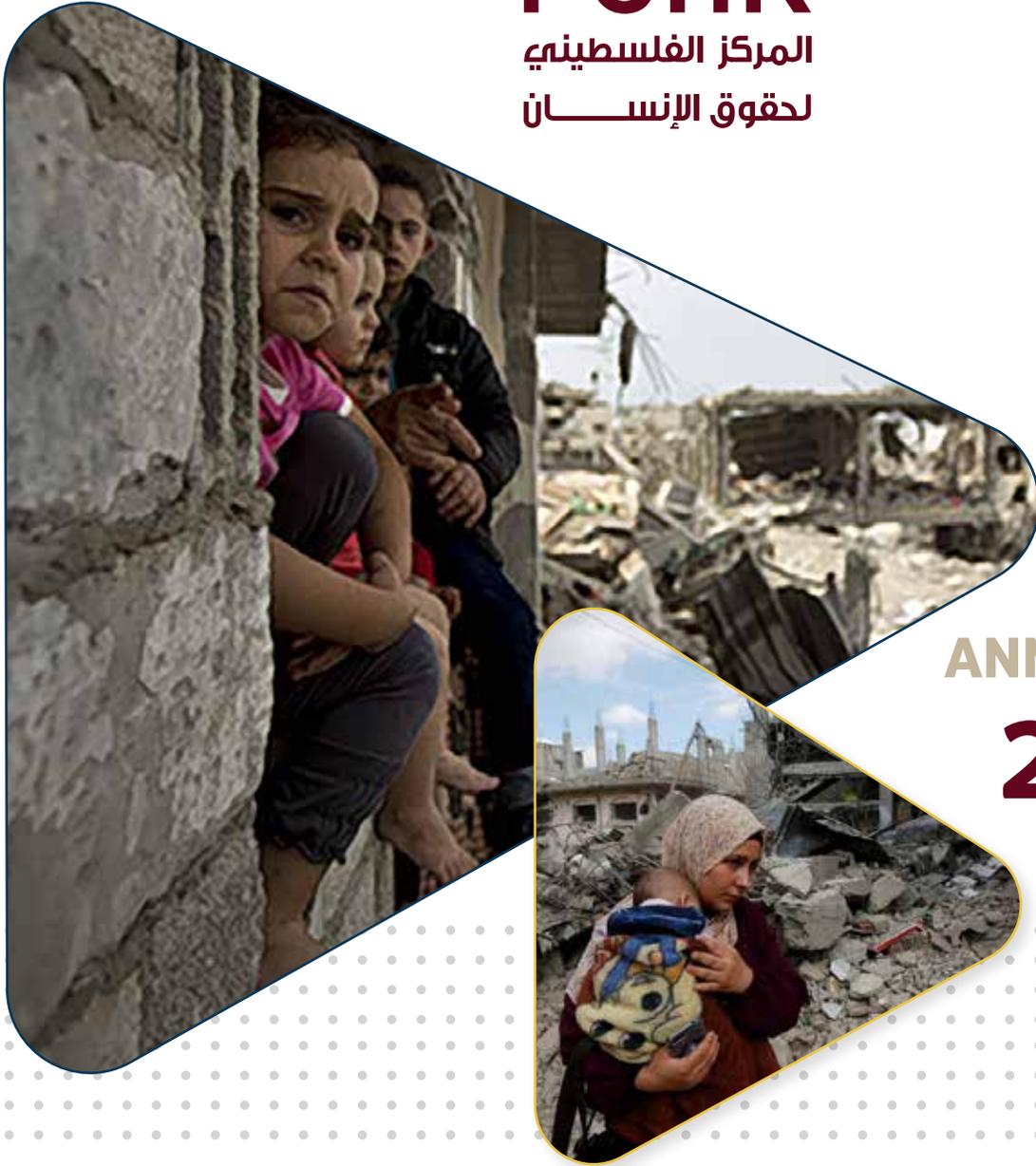




# PCHR

المركز الفلسطيني  
لحقوق الإنسان



## ANNUAL REPORT 2021

Human Rights  
in the occupied Palestinian Territory (oPt)



The Centre is an independent Palestinian human rights organization (registered as a non-profit Ltd. Company) based in Gaza City. The Centre enjoys Consultative Status with the ECOSOC of the United Nation. It is an affiliate of the International Commission of Jurists-Geneva; the International Federation for Human Rights (FIDH) – Paris; member of the Euro-Mediterranean Human Rights Network – Copenhagen; member of the International Legal Assistance Consortium (ILAC) – Stockholm; member of the Arab Organization for Human Rights – Cairo; and member of the World Coalition against the Death Penalty – Rome. It is a recipient of the 1996 French Republic Award on Human Rights, the 2002 Bruno Kreisky Award for Outstanding Achievements in the Area of Human Rights and the 2003 International Service Human Rights Award (UNAIS). The Centre was established in 1995 by a group of Palestinian lawyers and human rights activists in order to:

- » Protect human rights and promote the rule of law in accordance with international standards.
- » Create and develop democratic institutions and an active civil society, while promoting democratic culture within Palestinian society.
- » Support all the efforts aimed at enabling the Palestinian people to exercise its inalienable rights in regard to self-determination and independence in accordance with international Law and UN resolutions.

The work of the Centre is conducted through documentation and investigation of human rights violations, provision of legal aid and counseling for both individuals and groups, and preparation of research articles relevant to such issues as the human rights situation and the rule of law. The Centre also provides comments on Palestinian Draft Laws and urges the adoption of legislation that incorporates international human rights standards and basic democratic principles. To achieve its goals, the Centre has recruited a committed staff of well-known human rights lawyers and activists.

## **The Philosophy of the Centre's Work**

The Centre determined after a thorough legal assessment of the peace accords signed by the PLO and the Israeli government that the occupation would continue both physically and legally. According to these agreements Israel has redeployed its forces inside the West Bank and the Gaza Strip, while Israeli settlements and military installations maintain their presence in Palestinian territory. The major legal aspects of the Israeli occupation remain in place. Israeli military orders that safeguard Israeli control over the Palestinian people and their land remain valid in accordance with the peace agreement. The Israeli military court is still functioning and to this day thousands of Palestinians languish in Israeli prisons. The essential elements of the Palestinian issue remain unresolved - the right to

self-determination, the right to an independent Palestinian state with its capital in Jerusalem, the right of return for Palestinian refugees, and the right to remove illegal Israeli settlements from the Occupied Territory. All of these constitute basic unfulfilled rights of the Palestinian people. In light of this wide-ranging disregard for Palestinian rights, the Centre concludes it must continue its work to protect Palestinian human rights from ongoing violations by the Israeli government and courts.

The peace accords and the major political changes resulting from the agreement, including the establishment of the Palestinian National Authority in part of the Occupied Territories, has led to a vital and active role for the Centre in protecting civil and political rights and in promoting the development of democratic institutions, an active civil society, and a democratic legal system in Palestine.

#### » **Work Units of the Centre**

The Centre is composed of specialized working units which carry out their activities in an autonomous but integrated manner.

#### » **Fieldwork Unit**

The fieldwork is considered the basic activity of the Centre. Well-trained field workers located in different areas of the Gaza Strip obtain accurate and documented legal information on human rights violations in the Gaza Strip. They gather information in the field from victims and witnesses of human rights violations. The information is received by the coordinator of the unit and other researchers to verify accuracy. Through the field workers' presence in the field the Centre has been able to maintain close contacts with the community. In this way, the community is able to influence the work of the Centre and the Centre is able to meet the community's interests and demands.

#### » **Legal Unit**

This unit is composed primarily of a team of lawyers who give free legal aid and counseling to individuals and groups. The unit also carries out legal intervention with concerned bodies and makes legal representations before courts in cases that involve broad principles of human rights that affect not just the individual before the court but the community as a whole. Furthermore, the unit attempts to support the independence of the judiciary and the rule of law.

» **Democratic Development Unit**

This unit specializes in the promotion of democracy and the promotion of civil society and the rule of law. The unit's team carries out research and organises workshops and seminars to discuss issues on human rights and democracy. The unit's team also prepares comments on draft laws prepared by the Palestinian Authority in an effort to influence the decision-making process and the adoption of democratic laws. The unit has been also involved in providing training on human rights and democracy for youth groups.

» **Economic and Social Rights Unit**

This unit seeks to ensure the importance of economic and social rights through research and study. Such work is particularly important because it tends to be neglected, to some extent, by other human rights organizations. To achieve its goals the unit conducts studies, workshops, and seminars that focus attention on economic and social rights in the West Bank and Gaza Strip. The unit seeks to develop recommendations and standards for each of these rights to be fulfilled in the Palestinian situation. Moreover, the unit reviews and assesses the legislation and draft laws pertaining to these rights adopted by the Palestinian Authority in an effort to secure legislation that is in harmony with international standards. The unit further seeks to provide an informative training base for governmental and non-governmental personnel who are empowered to set plans and implement

programs and policies relevant to these rights. The goal of such training is to help bring economic and social rights into alignment with the standards accepted internationally and to ensure the maximum degree of implementation of these rights.

» **Woman Rights Unit**

This Unit was established as a pilot project in May of 1997 for one year, renewable upon assessment of its accomplishments. The initial project was established after a thorough and comprehensive study of the conditions of Palestinian women and the work of women's institutions in the Gaza Strip. The Unit aims to provide legal aid for women and women's organizations. Intervention on behalf of women in *Shari'a* courts is included in its mandate. The Unit further aims to raise awareness of women's rights established by international human rights conventions and to raise the awareness of Palestinian women in regard to their rights under local law. Finally, the Unit is carrying out studies on Palestinian women and the law, while supporting the amendment of local laws inconsistent with women's rights.

### » The Training Unit

The Training Unit is a main instrument in PCHR's work in disseminating and developing a human rights culture, and promoting democratic concepts in the local community with all its various segments. The Unit organizes and holds training courses and workshops in order to develop theoretical knowledge and provide professional skills that can contribute to a real change in the behavior of the society, which in turn can promote respect for, and protection of human rights and participation in community building. The target groups of the training courses and workshops are particularly the youth, including university students, activists of political parties, lawyers, media, union members, and other civil society groups.

### » The Library

The Centre has established a specialised legal library in subjects related to local and international law, human rights, and democracy. The library includes books and periodicals in both Arabic and English and includes all Palestinian laws and Israeli military orders. Documents pertaining to laws of neighbouring Arab countries are also available. Furthermore, the library includes a variety of books and periodicals detailing the Palestinian question and the Arab-Israeli conflict. The library is open for the free use of researchers, academics, and students.

## Funding of the Centre

The Centre is funded by the generous contributions of a number of international non-governmental organizations in the fields of human rights, democracy, and social justice and a number of Governments which has friendly relationships with the Palestinian people.

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The Palestinian Centre for Human Rights is an independent legal body dedicated to the protection of human rights, the promotion of the rule of law, and the upholding of democratic principles in the Occupied Territories. Most of the Centre's activities and interests concentrate on the Gaza Strip due to the restriction on movement between the West Bank and Gaza Strip imposed by the Israeli government and its military apparatus.

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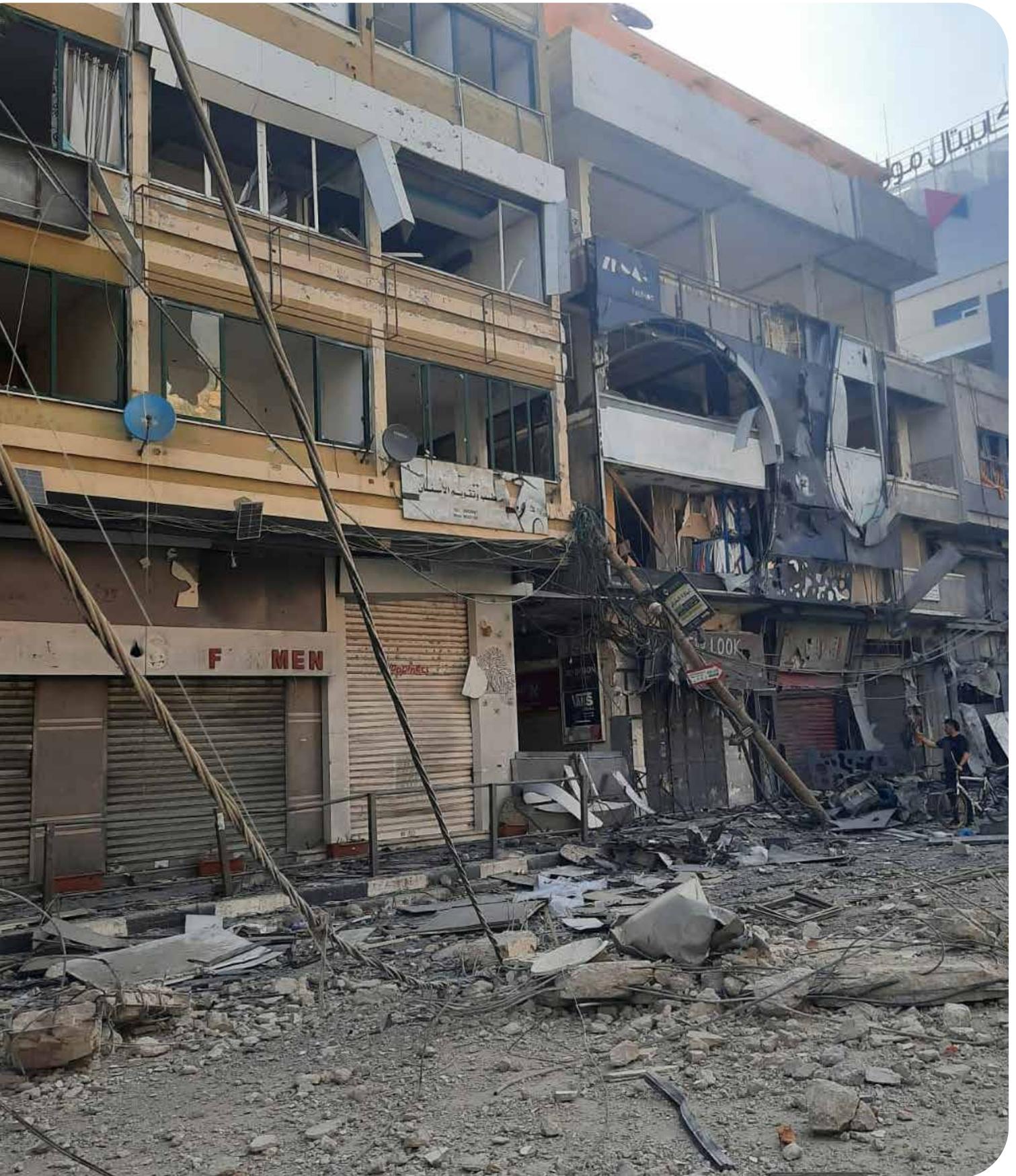
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# **ANNUAL REPORT 2021**

The Palestinian Centre for Human Rights' annual report on the human rights situation in the occupied Palestinian territory (oPt) is a reflection of the Centre's work throughout the year; a tradition that the organization has preserved since 1997.

**The annual report comes in two parts:**

- \* **Part I:** a comprehensive and detailed picture of the human rights situation in the oPt from 01 January to 31 December 2021. It is divided into two sub-sections:
  - » Israeli occupation forces violations of international human rights law and international humanitarian law in the oPt; and
  - » Human rights violations perpetrated by the Palestinian Authority (PA) and obstacles to democratic reform in the PA.
- \* **Part II:** a detailed account of PCHR's programs from 01 January to 31 December 2021. It reports on the Centre's local and international activities and achievements throughout the year.

PCHR hopes this report will follow suit with its previous editions in portraying a clear and comprehensive picture of the human rights situation in the oPt, and that its recommendations will be taken into consideration by the relevant bodies, especially the international community and PA. This report serves as a guide for PCHR's future work and strategies and reflects its strong commitment and belief in the importance of transparency for non-profit and non-governmental organizations that provide services to the community. Lastly, publishing and informing on PCHR's activities is an open call for all victims of human rights violations to approach PCHR for advice and assistance.



**Part I:**

# **Human Rights in the occupied Palestinian territory**

**Executive Summary**

The year 2021 was eventful with significant implications for the human rights and international humanitarian law situation in the occupied Palestinian territory. The year commenced with the Prosecutor of the International Criminal Court's decision to open a criminal investigation into the Situation in Palestine, a milestone that crowns decades of perseverance by the Palestinian Centre for Human Rights and other human rights organizations against a lengthy record of war crimes committed by the Israeli occupation and its forces against Palestinian civilians and their properties, with full compliance by the Israeli judicial system.

Voices around the globe went loud and clear branding Israel as an Apartheid State after calls to demask the last-standing throne of racism in the world by prominent international and Israeli human rights organizations. Still, Israeli launched a wide-scale military aggression on the Gaza Strip in May 2021, killing hundreds of civilians, as the occupying power reaffirms its indifference towards its international obligations, and highlighting the urgent need for an international intervention to protect Palestinian civilians, and prosecute suspected perpetrators of war crimes before international justice. In response to the Israeli attacks, the United Nations' Human Rights Council established a permanent independent international commission of inquiry with the mandate to conduct an investigation in the occupied Palestinian territory, including East Jerusalem, as well as the territory occupied in 1948, into all violations of international humanitarian law and international human rights law, and to identify the underlying causes of the tensions in Jerusalem and the causes of the conflict in the Gaza Strip.

The year was also marked with an unprecedented escalation in Israeli attacks on Palestinian civil society with the designation of six pioneering civil society organizations as terrorist organizations, with the intention to silence Palestinian civil society organizations and delegitimize organizations that have provided a wide-range of services to society under the occupation, some for more than 55 years. The targeted organizations included ones that are involved in the efforts of international prosecution for Israeli war criminals.

On the Palestinian agenda, the delay of the general elections, which were scheduled to be held in May 2021, depressed hopes and efforts for national Palestinian reconciliation and legitimization of the Palestinian Authority's bodies who have lost representative legitimacy more than a decade ago.

On 3 March 2021, the ICC Prosecutor announced her decision to investigate crimes within the jurisdiction of the Court committed in the Occupied Palestinian Territory. This development was the most significant strategic milestone for PCHR and other Palestinian human rights' organizations work. The Prosecutor's decision followed decision of the Pre-Trial Chamber on 5 February 2021 on the jurisdiction of the International Criminal Court over occupied Palestine, namely the Gaza Strip and the West Bank, including Jerusalem. The decision revived the hope for justice that Palestinian victims seek and was a major step forward in efforts to prosecute Israeli war criminals internationally, especially after the Israeli judiciary denied Palestinians justice and the Israeli occupation's foreign allies blocked the way for Palestinians to enjoy redress under the principle of universal jurisdiction.

Immediately after the ICC made its announcement, PCHR commenced a relentless effort as legal representative for a large number of victims of the recurrent Israeli attacks on the Gaza Strip and went ahead with the third stage of its strategic work on the ICC – which started since the establishment of the Court. PCHR verified the representatives of victims and eyewitnesses before the ICC and sent a delegation to meet with ICC officials and to prepare for legal representation of victims before the Court.

Another strategic breakthrough was the rising calls by international and Israeli human rights organizations to brand Israel as an apartheid state due to the racist reality it has created in the oPt. Early in the making of this report, Amnesty International issued a detailed report that confirms with evidence the application of the apartheid crime on the practices of the Israeli occupation in the Palestinian territory. Amnesty's report was preceded by two others with the same conclusion, first was issued by B'Tselem in January 2021, and the second was issued by Human Rights Watch in 2021. These efforts are essential to unmasking the Israeli apartheid system and opening new horizons for international work to counter it and put an end to its consequences on the Palestinian people. This breakthrough in human rights advocacy follows half a century of Palestinian human rights organizations' work on documenting the many facets of the Israeli apartheid, including discriminatory legal, legislative, administrative, and political foundations, through which Israel imposed a Jewish hegemony over all territory under its control from the river to the sea, accompanied by systematic deprivation of Palestinians' basic rights,

geographic fragmentation, and isolation of Palestinians into administrative and political bodies under the control of the Israeli occupation; on top of the systemic theft of Palestinians' natural resources, and lands for settlement expansion purposes.

Nonetheless, the Israeli occupation forces continued its mass attacks and abhorrent disregard for the sanctity of Palestinian blood this year. On 10 May 2021, the Israeli occupation forces (IOF) launched a widescale military operation on the Gaza Strip and dubbed it as "Guardian of the Walls." During the 11-day aggression, IOF used the most-advanced munitions in its military arsenal, including warplanes, artillery, and gunboats, targeting with tons of explosives and guided missiles civilian houses and properties as well as the infrastructure and different governmental, non-governmental and private sectors. As a result, hundreds of civilians were killed and injured; and properties were massively destroyed, causing a humanitarian crisis to tens of thousands of residents. IOF's strikes targeted civilian neighborhoods, causing destruction to the civilian properties, and inflicting civilian casualties, the most intensive and brutal of all was on al-Wehda Street in central Gaza City on Day 7 of the offensive when tens of houses and multi-story buildings were destroyed over the heads of their occupants.

Following the Israeli aggression against the Gaza Strip, the Human Rights Council (HRC) decided on 27 May 2021 to form an independent international commission of inquiry, with the mandate to conduct an investigation in the occupied Palestinian territory, including East Jerusalem, as well as the territory occupied in 1948, into all violations of international humanitarian law and international human rights law, and to identify the underlying causes of the tensions that started since 13 April 2021, i.e. the escalation in Sheikh Jarrah neighborhood in Jerusalem, and the causes of the conflict, including discrimination and repression on the basis of religious and ethnic identity.

The designation of six pioneering Palestinian civil society organizations as terrorist organizations, was the most recent in the Israeli occupations series of attacks on Palestinian civil society and human rights defenders. In October 2021, Israeli Defense Minister designated six pioneering Palestinian civil society organizations as terrorist organizations, allegedly for affiliations with the Popular Front for the Liberation of Palestine, aiming to free Palestine and abolish the State of Israel. The decision was met with wide criticism from international legal bodies, including the High Commissioner for Human Rights and Special Rapporteurs at the United Nations Human Rights Council.

Throughout the year, the human rights situation in the oPt was on the decline. In the West Bank,

IOF continued to impose a new demographic reality on the ground through the construction of settlements, that are illegal and illegitimate under international law, and to let loose its settlers attacking Palestinian civilians and their properties, in an attempt to force them to leave to pave the way for confiscation of their lands.

IOF continued to kill Palestinian civilians, in a premeditated and systemic manner, on military checkpoints, at peaceful protests against the occupation, and during its raids into the oPt. Also, IOF arbitrary arrest policy against Palestinians continued, as thousands were arrested and subjected to degrading treatment, torture, medical negligence, solitary confinement, and other forms of punitive measures. Additionally, IOF enhanced the restrictions on civilians' freedom of movement between Palestinian cities, villages, and refugee camps across the West Bank, separating those communities with the intention to create isolated cantons where Palestinians exist and eliminate communities.

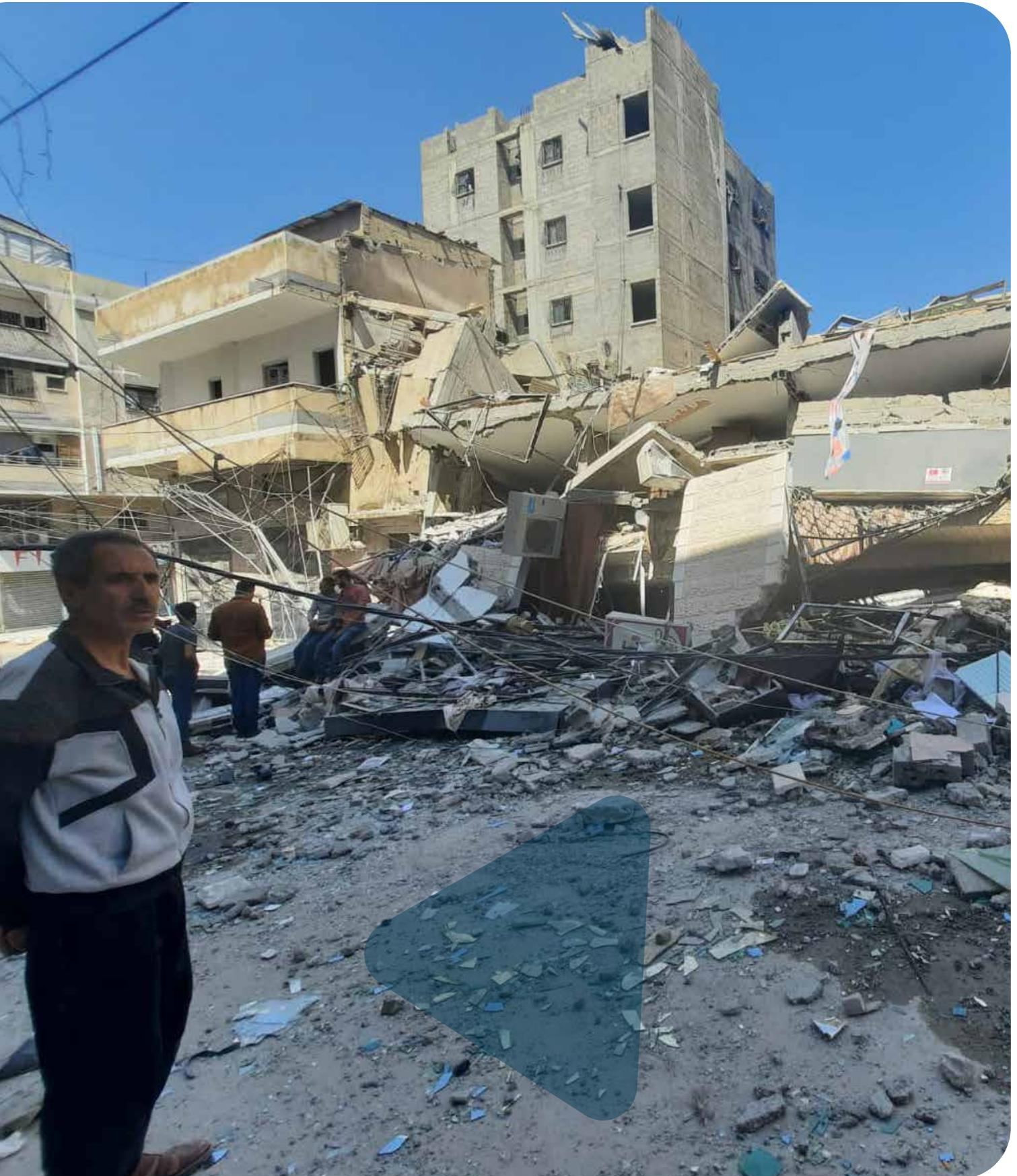
As the Israeli occupation continues to reign over the oPt without accountability, so did their systematic house demolitions and collective punishment policy against the civilian population, as a way to frustrate Palestinians into leaving, particularly in Area C and in Jerusalem.

In the Gaza Strip, IOF enhanced the restrictions of its 15-year going closure; and launched a wide-scale military operation from 10 – 21 May, killing hundreds of civilians including women and children, destroying thousands of civilian homes and establishments, and displacing thousands of civilians. During the aggression, IOF destroyed factories, companies, public facilities, and infrastructure (electric, water, sanitation, communication, roads, etc.). The following period, June, and July 2021 were classified as the worst period of closure and most restrictive in recent years. Also throughout 2021, the occupation authorities maintained restrictions on the import of hundreds of goods that they consider as “dual-use” items, including essential materials for the reconstruction of Gaza following the devastating impact of the Israeli attacks, as well as necessary equipment to fix the extensive damage to Gaza's water and sanitary facilities, power grids and infrastructure.

On the Palestinian agenda, the postponement of the elections which were scheduled to be held in May 2021 was a true disappointment to hopes of ending the Palestinian division and reviving democratic and representative processes in Palestine. This decision followed the Israeli rejection to allow Jerusalemites to take part in the election, despite several calls from civil society and Palestinian factions to unite efforts to ensure that elections do happen at the nearest opportunity. However, the positions of the political leadership continue to reflect a lack

of true political will to hold elections.

Thereby, the Palestinian political division persists and enters its 15<sup>th</sup> year, as do its implications on public freedoms and rights in the West Bank and the Gaza Strip, particularly, political freedoms such as the freedom of expression, peaceful assembly, form associations, political factions, and the right to hold public office on the basis of equal opportunities. It is now the norm to witness persecution, political arrest, attacks on civil society, and violations of freedoms; it is a prominent feature of the Palestinian Authority's rule. Similarly, security services' breaches persisted including arbitrary arrest, disregard for the rule of law, systematic use of torture during interrogation; all with no real oversight due to the dissolution of the Palestinian Legislative Council and stripping the judiciary of its independence after years of division and organized overreach by the executive branch.



# 1. ISRAELI VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL HUMAN RIGHTS LAW

## 1. Willful Killings and Other Violations of the Right to Life and Bodily Integrity

In 2021, IOF killed 206 Palestinian civilians in the Palestinian territory occupied in 1967: 156 killed in the Gaza Strip, and 50 in the West Bank. Of those victims, 75 were children: 59 in Gaza and 16 in the West Bank; and 43 women: 38 in Gaza, and 5 in the West Bank, i.e. 57% of civilian victims were women and children.

The majority of the victims were killed in the Israeli military aggression on the Gaza Strip (10 – 21 May 2021), as 151 civilians were killed, including 59 children and 38 women. Also, 1,968 Palestinians were wounded in the May 2021 Israeli military aggression, including 630 children and 397 women. After the aggression, IOF killed 5 Palestinians in Gaza: 3 at a border-side peaceful protest, and 2 in Israeli shelling.

In the West Bank, IOF killed 50 civilians, including 16 children and 5 women. The majority of those (41, including 10 children) were killed in clashes and protests organized by Palestinians across the West Bank against the Israeli occupation and its oppressive policies in the oPt, or during IOF incursions into Palestinian cities and refugee camps. In the vast majority of these cases, the protestors formed no threat of any kind to soldiers. Additionally, 5 Palestinians were summary executed, and 3 others were killed by settlers. One other Palestinian was killed in a murder crime committed by a special Israeli force against Palestinian activists.

