

# ISRAEL 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Israel is a multi-party parliamentary democracy. Although it has no constitution, the parliament, the unicameral 120-member Knesset, has enacted a series of “Basic Laws” that enumerate fundamental rights. Certain fundamental laws, orders, and regulations legally depend on the existence of a “State of Emergency,” which has been in effect since 1948. Under the Basic Laws, the Knesset has the power to dissolve the government and mandate elections. The nationwide Knesset elections in January 2013, considered free and fair, resulted in a coalition government led by Prime Minister Benjamin Netanyahu. Security forces reported to civilian authorities. (An annex to this report covers human rights in the occupied territories. This report deals with human rights in Israel and the Israeli-occupied Golan Heights.)

During the year a number of developments affected both the Israeli and Palestinian populations. From July 8 to August 26, Israel conducted a military operation designated as Operation Protective Edge, which according to Israeli officials responded to increases in the number of rockets deliberately fired from Gaza at Israeli civilian areas beginning in late June, as well as militants’ attempts to infiltrate the country through tunnels from Gaza. According to publicly available data, Hamas and other militant groups fired 4,465 rockets and mortar shells into Israel, while the government conducted 5,242 airstrikes within Gaza and a 20-day military ground operation in Gaza. According to the United Nations, the operation killed 2,205 Palestinians. The Israeli government estimated that half of those killed were civilians and half were combatants, according to an analysis of data, while the UN Office for the Coordination of Humanitarian Affairs recorded 1,483 civilian deaths--more than two-thirds of those killed--including 521 children and 283 women; 74 persons in Israel were killed, among them 67 combatants, six Israeli civilians, and one Thai civilian. Further information on the human rights situation in the occupied territories is in the annex.

The most significant human rights problems were terrorist attacks targeting civilians and politically or religiously motivated societal violence; institutional and societal discrimination against Arab citizens of Israel, many of whom self-identify as Palestinian, including the Bedouin, in particular in access to equal education and employment opportunities; societal discrimination against women; and the treatment of refugees, asylum seekers, and irregular migrants.

Other human rights problems included institutional and societal discrimination against non-Orthodox Jews, some minority religious groups, and intermarried families, and labor rights abuses against foreign workers.

The government took steps to prosecute and punish officials who committed abuses regardless of rank or seniority. The government proceeded with structural reforms to reduce impunity and increase accountability.

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

### **a. Arbitrary or Unlawful Deprivation of Life**

There was one report the government or its agents committed arbitrary or unlawful killings.

On November 7, police shot and killed Israeli citizen Kheir al-Din Hamdan in Kafr Kana. Police stated he tried to stab an officer during an officer's attempt to arrest Hamdan; police fired a warning shot in the air before shooting Hamdan in the chest. Video footage of the event depicted Hamdan attacking a police vehicle and also raised questions as to whether police followed their rules of engagement. The Department for Investigating Police Officers announced it was launching an investigation into the killing, and the results of the investigation were pending as of November 14.

The number of terrorist attacks increased during the year, including the kidnapping of Israeli and Palestinian civilians, and attempted terrorist attacks by infiltration through tunnels from the Gaza Strip. According to the Israeli Defense Forces (IDF), there were 4,824 attacks and cross-border incidents originating from Gaza, including 4,435 rockets and mortars fired from the Gaza Strip by Hamas and other armed groups, that killed seven civilians; 223 cross-border incidents, including rocket and mortar shootings, infiltrations, and smuggling attempts from Egypt; 1,936 cross-border incidents originating from Lebanon by Palestinians living in Lebanon, Lebanese Hizballah, or other militants targeting Israeli towns or Israeli military patrols; and 1,137 cross-border incidents originating from Syria that killed one civilian. Some cases were due to errant firing, but observers believed some cases were deliberate targeting of military patrols and Israeli civilian communities in the Golan Heights.

There were attacks by individuals and militant or terrorist groups targeting civilians. On August 4, a large construction vehicle driven by a Palestinian struck

and overturned an empty passenger bus in West Jerusalem's Shmuel HaNavi neighborhood, killing one and injuring several others, in what authorities called "a terrorist attack." On November 10, a Palestinian attacker stabbed an Israeli soldier waiting at a bus station in Tel Aviv; the soldier later died of his wounds, and security forces apprehended the attacker. On November 18, two Palestinians attacked worshippers within the Kehilat Bnai Torah synagogue in western Jerusalem with guns, knives, and axes, resulting in the deaths of four rabbis and a police officer.

### **b. Disappearance**

There were no reports of disappearances or politically motivated abductions.

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

The law does not refer to a specific crime of torture but prohibits acts such as assault and pressure by a public official. In 1999 the High Court of Justice ruled that, although torture and the application of physical or psychological pain were illegal, Israel Security Agency (ISA) interrogators may be exempt from criminal prosecution if they used such methods in extraordinary cases determined to involve an imminent threat or "ticking bomb" scenario. Human rights organizations alleged that interrogation methods permitted by law and actually used by security personnel included beatings and forcing an individual to hold a stress position for long periods, while the government insisted it did not use any interrogation methods prohibited by the UN Convention against Torture. Nongovernmental organizations (NGOs) continued to criticize other alleged detention practices they termed abusive, including isolation, sleep deprivation, and psychological abuse such as threats to interrogate family members or demolish family homes. Authorities stated the ISA held detainees in isolation only in extreme cases and when there was no alternative option and that isolation was not used as a means of augmenting interrogation, forcing a confession, or as punishment. The government rejected claims that interrogations of minors breached the convention.

The Ministry of Justice Inspector for Complaints against ISA Interrogators took the testimony of detainees whom authorities had interrogated, then released and instituted a reform that allows representatives of the Public Committee Against Torture in Israel (PCATI) to be present in meetings between complainants and the inspector. While the inspector stated that closing all pre-2013 complaint cases was

a priority, all 2012 complaint cases remained pending before the inspector as of November 14.

The Turkel Commission was established to implement the findings of the 2010 report of the Public Commission to Examine the Maritime Incident--the interception and capture by the Israeli Navy of ships carrying humanitarian aid bound for Gaza. Following the publication of the Turkel Commission's Second Report in February 2013, the government set up a new complaint mechanism within the Ministry of Justice for allegations of torture and appointed an independent Inspector of Interrogee Complaints in February.

In February 2013 Palestinian Arafat Jaradat, whom Israeli security forces detained on February 18 for allegedly throwing stones near Hebron during 2012 protests against Israel's Operation Pillar of Defense, died in custody at Megido Prison. Israeli authorities stated an autopsy on Jaradat was "inconclusive." Palestinian authorities, who also conducted an autopsy, asserted Jaradat's body bore signs of torture. The government appointed a judge and police unit to investigate the death, and the investigation remained pending at the end of October.

In December, three members of the anti-intermarriage organization Lehava were arrested and reportedly confessed to setting fire to the Max Rayne Hand in Hand school in Jerusalem. Their attorney alleged his clients were subjected to threats, denial of sleep, and psychological pressure in questioning and moved to disqualify their confessions.

Following a temporary suspension of police use of Taser guns in 2013, and following the institution of updated operating and training procedures in April, the police commissioner reauthorized police to use Tasers.

### **Prison and Detention Center Conditions**

The law provides prisoners and detainees the right to conditions that do not harm their health or dignity. Conditions in facilities run by the Israel Prison Service (IPS) generally met international standards, according to international and domestic NGOs. NGOs reported the government restricted NGO access to the Saharonim detention facility for African migrants and asylum seekers, although authorities stated the IPS did not limit the entry of visitors to the facilities holding persons who entered the country illegally. Authorities did not allow NGOs access inside the Holot facility until March. (Conditions in four facilities for security detainees are covered in the annex.)

Physical Conditions: At year's end there were 18,658 prisoners in IPS facilities in Israel and the occupied territories, including 217 minors. Prison conditions were the same for male and female prisoners. Security prisoners, the majority of whom were Palestinians from the West Bank, East Jerusalem, and Gaza, often faced harsher conditions from those of the general prison population, including administrative detention (holding suspected criminals indefinitely without presenting charges or going to trial), restricted family visits, ineligibility for temporary furloughs, and solitary confinement. According to the government, as of November 12, there were 458 administrative detainees in IPS detention centers, a significant increase over the previous reporting year. None was detained longer than four years (see section 1.d.). No administrative detainees were minors or women.

Security prisoners organized a mass hunger strike between April 24 and June 24 to protest prison conditions and demand the government end administrative detention. Initially, 125 detainees took part in the strike, although the IPS reported the total number of participants over the course of the two-month protest reached 290 prisoners and detainees, with 70 hospitalized at various points. One Palestinian administrative detainee, Ayman Tbaish (Atbisha), began a hunger strike to protest the conditions of his imprisonment March 3; he ended his 122-day hunger strike on June 30.

Death was rare in prisons and detention centers. The family of a Palestinian prisoner who died on February 25 alleged he died of complications from an assault by prison guards, although the IPS maintained the prisoner died from a heart attack for which he was previously hospitalized. On September 9, Palestinian security prisoner Raed Jaabari committed suicide in Eshel Prison in Beer Sheva. Jaabari had been in prison for several weeks but was not on suicide watch. Authorities stated they would establish a special commission of inquiry to investigate the incident.

All prisoners had access to potable water, and observers generally regarded food, sanitation, and medical care as adequate. Nevertheless, PCATI claimed there was inadequate accommodation for Arab women prisoners in HaSharon Prison, including solitary confinement, failure to provide for hygienic and medical needs, denial of access to education and intolerance towards their religious sensibilities. NGOs reported lack of access to medical, legal, and social services in detention centers for irregular migrants but noted access to medical care greatly improved in the second half of the year.

Social workers provided individual social and supportive treatment, with emphasis on identifying and providing services for trafficking victims, victims of abuse, and victims of sexual violations.

Administration: Recordkeeping was adequate. The law allows for alternatives to sentencing for nonviolent offenders, including community service. Prisoners and detainees had reasonable access to visitors, including through a program of the International Committee of the Red Cross (ICRC) that brought prisoners' relatives from the West Bank and Gaza into the country for prison visits. The ICRC and the government reported a complete cessation of family visits to all prisoners following the June 14 kidnapping and killing of three Israeli teenage citizens in the West Bank and a cessation of visitors to all Palestinian prisoners throughout Operation Protective Edge that continued for some weeks thereafter. Visits to Fatah-associated detainees from the West Bank and East Jerusalem resumed on July 16, before resuming for all prisoners on September 13, but with specific rules. Visits to prisoners from Gaza resumed October 20.

Authorities allowed visits from lawyers even in the absence of active legal proceedings, and authorities stated that every inmate who requested to meet with an attorney was able to do so. Travel restrictions on entry into the country, however, affected the access of lawyers and other visitors to some Palestinian prisoners. Authorities permitted prisoners religious observance and to send and receive letters.

The law allows prisoners to submit a petition to judicial authorities alleging substandard prison conditions, and authorities investigated credible allegations of inhuman conditions, documented such investigations, and released the results publicly. Additionally, the state comptroller serves as ombudsman and investigates public complaints against government institutions, including the IPS.

Independent Monitoring: The ICRC regularly monitored IPS facilities and the two IDF provisional detention centers in accordance with its standard modalities. It also visited detainees in interrogation centers. PCATI reported authorities allowed it to study the pre-check and investigative materials from interrogations for the first time on October 24. It intends to continue pressing for structural reforms, including mandatory video recordings of interrogations. The Public Defenders' Office is officially responsible for monitoring and reporting on prison conditions, and it did so during the year.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions for all citizens. Non-Israeli residents of the Israeli-occupied Golan Heights were subject to the same laws as Israeli citizens. Noncitizens of Palestinian origin detained on security grounds fell under military jurisdiction even if detained in Israel (see annex). Until nullified by the High Court of Justice on September 22, a 2013 amendment to the 1954 Prevention of Infiltration Law allowed the government to detain newly arrived irregular migrants and asylum seekers for one year in the Saharonim facility and to hold irregular migrants indefinitely in Holot, a remote, open facility run by the IPS (see section 2.d.). Most detention practices remained in place for 90 days following the High Court's decision.

On December 8, the Knesset passed a third amendment to the "Prevention of Infiltration" law. The amended law limits detention time in Holot to 20 months, while allowing for new asylum seekers to be initially placed in Saharonim prison for up to three months. The Supreme Court subsequently acceded to an NGO appeal to instate an injunction temporarily barring the summons of irregular migrants and asylum seekers to Holot; the court then lifted the injunction on the last day of the year.

#### **Role of the Police and Security Apparatus**

Under the authority of the prime minister, the ISA combats terrorism and espionage in the country and the occupied territories. The national police, including the border police and the immigration police, are under the authority of the Ministry of Internal Security. The IDF is responsible for external security and has no jurisdiction over citizens. ISA forces operating in the occupied territories fall under the IDF for operations and operational debriefing. Civilian authorities maintained effective control over the ISA and police forces, and the government has effective mechanisms to investigate and punish abuse and corruption. The government took steps to investigate allegations of the use of excessive force by police and military. Although there were no credible reports of impunity involving the security forces during the year, NGOs criticized the low number of indictments issued relative to the number of investigations opened and the high percentage of cases closed due to investigation failures by military police.

The Department for Investigation of Police Officers in the Ministry of Justice, established in 2013, assumed full responsibility for investigating complaints

against ISA bodies, including incidents involving the Israeli police and the border police occurring in Israeli territory and East Jerusalem and incidents that took place in the occupied territories but did not involve use of a weapon. The position of inspector for complaints against the ISA interrogators was officially transferred from the ISA to the Ministry of Justice. A new inspector assumed duties and began operating at the ministry in May; the unit in the ISA was disbanded. The State Comptroller's Office also reviewed ISA interrogations.

Investigative responsibility for abuses by the IDF, including incidents involving a weapon in which police units were operating under IDF authority in the occupied territories, remained within the Ministry of Defense in the Military Police Criminal Investigations Department.

In January the cabinet secretary appointed a committee to implement the findings of the 2010 report of the Public Commission to Examine the Maritime Incident, (commonly known as the "Turkel Commission") to improve the efficacy, speed, and transparency of internal investigative processes. Following Operation Protective Edge, IDF Chief of Staff Benny Gantz appointed Major General Noam Tibon to head a special investigative committee for incidents involving civilian deaths during the operation. He stated the IDF intended to implement the recommendations of that committee.

On September 4, Israeli NGOs B'Tselem and Yesh Din stated that existing accountability mechanisms precluded serious internal investigations by the military and were marred by severe structural flaws that rendered them incapable of conducting professional investigations.

### **Arrest Procedures and Treatment of Detainees**

By law police must have warrants based on sufficient evidence and issued by an authorized official to arrest a suspect. Authorities generally informed such persons promptly of charges against them. The law allows authorities to detain suspects without charge for 24 hours before bringing them before a judge, with limited exceptions allowing for up to 48 hours. Authorities respected these rights for persons arrested in the country. There was a functioning bail system, and detainees could appeal decisions denying bail. Authorities allowed detainees to consult with an attorney in a timely manner, including one provided by the government for the indigent, and to contact family members promptly.



According to the circumstances of each case, such as the severity of the alleged offense, status as a minor, risk of escape, or other factors, authorities either granted or denied bail to noncitizens of Palestinian origin detained for security violations. Authorities held most Palestinian minors (under age 18) arrested in the West Bank and Gaza in prisons in Israel but prosecuted them under the Israeli military law applicable to the occupied territories, which denies many of the rights they would be granted under Israeli law. A person detained on security grounds may be prosecuted criminally or held as an administrative detainee or illegal combatant, according to one of three legal regimes.

First, under a temporary law on criminal procedures, repeatedly renewed since 2006, the IPS may hold persons suspected of a security offense for 48 hours prior to bringing them before a judge, with limited exceptions allowing the IPS to detain a suspect up to 96 hours before bringing the suspect before the senior judge of a district court. In security-related cases, a person may be held for up to 35 days without an indictment (versus 30 days for other than security-related cases), and the law allows the court to lengthen the holding of a detainee on security grounds for an initial period of up to 20 days for interrogation without an indictment (versus 15 days for other than security-related cases). Authorities may deny security detainees access to an attorney for up to 21 days.

Second, the 1979 Emergency Powers Law allows the defense ministry to detain persons administratively without charge for up to six months, renewable indefinitely. Administrative detention was used as an exception when intelligence sources could not be presented as evidence for criminal proceedings. On October 7, B'Tselem reported a significant increase in the number of administrative detainees as a result of operations associated with a search and arrest campaign in the West bank and arrests as part of the IDF ground operation in Gaza, as the number of administrative detainees rose from 152 at the end of 2013 to 473 detainees at the end of August. The government reported there were 458 administrative detainees as of November 12. An administrative detainee has the right to appeal any decision to lengthen detention to a military court of appeals and then to the Supreme Court, and detainees routinely did so. The military courts may rely on classified evidence denied to detainees and their lawyers when determining whether to prolong administrative detention.

Third, the 2002 Illegal Combatant Law permits authorities to hold a detainee for 14 days before review by a district court judge, deny access to counsel for up to 21 days with the attorney general's approval, and allow indefinite detention subject to twice-yearly district court reviews and appeals to the Supreme Court.

Arbitrary Arrest: There were no credible reports of arbitrary or false arrests, although some leaders of Arab-Israeli society questioned the high number of arrests of Arab-Israeli youths in conjunction with widespread June-August protests whom authorities subsequently released without charges.

Pretrial Detention: Administrative detention continued to result in lengthy pretrial detention for Palestinian security detainees. Authorities held most detainees for less than one year but held some for more than one year and a small number for more than two years.

Detention of Rejected Asylum Seekers or Stateless Persons: The law affords foreign nationals suspected of immigration violations a hearing within four days of detention. They have the right to, but no assurance of, legal representation. According to the *Haaretz* newspaper, as of December 28, the government was holding 2,242 irregular migrants and asylum seekers under a June 2013 amendment to the 1954 Prevention of Infiltration Law, which defines all irregular border crossers as “infiltrators” and permits authorities to detain irregular migrants, including asylum seekers and their children, indefinitely. Under the 1954 law and the 2013 amendment, an “infiltrator” could be released from a prison detention facility to an “open” detention facility, in which detainees may come and go freely during the day, although they must report for mandatory check-ins if the government did not begin to process the asylum claim within three months, did not decide the claim within nine months, or if three years elapsed from the time authorities first detained the unauthorized migrant. The law, however, authorized the government to detain asylum seekers indefinitely in an open facility without assurance any refugee claims would be processed. The law set the permitted length of detention for illegal entry at one year. It also allowed the government to hold male African migrants and asylum seekers indefinitely in a remote open facility run by the IPS that is closed at night and requires three check-ins during the day. The Hotline for Refugees and Migrants secured temporary release from open facilities for men who could prove they were fathers or husbands with spouses or children in the country. Throughout the year thousands of African migrants and asylum seekers staged protests in Tel Aviv to oppose arbitrary detention, poor living conditions, and failure to adjudicate their claims for asylum. On June 27, hundreds of African migrants and asylum seekers departed the open detention facility and marched to the Egyptian border. Police arrested them two days later and returned them to the Saharonim prison to await trial.

On September 22, the High Court of Justice nullified the 2013 amendment to the 1954 Prevention of Infiltration Law and ordered the IPS to close the Holot facility within 90 days and end the mandatory roll call at the facility within two days of the ruling, although the ruling did not reverse the policy that Holot detainees could not seek employment. The court called the practice of detaining newly arrived irregular migrants in Saharonim “a severe violation of their rights.” It challenged the government’s assumption that most irregular migrants entered the country for economic reasons, noting the harsh conditions in Eritrea and Sudan, the two main countries of origin, and cited the government’s practice of not enforcing repatriation to those countries. In a report issued prior to the High Court ruling, Human Rights Watch (HRW) characterized the country’s confinement of Eritreans and Sudanese in Holot as a breach of the international law prohibiting arbitrary detention. HRW representatives said that the facility’s isolation prevented persons from normal occupational and social activities, that they were not held for a lawful purpose such as facilitating deportation, and that they were held indefinitely with no effective means to challenge the decision to detain them.

On December 8, in response to the Supreme Court’s decision, the Knesset passed a third amendment to the infiltration law. The amended law limits detention time in Holot to 20 months, while allowing for new asylum seekers to be initially placed in Saharonim prison for up to three months. A joint statement issued by a coalition of NGOs--including Amnesty International, Hotline for Refugees and Migrants, the African Refugee Development Center, and the Association for Civil Rights in Israel--declared their intent to appeal the amendment, which they contended would only continue to violate the rights of asylum seekers while doing nothing to address the underlying concerns about crime and other problems. Amnesty International also noted the government continued efforts to encourage “voluntary” returns, including through agreements it made with foreign governments, which have not been made public and may offer no assurance of the protection of asylum seekers. The Supreme Court subsequently acceded to an NGO appeal to instate an injunction temporarily barring the summons of irregular migrants and asylum seekers to Holot; the court then lifted the injunction on December 31.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, and the government generally respected judicial independence. (The annex covers military court trials of Palestinians and others in the occupied territories.)

