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2022 Country Report on Human Rights Practices: Israel, West Bank and Gaza - West Bank and Gaza

EXECUTIVE SUMMARY

The Palestinian Authority Basic Law provides for an elected president and legislative council. There have been no elections in the West Bank and Gaza Strip for Palestinian Authority offices since 2006, and Palestinians there do not have the right to vote in Israeli elections. President Mahmoud Abbas has remained in office despite the expiration of his four-year term in 2009. The Palestinian Legislative Council has not functioned since 2007, and in 2018 the Palestinian Authority dissolved the Constitutional Court. President Abbas indefinitely postponed national elections in April 2021, stating the reason was that Israel had not agreed to allow Palestinians in East Jerusalem to participate in voting per Israel's commitment in the Oslo Accords. The Palestinian Authority 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.

Eight uniformed Palestinian Authority security force (PASF) agencies operated in parts of the West Bank. Several are under Palestinian Authority Ministry of Interior operational control and follow the prime minister's guidance. The Palestinian Civil Police has primary responsibility for civil and community policing. The National Security Forces conduct gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. Military Intelligence handles criminal matters involving PASF personnel, including any accusations of serious offenses. General Intelligence is responsible for external intelligence gathering and operations and internal criminal investigations and arrests. The Preventive Security Organization is responsible for internal intelligence gathering and investigations related to internal security cases. The Palestinian Authority uses the Preventive Security Organization at times to crack down on dissent it considers threatening to political stability. The Presidential Guard protects facilities and provides dignitary protection. The Civil Defense provides emergency response, including for fires, for which Israel has increasingly requested them to operate within Israel. The Military Medical Services provides lifetime medical care and response to all uniformed Palestinian Authority security forces and their families. Palestinian Authority civilian authorities maintained effective control of security forces. There were reports that members of the PASF committed abuses.

In Gaza, the designated terrorist organization Hamas exercised de facto authority. The security apparatus of Hamas in the Gaza Strip largely mirrored that in the West Bank. Internal security included civil police, guards, and protection security; an internal intelligence-gathering and investigative entity (similar to the Preventive Security Organization in the West Bank); and civil defense. National security included the national security forces, military justice, military police, Gaza medical services, and the prison authority. Hamas maintained a large military wing in Gaza, the Izz al-Din al-Qassam Brigades, formed in 1992. In some instances, Hamas utilized its military wing to crack down on internal dissent. Public-sector employees sometimes believed there was pressure to show loyalty to Hamas and its military wing. There were reports that members of Hamas security forces committed numerous abuses.

The government of Israel occupies the West Bank and maintained a West Bank security presence through the Israel Security Forces (ISF), which include the Israel Defense Forces (IDF), the Israeli Security Agency (Shin Bet), the Israel National Police, and the Border Guard. Israel maintained effective civilian control of its security forces throughout the West Bank. There were reports that ISF members committed abuses. The Israeli military and civilian justice systems on occasion investigated such incidents and in some cases found ISF members to have committed abuses.

The Palestinian Authority exercised varying degrees of authority in restricted areas of the West Bank due to the IDF's continuing presence, and none over Palestinian residents of East Jerusalem due to Israel's extension of Israeli law and authority to East Jerusalem in 1967 and an Israeli prohibition on any Palestinian Authority activity anywhere in Jerusalem. Oslo Accords-era agreements divide the West Bank into three territorial areas: Areas A, B, and C. West Bank Palestinian population centers mostly fall into Areas A and B, with Palestinian agricultural lands and rural communities in Area C. The Palestinian Authority has formal responsibility for administration and security in Area A, which constitutes the smallest portion at 18 percent in the West Bank, but ISF frequently conducted security operations there. The Palestinian Authority maintains administrative control in Area B, while security is shared between Israel and the Palestinian Authority in Area B, which constitutes 22 percent of the West Bank. Israel retains both administrative and security control of Area C and designated most Area C land as either closed military zones or settlement zoning areas. The Palestinian Authority maintained security coordination with Israel during the year.

Significant human rights issues included:

1) With respect to the Palestinian Authority: credible reports of unlawful or arbitrary killings by Palestinian Authority officials; torture or cruel, inhuman, or degrading treatment or punishments by Palestinian Authority officials; arbitrary arrest or detention; political prisoners and detainees; significant problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media, including violence, threats of violence, unjustified detentions and prosecutions of journalists, and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including harassment of nongovernmental organizations; serious and unreasonable restrictions on political participation, including no national elections since 2006; serious government corruption; lack of investigation of and accountability for gender-based violence; crimes, violence, and threats of violence motivated by antisemitism; crimes involving violence and threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and reports of the worst forms of child labor.

2) With respect to Hamas: credible reports of unlawful or arbitrary killings by Hamas personnel; torture or cruel, inhuman, or degrading treatment or punishment by Hamas personnel; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression, including violence, threats of violence, arbitrary arrests or prosecutions of journalists, censorship, and criminalization of libel and slander; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; serious and unreasonable restrictions on political participation; serious government corruption; lack of investigation of and accountability for gender-based violence; crimes, violence, and threats of violence motivated by antisemitism; unlawful recruitment and use of child soldiers; crimes involving violence and threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the worst forms of child labor.

3) With respect to Israeli security forces in the West Bank: credible reports of unlawful or arbitrary killings; torture or other cruel, inhuman, or degrading treatment or punishment by Israeli officials; arbitrary arrest or detention; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; restrictions on freedom of expression, including violence, threats of violence, unjustified arrests and prosecutions against journalists, and censorship; serious restrictions on internet freedom; substantial interference with the rights of peaceful assembly and freedom of association, including harassment of nongovernmental organizations; serious restrictions on freedom of movement and residence including arbitrary or unlawful interference with privacy, family, and home of Palestinians residing in Jerusalem. Each of these violations disproportionately impacted Palestinians, including crimes involving violence or threats of violence targeting Palestinians.

4) With respect to Palestinian civilians against Israeli civilians: credible reports of unlawful or arbitrary killings.

5) With respect to Israeli civilians against Palestinian civilians: credible reports of unlawful or arbitrary killings.

There were criticisms that senior Palestinian Authority 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 some steps to address impunity or reduce abuses, but human rights groups frequently asserted they did not adequately pursue investigations and disciplinary actions related to abuses against Palestinians, including actions to stop or punish violence committed by Israeli settlers in the West Bank. There were no legal or independent institutions capable of holding Hamas in Gaza accountable, and impunity was widespread. Several militant groups with access to heavy weaponry, including Palestinian Islamic Jihad, also operated with impunity in and from Gaza, including launching rockets towards Israel during an escalation in violence on August 5-7. Israeli authorities rarely acted against Israelis who attacked Palestinians, threw stones, or damaged Palestinian property in the West Bank.

This section of the report covers the West Bank and Gaza, and East Jerusalem territories that Israel occupied during the June 1967 war. The United States recognized Jerusalem as the capital of Israel in 2017 and Israel's sovereignty over the Golan Heights in 2019. Language in this report is not meant to convey a position on any final status issues to be negotiated between the parties to the conflict, including the specific boundaries of Israeli sovereignty in Jerusalem or the borders between Israel and any future Palestinian state.

Section 1. Respect for the Integrity of the Person

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

There were reports that Israeli and Palestinian governmental forces or their agents committed unlawful or unjust killings. Palestinian Authority security forces (PASF) were accused of using excessive force against the Palestinian Authority's (PA's) political opponents. A trial of 14 PASF officers charged in the June 2021 killing of Palestinian dissident Nizar Banat continued intermittently throughout the year. On May 18, after the 14 defendants were released from custody temporarily, Banat's family stated that they no longer would participate in the case and instead renewed their calls for a foreign government or international court to open an investigation under the principle of universal jurisdiction, claiming they had no confidence in the PA's capacity to deliver justice. Subsequently, on December 15, Banat's family submitted a referral against the PA to the Office of the Prosecutor of the International Criminal Court, calling for an investigation into Banat's death and prosecution of those responsible.

The PA continued to make payments to persons convicted of terrorism in Israeli courts serving prison sentences, former prisoners, and the families of those who died committing terrorist attacks, as PA President Mahmoud Abbas reiterated in a statement on May 15. Israel considered these payments to incentivize, encourage, and reward terrorism, with higher monthly payments for lengthier prison sentences tied to more severe crimes. The PA asserted these payments provided economic support to families who had lost their primary breadwinner.

During the year, ISF killed 152 Palestinians in the West, according to the UN Office for the Coordination of Humanitarian Affairs in the Occupied Palestinian Territories (UNOCHA), the most since the United Nations began recording deaths in 2005. At the end of the year, UNOCHA reported that Israeli forces killed 36 Palestinian children, compared with 17 in 2021.

On May 11, Palestinian-American journalist Shireen Abu Akleh was shot and killed while reporting on an IDF raid in Jenin. In the same incident, Palestinian journalist Ali Samoudi was shot and injured in the shoulder. On September 5, the IDF reported that it had concluded its investigation into the circumstances surrounding Abu Akleh's death and stated there is a high possibility that she was accidentally hit by IDF gunfire. According to media, the Office of the Military Advocate General stated there was no suspicion of a criminal offense and declined to open a criminal investigation into the incident. Some human rights nongovernmental organizations (NGOs) criticized the IDF's inquiry stating it could not replace a criminal investigation.

On January 12, members of the ultraorthodox Netzah Yehuda battalion of the IDF pulled Palestinian-American Omar Assad, age 78, from his car as he was traveling home and detained him, while applying a blindfold, gagging him, and binding his wrists, according to media reports. Assad was found dead shortly after the soldiers left the scene. The IDF investigated the incident and concluded that "the incident was a grave and unfortunate event, resulting from a moral failure and poor decision-making on the part of the soldiers. One of the IDF's core values – to protect human life – was violated." According to press reporting in November, the military's legal authority informed lawyers for two officers that it was preparing to indict them over misconduct in Assad's death; there was no further information available during the year on the status of the investigation or indictments.

With respect to Palestinian civilians threatening Israeli citizens, according to UNOCHA, 21 Israelis, including four ISF members and one child, were killed by Palestinians from the West Bank during the

year. Ten of those killed were in the West Bank, compared with three in 2021, and 11 were killed in Israel, compared with one in 2021. With respect to Israeli civilians threatening Palestinian citizens, UNOCHA reported that Israeli settlers killed at least two Palestinians, including one child; another child was killed by either a settler or ISF.

Israel and the Palestinian Islamic Jihad (PIJ) in Gaza engaged in armed conflict on August 5-7. According to the Meir Amit Intelligence and Terrorism Information Center, Israel carried out 170 attacks on PIJ targets, while Gaza-based PIJ militants fired 1,175 rockets at Israel. According to an analysis in the Israeli newspaper *Haaretz* during the hostilities, 49 Palestinians were killed, 35 of whom died as a result of ISF activity. Twenty-two Palestinians of the 49 were reportedly uninvolved in the hostilities, 14 of whom died as a result of failed launches of Palestinian rockets. According to UNOCHA, 17 children were killed, and according to the de facto Ministry of Health in Gaza, 360 Palestinians were wounded, including at least 151 children.

On April 1, violent confrontations occurred between Palestinians and Israeli soldiers during rallies in several West Bank locations to observe the 46th anniversary of Land Day, when Palestinians commemorate a 1976 general strike in response to Israel's expropriation of Palestinian/Arab citizens' lands. Israeli soldiers shot and killed Ahmad al-Atrash after he allegedly threw a Molotov cocktail at them, according to the Israeli human rights NGO BTselem.

NGOs continued to report that the Israeli government did not seriously investigate killings of Palestinians or hold IDF members accountable. Human Rights Watch (HRW) wrote in an October submission to the United Nations that ISF regularly used excessive force in the policing context in the West Bank without repercussion or accountability. In May NGO Yesh Din released a report on the Military Advocate General's Fact-Finding Assessment Mechanism as applied to the May 2021 Gaza conflict. Yesh Din found that only 84 incidents out of hundreds were transferred for review, and just one of these cases led to an investigation. The Israeli military on August 24 discharged four soldiers from the Netzah Yehuda battalion and from combat positions after an investigation concluded they had attacked two Palestinian men without cause after stopping their vehicle.

In Gaza, Hamas sentenced 24 individuals to death as of October 23, according to the Palestinian Centre for Human Rights (PCHR). There were significant concerns that Hamas courts did not meet minimum fair trial standards. By law the PA president must ratify each death penalty sentence; since 1994, 44 persons had been executed in Gaza, including 33 without the PA president's ratification, according to PCHR.

b. Disappearance

In the West Bank, there were no reports of disappearances by or on behalf of government authorities during the year.

Hamas announced on June 27 that the health of Hisham al-Sayed, one of two Israeli citizens held incommunicado for at least seven years, had deteriorated.

On July 27 in Gaza, masked and armed members of Hamas's al-Qassam Brigades kidnapped two brothers from al-Nuseirat refugee camp, and detained them in an unknown facility for four days. While detained, brigade members physically abused, humiliated, and threatened them, shooting one in the abdomen and releasing the other. The family told media that al-Qassam Brigades apologized to the family for "unintentionally" shooting one of the detainees while he tried to escape and offered compensation for his medical treatment. The victims' family attempted to file an official complaint with

the police, but police officials were nonresponsive, according to the Independent Commission for Human Rights (ICHR) and PCHR.

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

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. The PA had yet to establish a protocol for preventing torture. The quasi-governmental ICHR reported receiving 110 complaints of torture or mistreatment against the PA and 143 complaints against Hamas during the year.

According to a July joint submission to the UN Committee Against Torture (UNCAT) by HRW and Palestinian entity Lawyers for Justice (LJF), torture regularly occurred in detention centers in both Gaza and the West Bank. 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 that Hamas's Internal Security and PA's Intelligence Services, Preventive Security, and the Joint Security Committee, as well as the respective police forces, used violent tactics, solitary confinement, forcing detainees to hold painful stress positions for long periods (positional abuse or *shabeh*), beating, punching, and flogging. Victims also reported being cut, forced to stand on broken glass, and being sexually assaulted while in custody. Courts in the West Bank, according to LFJ, did not convict any PA detention center personnel of mistreatment of prisoners.

Palestinian detainees held by the PASF registered complaints of abuse and torture with the 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. There was a box in the common area of the prison where prisoners could submit complaints, which a warden then reviewed. The UN Office on Drugs and Crime provided support to this system, including ensuring there were posters in every prison with the prisoners' rights explained in English and Arabic.

According to Palestinian media, on October 9, Musab Shtayyeh, a Palestinian prisoner who had been imprisoned by the Palestinian Authority at Jericho prison, was hospitalized after his health deteriorated due to alleged torture and mistreatment.

Courts in the West Bank, according to LFJ, did not convict any employees of mistreatment of prisoners. During the year, courts in Gaza did not convict any prison employees for mistreatment of prisoners. According to the ICHR, the de facto authorities acknowledged a case of mistreatment and certain allegations of torture during the year, but nothing came of unspecified measures to address complaints through internal investigations. There was no information on individual officers being held accountable for abuse.

The Israeli Supreme Court ruled in 1999 that all physical interrogation practices employed by ISF were illegal; however, according to NGO HaMoked, the justices did not preclude the possibility that ISF interrogators could employ torture, if necessary, in certain situations. There were credible reports that ISF members employed these practices. Israeli and Palestinian media reported on abusive and "serious violent behavior" by the IDF during raids during the year in the West Bank and in East Jerusalem. For example, *Haaretz* and B'Tselem separately reported that a judge in Jerusalem's Magistrate Court in August found "serious violent behavior" by Israeli police towards a Palestinian

resident of East Jerusalem, age 15, concluding that police officers severely beat the boy during his arrest in the middle of the night and while he was in police custody.

The NGO Public Committee against Torture in Israel (PCATI) reported that “exceptional measures” 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. Women prisoners and detainees reported harassment and abuse in detention by ISF. According to PCATI, there were only three investigations despite more than 1,400 complaints made since 2001; all three cases were closed with no indictment. The average time it took the Office of the Inspector of Interrogee Complaints to conclude the preliminary examination of a complaint filed by PCATI was 44 months, while the longest was 97 months.

Data published quarterly by the Israeli Prison Service (IPS) indicate that as of September 30, Israel was detaining 129 Palestinian children ages 12 to 17 in detention facilities for security-related offenses, a decrease of 12 percent compared with 2021. According to IPS, seven children were held in administrative detention, and 68 percent of child detainees were transferred to prisons inside Israel. The NGO Military Court Watch (MCW) stated that more than 67 percent of Palestinian minors detained in the West Bank reported being subjected to various forms of physical abuse during arrest, transfer, or interrogation by Israeli authorities. The MCW reported that most minors were arrested in night raids and reported that ISF used physical abuse, strip searches, threats of violence, hand ties, and blindfolds.

On October 18, Shadi Khoury, a Palestinian resident of East Jerusalem, age 16, was arrested at his home. According to his parents and media reports, during the arrest, four Israeli National Police (INP) officers beat Khoury, breaking his nose, and dragged him barefoot and blindfolded from his home. Khoury’s parents reported that subsequently he suffered physical abuse and cruel, inhuman, or degrading practices while in custody and received insufficient medical attention, inadequate food, and substandard sanitary conditions.

Prison and Detention Center Conditions

Conditions in PA prisons and detention centers in the West Bank reportedly were poor, largely due to overcrowding and structural problems. Conditions of Hamas prisons in Gaza also were poor, with overcrowding cited as a major problem. NGOs reported all prisons in the West Bank and Gaza lacked adequate facilities and specialized medical care for detainees and prisoners with disabilities.

Abusive Physical Conditions: PA prisons were crowded and lacked ventilation, heating, cooling, and lighting systems conforming to international standards. Authorities at times held male juveniles with adult male prisoners and held political dissidents with violent criminals, although in some cases involving foreign citizens, male juveniles were held in a separate juvenile detention facility in Ramallah. Security services used separate detention facilities. Conditions for women were like those for men. The PA used several refurbished structures and buildings as prisons, some of which lacked necessary security accommodations.

There were periodic deaths in PA and Hamas prisons and limited remedial action to prevent them. In May, Ahmad al-Warasneh died after an alleged suicide in a PA police station in Hebron while in pretrial detention for issuing bad checks.

In Gaza, according to PCHR, at least three prisoners died in Hamas-run prisons and rehabilitation centers, including one suspected suicide following allegations of torture and mistreatment in solitary confinement. The other two prisoners reportedly died due to medical negligence by authorities.

According to PCHR, on September 3, Mousa Haron Abu Mehamid, a Palestinian detainee, age 40, died while in Israeli custody after being moved from a military prison in the West Bank to a Tel Aviv hospital. PCHR reported that Palestinian detainees' health conditions in Israeli jails deteriorated. According to PCHR, there were 600 ill detainees, some of whom suffered, over the course of their detention, from chronic and serious diseases, including cancer, paralysis, and disabilities.

Administration: According to HRW, procedures designed to hold employees and administrators accountable in both PA and Hamas detention facilities rarely, if ever, led to consequences for serious abuses. Some prisons restricted access to visitors. Human rights groups such as PCHR reported families of imprisoned Palestinians, particularly those in the Gaza Strip, had limited ability to visit prisoners detained inside Israel due to the difficulty of obtaining permits to enter Israel, having their request denied on "security grounds," and because of COVID-19 restrictions in place since March 2020.

