

Inclusive or Exclusive: The Legislative Framework for Ensuring Youth and Women's Presence in Palestinian Governance Institutions



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Research and Studies Unit

Project

Shared Vision for Democracy, Peace, and Prosperity

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Executive Summary

This paper provides a policy diagnosis of the legislative framework governing women's and youth representation in Palestinian governance institutions, at a moment when the Palestinian political system is undergoing a rare simultaneous reshaping: an institutional reform programme for the Palestinian Authority; local elections that produced a women's representation rate of [33%](#) in April 2026; and a new transitional governance structure for Gaza operating under [UN Security Council Resolution 2803](#) — with only one woman among its 15 members. This gap between marginal progress in local elections and deep institutional absence at higher tiers of governance reveals that the Palestinian legislative system produces presence in the lower layers of power while entrenching exclusion at its upper echelons. Youth — among whom those under 24 constitute more than 60% of the total population, while those between 18 and 29 represent over 22% by the UN definition — remain outside any binding representative framework.

Introduction

On 25 April 2026, over one million eligible voters were called to the polls in local council elections covering the West Bank and the city of Deir al-Balah in the Gaza Strip, though actual turnout reached approximately 522,000 voters according to the Central Elections Commission. [The Central Elections Commission announced](#) that women accounted for 33% of winning candidates — an unprecedented figure in Palestinian electoral history — raising a fundamental question about whether the Palestinian legislative framework now genuinely guarantees women's and youth presence in governance institutions.

That question cannot be answered without examining three specifics: first, local elections represent only one tier of governance, not the tier of strategic decision-making; second, the [technocratic transitional committee for governing Gaza \(NCAG\)](#), announced in January 2026, includes just one woman among its 15 members at 6.7%; and third, Palestinian youth — [among whom those under 24 make up over 60% of the total population](#) — remain absent from any legislative framework that recognises their right to organised representation.

The paper frames the issue within three interlocking contexts: first, the occupation that paralysed the Palestinian Legislative Council following the 2007 split and led to its formal dissolution in 2018, reducing legal reform to presidential decrees rather than democratic legislation; second, the [institutional reform programme](#) being implemented by the 19th Government under Dr. Mohammad Mustafa since April 2024, which proposes to modernise governance structures without designating women's and youth representation as a measurable priority; and third, the exceptional post-war context in Gaza, where governance structures are being redesigned in the absence of any direct Palestinian democratic process.

Section One: A Reading of the Legislative Framework — What It Guarantees and What It Ignores

The General Legal Architecture

[The amended Basic Law of 2003](#) enshrines in Article 26 the right of political participation for individuals and groups, while Article 5 establishes the principle of political pluralism and direct elections for the Legislative Council and the President — yet these general provisions contain no specific guarantees for two particular groups: women and youth.

On Women

[General Elections Law No. 9/2005](#) introduced the first explicit legislative requirement for a gender quota, with Article 4 establishing a sequential system: one woman within the first three names on a list, another within the following four names, and another within every subsequent five names — applying only to the proportional tier covering 66 of the council's 132 seats. The constituency-based tier (also 66 seats) contains no quota requirement whatsoever, meaning the system does not guarantee women actual seats so much as it enforces a minimum list placement, leaving half the Council's seats outside any representational safeguard.

In 2021, a presidential decree raised the quota in the legislative tier to 26% — falling short of the 30% demanded by Palestinian women's organisations. [Article 17 of the Local Councils Elections Law](#) reserves 20% of council seats for women with a continuity mechanism for vacancies — the most substantive provision in the entire framework since it guarantees seats rather than mere list positions. The [decree-law of November 2025](#) reinforced this quota within a new mixed electoral system: an open proportional list for municipalities and a single-member system for village councils, alongside a reduction of the minimum candidacy age to 23.

On Youth

The legislative gap here is more pronounced: no quota and no binding mechanism for youth representation exists in any electoral law. The [National Youth Sector Strategy 2017–2022](#) sets development goals covering education, health, employment, and community participation — with no binding mechanism for political representation. The document treats youth as a service sector rather than a political category with an entrenched right to codified presence.

CEDAW and the Alignment Problem

Palestine has acceded to CEDAW, yet the [ESCWA 2024 report](#) documents the faltering process of aligning national legislation with the Convention's provisions — a consequence of the Legislative Council's dissolution, which has transferred the burden of international commitments onto presidential decrees rather than a democratic contract with citizens. Personal status law, the penal code, and labour law all remain without structural reform on this front.