#### **Trial Procedures**

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Defendants enjoy the rights to a presumption of innocence, to be informed promptly and in detail of the charges against them, to a fair trial without undue delay, and to adequate time and facilities to prepare their defense. They may not be compelled to testify or confess guilt, and may consult with an attorney, or if indigent, have one provided at public expense. Trials are public except when a court determines a closed trial is required to protect state security, foreign relations, a party's or witness's right to privacy, or a victim of a sexual offense. There are no trials by jury. Defendants have the right to confront witnesses against them, present witnesses and evidence on their behalf, access evidence held against them (except when the court determines such access would compromise national security), and appeal to the Supreme Court. The government may on security grounds withhold from defense lawyers evidence it gathered but did not use in its case against the accused. It must, however, make the evidence available to a court. The law allows the use of secret evidence against the accused in cases of espionage.

The Ministry of Justice determined the law allows the courts to consider secret evidence in reviewing the cases of Palestinians convicted in civilian courts and granted conditional release from prison as part of a prisoner exchange and later re-arrested for violating the terms of their release. In August a Nazareth court re-incarcerated seven individuals released in 2011 as part of the Gilad Shalit prisoner exchange to serve out their original sentences; according to the government, the prisoners were sent to prisons with openings appropriate for the individuals re-incarcerated, not necessarily the facilities from which the courts released them. The seven prisoners appealed their re-incarceration and the interpretation of law used to re-arrest them, and as of November 14, a hearing by the High Court was pending.

Security or military trials are open to the public, but, since authorities conduct them in a military camp, members of the public require an entry permit from the military. Authorities conducted certain trials in a closed setting for reasons of security or of protection of the identity of the minor, and these were not open to the public.

Military courts provide most of the procedural rights granted in civilian criminal courts. The 1970 evidentiary rules governing trials of Palestinians and others

applicable in the occupied territories under military law are the same as evidentiary rules in criminal cases. According to the Ministry of Justice, the law does not permit convictions based solely on confessions. In military trials prosecutors often presented secret evidence not available to the defendant or counsel. Counsel may assist the accused in such trials, and a judge may assign counsel to defendants. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, even in minor cases. Court indictments are read in Hebrew and, unless the defendant waives this right, in Arabic. Authorities translated all military court indictments into Arabic. At least one interpreter is present for simultaneous interpretation in every military court hearing, unless the defendant waives that right. Defendants may appeal through the Military Court of Appeals and then to the High Court of Justice.

### **Political Prisoners and Detainees**

There were no reports of citizen political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

An independent and impartial judiciary adjudicates lawsuits seeking damages for, or cessation of, human rights violations. Administrative remedies exist, and court orders usually were enforced. By law Palestinians may file suit to obtain compensation through civil suits in some cases, even when a criminal suit was unsuccessful and the actions against them were considered legal.

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

The law prohibits such actions, and the government generally respected those prohibitions. Separate religious court systems adjudicate matters such as marriage and divorce for the Jewish, Muslim, Christian, and Druze communities. Each year an estimated 20,000 civil marriages, marriages of some non-Orthodox Jews, marriages in non-Orthodox ceremonies, marriages of a Jew to a non-Jew, or marriages of a Muslim woman to a non-Muslim must take place outside the country to be considered legal, as religious courts refuse to accept these marriages, and the country lacks a civil marriage law. Many Jewish citizens objected to exclusive Orthodox control over aspects of their personal lives. For example, the Orthodox Rabbinate did not consider to be Jewish approximately 322,000 citizens who considered themselves Jewish and who immigrated either as Jews or as family members of Jews; therefore, they may not be married, divorced, or buried in Jewish cemeteries in the country. The estimated 20,000 Messianic Jews, who

believed Jesus is the Messiah and considered themselves Jews, also experienced these infringements on their personal lives, since the Orthodox Rabbinate did not consider them to be Jewish. Authorities did not fully implement a law requiring the government to establish civil cemeteries, although the authorities stated 34 civil burial locations--civil burial plots within Jewish cemeteries--existed and 12 municipalities had authority to have civil burials.

In September a Kfar Saba court ruled the state had to compensate citizens who requested civil burials but did not live in towns where such burials could take place and, therefore, had to pay other municipalities for burial. Usually, national health insurance covered some or all burial costs. The NGO Hiddush noted that the Kfar Saba case highlighted that burial practices do not adequately address the needs of non-Jewish or secular citizens.

As defined by the government on security grounds, the Law of Citizenship and Entry in Israel, which is renewed annually and valid through April 2015, prohibits Palestinians from the West Bank or Gaza, including those who are spouses of Israeli residents or citizens, from obtaining resident status in East Jerusalem or Israel. The law allows the entry of spouses of Israelis on a “staying permit,” when the male spouse is age 35 or older and the female spouse is age 25 or older, and the law provides for exceptions in special cases. The government approved 5,908 of 13,301 applications for family reunifications submitted from 2000 to March 2013; the law prevented other families from living together unless the citizen or resident family member chose to relocate to the West Bank or Gaza Strip. Authorities required East Jerusalem residents who relocated to forfeit their Jerusalem identification cards. The government may revoke the Jerusalem identification cards of those who have been away from Jerusalem for seven years, and the government may seek to revoke a Palestinian’s Jerusalem identification card if the person obtains citizenship or residency in another country. The only way to qualify for a Jerusalem residency and an identification card is to derive it from one’s parents or through a spouse. There is no immigration process, and one usually may not regain Jerusalem residency if it is revoked. (The revocation of identity cards for Palestinian residents of East Jerusalem is addressed in more detail in the annex.)

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The law provides for freedom of speech, including for members of the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and of the press.

Freedom of Speech: Individuals may criticize the government without reprisal. The law prohibits hate speech and incitement to violence, and the 1948 Prevention of Terrorism Ordinance prohibits expressing support for illegal or terrorist organizations. Legislation from 2011 permitting civil cases for damages against citizens who publicly and knowingly advocate for anti-Israel boycotts remained unimplemented pending a judgment by the High Court on its constitutionality; an expanded hearing before nine justices took place in February.

The government did not press charges against Razi Nabulsi, detained by authorities in October 2013 on charges of incitement to violence and terrorism on social media, although it claimed that an examination of materials on his personal computer yielded statements calling for violence. In July, Foreign Minister Avigdor Lieberman called for a boycott of Arab businesses taking part in a general strike supporting Palestinians in Gaza and condemning Operation Protective Edge. Some elected officials--but no government officials--responded by affirming the right of Arab citizens to express solidarity with Palestinians in Gaza.

In cases of speech that constitute incitement to violence, the law empowers police to limit freedom of expression. Police filed an indictment against a person who created a social media group calling for revenge against Arabs and left-wing Israelis following the kidnapping and killing of three Israeli teenagers in the West Bank in June.

Press Freedoms: The independent media were active and expressed a wide variety of views without restriction, although there were prohibitions on publicizing content liable to incite violence or discrimination on grounds of race, origin, religion, nationality, and gender.

Censorship or Content Restrictions: All media organizations must submit to military censors any material relating to specific military issues or strategic infrastructure issues, such as oil and water supplies. The censor's decisions may be appealed to the High Court of Justice, and the censor may not appeal a court judgment.

News printed or broadcast abroad is subject to security censorship. The government did not fine newspapers or other mass media for violating censorship regulations during the year. The government regularly enacted restrictive orders on sensitive security information and required foreign correspondents, as well as local media, to abide by these orders.

Libel Laws/National Security: There were reports authorities used security justifications or slander or libel laws to censor public criticism.

In May, Shin Bet security service officials reportedly threatened a blogger with job loss and imprisonment for posting a tweet seeking the identity of three Shin Bet agents referred to a blog post about the interrogation of Palestinian minors.

In July the Israeli Broadcasting Authority banned a radio broadcast created by B'Tselem, which intended to name Palestinian children killed in Gaza in the July and August hostilities. The broadcasting authority justified the ban by claiming the content was “politically controversial.” In August the Israeli Supreme Court rejected B'Tselem’s appeal to overturn the decision.

### **Internet Freedom**

There were no government restrictions on access to the internet. The government monitored e-mail and internet chat rooms for security purposes. Internet access was widely available, and approximately 70 percent of the country’s inhabitants used it regularly.

Police arrested an Arab Israeli following his posting of a negative comment on social media criticizing an advocate of Christian recruitment to the IDF. Individuals and NGOs obtained and disclosed the personally identifiable information of persons peacefully expressing dissenting political opinions on Operation Protective Edge and led campaigns to force the individuals’ employers to terminate them; the Hotline for Workers (Kav Laoved) tracked more than 30 cases of unlawful terminations from private companies, municipalities, and a state-owned medical center due to political opinions expressed on social media.

On July 28, the Association for Civil Rights in Israel (ACRI) sent a letter to the Council of Higher Education condemning action by multiple Israeli universities to discipline students for social media postings discussing their opposition to governmental policies and Operation Protective Edge or otherwise expressing “radical and extreme” sentiments. According to ACRI, Hadassah Academic



College suspended a student who ridiculed injured IDF soldiers on her Facebook page, revoked her scholarship, banned her from campus, and reported her to police.

Politically motivated cyberattacks occurred. For example, B'Tselem reported its website was hacked and that it was subjected to denial-of-service measures after it condemned the IDF killing of civilians in the Gaza Strip.

### **Academic Freedom and Cultural Events**

The law prohibits institutions that receive state funding from engaging in commemoration of the Nakba, or “catastrophe,” referring to the displacement of 80 percent of the Palestinian Arab population during Israel’s 1948 War of Independence. In May the Haifa District Court annulled Haifa University’s decision to expel two Palestinian students for organizing a Nakba commemoration on campus and ordered the university to readmit the students.

A 2013 Supreme Court ruling prohibits Palestinian prisoners designated as “security prisoners” and held in Israeli prisons from obtaining higher education through correspondence courses. A petition by the legal advocacy NGO Adalah challenging this policy was filed with the Supreme Court and was pending as of November 14.

### **b. Freedom of Peaceful Assembly and Association**

The law provides for freedom of assembly and association, and the government generally respected these rights.

In July and August during Operation Protective Edge, authorities limited large gatherings citing concern for safety of participants should they need to seek shelter from rocket attacks. According to NGOs and political organizations, police cancelled and then reinstated permits for antiwar protests in Tel Aviv in July and August, warning demonstrators during periods of cancellation that they would be arrested if their buses approached the event venue; these restrictions led to a significant decrease in planned participation. The Ministry of Public Security declared that government policy towards handling of demonstrations and protests should apply universally in an equal manner to all races, genders, and religious and political groups. The police commissioner stated police made efforts to allow demonstrations, even during politically sensitive times, while countering incidents of incitement to violence.

The turbulent political and social environment following the July 2 kidnapping and killing of a Palestinian teenager in East Jerusalem and the initiation of Operation Protective Edge prompted demonstrations in Arab and mixed communities across the country; some were peaceful and some were characterized by violence. In June and July, police used force to disperse such demonstrations in Nazareth, Haifa, and an area with a high concentration of Arab-Israeli citizens in northeast-central Israel adjacent to the northern West Bank commonly known as the “Triangle” area. Over the course of the demonstrations, authorities arrested approximately 1,500 Arab Israelis. Of those arrested, authorities filed charges in 650 cases, of which 350 cases progressed to court action. While some Arab-Israeli politicians and civil society organizations accused police of heavy-handed tactics in response to demonstrations, others noted the close coordination between Arab-Israeli municipal authorities and police and stated the high number of arrests may have prevented more serious violent clashes. Protesters during this period, including Arab-Israeli members of the Knesset, reported rough handling and aggressive police tactics and alleged security forces did not act to protect antiwar demonstrators from violence by counterdemonstrators.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government respected these rights for citizens. The Office of the UN High Commissioner for Refugees (UNHCR) and NGOs expressed concern over the government’s actions in providing protection and assistance to some refugees, asylum seekers, and other persons of concern, including victims of trafficking, but not to others. The UNHCR and NGOs raised specific concerns over the government’s use of “voluntary” return of detained migrants; the government’s failure to provide individual refugee status determinations for all migrants of sub-Saharan African origin, including Eritreans and Sudanese; and the government’s continued use of “anti-infiltrator” laws, which impose long-term detention (including the possibility of indefinite detention in a restrictive facility) on all individuals who enter the country irregularly, including asylum seekers and their children. The amended Prevention of Infiltration Law defined all irregular border crossers as “infiltrators” and gave authorities the

discretion to detain these individuals for one year in prison or indefinitely in a restricted and isolated facility for unlawful entry, even if they requested asylum.

The government reported the arrival of 18 new irregular migrants through December 16, compared with 10,285 in 2012 before the government's completion of a fence on the border with Egypt. The government attributed the decrease in arrivals to the Prevention of Infiltration law rather than the fence.

The government reported that as of December 16, 2,444 persons who entered Israel illegally through the Egyptian border in recent years were either placed in Holot or detained in Saharonim. According to NGOs, some detainees were documented trafficking victims, older persons, persons with disabilities, pregnant women, single mothers, unaccompanied minors, and those suffering from poor physical or mental health that were unable to work and who were dependent on the capacities of their communities and NGOs to support their basic needs. The Ministry of Interior released some identified victims of torture from the Saharonim facility and granted some fathers and husbands temporary stays of orders to report to a restrictive but open detention facility in response to Hotline for Refugees and Migrants petitions. Regulatory procedures, however, forced many families to separate because regulations required male heads of household to report to Holot, and they did not have proper legal documentation to show their status as married with dependents. The High Court of Justice's September 22 ruling on the 2013 amendment to the 1954 Prevention of Infiltration Law ordered the IPS to close the Holot facility within 90 days and cease a mandatory roll call at the facility within two days of the ruling, although the ruling did not reverse the policy that Holot detainees could not seek employment outside of the facility. On December 8, the Knesset passed a third amendment to the Prevention of Infiltration law, which limits detention time in Holot to 20 months while allowing for new asylum seekers to be initially placed in Saharonim prison for up to three months. ACRI petitioned the Supreme Court and received a temporary injunction barring additional summons to Holot, but the court acceded to the government's appeal of the injunction, and the practice of summons was reinstated as of December 31. The court was to hear ACRI's appeal of the December 8 law in 2015.

Foreign Travel: Citizens generally were free to travel abroad provided they had no outstanding military obligations and no administrative restrictions. The government may bar citizens from leaving the country based on security considerations. No citizen is permitted to travel to any state officially at war with the country without government permission. In April the government detained and interrogated journalist Majd Kayyal for five days after he returned from a trip to

Lebanon, releasing him when a polygraph indicated he was innocent of the charge of “contacting a foreign agent.” Authorities subsequently obtained a court order, requiring renewal every 48 hours, which prohibited Kayyal from talking with a lawyer.

The legal advocacy NGO Adalah alleged the prohibition on travel to many Arab countries disproportionately discriminated against Arab-Israeli citizens and noted that Jewish Israelis were not detained upon return from similar trips to unauthorized countries. The government required all citizens to have a special permit to enter “Area A” in the West Bank (the area, according to the Interim Agreement, in which the Palestinian Authority exercises civil and security responsibility), although the government allowed Palestinian citizens access without permits. Following a High Court instruction to the government in November 2013 to implement new airport procedures, the Israel Airports Authority announced it had implemented new technology to ease screening procedures for Arab-Israeli citizens as of March 9, eliminating the practice of searching suitcases in the departure hall.

The government did not allow Palestinians from Gaza to enter Israel to access courts for tort damages filed against the Israeli security forces.

### **Protection of Refugees**

Access to Asylum: The law provides for granting temporary asylum, and the government has established a system for providing temporary protection for most asylum seekers. There were continuing complaints about the accessibility, efficiency, and impartiality of the Interior Ministry’s Refugee Status Determination Unit. Authorities indicted one Ministry of Interior clerk for accepting a bribe and providing forged documents to an asylum seeker from Sudan. There were other allegations that clerks accepted bribes to assist Eritreans in obtaining Ethiopian passports, and the Hotline for Migrant Workers claimed the immigration agency gave asylum seekers passports of other individuals to enable them to leave the country. In November the immigration agency in the Ministry of Interior reduced from seven to three the number of branches providing services--including renewal of temporary permits--to asylum seekers from Eritrea and Sudan. In response to complaints, authorities stated the ministry designed the reorganization to provide better services to all its clients, and the new center was better designed and more accessible.

Reportedly, the country also paid individuals to depart to foreign countries. These allegations raised concerns from the UNHCR and other organizations, questioning whether some persons have returned to face unsafe conditions, including torture. The UNHCR has been unable to monitor the asylum adjudication process since 2012. The Ministry of Interior concluded the examination of 453 of the 2,841 asylum requests filed through March by 1,468 Eritreans and 1,373 Sudanese. The government only approved refugee status for two Eritreans (the worldwide rate for protective or refugee status is 90 percent). Authorities have not granted asylum or refugee status to any Sudanese.

In May the State Comptroller issued a report criticizing the government's lack of an official policy with regard to irregular migrants residing in the country, specifically those not in holding facilities and not slated to leave the country. The report noted that it was "doubtful" the government's treatment of irregular migrants in society--particularly their limited access to health care, welfare benefits, and food--was consistent with the country's basic law on human rights. The report urged the ministers of interior and justice to implement a resolution to "uphold the basic dignity of migrants who are not being deported." HRW called upon the government to protect migrants better by allowing them access to basic services and employment.

As the government began to process individual status determinations for Sudanese and Eritreans outside of detention--who constituted approximately 85 percent of all asylum seekers in the country--it continued to give them renewable "conditional release" documents that deferred deportation and had to be renewed every few months. In late December 2013, NGOs and the UNHCR reported the government had reduced the validity of renewable documents to one month instead of four months with orders to report to the open facility. In August 2013 the interior minister announced the government planned to encourage these groups to leave willingly but did not specify whether individual asylum claims would be reviewed.

Government officials and media outlets periodically referred to asylum seekers as "infiltrators" and characterized them as directly associated with increases in crime, disease, and vagrancy. The government continued to implement protocols broadening the definition of crimes under which illegal migrants may be detained. The Hotline for Migrants and Refugees documented cases such as one in which authorities arrested an Eritrean woman after she filed and later withdrew a rape complaint. Authorities also arrested a Sudanese filmmaker after they found military equipment he was using in filming a movie in his apartment.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where their lives or freedom could be threatened. The government continued a policy of encouraging the return of detainees and other migrants or asylum seekers to the migrant or asylum seeker's home country or, if that destination was unsafe, another foreign country. The Hotline for Refugees and Migrants reported approximately 6,000 irregular migrants and asylum seekers departed the country through the voluntary return program--5,000 Sudanese during the year alone, according to HRW--and more than half of all those remaining in country registered to leave.

Most returnees were sent to Uganda or Rwanda, although their governments did not provide assurances of legal residency or the right to work, and the Israeli government did not confirm the existence of official agreements with these governments to accept migrants or asylum seekers. Some Sudanese traveled further to refugee camps in Sudan or Chad. The government provided returnees a \$3,500 financial stipend (paid in dollars), and prior to the returnee's departure, the Population and Immigration Authority and the Custody Review Tribunal reviewed mandatory recorded video interviews and written statements of those who opted to participate in the voluntary return program.

NGO representatives said the government forced returnees in their video statements to disavow any desire to remain in the country, even should they be released from detention; the government maintained such statements were legally necessary to complete the voluntary return procedure. NGO representatives stated that without publicly acknowledged agreements with foreign governments to accept refugees, the voluntary return program in some cases constituted refoulement. Additionally, HRW reported authorities returned many individuals to their country of origin, although rarely directly. Once authorities sent individuals to foreign countries, they did not receive permission to stay upon arrival and were, therefore, returned to their countries of origin. HRW documented the treatment of some returnees whom authorities arrested upon their return to Sudan and Eritrea; authorities beat, threatened, and in some cases tortured them.

The Hotline for Refugees and Migrants collected testimony of IDF soldiers indicating authorities instructed them to contact Egyptian security forces if they identified "infiltrators" along the border fence. They stated commanding officers ordered them to hit or shoot at the feet of individuals attempting to climb the fence, even if IDF members believed the individual to be an asylum seeker.

Refugee Abuse: Communities with a large concentration of African migrants were occasionally targets of violence. Following the August 2013 arrest of four persons for attacks that police believed were racially motivated, authorities indicted the four suspects, and the case continued as of September. The Tel Aviv municipality dedicated a special police unit to combat violence and crime in the migrant community.

Employment: Recognized refugees received renewable work visas, but renewable documents given to most asylum seekers explicitly read, “This is not a work visa.” The government previously allowed asylum seekers to work in the informal sector but not to open their own businesses or to register to pay value-added tax, although the law does not prohibit this. The government, however, reserves the right to demand unpaid value-added tax and levy substantial fines against businessmen for operating businesses without a tax exemption. African asylum seekers in the Holot open facility for irregular border crossers may not work outside the facility, but some worked inside the facility for less than the minimum wage. Some of the facility’s services depended on detainee labor.

