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## Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Israel and the Occupied Palestinian Territories

Published 12 March 2015

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Throughout 2014, the UK supported the United States-led push for a comprehensive settlement of the Israeli-Palestinian conflict; we were disappointed that greater progress was not made. We stand ready to assist the parties if negotiations resume.

We remained seriously concerned about the human rights situation in Israel and the OPTs in 2014. Our principal concerns related to the Israeli government's violation of international human rights and humanitarian law in the context of Israel's occupation of the OPTs. And we continued to have concerns about serious human rights abuses by Hamas.

The humanitarian situation in Gaza deteriorated significantly. The summer conflict left over 2,000 people dead, and more than 100,000 homeless, with 450,000 lacking access to clean water. To date, reconstruction has been insufficient. The Israeli authorities continued with settlement expansion, reintroduced punitive demolitions of Palestinian property, and made little progress to ease restrictions on movement and access. Access to the Holy Sites in Jerusalem was restricted on several occasions, including the Haram al Sharif/Temple Mount being closed to all faiths for the first time since 2000. There was also a lack of progress on the rights of minorities. We continued to seek improvements in the treatment of Palestinians in detention, notably children. The Israeli authorities took some positive steps, including a change in procedure to use summonses in place of night-time arrests. We will push for these changes to be fully implemented and to encourage further changes in practice.

We continued to have concerns about breaches of human rights under Hamas, the de facto government rule in the Gaza Strip, particularly during the summer's conflict, with reports of the use of human shields and extrajudicial executions. We were also concerned by continued reports of mistreatment towards detainees by the Palestinian security forces in the West Bank.

In 2015, we will support genuine efforts towards a final resolution to the conflict. We will work for all sides to maintain calm, and take steps towards peace. We will continue to oppose any aspects of the Israeli occupation that violate human rights and humanitarian law. We will push for the cessation of construction of settlements, which the UK condemns in the strongest terms, maintenance of the status quo at Haram al Sharif/Temple Mount, and the necessary reconstruction and improved movement and access for Gaza.

## **Elections**

Parliamentary and presidential elections in the OPTs remained overdue, and blocked by intense differences between Hamas and the Palestinian Authority (PA). We welcomed the formation of a new technocratic government, but limited progress was made towards Palestinian reconciliation after the Gaza conflict. Israel continued to hold free and fair democratic elections. We welcomed the Israeli authorities' increased efforts to address corruption allegations among some political parties.

## **Freedom of Expression and Assembly**

Freedom of expression and assembly continued to be well observed within Israel.

Within the OPTs, our long-standing concerns about Israel's policing of Palestinian protests remained. The Israeli Defence Force (IDF) frequently used shock grenades, tear gas and, increasingly, live fire to disperse crowds or respond to throwing of stones or Molotov cocktails.

On 10 December, Palestinian Minister Ziad Abu Ayn died following an incident at a Human Rights Day event. Video footage showed that Ayn was pushed in the chest and grasped around the throat by an Israeli soldier as the IDF dispersed the crowd. The circumstances of the incident continue to be investigated; initial autopsy results indicated that Ayn had an underlying health condition.

The Palestinian Centre for Development and Media Freedoms (MADA) judged that continued internal Fatah-Hamas tensions negatively affected media freedoms. The positive 2013 trend reversed in 2014 both in the West Bank and Gaza, with violations including physical assault, detention, and interrogation.

## **Human Rights Defenders (HRDs)**

Reports of Israeli security forces harassing Palestinian HRDs continued. We issued a statement of our concern at the imprisonment of Murad Shteivi, arrested in April on charges of participating in and organising illegal demonstrations.

Hamas, the de facto government in Gaza, continued to target HRDs with accusations of collaborating with foreign countries.

## **Access to Justice and the Rule of Law**

We were concerned about the continued use of administrative detention as common practice for Palestinian prisoners. According to international law, administrative detention should only be used when security concerns makes this absolutely necessary, and as a preventive rather than a punitive measure.

We were also concerned at the passing of Israeli legislation to allow force-feeding of prisoners on hunger strike.

