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2019 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: WEST BANK AND GAZA

EXECUTIVE SUMMARY

The Palestinian Authority (PA) basic law provides for an elected president and legislative council. There have been no national elections in the West Bank and Gaza since 2006. President Mahmoud Abbas has remained in office despite the expiration of his four-year term in 2009. The Palestinian Legislative Council (PLC) has not functioned since 2007, and the PA Constitutional Court dissolved it in 2018. President Abbas called in September for the PA to organize PLC elections within six months, but elections did not take place by year's end. The PA head of government is Prime Minister Mohammad Shtayyeh. President Abbas is also chairman of the Palestine Liberation Organization and general commander of the Fatah movement.

Six PA security forces (PASF) agencies operate in the West Bank, and the PA maintained effective civilian control. Several are under PA Ministry of Interior operational control and follow the prime minister's guidance. The Palestinian Civil Police have primary responsibility for civil and community policing. The National Security Force conducts gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. The Military Intelligence Agency handles intelligence and criminal matters involving PASF personnel, including accusations of abuse and corruption. The General Intelligence Service is responsible for external intelligence gathering and operations. The Preventive Security Organization (PSO) is responsible for internal intelligence gathering and investigations related to internal security cases, including political dissent. The Presidential Guard protects facilities and provides dignitary protection.

In Gaza the terrorist organization Hamas exercised de facto authority. The security apparatus of the Hamas de facto government in Gaza largely mirrored the West Bank. Internal security included civil police, guards and protection security, an internal intelligence-gathering and investigative entity (similar to the PSO in the West Bank), and civil defense. National security included the national security forces, military justice, military police, medical services, and the prison authority. The "Islamic Resistance Movement"—a group with some affiliation to the Hamas political movement—maintained a large military wing in Gaza, named the Izz ad-din al-Qassam Brigades. In some instances the Hamas de facto "civilian" authorities utilized the Hamas movement's military wing to crack down on internal dissent.

The government of Israel maintained a West Bank security presence through the Israeli Defense Force (IDF), the Israeli Security Agency, the Israeli National Police, and the Border Guard. Israel maintained effective civilian control of its security forces throughout the West Bank and Gaza.

West Bank Palestinian population centers mostly fall into Area A, as defined by the Oslo-era agreements. The PA has formal responsibility for security in Area A, but Israeli security forces (ISF) regularly conducted security operations there, at times without coordinating with the PASF. The PA and Israel maintain joint security control of Area B in the West Bank. Israel retains full security control of Area C and has designated the majority of Area C land as either closed military zones or settlement zoning areas.

Significant human rights issues included:

- With respect to the PA: reports of unlawful or arbitrary killings, torture, and arbitrary detention by authorities; holding political prisoners and detainees, including as reprisal for participation in foreign investment conferences; significant problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; restrictions on free expression, the press, and the internet, including violence, threats of violence, unjustified arrests and prosecutions against journalists, censorship, and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, including harassment of nongovernmental organizations (NGOs); restrictions on political participation, as the PA has not held a national election since 2006; acts of corruption; violence and threats of violence

motivated by anti-Semitism; violence and threats of violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and reports of forced child labor.

- With respect to Israeli authorities: reports of unlawful or arbitrary killings, including allegations that deaths of Palestinians in the course of Israeli military operations were due to unnecessary or disproportionate use of force; reports of torture; reports of arbitrary detention; arbitrary or unlawful interference with privacy; restrictions on free expression, the press, and the internet, including violence, threats of violence, unjustified arrests and prosecutions against journalists, censorship, and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, including harassment of NGOs; and significant restrictions on freedom of movement, including the requirement of exit permits.
- With respect to Hamas: reports of unlawful or arbitrary killings, systematic torture, and arbitrary detention by Hamas officials; political prisoners; arbitrary or unlawful interference with privacy; restrictions on free expression, the press, and the internet, including violence, threats of violence, unjustified arrests and prosecutions against journalists, censorship, site blocking, and the existence of criminal libel laws; substantial interference with the rights of peaceful assembly and freedom of association; restrictions on political participation, as there has been no national election since 2006; acts of corruption; violence and threats of violence motivated by anti-Semitism; unlawful recruitment and use of child soldiers; violence and threats of violence targeting LGBTI persons; the criminalization of consensual same-sex sexual conduct between adults; and forced or compulsory child labor.
- With respect to Palestinian civilians: five reports of unlawful or arbitrary killings, and violence and threats of violence motivated by anti-Semitism.
- With respect to Israeli civilians: two reports of unlawful or arbitrary killing of Palestinian residents of the West Bank.

The PA took some steps to address impunity or reduce abuses, but there were criticisms that senior officials made comments glorifying violence in some cases and inappropriately influenced investigations and disciplinary actions related to abuses. Israeli authorities operating in the West Bank took steps to address impunity or reduce abuses, but there were criticisms they did not adequately pursue investigations and disciplinary actions related to abuses. There were no legal or independent institutions capable of holding the Hamas de facto authority in Gaza accountable.

As stated in Appendix A, this report contains data drawn from foreign government officials; victims of alleged human rights violations and abuses; academic and congressional studies; and reports from the press, international organizations, and NGOs concerned with human rights. In the context of the Israeli-Palestinian conflict, some of those sources have been accused of harboring political motivations. The Department of State assesses external reporting carefully but does not conduct independent investigations in all cases. We have sought input from the government of Israel and the PA and have noted responses where applicable.

SECTION 1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

Palestinian terrorist groups and unaffiliated individuals killed three Israeli civilians and two IDF soldiers in terrorist attacks in the West Bank, according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA). For example, on August 23, an improvised explosive device planted outside the West Bank settlement of Dolev detonated and killed 17-year-old Rina Shnerb and injured her father and brother, according to media reports and NGOs. In September the IDF and Border Police forces arrested three men in connection with the attack allegedly affiliated with the Popular Front for the Liberation of Palestine, a political faction also involved in terrorist activities. In 2018, 17-year-old Palestinian Khalil Jabarin fatally stabbed Ari Fuld at a shopping mall in the West Bank before being shot by Fuld and another civilian and arrested by police. An Israeli military court indicted Jabarin on charges of “intentionally causing death.” In January the IDF demolished Jabarin’s room in his family home. His trial in military court began in May, and he remained in custody pending

the trial's conclusion. The IDF stated the Israeli intelligence community thwarted more than 500 attempted terrorist attacks throughout the year.

During the year Israeli forces killed Palestinians in the West Bank who were attempting or allegedly attempting to attack Israelis, according to the NGO B'Tselem and media reports. According to these reports, some of those killed did not pose a lethal threat to the ISF or civilians at the time they were killed. For example, on March 27, an IDF soldier shot 17-year-old volunteer medic Sajed Mizher when Israeli forces were involved in clashes with Palestinians in the Deheisha refugee camp near Bethlehem, according to media reports. Mizher later died from his wounds. At the time of his death, Mizher was wearing a reflective vest and paramedic's service uniform while assisting a Palestinian who had been shot in the leg, according to media reports. Later that day an Israeli military spokesperson released a video allegedly showing Mizher taking off his reflective vest and taking part in the clashes, according to media reports. After their own investigation, B'Tselem claimed the video was misleading and that the person in the video was not Mizher. A criminal investigation into the incident has been completed and was under review by the Military Advocate General (MAG), according to Israeli authorities. In 2018, IDF soldiers shot and killed Muhammad Hossam Habali in the West Bank city of Tulkarm. The IDF claimed they were reacting to a group of rock-throwing Palestinians, but security camera videos compiled by B'Tselem showed Habali walking away from the soldiers when he was killed. As of July an Israeli military investigation into Habali's death was underway.

Rights groups alleged the government of Israel used excessive force resulting in the deaths of several Palestinians, including minors, in the West Bank. For example, on May 31, the last Friday of Ramadan, Israeli border police shot and killed 15-year-old Abdullah Ghaith as he was approaching a known crossable section of the security barrier. Media, NGOs, and Ghaith's father said in public statements that Ghaith was hoping to attend Friday prayers at Al-Aqsa Mosque with his family. (The last Friday of Ramadan is one of the most widely attended days of prayer at Al-Aqsa mosque and in 2019 coincided with Laylat al-Qadr, the holiest night of worship on the Muslim calendar.) Israeli authorities had granted Abdullah and his family a permit but denied his 16-year-old cousin. Abdullah planned to accompany his cousin across the fence, and Ghaith's father arranged to pick them up in the family car after they crossed to take them to prayers, according to media reports. The Israeli police stated they were investigating the incident.

On November 11, Israeli forces shot and killed Omar Haitham al-Badawi in Hebron, according to the PA Ministry of Health and the IDF. A video showed al-Badawi walking down an alley when a shot was fired and he fell to the ground. According to the IDF as quoted in media reports, Israeli soldiers were involved in clashes with Palestinians throwing stones and Molotov cocktails; one of the soldiers thought a towel in al-Badawi's hand was a Molotov cocktail and the soldier shot him. According to media reports, witnesses said al-Badawi was not involved in the clashes; the witnesses said a Molotov cocktail had set a tree near al-Badawi's house on fire and he was rushing to put it out when he was shot. The military police began an investigation after an initial IDF probe found al-Badawi did not present a threat and live ammunition should not have been used.

Palestinians in Gaza continued the "March of Return," a series of weekly protests along the fence between Gaza and Israel that began in March 2018. The protests, which drew thousands of people each week, included armed terrorists, militants who launched incendiary devices into Israel, and unarmed protesters. As the de facto authority in Gaza, Hamas controlled the weekly protests, variously encouraging violence at the protests and policing them to minimize attacks on the IDF. Gaza-based militant groups periodically conducted small-arms attacks into Israel during the protests. The IDF shot and killed 38 Palestinians at the Gaza security fence demonstrations, including 12 minors, according to B'Tselem, and killed four others, including two minors, when they were struck in the head with tear gas canisters. B'Tselem stated that 28 of the Palestinians who were killed at the fence did not take part in hostilities. The Israeli government stated that many of the victims were operatives of Hamas or other terrorist organizations, such as Palestinian Islamic Jihad.

The Israeli government stated that an investigation into the 2018 killing of volunteer medic Razan al-Najjar north of Khuza'ah in Gaza during a Friday protest near the security fence with Israel had been completed and that the findings were under review by the MAG at year's end.

The Israeli government stated the IDF used live fire as a last resort, when a clear and imminent threat existed, and they aimed below the knee towards the ankle with the intention to wound but not to kill. The government also stated it used live fire with lethal intent against terrorists perpetrating attacks against IDF forces at the border.

In 2018 the Israeli military opened an investigation into the IDF shootings of two Palestinian minors in Gaza. According to an Israeli military statement, an initial probe suggested the soldiers who shot and killed 18-year-old Abed Nabi in March and 15-year-old Othman Hellis in July during Gaza security fence protests did not adhere to open-fire regulations. According to the Israeli government, the investigation into the death of Nabi has been concluded and the findings were being reviewed by the MAG. In October an IDF soldier was charged with “disobeying an order leading to a threat to life or health” in the death of Othman Hellis, according to media reports. According to the government of Israel, the soldier was demoted and sentenced to 20 days of military labor and an additional 60 days’ imprisonment on probation to be served over the course of four years.

Palestinian militants in Gaza launched more than 1,340 rockets and mortar shells toward Israel, killing five Israeli civilians according to the Israeli government. According to NGOs, media, and the Israeli government, Gaza-based militants fired rockets from civilian locations toward civilian targets. On May 4, a Palestinian Islamic Jihad rocket malfunctioned and landed inside Gaza, killing a pregnant woman and her 18-month-old niece.

In response to these attacks, the IDF launched 579 air strikes against targets in Gaza during the year that, along with tank shellings, killed 66 Palestinians, including 10 minors, according to the United Nations. Nearly half of those killed did not participate in hostilities, according to B’Tselem. In early May, Israeli airstrikes killed at least 20 persons in Gaza, including a pregnant woman and a three-month-old baby, according to media reports and NGOs. Israeli authorities stated that in response to Hamas and Palestinian Islamic Jihad (PIJ) firing more than 400 rockets into Israeli towns on May 4, the IDF targeted Hamas and PIJ facilities, training bases, and weapons-manufacturing assets in Gaza and that results of an investigation would be submitted to the MAG for review. On November 14, an Israeli air strike in Gaza killed nine members of the same family, including five minors younger than 13. According to media reports, the family was mistakenly targeted. The IDF stated it was investigating the strike.