## 2. Ongoing Closure and Restrictions on Freedom of Movement in the oPt

The Israeli occupation authorities maintained its closure policy against Palestinians by isolating them inside the occupied territory, within its scheme of systematic fragmentation of the Palestinian people, which Israel has executed for decades. As a result, Palestinians currently live in isolated Bantustans under Israeli apartheid system.

In the Gaza Strip, IOF continued to impose an illegal and inhumane closure and tightened restrictions on the freedom of movement of persons and goods in the oPt. The Gaza closure entered its 15th consecutive year, and restrictions were tightened at all the crossings, particularly during the 10 – 21 May 2021 military aggression, and the period afterwards where the closure was at its most restrictive in recent years. Throughout the year, Israeli restrictions continued on the import of hundreds of goods that the occupation considers as “dual-use” items, which included essential materials for the reconstruction of Gaza following the devastating impact of the Israeli attacks, as well as necessary equipment to fix the extensive damage to Gaza’s water and sanitary facilities, power grids and infrastructure. Meanwhile, IOF continues to impose restrictions on Gaza exports to the West Bank, Israel, and abroad with a limited exception for the export of quantifiably small Gaza products, mostly agricultural.

The Israeli restrictions on the movement of individuals

to and from the Gaza Strip via Beit Hanoun “Erez” crossing continued all year long, and they applied to all groups – even the limited ones that were granted exit permits. During the military aggression, IOF barred all groups access to the crossing, including patients with medical referrals for treatment abroad.

The naval siege also continued, as Israel continues to deny Palestinian fishermen access to fishing areas, despite the proclaimed authorization for fishermen to fish at a distance between 3 – 15 nautical miles. Also, IOF decreased the allowed fishing area dozens of times throughout the year and imposed a complete sea closure throughout the period of its military aggression in May.

IOF continued to isolate the West Bank cities and establish temporary and permanent checkpoints to restrict movement of civilians and goods between the cities. The construction of the Israeli Annexation Wall within Palestinian lands in the West Bank aggravated civilians’ suffering, whether their residential areas or agricultural lands were locked behind the wall; similarly for people who worked inside those areas. IOF also continued to deny thousands of Palestinians their right to travel via King Hussein bridge and continued to purposefully subject Palestinians to degrading treatment when travelling on IOF-controlled crossings.

Not only did the isolation of Jerusalem continue in 2021, but it was intensified as Palestinians from the West Bank and the Gaza Strip are banned entry into the city, except for limited categories and under strict conditions. Additionally, the occupation erected several electronic gates and police checkpoints within the neighborhoods of Jerusalem’s Old City, and at its entrances. IOF also imposed new restrictions at Bab al-Amoud, as Palestinians were banned from sitting or

gathering in the area and all Ramadan-related activities were also banned. IOF also limited the operational hours for Dahiat al’Barid gate, which is adjacent to Qalandia checkpoint. IOF did not announce hours of operation for Jerusalemite-ID vehicles, and it was continuously shut from the end of May until mid-November 2021.

IOF and Israeli settlers continued their attacks on the Ibrahimi Mosque in Hebron, as a series of violations against the holy site continue since the Israeli occupation of the city in 1967 aiming to impose full Israeli control over the Mosque. During the year, the Ibrahimi Mosque was subject to almost daily attacks, including hampering worshippers’ access through military checkpoints in its vicinity, raids to the Eastern Gate of the Mosque, settler-attacks, and settlers’ establishing tents in its grounds; banning employees access to the site, and entry of construction machinery to the area, along with other forms of daily attacks.

### **3. Arrests, Torture and Other Forms of Cruel and Inhuman Treatment**

In 2021, PCHR documented the arrest of 8,000 Palestinians, including 1,300 children and 184 women. The vast majority of these arrests occurred in the West Bank (7955). There were also 45 arrests documented in the Gaza Strip, 29 at Gaza’s eastern border (including 8 children), 7 at Beit Hanoun crossing, and 9 fishermen who were arrested at sea (including 2 children).

Palestinians in Israeli jails suffer from degrading treatment and inhumane conditions from the first moments of their arrest, as they are subjected to mental and physical torture, including physical abuse, sleep deprivation, threats, and using the strappado. Inside the prison, detainees are subjected to the same treatment, including: solitary confinement, barred of

visitation rights, arbitrary transfer, and deprivation of adequate medical treatment.

In 2021, IOF issued 1,595 administrative detention orders against Palestinians, some were arrested during the year, including children, and others had their sentences renewed more than once – others had been under arrest for years and were put in administrative detention. Israeli occupation authorities put hundreds of Palestinians under administrative detention, and some may be locked for more than a decade; while others have their sentences renewed more than once for a 3 or 6-month periods.

This year, one Palestinian detainee died in Israeli prison. He had health problems and was not offered the necessary medical treatment thought his 13-year time in Israeli jails. He died as a result.

#### 4. Attacks on Journalists and Media Personnel

The year witnessed a noticeable increase in IOF violations against journalists and media outlets in the oPt; PCHR documented 150 violations, including shooting, physical assault, detention, arrests, and summonses for investigation on journalistic work, destruction of media offices, photo-ban, confiscation of equipment, etc. systematically banning journalists from covering incidents, destroying media offices and agencies, and newspaper shutdown.

The considerable increase in the type and volume of attacks on media persons is attributed to three main factors:

**a)** The Israeli military aggression on Gaza where IOF purposefully attacked media offices and press agencies.

**b)** Media coverage of the escalating protests in occupied east Jerusalem in April and May 2021 against the Israeli decisions to deport Palestinian families from Sheikh Jarrah neighbourhood, Israeli violence against Palestinians in Jerusalem during the holy month of Ramadan, and the escalating settler-attacks

**c)** Escalating protests across the West Bank against continued Israeli settlers' attacks on Palestinians and their properties, including physical assaults, run-over attacks, destroying crops, and attempts to form new settlement outposts.

#### 5. Demolition of Civilian Property and Objects

The Israeli forces continued to systematically demolish Palestinian civilian houses and properties in the oPt. This phenomenon peaked in May, as IOF destroyed thousands of civilian objects during its military aggression, including houses, economic facilities, infrastructure (water, electric, communication, sanitation, roads), governmental facilities, tourism facilities, as well as health and culture establishments, in breach of international law and IHL rules on the principles of distinction and proportionality. Consequently, 7,680 residential units were destroyed: 1,313 completely destroyed, and 6,367 partially. These houses sheltered 38,020 persons, including 10,218 children and 17,444 women, as per the documentation of PCHR, Al Haq, and Al Mezan.

In the West Bank, IOF maintained its policy of direct demolitions of civilians homes and other civilian objects, assaulting and confiscating civilian properties, and forcing civilians to self-demolish their homes and fining them. While the West Bank had its fair share of demolitions, East Jerusalem witnessed a remarkably high and organized demolition campaign, which fits under the Israeli intense efforts to create a Jewish majority in occupied East Jerusalem. Additionally, set-

Attacks on Palestinian civilians and their properties continued all under IOF protection.

Demolition and leveling operations increased in favor of settlement projects, as the rate of demolition and confiscation of Palestinian homes in the West Bank increased by 21% during 2021 compared to 2020, according to the United Nations Office for the Coordination of Humanitarian Affairs – OCHA. This indicates grave violations against civilian population, especially in Area C, as the Israeli authorities approved only five of over 100 outline plans submitted by Palestinians in Area C, and the outline plans approved by the Israeli authorities cover less than 1% of the area of Area C in favor of Palestinians.

PCHR documented that 91 civilian facilities were demolished: 43 for commercial purposes, 6 industrial facilities, 31 agricultural facilities, 4 water wells, 5 educational facilities, and 3 religious facilities. Meanwhile in occupied East Jerusalem, IOF demolished 127 houses that included 148 residential apartments and sheltered 173 families of 1009 individuals, including 466 children. Also, IOF delivered cease-construction notices to 20 houses that included 28 residential units. IOF also forced 67 Palestinians to self-demolish their houses, including 81 housing units. In addition, IOF demolished 31 houses, under the pretext of non-licensing and halted construction works in 20 houses for the same reason.

## 6. Settlement Expansion Activities and Settler-Attacks

Israel continued to chop off large portions of the occupied Palestinian territory in actualization of unchangeable facts on the ground, including doubling the pace of settlement construction, creating a Jewish

majority in occupied East Jerusalem, and isolating it from its Palestinian dimensions, as well as sieging Arab Jerusalemites and expelling them from the city. Of course, all of these efforts are in conjunction with the construction of the Annexation Wall and severing natural ties and communication between Palestinian cities, villages, and refugees camp with the construction of settlements, settler-only bypass roads, and hundreds of military checkpoints. The Israeli occupation authorities managed to change the features of oPt, seize its resources, and deprive the Palestinian people of their inalienable rights in favor of the settlers. This has created a new version of apartheid where settlers enjoy privileges at the expense of the indigenous people who are besieged and dispersed in Bantustans and are suppressed by means of law and IOF's brute force and military order, stripping them of all rights guaranteed by international law.

During the year, Israeli settlers established a settlement outpost on Mount Sbaih area, eastern Beita, Nablus. They constructed main roads and residential units and caravans, that were occupied by 5 Jewish families. The Israeli military commander in the West Bank issued a decision on 6 June to evacuate the outpost; however, it is yet to be implemented.

## 7. The Annexation Wall in the West Bank

With the construction of the Wall nearing completion, it became clear that 85% of it was built inside Palestinian lands in zigzag way. The wall extends along the West Bank, with a length of about 700 km, more than twice the length of the Green Line, which is estimated at 300 km. The wall was constructed with electronic fences, 8-9 meters tall walls of reinforced concrete, and electronic gates isolating thousands of Palestinians

from their lands and their social surroundings.

According to the Palestinian Authority's estimates, the area of the isolated and besieged Palestinian lands between the wall and the armistice line (the green line) amounted to about 680 km<sup>2</sup>, or about 12.0% of the West Bank, of which about 454 sqm are agricultural lands and pastures.

Israel has created facts on the ground besieging dozens of Palestinian communities, including villages and towns between the Wall and Israeli territory; thereby, denying them access to their lands as they require special coordination and permits to go and plant their lands. They also require permits for any sort of movement, including family visits to the other side.

### 8. Attacks on Human Rights Defenders

The most significant development in the series of attacks by the Israeli occupation and its army against Palestinian civil society and human rights defenders was the designation of six pioneering Palestinian civil society organizations as terrorist organizations, allegedly for affiliations with the Popular Front for the Liberation of Palestine, aiming to free Palestine and abolish the State of Israel. As per the Israeli Defense Minister's decision, the Union of Palestinian Women's Committees, Addameer Prisoner Support and Human Rights Association, Al-Haq, Bisan Center for Research and Development, Defense for Children International – Palestine, and the Union of Agricultural Work Committees are all terrorist organizations.

This move against those organizations is last in a series of systemic attacks to undermine Palestinian civil society, as Palestinian civil society activists and human rights defenders in the oPt have been directly and

indirectly attacked with the help of organizations that work undercover as non-governmental organizations, but they are affiliated with the Israeli occupation.

### 9. ICC and Prosecution of Israeli War Criminals

2021 witnessed a strategic achievement with regard to prosecution of Israeli war criminals before the international justice when ICC decided to open an investigation into the situation of Palestine on 03 March 2021. This came following the decision by the Pre-trial Chamber of the ICC on 05 February 2021 affirming that the ICC has full territorial jurisdiction over the occupied Palestinian territory (oPt), i.e., the West Bank, including East Jerusalem, and the Gaza Strip. The decision marks a critically important step and a quantum shift in the efforts exerted to prosecute the Israeli war criminals internationally and inspires Palestinians' hopes that they finally found a way to justice after the Israeli Judicial System denied Justice for Palestinian on the one hand and the Israeli occupation authorities worked via its external relations to deprive the Palestinians of benefiting from the International Jurisdiction of some European courts on the other hand to prosecute the Israeli leaders who committed war crimes.

The Israeli occupation authorities continued to set a series of obstacles to obstruct Palestinians' access to both criminal and civilian justice. Israel employs its judiciary to provide legal cover for its crimes and violations against Palestinians in order to spare Israeli war criminals international accountability, specially by ICC. Since the 2008-2009 Israeli military operation (Cast Lead) on the Gaza Strip, PCHR field 1059 complaints before the military prosecution on behalf of 2850 Palestinian civilian victims, demanding investigation into the crimes and violations committed during that offensive and up to the date. However,

investigation was opened into only 22 cases, including only one during the 2021 Israeli offensive (Guardian of the Walls,) and no single Israeli soldier has been

ever accused of any criminal charges; only in very few cases soldiers were subject to disciplinary punishment relevant to breaching the shooting orders.



## 2. PALESTINIAN VIOLATIONS OF HUMAN RIGHTS AND OBSTACLES TO DEMOCRATIC TRANSITION

### 1. Violation of the Right to Life and Bodily Integrity

In 2021, 66 persons, including 12 children and 10 women, were killed, and 158 persons were wounded, including 45 children and 10 women in the West Bank and the Gaza Strip in incidents related to social violence, assault on the rule of law, misuse of weapons, law-enforcement missions. In the Gaza Strip, 39 people were killed, including 11 children and 6 women, and 124 were wounded; meanwhile, in the West Bank, 27 persons were killed, including 1 child and 4 women, and 34 others were wounded.

### 2. Death Penalty in the PA

No death sentence was executed in the Gaza Strip in 2021, becoming the fourth year in a row during which no verdict has been executed in Palestine as the latest was in 2017 in the Gaza Strip. Meanwhile, no death sentence has been executed since 2005 in the West Bank. In 2021, there was a significant decrease in the number of death sentences issued by the military and civilian courts of first instance while PCHR reported 2 cases of serious breaches in use of death penalty in the Gaza Strip. This year, 23 death sentences were issued; most of them were issued by military courts: 16 were issued by First Instance Court and 7 upholding previous verdicts. Of the total number of death sentences, 12 were issued by military courts, including 8 by the Military First Instance Court. Therefore, the number of death sentences issued by a first instance court in the PA controlled areas since 1994 is 252: 222 sentences in the Gaza Strip and 30 others in the West Bank. Among the sentences issued in the Gaza Strip, 159 have been

issued since the Palestinian division in 2007.

### 3. Illegal Arrests, Torture, and Other Forms of Cruel, Inhuman or Degrading Treatment

In 2021, Palestinian security services in the West Bank and Gaza Strip continued their policy of arbitrary arrests, summonses, and detention of Palestinian citizens, without due process of law and in violation of the Palestinian Basic Law (PBL), Code of Criminal Procedure, and Palestine's contractual obligations, including International Covenant on Civil and Political Rights (ICCPR) and Convention against Torture (CAT).

Law-enforcement security services in the Gaza Strip and the West Bank continued to use torture and cruel treatment against prisoners and detainees in their prisons and detention centers. In 2021, PCHR documented testimonies affirming that the security services used different forms of torture and cruel, degrading, and inhuman treatment. All those complaints emphasized that these practices occurred during detention at the security services' prisons and detention centers or while on their way to these prisons and detention centers.

Four criminal detainees died at PA security services' prisons and detention centers due to the deterioration of their health condition. Two of them died after being referred from the Bethlehem Reform and Rehabilitation Center to al-Hussein and Arab Society Hospitals in the City after their health deteriorated. The 2 others

died in the Gaza Strip at al-Aqsa Martyrs Hospital in Deir al-Balah after referring them from the Deir al-Balah Rehabilitation and Reform Center.

#### 4. Legislature in Palestine

In 2021, the PLC remained out of the picture after its legislative and oversight role has been disrupted since the elections in 2006 and following the Constitutional Court's decision in December 2018 to dissolve it. Palestinians renewed their hopes of holding presidential and legislative elections in 2021 and thereby restoring the PLC and democratic life in Palestine pursuant to a presidential decree issued on 15 January 2021 to hold the presidential and legislative elections overdue since 2010. However, after starting the election process stages and before publishing the electoral lists, the Palestinian President issued a decree to postpone the elections until they can be held all over the Palestinian territory, including Jerusalem. During 2021, the Palestinian President issued 41 laws by decrees while the Hamas-affiliated Change and Reform Bloc issued 9 laws in Gaza on behalf of the PLC, perpetuating the fragmentation of Palestinian legislations.

#### 5. Undermined Independence of the Judicial Authority

The executive authority's infringement on the Judicial authority continued in the West Bank and the Gaza Strip, jeopardizing the latter's independence and role in achieving justice and enforcing the rule of law. In 2021, a new High Judicial Council was formed after the transitional council, which was designated by the Palestinian President in 2019 upon the dissolution of the High Judicial Council, ended its term. This came allegedly for seeking reforms to the judicial

authority. PCHR rejected those allegations at the time and considered it as unjustified interference into the judiciary's work, demanding the Palestinian President to leave the issue of reforming the Palestinian Judiciary to elected authorities expected to take hold in future elections. 2021 ended while the Palestinian judiciary in the West Bank and Gaza Strip still suffers from restricted/fragile independence and executive authority's interference. The political division in 2007 seriously undermined the independence of the judiciary and entrenched the executive authority's interference into the judiciary's affairs.

#### 6. General and Local Council Elections

It was hoped that the general, legislative, and presidential, elections would be held in the West Bank, including Jerusalem, and the Gaza Strip by the middle of the year upon a presidential decree issued by the Palestinian President on 15 January 2021, ending 11 years of postponement for different reasons. Over those years, no general elections have been held to renew the legitimacy of the Palestinian political system. As per the decree, the elections were supposed to be held successively as PLC elections would be held on 22 May 2021 and the presidential elections would be held on 31 July 2021. The decree also set 31 August 2021 as the date for accomplishing the National Council membership as per the Statute of the Palestine Liberation Organization.

Due to the Israeli obstacles that obstruct holding elections in Jerusalem, the Palestinian President decreed on 29 April, i.e., only 3 weeks before the date set to hold the PLC elections, to postpone the elections and declared the European Union's failure to o put pressure on Israel to allow holding elections in Jerusalem. Consequently, the Central Elections

Commission announced the suspension of the general elections.

Meanwhile, no local council elections have been consensually held in the West Bank and Gaza Strip since 2005 as well. This year, local council elections were held on 11 December for 154 local councils classified © in the West Bank, within the first phase of the elections, in which Hamas refused to participate or hold in the Gaza Strip. Meanwhile, the local councils in Gaza are formed by designation.

## **7. Violation of the Right to Freedom of Opinion and Expression**

In 2021, restrictions on the freedom of opinion and expression continued, as many journalists, opinion-makers, and activists were arrested and detained on grounds of freedom of expression and calls for protests. The violations of freedom of expression were mainly reflected in the authorities' practices against the protests held following the murder of Nizar Banat and Presidential decree to postpone the general elections in Palestine. Meanwhile in the Gaza Strip, violations of freedom of expression continued particularly against activists criticizing the living conditions in the Gaza Strip on social media. Self-censorship also continued to undermine freedom of expression and control the minds of citizens in the West Bank and Gaza Strip due to the arbitrary practices and systematic violations against journalists and opinion-makers for long years, particularly after the Palestinian division in 2007.

## **8. Violation of the Right to Peaceful Assembly**

Double standards and discrimination have emerged by authorities in the West Bank and the Gaza Strip

regarding citizens' enjoyment of their rights to peaceful assembly in 2021. Despite ongoing impact of Covid-19 on the oPt and the accompanying health protocols, which significantly limited peaceful assemblies, the authorities allowed peaceful protests against the Israeli policies and practices and did not impose any obstacles. Meanwhile, the authorities imposed restrictions on holding peaceful gatherings and protests relevant to the internal affairs, including banning peaceful assemblies and private gatherings, which do not require Police notification, and other forms of peaceful assembly. Moreover, restrictions continued on peaceful assembly, including restrictions on the movement of participants in assemblies and beating them in addition to summoning and arresting them.

## **9. Violation of the Right to Freedom of Association**

Civil society continue to pay the price of the division, which imposed systematic restrictions on associations, particularly their right to obtain funds and practice and manage their activities freely. The civil society in Gaza is particularly subject to double and increased restrictions by the authorities in Gaza and the West Bank. 2021 witnessed further restrictions, including the attempt to amend Associations Law upon a law by decree issued by the Palestinian President, but retracted later in the same year. Meanwhile, restrictions continued on associations' activities and funding in addition to arbitrary measures relevant to executive authority's accreditation of Boards of Directors and signatures in violation of law. These restrictions have resulted in freezing bank accounts of many associations, particularly those operating in the Gaza Strip, which are being dealt with based on security backgrounds and measures taken by the security services.

## 10. Persons with Disabilities' Conditions

Persons with disabilities continued to suffer in 2021 under the Israeli closure and internal division and their impact on this important group's enjoyment of their rights guaranteed by domestic and international laws. Persons with disabilities suffered from denial of basic health and education services as well as in-kind and financial support, closure of border crossings, restrictions on freedom of movement and other rights guaranteed for this group under the International Convention on the Rights of Persons with Disabilities, and Law No. 4 of 1999 relevant to persons with disabilities' rights in Palestine.

In 2021, IOF killed 4 persons with disabilities; 3 were killed during the military offensive on the Gaza Strip in May 2021, while another person with disability was killed at Qalandia checkpoint, northeast of occupied Jerusalem. The number of new persons with disability inflicted by the military offensive is 50, including 10 amputations and 35 cases of Monoplegia, Hemiplegia, and Quadriplegia. Also, 10 residential units housing persons with disabilities were completely or partially destroyed. During the aggression, around 3000 persons with disabilities out of around 100,000 civilians sought refuge in UNRWA schools, amid ongoing Israeli strikes on the Gaza Strip. Those schools neither met the minimum accessibility measures for persons with disabilities nor were equipped with basic services for the displaced persons due to the aggression continued for 11 days.

## 11. Impact of the Political Division on Economic and Social Rights in Gaza strip

The ongoing Palestinian political division aggravated the living conditions of people in the Gaza Strip along

with the economic measures and procedures imposed by the division parties, such as issuing administrative and political decisions that burdened the people in Gaza.

Families receiving allocations and assistance under the social protection program in 2021 suffered from the interruption of payment and the Social Development Ministry's non-disbursement of the financial dues for those families benefiting from this program. Moreover, the political division worsened poverty rates triggered by the Israeli closure, particularly among the marginalized and low-income families. Meanwhile, the already deteriorated health conditions in the Gaza Strip continued to get worse due to the Israeli closure, weakening the health system in the Strip and leading to prolonged shortage of medicine and medical supplies due to poor coordination between the division parties.

The political division also deprived new generations of applying for official public posts without discrimination based on political affiliations; accordingly, the already high unemployment rates increased by the Israeli-imposed closure.

The division negatively affected the Gaza health system, which had been already deteriorating due to the Israeli-imposed closure, as the shortage of medicine and medical supplies due to the poor coordination between the division parties. The health system in Gaza also faced Covid-19 pandemic with limited capacities and already fragile health facilities, which lacked the medical supplies necessary for combating the pandemic.

## RECOMMENDATIONS

In light of the continuous Israeli occupation of Palestine, suffering of Palestinian refugees for more than 74 years, international community's denial of the Palestinian people's suffering, and international parties' insistence on unconditional support for the Israeli occupation in clear disregard for international law and principles of justice and freedom;

Considering the Israeli occupation's insistence on denying Palestinians' right to self-determination on their land and enjoy their natural wealth and resources as codified in Common Article 1 of the two International Covenants on Human Rights and Israel's ongoing and systematic suppression of Palestinians and their right to freedom of expression and peaceful assembly, murder of Palestinians at checkpoints, ongoing policy aiming to change the demographic status of the occupied territory and policy of displacement and house demolitions; the ongoing Israeli closure imposed on the Gaza Strip for the 14th consecutive year; Israel's persistence to grant impunity for the Israeli war criminals and denial of Palestinians' right to access justice;

In light of the Israeli smear campaign against the Palestinian civil society to undermine and conceal its role in exposing the Israeli crimes and supporting the Palestinian people's resilience when declaring 6 active Palestinian organizations as terrorists in a prelude to label them;

Taking in consideration Palestinians' renewed aspirations and hopes to achieve justice and redress following ICC's historic decision to open investigations into human rights violations in the occupied Palestinian territory; and

In light of continued denial of freedoms in the West Bank and Gaza Strip, particularly the freedom of political participation, deterioration of living conditions and the outgrowing poverty and unemployment in the Gaza Strip, PCHR presents the following recommendations to the international community and Palestinian decision-makers:



## Recommendations to the International Community:

### PCHR calls upon:

1. The international community at large, and the European Union in particular to adopt serious steps to compel Israel to retract its designation of six Palestinian civil society organizations as terrorist organizations.
2. The International Criminal Court to continue its efforts that shall bring Israeli war criminals before international justice.
3. All States Parties to the Rome Statute of the ICC to ensure accountability and prosecution of Israeli war criminals and to bring them to justice.
4. Demands the international community to stand clearly against the annexation plan of large parts of the occupied Palestinian territory by the Israeli occupation.
5. The Arab States that have signed normalization agreements with Israel to abide by Security Council resolutions, and not to deal with the Israeli settlements, that are built on Palestinian land, as part of the Israeli occupation state. Therefore, they must refrain from visiting the settlements or importing goods from them.
6. The international community to put pressure on the Israeli occupation to stop its crimes against Palestinian civilians, especially its crimes against Palestinian children and the killing of Palestinians at checkpoints.
7. The United Nations to be aware of its responsibility to enable Palestinians to have the right to self-determination, as it is the primary responsible entity for the Palestinian cause since its General Assembly approved the Partition Resolution No. 181 and recognized the State of Israel.
8. The international community to condemn and boycott the Israeli settlements established on Palestinian lands occupied in 1967, to respect Security Council resolutions, especially Resolution No. (2334) - related to condemning settlements, and to work to ensure that Israel respects them.
9. The international community to support the Palestinian reconciliation efforts in a manner that considers the implementation of transitional justice mechanisms to ensure non-recurrence of fighting and the achievement of democratic transformation.
10. The international community to take firm and decisive stances against the US-backed Israeli policies aimed at changing the situation in the occupied territories, especially the policy of demolishing homes and displacing villages with everything these practices represent as flagrant violations of international law that amount to war crimes and crimes against humanity.
11. The High Contracting Parties to the Geneva Conventions to stand by their obligations under the common Article (1), which requires respect for the conventions in all circumstances, and to fulfil their obligations under Articles 146 and 147 of the

Fourth Geneva Convention of 1949, relating to the protection of civilians in times of war, which require prosecution of persons responsible for grave breaches of the agreement. This can be done by activating the principle of universal jurisdiction, to enable Palestinians to obtain their rights to justice and redress, especially in light of sterile path for justice within the Israeli judicial system.

12. The international community to move quickly and immediately to put pressure on the Israeli military occupation authorities to end the comprehensive closure imposed on the Gaza Strip, which restricts the freedom of movement of individuals and goods of freedom; and to save 2 million civilians who live in an unprecedented state of economic, social, political, and cultural suffocation, due to the policy of collective punishment and measures of reprisal against civilians.
13. The European Union to work towards implementing the standards related to human rights contained in the European-Israeli Association Agreement, and to oblige Israel to comply with it, as well as to respect EU obligations under the European Convention on Human Rights in its relations with the Occupying Power.
14. The international community, especially states that import Israeli weapons and military services, to fulfil

their moral and legal obligations; not to allow Israel to use the offensive on Gaza as a way to promote new weapons already tested in the Gaza Strip; and not to accept training services based on the field experience in Gaza in order to avoid turning Palestinian civilians in Gaza into testing objects for Israeli weapons and military tactics.

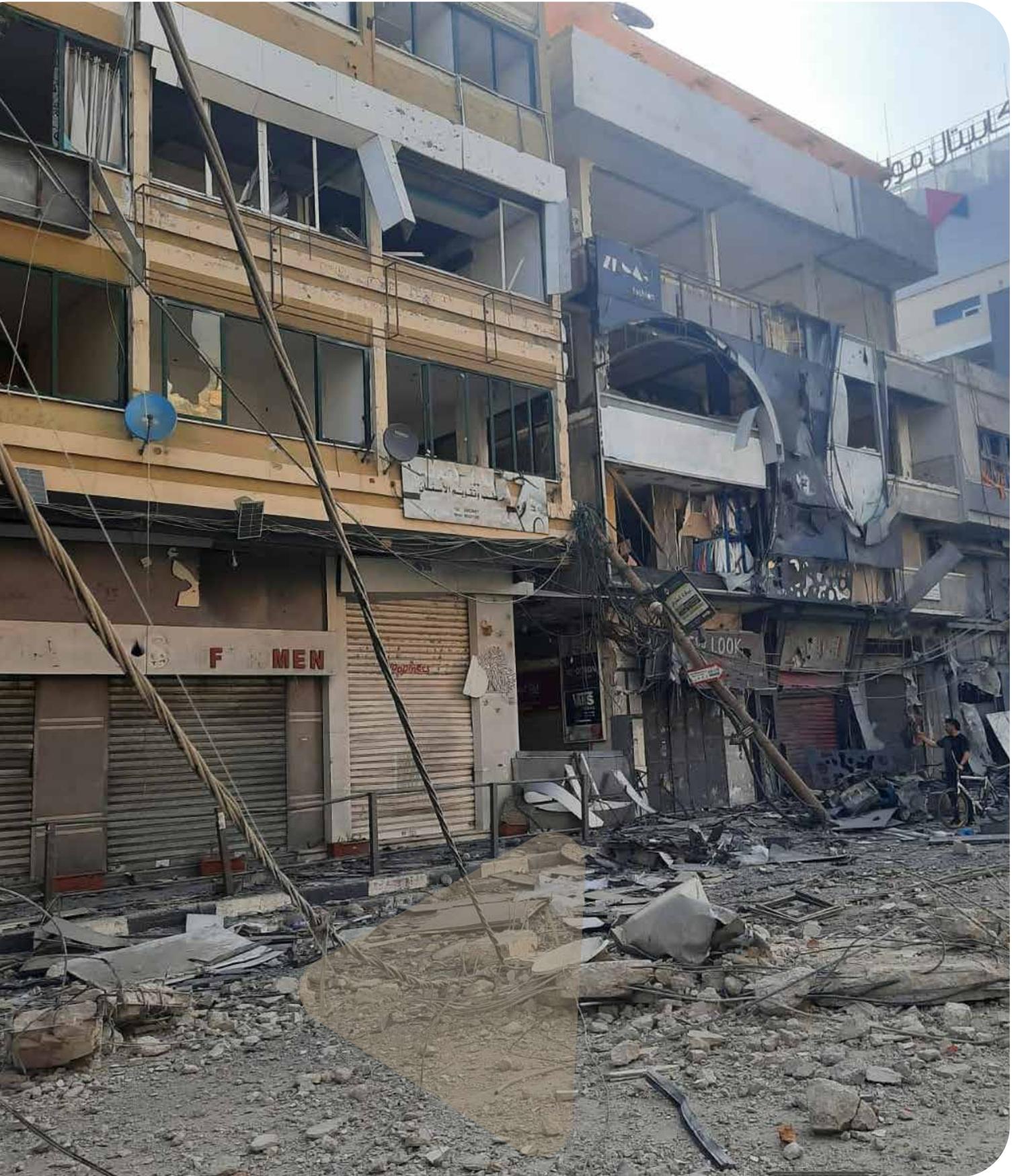
15. The Parties to international human rights instruments, especially ICCPR and ICESCR, to pressurize Israel to apply them in the oPt and to compel them to incorporate the human rights situation in the oPt in its reports submitted to the relevant committees.
16. The EU and international human rights bodies to pressurize the IOF to stop their attacks against Palestinian fishermen and farmers, mainly in the border areas.
17. The international community and Arab countries, to take serious actions to end the restrictions on the movement at the border crossings, particularly the Gaza Strip Crossings, in a way that guarantees the free movement of Palestinian civilians.
18. The international community to commit to supporting the United Nations Relief and Works Agency and to fulfil their duty to provide services to Palestinian refugees.

