



**PCHR**  
المركز الفلسطيني  
لحقوق الإنسان

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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 occupied Palestinian territory (oPt) obtain accurate and documented legal information on human rights violations. 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 counselling 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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## Annual Report 2022

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 2022. 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 2022. 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.





## Human rights in the occupied Palestinian territory

### Executive Summary

Human rights violations have been escalated in the Occupied Palestinian Territory (oPt), especially violations committed by Israeli Occupation Forces (IOF), who usually grasp the opportunity of any global crisis to consolidate their colonization of the oPt and commit more war crimes against Palestinian civilians and their properties. This year witnessed a major escalation in IOF's killings against Palestinian civilians, overreach of settlement projects, demolition and confiscation of Palestinians' homes, ongoing Israeli closure on the Gaza Strip, and imposing tight restrictions on media and Civil Society Organizations (CSOs), especially human rights organizations. On the other hand, the Palestinian Authority (PA)'s violations have been continued as well, including restricting freedoms, tightening restrictions on CSOs, and continuing political bickering triggered by political division which turned the Gaza Strip into an ongoing crisis zone.

The world, which has not yet recovered from the coronavirus pandemic-induced effects, witnessed the war in Ukraine, which has had ramifications on the whole world, particularly on Palestine. While the world's attention has been diverted to the Ukrainian crisis in, Israel continuously worked throughout the year to entrench the apartheid regime against Palestinian people and undermine any possibility to exercise their inalienable right to self-determination and to end the 55-year-old protracted occupation on their lands. IOF have tirelessly continued to confiscate Palestinian lands in favor of settlement expansion in the West Bank, including Jerusalem, and to fragment the Palestinian geography through settlement projects, the annexation wall, military checkpoints, land confiscation, and tight closure and collective punishment on the Gaza Strip.

During this year, which was of the bloodiest years, the human rights situation deteriorated across the oPt as 155 Palestinians, including 118 civilians, were killed and 931 others were injured. It was noticeable this year how IOF intensified their military operations in areas A and B, which are under the control of PA as per the Israeli-Palestinian Interim Agreements. These

operations included summary executions and excessive use of force that have killed civilian protesters by Israeli snipers. In the Gaza Strip, IOF launched a new military aggression from 05 to 07 August, during which, dozens of attacks were conducted by Israeli warplanes, drones, artilleries, and gunboats all over of the Gaza Strip. IOF's warfare attacks targeted residential houses; some of them were destroyed over their occupants' heads, inflicting casualties, as well as targeting agricultural lands, civilian property, and facilities. Meanwhile, Palestinian armed groups responded by firing homemade rockets towards Israel, especially those adjacent to the Gaza Strip. During the Israeli aggression, 49 Palestinians were killed, including 34 civilians: 17 children and 4 women, while 335 Palestinians, including 144 children and 67 women, were injured.

The power struggle in Israel brought about one of the most extremist governments in Israel's history, that threatening Palestinians from the beginning to commit more crimes against them. This was reflected on the ground from the very first day the government took office as there have been more incursions into Palestinian refugee camps in the West Bank, and further settlement projects and land confiscations. During the reporting period, the new right-wing government has initiated escalatory measures against the Palestinians, including imposing financial sanctions on the PA, revoking the VIP travel cards that help senior Palestinian officials to pass through Israeli checkpoints, piracy of PA's funds and tax money, and freezing Palestinian construction plans in Area C in the West Bank. Moreover, IOF's killings against Palestinian civilians have escalated just during the first month of the government as it intensified its military operations deep inside the PA-controlled areas, killing and wounding dozens of Palestinians. This of course comes in the light of Israel's international impunity, which unreasonably justifies all Israeli crimes by "self-defense", ignoring that the first crime is the existence of the occupation itself and its continuation for nearly six decades.

The Israeli occupation authorities continued to use Israeli settlement and settlers to fragment the oPt and displace its residents. At the time that Israeli

authorities allow settlers to carry weapons under the pretext of self-defense, they provide them protection while carrying attacks against Palestinians and their property. This year witnessed a remarkable increase in settlers' attacks against Palestinians and their property, as the Israeli government approved new settlement plans which include about 4000 housing units in settlements already established in the West Bank. On the other hand, settlers' daily attacks on Palestinians' lands and property continued, including their crimes of shooting to kill and harm civilians, razing Palestinian lands, and uprooting their crops under IOF's protection.

The Israeli authorities have maintained an illegal and inhuman 16-year closure on the Gaza Strip and continued to ban the Gaza Strip exports to the West Bank, Israel and abroad, except for limited quantities of the Gaza Strip products. The tight restrictions on individuals' movement, including patients, continued as well. In addition, IOF tightened its measures and restrictions on the Gaza Strip during its (05-07 August) aggression on the Strip, including complete closure of the only commercial crossing "Karem Shalom" and banned the entry of all goods and commodities into the Strip, including basic needs such as the fuel necessary for the operation of the Gaza's sole Power Plant, medical supplies, and cooking gas. As a result, the humanitarian conditions of the Gaza Strip's civilian population have aggravated, as all vital service sectors ceased operation, particularly the power plant due to lack of fuel supplies necessary for its operation. Thus, the level of health, water and sanitation services deteriorated.

The Israeli occupation authorities use various pretexts to demolish Palestinians' houses and confiscate their lands. While the Israeli authorities deprive Palestinians of their right to housing by refusing to give them construction permits for various pretexts, they encourage Israeli settlement in the oPt. all elections in Israel include promises from Israeli politicians to entrench settlement and restrict Palestinians' right to housing and property. This year, IOF demolished hundreds of houses and facilities in the West Bank, including Jerusalem, in favor of settlement activity, especially in areas classified as Area C in the West Bank, particularly Masafer Yatta in southern West Bank upon the Israeli government's decision to evict the Palestinians from the area under the pretext of declaring it as a "Firing



Zone". Additionally, house demolitions in Jerusalem continued allegedly for unlicensed construction, forcing Jerusalemites to leave in favor of creating a Jewish Majority in Jerusalem. This year house demolitions deep inside the PA-controlled areas remarkably escalated as part of IOF's collective punishment policy against Palestinians carrying out attacks against IOF and settlers. In the Gaza Strip, IOF's airstrikes during its military aggression on the Gaza Strip destroyed dozens of houses and civilian facilities.

The Israeli occupation authorities use arbitrary arrest, torture, and inhuman and degrading treatment on a daily basis against Palestinians, mainly at Israeli checkpoints that turned the life of Palestinians in the West Bank into hell. IOF continued their arrest campaigns targeting thousands of Palestinians, including children, women and elderly, and subjected them to degrading treatment that lacks the standard minimum rules for the treatment of prisoners, including physical and mental torture and inadequate healthcare. During this year, dozens were subject to torture by IOF, including severe beating, shackling (Shabeh), sleep deprivation, and other forms of torture. Also, a number of Palestinian detainees died after being denied healthcare, including Palestinian detainee Naser Abu Humaid, who died from cancer due to medical negligence and inadequate medical treatment. The Israeli authorities refused to release him despite the deterioration of his health condition and left him to die inside the prison.

Moreover, the Israeli occupation authorities continued its systematic policy aiming at undermining the Palestinian Civil Society and thereby weakening and isolating the Palestinians. This year, IOF's attacks against Palestinian civil society escalated, as seven Palestinian organizations, including pioneering human rights organizations, were closed by IOF in a serious precedent and development that was met with unwavering confrontation by these organizations which managed to continue their work despite IOF's threats of persecution and assassination. This comes as part of the recent series of measures to terminate the Palestinian civil society that included targeting civil society activists and launching smear campaigns to discredit them and dry their funds. The Ministry of Strategic Affairs and Public Diplomacy leads the efforts to undermine Palestinian civil society, with collaboration with different tools, particularly right-wing organizations that operate under the

cover of NGOs. Also during this year, allegedly for supporting terrorism, IOF continued to close leading and well-established Palestinian organizations that provide qualitative services to the Palestinian society and play a key role in strengthening the Palestinians' resilience in the oPt. At the end of the year, IOF forcibly deported a human rights activist from Jerusalem to France months after his arrest.

