

## Case study four: State of Palestine

### 1. Background and context

#### *(a) National strategy and legal framework*

*Palestine is one of the most complex contexts in the world and, as a territory under occupation for 50 years, has a number of interlinking development and humanitarian needs (UNFPA).<sup>1</sup>*

Violence against women is a significant problem in Palestine. A study on the national prevalence rates of violence published in 2012<sup>2</sup> revealed that approximately 37 per cent of married women had been exposed to at least one form of violence by their husbands, with a 29.9 per cent rate in the West Bank compared to 51.1 per cent in the Gaza Strip. However, less than 1 per cent of women reported seeking the help of a social worker, a shelter, a civil society organization or the police. Following her mission to the State of Palestine in 2016, the Special Rapporteur on violence against women, its causes and consequences noted the multiple forms of violence against women in Palestinian society, including femicide and child marriage. Much of this violence is a consequence of entrenched patriarchal gender norms, as well as the fundamental role family honour plays in the Palestinian society. Poor employment opportunities which entrench poverty and limit women's freedoms is another important factor. Women suffer from violence directly and indirectly as a result of the Israeli occupation. Indeed, the social, cultural and institutional barriers to women's labour market participation are compounded by Israeli restrictions that impede mobility and perpetuate limited labour opportunities in the formal economy. Though violence against women continues to be a sensitive issue in the State of Palestine, recent efforts to combat and prevent this problem have made it a little less taboo.

It is relatively recently that the State of Palestine acceded to key human rights instruments, such as the Convention on the Elimination of All Forms of Discrimination Against Women. In 2016, the Special Rapporteur on violence against women, its causes and consequences described the national legal framework as outdated and fragmented. For example, the laws governing gender equality are a patchwork of problematic and contradictory personal status laws and penal codes. Violence perpetrated against women or men is illegal and punishable under the gender-neutral Jordanian Penal Code, but domestic violence is not specifically prohibited by law. However, the Family Protection Bill, which addresses violence against women, is in the final stage of review and is expected to be submitted to the President for consultations and endorsement in 2019. In the meantime, UN Women have supported the Ministry of Women's Affairs to develop a landmark strategy to guide interventions to address violence against women and to provide protection for survivors. Adopted in 2011, the National Strategy to Combat Violence against Women 2011-2019 is a comprehensive, multilevel policy framework.

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<sup>1</sup> UNFPA, "Evaluation of UNFPA support to the prevention, response to and elimination of gender-based violence, and harmful practices 2012-2017: Palestine case study" (Ramallah, 2017), p. 5.

<sup>2</sup> Palestinian Central Bureau of Statistics, "Violence survey in the Palestinian territory, 2011" (Ramallah, 2012), pp. 17-18.

The Palestinian Government, in partnership with several United Nations agencies and donors, recently launched two joint programmes, Sawasya II and HAYA, focused on eliminating violence against women. These initiatives support the development of legislation that respects, protects and fulfils human rights and gender equality, as well as promoting peace and security. UN Women have further supported the development of violence against women documentation systems in the State of Palestine. Indeed, the Ministry for Women's Affairs established the first National Observatory on Violence Against Women in 2017. This important institution produces and monitors data on violence against women, while supporting programming, advocacy and lobbying initiatives to combat the issue.

### *(b) Service provision*

The Sawasya II joint programme also strives to improve women's and girls' access to justice and security by ensuring accountable service provision to prevent, protect and respond to violence, including their broader legal needs. For example, specialized teams within key justice and security institutions such as the Ministry of Interior and Palestinian Civil Police, the Attorney General's Office, the High Judicial Council and the Ministry of Justice were prioritized as pivotal to increasing institutional gender responsiveness. A national referral system has been established, comprising the Ministry of Social Development, the Ministry of Health and the police, whose main focus is protection of women.

UN Women has been working extensively with the Palestinian Civil Police Family Protection Units since 2011 to strengthen their capacity to respond to cases involving violence against women. In 2013, the Chief of Police adopted the first ever Strategy, Regulation and Standard Operating Procedures for dealing with survivors of violence, including case reporting, risk assessment and case management. Currently, there are 10 units operating in 10 districts of the West Bank. The strategy, which is aligned with international human rights standards, has led to an increase in the number of survivors of violence accessing services from the Family Protection Units. In 2013, these units dealt with 3,662 cases, an increase of more than 52 per cent from 2011. However, according to the Ministry for Women's Affairs, it is still difficult for women experiencing violence against women to report their experiences to the police.