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 and interrogation facilities. Human rights groups, humanitarian organizations, and lawyers indicated, as in previous years, there were some difficulties in gaining access to specific detainees held by the PA.

In the Gaza Strip, Hamas granted the ICRC access to detainees to assess treatment and conditions. Human rights organizations conducted monitoring visits with some prisoners in Gaza, but Hamas denied permission for representatives of these organizations to visit high-profile detainees and prisoners. According to the ICHR, Hamas denied human rights organizations access to one prisoner who was shot during his detention by the antinarcotics police.

The Israeli government permitted visits by independent human rights observers to detention facilities it operated in the West Bank. NGOs sent representatives to meet with Palestinian prisoners, including those on hunger strikes, and inspect conditions in Israeli prisons, detention centers, and some Israeli security forces' 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.

For further information on the treatment of Palestinians in Israeli prisons as well as prison conditions in Israel, see *Country Reports on Human Rights Practices* for Israel.

d. Arbitrary Arrest or Detention

The Palestinian Basic Law, which applies 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 in Gaza did not observe these requirements and instead applied Jordanian law or used tribal courts, which do not provide the same protections.

Israel prosecutes Palestinian residents of the West Bank under military law and Israeli settlers in the West Bank under 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. Israeli authorities also did not always apply the same laws to all residents of Jerusalem, regardless of their Israeli citizenship status. For example, the IDF held Salah Hammouri, a human rights lawyer, in administrative detention for more than nine months based on alleged security concerns since detaining him on March 7 in an early morning raid of his East Jerusalem residence, according to HRW. Subsequently, on December 18, after revoking his East Jerusalem residency status and declining to extend his administrative detention, Israel deported Hammouri to France.

NGOs and Palestinian residents of East Jerusalem alleged Israeli security forces disproportionately devoted enforcement actions to Palestinian neighborhoods, particularly Issawiya, Silwan, and Sheikh Jarrah, with higher numbers of temporary checkpoints and raids than in West Jerusalem.

Israeli military law has broad exceptions for security-related offenses that limit the ability of any person to challenge the lawfulness of their arbitrary arrest and detention in military court.

In the West Bank, Israeli security forces routinely detained Palestinians for several hours and subjected them to interrogations, according to human rights groups.

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 arrests by the PA 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 of the arrest 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 respected 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 does not have the power to convict Israelis who commit crimes in Palestinian-controlled areas. Israeli citizens who commit crimes within the West Bank are subject only to Israeli law and can only be tried in courts within Israel. The PA's Military Intelligence organization investigated and arrested PASF personnel from all PASF branches and civilians suspected of "security offenses," such as terrorism.

In Gaza, Hamas detained many persons during the year without giving them 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 Hamas retroactively issued arrest warrants for Gaza residents already in custody.

Israel has used military courts to prosecute Palestinians from the West Bank since 1967, and 95 percent of cases tried in military courts ended in conviction, according to the MCW. NGOs criticized this practice, stating that international humanitarian law would permit it only on a temporary basis in a situation of military occupation.

Israeli authorities generally provided Palestinians held in military custody with access to counsel, but detainees often obtained lawyers only after initial interrogations, according to NGOs. According to the MCW, many Palestinian detainees saw their lawyer for the first time when they appeared before an Israeli military court. The MCW reported that Israeli authorities did not always inform Palestinian detainees of the reasons for arrest at the time of arrest.

According to the MCW, 67 percent of Palestinian child detainees continued to be forcibly transferred or unlawfully detained in prisons located outside the West Bank, which the MCW stated was in violation of international law. Under Israeli law, children as young as 12 can be prosecuted in Israeli military courts or under Israeli military law.

There are reports that ISF arrested Palestinian minors at night at home instead of issuing summonses. Israeli authorities stated their policy was to post notification of minors' arrests within 48 hours, but senior officers could delay notification for up to 12 days. An Israeli military commander may request that a judge extend this period. On March 2, HaMoked submitted an updated petition to the Supreme Court, reiterating its 2020 argument before the court that ISF should issue a summons via a parent or legal guardian as the primary method to bring Palestinian minors in for interrogation, and that night arrests should be used only in exceptional and severe cases. As of year's end, the Supreme Court had not yet scheduled a hearing on the petition.

Israeli authorities stated their policy was to provide written notification concerning the arrest to parents when they arrested a child at home, but HaMoked reported that of 125 Palestinian children arrested at home in the night during the year, none received a summons prior to arrest. Israeli military law does not require the presence of a parent or guardian during interrogations, according to Parents Against Child Detention, while Israeli juvenile law does, unless police anticipate that the adult's presence will compromise the investigation.

Under military law, an Israeli military judge 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 may 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 may then extend the detention up to 45 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.

Under Israeli law, for security offenses an officer has the authority to postpone a detainee's first meeting with a lawyer for up to 10 days from the arrest. The 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 law allows the Israeli Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely. There were criticisms of misuse of administrative detention,

including by the United Nations.

Arbitrary Arrest: According to the ICHR and HRW, the PA in the West Bank and Hamas in Gaza made arbitrary arrests based on political affiliation. Between June 1 and August 22, LFJ documented 117 instances of “political detentions” by PA security services in the West Bank.

Hamas alleged 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. The ICHR reported receiving 120 complaints of arbitrary arrest and detention by the PA in the West Bank and 87 complaints of arbitrary arrest and detention by Hamas in Gaza. The PASF and ISF on occasion detained Islamic bloc-affiliated students from Palestinian universities, especially ahead of student union elections. The detained students were rarely charged, leading to accusations that the arrests were politically motivated. On June 14, Al-Najah University security guards, many Fatah-affiliated, violently broke up an Islamic bloc student protest, injuring professor Nasser al-Din al-Shaer, a former Hamas-affiliated Prime Minister, among others. The university subsequently dismissed several of the guards. There were numerous reports that the PA improperly detained Palestinian journalists and arrested Palestinians who posted online criticism of the PA (see section 2.a., Freedom of Expression).

Hamas practiced widespread arbitrary detention in Gaza, particularly of civil society activists, Fatah members, journalists, those accused of criticizing Hamas, and persons suspected of ties to Israel.

On June 14, Hamas Internal Security forces detained Salem Sabah, chairman of Palestine University. Sabah alleged he was detained because of a dispute with the de facto Ministry of Education’s deputy minister and the ministry’s attempts to exert influence over the Fatah-affiliated university. Immediately following his arrest, Sabah went on a hunger strike and refused to take his medications; he was released the following day.

According to human rights NGOs, including B’Tselem, HaMoked, and Human Rights Defenders Fund, throughout the year there were reports that ISF in the West Bank arbitrarily arrested and detained NGO employees and Palestinian protesters and activists, particularly those demonstrating against demolitions or killings of Palestinians. Israeli forces also detained journalists covering protests against settlement activity.

According to COMET-ME, an NGO that provided electricity and water services in Area C, on September 20, ISF detained several staff near the northern Jordan Valley village of Wadi al-Faw, stating they were too close to an Israeli military-controlled firing zone. On September 13, according to B’Tselem, ISF detained two journalists and an activist at a checkpoint near Khirbet al-Markez for approximately 90 minutes. A military officer reportedly threatened to call police if they did not turn around and go back. Throughout the year, Israeli authorities issued or extended various movement and communications restrictions against PA Jerusalem Governor Adnan Gheith. According to the Palestinian press, on January 16, Israeli soldiers raided Gheith’s home and arrested his nephew, age 12. Israeli authorities reportedly detained the boy in an interrogation facility. Separately, on April 5, police detained Gheith; they released him to house arrest later after extending the IDF’s order banning him from entering the West Bank. According to Israeli media, the IDF order barred Gheith from participating in meetings with PA officials in Ramallah or in other Palestinian cities.

Pretrial Detention: It was unclear how many Palestinians were held in pretrial detention in West Bank and Gaza prisons, but there were widespread reports of PA and Hamas detentions without charge or

trial. Some PASF personnel detained Palestinians outside appropriate legal procedures, including without warrants and without bringing them before judicial authorities within the required time, according to human rights groups.

PA authorities held some prisoners detained by order of Palestinian governors in lengthy pretrial detention, according to complaints received by the ICHR. Since the beginning of June, LFJ reported five administrative detention cases pending governors' decisions. Palestinian detainees faced barriers to their ability to challenge in court the legal basis or 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 had met bail.

Palestinians held by Israeli military authorities in administrative detention have no right to trial and may 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 members of the Israeli Knesset continued to criticize the Israeli government for using administrative detention excessively, adding that the practice was undemocratic since there was no due process. Israeli authorities reported to HaMoked that as of August 1, they held 671 Palestinians in administrative detention, up from an average of 492 for the year ending in March.

Palestinian administrative detainees regularly engaged in hunger strikes as a means of drawing attention to their cases and bargaining for release or improved detention conditions. On August 31, according to reports, hospitalized prisoner Kahlil Awawdeh agreed to end his 182-day hunger strike after Israeli authorities stated they would end his detention in October. According to Al Jazeera, just days before Awawdeh's expected release, a court extended his detention over claims he had used a mobile phone. The court postponed Awawdeh's trial, and he remained in detention. On February 24, Israeli authorities released Palestinian prisoner Hisham Ismail Abu Hawash after he ended a 141-day hunger strike.

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.

The High Judicial Council (HJC) oversees the judicial system and nominates members of the PA judiciary for approval by the president. According to the new judicial law, the president has the power to appoint the chief justice from a list of names submitted by the HJC, and the president can dismiss judges during a three-year probationary period. The council consisted of seven members, with the president appointing the chief justice and the deputy. The Palestinian Bar Association critiqued this arrangement as undue executive influence over the judiciary. A new system of administrative courts was created in March to take over the function of judicial review over the executive branch.

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 provisions or provide access to family and legal counsel to many detainees. Prosecutors and judges appointed by Hamas operated de facto courts, which the PA

considered illegal. The judiciary is reportedly heavily influenced by Hamas, and cases that attract public debate, particularly murders, were tried quickly. According to the ICHR, Hamas denied family and legal counsel access to a detainee from Deir al-Balah refugee camp identified only as "S.A.," who was wounded during his arrest by the antinarcotics police on September 2.

The Israeli government generally tried Palestinian residents of the West Bank accused of security offenses in Israeli military courts, which had significantly higher conviction rates and imposed far longer sentences than civilian courts in Israel.

Amnesty International asserted that at least some Israeli military courts did not meet international fair trial standards. According to an Israeli response in April to a freedom of information act request filed by the Israeli NGO Human Rights Defenders Fund (HRDF) and the Movement for Freedom of Information, 99.6 percent of charges filed against Palestinians in Israeli military courts ended in guilty plea bargains. The HRDF assessed that defendants pled guilty to crimes because they perceived a plea as the only means by which to avoid prolonged detention and a 96 percent conviction rate of such cases taken to trial.

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's 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 did not adhere to basic due process rights, including failing to promptly charge suspects or failing to dismiss cases when prosecution witnesses did not appear at hearings. 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, defendants only have the right to observe, although their lawyer can object to specific questions and raise arguments with the prosecutor's approval. 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. They have the right to appeal. PA authorities generally observed these rights.

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

Israeli authorities applied different legal regimes to prosecutions in the West Bank, based on the nationality of the defendant. Israeli authorities tried Israelis living in West Bank settlements under Israeli civilian law in the nearest Israeli district court. Israeli authorities tried Palestinians in the West Bank under military law 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 may not base convictions solely on confessions. In military courts the defendants or defendants' lawyers do not have the right to see all evidence against them. IDF actions are not subject to judicial review of administrative actions by Israeli military courts, whereas in criminal courts they are. The Israeli military and civilian justice systems on occasion investigated and found members of Israeli security forces to

have committed abuses against Palestinians, as in the dismissal of two members of the IDF's Netzah Yehuda battalion (see section 1.a.).

Israel also tried Palestinians charged with national security offenses in Israeli civil courts. For example, an Israeli District Court in Be'er Sheba convicted former Gaza-based World Vision employee Mohammad El Halabi in June of providing material support to Hamas and, in August, sentenced him to 12 years in prison, six of which he had served already in pretrial detention.

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. A local observer noted that Palestinian detainees reportedly often declined Israeli-funded and appointed counsel due to lack of trust in the counsel's independence. Israeli military court proceedings are conducted in Hebrew, but Palestinian defendants have the right to simultaneous interpretation at every hearing. Human rights organizations observed that the availability and quality of Arabic interpretation was insufficient. For example, according to the HRDF, during the military trial of human rights defender Jamil Barghouti on July 29, the interpreter only intermittently attended the proceedings and offered minimal interpretation to the defendant, who did not speak Hebrew. The MCW reported that at the conclusion of their interrogations, most detained Palestinian minors were shown or made to sign confession documents written in Hebrew, a language most of them could not read. In some cases, confession documents written in Hebrew differed from the Arabic transcript of the defendant's interrogation. Israeli authorities stated interrogations of Palestinians took place only in Arabic and that authorities submitted no indictments based solely on a confession written in Hebrew. According to observers, the courts failed to provide minors with adequate interpreting and translation into Arabic at their hearings.

Defendants may appeal military court verdicts through the Military Court of Appeals and petition Israel's Supreme Court. According to NGO reports, Israeli military courts rarely acquitted Palestinians charged with security offenses although they occasionally reduced sentences on appeal.

Some lawyers who defended Palestinians in Israeli courts argued that the structure of military trials, which take place in Israeli military facilities under tight security with Israeli military officers as judges, prosecutors, and court officials, limited Palestinian defendants' rights to public trial and access to counsel. In November, the Knesset extended for a second time until the end of 2023 a temporary law permitting virtual hearings for prisoners and detainees, following the practice during the COVID-19 pandemic.

Political Prisoners and Detainees

Press and 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. Some of these individuals, labeled "collaborators" for allegedly working with or engaging with Israelis on political initiatives the PA did not support, reported direct and indirect threats of violence from Palestinian political parties, affinity organizations, and militant groups, some with possible ties to the PA. They reported damage to personal property and businesses. There were reports that the families of those targeted were pressured to disown them, which would decrease risks for attackers to injure or kill them, and that they and their family members were denied medical treatment in PA health facilities, which allegedly contributed to greater health complications, including possible death.

In the Gaza Strip, Hamas detained 74 Palestinians due to political affiliation, public criticism of Hamas,

or suspected collaboration with Israel and held them for varying periods, according to the ICHR.

Some human rights organizations stated that Palestinian “security prisoners” held in Israel were political prisoners, whom Israel detained for prolonged periods without charge under permissive administrative detention laws. 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 may file suit against the PA, including on alleged abuses of human rights, but this was uncommon.

A Palestinian resident of Gaza may file suit against Hamas, including on alleged abuses of human rights, but this was also uncommon. Rights groups reported Hamas internal security agencies regularly tried civil cases in military courts, particularly for defendants accused of having ties with Israel.

Palestinian residents of the West Bank may 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 “hostile territory” under Israeli law.

Israel has an independent and impartial judiciary to adjudicate lawsuits seeking damages for, or cessation of, human rights abuses. Administrative remedies exist, and court orders usually were enforced. Palestinian residents of Jerusalem may file suit against the government of Israel under the same rules that govern access to judicial and administrative remedies by Israel citizens. By law, nonresident Palestinians may file suit in Israeli civil courts to obtain compensation in some cases, even when a criminal suit is unsuccessful and the actions against them are considered legal. According to HaMoked, however, the ability of Palestinians in the West Bank and Gaza to obtain compensation is significantly limited because the Israeli government has exempted itself from liability for tortious conduct and injury that results from a “wartime action.” Israel also claims immunity from liability for damage caused in “hostile territory.” Finally, Palestinian residents who file civil claims against Israel must do so in courts in Jerusalem, and Palestinians from Gaza in courts in the southern district of Israel.

Property Seizure and Restitution

The Israeli government confiscated land and conducted hundreds of demolitions of Palestinian property in the West Bank, including in Areas A, B, and C, for lack of Israeli-issued permits, construction in areas designated for Israeli military use, and location of structures within the barrier’s buffer zone, and in East Jerusalem. Several Israeli and Palestinian human rights groups and the United Nations asserted that confiscations, demolitions, and evictions constituted collective punishment that violated the Fourth Geneva Convention and were part of Israel’s efforts to forcibly dislocate communities on pretexts of “military training” and “law enforcement.” Together with other policies and practices, the threat of destruction of homes and sources of livelihood, in addition to confiscation and demolition of property, created a coercive environment pressuring persons to leave their areas of residence and restricting freedom of movement and access, according to UNOCHA and the Office of the UN High Commissioner for Refugees (UNHCR).

Human rights NGOs reported that Israeli authorities often placed insurmountable obstacles against Palestinian applicants for construction permits in Israeli-controlled Area C. Obstacles include the requirement that Palestinian applicants document land ownership despite the absence of a uniform

post-1967 land registration process, high application fees and long processing times, and requirements to connect housing to often unavailable municipal infrastructure. Israeli authorities charged demolition fees for demolishing a home, according to the United Nations, which at times prompted Palestinians to destroy their own homes to avoid the higher costs associated with Israeli demolition.

West Bank demolitions historically were carried out under regular planning legislation applicable to Area C, but UN monitors noted that Israeli authorities routinely used military orders to execute demolitions and confiscations in Area C with very little if any prior notice.

In the West Bank, Israeli authorities demolished or seized 952 Palestinian structures, compared with 907 in 2021, according to UNOCHA. The demolitions displaced 1,031 residents, compared with 1,205 in 2021. Almost all demolitions were ordered because of a lack of construction permits, but BTselem, HRW, and the United Nations stated that the Israeli government rarely approved Palestinian construction permit requests.

On May 4, a panel of the Israeli Supreme Court unanimously dismissed the petitions of Masafer Yatta residents filed by the Association for Civil Rights in Israel (ACRI) against their eviction from a restricted military zone in the South Hebron Hills. The court rejected the petitioners' claims of residency and their assertion the evictions constituted forcible transfer under the Fourth Geneva Convention. The court endorsed the government's position that the military continued to use Firing Zone 918 for military exercises. UN and NGO observers stated the decision effectively authorized the forcible transfer of more than 1,000 residents from the firing zone, the largest forced displacement of Palestinian civilians since 1967. On October 2, the court denied ACRI's request for an appeal before an expanded panel of justices.

The Palestinian Bedouin community Khan al-Ahmar, with approximately 180 residents, remained in place, despite having been slated for Israeli demolition since 2009 due to a lack of building permits and proof of land ownership. In the face of intense international pressure, the Israeli government continued to postpone the planned demolition of Khan al-Ahmar even after a 2018 Supreme Court ruling that the demolition orders were valid. UNOCHA and NGOs asserted that any displacement of the Khan al-Ahmar community without their consent constituted forced population transfer.

According to the West Bank Protection Consortium, affected communities did not receive demolition orders until demolition operations were already underway, which prevented them from objecting to the orders in advance. NGOs stated that other military orders authorized Israeli authorities to seize mobile structures without notice. During the year, Israeli authorities confiscated 778 structures in Area C, including 124 structures that were inhabited residential structures, according to UNOCHA.

