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Palestinian armed groups in Gaza committed apparent war crimes during three days of fighting with Israel in August, using unguided rockets in populated civilian areas and killing at least seven Palestinian civilians. Palestinian authorities in the West Bank and the Gaza Strip continued to heavily restrict freedom of expression, association and assembly. They also held scores of people in arbitrary detention and subjected many to torture and other ill-treatment. Justice for serious human rights violations remained elusive. The Hamas de facto authorities in Gaza carried out the first executions in five years.

Background

Palestinians in the West Bank and the Gaza Strip continued to face Israel's oppression, domination, fragmentation and segregation under its brutal occupation and apartheid (see Israel and the Occupied Palestinian Territories entry).

ecoi.net summary:
Report on the human rights situation covering 2022

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State of Palestine

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Palestinian authorities failed to hold parliamentary and presidential elections that had been delayed again by President Abbas in 2021. The last elections for the Palestinian Legislative Council were in 2006. President Abbas continued to rule by decree amid popular discontent.

Abuses by armed groups

In August, Israel launched a three-day military offensive on the occupied Gaza Strip targeting the Palestinian Islamic Jihad (PIJ) and its armed wing. Khaled Mansour and Taysir al-Jaabari, two high-ranking PIJ commanders, were killed by Israeli strikes in addition to 10 other PIJ fighters. In total, 31 Palestinian civilians were killed during the offensive, of which 17 were killed in Israeli attacks including in apparent war crimes.

Palestinian armed groups in the Gaza Strip committed apparent war crimes during three days of military confrontations with Israel in August, using unguided rockets in populated civilian areas. On 6 August, a rocket apparently fired by the PIJ towards Israel missed its target and hit a street in Jabalia refugee camp, killing seven civilians, including four children, and wounding at least 15 others. Seven other Palestinian civilians, including five children, were killed in four other attacks in Izbet Beit Hanoun, Al Bureij and Jabalia refugee camps and in Beit Hanoun, after which remnants of weapons were immediately removed. The removal of all remnants of the weapons used in attacks is a recurrent pattern in the aftermath of misfired Palestinian rockets. Hamas authorities stated they would investigate all deadly attacks but failed to publish any reports.

Between March and April, attacks by armed Palestinian individuals killed 18 people in cities and towns across Israel. While the individuals appeared to have no direct affiliation with Palestinian armed groups, their attacks were praised by the de facto authorities in Gaza in what could amount to incitement to violence. The call by Hamas's leader in Gaza, Yahya Sinwar,

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on Palestinians to use any means available to attack Israelis reportedly contributed to attacks carried out afterwards.

Freedom of expression, association and assembly

Authorities in the West Bank and Gaza Strip continued to unduly restrict freedom of expression, association and assembly, at times using excessive force to disperse peaceful gatherings. In the Gaza Strip, a general climate of repression, following a brutal crackdown on peaceful protests against the rising costs of living in 2019, effectively deterred dissent, often leading to self-censorship.

In the West Bank, the Fatah-controlled Palestinian authorities continued to repress public events that honoured opposition figures or waved opposition flags. In June, security forces in Hebron dispersed a peaceful protest against rising costs of living and detained the organizers. On 4 August, security forces fired tear gas to disperse a peaceful gathering in Tubas, in northern West Bank, celebrating the release from 20 years in Israeli detention of a member of a dissident faction of Fatah.

On 23 October, President Abbas issued a decree dissolving the Palestinian Doctors' Syndicate, dominated by representatives affiliated with opposing factions, and appointing an unelected "constitutive council". He reversed his decision after doctors across the West Bank went on strike.

On 4 November, security forces banned the Palestinian People's Congress, an umbrella group of activists and politicians calling for reforms of the Palestinian Liberation Organization, from convening in Ramallah in the West Bank. On 8 November, police officers without a judicial warrant raided and forcibly dispersed a press conference held by the same group at its headquarters in Ramallah, threatening participants and journalists with batons.

Arbitrary detention

According to the Independent Commission for Human Rights (ICHR), over 200 Palestinians were arbitrarily detained in the West Bank and some 105 in the Gaza Strip.