Table 1: The Legislative Framework Governing Participation in Palestine

Legislative Instrument	Relevant Provisions	Target Group	Enforcement Mechanism
Amended Basic Law 2003/2005	Articles 5 and 26: right of political participation	General public	General constitutional — no specific representational mechanism
General Elections Law 9/2005	Article 4: sequential women's quota in the proportional tier	Women	Candidacy requirement — no seat guarantee
Local Councils Elections Law	Article 17: 20% of seats for women	Women	Seat guarantee + continuity mechanism on vacancy
Presidential Decree 2021	Raises quota in the legislative proportional tier to 26%	Women	Candidacy condition in proportional tier only
Decree-Law November 2025	Mixed system + candidacy age lowered to 23 + women's quota maintained	Youth and women	Eligibility condition + seat quota in municipalities
National Youth Strategy 2017–2022	Development goals for youth sectors	Youth	Non-binding — developmental, not political
CEDAW	Elimination of all forms of discrimination against women	Women	Acceded to — not fully aligned in national legislation

Source: Author's compilation drawing on General Elections Law 9/2005, Local Councils Elections Law, the amended Basic Law, decree-law of November 2025 (WAFA), and UN Women Palestine.

In brief, the legislative framework is not a complete vacuum, but it is characterised by three structural features: a bias towards candidacy conditions over guarantees of winning and influence; the complete exclusion of youth as a political category deserving representation; and the concentration of its reform mechanism in the hands of the executive following the dissolution of the Legislative Council.

Section Two: Women in Governance Institutions — Between Quota and Margin

A Reading of the April 2026 Local Elections

Women's representation in the [April 2026 local council elections](#) reached approximately 33% according to the Central Elections Commission — the highest figure ever recorded in Palestinian electoral history. The number appears, at first glance, a qualitative advance on the 21% recorded in 2021–2022; yet this development warrants contextual reading on three counts. First, local elections cover only one tier of governance, not the tier of strategic decision-making. Second, there is an expected gap between holding a local council seat and exercising actual decision-making authority, particularly in small towns where acclamation and tribal influence prevail. Third, the figure does not disaggregate representation between urban and rural areas, nor between women who won through competition and those who obtained seats through quota provisions.

Distribution of Representation Across Governance Levels

In the Palestinian Legislative Council — which had effectively ceased to function since the 2007 split and was formally dissolved in 2018 — women's share in the last session of 2006 stood at [12.9%, or 17 seats out of 132](#). This figure fell below the quota percentage itself, as the quota applied only to the proportional tier; the council's dissolution means this number is now frozen in history.

[UN Women Palestine data](#) indicates that the current cabinet includes three women ministers out of 24, equivalent to approximately 12.5% — a drop from 21% in the previous government. It should be noted that this figure is subject to change depending on the most recent official cabinet reshuffle and should be verified at the time of publication. The portfolios held by women revolve around women's affairs, social affairs, and culture; no woman holds the finance, interior, national economy, or any portfolio of strategic security or financial significance.

The Gaza Model: NCAG as a Revealing Test Case

The [National Committee for the Administration of Gaza \(NCAG\)](#), announced in January 2026 under [Security Council Resolution 2803](#) of November 2025, comprises fifteen Palestinian members led by Dr. Ali Shaath — with one woman: [Hana Tarazi](#), a lawyer and social activist assigned the social affairs and women's affairs portfolio. Women's representation in the committee stands at 6.7% based on the membership announced in January 2026 — lower even than the Palestinian governmental average.

This composition raises a policy question that cannot be deferred: although Resolution 2803 opens a path for transitional governance in Gaza through the Board of Peace, an International Stabilisation Force, and a Palestinian technocratic committee, it contains no binding guarantees for women's or youth representation within these structures. The problem lies not only in the absence of general rights language but in the failure to translate that language into measurable institutional design requirements. The [semi-annual report on Resolution 2803 \(May 2026\)](#) clarifies that negotiations over NCAG's composition focused on administrative competence and regional acceptance, without the file of qualitative representation being opened as a foundational criterion for legitimacy.

Structural Patterns of Entrenched Exclusion

A recurring pattern is visible across all levels of Palestinian governance: women appear in "care" portfolios and are absent from "political" ones. This is neither coincidence nor a scarcity of qualified women — it is the direct reflection of entrenched expectations that redefine women's role in governance. [PCBS 2023 data](#) shows that women constitute just 1% of the boards of directors of chambers of commerce, industry, and agriculture, and only one of 15 governors — despite representing 19% in the judiciary. This contrast reveals that women find their way where institutions acknowledge technical competence without it threatening the balance of power. In Gaza specifically, at least [38,000 women and girls have lost their lives](#) since October 2023 according to UN Women, compounding the legally recognised absence of women with a catastrophic physical one.

