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2013 Country Reports on Human Rights Practices - The Occupied Territories (including areas subject to the jurisdiction of the Palestinian Authority)

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EXECUTIVE SUMMARY

The Palestinian Authority (PA) has a democratically elected president and legislative council. The PA exercised varying degrees of authority in restricted areas of the West Bank due to the Israel Defense Forces' (IDF) continuing presence, and none over Arab residents of East Jerusalem due to Israel's extension of Israeli law and authority to East Jerusalem in 1967. Although PA laws apply in the Gaza Strip, the PA had little authority in the Gaza Strip and none over Israeli residents of the West Bank. In the 2006 Palestinian Legislative Council (PLC) elections, candidates backed by Hamas, a terrorist organization, won 74 of 132 seats in elections that generally met democratic standards. In 2007 Hamas staged a violent takeover of PA government installations in the Gaza Strip. Prime Minister Rami Hamdallah governed the West Bank after his swearing-in on June 6, replacing former prime minister Salam Fayyad. President Mahmoud Abbas, in office since 2005, is also chairman of the Palestinian Liberation Organization and commander of the Fatah party. Both PA and Israeli security forces reported to civilian authorities. Hamas maintained control of security forces in the Gaza Strip. All security forces committed human rights abuses.

The three most significant human rights abuses across the occupied territories were arbitrary arrest and associated torture and abuse, often with impunity, by multiple actors in the region; excessive use of force against civilians, including killings; and restrictions on civil liberties, particularly in Gaza, where residents remained unable to hold their government accountable for such abuses.

Human rights problems under the PA in the West Bank included abuse and mistreatment of detainees, poor and overcrowded detention facilities, prolonged detention, and infringements on privacy rights. Restrictions on freedom of speech, press, and assembly continued. There were limits on freedom of association and movement. Corruption was a problem. Violence against women and societal discrimination were serious problems. At times the PA failed to condemn incidents of anti-Semitic expression. Abuse of children and discrimination against persons with disabilities also were serious problems. Discrimination based on sexual orientation and HIV/AIDS

status persisted. There were some limits on worker rights and there was forced labor, including by children. Child labor also remained a serious problem.

Human rights abuses under Hamas included security forces killing, torturing, arbitrarily detaining, and harassing opponents, including Fatah members, and other Palestinians with impunity. Terrorist organizations and militant factions in the Gaza Strip launched rocket and mortar attacks against civilian targets in Israel. Gaza-based civil rights organizations reported prisoners were held in poor conditions in detention facilities in the Gaza Strip. Authorities failed to provide fair trials to a number of accused prisoners. Hamas also infringed on privacy rights. Hamas restricted the freedoms of speech, press, assembly, association, religion, and movement of Gaza Strip residents. Discrimination against women and domestic violence were serious problems. Abuse of children and discrimination against persons with disabilities were problems. Hamas frequently promoted anti-Semitism. Discrimination based on sexual orientation and HIV/AIDS status persisted. Restrictions on worker rights continued. Forced labor, including by children, occurred. There were reports of children trained as soldiers.

Human rights problems related to Israeli authorities included reports of excessive use of force against civilians, including killings; abuse of Palestinian detainees, particularly during arrest and interrogation; austere and overcrowded detention facilities; improper use of security detention procedures; demolition and confiscation of Palestinian property; limitations on freedom of expression, assembly, and association; and severe restrictions on Palestinians' internal and external freedom of movement. Violence by settlers against the Palestinian population continued to be a problem, as did inconsistent punishment of these acts by Israeli authorities. The IDF maintained restrictions on movement into and out of the Gaza Strip and largely limited the travel of Palestinians out of Gaza to humanitarian cases, in addition to some business travelers.

The PA and Israeli authorities took steps to address impunity or reduce abuses, but there were criticisms that they did not adequately pursue investigations and disciplinary actions related to violations. Impunity was a major problem under Hamas.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were reports that the PA security services committed arbitrary or unlawful killings. For example, on August 27, during an operation by Preventive Security forces at Askar refugee camp in Nablus, Amjad Odeh died after being shot in the head in unclear circumstances while camp residents protested the security forces' raid. His death provoked further protests by hundreds of persons, some of whom damaged public and private property. Lieutenant Adnan Dmeiri, spokesperson for the PA's security forces, announced on the day of the killing that authorities would open an official investigation, but there was no further information regarding the status of the investigation.

Palestinian terrorist groups and other unaffiliated individuals committed unlawful killings of Israeli civilians and security forces in Israel, and of Israeli civilians and security forces operating in the West Bank, although the number of terrorist attacks generally declined during the year, particularly the number of rockets and mortar shells fired from the Gaza Strip. Nevertheless, several dozen indiscriminate rocket and mortar attacks occurred. News outlets reported Hamas positioned its rocket launch sites in the Gaza Strip adjacent to schools, playgrounds, and hospitals, leading Israel to target those launch sites and, thereby, put civilians at risk.

There were also firebombings and other attacks on civilians in Jerusalem. In April a Palestinian man stabbed to death an Israeli settler at Tapuach Junction, south of Nablus, the first time an Israeli had been killed in the West Bank in 18 months. In September a Palestinian killed an Israeli

soldier in Qalqilyah; the attacker and the victim were acquaintances. Although the Palestinian had a well-established criminal record unrelated to terrorism, the incident was listed on Shin Bet's website as a terrorist act. Also in September an Israeli soldier in Hebron died from a bullet wound; the identity and nationality of the perpetrator remained unknown at year's end. Shin Bet's website also classified the October stabbing attack on a nine-year-old girl in the Israeli settlement of Psagot and the November killing of a retired Israeli colonel in the Jordan Valley, both carried out by Palestinians, as terrorist acts, although media reports indicated that both actions were failed robbery attempts. There were numerous acts of violence between Israeli settlers and Palestinians in the West Bank.

In November Israeli security personnel killed three Salafist Jihadist militants leading a cell in the West Bank, who reportedly took inspiration from al-Qaida but were not affiliated with the group. According to press reports, PA security officials also detained a number of other suspects in the cell.

According to local media and the United Nations, Hamas unlawfully executed at least three persons in the Gaza Strip during the year. By law the PA president must ratify each death penalty case, but Hamas did not contact the PA regarding these executions. For example, on June 21, Hamas hanged two men accused of collaborating with Israel. Hamas released only their initials, "A.G." and "H.K." Amnesty International (AI) reported in May that at least 40 prisoners were sentenced to death and awaited execution in Gaza.

The Israeli government killed Palestinian civilians as well as militants. During the year Israeli security forces killed at least nine Palestinians in Gaza and 27 in the West Bank. Deaths in the West Bank increased during the year, while deaths in Gaza declined. One of those killed in the Gaza Strip and four of those killed in the West Bank were minors.

In June an Israeli military court convicted an IDF soldier of negligent homicide for shooting and killing an unarmed Palestinian, Udai Darawish, on January 12, as he passed through the separation barrier to work illegally in Israel. Human rights organizations reported that this was the first indictment and conviction of any soldier involved in the killing of a Palestinian since 2011.

On January 23, IDF forces shot and killed Lubna al-Hanash near Hebron. An initial IDF investigation stated that a group of Palestinians ambushed an IDF patrol with Molotov cocktails and rocks and that the soldiers opened fire because they believed their lives were in danger. Palestinian witnesses reported that Hanash was walking on the campus of the local college when she came under fire. Results of a further investigation were not available by year's end.

On July 2, IDF forces shot and killed Mu'taz Idris Abd al-Fatah Sharawnah during clashes with IDF forces following a protest near Hebron. A military spokesman stated that Sharawnah climbed into a military vehicle. Authorities opened an investigation, but no results were available by year's end.

On August 26, Israeli security forces conducted an operation in the Qalandiya refugee camp near Ramallah, resulting in the deaths of three registered Palestinian refugees, including a UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) sanitation worker who was en route to his workplace when he was shot, and injuries to 19 other refugees. The IDF stated that hundreds of Palestinians attacked the soldiers, who responded with appropriate crowd control methods, only using live fire when the situation reached the point of being life threatening. As of December 6, Israeli security forces killed 12 refugees (including nine in camps) and injured 366 in camps since January 1. In 2012 Israeli forces injured 38 refugees but did not kill any.

On December 7, the IDF shot and killed 15-year-old Wajih Wajdi al-Ramahi outside the Jalazoun refugee camp. Reports differed on whether Ramahi was involved in throwing stones at the soldiers

from a distance of approximately 200 yards (180 meters). An Israeli government investigation into the incident was underway at year's end.

Despite the increase in Palestinian deaths, the IDF stated there was no change in IDF rules of engagement and reaffirmed that live fire was permitted only to protect against immediate mortal danger, not for crowd control.

There were also continued reports of Israeli forces killing Palestinians in restricted areas in the Gaza Strip. Israel warns Palestinians they are at risk of being shot if they come within 328 yards (300 meters) of the "buffer zone" separating Gaza from Israeli territory; however, Israel regularly enforced the buffer zone by firing toward Palestinians approaching at distances beyond 328 yards (300 meters).

The Israeli government periodically launched strikes into the Gaza Strip. For example, in April the IDF targeted and killed a Palestinian militant while he was on a motorcycle inside the Gaza Strip. According to Israeli nongovernmental organization (NGO) B'Tselem, these attacks killed four Palestinians participating in hostilities, three Palestinians not participating in hostilities, one in a case in which it was not known whether he was participating in hostilities, and one who was the object of targeted killing. The IDF used tanks and remote-controlled weapons to fire on Palestinians inside the Gaza Strip. IDF personnel maintained secure stations every several hundred yards along the border fence; each station contained machine guns with a nearly one-mile firing range. On December 24, an Israeli airstrike on Gaza in response to rocket fire reportedly killed a three-year-old girl.

An April report by the Military Advocate General's office did not find any suspicion of criminal wrongdoing in regard to Palestinian casualties during the November 2012 Operation Pillar of Defense. The operation which consisted of approximately 1,500 aerial strikes against targets in the Gaza Strip, in response to indiscriminate rocket fire into Israel by Hamas, killed approximately 90 Palestinians who did not take part in hostilities. Human Rights Watch (HRW) and B'Tselem identified several cases of strikes that they stated lacked a clear military target or used disproportionate force, resulting in civilian casualties.

According to B'Tselem in 2011 Israel began investigating every case in which the IDF killed civilians in the West Bank not taking part in hostilities. Since 2011 IDF soldiers killed 35 Palestinians in 28 separate incidents, opened investigations into 19 of the incidents, and made a decision in five cases, resulting in one conviction of an IDF soldier. Israeli law restricts the ability of Palestinians harmed by the acts of Israeli security forces to seek compensation in Israeli courts.

On December 5, the IDF Military Advocate General Corps announced that it had closed the investigation into the 2011 death of Mustafa Tamimi, concluding that the tear gas canister that killed Tamimi had been fired according to IDF regulations. A soldier in an armored jeep fired a tear gas canister directly at Tamimi, from close range, while he was throwing stones at the IDF vehicle in the village of Nabi Saleh. The gas canister struck Tamimi in the head, and he died several hours later.

b. Disappearance

In the West Bank, there were no reports of politically motivated disappearances. In the Gaza Strip, Hamas security operatives carried out extrajudicial detentions based on political affiliation during the year. Information concerning the whereabouts and welfare of those detained was not consistently or reliably available, and Hamas denied many of those detained due process or access to family and legal counsel.

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

The PA Basic Law, the collection of laws governing the area under PA control, prohibits torture or use of force against detainees; however, international human rights groups reported that torture and abuse remained a problem. In May President Abbas, following the release of the Independent Commission for Human Rights' (ICHR) 2012 human rights report, issued a statement reaffirming his rejection of the use of torture and ordered the PA's Ministry of Interior to form a committee to investigate complaints cited in the report.

Palestinian detainees held by PA security forces registered more than 145 complaints of abuse and torture with the ICHR during the year, a significant decline from the previous year. In May AI released a report stating that the PA's Police Criminal Investigation Department was responsible for torture or "mistreatment with impunity." Reported abuses by PA authorities in the West Bank included forcing prisoners, including persons accused of affiliation with Hamas, to sit in a painful position for long periods; beating; punching; flogging; intimidation; and psychological pressure. Independent observers noted that abuse was not systematic or routinely practiced in PA prisons, although some prisoners experienced abuse during arrest or interrogation. The PA Corrections and Rehabilitation Centers Department (CRCDD), under the authority of the Ministry of Interior, reported no cases of inmate abuse by its staff, although it continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons.

Detainees held by Hamas filed at least 263 claims of torture and abuse with the ICHR, compared with 142 complaints during 2012. HRW reported that the Hamas Internal Security Services, the drugs unit of the "civil police force," and "police" detectives tortured detainees. In the Gaza Strip, security elements under the Hamas de facto "Ministry of Interior" tortured and abused security detainees, persons associated with the PA or the Fatah political party, those held on suspicion of collaboration with Israel, civil society activists, journalists, and those who reportedly engaged in "immoral" activity. Hamas also reportedly deployed undercover officers to assault such persons. HRW reported that complaints of abuse included being forced to stand in uncomfortable stress positions; flogging; hand binding; suspension; blindfolding; punching; and beatings with clubs, electric cables, or hoses.

