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Freedom House

Freedom in the World 2023 - West Bank*

NOT FREE

22

/ 100

Political Rights 4 / 40

Civil Liberties 18 / 60

LAST YEAR'S SCORE & STATUS

23 / 100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

** Indicates a territory as opposed to an independent country.*

Note

Freedom in the World reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are

affected by the state, nonstate actors, or foreign powers. Disputed or occupied territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report **methodology** and **FAQ**.

Overview

Israel's military occupation of the West Bank entails onerous physical barriers and constraints on movement, demolition of homes and other physical infrastructure, restrictions on political rights and civil liberties, and expanding Jewish settlements that are widely considered to constitute a violation of international law. Jewish settlers in the West Bank are Israeli citizens and enjoy the same rights and liberties as other Israelis. They also enjoy relative impunity for violence against Palestinians. The West Bank's Palestinian residents, excluding those living in East Jerusalem, fall under the partial jurisdiction of the Palestinian Authority (PA), which operates under an expired presidential mandate and has no functioning legislature. The PA governs in an authoritarian manner, engaging in repression against journalists and activists who present critical views on its rule. East Jerusalem Palestinians are governed directly by Israel; while a small minority of them have Israeli citizenship, most have a special residency status that denotes a restricted set of rights compared with those of Israeli citizens.

Key Developments in 2022

- Some 151 Palestinians were killed during the year according to the UN Office for the Coordination of Humanitarian Affairs (UN OCHA), making for the deadliest year in terms of Palestinian deaths in the West Bank at the hands of Israeli forces since 2006. Another two Palestinians were killed by Israeli Jewish settlers amid a broader rise

in settler violence. UN OCHA reported that at least 10 Israelis were killed in the territory during the year, up from 3 in 2021.

- In May, Israeli forces shot and killed prominent Palestinian-American journalist Shireen Abu Akleh, who was covering an Israeli raid in Jenin and wearing items that identified her as a member of the press. While Israeli authorities did not pursue criminal charges, the US Justice Department was investigating Abu Akleh's death as of November.
- In October, the Algerian government brokered a tentative agreement aimed at ending the rift between Fatah, the ruling Palestinian party in the West Bank, and the Islamic Resistance Movement (Hamas), which controls the Gaza Strip. However, the divide persisted at year's end, with Fatah and Hamas failing to agree on or implement any concrete steps toward Palestinian presidential and legislative elections.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The PA has not held a presidential election since 2005. The four-year term of Mahmoud Abbas, who won that year with 62 percent of the vote, expired in 2009, but he has continued to rule with the support of the Palestine Liberation Organization (PLO)—of which he is the chairman and which is led by his Fatah party. The rift between the West Bank-based, Fatah-controlled PA government and the de facto Hamas government in the Gaza Strip has impeded the resumption of regular elections. Hamas seized control of the Gaza Strip in 2007, following its victory in the 2006 legislative elections and a period of armed clashes with Fatah that left each faction in possession of a separate territory (though both territories

remained under varying degrees of Israeli military control). Successive rounds of Palestinian reconciliation talks, efforts to form unity governments, and plans to hold fresh elections have failed to gain traction.

Abbas canceled an election process that had been planned for 2021, citing Israel's refusal to allow PA election activity in East Jerusalem. Many analysts argued that the elections were actually halted because political fragmentation within Fatah raised the risk that Hamas or Fatah splinter groups would win. In October 2022, the Algerian government brokered a tentative agreement in which Fatah and Hamas endorsed holding elections within a year, but there was little evidence that the deal would prove more successful than its predecessors.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). However, the PLC elected in 2006 was unable to function due to the Fatah-Hamas division and Israel's detention of many lawmakers. Abbas has since appointed prime ministers and cabinets without legislative approval. Over Hamas's objections, Fatah's Mohammad Shtayyeh was appointed and sworn in as prime minister along with a new Fatah-led cabinet in 2019. He remained in office as of 2022.

Israelis living in West Bank settlements are able to participate in generally free and fair elections for the Israeli Knesset (parliament), which selects the Israeli government.