## Recommendations to Palestinian Decision-Makers

### PCHR calls upon:

1. The PA and the Palestinian factions to work jointly in order to ensure holding free and fair general elections in 2022, and to induce a positive environment that allows everyone to participate equally.
2. Palestinian factions to take decisive and serious steps in order to achieve the Palestinian reconciliation based on reconciling the past and establishing foundations for a transition stage to end corruption and ensure protection and respect for human rights.
3. The Higher Judicial Council to reunite and restore the integrity of the judicial authority as a prelude to ending the Palestinian division, in order to have a nonbiased body that can arbitrate conflicts that may arise during the reconciliation process.
4. The Palestinian authorities both in the Gaza Strip and the West Bank to respect public freedoms and end the practice of arbitrary summonses on the grounds of freedom of opinion; and to eliminate all illegal restrictions on the right to peaceful assembly.
5. The Palestinian authorities both in the Gaza Strip and the West Bank to stop all arbitrary measures against associations, including non-profit companies, and to abolish all procedures that infringe upon associations' rights and freedoms to work, privacy, and receive funding.
6. The Palestinian President to ratify the Family Protection Law and the Freedom of Access to Information Law, with consideration to civil society comments.
7. The Palestinian President to issue a law by decree that calls for moratorium on the death penalty in Palestine, particularly after Palestine's accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. PCHR also calls on the Gaza authorities to refrain from issuing or executing death sentences, or to allow summary executions.
8. The Palestinian President to exercise his authority codified under Article 43 of the PBL and issue decrees that have the power of law in cases of necessity that cannot be delayed.
9. The Change and Reform Parliamentary Bloc to stop convening and abstain from enacting any laws on behalf of the PLC.
10. The Palestinian government and security services to stop all violations of the right to freedom of opinion and expression and the right to peaceful assembly and to hold the perpetrators of such violations accountable via the appropriate legal means.
11. The executive authorities to release immediately all those illegally detained. PCHR emphasizes that all prison and detention facilities' wardens bear full legal liability for any person illegally detained and shall be prosecuted, with no statute of limitations.

12. The executive and judicial authorities to end immediately the practice of torture in prisons and detention facilities and the Attorney General to hold those suspected of committing torture accountable. PCHR emphasizes that such crimes are not time-barred according to the PBL.
13. The three branches of government to institute transparency in the PA's institutions via facilitating access to information and providing all information relevant to public affairs, especially on the official websites.
14. The Palestinian Cabinet to exert sincere efforts for respecting the rights of persons with disabilities and activate the Palestinian Law No. 4 of 1999 on the Rights of Persons with Disabilities, ensuring appropriate and accessible facilities to persons with disabilities and guaranteeing their right to work.
15. The executive authority to respect persons' right to freedom of movement. PCHR emphasizes that restricting this right is possible only upon a judicial warrant as codified in the PBL.



## Chapter One.

# ISRAELI VIOLATIONS OF HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW

## 1. WILLFUL KILLINGS AND OTHER VIOLATIONS OF THE RIGHT TO LIFE AND BODILY INTEGRITY

In 2021, IOF killed 206 Palestinian civilians in the Palestinian territory occupied in 1967: 156 killed in the Gaza Strip, and 50 in the West Bank<sup>1</sup>. Of those victims, 75 were children: 59 in Gaza and 16 in the West Bank; and 43 women: 38 in Gaza, and 5 in the West Bank, i.e., 57% of civilian victims were women and children.

Also during the year, IOF wounded 2,000 Palestinians: 1,968 in Gaza and 32 in the West Bank, including 400 women (397 in Gaza and 3 in the West Bank). Also, 660 children were among the wounded: 630 in Gaza and 30 in the West Bank.

The majority of the victims were killed in the Israeli military aggression on the Gaza Strip (10 – 21 May 2021), when the Israeli occupation forces (IOF) launched a widescale military operation on the Gaza Strip and dubbed it as “Guardian of the Walls.” During the 11-day aggression, IOF used the latest munitions in its military arsenal, including warplanes, artillery, and gunboats, targeting with tons of explosives and guided missiles civilian houses and properties as well as the infrastructure and different governmental, non-governmental and private sectors. As a result, hundreds of civilians were killed and injured; and properties were massively destroyed, causing a humanitarian crisis to tens of thousands of residents. IOF’s strikes targeted

<sup>1</sup> In total, IOF killed 328 Palestinians in the West Bank and the Gaza Strip in 2021: 245 in the Gaza Strip and 83 in the West Bank. This statistic includes non-civilians.

civilian neighborhoods, causing destruction to the civilian properties, and inflicting civilian casualties, the most intensive and brutal of all was on al-Wehda Street in central Gaza City on Day 7 of the offensive when tens of houses and multi-story buildings were destroyed over the heads of their occupants.

In the aggression, 151<sup>2</sup> civilians were killed, including 59 children and 38 women. Also, 1,968 Palestinians were wounded in the May 2021 Israeli military aggression, including 630 children and 397 women.



IOF killed Abu-Hatab family in Shati refugee camp, Gaza, after bombing their home

IOF bombardment of residential homes, and civilian

<sup>2</sup> IOF killed a total of 240 Palestinians in the May aggression on Gaza, including 89 members of armed groups

properties while people were inside the prominent feature of its aggression, killing hundreds including entire families, under the rubble of their own homes. This happened with the Israeli knowledge that civilians were at home, and without prior warning, or evacuation notice.

Among the casualties, 59 children were killed: 47 at home, 12 around their homes while playing, walking, or escaping the intense shelling. Also, 630 children sustained wounds. Also during the aggression, 38 women were killed, 37 of whom were killed at home (97.3%) due to Israeli bombing. One woman was killed while walking down the street when IOF assassinated a person within a densely populated area. Also, 397 women were wounded in the attacks.

After the aggression, IOF killed 5 Palestinians in Gaza: 3 at a border-side peaceful protest, and 2 in Israeli shelling.

In the West Bank, IOF killed 50 civilians, including 16 children and 5 women.<sup>3</sup> The majority of those (41, including 10 children) were killed in clashes and



◀ Funeral of Palestinian IOF killed during clashes.

protests organized by Palestinians across the West Bank against the Israeli occupation and its oppressive policies in the oPt, or during IOF incursions into Palestinian cities and refugee camps. In the vast majority of these cases, the protestors formed no threat of any kind to soldiers.

Four Palestinians were killed during operations carried out by Israeli Special Forces against activists for involvement in occupation resistance in the West Bank. The most notable case was the murder of 3 Palestinians, including 1 wanted by IOF, in an extrajudicial execution on 26 September, after raiding a country house in Biddu village. Israeli Special Forces raided the house and killed two Palestinians; they killed the third while he was attempting to flee the area. IOF has detained the victims' bodies. The victims are: Ahmed Ibrahim Zahran (34), Zakaria Ibrahim Bedwan (34) and Mahmoud Mustafa Hmaidan (31). It should be noted that Hmaidan's ID card, and traces of his blood were found near rocks approximately 50 meters from the house.

In 2021, five Palestinians, including 2 women and a child, were killed in summary executions committed by IOF and security offices in the West Bank, including occupied East Jerusalem, by claiming that they carried out or suspected of attempting to carry out a stab or run-over attacks against the Israeli soldiers, security officers and Israelis, in the oPt and Israel. In all of these cases, none posed a real danger to soldiers' lives and a less lethal force could have been used to eliminate any danger. The most prominent cases was on 24 May, when IOF opened fire at Zuhdi Mohannad Zuhdi al-Taweel (17), claiming that he attempted to carry out a stabbing attack near the railway station at the central intersection in French Hill area adjacent to Sheikh Jarrah neighborhood, north of occupied East Jerusalem's Old

3 33 Palestinians were killed during armed clashes with IOF

City. As a result, al-Taweel was shot with several live bullets and left bleeding to death in the scene. Zuhdi al-Taweel was carrying his school bag, and IOF claimed that he stabbed two Israelis, including a soldier, in the railway station. Al-Taweel fell on the ground and was critically injured; however, IOF continued shooting at him. They handcuffed him, tore his clothes, searched him and his school bag, took his fingerprints, and left him bleeding to death.

Moreover, 3 Palestinians, including a woman namely

Wafaa 'Abed al-Rahman al-Barad'i, were killed by Israeli settlers. Wafaa was killed on 19 May, by an Israeli settler who opened fire at her from an automatic firearm while she was near a bus station at the entrance to «Kiryat Arba» settlement, east of Hebron. Al-Barad'i was left bleeding on the ground for half an hour without first aid. After that, an Israeli ambulance arrived and transferred her from the area. Later, Israeli media declared al-Barad'i's death and claimed that she tried to carry out a shooting attack at the settlement.

## 2. ONGOING GAZA CLOSURE AND SEVERED TIES BETWEEN WEST BANK CITIES

### I. ISRAELI-IMPOSED CLOSURE ON THE GAZA STRIP FOR THE 15TH CONSECUTIVE YEAR

In the Gaza Strip, IOF continued to impose an illegal and inhumane closure and tightened restrictions on the freedom of movement of persons and goods in the oPt. The Gaza closure entered its 15th consecutive year, and restrictions were tightened at all the crossings, particularly during the 10 – 21 May 2021 military aggression, and the period afterwards where the closure was at June and July 2021 were classified as the worst period of closure and most restrictive in recent years.

The Israeli restrictions on the movement of individuals to and from the Gaza Strip via Beit Hanoun "Erez" crossing continued all year long, and they applied to all groups – even the limited ones that were granted exit permits. During the military aggression, IOF barred all groups access to the crossing, including patients with medical referrals for treatment abroad. IOF also completely shut the Gaza sea and banned fishing activities. Even after the aggression, as IOF announced

that crossings would resume operations, hundreds of goods were banned from being imported to Gaza.

IOF closed the Beit Hanoun crossing on 10 May 2021 as its military aggression on Gaza started, banning all groups from travelling via the crossing. After the aggression ended, even though the Israeli occupation authorities declared they will allow patients' travel, they refused to respond to dozens of permit requests applied by the Health Ministry's Coordination and Liaison Department on behalf of patients with serious diseases, whose treatment is not available at the Gaza hospitals, and referred abroad for treatment in the hospitals in Israel and the West Bank, including occupied Jerusalem.

IOF restrictions on Beit Hanoun crossing continued and applied to the limited groups that are allowed travel via the crossing: Arabs holding Israeli ID cards; international journalists and foreign international organizations' staff,

merchants and businesspersons, prisoners' families, and some travelers via King Hussein Bridge.

In terms of movement of goods, IOF completely closed Karm Abu Salem on 10 May 2021 and banned the entry of all essential goods to Gaza throughout the aggression. Afterwards, IOF imposed unprecedented restrictions on the import of goods to Gaza, gradually allowing limited aid to enter for international organizations. IOF continue to ban entry of hundreds of goods to Gaza, including essential materials for the reconstruction of Gaza following the devastating impact of the Israeli attacks, as well as necessary equipment to fix the extensive damage to Gaza's water and sanitary facilities, power grids and infrastructure.

The Israeli authorities continued to impose tightened restrictions on the entry of goods into the Gaza Strip they classify as "dual-use materials"<sup>4</sup>. The IOF put 62 types of goods on the list of the "dual-use materials;" most of them include hundreds of basic goods. For example, the communication equipment alone includes dozens of goods. The items on the "dual-use materials" list are essential to the life of the population, so imposing restrictions on importing them contribute to the deterioration of infrastructure and economic, health and education conditions. These items include communications equipment, pumps, large generators, iron bars, iron pipes in all diameters, welding equipment and welding rods used in welding, various types of wood UPS devices that protect the electric devices from breaking down when the electricity suddenly cuts off, X-ray machines, cranes and heavy vehicles, types of batteries and several types of fertilizers.

The Israeli authorities continued to ban the Gaza

4 Israeli authorities claim that despite the fact that these items are normally used for civilian purposes, it is possible to use them in developing the Palestinian armed groups' military capacity.

Strip exports to the West Bank, Israel and abroad for the 15th consecutive year. However, they allowed the exportation of limited quantities of the Gaza Strip products (the majority of which were agricultural) as the number of truckloads allowed for exportation was 4524 truckloads: 2546 to the West Bank, 1493 to Israel, and 484 abroad. In 2021, the monthly exports amounted to 8.3% of the total Gaza exports before the imposition of the closure in June 2007 when around 4,500 truckloads used to be exported. The ban on exports resulted in the deterioration of economic conditions and closure of hundreds of factories in Gaza, including dozens of clothes and furniture factories that manufacture high quality products. Therefore, thousands of workers were discharged and became unemployed, raising poverty rates to unprecedented levels.



▶ Karm Abu Salem Crossing and the decapitating economic closure on the Gaza Strip.

The ongoing policy of closure, and social and economic strangulation, produced serious indicators at the humanitarian level. The social and economic rights of the Gaza Strip population deteriorated due to the serious and long-term impacts of the Israeli policies that succeeded in undermining any real opportunity to reconstruct the Gaza Strip and revive its economic sector.

In terms of the health conditions in the Gaza Strip, the healthcare facilities suffered critical deterioration due to the 15-year Israeli closure, which caused a fragile system with chronic shortages in essential drugs and medical devices and insufficient number of specialized health professionals; rendering the system unable to meet the basic medical needs of the Gaza Strip population in normal times. The situation worsened with the Israeli military aggression and IOF restrictions on the travel of critically-ill patients to West Bank and Israeli hospitals, including persons wounded in the Israeli attacks. Additionally, Israeli ban on the import of new medical diagnosis devices, such as the necessary radiotherapy equipment to diagnose cancerous tumor, or the ban on the entry of spare parts for maintenance of available devices caused hospitals and medical centers to be unable to service hundreds of cases.

According to General Authority of Civil Affairs (GACA) 2021 data, the Israeli authorities obstructed the travel of 7,514 patients out of 21,532 (34.8% of the total permit applications), who were referred for treatment in Israeli hospitals or in the West Bank hospitals, including occupied East Jerusalem.

The Israeli authorities rejected 116 applications for security reasons (0.5%); did not reply to 1508 applications (7%); delayed replies (under review) to 5209 permits (24.1%); 694 other patients' travel was

delayed for other reasons (3.2%).

The closure also resulted in violation of the economic rights of the Gaza population. The restrictions imposed on the entry of raw materials needed for production and ban on the exportation of the Gaza Strip products in addition to the repeated destruction of economic facilities during Israeli military operations on the Gaza Strip paralyzed various economic sectors, raising unemployment to 43%, i.e. 211,300 workers unemployed.<sup>5</sup> Moreover, the poverty rate in the Gaza Strip reached 53%<sup>6</sup> and more 62.2% of the Gaza population suffers from food insecurity according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).<sup>7</sup>

The ongoing closure also negatively affected the right of Gaza Strip population to education. Thousands of Gaza students are still deprived of studying in the West Bank universities in the fields they prefer, taking in consideration that such fields are vital and important for Gaza population. As a result, the West Bank universities have become empty of the Gaza students after their rate used to be around 26% in 1994. Furthermore, the Israeli authorities allow only a limited number of students studying in foreign universities to travel via Beit Hanoun (Erez) crossing, after months of delays and complicated security procedures.

5 PCBS: The Results Of The Labour Force Survey, Fourth Quarter (October – December 2020) Round, Palestinian Central Bureau of Statistics. For more information, see: <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=3919>

6 The situation of the Palestinian civilian population on the Occasion of International Population Day, Palestinian Central Bureau of Statistics, 11/07/2019. For more information, see: [http://www.pcbs.gov.ps/portals/\\_pcbs/PressRelease/Press\\_Ar\\_9-7-2020-pop-ar.pdf](http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_Ar_9-7-2020-pop-ar.pdf)

7 Food insecurity in the occupied Palestinian territory (oPt), Bulletin of Humanitarian Affairs, 12 February 2020, United Nations Office for the Coordination of Humanitarian Affairs. For more information, see: <https://www.ochaopt.org/content/monthly-humanitarian-bulletin-december-2019>

## Naval blockade

Israel's policy of inhuman and illegal closure and collective punishment against the Gaza Strip persisted in 2021, tightening its closure of the Gaza sea and denying fishermen access to fishing areas, despite the proclaimed authorization for fishermen to fish at a distance between 3 – 15 nautical miles, the Israeli authorities decreased the fishing area or closed the sea completely dozens of times alleging the decisions to be in response to the launch of incendiary balloons and projectiles into Israeli areas adjacent to the Gaza Strip.

On 26 April 2021, IOF shut the Gaza sea completely banning fishing or sailing at sea. This measure was part of the Israeli collective punishment policy executed against Palestinian civilians in the Gaza Strip.

In 2021, PCHR documented 114 shootings by Israeli naval forces against fishermen at sea, wounding 3 fishermen and damaging 3 fishing boats and dozens of fishing equipment. Israeli gunboats chasing incidents against fishermen resulted in the arrest of 12 fishermen and detention of 7 fishing boats, as well as the confiscation of dozens of fishing nets. This is evidence that the extension of the fishing area did not spare fishermen assaults and persecution, as the shooting incidents continued putting their lives in danger within the parameters of the 6-15 nautical miles allowed by IOF.

The tightened restrictions on fishing caused fishermen to refrain from sailing on a daily basis, as half of the sector's workers (only 2,000 fishermen) went to sea

once a week or month, as the low income does not cover their operative cost. As a result, the livelihoods of 4,160 fishermen and 700 workers in professions associated with the fishing sector; the main providers for their families (a total of 27,700 persons) are threatened with further deterioration as hundreds of fishermen are effectively unable to provide their families' basic needs, such as food, medicine, clothing, and education.



◀ Gaza fishing boats set on the seashore due to Israeli naval blockade.

## Rafah International Crossing

In 2021, the Egyptian authorities opened Rafah Crossing for the travel of humanitarian cases or return to the Gaza Strip; however, the border operated at limited capacity: 98,390 Palestinians were able to travel via Rafah Border and 89,148 returned. The Egyptian authorities banned 6,702 of Palestinians from travelling without reason. According to the Gaza Crossings and Border Authority, thousands of civilians registering to travel at the Ministry of Interior are unable to travel.

## II. RESTRICTIONS ON MOVEMENT IN THE WEST BANK

IOF continued to impose arbitrary restrictions on the movement of civilians in the West Bank in 2020 as part of the collective punishment policy and cruel, degrading, and inhuman treatment. In addition, the Israeli authorities use these restrictions on a wide scale in the West Bank as part of the collective punishment policy against Palestinians. Those restrictions increased and decreased depending on the field conditions on the ground.

The number of permanent checkpoints was 108 in 2021; 57 of which were internal checkpoints in the West Bank, and 18 checkpoints in H2 Area in Hebron where Israeli settlement outposts exist. Thirty-nine of them established along the Green Line (Armistice Line) and they are considered border crossings between the West Bank and Israel. In addition, hundreds of temporary checkpoints were established randomly at intersections between the Palestinian cities. The Israeli forces continue to close settler bypass roads, which they sometimes allow Palestinians to use, before the movement of Palestinian civilians to increase their suffering.

In occupied East Jerusalem, in spite of the ongoing closure imposed on the city and completely isolating it as well as banning Palestinians from the West Bank and Gaza Strip from entering the city, Israeli forces tightened its closure on the Palestinian neighborhoods in the city. These measures included establishing many iron-detector-gates and police checkpoints inside the Old City neighborhoods and at the entrances. These measures deprived Palestinians of their right to enter the occupied city and the city residents to enjoy normal lives.

In 2021, Israeli authorities tried to impose a new reality

around Bab al-'Amoud area in central occupied East Jerusalem. In mid-April, coinciding with the beginning of Ramadan, IOF prevented Palestinian civilians from sitting or gathering on Bab al-'Amoud stairs and suppressed all annual activities relevant to Ramadan without clarifying the reasons behind the prevention. As a result, violent clashes erupted between the Palestinians and IOF. After Ramadan has ended, Israeli authorities continued its policy aiming at minimizing Palestinians' gathering in Bab al-'Amoud area through the heavy establishment of military checkpoints and security points in its surroundings. Also, in 2021, Israeli authorities significantly reduced Dahiyet Al Barid Gate opening hours, adjacent to Kalandia military checkpoint, noting that this gate connects between Beit Hanina and al-Ram villages, north of occupied East Jerusalem. Additionally, no opening hours have been set for the passing of Palestinians' vehicles carrying blue IDs, in addition to the ongoing closure of the gate from the end of May to the mid of November.

In August, Israeli authorities closed Road (45) starting from the industrial zone to the Kalandia military checkpoint, under the pretext of constructing a tunnel for settlers, causing a traffic jam in the area. The road closure is expected to continue until the end of next year.

The Israeli forces continued to use checkpoints as border crossings with the purpose of isolating Areas classified as Area (C) according to Oslo Accords from large areas in the West Bank, as in occupied East Jerusalem, Jordan Valley areas along the Palestinian borders with Jordan and lands located behind the annexation wall. The Israeli government that declared several decades ago the annexation of occupied East

Jerusalem under its sovereignty in violation of the International law and the UN resolutions, does not hide its intention to annex the Jordan Valley areas and lands located behind the annexation wall too.



◀ Israeli military checkpoint.

This was evident in the announcement of senior Israeli government officials on multiple occasions of the intent to execute the annexation plan which includes large chunks of West Bank lands.

In the same context, at King Hussain Bridge, International Crossing Point between Jordan and the West Bank, the Israeli authorities intend to humiliate the Palestinian civilians while traveling via the crossing, which is under their control.

IOF further deprive thousands of civilians of their right to travel, and those denied from traveling are usually subjected to inhuman and degrading treatment, including thorough search and investigation by Israeli Intelligence officers in addition to forcing them to wait for long hours. Moreover, the Israeli forces from time to time close the crossing point for long hours without any reason, forcing hundreds of travelers, including children, women, elderlies, and patients, to stay inside the buses, particularly in summer, which usually

witnesses active travel movement.

The construction of the Annexation Wall separating the West Bank lands has doubled the suffering of Palestinian civilians whose residential areas and/or agricultural lands were isolated behind the wall, and persons working in those areas, including teachers, doctors, cleaners, and others. The wall also negatively affects the life of Palestinian farmers especially in the olive harvest season, which is considered as the sole source of income for hundreds of Palestinian families in light of the difficult economic conditions suffered by Palestinians. Israeli forces deny Palestinian farmers access to their isolated lands to harvest olive or limit their entry and exit hours through 104 gates established in the wall. These measures and restrictions aim to deprive farmers of the only source of income and force them to leave their lands and neglect them in order to confiscate them.

The restrictions apply to thousands of olive-tree dunums in Area C and areas close to Israeli settlements, where Palestinians are prohibited entry without previous coordination for harvest times and work. They are usually allowed 3-4 days to finish the work that normally takes 10 – 30 days to be finished. The impact of restrictions on the movement of Palestinians living near the wall has not been limited to the agricultural sector but included many others. The residents suffer from restrictions imposed on their movement and access to hospitals in the nearby cities. The education system was also affected because many schools, particularly in villages, rely on teachers who come from outside the village, in addition to affecting the social and family relations. Palestinians on both sides of the wall need permits to move through the gates which are built in the wall and operate under a strict security system and in specified hours. Israeli forces often and

suddenly close these gates for no apparent reason.

Israeli forces also impose a policy of racial discrimination against Palestinian civilians in using public roads. They deprive Palestinians of using many roads and only allow settlers to use them and so Palestinians are forced to take long and rough roads. The Israeli authorities also designated around 60 kilometers of the West Bank streets to be used by settlers and ban Palestinian vehicles to travel on these roads in a way that restrains their access to nearby streets which Palestinians are not denied access to. In addition, Palestinians are banned from using and traveling on around 7 kilometers of internal streets in the center of Hebron; Palestinians are not even allowed to walk on parts of these roads.

IOF confiscated parts of Palestinians' lands and established tunnels and bypass roads only for Palestinians in the West Bank. As a result, the territorial contiguity between Palestinians cities became more difficult as IOF put their control over these roads.

Furthermore, the military checkpoints obstruct the free movement of goods, increasing the expenses of transportation, which would affect the prices of goods and so increase the financial burdens on the consumers. The Israeli-imposed closure and restriction on Palestinians' movement affected their economic, social, and cultural rights. Additionally, Palestinians became living in a severe economic crisis that covered various economic sectors, including trade, industry, agriculture, labor, tourism, transport and communications, investment, and development.

### 3. ARRESTS, TORTURE AND OTHER FORMS OF CRUEL AND INHUMAN TREATMENT

During the reporting period, PCHR documented the arrest of 8,000 Palestinians, including 1,300 children and 184 women.<sup>8</sup> Among those arrested, there were 7,955 Palestinians arrested in the West Bank, including 2,784 from occupied East Jerusalem. The majority of these arrested occurred during the Israeli incursions into the Palestinian cities and at military checkpoints.

Moreover, 45 Palestinians were arrested in Gaza, including 29 in the Gaza border area (including 8 children), and 7 were arrested at Beit Hanoun "Erez" crossing while traveling to the West Bank for business, medical treatment, and education. Furthermore, the IOF arrested 9 fishermen, including 2 children, while

working in areas where fishing is permitted by Israeli authorities.

By the end of 2021, the number of Palestinians imprisoned by Israel reached 4,600,<sup>9</sup> including 160 children and 34 women. The vast majority of those in Israeli jails are from the West Bank, the Gaza Strip recorded 250 prisoners, and 400 come from Jerusalem and Arabs in Israel. Hundreds of those prisoners are serving life sentences; 14 of them served over 30 years. Among the total number of prisoners, 600 are patients with serious and chronic diseases, 500 are under administrative detention without trial. Those prisoners are distributed into around 22 prisons and detention facilities; most of which are established in

<sup>8</sup> According to the joint annual report issued by the Prisoners and Ex-Prisoners Affairs Commission, the Palestinian Prisoner Club, the Addameer Foundation for Prisoner Care and Human Rights, and the Wadi Hilweh Information Center - Jerusalem, issued on December 31, 2021.

<sup>9</sup> Statistics according to The Commission of Detainees' Affairs

the Palestinian territory occupied in 1967,<sup>10</sup> in a clear violation of article 76 of the Fourth Geneva Convention, which states that, “Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein.”

IOF continues to detain the corpses of 8 Palestinians who died inside Israeli prisons, the majority died of medical negligence. Some of those bodies have been locked for more than 40 years, the latest was the body of Sami al-Amour, from Deir al-Blah, who died in prison in November 2021.



◀ Israeli soldiers arrest Palestinian child.

### Torture and Maltreatment

Palestinians in Israeli jails suffer from degrading treatment and inhumane conditions from the first moments of their arrest, as they are subjected to mental and physical torture, including physical abuse, sleep deprivation, threats, and using the strappado. Inside the prison, detainees are subjected to the same treatment, including: solitary confinement, barred of visitation rights, arbitrary transfer, and deprivation of adequate medical treatment, and other forms of

<sup>10</sup> Except “Ofer” prison established in the west of Ramallah in the West Bank.

humiliating treatment.

During the year, prisoners’ rights organizations documented the case of Omar al-Ajlouni (13) from Jerusalem after his arrest in Bab al-Amoud area, as he was severely beaten on the head during the arrest, causing him bruises in the skull.

During interrogation, prisoners are subjected to intense conditions that include torture to extract confessions, including sleep deprivation, handcuffing, blindfolding, physical assault, electric shock, etc. prisoners’ rights organization documented dozens of torture cases inside Israeli prisons, including the case of Hamza ZAHARAN (41) from Bidu, northwestern Jerusalem, who was subjected to cruel treatment during interrogation at Ashkelon prison for 56 days.

Torture is used to forcibly extract confessions from detainees, indictment them, and issue unfair sentences, sometimes multiple life sentences, as 25 prisoners have high sentences, some spent more than 40 years lock inside. Mohammed al-Halabi, from Gaza, who was arrested at Erez crossing on 15 June 2016 is still under trial without real charges. So far, al-Halabi, Director of World Vision in Gaza, has had 167 trial sessions.

### Punitive measures

Israeli Prison Service (IPS) adopted a series of retaliatory measures and actions against Palestinian prisoners after the group of 6 jailbroke from Galboa in September 2021, including wide-scale transfer and solitary confinement against large groups of prisoners, putting many under interrogation, and raiding prisons. The collective punishment and retaliatory actions escalated to a complete ban on all visits to prisoners until the end of September.

Also, IPS adopted a series of retaliatory measures against Palestinian prisoners, particularly at Galboa, including raids and searches of prisons. IPS transferred hundreds of prisoners from Galboa, 16 were sent to Negev prison in southern Israel and 34 others were sent to Ofer prison in western Ramallah. Additionally, several prisoners affiliated with the Islamic Jihad Movement were interrogated and some were subjected to torture and degrading treatment. IPS deprived prisoners of some features including TVs, shortened courtyard break time, shut departments and facilities, including the washers and cantina; these measures were accompanied with threats of additional punitive measures. Also, both Ramon and Negev prisons were raided and searched.