Hamas reportedly took little or no action to investigate reports of torture, and reports and documentation of abuses were limited, due to victims' fear of retribution and lack of access to Gaza Strip prisoners' rights NGOs or PA officials.

Human rights organizations such as the Public Committee Against Torture in Israel reported that "physical interrogation methods" permitted by Israeli law and used by Israeli security personnel could amount to torture; these included beatings, forcing an individual to hold a stress position for long periods, and painful pressure from shackles or restraints applied to the forearms. Israeli officials stated that they did not use techniques that could amount to torture. Israeli and Palestinian NGOs continued to criticize these and other Israeli detention practices they termed abusive, including isolation, sleep deprivation, and psychological abuse, such as threats to interrogate spouses, siblings, or elderly parents or to demolish family homes.

Israeli authorities reportedly used similar tactics on Palestinian minors. Defence for Children International-Palestine (DCI-Palestine), Breaking the Silence, and other human rights NGOs claimed that Israeli security services continued to abuse, and in some cases torture, minors who they frequently arrested on suspicion of stone throwing to coerce confessions. Tactics included beatings, long-term handcuffing, threats, intimidation, and solitary confinement. In July the IDF detained a five-year-old child in Hebron suspected of stone throwing and blindfolded and handcuffed the child's father, although the father was not involved in the alleged stone throwing. Following the incident an IDF commander said the soldiers "erred" in detaining a boy under the age of criminal responsibility and instructed his soldiers to review the protocol for detaining children.

Prison and Detention Center Conditions

The PA Ministry of Health reported prisoners in PA facilities, including in both the West Bank and the Gaza Strip, suffered from extremely bad detention conditions.

Prison conditions in the Gaza Strip were reportedly poor, although little information was available.

IDF detention centers for security detainees were less likely than Israeli civilian prisons to meet international standards.

Physical Conditions: Most PA prisons were less crowded than during the previous year but lacked ventilation, heating, cooling, and lighting systems that conformed to international standards. Most prisons lacked sufficient space for programming, recreation, and medical care services. Inmates had access to potable water. There were no deaths reported in PA prisons from adverse conditions. Authorities at times housed male juveniles with adult male prisoners. Security services used separate detention facilities. Conditions for women were virtually identical to those for men; however, some detention centers for women had limited outdoor recreation space.

Detention facilities in the Gaza Strip were reportedly below international standards. HRW reported that prisoners in Gaza were deprived of potable water, food, and other basic necessities.

Some Israeli government facilities, such as the Ofer detention center, provided living space as small as 15 square feet (1.4 square meters) per detainee. In August B'Tselem reported that since 2009, 64 Palestinian minors had reported "extreme violence," including sexual assault, by authorities in the Israeli police station in the settlement of Gush Etzion. B'Tselem called for an end to violent interrogations and a thorough investigation of what it described as a "systemic" problem. NGOs stated that poor conditions appeared to be used as an interrogation or intimidation method. Prisoners also continued to claim inadequate medical care. Detainees under Israeli control had access to potable water.

According to NGO sources, approximately 6,000 Palestinians were held in Israeli prisons at the end of the year, 4,768 of whom were Palestinian security prisoners or detainees, and the remainder consisted of Palestinians who entered Israel illegally. DCI-Palestine reported that at the end of the year 177 minors were held in Israeli detention, 154 of whom were security prisoners or detainees and 23 of whom had entered Israel illegally. Fourteen of the minors were between the ages of 12 and 15.

The Public Committee Against Torture in Israel (PCATI), DCI-Palestine, and Breaking the Silence reported that most reports of abuse or poor conditions occurred during arrest and interrogation, generally within the first 48 hours following arrest.

Administration: Recordkeeping by PA authorities in the West Bank was adequate, with the CRCDD storing information on computers, but records were not publicly available. By law any person sentenced to imprisonment for a term of not more than three months may petition the PA public prosecutor to put him to work outside the prison instead of carrying out the sentence of imprisonment, unless the judgment deprives him of that option. Although the law allows for this option, the legal system did not have the capacity to implement such a process. All PA civil police prisons allowed visitors on a weekly basis, permitted religious observance, provided a procedure for submitting complaints through a prison officer or directly to the warden, and had an investigation process for complaints. The PA investigated allegations of mistreatment. Although ombudsmen cannot serve on behalf of prisoners, the ICHR played an ombudsman role.

Little information was available about prison administration in the Gaza Strip. HRW reported it had documented cases in which hospital officials allegedly refused to provide medical records that could be used as evidence of custodial abuse.

Recordkeeping by Israeli authorities in the West Bank was often only in Hebrew and inaccessible to the Palestinian public. There were no reports of improvements in recordkeeping. There was an ombudsman. Detainees under Israeli control could have visitors. Human rights groups reported families of imprisoned Palestinians, particularly Gazans, had limited ability to visit prisoners. After an extended hunger strike initiated by nearly 2,000 Palestinian detainees incarcerated in Israeli prisons, in May 2012 Israel eased restrictions instituted in response to the 2006 capture of Israeli soldier Gilad Shalit. This included an end to solitary confinement of some prisoners, a resumption of family visits for prisoners from Gaza, and a limitation of administrative detention to six months. Authorities allowed detainees religious observance. NGOs claimed there was a systematic failure to investigate abuse claims. The PCATI reported in July that, despite more than 776 complaints it filed since 1999, no torture complaint resulted in a criminal investigation, prosecution, or conviction. This remained a pattern during the year. The PCATI reported that the government regularly dismissed complaints of abuse following a primary examination by an Israeli Security Agency (ISA) employee. NGOs reported that investigations into IDF and police abuse were slow and ineffective and rarely led to prosecution. ISA facilities were exempt from regular independent inspections.

Independent Monitoring: The PA generally permitted the International Committee of the Red Cross (ICRC) access to detainees and allowed regular inspections of prison conditions in accordance with the ICRC's standard modalities. Preliminary unpublished accounts by human rights groups, humanitarian organizations, and lawyers indicated that, as in previous years, there were some difficulties in gaining access to specific detainees, depending on which security organization managed the facility.

The ICRC conducted monitoring visits to some prisoners in the Gaza Strip, but Hamas authorities denied its representatives permission to visit high-profile detainees and prisoners.

The Israeli government permitted visits by independent human rights observers. The government permitted the ICRC to monitor prison conditions in accordance with its standard modalities. NGOs sent representatives to meet with prisoners and inspect conditions in prisons, detention centers, and IDF facilities, except ISA detention and interrogation facilities, since security prisoners and facilities remained inaccessible to independent monitors. Human rights groups reported delays and difficulties in gaining access to specific detainees and frequent transfers of detainees without notice.

Improvements: The PA opened a 250-bed prison in Ramallah, which in addition to other expansions in 2011 and 2012, reduced the overcrowding problem in the prison system.

d. Arbitrary Arrest or Detention

Palestinian law prohibits arbitrary arrest and detention. However, while PA prosecutors generally charged suspects promptly as a requirement to detain suspects, the PA criminal justice system often did not lead to a prompt and speedy trial. Hamas also stated that the PA repeatedly detained individuals during the year solely based on their Hamas affiliation, especially following high-profile security sweeps.

Hamas reportedly practiced widespread arbitrary detention in the Gaza Strip, particularly against Fatah members, civil society activists, and others accused of publicly criticizing Hamas.

Israeli law provides safeguards against arbitrary arrest and detention, but key safeguards do not apply to Palestinian security detainees. Palestinian security detainees are subject to the jurisdiction of Israeli military law, which permits eight days' detention before appearing before a military court. There is no requirement that a detainee have access to a lawyer until after interrogation, a process that may last weeks. The maximum period for such a detention order, according to military law, is 90 days; however, detention can be renewed if deemed necessary. Denial of visits

by family, outside medical professionals, or others outside the ISA, the IDF, or the prison service occurred. NGOs reported persons undergoing interrogations often were held incommunicado for several weeks. In the past the Israeli government refuted such allegations.

Role of the Police and Security Apparatus

In West Bank Palestinian population centers, mostly "Area A" as defined by the Oslo-era agreements, containing 55 percent of the Palestinian population on approximately 18 percent of West Bank land area, the PA has formal responsibility for security and civil control. However, since 2002, following the outbreak of the Second Intifada, Israeli security forces have regularly conducted security operations in Area A cities, often without coordinating with PA security forces. In "Area B" territory in the West Bank, which contained 41 percent of the population on approximately 21 percent of the territory, mostly small Palestinian villages and farmland, the PA has civil control, but Israel retains responsibility for security control. In "Area C," which contains Israeli settlements, military installations, and 4 percent of the Palestinian population in small villages, farmland, and open countryside on approximately 61 percent of the land area, Israel retains full civil and security control.

Seven PA security forces operated in the West Bank. Many of the security forces are under the PA Ministry of Interior (MOI's) operational control and follow the prime minister's guidance. The Palestinian Civil Police have primary responsibility for civil and community policing. The National Security Force conducts gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. The Military Intelligence agency handles intelligence and criminal matters involving PA security force personnel, including accusations of abuse. The Military Intelligence agency is responsible for investigations into allegations of abuse and corruption involving PA security forces and can refer cases to court. The General Intelligence (GI) service is responsible for external intelligence gathering and operations; the Preventive Security Organization is responsible for these matters internally. The Presidential Guard protects facilities and provides dignitary protection. Both the GI and Presidential Guard report to the president, while the other services report through or directly to the PA MOI. The Civil Defense service provides emergency humanitarian response services, including firefighting, and also reports to the MOI. In general, Palestinian security forces continued to demonstrate improved performance levels, especially while maintaining order during demonstrations on days of national significance to Palestinians, such as the "Nakba" and "Naksa" days. The ICHR continued to report complaints of abuse and torture at the hands of the security forces to the PA.

The PA took significant steps to bring women into the police in the West Bank to allow police work to cross the societal gender barriers. For example, the women on the PA police force can conduct searches under women's clothing for contraband.

The PA made improvements in ensuring civilians are not tried by security sector courts. There were some NGO reports, however, of unverified incidents of civilians being tried in military courts, and noted it was unclear whether security agencies, rather than the civil police, continued to detain civilians, including journalists.

In the Gaza Strip, forces under Hamas control maintained security. Press and NGO reports suggested Hamas enforced strict control across all sectors of society. Hamas "police" reportedly facilitated and benefited from illegal activity, such as the operation of smuggling tunnels. Impunity remained a problem in the Gaza Strip. The ICHR noted the internal security services in the Gaza Strip prohibited field researchers from visiting detention centers and that authorities failed to respond to ICHR letters. There were numerous instances in which Hamas failed to deter violence, such as rocket attacks into Israel during the year.

Israeli authorities maintained their West Bank security presence through the IDF, ISA, Israeli National Police (INP), and border police. Israeli authorities took some steps to investigate and

punish abuse and corruption, but there were reports of failure to take disciplinary action in cases of abuse, although the military courts issued one indictment against an IDF soldier during the year for negligent homicide in the death of a Palestinian in January (see section 1.a.). The IDF continued to open investigations of claims of abuse in military police custody automatically. NGOs stated that automatic investigations applied only to military activity in the West Bank, not to individuals reporting abuse in custody. NGOs reported impunity among Israeli security forces remained a problem, in part because mechanisms for investigating allegations were not effective. Reports of abuse go to the Attorney General's Office; the PCATI in June reported authorities systematically disregarded abuse allegations.

According to Israeli and Palestinian NGO and press reports, the IDF and INP did not respond sufficiently to violence perpetrated by Israeli settlers in the West Bank against Palestinians. Levels of settler violence increased during the year compared with 2012, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). OCHA counted 399 incidents of settler violence (compared with 368 incidents in 2012) that resulted in Palestinian injuries or property damage. Israeli forces injured approximately 200 Palestinians during settler-related incidents. OCHA reported that 90 percent of Palestinian complaints of settler violence in recent years were closed without indictment.

The Association for Civil Rights in Israel (ACRI) stated Israeli security and justice officials operating in predominantly Arab East Jerusalem displayed bias against Arab residents in investigating incidents involving Arab and Israeli actors. Palestinian residents in the West Bank in several cases sought to press charges against Israeli settlers or their security guards, but many complaints went uninvestigated despite the availability of evidence.

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, and these provisions were largely – but not uniformly – observed; however, there are exceptions that allow for arrest without a warrant. PA law allows police to hold detainees without charge for 24 hours and with court approval for up to 45 days; it requires that a trial start within six months or the detainee be released. While some PA security forces reportedly detained persons outside of appropriate legal procedures, including without warrants, and without bringing them before judicial authorities within the required time frame, there were no known detentions extending beyond the time limit without trial. Bail and conditional release were available at the discretion of judicial authorities. Authorities generally informed detainees of the charges against them, albeit sometimes not until interrogation. Authorities granted detainees access to a lawyer. The indigent had the right to counsel; however, they were generally provided lawyers through NGOs, not the PA.

In a number of cases, PA military intelligence reportedly exceeded its legal authority to investigate other security services' officers and detained civilians suspected of "security offenses," such as terrorist activities. Hamas continued to charge that the PA detained individuals during the year solely on the basis of their Hamas affiliation, but the PA presented evidence that it charged many of these individuals with criminal offenses under civil or military codes. In several cases the PA disregarded civilian court orders requiring the release of civilians suspected of terrorist activity, citing countervailing military court orders.