A2 0-4 pts

**Were the current national legislative representatives elected 0 /
through free and fair elections? 4**

Palestinians in the West Bank do not have a functioning legislative body. Elections for the 132-seat PLC have not been held since 2006, when Hamas won 74 seats and Fatah took 45. Israel's suppression of Hamas

and subsequent fighting between Fatah and Hamas left the PLC unable to operate. Israeli forces have repeatedly detained elected PLC members since 2006, and the legislature's electoral mandate expired in 2010. In 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision. Abbas's cancellation of the PLC elections he had scheduled for 2021 meant that Palestinians in the territory would continue to lack a legislature. That situation remained unchanged during 2022.

Israelis living in West Bank settlements are able to participate in elections for the Knesset, the most recent of which took place in November 2022 and were considered generally free and fair. The majority of Palestinian residents in East Jerusalem, which Israel claims to have annexed and considers to be part of its Jerusalem municipality, do not hold Israeli citizenship and thus do not have the right to vote in Knesset elections; while noncitizen Palestinian residents of East Jerusalem are permitted to vote in Israeli-run Jerusalem municipal council elections, most have historically boycotted them.

In March 2022, the PA held the second phase of West Bank municipal council elections that had begun in December 2021. As in the first phase, many of the races were uncontested, with only one candidate list—usually affiliated with Fatah—registered in a given jurisdiction. Nominally independent lists, typically associated with powerful local families or tribes, won 64.4 percent of the seats in the localities that were contested. Hamas boycotted the process, and the overall results left Fatah as the dominant party.

A3 0-4 pts

Are the electoral laws and framework fair, and are they
implemented impartially by the relevant election management
bodies?

1 /
4

PA laws provide a credible framework for presidential and legislative elections, but neither have been held since 2005 and 2006, respectively. The Palestinian Central Elections Commission oversees elections in the West Bank and Gaza Strip. The body's nine commissioners are appointed by the president, although the law requires them to be experienced and politically impartial judges, academics, or lawyers.

Israel's Central Elections Committee oversees Knesset elections, and its Interior Ministry manages Israeli municipal elections, including in Jerusalem. These elections are generally free and fair, but unlike Israeli Jewish settlers, Palestinians in the West Bank are generally unable to access Israeli citizenship and thus excluded from participating.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, 1 / and is the system free of undue obstacles to the rise and fall of 4 these competing parties or groupings?

In addition to Fatah, a number of small Palestinian parties with ties to the PA leadership operate relatively freely in the West Bank. However, the PA deals harshly with political supporters of Hamas and rivals of President Abbas within Fatah. The Israeli military occupation authorities ban parties, disrupt political gatherings, and detain and arrest political activists if they are deemed to be threats to Israeli security.

Since 2007, the PA and Israeli forces in the West Bank have collaborated in surveillance and repression of Hamas, the Popular Front for the Liberation of Palestine (PFLP), and other political factions with armed

wings, periodically engaging in mass arrests and closures of affiliated institutions.

East Jerusalem Palestinians can form party lists to run in the city's Israeli municipal elections, but doing so may lead to increased scrutiny by Israeli authorities, as well as harassment from Palestinians who oppose participation on the grounds that it signals acceptance of Israel's annexation of East Jerusalem, which is not internationally recognized and is widely considered a violation of international law.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The repeated and indefinite postponements of Palestinian presidential and legislative elections have prevented any rotation of power in the West Bank. The PA leadership has been accused of avoiding contests that could lead to victory for Hamas or Fatah factions that are not loyal to Abbas. Hamas's boycott of the December 2021 and March 2022 local elections again left it formally unrepresented in West Bank municipal councils. Over the past two years, a number of youth groups have attempted to broaden political participation and encourage generational change, but Abbas continues to appoint loyalists to senior positions in the PA and PLO, marginalizing or dismissing figures who might challenge his leadership.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Israeli military authorities regularly surveil, detain, and harass individuals with explicit or suspected links to the PFLP, Hamas, Islamic Jihad, and other factions that Israel has designated as terrorist groups, in addition to members of Fatah who are suspected of militant activity. Such individuals

are sometimes targeted arbitrarily or based on secret or circumstantial evidence. In addition, the Israeli military's restrictions on freedom of movement—including checkpoints, roadblocks, and permit systems, as well as the continuous barrier it has constructed along the West Bank side of the pre-1967 border—can impede Palestinian political organizing and activity. Foreign government donors regularly exert influence over the PA, which is heavily dependent on international aid, to promote or marginalize certain politicians or political factions.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