The Israeli occupation's retaliatory actions did not spare the families of the 6 prisoners as the Israeli occupation forces raided their families and relatives' homes, interrogated them, and abused them in an attempt to pressure the escaped-prisoners.

Since March 2020, the Israeli authorities used the outbreak of COVID-19 as an excuse to deprive Palestinian detainees of meeting with their families. Family visits to detainees have been suspended for months, under the pretext of pandemic spread, despite that detainees and their families have received the necessary vaccination. Moreover, Israeli authorities only allowed visits at separate intervals to detainees from the West Bank, including occupied East Jerusalem. They also tightened punitive measures after the group of 6 detainees managed to flee from Galboa Prison in September 202, while the Gaza Strip detainees are still deprived of meeting their families for almost two years.

### **Administrative Detention**

In 2021, IOF issued 1,595 administrative detention

orders against Palestinians, some were arrested during the year, including children, and others had their sentences renewed more than once – others had been under arrest for years and were put in administrative detention. Israeli occupation authorities put hundreds of Palestinians under administrative detention, and some may be locked for more than a decade; while others have their sentences renewed more than once for a 3 or 6-month periods.

Total number of administrative detainees reached 500 by the end of the year without charge or trial as per Article (273) of the Israeli Military Order no. 1651, which allows the Israeli authorities to arrest any person without an indictment or trial according to secret information provided by an Israeli Intelligence officer in the area. These information will never be revealed in the court either to the detainee or his lawyer under the pretext of secret information which only the military judge have access to; therefore, the defendant is deprived of his right to defense as there is neither a charge to refute or defense to be presented by the lawyer.

### **Hunger strikers in protest against detention conditions**

This year, at least 60 administrative prisoners went on individual hunger strikes, protesting at the escalation of administrative detention against Palestinians. Al-Ghadanfar Abu 'Atwan (28), from Hebron, was one of those prisoners who went on a hunger strike for 65 consecutive days. Israeli authorities arrested Abu 'Atwan in October 2020 and placed him under administrative detention for 6 months. After that, they extended his detention again. On 05 May 2021, Abu 'Atwan went on a hunger strike, protesting placing him under administrative arrest. The Israeli authorities refused to acquiesce his demands, as on 31 May and on 10 June,

two hearings were held to appeal the judgment upon his lawyer's request, but the two appeals were rejected despite the deterioration of his health condition and doctors' intervention. On 24 June, the Israeli authorities decided to freeze his administrative detention.

During the second half of 2021, six administrative detainees went on an open hunger strike for more than 100 days; among them was Hisham Abu Hawash (39), from Dura in Hebron, who continued his hunger strike for 141 days. The health condition of Abu Hawash has seriously deteriorated at Assaf Harofeh Hospital. On 05 January 2022, Abu Hawash ended his hunger strike after conducting an agreement with the IPS to freeze his administrative detention and release him on 26 February 2022.

The hunger strike of Palestinian prisoners is a form of peaceful struggle against prison authorities to obtain their rights and defend their dignity. Prisoners are forced to practice their right to hunger strike protesting the injustice practiced against them and absence of any other method to achieve justice before the Israeli authorities. They were left with no means except for their own bodies to fight for their rights to a fair trial and freedom.

### Medical Negligence in the Israeli Jails

Ill prisoners are subjected to a series of deliberate medical negligence that worsens their health, including delaying the provision of treatment, refraining from performing the necessary surgeries in a timely manner, or providing ineffective or appropriate treatment for a serious illness. Consequently, the patient's health condition deteriorates, leading to serious and acute illnesses that are difficult to treat. Furthermore, the lack of specialized medical staff and modern equipped

clinics; not providing healthy meals for prisoners with chronic diseases such as diabetes, pressure, heart, kidneys, etc.; the lack of isolation rooms for patients with infectious diseases such as acute intestinal infections and scabies; depriving prisoners with chronic diseases of their medications, and other measures that cause the deterioration of prisoners' health condition.

With the outbreak of coronavirus pandemic, the Israeli Prison Service has not taken the urgent and significant precautionary measures to protect the Palestinian prisoners in the Israeli jails despite the real and serious danger threatening the lives of thousands of them as the prison environment is known to be crowded with small rooms that lack proper ventilation.

### Deaths in Israeli Jails and Detention Facilities

In 2021, one Palestinian detainee died in Israeli prison. He had health problems and was not offered the necessary medical treatment throughout his 13-year time in Israeli jails. He died as a result.

1. On 18 November, Palestinian prisoner, Sami 'Abd Mahmoud al-'Amour (39), from Deir al-Balah refugee camp, died after he was transported from "Nafhah" prison to "Soroka" Hospital on suspicions of intentional medical neglect by the Israeli authorities. The prisoner, who spent 13 years in prison, suffered from health problems, including blockage of coronary arteries. Al-'Amour had health problems throughout his imprisonment period as he suffered from a congenital heart defect and blockage of arteries. The Israeli authorities did not provide him the adequate treatment for his diseases, so his health deteriorated, and he was transported to "Soroka" hospital in Beersheba in Israel only three days before his death.

## 4. ATTACKS ON JOURNALISTS AND MEDIA PERSONNEL

The year witnessed a noticeable increase in IOF violations against journalists and media outlets in the oPt; PCHR documented 150 violations, including shooting, physical assault, detention, arrests, and summonses for investigation on journalistic work, destruction of media offices, photo-ban, confiscation of equipment, etc. systematically banning journalists from covering incidents, destroying media offices and agencies, and newspaper shutdown.

The considerable increase in the type and volume of attacks on media persons is attributed to three main factors:

- a) The Israeli military aggression on Gaza where IOF purposefully attacked media offices and press agencies.
- b) Media coverage of the escalating protests in occupied east Jerusalem in April and May 2021 against the Israeli decisions to deport Palestinian families from Sheikh Jarrah neighbourhood, Israeli violence against Palestinians in Jerusalem during the holy month of Ramadan, and the escalating settler-attacks
- c) Escalating protests across the West Bank against continued Israeli settlers' attacks on Palestinians and their properties, including physical assaults, run-over attacks, destroying crops, and attempts to form new settlement outposts.

The main purpose of these attacks is to stop media crews and international outlets from documenting the reality in the oPt, and to counter any narrative that refutes the one Israel promotes as a state that respects

human rights and freedom of expression.

### a) Violation of right to life and bodily integrity

In 2021, a journalist was killed and 40 others were injured after IOF opened fire at them in oPt.

On 19 May, journalist Yousef Mohammed Abu Hussain (33), al-Aqsa Radio announcer, was killed after Israeli warplanes targeted his house in al-Sheikh Redwan neighborhood in Gaza City during the Israeli aggression on Gaza Strip.

Throughout the year, 40 journalists; majority of them are from the West Bank, were injured while covering protests and clashes erupted in occupied East Jerusalem, particularly in April and May, and in all the West Bank cities, protesting at the escalation of settlers' attacks. In the Gaza Strip, 6 journalists were injured in the Gaza Strip; 3 were wounded during the Israeli aggression on the Gaza Strip, and 3 others while covering peaceful protests in eastern the strip.

### b) Beating, Humiliation and Inhumane and Degrading Treatment against Journalists

PCHR documented 35 cases in which journalists were subjected to beating, humiliation and inhumane and degrading treatment by IOF while covering protests organized by Palestinians in the West Bank, including occupied East Jerusalem. These attacks included beating, kicking, and slapping, or pepper-spraying their faces to disperse them and prevent them from covering the incidents.



Image: Damage caused by IOF soldiers after raiding “Palestinian Media and Advertising Company” in Hebron.

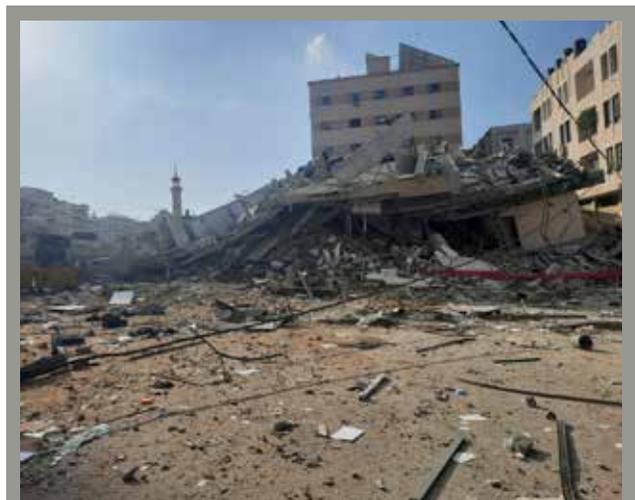
### c) Detention and Arrests against Journalists

Twenty-five journalists were detained or held by IOF whether in the field or from their houses on grounds of their journalistic work. Also, 5 journalists are still detained in the Israeli jails on grounds of their journalistic work; some placed under administrative detention, some are still under arrest waiting the trial, and others already tried and sentenced.

### d) Destruction of media institutions and offices

During the aggression on the Gaza Strip, IOF targeted media and press institutions and destroyed some of them. Also, IOF bombarded the headquarters of satellite channels operating in the strip, including Arab satellite channels. Moreover, headquarters of local press and radio offices were targeted, causing severe material damage to them. IOF’s attacks resulted in the destruction of (23) press offices, including (4) media companies, located in civilian towers in central Gaza Strip that were targeted and

completely destroyed. These towers are as follows: al-Jalaa, al-Jawhara, al-Shorouk, and al-Waleed. Al-Jalaa tower housed 6 media offices and agencies, including the Associated Press and Al-Jazeera Media Network. Al-Jawhara Tower housed 16 local and international institutions, including the National Information Agency, Palestine Newspaper, Al-Araby Al-Jadeed Newspaper, Al-Arabi channel, Al-Ittijah TV, Al-Nujaba Satellite TV, Syrian TV, Al-Kufiya Channel, Al Mamalaka channel, APA Agency, Sabq Agency 24, the Palestinian Media Forum, and Bawaba 24. Al-Waleed Tower was comprised of 17 apartments, housing offices and institutions, including media production company.



Damage on Shorouk tower after IOF bombing.

With regard to al-Shorouk Tower, it housed various media and press offices, including Al-Hayat al-Jadida Newspaper, Al-Aqsa TV, and Al-Aqsa Radio, Taiff Media institution, and media production company PMP, Dubai TV and others.

### e) Banning Journalists Coverage

PCHR documented 20 cases in which journalists

were prevented from practicing their work and covering incidents, either by preventing them from entering the incident area, or expelling them from it during coverage, under the pretext of being “a closed military zone.” Moreover, journalists were particularly banned coverage during protests took place in occupied East Jerusalem. IOF continued to impose further restrictions on journalists, particularly in occupied East Jerusalem. These restrictions included closing media institutions, displacing journalists from the city for varying periods, imposing house arrest on journalists from the city, and preventing journalists holding Palestinian press card from entering Jerusalem. Furthermore, PCHR documented the deportation of 8 journalists from occupied East Jerusalem for 3-6 months, aiming at imposing further restrictions on the city and its institutions.

**f) Closure of media institutions**

PCHR documented the closure of a Palestinian Advertising Company for 6 months after confiscating its contents. On 18 August, IOF raided and searched the company in Hebron, confiscated the machines and then hanged a 6-month closure notice on it until 10 February 2022.

**g) Ban on printing of al-Risalah and Falastin newspapers continues**

IOF continued to ban printing of al-Risalah and Falastin newspapers, which are issued in the Gaza Strip and printed in the West Bank upon an Israeli military decision issued on 28 May 2014 following IOF’s raid of al-Ayyam Press, Printing, Publishing & Distribution Company office in Beitunia village, west of Ramallah in the center of the West Bank.

**5. DEMOLITION AND DESTRUCTION OF CIVILIAN PROPERTIES AND OBJECTS**

The Israeli forces continued to systematically demolish Palestinian civilian houses and properties in the oPt. This phenomenon peaked in May, as IOF destroyed thousands of civilian objects during its military aggression. In the West Bank, IOF maintained its policy

of direct demolitions of civilians homes and other civilian objects, including occupied East Jerusalem under its settlement expansion schemes, confiscation of Palestinian lands, and efforts to create Jewish majority in Jerusalem.

**a) Destruction of civilian properties and objects in the Gaza Strip**

Israeli forces launched a wide-scale military aggression on the Gaza Strip in May and destroyed thousands of civilian objects during its military aggression, including houses, economic facilities, infrastructure (water, electric, communication, sanitation, roads), governmental facilities, tourism facilities, as well as health and culture establishments, in breach of

international law and IHL rules on the principles of distinction and proportionality.

**1. Homes**

IOF launched intense attacks on residential neighborhoods in center Gaza City, destroying

homes on top of their residents. According to the joint documentation by PCHR, al-Haq, and Al Mezan,<sup>11</sup> 7,680 residential units sustained damage during the aggression: 1,313 were destroyed and 6,367 were partially destroyed. These units were home to 38,020 individuals, including 10,218 women and 17,444 children. 46.7% of the attacks targeted Gaza City, and 36.4% targeted northern Gaza governorate. IOF warplanes bombarded several communities intensely, destroying hundreds of houses, and 10 civilian towers (5 towers completely destroyed, and 5 partially), which included apartments as 30% of destroyed residential units were in towers.



◀ Damage to Hanadi Tower after IOF bombardment in Gaza.

## 2. Economic establishments

PCHR documented the destruction of (59) economic facilities during the last Israeli aggression on the Gaza Strip; twenty-five of which were completely destroyed while 34 were partially destroyed. Meanwhile, (483) commercial facilities sustained material damage;

<sup>11</sup> Palestinian human rights organizations ran a joint field documentation with the cooperation of Al-Haq, PCHR, and al-Mezan. A joint statistical report documenting the Israeli crimes during the aggression was released.

141 of which sustained complete damage while 342 sustained partial damage. IOF also attacked , (669) plots of land sustained damage during the aggression, a total of 4,208 dunums. Moreover, 6,642 Palestinians, including 2,011 children, were affected by the targeting of agricultural lands.

According to PCHR's documentation, (221) agricultural facilities were affected by IOF direct and indirect bombardment; (38) of which sustained complete damage.

The IOF attacks on livestock barns were as follows: (144) barns were targeted in northern Gaza Strip; (39) barns in Gaza, (32) barns in Khan Yunis, (3) barns in Dir al-Balah, and 3 barns in Rafah.



◀ Destruction in the Industrial Zone in eastern Gaza following Israeli bombardment.

## 3. Destruction of infrastructure

Throughout the aggression, Gaza Strip infrastructure was subjected to a systematic targeting by IOF, as vital

facilities serving civilian population across the Gaza Strip were destroyed. Among those facilities were road, streets, electricity networks, telephone, water wells, including water for domestic use and its main and sub networks, and sanitation services, including water treatment plants and its pipelines.



◀ IOF bombing of Salah al-Din street.

#### » **Destruction of water and sanitation networks**

The bombing of the main roads and intersections in the Gaza Strip resulted in the destruction of (26,600) linear meters of water networks, 23,070m of sewage networks, and 2,850 linear meters of rain drainage networks. The water desalination plant in

the northern Gaza Strip stopped working for 3 days, due to the infrastructure destruction and frequent power cuts. Also, sewage plant (1) in Gaza was almost completely damaged, Plant (11) was partially damaged in Israeli warplanes raids on adjacent lands. As a result, many basic services, such as water and electricity, were interrupted in affected areas.

#### » **Damage to electric sector**

IOF airstrikes caused severe damage to 5 main power lines that supply electricity from the Israeli side, including 8 main power transformers and 62 high and 192 low voltage lines. Power deficit reached 74.7%.

#### » **Damage to communication and internet services**

The wide radius of Israeli attacks during the aggression caused poor quality and difficulty in landline and cellular communication, and access to the Internet in some areas in the Gaza Strip. There was also a complete interruption in communication and internet services in and near targeted areas, as civilians living in targeted area suffered poor to no services, which affected the response of medical crews in emergencies.

### **b) Destruction of civilian properties and objects in the West Bank**

IOF continued to systematically demolish Palestinian civilian houses and other objects by directly demolishing them or assaulting and seizing their property or by forcing civilians to self-demolish their houses and fining them. Although this policy was applied in the West Bank, it was particularly concentrated in occupied East

Jerusalem this year as part of Israel's plans to create a Jewish demographic majority in the city. Moreover, IOF continued to target civilian facilities used for commercial, industrial, agricultural, healthcare, service, educational, religious and sport purposes in the West Bank.

Demolition and leveling operations have been continued in favor of settlement projects. Also, settlers' attacks, under IOF's protection, against Palestinians and their property have been continued. It should be noted that the rate of demolition and confiscation of Palestinian homes in the West Bank increased by 21% during 2021 compared to 2020, according to the United Nations Office for the Coordination of Humanitarian Affairs – OCHA. This indicates grave violations against civilian population, especially in Area C, as the Israeli authorities approved only five of over 100 outline plans submitted by Palestinians in Area C<sup>12</sup>, and the outline plans<sup>13</sup> approved by the Israeli authorities cover less than 1% of the area of Area C in favor of Palestinians. By contrast, the outline plans approved by the Israeli authorities for Israeli settlements cover at least 8.5 per cent of Area C. Settlements are illegal under international humanitarian law as they violate Article 49 of the Fourth Geneva Convention, which prohibits the transfer of the occupying power's civilian population into occupied territory.

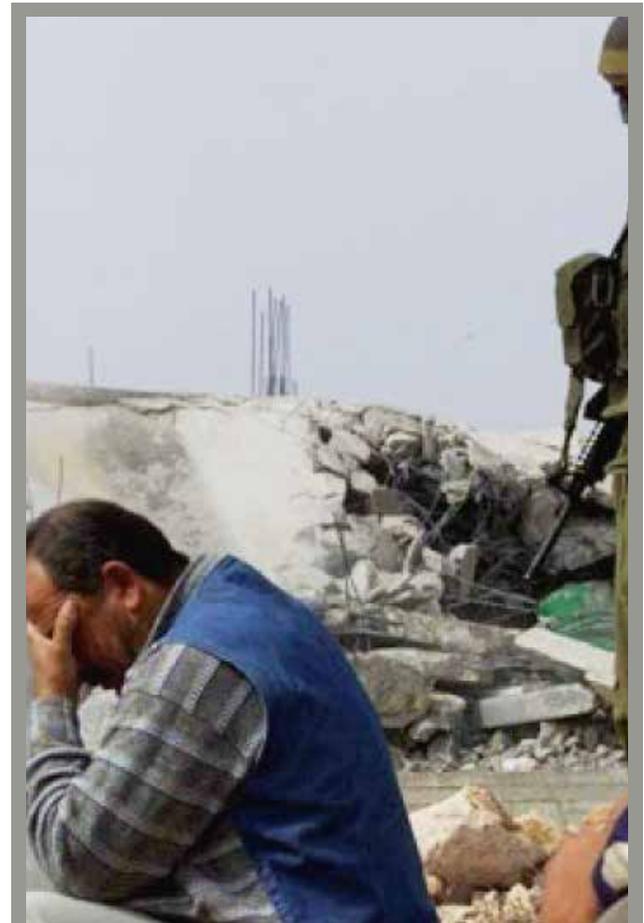
According to PCHR's follow-up, 295 houses were demolished by IOF in 2021, that included including 388 residential apartments and sheltered 347 families of 1846 individuals, including 936 children. Also, IOF delivered demolition notices to 43 houses.

Furthermore, other civilian facilities were significantly targeted as PCHR documented that 91 facilities were demolished. These facilities were as follows: 43 for commercial purposes, 6 industrial facilities, 31 agricultural facilities, 4 water wells, 5 educational facilities, and 3 religious facilities. Also, as part of

12 OCHA, Humanitarian Affairs Bulletin, published on 22 June 2021, electronic material titled: "Most Palestinian plans to build in Area C not approved. Link: <https://www.ochaopt.org/ar/content/most-palestinian-plans-build-area-c-not-approved>

13 Outline plans are considered as legislative instruments used by Israeli authorities in construction works in Area C.

punitive demolition policy adopted by IOF against the houses of Palestinian civilians accused of carrying out attacks against Israelis, 20 houses were demolished by IOF in 2021. Such violations constitute collective punishment contrary to the rules of international humanitarian law.



▶ Palestinian man cries after IOF destroyed his house in the West Bank.

Meanwhile in occupied East Jerusalem, IOF demolished 127 houses that included 148 residential apartments and sheltered 173 families of 1009 individuals, including 466 children. Also, IOF delivered cease-construction notices to 20 houses that included 28 residential apartments. IOF also forced 67 Palestinians to self-demolish their houses, including 81 housing units. In addition, IOF demolished 31 houses, under the pretext of non-licensing and halted construction works

in 20 houses for the same reason.

## 6. SETTLEMENT EXPANSION ACTIVITIES AND ATTACKS BY SETTLERS

The Israeli occupation continued annexation of the oPt and creation of new irreversible facts on the ground, including escalating settlement activity, creating a Jewish majority in East Jerusalem, and isolating it, besieging, and expelling its Palestinian residents, establishing the annexation wall, and dividing the cities, villages, and camps of the West Bank through establishing settlements, settlers' bypass roads and hundreds of military checkpoints. The Israeli occupation authorities managed to change the features of oPt, seize its resources, and deprive the Palestinian people of their inalienable in favor of the settlers. This has created a new version of apartheid where settlers enjoy privileges at the expense of the indigenous people who are besieged and dispersed in Bantustans and are suppressed by means of law and IOF's brute force and military order, stripping them of all rights guaranteed by international law.

IOF and settlers continued to commit more settlement expansion crimes in the West Bank, confiscate Palestinians' lands and demolish their property in favor of the settlement projects. The settlers, armed and protected by IOF, continued to commit crimes, and carry out systematic attacks against the Palestinian civilians and their property, including shooting at civilians and beating them; damaging and burning crops; and preventing farmers from harvesting their crops during harvest seasons under violent threats.

In occupied East Jerusalem in particular, Israeli authorities continued to implement its plans, aiming at creating Jewish majority in the city and forcing demographic changes in it by imposing tight measures

and policies on Palestinian that force them to leave the city. Thus, Israel would control the city.

Israeli authorities continued house demolition policy in the Palestinian neighborhoods in occupied East Jerusalem, under various pretexts; most notable was construction without license. It should be noted that Palestinians in Jerusalem submit requests to license their houses, but the Israeli municipality mostly refuse their applications. The Palestinians are forced to build above their house because of the small area of the house, but the Israeli authorities demolish them.

During the year, Israeli authorities tried to displace 28 Palestinian families from Sheikh Jarrah neighborhood in occupied East Jerusalem, where 500 Palestinian live, after Israeli courts issued decisions to seize these houses in favor of a settlement organization. In recent years, the Israeli authorities have intensified their systematic campaigns against Palestinian institutions operating in occupied East Jerusalem, imposed tight restrictions on them and preventing them from working in the city in an attempt to deconstruct Palestinian identity. These institutions included media, educational, religious, and other institutions that provide services for Palestinians in the city.

In 2021, Israeli authorities banned election-related activities in occupied East Jerusalem, including preventing candidates from holding seminars for elections and arresting them. These practices are part of the Israeli occupation's attempts to obstruct the Palestinian elections, and a reflection of a clear policy aiming to prevent Jerusalem's participation in the

elections and deny the Palestinians in Jerusalem their right to vote or run for the elections.

In light of these obstacles placed by the Israeli authorities in front of Jerusalemites' participation in the Palestinian general elections, either as candidates or electors, the Palestinian leadership decided to postpone the holding of the general elections on their scheduled date on 31 May 2021.

In early May of 2021, Israeli settlers established a settlement outpost in Sbaih Mount area, between Beita

and Qabalan villages, south of Nablus, and paved its internal roads. Also, they placed caravans and mobile dwellings for about 50 Israeli families. It should be noted that on 06 June, the commander of the central region decided to evacuate the settlement outpost, but the Israeli government has procrastinated the implementation of this decision. Meanwhile, clashes erupted between the confiscated lands' owners and IOF and settlers. As a result, 10 Palestinians were killed and tens others were injured. The year of 2021 has ended and Israeli authorities did not implement the military eviction order.

### **Ongoing Attempts to Displace Indigenous populations as Prelude to Confiscate their Lands in Favor of Israeli settlement expansion**

The Israeli authorities are seeking to seize as much as possible of Area C, which constitutes that largest area of the West Bank lands, in a systematic and a deliberate way. The Oslo Accords of 1995 divided the Palestinian territories into three areas (A), (B), and (C). Area (C) is under the Israeli full control. With regard to construction, development, and future plans in these areas, since 1995, Israeli authorities have strengthened its measures to prevent the development of these areas, including ceasing construction and expansion.

The Israeli authorities classified the majority of these areas into classifications that prohibit the Palestinians from benefiting from them in any way, aiming to effectively control of these areas. In an attempt to impose de facto control over Area C in favor of settlements, the Israeli authorities classified the majority of these areas in a way that prohibits the Palestinians from benefiting from them in any way, whether in agriculture, construction, or any other

development plans, such as: state-owned lands, nature reserves, military areas, and others. Even in the areas remaining for Palestinians, Israeli authorities impose tight restrictions on them and prevent them from enjoying their natural rights to construction, agriculture, and infrastructure. Also, Israeli authorities almost entirely refuse to grant construction licenses for Palestinians and they demolish hundreds of houses, under the pretext of non-licensing.

On the other hand, Israeli authorities impose tight restrictions on dozens of residential compounds across the West Bank, whose residents depend on agricultural and sheep-herding. These practices aim at forcing the residents of these compounds to leave and resort to Palestinian cities and villages in Area A and B, putting the Palestinians in densely populated areas, and vacating the residents of Area C as a prelude to confiscate it. Moreover, these policies include preventing urban upgrading in these compound and preventing the establishment of adequate infrastruc-

ture in them, including a transportation, electricity and water networks, and public facilities such as clinics, schools, and others.

### Settlers Attacks against Palestinian Civilians and Property

During the year, settlers' attacks against Palestinians and their property escalated in an unprecedented manner. These attacks included: shooting at Palestinians, which resulted in the death of 4 Palestinians; physical assault and throwing stones and Molotov cocktails at homes and cars; the destruction and burning of crops. These attacks are carried out by settler groups and organizations that call themselves "the Hilltop Youth," or the "Price Tag" gangs, affiliated with extremist right-wing Jewish organizations and parties. These attacks were carried out with the protection of the occupying forces. These settler-attacks are conducted under the watching eye of the Israeli military forces who accompany the settlers and do not intervene to stop them. PCHR fieldworkers managed to document 298 settler-attacks,<sup>14</sup> resulting in the injury of 53 civilians in different attacks, including shooting, abuse, assault, and throwing stones at civilian vehicles. Additionally, there were multiple cases of shootings with firearms, assaults with sticks and stones on civilians; damage and burning of crops; attacks on vehicles, places of worship and homes; banditry.

PCHR documented prominent cases of settlers' attacks, which were as follows:

- » On 03 March, a group of settlers from "Mitzpe Yair" settlement outpost established on the Palestinian lands confiscated from eastern Yatta, south of Hebron, attacked Sa'id Mohammed 'Alian 'Awad (48) and his

wife Reema 'Awad (38) with stones and batons when the couple were with their 6 children and their relatives' children in their plot of land in Sho'ab al-Butm, south of the settlement outpost. As a result, 'Awad sustained fractures in the face and bruises all over his body while the windows of his car were smashed.

- » On 06 June, Israeli settlers, from "Yitzhar" settlement, which is established on Huwwara and Burin villages' lands, north of the West Bank, attacked Palestinians' vehicles. Also, they attacked al-Ashiqqa Car Company and damaged a number of vehicles.
- » On 10 September, a group of settlers from "Kiryat Arba" settlement in eastern Hebron, attacked 'Abdel Jawad Mohammed Joude al-Ja'bari (42)'s house near Ibrahim Mosque in the Old City. When Palestinian civilians attempted to confront the settlers, IOF arrived at the area and provided protection for settlers. A number of soldiers then raided al-Ja'bari's house. Meanwhile, a settler opened fire at Soliman Abu S'eifan (40), but no injuries were reported.



◀ settler uses an axe to assault Palestinian civilian.

<sup>14</sup> A single attack may include multiple violations

## 7. THE ANNEXATION WALL IN THE WEST BANK

As the construction of the annexation wall is about to finish, it turns out that around 85% of it was constructed within the Palestinian territory in a roundabout way. The wall is about 700 kilometers long (about twice the length of the Green Line which is around 300 kilometers long.) It consists of an electronic barbed-wire fence, an eight to nine meter high concrete walls and detector gates, which isolate thousands of Palestinians from their lands and from their social surrounding.

Facts on the ground show that Israel, which built the annexation wall on alleged security reasons, created unilateral facts on the ground, and made the boundaries of the annexation wall negotiable with the Palestinians who seek to establish their state within the boundaries of 1967. According to the Palestinian estimations, the area of Palestinian lands isolated and besieged between the wall and Green Line is 680 square kilometers, i.e. 12.0% of the total area of the West Bank, and 454 square meters of them are pasture and agricultural lands.

The Israeli occupation authorities created a new reality, where Israel cut off residents of some Palestinian communities– including villages and towns – from their land; By so, Israel blocked thousands of Palestinians from freely accessing and cultivating their land as they have to wait to obtain permits from the Israeli Civil Administration to access and benefit from their lands, causing them heavy losses. Moreover, they have to obtain permits in order to visit their families or go shopping on the other side of wall.

It should be mentioned that the International Court of Justice (ICJ) issued an Advisory Opinion on 09 July 2004 on the legal consequences of the wall in response to a request by a UN General Assembly Resolution of 03 December 2003, ruling that the wall's construction inside the West Bank has no legal validity. However, Israel has not taken any measure to change the situation on the ground and continued the wall's construction.