All Palestinians, except residents of East Jerusalem, are subject to trial in Israeli military courts. Israeli settlers, who are citizens of Israel, are tried within Israeli civil courts. The UK was concerned by the lack of convictions against extremist Israeli settlers responsible for violence against Palestinians and Palestinian property.

## Death Penalty

Israel abolished capital punishment in peacetime in 1954, excepting those responsible for Nazi war crimes. Israel's last execution was in 1962.

Although PA law permits the use of capital punishment, a moratorium has been in place since the end of 2009.

Hamas, the de facto government in Gaza, carried out 27 executions of alleged collaborators. Some executions were carried out after summary trials or without trials, so could be characterised as extrajudicial. EU member states condemned these executions. The UK urges that the death penalty be abolished across the Palestinian Territories.

## Torture and Cruel, Inhuman or Degrading Treatment

We were concerned by reports of mistreatment of detainees by the PA security forces and Hamas, the de facto government in Gaza. According to the Palestinian Independent Commission for Human Rights, there were 221 complaints of mistreatment by the PA security forces in 2014. 271 complaints were lodged against Hamas security forces in Gaza.

Non-governmental organisations (NGOs) alleged mistreatment of Palestinian detainees by the Israeli authorities during the arrest and interrogation processes.

## Conflict and Protection of Civilians

Three Israeli teenagers were kidnapped in the West Bank on 13 June, and their bodies found near Hebron on 30 June. On 2 July, a Palestinian teen was kidnapped and burnt alive. Following this, there was a significant increase in tensions and a worsening security situation, including intensive and indiscriminate rocket attacks on Israel by Hamas militants. Israel launched Operation Protective Edge on 8 July, with subsequent ground operations from 17 July, leading to 51 days of conflict, and a severe humanitarian crisis in Gaza. The UK condemned the rocket attacks and stressed the need for de-escalation.

Throughout the hostilities, the UK was clear that Israel had a right to take action but needed to do so proportionately and minimise civilian casualties, in line with international humanitarian law. The Foreign Secretary, Philip Hammond, raised concerns about the number of casualties and humanitarian impact with Israeli Prime Minister Binyamin Netanyahu, Foreign Minister Lieberman, and PA President Abbas. Israeli forces initially withdrew from Gaza on 5 August. Following several attempts to negotiate a ceasefire and intermittent resumptions of violence, an open-ended ceasefire supported by all parties was agreed on 26 August.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 2,131 Palestinians were killed, of whom 1,473 were identified as civilians, including 501 children and 257 women. There is a disparity between figures regarding the number of Palestinian civilians killed. 74 Israelis were also killed. At the height of the conflict, 292,000 people were sheltering in UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and government schools, set up as emergency shelters. In December, nearly four months after the end of the war, 19,000 internally displaced persons were living in UNRWA schools. The UK provided £19 million of emergency assistance during the conflict.

The UK played its full role, and attempted to secure a balanced resolution on Gaza at the emergency session of the UN Human Rights Council in July 2014. However, our view was that the resolution would not help achieve a lasting ceasefire and was fundamentally unbalanced. Whilst we remained deeply concerned by the bloodshed in Gaza, the UK joined other EU nations in abstaining in the vote. However, the UK encouraged all parties to cooperate with the Commission of Inquiry (CoI) mandated by this resolution, which we have said must be independent and balanced in its approach. The Israeli authorities have launched a number of internal processes to investigate specific cases of engagement, which we are following closely.

In the last quarter of 2014, East Jerusalem and the West Bank saw an increase in violent clashes between Palestinians and Israeli police and several terrorist attacks.

## Freedom of Religion or Belief

Hamas, the de facto government in Gaza, continued to restrict religious freedom or belief. The practice of religions other than Islam is difficult. There continued to be reports of arrests and detentions of individuals who do not abide by Hamas' own strict interpretation of Islam.

Whilst freedom of religion or belief was broadly respected in Israel and the West Bank, there continued to be incidences of religious intolerance in 2014. Reports of attacks on holy sites in the region continued, including the vandalism of a number of Christian and Muslim holy sites in East Jerusalem, and a number of incidents of vandalism at synagogues. Officials at the British Embassy in Tel Aviv and British Consulate General in Jerusalem raised concerns about provocative acts, urging action be taken to bring the perpetrators to justice.

