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Freedom House

Freedom in the World 2022 - Gaza Strip*

NOT FREE

11

/ 100

[Political Rights](#) 3 / 40[Civil Liberties](#) 8 / 60

LAST YEAR'S SCORE & STATUS

11 / 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

Prior to its 2011 edition, *Freedom in the World* featured one report for Israeli-occupied portions of the West Bank and Gaza Strip and another for Palestinian-administered portions. *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 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

The political rights and civil liberties of Gaza Strip residents are severely constrained. Israel's de facto blockade of the territory, periodic military incursions, and rule-of-law violations have imposed serious hardship on the civilian population, as has Egypt's tight control over the southern border. The Palestinian political and militant group known as Hamas, or the Islamic Resistance Movement, gained control of the Gaza Strip in 2007, following its victory in the preceding year's legislative elections and a subsequent conflict with Fatah, the ruling party in the West Bank. The entrenched division between Hamas and the Fatah-led Palestinian Authority (PA) since then has contributed to legal confusion and repeated postponement of elections, which have not been held in the Gaza Strip since 2006.

Key Developments in 2021

- Regionally sponsored talks aimed at bridging the divide between Hamas and Fatah broke down after the PA announced in April that Palestinian legislative elections scheduled for May and a presidential election scheduled for July would be indefinitely postponed.
- PA president Mahmoud Abbas scheduled municipal elections for December, but they proceeded only in the West Bank, with Hamas boycotting the process and insisting on comprehensive legislative, presidential, and municipal elections.
- In May, after protests over the threatened eviction of Palestinian families in East Jerusalem prompted Hamas to fire rockets into Israel, Israeli forces launched a campaign of air strikes in the Gaza Strip. The offensive, which ended with a cease-fire after 11 days, killed about 250 Palestinians, including scores of civilians.
- The population continued to suffer during the year from the Israeli-imposed blockade, conflict-related destruction, high levels of poverty, unemployment, and food insecurity, and the COVID-19 pandemic. As of the end of December 2021, the Gaza Strip had accumulated some 190,000 confirmed cases of the coronavirus and more than 1,700 deaths, with less than a third of the population fully vaccinated.

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, when the Fatah faction’s Mahmoud Abbas won with 62 percent of the vote. Following its win in 2006 legislative elections and a violent rift with Fatah and the West Bank–based PA in 2007, Hamas seized control of the Gaza Strip. Abbas’s four-year electoral mandate expired in 2009, though he has continued to govern in the West Bank.

In January 2021, following negotiations with Hamas, Abbas announced that a presidential election would be held in July, following legislative elections in May, but he indefinitely postponed the entire election process in April, 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.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). Hamas leader Ismail Haniyeh was nominated and sworn in as prime minister following the 2006 elections, and again in 2007 as part of a short-lived unity government, but he was dismissed by President Abbas after the Fatah-Hamas conflict that year. Hamas did not recognize the dismissal. Because repeated attempts to form new PA unity governments have failed, Hamas has continued to exercise de facto executive authority in the territory. The chief of Hamas in the Gaza Strip, Yahya Sinwar, was confirmed for a second term as de facto head of government in a closed election by Hamas leadership in March 2021; he had first been chosen in 2017. Ismail Haniyeh was similarly confirmed as the overall leader of Hamas for a second four-year term in August.

A2 0-4 pts

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

The PA has not held elections for the 132-seat PLC since 2006, when Hamas won 74 seats and Fatah took 45. The subsequent Fatah-Hamas schism and Israel’s detention of many lawmakers left the full PLC unable to function, and the body’s electoral mandate expired in 2010. Nonetheless, a Hamas-led rump legislature continued to operate in the Gaza Strip. 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.

In January 2021, alongside his announcement that a presidential election would be held in July, Abbas called PLC elections for May. However, he canceled both sets of elections in April, and no new date was set, leaving Gaza residents without an elected legislature for another year.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

No open elections for any office have been held in Gaza since 2006. Decisions about the conduct and administration of elections are highly politicized and dependent on agreements between partisan factions. For example, Hamas refused to participate in the 2017 PA municipal elections, which had been postponed from the previous year amid disputes between Hamas and Fatah over candidate lists. PA municipal voting was held again in the West Bank in December 2021, with a second round set for early 2022, but Hamas did not allow the elections to proceed in the Gaza Strip, insisting that it would participate only in comprehensive legislative, presidential, and municipal elections.

