

# ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

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## State of Israel

Head of state: **Isaac Herzog** (replaced Reuven Rivlin in July)

Head of government: **Naftali Bennett** (replaced Benjamin Netanyahu in June)

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**Armed conflict between Israel and Palestinian armed groups in the Gaza Strip in May entailed apparent war crimes and possible crimes against humanity. Disproportionate and reckless strikes by Israeli forces killed 242 Palestinians in Gaza. Unlawful attacks by Israel included targeted strikes on medical facilities and personnel. Israel maintained its illegal blockade on the Gaza Strip, inflicting collective punishment on residents and exacerbating the humanitarian crisis there, and Palestinians' freedom of movement was arbitrarily restricted in the West Bank. Israeli authorities subjected Palestinians to forced evictions, arbitrary detention, torture and other ill-treatment, all committed with almost total impunity. Israel's discriminatory system of governing Palestinians in Israel and the Occupied Palestinian Territories (OPT) constituted apartheid, a crime under international law. The Ministry of Defense labelled six Palestinian civil society organizations as "terrorist" in October. Conscientious objectors to military service were imprisoned. Divorce and other personal status laws governed by religious courts continued to discriminate against women, and domestic violence rose during the Covid-19 pandemic. The authorities denied asylum seekers access to a fair and prompt refugee status determination process, and to economic support. While Israel**

**transferred 5,000 Covid-19 doses to the Palestinian authorities, it sent thousands of doses to diplomatic allies.**

## BACKGROUND

Prime minister Benjamin Netanyahu lost parliamentary elections on 23 March after 12 years in office marred by corruption. A new coalition government was approved on 13 June, bringing to power Jewish supremacist, centrist and left-wing parties in alliance with an Islamist party.

Armed conflict erupted between Israel and Palestinian armed groups in the Gaza Strip between 10 and 21 May. It was the fifth Israel-Gaza conflict in 15 years. In Israeli towns where both Jewish and Palestinian citizens live, inter-ethnic violence led to killings, clashes and damage to property.

The murder rate involving Palestinian citizens of Israel was proportionally 25 times higher than cases involving Jewish citizens of Israel, who constitute about 80% of the population. According to the NGO Aman, criminals killed 110 Palestinian citizens of Israel in 2021, the highest number in decades.

The housing ministry promoted plans for construction of illegal settlements south-west of Bethlehem, east of Jerusalem and south of Ramallah in the OPT.

Climate change adaptation policies were in place but not fairly distributed between Jewish and Palestinian citizens of Israel. An unprecedented heatwave in August caused extensive forest fires.

In July, authorities visited the offices of NSO Group in response to the Pegasus Project investigation that revealed that the company's spyware had been used to target human rights workers and journalists around the world.<sup>1</sup>

## UNLAWFUL ATTACKS

### ISRAEL-GAZA ARMED CONFLICT

During the armed conflict in May, Israel committed apparent war crimes and possible crimes against humanity in the Gaza Strip.<sup>2</sup> According to the OHCHR and the WHO, 242 Palestinians were killed, including 63

children, and some 9,000 were injured. More than 74,000 Palestinians were displaced. According to the World Bank, the housing needs of 4,000 families, including 7,000 children, whose homes were damaged or destroyed had not been met by December.

On 10 May, Israel bombed the seawater desalination plant in north Gaza, cutting water supplies to more than 250,000 people until it was temporarily repaired on 23 May.

Around midnight on 14 May, Israeli air strikes hit the al-Atar family's building in Beit Lahia city, killing Lamyia al-Atar and her three children aged between eight months and seven years.

On 12 May, Israel banned foreign reporters from entering Gaza, impeding independent coverage. On 15 May, an Israeli missile struck the building housing the Associated Press and Al Jazeera; journalists had been given 60 minutes to evacuate. Israel said there was a combatant command centre in the basement, which the media organizations denied.