## 8. ISRAELI ATTACKS AGAINST HUMAN RIGHTS DEFENDERS AND PALESTINIAN CIVIL SOCIETY ORGANIZATIONS

The designation of six pioneering Palestinian civil society organizations as terrorist organizations, was the striking development this year. In October 2021, Israeli Defense Minister, Benny Gantz, designated six pioneering Palestinian civil society organizations as terrorist organizations, allegedly for affiliations with the Popular Front for the Liberation of Palestine, aiming to free Palestine and abolish the State of Israel. These organizations are well known, each pioneering in their field with significant achievements over the course of

their decades long work in the occupied Palestinian territory. PCHR condemned the Israeli decision and asserted that it is an obvious ploy to undermine the work of Palestinian human rights organizations before the International Criminal Court at a critical moment where the Court initiated investigations into Israeli crimes. PCHR considered the Israeli decision an attempt to end these organizations by drying up their funding and prosecuting donors as sponsors of terrorism. PCHR held the Israeli occupation fully responsible for

the safety of these organizations' staff.<sup>15</sup>

The decision of the Israeli Defense Minister was met with widespread criticism from the international human rights community, especially the High Commissioner for Human Rights and the special rapporteurs. Michelle Bachelet, UN High Commissioner for Human Rights, said that: "Israel's decision to designate six Palestinian civil society organizations as "terrorist organizations" is an attack on human rights defenders, on freedoms of association, opinion, and expression and on the right to public participation, and should be immediately revoked."<sup>16</sup>

Moreover, on 25 October 2021, 16 UN human rights experts issued a statement, in which they strongly condemned the decision by the Israeli Minister of Defense to designate six Palestinian human rights and civil society groups, as terrorist organizations. Also, they argue that anti-terrorism legislation must never be used to unjustifiably undermine civil liberties, or to limit the legitimate work of human rights organizations and it must comply with international law and not violate the international obligations of States. The experts emphasized that these human rights organizations use a rights-based approach to their work, and they should not be targeted. Also, the experts warned that Israel's decision, in effect, bans the work of these human rights defenders, and allows the Israeli military to arrest their staff, shutter their offices, confiscate assets, and

15 Persecution and Termination Next: Israeli Occupation Designates 6 Pioneering Palestinian Organizations Terrorists, PCHR 23 October 2021. Available at: <https://pchrgaza.org/en/persecution-and-termination-next-israeli-occupation-designates-6-pioneering-palestinian-organizations-terrorists/>

16 Office of the High Commissioner for Human Rights, Israel's "terrorism" designation an unjustified attack on Palestinian civil society – Bachelet: <https://www.ohchr.org/ar/press-releases/2021/10/israels-terrorism-designation-unjustified-attack-palestinian-civil-society?msclkid=e69f35a7aa7011ec9a8439afc42b229e>

prohibit their activities.<sup>17</sup>

This move against those organizations was the latest in a series of systemic attacks to undermine Palestinian civil society, as Palestinian civil society activists and human rights defenders in the oPt have been directly and indirectly attacked with the help of organizations that work undercover as non-governmental organizations, but they are affiliated with the Israeli occupation. Israel systematically attacks Palestinian human rights and civil society organizations, with the help of Israeli non-governmental organizations indirectly affiliated with the Israeli government.

These attacks are directed against whoever attempts to reveal the truth about the Israeli crimes and violations in the oPt or tries to support the Palestinians' cause and their resilience. To this end, Israel recruits a variety of strategies, including death threats, arrests, administrative detention, office raids and confiscation of contents; as well as smear campaigns against human rights organizations operating in the oPt both to question their credibility in relation to exposing the Israeli crimes and to limit their funding.<sup>18</sup>

The Israeli authorities efforts to undermine Palestinian civil society are mainly led by the very-resourceful Ministry of Strategic Affairs and Public Diplomacy, these smear campaigns tend to absurdly link civil society organizations and the Boycott Divestment

17 United Nations, Office of the High Commissioner for Human Rights, UN experts condemn Israel's designation of Palestine rights defenders as terrorist organisations: <https://www.ohchr.org/ar/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders?msclkid=f6baf6feaa7111ecace2c7c893458db9>

18 PCHR, A report on the Israeli Attacks against the Human Rights Organizations and Activists, 2020: <https://www.pchrgaza.org/en/israeli-attacks-on-human-rights-organizations-and-activists/>

and Sanctions (BDS) movement,<sup>19</sup> as well as linking Palestinian organizations to terrorism. Furthermore, the Israeli authorities retrieve to accusations of anti-Semitism against any criticism of its violations in the oPt from any party around the world, in a constant pursuit to deflect attention and distort facts.<sup>20</sup> The Ministry launched several reports attacking Palestinian human rights organizations when they uncovered and exposed the dangerous and inhuman implications of the 2014 vicious military offensive on the Gaza Strip.<sup>21</sup>

The Israeli authorities established several offices, under the cover of civil society organizations, media outlets, research institutions, and other deceptive forms, in its campaign to undermine the credibility of the civil society organizations. Most prominent of these organizations was the NGO Monitor, which aims at distorting any party attempting to monitor and document the Israeli crimes in the oPt or any party trying to support the Palestinians and their resilience. NGO Monitor issued dozens of reports that included misinformation to distort the role and work of the civil society organizations in Palestine, including PCHR, al-Mezan Center for Human Rights, and Addameer. These reports clearly incite against whoever funds the civil society organizations in the oPt and demands explicitly to have these funds cut off. NGO Monitor also issued in 2020 6 inflammatory reports against the organizations working on the Israeli-Palestinian Agenda, including Israeli organizations

19 Boycott, Divestment, Sanctions (BDS) defines itself as a Palestinian-led movement with global outreach that aims at resisting the occupation, the colonial settlements and Israeli apartheid, for the fulfilment of freedom, justice, and equality in Palestine with the end goal of fulfilling the Palestinian people's right to self-determination in Palestine and the diaspora. BDS demands include the aspirations and rights of all Palestinian people from historical Palestine i.e. Palestinians from pre-1948 Palestine, the Gaza Strip, the West Bank including Jerusalem, refugee camps and the diaspora, who have been torn apart over many years and stages by the Israeli colonial settlements.

20 PCHR, A report on the Israeli Attacks against the Human Rights Organizations and Activists, 2020: <https://www.pchrgaza.org/en/israeli-attacks-on-human-rights-organizations-and-activists/>

21 Ibid.

that criticize Israeli violations. Also, Israeli right-wing media outlets are involved in the smear campaigns by publishing or republishing false reports created by Israeli official bodies.<sup>22</sup>

The Israeli authorities continued to raid, close and confiscated the contents of Palestinian civil society organizations, under various pretexts in 2021 as it did in previous years. On 29 June 2021, IOF raided and ransacked two NGOs in Ramallah and al-Bireh: the head office of Bisan Center for Research and Development and the Defense for Children International (DCI) -Palestine Office. They searched the Center's offices, ransacked its contents, and confiscated some of them. Additionally, on 07 July 2021, IOF raided the Headquarter of the of the Union of Agricultural Work Committees (UAWC) in al-Bireh City, confiscated some its contents and then ordered to close it for 6 months. Also, they arrested Shatha 'Odeh, General-Director of the Union of Health Work Committees (UHCW), from her house in Ramallah and confiscated her car. It should be noted that UAWC in Ramallah was previously closed by IOF on 09 June 2021.

In the same context, the Israeli authorities continued to impose restrictions on human rights defenders and pursued them in cooperation with the Israeli judiciary that supplied remarkable impunity for IOF to violate Palestinians' rights. On 06 January 2021, Israeli Court convicted a human rights defender, 'Issa 'Amro, on six charges relating to his human rights activities in Hebron. The Israeli judge decided to convict him of violating the law 3 times as he participated in a protest without permit, according to the Israeli Security Service Law, obstructing Israeli soldiers' activities 2 times and assaulting an Israeli settler, a guard of "Kiryat Arba" settlement. 'Amro's trial lasted for 4 years, during which the Israeli Military

22 Ibid.

Prosecution filed 8 indictments against him, two of which were formally dropped during the first sessions of the trial, and he was convicted of six charges.

Furthermore, the Israeli authorities continued to prevent Laith Abu Ziyad, an Amnesty International campaigner, from traveling, as he is being barred from travelling abroad by Israel since October 2019 as a punitive measure against the organization's human rights work. On 08 February 2021, the Amnesty International filed a second petition to cancel the travel ban against Abu Ziyad, after refusing an administrative petition

### ICC and Prosecution of the Israeli War Criminals

On 3 March 2021, the ICC Prosecutor announced her decision to investigate crimes within the jurisdiction of the Court committed in the Occupied Palestinian Territory. This development was the most significant strategic milestone for PCHR and other Palestinian human rights' organizations work. The Prosecutor's decision followed decision of the Pre-Trial Chamber on 5 February 2021 on the jurisdiction of the International Criminal Court over occupied Palestine, namely the Gaza Strip and the West Bank, including Jerusalem. The decision revived the hope for justice that Palestinian victims seek and was a major step forward in efforts to prosecute Israeli war criminals internationally, especially after the Israeli judiciary denied Palestinians justice and the Israeli occupation's foreign allies blocked the way for Palestinians to enjoy redress under the principle of universal jurisdiction.

Immediately after the ICC made its announcement, PCHR commenced a relentless effort as legal representative for a large number of victims of the recurrent Israeli attacks on the Gaza Strip and went ahead with the third stage of its strategic work on the ICC – which

previously submitted to IOF in November 2020. The Israeli District Court in Jerusalem upheld the travel ban decision at its session held on 06 April 2021<sup>23</sup>

Moreover, on 04 July 2021, Israeli border guard officers stationed at al-Container military checkpoint, east of Bethlehem, arrested lawyer Fared Mohammed Hussain al-Atrash (44), Director of the Independent Commission for Human Rights Office in southern West Bank, while he was on his way coming from Ramallah. They took him to Atarot Police Station in Jerusalem.

started since the establishment of the Court. PCHR verified the representatives of victims and eyewitnesses before the ICC and sent a delegation to meet with ICC officials and to prepare for legal representation of victims before the Court.



◀ Joint HRO press conference at PCHR office on the ICC developments.

<sup>23</sup> Amnesty International, Israel/ OPT: 'Chilling Repercussions' of travel ban on Amnesty Campaigner must be a wake-up call for all, press release issued on 06 April 2021.

PCHR and its partners had implemented two previous phases in collaboration with partners at the International Criminal Court (ICC); the first phase was by implementing campaigns to urge the Palestinian Authority to join the International Criminal Court, until this actually happened in January 2015. The second phase was by providing information to the ICC about the Israeli crimes committed in the oPt, as 6 legal warrants were submitted to the ICC regarding incidents and actions constituting a grave violation of international law. These warrants included: Israeli crimes and violation during the Great March of Return, Israeli settlement in the oPt, Israel's failure to investigate effectively and hold accountable those responsible of committing war crimes, Israeli-imposed closure on the Gaza Strip, the 2014 Israeli aggression on the Gaza Strip, and "Black Friday" Massacre in Rafah.

Efforts exerted to open an investigation by the ICC were met with intense US-Israeli pressure to prevent the court from opening the investigation in any way. The most notable was the issuance of an executive order on 11 June 2020 by US President Donald Trump. The order included a direct threat to the court to prevent it from taking any action to pursued USA citizens and its allies. Also, the order criminalized anyone who aids the ICC; and thus anyone who provides information to the Court may be subject to imprisonment, whether being a US resident or upon his entry to the state.<sup>24</sup>

24 Palestinian Centre for Human Rights, PCHR Condemns US Economic Sanctions on International Criminal Court Officials, press release issued on 03 September 2021: <https://pchrgaza.org/ar/%d8%a7%d9%84%d9%85%d8%b1%d9%83%d8%b2-%d9%8a%d8%af%d9%8a%d9%86-%d8%a7%d9%84%d8%b9%d9%82%d9%88%d8%a8%d8%a7%d8%aa-%d8%a7%d9%84%d8%a7%d9%82%d8%aa-%d8%b5%d8%a7%d8%af%d9%8a%d8%a9-> It was stated in the court's decision to open the investigation, that the latter will begin the investigation into the Palestinian case, including all cases and events, from the date of June 13, 2014, the date set by the Palestinian Declaration by accepting the court's mandate. And that the court will determine its priorities in the investigation based on the challenges it will face due to the Corona epidemic, lack of resources and pressure %d8%a7%d9%84%d8%a3/?msckid=deff1390aa8c11ec9901d0393fe425c1

Additionally, the smear and threatening campaigns launched by the Israeli occupation and led by the Ministry of Strategic Affairs in Israel and its affiliated bodies, against all non-governmental institutions that contributed to sending the Palestinian victims files to the ICC.

The ICC decision to open the investigation stated that the Court will begin the investigation into the situation in Palestine, including all cases and events from the date of 13 June 2014, the date set by the Palestinian declaration under article 12(3) of the Rome Statute accepting the jurisdiction of the Court. The statement added that the Court will determine its priorities in the investigation based on the challenges it will face due to the coronavirus pandemic, insufficient resources, and the workload. It also pointed out that investigations take a long time; but asserted that there are probable cases for admission to the Court.<sup>25</sup>

On 20 December 2019, the former ICC Prosecutor, Fatou Bensouda, issued a written statement that preliminary investigations into the Palestinian issue showed that there is reasonable basis to initiate an investigation into crimes in the occupied Palestinian territory (oPt), in particular Israeli crimes. At the same time, she pointed out that she will request ruling from the ICC Pre-Trial Chamber on the Court's territorial jurisdiction in Palestine.

The Prosecutor justified her unprecedented action by saying that the Palestinian issue is facing unprecedented complications that require resolving some issues before beginning the investigation procedures. On 28 January

25 ICC, Statement of ICC Prosecutor, Fatou Bensouda, respecting an investigation of the Situation in Palestine. Available at: <https://www.icc-cpi.int/news/statement-icc-prosecutor-fatou-bensouda-respecting-investigation-situation-palestine#:~:text=In%20the%20end%2C%20our%20central,for%20international%20peace%20and%20security>.

2020, the ICC Pre-Trial Chamber I invited “States, organizations and/or persons to submit observations on the Prosecutors’ request related to the scope of the ICC’s territorial jurisdiction in the Situation of the State of Palestine.

On 05 February, the Pre-Trial Chamber decided that Palestine had acceded to the Rome Statute in accordance with the procedures set out in the Statute, that the Assembly of States Parties had approved this accession by dealing with it as a fact, and that therefore dealing with Palestine should be like dealing with any other State party. The Court relied on United Nations resolutions on the right of Palestinians to self-determination in the Palestinian territories occupied in 1967, to determine the geographical scope of the Court’s jurisdiction.

The Court decided that its territorial jurisdiction in the Situation in Palestine extends to the territories occupied by Israel since 1967, namely Gaza and the West Bank, including East Jerusalem.<sup>26</sup>

It should be noted that the Israeli authorities have continued to set obstacles to obstruct Palestinians’ access to justice; in both the criminal and civil courts. Also, the Israeli authorities employs its judiciary to provide legal cover for its crimes and attacks against Palestinians, in order to spare Israeli war criminals accountability on the international level, specially by ICC.

Since the 2008-2009 Israeli offensive (Cast Lead) on the Gaza Strip, PCHR submitted about (1059) complaints to the Israeli Military Prosecution on behalf of (2850) Palestinian victims, calling for opening an investigation into the Israeli crimes and violations against those

<sup>26</sup> PRE-TRIAL CHAMBER I, SITUATION IN THE STATE OF PALESTINE, < [https://www.icc-cpi.int/CourtRecords/CR2021\\_01165.PDF](https://www.icc-cpi.int/CourtRecords/CR2021_01165.PDF)>

civilians since that offensive to date<sup>27</sup>. Despite this, only 22 case files were investigated; one of them took place in the 2021 Israeli aggression” Guardian of the Walls”, and no Israeli soldiers were accused of criminal charges,<sup>28</sup> noting that all the previous aggressions resulted in the murder of thousands of Palestinians and the injury of hundreds of thousands more. Additionally, hundreds of houses and facilities protected by the International Humanitarian Law were destroyed.

Moreover, the Israeli authorities adopted several resolutions and decisions, aiming to obstruct Palestinians’ access to justice.<sup>29</sup> The most prominent decisions was the Israeli government’s decision issued on 12 September 2014, to designate Gaza Strip as a hostile entity. This decision implicitly means depriving the Palestinians in the Gaza Strip of resorting to the Israeli judiciary and calling for compensation, based on Amendment No. (8) of 2012 to the Civil Wrong ((Liability of the State) Law issued in 1952, which exempted Israel from liability for damage caused by its soldiers in the oPt; Since the IOF redeployed its troops from inside the Gaza Strip on 12 September 2005. Also, this amendment exempted the state of Israel from paying any damages to “persons who are

<sup>27</sup> The mentioned number includes complaints submitted by PCHR to the Israeli Military Prosecutor to open an investigation into the Israeli crimes during the 2008-2009 Operation Cast Lead, the 2012 Operation Pillar of Cloud, and the 2014 Operation Protective Edge, as well as other complaints related to the victims of the Great March of Return (GMR) that started in March.

<sup>28</sup> The Israeli judiciary only opens an administrative investigation into cases in which Palestinian are killed by Israeli soldiers. The investigation will be about the extent to which the Israeli soldiers adhere to shooting instructions and orders received from the leaders. If the soldier disobeyed orders, he shall be subject to a light sentence not for murder, but for violation of the instructions. The most notable cases was On 28 October 2019, when the Israeli Military court convicted an Israeli soldier of disobeying orders that resulted in the death of a Palestinian child in Gaza while participating in the Great March of Return (GMR) protests last year. The court sentenced the soldier to one month in prison to be served through military-related labor.

<sup>29</sup> Palestinian Centre for Human Rights, Penalizing the Victim: Recent Israeli Measures to Deny Palestinian Civilians’ Right to Reparation, press release issued on 21 March 2013.

not citizens or residents of Israel and are residents of a territory outside Israel that has been declared an 'enemy territory' in a governmental decree."

It is worth noting that there is an appeal still under consideration before the Israeli Supreme Court regarding this matter after being raised again when the Israeli District Court in Beersheba referred the

matter to the Israeli Knesset to consult on providing compensation for Palestinians from Gaza.

The Israeli Knesset approved the state's decision at that time. Subsequently, Palestinian parties submitted an appeal to the Supreme Court in mid-2018, but the appeal is currently pending.



▶ PCHR Director, lawyer Raji Sourani, meets victims' families to update them on the latest ICC developments.

## Chapter Two.

# PALESTINIAN VIOLATIONS OF HUMAN RIGHTS AND OBSTACLES TO DEMOCRATIC REFORM

## I. VIOLATION OF RIGHT TO LIFE AND PERSONAL SECURITY

PCHR documented the killing of 66 persons in 2021 in incidents related to social violence, violations of the rule of the law, the use of weapons in family and personal disputes and misuse of weapons during a law enforcement mission, and in gender-based crimes in the oPt: 39 the Gaza Strip and 27 in the West Bank.

Among the victims were 12 children (11 in Gaza), and 10 women (6 Gaza, 4 West Bank).

Moreover, 158 persons were wounded: 124 in the Gaza Strip, and 34 in the West Bank, including 20 children and 10 women.

### KILLINGS IN THE GAZA STRIP

#### a. Killings caused by local-made rockets and explosions

Twenty-five casualties, including 7 children and 4 women, were killed due to the falling of locally-made projectiles landed on their houses, or due to internal explosions caused by the poor storage or the misuse of explosives; whether locally- made explosives or Israeli Offensive remnants.

Moreover, in 2021, (40) persons, including 5 women and 8 children, were injured due to the falling of locally-made projectiles, or due to internal explosions caused by the poor storage. The most notable case was the murder of Salha family comprising of a father, a pregnant mother, and their daughter in Dir al-Balah city. On 19 May, a locally-made projectile landed on a house in Dir al-Balah city, killing a whole family comprising of 'Eyad 'Abed al-Fattah Salha (34), his pregnant wife namely Amany Yousef Salha (38) and their daughter Nagham (3).

#### b. Killings due to misuse and mishandling of weapons

Three persons were killed and 8 others were injured due to mishandling of weapons in personal and family disputes. On 09 March, (A. R. A.), 22, was killed after being shot with a live bullet in his head during a family dispute in Gaza City, where firearms were used. Also, on 24 May, (A. A. J.), 38, was killed by his brother in Gaza City, as the latter opened fire at him, wounding him with several live bullets in his body and head. Moreover, on 19 June, (B. R. B.), 40, was killed after being shot with a live bullet in Khan Yunis.

#### c. Killings in family disputes

Five persons, including 2 women and a child, were killed and 10 others wounded due to the misuse of weapon. On 18 March, (KH. S. R.), 14, was killed after sustaining a gunshot wound in his head while playing

with a weapon at home in Khan Yunis, southern Gaza Strip.

#### **d. Killings in gender-based-violence cases**

Six persons, including 5 children; 3 females, were killed by a family member in gender-based violence crimes. On 21 February, (A. H. M.), 14, was killed after being beaten and tortured by his father in al-Zaytoun neighborhood in Gaza City. On 08 May, (W. KH. J.), 16, was killed after being tortured by her father who buried her in northern Gaza, where her body was found on 23 May.

Also, on 13 June, a 17-year-old pregnant (A. S. B.), was killed after being tortured by her husband in Khan Yunis. On 08 August, (A. S. Q.), 16, from al-Zaytoun neighborhood, was killed after being tortured and beaten by a one of his family members.

Moreover, on 21 September, (H. R. B), 12, succumbed to wounds she sustained after being beaten by her father in Rafah. Also, on 16 June, 47-year-old (M. Q.) was killed in a family dispute over inheritance that developed into physical assault that led to death.

Furthermore, 2 persons were killed inside Gaza's psychiatric hospital. On 13 March, a prisoner (M. A.

D.), 21, from Rafah, seized a weapon of a police officer while he was in Gaza Psychiatric Hospital located near Gaza Eye Hospital in al-Naser neighborhood, north of Gaza City, and opened fire inside the hospital. The prisoner also opened fire at a patient ( M. Z. S.), 24, from al-Buriej camp, wounding him with a live bullet in his abdomen. (M. Z. S.) succumbed to his wounds few hours later. Despite that, the prisoner continued to fire until he arrived at the hospital yard. Meanwhile, a guard officer shot him to control him. As a result, the prisoner sustained live bullet wounds in his head and neck, killing him immediately.

#### **e. Killings in law enforcement operations**

A person was killed by security officers who opened fire at him at a military checkpoint. On 23 July, (H. M. Z.), 27, was killed after being shot by a security force at a checkpoint belonging to the Ministry of Interior and National Security in Tuffah neighborhood, east of Gaza City.

As part of an assault on the rule of law in 2021, PCHR documented attacks on figures and public utilities by individuals; most prominently was on 06 August, when unknown persons planted an explosive device next to the resort's northeastern walls. It was detonated shortly afterwards causing part of the wall to collapse.

## KILLINGS IN THE WEST BANK

### a. Killings in family disputes

In 2021, 15 persons were killed due to use of weapons in personal and family disputes. Most prominent of those incidents was on 02 January when 4 persons from al-Rajabi family were killed and 5 others were injured after they were shot on grounds of a personal dispute with a person from the same family.

### b. Killings due to misuse and mishandling of weapons

Five persons were killed due to illegal and misuse of weapons. Among those was 'A. N. Kh. (20) who was killed on 23 December after being shot with a bullet in the neck. The bullet mistakenly unleashed from his friend's weapon in front of An-Najah National University in Nablus.

### c. Killings in law enforcement operations

On 24 February, a person identified as Monther Reda Sorour (34) was killed by Palestinian Security officers in a law enforcement mission in N'lin village, western Ramallah.

### d. Abuse of power killing incidents

A person was killed and his brother was injured by a Palestinian security officer on grounds of a verbal altercation with citizens in Za'tarah village, southeastern Bethlehem, on 14 December. The security officer opened fire from his machine gun at a group of civilians in the village after an altercation occurred between him and the group. As a result, Hafiz Dawoud Thowayed (31) was killed after a bullet penetrated the main artery in the left side of the waist. Also, his brother, Amjad (25) was wounded with a bullet in his foot.

### e. Killings in gender-based-violence cases

Two women were killed in 2 gender-based crimes: one on grounds of so-called "honor" and the other on grounds of domestic violence. On 15 August, (N. 'A.) (24) was killed by a family member in Ramallah on grounds of so-called "Family honor". On 23 November, (S. Kh.) (30) was killed by her husband in Kafr Ne'mah village, Ramallah, only 5 days after his release from prison on grounds of drug dealing. S. Kh. Was slaughtered in front of her children in her house in a gender-based crime

## II. DEATH PENALTY IN THE PA

No death sentence was executed in the Gaza Strip in 2021, becoming the fourth year in a row during which no verdict has been executed in Palestine as the latest was in 2017 in the Gaza Strip. Meanwhile, no death sentence has been executed since 2005 in the West Bank. In 2021, there was a significant decrease in the number of death sentences issued

by the military and civilian courts of first instance while PCHR reported 2 cases of serious breaches in use of death penalty in the Gaza Strip. Unfortunately, Palestine's 2018 accession to the 1989 Second Protocol to the International Covenant on Civil and Political Rights regarding the abolition of the death penalty did not stop authorities from using this

penalty. Since 2018, 61 death sentences were issued, all of them in the Gaza Strip, 49 new sentence, and 12 rulings reaffirming previous ones, and one sentence issued after retrial.

In 2021, PCHR documented 2 particularly serious death sentences. One was issued against a civilian citizen in a drug case in a blatant violation of the accused's right to seek redress in the judicial system as codified in the Palestinian Basic Law. The other sentence was issued against a person convicted of raping a girl in serious violation of justice guarantees. PCHR asserted at the time that the enormity of the crime does not nullify the necessary guarantees for justice.<sup>30</sup> This incident was not the first of its kind as a death sentence was previously issued by the Khan Younis First Instance Court in 2020 in a first trial hearing only 2 weeks after the crime occurred. Moreover, 3 other death sentences were previously issued and executed before a military court within a week in 2017.

These cases are serious violations that qualify as summary trials, which are criminalized by international law, and also considered as a violation of Palestine's obligations in accordance with Article (6) of the International Covenant on Civil and

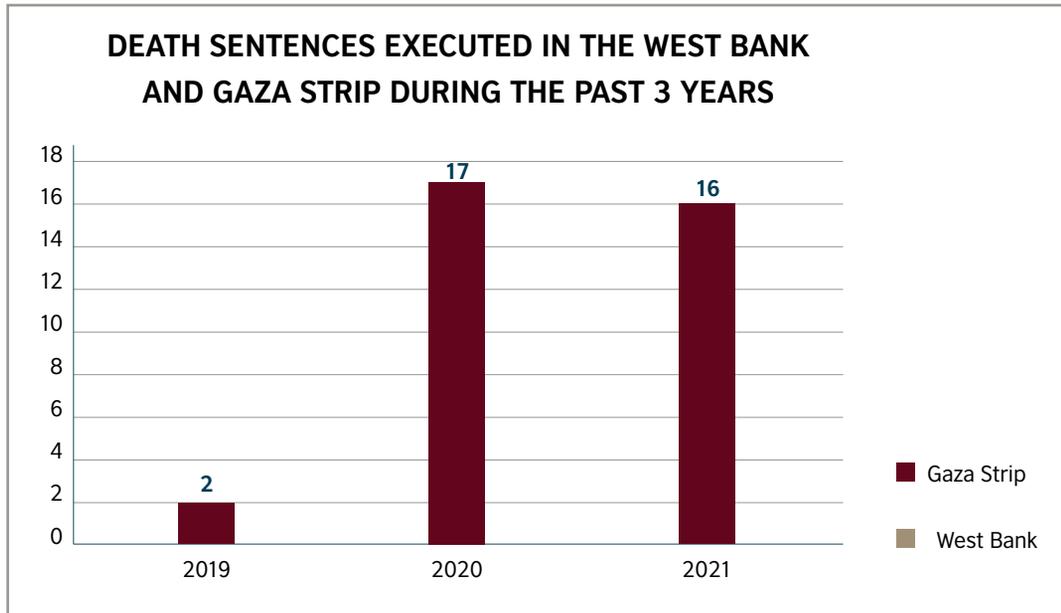
Political Rights as well as a violation of Palestine's obligations under Protocol II to this Convention, which obliges Palestine to abolish the death penalty from its legislations and prohibit its application.

According to PCHR's documentation, the year witnessed an increase in death sentences, particularly ones issued by military courts. Throughout the year, 23 death sentences were issued, 16<sup>31</sup> by the Court of First Instance, 7 verdicts affirming previous sentences, and 12 issued by military courts, including 8 by the Military Court of First Instance. Accordingly, the total number of such sentences issued in the Palestinian Authority (PA) controlled areas is 252 since 1994: 30 in the West Bank and 222 in the Gaza Strip. Among those issued in the Gaza Strip, 159 sentences were issued after the political division in 2007.

It is noteworthy that since the establishment of the PA, 41 death sentences were executed: 39 in the Gaza Strip and two in the West Bank. Among the sentences executed in the Gaza Strip, 28 were executed after the 2007 division and without the ratification of the Palestinian President in violation of the law. PCHR reiterates its support of the President's position not to ratify any death sentences since 2005.

30 A Heinous Crime Does Not Null Necessary Justice Guarantees: PCHR Condemns Death Sentence by Gaza Military Court Following Speedy Trial, Press Release on 01 December 2021

31 It is noteworthy that one of these cases is a death sentence for a drug dealer that was announced by the authorities without mention of the defendant's name, or the date the sentence was issued. PCHR received preliminary information that two other death sentences were issued against fugitives from justice who are accused of collaboration with the occupation; however, no information was available on their names or the date of the sentence.