Israel's Civil Administration conducted punitive demolitions of structures belonging to Palestinians who carried out or allegedly carried out attacks on Israelis or to their families, according to human rights groups, media reports, and UNOCHA. The Israeli government stated such demolitions had a deterrent effect on potential assailants. Amnesty International, HRW, and several Palestinian and Israeli NGOs widely criticized punitive demolitions and stated the actions sometimes also rendered nearby structures uninhabitable.

During the year, Israeli authorities carried out 14 punitive demolitions in the West Bank and East Jerusalem, forcibly displacing 71 persons, including 29 children, according to UNOCHA, a significant increase from three punitive demolitions identified in 2021. Several human rights groups and the

United Nations stated these punitive demolitions were a form of collective punishment that violated the Fourth Geneva Convention. On February 1, according to HaMoked, following a Supreme Court ruling, the military demolished the home of Fadi Abu Shkheidam's family in the Shuafat Refugee Camp of East Jerusalem. Abu Shkheidam allegedly carried out a shooting attack in the Old City of Jerusalem in November 2021, killing one Israeli and injuring several others before Israeli police shot and killed him. ISF demolished the homes of Youssef Sameeh Assi and Yahya Marei in the West Bank town of Qarawat Bani Hassan on July 26, while Assi and Marei were on trial in an IDF military court for killing a guard at the nearby settlement of Ariel but had not yet been convicted.

Israeli civil authorities also ordered demolitions of private property in East Jerusalem. UNOCHA reported that authorities demolished 143 structures in East Jerusalem during the year, 86 of which were residential units, 55 of which were inhabited. Almost half of the structures demolished in East Jerusalem were self-demolitions or destroyed by their respective owners to comply with orders, compared with 35 percent in the previous five years. Legal experts pointed to laws that reduced administrative processing times for demolitions, blocked courts from intervening in many cases, and increased administrative fines for those failing to demolish their own buildings, as a key factor in the increased number of demolitions in East Jerusalem.

There were credible claims that municipal authorities in Jerusalem often placed unsurmountable obstacles against Palestinian residents who applied for construction permits, including by failing to incorporate community needs into zoning decisions, requiring that they document land ownership despite the absence of a uniform post-1967 land registration process, imposing high application fees, and requiring residents to connect housing to municipal infrastructure that was often unavailable or inaccessible.

NGOs asserted there was a continuing policy intended to limit construction to prevent the creation or maintenance of contiguous neighborhoods between the West Bank and Jerusalem. Israeli official policy historically had been to maintain an ethnic balance between Jews and non-Jews in Jerusalem at a 70-30 ratio; however, the *Jerusalem Local Outline Plan 2000 Report No. 4* stated that goal was unattainable. The Israeli Ministry of Foreign Affairs stated that the Jerusalem Municipality did not have any such policy. Israeli law does not prevent non-Jews from purchasing housing units, although cultural, religious, and economic barriers as well as segregated homeowners' associations remained obstacles to integrating existing neighborhoods or establishing new integrated neighborhoods, according to civil society representatives.

According to the Israeli government, all land ownership cases were assessed individually by an administrative committee, which is subject to judicial review.

According to the Israeli NGO Ir Amim and B'Tselem, ethnic discrimination was a factor in resolving disputes regarding land titles acquired before 1948. The law facilitates the resolution of claims by Jewish owners to land owned in East Jerusalem prior to 1948 but does not provide an equal opportunity for Palestinian claimants to land they owned in West Jerusalem or elsewhere in the British Mandate. Additionally, some Jewish and Palestinian landowners in Jerusalem were offered compensation by Israel for property lost prior to 1948. Civil society reports noted that many Palestinian landowners were deemed ineligible for compensation because they were not residents of Jerusalem as of 1973. Other Palestinian landowners refused to accept compensation because they deemed it to be inadequate or on principle because they did not recognize the Israeli administration.

Between 1948 and 1967, Jordanian authorities housed Palestinians in some property that Jewish owners reclaimed after Israel occupied East Jerusalem in 1967. Legal disputes continued regarding many of these properties involving Palestinian residents, who had limited protection as tenants under Israeli law. Landlords can request permission to evict tenants or demolish their homes if they receive permission to rezone the property.

The Department of State's Justice for Uncompensated Survivors today (JUST) Act report to Congress, released publicly in July 2020, can be found on the Department's website at <https://www.state.gov/reports/just-act-report-to-congress/>.

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

PA law generally requires the attorney general to issue warrants for entry into 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. Although the Oslo Accords restrict the PASF to operations only in Area A of the West Bank, at times they operated in Areas B, C, and H2 without official Israeli permission, including to harass individuals sought for political activity or to search their homes.

In Gaza, Hamas frequently interfered with personal privacy, family, and home, according to reporting from local media and NGO sources. There were reports Hamas 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. 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, ISF frequently raided Palestinian homes, including in areas designated as under PA security control by Oslo Accords-era agreements, according to media and PA officials. These raids often took place at night, which ISF officials stated was due to operational necessity. ISF officers of lieutenant colonel rank and above may authorize entry into Palestinian private homes and institutions in the West Bank even without a warrant, based upon their determination of military necessity.

The PA accessed, collected, or used private communications or personal data unjustly, targeting individuals based on expression or political affiliation, often without appropriate legal authority, according to NGOs. The Arab Center for Social Media Advancement (7amleh) reported that Palestinian authorities detained and summoned activists based on opinions they expressed on social media platforms. For example, PASF officers assaulted and arrested a political activist, Ahmed Sorour, on October 26 because of material he posted on Facebook, according to LFJ.

The Israeli government used biometric data collection, facial recognition, noncooperative location tracking, and predictive technologies to surveil the population of the West Bank and activists and human rights defenders, according to media, NGOs, and human rights activists. According to ACRI, Israel initially deployed facial recognition technology in the West Bank to facilitate the transit of approximately 204,000 Palestinian workers who had permits to enter Israel to work; however, according to ACRI and the Israeli NGO Breaking the Silence, Israeli authorities expanded the use of

these tools to surveil public spaces in the West Bank. In Hebron, Israeli authorities deploy face-scanning cameras to identify Palestinians without conducting identity card checks, according to reports.

According to an April report based on the Israeli government's response to a freedom of information request, the now defunct Ministry of Settlement transferred approximately 20 million Israel new shekels (\$5.76 million) to local Jewish councils in the West Bank in 2021 to gather intelligence on Palestinian construction in Area C. Israeli settlements used the money in part to purchase surveillance equipment, including drones and cameras.

Palestinians reported the use of drones by Israeli settlers to observe residents in neighboring villages, including to identify the source of noise complaints. NGOs also noted incidents of settlers at outposts using drones to monitor grazing areas used by Palestinian farmers and shepherds to report them to Israeli security forces and deny them access to pastoral lands.

According to B'Tselem and the United Nations, the Israeli military compelled various communities throughout the Jordan Valley to vacate their homes in areas Israel had declared firing zones during times when the IDF was conducting military exercises. After the Supreme Court authorized the expulsion of approximately 1,000 Palestinians from their homes in Masafer Yatta, the military allowed residents to remain in their homes during training because it deemed the exercises not to be life-threatening. According to B'Tselem, however, during live fire training on July 6, a bullet fired from a machine gun hit the roof of a residence in Masafer Yatta while a Palestinian family was at home. The Civil Administration cited life-threatening military training when rejecting permit applications for Palestinian residents.

In March the Knesset approved a new Citizenship and Entry into Israel law, which prohibits the Interior Minister from granting residency or citizenship status to Palestinians from the West Bank and Gaza who are married to Palestinian citizens of Israel and bans unification between a citizen or resident of Israel with spouses from "enemy states," including Syria, Lebanon, Iraq, and Iran. The government asserted that Palestinian family reunification allowed entry to a disproportionate number of persons who were later involved in acts of terrorism. HaMoked challenged Israel's assertion, arguing government documents obtained through Freedom of Information Act requests contradicted these allegations of terrorism. Civil rights organizations, including the Palestinian-run NGO Adalah, ACRI, Tel Aviv-based Physicians for Human Rights (PHRI), HaMoked, and Society of St. Yves Catholic Center for Human Rights, petitioned to the Supreme Court on behalf of families affected by the law, demanding its revocation, calling it discriminatory, racist, and contrary to the constitution and international law, and arguing it labeled all Palestinians as a security risk. According to Adalah, on December 4, the court issued a decision on the pending petitions and ordered the Ministry of Interior and the Knesset to respond to the court within 90 days, indicating whether they would amend the law to address the justices' concerns.

The law allows the entry of spouses of Israelis on a "temporary staying permit" if the male spouse is age 35 or older and the female spouse is age 25 or older, for children up to age 14, and a special permit to children ages 14 to 18, but they may not receive residency and have no path to citizenship. This law applies to Palestinians from the West Bank or Gaza, Iranians, Iraqis, Syrians, and Lebanese, including those who are Palestinian spouses of Israeli residents or citizens, unless the Ministry of Interior makes a special determination, usually on humanitarian grounds. According to press reports, as of 2020 there were approximately 13,000 Palestinians from the West Bank or Gaza living in Israel, including Jerusalem, on temporary stay permits because the Citizenship and Entry Law provided no

legal basis for permanent residence with their families. There were also cases of Palestinian spouses living in East Jerusalem without legal status. Authorities did not permit Palestinians who were abroad during the 1967 war or whose residency permits the government subsequently withdrew to reside permanently in Jerusalem.

Israeli authorities froze family reunification proceedings for Palestinians in the West Bank and Gaza in 2000. The Israeli authorities, however, processed limited numbers of family unification applications at three discrete times: in 2007, 2021, and 2022. According to the Israeli Ministry of Foreign Affairs, during the year the Minister of Defense authorized the Israeli Population Registry office to register as a one-time “political gesture” 9,000 Gaza residents and 7,000 West Bank residents in the Palestinian Population Registry to facilitate family unification. According to the ministry, through mid-November, the government had approved 401 applications from the West Bank and Gaza and had denied 269 applications.

In February, in response to pending litigation in the Supreme Court, the unit of Coordination of Government Activities in the Territories (COGAT) released new policies governing the entry of foreigners into the West Bank. The policies regularize the entry permits’ requirements and their durations. A revised version of the policies took effect on October 20. The policies provide that eligible foreign spouses can receive a permit to enter the West Bank if they are seeking to formalize their marital status through the previously existing family unification procedures. COGAT stated it would review applications for spouses to formalize status that are transferred by the PA; however, according to HaMoked, the PA did not regularly transfer such applications because it maintained that Israel did not accept them.

Israeli authorities reportedly permitted children in Gaza access to a parent in the West Bank only if no other close relative resided in Gaza. Pursuant to the permit procedure required by Israel, the parent applies to have the child live with him or her and the application includes copies of the relative’s death certificate and proof of custody. COGAT requires that an adult accompany the child: the accompanying adult’s permit is also subject to approval or denial, and consequently there can be significant delays in the unification process. This category was not prioritized by COGAT and could take years, according to reports.

On September 20, in a novel ruling, an Israeli Appeals Tribunal rejected an appeal of the Israeli minister of interior’s 2020 revocation of the stay permits and temporary residency status of seven East Jerusalem Palestinian residents related to Fadi al-Qanbar, who killed four Israeli soldiers in 2017. The family members had received permits through family unification and child registration processes. The tribunal ruled that although the law did not provide express legal authorization to revoke family unification “based on a consideration of deterrence,” the “reality of terrorism” allowed the tribunal to broadly interpret the law. On October 19, HaMoked appealed the decision to the Jerusalem Court for Administrative Affairs. According to HaMoked, the seven family members remained in their homes in Jerusalem at the end of the year, despite the then minister of interior’s call order that they leave the country.

According to the Palestinian Authority and the Jerusalem Legal Aid and Human Rights Center, Israel withheld the bodies of considerably more than 100 Palestinians and had not returned them to their families for burial.

g. Conflict-related Abuses

Killings: During the escalation in violence on August 5-7, Palestinian militants in Gaza launched 1,175 rockets and mortars towards Israel; 96 percent were intercepted by the Iron Dome aerial defense system, according to the Meir Amit Intelligence and Terrorism Information Center (ITIC). According to the IDF, more than 900 rockets crossed into Israel while more than 200 misfired and landed in Gaza, causing Palestinian casualties. The IDF struck 170 targets in Gaza during the August escalation. According to the Israeli government, NGOs, and media, the PIJ fired rockets from civilian locations toward civilian targets in Israel, including large salvos towards dense population centers. Israeli airstrikes damaged 1,700 housing units and displaced 535 Gaza residents. According to UNOCHA, during the August escalation, 49 Palestinians were killed, including 17 children. An estimated 37 fatalities were civilians and 12 were members of armed groups. UNOCHA reported that, according to the de facto Ministry of Health, 360 Palestinians were injured, including 151 children and 58 women. There were no Israeli fatalities. UNOCHA reported that according to Israeli authorities, a total of 70 Israelis were injured, including 47 who were taken to hospitals.

Other Conflict-Related Abuse: Human rights groups condemned the PIJ for endangering civilians during the August violence, including using civilians as human shields and launching attacks from areas where civilians were present. As an example, during the August violence between Israel and the PIJ, an explosion in a cemetery next to the Jabalia refugee camp killed five children. PIJ militants launched a rocket from the cemetery area where the children were playing; the IDF reportedly destroyed the launching unit and killed the children during an immediate counterstrike.

The Israeli government stated that Hamas and others used civilian infrastructure for cover, including offices within the buildings and tunnel infrastructure beneath them. During the year, separate and apart from the August escalation, Gaza-based militants occasionally launched rockets, released incendiary balloons, and organized protests at the Gaza fence, although in lower numbers than in 2021. The IDF responded to the rocket launches with airstrikes.

Israeli, Palestinian, and international human rights groups condemned closures during the year of Israeli-controlled crossings for pedestrians and goods in and out of Gaza, describing the closures as a collective punishment of civilians living in Gaza. Israel closed the crossings for three days following a rocket attack from Gaza in April, for two weeks in May following a terrorist attack originating in the West Bank, for nine days before and during the August violence, and during three Jewish holidays in October. Closings negatively impacted thousands of Palestinians living in Gaza who worked in Israel; prevented medical patients from receiving treatment in Israel, East Jerusalem, and the West Bank; and disrupted supply chains and humanitarian relief, according to civil society reports. During the August closure, the sole Gaza power plant shut down after fuel trucks were unable to enter Gaza for more than a week, leaving Gazans with only four hours of electricity a day and jeopardizing medical services, water desalination, and wastewater treatment. When the crossings were open, COGAT tightly controlled permits to enter Israel from Gaza, which reportedly led to the death of at least seven persons, including three children, who could not access medical care in Israel in a timely fashion (see section 2.d).

In Masafer Yatta, ISF reportedly impeded civilians' access to medical assistance. On August 27, ISF personnel seized the vehicle of a man traveling from his home inside a restricted firing zone to buy food for his family outside the zone. On August 29, the father had to carry his child, age 4, 9.3 miles (15 kilometers) on foot in temperatures exceeding 100 degrees Fahrenheit for urgent medical treatment in a clinic outside the zone.

During a May 13 raid in Jenin, IDF personnel allegedly used PIJ member Ahed Mereb al-Debai, age 16, as a human shield, forcing her to stand next to a military vehicle for two hours under live fire while the IDF personnel sat inside the vehicle, according to media and NGO reporting. Al-Debai said the IDF ordered her to stand up straight as bullets were fired at the military vehicle from all directions. Al-Debai eventually collapsed and was taken by private vehicle to Jenin Hospital, where she was treated for severe mental stress and deprivation of oxygen, according to NGO and media reports.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The PA basic law generally provides for freedom of expression but does not specifically provide for freedom of expression for members of the press and other media. The PA enforced legislation that NGOs asserted restricted press and media freedom in the West Bank, including through PASF harassment, intimidation, and arrest. Palestinian activists reported narrowing space for political discussion, with arrests of opponents of the Fatah party, critics of the PA, and peaceful protesters in the West Bank.

In Gaza, Hamas severely restricted freedom of expression, including for members of the press and other media, through arrests, detentions, and interrogations of journalists as well as harassment and limitations on access and movement for some journalists. These restrictions led many journalists and activists to self-censor.

Israeli civil and military law provide only limited protection for freedom of expression, including for members of the press and other media, and for Palestinian residents of the West Bank. NGOs and Palestinian journalists reported Israeli authorities restricted press coverage and placed limits on certain forms of expression. These included restricting Palestinian journalists' movement as well as using violence, arrests, closure of media outlets, and intimidation, according to media reports and the Palestinian Center for Development and Media Freedoms.

Freedom of Expression: Although no PA law explicitly prohibits criticism of the government, media reports indicated PA authorities arrested West Bank Palestinian journalists, social media activists, and protesters who criticized the PA or covered events that criticized the PA. The law authorizes the PA to block websites that post "any expressions, figures, images, films, advertising materials or else, which may threaten the national security, public order or public morals." The law restricts the publication of material that endangers the "integrity of the Palestinian state." Additionally, the law penalizes individuals who author or post proscribed content electronically. According to NGO reports, the PASF 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. On September 17, the Committee of the Families of Political Detainees in the West Bank released a statement that the committee had monitored 315 abuses of freedom of expression by the PASF, including 81 detentions, 39 summonses, 28 assaults and beatings, 34 raids of homes and workplaces, 40 cases of "repression of freedoms," 32 kidnappings, 26 unjust trials, and 35 cases of prosecution and repression of demonstrators.

The trial continued throughout the year of 14 low-level PASF officers indicted in September 2021 regarding the June 2021 death of Palestinian dissident Nizar Banat after a severe beating following a PASF raid.

In Gaza, Hamas arrested, interrogated, seized property from, and harassed Palestinians who criticized Hamas. Media practitioners accused of criticizing Hamas, including civil society and youth activists, social media activists, and journalists, faced punitive measures, including raids on their facilities and residences, unjust detention, and denial of permission to travel outside Gaza.

Israeli media report that in August and September, IDF soldiers were filmed removing Palestinian flags on a road through Huwara in Area B of the West Bank, which is under Palestinian Authority control. Hebron-based Palestinian activist Issa Amro was arrested by IDF soldiers with the Givati Brigade on November 28 following an incident on November 25, which Amro reportedly filmed, involving Israeli soldiers in Hebron hitting an Israeli activist while praising Member of Knesset Itamar Ben Gvir. Prior to his arrest, Amro was summoned for questioning about filming the incident. Because he did not bring his mobile phone with him when he was questioned, the Israeli military charged Amro with obstructing investigative proceedings and assaulting and obstructing a soldier, according to ACRI. Previously, on October 31, ISF declared the area around Amro's house in Hebron to be a closed military zone. ISF began patrolling the area around Amro's house and enforcing the order against Palestinians and other human rights activists but allowed Jewish settlers to walk in the area undisturbed.

Violence and Harassment: There were numerous reports that the PA harassed, detained (occasionally with violence), prosecuted, and fined journalists in the West Bank based on their reporting. The Palestinian Center for Development of Media Freedoms (MADA) reported that as of December 12, there were 53 violations against Palestinian journalists by different Palestinian parties in the West Bank and Gaza, including 20 incidents of threats, physical assault, arrests, confiscation and destruction of journalists' equipment, and preventing journalists from reporting stories. MADA reported, however, that for the first time in 10 years, these figures demonstrated a decline in Palestinian abuses against journalists.