As of September 3, the MAG has ordered nine criminal investigations related to 17 separate instances of Palestinian fatalities, eight of which were continuing, according to the Israeli government. MAG investigations into the 2014 Gaza war have closed approximately 300 cases without criminal charges, with a few investigations still underway, according to the government of Israel. The MAG previously brought charges against three soldiers for looting. An August 2018 update addressed the IDF application of the “Hannibal Directive,” which calls for overwhelming firepower when an enemy captures an IDF soldier to prevent use of the soldier as a hostage. A March 2018 State Comptroller report on the war criticized the Hannibal Directive—which the IDF replaced in 2017—for failing to mention distinction and proportionality as well as for ambiguous wording that led to confusion about whether the IDF should risk killing its own soldier when attacking kidnappers to prevent a hostage situation. Human rights organizations continued to criticize the MAG for failing to find fault in hundreds of incidents that caused more than 1,000 Palestinian civilian deaths and for focusing on actions by individual soldiers who may have violated IDF rules or the law, rather than the conformity of IDF rules and policies with international law, including high-level orders regarding the use of force.

In Gaza, according to the United Nations, Hamas sentenced three persons to death for murder. The Palestinian Center for Human Rights (PCHR) previously noted a significant increase in application of the death penalty in Gaza since 2007, and Hamas “courts” did not provide minimum fair trial guarantees. By law the PA president must ratify each death penalty sentence, but Hamas has proceeded with executions without the PA president’s approval.

Also in Gaza, two militants conducted suicide attacks that killed three police officers on August 28, according to media. The Hamas de facto government arrested dozens of militants believed to be connected to the attackers.

b. Disappearance

In the West Bank, there were no reports of disappearances by or on behalf of government authorities during the year. There was no new information on the disappearances in 2014 and 2015 of three Israeli citizens, Avraham Abera Mengistu, Hisham al-Sayed, and Juma Ibrahim Abu Ghanima, who crossed into Gaza and whom Hamas reportedly apprehended and held incommunicado.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The PA basic law prohibits torture or use of force against detainees; however, international and local human rights groups reported that torture and abuse remained a problem. According to a May update to a 2018 Human Rights

Watch (HRW) report, torture regularly occurred in detention centers in both Gaza and the West Bank by Hamas and PA security services, respectively. HRW reported systematic and routine abuse in PA prisons, particularly in the PA's Intelligence, Preventive Security, and Joint Security Committee detention facilities in Jericho. HRW reported practices including forcing detainees to hold painful stress positions for long periods, beating, punching, and flogging. In the 18-month period ending in April, 242 West Bank Palestinians complained of torture and mistreatment by Palestinian security forces, according to HRW.

Palestinian detainees held by the PASF registered complaints of abuse and torture with the Palestinian Authority's Independent Commission for Human Rights (ICHR). The PA Corrections and Rehabilitation Centers Department, under the authority of the Ministry of Interior, continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons. In May, HRW stated, "there have been no serious efforts to hold wrongdoers to account or any apparent change in policy or practice" from 2018 by the PA or Hamas. As of March the courts in Gaza had not convicted any prison employees for mistreatment of prisoners, and courts in the West Bank had convicted only one employee of mistreatment of prisoners and sentenced him to 10 days in prison, according to HRW.

In April human rights groups called for an investigation into the death of Mahmoud Rashad al-Hamlawi at the Bitonia police station west of Ramallah. According to the PCHR, Hamlawi was arrested on March 14 by the Preventive Security Service and died on March 27. A prison official told Hamlawi's brother that Hamlawi died of a stroke. The prison's forensic department later said he died of septic shock. The initial autopsy showed bruises on his chest and inner thighs, according to the PCHR.

According to rights groups, Hamas subjected dozens of Palestinians arrested for participation in the *Bidna Na'eesh* (We Want to Live) movement to torture and degrading treatment, including severe beating, breaking limbs, stripping their clothes off, and waterboarding them. In the 18-month period ending in April, 213 Palestinians in Gaza complained of torture and mistreatment by Hamas forces, according to HRW.

Human rights organizations such as the Public Committee against Torture in Israel (PCATI) reported that "special interrogation methods" used by Israeli security personnel against Palestinian security detainees in the West Bank included beatings, forcing an individual to hold a stress position for long periods, threats of rape and physical harm, painful pressure from shackles or restraints applied to the forearms, sleep deprivation, and threats against families of detainees. Female prisoners and detainees reported harassment and abuse in detention by the ISF. According to PCATI there was no investigation into these complaints.

The NGO HaMoked alleged that Israeli detention practices in the West Bank included prolonged solitary confinement, lack of food, exposure to the elements, and threats to demolish family homes. Military Court Watch (MCW) and HaMoked claimed Israeli security services used these techniques to coerce confessions from minors arrested on suspicion of stone throwing or other acts of violence. According to the government of Israel, detainees receive the rights to which they are entitled in accordance with Israeli law and international treaties to which Israel is a party and all allegations of abuse and mistreatment are taken seriously and investigated.

In March an Israeli court convicted four Israeli soldiers from Netzan Yehuda Infantry Battalion of aggravated abuse and another of abuse for their treatment of a detained Palestinian father and son. The court released a video of the incident in which the soldiers repeatedly hit the blindfolded and bound detainees on their heads and faces.

Prison and Detention Center Conditions

Conditions in PA prisons and detention centers in the West Bank were reportedly poor, largely due to overcrowding and structural issues.

Conditions of Hamas prisons in Gaza were reportedly poor, with overcrowding cited as a major issue.

NGOs reported all prisons in the West Bank and Gaza lacked adequate facilities and specialized medical care for detainees and prisoners with disabilities.

Physical Conditions: PA prisons continued to be crowded and lacked ventilation, heating, cooling, and lighting systems conforming to international standards. Authorities at times held male juveniles with adult male prisoners. Security services used separate detention facilities. Conditions for women were similar to those for men. The PA

used several refurbished structures and buildings as prisons, some of which lacked necessary security accommodations.

On July 25, the PCHR called for an investigation into the death in a Gaza prison of Mohammed Mahmoud Sa'ed Baker. According to Baker's family, he was transferred to Al-Aqsa Hospital after his health deteriorated due to a heart attack. The hospital said Baker died due to a heart attack and pneumonia. The PCHR stated the Public Prosecution Office was negligent because it took no action after similar patient-health issues in the past.

Administration: According to HRW, mechanisms designed to hold employees and administrators accountable in both PA and Hamas detention facilities rarely, if ever, led to consequences for serious abuses.

Independent Monitoring: In the West Bank, the PA permitted the International Committee of the Red Cross (ICRC) access to detainees to assess treatment and conditions. The ICRC continued its regular visits to detention facilities, including interrogation centers, in accordance with its standard modalities, as in previous years. Human rights groups, humanitarian organizations, and lawyers indicated that, as in previous years, there were some difficulties in gaining access to specific detainees held by the PA, depending on which PA security organization managed the facility.

In Gaza, Hamas granted ICRC access to detainees to assess treatment and conditions. The ICRC continued its regular visits to detention facilities, including interrogation centers, in accordance with its standard modalities, as in previous years. Human rights organizations conducted monitoring visits to some prisoners in Gaza, but Hamas authorities denied representatives permission to visit high-profile detainees and prisoners.

The Israeli government permitted visits by independent human rights observers. NGOs sent representatives to meet with Palestinian prisoners—including those on hunger strikes—and inspect conditions in Israeli prisons, detention centers, and some ISF facilities. Palestinian families and human rights groups reported delays and difficulties in gaining access to specific detainees from Israeli authorities. They also reported transfers of detainees without notice and claimed Israeli authorities at times used transfer practices punitively against prisoners engaging in hunger strikes.

d. Arbitrary Arrest or Detention

For information on the treatment of Palestinians in Israeli prisons as well as prison conditions in Israel, see the Israel report.

The Palestinian Basic Law, operable in the West Bank and Gaza, prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. There were reports the PA in the West Bank and Hamas de facto authorities in Gaza did not observe these requirements.

Israel prosecutes Palestinian residents of the West Bank under military law and Israeli settlers in the West Bank under Israeli criminal and civil law. Israeli military law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in military court, with broad exceptions for security-related offenses. There were reports the IDF did not observe these requirements and employed administrative detention excessively.

Arrest Procedures and Treatment of Detainees

PA law generally requires a warrant for arrest and provides for prompt judicial determination of the legality of detention. There are exceptions that allow for PA arrest without a warrant. PA law allows police to hold detainees for 24 hours if there is sufficient evidence to charge a suspect and for up to 45 days with court approval. PA law requires that a trial start within six months or authorities must release the detainee. PA authorities generally informed detainees of the charges against them, albeit sometimes not until interrogation. Bail and conditional release were available at the discretion of judicial authorities. PA authorities granted detainees access to a lawyer. PA courts consistently afforded the right to counsel to indigents charged with felony offenses. Indigent defendants charged with misdemeanors often did not receive counsel, although NGO efforts to represent indigent juveniles and adults in misdemeanor cases were at times successful. Amnesty International and other NGOs reported that the PASF isolated some detainees from outside monitors, legal counsel, and family throughout the duration of interrogation, effectively holding them incommunicado. There were reports that prison administrators denied some detainees visits from family members.

The PA Military Intelligence Organization (PMI) operated without a service-specific mandate to investigate and arrest PA security force personnel and civilians suspected of “security offenses,” such as terrorism. The PMI conducted these activities in a manner consistent with the other PA security services.

In Gaza the Hamas de facto authority detained a large number of persons during the year without recourse to legal counsel, judicial review, or bail. Hamas regularly referred cases to the Hamas-run military judiciary in violation of the Palestinian Basic Law. There were also instances in which de facto Hamas authorities retroactively issued arrest warrants for Gaza residents already in custody.

Israeli military law applies to Palestinians in the West Bank. Israeli authorities detained inside Israel more than 80 percent of Palestinian prisoners arrested by the ISF in the West Bank. According to Israel Prison Service figures obtained by MCW, the monthly average number of minors in detention during the year was down from 2018 and at the lowest since 2014. Israeli authorities generally provided Palestinians held in Israeli military custody access to counsel, but detainees often obtained lawyers only after initial interrogations, according to NGOs. According to MCW, many Palestinian detainees saw their lawyer for the first time when they appeared before an Israeli military court. According to testimonies collected by MCW, only 31 percent of Palestinian minor detainees saw a lawyer prior to interrogation, a slight increase from 2018. In many cases, MCW reported, minors spoke with a lawyer very briefly over the telephone; in some cases the call was over speakerphone with the interrogator in the room.

Israeli authorities did not always inform Palestinian detainees of the reasons for arrest at the time of arrest, according to MCW. Israeli authorities stated their policy was to post notification of arrests within 48 hours, but senior officers could delay notification for up to 12 days, effectively holding detainees incommunicado during the interrogation process. An Israeli military commander may request that a judge extend this period.

MCW and HaMoked said Israeli authorities in the West Bank frequently failed to inform Palestinian parents why their children were detained and where they were taken. Israeli authorities stated their policy was to provide written notification about the arrest to parents when they arrested a child at home; however, the NGOs argued this occurred only in 19 percent of cases. According to HaMoked and media outlets, the Israel Prison Service (IPS) prohibits Palestinian minors from calling their parents for months upon their initial detention. The IPS stated it would be rolling out a pilot program to provide regular telephone access for Palestinian minors, but few details on the plan have been provided, according to HaMoked.

Under Israeli military law, minors ages 16 and 17 can be held for 72 hours before seeing a judge. The law mandates audiovisual recording of all interrogations of minors in the West Bank but limits this requirement to non-security-related offenses. NGOs expressed concern that the ISF entered Palestinian homes at night to arrest or photograph minors.

MCW said data from more than 500 MCW detainee testimonials collected between 2015 and 2019 confirmed widespread physical mistreatment by Israeli authorities of Palestinian minor detainees in the West Bank. MCW reported that the majority of minor detainees were arrested in night raids and reported ISF use of physical abuse, strip searches, threats of violence, hand ties, and blindfolds. In August, in response to a petition to the Supreme Court regarding the blindfolding of detainees, the state prosecution clarified that “military orders and regulations forbid the blindfolding of detainees, and action to clarify the rules to the troops acting in the region has been taken and will continue to be taken on a continuous basis.” The government of Israel stated this policy applies to all detainees and blindfolds are only to be used as a rare exception. As of the end of September, approximately 93 percent of minor detainees arrested during the year reported the use of blindfolds upon arrest, according to MCW.

The government of Israel stated that an investigation responding to a formal complaint filed by 16-year-old Palestinian Ahed Tamimi found no evidence interrogators sexually harassed her or threatened her relatives with arrest after she was arrested in 2017 for slapping an Israeli soldier in the West Bank.

Israeli military law defines security offenses to include any offense committed under circumstances that might raise a suspicion of harm to Israel’s security and which the ISF believes may link to terrorist activity. Under military law, the IPS may hold adults suspected of a security offense for four days prior to bringing them before a judge, with exceptions that allow the IPS to detain a suspect for up to eight days prior to bringing the suspect before the senior judge of a district court. Suspects between the ages of 12 and 14 can be held up to one day, with a possible one-day extension. Those between the ages of 14 and 16 can be held up to two days, with a possible

two-day extension. Those between the ages of 16 and 18 can be held up to four days, with a possible four-day extension.

