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Freedom House

Freedom in the World 2023 - Gaza Strip*

NOT FREE

11

/ 100

Political Rights 3 / 40

Civil Liberties 8 / 60

LAST YEAR'S SCORE & STATUS

11 / 100 Not Free

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

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

Note

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

ecoi.net summary:

Gaza Strip: Annual report on political rights and civil liberties in 2022

Country:

State of Palestine

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

Overview

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

Key Developments in 2022

- In August, the Israeli military initiated a three-day campaign of air strikes in Gaza, asserting that it was preempting an attack by the militant group Palestinian Islamic Jihad, which responded with indiscriminate rocket fire into Israel. Hamas reportedly did not participate in the fighting, and a cease-fire was brokered by Egyptian and United Nations officials. According to the UN, the violence killed 49 Palestinians in Gaza, including 17 children, and damaged more than 1,760 housing units.

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- In September, Hamas authorities executed five men who had been accused of either murder or collaboration with Israel, marking the first executions in Gaza since 2017. UN representatives and human rights groups noted basic due process violations in the handling of their cases.
- In October, Hamas took part in Algerian-led reconciliation talks with Fatah and other Palestinian factions. While they agreed on the goal of holding presidential and legislative elections within a year, no concrete steps were taken toward that end.
- A second round of PA municipal elections proceeded in the West Bank in March, following a first round in December 2021, but Hamas's de facto administration in Gaza continued to boycott the process, insisting on comprehensive presidential, legislative, and municipal elections.

Political Rights

A Electoral Process

A1 0-4 pts

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

The PA has not held a presidential election since 2005, when the Fatah faction's Mahmoud Abbas won with 62 percent of the vote. Following its win in 2006 legislative elections and a violent rift with Fatah and the West Bank-based PA in 2007, Hamas seized control of the Gaza Strip. Abbas's four-year electoral mandate expired in 2009, though he has continued to govern in the West Bank.

Comprehensive PA elections were planned for 2021, but Abbas canceled them that April, citing Israel's refusal to allow PA election activity in East Jerusalem. Many analysts argued that the balloting was actually halted

because political fragmentation within Fatah raised the risk that Hamas or Fatah splinter groups would win. In 2022, the Algerian government sponsored reconciliation talks with Hamas, Fatah, and other Palestinian factions, resulting in a tentative October agreement that envisioned holding elections within a year. However, there was little evidence of progress toward that goal by year's end.

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

A2 0-4 pts

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

The PA has not held elections for the 132-seat PLC since 2006, when Hamas won 74 seats and Fatah took 45. The subsequent Fatah-Hamas schism and Israel's detention of many lawmakers left the full PLC unable to function, and the body's electoral mandate expired in 2010. Nonetheless, a Hamas-led rump legislature continued to operate in the Gaza Strip. In 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision.

The cancellation of the planned 2021 election process again left Gaza residents without an elected legislature. In March 2022, the PA held the second phase of its municipal council elections in the West Bank, but Hamas continued to boycott the balloting and renewed its call for comprehensive presidential, legislative, and municipal elections.

A3 0-4 pts

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

No open elections for any office have been held in Gaza since 2006. Decisions about the conduct and administration of elections are highly politicized and dependent on agreements between partisan factions. Hamas has refused to participate in successive PA municipal elections due to disputes about their management and circumstances.

B Political Pluralism and Participation

B1 0-4 pts

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

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

B2 0-4 pts

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

The repeated postponement of elections has prevented any opportunities for a change in the political status quo. The ongoing rift between Fatah and Hamas has also prevented municipal elections in the Gaza Strip that might give non-Hamas factions an opportunity to govern at the local level.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Israel's blockade of Gaza, which comprises strict limits on the movement of goods and people in and out of the territory, and the Hamas-Fatah rift hamper the development of normal civilian political competition. Armed groups, including the Israeli military and the militias affiliated with Hamas and Islamic Jihad, exercise disproportionate control over the day-to-day lives of Palestinians in the Gaza Strip and leave them with virtually no ability to shape policies that affect them. Political and militant groups in Gaza are also influenced by more distant foreign powers; Qatar provides crucial financial aid to the territory and Hamas in particular, and the Iranian regime supports Islamic Jihad. In October 2022, Hamas restored its relations with the Syrian regime, having broken with Damascus over its suppression of Arab Spring protests in 2011.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Hamas makes little effort to address the rights of marginalized groups within Gazan society. Women enjoy formal political equality under PA laws, and some women won seats in the PLC in 2006. However, women

are mostly excluded from leadership positions in Hamas and absent from public political events in practice. Gazan women do actively participate in civil society gatherings that touch on political issues. The political interests of LGBT+ people, who face widespread discrimination and the threat of violence in Gaza, are not addressed by those in power.