PALESTINIAN AUTHORITY'S 2021 DEATH SENTENCES					
No.	Trial's Date	Name	Place of residence	Type of court	Charge
1	4 January	F.N	Northern Gaza	Court of First Instance- civil	Murder
2	27 January	A.A.	Central Gaza	Court of First Instance- civil	Murder
3	17 February	Sh.S	Rafah	Court of First Instance- military	Murder
4	5 April	B.H	Northern Gaza	Court of First Instance- civil	Collaborating with Israeli authorities
5	7 June	A.Z	Khan Younis	Court of First Instance- civil	Murder
6	14 June	N.A	Gaza	Court of Appeal- military	Collaborating with Israeli authorities
7	14 June	H.S	Gaza	Court of First Instance- civil	Murder
8	3 July	N.A.	Gaza	Court of Appeal- military	Collaborating with Israeli authorities
9	6 July	H.SH	Northern Gaza	Court of Appeal- civil	Murder
10	12 September	M.H	Khan Younis	Court of First Instance- civil	Murder
11	27 September	M.A	Gaza	Court of First Instance- military	Collaborating with Israeli authorities
12	3 October	A.GH	Gaza city	Court of Appeal- Civil	Murder
13	4 October	A.D	Gaza city	Court of First Instance- civil	Murder
14	4 October	Sh.S	Rafah	Court of Appeal- Military	Murder
15	5 October	Y.B	Gaza	Court of Appeal – Civil	Murder
16	12 October	A.Q	Khan Younis	Court of First Instance- military	Collaborating with Israeli authorities
17	13 October	M.M	Rafah	Court of First Instance- military	Collaborating with Israeli authorities
18	18 October	R.S	Gaza city	Court of First Instance- military	Collaborating with Israeli authorities
19	20 October	W.M	Gaza	Court of First Instance- military	Collaborating with Israeli authorities
20	21 October	S.H	Gazza	Court of First Instance- civil	Murder
21	21 October	M.S	Gaza	Court of First Instance- civil	Murder
22	Non-available	A. M.	Central Gaza Strip	Court of First Instance- military	Drug dealing
23	1 December			Court of First Instance- military	Rape of child

### III. ILLEGAL ARRESTS, TORTURE AND OTHER FORMS OF CRUEL, INHUMAN OR DEGRADING TREATMENT

#### Torture and Other Forms of Cruel, Inhuman or Degrading Treatment:

In 2021, Palestinian security services in the West Bank and Gaza Strip continued their policy of arbitrary arrests, summonses, and detention of Palestinian citizens, without due process of law and in violation of the Palestinian Basic Law (PBL), Code of Criminal Procedure, and Palestine's contractual obligations, including International Covenant on Civil and Political Rights (ICCPR) and Convention against Torture (CAT).

Most of those arrests and summonses were done via phone calls and without an arrest or search warrant issued by the Public Prosecution. In many cases, the security services forcibly raided and searched houses and confiscated personal belongings and devices in addition to beating and insulting those inside. Moreover, PCHR documented the arrest of some citizens from the field during peaceful activities organized by citizens or institutions, such as peaceful protests and sit-in, as security services forcibly suppressed these gatherings, arrested some of participants and referred them to trial.

Also, detainees and arrestees encounter inhumane conditions in detention facilities and prisons, including inadequate healthcare and being put in inadequate overcrowded cells/detention rooms that do not meet the minimum standards pretraining to prisoner treatment. All of this is accompanied by illegal and degrading treatment by law enforcement bodies, and physical and psychological torture during interrogation and questioning as well as during arrest.

Torture and cruel treatment against arrestees and detainees by the Palestinian security services

responsible for law enforcement in the West Bank and the Gaza Strip at PA detention facilities and prisons is still in motion. PCHR received dozens of affidavits and complaints by persons alleging being subjected to torture, inhuman and degrading treatment during their detention or interrogation by the security services.

Many civilians in the Gaza Strip were subjected to torture and degrading treatment by law enforcement officers, whether on political grounds or for practicing freedoms of expression and opinion. In 2021, PCHR also documented that many persons who were arrested on criminal grounds were subjected to torture and degrading treatment in detention facilities. Father of (S. J. T.) (24), one of the victims, said that the investigation officers in al-Qararah arrested his son for stealing and referred him to investigation in Khan Younis on 30 March. He added that during the interrogation, the investigators subjected his son to torture and degrading treatment, including severe beating. Thus, he was referred to Naser Hospital, where doctors said he suffers from kidney failure and swelling in the limbs due to torture and Shabeh "shackling the detainee's hands and legs to a small chair, angled to slant forward so that the detainee cannot sit in a stable position."

In the West Bank, security officers continued to use torture and degrading treatment against prisoners and detainees in detention facilities and prisons. "A B. 'A." (22), a prisoner from Kafr Qaddoum and a university student, said that he was subjected to torture and beating during his arrest by the GIS. The victim added that he was arrested on 11 December 2021 upon many

summonses on grounds of his political opinions and activity on Facebook. He said that the security officers pulled him, hit him to the wall and then strangled him

until he nearly choked. He added that they finally sent him to a cell, where he went on a hunger and thirst strike, but was released on the same day.

### Arrests and summonses on political ground

In 2021, the security services in the West Bank and Gaza Strip continued the arbitrary arrest and summonses of dozens of Palestinians on political grounds, or for practicing their freedom of opinion and expression, and peaceful assembly.

In the Gaza Strip, dozens of Fatah activists and former members of the PA security services affiliated with Ramallah were arrested at separate intervals during the year. Other members of the public were summonsed and interrogated or arrested on grounds of opinion and posts on social media. Between 13 – 25 January 2021, the Internal Security Service summonsed 7 Fatah members in northern Gaza governorate, detained them for several hours before release. The detainees informed PCHR that the interrogation focused on their

role in Fatah Movement.

In the West Bank, dozens affiliated with Hamas Movement, the Islamic Jihad and Hizbu Tahrir were exposed to summonses and arrests by the security forces. In addition, many persons were often arbitrarily arrested on political grounds and their rights were violated; some were held at the order of the governor while others were brought before military courts despite being civilian persons. In addition, PCHR documented that dozens of civilians were illegally arrested due to their student and trade unions activism. The most prominent summonses and arrests occurred against members of the public attending peaceful assemblies across the West Bank, mainly after the killing of political activist Nizar Banat at the hands of security services.

### Deaths in Prisons and Detention Centers

In 2021, 4 criminal detainees died inside Palestinian security services' prisons and detention facilities due to the deterioration of their health condition. Two died after their referral from Bethlehem Rehabilitation and Reform Center to al-Husseini and Arab Society Hospitals in the City due to the deterioration of their health conditions. The other 2 died in the Gaza Strip inside al-Aqsa Martyrs Hospital in Deir al-Balah after their referral from Deir al-Balah Rehabilitation and Reform Center.

» On 16 January, (M. Kh.) (35), from Bethlehem, died

after referring him from Bethlehem Rehabilitation Centre to the Arab Society Hospital the day before after he had a heart attack.

» On 20 March, (A. H. N.) (54), a detainee with a motor disability from Kafr Ne'amah village, western Ramallah, died after referring him from Bethlehem Rehabilitation Centre to al-Husseini Hospital due to a medical condition.

» On 02 May, (J. F. A.) (41) a prisoner sentenced to 17 years in prison from al-Maghazi refugee camp

in the central Gaza Strip, died after he was referred to al-Aqsa Martyrs Hospital on 26 April 2021 due to the deterioration of his health condition triggered by being infected with coronavirus.

» On 05 July, (Sh. H. N.) (41), from al-Nussairat refugee camp, central Gaza Strip, died after his referral from Deir al-Balah Rehabilitation and Reform Center to nearby al-Aqsa Martyrs Hospital due to a heart attack.

## IV. PALESTINIAN LEGISLATIVE PROCESS

It was hoped that the general, legislative, and presidential, elections would be held in the West Bank, including Jerusalem, and the Gaza Strip by the middle of the year upon a presidential decree issued by the Palestinian President on 15 January 2021, ending 11 years of postponement for different reasons. Over those years, no general elections have been held to renew the legitimacy of the Palestinian political system. As per the decree, the elections were supposed to be held successively as PLC elections would be held on 22 May 2021 and the presidential elections would be held on 31 July 2021. The decree also set 31 August 2021 as the date for accomplishing the National Council membership as per the Statute of the Palestine Liberation Organization.

The absence of the Legislative Council continued in 2021, after it was dissolved by the Constitutional Court's December 2018 decision to dissolve the PLC, crowning a series of measures placed as obstacles before the PLC since 2006, and prevented the Council from carrying out its constitutional duties such as legislation and monitoring the performance of the Executive Authority. The court's resolution attracted intense criticism by PCHR and human rights organizations in Palestine for infringing on the principle of separation of powers and its contradicting contents. Since the Palestinian division of 2007, the Palestinian President exercised the legislative powers in the West

Bank while the "Change and Reform" Bloc exercised the legislative powers in the Gaza Strip on behalf of the Legislative Council. PCHR and human rights organizations condemned the abuse of legislative powers and considered it an effort to tear up the Palestinian legal system and frustrate efforts to unify the legislations in the Gaza Strip and the West Bank.

There were hopes that general parliamentary and presidential elections would be held in 2021, and that democracy would be restored following a Presidential decree issued on the matter on 15 January 2021. It should be noted that both presidential and legislative elections were due to happen in 2010. The different phases of electoral process commenced, including registration, and running for candidacy. However, just before electoral lists were published, the Palestinian President issued a decree delaying the elections until it is possible to hold them on all Palestinian territory, including Jerusalem.<sup>32</sup>

The Palestinian President continued to take advantage of Article (43) of the Palestinian Basic Law since the Palestinian division. Meanwhile, the Change and Reform Bloc continued to practice a de facto legislative authority on behalf of the dissolved PLC. Following are

<sup>32</sup> General Elections Postponed, PCHR Understands the Decision and Holds Israel Responsible, PCHR, 30 April 2021. Available at: <https://pchrgaza.org/en/general-elections-postponed-pchr-understands-the-decision-and-holds-israel-responsible/>

the details of the legislative elections in the West Bank and the Gaza Strip. Here follows is a snapshot into the legislative process in the oPt during the reporting period.

In 2021, the Palestinian President issued 41 decrees by law, including 12 new legislations, 16 amending previous legislations, 6 decrees of the PLC's competence issued in the form of law, and 6 decrees relevant to extending the state of emergency. The most prominent of these legislations were; law by decree no. 25/2021 relevant to the Convention on the Rights of the Child; Law by decree no. 14/2021 to disseminate the International Convention on the Elimination of All Forms of Racial Discrimination; Law by decree no. (18)/2021 relevant to abolition of decree no. (7)/2021 concerning the amendment to Law on Charitable Organizations and Community Organizations no.1/2000 that at the time caused controversy due to its infringement on the right to form associations; and Law by decree no. (38)/2021 to amend law by decree no.(10)/2018 on Cybercrimes and its amendments. Additionally, many controversy laws by decree were issued, but denounced by civil society such as Law no. (9)/2021 relevant to

## V. INDEPENDENCE OF THE JUDICIARY

In 2021, The executive authority's infringement on the Judicial authority continued in the West Bank and the Gaza Strip, jeopardizing the latter's independence and role in achieving justice and enforcing the rule of law. This year, a new High Judicial Council was formed after the transitional council, which was designated by the Palestinian President in 2019 upon the dissolution of the High Judicial Council, ended its term. This came allegedly for seeking reforms to the judicial authority. PCHR rejected those allegations at the time

postponement of elections for syndicates, unions, and popular organizations

In the Gaza Strip, Change and Reform Bloc continued issuing decisions on behalf of the dissolved Legislative Council, without any legal basis. In 2021, Change and Reform Bloc issued 9 new laws: Law regulating surveillance cameras and devices, temporary law on combating Covid-19 pandemic, notary public law, Governmental work Oversight Committee Law; ratification law, law of Sharia implementation; amendment to municipal law; amendment to prisoners and detainees law; amendment to the law on financial rights of the heads and member of local councils.

The most prominent law is the Governmental work Oversight Committee Law No. 4 of 2021, which regulated the status of the Gaza administrative body which has run the territory since the resignation of former Prime Minister's, Ismail Haneya, government in 2014. By power of this law, this committee has equal powers to the Council of Ministries in putting plans, regulating public service, establishing, and abolishing administrative bodies, etc.

and considered it as unjustified interference into the judiciary's work, demanding the Palestinian President to leave the issue of reforming the Palestinian Judiciary to elected authorities expected to take hold in future elections. 2021 ended while the Palestinian judiciary in the West Bank and Gaza Strip still suffers from restricted/fragile independence and executive authority's interference. The political division in 2007 seriously undermined the independence of the judiciary and entrenched the executive authority's

interference into the judiciary's affairs. The following are the recent developments in the judiciary in the West Bank and Gaza Strip:

### Developments in the West Bank:

The executive authorities continue to interfere in the judiciary's affairs, and the Palestinian president issued in 2021 decrees jeopardizing the independence of the judiciary. In the beginning of the year, the term of the transitional council ended upon the Palestinian President's decree on 12 January 2021 to appoint Judge 'Issa Abu Sharar as President of the Supreme Court/Court of Cassation and Chief Justice of the New High Judicial Council. The Palestinian President also issued a decision to appoint Judge Farid 'Aqel as Vice-President of the Supreme Court and Deputy Chief of the High Judicial Council. This step came after the Palestinian President, Mahmoud 'Abbas, dissolved the High Judicial Council upon law by decree (17)/2019 relevant to appointment of a transitional high judicial council. PCHR denounced the dissolution of the High Judicial Council by the Palestinian President and considers it as an infringement to the Judiciary's affairs and undermines its independence. This decree also violates the principle of separation of powers and judiciary's independence guaranteed by the 2003 Palestinian Basic Law, particularly in Article 98 that says, "Judges shall be independent and shall not be subject to any authority other than the authority of the law while exercising their duties. No other authority may interfere in the judiciary or in judicial affairs."<sup>33</sup>

Many decrees relevant to judiciary were issued in the West Bank in 2021; the most prominent of which was the resignation of Head of the Anti-Corruption

Commission, Ahmed al-Barrak, on 06 January 2021 that was accepted by the Palestinian President, who issued a decree to appoint Ra'ed Redwan to succeed him. On 10 January, Redwan took oath before the Palestinian President, Mahmoud 'Abbas, as the new Head of the Anti-Corruption Commission. The reasons and motifs behind this resignation was not explained at all, which questions the independence of the anti-corruption commission.

On 10 October 2021, the Palestinian President issued a new decree to refer 6 judges to early retirement upon the recommendation of the transitional High Judicial Council. No reasons were explained behind this, but it has come as part of the measures taken under the pretext of reforms to the judiciary. This year, the Palestinian President also appointed 3 new judges in the Constitutional Court on 01 June and they were identified as Farid 'Aqel, Khaled Talahmah and 'Abdel Nasser Abu Samhadanah. Moreover, on 11 January 2021, the Palestinian presidents issued a decree to promote a number of First Instance judges to Appeal Judges.

Moreover, PCHR continued to monitor systematic delay and non-implementation of judicial rulings, particularly in the West Bank, in serious infringement on the independence and status of judiciary and a blatant violation of the rule of law. The Independent Commission of Human Rights documented in 2020 5 complaints of postponement or non-implementation of judicial rulings relevant to the release of detainees held by the security services, particularly the Preventive Security Services, General Investigation, and Intelligence Services. The security services continued to ignore the implementation of some rulings despite even though there is a clear article in the Palestinian Basic Law stipulating a deterrent penalty for those refraining or obstructing the implementation of Judicial

33 Palestinian President Undermines Judiciary Independence, 22 July 2019: <https://pchrgaza.org/en/palestinian-president-undermines-judiciary-independence/>

rulings. Article (106) of the Law provides that:

“Judicial rulings shall be implemented. Refraining from or obstructing the implementation of a judicial ruling in any manner whatsoever shall be considered a crime carrying a penalty of imprisonment or dismissal from position if the accused individual is a public official or assigned to public service. The aggrieved party may file a case directly to the competent court and the National Authority shall guarantee a fair remedy for him.”

#### Latest developments in the Gaza Strip:

The judiciary in the Gaza Strip has operated outside the law since 2008 as a whole judiciary was formed, where a new cadre was illegally appointed. Hence, the judiciary in Gaza is part of a de facto government ruling the Gaza Strip. The judiciary in Gaza suffers from the interference of the executive authority into its affairs on one hand and withdrawal of powers from the civil judiciary in favor of the military justice on the other hand. Civilians are still presented before the military judiciary, particularly in the Gaza Strip, where the 2008 Military Justice Law issued by Hamas-affiliated Change and Reform Bloc allows civilians to be brought before the military justice upon the approval of the Ministry of Interior. This policy was clearly reflected when a death sentence was issued against a person convicted in a case of drug dealing in a serious precedent that was not the first of its kind as a similar ruling was previously issued in 2017. Bringing civilians before military justice constitutes a serious violation of the Palestinian Basic Law, particularly Article 30 which provides that **“Submitting a case to court is a protected**

**and guaranteed right for all people. Each Palestinian shall have the right to seek redress in the judicial system.”**

This year, on 07 December, a new Attorney General was appointed in the Gaza Strip namely Muhammad Al-Nahal succeeding Counselor Daa' al-Deen al-Madhoun,. The appointment came upon the recommendation of the High Judicial Council in Gaza and the approval of the Change and Reform bloc in Gaza, which convenes in on behalf of the PLC and exercises many of the Palestinian President's powers without legal basis. According to Article 107 of the Palestinian Basic Law, the president, is the authority competent to appoint the Attorney General. This appointment comes within a broader context of the existence of a judiciary in the Gaza Strip parallel to the one in the West Bank and infringes the Palestinian laws, including the Palestinian Basic Law and the Judiciary Law.

It should be mentioned that the Palestinian judiciary has been suffering a split since the division started in 2007 when the judiciary suspended its work in the Gaza Strip following the interference with its work by the de facto government in Gaza, which ruled the Gaza Strip after Hamas took over. Following that, the Gaza de facto government unconstitutionally appointed new judges, and the courts immediately returned to practice their duties but with a new cadre that was illegally appointed. Hence, there are now two separate judicial systems in the PA controlled areas: one in the West Bank and the other one in the Gaza Strip. Although the human rights organizations boycotted the judicial system formed in Gaza, as they considered it unconstitutional, they returned to deal with the judiciary in 2011 under the pressure of the need to protect the rights and liberties from the executive authority's abuse, thereby accepting it as a de facto authority.

## VI. OBSTRUCTION OF GENERAL AND LOCAL ELECTIONS

In early 2021, the elections process witnessed positive developments as the Palestinian president issued a law by decree on 15 January 2021 calling for general elections in the West Bank, including Jerusalem, and the Gaza Strip. These elections were due in 2010. The elections are expected to be held consecutively, as per the decree, as PLC elections will be held on 22 May 2021 and the Presidential elections will be held on 31 July 2021. The decree also set 31 August 2021 as the date for accomplishing the National Council membership as per the Statute of the Palestine Liberation Organization.

PCHR, human rights organizations and civil society organizations welcomed the long awaited decree that would pave the way for Palestinians to practice their right to choose their representatives in free, fair, and regular elections. They emphasized the need to have inducive environment for the success of the elections.

The Central Elections Commission (CEC) launched the preparations to hold the elections and expressed its full readiness. CEC finished the registration and distribution phase all over the Palestinian territory, except for Jerusalem where it faced Israeli-imposed obstacles. The Israeli occupation authorities prevented the CEC from working in Jerusalem and tightened its measures against any political peaceful assembly in the City in addition to prosecuting and arresting the candidates and whoever tries to hold any activity relevant to the Palestinian elections.

On Thursday, 29 April 2021, the Palestinian President announced the postponement of the Palestinian elections until the Israeli authorities approve holding

elections in occupied East Jerusalem, in parallel with all other Palestinian governorates, as EU efforts to persuade Israeli officials to allow elections failed. Accordingly, the Central Elections committee announced suspension of elections.

PCHR understood the motives for the postponement decision and held the Israeli authorities fully responsible; but asserted that this does not mean accepting cancelling elections or an indefinite postponement.

Thus, the Palestinian leadership should initiate a national dialogue with all Palestinian stakeholders and CSOs in addition to international partners to overcome the obstacles imposed on the way to hold consensus general elections in the West Bank, including Jerusalem, and the Gaza Strip as soon as possible. However, the PA has chosen to hold local council election in the West Bank; the first phase of which was held in December and Hamas did not participate.

Furthermore, on the level of local council elections, it has not been held in both the West Bank and the Gaza Strip since 2005. However, this year, the local council elections were held on 11 December for 164 local council classified as C in the West Bank within the first stage of elections, and Hamas was not involved.

The Palestinian Cabinet issued a decision on 27 September 2021 setting a date for holding the “C” classified local council elections in the West Bank on 11 December, within the first stage. Also, it set 26 March 2022 as the date for holding elections in the “A and B” local council all over the governorates and “C” local councils in the Gaza Strip, within the second phase.

Local councils in the Gaza Strip continued to be administered by nomination since the end of the 2004-2005 elections which were held in most of its municipalities as no elections have taken place to renew the local councils' legitimacy during the years of division. In 2021, local bodies continued to be controlled by Boards of Directors, which were appointed during the so-called "Open House", a form that the competent authorities use whether the local elections disrupted in the Gaza Strip. In which they choose community elites,

local institutions' representatives, professional unions, university directors, and personal recommendations for the local bodies council's administration.

PCHR believes that holding the local council elections in the Gaza Strip consecutively with the West Bank is a must to revive democracy in Palestine, stressing that holding elections across the Palestinian Authority governorates is an important step towards ending the division.

## VII. FREEDOM OF OPINION AND EXPRESSION

In 2021, deterioration in freedom of opinion and expression continued in Palestine, as many journalists, opinion-makers, and activists were arrested and detained on grounds of expressing their opinion in addition to calls for protests.

In the West Bank, the violations against the freedom expression practices were mainly during the protests against the murder of activist Nizar Banat and the presidential decree to postpone the general elections in Palestine. Meanwhile in the Gaza Strip, the violations of the freedom of expression continued, particularly against activists criticizing the living conditions in the Gaza Strip on social media. Self-censorship also continued to undermine freedom of expression and control the minds of citizens in the West Bank and Gaza Strip due to the arbitrary practices and systematic violations against journalists and opinion-makers for long years, particularly after the Palestinian division in 2007.

The laws restricting the right to freedom of opinion and expression are still in force in the West Bank and the Gaza Strip, particularly the Press and Publication Law

and 2018 Cybercrimes Law along with the two Penal Codes applicable in the West Bank and the Gaza Strip that all include articles to undermine the freedom of journalistic work and opinion-makers. Moreover, absence of the PLC and independent judiciary have contributed to this situation for 14 years consecutively, resulting in absence of censorship and reform in the PA's institutions. This also negatively affected the role of civil society in practicing pressure on decision-makers to enact the best laws and respect rule of law in a way that guarantees freedom of information access and journalistic work.

Moreover, citizens and journalists face difficulties when obtaining information from the official authorities, which usually and deliberately distort or hide information from citizens, particularly journalists, possibly to cover their failures and infringements. There are also unjustified restrictions imposed on cultural freedoms in the Gaza Strip, where cultural events, particularly those relevant to theater and Dabke, are restricted either for the addressed topics or due to mixing between sexes either on theater or among the audience. This policy contradicts PA's obligations under the ICCPR,

particularly Article (19) that emphasizes the freedom of expression, including freedom to information access and cultural, intellectual, and artistic freedoms.

PCHR documented cases of assault on journalists and opinion makers, mainly while journalists on duty, as they were subjected to summonses, detention, and inhuman and degrading treatment during detention.

The most prominent of those violations reflected the complicity between the Public Prosecution and Executive Authority in restricting and water down the freedom of expression by filing vexatious lawsuits against opinion-makers as a deterrent penalty. The following are the most prominent cases monitored by PCHR:

- » Mahmoud Wasfi al-Barghouthi (28), from Ramallah, said that he was arrested on 16 August 2021, when he was in Palestine Medical Complex. He was presented before the Public Prosecution on grounds of inciting strife.
- » 'Alaa' 'Afif Rab'ie (28), from Dura, said that he was summoned by the Intelligence services on 04 August 2021 to refer to their office in Hebron. He was interrogated about the pages he manages on Facebook and their content.
- » Mustafa 'Asfour, a university student, said that he summoned, arrested, and subjected to degrading treatment by GIS in Khan Younis on 24 July 2021 on grounds of practicing freedom of expression on social media.
- » Saja al- 'Alami, a journalist and Palestine Post Network's Correspondent, said that he was assaulted by police officers on 26 June 2021 while covering the protests against the murder of Nizar Banat.
- » Najlaa' Zaytoun, a journalist and al-Quds Network News Agency's correspondent, said that she was banned from practicing her work and beaten in addition to confiscating her mobile phone on 24 June 2021, while practicing her journalistic work and covering the protest organized against the murder of activist Nizar Banat.
- » Mohammed Ghefari, a journalist, said that he was banned from practicing his work when covering a protest on al-Irsal Street, Ramallah, 26 June 2021.
- » Mojahed al-Sa'adi, a journalist, said that he was arrested on 13 March 2021, and was subjected to degrading treatment on grounds of his journalistic work while covering a protest in Burqin village in Jenin.
- » 'Amid Shehadah, a journalist, said that he was summoned by GIS in Nablus, detained, and then interrogated on 30 January 2021, on grounds of his posts on social media. He was referred to the Public Prosecution pending trial.
- » Ihab Fasfous, a journalist, said that he was arrested and fined on charges of misusing technology on 08 February 2021 after he published a video claiming a child was tortured by GIS in Khan Younis.

## VIII. VIOLATION OF RIGHT TO PEACEFUL ASSEMBLY

2021 witnessed the continuous violations of right to peaceful assembly in the West Bank and the Gaza Strip by the General Authorities. On one hand, practices to imposing restrictions on right to peaceful assemblies continued such as attacks, summonses, arrests, and detentions of the protestors and the protests' organizers, preventing peaceful assemblies and banning the private gatherings in all forms without informing the police and other kinds of peaceful assemblies. On the other hand, continued validity of the implementing regulations and legislations which impose restrictions to practice right to peaceful assembly in the areas, including implementing regulations of the Public Meetings Act 1998.

Double standards and discrimination have emerged by authorities in the West Bank and the Gaza Strip regarding citizens' enjoyment of their rights to peaceful assembly in 2021. Despite ongoing impact of Covid-19 on the oPt and the accompanying health protocols, which significantly limited peaceful assemblies, the authorities allowed peaceful protests against the Israeli policies and practices and did not impose any obstacles. Meanwhile, the authorities imposed restrictions on holding peaceful gatherings and protests relevant to the internal affairs, including banning peaceful assemblies and private gatherings, which do not require police notification, and other forms of peaceful assembly. Moreover, restrictions continued on peaceful assembly, including restrictions on the movement of participants in assemblies and beating them in addition to summoning and arresting them.

In the West Bank, PCHR documented security services' assaults on the participants in peaceful assemblies; most prominently, the extensive violations against those participating in protests and sit-ins organized following the murder of activist Nizar Banat by the Palestinian Security Services on 24 June. Outraged protests were organized in many Palestinian cities by the popular movement and human rights organizations in Ramallah calling for prosecuting those who killed Nizar Banat. However, the security services faced those protests with unjustified violence by beating up and arresting the participants in the protests, including civil society activists and journalists, and many of them were taken to hospitals. Also, many protesters were referred to trial on grounds of participating in peaceful assemblies.

Moreover, the security services banned celebrations organized to welcome prisoners released from the Israeli jails. On 12 September, security services used violence to disperse a peaceful assembly organized to welcome a prisoner released from the Israeli jails in Nour Shams refugee camp in Tulkarm. Security officers raided the refugee camp and deployed near the hall, where the celebration was organized, and attacked the ceremony by firing teargas canisters all over the place. As a result, many suffocated and fainted, including the released prisoner. The officers confiscated Hamas flags and assaulted those inside. Another security force established military checkpoints at the city entrances and searched the vehicles participating in the ceremony to confiscate the green Hamas flags. The security officers also opened fire in the air to disperse the participants and clashes broke out.

## IX. RIGHT TO FORM ASSOCIATIONS

Realizing individuals' right to form associations of certain visions and purposes, including NGOs, cooperatives, charities, and non-profit companies, is considered one of the most prominent indicators that there is an effective/active civil society, which is thereby important for achieving good governance and democracy in any society. Civil society continues to pay the price of the division, which imposed systematic restrictions on associations, particularly their right to obtain funds and practice and manage their activities freely. The civil society in Gaza is particularly subject to double and increased restrictions by the authorities in Gaza and the West Bank. 2021 witnessed

further restrictions, including the attempt to amend Associations Law upon a law by decree issued by the Palestinian President, but retracted later in the same year. Meanwhile, restrictions continued on associations' activities and funding in addition to arbitrary measures relevant to executive authority's accreditation of Boards of Directors and signatures in violation of law. These restrictions have resulted in freezing bank accounts of many associations, particularly those operating in the Gaza Strip, which are being dealt with based on security backgrounds and measures taken by the security services.

### **A. Abolition of Law no.7/2021 to Amend Charitable Organizations and Community Organizations Law No. (1/2000):**

The Palestinian President issued on 28 February 2021 a law by decree to amend the 2000 Organizations Law that included further restrictions on associations' work and funding. The decree of 8 articles included more restrictions on associations in addition to legislating some of the Interior Ministry's practices. The abolished amendment had imposed a series of obligations restricting Associations' right to practice their activities freely, right to privacy, right to manage their affairs in the way they deem appropriate, and the right to obtain funds. This amendment rendered

associations dependent to the executive authority and ended their independence when facing the executive authority, which actually means ending civil society and integrating it under the political authority's umbrella. Under civil society's pressures and appeals, the Palestinian President issued on 11 May 2021 law by decree no. (18)/2021 relevant to abolishing decree no.7/2021 relevant to the amendment to Law no. (1)/2000 of the Charitable Organizations and Community Organizations Law.

### **B. Continued restrictions on associations' funding, activities, and management, including non-profit companies**

The authorities in the West Bank and Gaza Strip continued its restrictive policy against the associations. The Palestinian division has brought about many laws and decisions aiming to have control over these

associations and undermine their independence that would not allow them to practice a real oversight role over the three authorities' performance. Most of them fully violate the fundamental rights relevant to the

freedom of association, including their right to existence, free performance of activities, receipt of funds and the right to privacy and independence. Those restrictive measures directly affect the associations registered at the Ministry of Interior and the non-profit companies registered at the Ministry of Economy, worse conditions exist for associations in Gaza as they are restricted by both the Gaza and Ramallah authorities' decisions.

Most prominent of the decisions applied by the authorities in 2020 was the Gaza authorities' adoption of a unified electronic system for the NGOs. This system obliges the associations to enter all the associational information, activities and data as well as taking permission prior to holding any activity and when holding the associational elections or the general assembly's meetings. These measures violate the associations' right to privacy. Moreover, Gaza's defacto government imposed illegal and high fees relevant to the associational measures such as registration fees, etc.