Under military law, Israeli authorities may hold adults suspected of a security offense for 20 days prior to an indictment, with the possibility of additional 15-day extensions up to 75 days. An Israeli military appeals court can then extend the detention up to 90 days at a time. Prior to an indictment on a security offense, authorities may hold minors for 15 days, with the possibility of 10-day extensions up to 40 days. An Israeli military appeals court can then extend the detention up to 90 days at a time. Israeli authorities granted or denied bail to Palestinians detained for security offenses based on the circumstances of each case, such as the severity of the alleged offense, status as a minor, risk of escape, or other factors, but in most cases bail was denied.

The Illegal Combatant Law permits Israeli authorities to hold a detainee for 14 days before review by a district court judge, deny access to counsel for up to 21 days with the attorney general's approval, and allow indefinite detention subject to twice-yearly district court reviews and appeals to Israel's Supreme Court.

The Emergency Powers Law allows the Israeli Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely.

Human rights groups such as the PCHR reported families of imprisoned Palestinians, particularly Gazans, had only limited ability to visit prisoners detained inside Israel due to the difficulty of obtaining entry permits to Israel.

Arbitrary Arrest: According to the ICHR and HRW, the PA in the West Bank and Hamas de facto authorities in Gaza made arbitrary arrests based on political affiliation. The PA arrested individuals from areas known to support PA President Abbas' exiled Fatah rival Muhammad Dahlan, according to HRW. In many cases detainees were held without formal charges or proper procedures. Hamas continued to charge that the PA detained individuals during the year solely due to their Hamas affiliation. The PA stated it charged many of these individuals with criminal offenses under PA civil or military codes.

There were numerous reports that the PA and Hamas improperly detained Palestinian journalists and arrested Palestinians who posted criticism of the PA (in the West Bank) or Hamas (in Gaza) online. Hamas also targeted those suspected of ties to Israel.

In October 2018 the PA in the West Bank arrested a Palestinian resident of East Jerusalem allegedly involved in selling an apartment in the Old City's Muslim Quarter to a Jew, on charges of violating a law prohibiting "transferring positions to the enemy." In December 2018 a criminal court sentenced him to life in prison with hard labor. He was released in January, according to media reports.

Hamas practiced widespread arbitrary detention in Gaza, particularly of civil society activists, Fatah members, journalists, and those accused of publicly criticizing Hamas.

In March, Hamas security forces arrested thousands of Palestinians in Gaza in a major crackdown on the *Bidna Na'eesh* (We Want to Live) movement, a group of Palestinians protesting high prices and poor services in Gaza, according to rights groups. Those arrested included civil society activists, journalists, and human rights defenders. Hamas security forces in both civilian clothing and uniforms beat, interrogated, and tortured hundreds of the protesters.

According to human rights NGOs, including MCW, B'Tselem, and HaMoked, throughout the year there were reports that Israeli security forces in the West Bank arbitrarily arrested and detained Palestinian protesters and activists, particularly those participating in demonstrations against the security barrier or against killings of Palestinians.

Pretrial Detention: It was unclear how many Palestinians were held in pretrial detention in West Bank and Gaza prisons, but there were widespread instances of PA and Hamas detention without charge or trial. PA authorities held some prisoners detained by order of Palestinian governors in lengthy pretrial detention, according to complaints received by the ICHR. Some PA security forces reportedly detained Palestinians outside appropriate legal procedures, including without warrants and without bringing them before judicial authorities within the required time.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Palestinian detainees faced barriers to their ability to challenge in court the legal basis or arbitrary nature of their detention and to obtain prompt release and compensation if found to have been unlawfully detained. Detainees held in PA custody faced delays in the enforcement of court rulings regarding their detention, especially regarding the PA's obligation to release suspects who have met bail.

Palestinians held by Israeli military authorities in administrative detention have no right to trial and can only challenge their detention before a military court judge. In cases in which the evidence substantiating the charges against a detainee is classified, the detainee has no means of examining the evidence (nor, in some cases, to examine the charges) to challenge the detention.

Civil society organizations and some Israeli members of the Knesset continued to criticize the Israeli government for using administrative detention excessively, adding that the practice was undemocratic since there was no due process. In its 2017 submission regarding compliance with the UN Convention against Torture, Israel claimed it issued administrative detention orders "as a preventive measure where there is a reasonable basis to believe that the detention is absolutely necessary for clear security purposes. Administrative detention is not employed where the security risk can be addressed by other legal alternatives, especially criminal prosecution." The government further emphasized the role of military judges in reviewing administration detention orders.

e. Denial of Fair Public Trial

The PA basic law provides for an independent judiciary. According to the ICHR, the PA judicial system was subject to pressure from the security agencies and the executive, undermining judicial performance and independence. PA authorities did not always execute court orders.

On July 18, President Abbas issued a decree lowering the mandatory retirement age of judges from 70 to 60, according to media reports. By issuing this decree, President Abbas forced into retirement at least 18 judges of the High Court and at least 50 additional judges in magistrate's courts, first instance (trial) courts, appeals courts and courts of cassation, according to rights groups. In September the Palestinian Constitutional Court found the decree lowering the mandatory retirement age of judges unconstitutional. As of October it was unclear whether the judges who lost their jobs under the decree would be returned to their former positions.

President Abbas also issued a decree dissolving the existing High Judicial Council and establishing a transitional council for one year to reform the judicial system. The transitional council consists of seven members and is chaired by the former PA chief justice. The transitional council also includes two former High Court judges, in addition to the attorney general and the undersecretary of the Ministry of Justice.

Palestinians have the right to file suits against the PA but rarely did so. Seldom used administrative remedies are available in addition to judicial remedies.

In Gaza, Hamas did not respect fair trial guarantees or provide access to family and legal counsel to many detainees. Hamas-appointed prosecutors and judges operated de facto courts, which the PA considered illegal. Gaza residents can file civil suits. Rights groups reported Hamas internal security regularly tried civil cases in military courts.

Israeli law provides for an independent judiciary, and the government generally respected Israeli civil courts' independence and impartiality. The ISF tried Palestinian residents of the West Bank accused of security offenses in Israeli military courts.

Trial Procedures

PA law provides for the right to a fair and public trial, and the judiciary generally enforced this right in the West Bank. Trials are public, except when the court determines PA security, foreign relations, a party's or witness' right to privacy, protection of a victim of a sexual offense, or an alleged "honor crime" requires privacy. If a court orders a session closed, the decision may be appealed to a higher PA court. Defendants enjoy a presumption of innocence and the right to prompt and detailed information regarding the charges, with free interpretation as necessary, from the moment charged through all appeals. Amnesty International reported that PA political and judicial authorities sometimes failed to adhere to basic due process rights, including promptly charging suspects. PA law provides for legal representation, at public expense if necessary, in felony cases during the trial phase. Defendants have the right to be present and to consult with an attorney in a timely manner during the trial,

although during the investigation phase, the defendant only has the right to observe. Defendants have the right to adequate time and facilities to prepare a defense. Suspects and defendants in the PA justice system have a right to remain silent when interrogated by the prosecutor according to the law. Defendants also have a legal right to counsel during interrogation and trial. They have the right to appeal. PA authorities generally observed these rights.

Hamas authorities in Gaza followed the same criminal procedure law as the PA in the West Bank but implemented the procedures inconsistently.

Israeli authorities tried Israelis living in West Bank settlements under Israeli civil law in the nearest Israeli district court. Palestinians in the West Bank are tried in Israeli military courts. The same evidentiary rules used in Israeli criminal cases apply in both Israeli military and civilian proceedings; for example, Israeli authorities cannot base convictions solely on confessions. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, in part because NGOs funded their representation. Israeli military courts use Hebrew, but Palestinian defendants have the right to simultaneous interpretation at every hearing. Various human rights organizations claimed the availability and quality of Arabic interpretation was insufficient. Defendants can appeal through the Military Court of Appeals and petition Israel's High Court of Justice (HCJ). According to NGO reports, Israeli military courts rarely acquitted Palestinians charged with security offenses although they occasionally reduced sentences on appeal.

Human rights lawyers also argued that the structure of military trials—which take place in Israeli military facilities with Israeli military officers as judges, prosecutors, and court officials, and with tight security restrictions—limited Palestinian defendants' rights to public trial and access to counsel. MCW reported that 78 percent of Palestinian minors were shown or made to sign documentation written in Hebrew, a language most Palestinian minors could not read, at the conclusion of their interrogation. Israeli authorities disputed these findings, asserting that interrogations of Palestinians took place only in Arabic and that authorities submitted no indictments based solely on a confession written in Hebrew.

Political Prisoners and Detainees

NGOs reported the PASF arrested Palestinians for political reasons in the West Bank. There was no reliable estimate of the number of political prisoners the PA held in the West Bank. Palestinian security forces arrested businessman Salah Abu Mayala following his participation in an international conference in Bahrain in June. He was released the next day. PA security forces also razed the houses of three other participants in the conference. Ashraf Jabari, founder of the Reform and Development Party, confined himself to his home in the Israeli-controlled area of Hebron to avoid arrest by the PA after attending the Bahrain conference. Jabari alleged the PA retaliated against him in ways that affected his business. Other sources reported that the PA was targeting the individuals for criminal behavior.

In Gaza, Hamas detained thousands of Palestinians due to political affiliation, public criticism of Hamas, or suspected collaboration with Israel and held them for varying periods. Hamas alleged that they arrested Fatah members on criminal, rather than political charges, although many of the arrests occurred after Fatah anniversary celebrations in Gaza that Hamas would not sanction. Observers associated numerous allegations of denial of due process with these detentions. The ICRC and NGOs had limited access to these prisoners.

Some human rights organizations claimed Palestinian security prisoners held in Israel were political prisoners. The Israeli government described security prisoners as those convicted or suspected of “nationalistically motivated violence.”

Civil Judicial Procedures and Remedies

A Palestinian resident of the West Bank can file suit against the PA, including on matters related to alleged abuses of human rights, but this was uncommon.

A Palestinian resident of Gaza can file suit against de facto Hamas authorities, including on matters related to alleged abuses of human rights, but this was also uncommon.

Palestinian residents of the West Bank can file suit against the government of Israel. Residents of Gaza are not able to seek redress or compensation from the Israeli government for damage to property or bodily harm due to Gaza's classification as an “enemy territory” under the Civil Wrongs (State Liability) Law.

Property Restitution

The Israeli government conducted multiple demolitions of Palestinian property in the West Bank, including Area A, for various reasons, including lack of Israeli-issued permits, construction in areas designated for Israeli military use, location of structures within the security barrier's buffer zone, and as punishment for terrorist attacks. Human rights NGOs claimed that Israeli authorities often placed insurmountable obstacles against Palestinian applicants for construction permits in Israeli-controlled Area C, including the requirement that they document land ownership despite the absence of a uniform post-1967 land registration process, the imposition of high application fees, and requirements to connect new housing to often unavailable municipal works.

In the West Bank, Israeli authorities, including the Israeli Civil Administration (ICA), a part of Israel's Ministry of Defense, and the Ministry of the Interior demolished 419 Palestinian structures, displacing 567 persons, including 275 minors, according to the United Nations. The demolished structures included homes, water cisterns, farm buildings, storehouses, and other structures, more than 93 percent of which were demolished on the basis that they lacked construction permits. The ICA approved 66 Palestinian construction permits out of 3,354 filed from January 2009 to July 2016, according to the Israeli government's response to a freedom of information request from Peace Now.

The ICA periodically demolished unpermitted Israeli structures in the West Bank, including the April 30 destruction of the entire Maoz Esther outpost and the May 21 demolition of three structures in Tapuah West.

The Palestinian Bedouin community Khan al-Ahmar, slated for Israeli demolition since 2009 due to lack of building permits and land proof ownership, remained standing at year's end. On June 16, Israeli authorities informed Israel's HCJ that Khan al-Ahmar's demolition would be postponed until at least December, citing Israel's September 17 national election and government formation process for the delay. Approximately 170 residents live in the community, in an area adjacent to a highway, with unpermitted, makeshift electrical and water connections. In May 2018, after nearly 10 years of litigation, the HCJ ruled that the ICA's demolition orders against the structures in Khan al-Ahmar were valid, which provided the ICA legal justification to demolish the village. Residents were not able to receive permits, as the Israeli government has not approved a master plan for the area. Following the ruling the HCJ issued a temporary injunction to delay the demolition pending a series of petitions from the PA and Khan al-Ahmar residents. On September 5, the HCJ convened a panel of judges to review these petitions. The panel ultimately rejected the petitions and upheld the HCJ's decision, which terminated the temporary injunction. In an effort to resolve the Khan al-Ahmar dispute, the government constructed an alternative site for the residents that included electric and water connections and a school building for the community's children. Khan al-Ahmar residents rejected the alternative site proposal, arguing the site was unsuitable for their herding lifestyle. The United Nations estimated there are an additional 46 Palestinian Bedouin communities, with approximately 8,170 residents, located in Area C that are also subject to pending demolition orders.