2 / 4

Women and members of religious and ethnic minority groups are formally granted equal political rights under PA laws. While women and Christians have held PLC seats and cabinet positions, PA politics remain dominated by Arab and Muslim men. There are legislated gender quotas for candidate lists in legislative elections and for seats on local councils, which tend to result in approximately 20 percent of candidates and elected officeholders being women. This pattern persisted in the March 2022 municipal elections, but the lack of genuine competition in many localities has limited the extent to which women can independently advance their political interests in practice. Seats are also set aside for Christian candidates in Ramallah and Bethlehem.

The roughly 350,000 Palestinian residents of East Jerusalem formally have the option to apply for Israeli citizenship, though most decline for political reasons, and at least half of those who apply each year are unsuccessful. A Palestinian Jerusalem resident who is not an Israeli citizen cannot become mayor of the Israeli municipality under current law. East Jerusalem Palestinians are only able to participate in PA elections with Israeli authorities' approval.

There are more than 700,000 Jewish settlers in the West Bank, including East Jerusalem, all of whom are Israeli citizens with full political rights in Israel.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The PA lacks an executive or legislature with an electoral mandate. Because the legislature has not functioned since 2007, new laws are introduced via presidential decree. The ability of the PA president and ministries to implement policy decisions is limited in practice by direct Israeli military control over much of the West Bank.

The PA has virtually no ability to provide services or orchestrate development within Area C—a largely rural area that makes up more than 60 percent of West Bank territory and is under exclusive Israeli control. The Israeli government periodically withholds the transfer of tax revenues to the PA, which affects salary payments and policy implementation.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Official corruption remains a major problem that is widely recognized by the public, according to opinion surveys. The PA's Anti-Corruption Commission is responsible for implementing an anticorruption strategy, but reports by the PA's State Audit and Administrative Control Bureau (SAACB) have pointed to long-standing irregularities in the commission's management of its own funding. In its March 2022 annual report covering developments in 2021, the Coalition for Accountability and Integrity (AMAN), a civil society group, identified nepotism and other forms of favoritism in hiring and appointments as an ongoing threat to public

institutions. Among other problems, the report noted that a system regulating gifts to officials featured vague guidelines and was not actively enforced.

C3 0-4 pts

Does the government operate with openness and transparency? 1 / 4

Government transparency is generally lacking in the PA, and in the absence of basic accountability mechanisms including regular elections and legislative oversight, the administration has little incentive to make substantive improvements. Journalists, activists, and others who attempt to scrutinize PA policies or internal operations are subject to intimidation and harassment.

The operations of Israeli military authorities in the West Bank are opaque, and the Israeli military and civil administrations are not accountable to Palestinians.

Add Q

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a -3 culture or tip the political balance in favor of another group?

The Israeli state and associated institutions continued to preside over and promote the growth of Israeli Jewish settlements, seizures of Palestinian land, and the demolition of Palestinian homes in the West Bank in 2022. Under the pretext of unlawful construction, Israeli authorities demolished 954 Palestinian structures and housing units in the West Bank, including East Jerusalem, during the year; this left 1,031 people homeless, according to statistics compiled by UN OCHA. About 82 percent of the demolitions took place in Area C, and some 15 percent occurred in East Jerusalem. The pace of demolitions has increased dramatically over the past several years, rising from fewer than 500 per year in 2017 and 2018. The Israeli Civil Administration (ICA) in the West Bank, which is overseen by the

military, employs occupation policies that deny Palestinians opportunities to challenge demolition orders and allow the confiscation of portable buildings without due process. In 2018, the Knesset passed a law limiting Palestinians' direct access to the Israeli Supreme Court for petitions against the construction of Israeli Jewish settlements.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 1 / 4

The news media are generally not free in the West Bank; journalists are surveilled and repressed by both Palestinian and Israeli authorities, and social media companies have sometimes blocked Palestinian journalists' accounts. Under PA law, journalists can be fined and jailed and outlets closed for publishing information that might harm national unity, contradict national responsibility, or incite violence.