The law bars migrants from sending money abroad, limits the amount they may take with them when they leave to the minimum wage for the number of months they resided in the country, and defines taking money out of the country as a money-laundering crime.

Access to Basic Services: Recognized refugees received social services, including access to the national health-care system, but the government did not provide asylum seekers with public social benefits such as health insurance. The government stated it provided infirmary services, including laboratory services, medical imaging, and general and mental hospitalization services in the open Holot facility for individuals held there, including asylum seekers. The government sponsored a mobile clinic and mother and infant health-care stations in south Tel Aviv that provided health and dental services, sexually transmitted disease treatment and evaluation, and prenatal and infant medical care. In June a 37-year-old Holot resident with symptoms of a stroke waited three days before receiving medical treatment. Once at a hospital, authorities revoked the order mandating his detention at Holot, paradoxically leaving him without funds for medical expenses. The head of the Knesset Committee on Foreign Workers, Michal Rosin, called the case “a multi-system failure of the first degree” and held the Holot facility and the Immigration Authority at fault.

Temporary Protection: The government provided temporary protection primarily to Eritrean and Sudanese asylum seekers. The Ministry of Interior began processing asylum applications of Eritreans and Sudanese in detention during the year. The ministry continued to reject the applications of almost all Eritrean detainees, concluding that military desertion provided insufficient grounds for presenting a subjective fear of persecution and disregarding further evidence presented on conditions in Eritrea should individuals return.

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

The law provides citizens the ability peacefully to change their government, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage.

#### **Elections and Political Participation**

Recent Elections: Observers considered parliamentary elections held in January 2013 free and fair.

Political Parties and Political Participation: The Basic Law prohibits the candidacy of any party or individual that denies the existence of the State of Israel as the state of the Jewish people or the democratic character of the state or that incites racism. Otherwise, political parties operated without restriction or interference. The Northern Islamic Movement continued its practice of prohibiting its members from running for local or national office and boycotting elections.

Participation of Women and Minorities: Women and minorities participated in political life on the same legal basis as men or nonminority citizens. In June the Knesset passed a law giving an additional 15 percent in campaign funding to municipal party lists composed of at least one-third women. Although senior political and social leaders have often come from among veterans of the predominantly male IDF, women generally did not face cultural barriers in politics, including in leadership positions up to prime minister. Women faced significant cultural barriers in political parties representing conservative religious movements and the Arab minority. Following the 2013 parliamentary elections, the 120-member Knesset had 27 female members and 12 Arab members. The 22-member cabinet included four women, but none was Arab; two women were deputy ministers. Four members of the 15-member Supreme Court were women, and one was Arab.



#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government implemented these laws effectively. There were reports of government corruption, although impunity was not a problem.

Corruption: The media routinely reported on corruption. The national police, the state comptroller, the attorney general, and the accountant general are responsible for combating official corruption. These entities operated effectively and independently, and were sufficiently resourced. NGOs that focused on anticorruption efforts operated freely without government interference.

The government continued to investigate and prosecute top political figures. On May 13, the courts convicted former prime minister Ehud Olmert of accepting bribes during his tenure as mayor of Jerusalem. A district court sentenced him to six years' imprisonment, two years of conditional imprisonment, and a fine of one million new Israel shekels (NIS) (\$256,000). In addition to Olmert, the court convicted nine other defendants and acquitted three. Olmert aide Shula Zaken, who was convicted of bribery, began an 11-month prison term in July. Zaken's submission of audio tape evidence to the Supreme Court triggered a decision to retry Olmert on charges on which the court previously acquitted him; the retrial began in September.

The government completed an investigation into the "Harpaz Affair," an alleged 2010 plot to undermine illegally the minister of defense's choice of IDF chief of staff. The attorney general as of the end of the year was considering a police recommendation to indict officials, including former IDF chief of staff Gabi Ashkenazi and current cabinet secretary Avichai Mandelblit, although authorities cleared both of the most serious charge of obstructing the democratic system by overthrowing a civilian supervisor.

At year's end police announced the arrest of 31 suspects in a bribery and corruption ring in return for political kickbacks. The undercover investigation leading to the arrests allegedly revealed a broad-based system in which cash was reportedly inappropriately allocated to NGOs in return for appointment of family members and the transfer of some of the payments back to public officials as bribes or benefits. The fact that key suspects include senior members of the Yisrael Beytenu Party headed by Avigdor Lieberman, specifically his spokesperson and Deputy Interior Minister Faina Kirschenbaum, triggered counter-

allegations that Lieberman and his party were deliberately targeted ahead of general elections scheduled for 2015. Police responded that the year-long investigation of the affair began before early elections were announced.

According to the government, in 2013 authorities investigated nine mayors due to suspicions of corruption. No update was available at the end of the year.

Financial Disclosure: Senior officials are subject to comprehensive financial disclosure laws, and their disclosures are verified by the Civil Service Commission. Information in these disclosures is not made public without the consent of the person who submitted the disclosure. There is no specific criminal sanction for noncompliance.

Public Access to Information: The law requires governmental agencies to make internal regulations, administrative procedures, and directives available to the public. The law was not effectively implemented by all governmental agencies.

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

Numerous domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative, responsive to their views, and routinely invited NGOs critical of the government to participate in Knesset hearings on proposed legislation. Human rights NGOs have standing to petition the High Court directly regarding governmental policies and may appeal individual cases to the Supreme Court. A unit in the Foreign Ministry maintained relations with certain international and domestic NGOs. In 2013 the Ministerial Committee for Legislative Affairs approved a bill that limited donations NGOs may receive from foreign governments and organizations. It would have imposed a 45 percent tax on contributions if the NGO engaged in activities such as advocating for a boycott, divestment, and sanctions against Israel; calling for the trial of IDF soldiers in international courts; or denying Israel's existence as a Jewish and democratic state. Authorities halted the progress of the bill.

The Ministry of Interior continued to bar foreign nationals affiliated with certain pro-Palestinian NGOs and solidarity organizations entry into the country. Authorities required some foreign nationals to sign declarations stating their understanding that "all relevant legal actions" would be taken against them, "including deportation and denial of entry into Israel for a period of up to 10

years,” if they traveled through the country to Palestinian Authority-controlled areas without appropriate authorization. The government stated this was done on an individual basis, not according to the activities or platform of the NGOs with which these persons were affiliated.

In August the director general of the National Civil Service program informed B'Tselem that it was withdrawing the organization's eligibility to employ national service volunteers, alleging the NGO's human rights work amounted to defamation and incitement against Israeli soldiers. The Attorney General's Office halted implementation of the order following a petition by ACRI.

The United Nations or Other International Bodies: The government generally cooperated with the United Nations and other international bodies. The government reinstated its participation in the UN Human Rights Council, including the Universal Periodic Review process, although it did not reverse its 2013 partial suspension of its coordination with UNESCO.

Government Human Rights Bodies: The state comptroller also served as ombudsman for human rights problems. The ombudsman investigated complaints against statutory bodies that are subject to audit by the state comptroller, including government ministries, local authorities, government enterprises and institutions, government corporations, and their employees. The ombudsman is entitled to use any relevant means of inquiry and has the authority to order any person or body to assist in the inquiry.

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

The law prohibits discrimination on the basis of race, sex, gender, disability, language, sexual orientation and gender identity, or social status, and the government was generally effective in enforcing these prohibitions.

### **Women**

Rape and Domestic Violence: Rape, including spousal rape, is a felony punishable by 16 years in prison, or up to 20 years' imprisonment for rape under aggravated circumstances or if the perpetrator rapes or commits a sexual offense against a relative. The government effectively enforced rape laws. In 2013 authorities initiated 352 cases for spousal rape. Through September 18, the government received almost 4,100 complaints of sexual offenses, of which 759 resulted in indictment, 511 were closed because the offender was unknown, 434 were closed

for lack of evidence, 191 were closed for lack of public interest, and 2,193 were still open as of November 14.

From January to mid-October, police opened 18,250 domestic violence cases. Women filed the majority of complaints. According to police data, between January and May, 10 women were killed by their spouses. In October, Bussaina Abu Ghanem was killed in Ramle, the tenth woman in her extended family to be killed for “family honor” since the year 2000, according to a media report. Women in the community alleged police and community leaders did not take seriously their safety and fears. Meanwhile, the police built cases against some of the perpetrators but pointed to the challenges of investigating a domestic crime wherein family members were either fearful to cooperate with police and speak out or were complicit in the crime and willing to destroy evidence.

On November 14, the Ministry of Public Security issued a new 90-day temporary regulation allowing armed security guards to take their weapons home at the end of their shifts. This practice was prohibited by the Ministry of Public Security in August 2013 after a coalition of NGOs raised concerns about the high rate of spousal killings by security guards using service weapons. According to ACRI, security guards’ weapons were responsible for more than 30 killings in the last 10 years.

According to the Association of Rape Crisis Centers in Israel, the majority of rape victims did not report the crime to authorities due to social and cultural pressure. Women from certain Orthodox Jewish, Muslim, Bedouin, and Druze communities faced significant social pressure not to report rape or domestic abuse. Experts in the field of social work and domestic violence prevention highlighted the reluctance of many Arab women to avail themselves of social services due to societal pressure and personal affiliation as Palestinian. The government cooperated with The Abraham Fund Initiative on a pilot program to provide training for professionals in the field of domestic violence within the Arab community, bringing law enforcement officers, social workers, NGOs and religious leaders together to coordinate services for victims of domestic violence.

The Ministry of Social Affairs operated 14 battered women’s shelters and a hotline for reporting abuse. The 14 shelters can accommodate 160 women and 320 children. Since November the shelters had cared for 136 women and 223 children. Police operated a call center to inform victims about their cases. Women’s organizations provided counseling, crisis intervention, legal assistance, and shelters.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports of FGM/C on women age 18 or older.

Other Harmful Traditional Practices: Cases of “honor” killings perpetrated in defense of family honor continued to occur within the Arab community, contributing to a disproportionate number of killings of Arab women. Of five adult women killed in the northern part of the country in 2013, police determined two were the result of domestic violence, two were due to a family dispute, and one followed a romantic dispute. In the southern part of the country, one woman was killed due to a family dispute (see also subsection Rape and Domestic Violence).

According to the Ministry of Welfare, 22 of its 88 centers for prevention and treatment of domestic violence operated in Arab communities. In 2012 a total of 1,142 Arab women received treatment in these centers. Additionally, the Ministry of Welfare operated two domestic violence shelters designated for Arab women and their children and two mixed shelters for Jewish and Arab women. In 2012 eight Druze and 35 Bedouin and women stayed in these shelters. Police conducted weekly assessments of threatened women to determine the level of threat and required protection, and worked with social welfare and NGOs to safeguard threatened women.

Sexual Harassment: Sexual harassment is illegal but remained widespread. The Equal Employment Opportunity Commission report for 2013 counted 27 complaints of sexual harassment in the workplace.

The law requires that suspected victims of harassment be informed of their right to assistance. Penalties for sexual harassment depend on the severity of the act and whether blackmail is involved. They range from two to nine years’ imprisonment. From January through September 18, police investigated 408 cases of sexual harassment, in which they served 97 indictments. They closed 131 cases while 180 remained open. Police notified all victims of their right to receive assistance from the Association of Rape Crisis Centers in Israel. The law provides that victims may be informed of the progress on their cases through a computerized system and information call center.

Harassment based on gender segregation continued in some public places, including on public buses. Following harassment and violent confrontation on a bus line in Beit Shemesh, the Ministry of Transportation and Road Safety and the

High Court of Justice in 2011 adopted a settlement whereby communities that desire segregation on public transportation may continue this practice voluntarily, but buses must post signs clarifying that passengers are free to sit in any available seat. Subsequently, the legal branch of the Israeli Religious Action Center sued several bus drivers who failed to uphold this policy and won damages of between NIS 8,000 and NIS 12,000 (\$2,051 to \$3,077) in each case. The center claimed the civil suits had a positive effect on subsequent driver enforcement of the policy.

The Ministry of Transportation and Road Safety operates a 24-hour hotline to report complaints on public transportation, including segregation.

In March a court convicted a Haredi man from Jerusalem for sexually harassing a female soldier in 2012 because she was standing among a group of men on a bus.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of having children, and they had the information and means to do so free from discrimination. They also have the right to attain the highest standard of reproductive health, although social and religious pressure on women in Haredi communities often led them to seek approval from a rabbi to use contraception.

Discrimination: In the secular criminal and civil courts, women and men enjoy the same rights, but religious courts--responsible for adjudication of family law, including divorce--limit the rights of Jewish, Christian, Muslim, and Druze women. A Jewish woman is allowed to initiate divorce proceedings, but both the husband and wife must give consent in order to make the divorce final. Because some men refused to grant divorces, thousands of women could not remarry or give birth to legitimate children. In rare cases this rule happened in reverse, with women refusing to grant men divorces. Rabbinical tribunals sometimes sanctioned a husband who refused to give his wife a divorce, while at the same time declining to grant the divorce without the husband's consent.

A Muslim woman may petition for and receive a divorce through the sharia courts without her husband's consent under certain conditions, and a marriage contract may provide for other circumstances in which she may obtain a divorce without his consent. A Muslim man may divorce his wife without her consent and without petitioning the court. Through ecclesiastical courts, Christians may seek official separations or divorces, depending on their denomination. Druze divorces are performed by an oral declaration of the husband alone and then registered through the Druze religious courts, placing the disproportionate burden on the woman to

immediately leave the home with her children. A civil family court or a religious court settles child custody, alimony, and property matters after the divorce, which gives preference to the father unless it can be demonstrated that a child especially “needs” the mother.

Although the law prohibits discrimination based on gender in employment and wages and provides for class action antidiscrimination suits, a wage gap between men and women persisted. Women’s salaries continued to average 66 percent of men’s in 2013, according to government statistics. When calculated per working hour, women’s salaries averaged 84 percent of men’s salaries. Of complaints received by the Equal Employment Opportunity Commission in 2013, 5 percent related to gender discrimination and 34 percent related to pregnancy issues.

The Authority for the Advancement of the Status of Women in the Prime Minister’s Office (the authority) works to mainstream women’s participation in the government and private sector, and to combat sexual harassment and domestic violence. The authority requires every city, local council, and government ministry to have an adviser working to advance women’s issues. A government resolution requires ministers to appoint women to the directorates of government-owned companies until representation reaches 60 percent (see also section 7). The law requires that at least one of two governmental representatives on the Committee for Appointment of Religious Judges be a woman.

Discrimination in the form of gender segregation continued in some public places, including in public health clinics and at the Western Wall. The government reached an agreement with Reform and Conservative Jewish religious movements to establish a separate space for egalitarian prayer at the Robinson’s Arch area, in addition to the existing gender-segregated prayer areas where regulation prohibits women from leading prayers, singing aloud, or holding or reading from Torah scrolls. Some groups alleged this compromise did not sufficiently accommodate women who wanted to lead prayers in a women-only setting. Non-Orthodox and mixed gender groups used a temporary platform conceived by Religious Services Minister Naftali Bennett for religious ceremonies such as bar and bat mitzvahs.

In ultra-Orthodox areas of Jerusalem, images of women in advertisements were vandalized.

In March following the attorney general’s 2013 adoption of the recommendations of a Ministry of Justice team established to investigate the exclusion of women in the public sphere, a government resolution declared segregation of women

constituted a serious negative phenomenon requiring governmental corrective action. The government also required all local authorities to provide assurances that segregation of women did not occur in public events, funerals, public transportation, or any other area of the public sphere.

In 2013 Finance Minister Lapid appointed a committee charged with examining gender aspects of the state budget and establishing guidelines for a policy to introduce gender analysis to the budgetary process. The Knesset passed a law that gives a financial incentive of an additional 15 percent in campaign funding to municipal party lists composed of at least one-third women. The Authority for the Advancement of the Status of Women continued to operate a hotline for complaints regarding the public exclusion of women.

In June the government adopted the recommendations of a committee that studied the status of women in public service, which included integrating women in 50 percent of senior managerial positions in the civil service (compared with 38 percent as of year's end) and recognizing hours worked from home for parents of younger children.

## **Children**

Birth Registration: Children derive citizenship at birth within or outside of the country if at least one parent is a citizen. Births are to be registered within 10 days of the delivery. The country registers the births of Palestinians in Jerusalem, although Palestinian residents of Jerusalem reported delays in the process.

According to the National Council for the Child, 155,907 children in the country did not have citizenship and, therefore, lacked its corresponding rights. The figure included children of legal and illegal foreign workers and children of mixed marriages, especially those between Arab-Israelis and Palestinian residents of the occupied territories.

According to NGOs the Ministry of Interior refused to list fathers' names or to give children their father's last names on the birth certificates of children without legal residency status in the country, including children of asylum seekers and migrant workers and children of international students and others who do not hold Israeli citizenship. The Ministry of Interior requires parents without a permit to sign a form declaring they are "present illegally" in the country before issuing a birth certificate. A petition to require the government to issue an official birth



document listing both parents' names remained pending before the High Court as of November 14.

Education: Primary and secondary education is free and universal through age 17. The government continued implementing a 2007 law to make education compulsory through grade 12, but a February decision by the Knesset Education Committee postponed implementation of the Compulsory Education Law (integrating children ages three to five) until the 2015-16 school year. The government continued to expand free public preschool beginning at or slightly before age three. The government did not enforce compulsory education, however, in unrecognized Bedouin villages in the Negev, and Bedouin children, particularly girls, continued to have the highest illiteracy rate in the country. The government operated separate school systems for Hebrew-speaking children and Arabic-speaking children. For Jewish children there were separate school systems for religious and secular families. At the beginning of the school year, parents and teachers at a secular school in Beit Shemesh launched a partial strike protesting the city's decision to allot half of the building to an ultra-Orthodox girls' school and erect a wall separating the secular and ultra-Orthodox students; authorities eventually removed the wall. Individuals could choose to attend a school regardless of ethnicity. Approximately 400,000 students attended ultra-Orthodox Jewish schools. This growing population constituted 25 percent of all students. The government funded 55 to 75 percent of the operating costs of recognized ultra-Orthodox schools, which are required to teach a corresponding percentage of the national curriculum.

Gaps existed in government education funding, according to a *Haaretz* newspaper report, although the government worked to address these gaps. During the year the Ministry of Education spent approximately NIS 27,000 (\$6,923) per student on average at government religious Jewish high schools, NIS 24,800 (\$6,359) at government secular Jewish high schools, and NIS 21,100 (\$5,410) at Arab high schools.

Haredi political parties continued to oppose government regulation of Haredi government-funded school systems.

Medical Care: The government provides preventive health services to minors without civil status who are younger than age six. It also provides services similar to those provided citizen children to noncitizen minors younger than age 18, regardless of their legal status in country, if their parents register them in the "Meuhedet" health-care fund. This arrangement does not include minors whose

guardian is a resident of the Palestinian Authority, and it does not cover pre-existing conditions.

Child Abuse: The National Council of the Child received a number of complaints during the year of abuses related to health, availability of welfare services, education, physical and sexual abuse, child pornography, and poor educational environments. According to the council's most recent available annual report, 48,984 cases of child abuse were reported in 2012. Also according to the council, the incidence of reported child abuse increased from 8.7 victims per 1,000 youths younger than age 18 in 1995 to 18.9 victims per 1,000 in 2010. In a survey of more than 10,000 youths, released by the council in November, 48.5 percent of Jewish youth and 67.7 percent of Arab youth reported they had been physically, emotionally, or sexually abused. The council noted a significant gap between the percentage of youth who reported abuse in the survey and the 1.9 percent of the youth population that had reported abuse to social workers. The law requires mandatory reporting of any suspicion of child abuse. Police opened 7,874 cases of offenses against minors in 2013.

The law requires social service employees, medical and education professionals, and other officials to report indications that minors were victims of, engaged in, or coerced into prostitution, sexual offenses, abandonment and neglect, assault or abuse, and human trafficking. The government stated police immediately attend to each case forwarded to them from the National Council for the Child or any other source. Without distinction to ethnic or racial background, it assigned officers with special training in dealing with child abuse. NGOs expressed concern, however, regarding police negligence in child abuse and domestic violence cases reported in minority communities.

The government provided specialized training to psychologists, offered a free psychological treatment program to treat child victims of sexual offenses, and operated a 24-hour emergency hotline. The Ministry of Education operated a special unit for sexuality and for prevention of abuse of children and youth that assisted the education system in prevention and appropriate intervention in cases of suspected abuse of minors.

According to police in 2012, minors filed two-thirds of the more than 5,000 complaints of sex crimes. The most common offense against minors--more than 50 percent of the cases--was molestation. Approximately one-quarter of those complaints were for rape.

In September a court convicted Goel Ratzon on multiple rape charges; authorities believed he had as many as 32 “wives” and 49 children. Charges against him included sex with a minor. Knesset member Zehava Gal-On objected to Ratzon’s acquittal on the charge of enslavement of one of his victims.