Israeli missiles hit medical facilities and killed medical personnel. On 16 May, attacks launched without warning on al-Wehda district of Gaza City killed Dr Ayman Abu al-Ouf, director of the Covid-19 response and head of internal medicine at Al-Shifa hospital, Gaza's main hospital; Dr Moeen al-Aloul, a psychiatric neurologist; and at least 33 other civilians. Israel said they were unintended casualties of an attack on an underground military objective. On 17 May, an Israeli attack hit Al-Rimal clinic, the central laboratory for Covid-19 in Gaza, badly affecting testing and vaccination programmes. The WHO reported that 30 health facilities were damaged in the conflict.

#### **WEST BANK**

In the occupied West Bank, including East Jerusalem, Israeli forces killed 75 and injured 14,679 Palestinians, according to the UN OCHA-OPT, some during arrests in Palestinian homes, others during protests that were mainly against Jewish Israeli settler activities.

Israeli settlers committed acts of violence with impunity. There were 118 settler attacks on Palestinians in 2021, up from 84 in 2020.

On 17 August, settlers threw stones at six Palestinian boys having a picnic in Silat al-Daher, a village near Jenin city in the West Bank. They then rammed their car into 15-year-old Tareq Zbeidi and, according to his testimony to Israeli human rights organization B'Tselem, beat him and tied him to the car's bonnet. Israeli soldiers arrived and transferred the unconscious boy to a Palestinian ambulance that his family had called. No arrests were made.

#### **RIGHT TO TRUTH, JUSTICE AND REPARATION**

On 3 March, ICC Prosecutor Fatou Bensouda initiated an investigation into the situation in Palestine, including events since mid-June 2014 in the OPT. Israel stated that the ICC had no authority and that it would not engage with the investigation.

On 27 May, the UN Human Rights Council established an international commission of inquiry into violations in the OPT and Israel. The Israeli representative to the UN immediately announced that Israel would not cooperate.

#### **FREEDOM OF MOVEMENT**

Israeli authorities arbitrarily restricted Palestinians' freedom of movement.

##### **GAZA STRIP**

The blockade continued to impose collective punishment, as it had since 2007, by preventing the movement of people and goods.

During the May conflict, Israel heavily restricted entry of trucks carrying humanitarian supplies. Only five fuel tankers were allowed to enter and no fuel was allowed through the Israeli-controlled Kerem Shalom pipeline for Gaza's power plant. Israel's Erez passenger crossing remained closed. Around 600 patients could not receive treatment outside Gaza in May. Israel allowed 25,630 truckloads of construction material into Gaza, down from 45,359 in 2020.

## WEST BANK

In the West Bank, 175 permanent military checkpoints and other roadblocks, as well as scores of temporary irregular barriers, continued to prevent Palestinians' access to essential services while Israelis could use the same roads freely. Israel's fence/wall in the West Bank continued to impact agricultural livelihoods of 150 Palestinian communities. It also trapped more than 11,000 Palestinians outside the fence/wall while accommodating Israeli settlements.

## FORCED EVICTIONS

Israeli authorities demolished buildings in the OPT, including East Jerusalem, making more than 1,000 Palestinian residents homeless in areas designated for Israeli settlers. Among those forcibly evicted, women were disproportionately affected as their homes also served as their places of work and income generation, especially in shepherding communities. Israel's army demolished Humsa village in the Jordan Valley in the OPT in February and July, destroying or confiscating animal pens, residential shelters, water cisterns and food reserves.

In August, the Israeli Supreme Court adjudicated on the eviction of seven Palestinian families from their homes in Sheikh Jarrah neighbourhood in occupied East Jerusalem. This followed several years of eviction attempts, harassment by Israeli settlers and use of excessive force by Israeli police. Seven families in Silwan, another neighbourhood of East Jerusalem, also remained at risk of forced eviction.<sup>3</sup>

In the Negev/Naqab in southern Israel, authorities repeatedly demolished buildings in seven villages, affecting 100 Palestinian citizens of Israel. On 2 September, police demolished the village of al-'Araqib. The village had been demolished more than 150 times since July 2010. Al-'Araqib is one of 35 excluded, officially unrecognized, Bedouin villages in the area.