The PA occasionally obstructed the West Bank activities of media organizations with Hamas sympathies and limited media coverage critical of the PA. On June 20, the PASF summoned a journalist from Asira al-Qibliya village regarding his work and beat him during the interrogation in a Preventive Security office in Nablus, according to the NGO Al-Haq. On October 30, the PASF arrested and beat a freelance photojournalist during a protest at Birzeit University organized by the Hamas-affiliated organization that headed the student council, according to media reports. On July 21, the PASF detained Palestinian journalist Thaer al-Fakhouri, who wrote for the pro-Hamas Quds Press, and released him on July 22. According to media reports, al-Fakhouri previously had been arrested and detained by PASF and Israeli forces.

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

In Gaza, Hamas at times detained, harassed, and pressured, sometimes violently, journalists critical of its policies. Hamas reportedly summoned, detained, and questioned Palestinian journalists to intimidate them. Hamas also attempted to ban journalists from accessing some official buildings in Gaza. Hamas infringed upon journalists' rights to freedom of speech and public assembly, both for political and social reasons, in at least 10 instances, according to the ICHR. Palestinian journalists were reportedly required to inform Hamas of "any suspicious behavior or illogical questions" outside the scope of journalistic work and to submit a full report to Hamas.

On May 15, the ICHR reported that the Hamas Public Prosecution dispersed a protest organized by 90 former Hamas employees, including seven women, in front of the Gaza Palestinian Legislative Council building in Gaza City. The NGO Al-Haq reported that on May 16, Palestinian police in Gaza arrested and physically assaulted journalist Amr Ahmed Mahmoud al-Tabash while they were dispersing a public disturbance.

On January 6, the Internal Security Agency in northern Gaza summoned a journalist, age 40, who was secretary of the Fatah Movement Office of Journalists, Northern Gaza, to interrogate him regarding his participation in a media campaign six months earlier to hire a dermatologist for and provide x-ray and ECG machines to al-Shaima clinic in Beit Lahia, as well as his journalistic work and role in the Fatah movement. Hamas accused him of incitement and detained him for several hours before releasing him. The interrogator asked him to stop writing about the al-Shaima clinic.

Throughout the year, there were numerous reports that Israeli authorities prevented journalists who were Palestinian from the West Bank and Gaza or Arab/Palestinian citizens of Israel from covering news stories in the occupied territories. These actions included acts of violence against and alleged harassment of journalists by Israeli soldiers. Palestinian Journalists Syndicate released a report on August 18 identifying 479 abuses by Israeli forces against the Palestinian press during the first half of the year. MADA reported that Israeli forces committed 195 physical attacks on Palestinian press during the same period, which “constituted the largest percentage of all violations” by government actors against journalists. Israeli forces injured 80 Palestinian journalists in the first half of the year with rubber and metal bullets, flash bangs and gas canisters, or beatings.

On October 17, ISF reportedly assaulted five journalists from Palestine TV while they were filming a show in Deir Sharaf in the West Bank. The Palestinian News Agency (Wafa) reported that the cameraman, Moataz al-Sudani, was injured by a tear gas canister, while others suffered bruises and suffocation after inhaling tear gas fired at them by Israel soldiers.

Palestinian journalists who were able to obtain permits to enter Israel as well as Jerusalem-based Arab/Palestinian journalists reported incidents of harassment, racism, and occasional violence when they sought to cover news in Jerusalem, especially in the Old City and its vicinity. According to Reporters Without Borders (RWB), on August 7, Israeli authorities prevented three Palestinian reporters from reporting on activities in Jerusalem and near Haram al-Sharif/Temple Mount. Israeli police detained Agence Free Press photographer Ahmad Gharabli and news channel Al Mayadeen reporter Mohammed Ashu after an Israeli settler attacked them and stole their camera. An Israeli police officer who was present during an Israeli settler attack on J-Media photojournalist Ghassan Abou Eid in East Jerusalem reportedly did not intervene to stop the attack. According to RWB, video showed the settler grabbing the journalist’s camera and then damaging it. Palestinian journalists also alleged that ISF detained Palestinian journalists and forced them to delete images and videos under threat of violence, arrest, or administrative detention.

RWB reported at least 20 Palestinian journalists were banned by Israel from traveling from the West Bank and Gaza for unspecified reasons. The Committee to Protect Journalists (CPJ) reported that on July 25 and again on August 4, Israeli border guards blocked Majdoleen Hassouna, a Palestinian journalist with Turkish broadcaster TRT, from departing the West Bank, citing “security reasons.” There were numerous reports of Israeli forces detaining journalists in the West Bank. According to CPJ, on July 19, ISF arrested Amer Abu Arafa, a correspondent for the London-based Quds Press News Agency,

for alleged membership in a terrorist organization. Abu Arafah remained in administrative detention by order of a military court.

Israeli police officers detained, used violence against, and confiscated equipment of journalists covering demonstrations in Jerusalem. MADA reported that on July 8, Israeli forces prevented a group of journalists representing various local agencies from covering the weekly protest against a settlement in Bayt Dajan, eastern Nablus, firing tear gas at them and forcing them away. While covering the event, Palestine TV cameraman Fadi Yaseen was treated for gas inhalation.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Independent Palestinian media operated under restrictions in the West Bank. The PA prohibits calls for violence, displays of arms, and racist slogans in PA-funded and -controlled official media. PA law authorizes the PA to block websites that post “any expressions, figures, images, films, advertising materials or else, which may threaten the national security, public order or public morals.” The law restricts the publication of material that endangers the “integrity of the Palestinian state.” According to NGO reports, PA security forces and courts regularly blocked websites. The law also penalizes individuals who author or post proscribed content. Because of the political rivalry between Fatah and Hamas, journalists in the West Bank faced threats, interrogation, detention without charge, intimidatory lawsuits, prosecutions, and bans on covering certain events, according to RWB. 7amleh reported that the PA detained and summoned activists based on their engagement on social media platforms and did not respect freedom of opinion and expression, or privacy. There were reports that the PA questioned individuals and sought to erase images or video from journalists’ cameras or mobile phones. Many Palestinian journalists reported they practiced self-censorship as a result of the PA’s restrictions and conduct.

In September, Business for Social Responsibility, a consulting company hired by the media conglomerate Meta, published a report on its independent audit of Meta’s handling of online content during the May 2021 conflict between Israel and Hamas. According to the report, Meta deleted Arabic content related to the conflict at a much higher rate than Hebrew-language posts. The report stated, “Meta’s actions in May 2021 appear to have had an adverse human rights impact on the rights of Palestinian users to freedom of expression, freedom of assembly, political participation, and nondiscrimination, and therefore on the ability of Palestinians to share information and insights about their experiences as they occurred.” In a statement, 7amleh said that the report wrongly called the bias from Meta unintentional.

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

NGOs and Palestinian journalists asserted Israeli authorities restricted their freedom of movement and ability to cover stories across the West Bank. ISF did not recognize press credentials issued by the PA or the International Federation of Journalists. Few Palestinians held Israeli press credentials.

According to the Journalist Support Committee, 21 Palestinian journalists were held in Israeli prisons as of November 9, either serving their sentences or awaiting trial. RWB stated that Israeli forces subjected Palestinian journalists to arrest, interrogation, and administrative detention, often without any clear grounds. On September 12, an Israeli court indicted East Jerusalem-based journalist Lama Ghosheh for identifying with a terrorist organization and incitement to violence, charging that in posts on her personal Facebook account she praised the activities of Palestinian militants killed in the West

Bank and Gaza by the Israeli army, according to media reports. Since 2020, according to media reports, Israel had imprisoned 26 Palestinian journalists, many of them on charges of incitement on social media. In recent years, Israeli authorities also reportedly closed several Palestinian media outlets for allegedly inciting violence.

In Gaza civil society organizations reported Hamas censored social media and persecuted political dissidents, especially for critiquing key figures within the movement, and restricted taking photographs or recording in public spaces, television programs, and written materials. The de facto Ministry of Interior required regular citizens and media agencies to acquire a permit for using cameras in public spaces.

In Israel conviction for acts of incitement under military law is punishable by up to 10 years' imprisonment. NGOs and observers stated Israeli military regulations were vaguely worded and open to interpretation. 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. The Palestinian Prisoners' Center for Studies reported during the year Israeli authorities arrested 410 Palestinians for "incitement to violence" on social media.

While the Israeli government retained the authority in East Jerusalem to censor the printing of publications for security concerns, anecdotal evidence suggested authorities did not actively review the Jerusalem-based *Al-Quds* newspaper or other Jerusalem-based Arabic publications. Editors and journalists from those publications, however, reported they engaged in self-censorship due to fear of retribution by Israeli authorities.

Libel/Slander Laws: Palestinian Basic Law and regulations criminalize libel, slander, and defamation. The law authorizes the PASF to arrest and detain individuals. The PA reportedly used these laws to restrict public discussion or retaliate against journalists or political opponents. LFJ reported that the PA harassed critics and intimidated them into self-censorship by charging them with crimes based on their peaceful speech and subjected them to protracted judicial proceedings that required them to hire lawyers, lose wages from lost work, and miss classes and exams.

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." In the West Bank, the Jordanian law criminalizing blasphemy or "defaming religion" remained in force and may result in a maximum penalty of life imprisonment.

The PA Basic Law criminalizing libel, slander, and defamation, and declaring Islam to be the official religion of Palestine also apply in Gaza. Similarly, blasphemy is a criminal offense in Gaza. On August 26, Palestinian journalist Mohammed Abu Jiab, a program presenter for al-Kofiya channel and youth radio in Gaza, was subjected to an incitement and defamation campaign on social media after he published a post on Facebook encouraging investment in the tourism sector inside Gaza. The journalist claimed that he sent a message via his private Facebook page to the government in Gaza encouraging investment in local cinema and theater to convey the suffering of Gaza to the whole world, after which he began receiving a wave of abusive comments. Subsequently, the Mufti of Khan Younis, Sheikh Ihsan Ashour, accused the journalist of spreading debauchery and immorality.

Israel's law allows for both civil legal proceedings in the form of damage compensation cases, as well as criminal legal proceedings in the form of private complaints for slander or libel. The maximum sentence is up to one year's imprisonment. There were accusations of slander or libel by Israeli Jewish organizations and individuals against journalists, activists, and NGOs in East Jerusalem, the West Bank, and Gaza, primarily those who were Palestinian or supporters of Palestinians.

According to the HRDF, Israeli individuals, state authorities, and prosettlement NGOs used civil suits, including allegations of defamation, violation of privacy, and copyright infringement, to discourage public criticism of the Israeli occupation of the West Bank and East Jerusalem. For example, The City of David Foundation (Elad), which establishes Jewish settlements in Palestinian areas, sued NGOs Emek Shaveh, Ir Amim, and Mehazkim and three human rights defenders for defamation, seeking more than four million Israel new shekels (\$1.156 million) in compensation, according to the HRDF, which was representing the human rights defenders. The suit alleged that the NGOs' media campaign protesting musical performances held on contested land in Jerusalem's Ben-Hinnom Valley was defamatory.

National Security: Human rights NGOs alleged that the PA restricted the activities of journalists and those expressing dissent on national security grounds. On February 22, MADA reported that Preventive Security in the city of Nablus summoned freelance journalist Ayman Faisal Qawariq to appear for an interrogation, following the Nablus Magistrate's Court decision to acquit him on a 2020 charge of defamation under the cybercrime law. Qawariq reported that he declined to appear.

On September 4, media reported that the PASF arrested photojournalist Mohammed Ateeq after raiding his house in Burqin, Jenin, without providing any justification for the arrest. The PASF also confiscated mobile phones and photographic equipment, as well as private documents.

Following the August escalation, Hamas issued restrictions on local Palestinian journalists, translators, and sponsors aiding international journalists and obligated them to accompany the journalists during their reporting. Hamas also threatened accountability and prosecution for locals based on the materials published by international agencies. The sponsors were warned that they must "demonstrate national spirit, defend the Palestinian narrative and reject the foreigner's bias to the Israeli narrative." The Hamas media office later rescinded the decision, according to the Foreign Press Association's statement. In October, Hamas police raided the home of Ahmed Saeed, who reported information about possible human trafficking of Gazan youth to Europe while he was broadcasting on Facebook. According to Saeed, police alleged that they had sent him a summons and wanted to take him to the station. Saeed had been assaulted the previous day by members of the alleged trafficker's family. The de facto government resolved the matter, according to Saeed, assured him of their respect for journalistic freedom, and promised to follow up on the evidence he presented on human trafficking. Also in October, authorities reportedly broke into the family home of an anti-Hamas social media activist and told the family to control their son, Ramzi Herzallah, otherwise they would be held accountable.

Israel reportedly prevented journalists from conducting onsite reporting of breaking news stories. MADA reported 71 instances in the first half of the year of Israeli authorities imposing media coverage bans, directly banning journalists from onsite reporting of specific stories, or preventing journalists from reaching the sites. According to MADA, journalists often faced physical assault if they ignored these bans in attempts to cover the news. When Palestinian journalist Alaa Assus attempted to cover the unrest at Al-Aqsa Mosque on April 16, in defiance of a ban, INP reportedly assaulted her with a baton, causing a hairline fracture to her arm. Israeli authorities regularly detained Palestinian journalists and forced them to delete images and videos under threat of violence, arrest, or

administrative detention, citing security grounds. The law criminalizes as “terrorist acts” speech supporting terrorism, including public praise of a terrorist organization, the display of symbols, expression of slogans, and “incitement.” The law authorizes Israel to restrict the release of bodies of terrorists and place limitations on their funerals to prevent “incitement to terror or identification with a terrorist organization or an act of terror.”

Nongovernmental Impact: In Gaza, militant groups sought to inhibit freedom of expression, including for members of the press and NGOs, by monitoring their social media and harassing them and their families.

Internet Freedom

Internet was generally accessible throughout the occupied territories, although only with 3G mobile service available in the West Bank and 2G in Gaza. Frequent power outages in Gaza interrupted service. According to LFJ, and in previous years HRW, both the PA and Hamas detained persons for their social media posts and brought charges of “harming revolutionary unity” and “misuse of technology.” Such detentions continued during the year.

The PA actively monitored social media to pressure and harass activists and journalists. There were instances when the PA arrested and detained Palestinians because of their posts on social media. On February 11, a Palestinian police officer threatened journalist Hatem Khweis, following his post on Facebook regarding the killing of three Palestinians by ISF in the al-Makhfieh neighborhood in Nablus. According to MADA, police instructed him to stop discussing the incident and Minister Hussein al-Sheikh’s reaction to the killings. On February 13, Preventive Security interrogated Amin Abu Warda, the director of Asdaa News, concerning his coverage on Facebook of an event protesting the killing of activist Nizar Banat. On July 21, according to MADA, the Palestinian Intelligence Service in Hebron arrested journalist Thaer Ziad Alfakhouri of Quds Press and questioned him about his reporting on behalf of Al-Jazeera TV and other news agencies.

Gaza-based Palestinian civil society organizations and social media practitioners stated Hamas authorities monitored the internet activities and communication of Gaza residents without the appropriate legal authority and took action to intimidate or harass them.

Restrictions on Academic Freedom and Cultural Events

PA law provides for academic freedom. The PA generally did not restrict academic freedom, but the PASF prevented, halted, or failed to protect cultural events in the West Bank. According to the Office of the UN High Commissioner for Human Rights (OHCHR), on June 17, a group of approximately 40 men, including Fatah Tanzim members, arrived at Al-Mustawdaa Theater in Ramallah, slandered the performer, and threatened the audience, before vandalizing the venue, breaking windows, and attacking and injuring audience members. Later, the attackers led an antilesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) social media incitement campaign against event attendees. According to OHCHR, PA police arrived on the scene within minutes but did not intervene and left soon after. Police later returned to the scene and detained the victims of the attack but not the attackers, according to OHCHR. The detainees reported the police verbally and physically abused them and confiscated their mobile phones. During a street festival in Ramallah in July, Fatah Tanzim again attacked a parade while Palestinian police looked on and did not intervene to stop the assault. Other venues reportedly canceled concerts after Palestinian police warned venues that they would not protect them in the event of an attack. In at least one case, Palestinian police ordered a venue to halt an event, although it did not specify the reason.

Individuals or officials from academic institutions reportedly censored curricula due to concerns that PASF were present on university campuses among the student body and faculty members. NGOs reported authorities closely monitored criticism of the PA by university students and professors.

Public schools and The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools in Gaza followed the same curriculum as West Bank public schools. Palestinians in Gaza, however, reported substantially decreased interference and indoctrination by Hamas in public schools at the primary, secondary, and university levels than in prior years.

Students and faculty from the Gaza Strip participating in certain cultural and education programs (including programs sponsored by foreign governments and international organizations) faced questioning from Hamas, according to the ICHR. On July 11, according to the ICHR, the Tourism Police in Gaza stopped a party at Heavens Restaurant in Gaza City, when the disc jockey selected two boys and two girls younger than age 15 to participate in a game, allegedly for mixing between the sexes. Officials ultimately suspended the disc jockey's license; the manager was interrogated and signed a written pledge to follow guidelines in the future.

On August 13, at the Gaza Friends Equestrian Club, a mixed group of children ages eight to 14, were performing Dabka dance (folklore dance) when de facto security officers interrupted the ceremony, according to an observer. The officers ordered a girl, age 14, be removed from the ceremony because she exhibited "signs of maturing" and it was inappropriate for her to dance with boys. After negotiations, according to an observer, management asked the girl to leave the stage and the show continued.

Israeli restrictions on movement (see section 2.d.) adversely affected academic institutions and access to education and cultural activities for Palestinians. According to UNICEF, children in East Jerusalem, Area C, and H2 of the West Bank returned to school on August 29, facing significant threats to their safety. For example, in Masafer Yatta, new Israeli military access restrictions and pending demolition orders impeded students' and teachers' safe access to four schools serving a combined 143 students and 38 teachers, all of which were established with support from international donors. In September, Israeli security forces canceled a security escort for children from the Area C village of Tuba to their school in al-Tuwani. Residents said this was the first time in 18 years the IDF canceled the Knesset-mandated escort, created in response to severe settler violence from the neighboring illegal Havat Ma'on outpost.

Israeli civil law prohibits institutions that receive Israeli government funding from engaging in commemoration of the *Nakba*, or "catastrophe," the term used by Palestinians to refer to the displacement of Palestinians during Israel's 1948 War of Independence. Activities forbidden by the law include rejecting the existence of Israel as a "Jewish and democratic state" or commemorating "Israel's Independence Day or the day on which the State was established as a day of mourning."