Torture and other ill-treatment

Torture and other ill-treatment remained rife in detention and interrogation centres in the West Bank and Gaza Strip, and complaints were particularly common in the Jericho detention centre in the West Bank run by the interior ministry. Detainees reported being beaten with clubs and batons, whipped on the soles of their feet and subjected to stress positions for hours. The ICHR received at least 130 complaints of torture and other ill-treatment against detaining authorities in the West Bank, and at least 160 against the police and internal security services in the Gaza Strip.

According to the ICHR and the Palestinian human rights NGO Lawyers for Justice, authorities failed to take effective measures to investigate torture allegations. In June, West Bank security forces arrested without warrant six men in relation to an explosion at a carpentry workshop in Ramallah and tortured and otherwise ill-treated them, according to complaints submitted to the ICHR.¹ Five of them were placed in solitary confinement, denied family visits, and subjected to further abuse for going on hunger strike in September.

On 16 October, Nasser Abu Obeid, a retired major in the National Security Forces, died in hospital after being transferred from a Hamas-run military police detention centre in Gaza where he was held under interrogation. The ICHR called on the Gaza authorities to investigate allegations of

torture and medical neglect during his detention. It appears that the authorities did not act on the request.

Enforced disappearances

Twenty years after their enforced disappearance by Palestinian authorities from a detention centre in the West Bank town of Salfit, the fate of six men remained unknown. Meanwhile, in order to pressure Israel into signing a prisoner exchange deal, the de facto authorities in Gaza published new footage of Hisham al-Sayed, a Palestinian citizen of Israel with mental disabilities, who went missing after crossing into Gaza in 2015. The fate and whereabouts of Avera Mengistu, an Israeli citizen with mental disabilities who entered Gaza without authorization in 2014, continued to be unknown.

Women's and girls' rights

According to the Women's Centre for Legal Aid and Counselling, 29 women were killed in the West Bank and the Gaza Strip by their family members in apparent cases of domestic violence. In September, the Gaza authorities prevented sisters Wissam and Fatimah al-Assi, aged 24 and 20 respectively, from pursuing complaints for domestic violence through courts by impeding them from accessing a prosecutor to testify.

LGBTI people's rights

Authorities failed to prevent and investigate homophobic and transphobic threats and attacks.

On 9 July, security forces stood by and watched as a mob beat youths and children participating in a parade organized by Ashtar Theatre in Ramallah that included rainbow flags. The attack came amid a wave of incitement to

violence and hate speech against LGBTI people and feminists that the authorities failed to investigate.

Right to truth, justice and reparation

In the West Bank, the trial of 14 low-ranking security officers charged over the death of Nizar Banat, a prominent dissident killed in June 2021 shortly after his violent arrest, proceeded before a military court amid delays and smears of witnesses. No senior officers were questioned or investigated as part of the legal proceedings.²

Authorities in the West Bank and Gaza Strip failed to investigate unlawful killings and attacks, including against Israeli civilians, amongst other serious violations. This was despite publicly renewing their commitment to cooperate with independent investigations, including by the ICC, into possible war crimes and crimes against humanity committed since 2014, and with the International Court of Justice inquiry into the illegality of Israel's occupation of the West Bank and Gaza.

On 28 October, President Abbas issued a decree creating the Supreme Council of Judicial Bodies and Authorities and appointed himself as its head. The council, with full power over the judicial system, further tightened the president's grip on the judiciary, hampered its independence, and increased its subordination to the executive power.

Death penalty

According to the Palestinian Centre for Human Rights, courts in Gaza issued 27 new death sentences in 2022, 11 more than in 2021. In a new trend, the courts of appeal in the Gaza Strip increased five sentences issued by lower courts from life imprisonment to the death penalty. This occurred after Gaza's justice ministry established the Supreme Criminal

Committee, which encouraged harsher sentencing ostensibly to deter violent crime.

On 4 September, Hamas authorities carried out the first executions in Gaza in five years. One of the prisoners, convicted of murder, had faced a grossly unfair trial.

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1. "Palestinian authorities must investigate torture allegations of hunger-striking prisoners and ensure their fair trial", 2 November
 2. "Palestine: Authorities have failed to ensure accountability for the killing of Nizar Banat", 24 June

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