Common violations of media freedom by Palestinian and Israeli authorities in the West Bank include the summons, interrogation, and arrest of journalists, confiscation of equipment, and restrictions on reporting. In May 2022, Israeli forces shot and killed prominent Palestinian-American journalist Shireen Abu Akleh, who was covering an Israeli raid in Jenin for the Qatar-based news outlet Al-Jazeera while wearing items that identified her as a member of the press. Israeli authorities did not pursue criminal charges. In November, however, Israeli officials disclosed that the US Justice Department had launched an investigation into Abu Akleh's killing. The Palestinian Center for Development and Media Freedoms (MADA) reported a total of 399 media freedom violations committed by Israeli authorities in the West Bank during 2022, as well as 43 committed by Palestinians in the territory. The

violations ranged from killings, physical assaults, detentions, and torture to threats and obstruction of coverage. The organization also documented 127 violations committed by social media companies in the West Bank and Gaza Strip, noting cases in which journalists' accounts were suspended or closed or their content was restricted for allegedly violating platform rules on issues like incitement to violence.

The PA's 2017 Electronic Crimes Law (ECL) prescribes heavy fines and lengthy prison terms for a range of vaguely defined offenses, including the publication or dissemination of material that is critical of the state, disturbs public order or national unity, or harms family and religious values. The ECL has been invoked in practice by PA security forces and courts, including to order the blocking of news sites.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The PA Basic Law declares Islam to be the official religion of Palestine and states that "respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained." Blasphemy is a criminal offense. The ECL criminalizes expression aimed at harming moral and religious values without defining those values, allowing for arbitrary enforcement.

Security-related restrictions on movement, and vandalism or physical assaults against worshippers or places of worship, affect the religious freedom of Jewish, Muslim, and Christian residents of the West Bank to varying degrees. The Israeli authorities regularly prevent Palestinian Muslims in the West Bank from reaching Jerusalem to pray, and generally restrict access for young adult males to the Temple Mount/Haram al-Sharif compound on Fridays. Protests, clashes with Israeli security personnel, and mass arrests continued to occur at the compound during 2022.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The PA has administrative authority over Palestinian education. Political activism is common on university campuses, and student council elections generally proceed freely; an Islamist bloc sympathetic to Hamas won a majority of the Birzeit University student council's seats in May 2022. However, students affiliated with the bloc have been detained by Israeli and Palestinian authorities. Israeli forces periodically enter university campuses to conduct raids and arrests. Schools in the West Bank are also sometimes subjected to Israeli raids.

According to the Association for Civil Rights in Israel, East Jerusalem's schools are underfunded compared with schools in West Jerusalem, and East Jerusalem suffers from a severe shortage of classrooms.

Israeli authorities have more actively restricted visas for foreign academics attempting to visit Palestinian universities in the West Bank since 2016, according to the Right to Enter Campaign.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Residents have some freedom to engage in open private discussion, though Israeli and PA security forces are known to monitor online activity and arrest individuals for alleged incitement of violence or criticism of Palestinian authorities, respectively. In 2018, evidence emerged that the PA had engaged in extensive electronic surveillance of lawyers, activists, political figures, and others, which could have a deterrent effect on expression more broadly.