On July 22, Israeli authorities demolished several buildings in Areas A and B on the Jerusalem side of the security barrier, according to rights groups and media reports. The PA called the demolitions a "grave escalation" and a violation of the Oslo Accords, according to media reports. The buildings had PA building permits but were built inside a no-construction zone instituted by Israeli authorities in 2011 next to the security barrier, and therefore, after a lengthy legal process, Israel's HCJ deemed the construction a security threat and illegal under Israeli law.

Israeli authorities sometimes charged demolition fees for demolishing a home; this at times prompted Palestinians to destroy their own homes to avoid the higher costs associated with Israeli demolition. Palestinians had difficulty verifying land ownership in Israeli courts. According to the government, all land ownership cases are assessed individually by an administrative committee, which is subject to judicial review, and decisions are made according to the evidence provided.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The PA penal procedure code generally requires the PA attorney general to issue warrants for entry and searches of private property; however, PA judicial officers may enter Palestinian houses without a warrant in case of emergency. NGOs reported it was common for the PA to harass family members for alleged offenses committed by an individual.

Hamas de facto authorities in Gaza frequently interfered arbitrarily with personal privacy, family, and home, according to reporting from local media and NGO sources. Hamas authorities searched homes and seized property without warrants. They targeted critics of their policies, journalists, Fatah loyalists, civil society members, youth activists, and those whom Hamas security forces accused of criminal activity. Hamas forces monitored private communications systems, including telephones, email, and social media sites. They demanded passwords and access to personal information and seized personal electronic equipment of detainees. While Hamas membership was not a prerequisite for obtaining housing, education, or Hamas-provided services in Gaza, authorities commonly reserved employment in some government positions, such as those in the security services, for Hamas members. In several instances Hamas detained individuals for interrogation and harassment, particularly prodemocracy youth activists, based on the purported actions of their family members.

In response to reported security threats, the ISF frequently raided Palestinian homes, including in areas designated as under PA security control by Oslo-era accords, according to media and PA officials. These raids often took place at night, which the ISF stated was due to operational necessity. Only ISF officers of lieutenant colonel rank and above can authorize entry into Palestinian private homes and institutions in the West Bank without a warrant, based upon military necessity.

According to B'Tselem, the Israeli military compelled various communities throughout the Jordan Valley to vacate their homes. On January 13, the Israeli Civil Administration ordered 13 Jordan Valley families to vacate their homes overnight for the fourth time in a month to allow for military training operations, according to B'Tselem. On February 6 and February 13, the Israeli Civil Administration ordered more than 50 families in the Jordan Valley, numbering 291 individuals, including 154 children, to vacate their homes overnight for more military training exercises, according to B'Tselem. According to the Israeli government, these families and others in the Jordan Valley live in a declared military firing zone and are sometimes evacuated for their safety following relevant regulations.

Israeli authorities froze family unification proceedings for Palestinians in the West Bank and Gaza in 2000. In 2018, HaMoked filed petitions to Israel's HCJ on behalf of Palestinian residents of the West Bank and their foreign spouses, requesting that the Israeli government permit foreign spouses to legalize their status through a family unification procedure. HaMoked claimed the military's refusal to review requests of foreign citizens for family unification is contrary to Israeli law and to Israeli-Palestinian interim Oslo-era agreements. HaMoked claimed the IDF rejected family unification requests based on a broad policy and not on the facts of the individual cases brought before it, and as such the practice does not appropriately balance relevant security needs and the right of Palestinians in the West Bank and Gaza—protected persons under international humanitarian law—to family life. According to the government of Israel, as of October there were 2,290 pending family unification cases for persons from Gaza and the West Bank.

Israeli authorities reportedly permitted children in Gaza access to a parent in the West Bank only if no other close relative was resident in Gaza. Israeli authorities did not permit Palestinians abroad during the 1967 War or whose residency permits the Israeli government subsequently withdrew to reside permanently in the West Bank or Gaza.

Israeli authorities demolished 11 homes and three water cisterns belonging to Palestinians who had allegedly carried out attacks on Israelis. These actions sometimes rendered nearby structures uninhabitable, according to rights groups. Punitive demolitions displaced 36 Palestinians, including 13 children, according to the United Nations. NGOs, such as Amnesty International, HRW, and several Palestinian and Israeli NGOs, widely criticized punitive demolitions as collective punishment. Some punitive demolitions occurred before the trial of the alleged attacker, according to media reports. The Israeli government asserted such demolitions had a deterrent effect on would-be assailants.

SECTION 2. RESPECT FOR CIVIL LIBERTIES, INCLUDING:

a. Freedom of Expression, Including for the Press

The PA basic law generally provides for freedom of expression but does not specifically provide for freedom of the press. The PA enforced legislation that NGOs claimed restricted press and media freedom in the West Bank, including through PASF harassment, intimidation, and arrest.

In Gaza, Hamas restricted press freedom through arrests and interrogations of journalists, as well as harassment and limitations on access and movement for some journalists. These restrictions led many journalists to self-censor. During the March *Bidna Na'eesh* (We Want to Live) protests, Hamas arrested 23 journalists, according to rights groups.

Israeli civil and military law provides limited protections of freedom of expression and press for Palestinian residents of the West Bank. NGOs and Palestinian journalists alleged that Israeli authorities restricted press coverage and placed limits on certain forms of expression—particularly by restricting Palestinian journalists' movement, as well as through violence, arrests, closure of media outlets, and intimidation, according to media reports and the Palestinian Center for Development and Media Freedoms. The Israeli government stated it allows journalists maximum freedom to work and investigates any allegations of mistreatment of journalists.

Freedom of Expression: Although no PA law prohibits criticism of the government, media reports indicated PA authorities arrested West Bank Palestinian journalists and social media activists who criticized or covered events that criticized the PA.

On February 24, the PASF detained photojournalist Mohammad Dweik while he filmed a protest against the National Social Insurance Law, according to media reports; he was later released after deleting the content from his camera.

The law restricts the publication of material that endangers the “integrity of the Palestinian state.” The PA arrested West Bank journalists and blocked websites associated with political rivals, including sites affiliated with political parties and opposition groups critical of the Fatah-controlled PA. Websites blocked during 2018 continued to be blocked throughout the year.

According to HRW, the PA arrested 1,609 individuals between January 2018 and April 2019 for insulting “higher authorities” and creating “sectarian strife.” HRW stated these charges “criminalize peaceful dissent.” The PA arrested more than 750 persons during this period for social media posts, according to data provided to HRW.

In Gaza, Hamas authorities arrested, interrogated, seized property from, and harassed Palestinians who publicly criticized them. Media practitioners accused of publicly criticizing Hamas, including civil society and youth activists, social media advocates, and journalists, faced punitive measures, including raids on their facilities and residences, arbitrary detention, and denial of permission to travel outside Gaza. In January, Hamas arrested the Palestinian comedian Ali Nassman after he released a song on YouTube mocking a Hamas policy, according to media. He was released later that day. In April, Hamas arrested Palestinian comedian Hussam Khalaf for mocking the same Hamas policy, and he was released the next day.

Press and Media, Including Online Media: Independent Palestinian media operated under restrictions in the West Bank and Gaza. The PA Ministry of Information requested that Israeli reporters covering events in the West Bank register with the ministry. According to the PA deputy minister of information, the ministry provides permits to Israeli journalists only if they do not live in a settlement. While officially the PA was open to Israeli reporters covering events in the West Bank, at times Palestinian journalists reportedly pressured Israeli journalists not to attend PA events.

Hamas de facto authorities permitted broadcasts within Gaza of reporting and interviews featuring PA officials. Hamas allowed, with some restrictions, the operation of non-Hamas-affiliated broadcast media in Gaza. For example, the PA-supported Palestine TV continued to operate in Gaza.

On May 26, the Hamas de facto government Ministries of Interior and Information in Gaza prevented PA-owned newspaper *Al Hayat Al Jadida* from distributing its paper based on the claim that the outlet published provocative material that incited violence and disrupted the civil peace.

In March, Hamas security arrested Rafat al-Qedra, the general manager of Palestine TV in Gaza. According to media outlets, they confiscated his mobile telephone and personal laptop before releasing him.

In areas of the West Bank to which Israel controls access, Palestinian journalists claimed Israeli authorities restricted their freedom of movement and ability to cover stories. The ISF does not recognize Palestinian press credentials or credentials from the International Federation of Journalists. Few Palestinians held Israeli press credentials.

There were reports of Israeli forces detaining journalists in the West Bank, including the August 6 detention in Burqin of Muhammed Ateeq, who was held for 10 days, and the August 29 detention of photojournalist Hasan Dabbous in his village near Ramallah. According to Israeli authorities, Ateeq was arrested on suspicion of endangering the security of the area.

On June 10, an Israeli military court indicted Palestinian journalist Lama Khater, who was arrested alongside five other journalists in July 2018, for incitement to violence through her writing and sentenced her to 13 months in prison, including time already served, according to media reports. She was released on July 26. Khater claimed she was mistreated during interrogation, including being chained to a chair for 10 to 20 hours a day for more than a month, according to media reports. According to Israeli authorities, Khater admitted to membership in Hamas, an illegal organization, and was sentenced as part of a plea bargain.

Violence and Harassment: There were numerous reports that the PA harassed, detained (occasionally with violence), prosecuted, and fined journalists in the West Bank during the year based on their reporting.

The PA occasionally obstructed the West Bank activities of media organizations with Hamas sympathies and limited media coverage critical of the PA.

The PA also had an inconsistent record of protecting Israeli and international journalists in the West Bank from harassment by Palestinian civilians or their own personnel.

In Gaza, Hamas at times arrested, harassed, and pressured, sometimes violently, journalists critical of its policies. Hamas reportedly summoned and detained Palestinian journalists for questioning to intimidate them. Hamas also constrained journalists' freedom of movement within Gaza during the year, attempting to ban access to some official buildings.

Throughout the year there were reports of Israeli actions that prevented Palestinian or Arab-Israeli journalists from covering news stories in the West Bank and Gaza. These actions included alleged harassment by Israeli soldiers and acts of violence against journalists. Palestinian journalists also claimed that Israeli security forces detained Palestinian journalists and forced them to delete images and videos under threat of violence, arrest, or administrative detention. On August 2, ISF detained AP photojournalist Eyad Hamad for several hours while he was reporting on house demolitions in the Wadi al-Hummous area of East Jerusalem, according to rights groups and media reports. The government of Israel stated it could find no record of this incident.

On July 24, Reporters without Borders alleged the IDF was intentionally targeting the media after five Palestinian journalists were injured in the span of four days while covering events in the West Bank and Gaza. At least two of the injured journalists were wearing vests marked "press" when the IDF allegedly fired at them with live rounds, according to media reports. One of the journalists, Sami Misran of Al-Aqsa TV, allegedly lost the use of an eye, according to the *Times of Israel*. The IDF stated it does not target journalists. According to the government of Israel, allegations of misconduct regarding the Gaza protests were being examined by the Fact Finding Assessment Mechanism, which will be reviewed by the MAG to determine whether there are reasonable grounds for criminal investigations.

On May 4, the Israeli air force shelled and destroyed a Gazan building that included the offices of local and regional media agencies and institutes, including the Turkish Anadolu Agency, the Prisoners Media Center, the Hala Media Training Center, and the Abdullah Hourani Studies Center, according to media reports. The IDF stated it targeted the building because it housed other offices related to Hamas and that it did not intend to destroy the media offices.

Censorship or Content Restrictions: The PA prohibits calls for violence, displays of arms, and racist slogans in PA-funded and -controlled official media. There were no confirmed reports of any legal action against, or prosecution of, any person publishing items counter to these PA rules. Media throughout the West Bank and Gaza reported practicing self-censorship. There were reports of PA authorities seeking to erase images or footage from journalists' cameras or cell phones.

According to media reports, the PASF confiscated equipment from journalist Thaer Fakhouri in Hebron and arrested him for posting “incitement information” on social media platforms. He was held for four days and obliged to pay a fine before being released.

In Gaza civil society organizations reported Hamas censored television programs and written materials, such as newspapers and books.