In the Gaza Strip, Hamas reportedly detained a large but unverifiable number of persons during the year, largely without recourse to legal counsel, judicial review, or bail. HRW reported Hamas Internal Security arrested individuals without presenting warrants, delayed their transfer to the prosecutor's office (using incommunicado detention), refused to inform families of detainees' whereabouts promptly, and denied detainees' access to a lawyer. There also were instances in which authorities retroactively issued arrest warrants and used military warrants to arrest civilians. In some cases authorities presented detainees to the military judiciary for civil cases.

Israeli authorities operated under military and civilian legal codes in the occupied territories. Israeli military law applied to Palestinians in the West Bank, while Israeli settlers were under the jurisdiction of Israeli civil law. Under Israeli military law, detainees can be held for up to 90 days without access to a lawyer and authorities frequently transferred them from the West Bank to Israel for detention or interrogation. The Israeli military courts had a conviction rate of more than 99 percent for Palestinians. Authorities informed detainees of the charges against them during detention, but DCI-Palestine reported minors and their families often were not informed during arrest. Israeli authorities stated their policy was to post notification of arrests within 48 hours, but senior officers may delay notification for up to 12 days, effectively holding detainees incommunicado during the interrogation process. A military commander may request that a judge extend this period indefinitely. In accordance with the law, Israeli authorities generally provided Palestinians held in Israeli military custody inside Israel access to a lawyer of their choice (and provided lawyers for the indigent), but impediments to movement on West Bank roads or at crossings often made consultation difficult and delayed trials and hearings. According to DCI-Palestine, most detained minors saw their lawyer for the first time when they appeared before a military court.

NGOs claimed that despite changes to the law in 2011 that categorized Palestinians between the ages of 16 and 18 as minors, Israeli authorities frequently failed to inform parents where they took minors when arrested. Additionally, this amendment does not apply to detention periods and other provisions of military orders. For example, minors who are 16 and 17 years old have the same detention periods as adults. In April Military Order 1711 reduced the time that Palestinian children between the ages of 12 and 13, and 14 and 15 can be detained before appearing before a military court judge, although there was no change for children 16 and 17. The NGO Military Court Watch reported subsequently these age spans were still at least twice as long as those applied to Israeli children living in the West Bank. The IDF also entered Palestinian homes at night either to arrest or take pictures of children. DCI-Palestine reported authorities abused minors to coerce confessions (see section 1.c.) and, according to human rights organizations, this treatment could amount to torture in some cases. In the past the Israeli officials refuted such allegations. Additionally, the military authorities had not translated any of the recent changes to the military laws affecting children into Arabic. NGOs reported a significant increase in child detentions in the Jerusalem area, particularly detentions that were never registered in the Israeli prison system. The UN Children's Fund (UNICEF) reported in February that "mistreatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic, and institutionalized." Israeli officials stated they would study the conclusions of the report and work to implement them with UNICEF. In April the IDF detained 14-year-old Mohammed Khalek for more than two weeks. A military court convicted Khalek of throwing stones on the basis of a confession from another minor. During an enhanced "enforcement operation" in the Jerusalem suburb of Issawiya in late 2012 and early during the year, residents estimated that Israeli authorities detained 40 minors. Eyewitness accounts stated that the INP handcuffed and shackled children's arms and legs, used violence against handcuffed and blindfolded children, and interrogated children without their parents being present.

Israeli authorities continued to "administratively detain" (hold suspected criminals indefinitely without presenting charges or going to trial) some persons on security grounds. Many NGOs called for the immediate end to administrative detention. During the year the ISA continued its practice of incommunicado detention, including isolation from monitors, legal counsel, and family throughout the duration of interrogation. NGOs reported isolation was used to punish detainees or silence politically prominent Palestinian detainees; however, according to the Israeli government, the Israeli Prison Service (IPS) does not hold detainees in separate detention punitively or to induce confessions. The Israeli government stated it does so only when a detainee threatens himself or others and other options have been exhausted, or in some cases during interrogation to prevent disclosure of information. In such cases the Israeli government maintained the detainee had the right to meet with ICRC representatives, IPS personnel, and medical personnel if necessary.

Arbitrary Arrest: The ICHR reported that arbitrary arrest by the PA in the West Bank was a common practice, particularly arrests based on political affiliation with Hamas. The organization received more than 352 complaints of arbitrary arrests based on political affiliation in the West Bank during the year, a decline from the previous year. There were numerous reports that PA security forces improperly detained Palestinian journalists. Security officials also arrested and abused Palestinians who had posted criticism of the PA online, including on their Facebook pages.

The ICHR received more than 563 complaints of arbitrary arrests by Hamas in the Gaza Strip. Many of these arrests and detentions appeared to be politically motivated, targeting political opponents and those suspected of ties to Israel. HRW reported Hamas security forces assaulted and arbitrarily detained civil society activists and peaceful protesters who had called for an end to the Fatah-Hamas split.

Throughout the year there were reports Israeli security forces in Jerusalem and in the West Bank arbitrarily arrested and detained numerous Palestinian protesters and activists, particularly those participating in demonstrations against the separation barrier, although no statistics were available regarding the total number of complaints of arbitrary arrest.

Pretrial Detention: The ICHR reported on complaints of Palestinians detained by PA security services and not immediately released, even when courts ordered their release after determining their detentions were illegal.

It was unclear how long detainees in Hamas custody stayed in pretrial detention or what legal means, if any, Hamas used to detain individuals.

There were reports that detention by Israeli authorities exceeded the length of time individuals would be sentenced for some convictions. On June 28, Israeli authorities took Nariman Tamimi into custody and held her for four days for participating in a nonviolent protest in a "closed military zone," near the West Bank village of Nabi Saleh. As of October Tamimi remained under house arrest every Friday, pending a decision in her case. B'Tselem claimed the numerous and lengthy legal proceedings against Tamimi were "unprecedented, given the minor nature of the offense" especially since the prosecution acknowledged that the protest was nonviolent in nature.

On February 10, Israeli authorities released Bassem Tamimi from military prison, after he served 109 days for participation in "an unlicensed demonstration and activity against the public order" for protesting at a settlement supermarket in October 2012.

e. Denial of Fair Public Trial

The PA Basic Law provides for an independent judiciary. The PA generally respected judicial independence and the autonomy of the High Judicial Council and maintained authority over most court operations in the West Bank. PA-affiliated prosecutors and judges stated that IDF prohibitions on movement in the West Bank, including restrictions on the ability to transport detainees and collect witnesses, hampered their ability to dispense justice. Women served as judges in the criminal or military court systems. In some cases involving investigations by PA intelligence services in the West Bank, civilian defendants appeared before the PA's military court system, which until 2011 had jurisdiction over security personnel and crimes by civilians against state security or against the security forces. After Palestinian NGOs criticized this practice, the PA mandated that civilians appear before civilian courts. Despite this change there were reports security forces other than the civil police detained some civilians.

The PA civil, magistrate, and religious courts handled civil suits and provided an independent and impartial judiciary in most matters, but there were unconfirmed reports of various political factions trying to influence judicial decisions. Citizens have the right to file suits against the government but rarely did so. There are seldom used administrative remedies available in addition to judicial remedies. Court orders were not always executed.

Hamas-appointed prosecutors and judges operated courts in the Gaza Strip, although the PA considered them illegal. In September 2012 HRW reported that "lawyers who are critical of Hamas, or who support Fatah, continue to practice before the courts but have themselves been the victims of threats and violations of due process and even torture." No women served as criminal prosecutors in the Gaza Strip.

Gaza Strip residents may file civil suits. Unofficial anecdotal reports claimed Gaza Strip courts operated independently of the Hamas government and were at times impartial. There were reports that enforcement of court orders improved. HRW reported Hamas internal security regularly tried civil cases in military courts.

Israeli law provides for an independent judiciary, and the government generally respected civil court independence. The IDF tried Palestinians accused of security offenses (ranging from rock throwing to membership in a terrorist organization to incitement) in military courts, which some NGOs claimed were inadequate and unfair. Israeli law defines security offenses to include a variety of different charges.

Trial Procedures

PA law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence. Juries are not used. Trials are public, except when the court determines privacy is required by PA security, foreign relations, a party or witness' right to privacy, or protection of a victim of a sexual offense or an "honor" crime. 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, the defendant only has the right to observe. The law provides for legal representation, at public expense if needed, in felony cases, but only during the trial phase. Defendants can confront or question witnesses against them or present witnesses and evidence during the trial but not during the investigation phase; defendants also may review government-held evidence and have the right to appeal. Authorities generally observed these rights.

As in previous years, the PA sought military judicial review and court orders for detaining civilians suspected of terrorist activity. In most of these incidents, the PA was unwilling to provide evidence required by the civilian court system, and the military courts provided a more efficient system to deal with any shortcomings in providing evidence.

Hamas authorities in the Gaza Strip follow the same criminal procedure law as the PA in the West Bank but implemented these procedures unevenly.

Israeli authorities tried Israelis living in settlements in the West Bank and in East Jerusalem under Israeli civil law in the nearest Israeli district court. Israeli civil law applied to Palestinian residents of Jerusalem. West Bank Palestinians held by Israeli authorities were subjected to trial in Israeli military courts. Military court trials of Palestinians and others in the occupied territories provide some, but not all, of the procedural rights granted in criminal courts. The same evidentiary rules used in Israeli criminal cases apply; for example, convictions cannot be based solely on confessions. In military trials, however, prosecutors often present secret evidence that is not available to the defendant or counsel. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, in part because NGOs represented them. The military courts use Hebrew, but the defendant has the right to simultaneous interpretation at every hearing. Various human rights organizations claimed the availability and quality of Arabic interpretation was insufficient, especially since most interpreters were not professionals but were instead bilingual Israelis performing mandatory military service. Defendants can appeal through the Military Court of Appeals and petition the High Court of Justice. Israeli military courts rarely acquitted Palestinians charged with security offenses, although they occasionally reduced sentences on appeal. NGOs reported that military courts' records indicated that more than 99 percent of cases heard resulted in a guilty verdict.

Several NGOs claimed Israeli military courts, which processed thousands of Palestinians in the West Bank during the year, were not equipped to adjudicate each case properly. NGOs and lawyers reported it was better to plead guilty and receive a reduced sentence than to maintain innocence and go through a trial that could last months, if not more than a year. Human rights lawyers also reported the structure of military trials – in military facilities with military officers as judges, prosecutors, and court officials and with tight security restrictions – limited defendants' rights to public trial and access to counsel.

Signed confessions by Palestinian minors, written in Hebrew, a language most could not read, continued to be used as evidence against them in Israeli military courts. NGOs reported these confessions often were coerced during interrogations.

On September 10, the military Advocate General closed the investigation of the 2009 killing of Bil'in resident Bassem Abu Rahmeh, citing a lack of evidence. Several NGOs asserted that film from three video cameras placed at different angles showed that Abu Rahmeh was situated east of the separation barrier, did not act violently, and was not endangering the IDF when a soldier fired a tear gas canister directly at him.

Political Prisoners and Detainees

NGOs reported arrests on political grounds occurred in the West Bank and Gaza. There was no credible estimate of the number of political prisoners the PA held during the year.

Hamas detained several hundred persons, allegedly because of their political affiliation, public criticism of Hamas, or collaboration with Israel, and held them for varying periods of time. Numerous allegations of denial of due process and some executions were associated with these detentions. The ICRC had limited access to these prisoners.

The Palestinian NGO Addameer reported that Israel continued to detain 13 PLC members taken into custody in December 2012, some of whom were not known to be members of Hamas.

Israeli authorities did not afford administrative detainees an opportunity to refute allegations or access the evidentiary material presented against them in court. Israeli authorities permitted the ICRC access to administrative detainees. There were 152 administrative detainees at year's end, a decline from 178 at the end of 2012.

Civil Judicial Procedures and Remedies

A citizen can file a suit against the PA, including on matters related to alleged abuses of human rights, but this was uncommon.

Gaza Strip residents may file civil suits, including those related to human rights violations.

Israeli law grants Palestinians the possibility of obtaining compensation in some cases of human rights violations, even when the acts were considered legal according to the law.

Property Restitution

In certain cases the IDF offered opportunities for compensation for demolished or seized homes (see section 1.f.), subject to an appraisal, verification, and appeals process; Palestinians generally refused such offers, citing a desire not to legalize the confiscation. The Israeli government sometimes charged demolition fees to demolish a home; this at times caused Palestinians to destroy their own homes to avoid the higher costs associated with Israeli demolitions. Palestinians had difficulty verifying land ownership in Israeli courts according to Israeli definitions of land ownership.

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

The PA required the attorney general to issue warrants for entry and searches of private property; however, Palestinian security services often ignored these requirements and entered homes without judicial authorization.

There were no specific reports of the PA harassing family members for alleged offenses by an individual, although NGOs reported this type of tactic was common.