On the Palestinian agenda, the political situation remains complicated owing to the ongoing Palestinian division for the 16<sup>th</sup> consecutive year. This clearly affected the human rights situation due to political bickering between the two parties to the division and that is thereby reflected in practice more violations of public freedoms, especially political ones. The division parties disappointed Palestinians once again after the Palestinian reconciliation agreement signed in Algeria the two parties in October 2022 remained ink on paper and did not even waive any goodwill gestures. Moreover, the Palestinian general elections remained disrupted despite their overdue since 2010 and having a ruling issued by the Constitutional Court since 2018 demanding that the president to hold elections within six months. The absence of Palestinian elections affects the human right situation in general, as all constitutional institutions that are responsible for preserving public freedoms and citizens' rights is absent as well.

The chaos of legislations also continued in the Gaza Strip and West Bank, in light of the disruption and absence of the Palestinian Legislative Council (PLC) for 16 years until it was dissolved by the Constitutional Court in 2018. Since the division, the Palestinian President has excessively continued to issue laws by decree that are only applicable in the West Bank excluding the Gaza Strip. On the other hand, the Hamas-affiliated Change and Reform Bloc continued to issue unlawful decisions and laws on behalf of the dissolved PLC, and these laws are exclusively applicable in the Gaza Strip. Despite all of this, the Palestinian civil society, through a movement led by the Palestinian Bar Association, managed to repeal three laws by decree issued by the Palestinian president in June 2022. These decrees were relevant to judicial affairs and issued without consulting the Palestinian Bar Association and Civil Society Organizations (CSOs) or considering the imperatives of judicial work.

Moreover, the Palestinian judiciary still suffers from the executive authority's interference in the West Bank and Gaza Strip as the Palestinian President issued a decree appointing himself as the head of "the Higher Council of Judicial Authorities and Bodies", seriously indicating a rollback in the role of judicial authority. This decree is a serious precedent under which the President has given himself an absolute power, as all authorities in Palestine have become under his effective control.

This year, the PA issued legislations and new regulations and decisions that impose more restrictions on the right to freedom of association and press, most notably was the issuance of an executive regulation on non-profit companies, which impose restrictions on these associations' freedom of funding. Also, the Palestinian Cabinet discussed a draft regulation on licensing media institutions, which imposes further restrictions on media institutions' work and licensing. The authorities in the Gaza Strip and West Bank intensified their arbitrary measures against the associations, threatening the latter's right to exist, right to privacy and independence and their right to practice their activities freely, and obtain funding. Also, the associations in the Gaza Strip are subject to intensified measures due to the double restrictions imposed by the authorities in the West Bank and Gaza Strip.

This year witnessed further attacks on public freedoms in the West Bank and Gaza Strip, including freedom of expression and peaceful assembly, the right to association, and the right to life. Throughout the year, arbitrary summonses and arrests for political affiliation or freedom of expression remained in place, during which, activists were subjected to degrading treatment and torture. Summonses and arrests on grounds of freedom of opinion have continued as well, worsening the crackdown on freedoms in general, curbing the freedom of press, leading to self-censorship in dealing with issues that may outrage the authorities. In parallel, the crackdown on freedom of peaceful assembly continued in the West Bank and Gaza Strip, including imposing arbitrary and proactive measures to prevent or restrict the organization of peaceful assemblies in each area under their control. In addition, the two influential authorities have clearly impeded citizens' right to hold peaceful assemblies, either by banning them before being held or at the time of holding them. In some cases, the two authorities used force to disperse peaceful assemblies,

including shooting, wounding citizens, beating, and arrests. This year witnessed a significant rise on the numbers of death sentences issued and executed in the Gaza Strip, where 27 death sentences were issued, including a death sentence against a drug dealer, in a precedent that is the first of its kind in the Strip. Also, PCHR documented the execution of 5 death sentences.

## I.

# 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 2022, 187 Palestinians were killed by IOF in the oPt, including 137 civilians: 41 children and 7 women. Of those killed, 155 Palestinians were killed in the West Bank, including 118 civilians: 33 children and 4 women; while 32 were killed in the Gaza Strip, including 19 civilians: 8 children and 3 women. Also, 1,088 other Palestinians were injured in the oPt, including 254 children and 44 women. Of those injured, 931 Palestinians were injured in the West Bank, including 212 children and 11 women, while 157 others were injured in the Gaza Strip, including 42 children and 33 women.

The majority of killings in the West Bank were during IOF's incursions into the Palestinian cities, villages, and refugee camps; during confrontations and protests organized by the Palestinians against the Israeli occupation's oppressive measures and policies in the oPt; and during clashes with IOF that accompanied their incursions into the Palestinian cities, villages, and refugee camps. Also, Palestinians were killed during operations conducted by Israeli Special Forces against activists claimed by IOF to take part in "hostilities" in the West Bank. Moreover, Palestinians were killed allegedly for attempting to carry out stabbing or run-over attacks against IOF or settlers while Other Palestinians were killed by Israeli settlers.

In the Gaza Strip, all the killings occurred during the IOF's military offensive on the Strip in August. IOF carried out hundreds of strikes by warplanes, drones, artilleries, and gunboats targeting different areas across the Gaza Strip. These attacks targeted residential houses; some of them were destroyed over their occupants' heads, inflicting casualties. Also, agricultural lands, properties, and public and private civilian facilities were targeted by IOF.

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

In 2022, IOF maintained their closure policy against Palestinians by isolating them inside their occupied territory in the West Bank and Gaza Strip, including occupied East Jerusalem. IOF also continued to impose restrictions on the movement of goods and individuals from and into the Gaza Strip, in addition to imposing arbitrary measures on the movement of Palestinian civilians across the West Bank's cities, as part of the collective punishment policy against Palestinian civilians. Israel aims through this policy to fragment the oPt, place Palestinian cities and residential compounds under its control, and alter a new geographical reality rendering the establishment of a geographically connected Palestinian State impossible.

Moreover, Israel maintained its illegal and inhuman 16-year closure on the Gaza Strip as in 2022, its tight restrictions on the import of goods classified by the Israeli authorities as "dual-use materials" remained in place. The Israeli occupation authorities officially put 62 items on the list of the "dual-use materials" that include hundreds of basic goods and commodities, leading to the deterioration of infrastructure and economic, health and education conditions. Also, the Israeli authorities tightened restrictions on the Strip's crossings on 02 August 2022, 3 days before conducting the exhaustive military aggression on the Strip from 05-07 August 2022. The Israeli occupation authorities completely closed the only commercial crossing Karm Abu Salem "Kerem Shalom" for 6 days consecutively and banned the entry of all goods and commodities into the Strip, including basic needs such as the fuel supplies necessary for the operation of the Gaza's sole Power Plant, cooking gas and medical supplies. Additionally, IOF's tight restrictions continued at Beit Hanoun "Erez" Crossing, denying most of the Gaza population travel, except for limited categories who were narrowly allowed travel after going through a complicated security check.

In 2022, IOF maintained their arbitrary measures on the movement of Palestinian civilians in the cities of the West Bank, including occupied East Jerusalem, as part of the collective punishment policy against the civilian population. These measures escalate according to the situation on the ground. Throughout the year, IOF also established dozens of temporary and permanent checkpoints deep inside the PA-controlled areas and along the Green Line (Armistice Line) between the West Bank and Israel. They also established tens of metal detector gates at the entrances to Palestinian cities and villages. Not only did the isolation of Jerusalem continue in 2022,

but it was intensified as Palestinians from the West Bank and the Gaza Strip are banned entry into the city, except under strict conditions. Moreover, IOF continued to impose a closure on the Palestinian neighborhoods in Jerusalem, denying Palestinian civilians' access to the occupied city and impeding them from enjoying their life.

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

At least 4600 Palestinian detainees<sup>1</sup> are held in the Israeli prisons, including 160 children and 34 women. The majority of these detainees are from the West Bank, including 400 detainees from occupied East Jerusalem and about 190 from the Gaza Strip. Hundreds of these detainees are serving life sentences; 14 of them have been detained for more than 30 years. Of those detainees, there are 600 patients with serious and chronic diseases and 835 are under administrative detention without trial. These detainees are distributed in around 22 prisons and detention facilities; most of which are located outside the Palestinian territory occupied since 1967,<sup>2</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."