The Israeli government raided and closed West Bank Palestinian media sources, primarily on the basis of allegations they incited violence against Israeli civilians or security services. Acts of incitement under military law are punishable by up to 10 years’ imprisonment. NGOs and other observers said Israeli military regulations were vaguely worded and open to interpretation. The ISF generally cited two laws in its military orders when closing Palestinian radio stations—the 1945 Defense Emergency Regulations and the 2009 Order Concerning Security Provisions. These laws generally define incitement as an attempt to influence public opinion in a manner that could harm public safety or public order.

Libel/Slander Laws: There were some accusations of slander or libel against journalists and activists in the West Bank and Gaza.

A case continued in Ramallah Magistrate’s Court in which London-based *al-Arabi al-Jadeed* disputed a 2016 closure order by the PA following an investigative report about torture in PA prisons.

HRW reported that Gazan authorities charged journalist Hajar Harb with slander for an investigative piece she wrote in 2016 accusing doctors in Gaza’s health ministry of writing false reports to allow healthy people to leave Gaza for treatment in return for payment. She was convicted in absentia in 2017. She returned to Gaza in 2018 and was granted a new trial. In March she was acquitted on appeal.

National Security: Human rights NGOs alleged that the PA restricted the activities of journalists on national security grounds.

Internet Freedom

Internet was generally accessible throughout the West Bank and Gaza. Frequent power outages in Gaza interrupted accessibility.

The PA blocked access to at least 59 news sites sympathetic to Hamas or political factions critical of Abbas. The PA monitored social media actively, pressuring and harassing activists and journalists. There were instances when the PA arrested or detained Palestinians because of their posts on social media.

According to media reports, on January 6, the PASF arrested journalist Mahmoud Hreish at his house in Betunia city and detained him for 23 days. The PASF interrogated him about a Facebook post in which he criticized the PA’s insufficient response to Israeli settler attacks against Palestinians.

Gaza-based Palestinian civil society organizations and social media practitioners stated Hamas de facto authorities monitored the internet activities of Gaza residents and took action to intimidate or harass them. On April 13, Hamas intelligence detained and interrogated journalist Hamza Hammad, according to media reports. He was reportedly released after 24 hours after signing a pledge to no longer post on Facebook about the political and economic situation in Gaza.

According to HRW, between January 2018 and March 2019, both the PA and Hamas arrested dozens of persons based on social media posts on charges of “harming revolutionary unity” and “misuse of technology.” The PA arrested and brought to trial Palestinian human rights activist Issa Amro for a social media post critical of the PA’s arrest of a Palestinian journalist, according to media reports.

Academic Freedom and Cultural Events

The PA did not restrict academic freedom in the West Bank, and there were no known reports of PA censorship of school curricula, plays, films, or exhibits. Palestinian law provides for academic freedom, but individuals or officials from academic institutions reportedly self-censored curricula. Faculty members reported PA security elements were present on university campuses among the student body and faculty, which may have contributed to self-censorship. HRW claimed that authorities closely monitored criticism of the PA by university students and professors.

Public schools as well as UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools in Gaza followed the same curriculum as West Bank schools. Palestinians in Gaza reported interference by Hamas in public schools at the primary, secondary, and university levels. Hamas reportedly interfered in teaching methodologies or curriculum deemed to violate Islamic identity, the religion of Islam, or “traditions,” as defined by Hamas. Hamas also interfered if there were reports of classes or activities that mixed genders. UNRWA reported no Hamas interference in the running of its Gaza schools.

Students and faculty from Gaza participating in certain cultural and education programs (including programs sponsored by foreign governments and international organizations) faced questioning from de facto Hamas authorities. On February 19, Hamas’ General Intelligence Service arrested the head of the Birzeit University Center for Development Studies, Ghassan Abu Mata, for conducting a survey on “youth reality” in Gaza without a permit from the Hamas-led Ministry of the Interior, according to the PCHR and the al-Mezan Center for Human Rights.

Israeli restrictions on movement (see section 2.d.) adversely affected academic institutions and access to education and cultural activities for Palestinians.

b. Freedoms of Peaceful Assembly and Association

Authorities in the West Bank and Gaza limited and restricted Palestinian residents’ freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

PA law permits public meetings, processions, and assemblies within legal limits. It requires permits for rallies, demonstrations, and large cultural events. Both the PA and Hamas security forces selectively restricted or dispersed peaceful protests and demonstrations in the West Bank and Gaza during the year.

After a new social security law was passed and published in the official gazette, the United Movement against the Social Security Law called for a commercial strike in Hebron on January 15 in opposition to the law, according to the Human Rights and Democracy Media Center (SHAMS) and media reports. PA police arrested and investigated several of the protesters and held them overnight, according to SHAMS.

According to a Hamas decree, any public assembly or celebration in Gaza requires prior permission. Hamas used arbitrary arrest to prevent some events from taking place, particularly the *Bidna Na’eesh* (We Want to Live) protest (see section 1.d., Arbitrary Arrest) and political events affiliated with Fatah. Hamas also attempted to impede criticism of Hamas policies by imposing arbitrary demands for the approval of meetings on political or social topics.

A 1967 Israeli military order stipulates that a “political” gathering of 10 or more persons requires a permit from the regional commander of military forces, which Israeli commanders rarely granted. The penalty for a breach of the order is up to 10 years’ imprisonment or a heavy fine. Israeli military law prohibits insulting a soldier, participating in an unpermitted rally, and “incitement” (encouraging others to engage in civil disobedience). Palestinian human rights activist Issa Amro faced 16 charges in a trial underway in an Israeli military court that began in 2016. The charges include participation in a march without a permit, assaulting a soldier, and incitement, according to rights groups. Human rights organizations such as Amnesty International stated Amro’s actions during these incidents were consistent with nonviolent civil disobedience. The latest hearing in his case took place in September. *Ha’aretz* reported the IDF detained Amro at least 20 times at various checkpoints from May to July 2018. In August, IDF soldiers detained Amro at a checkpoint in Hebron and released him two hours later with no explanation, according to rights groups.

The IDF Central Command declared areas of the West Bank to be “closed military zones” in which it prohibited Palestinian public assembly. It maintained the same designation on Fridays for areas adjacent to the security barrier in the Palestinian villages of Bil’in and Ni’lin during hours when Palestinian, Israeli, and international activists regularly demonstrated there. There were frequent skirmishes between protesters and ISF personnel.

Freedom of Association

PA law allows freedom of association. PA authorities sometimes imposed limitations in the West Bank, including on labor organizations (see section 7.a.). NGOs said a regulation subjecting “nonprofit companies” to PA approval

prior to receiving grants impeded their independence and threatened the ability of both local and international nonprofits to operate freely in the West Bank.

In Gaza, Hamas attempted to prevent various organizations from operating. These included some it accused of being Fatah-affiliated, as well as private businesses and NGOs that Hamas deemed to be in violation of its interpretation of Islamic social norms. The Hamas de facto Ministry of Interior claimed supervisory authority over all NGOs, and its representatives regularly harassed NGO employees and requested information on staff, salaries, and activities.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

PA law provides for freedom of internal movement within the West Bank, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some exceptions.

Hamas authorities restricted some foreign travel into and out of Gaza and required exit permits for Palestinians departing through the Gaza-Israel Erez crossing. Hamas also prevented some Palestinians from exiting Gaza based on the purpose of their travel or to coerce payment of taxes and fines. There were some reports unmarried women faced restrictions on travel out of Gaza.

Citing security concerns and frequent attempted terrorist attacks, Israel imposed significant restrictions on Palestinian movement in the West Bank and between the West Bank and Jerusalem. Israeli authorities often prohibited travel between some or all Palestinian West Bank towns and deployed temporary checkpoints for that purpose. Palestinians who lived in affected villages stated that "internal closures" continued to have negative economic effects, lowering their employment prospects, wages, and days worked per month. During periods of potential unrest, including on some major Israeli, Jewish, and Muslim holidays, Israeli authorities enacted "comprehensive external closures" that prevented Palestinians from leaving the West Bank and Gaza. For example, Israeli authorities enacted a comprehensive closure for the West Bank and Gaza for eight days during Pesach from April 19-26, according to B'Tselem. B'Tselem reported 13 such days in total during the year.

The Israeli travel permit system restricts Palestinians' ability to travel from Gaza to the West Bank, including travel to pursue higher education opportunities. Palestinian higher education contacts reported that permits for Gazans to attend West Bank universities were seldom granted.

Israel has declared access restricted areas (ARAs) on both the coastal and land borders around Gaza, citing evidence that Hamas exploited these areas at times to conduct attacks or to smuggle weapons and goods into Gaza. The lack of clear information regarding the ARAs created risks for Palestinians in Gaza who lived or worked either on the Mediterranean Coast or near the perimeter fence. No official signage indicating the line of demarcation exists, and official policy changed frequently. Likewise, the permitted maritime activity area for Palestinians along the coastal region of Gaza changed between zero and 15 nautical miles 19 times throughout the year, according to the Gisha, an Israeli organization that focuses on Palestinian freedom of movement. Human rights NGOs asserted this confusion led to multiple instances of Israeli forces firing upon farmers and fishermen. According to the United Nations, regular electrical outages often made it necessary for Gazan farmers to work their fields after dark; in some instances, IDF soldiers shot at farmers near the ARA while they irrigated their fields at night.

On February 20, Israeli naval forces arrested five fishermen and confiscated three boats off the Gaza coast, according to the PCHR. The Israeli forces used live fire during the arrests, damaging one of the boats, and one of the fishermen was injured when an Israeli naval vessel hit him after he jumped off his boat when it was fired on. Also on February 20, Israeli naval forces allegedly shot Gaza fisherman Khader al-Saaidy with rubber-coated bullets in the face and chest at close range, and he lost sight in both eyes as a result. According to the government of Israel, the case was referred to the MAG to determine whether there were reasonable grounds for a criminal investigation.

A key barrier to Palestinian movement was the security barrier that divides the majority of the West Bank from Israel, including Jerusalem, and some parts of the West Bank. Israeli authorities constructed the barrier to prevent

attacks by Palestinian terrorists. In some areas it divides Palestinian communities in the West Bank and Jerusalem. At its widest points, the barrier extends 11 miles (18 kilometers) into the West Bank. B'Tselem estimated that 27,000 Palestinians resided in communities west of the barrier who were required to travel through Israeli security checkpoints to reach the remainder of the West Bank. Other significant barriers to Palestinian movement included internal ISF road closures and Israeli restrictions on the movement of Palestinian persons and goods into and out of the West Bank and Gaza. Major checkpoints, such as Container and Za'tara, caused major disruptions in the West Bank when closed, according to media reports. When Container (near Bethlehem) is closed, it cuts off one-third of the West Bank population living in the South, including Bethlehem and Hebron, from Ramallah and the North. Similarly, Za'tara checkpoint blocks traffic in and out of the entire northern part of the West Bank, including Nablus, Tulkarem, and Jenin, according to media reports. UNOCHA reported there were 705 permanent obstacles throughout the West Bank, a 3 percent increase from their previous survey in 2016. Israeli restrictions on movement affected virtually all aspects of Palestinian life, including attendance at weddings and funerals, access to places of worship, employment, access to agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities. There were also reports of patients dying in traffic before reaching hospitals and ambulances en route to accidents or scenes of attacks being stopped by the IDF for hours at a time. In October the Israeli government denied a travel request for an Amnesty International employee from the West Bank to accompany his mother to a chemotherapy treatment in Jerusalem citing "security concerns," according to Amnesty.

Israeli officials imposed restrictions on movement of materials, goods, and persons into and out of Gaza based on security and economic concerns. Amnesty International and HRW reported difficulties by foreign workers in obtaining Israeli visas, which affected the delivery of humanitarian assistance in the West Bank and Gaza. Amnesty International and HRW also reported that the Israeli government denied their employees permits to enter Gaza from Israel. The United Nations and several international NGOs reported that the Israeli government denied their local Gazan staff permits to exit Gaza into Israel, and UNOCHA reported that more than 130 local UN staff were under travel bans prohibiting them from exiting Gaza. The Israeli government stated all Gaza exit requests are reviewed on a case-by-case basis in accordance with security considerations arising from Hamas's de facto control of Gaza.

PA-affiliated prosecutors and judges stated that ISF prohibitions on movement in the West Bank, including Israeli restrictions on the PA's ability to transport detainees and collect witnesses, hampered their ability to dispense justice.

UNRWA reported its West Bank Headquarters staff lost 79 workdays during the year, mostly due to increased Israeli demands to search UNRWA vehicles at checkpoints between Bethlehem and Jerusalem.

In-country Movement: Hamas authorities did not enforce routine restrictions on internal movement within Gaza, although there were some areas of Gaza to which Hamas prohibited access. Pressure to conform to Hamas's interpretation of Islamic norms generally restricted movement by women.

