Palestine unilaterally ratified CEDAW by Presidential Decree No. 19 of 2009. After UN recognition of Palestine as a State, Palestine acceded to CEDAW in 2014. Palestine has entered no reservations to CEDAW.

Constitution

Article 9 of the Basic Law provides that Palestinians shall be equal before the law and the judiciary, without distinction based upon race, sex, colour, religion, political views, or disability.

No available data or inadequate information.

NATIONALITY LAW

There is no Palestinian nationality law. The Israeli occupation prevents state institutions from conferring nationality. Identity cards are issued to Palestinians registered in the Palestinian population registry, which is controlled by the Israeli military under a law pertaining to the occupation. Palestinian authorities can confirm residency status for Palestinians under the Palestinian Civil Status Law no. 2 of 1999, and Palestinian women can confer residency on their children.
CRIMINAL LAWS

Domestic violence
Palestine has no stand-alone domestic violence legislation.

Abortion for rape survivors
Abortion is prohibited in the West Bank by the Jordan Penal Code (Articles 321–325) and in Gaza by the Criminal Code of 1936 (Articles 175–177). However, in practice authorities allow abortions in the first four months of pregnancy in situations of rape or incest, or if the mother has a disability or her life is at risk.

Sexual harassment
Sexual harassment is not criminalized by the Labour Code. Article 305 of the Penal Code criminalizes unwanted sexual conduct (sexual molestation) of women who are above the age of 18 years.

Rape (other than of a spouse)
Rape is criminalized by Article 152 of the Criminal Code of 1936 in Gaza Strip and Article 292 of the Penal Code of 1960 in the West Bank.

Femicide: Mitigation of penalty (so called ‘honour’ crimes)
Laws allowing mitigation of penalties for ‘honour’ crimes were repealed in 2011, 2014 and 2018 in the West Bank. However, the government in Gaza has not applied the reforms. In 2018, Article 99 of the Penal Code for the West Bank was amended to remove the discretion granted to judges to reduce penalties in cases of honour crimes and other cases of femicides (exclusion of mitigating measures in crimes and misdemeanours against women and children).

Sex work and anti-prostitution laws
Prostitution is prohibited by Articles 309–318 of the Penal Code in the West Bank and Articles 161–165 of the Criminal Code of 1936 in Gaza.

PERSONAL STATUS LAWS

Minimum age of marriage
The Presidential Decree of 4 November 2019 raised the minimum age of marriage to 18 years in both the West Bank and the Gaza Strip, but allowing for exceptions to be made by the court and by the Chief Justice of Sharia courts. The amendment also includes Palestinian Christians.

Male guardianship over women
Muslim women require consent of a wali (male guardian) to marry. There are some weak legal protections for women under guardianship. Women can seek permission from the court to marry if the guardian withholds consent without a legitimate reason.

Custody of children
After divorce the mother has custody up to a certain age, but automatically loses custody of her children if she remarries.

Marital rape
Marital rape is not criminalized.

Inheritance
Sharia rules of inheritance apply to Muslims. Women have a right to inheritance, but in many cases receive less than men. Daughters receive half the share that sons receive.

LABOUR LAWS

Right to equal pay for the same work as men
Under the Labour Law of 2000, discrimination in the workplace between men and women is prohibited.

Dismissal for pregnancy
Under the Labour Law of 2000, employers are prohibited from dismissing a woman because she takes maternity leave.

Paid maternity leave
The Labour Law allows for maternity leave of 10 weeks, which is less than the ILO standard of 14 weeks.

Domestic workers
The Labour Law does not apply to domestic workers. A Council of Minister’s decision provides some protections for domestic workers relating to the number of working hours, the right to rest, remuneration, post-contract rights, and compensation.

Legal restrictions on women’s work
Some legal restrictions exist on women’s employment in certain industries that do not apply to men, such as mining.