



## Economic and Social Council

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### Commission on the Status of Women

#### Fifty-fourth session

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Item 3 (a) of the provisional agenda\*

**Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and its contribution to shaping a gender perspective in the realization of the Millennium Development Goals**

### **Statement by Women’s Centre for Legal Aid and Counselling, a non-governmental organization in consultative status with the Economic and Social Council**

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* E/CN.6/2010/1.



## Statement

1. The Women's Centre for Legal Aid and Counselling (WCLAC) welcomes the review at the fifty-fourth session of the Commission on the Status of Women of the implementation of the Beijing Declaration and Platform for Action. WCLAC is a Palestinian women's organization based in the occupied Palestinian territory.

2. Fifteen years ago, in 1995, the Beijing Platform for Action, in paragraph 131, noted: "Aggression, foreign occupation, ethnic and other types of conflicts are an ongoing reality affecting women and men in nearly every region" and that "Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world." The document also noted: "International humanitarian law, prohibiting attacks on civilian populations, as such, is at times systematically ignored and human rights are often violated in connection with situations of armed conflict, affecting the civilian population, especially women, children, the elderly and the disabled. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law."

3. The Beijing Platform for Action cited the effects of armed or other kinds of conflict on women, including those living under foreign occupation as an area of critical concern, and the Beijing Declaration, in paragraph 33, stated the determination of the Governments participating in the Fourth World Conference on Women to "Ensure respect for international law, including humanitarian law, in order to protect women and girls in particular".

4. In the occupied Palestinian territory, 15 years on from the Conference, Palestinian women continue to live under foreign occupation and to live with ongoing violations of their human rights. WCLAC notes with concern the effect of these ongoing violations on women, the lack of accountability for such violations and the failure of the international community to ensure respect for international law in the region.

5. The devastating attacks by Israel on the Gaza Strip that began in December 2008 and lasted 23 days, left more than 1,400 Palestinians dead, including 318 children and 111 women; at least 5,300 were injured, of whom 1,600 were children and 830 were women.<sup>1</sup> There was also widespread destruction of homes and civilian infrastructure, including schools, hospitals and water and sanitation services. The situation in Gaza continues to deteriorate, with over 1.5 million men, women and children suffering from more than 2 years of near complete blockade on the movement of people and goods. The blockade, which constitutes a form of collective punishment, has triggered a protracted humanitarian crisis, including increased poverty, degraded living conditions, destruction of infrastructure and a decline in quality of vital services, such as health care and education.

6. In the West Bank, the route of the separation wall, the expansion of the illegal settlements, home demolitions, the closure regime and associated controls have fragmented communities and violated virtually every other human right of the Palestinian people, including freedom of movement, rights to health, education and

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<sup>1</sup> Palestinian Centre for Human Rights, "Targeted Civilians" (a report on the Israeli military offensive against the Gaza Strip), p. 10. See also the report of the United Nations Fact-finding Mission on the Gaza Conflict (A/HRC/12/48), paras. 352-358.

an adequate standard of living, and work and family life, in clear violation of international human rights and humanitarian law. A marked increase in settler violence in the West Bank has also been noted, including physical assaults as well as extensive damage to Palestinian land and property.

7. WCLAC welcomes the recognition given to the situation of Palestinian women in the Beijing Platform for Action adopted at the Fourth World Conference on Women, as well as in the Nairobi Forward-looking Strategies for the Advancement of Women, in particular paragraph 260 concerning Palestinian women and children, and the outcomes of the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”. United Nations resolutions, such as Economic and Social Council resolution 2008/11 and other relevant resolutions, including General Assembly resolution 57/337 on the prevention of armed conflict, and Security Council resolution 1325 (2000) on women and peace and security, are relevant to the situation of Palestinian women.

8. WCLAC however, believes that the emphasis needs to move towards ensuring accountability for human rights violations committed in the occupied Palestinian territory as a necessary measure towards ending the occupation. The United Nations Fact-finding Mission on the Gaza Conflict led by Justice Richard Goldstone and its report of 25 September 2009 (the Goldstone Report) are a step in the right direction. The report called the attacks on Gaza “a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population”<sup>2</sup> and made concrete recommendations for accountability. The report recommends that should Israel fail to conduct independent investigations into the allegations of war crimes, then the Security Council should refer the situation to the Prosecutor of the International Criminal Court. As stated by the United Nations Commissioner for Human Rights in her statement of 11 November 2009: “Until meaningful steps are taken to end impunity for these violations and assert the applicability of international law, peace and security will remain elusive for all the people of the region.”<sup>3</sup>

9. The fifty-fourth session of the Commission on the Status of Women is a unique opportunity to reaffirm the commitments of the Beijing Platform for Action and to move towards implementation of the strategic objectives and action points<sup>4</sup> through support for the recommendations of the Goldstone Report and by addressing the needs of Palestinian women to achieve accountability and justice and an end to the occupation.

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<sup>2</sup> Report of the United Nations Fact-finding Mission on the Gaza Conflict (A/HRC/12/48), para. 1893.

<sup>3</sup> Statement to the Security Council by the United Nations High Commissioner for Human Rights, Ms. Navi Pillay, New York, 11 November 2009.

<sup>4</sup> Beijing Platform for Action action point 145 (e) states: “Uphold and reinforce standards set out in international humanitarian law and international human rights instruments to prevent all acts of violence against women in situations of armed and other conflicts ... prosecute all criminals responsible for war crimes against women and provide full redress to women victims”.

### **Recommendations**

10. WCLAC urges Governments to take the following action:

(a) To reaffirm their commitment to the principles contained in the Beijing Platform for Action and the Nairobi Forward-looking Strategies for the Advancement of Women and other relevant United Nations documents, in particular as concerned with the situation of women affected by armed conflict;

(b) To reaffirm their commitment to the Beijing Platform for Action strategic objective to promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations;

(c) To reaffirm that the Israeli occupation remains a major obstacle for Palestinian women with regard to their full enjoyment of their human rights and the fulfilment of their right to self-determination;

(d) To affirm that the occupation is a major obstacle to women's advancement and their involvement in the development of Palestinian society, and stress the importance of efforts to increase their role in decision-making with regard to conflict prevention and resolution and to ensure their equal participation and involvement in all efforts for the maintenance and promotion of peace and security;

(e) To affirm their commitment to pursue accountability for those responsible for violations of international human rights law and international humanitarian law and to counter impunity for such abuses, in particular through support for the recommendations of the Goldstone Report;

(f) To affirm their commitment to ensure respect for human rights law and humanitarian law and to counter impunity through all necessary means, including international criminal law mechanisms and the use of domestic judicial procedures.

11. WCLAC, together with other human rights organizations based in the occupied Palestinian territory, is committed to raising awareness of the situation of Palestinian women and believes that accountability for the violations of human rights and humanitarian law is a crucial component in bringing about an end to the occupation and to achieving peace with justice. WCLAC would urge civil society to work together with Palestinian civil society to help achieve this objective. Civil society has a crucial role to play in promoting respect for human rights law and humanitarian law and achieving accountability for those responsible for violating them.