Human rights organizations have accused the PA of monitoring social media posts and detaining users for harsh questioning over their comments. In recent years, individuals have been detained over posts that discussed plans for protests, denounced the government's policies, allegedly defamed the authorities, or criticized the PA's relations with Israel. Nizar Banat, a civic activist known for criticizing the PA and alleging corruption within Fatah on social media, died in custody in 2021 after being violently detained and physically abused by PA security forces. The alleged perpetrators remained unpunished in 2022, and Banat's family members filed a complaint with the International Criminal Court in December, saying they had lost faith in a stalled PA military trial process.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 1 / 4

The PA requires permits for demonstrations, and those organized to protest against the PA or its policies are generally prohibited and often violently dispersed by security forces. In September 2022, the PA's arrest of two suspected Palestinian militants in Nablus prompted violent clashes between protesters and armed fighters on one side and Palestinian security forces on the other, leaving at least one person dead. In November, the PA raided the offices of an organization that was attempting to participate in an online conference of activists calling for the democratization of the Palestinian political system. Also during the year, PA security forces increasingly disrupted prisoner-release celebrations and funeral processions by supporters of Hamas and other Palestinian factions that oppose Fatah.

Israel's Military Order 101 (1967) requires a permit for all political demonstrations of more than 10 people, and these permits are rarely granted in practice. Military Order 1651 (2009) is used to prosecute and

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sentence those accused of harming public order or engaging in alleged incitement. Israeli authorities frequently restrict and disperse demonstrations, some of which become violent, and certain protest areas are designated as closed military zones. Protesters are at risk of injury by tear-gas canisters, rubber-coated bullets, or live ammunition, and clashes between demonstrators and Israeli troops periodically result in fatalities. Protest-related violence involving Israeli forces in the West Bank continued during 2022 after surging in 2021 over the threatened eviction of Palestinian families in East Jerusalem. A number of the confrontations were prompted by settler marches or Israeli military raids seeking suspected militants in Palestinian-populated areas.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

A broad range of nongovernmental organizations (NGOs) operate in the West Bank. However, Israeli restrictions on movement can impede civil society activity, Islamist groups have been periodically shut down by Israeli or PA officials, and activists who criticize the PA leadership can face harassment and abuse by security services. A 2017 Israeli law bars entry for any foreign individual who publicly supports a boycott of Israel or its West Bank settlements, including representatives of international NGOs.

In 2021, the Israeli government designated six Palestinian NGOs and human rights organizations as “terrorist organizations.” It provided no evidence that the groups, some of which received funding from European governments, had links to militant activity, and the move was criticized by international human rights organizations and UN experts. In August 2022, Israeli forces raided and sealed the West Bank offices of those organizations as well as a seventh, the Union of Health Work Committees.

English

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Separately in 2021, the PA issued amendments to its law governing the work of NGOs and charitable organizations, imposing onerous reporting requirements and intrusive financial controls on such groups. NGO representatives harshly criticized the amendments, arguing that they could effectively subordinate the civil society sector to PA government ministries. Enforcement of the decree was consequently suspended later that year, but a new Bylaw on Nonprofit Companies was issued without consultation in September 2022; it included key provisions of the 2021 measure.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may establish unions without PA government authorization, but labor protections in general are poorly enforced. Palestinian workers seeking to strike must submit to arbitration by the PA Labor Ministry, and various other rules make it difficult to mount a legal strike. Palestinian workers in Jerusalem are subject to Israeli labor law.

The PA exerts pressure on unions with the aim of co-opting them or ensuring Fatah's dominance in their leadership and composition. Nevertheless, a critic of the PA, Nadia Habash, was elected as head of the Engineers Association in 2021. In 2022, the Engineers Association engaged in protests and strikes to advance the interests of its public-sector membership, while the Doctors Association mounted its own demonstrations to block a presidential decree that attempted to replace its elected leadership with appointees. The Bar Association also held multiple strikes and protests to voice opposition to the government's infringements on judicial independence and the rule of law.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 1 / 4

Palestinians in the West Bank are subject to the jurisdiction of both the Palestinian judiciary and the Israeli military court system, neither of which is fully independent. In 2019, President Abbas issued two decrees, the first dissolving the existing High Judicial Council and replacing it with a transitional body, and the second lowering the retirement age of judges. In 2020, Abbas issued additional decrees that further consolidated his control over key judicial bodies and the appointment, retirement, and dismissal of judges. In October 2022, Abbas issued a decree that created a new High Judicial Council made up of his appointees and headed by himself.