Table 2: Women's Representation in Palestinian Governance Institutions, 2021–2026

Institution	Share	Note
Local councils (April 2026)	33%	Highest figure in Palestinian electoral history
Local councils (2021–2022)	21%	Includes both acclamation and competitive election

Palestinian Legislative Council (last session 2006, dissolved)	12.9% — 17 of 132	Quota applied to proportional tier only
Council of Ministers (2024–2026)	~12.5% — 3 of 24*	Drop from 21% — to be verified at publication
National Committee for Administration of Gaza NCAG (January 2026)	6.7% — 1 of 15	Hana Tarazi: social affairs and women's affairs
Governors	6.7% — 1 of 15	Presidential appointment
Judiciary and Public Prosecution	~19%	Above average for senior sector
Boards of Chambers of Commerce, Industry and Agriculture	~1%	Lowest in the institutional landscape

Source: Central Elections Commission (2026); UN Women Palestine; PCBS (2023); ESCWA (2024); ECFR.

In brief, the Palestinian women's quota produces representation at the lower tiers of governance while entrenching marginalisation at its upper echelons. The 33% figure in the 2026 local elections reflects a genuine relative advance, but it coexists with 6.7% in NCAG and 12.5% in the cabinet — which reframes the overall picture.

Section Three: Youth in Governance — Legislative Absence and Systematic Exclusion

There is a fundamental difference between women's position and youth's position in the Palestinian legislative framework: women have legal provisions — inadequate and problematic, but present; youth do not even have that. There is no quota and no binding mechanism for youth representation in any electoral law. Youth are treated in political discourse as a latent potential while being absent from legislation as a category with a recognised right. Exclusion is not limited to weak representation — it extends to the absence of measurement itself; electoral and executive institutions produce no regular data on the ages of winners or appointees in governance positions, rendering youth statistically invisible in the same way they are politically unrepresented.

[22% of Palestinians fall between the ages of 18 and 29 by the UN definition](#), while those under 24 represent over 60% of the total population. Youth unemployment stands at around 30% in the West Bank and reached 75% in Gaza even before the war — figures that reflect not voluntary withdrawal but a system that narrows youth horizons economically, politically, and institutionally all at once.

Deferred Exclusion: When Potential Becomes Management

An [Arab Reform Initiative paper \(2022\)](#) described how the international community directed funding towards the women's quota — itself insufficient — while leaving youth entirely outside the representational agenda, producing what can be called "deferred exclusion": youth are not explicitly rejected from political participation, but are channelled into non-binding consultative structures — municipal youth councils, advisory committees, internationally funded participation programmes — while substantive policy decisions remain in age-entrenched structures that do not move.

In 2022, [the United Nations in Palestine launched the Youth Advisory Panel \(YAP\)](#), a consultative body comprising 18 young people from the West Bank, Gaza, and Jerusalem with European-Danish support. But "advisory" is the operative word: this body amplifies youth voices to international actors; it does not represent them within Palestinian decision-making bodies.

The [UNFPA YouthLeads programme](#) shows that only 29% of young people in the West Bank express interest in participating in any political event, while a [Pal-Think \(2024\) study](#) on youth participation in Palestinian political parties documents exclusion, marginalisation, and difficulty accessing leadership positions within a system that places "loyalty and seniority" above "competence and renewal."

Youth and Transitional Governance Structures in Gaza

The National Committee for the Administration of Gaza (NCAG) — which will govern the immediate future of a generation exhausted by war — includes no young Gazan. Fifteen members, all adults with governmental backgrounds, treating Gaza as an administrative and technical problem, without involving the generation that lived through years of siege and war in charting the next phase. The [IDEA \(2024\) review](#) of local council electoral reform clarified that youth as a standalone file was not raised in any official discussion of electoral structure reform.

The First Emerging Step: Lowering the Candidacy Age

The first direct legislative step to address youth by name was the reduction of the candidacy age for local councils to 23 under the [November 2025 decree-law](#) — a measure whose significance should not be diminished, but which remains confined to eligibility conditions without any guarantee of representation or activated seat quota.

Table 3: Comparative Legislative and Actual Status — Women and Youth

Indicator	Women	Youth
Binding legislative quota	Yes — legislative and local elections	No
Minimum candidacy age	No requirement	23 (municipalities, 2025)
Representation in local councils (2026)	33%	No disaggregated data published
Representation in cabinet	~12.5%	Near-absent in leadership positions
Representation in NCAG (Gaza 2026)	6.7% — 1 of 15	Zero
Formal participation mechanisms	Legal quota + presidential decree	Non-binding advisory structures
Level of political participation interest	Structural barriers documented	Only 29% in the West Bank
Representation data available and regular?	Partially	Absent — the absence itself is an indicator of exclusion

Source: Central Elections Commission (2026); UN Women Palestine; UNFPA / YouthLeads; Pal-Think (2024).