Hamas authorities in the Gaza Strip frequently interfered arbitrarily with personal privacy, family, and home, according to reporting from local media and NGO sources. NGOs reported numerous cases of home searches and property seizure without warrants targeting 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, e-mail traffic, and social media sites, by demanding passwords, access to personal information, and seizure of personal electronic equipment of detainees. While Hamas membership did not appear to be a prerequisite for obtaining housing, education, or government services, authorities commonly reserved employment in some government positions in Gaza, such as the security services, for Hamas members only. In several instances Hamas detained individuals for interrogation and harassment based on the purported actions of their family members, particularly prodemocracy youth activists. HRW reported Hamas also arrested family members to put pressure on the perpetrator to surrender to authorities.

The IDF frequently raided and entered Palestinian homes, including in Area A, most often at night, which it stated was due to operational necessity. Under occupation orders only IDF officers of lieutenant colonel rank and above could authorize entry into Palestinian private homes and institutions in the West Bank without a warrant, based upon military necessity. There were no reported cases of IDF soldiers punished for acting contrary to this requirement.

In the West Bank and Jerusalem, the Israeli Civil Administration (part of Israel's Ministry of Defense), the Jerusalem municipality, and the MOI continued to demolish homes, cisterns, and other buildings and property constructed by Palestinians in areas under Israeli civil control on the basis that these buildings lacked Israeli planning licenses. Compensation generally was not offered in these cases. Properties approximately 328 yards (300 meters) from the separation barrier, IDF military installations, or firing ranges also remained subject to a heightened threat of demolition or confiscation. NGOs expressed great concern over demolitions in Area C of the West Bank. For example, in September the Israeli Civil Administration, accompanied by the IDF, demolished 18 Palestinian structures in Az Za'ayem in the controversial E-1 periphery of Jerusalem, displacing 41 individuals (including 24 children). Also in September the IDF demolished Palestinian structures and temporary tents provided by the international community in the Jordan Valley encampment of Khirbet Makhoul, blocking humanitarian aid from reaching the community on four separate occasions.

On December 24, the Israeli Civil Administration demolished most of the structures in the Ein Ayoub Bedouin community, located in Area C next to the Deir Ammar Refugee Camp, due to a lack of building permits. Authorities demolished 21 structures, according to OCHA. OCHA also reported that the demolition damaged pipes supplying the community with water from Deir Ammar. The demolition activity displaced the community of 61 persons (including 29 children), the majority of whom the UNRWA registered as refugees. This was the fourth Bedouin community displaced since August.

During the year Israel demolished approximately 660 Palestinian-owned structures in Area C and East Jerusalem, displacing nearly 1,100 persons, compared with 604 structures and 886 persons in 2012. According to OCHA the displacement rate in East Jerusalem rose by 300 percent compared with 2012.

Palestinians and human rights NGOs reported the IDF was largely unresponsive to Israeli settlers' actions against Palestinians in the West Bank, including demolition of property (see section 6, National/Racial/Ethnic Minorities).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The PA Basic Law provides every person the right to freedom of thought, conscience, and expression, orally, in writing, or through any other form. The PA does not have laws specifically providing for freedom of press; however, PA institutions applied aspects of a proposed 1995 press law as de facto law. Nonetheless, PA security forces in the West Bank and members of the Hamas security apparatus in the Gaza Strip continued to restrict freedom of speech and press. According to reports the PA sometimes charged its critics with libel and slander based on a Jordanian law from the 1960s still in effect in the West Bank.

Israeli authorities placed limits on certain forms of expression in the occupied territories.

Freedom of Speech: Although there is no PA law prohibiting criticism of the government, there were media reports that PA authorities arrested some journalists and bloggers who criticized the PA and PA officials. In February a PA court sentenced Palestinian activist Anas Awwad to one year in prison for "extending his tongue" against PA leadership. President Abbas pardoned him shortly after the sentence.

In the Gaza Strip, individuals publicly criticizing authorities risked reprisal by Hamas, including arrest, interrogation, seizure of property, and harassment. Civil society and youth activists, social media advocates, and individuals associated with political factions accused of criticizing Hamas in public fora, such as on the internet, faced punitive measures, including raids on their facilities and residences, arbitrary detention, and denial of permission to travel outside Gaza. The ICHR reported the detention of numerous protesters in the Gaza Strip. There were reports authorities harassed activists working to raise awareness on sensitive social matters, such as the role of women and domestic violence. During August and September, security services of the Hamas de facto government carried out a campaign to clamp down against anyone suspected of affiliation with the Egyptian-inspired Tamarud ("Rebellion") movement.

In Jerusalem displays of Palestinian political symbols were punishable by fines or imprisonment, as were public expressions of anti-Israeli sentiment. Israeli security officials regularly shut meetings or conferences held in Jerusalem affiliated with the Palestinian Liberation Organization (PLO), PA, or with PA officials in attendance. For example, in June Public Security Minister Yitzhak Aharonovitch issued a decision to shut a Palestinian puppet theater festival at the Hakawati Palestinian National Theatre in Jerusalem on the grounds that it was funded by the PA in violation of the Oslo Accords.

On July 1, Israeli authorities released cartoonist Mohammed Sabaaneh from military prison, where he was held since his arrest when he attempted to return to the West Bank from Jordan on February 16. Israeli authorities arrested him for having "contacts with a hostile organization."

Press Freedom: Across the occupied territories, independent media operated with restrictions.

In the West Bank, the PA placed some restrictions on independent media as well as official media. The PA maintained a distribution ban in the West Bank on the twice-weekly pro-Hamas *al-Risala* and the *Filistin* daily newspapers, both Gaza-based publications. Hamas' al-Aqsa TV reportedly enjoyed some degree of access to work in the West Bank without harassment.

In the Gaza Strip, Hamas restricted independent media, especially non-Hamas-affiliated press and media outlets. HRW reported Hamas continued to ban three newspapers from being circulated in Gaza that are printed in the West Bank, *al-Quds*, *al-Ayyam*, and *al-Hayat al-Jadida*. Hamas authorities tolerated the broadcast of reporting and interviews featuring officials from the PA locally. Hamas allowed, with some restrictions, the operation of non-Hamas-affiliated broadcast media in the Gaza Strip. The PA-supported Palestine TV reportedly enjoyed access to operate in the Gaza Strip.

In January Hamas security raided the homes of six journalists, detaining them and some of their family members. The International Federation of Journalists criticized the crackdown and called for their release.

On July 25, Hamas authorities closed pan-Arab Al Arabiya TV and the West Bank-based Ma'an News Agency in Gaza over accusations that they "spread fabrications" aimed at "harming the Palestinian national interest and resistance." Hamas allowed the stations to reopen on November 19.

On July 26, Hamas also shut a local television production company called Lens, accusing it of providing television services to the Israeli news channel I24 News.

Officials at the three mainstream pro-PA dailies, independent *al-Quds* (based in Jerusalem), independent pro-Fatah *al-Ayyam*, and PA official daily *al-Hayat al-Jadida* (the latter two based in the West Bank), claimed that when they tried to deliver copies of their newspapers into Gaza in spite of the Hamas ban, they were restricted from doing so by Israeli authorities. In East Jerusalem independent media were able to operate. As a general rule, Israeli media were able to cover the occupied territories, except for combat zones where the IDF temporarily restricted access. On December 24, however, the PA removed some Israeli journalists covering Christmas activities from Bethlehem in apparent retaliation for Israeli government limits on Palestinian media working in Israel, although the journalists reportedly also did not have the proper press credentials. Palestinian journalists also pressured some Israeli journalists to leave press events before they were able to cover them, reportedly by frustrated Palestinian journalists who claimed they were angry that Israeli journalists had "unlimited access" in the West Bank, while Israeli authorities denied the majority of Palestinian journalists entry into Israel and often restricted them from reporting within the West Bank due to closures, curfews, and checkpoints (see section 2.d.). In areas of the West Bank where Israel controls access, Palestinian journalists complained that they were repeatedly prevented from covering stories because the IDF does not recognize any Palestinian press credentials or credentials provided by the International Federation of Journalists. Few Palestinians held Israeli press credentials following Israeli revocation of the vast majority of their credentials during the Second Intifada, which began in 2000.

In January the IDF returned in damaged condition some of the confiscated equipment and files taken from Wattan TV, one of two Palestinian television stations, along with al-Quds Educational Television, which Israeli security forces raided in February 2012. In August Israeli military courts issued a decision to retain the remainder of equipment confiscated. In December Wattan TV argued before the Israeli High Court of Justice that the confiscation should be overturned, asserting that the station had always operated legally. The court had not issued a final ruling by the end of the year.

Violence and Harassment: PA security forces reportedly harassed, detained (occasionally with violence), prosecuted, and fined journalists several times during the year.

On August 23, Palestinian security forces attacked journalists covering demonstrations in Ramallah and Hebron against the Egyptian government. Security forces reportedly threatened several photographers and cameramen and confiscated their equipment. Agents from the PA's Preventive Security Organization attacked photojournalist Ahmad Milhem of Wattan TV while he

covered the demonstration in Ramallah, confiscating his camera and erasing the footage. Security forces also attacked other journalists, including Mohammad al-Qeeq of Majd TV, Muath Mish'al of Anadolu News Agency, and Mohammad al-Arouri of TransMedia, at the same events.

In the Gaza Strip, journalists faced arrest, harassment, and other pressure from Hamas due to their reporting. There were reports Hamas also summoned journalists for questioning in an attempt to intimidate them. Hamas also constrained journalists' freedom of movement during the year, attempting to ban access to some official buildings, as well as several prodemocracy protests.

On July 16, the Hamas Internal Security Service summoned Wafa News Agency reporter in Gaza Hatem Abu Daqqa. According to local press reports, Abu Daqqa filed a news story addressing the water shortage problem in southern Gaza, which angered the Hamas authorities.

Palestinian journalists claimed Israeli authorities routinely harassed them when trying to report in Israeli-controlled areas of the West Bank. There were also reports of Israeli authorities detaining, assaulting, or intimidating journalists. In various incidents Israeli forces subsequently raided those journalists' homes in the West Bank.

Palestinian journalists complained of harassment by Israeli security personnel in Jerusalem. On December 3, Palestinian photojournalist Muammar Awad was selected for additional security screening by Shin Bet agents after being refused entry to cover an event involving the Israeli prime minister in Jerusalem. According to Awad and local press reports, Awad was ordered to strip and was questioned for approximately 90 minutes. Awad, who holds a Jerusalem identification and a press card issued by the Israeli government, was then escorted out and not allowed to cover the event. He was not accused of any wrongdoing at the time, and charges were not filed against him.

On November 6, Israeli security forces arrested Palestinian journalist Mohammad Abu Khdeir of *al-Quds* at Ben Gurion airport when he returned from a professional visit to Egypt. Abu Khdeir asserted that during his month-long detention, authorities interrogated him regarding his work as a journalist and about interviews he conducted, especially with members of the Hamas leadership. Israeli authorities did not file any charges against Abu Khdeir and released him on December 5.

On March 1, the IDF shot Palestinian photographer Jihad Alqadi while he covered clashes in front of Ofer prison. Alqadi suffered injuries to his colon, spleen, and liver. There was no information available on the status of an investigation.

On June 5, the IDF wounded Associated Press photographer Nasser al-Shiyukhi with a rubber bullet to the neck while he was covering clashes between the IDF and Palestinian youth in front of Ofer detention center near Ramallah.

Censorship or Content Restrictions: The PA prohibits calls for violence, displays of arms, and racist slogans in PA-funded and controlled official media. There were no confirmed reports of any legal action against, or prosecution of, any person publishing items counter to these PA guidelines. Media throughout the occupied territories reported practicing self-censorship.

Civil society organizations reported Hamas censored television programs and written content, such as newspapers and books.

There were no reports the Israeli government monitored the media in the occupied territories. Israeli authorities retain the right to review and approve in advance the printing of all Jerusalem-based Arabic publications for material perceived as a security threat. Anecdotal evidence suggested Israeli authorities did not actively review the Jerusalem-based *al-Quds* newspaper or other Jerusalem-based Arabic publications. Jerusalem-based publications reported that, based on previous experiences with Israeli censorship, over time they came to know what was acceptable and self-censored publications accordingly.

Libel Laws/National Security: There were instances in which slander and libel laws were used to suppress criticism. On November 10, PA police forces arrested Radio Bethlehem 2000 journalist George Canawati for "slander and abuse." Media reported that the arrest was "violent" and that he appeared in court with a black eye and torn shirt. As of December he had been released and awaited a court date. There were no known reports Hamas used security justifications or slander or libel laws to censor public criticism.

There were no known reports Israeli authorities used security justifications or slander or libel laws to censor public criticism.

Internet Freedom

There were no PA restrictions on access to the internet; however, there were reports that the PA, Hamas, and Israel monitored e-mail and internet chat rooms.

The Committee to Protect Journalists noted in its annual report in February that in 2012 the PA blocked access to websites critical of President Abbas. The report stated the order to block the outlets came from Palestinian Attorney General Ahmad al-Mughni. These sites were soon unblocked after domestic and international criticism.

In July Hamas closed Ma'an and Al-Arabiya bureaus in Gaza and questioned the Ma'an bureau chief over a report on the Ma'an website.

