

# Palestinian Women's Reproductive Health Rights:

A Matter of Health and Social Justice



By Yara Hadweh

Women in Palestine have lived all or most of their lives under restricted political and cultural systems and have been facing a triple challenge in establishing their rights: as Palestinians living under an occupation that controls every aspect of their lives, as unequal members of society subject to discriminatory laws, and as women living in a traditional patriarchal society.

The link between reproductive health and human rights has been apparent since the 1994 United Nations International Conference on Population and Development (ICPD), in Cairo, and the Fourth United Nations Conference on Women, in Beijing in 1995. The Sustainable Development Goals (SDGs) have also set up a target to ensure universal access to reproductive health services by 2030 (UN 2016).<sup>i</sup> Since then, many international conventions have been developed to support an integrated approach to reproductive health and human rights. Reproductive health rights were declared as human rights, and the promotion of those rights was recognized as a matter of social justice.

Reproductive health rights in Palestine are severely constrained because of a combination of factors that include the long history of fragmentation and conflict in Palestine as well as the Palestinian cultural context and norms. These factors have been constant in hampering the development of coherent health policies and programs, especially those related to reproductive health.<sup>ii</sup>

## Definition of Reproductive Rights according to ICPD Program of Action.<sup>iii</sup>

**Reproductive Rights (Paragraph. 7.3, Program of Action, ICPD).**

***Reproductive Rights** embrace certain human rights that are already recognized in national laws, international laws and international human rights documents and other consensus documents. These rights rest on the recognition of the basic rights of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes the right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.*

## The Twelve Human Rights that Are Key to Reproductive Rights

The Right to Life	The Right to Equality and Non-Discrimination
The Right to Liberty and Security of Person	The Right to Be Free from Practices that Harm Women and Girls
The Right to Health, including Sexual and Reproductive Health	The Right to Not Be Subjected to Torture or Other Cruel, Inhuman, or Degrading Treatment or Punishment
The Right to Decide the Number and Spacing of Children	The Right to Be Free from Sexual and Gender-Based Violence
The Right to Consent to Marriage and to Equality in Marriage	The Right to Access Sexual and Reproductive Health Education and Family Planning Information
The Right to Privacy	The Right to Enjoy Scientific Progress

The deterioration of the political and economic situation has had a particularly negative effect on Palestinian women, reducing opportunities for Palestinian women to champion their rights. Women in Palestine face several key problems: conservative, societal norms that are often institutionalized in law and practice; violence against women and gender-based violence; low representation of women and women's issues in decision-making bodies; obstacles to equitable economic participation; political-system constraints on security, movement, education, and access to services.<sup>vi</sup>

Existing traditional and tribal structures wield great authority within Palestinian society. Such structures strengthen gender inequality and increase pressures on women to conform to certain interpretations of traditional norms. This translates into the concept that men are usually the decision-makers in all matters related to their respective families; they are the ones to decide the number of children and the space between each child, just as they make decisions in many other matters in different contexts. These paternal authorities are usually unchallengeable and lead to the marginalization of women, which results in lost opportunities for recreation,



Reproductive health rights remain low on the list of priorities. In order to ensure universal access to reproductive health rights in the Palestinian context, a number of recommendations should be implemented.

- Governments should demonstrate their commitment to prioritizing reproductive health rights initiatives. This topic should be incorporated into activities and awareness-raising programs.

- The Ministry of Education should take systematic steps to include this topic in the school curriculum and university syllabus.

- The capacity of institutions to prosecute cases of violence against women should be strengthened.

- Economic opportunities for women in Palestine should be created and socio-cultural empowerment increased in order to build women's resilience.

- Further research regarding reproductive health rights should be conducted throughout Palestine.

education, and work. It is also considered a leading factor in early marriage in Palestinian society.<sup>v</sup> Such traditions limit women's ability to benefit from their reproductive health rights. In addition to the common structural problems caused by the conflict, Palestinian society has slid backward instead of progressing forward, increasing the burden on Palestinian women and hindering their empowerment.

Reproductive health rights for women are rarely mentioned in laws or programs, and there is often a gap in their implementation. The failure to establish practical and enforceable laws that promote and protect women's reproductive health rights has forced society to rely on social norms and traditional forms of justice. This usually ensures social cohesion but does not guarantee the health and well-being of women. Norms and laws are closely related, as laws can be influenced by norms and vice versa.

<sup>i</sup> United Nations Country Assessment Team in the oPt., 2016, Common Country Analysis 2016 – *Leave No One Behind: A Perspective on Vulnerability and Structural Disadvantage in Palestine*.

<sup>ii</sup> Bosmans et al., 2008, "Palestinian Women's Sexual and Reproductive Health Rights in a Longstanding Humanitarian Crisis," *Reproductive Health Matters*, 16(31):103–11.

<sup>iii</sup> United Nations., 1994. International Conference on Population and Development (ICPD), Program of Action A/CONF.171/13 chap. 7.A. Cairo, 5–13 September 1994. New York: United Nations.

<sup>iv</sup> Richter-Devroe, S., 2011, *Gender Equality and Women's Rights in Palestinian Territories*, Jerusalem: European Parliament.

<sup>v</sup> UNFPA Palestine and MIFTAH, 2015, "Country Assessment towards Monitoring and Reporting Sexual and Reproductive Health and Rights in Palestine."

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