## ARBITRARY DETENTION, AND TORTURE AND OTHER ILL-TREATMENT

Palestinian prisoners were subjected to unfair trials before military courts, prolonged solitary confinement and inadequate medical treatment, and illegal transfer from the OPT to prisons in Israel. According to Addameer, a Palestinian prisoner support organization, 500 were administratively detained without charge or trial at the end of 2021, and 170 children were incarcerated. A survey by Save the Children found that officers beat over 80% of child detainees, and denied access to a lawyer to 47%.

Zakaria Zubeidi suffered broken ribs and jaw while in handcuffs, and Mohammed Al-Arida was beaten on the head, after their capture by Israeli police on 11 September, according to the men's lawyers. The men had escaped from Gilboa Prison in northern Israel five days earlier.

## DISCRIMINATION

Israel's system of governing Palestinians through oppression and domination constituted apartheid, a crime under international law. Palestinians faced routine and systematic discrimination, and therefore human rights violations, in the context of their rights to nationality, freedom of movement, the highest attainable standard of health, family life, education, work and participation in public life.

Palestinian citizens of Israel were prosecuted under incitement laws, but politicians and groups of Jewish supremacists continued to incite racially motivated violence with almost total impunity.

Police used excessive force against Palestinian citizens of Israel demonstrating against evictions in East Jerusalem and military strikes on Gaza, and carried out mass arrests of organizers and participants of protests. Most of those arrested were charged with misdemeanours unrelated to violence. On 12 May, special forces in a Nazareth police station beat at least eight bound Palestinian detainees who had been arrested at a protest.<sup>4</sup>

The Citizenship and Entry into Israel law (temporary amendment), which since 2003 had forbidden family unification of Palestinian spouses with different legal statuses, was not renewed in July. However, the interior minister maintained the policy.

## **HUMAN RIGHTS DEFENDERS**

Laith Abu Zeyad, an Amnesty International campaigner, was banned from travelling outside the West Bank. The reason for the ban, imposed in October 2019, remained secret.<sup>5</sup>

Shatha Odeh, director of the Palestinian Health Work Committees, was arrested on 7 July and remained in military detention. Charges against her alleged her support for the Popular Front for the Liberation of Palestine, a political party with a military wing that Israel has banned.

On 13 October, Druze leader Salman Awwad was arrested after peacefully demonstrating against the Israeli occupation of the Golan Heights. He was charged with organizing an illegal demonstration, closing a road and inciting violence.

On 19 October, the Israeli government declared six Palestinian civil society organizations in the OPT “terrorist organizations”.<sup>6</sup> Two days earlier, the human rights NGO Front Line Defenders had found that the mobile phones of six human rights defenders from these organizations had been hacked using Pegasus spyware.<sup>7</sup> On 18 October, the Israeli minister of interior notified French-Palestinian lawyer Salah Hammouri, one of the six, of the revocation of his Jerusalem residency and deportation on the basis of alleged “breach of allegiance to the State of Israel”.

## **CONSCIENTIOUS OBJECTORS’ RIGHTS**

Conscientious objectors to military service were imprisoned. Among them were teenagers Shahar Perets and Eran Aviv, who served 88 and 114 days respectively in military prison for refusing to serve in the Israeli army.

## **WOMEN’S RIGHTS**

Divorce and other personal status laws governed by religious courts continued to discriminate against women. According to Mavoi Satum, an Israeli women’s rights organization, courts forced some 1,700 women to remain in abusive marriages every year.

On 30 June, the State Comptroller reported insufficient funding and inadequate policies for protecting at-risk women and families. Sixteen women were killed in domestic violence, according to the Israel Observatory on Femicide.

## **LGBTI PEOPLE’S RIGHTS**

On 11 July, the Supreme Court ruled in favour of equality in same-sex couples’ and single men’s access to assisted reproduction services, bringing their access in line with that for heterosexual couples and single women.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

According to UNHCR, the UN refugee agency, Israel hosted some 41,327 refugees and asylum seekers. Most were Eritrean and Sudanese nationals from conflict areas. Only 1% were granted refugee status. Asylum seekers had no access to prompt and fair status determination procedures, nor means of economic support.

