 2005. In the operational plan,<sup>133</sup> the settlers in the Gaza Strip will be evacuated from their homes, in a process that will be painful for many. It is quite likely that the evacuation will be under duress, forced upon settlers by the Security Forces. In the plan, there is no evidence of attention being paid to the needs of women and girls, or of children, and this evacuation is likely to be traumatic in nature, accompanied by an immediate resettlement within Israel. The army states that they are aware of the issue of women and children, and in their plans for the evacuation, and they have designated large numbers of additional women soldiers to take part in implementing the operation. They intend to use women soldiers as the ones who will evacuate the women and children.

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<sup>130</sup> Strauss, Aliya, WIPLF-Israel, in report’s questionnaire, 2005

<sup>131</sup> This was the prevailing response from all the NGOs for women, for women and peace, and for human rights in Israel, interviewed for this report.

<sup>132</sup> Swirski, *The State Budget*, p. 91

<sup>133</sup> Meeting with the army, Feb. 8, 2005

The withdrawal and evacuation has caused women settlers to feel vulnerable, but not from the standpoint of being concerned for the other women, or other families, but rather from an ideological perspective. They plan to fight to put a stop to the withdrawal plan.<sup>134</sup> The Women in Green group, comprised of women settlers fighting for a Greater Israel (that includes the territories), are preparing a campaign to stop the plan.<sup>135</sup> They say that the state plans to take a precedent setting position in Gaza Strip, whereby many families will be stranded, as individuals and in terms of security. They also say that this same thing will then reoccur when other settlers will be forcefully evacuated from the rest of the occupied territories. On this matter we must also point out that young women settlers violently attacked a woman soldier and woman police officer in a protest action in Jerusalem on February 15, 2005. The women settlers caused bodily injuries, and it may be that we are seeing the beginning of a battle building against the Israeli withdrawal from the Gaza Strip, in which women settlers are taking an active and vocal part.

## Conclusion

For women who are living under conditions of violent conflict, and we here include both women living in Israel and Palestinian women living in the occupied territories, Israel does not fulfill the strategic guidelines of the Beijing Platform for Action.

Israel has not established formal mechanisms to guarantee women's representation in conflict resolution or in decision-making processes related to the management of the conflict. Furthermore, there has yet to be a formal public or parliamentary debate on the subject, and this lack of mechanisms promoting women's representation has never been examined by any professional, advisory body.

Women do not receive the protection and support they need while living under a situation of violent conflict and occupation. One example is in Sderot, a town close to the Gaza Strip, and on the front lines, where there is no Advisor on Women's Affairs and no adequate psychological counseling service to which women can turn for support.

Women are kept out of decision-making forums that deal with state security affairs. They are not partners to or incorporated into the concept of 'security'. In addition, the security budget lines are secret, which prevents the holding of a public discourse on these specific expenditures, and their necessity. Israel is among the most heavily armed nations in the world, ranging from its military-security industry, all the way down to the number of small arms per person. The

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<sup>134</sup> "The Voice of the Mothers" a call to a founding conference circulated by email, Feb 13, 2005

<sup>135</sup> "The Voice of the Mothers" a call to a founding conference circulated by email, Feb 13, 2005



proliferation of arms includes easily accessible hand weapons in the public sphere in Israel, held by armed guards in the public space.

As far as we know, Israel does not provide adequate gender sensitivity training for its soldiers, its judicial bodies, and this includes the civil courts and the military courts in the occupied territories. There are attempts by the Israeli army to create standard codes of conduct so as to reduce the likelihood of human rights violations, and to respect women's honor, considering them to be members of a "special population group." At the same time, it is unclear to what extent these codes of conduct are being enforced.

Israel has not acted to promote non-violent forms of conflict resolution for the Israeli-Palestinian armed conflict. Despite its formal stand today, whereby Israel's adoption of the Road Map and the Disengagement from Gaza are presented as two non-violent approaches to resolving the conflict, we note that over the past four years, Israel adamantly refused to hold talks with the Palestinians, stating that it would not negotiate "while under fire". Israel chose to take unilateral steps, such as the building of a separation wall, and extensive military actions in the occupied territories, which caused the deaths of many Palestinians.

The adverse effects of extensive military operations upon the lives of Palestinian women and girls have been wide ranging. They include the lack of access to clean water, to health services, to education, to the necessity of caring for children, the ill, the elderly and the injured, with no supportive services from government, or adequate infrastructures. And it is clear that many women and girls lost their lives during the extensive military operations undertaken by the Israeli army.

Unique injuries to Palestinian women and girls are caused by a lack of freedom of movement, created by Israeli army checkpoints, stationed within the Palestinian territories that are occupied by Israel. Some examples of humiliations and injuries include women giving birth while waiting for permission to pass through a checkpoint, infants dying on the way to medical treatment, due to being detained at the checkpoint, difficulty getting to prenatal or fertility treatments, and reports of sexual harassment at the checkpoints.