Enforcement of judicial decisions is impeded by PA noncompliance as well as lack of Palestinian jurisdiction in Area C, where the Israeli military exerts exclusive control.

The Israeli civilian courts, which have jurisdiction over Israeli Jewish settlers in the West Bank, are independent.

Score Change: The score declined from 2 to 1 due to a series of efforts by President Abbas to assert control over the judiciary in recent years, including the replacement of the High Judicial Council with a new body that he would lead.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 1 / 4

The opaque distinction between criminal and security-related offenses, the regular use of detention without trial by both Palestinian and Israeli security forces, and the Israeli state's use of martial law and a military court system that applies exclusively to Palestinians in the West Bank all violate the due process rights of Palestinians. Israeli Jewish settlers are

tried in Israeli civilian courts, which generally provide due process protections.

Human rights groups regularly document allegations of arbitrary detention by PA security forces. Israeli military authorities also use administrative detention to hold Palestinians without charges for extended periods. The Israeli military frequently conducts home raids without a warrant.

According to the Addameer Prisoner Support and Human Rights Association, approximately 4,700 Palestinian security detainees and prisoners from the West Bank were held in Israeli prisons as of December 2022, including some 860 administrative detainees and 150 minors. Those not in administrative detention were either awaiting trial or serving sentences issued by military courts. Detained minors are usually interrogated without a lawyer or parental guardian present and are tried by a special military court that has been criticized for a lack of due process protections. East Jerusalem Palestinian minors are tried in Israeli civilian juvenile courts.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Penal codes applicable in the West Bank permit capital punishment, but no executions have been carried out since 2005. In 2018, the State of Palestine became a signatory to the International Covenant on Civil and Political Rights, which tightly restricts the use of capital punishment.

Physical abuse of detainees by PA authorities in the West Bank has been documented by human rights organizations, and the Independent Commission for Human Rights received hundreds of complaints of torture and ill-treatment in West Bank prisons during 2022. There is also

substantial evidence of the use of physical and psychological abuse by the Israeli military.

Israeli soldiers accused of excessive force or abuse of Palestinian civilians are subject to Israeli military law, though convictions, which are very rare, typically result in light sentences. The Israeli human rights group B'Tselem has estimated that the chance of a complaint leading to an indictment is just 3 percent. UN OCHA reported that a total of 151 Palestinians (34 aged under 18) were killed and 9,875 were injured by Israeli forces in the West Bank, including East Jerusalem, during 2022. All but two of those killed were categorized as civilians. The monthly average of Palestinian fatalities increased by 57 percent compared with 2021.

Israeli Jewish settlers who attack Palestinian individuals, property, and agricultural resources generally enjoy impunity and de facto protection from the Israeli army. According to UN data, there were at least 755 attacks by settlers against Palestinians in 2022, compared with 496 attacks in 2021 and 358 in 2020. UN OCHA reported that two Palestinian civilians were killed by settlers during 2022. When Israeli security forces were present, they typically stood by or participated in settler attacks.

Israeli security personnel and settlers also continue to face attacks by Palestinians, though on a smaller scale. According to UN OCHA, six Israeli civilians and four Israeli soldiers were killed by Palestinians in the West Bank during 2022.

Relatively new militant groups that are committed to armed resistance against the Israeli occupation—and are not directly controlled by the PA—are active in the West Bank. A brigade was formed in Jenin in 2021, while the Nablus Brigade's formation was announced in May 2022.