Early and Forced Marriage: The law set the minimum age of marriage at 18, with some exceptions for younger children due to pregnancy and for couples over age 16 if the court permitted it due to unique circumstances. In 2012 (the most recent year for which data were available), 472 boys and 2,227 girls married before age 18.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports of the practice since a single case in 2008.

Other Harmful Traditional Practices: In September authorities charged a brother, a cousin, and two others for the June killing of 14-year-old Fatima Haib in Tuba Zanjariyya in an honor crime.

Sexual Exploitation of Children: The law prohibits sexual exploitation of a minor and sets a penalty of seven years to 20 years in prison for violators, depending on the circumstances. The law prohibits child pornography. The minimum age for consensual sex is 16. Consensual sexual relations with a minor between the ages of 14 and 16 constitute statutory rape punishable by five years’ imprisonment.

The government supported a number of programs to combat sexual exploitation of children, including establishing an interministerial research team, preparing educational materials, and conducting numerous training sessions for government and police officials.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State’s report on compliance at [travel.state.gov/content/childabduction/english/legal/compliance.html](http://travel.state.gov/content/childabduction/english/legal/compliance.html) and country-specific information at [travel.state.gov/content/childabduction/english/country/israel.html](http://travel.state.gov/content/childabduction/english/country/israel.html).

## **Anti-Semitism**

Jews constituted approximately 80 percent of the population. The government defined crimes targeting Jews as nationalistic crimes relating to the overall

Palestinian-Israeli conflict rather than anti-Semitism. During a period of Jewish-Arab tension following the kidnapping and killing of a Palestinian teenage person in East Jerusalem in July, rioters in the Arab town of Qalanswa attacked some Jewish visitors to the town and burned a Jewish-owned vehicle. In response police installed temporary checkpoints at entrances to certain Arab towns and advised Jewish Israelis not to enter. Observers noted swastikas in graffiti targeted at both Jews and non-Jews.

The country is a leader within the Global Forum for Combating Anti-Semitism.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The Basic Laws provide a legal framework for prohibiting discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. Legislation mandates access to buildings, transportation, and physical accommodations and services in the workplace, and access to mental health services as part of government-subsidized health insurance. On July 6, the minister of economy signed an Encouragement of Employment of Persons with Disabilities order requiring that 3 percent of the workforce of employers with more than 100 employees be persons with disabilities. According to NGOs, government progress in enforcing these laws was limited.

Societal discrimination and lack of accessibility persisted in employment, transportation, housing, and education. According to the Ministry of Industry, Trade, and Labor, the employment rate of persons with disabilities rose from 40 percent in 2007 to 51 percent in 2012. The rate remained lower than the 74 percent employment rate for persons without disabilities.

According to 2012 statistics, gross per capita income of persons with disabilities was 73 percent of that of persons without disabilities, but net income was relatively higher at 80 percent. The average monthly income of persons with severe disabilities was 36 percent lower than that of persons without disabilities.

The rate of persons with disabilities in the Arab community was 29 percent, compared with 17 percent in the Jewish population. Employment of Arab citizens with disabilities was 21 percent, compared with 49 percent for Jews with disabilities. Shortages of funding for Arab municipalities, including for education, adversely affected Arabs with disabilities.

The government reported improved access to interurban buses with 91 percent of municipal buses, 43 percent of inter-urban buses, and 73 percent of bus stops being accessible to persons with disabilities. Authorities projected 92 percent of central bus stops would be accessible to persons with disabilities by year's end. Ninety-five percent of train stations were accessible to persons with disabilities, with the remaining 5 percent scheduled to become accessible in 2015, according to the government.

Access to community-based independent living facilities for persons with disabilities, however, remained limited. According to the disability rights NGO Bizchut, more than 8,000 persons with intellectual disabilities lived in institutions and large hostels while only 1,500 lived in community-based settings. Following the government's decision to close private psychiatric hospitals, the government issued, but then rescinded, tenders for new small community-based housing units for persons with disabilities leaving these facilities. Reportedly, the government preferred to place them in existing institutions. Bizchut claimed there were prior complaints against several of these institutions. During the year the Ministry of Social Affairs announced a new program to move 900 persons with intellectual disabilities from institutions into community-based housing facilities within the next three years.

A family court restored legal capacity to a woman with a disability and removed her legal guardian in favor of a supported decision-making arrangement. Other laws passed during the year widen the scope of the Law Preventing Sexual Harassment to employees in sheltered vocational workshops, provide paternity leave to husbands whose wives cannot fully care for an infant due to a disability, and allow parents of children with disabilities to be absent from work for medical appointments as part of sick leave.

The law prioritizes access by persons with disabilities to public services, such as eliminating waiting in line as well as providing adapted seating and accessible facilities in public places other than buildings, such as public beaches, municipal parks, swimming pools, and cemeteries. For deaf and hard-of-hearing persons, the law provides for short message public announcement services.

The Commission for Equal Rights of People with Disabilities within the Ministry of Justice is responsible for protecting the rights of persons with disabilities and worked with government ministries to enact regulations. The Unit for the Integration of Persons with Disabilities in the Labor Market, located within the Ministry of Economy, examined and promoted the employment of persons with disabilities. The unit has three support centers designed to assist employers who wish to hire persons with disabilities. During 2013, 474 employers applied to these centers for assistance, and 261 persons with disabilities found employment through their assistance. The Ministry of Social Affairs and Social Services provided out-of-home placement and sheltered employment for persons with cognitive, physical, and communication disabilities. As of November there were 3,750 persons with mental disabilities employed in sheltered employment, 1,350 employed in the open labor market in supported employment, and 1,700 in nonemployment day care. The Ministry of Social Affairs and Social Services also handled criminal investigations involving persons with certain disabilities, whether they were victims or offenders, when police requested assistance. The National Insurance Agency provided financial benefits and stipends, the Ministry of Health provided mental health and rehabilitation services, and the Ministry of Education provided special education services to persons with disabilities. The Ministry of Economy allocated NIS 15 million (\$3.8 million) for workplace modifications to accommodate persons with disabilities between 2007 and the end of the year.

### **National/Racial/Ethnic Minorities**

Arab citizens faced institutional and societal discrimination. Tensions between Arabs and Jews, sparked by two incidents of kidnapping and killing in the West Bank and East Jerusalem--one perpetrated by Palestinians against three Jewish Israelis, and one perpetrated by Jewish Israelis against a Palestinian--and exacerbated by hostilities between Israel and Hamas in Gaza during Operation Protective Edge in July and August, contributed to an increase in incidents of politically or religiously motivated violence throughout the country.

“Price tag” attacks (property crimes and violent acts by extremist Jewish individuals and groups) continued throughout the country, targeting Arab and some Jewish institutions, but were most pronounced in areas where Jews and Arabs cooperated commercially. The government suggested assailants were attempting to incite the local populations against Jews who did business where they lived. The most common offenses, according to police, were attacks on vehicles, defacement of real estate, harm to Muslim and Christian holy sites, assault, and

damage to agricultural lands. In Kafr Qasem assailants attacked local businesses, causing property damage and leaving graffiti indicating they targeted the businesses because they were Arab owned. Other attacks occurred in Jerusalem, Baka al-Gharbiyya, Jish, Acre, Jaljulia, and Jaffa. There were numerous incidents in which groups gathered to shout “death to Arabs” and to attack Arab drivers.

In June 2013, following a number of attacks including car burnings and desecration of a Christian Orthodox cemetery in Jaffa, the Security Cabinet authorized the minister of defense to declare groups that perpetrated such attacks as “illegal associations.” The minister did so in August 2013. Subsequently, a dedicated police unit to handle these crimes began operations, and it became fully functional during the year. In the first quarter of the year, authorities opened 63 cases and filed 21 indictments.

Indictments were filed against three suspects in the February 2013 attack on an Arab-Israeli municipal street cleaner in Tel Aviv, and proceedings continued in Tel Aviv District Court at the end of the year. Following an August 8 attack on two Palestinians in Beit Hanina, authorities indicted 10 Jerusalem residents for assault and obstruction of justice.

Anti-assimilation organizations continued to oppose Arab-Jewish marriages. In August the anti-intermarriage organization Lehava organized a protest outside the wedding of an Arab-Israeli man to a Jewish-Israeli woman who converted to Islam. Israeli President Reuven Rivlin issued a statement congratulating the couple and endorsing their civil right to marry. Lehava also pasted stickers on an Arab-Jewish bilingual school in the Negev warning Arab students, “Don’t you dare touch a Jewess.” The Israeli Religious Action Center published a report highlighting the gendering of anti-Arab sentiment through exhortations to “protect” Jewish women from Arab men.

On November 29, members of Lehava reportedly set afire two first grade classrooms in the Arabic-Hebrew bilingual Max Rayne Hand in Hand school in West Jerusalem and scrawled graffiti with racist messages, including “Death to Arabs.” Prime Minister Netanyahu condemned the attack, as did Justice Minister Tzipi Livni and Housing Minister Uri Ariel in their visits to the school the following day. On December 11, police announced they had arrested the Lehava members, who confessed to the attack; police also arrested other Lehava members, including the organization’s leader Bentzi Gopstein.

The law exempts Arab citizens, except for the Druze, from mandatory military service, but a small percentage served voluntarily. On March 13, the Knesset voted into law a conscription plan for Haredi (ultra-Orthodox) citizens; the law exempts those who were 18 or older when the law was passed. Implementation lagged through the end of the year due to bureaucratic hurdles, and as of November the NGO the Movement for Quality Government in Israel petitioned the Supreme Court to invalidate the law because it granted too much favored treatment to the Haredi community. Citizens who did not perform military service enjoyed fewer societal and economic benefits and sometimes were discriminated against in hiring practices. Citizens generally were ineligible to work in companies with defense contracts or in security-related fields if they had not served in the military. Some Druze opposed their inclusion in mandatory military service, and authorities jailed them for refusing to serve. The government managed a National Civil Service program for citizens not drafted for military service, giving Arabs, some Haredi Jews, Orthodox Jewish women, and others the opportunity to provide public service in their own communities and thus be eligible for the same financial benefits accorded military veterans. Many in the Arab community opposed the National Civil Service program because it operated under the auspices of government ministries associated with security. There were multiple instances of Haredi communities ostracizing Haredi soldiers for serving in the military.

In January the Interior Ministry announced it had appointed or would appoint Arab representatives to the ministry's three committees of inquiry on redistricting and revenue sharing in the Negev, in response to a petition filed by ACRI. The government continued to implement multi-year economic development and social advancement projects for Arab and other minority populations, which were authorized in 2010 and 2011. The government employed affirmative action policies for Arabs and Druze in the civil service. As of June the government had filled 1,421 of 1,730 positions in the civil service designated for "persons of the Arab population." The Education Ministry continued implementing a plan to place 500 Arab teachers in positions in predominantly Jewish schools by 2020. The plan offered partial solutions for many Arabs with teaching credentials who could not find work as teachers and for Hebrew-language schools that experienced a shortage of teachers in key subject areas including math, English, and science.

Resources devoted to education in Arabic were inferior to those devoted to education in Hebrew in the public education system, according to several NGOs, and some Arabs in ethnically mixed cities elected to study in Hebrew instead. The Knesset Center for Research and Information documented a 39.6 percent drop in funding for day-care centers, nurseries, and after-school programs for the Arab



population. The separate school systems produced a large variance in education quality: 35 percent of Muslim students, 45 percent of Druze students, 51 percent of Arab students studying at mainstream Hebrew schools, and 61 percent of Christian students passed the matriculation exam in 2014, according to the Knesset Center for Research and Information, compared with 76 percent of Jews, according to the Central Bureau of Statistics. The government noted the Ministry of Science and Technology and the Ministry of Education operated programs to provide free matriculation-exam coaching to Arab students. According to the government, the percentage of students in higher education who were Arab (approximately 26 percent) exceeded that of population percentage of young Arab adults (approximately 20 percent), although according to another statistic from the Council for Higher Education, 14 percent of university students were Arab. The percentage of master's and doctoral degree students who were Arab was 9 percent and 4.5 percent, respectively, which was significantly lower than the Arab percentage of the country's total population but higher than in previous years. The government attributed the increase to the opening of higher education institutions in peripheral areas more accessible to the Arab population. Of all Arab students studying in universities, 68 percent were women. The government operated several scholarship programs specifically targeting the Arab population.

Approximately 93 percent of land is in the public domain, including approximately 12.5 percent owned by the NGO Jewish National Fund (JNF), whose statutes prohibit sale or lease of land to non-Jews. According to a 2005 attorney general ruling, the government may not discriminate against Arab citizens in marketing and allocating lands it manages, including those of the JNF. As an interim measure, the government agreed to compensate the JNF for any land it leased to an Arab by transferring an equal amount of land from the Israel Lands Administration to the JNF. Legal petitions against the JNF policy of leasing public land only to Jews continued at year's end. The NGO Israel Land Fund continued its program to purchase Arab land throughout the country and market it to Jewish buyers, including in the diaspora. The organization claimed all the land belonged to Jews and described as a "danger" the purchase of Jewish-owned lands by non-Jews.

New construction was illegal in towns that did not have an authorized outline plan for development, which is the legal responsibility of local authorities. Arab communities that still lacked fully approved planning schemes could turn to their municipal authorities to develop them, according to the government. As of August, according to the Ministry of Interior, 131 of 133 Arab localities had approved outline plans, of which 62 had been updated since 2000, 23 were undergoing statutory approval, and 22 more scheduled to have new draft plans in

progress by year's end. The approved outline plans added an average of 70 percent to the land zoned for the communities, according to the government. The NGO Mossawa said that it was aware of only 64 recognized Arab localities and that of these, 45 percent lacked authorized plans, that the update process was lengthy and frequently was rendered irrelevant after the 10-20 years required for approval, and that authorities overwhelmingly enforced violations against Arab citizens. Localities were also responsible for initiating and submitting urban outline plans to the district committees, which approved any expansion of the municipalities. The government allocated more than NIS 400 million (\$102.6 million) for the development of industrial areas in Arab localities.

Arab communities in the country generally faced economic difficulties, and the Bedouin segment of the Arab population continued to be the most disadvantaged. More than half the estimated 200,000 Bedouin population lived in seven government-planned communities. Approximately 30,000 lived in the 11 recognized villages of the Nave Midbar and Al-Qasum Regional Councils, formerly the Abu Basma Regional Council, and approximately 60,000 Bedouins lived in 35 unrecognized tent or shack villages that did not have water and electricity or educational, health, and welfare services. NGOs, Bedouin leaders, and the government noted that Bedouin towns ranked lowest on the country's standardized socioeconomic scale, with most ranking a one out of 10 and only Rahat, Hura, and Segev Shalom ranking two out of 10. During Operation Protective Edge, Bedouin citizens risked injury or death from rocket attacks due to the lack of shelters and sirens in the recognized and unrecognized villages in the Negev. On July 13, a rocket hit the edge of Al-Makimen village, severely injuring two sisters, and on July 19, another rocket hit the village of Al-Jrabah, killing a Bedouin man and injuring four of his relatives, including an infant. The Supreme Court did not require the government to provide temporary shelters for Bedouin communities in response to an ACRI petition, although it mandated further discussion.

While 11 of 13 recognized villages had plans that define the areas of the village, in most areas residences were not connected to the electricity grid, there was no connection to the sewage disposal system, there were no paved roads, and only six villages had high schools, according to the Negev Coexistence Forum for Civil Equality. Additionally, residents were responsible for providing their own water infrastructure to bring water from a central line to their property.

In the 35 unrecognized villages in the Negev claimed by various Bedouin tribes, the government viewed all buildings as illegal and subject to demolition. In cases

of demolitions with no agreement from the residents to relocate, the government levied fines against residents to cover expenses incurred in the course of demolitions. Many Bedouin whose residences or structures were subjected to demolition orders elected to self-demolish to avoid being fined.

The government confirmed that from January to June, the government carried out 208 demolitions in recognized and unrecognized villages in the Negev in 2012, with an additional 356 homes demolished by Bedouins to avoid being fined. The government noted its policy was to demolish “new vacant illegal structures” built without permits after 2010 and found in areas it determined to be state land, not belonging to any local authority. The NGO Dukium recorded 1,261 demolitions of Bedouin buildings from 2012 to the middle of 2013 according to 551 separate demolition orders; Bedouins demolished 636 themselves to avoid being fined. The government carried out 11 separate demolitions of the entire Al-Arakib village, which had been rebuilt on government land more than 60 times since 1998 despite multiple eviction orders, a 2007 Supreme Court decision, and police enforcement since 2010. The Al-Arakib residents maintained the government should recognize claims to the land, while the government claimed the Al-Arakib tribes were “invaders” who “do not and did not have private ownership over the land.” In August a district court advised the government and the Bedouin leaders to solve their dispute through arbitration. Arbitration failed, and the matter was pending before the court as of November 14. In January a Beer Sheva court dismissed two indictments against protesters in Al-Arakib charged with attacking police officers and disturbing public order. Of 14 original indictments on similar charges, the court dismissed or acquitted the accused in 13 cases; one case remained pending at year’s end.

The government maintained a program to encourage Bedouins to relocate from unrecognized villages to established towns by providing low-cost land and compensation for demolition of illegal structures for those willing to move to designated permanent locations, but Bedouins often refused to participate in this program because they asserted that they owned the land or were given prior permission by the government to settle in their current locations. Some residents were caught between court-ordered demolitions and the rejection of their designated relocation sites for reasons of overcrowding. Additionally, many Bedouins complained that moving to government-planned towns would require them to surrender claims to land they had occupied for several generations and would separate them from their livelihood. Conversely, the government claimed it was difficult and inefficient to provide services to clusters of buildings throughout the Negev that ignored planning procedures. Some Bedouins continued to pursue

legal recognition of their 3,200 claims to parcels of land based on practices of land ownership and sales predating 1948. In 2013 Rabbis for Human Rights asserted that rates of crime and unemployment were higher in the government-established permanent locations for the Bedouin than in the unrecognized villages, creating a disincentive for relocation.

At the beginning of the year, the prime minister ordered a reorganization of the governmental authority handling Bedouin affairs, placing the authority within the Ministry of Agriculture. The minister of agriculture halted discussions of controversial proposed legislation on planning and compensation for Bedouin and met with NGOs and Bedouin representatives, including creators of an Alternative Master Plan for the Negev region that would support traditional lifestyles while extending services and civil rights to remote Bedouin communities. NGOs and Bedouin leaders noted that the implementation of the government plan for developing the Negev, with the resultant home demolitions and planned relocations of some Bedouin communities, continued apace in the absence of specific legislation to address Bedouin land claims. In May the Beer Sheva District Court rejected the state's appeal against a decision by a lower-level court to cancel 51 demolition orders against the homes of 500 Bedouin residents of al-Sira village.

The law bars family reunification when a citizen's spouse is a non-Jewish citizen of Iran, Iraq, Syria, or Lebanon. Citizens may apply for temporary visit permits for Palestinian male spouses age 35 or older or Palestinian female spouses age 25 or older, but they may not receive residency based on their marriage and have no path to citizenship. The government had yet to implement a policy in response to a 2010 Supreme Court recommendation that social services be provided to an estimated 5,000 Palestinian spouses of citizens granted "staying permits" to reside legally in Israel.

The government generally prohibited Druze citizens and residents from visiting Syria. The government, however, coordinated with the UN Disengagement Observer Force for Druze residents of the Golan Heights to attend college in Syria and permitted the Druze religious leadership to attend religious meetings in Damascus. The government also allowed noncitizen Druze residents from the Golan Heights to visit holy sites in Syria through the ICRC-managed pilgrimage program, but it had prevented family visitations since 1982. The government facilitated the entry of several hundred Syrian nationals, including Druze, to the country to receive medical treatment.

An estimated population of 130,000 Ethiopian Jews faced persistent societal discrimination, although officials and the majority of citizens quickly and publicly criticized discriminatory acts against them. In December 2013 officials of Magen David Adom--a national organization that provides prehospital emergency services, national blood collection, storage, and distribution services, and acts as an auxiliary service to the IDF during times of war--holding a blood drive at the Knesset refused to accept blood from a Knesset member of Ethiopian descent, sparking an emergency session of the health committee to discuss discrimination faced by the Ethiopian community. Magen David Adom blood-donation criteria prevented those who had lived in endemic malaria or AIDS areas from donating.

Continued reports of discrimination by Ashkenazi Jews of European descent against Sephardic (Mizrachi) Jews of Middle Eastern descent fueled a national debate on this topic. Organizations representing Mizrachi Jews from various Middle Eastern countries claimed that government negligence in pursuing reparations for property losses for Jews from Arab countries and Iran had exacerbated social stratification along ethnic lines since the establishment of the state and during subsequent waves of (sometimes forced) immigration.