In the same context, the Ministry of Interior in the West Bank issued new measures in 2020 that are still effective, obliging the associations operating in the Gaza Strip to accredit their BOD every year and after every election, otherwise the association would not receive external

transfers. The BOD's accreditation requires going through the security background check conducted by the security services for the associations and their administration. This latest decision has resulted in freezing bank accounts of many associations in the Gaza Strip, where the accreditation of BOD has been delayed for months or rejected for political grounds.

The Palestinian Cabinet's decision is still applicable in 2021, as in August 2019, they issued a set of illegal criteria on the non-profit companies, violating the right to form non-profit companies, which is a manifestation of the right to freedom of association, and interfering into these companies' privacy. The decision stipulates that the companies' authorized signatories shall not be more than two persons, who should not have shares in more than one non-profit company. Furthermore, non-profit companies are not allowed to have multiple work scopes; and salaries and operating expenses should not exceed the percentage determined by the Ministry, which in all cases cannot be more than 25% of the overall budget. These criteria are a flagrant violation of Palestine's obligations under the ICCPR and the ICESR. The Special Rapporteur on the rights to freedom of peaceful assembly and association affirmed that authorities must not interfere into the associations' work and funding.

## **X. PERSONS WITH DISABILITIES' RIGHTS IN THE GAZA STRIP**

Persons with disabilities' conditions did not improve in 2021, due to the impact of the ongoing closure and internal division on their access to their rights under national and international laws. As they were subjected to restrictions on the freedom of movement, closure of border crossings, and denial of basic health and education services, as well as in-kind and financial

support, as well as other rights guaranteed for this group under the International Convention on the Rights of Persons with Disabilities, and Law No. 4 of 1999 relevant to persons with disabilities' rights in Palestine.

According to the statistics by the Palestinian Central Bureau of Statistics (PCBS) in 2017, the number of

persons with disabilities in Palestine is 93,000 (i.e., 2.1% of the population divided into 48% in the West Bank and 52% in the Gaza Strip.) The number of persons with motor disabilities is 47,109 constituting 51% of the total persons with disabilities. About one fifth of persons with disabilities are children under the age of 18 (i.e., 20% of persons with disabilities in Palestine.) The percentage was more prevalent in Gaza Strip (22%) than in the West Bank (17%).

In 2021, IOF killed 4 persons with disabilities; 3 were killed during the military offensive on the Gaza Strip in May 2021,<sup>34</sup> while another person with disability was killed at Qalandia checkpoint, northeast of occupied Jerusalem. The number of new persons with disability inflicted by the military offensive is 50, including 10 amputations and 35 cases of Monoplegia, Hemiplegia, and Quadriplegia. Also, 10 residential units housing persons with disabilities were completely or partially destroyed. During the aggression, around 3000 persons with disabilities out of around 100,000 civilians sought refuge in UNRWA schools, amid ongoing Israeli strikes on the Gaza Strip. Those schools neither met the minimum accessibility measures for persons with disabilities nor were equipped with basic services for the displaced persons due to the aggression continued for 11 days.<sup>35</sup>

The Israeli-imposed closure ongoing for 15 years on the Gaza Strip has deteriorated the economic and social conditions in the Gaza Strip as the poverty, unemployment and food insecurity rates increased among the Palestinian population, negatively affecting the conditions of persons with disabilities and their

34 Joint statistics by human rights organizations in Palestine and documentation of Israeli violations during the 2021 offensive

35 Statistics from a position paper titled as "Violations against Persons with Disabilities due to the Israeli Offensive on Gaza" published by the National Society for Rehabilitation and the Palestine Medical Relief Society on the PNGO website, 24 May 2021.

families, who have lacked rehabilitation and social care services and health and educational services. The living conditions of persons with disabilities worsened due to lack of source of income and becoming unable to meet their basic needs. Although the Ministry of Social Development allocated part of its cash donations to the cash transfer program for persons with disabilities, which targeted around 36,000 in the Gaza Strip to support those affected by the coronavirus pandemic; however, these donations did not cover all persons with disabilities in the Gaza Strip that are around 127,962; and were not distributed regularly on fixed dates determined by the Ministry every three months. Those donations were disbursed only once during 2021.

Persons with disabilities still suffer from diminished quality of diagnostic, preventive, therapeutic and rehabilitation healthcare services as the Palestinian Law No. 4 of 1999, which was issued 21 years ago has not been entered into effect to this day. The Palestinian internal division hinders implementing this law and deprives such a significant group of Palestinian society of their rights to basic services in the areas of health, rehabilitation, training, and education. The law stresses the importance of paying more attention to services aiming at the early diagnosis of disabilities and reducing the percentage of disabilities as well as providing medical devices and instruments necessary for their assistance and treatment. The law also codifies that services that guarantee their equal and fair engagement in society should be provided in addition to the free healthcare services included in the governmental health insurance available for them and their families.

Moreover, Covid-19 pandemic and accompanying measures continued to impact persons with disabilities' rights as they still face difficulties accessing the basic services adopted by the Convention on the Rights

of Persons with Disabilities and guaranteed by the Palestinian Disability law No. 4 for the year 1999.

Despite Palestine's accession to the International Convention on the Rights of Persons with Disabilities (CRPD), on 02 April 2014, persons with disabilities in Palestine are subjected to difficulties and challenges that impede their integration into the society;<sup>36</sup> most prominent of which are discrimination and social

stigma. Persons with disabilities are perceived as being powerless, unable to care for themselves or make their own decisions, which undermines the effectiveness of the rehabilitation programs designed for this important category in the society, especially that the number of persons with disabilities is increased over the past years due to Israeli violations in the Great March of Return protests and in the last aggression, which have inflicted hundreds of amputation and disability cases.

## XI. IMPACT OF THE POLITICAL DIVISION ON ECONOMIC AND SOCIAL RIGHTS IN GAZA STRIP

In the 15<sup>th</sup> executive year of the Palestinian division, Hamas Movement continued its rule over the Gaza Strip since June 2007, impacting the economic and social rights of more than 2 million people living in the Gaza Strip, due to the continuous comprehensive illegal and inhuman blockade that the occupying Israeli Authority imposed on the Gaza Strip 15 years ago.

The continuous of the political division caused deterioration in the living conditions, along with the economic measures and procedures imposed by the division parties, such as issuing administrative and political decisions that burdened the people in Gaza and deteriorated their living conditions.

The political division deprived new generations of applying for official public posts without discrimination based on political affiliations; accordingly, the already high unemployment rates increased by the Israeli-imposed closure.

Families receiving allocations and assistance under the social protection program in 2021 suffered from the interruption of payment and the Social Development Ministry's non-disbursement of the financial dues for those families benefiting from this program. The Social Development Ministry disbursed only one payment of the allocations to the poor families out of 4 payments that are supposed to be paid annually as the payment was 700 shekels to all the families regardless of their number or economic conditions. Moreover, the political division worsened poverty rates triggered by the Israeli closure, particularly among the marginalized and low-income families.

The residents of the Gaza Strip have suffered because the services provided by the official governmental institutions are based in the West Bank, burdening citizens with additional expenses to extract or stamp official papers. The suffering aggravated following the offensive on Gaza when the post office services were suspended between Gaza and the West Bank, heavily affecting the residents of the Gaza Strip who had to wait too long to obtain such important transactions, including visas to foreign countries, whose embassies

<sup>36</sup> Human Rights Watch report: Gaza: Israeli Restrictions Harm People with Disabilities – December 2020. Available at: <https://www.hrw.org/news/2020/12/03/gaza-israeli-restrictions-harm-people-disabilities#:~:text=Palestinian%20law%20applicable%20in%20Gaza,failed%20to%20adequately%20ensure%20accessibility>.

are located in Israel or the West Bank, to travel for humanitarian needs.

Moreover, PA-imposed punitive measures on the Gaza Strip continued, and the allocations for basic health, educational, and social services continued along with the policy of salary cuts on political grounds, including the salaries of families of martyrs, prisoners, and injured. These measures violate the 2003 amended Palestinian Basic Law, Civil Service Law, the 2005 National Security Forces Service Law, and their amendments. Meanwhile, the authorities in Gaza imposed more fees and customs under the pretext of protecting national products, increasing the burdens on the Gaza Strip's residents.

In 2021, the political division worsened the health situation in the Gaza Strip that is already deteriorated by the Israeli-imposed closure for 15 years. This has also

weakened the healthcare system in the Strip and led to persistent shortage of medicines and medical supplies due to poor coordination between the division parties. The central warehouses suffer from acute and serious shortage of the essential medicines list; as the number of medicine categories at zero stock has reached 277 out of 516, with a 53% deficit rate; while the number of categories that suffice for less than 3 months has reached 67 (13%). Moreover, the central warehouses have acute shortage in the essential medical supplies list; as the number of categories at zero stock has reached 274 out of 853, with a 32.1% deficit rate, and the number of categories that suffice for less than 3 months has reached 61 (7.1%).<sup>37</sup> The chronic lack of essential medicines and medical supplies negatively affects health services and their quality and increases the financial burdens on patients and their families when they are forced to buy medicines and medical supplies from the private sector.

<sup>37</sup> General Directorate of Pharmacy Report: "Reality of Medicine and Medical Consumables in the Gaza Strip."

**Part II:**

**PCHR 2021 ORGANIZATIONAL REPORT**

PCHR succeeded in completing its annual workplan for 2021 despite the unprecedented challenges, most prominently the spread of Covid-19 in Gaza and the consequent restrictions on the freedoms of movement and assembly on separate intervals. This year, PCHR successfully accomplished its plan and contributed to a strategic achievement in its work on international prosecution of Israeli war criminals, as the ICC decided on 3 March 2021 to open an investigation into the Situation in Palestine. This defining moment magnified the importance of PCHR’s years-long campaigning for Palestine to join the ICC and feeding the Court information on Israeli crimes. This development will be the cornerstone for PCHR’s future work on this agenda; a primary focus of our organization for the past two decades.

During the year, PCHR played a role in the progress we documented in various human rights issues, despite the increasing Israeli hurdles, particularly the intensified attacks on human rights organizations and civil society, impeding elections that were scheduled for May 2021 by refusing the participation of Jerusalem. Additionally, IOF launched a military operation on Gaza from 10 – 21 May 2021, which added extraneous circumstances for our work and compounded folds of extra work on monitoring and documenting Israeli crimes and building legal files for cases on behalf of victims.



In spite of these extraordinary challenges that faced our work, as well as those imposed under Covid-19, PCHR executed its strategic plan, and most importantly, responded professionally and successfully to all emerging events.

This year was the second in PCHR's 5-year strategic plan 2020-2024, which was the product of continuous labor over months that engaged all PCHR staff, management, and programs, focusing on PCHR's vision and mission and strategies within a political reading of the political and human rights situation in the coming years. PCHR succeeded in developing a comprehensive plan that covers different areas of work, including prosecution of Israeli war criminals, protection of Palestinians' rights and freedoms, particularly women, and empowerment of the Palestinian civil society, and democratic development.

This report covers another year of working amidst the coronavirus pandemic in Palestine, and the consequent restrictions on the freedom of movement and the infection of many of our staff with the virus, particularly at Units that work directly with the public, i.e., the Women's Rights and the Legal Aid Units. As a result, PCHR was forced to shut its offices at different intervals throughout the year. Nonetheless, years of experience in crisis management paid off for PCHR as it led a pioneering example in responding to the pandemic. PCHR developed its tools to transcend the restrictions, particularly those on the freedom of movement, without breaching the health and safety requirements. PCHR succeeded in carrying out its work and connect with the public without interruption even when its offices were shut, through the varied communication tools it has recruited.

PCHR focused an important part of its work in 2021 on children, to defend their rights and empower them to enjoy their right to political participation through the Palestine Child Council. PCHR offered the Council's board of directors skills and knowledge through training. PCHR considers the formation of this Council an important and strategic development for its work with children over the coming years, to expand their experiences, skills, and knowledge in human rights. This will be reflected in PCHR's workplan for the coming years.



PCHR Board of Directors meeting.

In terms of resource mobilization, PCHR succeeded in securing funding for its work despite the global funding crisis that ensued with the pandemic. The Center recruited all of its resources to mobilize resources in order for it to continue its work on promoting human rights and redressing victims, largely depending on its integrity and transparent relationship PCHR has founded with donors. With experience and good planning, PCHR managed to go through this financial year, with a cost-cutting plan and maximum use of available funds. PCHR has commenced preparation for its 2022 funding plan.

PCHR also focused its lobbying and advocacy activities at the international level, despite severe restrictions on freedom of movement around the world. PCHR used Zoom to communicate with various international bodies and partners around the world. The prosecution of Israeli war criminals was a key component of PCHR's workplan this year, which witnessed intensified efforts and networking with the International Criminal Court to ensure that eyewitnesses and plaintiffs are present before the Court. PCHR has dedicated a significant part of its 2022 resources to ensure victims and eyewitnesses and the fact on the Israeli crimes and violations are available to the investigation bodies at the ICC.

On the other hand, the Israeli occupation continued to persecute human rights defenders in the oPt, including PCHR and its staff. The smear campaigns led by the Ministry of Strategic Affairs in Israel escalated, and were backed by propaganda organizations operating as NGOs, especially the NGO Monitor, which is specialized in publishing false allegations and inciting against Palestinian and international organizations that expose the Israeli occupation's crimes against Palestinians.

Hereafter, PCHR presents the activities it carried out in 2021 in accordance with its new five-year strategic plan. The report provides a description our activities, their position in the overall framework and direct indicators showing execution. The report also provides select success stories achieved this year, especially in legal aid. PCHR considers this report a part of its strategy, which dates back to its foundation in 1995, towards promoting transparency and social accountability.



PCHR General Assembly  
meetin.g

## ◀ STRATEGIC PRIORITY 1.

### Working towards accountability for perpetrators of the most serious IHL and human rights abuses committed against Palestinians

#### Objective 1.1

By 2024, PCHR will have engaged with international bodies and mechanisms to support investigations against perpetrators of severe IHL and human rights abuses/will have sought international legal remedies to hold perpetrators to account

#### Outcome 1.1.1

International Investigations, both at the ICC and through UJ, against Israeli perpetrators of IHL and HR abuses are supported by PCHR

PCHR and its partners played a major role in milestone decision by the ICC to open an investigation into violations in the oPt, including the Gaza Strip, West Bank, including Jerusalem. This historic achievement crowns two decades of restless work by PCHR and partners towards a new channel for Palestinians to access justice. PCHR's contributions included providing legal notes and submissions to the Pre-Trial Chamber. On 5 February 2021, the Pre-Trial Chamber approved the jurisdiction of the Court in the occupied Palestinian territory in 1967, in a historic decision that highlighted the objectivity of the Court and its seriousness in achieving justice and fairness to victims and rewarded our work and our partners and opened a new door to achieve justice and redress for the victims. Since the announcement, PCHR sent a delegation to follow on eyewitnesses' and plaintiff registration in cases where PCHR represents the victims. Parallely, within the framework of PCHR's work to enhance legal prosecution of international crimes committed by the occupation, PCHR works continuously

to prepare and train young lawyers with knowledge, experiences, and skills to build legal files and interact with various international mechanisms.

#### Indicators

- » ICC issued decision to open investigation into crimes committed in the oPt
- » ICC Preliminary Chamber I issued a decision on 5 February 2021 verifying the Court's territorial jurisdiction over the oPt.

#### Output 1.1.1.1

**Legal submissions drafted, based on evidence collected by PCHR fieldworkers**

PCHR defended the victims of the Israeli occupation crimes in the oPt, particularly those impacted by the Israeli military aggression on the Gaza Strip (10-21 May 2021) by building legal files on Israeli violations of IHL, sending legal memos to the ICC Prosecutor, and legal follow-up on cases from the 2014 Israeli military offensive on Gaza, as well as cases of the Great March of Return protests.

### Indicators

- » 16 cases prepared for international litigation pertaining to operation Guardian of the Walls, and 1 joint memorandum ratified
- » Draft legal submissions, and cases were taken before international courts under the principle of

universal jurisdiction and the ICC based on evidence collected by PCHR's fieldworkers.

- » Follow up on 7 former ICC legal submissions
- » PCHR exhausted all possible national/local justice channels within the Israeli judicial system in 8 cases where Israeli judiciary refused to open investigation.



▶ PCHR Director meets with Bertha Justice Fellows.

### Output 1.1.1.2

#### Qualified young lawyers trained in IHRL,ICC,UJ...

PCHR maintained its plan to train HRD lawyers to have sufficient knowledge in the local and international legal remedies. This year PCHR supported lawyers' skills and included them in PCHR's work in building legal files. Many trainee lawyers received training courses and lectures by national and international experts, and they received language and legal training.

### Indicators

- » 6 lawyers received training (3 male/3 female)

- » 6 trainee lawyers involved in building legal case files under supervision of PCHR Legal Aid Unit's team.

### Outcome 1.1.2

#### International community informed around the rule of law and international accountability on Palestine issues

PCHR executed several initiatives and activities internationally in its efforts to defy Israeli impunity and executed a number of activities locally.

## Indicators

- » On December 17, 2021, United Nations General Assembly (UNGA) resolution was issued affirming the sovereignty of the Palestinian people over their land and natural resources.
- » On December 16, a UNGA resolution affirmed the right of the Palestinian people to self-determination.
- » On December 9, a UNGA resolution was issued affirming the illegality of the Israeli settlements established in the oPt.
- » On December 9, 2021, the UNGA discussed the work of the Special Commission of Inquiry into Israeli practices affecting the rights of the Palestinian people.

### Output 1.1.2.1

#### PCHR advocacy office established in Europe

This output was not executed in 2021 for funding reasons and Covid-19.

### Output 1.1.2.2

#### Timely high-quality knowledge products have been produced and used for international advocacy highlighting violations of the occupation

PCHR implemented various initiatives and activities at the international level in the context of confronting Israeli impunity, in addition to implementing several activities at the local level as well. In partnership with B'Tselem, PCHR issued a report on the Israeli government's attempted to conceal its war crimes

against Palestinians, titled: "Unwilling and Unable: Israel's Whitewashed Investigations of the Great March of Return Protests."

PCHR prepared and published its Annual Report 2021 and continued its international advocacy to protect Palestinian civilians by sending letters to international bodies and preparing high-quality advocacy materials.

## Indicators

- » 1 publication released in English, Arabic, and Hebrew on PCHR website.
- » PCHR released its Annual Report 2020 on 15 June 2021 in English and Arabic.
- » Prepared a number of legal reports on the second anniversary of the Great March of Return march, entitled "Impunity Continues to Prevail".
- » 11 materials were used in advocacy: 5 urgent letters to 10 UN Special Rapporteurs, 1 intervention with the Special Rapporteur, 3 infographics, and 1 video.

### Output 1.1.2.3

#### Improved coordination and networking with partners on legal and advocacy work

In 2021, PCHR aimed to enhance coordination and communication with partners regarding legal work and advocacy at the international level. PCHR strengthened its communication with the Human Rights Council through oral interventions within the Council sessions, which focused on several issues most notably the forced displacement operations in Jerusalem, the victims of the Great March of Return

protests, the shrinking space for public freedoms, the Israeli aggression on Gaza, prosecution of Israeli war criminals, and settlement activities. and the conditions of Palestinian patients under the Israeli closure on the Gaza Strip. PCHR also held several meetings with partners to discuss legal work and international advocacy work.

### Indicators

» (14) oral interventions were presented before the Human Rights Council.

» At the invitation of the European Center for Constitutional and Human Rights (ECCHR), two lawyers from the Legal Unit participated in its annual meeting for its three-month training alumni, which was held in Berlin, Germany from 24 to 27 November 2021.

» 26 meetings with partners.



Human rights organizations meetings with partner organizations and international legal experts in The Hague.



Human rights organizations meetings with partner organizations and international legal experts in The Hague.



Human rights organizations meetings with partner organizations and international legal experts in The Hague.



▶ PCHR Director receives Swiss delegation.



▶ PCHR Director receives Irish Aid delegation at PCHR Gaza.



▶ PCHR received Irish diplomatic delegation.



▶ EU delegation visits PCHR.



▶ PCHR receives Norwegian diplomatic delegation.



▶ PCHR Director meets the Swiss Representative to the Palestinian Authority and accompanying delegation.

## ◀ STRATEGIC PRIORITY 2.

### Strengthening rule of law and increasing access to justice under Israeli and Palestinian jurisdictions for Palestinians, victims of human rights abuses including for victims of gender-based crimes.

#### Objective 2.1

By 2024, PCHR will have facilitated access to justice for Palestinian victims of human rights violations, through Palestinian and Israeli justice systems, including women victims of gender-based crimes

#### Outcome 2.1.1

Victims of human rights violations interventions are filed before Israeli and Palestinian justice systems

PCHR succeeded in redressing a number of victims of human rights violations, whether before Israeli or Palestinian mechanisms, with several success stories within the Israeli complaints mechanisms, particularly in helping patients achieve their right to receive treatment and their right to freedom of movement. PCHR has also succeeded in restoring the rights of many women by representing them before the Sharia courts, and providing support to women in the Aman Shelter, as well as correctional and rehabilitation centers.

#### Indicators

- » PCHR provided 3185 legal aid services, including representation and advice before the Israeli and Palestinian legal and administrative bodies.
- » PCHR provided 13500 legal aid services for women, including representation and consultation, via its branches, hotline, and its weekly radio show "Istishartak Alina."

#### Output 2.1.1.1

victims of human rights violations have received quality legal aid

PCHR continued to provide legal aid to victims of human rights violations, whether by the Israeli occupation or the Palestinian Authority. PCHR activities varied in providing legal aid, the most prominent of which is providing support to victims of the crimes of the Israeli occupation, especially in restricted access areas and victims of restrictions on the freedom of movement, especially for patients in the Gaza Strip and for Palestinian detainees in Israeli prisons, and for recovering the bodies of Palestinians killed by Israel. The activities included legal representation before the Israeli courts, submitting and following up complaints and objections before the Israeli judicial authorities, and providing legal consultations to victims of Israeli violations. PCHR also worked to provide legal support to victims of Palestinian violations through complaints, legal representation, and counseling. The legal support provided included many cases, most notably those related to women's rights, public freedoms, and prisoners and guests at the Aman shelter.

## Indicators

- » The number of legal interventions on the Israeli agenda has reached 1222, including 750 new complaints, 472 follow-ups to previous complaints, 1003 legal consultations for victims and their families.
- » The number of legal interventions on the Palestinian agenda reached 599, including 361 legal consultations for victims of violations of public rights and freedoms and their families.
- » The number of legal consultations PCHR provided to women and their families reached 1,837 legal consultations via its 3 branches; number of consultations offered on “Istishartak Alina” radio show averaged at 756.
- » 42 radio shows of “Istishartak Alina,” average number of phone calls per single episode in 2021 was 12-14.
- » 9450 calls to PCHR lawyers via its hotline
- » PCHR followed 1607 cases before Sharia courts, including 1360 new cases incoming in 2021, and 247 from 2020.
- » PCHR obtained 717 verdicts in favour of women
- » PCHR services legal aid services reached 882 female beneficiaries, and 532 women benefited from in-favour court verdicts.
- » PCHR ran 523 execution cases for 382 female-beneficiaries.
- » 35 legal consultations offered to female-prisoners, in 5 visits; PCHR filed 2 cases on behalf of fe-

male-prisoners.

- » The number of visits conducted by PCHR to Aman Shelter reached 48, and PCHR followed up 21 cases for 13 guests at the shelter and provided 65 legal consultations.



Picture of PCHR lawyers recording an episode of “Istishartak Alina” radio show executed by PCHR Women’s Rights Unit.



PCHR’s Legal Aid Unit meeting



PCHR’s Legal Aid Unit receives beneficiary



▶ PCHR lawyers meet President of the Lands Authority in Gaza.



▶ PCHR lawyer receives beneficiary at the Legal Aid Unit.



▶ PCHR lawyer receives beneficiary at the Women's Rights Unit.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### **PCHR Lawyers Obtain Decision from Israeli Supreme Court to Save Patient's Life**

(M. 'A.) (21) sustained serious wounds in the abdomen and chest on 15 May 2021 during the Israeli latest Offensive on the Gaza Strip. Since then, he was admitted to the Intensive Care Unit at al-Shifa Medical Complex. Due to lack of medical supplies necessary for his treatment at Gaza Hospitals, the competent healthcare authorities promptly issued him an urgent medical referral to receive the appropriate treatment at al-Ahli Hospital in Hebron. However, the Israeli occupation authorities rejected his travel permit for treatment; as a result, his health condition seriously deteriorated, putting his life at risk.

PCHR's lawyers promptly took the necessary legal proceedings and filed an urgent appeal before the Israeli Public Prosecution in Jerusalem on the same day. Due to the Prosecution's delay for 6 days in responding to the appeal, PCHR decided to file an urgent appeal to Jerusalem District Court on 06 June 2021. After 48 hours of persistent follow-up, the Court issued a ruling obliging the Israeli Public Prosecution to give its response in this regard until Friday, 11 June 2021. The next day, the Israeli Public Prosecution sent its response to the District Court, approving the travel of the injured with his companion for treatment on the same day. Thus, the injured and his companion travelled via an "Intensive Care" ambulance.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### **PCHR Lawyers Obtain Decision from Israeli Supreme Court to Save Patient's Life**

(K. W.) (63) has prostate cancer and due to his difficult health condition, he was referred for treatment at al-Mutale'a Hospital in Jerusalem to be admitted to the intensive care and put on ventilators. However, due to the Israeli authorities' arbitrariness in banning the travel of patients for treatment following the latest offensive, PCHR's lawyers promptly took the necessary legal proceedings and filed an urgent appeal to the Israeli Public Prosecution in this regard. Due to the Israeli Prosecution's procrastination in giving a response, PCHR's lawyers filed an appeal to Beersheba District Court, which issued a decision that gives the Prosecution only until 07 June 2021 to respond in this regard. On 07 June 2021, we received a response from the Israeli Public Prosecution giving its approval on his travel.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### **PCHR Lawyers Obtain Travel Permit for Woman with Cancer despite Israeli Authorities' Procrastination**

(S. M.) (44) suffers stomach cancer spread in the abdomen and obtained an appointment at al-Mutale'a Hospital as a lifesaving case. Many permit requests were applied before the competent authorities to enable her travel for treatment, but the Israeli authorities persisted in denying patients' travel for treatment following the latest offensive on the Gaza Strip. As a result, the patient's condition deteriorated, putting her life at risk. Thus, PCHR's lawyers filed an urgent appeal to the Israeli Prosecution and obtained an approval on her travel along with the companion after 2 days.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### **PCHR Lawyers Obtain Decision from Israeli Prosecution despite Israeli Authorities' Procrastination**

(D. 'A.) (46) was injured on 16 May 2021 when Abu al-'Ouf residential building, where she lived with her family, was targeted, and she was pulled from the rubble. She sustained fractures all over her body and critical injuries in her lung, so she was admitted to the Intensive Care Unit at al-Shifa Hospital. The injured woman was referred to Arab Istishari Hospital in Ramallah. Despite her suffering, the Israeli occupation authorities increased her suffering by rejecting her permit to travel for treatment. As a result, PCHR intervened to save the injured woman's life and filed an urgent appeal to the Israeli Public Prosecution on 25 May 2021. Due to its constant legal efforts, PCHR successfully obtained a decision from the Prosecution approving her travel on the same day.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### **Saving Life of Child with Cancer**

('A. 'A.) (15) has cancer and due to the deterioration of his health condition, he was referred to al-Hussein Center for Cancer in Jordan. Although many requests were filed to the competent liaison authorities to allow his travel for treatment, the Israeli authorities rejected the child's travel permit. PCHR's lawyers promptly

and directly intervened initiating the necessary legal proceedings, including sending letters to the Israeli competent authorities. Close Follow-up and round-the-clock efforts continued, and PCHR successfully obtained an approval on the child's travel with his father via Beit Hanoun Erez Crossing on 27 May 2021 via an Intensive Care ambulance.

## SUCCESS STORY BEFORE THE ISRAELI JUDICIARY

### Life of Pregnant Woman Saved from Certain Death

(Y. J.) (28) is pregnant woman with a heart disease, and due to lack of treatment at Gaza hospitals, she was referred for treatment at al-Makassed Hospital in Jerusalem. However, the Israeli authorities rejected her permit to travel for treatment, worsening her health condition especially that she was pregnant. PCHR's lawyers urgently intervened and initiated the necessary legal proceedings until they obtained an approval on her travel on 08 June 2021.

## SUCCESS STORY BEFORE ISRAELI JUDICIARY

### Legal aid for Prisoner in Israeli jails until his release

On 06 January 2021, the wife of prisoner (N. D.) came to PCHR and her eyes were prickling with tears, calling for a legal assistance to know the fate of her husband, who was arrested by Israeli occupation forces while present in Salfit. PCHR immediately submitted an urgent visit request to check on her husband and to know his legal status. PCHR received a reply stating that visits are prohibited for the prisoner. PCHR's follow-up has continued until its lawyer managed to visit the prisoner on 17 January 2021. PCHR contacted his family to assure them about his health and legal status. PCHR continued to follow-up the prisoner's case file before the competent courts until an indictment was issued against him. PCHR appeared before the court and pleaded on behalf of the prisoner. After exerting substantial efforts, the indictment was amended, and it included: illegal entry and stay in the city, actual imprisonment for 2 months, and a fine of 2,000 NIS. By following up with the Israeli Prosecution and explaining that the detainee was illegally staying for work and meeting his family needs, PCHR's lawyers succeeded in cancelling the fine of 2,000 shekels, while the two-month actual imprisonment decision is still valid, noting that he served most days with considering the administrative reduction. The detainee was released via Beit Hanoun «Erez» Crossing on 08 February 2021.

## SUCCESS STORY BEFORE DOMESTIC JURISDICTIONS

### Payment of monthly salary for 9 former detainees

PCHR received a complaint submitted by 9 former prisoners in the Israeli jails, stating that they were not getting their salary paid, as there are unable to obtain the necessary papers from the Israeli competent authorities. Accordingly, PCHR's lawyers sent several letters to the Israeli competent authorities, including the Israeli court and police, in order to obtain indictments, judgments, a release warrant, or criminal record that showing the arête date, the charge and the release date. PCHR, in cooperation with, the Prisoners Affairs Authority succeeded in paying salaries for the 9 detainees by the Ministry of Finance in Ramallah.