The ISF routinely detained for several hours Palestinians residing in Gaza who had permits to enter Israel for business and subjected them to interrogations and strip searches at Israeli-controlled checkpoints, according to rights groups. UNOCHA and several NGOs working on freedom of movement issues noted that frequently changing protocols and unofficial, unwritten policies at checkpoints have resulted in the forfeiture of personal property including money, electronics, and clothing of those attempting to exit Gaza with valid travel permits.

Israeli authorities allegedly damaged Palestinian property in the West Bank while conducting raids, sealed off entries and exits to homes and other buildings, and confiscated vehicles and boats. The Israeli government stated that it imposed collective restrictions only if an armed forces commander believed there was a military necessity for the action and that the imposition on the everyday lives of Palestinian civilians was not disproportionate.

Restrictions on access to Jerusalem had a negative effect on Palestinian patients and medical staff trying to reach six hospitals in East Jerusalem that offered specialized care unavailable in the West Bank. According to the Palestine Red Crescent Society (PRCS), IDF soldiers at checkpoints at times harassed and delayed ambulances from the West Bank or refused them entry into Jerusalem, even in emergency cases. The PRCS and World Health Organization reported hundreds of such actions impeding humanitarian services during the year. Most included blocking access to those in need, preventing their transport to specialized medical centers, or imposing delays at

checkpoints lasting up to two hours. According to the Israeli government, security considerations and lack of advanced coordination on the part of Palestinian medical teams often caused delays.

Israeli authorities restricted or prohibited Palestinian travel on 29 roads and sections of roads (totaling approximately 36 miles) throughout the West Bank, including many of the main traffic arteries, according to B'Tselem. The ISF also imposed temporary curfews confining Palestinians to their homes during ISF arrest operations. During the Muslim holy month of Ramadan, Israeli authorities eased restrictions on Palestinians entering Israel, including Jerusalem, allowing West Bank Palestinians to use Ben Gurion Airport, to visit family, and visit the Haram al-Sharif/Temple Mount for religious services. Israeli authorities did not issue permits to Palestinians in Gaza to visit Jerusalem.

Israeli authorities extended the security barrier in the Cremisan Valley near Bethlehem and began land clearing to extend the barrier through Walajah village, also near Bethlehem. Israel continued to restrict movement and development near the barrier, including access by some international organizations. In response to a freedom of information act request from HaMoked in 2018, the IDF reported that during the year it had denied 72 percent of permit requests by Palestinian farmers to access their land blocked by the security barrier, of which 1 percent of the denials were for security reasons. HaMoked asserted many of these refusals were due to arbitrary claims by Israeli authorities that the farmer's land was too small to cultivate.

Private security companies employed by the Israeli government controlled many points of access through the security barrier. International organizations and local human rights groups claimed these security companies did not respond to requests to allow movement of goods or NGO representatives through the barrier.

Palestinian farmers continued to report difficulty accessing their lands in Israeli-controlled Area C of the West Bank. NGOs and community advocates reported numerous Palestinian villages owned land rendered inaccessible by the barrier. A complicated Israeli permit regime (requiring more than 10 different permits) prevented these Palestinians from fully using their lands.

Israeli restrictions allowed fishing only within three nautical miles of Gaza land during specific periods. The Israeli government stated these restrictions were necessary for security reasons. Israeli and Egyptian naval forces regularly fired warning shots at Palestinian fishermen entering the restricted sea areas, in some cases directly targeting the fishermen, according to UNOCHA. Israeli armed forces confiscated fishing boats intercepted in these areas and detained the fishermen. In August the Coordinator of Government Activities in the Territories returned 22 seized fishing boats to their owners; all the boats had holes in them and the fishermen were forced to pay the cost of moving the boats from government of Israel custody back to the docking area, according to the United Nations.

In the West Bank, Israeli military authorities continued to restrict Palestinian vehicular and foot traffic and access to homes and businesses in downtown Hebron, citing a need to protect several hundred Israeli settlers resident in the city center. The ISF continued to occupy rooftops of private Palestinian homes in Hebron as security positions, forcing families to leave their front door open for soldiers to enter. In response to these reports, the Israeli government stated that freedom of movement is not an absolute right but must be balanced with security and public order.

The Israeli government, citing security concerns, continued to impose intermittent restrictions on Palestinian access to certain religious sites, including the Haram al-Sharif/Temple Mount. Israeli officials cited security concerns when imposing travel restrictions, including limiting access to Jerusalem during major Jewish holidays as well as continuing construction of Israel's security barrier, which impeded the movements of Palestinian Muslims and Christians in the West Bank.

UNOCHA reported Palestinians in Gaza considered areas up to 984 feet (300 meters) from the perimeter fence to be a "no-go" area, and up to 3,280 feet (1,000 meters) to be "high risk," which discouraged farmers from cultivating their fields. UNOCHA estimates nearly 35 percent of the Gaza Strip's cultivable land is in these areas.

Foreign Travel: Hamas authorities in Gaza occasionally enforced movement restrictions on Palestinians attempting to exit Gaza to Israel via the Erez Crossing and to Egypt via the Rafah Crossing. Palestinians returning to Gaza were regularly subject to Hamas interrogations about their activities in Israel, the West Bank, and abroad.

Citing security concerns, Israeli authorities often denied or did not respond to Palestinian applications for travel permits through the Erez Crossing. Israel largely limited entry and exit from Gaza at the Erez Crossing to humanitarian cases and limited permits to businesspersons and day laborers working in Israel. These limitations prevented some Palestinians from transiting to Jerusalem for visa interviews; to Jordan (often for onward travel) via the Allenby Bridge; and to the West Bank for work or education. The Israeli Ministry of Foreign Affairs stated there were no new restrictions on items that could be brought through Erez into Israel, but Gazans reported additional restrictions, including not being allowed to carry phone chargers or more than one pair of shoes. Israel approved 40 percent of exit permit requests from Gaza to Jordan, 56 percent from Gaza to Israel and the West Bank, and 50 percent from the West Bank to Israel, according to the Israeli government.

During the year the Israeli Supreme Court continued to uphold with few exceptions the ban imposed in 2000 on students from Gaza attending West Bank universities. Students in Gaza generally did not apply to West Bank universities because they understood Israeli authorities would deny permits.

Delays in permit approvals by Israeli officials caused some Palestinians to miss the travel dates for exchange programs abroad, and for matriculation in foreign universities. In some cases authorities asked students to submit to security interviews prior to receiving permits. Israeli authorities detained some students indefinitely without charge following their security interview, which caused other students to refuse to attend these interviews for fear of detention.

According to Gisha, Israel denied some exit permit applications by residents of Gaza on the grounds that the applicants were “first-degree relative[s] [of] a Hamas operative.” UNOCHA reported that some of their staff members were denied exit permits out of Gaza due to security blocks because UNOCHA coordinates with Hamas as the de facto government in Gaza to facilitate the entry, exit, and transportation of UN personnel.

e. Internally Displaced Persons

UNOCHA estimated that during the year 700 persons in Gaza were displaced by three instances of hostilities between armed Palestinian groups and Israel. Additional persons in Gaza remained displaced due to the destruction caused by the 2014 war.

UNRWA and other humanitarian organizations provided services to IDPs in Gaza and the West Bank, with some limitations due to Israeli restrictions on movement and border access.

f. Protection of Refugees

Abuse of Migrants, Refugees, and Stateless Persons: Israeli security operations in the West Bank led to 11 Palestinian UNRWA beneficiary fatalities, three of whom were killed allegedly while conducting an attack on the ISF or Israeli civilians. Israeli use of live ammunition caused most injuries. There were 62 Palestinians reported injured by Israeli authorities in West Bank refugee camps, according to UNRWA, of whom live ammunition injured 17, including four UNRWA beneficiary minors.

The most recent fatality in Deheisha refugee camp south of Bethlehem was in July, when the ISF fatally shot 14-year-old Arkan Thaer Mizher. According to the Israeli government, the investigation has concluded and the MAG was reviewing the findings.

UNRWA provided education, health care, and social services to areas of Jerusalem, the West Bank, and Gaza; however, the agency continued to experience funding shortfalls throughout the year. During the year Israel’s ambassador to the United Nations urged international donors to suspend funding to the agency amid a UN Office of Internal Oversight Services investigation into allegations of corruption and mismanagement by UNRWA’s senior management team. Several international and Israeli NGOs called for the UN to strengthen oversight of UNRWA and improve transparency to address the allegations.

Access to Basic Services: Palestinian refugees in the West Bank and Gaza were eligible to access UNRWA schools and primary health care clinics, although in some cases, movement restrictions limited access to UNRWA services and resources in the West Bank (see section 1.d.).

All UNRWA projects in the West Bank and Gaza Strip required Israeli government permits, but UNRWA does not apply for permits in refugee camps.

The deterioration of socioeconomic conditions during the year in Gaza severely affected refugees. UNRWA reported that food security continued to be at risk.

Israeli import restrictions on certain commodities considered as dual use continued to impede humanitarian operations in Gaza, including those directed toward refugees. In 2016 Israeli authorities introduced a requirement whereby approval of UNRWA projects remained valid for one year. As project implementation timelines often exceeded one year, this requirement necessitated applications for reapproval of projects, which hampered implementation and increased transaction costs for multiple UNRWA projects.

g. Stateless Persons

According to NGOs, 40,000 to 50,000 Palestinians in Gaza lacked identification cards recognized by Israel. Some were born in Gaza but never recognized by Israel as residents; some fled Gaza during the 1967 war; and some left Gaza for various reasons after 1967 but later returned. A small number lacking recognized identification cards were born in the Gaza Strip and never left, but had only Hamas-issued identification cards. Under the Oslo Accords, the PA administers the Palestinian Population Registry, although status changes in the registry require Israeli government approval. The Israeli government has not processed changes to the registry since 2000.

There was no process for foreign spouses or foreign-born children of Palestinians to obtain permanent legal status in the West Bank. As a result many Palestinian children and young adults, especially those born abroad, are without legal status in the region where they have spent most or all of their lives. In September a court granted 24-year-old Maen Abu Hafez a one-year visitor's permit to stay in the West Bank. Abu Hafez reportedly lived in the Jenin refugee camp since he was three, when he moved there with his Palestinian father and Uruguayan mother. His family reunification request has been on hold for several years. In 2017 he was detained at a checkpoint and was held for more than two and one-half years in an Israeli prison for illegal aliens in Ramle. The Israeli government sought to deport him to Brazil, where he was born, although he has no ties there and does not speak Portuguese.

SECTION 3. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

The PA basic law provides Palestinians the ability to choose their government and vote in periodic free and fair elections held by secret ballot and based on universal, equal suffrage. The PA has not held national elections in the West Bank or Gaza since 2006, effectively preventing Palestinians from being able to choose their own government or hold it accountable. Civil society organizations in Gaza, which has been under Hamas control since 2007, stated Hamas and other Islamist groups did not tolerate public dissent, opposition, civic activism, or the promotion of values contrary to their political and religious ideology.

Elections and Political Participation

Recent Elections: There have been no national elections in the West Bank and Gaza since 2006. In December 2018 President Abbas announced that the PA Constitutional Court had issued a decision dissolving the PLC and calling for PLC elections within six months. As of the end of the year, no date was set for national or municipal elections in the West Bank or Gaza.

Political Parties and Political Participation: The PA allowed a limited range of political parties to exist in the West Bank and limited the ability of Hamas members to campaign and organize rallies. Activists linked to the new Reform and Development Party in the West Bank claimed PA security agencies pressured them not to organize. The PA reportedly detained one party member for several hours with no explanation. In Gaza, Hamas allowed other political parties but restricted their activities, primarily in the case of Fatah. According to HRW, the PA and Hamas arbitrarily arrested each other's supporters solely because of their political affiliation or expression of views. Hamas arrested more than 1,000 Fatah leaders and members in Gaza during the year, according to media reports.

Participation of Women and Minorities: No PA laws limit participation of women or members of minorities in the political process, and they did participate. Legally women and minorities can vote and participate in political life,

although women faced significant social and cultural barriers in both the West Bank and Gaza. There are three women and four Christians in the 22-member PA cabinet.

Hamas generally excluded women from leadership positions in the de facto ministries in Gaza.

SECTION 4. CORRUPTION AND LACK OF TRANSPARENCY IN GOVERNMENT

PA law provides criminal penalties for official corruption, but little was done in practice to prosecute corrupt officials.

Corruption: Allegations of corrupt practices among Fatah officials continued, particularly related to favoritism and nepotism in public-sector appointments, which were rarely advertised publicly.