This year, IOF unprecedently intensified administrative detention orders against Palestinians as they issued 2,134 arrest orders against Palestinians from the West Bank; some of them were arrested during the year, including children, and others had been under arrest for years and were put in administrative detention, including dozens who had their administration detention renewed more than once.

All detainees 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 inappropriate 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, hypertension, heart, kidneys, etc.; the lack of isolation rooms for patients with infectious diseases such as acute intestinal infections and scabies; depriving prisoners with

<sup>1</sup> Statistics according to the Studies and Documentation Department at of the Commission of Detainees and Ex-Detainees Affairs.

<sup>2</sup> Except for Ofer Prison in western Ramallah in the West Bank.

chronic diseases of their medications, and other measures that cause the deterioration of prisoners' health condition.

In 2022, two Palestinian detainees, including a woman, died due to medical negligence, and not providing the adequate healthcare for them.

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

In 2022, the killing of journalist Shireen Abu 'Aqleh, Al-Jazeera Channel's reporter, by an Israeli sniper crowned the most heinous crimes committed by IOF against journalists and local and international media personnel in the oPt.

Throughout the year, IOF's violations against journalists continued, especially with the escalation of protests against IOF in all seam zones. Those violations remarkably increased against the civilians and journalists covering the events across the West Bank, in particular in occupied East Jerusalem, in an attempt to prevent them 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.

IOF committed dozens of violations against journalists, including shooting, physical assault, detention, arrests, summonses for investigation on journalistic work, destruction of media offices and agencies, media coverage ban, confiscation of equipment, deportation of journalists to certain areas, and newspaper shutdown.

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

This year, IOF continued to systematically demolish Palestinian civilian houses and properties in the oPt. IOF targeted and destroyed dozens of civilian objects during its military aggression on the Gaza Strip in August 2022. The Israeli occupation authorities also continued their policy of demolition of Palestinian properties and civilian objects in the West Bank, including occupied East Jerusalem, as part of their plans for settlement expansion, land confiscation, and complete Judaization of occupied Jerusalem.

In the West Bank, IOF maintained its policy of direct demolition of Palestinians' homes and other civilian objects, assaults, and confiscation of civilian properties, and forcing Palestinians to self-demolish their homes



and fining them. Also, the Israeli occupation authorities continued their collective punishment policy against the families of Palestinians allegedly involved in attacks against IOF or settlers, as they demolished or sealed off their houses. In 2022, IOF issued 2,290 demolition orders against houses and civilian objects in the West Bank, including occupied East Jerusalem, and demolished 950 houses; 65 of which were self-demolished by their owners.

During their military aggression on the Gaza Strip in August, IOF conducted intense attacks on residential neighborhoods across the Strip. According to PCHR's data, 76 residential houses, including 146 housing units, sustained damage, noting that these houses were home to 141 families of 728, including 312 children. Also, 5 civilian objects sustained damage, including 4 industrial workshops and a mosque, during the same aggression.

## 6. Ongoing Settlement Expansion Activities and Setter-Attacks

This year witnessed an unprecedented escalation in settlement expansion activities and settlers' attacks in the West Bank, including occupied East Jerusalem, as Israel gave licenses to build 12,934 settlement units in the West Bank, including occupied East Jerusalem. On the other hand, IOF demolished 318 houses and 583 Palestinian facilities<sup>3</sup>. One of the most prominent settlement activities this year was the Israeli government's approval on new settlement plans that include construction of 3,988 housing units in the settlements on 06 May. By the end of 2022, there were approximately 1 million settlers living in 180 settlements spread across the West Bank.

Furthermore, occupied East Jerusalem witnessed accelerating steps by the Israeli authorities to complete the "*Greater Jerusalem*" plan, which includes major settlement compounds such as Ma'ale Adumim, Pisgat Ze'ev, and Gush Etzion, and annex them to Jerusalem. This plan aims to Judaize the city, maintain a Jewish demographic majority, expel the indigenous population (Jerusalemites), and forcing them to leave the city.

Additionally, there was an unprecedented escalation in settlers' attacks against Palestinians and their properties. Palestinian Human Rights Organizations documented hundreds of settlers' attacks, including shooting to kill and harm, razing lands, damaging crops, and assaulting Palestinians' houses and properties.

<sup>3</sup> Source: The Applied Research Institute – Jerusalem (ARIJ).

## 7. Attacks on Human Rights Defenders

During this year, IOF continued targeting Palestinian civil society organizations and human rights defenders, amounting as described by UN experts to be part of an apartheid crime that has been practiced by the Israeli occupation authorities in the oPt for decades.<sup>4</sup>

On 18 August 2022, IOF raided and closed 7 Palestinian Civil Society Organizations (CSOs) in Ramallah and confiscated some of their contents. The decision came few hours after Israeli Defense Minister, Benny Gantz, conclusively announced 3 CSOs-“Bisan Center for Research and Development, the Union of Palestinian Women’s Committees (UPWC)<sup>5</sup>, and Addameer Prisoner Support and Human Rights Association” as “terrorist organizations”, allegedly for funding the Popular Front for the Liberation of Palestine (PFLP). The decision was made after an appeal was submitted by these organizations and later rejected against a previous decision issued last October labeling 6 CSOs as terrorist organizations. Challenging the Israeli decision, these organizations reopened their doors amid threats from IOF to persecute their directors and staffs.

## 8. Justice in Palestine

2022 ended without tangible progress in the prosecution of Israeli war criminals before the International Criminal Court (ICC), although the ICC prosecutor, Fatou Bensouda, issued in March 2021 a decision to open an investigation into the situation of Palestine. Bensouda declared in her decision 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 accepting the jurisdiction of the Court. Since the new Prosecutor, Mr. Karim Khan, took office, the Court has not taken any step towards activating the decision of opening an investigation into the situation of Palestine. On the other hand, the ICC currently allocates all its resources and efforts to the situation in Ukraine, raising an unfortunate paradox that may amount to double standards when

<sup>4</sup> United Nations, UN News, Two UN experts confirm that Israel’s use of military force to silence non-violent and peaceful organizations and individuals is symptomatic of an apartheid regime, brittle and intolerant to any form of criticism.”, <https://www.ohchr.org/en/press-releases/2022/11/israel-un-experts-condemn-attacks-against-human-rights-defender-issa-amro>

<sup>5</sup> PCHR Condemns and Demands International Community to Intervene Promptly after Israeli Occupation Forces Shut Down 7 CSOs in Ramallah: <https://pchrgaza.org/en/pchr-condemns-and-demands-international-community-to-intervene-promptly-after-israeli-occupation-forces-shut-down-7-csos-in-ramallah/>

dealing with the Palestinian situation. PCHR is amazed by the new ICC prosecutor's disregard for the Palestinian file, especially at a time the Israeli crimes are escalating in the oPt. PCHR also strongly condemns the Court's double standards while dealing with the Palestinian situation comparing to other files at the Court, noting that the Prosecutor has been too quick to take all procedures needed to ensure the investigation into war crimes in Ukraine, but has completely ignored the Palestinian file.

## II.

# Palestinian Violations of Human Rights and Obstacles to Democratic Reform

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

In 2022, 70 civilians<sup>6</sup> were killed in the oPt, including 15 children and 8 women, and 316 others were injured, including 118 children and 30 women, in incidents related to misuse of weapons, assault on the rule of law, law-enforcement missions, and social violence. Among those killed, 39 persons were killed in the Gaza Strip, including 6 women and 13 children, and 272 were wounded, including 114 children and 30 women, while 31 persons were killed in the West Bank, including 2 women and 2 children, and 44 others were wounded, including 4 children.

## 2. Death Penalty in the PA

Death sentences continued to be issued and executed in the Gaza Strip, as this year witnessed serious developments with regard to death penalty in the Gaza Strip. Five death sentences were executed in the Gaza Strip after a cease of executions since 2017. Also, this year witnessed an unprecedented rise on the number of new death sentences issued (not upholding previous sentences) since the establishment of the PA, recording 27 new death sentences. That rise coincided with the formation of the Higher Crime Committee at the First Instance Court in Gaza. Additionally, another phenomenon peaked when the Court of Appeal raised sentences of life imprisonment to death sentences in a dangerous precedent that reflects the general trend towards excessive use of this penalty under the pretext of public deterrence.