A survey commissioned by the Economy Ministry's Equal Employment Opportunity Commission found 42 percent of employers would prefer not to hire Arab men and 41 percent would prefer not to hire an Arab mother of young children. Of all respondents 46 percent said they were reluctant to work with an Arab man, and 28 percent said the same of working with an Arab woman (see section 7.d.).

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation, and the government generally enforced these laws, although discrimination based on sexual orientation or gender identity persisted in some parts of society. Lesbian, gay, bisexual, and transgender (LGBT) activists commented that 2013-14 marked a significant shift from achievements via court cases against the government in the field of civil and human rights for LGBT persons to active legislation by the government to extend rights to the community. On August 12, the minister of interior announced that non-Jewish spouses of gay and lesbian married couples could immigrate under the Law of Return, even if one of the couple was not Jewish. Members of the cabinet, including the prime minister, publicly voiced approval for giving same-sex couples the same surrogacy rights as heterosexual couples. Representatives from the

LGBT task force commented that the prime minister's support for such a measure in and of itself constituted a landmark in the struggle for equality for LGBT persons. The minister of education and other elected officials, however, made disparaging comments about LGBT families.

An LGBT violence-prevention center and hotline established in 2012 reported it received 250 reports of violence and discrimination between August 2013 and August.

In February police arrested the chief state witness in the case against Hagai Felician, who had been indicted on homicide and attempted homicide charges in relation to a 2009 double killing at an LGBT youth club in Tel Aviv, on suspicion of fabricating evidence and obstruction of justice. Because the witness was critical to proving Felician's involvement and motive, the case collapsed.

In 2013 the government established an interministerial team to examine the issue of West Bank residents who claimed to be in a life-threatening situation due to their sexual orientation and requested legal residency status in the country. There is no mechanism for granting such persons legal status, leaving those who cannot return to the West Bank due to fear of persecution in limbo and vulnerability to human traffickers, violence, and exploitation.

In contravention of laws prohibiting such discrimination (see section 7.d.), there were reports of discrimination in the workplace against LGBT persons. A study by the LGBT task force found that employers discriminated against approximately 80 percent of transgender persons, 50 percent of lesbians, and 20 percent of gay males in the hiring process or terminated them once their sexual orientation or gender identity was known.

Same-sex couples could face difficulties in renting a home, and the law allows private landlords to use discretion in determining to whom to rent, which in some cases allegedly could amount to discrimination. The *Haaretz* newspaper reported that a law firm specializing in LGBT-related issues received reports of such incidents approximately once a week.

### **HIV and AIDS Social Stigma**

There were some reports of discrimination against persons with HIV/AIDS, including refusal by some doctors and dentists to provide care to HIV-positive persons. Authorities ordered one dentist to pay damages and treat a patient to

whom he had refused treatment because of his HIV status, and the court ordered the dentist to cease discriminating on the basis of HIV status.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law protects the right of workers to form and join independent unions, strike, earn the minimum wage and overtime, and bargain collectively. The law specifically prohibits antiunion discrimination. A labor court has discretionary authority to order the reinstatement of a worker who was fired for union activity. The government respected these rights.

Court rulings and union regulations forbid simultaneous membership in more than one trade union. Members of the General Federation of Labor in Israel (Histadrut) who pay affiliation fees may be elected to the union's leadership bodies regardless of ethnicity, religion, or gender.

Authorities generally respected workers' rights to free association and collective bargaining for citizens, although foreign workers often faced difficulties exercising these rights. Worker organizations were independent of the government and political parties.

### **b. Prohibition of Forced or Compulsory Labor**

While the law prohibits forced or compulsory labor and criminalizes labor exploitation, the government did not enforce effectively laws concerning minimum employment conditions for foreign workers. The passage of revised labor laws in 2012 increased penalties to NIS 35,000 (\$8,974) and helped investigation procedures.

According to government statistics, there were approximately 75,000 legal foreign workers in the country and almost 15,000 illegal foreign workers. Some workers, particularly foreign workers, experienced conditions of forced labor including the unlawful withholding of passports, restrictions on freedom of movement, limited ability to change or otherwise choose employers, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. Foreign agricultural workers, construction workers, and nursing care workers--particularly women--were among the most vulnerable to conditions of forced labor, including in particular nonpayment or withholding of wages.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law provides for the protection of children from exploitation in the workplace and prohibits forced or compulsory labor. Children age 14 and older may be employed during official school holidays in light work that does not harm their health. Children age 15 and older who have completed education through grade nine may be employed as apprentices. Regulations restrict working hours for youths between ages 16 and 18 in all sectors.

The government generally enforced these laws and conducted year-round inspections to identify cases of underage employment, with special emphasis on summer and school vacation periods. Employers employed youth mainly in the food-catering sector and the entertainment and hospitality sectors. In 2012 the government opened six child labor investigations against employers, including one in Jerusalem's central market. In all six cases, authorities found violations, and in response, authorities issued 17 administrative warnings for employment of youth without a medical certificate and without provision of pay slips. Additionally, authorities levied fines of NIS 35,000 (\$8,974) in one case for employment of a youth under the legal age.

### **d. Discrimination with Respect to Employment or Occupation**

The Equal Employment Opportunities Law prohibits an employer from discriminating against employees, contractors, or persons seeking employment on grounds of gender, sexual orientation, personal status, pregnancy, fertility treatments, in vitro fertilization treatments, parenthood, age, race, religion, nationality, country of origin, opinion, political affiliation, and army reserve service. Discrimination is also prohibited with regard to working conditions, promotion, professional training, dismissal or severance payments, and retirement benefits or payments.

The Commission for Equal Employment Opportunities is charged with the implementation and civil enforcement of the Equal Employment Opportunities Law. The 26-member commission includes one member each from organizations that promote employment rights for Arab Muslims, Arab Christians, Druze and Circassians, Haredim, immigrants, elderly persons, women, and army veterans.



Additionally, the commission must have adequate representation of citizens of Ethiopian descent and of persons with disabilities. No details were provided by the government regarding violations of the law or enforcement activities.

In March the Knesset amended the employment law to require public bodies that publish reports about workers' salaries to also address gender in their reports. In February the Knesset passed an amendment to the Women's Employment Law entitling male and female employees undergoing fertility treatments protection from dismissal for absence from work due to these treatments for up to two births per partner. The previous law allowed for only one birth.

As of September, 74 percent of government companies (78 of 105) were implementing adequate representation of women in their directorates. In 10 government corporations, only one additional woman director was needed to meet the requirements of the law.

#### **e. Acceptable Conditions of Work**

The minimum wage is set annually on April 1 to equal 47.5 percent of the average income. The national minimum wage was NIS 23.12 (\$5.92) per hour, and was slightly less for youths under the age of 18, who earned between 70 and 83 percent of the minimum wage. The law allows a maximum 43-hour workweek at regular pay and provided for paid annual holidays. Premium pay for overtime is set at 125 percent for the first two hours and 150 percent for any hour thereafter up to a limit of 15 hours of overtime per week. In March 2013 the Supreme Court ruled that labor law provisions for overtime pay do not apply to migrant workers who work as live-in caregivers for ill or elderly Israelis. An NGO reported the average salary of an Arab man was 43 percent lower than that of a Jewish man, and the salary of an Arab woman was 21 percent less than that of a Jewish woman.

The Labor Inspection Service, along with union representatives, enforced labor, health, and safety standards in the workplace, although resource constraints limited enforcement capacity. These standards were generally current and appropriate. By law workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment, and the government protected this right. In 2013 authorities opened 450 investigations against employers for violating labor laws involving foreign workers, and the government imposed 28 fines, totaling NIS 2.1 million (\$380,000). Additionally, authorities opened 20 criminal cases, all of which remained under investigation at year's end. The government investigated 21 workplace accidents involving foreign workers and

conducted thousands of supervision visits to sites that employed large numbers of foreign workers. From January through October, there were 55 fatal workplace accidents. There was little information about protection and enforcement standards in the informal economy.

According to some NGOs, however, the country failed to enforce its labor laws fully with respect to minimum working conditions for foreign workers, and existing penalties were not sufficient to deter violations. Many foreign workers earned significantly less than the minimum wage. There were numerous documented cases of foreign laborers living in harsh conditions and subjected to debt bondage, but authorities prosecuted few employers. In 2013 the government examined 327 complaints from foreign workers and filed nine indictments against employers. Most complaints were determined not to meet the evidentiary threshold of a criminal violation, as required by labor courts.

The country had bilateral work agreements with Bulgaria, Moldova, and Romania to regulate recruitment fees of migrant workers in the construction sector, and it had an agreement with Thailand to regulate recruitment fees for migrant workers in the agricultural sector. The entire recruitment process of foreign workers in these industries was coordinated solely through government offices. The result was a steep decline in recruitment fees paid by migrant workers in the construction and agricultural sectors. Most migrant construction workers prior to the signing of these agreements were Chinese who paid on average NIS 80,000 (\$20,500) to recruiters. By contrast Bulgarian construction workers paid approximately NIS 1,820 (\$466) in recruitment fees within the framework of the bilateral agreement. Likewise, recruitment fees for Thai migrant workers declined from approximately NIS 32,800 (\$8,400) before the agreement to approximately NIS 7,300 (\$1,900). The agreements also provide for migrant workers to have information on their labor rights as well as a translated copy of their labor contract before they arrive in the country. As a result of greater awareness of their legal rights and their reduced recruitment debt, more workers were willing to report labor violations to NGOs or quit their jobs and return home than prior to the agreements.

Research by NGOs into the living and working conditions of foreign construction and agriculture workers, however, continued to reveal violations of their rights. In 2013 only 16 percent of Bulgarian workers said their labor conditions lived up to the terms of their contract, and 43 percent said they were not paid for overtime. In 2013 the government opened 11 investigations against employers in the construction sector on suspicion of violating labor laws. Labor violations by employers in the agricultural sector also remained widespread. Observers noted

that 217 Thai workers filed complaints in person with a local NGO about their labor conditions in 2013. These workers on average earned only 71 percent of the minimum wage. According to another NGO, 27 percent of Thai workers said their labor conditions lived up to the terms of their contract after the country's bilateral agreement. In 2013 the government opened 120 investigations against employers of Thai workers on suspicion of violating labor laws but issued only five fines, amounting to a total of NIS 350,700 (\$90,000). The breadth of violations by employers and the lack of penalties imposed by the government suggested enforcement of labor laws in these industries was far from adequate despite the bilateral agreements.

Some employers in the agricultural sector circumvent the bilateral agreement with Thailand by recruiting students from poor countries to take part in agricultural study programs on student visas and then forcing them to work in the agriculture industry once they arrive in the country. Employers required participants to pay high fees to participate in what they believed were study programs, but there was no supervision of their working or living conditions since they lacked work permits and were ostensibly in the country for study. A local NGO estimated there were between 4,000 and 5,500 agricultural workers employed in this manner as of August.

While bilateral work agreements in the construction and agricultural sectors reduced the recruitment fees foreign workers paid in those industries, no such agreements regulated recruitment to the home-care sector. Abuse in the recruitment of home-care workers remained widespread and included excessive recruitment fees and false descriptions of the terms of employment contracts. Live-in arrangements and lack of legal protections and inspections led to many cases of exploitative working conditions for female migrant workers. Local NGOs filed hundreds of complaints on behalf of foreign caregivers, including allegations of underpayment of wages, physical violence, sexual harassment, and unsuitable employment conditions.

**THE OCCUPIED TERRITORIES 2014 HUMAN RIGHTS REPORT**

(INCLUDING AREAS SUBJECT TO THE JURISDICTION OF THE PALESTINIAN AUTHORITY)

**EXECUTIVE SUMMARY**

The Palestinian Authority (PA), according to PA Basic Law, has an 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 Palestinian residents of East Jerusalem due to Israel's extension of Israeli law and authority to East Jerusalem in 1967 and an Israeli prohibition on any PA activity anywhere in Jerusalem. Although PA laws apply in the Gaza Strip, the PA had little authority in the Gaza Strip, despite the formation of an interim government under the auspices of a Fatah-Hamas reconciliation agreement signed in May that only nominally gave the PA some control over that territory. It has no authority over Israeli residents of the West Bank or Palestinian residents in Area C of the West Bank, over which Israel has security and civil control. The PA has only civil control of area B in the West Bank and joint security control with Israel. PA Prime Minister Rami Hamdallah governed the West Bank. President Mahmoud Abbas, in office since elected to a four-year term in 2005, is also chairman of the Palestine Liberation Organization (PLO) and general commander of the Fatah party. In the 2006 Palestinian Legislative Council (PLC) elections, candidates backed by Hamas won 74 of 132 seats in elections that generally met democratic standards; however, the PLC has not functioned since 2007. In 2007 Hamas staged a violent takeover of PA government installations in the Gaza Strip and has since run a de facto government in the territory. Both PA and Israeli security forces reported to civilian authorities. Hamas maintained control of security forces in the Gaza Strip.

In June, Palestinian extremists kidnapped and killed three Israeli teenage citizens--Naftali Fraenkel, Gilad Shaar, and Eyal Yifrach, two of them minors--in the West Bank. Following their kidnapping Israeli authorities increased incursions into Palestinian-controlled areas of the West Bank and detained more than six hundred Palestinians in a West Bank arrest campaign termed Operations Brother's Keeper. On July 2, three Israeli extremists kidnapped and killed 16-year-old Jerusalem resident Muhammad Abu Khdeir. From July 8 to August 26, Israel conducted the military operation, Operation Protective Edge, which, according to Israeli officials, responded to a sharp increase in rockets deliberately fired from Gaza at Israeli civilian areas as well as militants' attempts to infiltrate Israel through tunnels from

Gaza for the purpose of committing terrorist acts. Hamas and other militant groups fired 4,465 rockets and mortar shells into Israel. In response the Israeli government conducted 5,242 air strikes and a ground operation in Gaza. According to the United Nations, the operation killed 2,205 Palestinians; according to the IDF, 74 persons in Israel were killed, among them 67 combatants, six Israeli civilians, and one Thai civilian.

The most significant human rights abuses across the occupied territories were excessive use of force against civilians, including killings; arbitrary arrest and associated torture and abuse, often with impunity, by multiple actors in the region; 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, 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. Child labor, including forced 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, and they did so at or near civilian locations in Gaza. Gaza-based civil rights organizations reported prisoners were held in poor conditions in detention facilities in the Gaza Strip, and Hamas publicly executed a number of persons without trial. 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.

Human rights problems related to actions by Israeli authorities inside the West Bank and Gaza 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 and some business travelers.

The PA and Israeli authorities took steps to address impunity or reduce abuses, but there were criticisms 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**

In contrast with previous years, there were no reports that PA security services committed arbitrary or unlawful killings.

Palestinian terrorist groups and other unaffiliated individuals committed unlawful killings of Israeli civilians and security forces in Israel, as well as of Israeli civilians and security forces living and operating in the West Bank. In June members of Hamas kidnapped and killed three Israeli teenagers, and on September 23, the IDF killed two Palestinians suspected of carrying out the attack.

In August 2013 during an operation by the PA Preventive Security Organization at Askar refugee camp in Nablus, Amjad Odeh died after being shot 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 at year's end there was no further information regarding the status of the investigation.

Hamas and other terrorist organizations launched at least 4,465 rockets and mortar rounds at Israel that indiscriminately targeted population centers during the July-August hostilities in Gaza.

News outlets alleged Hamas positioned its rocket launch sites in the Gaza Strip adjacent to schools, playgrounds, and hospitals, leading Israel to target those launch sites and putting civilians at risk. On July 24, Israeli artillery shells hit Palestinians sheltering at a UN Relief and Works Agency (UNRWA) school in Beit Hanoun when heavy fighting between Israeli forces and militants occurred nearby, resulting in the deaths of 13 individuals and injury to more than 200 others. In other cases UNRWA found rockets stored inside a school.

There were multiple attacks on civilians and security forces in Jerusalem. On July 2, three Israelis allegedly abducted and killed Palestinian teenager Muhammad Abu Khdeir. On August 4, an unknown assailant shot and injured an IDF soldier on Mount Scopus near Hebrew University and then escaped on a motorcycle.

There were numerous acts of violence to include killings involving Israeli settlers and Palestinians in the West Bank (see section 6.). On July 25, in three separate incidents IDF soldiers and an Israeli settler reportedly killed six Palestinians. Three were killed in Beit Ummar. Two were killed in Huwwara near Nablus, with one reportedly killed by an Israeli settler and the other by the IDF. Israeli police questioned and later released the settler who shot and killed a Palestinian in Beit Ummar on July 25. Another Palestinian died in al-Aroub refugee camp north of Hebron when, according to the IDF, he reached for a soldier's weapon. During that period observers reported skirmishes during the night in towns and villages across the West Bank.

On November 10, a Palestinian man stabbed three Israelis at the entrance of the Alon Shvut settlement in the West Bank, killing an Israeli woman. A security guard subsequently shot and killed the attacker.

According to local media, Hamas unlawfully executed at least 55 persons in the Gaza Strip during Operation Protective Edge for allegedly collaborating with Israel. For example, in July Hamas executed at least 30 alleged collaborators with Israel, according to the Palestine Press Agency. According to the international nongovernmental organization (NGO) Human Rights Watch (HRW), Hamas executed 25 persons, including two women as reported by the Palestinian Center for Human Rights, between August 21 and August 23 for allegedly collaborating with Israel. According to the Independent Council on Human Rights, 11 of the

persons executed on August 22 were inmates held in the Correction and Rehabilitation Center of Gaza: eight were not convicted, one was sentenced to death, one was sentenced to life in prison, and one was sentenced to 15 years in prison. By law the PA president must ratify each death penalty sentence, but Hamas did not contact the PA regarding these executions due to Hamas de facto control over the Gaza Strip.

The Israeli government killed Palestinian civilians as well as militants. During the year Israeli forces killed 50 Palestinians in the West Bank and Jerusalem, compared with 27 Palestinians in the West Bank in 2013. According to the NGO Defense for Children International-Palestine (DCI-Palestine), 13 of those killed in the West Bank were minors.

On March 10, Israeli soldiers shot and killed Raed Alaa a-Din Nafea Zeiter, a Palestinian and Jordanian citizen and a judge, after he argued with a soldier and shoved him. Eyewitness accounts differed regarding the circumstances surrounding the incident. Authorities announced an investigation but reported no progress by year's end.

On March 19, an IDF soldier shot and killed 14-year-old Yusef Sami Yusef al-Shwamrah after he went through a gap in the security barrier near Hebron, reportedly to harvest plants. The subsequent investigation concluded with no charges filed against the involved soldiers.

On March 22, an IDF soldier shot and killed Muhammad Omar Saleh Abu Zeinah as he reportedly carried the body of Hamzah Abu al-Heija, whom IDF soldiers reportedly killed when they attempted to apprehend him.

On October 24, the IDF killed a 14-year-old Palestinian in the West Bank village of Silwad, claiming he was in the act of throwing a Molotov cocktail at the soldiers.

Israeli security forces killed four Palestinians during operations associated with Operation Brother's Keeper in June. For example, on June 22, Israeli forces that entered Nablus as part of Operation Brother's Keeper killed Ahmad Khaled when he reportedly did not respond to their requests to stop moving toward them. Khaled reportedly suffered from mental illness.

There were numerous reports that Israeli security forces killed Palestinians during demonstrations. On May 15, IDF soldiers shot and killed 17-year-old Nadim



Siyam Ahmad Nawarah and 16-year-old Muhammad Mahmoud Odeh Salameh during a demonstration at Bitunya checkpoint, the “Nakba Day killings.” Salameh was shot in the back. Neither minor was throwing stones at the time of their shooting, but other demonstrators were throwing stones. Video showed neither person presented a direct and immediate threat to life when shot, since Israeli police were more than 100 yards away from the victims, according to the NGO DCI-Palestine. Authorities suspended an Israeli border police officer immediately following the incident and subsequently arrested and indicted him on November 11. His commander was also arrested for allegedly covering up the incident. On December 10, Ziyad Abu Ein, a former PA deputy minister, died after reportedly being beaten by Israeli security forces and inhaling tear gas at a demonstration. Israeli authorities announced an investigation but reported no progress as of year’s end.

Despite the increase in Palestinian deaths, the IDF stated there was no change in IDF rules of engagement and reaffirmed that it permitted live fire only to protect against immediate mortal danger, not for crowd control. There were numerous reports security forces killed demonstrators, even when live fire was not used. On August 31, Israeli National Police (INP) killed a 16-year-old Palestinian boy in East Jerusalem. Police claimed the boy was shot in the leg with a sponge-tipped bullet, fell, hurt his head, and eventually succumbed to his injuries. An autopsy revealed he was shot in the head at close range with a rubber-coated bullet.

In July, the Israeli NGO B’Tselem accused the IDF of overusing live fire as a crowd-control measure during Palestinian demonstrations in the West Bank against Operation Protective Edge, resulting in the deaths of 13 Palestinians. For example, on July 22, an IDF soldier shot and killed Mahmoud Hamamreh in the West Bank village of Husan during clashes between the IDF and local residents, although the Palestinian press reported he was not participating in the demonstrations.