In August, Finance Minister Shukri Bishara returned more than \$81,000 in secret bonuses in response to public outrage after leaked documents revealed that in 2017 President Abbas approved a measure to give his cabinet a 67 percent raise, retroactive to 2014 when the cabinet was formed, according to media reports. The PA said other ministers would also return bonuses. Media reports alleged only those bonuses taken retroactively would be returned. The same month President Abbas also announced he was firing “all of his advisors,” according to the PA’s official Wafa news agency and other media reports. President Abbas reportedly took the action as an austerity measure in light of the PA’s budget shortfall following the government of Israel’s decision in February to withhold \$138 million in tax transfers to the PA, corresponding to Israel’s record of PA payments to the families of jailed Palestinian militants.

In Gaza local observers and NGOs alleged instances of Hamas complicity in corrupt practices, including preferential purchasing terms for real estate and financial gains from tax and fee collections from Gazan importers. Hamas de facto authorities severely inhibited reporting and access to information.

Local business representatives in Gaza alleged the PA Ministry of Civil Affairs, which submits applications for the entry of restricted materials into Gaza to Israeli authorities, engaged in nepotism and gave preferential treatment to Gaza-based importers close to the ministry.

Financial Disclosure: PA ministers are subject to financial disclosure laws, but there was little accountability for nondisclosure. The PA publicized financial disclosure documents from public-sector employees, including ministers, via the PA Anticorruption Commission. De facto Hamas authorities in Gaza did not require financial disclosure.

SECTION 5. GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED ABUSES OF HUMAN RIGHTS

Palestinian human rights groups and international organizations reported some restrictions on their work in the West Bank. Some of these organizations reported the PASF and PA police harassed their employees and pressured individuals and organizations not to work with them. Several PA security services, including General Intelligence and the Palestinian Civil Police, appointed official liaisons who worked with human rights groups.

Israeli and Palestinian human rights NGOs operating in the West Bank, Gaza, or both, including B’Tselem, Rabbis for Human Rights, and Breaking the Silence, reported harassment from Israeli settlers and anonymous sources. B’Tselem, Rabbis for Human Rights, Yesh Din, HRW, and Breaking the Silence reported some of their

employees were subjected to intimidation, death threats, or physical assault. NGOs claimed these behaviors increased during periods in which government officials spoke out against their activities or criticized them as enemies or traitors for opposing government policy.

Gaza-based NGOs reported that Hamas representatives appeared at their offices to seek tax payments, demand beneficiary lists and salary information, and summon NGO representatives to police stations for questioning. On March 17, Hamas security forces assaulted and injured Jamil Sarhan, the director of the ICHR Gaza office, and Bakr al-Turkmani, an ICHR employee, while they were performing human rights monitoring duties. Hamas detained other human rights workers in March, prompting Amnesty International to state on March 18 that it was “clear that Hamas security forces are trying to stop human rights defenders from carrying out the vital work of document and reporting” on Hamas abuses.

Humanitarian organizations continued to raise concerns about the shrinking operational space for international NGOs in Gaza, including a significant increase in Israeli travel bans affecting their Gaza-based staff. Israeli authorities increased scrutiny of both nongovernmental and diplomatic visitors to Gaza following the February 2018 arrest of a French consulate employee who admitted to smuggling weapons from Gaza to the West Bank in official diplomatic vehicles. In April the Be’er Sheva District Court sentenced him to seven years in prison.

Palestinian, Israeli, and international NGOs monitored the Israeli government’s practices in the West Bank and Gaza and published their findings.

The United Nations or Other International Bodies: PA and Israeli officials generally cooperated with and permitted visits by representatives of the United Nations and other international organizations. There were numerous reports Hamas harassed members of international organizations.

Government Human Rights Bodies: The ICHR continued serving as the PA’s ombudsperson and human rights commission. The ICHR issued monthly and annual reports on human rights violations within PA-controlled areas; the ICHR also issued formal recommendations to the PA. The ICHR was generally independent but faced resource shortages that limited its ability to work effectively. Local and international human rights NGOs cooperated with the ICHR.

SECTION 6. DISCRIMINATION, SOCIETAL ABUSES, AND TRAFFICKING IN PERSONS

Women

Rape and Domestic Violence: Rape is illegal under PA law, but the legal definition does not address spousal rape. Punishment for rape is five to 15 years in prison. While the PA repealed a law that relieved a rapist of criminal responsibility if he married his victim, neither the PA nor de facto Hamas authorities enforced laws pertaining to rape effectively in the West Bank and Gaza. In previous years there were reports police treated rape as a social and not a criminal matter, and authorities released some accused rapists after they apologized to their victims.

According to the PA’s Central Bureau of Statistics, one in five Palestinian women in the West Bank and Gaza reported at least one incident of physical abuse from their husbands. Women in Gaza were twice as likely to be a victim of spousal abuse as women in the West Bank. PA law does not explicitly prohibit domestic violence, but assault and battery are crimes. PA and de facto Hamas authorities did not enforce the law effectively in domestic violence cases in the West Bank and Gaza. NGOs reported Palestinian women were frequently unwilling to report cases of violence or abuse to the PA or de facto Hamas authorities due to fear of retribution or little expectation of assistance. HRW in previous years reported that PA authorities prosecuted few domestic violence cases successfully.

Other Harmful Traditional Practices: The law precludes “family honor” as protection for perpetrators in “honor killing” crimes. In 2018 the PA amended the law to prohibit the practice of judges giving lighter sentences for crimes against women and children versus crimes against men. NGOs claimed the amended law was not sufficiently enforced. According to SHAMS, there were 20 honor killings in the West Bank and Gaza through

October. On September 21, the PA attorney general charged three male family members with murder in the death of Israa Ghrayeb in an alleged honor killing, according to media reports. The case continued at year's end.

Sexual Harassment: No PA law specifically relates to sexual harassment, which was a significant and widespread problem in the West Bank and Gaza. Some women claimed that when they reported harassment, authorities held them responsible for provoking men's harassing behavior.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Inheritance for Muslims in the West Bank and Gaza falls under Palestinian Basic Law, which is based on sharia. Under Palestinian Basic Law, women have a right to inheritance but, in practice, generally received less than men. According to rights groups, in some cases women have been attacked by male family members for asserting their right to an inheritance. While recognized Christian communities have separate civil court systems, there is no separate civil law for Christians, so those communities also utilize Palestinian Basic Law. Men may marry more than one wife. Women may add conditions to marriage contracts to protect their interests in the event of divorce and child custody disputes but rarely did so. Local officials sometimes advised such women to leave their communities to avoid harassment.

Hamas enforced a conservative interpretation of Islam in Gaza that discriminated against women. Authorities generally prohibited public mixing of the sexes. In Gaza premarital sex was considered a crime punishable by imprisonment.

According to press and NGO reports, in some instances teachers in Hamas-run schools in Gaza sent girls home for not wearing conservative attire, although enforcement was not systematic. Reports of gender-based employment discrimination in Gaza against women are common, and factories often do not hire pregnant or newly married women in order to avoid the need to approve maternity leave.

Children

Birth Registration: The PA registers Palestinians born in the West Bank and Gaza, and Israel requires the PA to transmit this information to the ICA. The PA cannot determine citizenship. Children of Palestinian parents can receive a Palestinian identity card issued by the ICA if they are born in the West Bank or Gaza to a parent who holds a Palestinian identity card. The PA Ministry of Interior and the ICA both play a role in determining a person's eligibility for that card.

Education: In Gaza primary education is not universal. UNRWA, de facto Hamas authorities, religious institutions, and private foundations all provided instruction. In addition to the PA curriculum, UNRWA provided specialized classes on human rights, conflict resolution, and tolerance. There were reports Hamas offered courses on military training in its schools during youth summer camps, to which school-age children could apply for admission.

According to the United Nations, there were 199 documented instances of "interference of education" by Israeli forces in the West Bank through September, 30 percent of which involved the firing of tear gas canisters or stun grenades in or near schools. The H2 area of Hebron was the most highly affected area with 74 incidents. A video from March shows armed IDF soldiers entering a school in Hebron and attempting to detain a nine-year-old and his seven-year-old brother for allegedly throwing stones at soldiers. Under Israeli military law, the age of majority is 12. According to the Israeli government, the incident was precipitated by a group of 10 school students throwing stones at soldiers and ultimately resulted in no arrests.

In the West Bank, Palestinian government officials and Palestinian university officials accused the ISF of disrupting university campuses, especially in areas close to Israeli settlements. Officials from the al-Quds University's Abu Dis campus in the West Bank continued to accuse Israeli soldiers of harassing Palestinian university students on campus and attempting to provoke students. There were occasional low-level skirmishes near the entrance to al-Quds University between the IDF and youths unaffiliated with the university.

According to HRW, the difficulty of obtaining permits to build new schools and the Israeli destruction of schools built without permits made it difficult for many West Bank Palestinian children to get an education. Israeli restrictions on construction in Area C of the West Bank also affected Palestinian students' access to education. At the end of the year, 43 Palestinian schools in Area C were under pending demolition orders.

Child Abuse: Child abuse was reportedly widespread. PA law prohibits violence against children; however, PA authorities and de facto authorities in Gaza rarely punished perpetrators of family violence.

Early and Forced Marriage: President Abbas issued a presidential decree declaring a marriage legal only if both parties enter into the marriage willingly and both are 18 years old, but the decree provides an exception for minors if a judge agrees the marriage is in “the best interest of both parties.” Child marriage did not appear to be widespread in the West Bank and Gaza, according to NGOs including the Women’s Center for Legal Aid and Counseling.

Sexual Exploitation of Children: The PA considers statutory rape a felony, based on the Jordanian penal code. Punishment for rape of a victim younger than 15 includes a minimum sentence of seven years. In Gaza, under the rule of de facto Hamas authorities, suspects convicted of rape of a victim younger than 14 are eligible for the death penalty. There were reports that societal norms led to underreporting to the de facto authorities in Gaza of sexual exploitation of children.

Child Soldiers: There were reports Hamas trained children as combatants.

Displaced Children: Conflict and demolition orders (see section 2.d.) displaced Palestinian children in the West Bank and Gaza.

Anti-Semitism

Israeli settlements in the West Bank had approximately 427,800 Jewish residents. The Jewish population in Gaza, aside from foreign nationals, was nonexistent.

Some Palestinians and Muslim religious leaders used anti-Semitic rhetoric and engaged in Holocaust denial. Anti-Israel sentiment was widespread in public discourse and sometimes crossed the line into anti-Semitism, including expressions of longing for a world without Israel and glorification of terror attacks on Israelis. On March 23, after the IDF killed Omar Abu Laila, who attacked and killed IDF soldier Gal Keidan and Rabbi Achiad Ettinger, Fatah deputy chairman Mahmoud al-Aloul praised Abu Laila on the official Fatah Facebook page, saying, “We are extremely proud, this is Omar Abu Laila...he represents all of you, represents all young Palestinians.” Media reported that Fatah closed its official Facebook page in September, so it may only be viewed by those expressly invited due to concerns that the site would be shut down due to its content. During times of heightened tensions between Israeli authorities and Palestinians, Palestinian press and social media sometimes circulated cartoons encouraging terrorist attacks against Israelis, and official PA media outlets published and broadcast material that included anti-Semitic content.

In March the PA official daily newspaper *al-Hayat al-Jadida* published an opinion piece that made anti-Semitic remarks regarding foreign Jewish officials involved in Middle East peace negotiations, according to the National Council of Young Israel.

Civil society organizations alleged problematic content in Palestinian textbooks, including inappropriately militaristic examples directed against Israel as well as the absence of Judaism alongside Christianity and Islam when discussing religion. The NGOs PMW and IMPACT-se reported that PA schoolbooks for the 2017-2018 school year contained material that glorified terrorism and promoted violence.

In Gaza and the West Bank, there were instances in which media outlets, particularly outlets controlled by Hamas, published and broadcast material that included anti-Semitic content, sometimes amounting to incitement to violence.

Trafficking in Persons

No PA law specifically prohibits trafficking in persons, and small numbers of Palestinian children and adults reportedly experienced forced labor in both the West Bank and Gaza (also see section 7.b.).

Persons with Disabilities

The law prohibits discrimination due to a permanent or partial disability in physical, psychological, or mental capabilities. It does not mandate access to buildings, information, or communications. The ICHR reported a lack of accessible transportation in Palestinian areas across the West Bank. UNRWA’s policy is to provide accessibility in all new structures in refugee camps.

Persons with disabilities continued to receive inconsistent and poor quality services and care in the West Bank and Gaza. The PA in the West Bank and de facto Hamas authorities in Gaza partially depended on UN agencies and NGOs to care for persons with physical disabilities, and both offered substandard care for persons with mental disabilities. Palestinians in Gaza reported little to no infrastructure accommodations for persons with mobility disabilities, as well as difficulty in importing wheelchairs and other mobility aids. Hamas de facto authorities were more likely to provide prostheses and mobility aids to people injured in Israeli airstrikes or in the protests at the Gaza fence than to those born with disabilities, according to NGOs.