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

In 2022, 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

<sup>6</sup> Also, ten members of Palestinian armed groups were killed in different incidents: 9 in the Gaza Strip and 1 in the West Bank.

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). Many of these summonses and arrests are on political grounds or for expressing opinions, including posting on social media, or through gatherings and peaceful protests.

These summonses and arrests are often accompanied with degrading treatment by law-enforcement officers, and physical and mental torture during arrest campaigns or while in detention, including torture during interrogation. Also, Palestinian detainees suffer from disastrous conditions at the prisons and detention facilities that lack the Standard Minimum Rules for the treatment of prisoners and persons deprived of liberty, including inadequate healthcare and being put in inadequate overcrowded cells/detention room.

In 2022, (7) detainees died at PA security services' prisons and detention facilities: 4 arrested on criminal grounds and 3 on financial grounds. Of those died, 4 were in the Gaza Strip; 3 of them died in the Palestinian Police's detention facilities and the last one died in a military prison as two died after committing suicide, and the other two died due to the deterioration of their health conditions. Meanwhile, 3 detainees died in the West Bank: 2 in the police rehabilitation centers and 1 in the Military Intelligence Service Prison.

#### 4. Palestinian Legislative Process

The legislature, as an independent and competent authority, is considered the cornerstone of any democratic system. With the absence of the elected PLC and disruption of any opportunity to elect a new one, the chaos of legislations in Palestine continued for the 16<sup>th</sup> year in a row. 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. Although the Constitutional Court's decision for dissolving the PLC, which was met by criticism from the political parties and human rights organizations, called for holding legislative elections within 6 months from the date of issuing this decision, the legislative elections have not been held yet. This step caused legislative fragmentation, reinforced the political division, and institutionalized a state of permanent division between the West Bank and Gaza Strip.

The Palestinian President continued to excessively use his legislative

authority enshrined in Article 43 of the PBL, which grants him this authority only in cases of necessity, as he issued 52 laws by decree in 2022, including 28 new legislations and 24 others amending previous legislations. In the Gaza Strip, the Hamas-affiliated Change and Reform Bloc continued to issue laws unlawfully on behalf of the dissolved PLC. This year, two laws were published in al-Waqa’l Official Gazette in the Gaza Strip: the amended Law No. 1 of 2022 of the Palestinian Law on the Regulation of Zakat No. 9 of 2008, and the amended Law No. (2) of the Public Retirement Law No. (7) of 2005.

## 5. Undermined Independence of the Judicial Authority

The independence of judiciary serves a foundation for the democracy and rule of law, which contributes to achieving stability and peace in the societies. The Palestinian Basic Law and international standards binding on the State of Palestine guarantee the independence of the judiciary and separation of powers. In 2022, the Palestinian judiciary was exposed to further interference by the executive authority in the West Bank and Gaza Strip, as the Palestinian President issued a decree appointing himself as the head of “the Higher Council of Judicial Authorities and Bodies”. Subsequently, the Palestinian civil society, through a movement led by the Palestinian Bar Association, managed to repeal three laws by decree issued by the Palestinian President in June 2022. These decrees were relevant to judicial affairs and were issued without consulting the Palestinian Bar Association and civil society organizations nor considering the judicial work requirements. On the other hand, the division in the judicial authority between the West Bank and Gaza Strip continued, as the de-facto authorities in Gaza, without having a legislative authority, formed a judicial system in Gaza and appointed judges and prosecutors in violation of the Palestinian Law, particularly the PBL.

## 6. General and Local Council Elections

This year ended and the Palestinians did not hold general elections (legislative and presidential) since the last legislative elections were held in 2006. Holding general elections to elect a president and a legislative council has become more urgent than ever, especially in light of the constitutional court’s decision in 2018 to dissolve the PLC that had been disrupted for 15 years and had not exercised its oversight role since then. The division parties since then have practiced their legislative powers each in their controlled area, as the President issues laws by decree in the West Bank, while the

Change and Reform Bloc practices legislations in the Gaza Strip on behalf of the Legislative Council.

Meanwhile, no local council elections have been consensually held in the West Bank and Gaza Strip since 2005 as well. This year, the second phase of local council elections was held on 26 March for the local councils classified (A) and (B) in the West Bank and for the local councils where no elections were held in the first phase. It should be noted that the first phase of the local council elections was held on 11 December 2021 for 154 local councils classified (C) in the West Bank.

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

In 2022, restrictions on the freedom of opinion and expression continued in Palestine, maintaining stable status of deterrence triggered by the constant suppression of freedom of expression, which has escalated since the Palestinian political division in 2007. One of the most prominent violations committed this year was the Palestinian Cabinet's discussion of the 2022 Draft Regulation on Licensing Media Institutions, which included many restrictions on the journalistic work. This year, PCHR noticed a decrease in the number of documented violations against freedom of expression comparing to previous years. However, this decrease does not reflect any improvement on freedom of expression in the Palestinian society but reflects the state of self-censorship exercised by the opinion makers and journalists, who avoid issues that may outrage the authorities. This analysis can be confirmed through the follow-up of the cases that had been exposed to violations, as the authorities' criteria of suppression of freedom of opinion still consider merely criticizing the authorities or being in places of demonstrations as a justification for their violations. Also, the authorities use torture and inhuman and degrading treatment to deter freedom of expression, including beating, shackling (Shabeh) and insulting opinion makers during arrest or interrogation. One of the most prominent forms of mental torture that have been used against activists was confiscating their cellphones and forcibly accessing and publishing their personal data aiming to discredit them through character assassination as well as the recurrent summonses of opinion makers.

## 8. Violation of the Right to Peaceful Assembly

This year witnessed ongoing deterioration of the right to freedom of peaceful assembly in the West Bank and Gaza Strip, in violation of the PBL

and international conventions binding on the State of Palestine, including imposing preemptive measures to ban or restrict peaceful assemblies, each in their controlled areas.

Overall, the cumulative restrictions on the right to peaceful assembly by the two authorities in the West Bank and Gaza Strip over the past years have led to self-imposed restrictions, causing a noticeable decline in forms of opinion expression among citizens, including peaceful assemblies. These restrictions created a form of self-censorship when citizens use their right to peaceful assembly, for fear of security services' oppression.

In the West Bank, PCHR documented security services' assault on persons participating in peaceful assemblies; most notably was the assault on a student sit-in at An-Najah University in Nablus and banning the "Popular Conference – 14 Million" in Ramallah, which was supposed to be simultaneously held in various areas inside and outside Palestine on 05 November.

In the Gaza Strip, PCHR documented security services' assault and use force to disperse peaceful assemblies. Also, the authorities in Gaza impose additional restrictions on peaceful assemblies, as they force the organizers to obtain a prior permission from the Ministry of the Interior to hold any seminars in closed places, in violation of law, as these assemblies and similar gatherings, workshops and seminars are all considered private gatherings, which do not fall under the Public Meetings Law No. (12 of 1998).

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

The right to freedom of association is of the fundamental rights codified in the two International Human Rights Covenants. Realizing individuals' right to form associations including NGOs, cooperatives, charities, and non-profit companies, is considered one of the most prominent indicators that there is an 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 has imposed systematic restrictions on associations, particularly their right to obtain funding and practice and manage their activities freely. Civil society in Gaza is particularly subject to double and increased restrictions by the authorities in Gaza and the West Bank. This year witnessed further restrictions, including the amendment to the non-profit companies' regulation upon a decision issued by the Palestinian Cabinet, which imposed excessive restrictions on the work and



funding of non-profit companies, under the pretext of fighting terrorism.

## 10. Persons with Disabilities' Conditions

Persons with disabilities continued to suffer in 2022 after being deprived of basic health and education services as well as in-kind and financial support, suffering from restrictions on freedom of movement, closure of border crossings, 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.

The suffering of persons with disabilities along with others benefiting from the cash transfer program continued due to the non-disbursement of social affairs dues, which continued for 20 months before the resumption of payments in October. As a result, many of them had to stop going to schools or rehabilitation centers due to the difficult living conditions of their families who live in extreme poverty and are unable to meet their basic needs.