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, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Since 2007, the Gaza Strip has functioned as a de facto one-party state under Hamas rule, although smaller parties—including Islamic Jihad, the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and a faction of Fatah that opposes President Abbas—are tolerated to varying degrees. Some of these groups have their own armed wings and media outlets, and hold rallies and gatherings. However, those affiliated with Abbas and his supporters in Fatah are subject to persecution.

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 postponement of elections, despite opinion polls showing strong public demand for presidential and legislative balloting, has prevented any opportunities for a change in the political status quo. The ongoing rift between Fatah and Hamas has also prevented municipal elections in the Gaza Strip that might give non-Hamas factions an opportunity to govern at the local level.

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? 0 / 4

Israel’s ongoing blockade of Gaza, which comprises strict limits on the movement of goods and people in and out of the territory, and the ongoing Hamas-Fatah rift hamper the development of normal civilian political competition. Armed groups, including the Israeli military and militias such as those affiliated with Hamas and Islamic Jihad, exercise disproportionate control over the day-to-day lives of Palestinians in the Gaza Strip and leave them with virtually no ability to shape policies that affect them. Political and militant groups in Gaza are also influenced by more distant foreign powers; Qatar provides crucial financial aid to the territory and Hamas in particular, and the Iranian regime supports Islamic Jihad.

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? 1 / 4

Hamas makes little effort to address the rights of marginalized groups within Gazan society. Women enjoy formal political equality under PA laws, and some women won seats in the PLC in 2006. However, women are mostly excluded from leadership positions in Hamas and absent from public political events in practice. Gazan women do actively participate in civil society gatherings that touch on political issues. The political interests of LGBT+ people, who face widespread discrimination and the threat of violence in Gaza, are not addressed by those in power.

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 expiration of the presidential and parliamentary terms has left Gaza’s authorities with no electoral mandate. In 2021, Hamas continued to govern the territory’s internal affairs unilaterally, assigning responsibilities to its own officials as the reconciliation process with Fatah remained stalled.

The ability of Palestinian officials to make and implement policy in Gaza is severely circumscribed by Israeli and Egyptian border controls, Israeli military actions, and the ongoing schism with the PA in the West Bank. Israel maintains a heavy security presence around Gaza’s land and sea perimeters, using live fire to keep anyone from entering buffer zones near these boundaries, which further reduces local control over the territory.

C2 0-4 pts

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

Hamas has been accused of corruption in public service delivery and aid distribution, which is crucial to daily life in Gaza given that over 80 percent of the population depends on international assistance due to the blockade. Multiple reports by the Coalition for Accountability and Integrity (AMAN), a civil society organization, have noted that the continuing Fatah-Hamas schism, issues related to judicial integrity, and specific problems with the procurement process have impeded the prosecution of corruption cases.

C3 0-4 pts

Does the government operate with openness and transparency? 0 / 4

The Hamas-controlled government has no effective or independent mechanisms for ensuring transparency in its funding, procurements, or operations. AMAN’s reports have noted that political decision-making occurs out of public view.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 0 / 4

The media are not free in Gaza. West Bank-based newspapers have been permitted in the territory since 2014, and a number of political factions have their own media outlets. However, Gazan journalists and bloggers continue to face repression from the Hamas government’s internal security apparatus and from Israeli forces. In a 2018 report, Human Rights Watch (HRW) detailed a pattern of arrests, interrogations, and in some cases beatings and torture of journalists in Gaza. This pattern has continued, and journalists are especially vulnerable during moments of friction between Fatah and Hamas.

In 2021, Fatah-affiliated journalists were arrested or harassed following the failure of reconciliation talks. In April, Hamas security forces beat local radio reporter Rewaa Merhaid with a tree branch for not wearing a headscarf, triggering a public outcry and pledges that the man responsible would be punished. Among other cases during the year, journalist Alaa al-Mashharawi was arrested without explanation in October.

A number of media freedom violations were associated with the May conflict between Israeli forces and Palestinian militant groups in Gaza. Israeli air strikes destroyed buildings that reportedly housed the offices of more than 20 media outlets, including Palestinian outlets and international news services like the Associated Press. After the cease-fire, more than a dozen journalists in the territory found that the social media platform WhatsApp had blocked their accounts.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is restricted. 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. Hamas authorities have enforced conservative Sunni Islamic practices and attempted to exert political control over mosques. However, they have not enforced prayers in schools or compelled women to wear hijab in Gaza’s main urban areas to the extent that they did in the early years of Hamas control.