C Functioning of Government

C1 0-4 pts

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

The expiration of the presidential and parliamentary terms has left Gaza's authorities with no electoral mandate. In 2022, Hamas continued to govern the territory's internal affairs unilaterally, assigning responsibilities to its own officials as the reconciliation process with Fatah failed to yield meaningful progress toward elections.

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

C2 0-4 pts

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

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

with the procurement process have impeded the prosecution of corruption cases.

C3 0-4 pts

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

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

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 0 / 4

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

Following the three-day conflict between Israeli forces and Islamic Jihad in August 2022, it was reported that Hamas authorities had issued, and quickly rescinded, sweeping rules that prohibited journalists from describing the military capabilities of Palestinian armed groups or incidents in which Gazans were killed by misfired Palestinian rockets. After

the cease-fire, multiple journalists in the territory found that social media platforms had blocked their accounts.

The Palestinian Center for Development and Media Freedoms (MADA) documented 17 violations of media freedom in the Gaza Strip by Israeli forces during 2022, largely during the August conflict. The offices of eight media organizations were partially destroyed by air strikes. MADA also recorded 12 violations by Palestinian actors in Gaza during the year, including arrests and intimidation of journalists.

In recent years, Hamas has required journalists to apply in advance for approval to record video in some areas, such as Gaza's fishing port, the shoreline, and the gold market.

D2 0-4 pts

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

Freedom of religion is restricted. The PA Basic Law declares Islam to be the official religion of Palestine and states that "respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained." Blasphemy is a criminal offense. Hamas authorities have enforced conservative Sunni Islamic practices and attempted to exert political control over mosques. However, they have not enforced prayers in schools or compelled women to wear hijab in Gaza's main urban areas to the extent that they did in the early years of Hamas control.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Primary and secondary schools in the Gaza Strip are run by Hamas, the UN Relief and Works Agency (UNRWA), or private entities. In the Hamas-run Islamic University, people are separated by gender, and women are obliged to cover their hair. Hamas intervenes in the schools under its

control to uphold its views on Islamic identity and morality. It does not intervene extensively in private universities, but Hamas-led police have violently suppressed student demonstrations. Some Gazan academics are believed to practice self-censorship. Israeli and Egyptian restrictions on trade and travel limit access to educational materials and academic exchanges. In June 2022, apparently acting in response to corruption allegations, Hamas security forces arrested the head of the University of Palestine in the Gaza Strip without a warrant, in violation of Palestinian law; he was released after an outcry from academics and human rights activists.

D4 0-4 pts

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

Intimidation by Hamas militants and other armed groups has some effect on personal expression and private discussion in Gaza, and the authorities monitor social media for critical content. A 2018 HRW report documented a number of incidents in which Hamas intimidated, detained, or abused individuals in response to their social media activity or attendance at political events, most notably those perceived to be supportive of Fatah or opposed to the Hamas government. Such reprisals continue to occur regularly. Social media users, particularly women, also reportedly face online harassment for expressing political views. The risk of repercussions for free expression has led some residents to self-censor; opinion polls in 2022 found that a majority of respondents said they could not criticize Hamas without fear.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 0 / 4

Israeli forces use violent and frequently lethal methods to break up demonstrations near the de facto border. Hamas also significantly restricts freedom of assembly, with security forces violently dispersing unapproved public gatherings. Youth movements and youth-led protests have been systematically repressed by Hamas and its security personnel.

E2 0-4 pts

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

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

In 2021, the Israeli government designated six Palestinian NGOs and human rights organizations as “terrorist” groups, though it did not provide evidence that the groups, some of which received funding from European governments, had links to militant activity. While the six organizations operated mostly in the West Bank, some were also active in Gaza, and the designation was criticized by international human rights organizations and UN experts as an attack on the broader Palestinian human rights movement.