During the year there were a significantly higher number of Palestinian deaths at the hands of Israeli security forces than in past years as a result of Israeli military operations between July 8 and August 26. Israeli security forces killed at least 2,222 Palestinians in Gaza, including 2,205 during military operations associated with Operation Protective Edge and 17 during the rest of the year, according to B’Tselem, compared with nine Palestinians in 2013. Based on its analysis, the Israeli government estimated half of those killed were civilians and half were combatants, while the United Nations reported that 69 percent of those killed were civilians. According to the United Nations, more than 500 minors and nearly 300 women were killed.

NGOs accused Israel of using disproportionate force and indiscriminate fire to counter the threat posed by rockets launched from the Gaza Strip, resulting in unnecessary and excessive civilian casualties. On July 18, Israeli artillery reportedly misidentified as militants four children on a Gaza beach; subsequent shelling killed them.

NGOs singled out Israel's artillery bombardments targeting densely populated areas as a significant cause of civilian casualties. During Operation Protective Edge, Israeli armed forces reportedly fired 30,000 shells into Gaza. On August 1, Israeli forces fired more than 1,000 artillery shells during a three-hour period into Rafah, an area of Gaza that had not been evacuated. Additionally, according to press reports, 40 air strikes and some ground fighting resulted in an estimated 130 to 150 civilian deaths. NGOs, including B'Tselem, were investigating each death to determine the circumstances, such as whether there was a legitimate military target nearby, whether the shelling was indiscriminate, and whether every family received a warning before their home was bombed or shelled.

NGOs, including Amnesty International (AI), HRW, and B'Tselem, identified several attacks that lacked a clear military target or used disproportionate force, resulting in civilian casualties. On November 5, AI released a report entitled *Families under the Rubble: Israeli Attacks on Inhabited Homes* that documented eight cases in which Israeli forces allegedly attacked residential family homes in Gaza without warning during Operation Protective Edge in July and August. These attacks killed at least 104 civilians, including 62 children. In the deadliest incident documented in the report, an Israeli Air Force attack killed 36 members of four families, including 18 children, when a three-story building reportedly was struck without warning on July 29. While AI identified possible military targets within the building, it alleged that devastation caused to civilian lives and property was clearly disproportionate to the military advantages gained by launching the attack.

In September the Israeli Military Advocate General (MAG) announced a new fact-finding mechanism to investigate claims of violations of the laws of armed conflict. As of December 9, the MAG reported that it had referred approximately 100 incidents for examination by the fact-finding mechanism and that approximately 50 of these cases had subsequently been sent back to the MAG for decision. The MAG subsequently referred five of these cases for criminal investigation. The MAG decided to close an additional nine cases without opening a criminal investigation after determining the forces' actions did not give rise to

reasonable grounds for suspicion of criminal behavior. In a few of the cases, the MAG reportedly found no involvement of IDF forces in the incident under investigation. The state comptroller also opened an investigation into Israeli military operations in Gaza in parallel with the intra-IDF fact-finding mission.

B'Tselem stated it rejected a request made by the MAG to provide information on “irregular” incidents that occurred during Operation Protective Edge on the grounds MAG-led investigations did not lead to meaningful investigations and prosecutions.

Apart from the July-August conflict, the Israeli government periodically launched strikes into the Gaza Strip against specific targets and in response to militant groups’ rockets fired into Israel. According to B’Tselem, these attacks killed six Palestinians participating in hostilities, seven Palestinians not participating in hostilities, and four who were the object of targeted killing. IDF ground forces, tanks, ships, aircraft, and remote-controlled weapons fired on Palestinians inside the Gaza Strip. IDF personnel maintained secure stations every several hundred yards along the border fence; each station contained weapons with potential firing ranges of nearly one mile.

There were also continued reports of Israeli forces killing Palestinians in restricted areas in the Gaza Strip. Israel repeatedly warned Palestinians they were at risk of being shot if they came within 328 yards of the “buffer zone” separating Gaza from Israeli territory; however, Israel reportedly regularly enforced the buffer zone by firing toward Palestinians approaching at distances beyond 328 yards. Israel reduced the buffer zone following Operation Protective Edge but continued to fire toward Palestinians approaching the border fence between Israel and Gaza. On November 24, Israeli soldiers stationed along the border shot and killed Fadel Halawa as he reportedly searched for songbirds that nest close to the boundary with Israel. This was the first killing of a Palestinian in the Gaza Strip after the August 26 cease-fire ended Operation Protective Edge.

## **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. 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. Despite the commitment by President Abbas to investigate reports of torture in the 2012 Independent Commission for Human Rights (ICHR) report, the PA Ministry of Interior took no action during the year.

As of December, Palestinian detainees held by PA security forces registered more than 168 complaints of abuse and torture with the ICHR, a significant increase from the previous year (145). 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, under the authority of the Ministry of Interior, continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons but reported no cases of inmate abuse by its staff.

As of December detainees held by Hamas filed at least 442 claims of torture and abuse with the ICHR, compared with 263 complaints during 2013. HRW reported that the Hamas internal security, the drugs unit of the “civil police force,” and “police” detectives tortured detainees. In the Gaza Strip, security elements under the Hamas “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.

PA security forces also reportedly used these tactics against Palestinian minors. In June DCI-Palestine reported on documented instances of abuse against children in PA custody from Areas A and B, including threats, beatings, and neglect by forces during arrest and detention.

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 (PCATI) reported that "physical interrogation methods" permitted by Israeli law and used by Israeli security personnel could amount to torture. The methods 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 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. DCI-Palestine, Breaking the Silence, and other human rights NGOs claimed Israeli security services continued to abuse, and in some cases torture, to coerce confessions from minors who they frequently arrested on suspicion of stone throwing. Tactics included beatings, long-term handcuffing, threats, intimidation, and solitary confinement. For example, one detainee affidavit taken by DCI-Palestine alleged that in February authorities bound and blindfolded a minor, interrogated him without a lawyer, and kicked and punched him in the stomach and head. In May, DCI-Palestine released its annual report on abuses for 2013, which reported that 76.5 percent of Palestinian children detained by the Israeli military in the occupied West Bank endured some form of physical violence during arrest, transfer, or interrogation--a slight increase from 2012. During 2013 DCI-Palestine filed 15 complaints with Israeli authorities alleging mistreatment and torture of 10 children while in Israeli military detention, but there were no indictments by year's end.

In August 17-year-old Ahmad Abu Raida alleged the IDF captured him on July 23 in the Gaza Strip and used him as a "human shield"--forcing him at gunpoint to search for tunnels for five days, during which time the IDF interrogated him (including verbal and physical abuse) and deprived him of food and sleep.

In July and August, the Association for Civil Rights in Israel (ACRI) accused the INP of using excessive force and harsh tactics against civilians and demonstrators in Jerusalem, both while dispersing demonstrations and riots and while conducting arrests. Responding to ACRI's allegations, the Israel National Police chief wrote

that police used tactics proportional and appropriate to the unusual level of violence.

In July, Israeli border police were allegedly identified on video beating 14-year-old Tariq Abu Khdeir while he was handcuffed and possibly unconscious. As of August the Israeli government reportedly indicted one officer in the case.

Additionally, ACRI accused the INP of arbitrarily using “skunk water” (a foul-smelling substance sprayed from high-pressure hoses attached to police vehicles), including, in the absence of any public disturbance, on houses, restaurants filled with patrons, and in crowded streets, causing harm to innocent residents.

### **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 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 continued to be crowded and lacked ventilation, heating, cooling, and lighting systems conforming to international standards. Most prisons lacked sufficient space for programming, recreation, and medical-care services. Inmates had access to potable water. Food and sanitation services in PA prisons were adequate. No deaths were 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 lacked 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 per detainee. In August 2013 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, adequate food, and acceptable sanitation, according to the International Committee of the Red Cross (ICRC).

According to NGO sources, Israeli government authorities held 6,303 Palestinians in Israeli prisons at the end of November, 5,527 of whom were Palestinian security prisoners or detainees, and the remainder were Palestinians who entered Israel illegally. B'Tselem reported that at the end of November, Israel held 156 minors in Israeli prisons as security prisoners or detainees and 51 others who had entered Israel illegally. Seventeen of the minors were between the ages of 12 and 15.

PCATI, DCI-Palestine, and Breaking the Silence noted 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 Corrections and Rehabilitation Centers Department 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 therefore 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. The ICRC and the Israeli government reported a complete cessation of family visits to all prisoners following the June 14 kidnapping and killing of three Israeli teenage citizens in the West Bank and a cessation of visitors to all Palestinian prisoners throughout Operation Protective Edge that continued for some weeks thereafter. Visits to Fatah-associated detainees from the West Bank and East Jerusalem resumed on July 16, before resuming for all prisoners on September 13, but with specific rules. Visits to prisoners from Gaza resumed October 20. After an extended hunger strike initiated by nearly 2,000 Palestinian detainees incarcerated in Israeli prisons, in 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. In July 2013 PCATI reported 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. 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 prosecutions. ISA facilities were exempt from regular independent inspections.

Independent Monitoring: The PA generally permitted the 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.

#### **d. Arbitrary Arrest or Detention**

Palestinian law prohibits arbitrary arrest and detention, and PA prosecutors generally charged suspects promptly as a requirement to detain them. The PA criminal justice system, however, often did not lead to a prompt and speedy trial. Hamas also stated that the PA repeatedly detained individuals during the year based solely 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 denied such allegations.

In July and August, the INP arrested 36 members of the family of Muhammad Abu Khdeir (see section 1.a.), prompting accusations authorities targeted them unfairly. None were charged or tried for any offenses, and all were eventually released.

#### **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. Since 2002, however, 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 and the PA maintain joint 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.

Six PA security forces operated in the West Bank. Many of the security forces are under the PA Ministry of Interior 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 service is responsible for external intelligence gathering and operations; the Preventive Security Organization is responsible for both internal intelligence gathering and investigations related to internal security cases (for example, antiterrorism, weapons violations, and money laundering). The Presidential Guard protects facilities and provides dignitary protection. Generally, 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 accusations of abuse and torture at the hands of the security forces to the PA.

The PA took significant steps to bring women into police forces in the West Bank to allow police work to cross societal gender barriers. For example, the women on the PA police force can search under women’s clothing for contraband. In March the PA Presidential Guard established the Female Special Security Detachment, the first operational element for women in the PA security forces.

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, which they noted made it 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 that 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 prior to the outbreak of hostilities in July.

Israeli authorities maintained their West Bank security presence through the IDF, ISA, 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 one border police officer was arrested and indicted for murder in the deaths of two Palestinians in Bitunya in May; his commander was indicted for allegedly covering up the incident (see section 1.a.). The IDF continued to open investigations automatically of claims of abuse in military police custody. NGOs stated that automatic investigations applied only to military activity in the West Bank, not to individuals reporting abuse in custody. NGOs reported that 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; PCATI in June 2013 reported that authorities systematically disregarded abuse allegations.

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. According to B’Tselem, during the year the IDF opened investigations into 31 incidents and closed one case. Israeli law restricts the ability of Palestinians harmed by the acts of Israeli security forces to seek compensation in Israeli courts.

NGOs criticized Israeli accountability processes and efforts to investigate reports of killing of civilians. On February 27, AI released a report entitled “Trigger Happy” that documented incidents of use of excessive force by Israeli soldiers against Palestinian civilians in the West Bank and claimed that existing mechanisms for investigating reports of human rights violations lacked transparency and impartiality. On September 4, Israeli NGOs B’Tselem and Yesh Din released a statement stating that existing accountability mechanisms precluded

serious investigations and were marred by severe structural flaws that rendered them incapable of conducting professional investigations.

According to Israeli and Palestinian NGO and press reports, the IDF and INP did not respond sufficiently to violence perpetrated against Palestinians by Israeli settlers in the West Bank. Levels of settler violence decreased compared with 2013, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). OCHA counted 329 incidents of settler violence as of December 29 (compared with 399 incidents in 2013) that resulted in Palestinian injuries or property damage. Israeli forces injured approximately 96 Palestinians during settler-related incidents. OCHA reported that 90 percent of Palestinian complaints of settler violence in recent years were closed without indictment.

As of December 29, Israeli security forces in the West Bank injured 5,865 persons; many injuries occurred during clashes in July and August during protests against the combat in Gaza.

ACRI stated Israeli security and justice officials operating in predominantly Palestinian East Jerusalem displayed bias against Palestinian residents in investigating incidents involving Palestinian and Israeli actors. In several cases Palestinian residents in the West Bank 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 for 24 hours if there is sufficient evidence to charge a suspect, and for up to 45 days with court approval. It requires that a trial start within six months or the detainee must 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, 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. Palestinian courts consistently afforded the right to counsel to indigents charged with felony offenses. Indigent

defendants charged with misdemeanors, however, often did not receive counsel, although NGO efforts to represent indigent juveniles and adults in misdemeanor cases were at times successful.

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 it charged many of these individuals with criminal offenses under civil or military codes.

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), did not 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 detainees 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 authorities did not inform minors and their families at the time of 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 why children were detained or where they took Palestinian 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 under the law. In April 2013 a military order reduced the time that Palestinian children between the ages of 12 and 15 can be detained before appearing before a military court judge, although there was no change for minors ages 16 and 17. The NGO Military Court Watch reported subsequently these detention times were still at least twice as long as those applied to Israeli minors living in the West Bank. According to Military Court Watch, of the 1,004 minors detained in 2013, 343 had at least part of their interrogations audio-visually recorded. Nonetheless, the NGO was unaware of a single case in which an audiovisual tape of an interrogation involving a minor was made available to defense counsel prior to the first hearing. There is no legal duty to audio-visually record interrogations involving minors. The IDF also entered Palestinian homes at night either to arrest or to take pictures of minors. DCI-Palestine claimed 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 Israeli officials denied such allegations. Military authorities began providing translations into Arabic of some of the recent changes to the military laws affecting minors. NGOs reported a significant increase in detentions of minors in the Jerusalem area, particularly detentions authorities never registered in the Israeli prison system.

In March 2013 the UN Children’s Fund (UNICEF) released its report *Children in Israeli Military Detention Observations and Recommendations*, which stated that “mistreatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic, and institutionalized.” Subsequently, the Military Prosecutor for Judea and Samaria (West Bank) established a dialogue with UNICEF on children’s rights while in military detention and on specific actions that can be undertaken to improve the protection of these children. In October 2013 the IDF Central Command for the West Bank implemented a pilot test in the West Bank that replaced the practice of night arrests of children suspected of security offenses with a summons procedure. UNICEF documented 24 instances of summoning of children since the beginning of the pilot in Jenin and Hebron, Nablus, and Ramallah governorates. Despite the new procedures, some children reportedly received summonses at night, and there were continued reports of

mistreatment during the subsequent interrogation process at the military detention center or police station.

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. In October, B’Tselem reported a steep rise in administrative detentions, in particular during Operation Brother’s Keeper.

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 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, Israeli Prison Service 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 341 complaints of arbitrary arrests based on political affiliation in the West Bank as of November, a decline from the previous year. There were numerous reports PA security forces improperly detained Palestinian journalists. Security officials also arrested and abused Palestinians who posted criticism of the PA online, including on their Facebook pages.

The ICHR received 648 complaints of arbitrary arrests by Hamas in the Gaza Strip as of November. 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 or against killings of Palestinians, 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.

### **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 both the criminal and military court systems.

Until 2011 the PA's military court system had jurisdiction over 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. PA military justice court personnel stated they did not process any cases or bring charges against any civilians in 2013 or during the year, and the PA civilian court system handled all criminal cases against 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. Seldom-used administrative remedies are 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 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 any offense committed under circumstances that might raise a suspicion of harm to Israel's security and which the IDF believes may be linked to terrorist activity.

### **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's 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 necessary, 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. Suspects and defendants in the PA justice system have a right to remain silent when they are interrogated by the prosecutor according to the Palestinian penal procedure law. Defendants also have a legal right to counsel during interrogation and trial. Authorities generally observed these rights.

Hamas authorities in the Gaza Strip followed the same criminal procedure law as the PA in the West Bank but implemented the 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. Israeli military courts subjected West Bank Palestinians held by Israeli authorities 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 court records indicated 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.

### **Political Prisoners and Detainees**

NGOs reported that arrests on political grounds occurred in the West Bank and Gaza. There was no reliable 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 28 PLC members as of October.

Israeli authorities did not accord 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 461 administrative detainees as of December, an increase of 309 from the end of 2013.

### **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 legitimize the confiscation. The Israeli government sometimes charged demolition fees to demolish a home; this policy at times prompted 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 the PA harassed family members for alleged offenses by an individual, although NGOs reported this 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 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 Ministry of Interior 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. Authorities generally did not offer compensation in these cases. Properties close to 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, on August 20, Israeli authorities demolished 11 residential structures, displacing 53 persons (including 33 children). Three of the demolished homes were 100-year-old historic structures built in Nablus. The other targeted structures were located in two Bedouin communities and the village of al-Aqaba.

As of December 29, Israel demolished 581 Palestinian-owned structures in Area C and East Jerusalem, displacing approximately 1,180 persons, compared with 660 structures and 1,100 persons in 2013.

In July the Israeli Ministry of Defense's Civil Administration revived a policy of "punitive demolitions," demolishing the home of a suspect in the April killing of an off-duty Israeli police officer in Hebron. With the exception of one such demolition in East Jerusalem in 2009, Israeli authorities had halted punitive demolitions since 2005 following recommendations of a military commission that found the practice did not act as a deterrent. In August authorities demolished the homes of two individuals suspected (although not captured, tried, or convicted) of the kidnapping and killing of three Israeli teenagers. Authorities sealed with concrete the home of a third suspect in this crime. According to NGOs, these demolitions displaced 23 individuals not charged with any criminal activity. Authorities carried out another punitive home demolition on the home of the family of an individual suspected of killing an Israeli police officer.

HRW documented five instances of punitive demolitions as of November 22 and reported that Israeli authorities stated they would demolish seven more family homes of Palestinians suspected of killing Israelis, including five homes in East Jerusalem. NGOs claimed these demolitions punished innocent family members and might amount to collective punishment.

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. PA laws do not specifically provide for freedom of press; however, PA institutions applied aspects of a proposed 1995 press law as actual 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. In contrast with 2013, there were no slander cases reported during the year.

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

Freedom of Speech: Although no PA law prohibits criticism of the government, there were media reports PA authorities arrested some journalists and bloggers who either criticized or covered events that criticized the PA and PA officials. For example, in March members of Palestinian security forces in civilian clothes attacked a Wattan TV crew, including reporter Ahmad Melhem and cameraman Ahmed Zaki, as they covered anti-PA activities in Ramallah. Undercover security agents reportedly attempted to confiscate their cameras by force. Security agents detained the Wattan TV crew and later released them only after they promised to stop their coverage and leave the area. In addition to sometimes restricting reporters who criticized the PA government, there were several complaints during the year that the PA prevented journalists from covering events in the West Bank that were sympathetic to Hamas.

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. In March journalist Oruba Othman received threats of punitive actions after she published a report in the Lebanese newspaper *al-Akhbar* on March 4 regarding how Hamas security force officers gave Friday's religious sermons in military uniform. Othman reported to a local NGO that Iyad Albazam, the spokesperson for the Hamas "Ministry of Interior," claimed "the report is full of lies," and her Facebook page received threatening messages. There were reports authorities harassed activists working to raise awareness on sensitive social matters, such as the role of women and domestic violence. In March the Hamas General Intelligence services in the Gaza Strip prevented the Press House Foundation from holding a celebration to honor journalists in Gaza City, despite the Press House Foundation having obtained permission for the event from Hamas's "Ministry of Interior."

During the hostilities between Israel and Hamas in July and August, local media reported that 17 journalists--16 Palestinian and one Italian--were killed in the Gaza Strip during Israel's military offensive. Many other journalists were injured. Additionally, there were reports of a number of Israeli attacks against Palestinian media outlets in Gaza. Israeli rockets targeted al-Aqsa TV channel on two separate

occasions, July 29 and 31. The offices of al-Jazeera TV in Gaza were targeted on July 22, when bullets were fired at the station's offices. No injuries were reported in that incident, but the Foreign Press Association (FPA) strongly condemned the attack. On July 19, two Israeli missiles hit and destroyed the offices of the National Media Agency. Also, on July 16, the Sawt al-Wattan radio station, housed in the Dawood tower in Gaza, was shelled and three employees injured.