National/Racial/Ethnic Minorities

According to UNOCHA an estimated 27,500 Palestinian Bedouin lived in Area C of the West Bank. Many were UNRWA-registered refugees. Bedouins were often resident in areas designated by Israel as closed military zones or planned for settlement expansion. Demolition and forced displacement by the Israeli government of Bedouin and herding communities continued in Area C. Many of these communities lacked access to water, health care, education, and other basic services.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

In the West Bank, PA law, based on the 1960 Jordanian penal code, does not prohibit consensual same-sex sexual activity. NGOs reported PA security officers and neighbors harassed, abused, and sometimes arrested people due to their sexual orientation or gender identity. In Gaza, under the British Mandate Penal Code of 1936, sexual acts “against the order of nature” are criminalized. NGOs reported Hamas security forces harassed and detained people due to their sexual orientation or gender identity.

On August 19, PA police spokesperson Louay Arzeikat released a statement in which he declared that LGBT rights group al-Qaws was banned from holding events in the West Bank, according to rights groups and media reports. Arzeikat threatened to arrest members of the group, stated the organization’s work was contrary to the “values of Palestinian society,” and encouraged local communities to inform on the members, according to rights groups and media reports. Arzeikat released the statement after al-Qaws held a discussion on gender pluralism in Nablus on August 4, according to rights groups. On August 27, the PA police rescinded the statement following criticism from human rights groups. In October al-Qaws said increased persecution and restrictions continued even after the PA police rescinded their statement.

HIV and AIDS Social Stigma

While the PA Ministry of Health provided treatment and privacy protections for patients with HIV/AIDS, societal discrimination against affected individuals in the West Bank was common. Anecdotal evidence suggested societal discrimination against HIV/AIDS patients was also very common in Gaza.

Other Societal Violence or Discrimination

As of December 9, UNOCHA reported 101 incidents of Palestinians committing violent acts against Israeli civilians in the West Bank, primarily stone throwing, which represented a 49 percent decrease from 2018. Israeli police investigated 87 allegations of nationalistic-based offenses committed by Palestinians against Israelis in the West Bank through July, according to the Israeli government. On March 17, a Palestinian assailant stabbed and killed an Israeli soldier near the Ariel settlement in the West Bank before stealing the soldier’s rifle to kill an Israeli civilian and wound another Israeli soldier.

During the same timeframe, UNOCHA identified 330 incidents of settler attacks that resulted in Palestinian fatalities, injuries, or property damage, which represented an 18 percent increase from 2018. Israeli police investigated 31 allegations of nationalistic-based offenses committed by Israelis against Palestinians in the West Bank through July, two of which resulted in indictments, according to the government of Israel. In February the Lod District Attorney’s Office publicized an Israeli civilian’s conviction on 25 charges, including racially motivated assault and property destruction targeting Palestinians in the West Bank from 2013 to 2016. Israeli authorities arrested the perpetrator in 2016 but released him until sentencing since he was a minor when the crimes occurred, according to the media. NGOs alleged that some Israeli settlers used violence against Palestinians to intimidate them from using land that settlers sought to acquire. On May 17, B’Tselem released video footage of an off-duty Israeli soldier igniting a bush fire on Palestinian-owned farmland near Burin village.

The IDF suspended the soldier from his combat unit, and according to media reports, the incident remained under Israeli police investigation. Various human rights groups, including Yesh Din, Rabbis for Human Rights, and B'Tselem, continued to claim Israeli authorities insufficiently investigated and rarely prosecuted settler violence. Palestinian residents were reportedly reluctant to report incidents due to fears of settler retaliation and because they were discouraged by a lack of accountability in most cases, according to NGOs.

Social services in Israeli settlements in the West Bank, including housing, education, and health care, were available only to Israelis. Israeli officials reportedly discriminated against Palestinians in the West Bank regarding employment and legal housing by denying Palestinians access to registration paperwork.

SECTION 7. WORKER RIGHTS

a. Freedom of Association and the Right to Collective Bargaining

PA law provides for the rights of workers to form and join independent unions and conduct legal strikes. The law requires conducting collective bargaining without any pressure or influence but does not include protections for employees and unions to engage effectively in collective bargaining. Antiunion discrimination and employer or government interference in union functions are illegal, but the law does not specifically prohibit termination or provide for reinstatement due to union activity.

The PA labor code does not apply to civil servants or domestic workers, although the law allows civil servants the right to form unions. The requirements for legal strikes are cumbersome, and strikers had little protection from retribution. Prospective strikers must provide written warning two weeks in advance of a strike (four weeks in the case of public utilities). The PA Ministry of Labor can impose arbitration; workers or their trade unions faced disciplinary action if they rejected the result. If the ministry cannot resolve a dispute, it can refer the dispute to a committee chaired by a delegate from the ministry and composed of an equal number of members designated by the workers and the employer and finally to a specialized labor court, although authorities had not established the court as required by labor legislation.

The government did not effectively enforce labor laws and subjected procedures to lengthy delays and appeals. Penalties and enforcement were insufficient to deter violations. The PA enforced the prohibitions on antiunion discrimination and employer interference in union functions, but it inconsistently enforced laws regarding freedom of association. The PA did not seek to enforce collective bargaining rights for unions, with the exception of those representing PA employees. Hamas continued to maintain de facto control of worker rights in Gaza, where the PA was unable to enforce labor law. Hamas continued to suppress labor union activities, including placing restrictions on celebrating Labor Day and suppressing public gatherings of labor unions.

The PA respected freedom of association and the right to collective bargaining in the West Bank, with some significant exceptions. Labor unions were not independent of authorities and political parties in the West Bank or Gaza. Two main labor unions in the West Bank (the Palestinian General Federation of Trade Unions and the Federation of Independent and Democratic Trade Unions and Workers) competed for membership and political recognition.

Israel applies Israeli civil law to Israeli settlements in the West Bank, but authorities did not enforce it uniformly. Despite a 2007 ruling by the HCJ requiring the government to apply Israeli law to Palestinian workers in Israeli settlements, the Israeli government did not fully enforce the ruling. Most Israeli settlements continued to apply the Jordanian labor law applicable prior to 1967 to Palestinian workers; that law provides for lower wages and fewer protections than does Israeli law.

b. Prohibition of Forced or Compulsory Labor

PA law does not expressly forbid forced or compulsory labor or human trafficking. Forced labor occurred in the West Bank and Gaza. Women working as domestic workers were vulnerable to forced labor conditions in both the West Bank and Gaza, since the PA and de facto Hamas authorities do not regulate domestic labor within households or in the large informal sector. There were reports of Palestinian children and adults subjected to forced labor in both the West Bank and Gaza.

c. Prohibition of Child Labor and Minimum Age for Employment

PA law prohibits the employment of minors younger than 15. PA law classifies children as persons younger than 18 and restricts employment for those between 15 and 18. The law permits hiring children between the ages of 15 and 18 for certain types of employment under set conditions. The law allows children younger than 15 to work for immediate family members under close supervision.

PA law prohibits children from working more than 40 hours per week; operating certain types of machines and equipment; performing work that might be unsafe or damage their health or education; and working at night, in hard labor, or in remote locations far from urban centers. A presidential decree includes provisions on child labor accompanied by explicit penalties for violations. PA authorities can penalize repeat offenders by having fines doubled or fully or partially closing their facility. Fines and enforcement were not sufficient to deter violations.

In 2018, the latest year for which data were available, PA officials found 169 cases involving child labor (younger than 15) and referred 10 cases to the courts. In recent years PA officials reported fining “numerous” persons after successful investigations conducted by the PA Ministry of Labor. The ministry inspected only businesses operating in the formal economy and was unable to conduct investigations in the Gaza Strip. It did not have access to Israeli-controlled Area C of the West Bank. Many cases of child labor in the West Bank reportedly occurred in home environments, for example on family farms, which were not open to labor ministry inspection.

In the second quarter of the year, 3 percent of children between the ages of 10 and 17 were employed—4 percent in the West Bank and 1 percent in Gaza. Palestinian child laborers deemed by the PA to be most vulnerable to forced labor or extreme weather conditions generally worked in shops, as roadside and checkpoint street vendors, in car washes, in factories, in small manufacturing enterprises, or on family farms.

Hamas reportedly did not enforce child labor laws in Gaza, and the United Nations reported child labor was increasing in Gaza due to widespread economic hardship. Hamas reportedly encouraged children to work gathering gravel and scrap metal from bombsites to sell to recycling merchants and increased recruitment of youth for tunnel-digging activities. Children were also reported to be working informally in the automotive and mechanics sector, often changing tires and working as mechanics’ assistants. There were also reports Hamas trained children as combatants.

The Israeli government stated it did not issue permits for Palestinian West Bank residents younger than 18 to work in Israeli settlements in the West Bank, except in the Jordan Valley where the law allows issuing permits to persons age 16 and older. There were reports during the year that some Palestinian children entered the settlements or crossed into Israel illegally, often smuggled, to seek work. The PA reported that Palestinian children engaged in child labor in Israeli settlements in the West Bank faced security risks, exploitation, and harassment, since they did not have access to legal protection or labor inspection.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

PA laws and regulations do not prohibit discrimination regarding race, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. While PA laws prohibit discrimination based on gender and disabilities, penalties were insufficient to deter violations, and the PA did not effectively enforce those laws and regulations in the West Bank, nor did Hamas in Gaza. PA labor law states that work is the right of every capable citizen; however, it regulates the work of women, preventing them from employment in dangerous occupations.

There was discrimination in the West Bank and Gaza based on the above categories with respect to employment and occupation. Women endured prejudice and, in some cases, repressive conditions at work. The Palestinian female labor force participation rate was 20 percent in Gaza and 17 percent in the West Bank.

e. Acceptable Conditions of Work

The PA’s monthly minimum wage was significantly below the poverty line. The PA estimated 14 percent of residents in the West Bank and 53 percent of residents in Gaza lived below the poverty line.

According to PA law, the maximum official Sunday-to-Thursday workweek was 48 hours. The law also allows for paid official and religious holidays, which employers may not deduct from annual leave. Workers must be paid time and a half for each hour worked beyond 45 hours per week and may not perform more than 12 hours of overtime work per week.

The PA Ministry of Labor was responsible for setting occupational health and safety standards. Palestinian workers do not have the legal protection to remove themselves from situations that endangered their health or safety without jeopardy to their employment. Mechanisms for lodging complaints were generally not utilized due to fear of retribution, according to NGOs.

The ministry reported that its enforcement ability on wage, hours of work, and occupational safety and health standards was limited, even in the West Bank, in part due to lack of staff. Penalties were also insufficient to deter violations. During the year the Ministry of Labor conducted periodic visits to the workplaces as mandated by the labor law. In 2018 the Ministry of Labor's Inspection Department visited larger business establishments and took legal actions against the establishments violating the law (e.g., warnings, partial shutdown, total shutdown, and referring to the court). The PA did not effectively monitor smaller worksites, which were at times below legal safety standards.

The ministry cannot enforce Palestinian labor law west of Israel's security barrier, or in Israeli settlements in the West Bank.

Israeli authorities did not conduct labor inspections in Israeli settlements, where Palestinian workers constituted a significant part of the workforce. The lack of a competent labor authority in the settlements increased workers' vulnerability to exploitation. NGOs such as Kav LaOved stated that exploitative practices in Israeli settlements were widespread. The International Labor Organization estimated one-half of all such workers with permits continued to pay exorbitant monthly fees to brokers to obtain and maintain valid work permits. Approximately 130,000 Palestinians worked in Israel and Israeli settlements, mostly in construction, and an estimated 18,000 in seasonal agriculture. These workers were more vulnerable to exploitation and were not eligible for worker benefits, such as paid annual and sick leave. Kav LaOved brought cases to Israeli labor courts on behalf of Palestinian workers employed by enterprises in Israel and West Bank settlements. Many of these cases related to nonpayment or misreporting of wages, inadequate medical care following workplace injury, and the settlement of subsequent health insurance claims within the Israeli system.

According to the Palestine Central Bureau of Statistics *Labor Force Survey*, 30 percent of wage employees received less than the minimum wage in the second quarter of the year. In the West Bank, approximately 10 percent of wage employees in the private sector received less than the minimum monthly wage. In Gaza, 79 percent of wage employees in the private sector received less than the minimum monthly wage. Palestinians working in Israeli settlements reported they continued to receive wages lower than the Israeli minimum wage, despite a 2008 high court ruling that Israeli labor laws apply to relations between Palestinian workers and Israeli employers in settlements.

Respect for occupational safety and health standards in practice was poor. There were more than 20 workplace fatalities of Palestinian laborers during the year. The Israeli NGO Kav LaOved documented dozens of cases where employers instructed employees to return to the West Bank following workplace injury rather than provide for medical attention inside Israel.