Due to Israeli movement and access restrictions, outside of the Muslim holy month of Ramadan, access to the holy sites of Jerusalem, including al-Aqsa Mosque was heavily restricted. On 30 October, Israeli authorities closed the Haram al Sharif/ Temple Mount compound to all faiths for the first time since 2000, in response to an unstable security situation, including the shooting of a prominent US-Israeli Jewish activist.

The closure of Al Aqsa sparked a series of violent incidents and increased tensions in Jerusalem, including sporadic clashes at the Haram al Sharif/Temple Mount, and a number of terrorist incidents around the city, including an attack by Palestinians from East Jerusalem on a synagogue in West Jerusalem. This left four worshippers dead, including a dual British-Israeli citizen. The UK urged both sides to reinstate calm, and encouraged Israeli security forces to avoid unnecessary use of force in its responses.

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## Women's Rights

We continued to have serious concerns about the suppression of women's rights in Gaza; Hamas, the de facto government, increased the number of Islamic restrictions imposed on Gazan life.

The UK welcomed the government of Israel's efforts to promote gender equality and women's rights, and implementation of existing legislation that addresses domestic and sexual violence against women and girls. Israel was a committed supporter of the Preventing Sexual Violence Initiative, launched in May 2014, and endorsed the Declaration of Commitment to End Sexual Violence in Conflict.

The UK continued to support PA efforts to address concerns about discrimination against women and domestic violence.

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## Minority Rights

The Arab-Israeli minority continued to lag behind Israel's Jewish population in income, education, and standard of living. We welcomed the efforts by the Israeli government to address areas of inequality and discrimination between Jews and Arabs in Israel, but remained concerned by a climate of intolerance. An advisor on minority affairs sits in the office of the Prime Minister.

The UK closely followed the debate around the issue of unresolved Bedouin land claims and unrecognised Bedouin villages in the Negev. We encouraged the equal treatment of all of Israel's citizens under the law.

We had strong concerns about the development of Israeli plans to relocate Bedouin communities living in the strategic "E1" area in Area C of the West Bank to a township near Jericho. Plans for the new townships were deposited for public objection in August. If approved, this could result in the removal of 7,000 Bedouin in and around E1. The UN stated that such a move could be considered the forcible transfer of a protected population, a grave breach of the fourth Geneva Convention.

## LGB&T Rights

We welcomed the fact that Israel continued to provide a safe environment for the LGB&T community. Our Embassy in Tel Aviv marched together with 150,000 people in the annual Tel Aviv Gay Pride Parade, and our Ambassador addressed the crowd.

## Children's Rights

We are deeply concerned by reports that Hamas have launched a campaign to coordinate training camps for young people aged 15-21. The camps, designed to promote Hamas' military wing to a new generation of Gazans, offer religious and military training, in exchange for much needed food aid for trainees' families.

We continued to have concerns about Israel's treatment of Palestinian child detainees. We welcomed steps taken by the Israeli authorities to address these concerns, through trialling the use of summons instead of night-time arrests; notification of minors of their legal rights at the time of arrest; and the right of parents to accompany their children to interrogations and hearings.

We also welcomed changes made to the law, including the increase in the age of majority in the West Bank from 16 to 18 years, and the creation of a Juvenile Court. We continued to encourage further measures.

In close coordination with the IDF and the Israeli Ministry of Justice, our Embassy in Tel Aviv attended the trial of one of the five boys from Hares village, currently in Israeli detention, charged with 20 counts of attempted murder for allegedly throwing stones at a car. We emphasised to the Ministry the importance of providing the boys with a fair trial, and continued to follow the case closely.

In November, the Israeli cabinet approved a bill extending the maximum penalty for those found guilty of throwing stones to 20 years, equivalent to the longest possible sentence for manslaughter. This bill also applies to children.

At least 11 Palestinian children in the West Bank and East Jerusalem were killed in 2014 after being shot with live ammunition by Israeli soldiers. Fatalities increased in the aftermath of the killing of three Israeli teenagers in the West Bank, and the subsequent revenge killing of a Palestinian teenager.