Also, persons with disabilities have difficulty obtaining assistive devices and medical supplies, which are not included in the basket of medicines and medical supplies available in health facilities and are obtained through the Palestinian Ministry of Social Development (MoSD), the relevant CSOs, donors, or charitable associations. This aspect suffer from a high level of deficiency, deprivation, and dependence on philanthropists to provide these devices and supplies, which may lead to jeopardize the dignity of the persons with disabilities.

The importance of updating the statistics of persons with disabilities in Palestine<sup>7</sup> has become clear in order to develop intervention plans and programs that meet the services needed by this significant category. Moreover, it is hoped that positive changes will be achieved to develop policies and laws that enable persons with disabilities to enjoy all their rights, based on the availability of accurate statistics of their numbers all over the Palestinian governorates.

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

The Palestinian political division has entered its 16<sup>th</sup> year in a row, worsening

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<sup>7</sup> The latest statistic survey on the persons with disabilities was conducted by the Palestinian Central Bureau for Statistics in 2011.

the living conditions of 2.2 million Palestinians. Throughout the political division years, which started in June 2007, the division parties imposed many economic measures and procedures, such as issuing administrative and political decisions that burdened the people in Gaza.

This year, the deterioration of economic and social conditions in the Gaza Strip continued due to the political division which deprived new generations of applying for official public posts without discrimination based on political affiliations. In addition to the Israeli-imposed closure on the Gaza Strip, the Palestinian political division led to a drastic rise on the unemployment rates, recording 44% i.e., with 223,000 unemployed workers.

The healthcare system in Gaza suffers from two separate administrations in struggle of power triggered by the ongoing political division (one is affiliated with the government in Ramallah and the other is affiliated to the Administrative Governmental Committee in the Gaza Strip). This caused many real crises that affected citizens' health rights; the last of which was the work abstention enforced by a number of doctors at hospitals in 2022 and the subsequent political bickering.

The poor coordination between the division parties caused a chronic shortage of medicines and medical supplies; accordingly, the central warehouses suffered acute shortage of the essential drugs list; as the number of drugs categories at zero stock has reached 219 out of 522, with a 42% deficit rate, while the number of categories that suffice for less than 3 months has reached 62. Additionally, the central warehouses have serious shortage of the essential medical supplies list; as the number of categories at zero stock has reached 172 out of 853, with a 20% deficit rate, while the number of categories that suffice for less than 3 months has reached 110.<sup>8</sup>

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<sup>8</sup> General Directorate of Pharmacy Report: "Reality of Medicine and Medical Consumables in the Gaza Strip.", June 2022.

## Recommendations

In the absence of any approaching just peace process that will restore Palestinians' rights and in light of an extremist government elected in Israel that vows to violate all international laws as well as not agreeing on a solution for the Palestinian refugee issue for more than 75 years, amid international silence conspiracy and international community's complicity 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, cold-blooded Killing of Palestinians, 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 16<sup>th</sup> 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 escalating 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 pioneering Palestinian organizations as terrorists in a prelude to terminate 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 protect Palestinian civil society from smear campaigns and Israeli arbitrary measures that led to the closure of seven Palestinian organizations pioneering in the field of human rights and development.
2. The International Criminal Court to take immediate action with no delay and start the investigations in the oPt and bring Israeli war criminals before international justice.
3. All States Parties to the Rome Statute of the ICC to cooperate with each other to ensure accountability and prosecution of Israeli war criminals and to bring them to justice.
4. 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 territory, 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 Convention. 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 and easy movement of Palestinian civilians.

## Recommendations to Palestinian Decision-Makers

### PCHR calls upon:

1. The PA and the Palestinian factions to abide by the Declaration in Algeria and ensure holding general Palestinian elections, overdue since 2010, in 2023, by inducing a positive environment that allows everyone to participate equally.
2. The Palestinian President to repeal the presidential decree relevant to formation of the Higher Council of Judicial Authorities and Bodies, as it infringes upon the independence of the Judiciary and violates the principle of separation of powers.
3. Authorities in Gaza to revoke the illegal condition regarding obtaining permits prior to organizing any meetings in public closed places, and stresses that the Public Meetings Law does not require any prior procedure, permit, or notification for holding general meetings in public closed places.
4. The Palestinian Cabinet to repeal the Non-Profit Companies Regulation No. (20) of 2022, as it violates the right to freedom of association.
5. The Palestinian Cabinet not to approve the 2022 Draft Regulation on Licensing Media Institutions, as it contains arbitrary and loose restrictions on media content and on the establishment of media outlets.
6. 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.
7. 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.

8. 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.
9. 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.
10. The Palestinian President to ratify the Family Protection Law and the Freedom of Access to Information Law, with consideration to civil society comments.
11. 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.
12. 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.
13. The Change and Reform Parliamentary Bloc to stop convening and abstain from enacting any laws on behalf of the PLC.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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.
19. 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.



ترجلت شيرين  
عاماً من العطاء  
قتل الصحفيين



**PRESS**

## Israeli Violations of Human Rights and International Humanitarian Law

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

In 2022, IOF killed 187 Palestinians in the oPt, including 137 civilians: 41 children and 7 women. Among those killed, 155 Palestinian were killed in the West Bank, including 118 civilians: 33 children and 4 women; meanwhile, 32 Palestinians were killed in the Gaza Strip, including 19 civilians: 8 children and 3 women.

In 2022, IOF also wounded 1,088 Palestinians including 254 children and 44 women. Of those wounded, 931 were in the West Bank, including 11 women and 212 children, while 157 were in Gaza, including 33 women and 42 children in the Gaza Strip.

In the West Bank, this year, IOF killed 118 civilians, including 33 children and 4 women.<sup>9</sup> The majority of those (57, including 26 children and 2 women) were killed during IOF's incursions into Palestinian cities, villages, and refugee camps. Meanwhile, 304 others were injured, including 57 children and 5 women. Also, IOF killed 24 Palestinians, including 9 children, and injured 549 others, including 149 children and 3 women, in clashes and protests organized by Palestinians against IOF's measures and oppressive policies in the oPt, or during clashes with IOF that accompanied the latter's incursions into Palestinian cities, villages, and refugee camp. In the vast majority of these cases, the protestors posed no threat of any kind to soldiers. Also, 16 Palestinians, including 5 children and 1 woman, were killed during operations carried out by Israeli Special Forces against activists for their involvement in occupation resistance in the West Bank. In 2022, 14 Palestinians, including a child and a woman, were killed and 5 others, including a child, were wounded when IOF claimed they were suspected of attempting to carry out a stab or run-over attacks against the Israeli soldiers and settlers. Moreover, 12 Palestinians, including 2 children and 1 woman,

<sup>9</sup> 16 Palestinians were killed in armed clashes with IOF.

were killed and 12 others, including 3 children, were injured in “unjustified shooting attacks.” Additionally, a Palestinian was killed due to the explosion of a suspicious object from the Israeli forces’ remnants. An 80-year-old man died in a heart attack after being handcuffed, blindfolded, and taken by IOF to an under-construction building at his village’s entrance in eastern Ramallah, leaving him there alone. Also, 2 Palestinians were killed, and 32 others were injured, including 2 children and 3 women, by Israeli settlers.

In the Gaza Strip, on 05 August 2022, IOF launched a new military operation on the Gaza Strip and dubbed it as “Breaking Dawn”, during which, IOF carried out dozens of strikes across Gaza Strip by warplanes, drones, artilleries, and gunboats. IOF’s military attacks targeted IOF residential houses: some of them were destroyed over their occupants’ heads, inflicting casualties. Also, agricultural lands, properties, and civilian facilities were targeted by IOF.



“Clashes between Palestinian protesters and IOF against the Israeli settlement expansion in Hebron, the West Bank. (04 March 2022, Taken by Ma’moun Wezwaz.)

As a result, 32 Palestinian were killed, including 19 civilians: 8 children and 3 women, while 159 civilians, including 40 children and 36 women, were injured. All of those killed and injured were by IOF bombardment via various types

of missiles and shells launched by the Israeli warplanes and artilleries and in different contexts such as targeting and destroying residential houses over their occupants' heads, inflicting casualties among them; bombarding streets and roads; and targeting and assassinating activists. In addition, many civilians were killed in their workplaces or while on streets and roads.