On March 7, the Israel Ministry of Education published a tender to create a database of providers of educational programs for schools, which included a clause requiring providers to declare they will not "deny the existence of Israel as a Jewish and democratic state" or "mark Israel's official Independence Day as a day of mourning." On April 13, NGO Adalah petitioned the Jerusalem District Court demanding that the Ministry of Education cancel the clause, arguing that it violated freedom of expression and the right of Palestinian students to an education that respected and recognized their history, culture, and heritage. According to Adalah, on August 22, the ministry reopened the tender and announced an amended clause to require only that the educational programs not include content

that “denies the existence of Israel as a Jewish and democratic state” or “marks Israel’s official Independence Day as a day of mourning,” without requiring a pledge from program providers. Adalah withdrew its petition but reserved the right to challenge the amended requirements, arguing that they wrongfully prohibited educational content recognizing Palestinian history, culture, and heritage.

Israeli authorities provided Israeli-funded public schools in East Jerusalem neighborhoods an edited version of the PA curriculum that deleted material glorifying terrorist attacks on Israelis, as well as certain information on Palestinian history and culture. Israeli authorities sought to tie funding for those schools to the use of the Arabic-language Israeli curriculum and took actions against some noncompliant schools. For example, on July 28, Israel’s minister of education instructed the ministry to revoke the licenses of six private schools in East Jerusalem, stating that the schools included inciteful material against the Israeli government and army in their curricula. The six schools were granted a conditional one-year license and instructed to amend their curricula or lose their licenses entirely. Some Palestinians expressed concern at what they viewed as a biased Israeli effort to shape the Palestinian historical narrative. Others welcomed the Israeli curriculum and the additional resources associated with it, suggesting it better prepared students in East Jerusalem to enter Israeli higher education and gain access to higher-paying jobs in Israel. On September 19, the Palestinian Unified Parents Council, in cooperation with the General Union of Teachers and the PA Jerusalem Governorate, went on strike, keeping their children home from several East Jerusalem schools, to protest Israel’s perceived efforts to censor and edit Palestinian textbooks and imposition of an Israeli curriculum in Palestinian classrooms.

The Israeli government maintained prohibitions on numerous prominent Jerusalem-based Palestinian institutions, such as the Jerusalem Chamber of Commerce and the Orient House, which had been the de facto Palestine Liberation Organization office. The government renewed a closure order for these and other institutions under a 1994 law passed after the Oslo Accords that requires the PA to obtain Israeli permission to open a representative office or hold a meeting in areas Israel recognizes as under its sovereignty. NGOs reported that on August 1, Israeli police raided Al-Quds University’s library in Jerusalem’s Old City and confiscated documents, equipment, and laptops from employees of Iban al-Quds Society, a Palestinian social organization, who were present in the library. Police summoned these individuals the next day, where they were questioned regarding their sources of funds and were warned not to engage in any political activity.

Israeli authorities stated they would also detain and ban PA-affiliated officials in Jerusalem from conducting PA-related activities. Israeli forces arrested three persons for violating the ban. PA officials protested the ban, publicly citing a 1993 letter from Israel’s foreign minister to his Norwegian counterpart as proof of an agreement to allow Palestinian institutions and activities in East Jerusalem.

b. Freedoms of Peaceful Assembly and Association

The respective authorities in the West Bank, Gaza, and East Jerusalem limited and restricted Palestinian residents’ freedoms of peaceful assembly and association. The Palestinian Basic Law does not provide an unqualified right to freedom of peaceful assembly and association, although it provides the right to participate in political life, both individually and in groups. The law requires PA permission for protests or gatherings of 50 persons or more. The Israeli military issued an order in 1967 that requires Palestinians in the West Bank to obtain a permit for any protest involving 10 or more persons; during the year there were no known instances in which Israeli authorities granted permission for such a protest.

Freedom of Peaceful Assembly

PA law permits public meetings, processions, and assemblies within legal limits and with PA permission, for gatherings of 50 persons or more, and permits private gatherings without the presence of police. PA security forces selectively restricted or dispersed peaceful protests, conferences, and press events in the West Bank during the year. For example, on November 5, the Ramallah municipality canceled a planned conference to be held on its property to discuss PLO reform, according to press and social media reports. After the conference moved to a virtual platform, Palestinian civil police (PCP) arrested several of the organizers and detained them for hours. PCP subsequently disbanded a press conference the same organizers tried to hold on November 8 concerning PLO reform. On November 10, PCP raided an NGO that was hosting several of the activists and dispersed their meeting, according to observers.

On January 19, the Ramallah Court dismissed the charges against 16 protesters who had been detained in August 2021 for a series of protests following the death of activist Nizar Banat (see section 1.a.), citing lack of evidence. LFJ noted that seven cases were still pending before the courts.

The same laws conferring limited protection for the right to peaceful assembly, including the right to organize peaceful demonstrations, apply in Gaza. A Hamas decree requires authorization for any public assembly or celebration in Gaza. Hamas security forces selectively restricted or dispersed peaceful protests and demonstrations in Gaza during the year. Hamas also attempted to impede criticism of its policies by imposing arbitrary demands for the approval of meetings on political or social topics. Hamas used arbitrary detention to prevent some events from taking place, including political events affiliated with Fatah.

A 1967 Israeli military order covering the West Bank and Gaza 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 conviction of a breach of the order is up to 10 years’ imprisonment or a fine. The IDF Central Command declared areas of the West Bank to be “closed military zones” in which the IDF prohibited public assembly by Palestinians. Israeli military law prohibits Palestinians from insulting a soldier, participating in an unpermitted demonstration or march consisting of more than 10 persons, and encouraging others to engage in civil disobedience. For example, on September 17, the IDF arrested five Israeli and two Palestinian human rights defenders during a demonstration calling for the release of Hafez Huraini, a human rights defender who had been arrested after he was reportedly attacked and seriously injured by Israeli settlers. The IDF ultimately released the protesters but conditioned their release on a two-week-plus ban from the South Hebron area. On October 31, ISF declared the area around the house of human rights activist Issa Amro in Hebron to be a closed military zone, according to ACRI.

Throughout the year, there were reports that Israeli authorities dispersed, used excessive force against, and engaged in confrontations with protesters in East Jerusalem, at the Old City’s Damascus Gate, and at Haram al-Sharif/Temple Mount. On April 15, while police were disrupting a weekly demonstration against home evictions in Sheikh Jarrah, police arrested an Israeli human rights defender, Gil Hamerslag, for allegedly disturbing a policeman while on duty and disturbing public peace. According to media reports, on April 15, after morning Ramadan prayers, Israeli forces entered the Al-Aqsa compound, as thousands of worshippers gathered. Videos showed police firing tear gas and stun grenades; Islamic Waqf, which has custody over the compound, stated that INP officers shot one of the mosque guards in the eye with a rubber-coated bullet. INP officials said they entered the compound to respond to Palestinians hurling firecrackers and stones at their forces and at the nearby Jewish prayer area by the Western Wall. Media reported that INP allegedly beat mosque staff, the elderly, young persons, and paramedics. According to the Palestinian Red Crescent, INP hindered the

arrival of ambulances and paramedics; Palestinian media said dozens of injured worshippers remained trapped inside the compound. Medics reported at least 158 Palestinians were injured and estimated that INP detained 300-400 persons; INP reported that three officers were injured.

NGOs assessed Israeli authorities used excessive and disproportionate force against pallbearers carrying journalist Shireen Abu Akleh's coffin and mourners attending her funeral on May 13. Prior to the funeral procession, INP officers in riot gear rushed the crowd gathered at the hospital, entering the hospital, hitting and shoving persons inside with batons, and deploying tear gas and concussive grenades, according to Israeli media and video released by the hospital. A police officer told the crowd that the funeral procession would not commence until the crowd stopped nationalistic chants, according to Israeli media. Video during the funeral procession documented police beating pallbearers with batons, nearly resulting in Abu Akleh's casket being dropped to the ground. The video also showed police confiscating Palestinian flags from Abu Akleh's casket, the hearse, and mourners. Israeli public security officials investigated the use of force by police during the Abu Akleh funeral, but according to reports, authorities did not penalize any of the police officers or commanders involved. Following the investigation, Israeli Police Commissioner Kobi Shabtai stated Abu Akleh's funeral had been a "complex event," and "it is impossible to remain indifferent to the harsh images," but he did not release any of the formal findings.

On May 29, as part of Jerusalem Day celebrations, a Flags March took place in Jerusalem in which at least 20,000 Israeli marchers entered the Old City of Jerusalem through the Damascus Gate, the main entry to the Muslim Quarter, according to press reports. Crowds danced and chanted "the nation of Israel lives" and "death to Arabs," according to reports. INP in riot gear blocked surrounding streets and forcibly removed Palestinian protesters from the route, according to media. The Palestinian Red Crescent reported that 79 Palestinians were injured and 28 hospitalized from Israeli authorities' use of rubber bullets, acoustic grenades, and pepper spray, as well as one instance of live fire. Police detained more than 60 suspects and remanded 35, including arresting on May 30 two Jewish men for allegedly assaulting Iyad Harb, an Arab/Palestinian journalist for the Israeli broadcaster KAN, while he was covering clashes in East Jerusalem.

According to the HRDF, Jerusalem police forces regularly confiscated, attacked, and arrested peaceful protesters who waved the Palestinian flag, despite the public security minister's explicit order to the police commissioner and high-ranking officers that the Palestinian flag may be confiscated only during demonstrations under exceptional circumstances.

Freedom of Association

The Palestinian Basic Law regulates Palestinians' right to association. A March 2021 presidential decree attempted to consolidate government control of civil society by requiring NGOs' work to "conform" to the government's priorities and plans and required Palestinian NGOs to submit work plans and budgets to the PA, but following opposition from civil society, the PA did not implement the decree. PA authorities sometimes imposed limitations on freedom of association in the West Bank.

In the Gaza Strip, Hamas attempted to prevent various organizations from operating, in contravention of PA law. This included some organizations Hamas 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. Hamas claimed supervisory authority over all NGOs, and Hamas representatives regularly harassed employees of domestic and international NGOs and requested information on staff, salaries, and activities.

Human rights NGOs alleged that Israeli authorities cited laws against terrorism or protecting national security to arrest or punish critics of the government or deter criticism of government policies or officials. On August 18, IDF raided and barred entry to the offices of seven Palestinian NGOs that worked on human rights issues in and around Ramallah (Area A). According to the NGOs and media, during the raids, Israeli soldiers shot tear gas, prevented employees from approaching the offices, vandalized the spaces, and sealed with large iron plates the doors of all seven organizations. Videos showed Israeli forces loading equipment and materials belonging to the organizations into their vehicles. During the raids, the IDF reportedly damaged the Anglican church in Ramallah, which housed the office of al-Haq, one of the organizations, during a related search. In October 2021, then Israeli Minister of Defense Benny Gantz had designated six of the organizations (al-Haq, Addameer Prisoner Support and Human Rights Association, Defense for Children International-Palestine, the Bisan Center for Research and Development, the Union of Palestinian Women Committees, and the Union of Agricultural Work Committees) as terrorist organizations, alleging that these organizations had connections to the Popular Front for the Liberation of Palestine, which has been designated a terrorist organization both by Israel and the United States. Israel previously had designated a seventh NGO, the Union of Health Work Committees, in 2020. The designated groups were based in the West Bank, but by law the designation applies both within the West Bank under IDF military order and in Israel.

The UN special rapporteur on counterterrorism and human rights criticized the raids and designations as a misuse of counterterrorism legislation that silenced human rights defenders. On August 22, 53 Israeli NGOs released a joint statement of support and solidarity with the designated NGOs, calling on the Israeli government and international community to oppose the decision and alleging the designation was done to criminalize and prevent documentation of human rights abuses and prevent legal advocacy and aid for human rights work.

c. Freedom of Religion

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

d. Freedom of Movement

The barrier that divides the majority of the West Bank from Israel, including communities within Jerusalem, and some parts of the West Bank significantly impeded freedom of movement for Palestinians. Israeli authorities stated they constructed the barrier to prevent attacks by Palestinian terrorists. In some areas, the barrier divided Palestinian communities in the West Bank and Jerusalem and neighborhoods within Jerusalem. UNOCHA estimated that more than 11,000 Palestinians, excluding East Jerusalem residents, resided in communities west of the barrier and had to travel through Israeli security checkpoints to reach the remainder of the West Bank.

In Jerusalem the barrier affected residents' access to their extended families, places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities. For example, restrictions on access in Jerusalem, including delays at checkpoints lasting hours, made it difficult for Palestinian patients and medical staff trying to reach the six Palestinian hospitals in East Jerusalem that offer specialized care. Authorities sometimes restricted internal movement in Palestinian neighborhoods of Jerusalem and Jerusalem's Old City and periodically blocked entrances to the East Jerusalem neighborhoods of Issawiya, Silwan, and Jabal Mukabber. The government stated that the barrier was needed for security reasons and restrictions

on movement in Jerusalem were temporary and implemented only when necessary for investigative operations, public safety, public order, and when there was no viable alternative.

PA law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some exceptions. IDF checkpoints, settlements, and the barrier constrained Palestinians' movement throughout the West Bank, including access to their farmlands, according to UNRWA and the PA. During the olive harvest, Palestinian farmers – even those who coordinated access to their olive groves with Israel's Civil Administration and the PA – had difficulty accessing their land, according to human rights groups.

In the Gaza Strip, Hamas generally respected rights related to movement and travel but occasionally enforced internal restrictions near the border area, dispersing any attempted protests there.

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 and Israel.

Israel's COGAT released new policies that took effect on October 20 governing the entry of foreigners into the West Bank. The policies guide Israeli control over who may enter the West Bank and for how long, and establish requirements for short-term travelers, including relatives of Palestinian ID-holders, as well as those individuals seeking to study, work, or volunteer in the West Bank on a longer-term basis. According to the policies, COGAT can deny a permit extension if an individual demonstrates an intent to reside in the West Bank for the long-term; individuals seeking to extend certain types of permits under the policies are required to leave the West Bank until COGAT extends the permit. International and local NGOs criticized the entry policies because they treat travelers differently based on national origin and family relationship, and they impede freedom of movement and family unity.

In-Country Movement: There was no information that the PA restricted movement within territory under its control this year.

Hamas did not enforce restrictions on internal movement in Gaza during the year, except by restricting movement close to the border with Israel.

Israeli authorities often deployed temporary checkpoints that prohibited travel between some or all Palestinian West Bank towns. Palestinians who lived in affected villages stated that "internal closures" continued to have negative economic effects, lowering their employment prospects, wages, days worked per month, and their children's ability to commute to school. 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.

In October the Israeli military imposed a strict lockdown on the West Bank city of Nablus that lasted three weeks, blocking all city vehicle entrance and access points with military checkpoints and earth mounds, and flying surveillance drones over the city. The lockdown, which followed a Palestinian killing an Israeli soldier near Nablus on October 11, resulted in severe economic disruption, with reports of a 70 percent decline in commercial activity. According to reports, some Nablus residents were unable to access olive fields to support the harvest. According to media, many Palestinians criticized the PA for not intervening to help the residents of Nablus and characterized the lockdown as collective punishment.

Israel placed restrictions on Palestinian farmers accessing their land in the so-called seam zone west of the barrier and east of the Green Line, according to human rights groups. Israeli authorities reportedly failed to adequately protect Palestinian farmers who were attempting to access and farm their land during critical periods of the plowing and harvest seasons. Beyond limiting permits for Palestinian farmers to access their lands, ISF limited farmers' access to their private land when Israeli settlers were present and threatened violence. There were also reports that ISF protected Israeli settlers or did not intervene during attacks against Palestinian farmers. During the olive harvest season, NGOs reported that ISF operating the checkpoints at seam zone access points barred farmers from moving farming equipment to their land, including trucks for transporting olive harvest supplies into the area. UNOCHA stated there was a significant decline in the number of permits issued by Israeli authorities for seam zone access. According to the Palestinian District Coordination Liaison in Tulkarm, as of October, COGAT granted only 140 permits out of almost 2,000 requests for the season.

The Israeli travel permit system restricted Palestinians' ability to travel from Gaza to the West Bank, and into Israel. On March 27, the Israeli government announced that it would eventually increase the number of labor permits for Palestinians from Gaza to enter Israel to 20,000, yet that goal was not reached during the year. As of November, the Israeli government had allotted 15,500 permits, although it had issued only 14,551. On May 30, Hamas de facto authority police raided the Gaza office of the PA Ministry of Civil Affairs, which liaises with Israel on permit issues, seizing computers and interrogating staff. Hamas had started to collect the names of individuals requesting permits to send to the PA to submit to COGAT but apparently conducted the raid due to concern the PA was either not forwarding their requests or working with Israel to deny permits for specified individuals. De facto authority police eventually withdrew, and the Civil Affairs office resumed processing permits.

Palestinian higher education officials reported that Israel rarely granted permits for Palestinians living in the Gaza Strip to attend West Bank universities and routinely denied exit permits for individual travelers on security grounds. Israel also complicated family unification for Palestinians from the West Bank married to Palestinians from Gaza. According to HaMoked, Israeli authorities required Palestinians from the West Bank who married Palestinians in Gaza and resided in Gaza to sign a "Gaza resettlement form" and permanently forego their right to move back to the West Bank. Israel 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 existed for the line of demarcation, and official policy changed frequently.

Israel restricted imports of dual-use items into Gaza, including wires, motors, and fiberglass and Global Positioning System (GPS) devices, citing Hamas's use of such technologies for rockets, drones, other weapons, and surveillance systems. These restrictions impeded fishermen's abilities to repair their boats.

The lack of GPS devices made it more difficult for fishermen to locate and avoid maritime ARAs. In addition, the permitted maritime activity area for Palestinians along the coastal region of Gaza changed between zero and 15 nautical miles multiple times throughout the year, according to Gisha, an Israeli organization focused on Palestinian freedom of movement, and the zone is reduced to six miles towards the southern and northern edges of Gaza. Human rights NGOs asserted that confusion regarding permitted activity areas led to multiple instances of Israeli forces firing upon farmers and fishermen. UNOCHA reported Palestinians in Gaza considered areas up to 1,000 feet from the perimeter fence with Israel to be a "no-go" area, and up to 3,300 feet to be "high risk," which

discouraged farmers from cultivating their fields. UNOCHA estimated nearly 35 percent of Gaza's cultivable land was in or dangerously close to ARAs. According to UNOCHA, between January and November, ISF fired warning shots 778 times near Israel's perimeter fence or off the coast in ARAs within Gaza. Between August 16 and August 29, Israeli authorities arrested four Palestinian fishermen and confiscated two fishing boats, according to UNOCHA.

Major Israeli checkpoints, such as Container (near Bethlehem) and Za'tara (Tabuh), caused disruptions in the West Bank when closed by Israel, including for the Jewish holidays or in response to security incidents, according to media reports. When Israel closed Container, it cut off one-third of Palestinian residents in the West Bank living in the south, including Bethlehem and Hebron, from Ramallah and the north. Similarly, Za'tara checkpoint blocked traffic in and out of the entire northern part of the West Bank, including Nablus, Tulkarem, and Jenin, according to media reports. UNOCHA reported that during the year there were 77 permanent obstacles throughout the West Bank, including East Jerusalem. The H2 area in Hebron had 29 checkpoints, which disrupted the movement of 7,000 Palestinian residents. Israeli restrictions on movement affected virtually all aspects of Palestinian life, including attendance at weddings and funerals; access to places of worship, employment, agricultural lands, schools, and hospitals; and journalism, humanitarian, and NGO activities. There were also reports of patients giving birth at checkpoints or dying in traffic before reaching hospitals, and ambulances on the way to accidents or scenes of attacks being stopped by the IDF for hours at a time.