Palestinian women prisoners held in Israeli prisons find themselves in the most difficult of conditions. On one hand, Israel's formal position is that human rights laws do not apply to Israel's occupation of the Palestinian territories, however it does de-facto apply the 4th Geneva Convention related to the Protection of Civilians in Times of War, (1949). Israel violates the protections due to women according to the IHL, whereby the Geneva Convention Common

Article 3 states that women must be protected from inhumane treatment and from outrages to their personal dignity.

Israel provides no funding, moral support, or resources of any other type to women's peace groups, and moreover, it creates obstacles for them. There are many cases whereby women are injured during peaceful demonstrations and activities. News and reports on protests and initiatives for peace are not broadcast in the media, and so this dialogue which could benefit the general Israeli public is not taking place.

In opposition to the extensive protections deemed by the state of Israel to Israeli women who live in the occupied territories, which includes special roads, community services and army protection, the state of Israel does not provide protection to Palestinian women living the occupied territories. This assistance is only provided by international aid agencies, such as UNRWA and the International Red Cross.

Women do not receive adequate protection and assistance they need living under a situation of violent conflict and occupation. We can categorically claim that Israeli society has become more violent towards women. Women's economic state has deteriorated over the past four years, and this has been accompanied by cutbacks in the welfare budget, and in government transfer payments. Those most seriously affected by these changes are women, and this trend also extends to community services for women which have seen cuts in government funding, including rape centers, crisis hot-lines, battered women's shelters and other vital programs.

## **Recommendations**

1. Creating programs and mechanisms for women and girls in Israel from diverse backgrounds, to include them in powerful and influential forums, where they can have their voices heard, represent the needs of all women, and bring with them a gender perspective.
2. Creating legal, binding and enforceable mechanisms that work to incorporate diverse women in government negotiations and in conflict resolution processes, and also in the rehabilitation of society once the conflict has been resolved. This includes advancing women in the Parliament, and passing the proposed amendment to the Law for Equal Rights for Women (Equal Representation of Women in State Processes, 2004), and also include enforcement mechanisms.

3. Creating legal, binding and enforceable mechanisms that work to incorporate diverse women, at least 30% in each forum, in all decision-making forums for national security in Israel, and these include the Parliament, the Cabinet, the National Security Council, and others.
4. Enforcing the law requiring local authorities to appoint an Advisor on Women's Affairs in local municipalities, and stressing the need for adequate community services for women to meet the needs of women and girls living under violent conflict within Israel.
5. Creating legal, binding and enforceable mechanisms and laws to include and involve women from civil society. This includes creating an advisory forum comprised of academics, grassroots activists, and activists from peace movements, to advise decision-makers on all matters related to the resolution of the conflict and rehabilitation of society at the end of the conflict.
6. Creating mechanisms within bodies of justice and other bodies, including the Supreme Court, the civil and military courts and the prosecution, for gender-mainstreaming and increasing gender sensitivity to the needs of women and girls living in the conflict and under occupation.
7. Advancing the public debate regarding armaments and small arms proliferation in Israel, and its repercussions on the lives of women and girls in Israel, including laws restricting the carrying of weapons, accurate record keeping of those who have guns gun, and enforcement of these laws.
8. Advancing the public debate and enforcement of laws in Israel regarding negotiations held during conflict, and continued negotiations until attaining an agreed upon political solution by both sides.
9. Creating mechanisms that will define Israel's responsibility to support, protect, and assist women and girls living the occupied territories, as long as Israel continues to occupy the territories or any parts of them. This includes providing support, protection and assistance to women and girls in refugee camps, ensuring that conditions meet their daily needs, and providing for their health.
10. Enacting a formal decision by the government of Israel, recognizing its violations of the rights of Palestinian women in the occupied territories, including specific gender rights.

Officially imposing human rights law in the occupied territories, and enforcing Israel's responsibilities according to the IHL, relating to women's needs and the protection of Palestinian women and girls.

11. Advancing an examination and public discussion within powerful and influential forums in Parliament, government, civil society, human rights organizations and the media, about the unique needs and protections due to women and girls in Israel, and to Palestinian women and girls living in the occupied territories under the conflict.
12. Establishing an advisory body made up of representatives from Israeli civil society and government, and we would also hope to include representatives from Palestinian civil society and government. The body would serve to examine the impact of the conflict, and to set up mechanisms for protecting the human rights and specific rights of women and girls in Israel and of women and girls in the occupied territories, during the period of rehabilitation.
13. Establishing committees for Truth and Reconciliation, including women's groups from both sides, similar to those set up in other regions post-conflict, to allow women and men to tell their stories and work to towards coexistence of the two nations side by side, and ending the hostilities between them.
14. Providing financial and moral support to women's peace movements in Israel.
15. Training for gender mainstreaming approaches in the Israeli army, specifically with units operating in the occupied territories until the end of the conflict.
16. Recommending that the UN Security Council Secretary General appoint a gender advisor or gender team to the region to assist both sides with gender perspectives in setting up teams for conflict resolution, for negotiations, and for rehabilitation at the end of the conflict.