IOF bombardment of residential homes and civilian properties while people were inside, including entire families, was the prominent feature of its latest aggression. As a result, 15 civilians, including 5 children and a woman, were killed 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.

Moreover, 4 civilians, including 3 children and a woman, were killed in IOF's assassination crimes against members of Palestinian armed groups, killing 5 of them. The most brutal crime was the intensive airstrike on a Palestinian armed group member's house in Rafah, destroying it completely along with 7 other nearby houses. The bombing resulted in the killing of a leader in the al-Quds Brigades along with two of his guards and 4 Palestinians from the neighborhood residents, including a child and a woman. Also, 35 Palestinians, including 18 children and 12 women, were injured.



"Smoke rises from a building following an Israeli airstrike on Gaza City, 08 August 2022"

During the military aggression on Gaza, 8 children were killed, and 135 others were wounded when IOF targeted their homes or its surrounding as well as their playing areas or while escaping from their houses due to the intense airstrikes. One of the most prominent crimes was the killing of 5 children and the injury of another when Israeli warplanes targeted them while playing in Jabalia Refugee Camp's Cemetery, northern Gaza on 07 August.

## 2. Ongoing Gaza Closure and Severed Ties between West Bank Cities and Occupied Jerusalem

### i. Israeli-imposed Closure on the Gaza Strip for the 16<sup>th</sup> Consecutive Year

In mid-2022, the unjust Gaza closure entered its 16<sup>th</sup> consecutive year. Due to the Israeli inhuman and illegal closure restrictions, IOF deprived most of Gazans of freedom of travel and movement and imposed tight measures on individuals' movement at Beit Hanoun "Erez" Crossing. Also, IOF banned the entry of hundreds of essential goods into the Gaza Strip they classify as "dual-use materials". Additionally, the Israeli naval blockade continued along the Gaza Strip shores, as Israel decreased the allowed fishing area, completely shut the Sea, and banned fishing and sailing for varying periods.

**Regarding individuals' movement**, the Israeli occupation authorities continued to impose tight restrictions at Beit Hanoun "Erez" Crossing, denying most of the Gaza Strip population travel and allowing only limited categories after going through complicated security checks. Such restrictions deprive the Gaza Strip population of their right to movement guaranteed by Article 12 of the International Covenant on Civil and Political Rights (ICCPR). Additionally, the Israeli restrictions on items that can be carried by travelers via Erez remained in place; primarily no electronic and electric devices, food, and cosmetics are allowed, as well as wheeled luggage. These restrictions include all categories allowed to travel at a very narrow range: patients referred for treatment abroad, Palestinian citizens holding Israeli citizenship, foreign journalists, international humanitarian organizations' staff, merchants, businessmen and workers, families of detainees in Israeli prisons and travelers via King Hussein Bridge.

When IOF launched a military offensive on the Gaza Strip on 05 August 2022, they completely closed the Beit Hanoun "Erez" Crossing for 6 consecutive days, banning all the limited categories allowed to travel via the crossing, including patients referred for treatment abroad.

**Concerning Movement of goods and commodities**, on 02 August 2022, 3 days before the Israeli aggression on the Gaza Strip started, the Israeli authorities completely closed the only commercial crossing “ Kerem Shalom” for 6 consecutive days and prevented the entry of all goods and commodities into the Strip, including essential needs such as the fuel necessary for the operation of the only power plant in the Gaza Strip and cooking gas. During the same period, the Israeli authorities denied Gaza exports to the outside world. This constitutes a violation of the international law and Article 55 of the Fourth Geneva Convention under which Israel is placed under an obligation to ensure to the fullest extent of the means available to it the food and medical supplies of the population and in particular to import the necessary foodstuffs, medical supplies and others if the resources of the occupied territory are inadequate. The closure of the crossings, especially Kerem Shalom crossing during the aggression has aggravated the humanitarian conditions of the Gaza Strip’s civilian population as all vital service sectors ceased operation, particularly the power plant due to lack of fuel supplies necessary for its operation. As a result, the level of health, water and sanitation services declined. This falls under the Israeli occupation authorities’ collective punishment policy against civilians in a blatant violation of Article 33 of 1949 Fourth Geneva Convention, prohibits collective penalties against civilians.

This year, the Israeli authorities also continued to impose tight restrictions on the entry of goods they classified as “dual-use materials”<sup>10</sup>. The Israeli authorities officially 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 Strip exports to the West Bank, Israel and abroad for the 16th consecutive year. However, they allowed the exportation of limited quantities of the Gaza Strip products (the

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<sup>10</sup> Israeli occupation authorities claim that although these materials are used for civilian purposes, they can be used to advance combat capabilities of Palestinian armed groups.

majority of which were agricultural) as the number of truckloads allowed for exportation was 6904 truckloads: 3367 to the West Bank, 3276 to Israel, and 1161 abroad. In 2022, the monthly exports amounted to 12.7% 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.

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 from chronic shortages in essential drugs and medical devices and insufficient number of specialized health professionals. Additionally, Israeli ban on the import of new medical 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 serve hundreds of cases.



“Kerem Shalom crossing between the Gaza Strip and Israel closed on 02 August 2022.”



Throughout the year, the Israeli authorities obstructed the travel of thousands of patients referred for treatment abroad.

According to the Coordination and Liaison Department of the Ministry of Health, the Israeli authorities obstructed the travel of 6,796 patients out of 20,364 (33.3% 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 234 applications for security reasons (1.1%); did not reply to 867 applications (4.2%); delayed replies (under study) to 5056 permits (24.8%); asked 62 patients to change their companions (3%); obstructed the travel of 577 patients (2.8%) under various pretexts such as waiting for a reply after the security interview, the patient's treatment is for improving quality of life and not life-saving according to the Israeli classification, the treatment is locally available, and submitting a new application. The complete closure of the crossing during the aggression on Gaza Strip deprived hundreds of patients of receiving or completing treatment abroad in the hospitals they were referred to in the West Bank, including occupied East Jerusalem, and Israel, worsening their health conditions. Moreover, at least 100 patients daily travel via Beit Hanoun Crossing; most of them are cancer patients who receive treatment on scheduled appointments (according to treatment protocols), and any delay in receiving the treatment poses a serious threat to their lives. This violates Israel's obligations under Article 21 of Fourth Geneva Convention, which obliges it to respect and protect the conveying of wounded and sick.

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 46.6%, i.e., 253,000 workers are unemployed<sup>11</sup>. Moreover, the poverty rate in the Gaza Strip reached 53%, according to the Palestinian Central Bureau of Statistics (PCBS)<sup>12</sup>, and more than 68.5% of the Gaza population are food insecure according to the United Nations

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11 PCBS: The Results Of The Labour Force Survey, Third Quarter (July-September, 2022) Round, Palestinian Central Bureau of Statistics. For more information, see: <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4353>

12 PCBS Presents the Conditions of Palestinian Populations on the Occasion of the International Population Day, 11/07/2022: <https://pcbs.gov.ps/post.aspx?lang=en&ItemID=4279>

Office for the Coordination of Humanitarian Affairs (OCHA).<sup>13</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.

### Naval blockade

In 2022, the Israeli authorities remained its naval blockade along the Gaza Strip's shores, as they denied fishermen's access to fishing breeding areas. Despite the proclaimed authorization for fishermen to fish at a distance between 6 – 15 nautical miles, the Israeli authorities decreased the fishing area or closed the sea completely dozens of times alleging the security situations.



"Gaza maritime borders with Israel near Kibbutz Zikim, northern Beit Lahia in the northern Gaza Strip, 04 August 2022."