There were numerous reports that Israeli authorities damaged Palestinian property in the West Bank during 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. IDF veterans working at Israeli NGOs, however, described such operations as often being arbitrary.

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. Israeli security forces also imposed temporary curfews confining Palestinians to their homes during arrest operations. Israel continued to restrict movement and development near the barrier, including access by some international organizations.

PA-affiliated prosecutors and judges asserted 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.

In the West Bank, Israeli military authorities continued to restrict Palestinian vehicular and foot traffic and access to homes and businesses in the downtown H2 sector of Hebron, where approximately 22,000 Palestinians resided. Israeli security forces cited a need to protect several hundred Israeli settlers residing in the city center. Israeli security forces continued to occupy rooftops of private Palestinian homes in the H2 sector 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 was not an absolute right but must be balanced with security and public order. In September, *Haaretz* reported that the Israeli military had installed a remotely controlled system for "crowd dispersal" in Hebron that fired stun grenades, tear gas, and sponge-tipped bullets. According to NGOs ACRI and Breaking the Silence, Israeli authorities deployed face-scanning cameras in Hebron and H2. According to ACRI, soldiers used this technology to identify and detain human rights defenders.

The Israeli government continued to impose intermittent restrictions on Palestinian access to Jerusalem and certain religious sites, including the Haram al-Sharif/Temple Mount, citing security concerns.

UNOCHA estimated that more than 11,000 Palestinians, excluding East Jerusalem residents, resided in communities west of the barrier and had to travel through Israeli security checkpoints to reach the remainder of the West Bank. The barrier affected residents' access to their extended families, places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities. For example, restrictions on access in Jerusalem, including delays at checkpoints lasting hours, made it difficult for Palestinian patients and medical staff trying to reach the six Palestinian hospitals in East Jerusalem that offer specialized care. Authorities sometimes restricted internal movement in Palestinian neighborhoods of East Jerusalem and Jerusalem's Old City and periodically blocked entrances to the East Jerusalem neighborhoods of Issawiya, Silwan, and Jabal Mukabber. The government stated that the barrier was needed for security reasons and restrictions on movement in Jerusalem were temporary and implemented only when necessary for investigative operations, public safety, public order, and when there was no viable alternative.

Foreign Travel: Hamas 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, particularly through Erez Crossing, were regularly subjected to Hamas interrogations regarding their activities in Israel, the West Bank, and abroad. The PA restricts Gaza residents' right to freedom of movement by refusing to issue them passports on security grounds, affecting their ability to access to health, education, and work.

Hamas prevented some Palestinians from exiting Gaza based on the purpose of their travel or to coerce payment of taxes and fines.

Hamas restricts the entry of foreigners into Gaza unless a recognized local entity applies for their entrance prior to arrival. Hamas prohibited several international journalists from entering due to a lack of local agencies or persons applying for permits on their behalf.

Israeli authorities 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.

Periodically, citing security concerns, Israel closed the border crossings between Gaza and Israel. After rockets were launched from Gaza, Israel closed the border on April 22-25. Workers from Gaza were temporarily barred from entering Israel or returning to Gaza. Following the killing of three Israelis by Palestinian attackers in the central Israeli city of Elad in May, Israeli authorities closed the crossings for nearly two weeks. Although the attack occurred in Israel and involved Palestinians from the West Bank, Israeli authorities closed the Gaza crossings alleging that Hamas incited violence outside of Gaza. Israeli authorities also closed the crossing for one week in August, citing concerns that the PIJ was planning a retaliatory attack after ISF arrested one of its senior leaders in the West Bank. This closure preceded the August escalation in violence; the crossings reopened shortly afterwards. Other closures throughout the year were mostly administrative, such as during major Jewish holidays.

Closings negatively impacted thousands of Palestinians from Gaza from working in Israel; prevented medical patients from receiving urgent treatment in Israel, East Jerusalem, and the West Bank; and disrupted supply chains for resources used to produce goods and services and humanitarian goods.

Israel's August closure of the crossings prevented fuel trucks from entering Gaza for more than a week, causing the sole Gaza power plant to shut down. The closure-induced shutdown left Gaza residents with only four hours of electricity each day and jeopardized medical services, water desalination, and wastewater treatment.

Gaza residents were unable able to fly via Ben Gurion Airport except in very rare circumstances, so they must travel to Egypt or via the West Bank to Jordan to access air travel. Israeli authorities often denied or did not respond to Palestinian applications for travel permits through the Erez Crossing. These limitations prevented some Palestinians in Gaza 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.

Israel also denied exit permits to patients seeking medical care unavailable inside Gaza, citing security concerns, according to media and NGO reports. According to a report issued during the year by PHR, Israeli authorities rejected 32 percent of medical permit requests for Palestinian minors in Gaza in 2021, almost double from 2020. Seven Palestinians, including three children, died during the year because they could not exit Gaza to access health care, according to media reports.

Israeli officials imposed restrictions on movement of materials, goods, and persons into and out of Gaza, citing 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 permits to their employees to enter Gaza from Israel. The United Nations and several international NGOs reported that the Israeli government denied permits to UN and NGO local Gazan staff to exit Gaza into Israel. 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.

UNRWA reported staff movement continued to be restricted and unpredictable at several checkpoints, notably those controlling access to East Jerusalem or through the barrier. UNRWA reported that, as of the end of November, movement restrictions in the West Bank, including East Jerusalem, had resulted in the loss of at least 32 staff days.

The Israeli government continued selective revocations of residency permits of some Palestinian residents of Jerusalem. This meant those residents could not return to reside in Jerusalem. Reasons for revocation included holding residency or citizenship of another country; living in another country, the West Bank, or Gaza for more than seven years; or, most commonly, being unable to prove a "center of life" (interpreted as full-time residency) in Jerusalem. The Israeli government also revoked residency permits of those alleged to have "breached" allegiance or trust against Israel. For example, Israel's ministry of interior revoked attorney Salah Hammouri's Jerusalem residency, stating that he had "breached his allegiance or trust to Israel," and deported him to France in December.

The Israeli Ministry of Foreign Affairs reported that as of mid-November, Israeli authorities revoked 66 residency permits in Jerusalem utilizing a regulation that allowed revocation for individuals who stayed outside of Israel for more than seven years or acquired citizenship or permanent residence status elsewhere. Some Palestinians who were born in Jerusalem but studied abroad reported losing their Jerusalem residency status, but the government denied revoking residency status of anyone who left for the sole purpose of studying abroad. The government added that the residency of individuals who maintained an "affinity to Israel" would not be revoked and that former residents who wished to return to Israel could receive renewed residency status under certain conditions.

Palestinians possessing residency permits issued by the Israeli government but no PA or Jordanian identity document needed special documents to travel abroad.

The Israeli Supreme Court continued to uphold with few exceptions a ban on students from Gaza attending West Bank universities. Palestinians living in Gaza generally did not apply to West Bank universities because they understood Israeli authorities would deny permits or could revoke them during the school year.

Egyptian authorities opened the Rafah Crossing to pedestrians 208 times between January and November, according to UNOCHA data, compared with 198 days in 2021. UNOCHA reported 99,071 exits and 98,692 entries through the Rafah Crossing as of November, compared with 15,770 exits and 78,738 entrances in 2021. The United Nations and international NGOs reported that obtaining permission from Hamas and the Egyptian government to travel through Rafah was extremely difficult and often required paying bribes to local authorities.

According to the Israeli NGO Gisha, Israeli authorities denied some exit permit applications from residents of Gaza on the grounds that the applicants were “first-degree relative[s] [of] a Hamas operative.” UNOCHA reported that some of its staff members were denied exit permits out of Gaza because UNOCHA coordinated with Hamas as the de facto government in Gaza to facilitate the entry, exit, and transportation of UN personnel. In other cases, UNOCHA reported that its staff received exit permits, but Israeli authorities denied them at the border after hours of waiting.

e. Protection of Refugees

The PA cooperated with UNRWA in providing protection and assistance to refugees in the West Bank. In Gaza, de facto authorities generally cooperated with UNRWA and allowed it to operate without interference. In general, Israeli authorities did not directly interfere with UNRWA’s operations. UNRWA’s activities were occasionally impeded by security operations in the West Bank, which led UNRWA to close facilities during the security operations. On December 5, during a security operation, ISF forcibly entered the premises of an UNRWA school and attempted to enter another during an arrest operation, in Dheisheh refugee camp near Bethlehem. Clashes between ISF inside the school compound and Palestinians outside, and ISF’s use of live ammunition, resulted in ISF killing one Palestinian refugee and injuring several others in front of the UNRWA school. UNRWA cancelled classes in the area for the day and protested the breach of its installation to the relevant Israeli authorities. UNRWA reported that in the latter half of the year, increased movement and access restrictions across several locations in the West Bank significantly impeded the movement and access of UNRWA staff and services, delaying operations.

Abuse of Migrants, Refugees, and Stateless Persons: Israeli security operations in the West Bank led to 34 fatalities of UNRWA-registered Palestinian refugees, four of whom were killed while reportedly conducting an attack on ISF or Israeli civilians, according to the United Nations. Twenty refugees were killed during exchanges of fire between the ISF and Palestinian armed groups or individuals; however, it was not possible in all cases to determine if the refugees killed were directly involved. The remaining 10 were killed during ISF operations and unarmed confrontations or when attempting to cross the West Bank Barrier through irregular crossing points. ISF conducted an estimated 477 military and policing operations in West Bank refugee camps, injuring 278 Palestinians, according to the United Nations. Of these injuries, 137 persons, including 13 minors, were injured with live ammunition, the United Nations reported. Israeli authorities demolished 135 structures belonging to UNRWA-

registered refugees, which resulted in the displacement of 228 refugees, according to the United Nations.

Access to Basic Services: UNRWA provided education, health care, and social services, as well other assistance, in areas of Jerusalem, the West Bank, and Gaza. Palestinian refugees in the occupied territories 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.).

Socioeconomic conditions in Gaza severely affected refugees. Restrictions on permits to exit Gaza limited refugees' abilities to work and negatively affected job opportunities in Gaza, leading to extremely high unemployment rates, which stood at 44 percent. The conditions contributed to increased levels of violence at the community level, as well as domestic violence. Recurrent hostilities resulted in rising risks caused by explosive remnants of war (ERWs) contamination; since the beginning of the year, seven children and five adults were injured by ERWs.

The Israeli government approves UNRWA projects for one year at a time. As projects regularly exceeded one year, UNRWA was compelled to invest extra time and resources in annual reapproval applications, which hampered implementation and increased transaction costs for multiple UNRWA projects.

Temporary Protection: The Israeli government bars Palestinian residents of the West Bank who believed that they were in a life-threatening situation due to their sexual orientation or other reasons, such as domestic violence, from access to Israel's asylum system, according to UNHCR. Israel interprets the 1951 Refugee Convention as not applying to Palestinians because they receive assistance from UNRWA, although UNRWA's mandate does not extend to Israel. Israel, instead, allows Palestinian asylum seekers to apply for temporary stay permits, which do not carry work rights or entitlements to public services or assistance. NGOs reported that Palestinian asylum seekers must apply to COGAT in person for the permit. UNHCR expressed protection concerns about this process, because asylees at risk due to their LGBTQI+ identity or their experience of gender-based violence in the West Bank must approach an office in view of other Palestinians, which may endanger their safety. UNHCR has a limited number of resettlement places each year for Palestinian asylum seekers in Israel, which is significantly less than the total number of Palestinians seeking asylum in Israel in any given year. In July, in Supreme Court proceedings concerning the rights of Palestinian asylum seekers who were LGBTQI+ or survivors of gender-based violence, Israeli authorities advised the court that where a Palestinian asylum seeker has a stay permit from COGAT that includes the right to work, the asylum seeker would not need to seek specific permission to work with a specific employer. This decision had a limited impact on the protection of Palestinian asylum seekers in Israel, as it remained within the discretion of COGAT whether to include the right to work in a stay permit for a Palestinian asylum seeker.

Many Palestinians in life-threatening situations resided in Israel without legal status. NGOs stated this situation left these persons, who said they could not return to the West Bank due to fear of oppression, vulnerable to human trafficking, violence, and exploitation. Some LGBTQI+ Palestinians were able to obtain a temporary permit from COGAT allowing them to stay in Israel without authorization to work or to access social services.

In 2021, NGOs petitioned the Israeli Supreme Court to provide Palestinians in the asylum process on Israel temporary permits work authorization and access to social services. On June 19, the state told

the Supreme Court it would grant work permits to Palestinians with a COGAT staying permit who fled the West Bank due to their LGBTQI+ identity or domestic violence, following a petition by asylum seeker rights groups. On July 7, the court ruled on the petition welcoming the new government position. According to UNHCR, before issuing the permits, COGAT requested proof of the asylee's efforts to resettle in a third country.

f. Status and Treatment of Internally Displaced Persons

Internally displaced persons (IDPs) were present in the West Bank, East Jerusalem, and Gaza. According to the Internal Displacement Monitoring Centre (IDMC), internal displacement in these areas primarily resulted from conflict and violence. 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.

According to the UNOCHA, 986 persons were displaced in the West Bank and East Jerusalem due to demolitions by Israeli authorities during the year. UNOCHA reported that evictions in East Jerusalem overall displaced 312 persons. According to IDMC, most of the recent displacements in Gaza resulted from airstrikes destroying homes and preemptive evacuations during conflict between Israel and Palestinian nonstate armed groups. At the height of the August 5-7 escalation of the conflict between Israel and the PIJ, 535 persons fled their homes, according to the Norwegian Refugee Commission Shelter Cluster.

g. Stateless Persons

According to NGOs, 40,000 to 50,000 Palestinians in Gaza lacked identity cards recognized by Israel. Some were born in Gaza but were 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 identity cards were born in Gaza and never left but had only Hamas-issued identity 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 had not processed changes to the registry since 2000 and had not approved family reunifications since 2009. COGAT confirmed that without accurate and updated records in Israeli databases, Israeli authorities could not process Palestinians' movement in and out of the West Bank and Gaza.

The process for foreign spouses or foreign-born children of Palestinians to obtain permanent legal status in the West Bank is subject to Israeli discretion (see section 1.f.). The spouse must submit a spousal reunification application to the PA with supporting documentation, which the PA submits to COGAT for examination. If COGAT approves the application, the PA provides the applicant a PA ID number. Further complicating the process of family reunification is COGAT's implementation of entry policies for foreigners into the West Bank, under which a foreign spouse of a PA ID holder can apply for a short-term visitor permit to enter the West Bank for three months with the limited possibility of extensions but must apply to "formalize" status. Under these policies in certain situations, a foreign spouse can obtain a spousal permit, but there is no path to status for children, young adults, or other relatives, according to NGOs. Since Israel approves the Palestinian family registry, many Palestinian children and young adults, especially those born abroad, remained without legal status at the end of the year, in the region where they had spent most or all of their lives.

Israel passed a new citizenship law on March 10, which according to the NGO Miftah prevented Palestinians in East Jerusalem or in Israel from applying for family reunification and obtaining Israeli citizenship or residency status for their spouses from the West Bank, Gaza, or "enemy states," unless

the husband was over the age of 35 and the wife over the age of 25. On March 13, Adalah petitioned the Supreme Court to revoke the law, asserting “that it is a racist and discriminatory law that violates the right to establish a family, and allows the state to operate on two separate citizenship tracks based on national and ethnic affiliation under the eternal pretext of temporality.” According to Adalah, approximately 12,200 affected spouses lived in East Jerusalem and Israel with temporary permits under various reunification procedures. Adalah reported that between the expiration of the previous citizenship law in July 2021 and February, individuals submitted approximately 2,800 new requests for family reunification, but Israeli authorities approved only 77.

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. In Gaza, which has been under Hamas control since 2007, Hamas and other Islamist groups did not tolerate public dissent, opposition, civic activism, or the promotion of values contrary to Hamas’s political and religious ideology. Palestinians in the West Bank and Gaza Strip do not have the right to vote in Israeli elections.

Although Israeli law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, Palestinian residents of Jerusalem and Druze residents of the Golan Heights who have permanent residency status may vote only in municipal elections and seek some municipal offices and are denied the right to vote in general elections or serve in the Knesset.

Elections and Political Participation

Recent Elections: The first phase of municipal elections, the first since 2017, took place in the West Bank in December 2021, followed by the second phase on March 26. There have been no national elections in the occupied territories since 2006.

Political Parties and Political Participation: The PA allowed a limited range of existing political parties to operate in the West Bank and limited the ability of Hamas members to campaign and organize rallies. There is no legal mechanism by which new Palestinian political parties can form officially in either Gaza or the West Bank or join the Palestine Liberation Organization (PLO). There was a process for voters to raise complaints to the Central Elections Commission regarding the election process and restrictions to voter registration. The most common complaint was the short voter registration period. There were four appeals raised to the Central Elections Commission following local elections on March 26, which the commission investigated and then dismissed. Also, following the March election, President Abbas on May 5 dismissed 40 Fatah movement members for “violating the principles of the movement and harming its interests.” Most of the dismissed members had been candidates on independent, non-Fatah lists in the March election. President Abbas made this decision following a recommendation by the Fatah Central Committee.

In the Gaza Strip, 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.

Participation of Women and Members of Minority Groups: No PA laws limit participation of women or members of minority groups in the political process, and they did participate. Legally women and minorities may vote and participate in political life, although women faced significant social and

cultural barriers in both the West Bank and Gaza. There was a 20 percent quota for women on the Palestinian Legislative Council, but no legislative elections have been held since 2006, and the council's activity has been suspended since 2007. There were three women and four members of the Christian minority in the 22-member PA cabinet.

Hamas generally excluded women from leadership positions in Gaza; however, there were two women on the organization's 20-member political bureau in Gaza, one was elected and the other became a member ex officio as president of the Hamas women's movement.

Section 4. Corruption and Lack of Transparency in Government

There were numerous reports of government corruption during the year. PA law provides criminal penalties for conviction of official corruption, but little was done 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. On July 22, Prime Minister Mohammad Shtayyeh suspended the appointments of the daughters of the ministers of Public Works and Local Government, declaring on Facebook that the appointments did not conform to the law. The appointments had triggered widespread criticism and accusations of nepotism.

President Abbas has been in office since 2005. There has been no legislative oversight of the PA or de facto authorities in Gaza since Abbas dissolved the PLC in 2007. PA officials exerted influence over the judicial branch. For example, on October 28, President Abbas issued a decree to form a Supreme Judicial Council of which he is the chair and which includes the heads of the Supreme Constitutional Court, the Supreme Judicial Court, the Court of Cassation, the Supreme Administrative Court, the Judicial Authority of the Security Forces, the Shariah Judicial Council, the Minister of Justice, and the legal advisor to the Head of State and the Attorney General. Legal scholars and NGOs criticized the new decree for serving the interests of one party and further consolidating and arrogating to Abbas executive, judicial, and legislative powers. In the absence of a legislature, President Abbas often set policy through presidential decrees and solely appointed individuals to most influential positions in the PA. Critics described the PA's corruption as a systematic problem.