Based on anecdotal reports from Palestinian civil society organizations and social media practitioners, Hamas authorities monitored the internet activities and postings of Gaza Strip residents. Individuals posting negative reports or commentary about Hamas, its policies, or affiliated organizations faced questioning, and at times authorities required them to remove or modify online postings. No information was available regarding punishment for not complying with such demands.

Israeli authorities did not restrict access to the internet; however, they monitored e-mail and internet chat rooms for security purposes.

Academic Freedom and Cultural Events

In the West Bank, the PA did not restrict academic freedom, and there were no known reports of PA censorship of school curricula, plays, films, or exhibits in the West Bank. During the year the PA did not interfere with education. While there was no overt threat to academic freedom, faculty members were aware of security elements' presence on university campuses among the student body and faculty, which may have led to self-censorship.

Public and UNRWA schools in Gaza followed the same curriculum as West Bank schools, and there was limited interference by Hamas at the primary and secondary level. At the university level, there were no known reports of significant interference in teaching or studying.

In the Gaza Strip, Hamas authorities sought to disrupt some educational, cultural, and international exchange programs. Hamas prevented high school students from the Gaza Strip from participating in certain cultural and educational exchange programs, including programs sponsored by foreign governments and international organizations. Students on foreign exchange programs continued to face difficulty when traveling out of Gaza to obtain visas for onward travel abroad. In some instances families of the students petitioned Hamas' Ministry of Education so their children could travel. There were reports women and girls faced social theologically based pressure from the authorities for participating in international academic events.

Hamas authorities interfered in local cultural programs. For example, there were continued reports the de facto government cracked down on cultural expression that might offend local religious and

cultural values, including placing significant pressure on women's participation in events, such as when it banned women from participating in the UNRWA's Gaza marathon in March. Hamas imposed restrictions requiring Palestinians in Gaza to obtain a license to organize public events in many private establishments, such as hotels and restaurants.

Israel at times prevented Palestinians from accessing education. Israeli restrictions on movement adversely affected academic institutions and access to education in the West Bank, as Israeli checkpoints, although they decreased in number, created difficulties for students and faculty commuting to schools and university campuses (see section 2.d.).

The Israeli Supreme Court upheld the 2000 Israeli ban on students from the Gaza Strip attending West Bank universities. Generally, students in the Gaza Strip did not apply to West Bank universities because they understood that Israel would deny permit requests. Israeli travel restrictions also prevented students in Gaza from participating in study programs abroad.

In March Israeli soldiers apprehended 27 minors on their way to school in Hebron, five of whom were under the age of criminal responsibility, including some as young as age eight, for stone throwing.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

Palestinian law permits public meetings, processions, and assemblies within legal limits. It requires permits for rallies, demonstrations, and large cultural events, and the PA rarely denied them. Both the PA and Hamas forces, however, broke up selected protests and demonstrations during the year. Following two Hamas rallies in the West Bank in December 2012 that disbanded without incident, the PA and Hamas agreed to ease their respective five-year bans on rallies. Hamas allowed Fatah to hold a rally in the Gaza Strip in January.

On July 30, HRW issued a press release calling upon the PA to investigate alleged police beatings and arbitrary arrests of demonstrators in Ramallah on July 28. According to HRW the police injured 10 protesters and arrested five, including three whom police allegedly forcibly removed from a hospital where they had received emergency treatment. In September AI issued a report stating that the PA continued to use unwarranted force against demonstrators.

According to a Hamas decree, any public assembly or celebration in the Gaza Strip requires prior permission, in contradiction of the PA Basic Law. Generally, Hamas did not permit Fatah members to hold rallies. Activists reported Hamas officials harassed women in public and impeded their ability to assemble peacefully.

Hamas officials also attempted to impede potential criticism of Hamas policies by imposing arbitrary demands for the approval of meetings on political or social topics.

The IDF continued to use a 1967 military order that effectively prohibited Palestinian demonstrations and limited freedom of speech in the West Bank. The order stipulates that a "political" gathering of 10 or more persons requires a permit from the regional commander of military forces. The penalty for a breach of the order is 10 years' imprisonment or a heavy fine.

Various NGOs noted the IDF demonstrated a lack of respect for freedom of assembly and often responded to demonstrators aggressively. Israeli security forces used force against Palestinians and others involved in demonstrations in the West Bank and East Jerusalem, killing one (see section 1.a.). The IDF used force particularly against weekly protests in or near Areas B and C. The IDF responded to protests with military crowd-control techniques or force, using weapons such as tear gas and stun grenades to push back protesters, which NGOs alleged often amounted to

using nonlethal force in a lethal manner. In August several prominent NGOs issued a press release calling for the army to "end its use of rubber bullets as a means to disperse demonstrations."

The IDF Central Command declared new areas of the West Bank to be "closed military zones" and maintained the same designation for areas adjacent to the separation barrier in the villages of Bil'in and Ni'lin every Friday during the hours in which Palestinian, Israeli, and international activists regularly demonstrated. For example, in July the IDF indicted two Palestinian women for entering a newly declared "closed military zone" near Nabi Saleh. B'Tselem described the arrests for nonviolent protest as "unprecedented." There were frequent skirmishes between the protesters and IDF personnel. IDF and Israeli police personnel stationed on the far side of the barrier during weekly protests in those villages responded to rock throwing with tear gas, stun grenades, skunk water, sound bombs, and rubber-coated bullets. Multiple human rights organizations stated that the IDF's use of crowd control devices, including shooting tear gas canisters directly at protesters, constituted the lethal use of force. There were reports the IDF killed at least two persons with "nonlethal" crowd control devices, including tear gas canisters and rubber bullets.

On February 22, an IDF soldier shot a rubber bullet at and killed 22-year-old Muhammad Asfur near a demonstration near Ramallah where protesters were throwing stones.

ACRI continued to report arbitrary restrictions on the freedom of assembly in Jerusalem, including the use of unlawful arrests to intimidate demonstrators.

Freedom of Association

In the West Bank, the PA law allows freedom of association, but authorities sometimes limited it.

In the Gaza Strip, Hamas attempted to prevent various organizations from operating, including some it accused of being Fatah-affiliated, as well as private businesses and NGOs it deemed to be in violation of its interpretation of Islamic social norms. The Hamas MOI has supervisory powers over all NGOs, allowing the ministry to request documents, with the authority to shut down NGOs that did not comply. Activists reported women's rights groups faced significant pressure from Hamas.

Israel maintained prohibitions on some prominent Jerusalem-based Palestinian institutions, such as Orient House, which was the de facto PLO office in Jerusalem and has been closed since 2001, claiming the groups violated the Oslo Accords by operating on behalf of the PA in Jerusalem.

In September Israeli security forces arrested Anas Barghouti, a lawyer with the Addameer Association for Prisoner Support and Human Rights, and another Addameer staff member for allegedly being members of the Popular Front for the Liberation of Palestine.

c. Freedom of Religion

See the Department of State's [International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The PA Basic Law provides for freedom of movement, and the PA generally did not restrict freedom of movement. The Basic Law does not specify regulations regarding foreign travel, emigration, or repatriation.

Hamas authorities in the Gaza Strip restricted some foreign travel and required exit permits for Palestinians exiting through the Gaza-Israel Erez crossing. Hamas also prevented the exit of some Palestinians from Gaza to protest the purpose of their travel or coerce a behavior change, such as

the payment of taxes and fines. There were some reports unmarried women faced restrictions on their travel.

The IDF restricted Palestinians' movement within the occupied territories and for foreign travel, and, citing military necessity, it increased these restrictions at times. Barriers to movement included checkpoints, a separation barrier that divides the majority of the West Bank from Israel and East Jerusalem, internal road closures, and restrictions on the entry of persons and goods into and out of the West Bank and Gaza Strip. Restrictions on movement affected virtually all aspects of life, including access to places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalistic, humanitarian, and NGO activities.

During the year Israel eased the naval blockade off the coast of the Gaza Strip, moving it from three to six nautical miles, although from March to May, it temporarily reversed the limit to three miles, citing rocket fire. Authorities towed fishermen who moved beyond the six-mile mark during the rest of the year to Israeli ports and detained them.

The PA, Hamas, and Israeli governments generally cooperated with humanitarian organizations in providing protection and assistance to internally displaced persons and refugees; however, both Hamas and Israeli officials constrained the UNRWA's ability to operate freely in Gaza.

In-country Movement: PA authorities did not interfere with movement within the West Bank.

Hamas authorities did not appear to enforce routine restrictions on internal movement within the Gaza Strip, although there were some areas to which Hamas prohibited access. Increasing pressure to conform to Hamas' interpretation of Islamic norms led to significant restrictions on movement by women.

There were reports that certain aspects of Israeli government restrictions on movement declined during the year. While authorities lifted some permanent checkpoints in recent years – including the removal of two checkpoints near Hebron and Ramallah that had been the source of significant constraints – Israeli authorities frequently prohibited travel between some or all West Bank towns and deployed "flying" (temporary) checkpoints. Palestinians who lived in affected villages stated that such "internal closures" continued to have negative economic effects. During periods of potential unrest and some major Israeli, Jewish, and Muslim holidays, Israeli authorities enacted "comprehensive external closures," which precluded Palestinians from leaving the West Bank. Generally, Palestinians can enter Israel and Jerusalem through only 11 of 36 checkpoints between the West Bank and Israel. The IDF also imposed temporary curfews confining Palestinians to their homes during arrest operations. During the Muslim holy month of Ramadan, however, Israeli authorities eased restrictions on Palestinians entering Jerusalem and Israel, reducing the requirements to obtain permits for certain demographics and issuing a greater number of permits overall.

The Israeli government continued construction of the separation barrier, which ran largely inside the West Bank and along parts of the Green Line (the 1949 Armistice line). By use of special permits, Israel continued to restrict movement and development within this area, including access by some international organizations. NGOs reported authorities allowed many Palestinians separated from their land access to their property only a few days each year. Private security companies employed by the Israeli government controlled many points of access through the barrier, and international organizations and local human rights groups claimed these companies did not respond to requests to move goods and officials through the barrier. Many Palestinians and NGOs reported that there were higher levels of mistreatment at checkpoints run by security contractors than at those staffed by IDF soldiers. The barrier affected the commute of children to school in Jerusalem and some farmers' access to land and water resources. Palestinian farmers continued to report difficulty accessing their lands in Israeli-controlled Area C and in the seam zone, the closed area between the separation barrier and the Green Line. The NGO Machsom

Watch reported that more than 24 Palestinian villages had lands trapped in the seam zone, and a complicated Israeli permit regime (consisting of more than 10 different permits) prevented Palestinians from fully using their lands.

Israel eased restrictions on access to farmland in the Gaza Strip near the boundary with Israel and to fishing areas along the coast. Despite this easing reports indicated Israel continued to enforce "buffer zone" restrictions on nonfarmers. The buffer zone encompassed approximately 24 square miles, representing 17 percent of the Gaza Strip's territory. OCHA estimated that nearly 35 percent of the Gaza Strip's cultivable land was located within the restricted area.

Gaza's fishing waters were partially inaccessible to Palestinians due to Israeli restrictions but, beginning in November 2012, Israel eased restrictions on fishing along the coast by allowing fishermen to venture out to six nautical miles, instead of the previous limit of three nautical miles. Israel reduced the limit to three miles from March until May, due to rocket fire that raised security concerns. The UN reported that the timing of the restriction was "of particular concern" and affected the livelihood of approximately 3,500 fishermen. Israeli naval patrol boats strictly enforced this fishing limit, which was a reduction from 20 nautical miles, as designated under the 1994 Agreement on the Gaza Strip and Jericho Area (later incorporated into the 1995 Interim Agreement). Israeli naval forces regularly fired warning shots at Palestinian fishermen entering the restricted sea areas, in some cases directly targeting the fishermen, according to OCHA. The Israeli military often confiscated fishing boats intercepted in these areas and detained the fishermen, while Palestinian fishermen reported confusion over the exact limits of the new fishing boundaries.

In late 2012 and early during the year, Israeli security forces controlled all movement into and out of the Jerusalem neighborhood of Issawiya. The timing of the operation coincided with a period of increased demonstrations in Issawiya related to resident Samer Issawi's hunger strike while in Israeli detention. Security forces blocked every entrance to Issawiya with barricade checkpoints, inspecting each person entering or leaving the neighborhood. ACRI described the operation as illegal and called for an end to it, but the practice continued sporadically during the year.

NGOs alleged that Israeli authorities attempted to reduce the number of Palestinians in the West Bank and Gaza and limit their movement in areas under Israeli control. Military authorities continued to restrict severely Palestinian vehicular and foot traffic in the commercial center of Hebron, citing a need to protect several hundred Israeli settler residents. Palestinians were prohibited from driving on most roads in downtown Hebron and from walking on Shuhada Street and other roads in the Old City; however, Israeli settlers were permitted free access to these roads. The prohibition, which began in 2000, resulted in the closure of 1,829 businesses and 1,014 Palestinian housing units, according to B'Tselem; the IDF closed most shops on the street and sealed entrances to Palestinian houses. Demolition orders in and around Hebron also threatened single buildings, family homes, and other civilian structures; in some cases entire villages such as Dkaika, southeast of Hebron, were subjected to demolition orders.

Foreign Travel: PA authorities did not limit residents' foreign travel.