E3 0-4 pts

Is there freedom for trade unions and similar professional or 1 /

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

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

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 0 / 4

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

F2 0-4 pts

Does due process prevail in civil and criminal matters? 0 / 4

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

Some 200 Palestinian security detainees and prisoners from Gaza were held in Israeli prisons as of early December 2022, according to the Addameer Prisoner Support and Human Rights Association. The Israeli human rights group B'Tselem has noted that transporting prisoners outside of occupied territory is a breach of international law. Israeli military courts, which handle the cases of such detainees, lack the full due process guarantees of civilian courts.

F3 0-4 pts

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

According to UN OCHA, the August 2022 fighting between Israeli forces and Islamic Jihad resulted in the deaths of 49 Palestinians, including 17 children. The UN also reported damage to more than 1,760 housing units. While some of the destruction was caused by Palestinian rockets and mortar shells that fell short of their intended targets in Israel, UN high commissioner for human rights Michelle Bachelet noted that a number of Israeli air strikes had hit what were clearly civilian structures.

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

Hamas-led authorities have applied the death penalty without due process or adequate opportunity for appeals and without the legally required approval from the PA president. In September 2022, Hamas put five men to death, marking the first executions in the territory since 2017. Three had been accused of murder, and two of collaboration with Israel. According to the Palestinian Centre for Human Rights, as of early October 2022, courts in Gaza had sentenced 185 Palestinians to death since Hamas took control in 2007, and 33 had been executed.

F4 0-4 pts

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

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

Gaza residents living with disabilities face significant barriers. A 2020 HRW report noted pervasive stigma against this population and found that Israeli import restrictions impeded their access to medical and other equipment. HRW also observed that Israeli-imposed border closures in 2022 disrupted fuel supplies and exacerbated power outages, which disproportionately affect people with disabilities.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability 0 / to change their place of residence, employment, or education? 4

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

The Rafah crossing between Gaza and Egypt was opened more regularly in 2022 compared with 2021 and 2020, but conditions remained largely unpredictable and restrictive. The August 2022 conflict between Israeli

forces and Islamic Jihad led to a temporary shutdown of Israeli-controlled crossings; HRW has argued that such actions target the general population for collective punishment and violate international law. In late 2021, Israeli officials had announced the completion of a more robust physical barrier separating Israel from Gaza, with surveillance devices and an underground wall to deter tunneling. The Israeli army prevents Palestinians from approaching the barrier itself and a surrounding “buffer zone” that extends up to 300 meters into the territory, though the de facto border is not recognized by the international community or key stakeholders. Israeli authorities also periodically restrict or close Gaza’s offshore fishing zone. In recent years, the zone has been reduced from 15 to as little as 6 or 3 nautical miles from shore in response to militant activity.

G2 0-4 pts

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

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

G3 0-4 pts

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

Palestinian laws and societal norms, derived in part from religious law, put women at a disadvantage in matters such as marriage and divorce. Hamas has imposed restrictions on personal attire and behavior that it deems immoral, and while enforcement has relaxed somewhat in recent years, both official and social pressure persist on some issues. A 2019 PA decree set 18 as the minimum age for marriage, but child marriage reportedly remains a problem.

So-called honor killings continue to occur, though information on the situation in Gaza is limited. Domestic violence is common, with nearly four in 10 Gazan women facing such violence according to a 2019 PA survey. Rape and domestic violence go underreported and often unpunished, as authorities are allegedly reluctant to pursue such cases, and effective mechanisms for complaints and victim protection are lacking.

G4 0-4 pts

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

The blockade of the Gaza Strip's land borders and coastline has greatly reduced economic opportunity in the territory. According to the United Nations, nearly 80 percent of Gazans now rely on humanitarian aid, more than half live in poverty, and nearly 80 percent of young people are unemployed. Israel's intermittent restrictions on the entry of construction materials have hampered growth and recovery from conflicts, and Israeli patrols limit farming near the border fence as well as fishing in coastal waters. Hamas has imposed price controls that may further dampen economic activity.

Inconsistent access to fuel imports and electricity due to Israeli, PA, and Egyptian policies hinders all forms of development in the territory, including domestic desalination that could improve access to clean water. Qatari aid to Gaza, including in the domain of fuel and electricity, is

inconsistent and dependent on the status of political agreements with Israel and Egypt.

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

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