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 imposed taxes on imported products, including those entering from Egypt, as well as several types of products entering from the West Bank. Hamas pressured private companies to provide its members free utilities and communications services. Hamas used the threat of exit permits to attempt to extort bribes and pressure businesses to pay additional taxes or contribute to Hamas-run or Hamas-affiliated charities or projects.

International organizations cited corruption in Hamas hiring practices as well, creating a system of patronage that hampered economic growth. Observers noted that Hamas applied religious and ideological litmus tests in hiring practices. Local business representatives in Gaza alleged the PA Ministry of Civil Affairs, which submits applications to Israeli authorities for the entry of restricted materials into Gaza, engaged in nepotism and gave preferential treatment to Gaza-based importers close to the ministry. Observers cited various instances in which individuals used their relationships with the Ministry of Civil Affairs to disadvantage or blacklist competing businesses, including restricting their ability to exit Gaza.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Palestinian human rights groups and international organizations reported 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.

Gaza-based NGOs reported that de facto authorities' harassment and restrictions on civil society continued during the year. Hamas representatives appeared unannounced at their offices to seek tax payments, demand beneficiary lists and salary information, and summon NGO representatives to police stations for questioning. UN organizations reported little to no harassment from de facto authorities. NGOs raised concerns regarding the shrinking operational space for international NGOs in Gaza, including Israeli travel bans affecting their Gaza-based staff and Israeli scrutiny of NGO operations and employees.

The Israeli government, citing national security needs and laws against terrorism, restricted the ability of Palestinian human rights and civil society organizations to investigate and publish their findings on human rights cases. Israeli authorities designated certain Palestinian NGOs based on alleged affiliation with terrorist organizations (see section 2.b., Freedom of Association.)

Retribution against Human Rights Defenders (HRDs): On March 7, ISF arrested Salah Hammouri, a French-Palestinian human rights lawyer and employee of the Addameer Prisoner Support and Human Rights Association, in a raid of his home. Israel's Ministry of Interior revoked Hammouri's Jerusalem residency status a few days before Israel designated Addameer as a terrorist organization in October 2021, stating that he had "breached his allegiance or trust to Israel." On March 10, the military commander ordered Hammouri's administrative detention without charge or trial, an order that was renewed twice. After the order expired on December 4, Israel deported Hammouri to France on December 18.

Israeli and Palestinian human rights NGOs operating in the West Bank, Gaza, or both, including B'Tselem, Rabbis for Human Rights, Breaking the Silence, Yesh Din, COMET-ME, and HRW, reported that some of their employees were subjected to questioning by security services, interrogations, detentions, intimidation, death threats, or physical assault. IDF stopped and detained Palestinian, Israeli, and international human rights defenders and NGO workers at a military checkpoint in Masafer Yatta. On June 24, three workers from the Society of St. Yves Catholic Center for Human Rights reported that IDF detained them for more than three hours, confiscated their mobile phones, and seized their Israeli-registered vehicle. On June 26, IDF detained three persons working with the Palestinian organization COMET-ME, who reported that soldiers searched them and their vehicle and photographed their IDs before releasing them an hour and a half later. NGOs reported these incidents occurred more frequently following Israeli officials' statements criticizing the NGOs' activities for opposing Israeli government policy.

According to B'Tselem, Israeli authorities repeatedly subjected its field researcher in the south Hebron hills, Nasser Nawaj'ah, to harassment, intimidation, and reprisal. On August 6, the IDF handcuffed and blindfolded Nawaj'ah and detained him for 14 hours, during which he was briefly investigated by the Shin Bet and warned to stop documenting human rights abuses in the Hebron area. Nawaj'ah's

detention occurred as he prepared to document the planned entry of settlers into the Palestinian village of al-Tuwani, where they claimed an ancient synagogue was once located.

The United Nations or Other International Bodies: The Israeli government continued its policy of nonengagement with the UN Human Rights Council's "special rapporteur on the situation in the Palestinian territories occupied since 1967" and its suspension of relations with OHCHR that began in 2020. No OHCHR international staff visas were granted or renewed by Israel during the year. As a result, the agency's 16 resident staff were forced to work remotely from outside Israel and could not access the West Bank and Gaza. In February the permanent representative of Israel to the United Nations declined OHCHR's request that Israel reconsider its refusal to meet with OHCHR representatives. On March 3, the commission acknowledged the communication and asked for a response to its request for "access to Israel and the Occupied Palestinian Territory." According to the commission, as of [December] it had not received a response.

Government Human Rights Bodies: The ICHR continued serving as the PA's ombudsman and human rights commission, issuing monthly and annual reports on human rights abuses within PA-controlled areas and formal recommendations to the PA. The ICHR faced resource shortages that limited its ability to work effectively. Local and international human rights NGOs cooperated with the ICHR.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape is illegal under PA law; the legal definition does not address spousal rape and rape of men by other men. Punishment for conviction of rape is five to 15 years in prison. Neither the PA nor Hamas effectively enforced laws pertaining to rape in the West Bank and Gaza, respectively. The Palestinian Central Bureau of Statistics reported in September that prosecutors filed 11 charges of rape in 2021 in areas under PA control.

PA law does not explicitly prohibit domestic violence. The PA and Hamas did not enforce the law effectively in domestic violence cases in the West Bank and Gaza, respectively. NGOs reported Palestinian women were frequently unwilling to report cases of violence or abuse to the PA or Hamas due to fear of retribution or little expectation of assistance. According to data published by the Palestinian Central Bureau of Statistics, approximately 59 percent of Palestinian women who currently were or had ever been married (ages 15 to 64) had been the victims of physical violence perpetrated by their husbands at least once during the past 12 months, which was 52 percent of this category of women in the West Bank, and 70 percent in Gaza, and 14 percent of women who had never been married were victims of physical violence perpetrated or a household member. Domestic violence was a problem in the West Bank and Gaza.

PA laws criminalize adultery, breaking the hymen, and breaching the marital bond. The Palestinian Central Bureau of Statistics reported that prosecutors filed seven, 11, and 70 charges respectively relating to those crimes in the West Bank. According to a report by UN Women, women were more severely penalized for adultery than men, and a complaint for the crime can be filed only by male relatives. In practice, cases of adultery tended to be brought to court by husbands to blackmail or exploit women, according to the report.

In August, according to media reports, the Israeli Military Advocate General's Office indicted a Palestinian man for sexual assault, indecent acts, and threats against his wife. Because laws in the West Bank do not criminalize marital rape, he was not indicted for rape. According to reports, the IDF

confirmed that staff were working to modernize Israeli military law in the West Bank to address sexual offenses. The Israeli military legal system applies only to Palestinians living in the West Bank; Israeli citizens living in settlements in the West Bank are subject to Israeli criminal law, which prohibits spousal rape.

In Gaza on February 18, the body of a dead woman was brought to al-Shifaa Hospital's emergency room with multiple bruises. An autopsy identified her cause of death as severe hemorrhage due to the laceration of the viscera of the chest and abdomen resulting from multiple rib fractures. Police investigated the incident and arrested the woman's husband, who admitted to assaulting his wife. He was arrested and imprisoned and was awaiting trial at year's end.

Other Forms of Gender-based Violence: NGOs cited insufficient enforcement of laws that disallow "family honor" as a defense for perpetrators of "honor killings" and prohibit judges from imposing lighter sentences for crimes against women and children, compared with those committed against men. According to the Palestinian Human Rights and Democracy Media Centers "SHAMS," as of November, four Palestinian women were killed in the West Bank and six in Gaza, while none were reported killed in Jerusalem.

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 alleged that when they reported harassment, authorities held them responsible for provoking men's harassing behavior.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The Palestinian Central Bureau of Statistics published data in 2022 indicating that between 2019 and 2020, 99.7 percent of live births in the PA were attended by a skilled birth attendant. In the West Bank, 81.6 percent of women reported satisfaction with the methods of family planning available to them, according to Palestinian Central Bureau of Statistics data. UNOCHA reported that the percentage of households reporting that women of reproductive age (15-49 years) had no access barriers to specialized reproductive health services in Areas A and B was 87.7 percent, and in Area C 87.2 percent.

In the Gaza Strip, while menstrual hygiene supplies were widely available for private purchase, access to clean water and reliable sanitation facilities was a chronic problem. UNRWA provided reproductive health services, including preconception care, prenatal care, intranatal care, postnatal care, and family planning, to UNRWA-registered refugees.

Discrimination: Inheritance for Muslims in the West Bank and Gaza falls under the Palestinian Basic Law, which is based on sharia. Under the Basic Law, women have a right to inheritance but generally received less than men. According to human rights groups, in some cases women were attacked by male family members for asserting their right to an inheritance. 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. Hamas authorities pressured women to conform to an interpretation of Islamic norms that generally restricted women's movement. There were reports unmarried women faced restrictions on travel out of Gaza. Additionally, there were reports that women often had to travel in groups when visiting certain

public areas such as the beach. There were sporadic reports of security officers requiring a man to prove a woman with him in a public space was his spouse.

According to press and NGO reports, some women students in Gaza reported being forced by school personnel to wear a hijab or other conservative dress and in some instances teachers in Hamas-run schools in Gaza sent girls home for not wearing conservative attire, although enforcement was not systematic. In Gaza, discrimination against women, including married women, reportedly took place in all sectors, including banks, NGOs, day care centers, and schools, and was practiced by the de facto government as well as private actors. Reports of gender-based employment discrimination against women in Gaza were common, and factories often did not hire pregnant or newly married women to avoid the need to approve maternity leave.

Systemic Racial or Ethnic Violence and Discrimination

The Palestinian Basic Law included broad protections for Palestinians but was often superseded by informal tribal laws or the Jordanian penal code, which offered less protection. There are no Palestinian laws that specifically provide for the protection of members of racial or ethnic minorities.

The government of Israel assigned the IDF to maintain law and order in the West Bank through a series of military orders, but none specifically provide for the protection of Palestinian civilians or reference Palestinian rights. Rather, the focus of the IDF's presence in the West Bank is the protection of Israeli citizens residing or transiting there. COGAT coordinated Israeli activities with the Palestinian Authority.

Across the West Bank, Gaza, and East Jerusalem, Israeli authorities methodically privileged Jewish Israelis and discriminated against Palestinians. Israeli settlements in the West Bank had approximately 465,400 residents as of the beginning of the year, according to data from the Israeli Central Bureau of Statistics and NGO Peace Now.

The Israeli human rights NGO Bimkom estimated that approximately 35,000 Palestinian Bedouins lived in Area C of the West Bank. Many were UNRWA-registered refugees. Bedouins often resided in areas designated by Israel as closed military zones or that were 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.

Settler violence against Palestinians increased dramatically throughout the year. UNOCHA documented a 71 percent increase in the number of settler attacks and the highest level of incidents recorded since they began tracking in 2004. At year's end, according to UNOCHA, there were 849 incidents of settler violence against Palestinians in the West Bank, including 621 attacks against Palestinian property, 228 attacks resulting in casualties, including three Palestinian fatalities. UNOCHA reported 98 incidents of settler violence between January and October in which ISF personnel, who were responding to settler violence incidents, themselves injured 1,876 Palestinians, including 105 children.

Some Israeli and Palestinian officials, as well as numerous NGOs, alleged that some Israeli settlers used violence against Palestinians to intimidate them from using land that settlers sought to acquire. According to UNOCHA, in July and August, 19 Palestinian households comprising approximately 120 persons, mostly children, evacuated Ras al-Tin, a herding community in Area C of the West Bank northeast of Ramallah, and relocated to land in Area B. According to UNOCHA and NGOs, repeated

attacks over the last three to four years by settlers of the Kochav HaShachar settlement and other nearby unauthorized outposts convinced the community to leave. This was the first case of an entire Palestinian community evacuating their homes due to settler violence.

Throughout the year Jewish individuals and groups committed hate crimes and violence against Palestinians and their property, often with the stated purpose of exacting a “price” for actions taken by the Israeli government against the attackers’ interests. The most common offenses, according to police, were attacks on vehicles, defacement of real estate, harm to Muslim and Christian holy sites, assault, and damage to agricultural lands. According to UNOCHA, as of November 15, there were 506 “nationalistic” attacks in the West Bank by settlers or Jewish extremists that involved Palestinian property damage, a 37 percent increase over 2021.

On March 22, after an attack in Be’er Sheba killed four Israelis, Israeli media reported that Israeli settlers shattered the windows of cars and hurled stones at homes in the Palestinian town of Mukhmas near Jerusalem. The following day, according to Israeli media, settlers slashed the tires of at least 10 cars belonging to Palestinian residents of the East Jerusalem neighborhood of Sheikh Jarrah. On March 23, in a suspected attempt to set fire to a mosque in Jamma’in, near the Ariel settlement, unknown individuals left graffiti stating, “Jews will not be silent when we are murdered” along with a Star of David.

On June 21, an Israeli settler fatally attacked Ali Hassan Harb, a Palestinian from the Iskaka area of Salfit Province. NGO observers and Israeli media reported that the attack occurred when settlers attempted to erect a tent on Palestinian agricultural land, reportedly owned by Harb’s family, near the Ariel settlement. Israeli police started an investigation and, according to media reports, arrested a suspect on June 22. On June 28, Israeli media reported that the suspect claimed he acted in self-defense. On July 5, media reported the suspect was released to eight days of house arrest and police had reduced the charges against him. Finally, on August 25, Israeli police announced they were closing the case due to a lack of evidence. According to Yesh Din, the Harb family faced threats and intimidation, including the detention of three family members, throughout the process.

The IDF were photographed and filmed accompanying settlers during attacks against Palestinian communities. According to UNOCHA, on August 18, IDF shot and killed a Palestinian, age 18, near Joseph’s Tomb in Nablus while escorting Israeli settlers to the site to pray. Israeli media reports, citing Israeli military sources, alleged that Palestinian youth shot at the soldiers, although human rights organizations’ reporting contradicted this. The IDF fired live ammunition, rubber-coated metal bullets, and tear gas, according to UNOCHA, injuring 75 Palestinians, including four with live ammunition; no injuries were reported among Israeli soldiers. According to media reports, the Israeli Ministry of Defense and Ministry of Public Security continued to disagree over which was responsible for addressing cases of Israeli violence against Palestinians in the West Bank, including increasing rates of settler violence. The Ministry of Public Security stated that it was not prioritizing fighting nationalist crime by settlers; rather, the Minister of Public Security requested that the Minister of Defense inform military officials that the attorney general ruled that soldiers can and should arrest Israelis suspected of attacks in the West Bank. The IDF did not do so during the year.

Various human rights groups, including Yesh Din, Rabbis for Human Rights, and B’Tselem, continued to report that Israeli authorities insufficiently investigated and rarely prosecuted settler violence. Palestinian residents were reportedly reluctant to report incidents because Israeli police stations in the West Bank were located inside Israeli settlements, often where alleged perpetrators resided, and they feared settler retaliation. Palestinians were also discouraged by a lack of accountability in most

cases, according to NGOs. Of 629 attacks reported by UNOCHA as of November 15, Yesh Din recorded only three indictments filed for settler attacks committed. As of November 15, no settlers were convicted of attacks.

There were numerous reports of settler violence during the olive harvest. UNOCHA stated that between October 1 and November 15, 23 settler attacks occurred, injuring 10 Palestinians and damaging an estimated 350 olive trees. On October 12, settlers set fire to three Palestinian-owned chicken coops, killing an estimated 30,000 chickens inside. A settler, who media reported was an off-duty Israeli soldier, was filmed on October 16 shooting at a Palestinian home in Huwara.

On October 19, during the olive harvest south of Bethlehem, a group of approximately 50 settlers attacked Palestinians and Israeli human rights activists in the village of Kisan, outside of Bethlehem. Israeli settlers were photographed beating an Israeli woman, age 70, with clubs and rocks, an attack that left her with broken ribs and a punctured lung. According to NGOs, as of December no suspects had been arrested in the attack. An NGO representing other activists who were victims of the attack reported that authorities interrogated activists and then released them on bail with a 15-day ban from the harvest area, instead of interrogating the perpetrators.

On October 25, Moayyad Shaban, head of the PA's Settlements Commission, was attacked by settlers in Turmos Ayaa while supporting the olive harvest. He reported that during the attack, ISF were filmed guarding settlers as they set fire to two cars, one of which belonged to Shaban's staff. On November 5, three Palestinians, including a child, age 13, were physically assaulted and stoned by a group of approximately 40 Israeli settlers while they were harvesting their olives north of Kafr ad Dik village in Salfit governorate; during the same incident, Israeli settlers stole an estimated 88 pounds of harvested crops and a harvesting machine.

Israeli authorities investigated reported attacks against Palestinians and Arab/Palestinian citizens of Israel, primarily in Jerusalem, by members of organizations, such as Lehava, that made anti-Christian and anti-Muslim statements and objected to social relationships between Jews and non-Jews.

The Israeli government and settler organizations in Jerusalem made efforts to increase property ownership by Jewish Israelis in Jerusalem. Civil society organizations and representatives of the Palestinian Authority stated the efforts sought to emphasize Jewish history in Palestinian neighborhoods. UNOCHA and NGOs such as Bimkom and Ir Amim alleged that the goal of Jerusalem municipal and Israeli national policies was to decrease the number of Palestinian residents of Jerusalem, noting the Israeli government's goal of "maintaining a solid Jewish majority in the city," as stated in the Jerusalem municipality's master plan.

Jewish landowners and their descendants, or land trusts representing the families, are entitled to reclaim property they had abandoned in East Jerusalem during fighting prior to 1949, while Palestinians who abandoned property in Israel in the same period had a right to compensation only but not to reclaim the property. In some cases, private Jewish organizations acquired legal ownership of reclaimed Jewish property in East Jerusalem, including in the Old City, and through protracted judicial action sought to evict Palestinian families living there. Since 1967, Israeli authorities have designated approximately 35 percent of East Jerusalem for Israeli neighborhoods and settlements, according to NGOs, and another 35 percent as green space and national parks. A significant portion of this land previously was private Palestinian-owned land. Palestinians were able in some cases to rent or purchase Israeli-owned property, including private property on Israeli government-owned land, but faced significant legal and governmental barriers to both. Israeli NGOs stated that after accounting for

Israeli neighborhoods/settlements, Israeli government property, and declared national parks, only an estimated 15 percent of all land in East Jerusalem was designated for residential development and construction by Palestinians or others.

Although the law provides that all residents of Jerusalem are fully and equally eligible for public services provided by the municipality and other Israeli authorities, the Jerusalem municipality and other authorities failed to provide sufficient social services, education, infrastructure, and emergency planning for Palestinian neighborhoods, especially in the areas between the barrier and the municipal boundary. According to the Jerusalem Institute for Policy Research, 61 percent of Jerusalem's Arab/Palestinian population and 70 percent of Arab/Palestinian children in Jerusalem lived in poverty as of 2020, the most recent year for which data were available.

Social services in Israeli settlements in the West Bank, including housing, education, and health care, were available only to Israelis and not Palestinians, according to NGOs.