Hamas authorities in the Gaza Strip enforced movement restrictions on Palestinians attempting to exit Gaza to Israel via the Erez Crossing and to Egypt via the Rafah Crossing. They occasionally prevented Fatah members and youth activists from exiting through either crossing. Hamas authorities also restricted some foreign travel and required exit permits for Palestinians wishing to exit through the Gaza-Israel Erez crossing.

During the year Israel partially eased the severe restrictions on movement and access to the Gaza Strip, imposed following Hamas' rise to power in 2007, by allowing cement, steel bars, and a doubling of aggregate materials through the Kerem Shalom crossing in September. Following the discovery of a "terror tunnel" from Gaza to an area near Kibbutz Ein Hashlosa in October, Israel

stopped the transfer of those materials to Gaza. Categories of individuals permitted to enter or exit the Gaza Strip at the Erez Crossing with Israel were largely limited to humanitarian cases; however, the Israeli government also continued to permit a limited number of businesspersons to cross during the year.

Restricted access to Jerusalem had a negative effect on patients and medical staff trying to reach the six Palestinian hospitals there that offered specialized care unavailable in the West Bank. IDF soldiers at checkpoints subjected Palestine Red Crescent Society (PRCS) ambulances from the West Bank to harassment and delays or refused them entry into Jerusalem even in emergency cases. When ambulances lacked access, medics moved patients across checkpoints from an ambulance on one side to a second ambulance (usually one of five East Jerusalem-based ambulances) or a private vehicle on the other side. The PRCS reported hundreds of such actions taken against its teams and humanitarian services during the year. Most incidents included blocking access to those in need, preventing their transport to specialized medical centers, or maintaining delays on checkpoints for periods sometimes lasting up to two hours. Most incidents took place at the Qalandiyah and Az-'Za'ayem checkpoints leading to Jerusalem, while the remainder took place at other checkpoints circling the West Bank.

The IDF restricted students in the Gaza Strip from studying in the West Bank or Israel and limited West Bank Palestinians from university study in Jerusalem and Israel (see section 2.a.). Palestinians possessing Jerusalem identity cards issued by the Israeli government needed special documents to travel abroad. Upon individual requests by Palestinians, the Jordanian government issued them passports.

According to NGOs residency restrictions affected family reunification, which did not qualify as a reason to enter the West Bank. For a child in the Gaza Strip, for example, Israeli authorities permitted access to a parent in the West Bank only if no other relative was resident in the Gaza Strip. Israeli authorities did not permit Palestinians who were abroad during the 1967 War, or whose residence permits the Israeli government subsequently withdrew, to reside permanently in the occupied territories. It was difficult for foreign-born spouses and children of Palestinians to obtain residency. Authorities required Palestinian spouses of Jerusalem residents to obtain a residency permit and reported delays of several years in obtaining them.

Exile: Neither the PA nor Hamas used forced exile.

Continued Israeli revocations of Jerusalem identity cards amounted to forced exile to the occupied territories or abroad. According to HaMoked, an Israeli human rights organization, the Israeli MOI renewed "temporary" orders authorizing the revocation of Jerusalem residency rights from legal residents. Between 1967 and 2012, Israel revoked the status of 14,203 Palestinians from East Jerusalem. In 2012 Israel revoked the residency permits of 116 Palestinians holding Jerusalem identification cards, including 64 women and 29 minors, and reinstated the residency of 32 Palestinians with Jerusalem identification cards. The MOI reportedly cited computerization and greater efficiency in checking residents' status as the reason for the increases in recent years. Reasons for revocation included having acquired residency or citizenship in another country, living "abroad" (including in the West Bank or the Gaza Strip) for more than seven years, or, most commonly, being unable to prove a "center of life," interpreted as full-time residency, in Jerusalem. Some Palestinians born in Jerusalem but who studied abroad reported losing their Jerusalem residency status.

Internally Displaced Persons (IDPs)

Although IDPs were not centrally or systematically registered, the Norwegian Refugee Council's Unified Shelter Sector Database estimated there were 8,050 IDPs in the Gaza Strip who remained displaced as a result of Operation Cast Lead, launched late in 2008, and that more than 2,000 persons remained displaced from earlier operations. According to the UNRWA, at least 12,000

were displaced temporarily during the operation. OCHA estimated that house demolitions during the year displaced 1,103 individuals in the West Bank and Jerusalem.

Although there is no specific legislation to protect IDPs in accordance with UN principles and guidelines, the PA provided some assistance to those displaced through rental subsidies and financial assistance to reconstruct demolished houses. The UNRWA and humanitarian organizations provided services to aid IDPs in the Gaza Strip and West Bank, with some limitations due to Israeli restrictions on movement and border access. In the Gaza Strip, Hamas authorities pressed international and local aid organizations providing emergency assistance to coordinate relief efforts with the Hamas de facto "ministry of social affairs." Several Gaza-based NGOs reported Hamas prevented aid groups from distributing assistance after they refused to comply with Hamas regulations. Israel did not provide any assistance to those displaced.

Following the eviction of approximately 100 rural Palestinians in the Jordan Valley encampment of Khirbet Makhul, the IDF blocked the delivery of humanitarian aid on four separate occasions, including on September 20, when diplomats, international aid workers, and UN representatives attempted to deliver emergency tents to the community, resulting in clashes with the IDF.

Protection of Refugees

Access to Asylum: There were no reports of persons seeking asylum in the occupied territories. According to an UNRWA estimate, as of January 1, there were 741,410 registered Palestinian refugees in the West Bank and more than 1.2 million in the Gaza Strip, many living in 27 UNRWA-affiliated refugee camps, 19 of which were in the West Bank and eight in Gaza. One-quarter of refugees in the West Bank lived in refugee camps. The refugees included those displaced as result of the 1948 conflict in Israel and their descendants.

Refugee Abuse: The Israeli government obstructed refugee access to UNRWA-provided humanitarian assistance in the West Bank and the Gaza Strip. The UNRWA estimated that more than 70 percent of the population of the Gaza Strip depended on services provided by the UNRWA. Additionally, Israeli security operations rose significantly during the year, leading to a sharp increase in both injuries and fatalities to Palestinian refugees.

Access to Basic Services: All UNRWA projects in the West Bank and Gaza Strip required Israeli government permits. Many planned UNRWA projects in the Gaza Strip remained pending approval by Israeli authorities. As of September 2012, the UNRWA received Israeli approval for the construction of 2,909 housing units (equal to 29 percent of the 10,000 foreseen under the UNRWA Gaza Recovery and Reconstruction Plan). During the first nine months of the year, movement restrictions imposed by the Israeli authorities on the West Bank resulted in the loss of 142 UNRWA staff days. During that same period, on 78 occasions at checkpoints entering Jerusalem, Israeli authorities refused to permit UNRWA staff members in UN vehicles to cross without a vehicle search, which the UNRWA stated violated UN immunity. The UNRWA reported that delivery of services was problematic in the area between the West Bank barrier and the 1949 armistice line, in particular in the Bartaa area and in three refugee communities near Qalqilya. Essential infrastructure in the Gaza Strip, including water and sanitation services, continued to be in a state of severe disrepair, due in part to an inability to import spare parts and components under Israeli import restrictions.

The deterioration of socioeconomic conditions during the year severely affected refugees in the Gaza Strip. In 2012 the rate of food insecurity reached 56 percent among refugees, and the UNRWA reported that food security continued to deteriorate due to regional developments, tunnel closures, and increases in food prices.

The UNRWA operated 245 schools with more than 225,000 refugee students in the Gaza Strip. As a result of the shortage in school buildings, the quality of education remained a major problem,

resulting in a double-shift system, shorter hours, and a high number of students per classroom. During the year approximately 86 percent of UNRWA schools in the Gaza Strip operated on a double-shift system, with an average of 38 pupils per class room. Thousands of students received schooling in makeshift classrooms. Operation Pillar of Defense in 2012 resulted in damage to UNRWA schools, but authorities repaired the schools during the year.

Stateless Persons

According to NGOs 40,000 to 50,000 individuals in the Gaza Strip did not have identification cards recognized by Israel. Some of these persons were born in the Gaza Strip, but Israel never recognized them as residents; some fled the Gaza Strip during the 1967 War; and some left Gaza for various reasons after 1967 and later returned. A small number were born in the Gaza Strip and never left, and they had only Hamas-issued identification cards. The Israeli government controlled the Palestinian Population Registry that would allow stateless persons to obtain status.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The PA Basic Law provides Palestinians with the right to elect their government through democratic means, but the PA has not held elections in the West Bank and East Jerusalem since 2006. Residents of the Gaza Strip under Hamas were unable to choose or hold their own government accountable. Civil society organizations in the Gaza Strip stated that Hamas authorities and other conservative Islamist groups did not tolerate public dissent, opponents, civic activism, or the promotion of values that ran contrary to their political and religious ideology.

Elections and Political Participation

Recent Elections: In 2006 the 132-member PLC was elected in a process under the Basic Law that international observers concluded generally met democratic standards in providing citizens the right to change their government peacefully. Hamas-backed candidates participated in the 2006 PLC elections as the "Reform and Change Movement" and won 74 of 132 seats. Fatah won 45 seats, and independents and candidates from third parties won the remaining seats. The PLC lacked a quorum and did not meet during the year. Although the Israeli government and the PA followed mutually agreed guidelines for Palestinians residing in Jerusalem to vote in 2005 and 2006, Israeli authorities did not allow all Palestinians in Jerusalem to vote, and those who could vote were required to do so via post offices (of which there were few), thereby complicating their ability to vote. No date was set for new national elections by year's end.

Political Parties: The PA allowed a diversity of political parties to exist but limited the ability of Hamas members to campaign and organize rallies, although PA officials slightly eased this policy during the year. In Gaza Hamas allowed other political parties to exist but severely restricted their activities.

Participation of Women and Minorities: Legally women and minorities can vote and participate in political life on the same basis as men and nonminority citizens, although women faced significant social and cultural barriers in the West Bank. There were 17 women in the 132-member PLC and three women in the 23-member cabinet. There were seven Christians in the PLC and two in the cabinet. Women faced significant barriers to their political participation in Gaza. Hamas excluded women from leadership positions.

Section 4. Corruption and Lack of Transparency in Government

Palestinian law provides criminal penalties for official corruption, and the government respected the law, making progress in investigations and prosecutions during the year.

Corruption: The PA's anticorruption commission consisted of special prosecutors and an anticorruption court with a panel of three judges. The court closed 13 cases during 2012 and averaged 10 months of time spent on each case. The PA attorney general has the responsibility for combating official corruption. There were allegations of past corrupt practices among Fatah officials, particularly the theft of public funds and international assistance funds.

In the Gaza Strip, local observers and NGOs alleged instances of Hamas complicity in corrupt practices, including preferential purchasing terms for real estate and financial gains from involvement in the illegal tunnel trade by the Hamas security forces, but authorities severely inhibited reporting and access to information.

Whistleblower Protection: The anticorruption law of 2007, as amended in 2010, affords some "whistle blower" protection.

Financial Disclosure: PA ministers were subject to financial disclosure laws.

Public Access to Information: PA law requires official PA institutions to "facilitate" acquisition of requested documents or information by any Palestinian, but it does not require agencies to provide such information. Reasons for denial generally referred to privacy rights and the necessity of security.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Palestinian human rights groups and several international organizations generally operated without PA restriction, and officials cooperated with their efforts to monitor the PA's human rights practices. Several PA security agencies, including the GI and Palestinian Civil Police, appointed official liaisons who worked with human rights groups.

In the Gaza Strip, Hamas routinely harassed civil society groups, including by dissolving and closing peaceful organizations. Gaza-based NGOs reported that Hamas representatives appeared at their offices to assure compliance and summoned NGO representatives to police stations for questioning.

Palestinian, Israeli, and international NGOs monitored the Israeli government's practices in the occupied territories and published their findings, although movement and access restrictions in the West Bank and Gaza Strip made it difficult to work. The Israeli government permitted some human rights groups to publish and hold press conferences, and it provided the ICRC with access to most detainees.

UN and Other International Bodies: PA and Israeli officials generally cooperated with and permitted visits by UN representatives or other organizations, such as the ICRC, although there were numerous reports that the Israeli government blocked the delivery of humanitarian aid (see section 2.d.). There were numerous reports Hamas harassed members of NGOs and international organizations.

The United Nations and international NGOs reported continued difficulty accessing seam zone communities in the northwestern West Bank due to what they considered Israeli authorities' excessive demands for searches of personnel, including UN employees, based on their nationality.

Government Human Rights Bodies: The quasi-governmental ICHR continued serving as the PA's ombudsman and human rights commission. The ICHR issued monthly and annual reports on human rights violations within Palestinian-controlled areas; the ICHR also issued formal recommendations to the PA. The ICHR was generally independent but faced resource shortages that limited its ability to work effectively.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

PA law prohibits discrimination based on race, gender, disability, language, or social status. PA authorities worked to enforce these laws but often failed to do so. Some laws are discriminatory. For example, it is illegal for a Palestinian to sell land to Israelis, an offense punishable by death.

Hamas, despite remaining under the authority of Palestinian laws prohibiting discrimination, continued to implement discriminatory policies based on race, political affiliation, gender, and sexual orientation.