Ministers and the British Ambassador in Tel Aviv spoke and wrote to both the Israeli Justice Minister and the Israeli Attorney General to urge Israel to take action. We repeated our concerns on issues including the transfer of Palestinian child and adult detainees to prisons inside Israel, in violation of the Fourth Geneva Convention.

## Racism

We remained deeply concerned by incitement against Israel in the Hamas-run media and leadership, which continued to be both anti-Israel and antisemitic. Our policy on Hamas remains clear: Hamas must renounce violence, recognise Israel, and accept previously signed agreements.

The UK government deplores incitement to hatred, discrimination or violence, wherever it occurs, and continued to raise instances of incitement with the Israeli authorities and with the PA. Actions such as the letter from President Abbas to the family of the shooter of Yehuda Glick, in which he said he would go to heaven as a martyr, are unacceptable. Our Consul-General in Jerusalem raised our concerns with the Palestinian authorities, and underlined the need to avoid inflammatory rhetoric.

We were also concerned by an increasing number of provocative visits to the Haram al Sharif/Temple Mount compound, such as the visit by Housing Minister Uri Ariel in October, in which he called for Israel to act "with an iron fist". We were clear with both sides that they must do more to promote a culture of tolerance, and to prepare their populations for peace.

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## Other Issues

### Settlement-building

The UK remained deeply concerned about the Israeli policy of settlement-building in the West Bank. The UK considers settlements illegal under international law. We also believe that their construction presents an obstacle to peace, and takes us further away from a two-state solution. We strongly urge the Israeli government to reverse its policy. Plans for 3,628 new settlement units were progressed in the West Bank between January and March, in violation of international law. On 6 April, Israel authorised the reclassification of almost one

square kilometre of land in the West Bank as Israeli state land. In June, Israel announced the tender of 1,600 settlement units, many deep within the West Bank and in East Jerusalem. On 11 June, plans for a further 1,083 settlement units in the West Bank were progressed, including steps to legalise retrospectively and expand illegal outposts.

On 24 September, Israel's Jerusalem Municipality announced final statutory approval for the construction of 2,610 new settlement units in Givat Hamatos, East Jerusalem. On 30 September, Israeli settlers moved into seven buildings in East Jerusalem. At a time when the priority must be calming tensions, we judge that these announcements do serious damage to Israel's standing in the international community.

In June 2014, we updated our online advice to include EU Common Messages alerting businesses to the risk associated with financial and economic activities in settlements. This was part of coordinated action with European partners, and these messages have now been published by numerous European countries.

Settler violence in the West Bank also continued, including during the olive harvest season.

## Right to adequate housing

The Israeli authorities increased the practice of demolishing Palestinian structures built without permits in Area C of the West Bank and East Jerusalem. We repeatedly made clear to the Israeli authorities our serious concern at the increase in such demolitions. We recognise that Palestinians face severe difficulty in securing building permissions for homes and infrastructure in East Jerusalem and Area C under the Israeli planning and permitting regime. We were also deeply concerned by the reintroduction of punitive demolitions.

## Movement and access restrictions

We remained concerned about restrictions on freedom of movement. Overall, there was some progress with the number of exits per month via Erez, which was 32% higher than the monthly average in 2013. It remained difficult for Palestinians to enter East Jerusalem for work, education, medical treatment or religious worship. Through our Embassy in Tel Aviv, we lobbied the appropriate authorities on movement and access.

For the first time since 2007, barring limited exceptions, Israel allowed goods to transit from Gaza for sale in the West Bank in November, with the first shipments of agricultural products and subsequently wood and clothing to the West Bank. But restrictions continued to have severe consequences for Gaza's civilian population, including a record-high unemployment rate. We pressed both Egypt and Israel to ease restrictions.

The agreement between Israel, the PA and the UN on a monitoring and verification mechanism to facilitate the import and use of construction materials to re-build Gaza was an important step in improving the dire humanitarian situation. Part of the UK's £20 million pledge at the Gaza reconstruction conference will go towards funding the mechanism.

This publication is part of the [2014 Human Rights and Democracy Report](#).