## SUCCESS STORY BEFORE DOMESTIC JURISDICTIONS

### Pressure on concerned authorities in Gaza in order to eliminate serious public health hazard



▶ PCHR Lawyer during field visit and follow-up on the case of Khudair Warehouses for Pesticides.

PCHR followed-up the serious damage resulted from the poisonous emissions from the Khudair Warehouses for Pesticides and Fertilizers in northern Gaza Strip, which was bombarded in the 2021 Israeli aggression in the Gaza Strip.

On 16 September 2021, PCHR sent urgent letters to 9 of the concerned authorities in the Gaza Strip demanding immediate action to remove the poisonous materials and emissions coming from Khudair Warehouses for Pesticides and Fertilizers in northern Gaza, or to evacuate the local residents to spare them dangerous health effects that may affect at least 3,000 persons.

These letters were based on information and complaints that PCHR received from community members that report on the ongoing emissions of smoke from Khudair Warehouses for

Pesticides and Fertilizers, exuding foul smell and poisonous gasses that cannot be withstood. They also reported the presence of rashes on persons living in the area, and 3 women miscarried for unknown reasons. PCHR followed the matter and approached health and environment experts who expressed their concern that these poisonous materials may infiltrate to the underground -due to them burning and the resulting chemical interaction- during the winter when rain comes; thus, poison the underground water in the area.

Also, PCHR reached out to health and environment experts and they expressed their fears that these poisonous materials may infiltrate to the underground during the winter when rain comes; thus, poison the underground water in the area.

It should be noted that on 15 May 2021, IOF bombed the warehouses of the Khudair Company for Agricultural Supplies, owned by Mahmoud I. Khudair, and Medor Company for Agriculture, owned by Suhail Khudair. Both companies had 6 warehouses built on an area of 4.5 dunums. The warehouses are located by the Beit Lahia sea shore in northern Gaza Strip. The bombing destroyed the warehouses and set them on fire, including all contents. The fire was raging for 12 days as the Palestinian Civil Defense was unsuccessful in putting it out.

## SUCCESS STORY BEFORE DOMESTIC JURISDICTIONS

### Success story before Shari'a Court in Gaza Redressing Women

On 09 November 2020, Shari'a Court in Rafah sent a complaint submitted by the plaintiff (A. Sh.), from Rafah, to PCHR's women unit-Khan Yunis office. The plaintiff filed a complaint against her brother, as he categorically refuses to marry her to (A. Y.), who have legal capacity. (A.Sh.) suffered from family problems and was subjected to moral violence only because of her desire to get married. Lawyers at PCHR's women unit filed a lawsuit against her brother in Shari'a court to overcome her father objection on her marriage. The lawyers followed up the lawsuit in absentia because the defendant did not attend court sessions. On 01 March 2021, the court issued a decision against the objection of the plaintiff's brother, and the Supreme Court upheld the judgment of the Court of First Instance after the period given for appeals and objections has ended. On 26 May 2021, the plaintiff (A. Sh.) and (A. Y.) got engaged in Rafah Shari'a Court.

## SUCCESS STORY BEFORE DOMESTIC JURISDICTIONS

### **Success story before Shari'a Court in Gaza Redressing Women**

A 53-year-old (A. A.) divorced three years ago and gave birth to three girls between the ages of 19 and 22, all in their father's custody. The father prevents his daughters from seeing their mother, as she has not been able to see her daughters for more than 6 months. (A. A.) headed to PCHR office in Jabalia and hired a lawyer from the Centre. After that, PCHR's lawyer filed court papers for visitation rights, as the father prevents his daughters from seeing their mother. Accordingly, the father along with his daughters were summoned to the court, and it turned out that the girls have no objection to see their mother, but their father prevents them due to disagreements between the spouses. The father refused the visiting request. PCHR's lawyer filed the court papers to the Supreme Court to obtain an execution order by legal force. Subsequently, the judgment was executed by legal force after the judicial police contacted the father and told him that he will be imprisoned if he will not implant the visiting order. On 30 July 2021, (A. A.) managed to meet her daughters in her brother's house from 14:00 to 21:00.

## Objective 2.2

**By 2024, Palestinian judicial system is more responsive to cases related to human rights violations included gender-based crimes**

### Outcome 2.2.1

Laws and policies in contravention with human rights, especially women’s rights and gender equality, have been challenged

PCHR enhanced its work with children, as part of its new strategy to promote human rights among different groups of Palestinian society.

PCHR also strengthened its work on women’s and gender issues through training new lawyers and documenting crimes against women in Palestinian society, particularly violations to their right to life and bodily integrity.

#### Indicators

- » Documentation of women’s rights violations
- » 16 new lawyers work with PCHR’s legal team to redress victims after receiving training at PCHR

#### Output 2.2.1.1

**Qualified youth including lawyers trained and act at human/women rights advocates**

PCHR trained several new lawyers within its team working at the Sharia courts to enhance a women’s rights-approach within the sharia court system

#### Indicators

- » 10 training materials prepared and released focusing on human rights, women’s rights, and gender-based violence.
- » 16 lawyers received training at PCHR in 2021
- » 400 copies of gender-based violence training manual printed
- » Implementation of 24 training courses on women’s rights, attended by 592 participants, including 423 females - 71% of the total participants.



▶ PCHR fieldworker takes statement of Palestinian whose house was destroyed during the Israeli military aggression.



▶ PCHR fieldworker taking a statement on human rights violations.



▶ Trainee lawyers at PCHR under Sawasya Project



▶ PCHR concludes training course on protection and intervention mechanisms to combat violence against women.

### Output 2.2.1.2

Timely knowledge products have been produced and used for advocacy campaigns

PCHR continued to monitor and document violations against women in Palestine and used this information to produce high-quality products to be used for lobbying and advocacy on women's issues.

#### Indicators

- » PCHR documented 34 violations of women's right to life and bodily integrity of the body, including murder, injury, beatings, bodily harm, medical neglect, suicide, and arrest.
- » PCHR carried out (173) information-gathering missions via 7 different methods: field visit, personal interviews, collecting testimonies, filling out forms, photography, and preparing field reports.
- » PCHR issued (7) high-quality products, which including (5) press releases, (1) report, and (1) video, which were used in advocacy campaigns.

### Outcome 2.2.2

Women empowered to demand their rights

PCHR worked towards empowering Palestinian women by increasing society's awareness of women's rights and gender concepts and informing decision-makers about the most important issues of concern to women and achieving equality. PCHR also worked to promote women's initiatives that aim to enhance women's capabilities and independence.



### Indicators

- » (1945) women approached PCHR seeking their rights following awareness campaigns
- » Social media traffic on women's rights issues

### Output 2.2.2.1

#### PCHR targeted communities have increased knowledge on women's rights

PCHR worked in 2021 to raise awareness of women's rights among the local community. Towards this goal, PCHR trained different groups on the topics of women's rights, gender, and gender-based violence. PCHR also conducted awareness sessions on women's rights and held coordination meetings with various government parties to enhance protection for women and fulfill their rights. PCHR also engaged with various media outlets to inform the public about the reality of

women's rights in Palestinian society and the relevant standards.

### Indicators

- » 1,162 persons, including 801 women, became familiar with the concepts of gender and women's rights in international and domestic law.
- » 11 training courses implemented on violence against women and defence mechanisms, including 5 training courses that were implemented via Zoom, in which (279) teachers, educational counsellors and members of the Student Parents Council participated, including 183 females, i.e., 66%. All participants were chosen from 30 UNRWA focal schools.
- » 4 training courses, targeting (100) people representing members of civil society organizations, media professionals, journalists, and university students, at a rate of 20 training hours/training course on women's rights. The number of participants reached (103), including (58) females, i.e., 56% of participants.
- » 50 training hours on "Mechanisms for writing and preparing reports for international committees, a case study: the CEDAW Committee," with the participation of 25 male and female trainees, representing 15 women's rights organizations and associations.
- » 25-hour training course on women's rights, intervention mechanisms and legal protection for cases of gender-based violence for female workers at Aman Shelter.
- » 25-hour training course for law enforcement officials

in reform and rehabilitation centres and the women's police.

- » 25-hour training course in the field of enhancing the capabilities of lawyers in defending women's rights in their work, with participation of 27 lawyers, including 18 women i.e., 62% of participants. Their ages ranged from 25-29 years old, chosen from different areas of the Gaza Strip, in coordination with the Bar Association.
- » 20-hour training course in the field of human rights and the International Bill of Human Rights, attended by 24 students participated, including 15 females i.e., 60% of participants, aged between (18-25). The participants were chosen in coordination with 3 Palestinian universities.
- » 3 training courses held to build the capacity of

young female lawyers and prepare them to pass the Sharia judiciary licensing exam, targeting 60 young female lawyers who wish to obtain the Sharia lawyer license for the year 2021, their ages range between 23-30 years, chosen from all governorates of the Gaza Strip, in coordination with the Bar Association.

- » 1,162 participants took part in PCHR lectures, including 801 women and girls, and 361 men.
- » PCHR's Women's Rights Unit held 52 lectures in coordination with 25 associations and CSOs.
- » The 16-day campaign to raise awareness of gender-based violence was implemented.
- » Participation in 7 media interviews on women's rights.



Training program concluded on preparing and writing reports for submission to international committees – CEDAW as a model



Training course on human rights and democratic concepts for university students.



Training course for workers in the education sector on women's rights and combating GBV



▶ Awareness raising lecture on the Personal Status Law and women's rights



▶ Awareness raising lecture under Sawasya Joint Program to Eliminate Violence against Women



▶ Awareness raising lecture under Sawasya Joint Program to Eliminate Violence against Women

### Output 2.2.2.2

#### Women have increased awareness and find platform to raise their voices

PCHR worked to raise the voices of Palestinian women by encouraging and adopting positive initiatives and enhancing the role of women in combating gender-based violence through awareness.

#### Indicators

- » PCHR held 4 trainings for initiatives (8h/each)
- » 2 videos documenting the experiences of entrepreneurs published on PCHR's social media websites
- » 5 awareness raising sessions on gender-based violence.

## ◀ STRATEGIC PRIORITY 3.

### Working towards greater respect for human rights, dignity, gender equality, and freedoms for Palestinians

#### Objective 3.1

By 2024 PCHR will have built a strong network of human rights advocates (50% of them women) throughout the Gaza Strip who are influential in asserting civil and political rights, exercising democratic influence, and working towards gender equality, dignity, and freedom

#### Outcome 3.1.1

#### Targeted communities and grassroots networks have increased capacity in understanding human rights and are able to identify ways for engagement

PCHR raised awareness among the local community, especially among the youth, of international human rights standards and their implications for national law; PCHR also enhanced the role of youth by integrating them into its work through the development of PCHR's Friends Club.

#### Indicators

- » 306 people, 208 are females, are now aware of human rights standards and mechanisms in international and domestic law.
- » 100 medical staff, including 69 women, have better understanding of the right to health
- » Palestine's National Children Council- Gaza Strip is now active and represents children's aspirations.

### Output 3.1.1.1

**Targeted communities /CBOs have increased capacity in understanding human rights CBOs demonstrate increased capacity in IHR and IHRL**

PCHR enhanced the capabilities and knowledge of the Palestinian community by targeting activists in grassroots institutions and raising their awareness on human rights. PCHR also worked to provide training for lawyers to have gender mainstreamed into their work.

#### Indicators

- » Preparing and printing (10) training materials.
- » Training manual printed
- » 4 right to health training courses held targeting 100 participants from the medical field, including 69 women, i.e. 69% of participants whose age ranged between 20 – 55.
- » Organizing awareness sessions for (25) student delegations, including 611 students, including 417 girls, i.e. 68%. The children represented 14 schools and 15 associations working with children across the Gaza Strip.
- » 12 sessions on human rights targeted local community and were attended by 306 persons, including 208 women, i.e., 67%

### Output 3.1.1.2

**Enhanced child participation, child rights, and monitoring, reporting and accountability mechanisms**

In 2021, PCHR sought to enhance its work on child rights, particularly the right to political participation, as PCHR helped children form Palestine's National Children Council – Gaza Strip. PCHR assisted the children run elections for the council and activate the board's role in political participation through different meetings and necessary training courses.

#### Indicators

- » 3 training manuals prepared and printed: 1. An introduction to child rights and monitoring and documentation mechanisms; 2. mechanisms of accountability, advocacy, and community participation; and 3. international mechanisms concerned with the protection of children's rights.
- » 6 training courses targeting 40 employees of selected civil society organizations
- » Preparing Policy Papers Manual.
- » 170 children added into PCHR's alumni network, implementing 7 training courses for them, and helping them prepare and implement initiatives related to children's rights.
- » 120 children received training on elections mechanisms for children, 10 training hours over two days.
- » Governorate-scale elections among children, formation of the Gaza Strip Children's Council.
- » 6 training courses organized targeting 50 children on child rights issues, accountability, documentation of violations under project, "Building and Strengthening the Capacity of Child Protection

Teams in Participation, Monitoring, Accountability and Protection of Their Rights.”

- » 7 field visits for children, including organizations concerned with child rights
- » 5 accountability sessions related to child rights issues.

» 10 plans put in-place for initiatives that deal with child rights issues; one initiative executed under Hayat Project.

» 3 periodic meetings with members of PCHR’s Friends Club.



◀ Training Course concluded on human rights and the promotion of the right to health.



▶ Training Course on human rights and the promotion of the right to health.



▶ Training Course for the Gaza Strip Children's Council.



◀ Secretariat elections for the Gaza Strip Children's Council.



◀ Ceremony for winning candidates of the Gaza Strip Children's Council Secretariat.

## Objective 3.2

By 2024, PCHR will have challenged the shrinking civic space through direct actions and the environment for civil society is increasingly safe and enabled.

### Outcome 3.2.2

#### Improved participation of actors in civic space across Palestine

PCHR informed the local and international community about violations of civil and political rights and promoted joint action to ensure respect for rights and freedoms. PCHR was also able to raise the awareness of different groups of the Palestinian public about the limits of rights and freedoms in accordance with international standards.

#### Indicators

- » Presidential decree to release public freedoms before the elections
- » No death penalties were executed in 2021
- » Retraction of bill amending the Law of Associations that includes texts restricting the right and voiding its content
- » 4 EU press releases on violations of rights and civil freedoms in Palestine 2021

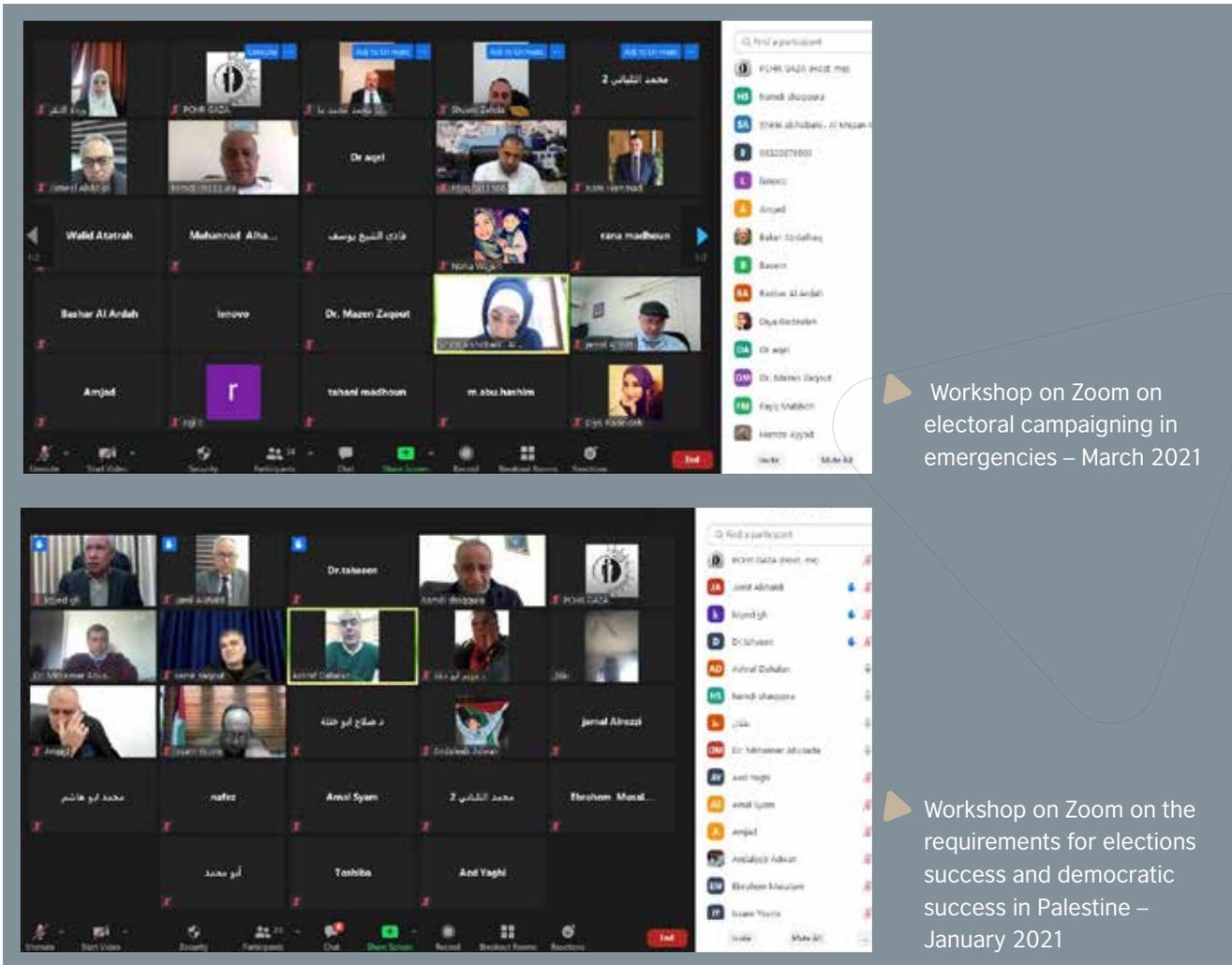
### Output 3.2.2.1

#### Solidarity and coordination has been built across CSOs to work for safe environment

PCHR sought to enhance solidarity and coordination with civil society in order to increase its effectiveness and role in Palestinian society. PCHR carried out meetings and workshops with stakeholders and worked in cooperation with various institutions to issue joint statements on vital issues. PCHR also worked to keep the local and international media informed on the shrinking space for civil society through media meetings.

#### Indicators

- » Participating/holding (53) meetings with local and international partners on shrinking space for civil society
- » Holding 2 workshops, both via Zoom.
- » (16) joint statements were released on the shrinking space for civil society.
- » 21 media meetings



▶ Workshop on Zoom on electoral campaigning in emergencies – March 2021

▶ Workshop on Zoom on the requirements for elections success and democratic success in Palestine – January 2021

### Output 3.2.2.3

Timely and evidence based knowledge products produced and used in advocacy

PCHR produced high quality products used in lobbying and advocacy to promote public rights and freedoms. For this purpose, PCHR prepared the annual report, both related to the human rights situation and the administrative report. PCHR also held workshops to discuss vital issues related to the space of freedoms; and responded to developments in the file of violations of civil and political rights by issuing statements and updates. PCHR contributed to raising awareness of

civil and political rights by issuing a video about the powers and restrictions of the authorities in the state of emergency.

#### Indicators

- » 11,334 data collection activities on Israeli violations of civil and political rights, including field visits, taking of statements, interviews, field reports, photos, etc. where 6,153 violations were documented.
- » 1,171 data collection activities on Palestinian violations of civil and political rights, including field visits, taking of statements, interviews, field reports,

photos, etc. where 266 violations were documented.

- » Issuing (67) press releases related to Israeli and Palestinian human rights violations.
- » (3) reports related to civil and political rights: State of Freedom of Speech under the PA; report on the Israeli military aggression on Gaza in 2021; and report on damage to the justice sector during the May 2021 Israeli aggression.

» Issuing (8) field updates on the assault on the rule of law in the oPt.

» Releasing (2) videos on the powers and restrictions of the authorities in the event of emergency related to combating the spread of the coronavirus pandemic.

### Objective 3.3

**By 2024, PCHR will have promoted participatory, representative, and inclusive political processes and government institutions across Palestine**

#### Output 3.3.1

**Activities related to election processes conducted according to international standards including recruitment and training of observers and awareness activities**

#### Indicators

- » 450 observers chosen to participate in monitoring the electoral process (PCHR friends, participants in PCHR activities and events, former observers, and CBO staff).
- » Organizing 14 training courses (15 hours/each) to train observers on the principles and criteria of election monitoring in accordance with international standards and to provide them with all the information necessary for monitoring. The courses benefited 327 observers out of the total 450, including 163 women, i.e., 49%, aged between 22-30 years old,

from across the Gaza Strip governorates.

- » PCHR held (3) meetings with CBOS across the Gaza Strip, to select observers for the general elections
- » Distribution of observers to (285) polling stations.
- » PCHR contributed to the design of a form to monitor the electoral process, in cooperation with Al-Haq and Al-Mezan Center for Human Rights.
- » PCHR issued (8) press releases on the developments of the electoral process
- » PCHR released 2 motivational videos entitled “We want elections,” to raise awareness of the importance of the elections, and they were published on social media.
- » PCHR set-up two billboards motivating participation in the elections in two vital areas in Gaza City, at the

universities junction and Saraya junction.

- » PCHR designed a social media campaign, entitled “We Want Elections:” (8) posts, calling for elections.
- » Basic hashtag for the campaign

- » PCHR issued (11) awareness posters about the elections under the slogan “Elections is a right and a duty,” including (6) posters to encourage the public to register for the elections, and (5) other posters to raise awareness during the candidacy stage.



◀ Awareness raising lecture on elections under project “Bidna Intekhabat – We want elections.”



▶ Training for PCHR teams on monitoring the electoral process



▲ Awareness raising lecture on elections under project “Bidna Intekhabat – We want elections.”

### Objective 3.4

By 2024, PCHR will have protected the socio-economic rights of the Palestinian people, in particular the right to health

#### Outcome 3.4.1

International community undertakes action with regards to the social economic situation in Gaza

Through data collection on violations of economic, social, and cultural rights in the oPt, and using this data in its reports and press releases, radio shows, workshops, and media interviews, PCHR has contributed to the issuance of several UNGA resolutions in 2020 relating to the economic and social conditions in the oPt.

#### Indicators

- » On 10 December, UNGA resolution was issued stressing the need to provide aid to the Palestinian people.
- » On 9 December, UNGA resolution was issued affirming the right of Palestinian refugees to their property and its revenues.
- » On 9December, UNGA discussed UNRWA work

in light of the exceptional political pressures that the UNRWA suffers from and the severe funding shortage

**Output 3.4.1.1**

**PCHR data on IOF violations of economic and social rights used in lobbying and advocacy**

PCHR collected information about Israeli and Palestinian violations of economic, social, and cultural rights and use it in lobbying and advocacy.

**Indicators**

» (9,118) gathering information activities were

executed on Israeli violations of economic and social rights, including field visits, taking testimonies, filling out forms, interviews, field reports and photos. A total of 3,391 IHL violations were monitored and documented.

- » 246 information gathering activities on Palestinian violations of economic and social rights, including field visits, taking statements, filling out forms, personal interviews, field reports and photos, during which (29) violations were monitored.
- » One advocacy campaign executed, which included the release of 4 posters, 2 videos about the suffering of workers in Gaza during Covid-19; and the new challenges posed on persons with disabilities.



◀ Workshop on Workers Situation under Covid-19 – January 2021.

### Output 3.4.1.2

#### Timely delivery of advocacy products and campaign for international and national target groups

PCHR issued high quality products based on field information that were used in lobbying and advocacy activities to expose the crimes of the Israeli occupation, including reports, pamphlets, and press releases. PCHR also held workshops and media interviews to discuss the economic and social rights conditions under the Israeli occupation.

#### Indicators

- » Issuing two reports related to economic, social, and cultural rights under the Israeli occupation: The Israeli Military Aggression on the Gaza Strip: Economic Sector Destruction; and Health Conditions in the Gaza Strip.
- » Issuing (12) monthly updates on the status of border crossings.
- » Implementation of (3) workshops on the impact of Israeli violations on economic, social, and cultural rights.
- » Implementation of (9) radio episodes on the Israeli restrictions on the travel of patients for medical treatment abroad.
- » (31) media interviews on violations of economic and social rights by the Israeli occupation.

### Outcome 3.4.2

#### National authorities are more responsive towards the protection of socio-economic rights for Palestinian people, especially the right to health

PCHR informed the local and international community of the reality of economic and social rights in the occupied Palestinian territory under the Palestinian Authority by monitoring and documenting PA violations. PCHR published this information on its online platforms in Arabic and English. Also for this purpose, PCHR held training courses, especially for medical crews and medical and nursing students, on international and domestic standards related to the right to health.

#### Indicators

- » The local and international community has become more aware of the reality of economic and social rights, especially the suffering of cancer patients and people with disabilities, and the reality of health services in the Gaza Strip.
- » Health workers are more observant of human rights standards in dealing with patients.
- » Partners and stakeholders are more aware of the realities of economic, social, and cultural rights and strengthen cooperation to address them.

### Output 3.4.2.1

#### Lobbying and advocacy to have PA respect economic, social, and cultural rights

PCHR promoted social and cultural rights under the Palestinian Authority by increasing awareness of the

right to health and the right to housing and property. PCHR issued reports and press releases on economic and social rights under the Palestinian Authority, and has conducted workshops, radio sessions and media interviews to spread community awareness about the reality of economic, social, and cultural rights and the relevant international standards.

### Indicators

- » Released report: “Gaza Strip Workers Under the Coronavirus Pandemic”
- » Released report: “Israeli Military Aggression on the Gaza Strip May 2021: House Demolitions”

- » 2 workshops on economic, social, and cultural rights
- » Radio episode on the reality of people under poverty under the spread of Covid-19
- » 9 press release on economic and social rights in Gaza
- » 10 roundtable meetings with decision makers and government representatives
- » 3 accountability sessions on economic and social rights and child rights
- » 12 media interviews on economic and social rights



◀ Workshop on rights of persons whose homes were destroyed during the Israeli military aggression



▶ Workshop on humanitarian conditions in Gaza following the Israeli military aggression



▶ Workshop on the Repercussions of destroying economic facilities and the delayed reconstruction on the economic rights of the Gaza Strip population

## ◀ STRATEGIC PRIORITY 4.

### **PCHR further professionalizes its capacities to maximize its resources and continuously improve its work for the benefit of wider society**

#### Objective 4.1

By 2024, PCHR will have strengthened its institutional capacity in key areas, to continue to be an accountable, transparent, sustainable, and responsive organization

#### Outcome 4.1.1

PCHR will have developed its capacities in the areas of business development, fundraising, human resources, leadership, and advocacy

PCHR advanced its capacities by enhancing the capabilities of its staff, increasing its resources, and rationalizing its expenditures. Also, PCHR adopted new policies, adhered to its human resources policies, and enhanced its presence online.

#### Indicators

- » (35) PCHR employees raised understanding of human rights standards, violence against women, international mechanisms, communication skills, and the use of technology.
- » PCHR performance improved in rationalizing spending and resource mobilization
- » PCHR has succeeded in increasing its effectiveness online on 9 platforms, one reached an increase of 50%.

#### Output 4.1.1.1

##### Increased staff capacity in key areas for development

PCHR increased the knowledge and skills of its staff by implementing training courses on various topics, including: enhancement of PCHR's social media outreach; content creation, financial sustainability, shadow reports, digital security and protection policies, job safety, pressure management and self-care.

#### Indicators

- » 6 new lawyers were trained on preparing legal files on Israeli violations
- » 7 courses were implemented for staff, a total of (110) training hours, on enhancement of PCHR's social media outreach; content creation, financial sustainability, shadow reports, digital security and protection policies, job safety, pressure management and self-care.

### Output 4.1.1.3

#### Effective monitoring and evaluation system, periodic reports and lessons learned

PCHR adopted a set of new policies with regard to monitoring, evaluation, and follow-up. PCHR delegated the Monitoring and Evaluation Officer to develop a monitoring and evaluation system, train employees on it, and prepare periodic quarterly, mid-term and annual evaluation reports for the PCHR's work.

#### Indicators

- » An effective monitoring and evaluation system has been set up and is in effect.
- » 15 training sessions implemented on the updated monitoring and evaluation system
- » 18 M&E reports prepared for PCHR management, donors, and stakeholders
- » 12 consultative sessions were held with PCHR management and its program management team to delegate on the reports' findings.

### Output 4.1.1.4

#### Management manuals reflect latest approaches and in line with international requirements

PCHR developed its administrative policies and organizational structure starting with updating and reviewing job descriptions, reviewing, and developing the human resource policies guide, updating the organizational structure, developing new administrative guidelines, and informing employees of all these changes. PCHR

designed an online platform for HR that includes all operations and services the staff need, and they received training on how to use it.

#### Indicators

- » (2) job descriptions updated.
- » The Human Resources Policies Manual revised (1)
- » New succession plan put in-place (1)
- » Salary scale updated (1)
- » Comprehensive online HR system (1)
- » New administrative manual issued (1)
- » PCHR employees were informed of all changes as all new decisions and guides were delivered via e-mail
- » PCHR organized 2 retreat days for all staff between 8-9 December 2021.



▶ PCHR HR department training course for CBOs following the design of individual child safeguarding policies for each organization.



▶ PCHR HR Department training for staff members on the comprehensive HR online system.

### Output 4.1.1.5

#### PCHR digital content developed

PCHR developed its digital content and increased its reach to the public employing new technology. For this purpose, PCHR updated its database, website, and increased activity on its online platforms.

#### Indicators

- » Zoom yearly subscription, in response to the developments imposed by the coronavirus pandemic.
- » PCHR employed modern cyber-security systems
- » PCHR social media sites were updated: Facebook, with an increase of (2000) followers – total is 47,000; Twitter with an increase of (10,000) followers, total is 19,000
- » 20 videos created by PCHR and published on its YouTube channel, official website, and its social media sites.
- » All PCHR publications were released on its website and social media pages



▶ PCHR IT Unit



**PCHR**

المركز الفلسطيني  
لحقوق الإنسان

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