Many NGOs alleged Israeli actions in the West Bank and Gaza amounted to racial and cultural discrimination, citing legal differences between the treatment of Palestinians and Jewish settlers in the West Bank.

Women

Rape and Domestic Violence: Rape is illegal under PA law, but the legal definition does not address spousal rape. Laws that apply in both the West Bank and the Gaza Strip relieve rapists who marry their victim of any criminal responsibility. Authorities generally did not enforce the law effectively in the West Bank or the Gaza Strip. Punishment for rape is five to 15 years in prison. Societal norms led to significant underreporting. There were reports police treated rape as a social and not a criminal matter and that authorities released some accused rapists after they apologized to their victims.

PA law does not explicitly prohibit domestic violence, but assault and battery are crimes. Authorities did not enforce the law effectively in domestic violence cases. NGOs reported women were frequently unwilling to report cases of violence or abuse to the police because of fear of retribution, and HRW reported that authorities prosecuted few domestic violence cases successfully in recent years. Many women and girls stated they believed the legal system discriminated against women. According to the PA's Central Bureau of Statistics, violence against wives, especially psychological violence, was common in the West Bank and the Gaza Strip. A 2012 survey by the statistics bureau found 37 percent of married women (30 percent in the West Bank and 51 percent in Gaza) reported they were victims of violence. Police often treated domestic violence as a social instead of criminal matter and regularly returned victims to assailants.

The mandate of the PA Ministry of Women's Affairs is to promote women's rights. During the year the ministry continued implementing its 2011-13 Cross-Sectoral National Gender Strategy, which seeks to promote gender equality and empower women. In February the PA's Ministry of Social Affairs approved a new referral system designed to improve the overall delivery of legal, health, and social services to victims of violence.

Harmful Traditional Practices: Provisions of Palestinian law discriminate against women. In 2011 President Abbas signed an amendment to the "honor killing" law that removed protection and leniency for perpetrators of crimes in defense of family honor, although some NGOs argued the amendment did not apply to the most relevant articles of the law and thus did not have a noticeable effect. The Women's Center for Legal Aid and Counseling reported 27 "honor killings" in the West Bank and Gaza during the year, double the number in 2012, although some NGOs asserted that part of the increase was due to more visibility and better reporting. In March a 23-year-old woman's father and brother in the Gaza Strip strangled her for allegedly violating the family's honor. Authorities arrested the father and brother and charged them with homicide. In September a 32-year-old woman's father strangled her in a West Bank village amid pressure from his extended family to restore the family's honor; authorities arrested him, and he was awaiting trial at year's end.

Sexual Harassment: No law specifically relates to sexual harassment, and it was a significant and widespread problem. The Geneva Centre for the Democratic Control of Armed Forces and other NGOs reported that for some women, cultural taboos and fear of stigma compelled them to remain silent about sexual harassment. Some young women claimed they were held responsible for provoking men's harassing behavior. Authorities in Gaza harassed women for "un-Islamic" behavior, including being in public after dark and walking with an unrelated man.

Reproductive Rights: Couples and individuals in the Gaza Strip, the West Bank, and Jerusalem had access to contraception. They lacked information regarding family planning, although the UNRWA continued holding workshops for Palestinian men underscoring their role in family planning. There were at least 147 family planning centers in the West Bank and at least 20 in the Gaza Strip, according to the PA Ministry of Health. High workload, poor compensation, and resource shortages across the occupied territories continued to affect skilled attendance during labor and postpartum care, much of which midwives provided. While authorities and community and international NGOs operated HIV/AIDS education, prevention, and screening programs, there was limited information about the equality of services provided for women.

There were more deaths among mothers and newborns in the Gaza Strip than in the West Bank. The PA Ministry of Health attributed continued increases in the number of home births to difficulties in reaching hospitals (see section 2.d.).

Discrimination: While the law provides for equality of the sexes, it also discriminates against women, as do traditional practices. Women can inherit, but not as much as men. Men may take more than one wife; although they rarely did in urban areas, the practice was more common in small villages. Women may add conditions to marriage contracts to protect their interests in the event of divorce and child custody disputes but rarely did so. Societal pressure generally discouraged women from including divorce arrangements in a marriage contract. Cultural restrictions associated with marriage occasionally prevented women from completing mandatory schooling or attending college. Families sometimes disowned Muslim and Christian women who married outside their faith. Local officials sometimes advised such women to leave their communities to prevent harassment.

Hamas maintained control of the Gaza Strip and enforced a conservative interpretation of Islam on the Gaza Strip's Muslim population that particularly discriminated against women. Authorities generally prohibited public mixing of the sexes. Plainclothes officers routinely stopped, separated, and questioned couples to determine if they were married; premarital sex is a crime punishable by imprisonment. Hamas' "morality police" also punished women for riding motorcycles, smoking cigarettes or water pipes, leaving their hair uncovered, and dressing "inappropriately" (that is, in Western-style or close-fitting clothing, such as jeans or T-shirts). Women living in refugee camps in the Gaza Strip said they felt unsafe using a bathing or latrine facility and reported a lack of reliable sanitary materials.

Palestinian labor law states work is the right of every capable citizen; however, it regulates the work of women, preventing them from taking employment in dangerous occupations. Women endured prejudice and, in some cases, repressive conditions at work. Additionally, some employers reportedly provided preferential treatment to their male counterparts. Women's participation in the workforce was extremely low, although gradually growing, according to PA statistics, with rates particularly low in Gaza.

Female education rates were high, particularly in the West Bank, and women's attendance at universities exceeded men's. Female university students, however, reported discrimination by university administrators, professors, and their male peers, according to the Geneva Centre for the Democratic Control of Armed Forces. In February Hamas implemented a "modest" dress code at Al-Aqsa University in Gaza, drawing criticism from the PA minister of higher education.

According to press and NGO reports, in some instances teachers in Gaza sent home girls not wearing conservative attire in Hamas-run schools, although enforcement was not systematic.

Children

Birth Registration: The PA registers Palestinians born in the West Bank and the Gaza Strip, and Israel requires the PA to transmit this information to the Israeli Civil Administration. Since the PA does not constitute a state, it does not determine "citizenship" alone. Children of Palestinian parents can receive a Palestinian identity card (issued by the Civil Administration) if they are born in the occupied territories to a parent who holds a Palestinian identity card. The PA MOI and the Israeli Civil Administration both play a role in determining a person's eligibility.

Israel registers the births of Palestinians in Jerusalem, although Arab residents of Jerusalem reported delays in the process.

Education: Education in PA-controlled areas is compulsory from age six through the ninth grade (approximately 16 years of age). Education is available to all Palestinians without cost through high school.

In the Gaza Strip, primary education is not universal. The UNRWA and authorities in Gaza provided instruction. In addition to the PA-provided curriculum, the UNRWA provided specialized classes on human rights, conflict resolution, and tolerance in its classrooms. There were reports that Hamas instituted new courses on military training in its schools.

As of the end of June, UNICEF reported 29 attacks on schools in the West Bank, amounting in some instances to periodic denial of access to education. Palestinian armed groups, Israeli authorities, and Israeli settlers were responsible for the attacks.

In Jerusalem Palestinian children did not have access to the same educational resources as Israeli children, and NGOs reported that East Jerusalem needed an additional 2,200 classrooms to provide adequate space for Palestinian children to attend official schools (see section 6, National/Racial/Ethnic Minorities).

Child Abuse: Child abuse was reportedly a widespread problem. The law prohibits violence against children; however, PA authorities rarely punished perpetrators of family violence.

Israeli security forces also were responsible for violence against children in custody and during arrest (see section 1.c.) in the West Bank or near the Gaza Strip buffer zone, according to NGO and UN reports. In July IDF forces shot a 14-year-old boy in the West Bank town of Silwad, striking him in the neck and shoulder. The case was reportedly under investigation by Israeli authorities.

Doctors Without Borders reported the number of children with posttraumatic stress disorder and other anxiety disorders, including depression, increased in recent years. The organization attributed a majority of the cases to trauma experienced during Israeli military incursions or as a result of settler violence.

Forced and Early Marriage: Palestinian law defines the minimum age for marriage as 18; however, religious law allows for marriage as young as 15 years old. Child marriage did not appear to be widespread, according to NGOs, including the Women's Center for Legal Aid and Counseling, although there were reports of child marriage, particularly in the Gaza Strip. In September a 15-year-old boy reportedly married a 14-year-old girl in Gaza.

Sexual Exploitation of Children: The PA considers statutory rape a felony based on the Jordanian penal code of 1960, which also outlaws all forms of pornography. The minimum age for

consensual sex is 18 years old. Punishment for rape of a victim under the age of 15 includes a minimum sentence of seven years.

Child Soldiers: There were reports Hamas trained children as combatants.

Displaced Children: Conflict and demolition orders (see section 2.d.) displaced children in the occupied territories. OCHA reported 558 children were displaced due to home demolitions in the West Bank and East Jerusalem during the year.

Anti-Semitism

Approximately 370,000 Jewish settlers lived in the West Bank. The Jewish population in Gaza, aside from foreign nationals, was nonexistent. There were an estimated 250,000 Jewish residents of East Jerusalem.

Rhetoric by some Palestinians and Muslim religious leaders included expressions of anti-Semitism and Holocaust denial. In May the Hamas-affiliated website Filastin posted an article stating that the "Zionist claim" of six million Holocaust victims was fraudulent and calling for a ban on "participating in activities that support the false Zionist account of the Holocaust." In an April interview with a Lebanese television station, Fatah Central Committee member Abbas Zaki said that Israel was responsible for the 2001 terrorist attacks against the United States and that Jewish behavior was responsible for the rise of anti-Semitism in Europe. At times the PA failed to condemn incidents of anti-Semitic expression in official PA traditional and social media outlets.

In the Gaza Strip and the West Bank, there were instances in which media outlets, particularly outlets controlled by Hamas, published and broadcast material that included anti-Semitic content, sometimes amounting to incitement to violence. There were also instances in which Palestine TV, the self-governing official PA television station, broadcast independent content that was anti-Semitic. For example, one program included poetry referring to the "sons of pigs," a derogatory term anti-Semites historically used to refer to Jews.

Anti-Israel sentiment was widespread and sometimes crossed the line into anti-Semitism in public discourse, including media commentary longing for a world without Israel and glorifying terror attacks on Israelis. In July Palestine TV broadcast a young girl reciting a poem that referred to the "Sons of Zion" as "the most evil among creations," "barbaric monkeys," and "wretched pigs." Media included cartoons demonizing Israel, as well as comments using anti-Semitic rhetoric, including by academics, accusing Israel of seeking to subvert the Palestinians, take over the world, and also exploiting the Holocaust to its advantage.

Trafficking in Persons

No PA law specifically prohibits trafficking in persons, and reportedly small numbers of children and adults experienced forced labor conditions in both the West Bank and the Gaza Strip. There were reports some children worked in forced labor conditions in the West Bank, including in settlements. These children reportedly faced exploitation and harassment.

NGOs reported employers subjected Palestinian men to forced labor in Israeli settlements in industry, agriculture, construction, and other sectors. The PA was unable to monitor and investigate abuses in these areas and elsewhere because the PA does not control its borders and has limitations on its authority to work in Areas B and C.

Persons with Disabilities

The Palestinian Disability Law was ratified in 1999, but NGOs complained of very slow implementation. It does not mandate access to buildings, information, or communications, although the UNRWA's policy was to provide accessibility in all new structures. Palestinians with

disabilities continued to receive uneven and poor quality services and care. The PA depended on UN agencies and NGOs to care for persons with physical disabilities and offered substandard care for persons with mental disabilities. There were reports Israeli authorities placed detainees deemed mentally ill or a threat to themselves or others in isolation without full medical evaluation. According to Physicians for Human Rights-Israel, isolation of prisoners with mental disabilities was common.

Familial and societal discrimination against persons with disabilities existed in both the West Bank and the Gaza Strip.

National/Racial/Ethnic Minorities

According to OCHA an estimated 27,500 Bedouin live in Area C in the West Bank. UNRWA registered many Bedouin as refugees and inhabited areas designated by Israel as closed military zones or as areas planned for settlement expansion. Forced displacement continued of Bedouin and herding communities in Area C, and many of these communities suffered from limited access to water, health care, education, and other basic services.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Palestinian law, based on the 1960 Jordanian penal code, prohibits consensual same-sex sexual activity, although the PA did not prosecute individuals suspected of such activity. Societal discrimination based on cultural and religious traditions was commonplace, making the West Bank and Gaza challenging environments for lesbian, gay, bisexual, and transgender (LGBT) persons. Some Palestinians claimed PA security officers and neighbors harassed, abused, and sometimes arrested LGBT individuals because of their sexual orientation. NGOs reported Hamas also harassed and detained persons due to their sexual orientation.

Other Societal Violence or Discrimination

While the PA Ministry of Health provided treatment and privacy protections for patients with HIV/AIDS, societal discrimination against affected individuals was common. Anecdotal evidence suggested societal discrimination against HIV/AIDS patients was also very common in Gaza.

