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Written statement* submitted by The Institute for Protection of Women's Rights (IPWR), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is
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* Issued as received, in the language of submission only.



Violation of the Rights of Palestinian Women in the Gaza Strip

Armed conflict has a devastating impact on all areas of health. At the most direct level, war takes its toll through loss of life, injury and the lasting scars of intergenerational trauma. In addition, combatants often violate international humanitarian law by attacking medical personnel and health infrastructure. In Gaza, more than 125 health workers were killed, 200 health workers arrested and 123 health facilities damaged. These reciprocal effects on health and infrastructure emphasise the urgent need for humanitarian intervention to address both the immediate health crises and the long-term consequences of compromised health systems in conflict regions, particularly for women and children.

The bombardments, damaged or non-functioning health facilities, massive displacement, the collapse of water and electricity supplies and limited access to food and medicines are severely affecting maternal, neonatal and paediatric health care. There are an estimated 50,000 pregnant women in Gaza, more than 180 of whom give birth every day. Fifteen per cent of them are likely to suffer complications during pregnancy or childbirth and require additional medical assistance.

These women do not have access to the emergency obstetric services they need to safely give birth and care for their newborns. With 14 hospitals and 45 primary health care centres closed, some women are having to give birth in shelters, in their homes, on the streets amidst rubble or in overstretched health facilities where sanitary conditions are deteriorating and the risk of infections and medical complications is increasing. Health facilities are also under attack – on 1 November, Al Hilo Hospital, an important maternity clinic, was bombed.

The number of maternal deaths is expected to increase as there is no access to adequate medical care. The psychological toll of the hostilities is also having a direct – and sometimes fatal – impact on reproductive health, including an increase in stress-related miscarriages, stillbirths and premature births.

Even before the escalation, malnutrition among pregnant women was high, impacting child survival and development. As access to food and water worsens, mothers struggle to feed and care for their families, increasing the risk of malnutrition, disease and death.

This is despite the fact that pregnant women and their unborn children have always received special attention in law and policy. The Universal Declaration of Human Rights (UDHR) speaks in its preamble of the “equal and inalienable rights of all members of the human family” and states in Article 3: “Everyone has the right to life...” Article 6 adds that “everyone has the right to be recognised everywhere as a person before the law”, while Article 7 declares that “all persons are equal before the law and are entitled without any discrimination to the full protection of the law.”

Since 7 October 2023, the occupying power has been carrying out illegal and inhumane attacks against the Palestinians in the Gaza Strip with the aim of ethnic cleansing and genocide. By attacking defenceless Palestinian civilians, especially women and children, the occupying power has attacked the Gaza Strip and civilian centres, including Palestinian camps, and once again committed a systematic violation of the human rights and fundamental freedoms of the Palestinian people. Although these crimes affect both women and men, the impact on women as a vulnerable group is greater. They are the main victims of the occupying power's attacks and many of them have been killed or injured in these conflicts.

Since 7 October, the assault on the dignity and rights of Palestinian women has taken on new and horrific dimensions as thousands of women have been victims of war crimes, crimes against humanity and genocide. As of 3 December, 4,300 of the martyrs were women, and 67 per cent of the martyrs in Gaza were women and children. The women who have been martyred in this conflict come from all walks of life, including journalists, medical personnel, UN staff and members of civil society organisations.

The violence perpetrated by the occupying power against Palestinian women, infants and children can be considered a violation of the human right to life under Article 6 of the International Covenant on Civil and Political Rights and genocide under Article 2 of the Convention on the Prevention of Genocide.

It violates several articles of the Convention on the Elimination of All Forms of Discrimination against Women and Article 6 of the Rome Statute of the International Criminal Court. The general situation of Palestinian women is also very bad due to the constant bombardments and illegal siege, destruction of homes, lack of access to health and social services, arbitrary arrests, etc., and many of their rights enshrined in international conventions have been violated.

We are deeply concerned about the tragic consequences for Palestinian women of the invasion of Gaza by the occupying forces. Therefore, we condemn the recent attacks by the occupying power on the innocent population of Gaza, especially Palestinian women and children, because by creating obstacles to the realisation of Palestinian women's rights, it repeatedly violates their human rights and deprives them of their most basic rights.

Such a gross violation of international humanitarian law and international law is a challenge to human rights and must be seriously scrutinised and prosecuted by the international community. We hold the occupying power fully responsible for the consequences of these crimes and repeated attacks on the Palestinian people.

Some examples of the violation of Palestinian women's rights during the aerial and ground attacks by the occupying power from 7 October until today can be cited:

1. According to reports by the World Health Organisation (WHO) and UN agencies, 117 attacks on Gaza's health infrastructure since 7 October have resulted in half of Gaza's hospitals no longer functioning and 64% of primary health care centres closed. An estimated 50,000 pregnant women are giving birth in Gaza in increasingly poor conditions, including 5,500 women who are due to give birth in the next 30 days. This means that more than 180 women a day are forced to give birth in inhuman, degrading and undignified conditions. In dangerous conditions and in a situation where fuel, medicines, water and hospital resources are rapidly diminishing or running out, pregnant women are faced with the possibility of giving birth without anaesthesia, health precautions or, if necessary, surgical intervention. It is estimated that at least 15% of these deliveries result in complications requiring primary or major obstetric care. Several women are reported to have died before or during labour. According to the UNFPA, more than 690,000 women and girls have limited access to sanitary products during menstruation.
2. UN Women estimates that 10,000 women and children have been martyred since 7 October; 838,100 women and girls have been displaced from their homes; 2610 widows have formed new households after the death of their male partners; 9,396 children have lost their fathers; 50,000 women in Gaza are pregnant and 5,522 are expected to give birth next month.
3. According to a report by the World Health Organisation, four hundred and twenty Palestinian children are killed or injured in Gaza every day, or one child every 10 minutes. He said: "These crimes are a grave violation of the health and reproductive rights, physical integrity and dignity of women and their children. They can turn into torture and other forms of ill-treatment.

Recommendations

With thousands of people fleeing Gaza in fear for their lives and leaving their homes and communities, the attack on hospitals and critical infrastructure is deeply concerning, an egregious violation of international law and a blatant disregard for human life. We demand:

1. The international community must force the occupying power to respect and abide by international norms and standards of international human rights and humanitarian law.
2. All parties must protect children from harm and grant them the special protection to which they are entitled under international humanitarian and human rights law.

3. The High Contracting Parties to the Fourth Geneva Convention must fulfil their responsibility to respect this Convention and end the crimes and violations of rights, international humanitarian law and international human rights law in the Occupied Palestinian Territory, including the implementation of Quds. In accordance with their responsibilities under the Genocide Convention, they should prevent such acts and punish the perpetrators.
4. All parties to the conflict must fulfil their obligations under international humanitarian law to protect civilians and civilian infrastructure, including medical care. All civilians, including hostages currently held in Gaza, have the right to medical care. All hostages must be released without delay and without conditions

We believe that the United Nations should conduct an immediate and comprehensive investigation into the occupying power's violations and take effective measures to compel the occupying power to fulfil its obligations. Therefore, the recent attack should be a clear incentive for the Court to take immediate steps to prosecute violations of international humanitarian law.