In Jerusalem displays of Palestinian political symbols were punishable by fines or imprisonment, as were public expressions of anti-Israeli sentiment, but authorities did not always enforce this restriction. Israeli security officials regularly prohibited or interrupted meetings or conferences held in Jerusalem affiliated with the PLO or PA, or with PA officials in attendance. For example, on October 2, Israeli authorities banned an event in Jerusalem sponsored by the PLO entitled "Altering the Character of Jerusalem: The Forced Closure of Palestinian Institutions in Palestine's Capital." Many Palestinian journalists in Jerusalem contended that Israeli forces coordinated with right-wing Israelis to prevent Palestinian reports from being broadcast. In May, Israeli security forces detained Momen Shabanah, a cameraman, and Zaina Sandoka, a correspondent from Roya TV, as they covered Israeli extremist attacks on residents of Jerusalem's Old City. Israeli police told the crew they needed official permission to film, took their camera, deleted their images, and temporarily detained them.

In a series of raids conducted throughout the West Bank during the summer, Israeli security forces raided companies that facilitated media and confiscated equipment. In June security forces raided the offices of Turbo Design and seized several computers. The firm, located in Ramallah, did work for the periodical *This Week in Palestine*, UNRWA, the British Council, and a foreign diplomatic mission in Jerusalem.

Press Freedoms: Across the occupied territories, independent media operated with restrictions. The PA Ministry of Information requested Israeli reporters covering events in the West Bank register with the ministry. According to the PA deputy minister of information, the ministry will give permission to any Israeli journalists provided they do not live in an illegal settlement. While officially the PA was open to Israeli reporters covering events in the West Bank, Israeli reporters faced pressures from Palestinian journalists not to attend PA press events. In September, *Haaretz* journalist Amira Hass was evicted from a conference at Beir Zeit University in the West Bank, reportedly because of her Israeli nationality.

In the West Bank, the PA placed some restrictions on independent media as well as official media. In May the PA lifted its distribution ban in the West Bank on the twice-weekly, pro-Hamas *al-Risala* and the *Filistin* daily newspapers, but Israeli authorities forced the Ramallah-based printing house to stop printing and distributing them in the West Bank. Al-Aqsa TV reportedly enjoyed some 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. In May, Hamas lifted its ban on three West Bank-based newspapers--*al-Quds*, *al-Ayyam*, and *al-Hayat al-Jadida*. Hostilities in the Gaza Strip prevented their distribution from July 10 to August 27. Hamas authorities permitted 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 operated in the Gaza Strip.

During the July-August conflict in the Gaza Strip, Hamas allegedly harassed some journalists, including several from Western outlets, to prevent them from reporting on aspects of the hostilities that would reflect unfavorably on Hamas or possibly divulge sensitive information. These include photographs of Hamas fighters and locations from which Hamas fighters fired rockets into Israel. On August 11, the FPA condemned what it called Hamas' "deliberate official and unofficial incitement against journalists" and attempts to prevent journalists from covering the conflict. The FPA also alleged Hamas attempted to institute a vetting procedure for journalists and charged that Hamas harassed, threatened, or questioned foreign reporters working in Gaza. Some journalists, including the *New York Times* Jerusalem bureau chief, disputed some of FPA's claims.

Israeli authorities reportedly censored some security-related information on the Gaza conflict.

In July 2013 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. Authorities subsequently allowed *Ma'an* and *al-Arabiya* to reopen their bureaus, but only *Ma'an* chose to do so. While the PA agreed to allow Gaza-based newspapers to be distributed in the West Bank beginning in April, Israeli authorities intervened to stop their publication. In May the IDF raided the office of *al-Ayyam*, which had agreed to print the three Gaza-based papers, and informed the managers it would not allow the printing of the newspapers. Israeli reports characterized the raid as an attempt to shut down anti-Semitic publications in the West Bank. Following the



raid the three Gaza-based papers were not published or circulated in the West Bank.

In areas of the West Bank where Israel controls access, Palestinian journalists complained 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. They reportedly also faced discrimination, harassment, and violence in Jerusalem. Palestinian media companies operating in Jerusalem also faced difficulties. In June, Israeli police raided the offices of Palestinian television production company Palmedia as it was broadcasting a live morning program *Sabah al-Khair Ya Quds* (Good Morning Jerusalem) for the Palestinian television. Police forced the staff to stop the broadcast and arrested program director Nadir Beibers; cameraman Ashraf Al-Shweeki; and one of the guests. Police claimed that authorities had not licensed the program and that it incited against Israel. Authorities later released the journalists and guest.

Violence and Harassment: There were numerous reports PA security forces harassed, detained (occasionally with violence), prosecuted, and fined journalists during the year. Moreover, PA security forces also reportedly demanded at times the deletion of footage showing security personnel. In February, Palestinian police and security reportedly tried to prevent journalists from covering a protest in front of the PA headquarters in Ramallah against the PA president's decision to meet with an Israeli delegation. In July, Palestinian security forces stopped Filistin al-Yom TV's staff and other journalists from covering clashes in Jenin between youths and Israeli forces. Authorities reportedly also coerced the journalists to go to the police station, where one journalist claimed police beat and threatened him.

Some Palestinian journalists claimed the PA attempted to prevent reporting from affiliates perceived to be Hamas-friendly or that it actively tried to prevent journalists from reporting on events sympathetic to Hamas. In June, Palestinian security forces reportedly assaulted a group of journalists covering a sit-in organized by pro-Hamas protesters in Ramallah, who were demonstrating against political detentions of Hamas members by PA security forces.

Palestinian protesters also attacked journalists in the West Bank who they perceived to be Israeli. In May, Palestinian protesters reportedly attacked two

Israeli journalists. PA security forces intervened to protect the journalists and removed them from the area after they suffered minor injuries.

In June the FPA condemned PA security forces' behavior when undercover PA security officials attacked a CNN crew in Hebron; the attackers also damaged a video camera and accused the crew of "incitement."

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 effort 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 May 15, Hamas security agents attacked with blackjacks and batons a group of journalists covering commemorations of Nakba Day in the Gaza Strip. In June Hamas-affiliated police officers tried to prevent a Sawt al-Sha'b radio station correspondent from interviewing government employees in the al-Nuseirat area of the Gaza Strip. Also in June, Gaza police officers assaulted an al-Wattan radio correspondent while he interviewed Gaza residents expressing resentment at Hamas's inability to pay their salaries; the correspondent suffered a concussion.

During the year the FPA reported several Hamas practices aimed at pressuring journalists working in Gaza. These included efforts to establish "vetting procedures" that would effectively blacklist certain reporters, sending a series of intimidating text messages to journalists, and other harassment.

Throughout the year there were dozens of reported allegations that Israeli security forces actively worked to prevent Palestinian journalists from covering news stories in the West Bank. These actions included preventing reporters from traveling through checkpoints within the West Bank, harassment from Israeli soldiers, and acts of violence against journalists. In January, IDF soldiers reportedly fired tear gas canisters directly at a Wafa News Agency photographer as he covered weekly demonstrations in Kafir Kadoum village west of Nablus.

In January, Israeli military forces detained a correspondent from *al-Hayat al-Jadida* newspaper who covered Israeli home demolitions in the Jordan Valley. Security forces reportedly also injured several Palestinian reporters in the West Bank with the use of rubber bullets. In April security forces reportedly repeatedly shot Ma'ath Mish'al, a photographer from the Turkish Anadolou News Agency, in his legs while he covered a weekly demonstration northwest of Ramallah. Mish'al

reported to a local NGO that an Israeli soldier shot him at close range with unspecified munitions; twelve projectiles reportedly hit his legs.

In July reporters accused the IDF of using live ammunition against reporters. Israeli forces reportedly injured Thaer Abu Baker, a photographer and correspondent with Wafa News Agency, by using live ammunition at a march from Jenin to the al-Jalameh checkpoint in the West Bank.

Palestinian journalists also claimed that Israeli security forces detained Palestinian journalists and forced them to delete images and video under threat of violence or threats they would be arrested and placed under administrative detention if they did not comply. In January, Mohamed Suboh, photographer for *Palnet News* website, was detained while covering an Israeli raid in the town of al-Khader west of Bethlehem. Suboh told a local NGO that Israeli security forces informed him they would arrest him if he did not delete footage of the raid from his equipment. On October 30, Israeli police reportedly assaulted and severely beat a volunteer correspondent for Huna al-Quds network Hazem Sandouqa who was covering clashes in Jerusalem. Police detained him, forced him to delete the photographs in his camera, and threatened to assault him again if he took additional photographs.

Additionally, there were several claims in the West Bank and Jerusalem that Israeli forces failed to intervene when settlers attacked Palestinian journalists. In March a group of armed Israeli settlers reportedly attacked three photojournalists near Beit Eil, north of Ramallah. Israeli soldiers in the area reportedly intervened only after there was major damage to the reporters' vehicle. In the same incident, two other Palestinian photographers were allegedly attacked by settlers, one of whom brandished a firearm, while attempting to photograph the attack on Momani. The Israeli authorities later asked for footage of the incident to identify the settlers; however, the footage did not lead to any prosecutions during the year.

In March, Israeli soldiers detained Fida Nasser, a correspondent with Palestine Today TV, after Israeli settlers allegedly beat her and sprayed her with red wine. The FPA condemned several military incursions undertaken by Israeli forces in the West Bank to include shooting near the Aida Refugee Camp on March 13 where Israeli border police allegedly fired on a marked Associated Press vehicle as it obeyed instructions to leave.

Israeli authorities prevented Palestinian journalists resident in the West Bank from covering stories that occur in Jerusalem because they required an Israeli travel permit, and such a permit category for journalists does not exist. Palestinian

journalists who obtained permits for other reasons, as well as Jerusalem-resident journalists who identified themselves as Palestinian, reported incidents of harassment, racism, and occasional violence when seeking to cover news in Jerusalem, especially in and around the Old City.

In March a rubber bullet struck Reuters photographer Sinan Abu Mezir in his chest while he covered a demonstration that originated at the Damascus Gate in East Jerusalem to protest the killings of Palestinians in the West Bank. Abu Mezir reported to a local press freedom NGO that soldiers fired a rubber bullet at him from an estimated distance of five to six yards while he covered Israeli soldiers arresting a protester.

Also in March, Israeli soldiers reportedly attacked a group of journalists covering an Earth Day commemoration in Jerusalem. Agence France-Presse photographer Ahmed Algarbali reported to a local NGO that Israeli forces threw sound and gas grenades, and fired rubber bullets at the gathering estimated at 25 participants to disperse them. Algarbali stated to the NGO, “I ran away from the grenades and bullets, but I was injured in my head from a rubber bullet that caused a deep wound of almost half an inch, and I was transferred to a hospital for treatment.” The journalists submitted a formal complaint to the Foreign Journalists’ Syndicate claiming the injury resulted from deliberate targeting of journalists. The soldiers reportedly denied the accusation against them; however, Algarbali claimed that the journalists provided video evidence to prove their charges. Three other journalists were reportedly hit by rubber bullets in the same incident.

The FPA strongly condemned what it called “thuggish behavior and deliberate intimidation” demonstrated by Israeli border police against journalists and cameramen covering events at Damascus Gate on May 25 (Jerusalem Day). Israeli police reportedly aggressively forced journalists to move far from the scene despite being in an area designated for the press; police reportedly pushed, kicked, and blocked other journalists from working. Police also reportedly failed to protect journalists from aggression by pro-Israeli demonstrators against them. Police prevented accredited journalists--Israelis, Palestinians, and foreigners alike--from covering the event.

Israeli air strikes injured or killed several journalists and their family members on the Gaza Strip, and there were allegations the Israeli government targeted journalists and media outlets.

There were numerous reports from journalists that Israeli authorities routinely harassed them when the journalists tried to report in Israeli-controlled areas of the West Bank. There were also reports of Israeli authorities detaining, assaulting, or intimidating journalists. On October 26, while covering confrontations between Palestinian youth and Israeli soldiers in Silwad village near Ramallah, Associated Press photographer Majdi Shtayyeh was hit by a bullet fired by an Israeli soldier. Shtayyeh told local press that while he and a number of other journalists covered the clashes, a military vehicle stopped near them, and a soldier started firing rubber bullets in their direction at close range. While at least one bullet hit his bulletproof vest, another one hit his arm. The FPA condemned the attack and published a YouTube clip of the incident. In December, two Israeli journalists, columnist Gideon Levy and photographer Alex Levac, were reportedly briefly detained by the Israeli army and questioned at a West Bank checkpoint as they attempted to re-enter Israel. The Israeli newspaper *Haaretz* described the detention as an attempt to undermine the essential work of journalists. Soldiers at the scene claimed the two journalists verbally abused and spit on security officers, a claim the two journalists denied.

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 learned what was acceptable and self-censored publications accordingly.

There were complaints Israeli authorities pressured broadcasters to close operations. In February threats from Israeli authorities forced Sheraa TV in Tulkarem to stop broadcasting temporarily. In April, Israeli authorities sent a letter to Wattan TV in Ramallah demanding it stop broadcasting immediately or face

additional actions. In June, Israeli forces raided the offices of Trance Media, a media services company, in Ramallah, Hebron, and Nablus and confiscated its equipment.

Hamas-backed news outlets alleged that Israeli forces intentionally disrupted their broadcasts during the July-August conflict. In July Filistin al-Yom TV, Sawt al-Sha'b radio, Sawt al-Quds radio, and al-Aqsa radio broadcasts were disrupted; some reported that messages against Hamas were broadcast over the airwaves.

Palestinians alleged that Israeli authorities circumvented proper procedures as outlined in the Paris Protocols by going directly to the broadcasters, and it put independent stations in a difficult legal position because they received the proper licenses and frequencies from the Palestinian Ministry of Communications and yet Israeli authorities told them they did not have the right to broadcast. In cases where Palestinian broadcasters ignored Israeli demands to close, Israeli authorities sometimes raided them and seized their equipment.

During the year Palestinian local broadcaster Wattan TV faced additional setbacks in its legal efforts to retrieve its foreign-funded equipment confiscated in 2012 by the IDF from its Ramallah Studio (in Area A of the West Bank). In June the Israeli High Court of Justice rejected Wattan's petition challenging the confiscation of its equipment, following several hearings during which Wattan's lawyers were not allowed, for security reasons, to view the evidence the IDF presented against Wattan. While attorneys for Wattan TV argued they effectively proved the broadcasts posed no threat to communications in Israel (such as airport communications), they complained about an opaque legal process that allowed the government to keep testimony even from the parties to the case based on security concerns.

As of the end of the year, Wattan was pursuing a new broadcasting frequency through the Palestinian-Israeli Joint Technical Committee. Because the Israeli government and the Palestinian Authority do not agree on the process for assigning television frequencies to Palestinian media outlets--with the PA assigning frequencies through the International Telecommunication Union, and Israeli authorities insisting on using the joint technical committee, as specified in the Interim Agreement--the case was not decided by year's end.

Libel Laws/National Security: While there were some accusations of slander or libel against journalists in the West Bank, there were no reports of legal action taken during the year by the PA.

There were reports, specifically during Operation Protective Edge, that Hamas used security justifications or slander or libel laws to censor public criticism.

There were reports Israeli authorities used security justifications or slander or libel laws to censor public criticism. In April, Israeli authorities accused al-Quds.com correspondent Muhannad al-Adam of fabricating a story when he posted a photograph of a settlement product being served at a conference held by the Consumer Protection Association to announce the al-Quds Heritage and Creativity Festival. The undersecretary of the ministry of Jerusalem affairs, in a Facebook posting, claimed the story could be considered libel.

### **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. There were multiple instances in which the PA arrested or detained Palestinians because of their posts on social media. On September 7, the PA Preventive Security Organization arrested and interrogated blogger Aslan Tawil from Fara'ta village near Qalqilila for his Facebook postings criticizing the Palestinian president. On October 21, the Palestinian Intelligence Services arrested freelance photographer Ghassan Najajra at his home in Nahaleen village near Bethlehem and charged him with inciting violence against the Palestinian security forces. Najajra's lawyer stated that the accusations were based on Facebook postings written by his client. He remained in custody until November 6.

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. During the year the Israeli government arrested a number of Palestinians for incitement, including for posts on social media. For example, authorities arrested a Palestinian man from Hebron for creating a Facebook page called "The Intifada of Hebron."

## 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. Palestinian law provides for academic freedom, but individuals or officials from academic institutions reportedly self-censored curricula. There were no reports the PA officially interfered with education during the year. While there was no overt threat to academic freedom, faculty members knew there were security elements' present 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. Palestinians in Gaza reported that generally there was limited interference by Hamas at the primary, secondary or university levels. Nonetheless, Hamas reportedly interfered in teaching methodologies or curriculum deemed to violate Islamic identity, the religion, or "traditions" as defined by the de facto authority. Hamas also interfered if there were reports of classes or activities that mixed genders.

In the Gaza Strip, Hamas authorities sought to disrupt some educational, cultural, and international exchange programs. Palestinians in Gaza are routinely required to obtain exit permits prior to departing Gaza, and students participating in certain cultural and education programs (including programs sponsored by foreign governments and international organizations) can face questioning from de facto authorities, for example, on the purpose and duration of travel and how the visas were coordinated. The de facto authorities can and did deny exit for travelers, whether through the Rafah crossing or the Erez crossing.

Hamas authorities also interfered in local cultural programs. There were continued reports the de facto government suppressed cultural expression that might offend local religious and cultural values and identity.

The Israeli government at times prevented Palestinians from accessing education. Israeli government forces destroyed at least 90 schools in the Gaza Strip during Operation Protective Edge; because refugees were sheltering in school buildings, the start of the 2014-15 school year was delayed. Israeli restrictions on movement adversely affected academic institutions and access to education in the West Bank, because Israeli checkpoints, although they decreased in number, created difficulties for students and faculty commuting to schools and university campuses. In



numerous instances students reported being late or missing days of classes due to significant delays at checkpoints (see section 2.d.).

The Israeli Supreme Court during the year 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 Israel would deny permit requests.

During the year Israeli authorities prevented students at schools on the Temple Mount/Haram al-Sharif several times from reaching their classrooms.

Israeli travel restrictions also prevented students in the West Bank and Gaza from participating in study programs abroad. Israeli officials denied Palestinians travel permits, thus preventing them to transit to Jerusalem for visa interviews or across the Allenby Bridge to Jordan. In some instances students were asked to submit to security interviews prior to receiving permits and were detained after the security interview. The travel challenges were particularly acute for Palestinians from Gaza, since Israeli authorities often denied travel permits through Erez. In these instances Palestinians from Gaza could elect to travel through the Rafah crossing, but frequent border closures and limitations on travel also kept candidates from participating in programs.

## **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 2012 that disbanded without incident, the PA and Hamas agreed to ease their respective five-year bans on rallies. Due to Hamas allegedly blowing up a number of houses in Gaza owned by leaders of Fatah, however, the PA decided to cancel its planned November 11 commemoration event honoring the 10th anniversary of former PA president Yasser Arafat's death.

In July 2013 HRW issued a press release calling upon the PA to investigate alleged police beatings and arbitrary arrests of demonstrators in Ramallah earlier that month. According to HRW police injured 10 protesters and arrested five, including three whom police allegedly forcibly removed from a hospital where

they received emergency treatment. In September 2013 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, including live fire, against Palestinians and others involved in demonstrations in the West Bank and East Jerusalem, killing 13 (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.

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. 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 lethal use of force. There were reports the IDF killed at least one person with “nonlethal” crowd control devices, including sponge rounds, which typically include an aluminum base and plastic body.

On January 1, an 85-year-old man in Kafr Qaddum reportedly died after inhaling tear gas when a tear gas canister fired at protesters commemorating the 49th anniversary of the Fatah movement landed inside his home.

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, including for labor organizations (see section 7.a.). In August the media reported that PA security forces raided Future for Palestine, an NGO established by former PA prime minister Salaam Fayyad.

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 “Ministry of Interior” has supervisory powers over all NGOs, allowing the ministry to request documents, and there were instances where the de facto authorities temporarily 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.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **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 departing 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. In July security officials, citing "security reasons," denied 1,463 Palestinians exit to Jordan, although none was arrested, according to Palestinian police data. This total was more than all denied in 2013 (1,266 persons). Many reportedly lived abroad and endured economic and social hardship by being forced to stay abroad.

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 Gaza Strip coast, extending fishing limits 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 the Israeli government generally cooperated with humanitarian organizations in providing protection and assistance to internally displaced persons and refugees; however, both Hamas and Israeli officials constrained UNRWA's ability to operate freely in Gaza. AI and HRW also reported that the Israeli government denied their employees permits to enter 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's interpretation of Islamic norms led to significant restrictions on movement by women.

The Israeli government imposed significant restrictions on movement in the West Bank and between the West Bank and Jerusalem. During Operation Brother's Keeper, parts of the West Bank were on "lockdown" with residents unable to leave their cities or villages. 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 on some major Israeli, Jewish, and Muslim holidays, Israeli authorities enacted "comprehensive external closures," which precluded Palestinians from leaving the West Bank. Generally, Palestinians could enter Israel and Jerusalem through 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, Israeli authorities increased restrictions on Palestinians entering Jerusalem and Israel, only allowing entry to Palestinian men age 50 and above and women age 40 and above. In 2013 authorities allowed men above age 40, women and girls of all ages, and boys below 12 access without permits. According to Israeli authorities, the number of Palestinians crossing checkpoints into Jerusalem on Fridays during Ramadan dipped significantly. For example, on July 18, an estimated 16,300 persons crossed the checkpoints, as opposed to approximately 114,400 who crossed on the same date in 2013.