## **RIGHT TO HEALTH**

Israel purchased some 30 million doses of Covid-19 vaccines and vaccinated 64% of citizens of Israel, residents of East Jerusalem, migrant workers and Palestinian prisoners with two doses by October; administered third doses to more than 4 million citizens; and started vaccinating five-year-olds in November, according to Israel’s health ministry. Israel transferred 5,000 doses to the Palestinian Authority in March and April, while it had sent thousands of doses to diplomatic allies Guatemala, Honduras and the Czech Republic in February, according to press reports.

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1. "Massive data leak reveals Israeli NSO Group's spyware used to target activists, journalists, and political leaders globally", 18 July
  2. "Israel/OPT: Pattern of Israeli attacks on residential homes in Gaza must be investigated as war crimes", 17 May
  3. "Israel/OPT: Scrap plans to forcibly evict Palestinian families in Silwan", 25 May
  4. "Israeli police targeted Palestinians with discriminatory arrests, torture and unlawful force", 24 June
  5. "Israel/OPT: 'Chilling repercussions' of travel ban on Amnesty campaigner must be a wake-up call for all", 6 April
  6. "Israel/OPT: Designation of Palestinian civil society groups as terrorists a brazen attack on human rights", 22 October
  7. "Devices of Palestinian human rights defenders hacked with NSO Group's Pegasus spyware", 8 November

## ITALY

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### Italian Republic

Head of state: **Sergio Mattarella**

Head of government: **Mario Draghi (replaced Giuseppe Conte in February)**

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**Employers silenced health and care workers who raised concerns about working conditions in care homes during the Covid-19 pandemic. Older people in care homes were denied meaningful contact with the outside world. Violence against women persisted and obstacles to accessing abortion were not addressed. Parliament failed to extend protection against hate crimes to people attacked because of their gender, gender identity or sexual orientation. Migrants with an irregular status remained vulnerable to exploitation and abuses. Cooperation with Libya on migration continued, despite abuses. The authorities continued to criminalize solidarity with refugees and migrants at borders. Torture remained a concern.**

### BACKGROUND

In July, the government extended the state of emergency to combat the Covid-19 pandemic until the end of the year. In September, it also made it obligatory to have a "Covid-19 green pass" showing proof of vaccination, recovery from Covid-19 or a negative test result in order to access public

and private workplaces. The measure sparked demonstrations in some cities. In Rome, protests turned violent when hundreds of people led by the leaders of a far-right party ransacked the national headquarters of the main left-wing trade union.

### WORKERS' RIGHTS

Health and care workers who raised concerns about poor and unsafe working conditions in care homes during the Covid-19 pandemic were subjected to unfair disciplinary proceedings and feared reprisals from their employers. Instead of addressing their concerns over the use of PPE and the true number of Covid-19 cases in care homes, employers used unfair dismissals and anti-union measures to silence them.<sup>1</sup>

In May, an employment tribunal in Milan ruled as unfair the dismissal of an outsourced worker who had reported health and safety violations in March 2020 in a private care home. The court acknowledged his revelations were of public interest to prevent deaths.

### RIGHT TO HEALTH

The rights of care homes' older residents to a private and family life continued to be violated, with prolonged isolation causing a deterioration in residents' physical and mental health. Although visits by family members holding a Covid-19 certificate were allowed to resume in May, and the so-called "green pass" legislation in September recognized the right to daily visits, many private and public care homes continued to deny older people meaningful contacts with the outside world.

A commission of inquiry on the authorities' response to Covid-19 in care homes had not been established by the end of the year.

### VIOLENCE AGAINST WOMEN AND GIRLS

Levels of violence against women remained high. A total of 102 women were killed in domestic violence incidents, 70 of whom by partners or ex-partners. In December, the government approved a bill to strengthen