OCHA, the Jerusalem Legal Aid Society and Human Rights Center, and other NGOs reported a slight increase in attacks by Israeli settlers on Palestinians and their property in the West Bank. The attacks included direct violence against Palestinian residents. Some Israeli settlers reportedly used violence against Palestinians as a means of harassment and to keep them away from land that settlers sought to acquire. "Price tag" attacks (property crimes and violent acts by extremist Jewish individuals and groups in retaliation for activity they deemed to be antisettlement), continued during the year. For example, on May 29, settlers vandalized 14 vehicles in East Jerusalem and the West Bank towns of Zubeidat and Marj en-Naja. During the year the Israeli government formed a new unit of the national police designated specifically to investigate these crimes, and it authorized the Ministry of Defense to classify groups that perpetrated price tag attacks as "illegal associations," which allowed security authorities greater leeway in collecting information on and seizing the property of groups, and of their members, that perpetrated price tag attacks.

Various human rights groups continued to claim settler violence was insufficiently investigated and rarely prosecuted. Some groups attributed this circumstance in part to the Israeli Civil Administration's neglect of Palestinian complaints, as well as to Palestinian residents' reluctance to report incidents due to fears of settler retaliation or because they felt discouraged by the lack of accountability in most cases. The Israeli NGO Yesh Din reported that authorities closed more than 90 percent of Israeli investigations into offenses against Palestinians in the West Bank without indictments.

On April 24, settlers entered the privately owned land of a Palestinian family near Hebron, and the family called the police to report the trespassers. Israeli soldiers who responded to the call arrested the Palestinians and physically abused one member of the family. A military court judge released the detained Palestinians the following day.

B'Tselem reported in June that settlers burned a Palestinian structure near the village of Asira al-Qibliyah approximately 220 yards (200 meters) from an army post and called for an investigation into why the nearby soldiers took no action to stop the attack. This incident followed similar attacks in Asira al-Qibliyah in 2012; video footage at the time showed IDF soldiers standing among settlers during their attacks. B'Tselem separately reported in 2012 that only 11 percent of the settler violence incidents it tracked ended with indictments. From the beginning of 2012 until June, B'Tselem followed 108 cases in which Palestinians filed complaints to the Israeli police about incidents of settler violence. According to the official response from the police, only one case resulted in an indictment.

Access to social and commercial services in Israeli settlements in the West Bank, including housing, education, and health care, was available only to Israelis. Israeli officials discriminated against Palestinians in the West Bank and Jerusalem regarding access to employment and legal housing by denying Palestinians access to registration paperwork. In both the West Bank and Jerusalem, Israeli authorities placed often insurmountable obstacles in the way of Palestinian applicants for construction permits, including the requirement that they document land ownership in the absence of a uniform post-1967 land registration process, high application fees, and requirements that new housing be connected to often unavailable municipal works.

According to B'Tselem since 2000 Israel curtailed the Palestinian population registry, denying paperwork to Palestinians, and effectively declaring Palestinians illegal residents. Some Palestinians defined as illegal residents faced harassment, arrest, or deportation to the Gaza Strip.

The World Bank reported that Palestinians suffered water shortages, noting approximately half of the domestic water supply for Palestinians was purchased from Israel. The Palestinian Water Authority claimed Israel controlled 90 percent of the shared water resources of the Mountain Aquifer, which underlies the West Bank and Israel. According to AI Palestinians received an average of 18.5 gallons of water per person per day, falling short of the World Health Organization's standard of 26.5 gallons per person per day, the minimum daily amount required to maintain basic hygiene standards and food security. Political constraints limited the PA's ability to improve water network management and efficiency, including the requirement for Israeli approval to implement water-related projects and the PA's lack of authority in Area C to prevent theft from the network, as well as by the PA's own management problems. The Israeli military continued to destroy water cisterns, some of which donor countries funded for humanitarian purposes. The Israeli military also destroyed unlicensed Palestinian agricultural wells, particularly in the Jordan Valley area of the West Bank, claiming they depleted aquifer resources.

NGOs alleged that Jerusalem municipal and Israeli national policies aimed at decreasing the number of Palestinian residents of Jerusalem. Government-sponsored construction of new Israeli housing units continued, while building permits were difficult to obtain for Arab residents of Jerusalem, and homes built by Arab residents without legal permits were subjected to demolition. The Israeli NGOs Bimkom and Ir Amim stated that Palestinians in East Jerusalem continued to face barriers to purchasing property or obtaining building permits. Land owned or populated by Arabs (including Palestinians and Israeli Arabs) was generally zoned for low residential growth. Approximately 30 percent of East Jerusalem was designated for Israeli residents. Palestinians were able in some cases to rent Israeli-owned property but were generally unable to purchase property in an Israeli neighborhood. Israeli NGOs stated that only 13 percent of all land in East Jerusalem was available for construction and that, in the Israeli neighborhoods of East Jerusalem, land was unavailable for Arab construction.

The Jerusalem Municipality and Jewish organizations in Jerusalem made efforts to increase Israeli property ownership or underscore Jewish history in predominantly Arab neighborhoods of Jerusalem.

Although Israeli law entitles Palestinian residents of Jerusalem to full and equal services provided by the municipality and other Israeli authorities, the Jerusalem Municipality failed to provide sufficient social services, infrastructure, emergency planning, and postal service for Palestinian neighborhoods in Jerusalem. Palestinian residents constituted approximately 35 percent of Jerusalem's population but received only 10 to 15 percent of municipal spending. According to ACRI 78 percent of Jerusalem Palestinians lived in poverty, and 85 percent of East Jerusalem children lived below the poverty line. Only 46 percent of students studied in official municipal schools. There was a chronic shortage of more than 1,100 classrooms in East Jerusalem's official school system, and, despite commitments made by Israeli authorities and a high court ruling that the municipality fill the gap of missing classrooms in East Jerusalem by 2016, authorities built only 150 classrooms in the last five years. The municipality reported that 400 classrooms were in various stages of planning or construction. Bus services in Jerusalem were largely segregated between Israelis and Palestinians. Light rail service completed in 2010 served both Palestinian and Israeli populations and crossed into East Jerusalem; NGOs reported, however, that of the 24 stops on the light rail, there were only five in Palestinian neighborhoods.

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 and conduct legal strikes. The law requires collective bargaining to be conducted without any pressure or influence but does not explicitly provide for the right to collective bargaining. Antiunion discrimination and employer interference in union functions are illegal, but the law does not specifically prohibit termination due to union activity.

The PA labor code does not apply to civil or domestic servants, 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 warning two weeks in advance of a strike (four weeks in the case of public utilities). The PA Ministry of Labor can impose arbitration; workers or their trade unions face disciplinary action if they reject the result. If the ministry cannot resolve a dispute, it can be referred 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, and finally to a specialized labor court.

The government did not effectively enforce labor laws, and procedures were subjected to lengthy delays and appeals. The PA's labor law had not been fully implemented at year's end, and labor unions asserted the current system benefitted employers. For example, the labor court provided for in the law had not been established. During the year the waiting time for court hearings was five to six years. The PA enforced the prohibitions on antiunion discrimination and employer interference in union functions; however, it inconsistently enforced laws regarding freedom of association. The PA did not seek to enforce collective bargaining rights for unions, with the exception of those representing PA employees.

Freedom of association and the right to collective bargaining were respected, with some significant exceptions. Public sector workers engaged in frequent protests and some strikes over the delayed payment of wages at the beginning of the year. In September and November, the public employee union organized strikes aimed at securing a cost of living increase, among other demands. The union canceled the strikes when the PA agreed to review and address the union's demands.

Labor unions were not independent of authorities and political parties. In 2007 Hamas replaced Fatah-affiliated union leaders with Hamas members or sympathizers in the Gaza Strip, and during the year it maintained restrictions on union membership.

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. A leader of one of the two main unions was also the PA deputy labor minister. There were no reports of politically motivated terminations of union leaders.

Israeli law applies to Israeli settlements in the West Bank and Jerusalem, but it was not enforced uniformly. Most settlements applied Jordanian labor law to Palestinian workers, which was the applicable law prior to 1967 and provides for lower wages and fewer protections than Israeli law. Palestinian workers in Jerusalem often joined West Bank unions or the Israeli General Federation of Labor (Histadrut); however, they could not vote in Histadrut elections.

b. Prohibition of Forced or Compulsory Labor

PA law does not expressly forbid forced or compulsory labor. Children and women were vulnerable to forced labor conditions in both the West Bank and the Gaza Strip.

c. Prohibition of Child Labor and Minimum Age for Employment

According to PA law, the minimum age for employment in the occupied territories is 15 years. The law classifies children as those under 18 years of age, and it restricts employment for those between 15 and 18 years old. The law allows children younger than age 15 to work for immediate family members under close supervision. The law permits hiring children between the ages of 15 and 18 for certain types of employment under set conditions. The law prohibits children from working more than 40 hours per week, operating certain types of machines and equipment, performing work that might be unsafe or damage their health or education, and working at night, in hard labor, or in remote locations far from urban centers. The law was amended in 2012 by presidential decree to include provisions on child labor accompanied by explicit penalties for violations. For example, the penalty for child labor in dangerous working conditions is a fine ranging from 1,000 to 2,000 Jordanian dinars (\$1,410 to \$2,820) per child. Repeat offenders can be penalized by having the fines doubled and/or full or partial closure of their facility.

Due to inadequate resources and logistical difficulties, PA authorities did not effectively enforce the law. The Ministry of Labor reported that it employed 42 labor inspectors, of which 12 had training and experience in dealing with child labor, a number it recognized as insufficient, although an increase from prior years. Many cases of child labor violations reportedly occurred in home environments, for example, on family farms, which were not open to Labor Ministry inspection. Child protection officers with the PA Ministry of Social Affairs were overburdened and also lacked the resources to pursue such cases. The PA Ministry of Labor reported that only employers who hired children under age 15 to work in dangerous conditions or hazardous jobs were referred to the attorney general for prosecution; the ministry referred only a few cases during the year. PA officials reported fining "numerous" persons after successful investigations conducted by the PA Ministry of Labor in recent years. The ministry was unable to conduct investigations in the Gaza Strip, nor did it have access to Israeli-controlled Area C of the West Bank (nearly 60 percent of the West Bank), where child economic exploitation and labor were most likely to occur, according to PA officials.

The PA estimated 4 percent of children between the ages of 10 and 17 worked in the West Bank and Gaza. Palestinian child laborers generally worked on family farms, in shops, as roadside and checkpoint street vendors, in car washes, in factories, or in small manufacturing enterprises. They were vulnerable to forced labor. Conditions were especially poor for Palestinian children working

as street vendors, many of whom worked all day without food or water and were subjected to abuse.

During the year many smuggling tunnels, which had previously employed some children, closed. Hamas reportedly did not enforce child labor laws in Gaza; in some cases Hamas reportedly encouraged children to work gathering gravel and scrap metal from bomb sites to sell to recycling merchants. There were reports Hamas trained children as combatants.

The Israeli government stated it did not issue permits for Palestinian West Bank residents younger than age 18 to work in Israeli settlements, except in the Jordan Valley, where the law allows work permits for persons age 16 and older; however, according to the PA, children entered the settlements or crossed into Israel to seek work. The PA reported that Palestinian children working in Israeli settlements in the West Bank without legal protection or labor inspectors faced security problems, exploitation, and harassment.

Also see the Department of Labor's [*Findings on the Worst Forms of Child Labor*](#).

d. Acceptable Conditions of Work

The PA cabinet approved a minimum wage of 1,450 New Israeli Shekels (\$411) per month, which went into effect at the beginning of the year. Palestinians working in Israeli settlements reported they continued to receive wages lower than the Israeli minimum wage, despite a 2008 high court ruling that Israeli labor laws apply to relations between Palestinian workers and Israeli employers in settlements in the occupied territories.

According to PA law, the maximum official Sunday to Thursday workweek was 48 hours. The law also allows for paid official and religious holidays, which may not be deducted from annual leave. Workers must be paid time and a half for each hour worked beyond 45 hours per week and may not perform more than 12 hours of overtime work per week.

The PA Ministry of Labor was responsible for setting occupational health and safety standards, but its enforcement ability was limited, in part due to lack of staff. The ministry employed 42 labor inspectors during the year; ministry officials reported they would need at least an estimated 300 inspectors to enforce the labor laws adequately. The PA did not effectively monitor smaller worksites, which were at times below legal safety standards.

The PA was unable to monitor labor conditions in the Gaza Strip and had no authority to monitor labor safety in the 60 percent of the West Bank that is designated Area C, under the terms of Oslo-era agreements with Israel. The ministry cannot enforce Palestinian labor law in seam zones, the area east of the Green Line and west of Israel's barrier wall, Israel (where Palestinians were employed on permits or illegally), or in Israeli settlements in the West Bank. 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. Israeli NGOs brought some cases in Israeli labor courts on behalf of Palestinian workers employed by enterprises in the settlements. The PA Ministry of Labor reported the number of Palestinians who raised cases against settlers during the year remained very low.

Working conditions with respect to minimum wage and occupational safety and health were poor. Informal sector work, especially in illegal smuggling tunnels between the Gaza Strip and Egypt, and rubble and garbage collection, was often dangerous. According to OXFAM 13 workers died in the tunnels during the year.

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