The Israeli Naval Forces continued their assaults against the fishermen as in 2021, PCHR documented 323 shootings by Israeli naval forces against fishermen at sea, wounding 16 fishermen and damaging 9 fishing boats and

<sup>13</sup> Fact Sheet on Food and Nutrition in Palestine, Published in November 2022: [https://palestine.un.org/sites/default/files/2022-12/UNCT%20-%20Fact%20sheet%20Food%20%284%29\\_0.pdf](https://palestine.un.org/sites/default/files/2022-12/UNCT%20-%20Fact%20sheet%20Food%20%284%29_0.pdf)

dozens of fishing equipment. Israeli gunboats chasing incidents against fishermen resulted in the arrest of 64 fishermen and detention of 21 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 area allowed for fishing 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 costs. 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.

The ongoing ban on the entry of spare parts necessary for the maintenance of boats left dozens of fishing boats out of commission.

## **Rafah International Crossing**

In 2022, 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: 144,042 Palestinians were able to travel via Rafah Border and 132,162 returned. The Egyptian authorities banned 5,476 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. Travelers returning to the Gaza Strip via Rafah Crossing suffer from prolonged, recurrent, and unjustified searches by the Egyptian authorities.

## **ii. Restrictions on Movement in the West Bank**

IOF continued to impose arbitrary restrictions on the movement of civilians in the West Bank in 2022 as part of their collective punishment policy. Those restrictions increased and decreased depending on the field conditions on the ground.

The number of permanent checkpoints was 115 in 2022; 59 of which were internal checkpoints in the West Bank, and 17 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, dozens of metal detector gates were established at the entrances to Palestinian cities, villages, and refugee camps and hundreds of temporary checkpoints were established randomly at intersections and on main streets between the Palestinian cities. Also, IOF closed with sand berms and rocks the streets and entrances to many villages in Jenin and Nablus for several days. One example of IOF's restrictions on movement in the West Bank is when Major General Ghassan Alian, Head of the Coordinator of Government Activities in the Territories (COGAT), announced on 09 April 2022 collective punitive measures against Jenin, following the shooting in Tel Aviv carried out by one of the city's residents. Among those punitive measures were preventing businessmen and merchants living Jenin from entering Israel and stopping the transferring of rock rubble via DTD at crossings in Jenin.



"Palestinian workers wait to cross via Beit Hanoun "Erez" crossing in northern Gaza Strip to go to their work in Israel."

IOF also closed many streets to Palestinian civilians' movement for long periods, while only settlers were allowed to pass on these streets. Part of the military checkpoints are run by Israeli Private security companies under the supervision of the Defense Ministry's Crossing Points Authority (C.P.A.).

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 2022, Israeli authorities tried to impose a new reality around Bab al-'Amoud area in central occupied East Jerusalem. At the beginning of 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, especially on religious occasions and national holidays. Also, in 2022, 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. Opposite to Kalandia military checkpoint, Israeli authorities closed Road (45) starting from the industrial zone to the checkpoint throughout the year, under the pretext of constructing a tunnel for settlers, blocking the traffic in the area. The Road (45) was closed to vehicles' movement several times, under the pretext of security incidents around the area. Throughout the year, IOF imposed unprecedented restrictions on Shu'fat military checkpoint and other checkpoints established at the entrances to 'Anata nearby village, as in mid-October, IOF completely closed and cordoned off Shu'fat refugee camp and 'Anata village for 5 consecutive days, and completely isolated both of them from their surroundings under the pretext that a gunman opened fire at Shu'fat checkpoint.

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. 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.



“Muslim worshipers at Qalandia Checkpoint, which is under the Israeli control, are on their way to perform Friday Prayer in Ramdan at al-Aqsa Mosque in Jerusalem.”

In 2022, 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.

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 up to 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 Palestinian 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.

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

During the reporting period, PCHR documented the arrest of 6,500<sup>14</sup> Palestinians, including 811 children and 153 women<sup>15</sup>. Most of those arrested were in the West bank, including occupied East Jerusalem. IOF arrested them from their homes during that latter's incursions into Palestinian cities, villages, and refugee camps, or at military checkpoints across the West bank, or in protests and clashes erupted across the West bank. Moreover, 106 Palestinians were arrested in Gaza, including 27 in the Gaza border area (including 12 children), and 12 were arrested at Beit Hanoun "Erez" crossing while traveling to the West Bank for business, medical treatment, and education. Furthermore, the IOF arrested 67 fishermen, including 10 children, while sailing in the areas allowed for fishing in Gaza Sea and near the shore.

By the end of 2022, the number of Palestinians imprisoned by Israel reached 4,600,<sup>16</sup> including 160 children and 34 women. The vast majority of those in Israeli jails are from the West Bank, the Gaza Strip recorded 190 detainees, and 400 come from Jerusalem. Hundreds of those detainees are serving life sentences; 14 of them served over 30 years. Among the total number of detainees, 600 are patients with serious and chronic diseases, 835 are under administrative detention without trial. Those detainees are distributed into around 22 prisons and detention facilities; most of which are established in the Palestinian territory occupied in 1967,<sup>17</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 9 Palestinians who died inside Israeli prisons, the majority died of medical negligence. Some of those bodies have

<sup>14</sup> They were arrested throughout the year, some of them remained under arrest and were sentenced, some were placed under administrative detention, and others were released.

<sup>15</sup> Statistics according to the Palestinian Prisoner Club.

<sup>16</sup> Statistics according to The Commission of Detainees and Ex-detainees' Affairs

<sup>17</sup> Except "Ofer" prison established in the west of Ramallah in the West Bank.



been locked for more than 40 years, the latest was the body of Naser Abu Humaid, a cancer patient from Al-Am'ari refugee camp, who died in prison in December 2022.



“IOF arrest a Palestinian while trying to stop the demolition of his house in the West Bank as Israel fully controls the planning and building in the area.”



“IOF arrest a Palestinian young man during clashes against settlements in Hebron in the West Bank, 02 February 2022.”

## Torture and Maltreatment

In the Israeli jails, the Palestinian detainees undergo degrading treatment since the very moment of their arrest by IOF, including different forms of physical and moral torture, even against children. In addition to the daily arbitrary arrests of Palestinians, they are subjected to humiliating and degrading treatment, as they usually being arrested at dawn hours, intimidating their families. Also, IOF use excessive force while arresting them, including beating, insults, and humiliation. Also, the arrestees are subjected to torture while on their way to detention facilities, including beating and threats, and after being placed in prisons, they are subjected to all forms of mental and physical torture, including deprivation of adequate medical treatment and family visitations, arbitrary transfer, solitary confinement, and other forms of humiliating treatment.

During the year, the case of the detainee Ahmed Al-Manasra has emerged as a form of torture in the Israeli prisons. Al-Manasra's health and mental condition aggravated in June after being placed in solitary confinement in "Eshel" prison in Beersheba. Consequently, he was taken to Ramleh Prison Hospital. Manasra was sentenced to 12 years in prison after being arrested in 2015 when he was shot and seriously wounded in Jerusalem, claiming that he and his cousin, who was killed in the incident, tried to stab an Israeli settler. It should be noted that IOF arrested Mansra at the age of 13.

Manasra was arrested and tortured despite his serious injury, as a leaked footage from an Israeli investigation center that went viral showed Manasrah being subject to mental and physical torture by the investigators. On 07 November 2016, he was sentenced to 12 years in prison, and as part of the Israeli persistence on torturing him, on 12 April 2022, the Israeli District Court in Beersheba, issued a ruling regarding the appeal submitted by Manasra to annul the parole committee's decision that considered his file as a case of "terrorism", and to return the file to the committee to reconsider it and discuss his early release.

Exposing the Israeli Judiciary's role in passing the Israeli security services' demands, the Israeli court in Beersheba sentenced Mohammed Halabi, Director of World Vision's Gaza office, to 12 years in prison following the longest trial in the history of the Israeli occupation with 172 hearings held since his arrest at Erez crossing in 2016. Over that period, the Israeli prosecution could not proof the charges against al-Halabi, and the latter

did not admit any of them. He was also acquitted by his organization's administration, which considered what he has been through unjust and unfair. The whole trial process emphasizes that the trial is political par excellence and targets in the first place the local civil society organizations and international organizations operating in the occupied territory, aiming to defame them and dry up their financial support resources.

## **Administrative Detention**

In 2022, IOF unprecedentedly escalated the issuance of administrative detention orders against Palestinians, as 2,134 arrest orders were issued against Palestinians in the West Bank, some were arrested during the year, including children, and others had been under arrest for years and were put in administrative detention- dozens of them had their sentences renewed more than once.