D3 0-4 pts**Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4**

Primary and secondary schools in the Gaza Strip are run by Hamas, the UN Relief and Works Agency (UNRWA), or private entities. In the Hamas-run Islamic University, people are separated by gender, and women are obliged to cover their hair. Hamas intervenes in the schools under its control to uphold its views on Islamic identity and morality. It does not intervene extensively in private universities, but Hamas-led police have violently suppressed student demonstrations. Some Gazan academics are believed to practice self-censorship. Israeli and Egyptian restrictions on trade and travel limit access to educational materials and academic exchanges.

D4 0-4 pts**Are individuals free to express their personal views on political or other sensitive topics without fear of 2 / surveillance or retribution? 4**

Intimidation by Hamas militants and other armed groups has some effect on personal expression and private discussion in Gaza, and the authorities monitor social media for critical content. A 2018 HRW report documented a number of incidents in which Hamas intimidated, detained, or abused individuals in response to their social media activity or attendance at political events, most notably those perceived to be supportive of Fatah or opposed to the Hamas government. Such practices continue to occur regularly. Social media users, particularly women, also reportedly face online harassment for expressing political views. The risk of repercussions for free expression has led some residents to self-censor.

E Associational and Organizational Rights**E1 0-4 pts****Is there freedom of assembly? 0 / 4**

Israeli forces use violent and frequently lethal methods to disperse demonstrations near the de facto border. According to data from the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), at least four Gazans were killed and some 140 were injured by Israeli forces in the context of demonstrations during 2021. Injuries are often caused by shrapnel, rubber-coated bullets, or direct hits from tear-gas canisters in addition to live gunfire.

Hamas also significantly restricts freedom of assembly, with security forces violently dispersing unapproved public gatherings.

E2 0-4 pts**Is there freedom for nongovernmental organizations, particularly those that are engaged in human 1 / rights- and governance-related work? 4**

There is a broad range of Palestinian nongovernmental organizations (NGOs) and civic groups, and Hamas operates a large social-services network. However, Hamas has restricted the activities of organizations that do not submit to its regulations, and many civic associations have been shut down for political reasons since the 2007 PA split. Aid and reconstruction efforts by NGOs after periodic conflicts with Israel have been held up in part by disagreements over international and PA access to the territory and control over border crossings. The Israeli government also imposes restrictions on access to Gaza for human rights researchers and NGO staff.

In October 2021, the Israeli government designated six Palestinian NGOs and human rights organizations as “terrorist” groups, though it provided little evidence that the groups, some of which received funding from European governments, had links to militant activity. While the six organizations operated mostly in the West Bank, some were also active in Gaza, and the designation was criticized by international human rights organizations and UN experts as an attack on the broader Palestinian human rights movement.

E3 0-4 pts**Is there freedom for trade unions and similar professional or labor organizations? 1 / 4**

The Fatah-aligned Palestinian General Federation of Trade Unions, the largest union body in the territories, has seen its operations curtailed in Gaza. Workers have little leverage in labor disputes due to the dire economic situation, extremely high unemployment, and the dysfunctional court system, which impedes enforcement of labor protections.

Hamas sometimes intervenes in labor union elections or in the activities of professional associations that are linked to Fatah. Hamas has established its own, parallel professional associations to compete with existing organizations that are more strongly affiliated with Fatah and rival groups. The civil servants’ union for the Hamas-controlled public sector occasionally holds rallies and strikes.

F Rule of Law

F1 0-4 pts**Is there an independent judiciary? 0 / 4**

Hamas maintains an ad hoc judicial system that is separate from the PA structures headquartered in the West Bank, which do not operate in Gaza. The system is subject to political control, and its judges lack proper training and experience. There are also reportedly long delays in hearing cases related to a range of issues, including land disputes and personal status matters.

F2 0-4 pts**Does due process prevail in civil and criminal matters? 0 / 4**

Hamas security forces and militants regularly carry out arbitrary arrests and detentions. The court system overseen by Hamas generally fails to ensure due process, and in some cases civilians are subject to trial by special military courts.

Some 230 Palestinian security detainees and prisoners from Gaza were held in Israeli prisons as of the end of December 2021, according to the Addameer Prisoner Support and Human Rights Association. The Israeli human rights group B'Tselem has noted that transporting prisoners outside of occupied territory is a breach of international law. Israeli military courts, which handle the cases of such detainees, lack the full due process guarantees of civilian courts.

F3 0-4 pts**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4**

About 250 Palestinians were killed in Gaza by Israeli forces during 2021, according to UNOCHA, and more than 2,300 were injured. At least 120 of those killed were civilians. This sharp increase, from only three conflict-related fatalities in 2020, was due largely to the Israeli offensive in May, though several Palestinians were also killed by artillery and rocket fire from Palestinian militants that did not reach Israel. UN high commissioner for human rights Michelle Bachelet stated that Israel's attacks on the Gaza Strip could constitute war crimes if they were shown to be disproportionate.