F4 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of 1 /
various segments of the population? 4**

The legal arrangements operative in the West Bank are fundamentally discriminatory: Israelis and Palestinians who reside or commit crimes in the same location are subject to different courts and laws. In 2021, B'Tselem published a position paper concluding that the Israeli-imposed occupation regime in the West Bank, combined and contrasted with conditions inside Israel, met the definition of “apartheid” under international law, meaning it used systematic oppression to maintain the domination of one racial or ethnic group over another. Also in 2021, Human Rights Watch published an evidence-based report to argue that the Israeli state is guilty of apartheid and persecution—crimes against humanity under international law. In February 2022, an Amnesty International report similarly concluded that the conditions prevailing across Israel and the occupied territories amounted to apartheid under international law. The findings by these Israeli and international groups built on an existing body of research developed by Palestinian experts.

While some PA laws and policies are designed to uphold equality for women and improve their status, such limited protections are often subordinated in practice to discriminatory societal norms, and enforcement is lacking. Palestinian women are underrepresented in most professions and encounter discrimination in employment, though they have equal access to universities. Women are legally excluded from what are deemed dangerous occupations. Gender-based harassment and violence remain major problems. Israeli women are treated equally in Israeli criminal and civil courts and have achieved substantial parity within Israeli society, though economic and other forms of discrimination persist, particularly in certain religious communities.

LGBT+ people in the West Bank do not face prosecution for same-sex sexual activity, but they have been subject to harassment and abuse by

PA authorities and members of society, and there are no PA laws that specifically prohibit discrimination based on sexual orientation or gender identity. While discrimination based on sexual orientation is illegal under the laws that apply to Israelis, LGBT+ people continue to face bias in some Israeli communities. Gay and transgender Israelis are permitted to serve openly in the military.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Israeli checkpoints, travel permits, and other restrictions continue to seriously constrain freedom of movement, stunt trade, and limit Palestinian access to jobs, hospitals, and schools. The Israeli permit system lacks an effective appeal mechanism, and permits are often denied without explanation.

The Israeli separation barrier, 85 percent of which lies in West Bank territory and which was declared illegal in 2004 by the International Court of Justice, divides Palestinian communities and causes general hardship and disruption of services.

East Jerusalem Palestinians are vulnerable to revocation of their residency status if they leave the city for extended periods of time, affecting their freedom to travel, or if they are deemed to be a threat to public safety, security, or the state of Israel. Palestinians living elsewhere in the West Bank need a special permit from Israeli authorities to visit East Jerusalem.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Palestinians are able to own property and engage in business activity, their rights are seriously undermined by Israeli movement and access restrictions and the expansion of Israeli Jewish settlements, which is encouraged by the Israeli government and private groups. Israeli authorities employ a variety of methods to prevent Palestinians from developing their privately owned land, particularly in Area C, for example by declaring nature reserves, denying permit requests, and demolishing structures. Palestinian property is also illegally damaged by Israeli settlers.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Palestinian laws and societal norms, derived in part from religious law, often put women at a disadvantage in matters such as marriage and divorce. Related cases are overseen by Muslim and Christian religious courts. For Israeli Jewish settlers, personal status issues are managed by Jewish religious courts, which can also impose disadvantages on women.

Rape and domestic abuse remain underreported and frequently go unpunished, as authorities are allegedly reluctant to pursue such cases, and effective mechanisms for complaints and victim protection are lacking. The problem of so-called honor killings and other gender-based violence persists in the West Bank. A 2018 PA law amended a penal-code provision that had been used to grant leniency to the perpetrators of honor killings, prohibiting its application in cases of serious crimes against women and children. However, activists argue that the practical effects of these changes have been minimal.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Unemployment rates in the Palestinian territories are high compared with the rest of the Middle East and global averages. The excess supply of workers creates conditions in which labor exploitation is more likely. PA laws restricting child labor are not effectively enforced.

Many West Bank Palestinians, most of them male, work in Israel and the settlements, where the PA has no jurisdiction. While these workers are covered by Israeli labor laws, inconsistent enforcement has been reported as a concern. Palestinians' work permits usually tie them to a single employer, creating a relationship of dependency, according to the International Labour Organization. Nonetheless, some laborers have achieved collective bargaining agreements with their Israeli employers. Tens of thousands of Palestinians work without permits, making them vulnerable to greater exploitation. Many Palestinians lose considerable income to brokers who connect Palestinian workers to Israeli employers.

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