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 that Israeli 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 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 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 in 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 United Nations 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 armed forces 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.

During the year Israeli security forces restricted movement around parts of Jerusalem, including the neighborhoods of Beit Hanina, Shufat, Silwan, Ras al-Amud, Wadi al-Joz, Al Tur, Jabal al-Mukabir, and Jerusalem’s Old City, where forces established roadblocks and checkpoints. Israeli security forces also blocked entrances to the Jerusalem neighborhood of Issawiya and frequently established checkpoints at other entrances, inspecting each person entering or leaving the neighborhood. NGOs alleged Israeli authorities attempted to limit Palestinians’ 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. They prohibited Palestinians from driving on most roads in downtown Hebron and from walking on Shuhada Street and other roads in the Old City; however, Israeli settlers had 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 authorities subjected entire villages such as Dkaika, southeast of Hebron, to demolition orders. During the year Israeli authorities demolished approximately 600 Bedouin structures, displacing 1,215 persons.

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.

Following Operation Protective Edge, Israel partially eased the severe restrictions on movement and access to the Gaza Strip, imposed following Hamas's rise to power in 2007, by allowing cement, steel bars, and a doubling of aggregate materials through the Kerem Shalom crossing under a UN-brokered mechanism. 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 at checkpoints for periods sometimes lasting up to two hours. Most incidents took place at the Qalandiyah and Az-'Za'ayyem 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 passports to them.

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, 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 with reported delays of several years to obtain them.

Exile: Neither the PA nor Hamas imposed 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 Ministry of Interior again during the year renewed “temporary” orders authorizing the revocation of Jerusalem residency rights from legal residents. Between 1967 and 2013, Israel revoked the status of 14,309 Palestinians from East Jerusalem. In 2013 Israel revoked the residency permits of 106 Palestinians holding Jerusalem identification cards, including 50 women and 24 minors, and reinstated the residency of 35 Palestinians with Jerusalem identification cards. 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)**

OCHA estimated that by August 5, hostilities during Operation Protective Edge internally displaced approximately 520,000 persons in Gaza, who sought shelter in UNRWA schools, public buildings, or with host families. By late August UNRWA housed more than 293,000 IDPs in 85 UNRWA schools across Gaza and



an additional 45,000 in government schools, resulting in the postponement of the school year due to start on August 24. The United Nations reported that as of late August, UNRWA registered an additional 137,000 IDPs living with host families. The United Nations estimated 96,000 Palestinian refugee dwellings--more than twice as many homes as initially estimated--were damaged or destroyed, according to UNRWA's technical assessment completed on December 15. At year's end UNRWA school buildings continued to serve as shelters for 19,010 IDPs as a result of Operation Protective Edge.

In the West Bank and East Jerusalem, OCHA estimated that house demolitions, as of December 29, displaced 1,177 individuals. According to OCHA a number of policies drove displacement in the West Bank and East Jerusalem; these included displacements linked to settlement activity. In Area C and East Jerusalem, authorities have demolished hundreds of Palestinian homes and other structures each year due to the lack of Israeli-issued building permits. According to OCHA, restrictive planning makes it almost impossible for Palestinians to obtain permits, while providing preferential treatment for Israeli settlements. OCHA noted that in many cases displacement results from a combination of factors, including settler violence, movement restrictions, and restricted access to services and resources. Authorities also displaced Palestinians in East Jerusalem due to forced evictions, facilitating takeover of their property by settler organizations, and making it difficult for Palestinians to secure residency status.

In addition to demolition-related displacements, during the year the Israeli government carried out "punitive demolitions" of the homes of individuals suspected of serious crimes and the homes of their families (see section 1.f.).

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.

### **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 754,411 registered Palestinian refugees in the West Bank and more than 1.24 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 a 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. UNRWA estimated that, prior to Operation Protective Edge, more than 70 percent of the population of the Gaza Strip depended on services provided by UNRWA. Operation Protective Edge affected the entire population of the Gaza Strip, and by mid-August, UNRWA and the World Food Program began food distributions designed to reach the entire 1.8 million population of Gaza.

Israeli security operations in the West Bank and East Jerusalem rose significantly during the year, leading to a sharp increase in both injuries and fatalities to Palestinian refugees. In 2013 UNRWA began reporting a sharp increase in the number of Palestinian refugees killed and injured during law enforcement activities carried out by Israeli security forces in the West Bank and East Jerusalem. This trend continued during the year. UNRWA observed increased IDF use of live ammunition during confrontations with Palestinian refugees. According to UNRWA, in 2012 there were no Palestinian refugee fatalities and 38 injuries in confrontations with the IDF, none as a result of live ammunition. In 2013 there were 17 fatalities among refugees, including 15 from the use of live ammunition, and 486 injuries, 49 caused by live ammunition. As of August 26, there were 17 fatalities among refugees, including 16 from live ammunition, and 697 injuries in and around camps, including 142 caused by live ammunition.

Access to Basic Services: All UNRWA projects in the West Bank and Gaza Strip required Israeli government permits. Many planned UNRWA construction projects in the Gaza Strip remained pending approval by Israeli authorities. Between March 2013 and August 2014, Israeli authorities approved only one new construction project, valued at more than \$111 million, of 38 proposed projects UNRWA submitted for approval. As of late 2012, 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 11 months of the year, movement restrictions imposed by Israeli authorities on the West Bank resulted in the loss of 22 UNRWA staff days. During that same period, on 16 occasions at checkpoints entering Jerusalem, Israeli authorities refused to permit UNRWA staff members in UN vehicles to cross without a vehicle search, which UNRWA stated would have violated UN immunity. On one of these occasions, Israeli authorities carried out an unauthorized vehicle search in violation of the immunity of the United Nations. On the other 15 occasions, the UN vehicle turned back in order to attempt crossing

at a different checkpoint. On 11 additional occasions, Israeli authorities carried out unauthorized searches of UNRWA vehicles at other West Bank checkpoints. 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 prior to the outbreak of hostilities in July and August, due in part to an inability to import spare parts and components under Israeli import restrictions. During Operation Protective Edge, Israeli armed forces destroyed electrical, water, and other public infrastructure. Estimates of the cost to repair the damage ranged from 15.6 billion to as high as 31.2 billion Israeli new shekels (\$4-\$8 billion).

The deterioration of socioeconomic conditions during the year severely affected refugees in the Gaza Strip, even before Operation Protective Edge. In 2013 the rate of food insecurity reached 56 percent among refugees, and UNRWA reported that food security continued to deteriorate due to regional developments, tunnel closures, and increases in food prices.

A shortage of school buildings during the year meant that quality of education was a major problem, resulting in a double-shift system, shorter hours, and a high number of students per classroom. Prior to Operation Protective Edge, UNRWA operated 245 schools in 156 school buildings with more than 230,000 refugee students in the Gaza Strip. During the 2013-14 school year, approximately 86 percent of UNRWA schools in the Gaza Strip operated on a double-shift system, with an average of 38 pupils per classroom. During Operation Protective Edge, hostilities damaged 83 of these schools.

### **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 ability to elect their government through democratic means, but the PA has not held elections in the West Bank, East Jerusalem, or Gaza since 2006. Residents of the Gaza Strip under Hamas since 2007 were unable to choose their own government or hold it 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 PA Basic Law that international observers concluded generally met democratic standards in providing citizens the ability to change their government peacefully. Hamas-backed candidates participated in the 2006 PLC elections as the “Change and Reform 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 and Political Participation: 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, which represented West Bank, Gaza, and East Jerusalem districts, 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 on each case. The PA attorney general has responsibility for combating official corruption. There were allegations of 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.

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 services, including the General Intelligence 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 hold and publish press conferences, and it provided the ICRC with access to most detainees. NGOs reported temporary difficulty in reaching some areas in Gaza during the July-August hostilities.

The United Nations or 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 the Israeli government blocked the delivery of humanitarian aid. 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.

In July the Human Rights Council established an international commission of inquiry "to investigate all alleged violations of international humanitarian law and international human rights law in the 'Occupied Palestinian Territory,' including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military operations conducted since June 13." The government of Israel announced it would not cooperate with the commission of inquiry stating that it unfairly focused on Israel and not on terrorist attacks by Hamas. In November the UN secretary-general announced a board of inquiry to investigate attacks on UN facilities in Gaza during Operation Protective Edge and incidents in which the IDF found weapons at those facilities. The inquiry continued at year's end.

Government Human Rights Bodies: The 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 of any criminal responsibility rapists who marry their victim. 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 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. 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. The ministry continued implementing its 2011-13 Cross-Sectoral National Gender Strategy, which seeks to promote gender equality and empower women. This strategy highlights multiple challenges Palestinian women face that require the attention, cooperation, and coordination of public institutions, NGOs, and the

private sector, as well as international and regional organizations supporting women's problems. It serves as a reference for developing appropriate and gender-responsive policies to positively influence the socioeconomic and political conditions of women and men and enable women to enjoy fully their rights in equity within Palestinian society.

Female Genital Mutilation/Cutting (FGM/C): There were reports FGM/C occurred in the past, but none during the year.

Other 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 eight "honor killings" in the West Bank and Gaza through March. The center reported the number of "honor killings" increased to 27 in 2013 from 13 in 2012.

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 UNRWA continued holding workshops for Palestinian men, underscoring their role in family planning. According to the UN Population Fund, in 2012, 39 percent of women ages 15 to 49 used a modern method of contraception. 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. Authorities, and community and international NGOs operated HIV/AIDS education, prevention, and screening programs, but 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 religious group. 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's "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 stated they felt unsafe using public bathing or latrine facilities 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 (see section 7.d.). 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 systemic.

## **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 Israeli Ministry of Defense’s Civil Administration) if they are born in the occupied territories to a parent who holds a Palestinian identity card. The PA Ministry of Interior and the Israeli Civil Administration both play a role in determining a person’s eligibility.

Israel registers the births of Palestinians in Jerusalem, although Palestinian 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. UNRWA and authorities in Gaza provided instruction. In addition to the PA-provided curriculum, UNRWA provided specialized classes on human rights, conflict resolution, and tolerance. There were reports Hamas instituted new courses on military training in its schools.

As of September, UNICEF reported 162 attacks on schools in the West Bank, amounting in some instances to periodic denial of access to education. Israeli authorities and Israeli settlers were responsible for the attacks. Instances included Israeli military operations inside or near schools, cases of military use of schools by Israeli security forces, and situations in which children lost school time as a result of the detention by Israeli security forces of teachers and schoolchildren while on their way to and from school, or as a result of Israeli security forces causing delays at checkpoints or due to the military convoys.

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.

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. UNICEF and other NGOs reported that children in the Gaza Strip experienced a range of physical and mental distress as a result of Operation Protective Edge, with at least 373,000 children requiring direct and specialized psychosocial support. The UNICEF-led Child Protection Working Group finalized and disseminated the Child Protection Rapid Assessment and the Child Protection Response Strategy during the year. Among the main findings of the rapid assessment, 100 percent of respondents confirmed there had been changes in children's behavior as a result of the psychological distress due to Operation Protective Edge, and 54 percent of respondents reported increased aggression toward children, noting that caregivers' attitudes towards children changed following the conflict. The results of the Child Protection Rapid Assessment were used to improve targeted response to children in Gaza.

Early and Forced 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.

Female Genital Mutilation/Cutting (FGM/C): There were reports FGM/C involving children occurred, although no cases were documented during the year.

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 less than age 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. B'Tselem reported 463 children were displaced due to home demolitions in the West Bank and East Jerusalem during the year. UNRWA reported that as of December 18, 10,050 children remain displaced in the Gaza Strip as a result of Operation Protective Edge.

### **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. 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. Following a string of vehicle assaults by Palestinians on Israelis in Jerusalem, the Palestinian press and social media widely circulated cartoons encouraging such attacks. During the July-August hostilities in the Gaza Strip, some commentators attempted to draw parallels between Israeli military action and Nazi Germany or Israeli bombardment and the 9/11 attacks in the United States. Israeli forces were at times dehumanized in Palestinian media; for example, in August an Israeli fighter pilot was depicted as a snake, and in July a columnist characterized the hostilities as a “battle of humanity against the dogs.” In July an imam in Jerusalem reportedly called for annihilating the Jews.

There were also instances in which Palestinian media outlets published content that was anti-Semitic. In July an opinion piece published by the PA’s *al-Hayat al-Jadida* mentioned “The Protocols of the Elders of Zion” and blood libel as if it were factual. 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. In July a televised Hamas sermon promised that Muslims would exterminate the Jews for taking Palestinian land.

### **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 it 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 UNRWA's policy was to provide accessibility in all new structures. Disability rights NGO Bizchut reported a lack of accessible transportation services in East Jerusalem.

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 in isolation detainees deemed mentally disabled or a threat to themselves or others without a 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 Bedouins frequently 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.

### **Acts of Violence, Discrimination, and Other Abuses 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 or gender identity. NGOs reported Hamas also harassed and detained persons due to their sexual orientation or gender identity.

### **HIV and AIDS Social Stigma**

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.

### **Other Societal Violence or Discrimination**

OCHA, the Jerusalem Legal Aid Society and Human Rights Center, and other NGOs reported 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 harassment and to keep them away from land settlers sought to acquire.

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 were 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 January 6, IDF soldiers allowed masked Israeli settlers to enter the West Bank village of Urif, where they smashed the electric meter of the water reservoir under construction and threw stones at a nearby Palestinian home and the village school. A video recording provided to B'Tselem by a resident of Urif documented the incident.

On January 15, arsonists burned a mosque in the West Bank Palestinian village of Deir Istya. The arsonists also spray-painted slogans in Hebrew on an exterior wall and door: "Arabs out," "Hi from Qusra," and "Revenge for spilled blood in Qusra." (Qusra is the West Bank village where on January 6 Palestinian residents captured and detained a group of Israeli settlers who they claimed were about to engage in violent acts.)

In May an IDF soldier in Hebron was filmed threatening to shoot a Palestinian and told the Palestinian that his job was "to protect Jews, not you."

On July 26, an Israeli settler shot and killed a Palestinian near the northern West Bank town of Huwara. No action was taken against the Israeli settler by year's end.

In August, B'Tselem published a video that appeared to show IDF soldiers standing passively while Israeli settlers threw stones at Palestinians in Hebron. The soldiers intervened only when Palestinians threw stones in response; the soldiers then used crowd-control measures on the Palestinians.

During the year B'Tselem followed 12 cases in which Palestinians filed complaints with the Israeli police about incidents of settler violence. According to B'Tselem none of these cases resulted in an indictment.

"Price tag" attacks (property crimes and violent acts by extremist Jewish individuals and groups in retaliation for activity they deemed antisettlement) continued. For example, in February IDF soldiers allegedly sprayed anti-Arab graffiti in Beit Ummar in the West Bank. In June vandals wrote "Death to Arabs" and "Price Tag" on a wall and allegedly attempted to attack a Palestinian man in Maale Adumim. The Jerusalem district attorney indicted three Israelis in

connection with the incident, and the case was pending at year's end. On October 1, a group of settlers burned a mosque in Aqraba village near the West Bank city of Nablus. Graffiti on the walls of the mosque read "Death to Arabs," "Revenge and Paying the Price," and "Muhammed is a pig."

In July groups of Israelis, some of whom chanted "Death to Arabs," attacked Palestinians in Jerusalem on at least two occasions, resulting in the hospitalization of victims. The INP arrested 10 suspects; as of August they awaited trial.

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 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, in 2000 Israel began curtailing the Palestinian population registry by 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. Oslo-era agreements limited Palestinians in the amount of water they can draw from West Bank aquifers. 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 the PA's own management problems.

During Operation Protective Edge, the IDF destroyed water and electricity infrastructure in Gaza, resulting in severe water shortages and closing Gaza's only power plant. The Israeli military continued to destroy water cisterns, some of



which donor countries had 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.

Palestinians living within the borders of the Jerusalem Municipality, but cut off from it by the separation barrier, reported that the municipality failed to provide basic services, including water, police, and infrastructure. NGOs estimated that from March to June thousands of residents of Shufat refugee camp and Ras Khamis neighborhood suffered from limited access to water.

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 Palestinian residents of Jerusalem, and homes built by Palestinian 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 Palestinians (including Israeli-Palestinians) 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 not available for Palestinian construction.

The Israeli government and Jewish organizations in Jerusalem made efforts to increase Israeli property ownership or underscore Jewish history in predominantly Palestinian 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, 75 percent of Jerusalem Palestinians lived in poverty, and 82 percent of East Jerusalem children lived below the poverty line. Only 53 percent of students attended official municipal schools. There was a chronic shortage of more than 2,000 classrooms in East Jerusalem's official school system, and despite commitments made by Israeli authorities and a high court ruling that the

municipality must 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, only five were in Palestinian neighborhoods.

## **Section 7. Worker Rights**

Fatah and Hamas signed a reconciliation agreement in April and PA President Abbas subsequently formed an interim government of independent technocrats, but the PA exerted only limited influence in Gaza. Hamas continued to maintain de facto control of the government and worker rights in Gaza.

### **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 servants or domestic workers, although the law allows civil servants the right to form unions. The requirements for legal strikes are cumbersome, and strikers had little protection from retribution. Prospective strikers must provide written 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 claimed the current system benefitted employers. Authorities had not established a specialized labor court as required by labor legislation. Some judges received training in labor regulations, which

reportedly improved the time to process a labor case to approximately one year. 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. On November 9, PA security forces arrested Bassam Zakarneh, head of the PA Public Employees Union, along with his deputy, following the completion of a long-term partial strike as well as a one-day full strike to protest the lack of a cost-of-living allowance. The PA's Ministry of Labor released a statement justifying the arrests under a 2012 presidential declaration that the union "operated without union status" and was therefore in violation of PA laws. Authorities subsequently released both men pending trial. 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. 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. Despite a 2008 high court ruling requiring Israeli law to be applied to workers in settlements, 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**

Forced labor occurred in the occupied territories. PA law does not expressly forbid forced or compulsory labor. A western government's labor research found no evidence of laws against trafficking children. Women working as domestic workers were vulnerable to forced labor conditions in both the West Bank and the Gaza Strip, since the PA does not regulate domestic labor within households. Forced child labor also occurred (see section 7.c.).

Also see the Department of State's Trafficking in Persons Report at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The Palestinian Authority has no unified or comprehensive set of child labor laws. The Unified Labor Law of 2000 and the Palestinian Child Law of 2004 prohibit the employment of any person less than age 15. The law classifies children as those under age 18 years, and it restricts employment for those between 15 and 18. The law permits hiring children between 15 and 18 for certain types of employment under set conditions. The law allows children younger than age 15 to work for immediate family members under close supervision.

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 Social Affairs is charged with coordinating efforts to protect children's rights, while the Ministry of Labor's Inspection and Protection Administration is responsible for enforcing the law. The Ministry of Labor reported that 29 percent of its labor inspectors had training and experience in dealing with child labor, a proportion 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 Ministry of Social Affairs and Ministry of Labor reported that only employers who

hired children less than 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. The Ministry of Labor requires that employers keep lists of employees, including children, although some employers reportedly did not keep accurate records of children they employed, hiding them from inspection. PA officials reported fining “numerous” persons after successful investigations conducted by the PA Ministry of Labor in recent years. The ministry inspected only businesses operating in the formal economy and was unable to conduct investigations in the Gaza Strip. It did not 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 3.5 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* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment or Occupation**

The law and regulations do not prohibit discrimination regarding race, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Laws prohibit discrimination on the bases of gender and disabilities; however, the government did not effectively enforce those laws and regulations.

There was discrimination based on the above categories with respect to employment and occupation. For further discussion of discrimination on the basis of gender, sexual orientation, HIV status, and disability, see section 6.

### **e. Acceptable Conditions of Work**

The PA cabinet approved a minimum wage of 1,450 new Israel new shekels (\$370) 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. In 2011, the date of the most recent official estimate, the PA estimated 25.8 percent of the residents in the occupied territories lived below the poverty line.

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 estimated they would need at least 300 inspectors to enforce the labor laws adequately. The PA did not effectively monitor smaller worksites, which were at times below legal safety standards. In 2013 the Ministry of Labor reported 752 workplace injuries, including 20 fatalities. By law workers do not have the legal protection to remove themselves from situations that endangered their health or safety without jeopardy to their employment.

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 designated as 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, in 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. Reportedly, 59.9 percent of laborers (378,868 persons) worked in the large informal sector. Some of the activity included work in illegal smuggling tunnels between the Gaza Strip and Egypt, but the majority of the dangerous work conditions occurred across multiple jobs, including rubble and garbage collection, working as street vendors, manufacturing, construction, as car mechanics, in metal workshops, on poultry farms, in solid waste collection, collecting gravel, and in building demolition.