Children

Birth Registration: The PA registers Palestinians born in the occupied territories, and Israel requires the PA to transmit this information to Israel's Civil Administration. The PA may not determine citizenship. Children of Palestinian parents may receive a Palestinian identity card issued by the Civil Administration 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 Israel's Civil Administration both play a role in determining a person's eligibility for that card.

The Israeli government registers the births of Palestinians born in Jerusalem, although some Palestinians who had experienced the process reported that administrative delays could last for years. According to estimates from the Society of St. Yves Catholic Center for Human Rights, there were more than 10,000 undocumented children in East Jerusalem.

Education: In the Gaza Strip, primary education is free and universal from first grade to secondary school, and compulsory from ages six to 16. UNRWA, the PA, Hamas, religious institutions, and private foundations all provided instruction. According to the Palestinian Central Bureau of Statistics, in 2021, the most recent year for which data were available, in Gaza both boys and girls had completion rates above 90 percent through grade 9, but rates through grade 12 declined significantly to 57.9 percent for boys and 75.9 percent for girls. In addition to the PA curriculum, UNRWA provided specialized classes on human rights, conflict resolution, and tolerance.

In West Bank areas under PA control, according to UNICEF, 95.4 percent of children were enrolled in basic education, including in UNRWA schools. According to the Palestinian Central Bureau of Statistics, in 2021, the most recent year for which data were available, both boys and girls. Completion rates through ninth grade at or near 90 percent, but rates through grade 12 declined significantly to 48.8 percent for boys and 74.9 percent for girls. Adolescent boys and children with disabilities were vulnerable to dropping out of school.

In the West Bank, Palestinian government and university officials accused ISF of disrupting educational activities, especially in areas close to Israeli settlements. On August 30, according to NGOs, in Masafer Yatta ISF detained 10 children from grades one to three who were on their way to school in a firing zone. ISF held the students for an hour before releasing them. In a separate incident the same day,

the military seized a vehicle transporting teachers to a school located in the firing zone and prevented a second group of teachers from using a vehicle to reach their school in the zone.

According to NGOs, the difficulty of obtaining permits to build schools and the Israeli destruction of schools built without permits prevented many West Bank Palestinian children from getting an education. Israeli restrictions on construction in Area C of the West Bank and East Jerusalem also negatively affected Palestinian students' access to education. As of the end of the year, there were 56 outstanding demolition orders against schools where at least 6,400 children were taught in the West Bank, including East Jerusalem, according to UNOCHA. UNOCHA reported that in November six donor-funded structures, including one school, were demolished and another donor-funded school received a demolition order. In East Jerusalem, Jerusalem municipality demolished or required individuals to self-demolish 111 structures in East Jerusalem that displaced 268 persons, including 65 girls and 66 boys, complicating their ability to attend school, according to UNOCHA.

There were reportedly insufficient classrooms to accommodate schoolchildren in Jerusalem. Based on population data from the Central Bureau of Statistics, the NGO Ir Amim published data ahead of the 2022-23 school year showing that there was a shortage of 3,517 classrooms for Palestinian children who were residents in East Jerusalem. Ir Amim also reported that following a freedom of information request, the Jerusalem Municipality said it did not know where 40,963 Palestinian children in Jerusalem were enrolled in school. According to Ir Amim, this figure constituted 29 percent of East Jerusalem children of compulsory school age.

From January to July, UNOCHA recorded 115 education-related abuses in the West Bank, including ISF firing directly or indirectly tear gas, stun grenades, or rubber-coated bullets; ISF and settler intimidation at schools and detentions and movement restrictions preventing students from reaching their classes. These actions affected approximately 8,000 students, increasing their risk of dropping out, according to UNOCHA.

Child Abuse: PA law prohibits incest, failing to care for a child, and violence against children; however, PA authorities and Hamas in Gaza rarely prosecuted and punished perpetrators of family violence. According to Palestinian Central Bureau of Statistics data published in September, in 2021, prosecutors brought one case of incest and charged 15 cases of failing to care for a child.

According to UNICEF, domestic violence was widespread in the West Bank and Gaza. UNICEF estimated that approximately 90 percent of Palestinian children faced some form of violent discipline at home, approximately 20.1 percent of whom were subjected to severe physical violence from their caregivers. There were reports Hamas ran militaristic summer camps in Gaza. According to these reports, Hamas offered courses on military training in its schools during youth summer camps to which males ages 14 to 22 could apply. There were no reports that Hamas recruited or used child soldiers.

Child, Early, and Forced Marriage: Child marriage was reportedly less widespread in the West Bank than in Gaza. The Palestinian Central Bureau of Statistics published data in April showing that, as of 2020, 4.3 percent of girls younger than 18 in West Bank were married, compared with 19.3 percent in Gaza. The legal minimum age for marriage in the West Bank is 18 for both males and females, unless a judge agrees marriage at an earlier age is in "the best interest of both parties."

In addition to Palestinian law, Gaza retains Egyptian law, which permits girls as young as 15 to marry.

Sexual Exploitation of Children: The PA considers statutory rape a felony, based on Jordanian law. Punishment for conviction of rape of a victim younger than 15 includes a minimum sentence of seven years' imprisonment. In Gaza, under the rule of Hamas, suspects convicted of rape of a victim younger than 14 are eligible for the death penalty. There were reports that societal norms in Gaza led to underreporting to Hamas of sexual exploitation of children. The minimum age of consensual sex in the West Bank is 16. Gaza has no legal age of consent because marriage is legally required before sexual intercourse is allowed.

Palestinian law does not have comprehensive legislation addressing the sexual exploitation of minors. Some provisions of the Jordanian penal code apply. For example, the penal code prohibits using duress, threat, or deceit to procure a person for prostitution, with punishment of imprisonment from one to three years' imprisonment. Holding a woman against her will in a brothel or other place to have sex with a man is punishable by two months to two years' imprisonment. Additionally, the law criminalizes acts of abduction. Punishment for the crime of abduction is aggravated if the victim is a child or a girl and if the victim is raped or sexually assaulted.

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

Antisemitism

Some Palestinians and Muslim religious leaders used antisemitic rhetoric, including Holocaust denial. Antisemitism, including expressions of longing for a world without Israel and glorification of terror attacks on Israelis and Jews, also regularly featured in public discourse and in some academic settings.

On April 10, Palestinians raided and vandalized the biblical Tomb of Joseph, a Jewish holy site in Nablus. According to media reports, the rioters set fire to the site, smashed the cenotaph above the grave and electrical lighting, burned prayer books, and ruined and burned equipment within the tomb area. The vandals reportedly returned on April 11 and vandalized the shrine.

President Abbas, during a visit to Germany on August 17, declined to condemn Palestinian militants for killing Israeli athletes at the 1972 Munich Olympics and instead accused Israel of committing "50 Holocausts."

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 and Fatah party media outlets, as well as those controlled by Hamas in Gaza, published and broadcast material that included antisemitic content and incitement to violence.

Civil society organizations cited problematic content in PA textbooks, including those used by UNRWA in its schools, to include antisemitic content, incitement to violence directed against Israel, and the failure to include Judaism alongside Christianity and Islam when discussing religion. In June 2021 the Georg Eckert Institute for International Textbook Research released an EU-funded study of a sample of 156 books that noted the textbooks' adherence to UNESCO standards, including a "strong focus on human rights" as well as progress in the excision of inciteful content, e.g., elimination of references to the Israeli-Palestinian conflict in math and science textbooks. The study also acknowledged a pronounced narrative of resistance towards Israel and found that some selections questioned the legitimacy of the state of Israel, contained antisemitic content, and praised Palestinians who committed violent attacks against Israel. UNRWA declared during the year that it had "zero tolerance

for hatred, incitement to violence or discrimination” and that it reviewed the content of educational materials to ensure they were in line with UN values and principles and to address problematic content. In September, the Israeli education ministry temporarily downgraded the licenses of six Palestinian schools in East Jerusalem, alleging that the schools were using PA textbooks that incite violence; the schools had one year to comply with a municipality ordinance to use Israeli-edited versions of the PA textbooks or risk permanent closure.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: PA law and Jordanian law in the West Bank do not criminalize consensual same-sex sexual activity. In Gaza, sexual acts “against the order of nature” and male same-sex sexual activity are criminalized under the British Mandate Criminal Code, which remains in effect. The offense carries a maximum penalty of 10 years’ imprisonment. According to Dar al-Iftaa, the PA’s office of Islamic rulings, same-sex sexual activity is a crime subject to harsh punishment.

Violence against LGBTQI+ Persons: There were reported cases of violence, criminalization, or abuse based on sexual orientation and gender identity in the West Bank. OHCHR and NGOs reported Hamas security forces in Gaza harassed and detained persons due to their sexual orientation or gender identity. Both noted, however, that such cases were rarely reported, especially in Gaza, because of concerns about protecting the safety those involved.

OHCHR observers reported PA security officers harassed and sometimes arrested individuals due to their sexual orientation or gender identity. LGBTQI+ individuals were also victims of targeted hate crimes and violent acts. Media reported that Ahmed Abu Markhiya, a gay Palestinian, was killed by decapitation in Hebron on October 5. Abu Markhiya had been residing in Israel for several years under a humanitarian permit reportedly because of death threats he received while living in the West Bank and was awaiting approval of an asylum application to Canada, according to media reports. Palestinian police made an arrest and continued an investigation into the killing.

Media reported that lesbians in the West Bank and Gaza concealed their sexual orientation due to fear they would be killed by their families.

The PA failed to protect members of the LGBTQI+ community. After an attack on members of the community at the Al Mustawde restaurant earlier in the year, the PA did not make any attempts to hold the culprits accountable for their action.

Discrimination: The PA does not provide protection for or prohibit discrimination against the LGBTQI+ community. Homosexuality is widely considered to be taboo in areas under PA control and in Gaza.

Activities associated with the LGBTQI+ community were met with strong opposition, and the Palestinian police often acted to prevent these activities. As a result of this and other discriminatory conduct, the LGBTQI+ community in the West Bank was driven underground and had no vocal representatives or NGOs willing to speak in the West Bank, according to observers. Similarly, in Gaza,

according to observers, there was no visible LGBTQI+ community. Observers reported that human rights organizations in Gaza did not monitor and refused to address LGBTQ+ issues.

Availability of Legal Gender Recognition: There is no legal method for correcting gender markers on identity documents.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: According to media reports, family members of LGBTQI+ individuals subjected them to involuntary or coercive medical, psychological, and religious practices throughout the West Bank and Gaza. Media reported that a Palestinian man confronted his son, age 18, after finding messages on the son's mobile phone between him and another young man suggesting a same-sex relationship. The son claimed his father attacked him, beat him, and renounced him. The father forced him to meet with a cleric weekly until he attempted unsuccessfully to kill himself, according to the report.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: The PA in cases limited freedom of expression, association, and peaceful assembly, although not explicitly based on sexual orientation or identity, and it tolerated such actions by vigilantes and armed militias. During the year, in the West Bank, peaceful assemblies and gatherings attended by LGBTQI+ individuals were disrupted. For example, the Warehouse (event space) in Ramallah was closed after a campaign of incitement, hate speech, and assault, which followed a June 17 attack on the venue and cancellation of a musical performance because the artist was "gay." According to media reports, the attackers circulated a video on social media and, following the violent attack, targeted the performance space with an incitement campaign based on a false account of the events and the place. According to media, approximately 200,000 social media users participated, leaving thousands of hate-filled comments and incitement to murder (see 2.a., Academic Freedom and Cultural Events).

Persons with Disabilities

Persons with disabilities received inconsistent and poor quality services and care in the West Bank and Gaza. The PA in the West Bank and Hamas in Gaza partially depended on UN agencies and NGOs to care for persons with physical disabilities, and both the PA and Hamas offered substandard care for persons with mental disabilities, according to advocacy groups. Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The PA government did not provide information or communication in accessible formats. PA 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.

According to Palestinian media, on May 23, Israeli authorities removed part of the stairs of the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron to build an elevator for wheelchair access. While Israel stated that the project was intended to facilitate access for persons with disabilities, Sheikh Hefzy Abu Sneina, the director of the mosque, said to media that the "project is part of several settlement projects that aim at transforming the Arab-Islamic identity of Hebron into a Jewish-Hebrew identity and a theft of Palestinian history." Under the Oslo Accords, the Hebron PA municipality would need to issue a permit for the construction, and it refused to do so, according to media reports. The site had experienced frequent protests and clashes with Israeli security forces over the past few years, in part due to Israeli construction plans.

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 was more likely to provide prostheses and mobility aids to individuals injured in Israeli airstrikes or in the protests at the Gaza fence than to those born with disabilities, according to NGOs. HRW stated neglect from Hamas and the Israeli closure of Gaza, including limits on electricity generation and consumption, significantly complicated the lives of persons with disabilities in Gaza, contributing to a lack of access to assistive devices and widespread stigma.

Israeli actions in the West Bank and East Jerusalem adversely affected individuals with disabilities. For example, the Jerusalem Municipality imposed barriers that impeded accessibility. Nurredin Amro, a visually impaired Palestinian from East Jerusalem who was the founder and principal of the Siraj al-Quds school for the visually impaired in the Ras al-Amoud neighborhood of Jerusalem, had difficulty accessing his home after the Jerusalem Municipality constructed high walls surrounding the property while raising the level of the bordering roads. Amro, his wife, and three children can access their home only by climbing over a wall with ladders and ropes, which was difficult for Amro because of his visual impairment, reported NGO Ir Amim.

Other Societal Violence or Discrimination

While the PA Ministry of Health provided treatment and privacy protections for patients with HIV or AIDS, societal discrimination against affected individuals in the West Bank was common. Evidence suggested rates of HIV and AIDS were minimal in Gaza. According to the most recent report from UNDP, in 2019 there were only eight infected persons, who were receiving adequate care from the Gaza Ministry of Health under the PA program.

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, bargain collectively without any pressure or influence, and conduct legal strikes. The law does not include protections for employees and unions to engage effectively in collective bargaining. The PA did not seek to enforce collective bargaining rights for unions except for those representing PA employees. Antiunion discrimination and employer or government interference in union functions are illegal, but the law does not specifically prohibit termination for union activity or provide for job reinstatement for termination 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 notice two weeks in advance of a strike (four weeks in the case of public utilities). The PA Ministry of Labor may impose arbitration; workers or their trade unions faced disciplinary action if they rejected the result. If the ministry cannot resolve a dispute, it may 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. Disputes may move finally to a specialized labor court, although authorities had not established the court as required by labor legislation.

The PA enforced the prohibitions on antiunion discrimination and employer interference in union functions, but it inconsistently enforced laws regarding freedom of association. 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.

In the West Bank, the PA respected freedom of association and the right to collective bargaining, with significant exceptions. Labor unions were not independent of authorities and political parties in the West Bank or Gaza. The politicization of labor unions in Gaza by Hamas reduced participation and effectiveness in advocating for labor rights. 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 workplace laws uniformly, especially with respect to Palestinian workers in settlements. Most Israeli settlements continued to apply Jordanian law to Palestinian workers, which provided for lower wages and fewer protections than Israeli law. Kav LaOved, an Israeli workers rights NGO, reported that employers in settlements employed workers through Palestinian contractors, who commonly limited their rights, including denying pay raises.

b. Prohibition of Forced or Compulsory Labor

PA law does not expressly forbid forced or compulsory labor. Forced labor occurred in the West Bank and Gaza, according to the PA Ministry of Labor. Women working as domestic workers were vulnerable to forced labor conditions in both the West Bank and Gaza, since the PA and Hamas authorities do not regulate domestic labor within households or in the large informal sector.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <http://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 based on race, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. PA laws prohibit discrimination based on gender and disabilities, but the PA did not effectively enforce those laws and regulations in the West Bank, nor did Hamas in Gaza. PA 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. As a result, most women were not able to work at night or in the mining or energy sectors. Women endured prejudice and, in some cases, repressive conditions at work. Penalties were rarely applied against violators. According to the Palestinian Central Bureau of Statistics, the Palestinian work force participation rate in the second quarter of the year was 17.49 percent in Gaza and 18.9 percent in the West Bank. Reports of gender-based employment discrimination in Gaza against women were common, and factories often did not hire pregnant or newly married women to avoid the need to approve maternity leave.

There was discrimination in the West Bank and Gaza based on the above categories with respect to employment and occupation. Persons with disabilities faced discrimination in hiring and access to the workplace.

e. Acceptable Conditions of Work

Wage and Hour Laws: The PA's monthly minimum wage was below the poverty line. The Palestinian national minimum wage increased by approximately 30 percent during the year, under a 2021 PA

change, although some observers questioned the government's ability to enforce this policy, especially in Gaza. The increased minimum wage, however, remained below the poverty line. According to data released on September 14 by the UN Conference on Trade and Development, 36 percent of the Palestinian population lived below the poverty line. The Palestinian Central Bureau of Statistics previously estimated that 64 percent of residents in Gaza lived below the poverty line. The average monthly wage in Gaza was significantly lower than the PA's monthly minimum wage, according to the Palestinian Bureau of Statistics.

According to PA law, the maximum official Sunday to Thursday workweek is 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 work more than 12 hours of overtime per week.

Occupational Safety and Health: Occupational safety and health (OSH) standards were not appropriate for the main industries in PA-controlled territory in the West Bank, which included construction, mining, quarrying, manufacturing, and agriculture. The PA Ministry of Labor was responsible for setting appropriate OSH standards. Responsibility for identifying unsafe work conditions lies with inspectors and not the worker. Palestinian workers do not have the legal protection to remove themselves from situations that endangered their health or safety without jeopardy to their employment. Workers generally did not utilize mechanisms for lodging complaints due to fear of retribution, according to NGOs.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce the law on wages, hours of work, or OSH standards. Penalties for violations were sometimes enforced.

The government did not effectively enforce the law, procedures were subject to lengthy delays and appeals, and the number of inspectors was not sufficient to enforce compliance. Labor inspectors could conduct unannounced visits and initiate legal action but did not have the authority to levy fines and penalties against violators. The PA did not effectively monitor smaller worksites or those in the informal sector, which were at times below legal safety standards. The ministry does not have authority to enforce Palestinian labor law west of Israel's barrier or in Israeli settlements in the West Bank.

According to the Palestinian Central Bureau of Statistics, as of November 8, 40 percent of wage employees in the West Bank and Gaza's private sector received less than the minimum wage. In the West Bank approximately 19 percent of wage employees in the private sector received less than the minimum monthly wage. In Gaza, 90 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 2007 Supreme Court ruling that Israeli labor laws apply to relations between Palestinian workers and Israeli employers in settlements.

Respect for OSH standards of Palestinian workers in Israel was poor. There continued to be workplace fatalities of Palestinian laborers. According to an International Labor Organization (ILO) report published in May regarding Palestinian workers, there were 22 fatalities of Palestinian workers in Israel in 2021, 10 of those in construction. 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.

Informal Sector: 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 ILO estimated that one-half of all such workers with permits continued to pay exorbitant monthly fees to brokers to obtain and maintain valid work permits. Based on a labor force survey by the Palestinian Central Bureau of Statistics published on November 11, approximately 198,000 Palestinians worked in Israel and Israeli settlements as of the third quarter of the year, mostly in construction and agriculture. These workers were more vulnerable to exploitation and were not eligible for 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 the 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.

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