UN Women also provided technical support for the establishment of Mehwar, the first specialized multipurpose anti-violence centre in the State of Palestine. This centre has been recognized by the Palestinian Ministry of Social Affairs as a model for homogenizing Palestinian anti-violence services. There are currently four anti-violence centres/shelters in the State: Mehwar Centre in Bethlehem, the Family Defense Society shelter in Nablus, the Women's Centre for Legal Aid and Counselling emergency shelter in Jericho and Al-Hayat Centre in Gaza. Such centres provide numerous services to survivors, including shelter and protection. However, according to the Ministry for Women's Affairs, most women who experience domestic violence stay with family/friends, rather than accessing these shelters due to stigma and fear of reprisal from their husbands. As part of the Palestine Gender Programme which focuses on strengthening government and civil society capacity to address gender-based violence, UNFPA also supports clinical and psychosocial support services for survivors.

## 2. Rationale for Study

### *(a) Initiation and study team*

Following a regional consultation organized by UN-ESCWA in partnership with UN Women on the importance of costing violence against women, the Palestinian Ministry of Women's Affairs expressed interest in piloting the economic model and undertaking a national study on the topic. ESCWA responded to the technical assistance request from the Ministry for Women's Affairs to commission a national prevalence and costing study on domestic violence and formed a partnership with the ministry to govern this relationship. Then a National Committee was formed to oversee the study, comprising the Ministry of Women's Affairs, Ministry of Finance, Ministry of Social Development, Ministry of Culture, Ministry of Labour, Ministry of Justice, NGOs, UN-Women and UN-ESCWA.

The State of Palestine followed the steps proposed by UN-ESCWA, starting with a situation analysis, which was conducted through a fieldwork mission by an international consultant to identify sources of administrative data and budget information for a costing violence against women methodology in Palestine. ESCWA then held national consultation workshops in Jordan<sup>3</sup> with the relevant specialized parties to discuss the findings of the contextual analysis and to devise the study objectives, scope and methodology. This led to the formulation of an operational model for the scope of the study in terms of the types of violence to be included in the exercise; the particular costs of violence that would be feasible to estimate and their relevant sources of data; the appropriate methodologies and methods for the study; and the partnerships required for the implementation of the study.

With the support of UN-ESCWA Statistics Division, a follow-up workshop was held in Jordan, to discuss and finalize the study details and agree on the questions for costing domestic violence which would be integrated in a survey that the Palestinian government is currently undertaking on the prevalence of violence against women. Integrating a section on costing in the ongoing survey was a very cost-efficient approach that avoided administrating a stand-alone costing survey.

In parallel to this, UN Women recruited an international consultant to undertake a gender-responsive budgeting exercise to examine resources allocated for addressing violence against women. The gender responsive budgeting exercise, which is underway, will integrate “a clear gender perspective within the overall context of the budgetary process, through the use of special processes and analytical tools, with a view to promoting gender-responsive policies”.<sup>4</sup> In particular, it will examine the allocation of resources based on (a) reviewing relevant national policies and laws; (b) examining the budget allocation made to activities undertaken by governmental and non-governmental members of the National Coordination Committee on how to prevent violence and to provide services or prosecute perpetrators in areas related to violence against women. The process currently being implemented is composed of: (a) desk review of

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<sup>3</sup> Due to the difficulty associated with visa issuance to United Nations staff and consultants to the State of Palestine, many events are held in Jordan.

<sup>4</sup> Ronnie Downes, Lisa von Trapp and Scherie Nicol, “Gender budgeting in OECD countries”, *OECD Journal on Budgeting*, vol. 3 (2016).

existing documents, including policies, laws and budgets; and (b) interviews with key stakeholders from governmental and non-governmental organisations to better understand funding sources and adequacy of budgets to deliver the services needed.

*(b) Motivation to undertake the study*

The study underway aims to address the gap in knowledge regarding the cost of inaction to the State. It seeks to inform preventative policy development and it is envisaged that the money saved will be redirected to societal development.

### **3. Methodology**

*(a) Objectives of the study*

The study aims to establish the prevalence of domestic violence perpetrated by men against their wives (marital violence) and to estimate its direct and indirect costs for women, households, the community, wider society and the State.

*(b) Intended audience*

This study is intended for a variety of individuals/groups affected by domestic violence and those with a role to play in the prevention and/or response to domestic violence:

- Society – to raise awareness of the magnitude of the problem and of the availability of services;
- Government/budgetary decision makers – to better address domestic violence, and protect women and children, by targeting funding;
- Government/civil society/researchers – awareness-raising and capacity-building.

Establishing an evidence-base on the costs of domestic violence is seen as crucial to informing policies, as well as to the development of services addressing violence against women. The research partnership plans to hold workshops for the relevant government Ministries and civil society organizations working on violence against women to present and discuss the findings. This will be complemented by a workshop for the National Committee to plan the development of policies and procedures to address violence against women.