In brief, the absence of youth from governance institutions is not an incidental phenomenon; it is the logical outcome of a legislative framework that recognises no right to organised representation, and of a political institutionalism that reproduces itself through parallel youth channels condemned to remain advisory.

Section Four: The Reform Context and Pathways for Change

Reform as a New Variable and Its Limits

Since April 2024, the [19th Palestinian Government](#) under Dr. Mohammad Mustafa has been implementing a National Programme for Development and Reform comprising approximately 60 measures across four pillars: public finance management, governance and rule of law, investment environment, and service delivery improvement — with WAFA reporting that more than half of these measures were implemented by the end of 2025.

Yet this reform — which acknowledges itself to be a response to international pressure rather than domestic demand — contains no measurable indicators relating to women's and youth representation in governance institutions. It substitutes technical procedures for political reform and replaces representational accountability with administrative efficiency. The [OECD \(2024\) review](#) of Palestinian Authority governance documents the fragility of the legislative oversight system and the weakness of executive accountability mechanisms.

Resolution 2803 and the Gaza Governance Dilemma

The UN Security Council adopted [Resolution 2803](#) by 13 votes in November 2025, establishing the Board of Peace, an International Stabilisation Force, and supporting the NCAG as the transitional administrative body for Gaza. The resolution opens a path for transitional governance but contains no binding requirement for women's or youth representation within these structures — the result being 6.7% women in NCAG operating under a UN resolution adopted in 2025.

The West Bank and Gaza: Two Contexts, Not One

The West Bank is witnessing a local electoral track — incomplete but active — that produced the 33% figure in 2026, while Gaza faces conditions of double exclusion: ongoing military occupation and governance structures taking shape outside any direct Palestinian electoral process and without clear representational guarantees for women or youth in their design or membership. The Gaza context multiplies exclusion: no legislative elections, no comprehensive local elections in Gaza in 2026 (limited to the city of Deir al-Balah), and only one woman in the NCAG.

Recommendations

First — The Legislative Track

- Extending the application of the women's quota to geographical constituencies, not only the proportional tier, so that actual representation approaches the stipulated percentage.
- Adopting a youth quota of no less than 15% in local and legislative elections for candidates under 35, with a dual definition: youth demographically aged 18–29, and politically/electorally up to 35 given eligibility conditions and the slow transition to leadership positions.
- Requiring electoral lists to place women and youth candidates in the first half of the list on an alternating basis, to prevent formal tail-end compliance.
- Launching a transparent legislative alignment process with CEDAW, led by a national committee including the Ministry of Women's Affairs, human rights institutions, and the Bar Association, with draft amendments published for public comment and submitted to the first elected legislative council for approval.

Second — The Institutional Track

- Requiring the Council of Ministers to achieve 30% women in senior appointments: governors, heads of agencies, and boards of directors of public institutions.

- Granting municipal youth councils legal review rights over decisions that directly affect youth, with municipal councils required to provide a formal written response.
- Requiring 30% women and 15% youth in any transitional governance structure formed for Gaza, whether under Resolution 2803 or outside it.

Third — The Policy Track

- A national political youth strategy defining youth as a category deserving representation rather than a service sector, with binding integration mechanisms in political parties and governance structures.
- Linking the government's institutional reform programme to measurable indicators on women's and youth representation, with an annual public reporting mechanism.

Conclusion

It is worth asking at the close of this paper: is legal reform alone sufficient? Can women and youth be genuinely represented under a split that produces a complete duality between the West Bank and Gaza? Does the transitional technocratic committee for Gaza — with one woman among fifteen members — represent a ceiling or a reflection of what can be expected when the rights framework is absent from the construction of governance structures, even when the opportunity to start from scratch presents itself?

What this complex landscape reveals is that exclusion does not stem only from absent will, but from a legislative architecture that endorses symbolic presence and makes it sufficient. A 33% rate in local councils coexists with 6.7% in NCAG, and both exist under a legislative council dissolved after a split of a decade and a half, within a partisan system that reproduces itself not only legislatively but in its values.

In the absence of clear answers to the questions of structural transformation — who decides reform, who monopolises it, and for whose benefit — the discourse of participation remains what it is in essence: a deferred promise, renewed with every reform cycle, without its legal provisions ever becoming different power arrangements.