Individuals who approach the de facto border with Israel, including those fishing in the waters off of Gaza, are at risk of live fire from Israeli forces. UNOCHA documents regular shooting incidents near the border and in coastal fishing areas.

Hamas-led authorities have applied the death penalty without due process or adequate opportunity for appeals and without the legally required approval from the PA president. At least 15 people were sentenced to death in 2021, though no executions were carried out.

F4 0-4 pts**Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4**

The legal system operating in Gaza offers few protections against harassment and discrimination for women and other vulnerable groups, including LGBT+ people. Laws dating to the British Mandate era authorize up to 10 years' imprisonment for sexual acts between men.

Gaza residents living with disabilities face significant barriers. A 2020 HRW report noted pervasive stigma against this population and found that Israeli import restrictions impeded their access to medical and other equipment.

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, 0 / 4 employment, or education?**

Freedom of movement for Gaza residents is severely limited. Israel and Egypt exercise tight control over border areas, and Hamas imposes its own restrictions on travel. Israel often denies Gaza residents permits to travel outside of the territory on security grounds, authorizing only certain medical patients and other individuals to leave. University students have difficulty acquiring the necessary permits to leave the territory to study abroad. Corruption and the use of bribes at crossing points is common.

The Rafah crossing between Gaza and Egypt was opened more regularly in 2021 compared with 2020, but conditions remained largely unpredictable and restrictive. The May conflict led to a total shutdown of Israeli-controlled crossings, with partial openings initiated later in the year. In December, Israeli officials announced the completion of a more robust physical barrier separating Israel from Gaza, with surveillance devices and an underground wall to deter tunneling. The Israeli army prevents Palestinians from approaching the fencing itself and a surrounding "buffer zone" that extends up to 300 meters into the territory, though the de facto border is not recognized by the international community or key stakeholders. Israeli authorities also periodically restrict or close Gaza's offshore fishing zone. During 2021, the zone was reduced from 15 to as little as 6 nautical miles from shore in response to militant activity.

Since 2020, local authorities have imposed curfews and other temporary restrictions on internal movement to limit the spread of COVID-19, generally adjusting the measures in light of increasing or decreasing case numbers.

G2 0-4 pts

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

While Gaza residents are able to own property and engage in business activity, their rights have been seriously undermined by the effects of periodic conflicts between Hamas and Israel, among other factors. Reconstruction of homes that were damaged or destroyed during past rounds of fighting has lagged for many years, leaving thousands of people displaced or in temporary housing. Impediments to private enterprise in Gaza include persistent Israeli bans on imports of many raw materials. These restrictions are unilaterally adjusted by Israeli authorities based on political and security criteria.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, 1 / protection from domestic violence, and control over appearance? 4

Palestinian laws and societal norms, derived in part from Sharia (Islamic law), put women at a disadvantage in matters such as marriage and divorce. Hamas has enforced restrictions on personal attire and behavior it deems immoral, though enforcement has relaxed in recent years. A 2019 PA decree set 18 as the minimum age for marriage, but child marriage reportedly remains a problem.

So-called honor killings continue to occur, though information on the situation in Gaza is limited. Domestic violence is common, with nearly four in 10 Gazan women facing such violence according to a 2019 PA survey. Rape and domestic violence go underreported and often unpunished, as authorities are allegedly reluctant to pursue such cases. While women’s rights activists in 2021 called on the PA to adopt a long-delayed law on domestic violence, Hamas has resisted the imposition of new PA laws in the absence of the PLC.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The blockade of the Gaza Strip’s land borders and coastline has greatly reduced economic opportunity in the territory. Half of Gaza’s labor force was unemployed as of the third quarter of 2021, with an unemployment rate of 70.4 percent among youth aged 15–29. Israel’s intermittent restrictions on the entry of construction materials have hampered growth and recovery from conflicts, and Israeli patrols limit farming near the border fence as well as fishing in coastal waters. Hamas has imposed price controls that may further dampen economic activity.

Inconsistent access to fuel imports and electricity due to Israeli, PA, and Egyptian policies hinders all forms of development in the territory, including domestic desalination that could improve access to clean water. Qatari aid to Gaza, including in the domain of fuel and electricity, is inconsistent and dependent on the status of political agreements with Israel and Egypt.

PA officials have little ability to enforce legal protections against exploitative labor conditions in Gaza, and most private-sector wage earners receive less than the legal minimum, which is itself lower than the poverty threshold.

ecoi.net summary:

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