*(c) Scope of the study*

While the violence women are subjected to as a result of the Israeli occupation is significant, it was agreed that the research will focus on marital violence perpetrated by men against their wives, as this is the most prevalent form of violence against women in the State of Palestine. Discussions have also explored the link between the violence experienced by Palestinian men due to the occupation and their perpetration of marital violence. It was decided to focus on marital violence while acknowledging that the violence perpetrated against men by the Israeli occupation is a contributing factor to increased violence against their wives. The study will also explore women's awareness of the services available and their help-seeking behaviour.

Several factors were considered when devising the scope of the research and the size of the sample, such as the clarity of the concepts, the availability of indicators and the budget required to implement the project. The target sample will be representative, comprising 12,400 families across the State. The research team determined which costs are to be included and the indicators to be

employed based on the Egyptian study and discussions with the ministries and NGOs working on violence against women. The study will focus on estimating (to the extent possible) direct, indirect, tangible and intangible costs.

- Direct costs borne by women, such as expenditure associated with seeking services for injuries (physical and psychological), general health care, shelter, legal and judicial litigation (police), transportation, as well as loss of assets and consumption costs related to the replacement of property;
- Indirect costs such as income loss due to missed work by the woman and the perpetrator (where applicable), loss of domestic/care work, missed days from university, children's school absence;
- Indirect and intangible costs and consequences that women and children face due to the incident;
- Costs incurred by the woman and/or contributions from family/friends;
- Macroestimates of out-of-pocket expenditures, lost earnings and value of missed domestic work/care;
- Costs calculated for the national level based on data from the sample;
- Cost of service provision such as health care, legal and judicial litigation (police) and shelter.

#### *(d) Method and cost calculation*

This study will employ a mixed-methods approach. A household survey will be conducted face-to-face with one woman per household in the target sample. The Palestinian Central Bureau of Statistics is currently devising the questionnaire. Building on the 2015 National Household Survey and the advice from Egypt, the questionnaire will gather data on demographics, work profile of respondents including earnings/income, prevalence of domestic violence, and the health and economic impacts of violence to estimate the direct and indirect costs outlined above. The Palestinian Central Bureau of Statistics organized a workshop with the National Committee of the Ministry for Women's Affairs to discuss and finalize the questionnaire, which was piloted during the summer of 2018 and reviewed according to the findings of the pilot. It is expected that the fieldwork will take place in January 2019 to fully administrate the survey, which will be conducted by approximately 50 women researchers who were recruited and trained by The Palestinian Central Bureau of Statistics.

As was the case in Egypt, the survey data will be primarily analysed using the accounting methodology. According to the Ministry for Women's Affairs, the data from the survey will be analysed by The Palestinian Central Bureau of Statistics and the international consultant. This consultant will also analyse the government budget of the Ministries of Finance, Health, Women's Affairs and Social Development. In addition, service provider (health care, shelters, police etc.) and violence against women observatory records will be analysed.

#### **4. Challenges**

- **Lack of national expertise** on the costing of domestic violence and the difficulty in choosing the specific target groups;
- **Lack of awareness** of the problem has also resulted in a **limited understanding** among some national institutions of the importance of the study: some institutions and national experts were under the impression that costing violence against women would

underestimate the human rights aspect of the problem and thus were resistant to the concept;

- **Limited understanding** among national institutions on the importance of the study: some institutions and national experts were under the impression that costing violence against women will underestimate the human rights aspect of the problem and thus were resistant to accept the concept;
- **Lack of a comprehensive approach to address violence against women:** National efforts to address violence against women had been fragmented. For example, despite having a national strategy on the issue, the State of Palestine lacks national legislation on violence against women. The lack of a comprehensive approach will be challenging for the development of preventive policies and procedures that are enhanced if supported by a legal framework;
- **The scope and focus of the study:** Due to the unique nature of a country being under occupation, some stakeholders wanted to broaden the scope of the study to include the cost of violence on women as a result of the occupation along with marital violence. The economic model used in the State of Palestine was focused on costing domestic violence and cannot accommodate such a broad scope. Nonetheless, as a mitigation measure, the questionnaire on costing violence against women will include questions addressing violence by spouse in the context of the Israeli occupation, with an understanding of how this will be presented - as a risk factor, involving norms of masculinity and conflict. Another mitigation measure was to include questions on men's experiences of violence due to the Israeli occupation;
- **The limited financial resources to undertake a costing study:** the Palestinian Ministry of Women's Affairs and The Palestinian Central Bureau of Statistics decided to include a section on the cost of violence against women in an ongoing survey on the prevalence that was budgeted for. This is a cost-effective method to reduce the cost associated with national surveys.