Total number of administrative detainees reached 835 by the end of the year without charge or trial as per Article (273) of the Israeli Military Order no. 1651 according to The Defense (Emergency) Regulation of 1945, 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. This information will never be revealed in the court either to the detainee nor to his lawyer under the pretext of secret information which only the military judge has 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.

## **Administrative detainees' boycott of Israeli courts**

Since the beginning of this year, administrative detainees have decided to boycott the Israeli courts, including judicial review and appeals, in protest against the significant escalation of administrative detentions over the past two years. The detainees threatened, on more than one occasion, to go on an open-ended hunger strike if administration detentions increasingly continue.

## **Detainees on hunger strike protesting against their detention conditions**

Over the years, hundreds of administrative prisoners went on hunger strikes, protesting against the escalation of administrative detentions

against Palestinians; most of them went on individual hunger strikes. This year, several detainees went on an open-ended hunger strike, including the administrative detainee Khalil al-'Awawdah (40), from Hebron. Al-'Awawdeh continued his hunger strike for 172 days, and his health condition deteriorated, as he was close to death. However, the Israeli Supreme Court refused to release him, leaving him struggling his death. On 31 August, his lawyer agreed with the Israeli prisons Administration to end his strike on a condition to release him on 02 October 2022. However, the Israeli authorities refused to release him, extended his detention, and charged him with attempting to smuggle a phone while he was at the Israeli Isaf Harofeh hospital receiving treatment after being beaten.

This year, the Palestinian detainees decided to go on an open-ended hunger strike in stages, as 1000 Palestinian prisoners in Israeli jails would start their hunger strike on 01 September 2022, protesting against the Israeli authorities' recent arbitrary measures against them and latter's threats to return to the reprisals they imposed last year when 6 prisoners managed to flee from Gilboa Prison. The detainees stopped this escalatory step after the Israel Prison Service promised them to revoke its arbitrary decisions and threats to use force against them.

The hunger strike of Palestinian detainees is a form of peaceful struggle against prison authorities to obtain their rights and defend their dignity. Detainees 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 detainees 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 detainees 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 detainees with chronic diseases of their medications, and other measures that cause the

deterioration of detainees' 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 detainees in the Israeli prisons 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 2022, two Palestinian detainees, including a woman, died in the Israeli prisons due to medical negligence and not providing adequate healthcare to them.

On 02 July, Sa'dijia Redwan Matar (64) died after losing consciousness in the Israeli 'Damon' prison. The Palestinian Prisoner's Club said in a statement that a court hearing was held for Saadia, who was the eldest among the female detainees held in the Israeli prisons, few days before her death. The statement added that she attended the hearing on a wheelchair, and her lawyer had already asked the Israeli Prison Service to refer her to a doctor after her medical examinations showed that her health condition was getting worse due to high diabetes and pressure. The Israeli Prosecution asked in the hearing that she should be sentenced for five years in prison and fined with 15,000 shekels in compensation; however, no definitive sentence had been issued.

It is worth noting that IOF detained Matar on 18 December 2021, after a settler assaulted her near Gotnik checkpoint that is 100 meters away from al-Ibrahimi Mosque in Hebron's Old City, claiming that she tried to carry out a stab attack.

On 20 December, Naser Abu Hmeid (50), a Palestinian detainee in the Israeli prisons, died at Assaf Harofeh Hospital in Israel after battling lung cancer for more than a year. Abu Hmeid's health condition got worse due to the Israeli Prison Service's systematic medical negligence policy against the ill detainees.

Abu Hmeid had been under arrest since 2002 and was serving 5 life sentences in addition to 50 years on accusations of taking part in resistance acts against the IOF.

## 4. Attacks on Journalists and Media Personnel

The killing of journalist, Shireen Abu 'Aqleh, Al-Jazeera Channel's reporter, by an Israeli sniper crowned the most heinous crimes by IOF against journalists and local and international media outlets in the oPt in 2022. Shireen Abu 'Aqleh (51) was killed while covering clashes between IOF and Palestinian armed groups in Jenin refugee camp, north of the West Bank, on 11 May. She was directly shot with a live bullet in her head by an Israeli sniper. Also, her colleague 'Ali al-Samoudi (55), a photojournalist at Al-Jazeera Channel, was injured with a live bullet in his back. Both of them were wearing the blue helmet and vest clearly marked "PRESS".

Investigations conducted by human rights organizations, the Palestinian Public Prosecution, and the United Nations (UN), including field investigations and ballistic analysis, emphasize that Shireen was intentionally killed by an IOF's sniper who fired a bullet at the back of her head although she was in the distance and not in the middle of the clashes.



Shireen Abu Akleh, Al-Jazeera journalist, who was killed by the IOF in Jenin refugee camp on May 2022.

Israel immediately denied responsibility for the killing of Abu Akleh, claiming she was killed by shots randomly fired by armed Palestinians before later declaring that there is a possibility that Abu Akleh was unintentionally shot

by an Israeli sniper. Those claims were upheld by the results of a ballistic analysis conducted by the U.S. Security Coordinator (USSC) to the PA regarding the bullet fired at Abu 'Aqleh. The USSC concluded that the bullet might be fired from Israel Defense Forces (IDF)'s position, but he still "found no reason to believe that this was intentional."

The Palestinian Public Prosecution rejected the US investigators' findings and said in a statement on 04 July 2022, *"the US statement that there was no reason to believe the shooting was intentional is unacceptable."* The prosecution affirmed that its investigations and findings were based on a set of irrefutable evidence and proofs."

In a later development, Al-Jazeera Media Network filed Abu Aqleh's assassination case before the International Criminal Court (ICC) in the Hague. On 06 December, the Network emphasized in a statement that Abu 'Aqleh along with her colleague were directly shot by IOF, and the Israeli authorities' claims that Shireen was killed by mistake in an exchange of fire is completely unfounded.

Throughout the year, IOF's violations against journalists continued, especially with the escalation of protests against IOF at all seam zones. The West Bank, in particular occupied East Jerusalem, witnessed a noticeable increase in IOF's violations against Palestinian civilians and journalists who cover these incidents, in an attempt to prevent them 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.

IOF committed dozens of violations against journalists, including shooting, physical assault, detention, arrests, summonses for investigation on journalistic work, destruction of media offices and agencies, media coverage ban, confiscation of equipment, deportation of journalists to certain areas, and newspaper shutdown.

In 2022, 30 journalists, from the West bank, were injured while covering protests and clashes in occupied East Jerusalem and in the West Bank's cities against settlers' escalating attacks. Eight journalists were shot with live bullets, 12 were shot with rubber-coated bullets, and 10 were directly hit with teargas canisters or stun grenades.

Additionally, 40 journalists were subjected to beating, pushing, humiliation and degrading treatment. These attacks included beating, kicking, and

slapping, or pepper-spraying their faces to disperse them and prevent them from covering the incidents.



“An Israeli soldier prevents a Palestinian journalist from photographing.”

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

IOF prevented 35 journalists 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.” IOF continued to impose further restrictions on journalists, particularly in occupied East Jerusalem. These restrictions included imposing house arrest on journalists, displacing journalists from the city



for months, and preventing journalists holding Palestinian press card from entering Jerusalem and covering incidents.

Journalists face obstacles and restrictions by IOF on their travel abroad, including depriving them of travel permits, despite completing all the necessary procedures and having official invitations to participate in courses or conferences. Also, some journalists were arrested at border crossings, despite being granted travel permits. The journalists are also denied movement between the Gaza Strip and West Bank due to the Israeli-imposed closure on Gaza and IOF's restrictions.

In 2022, the Israeli authorities noticeably escalated suppression of Palestinian content on social media platforms, including Facebook, Twitter, TikTok, and WhatsApp as many accounts for journalists and media institutions were restricted under the pretext of violating the publishing standards and incitement to violence.

## **5. Demolition and Destruction of Civilian Properties and Objects**

In 2022, the Israeli authorities and its military forces continued their demolition and destruction policy against civilian objects and properties in the oPt. IOF targeted and destroyed dozens of civilian facilities during their aggression on the Gaza Strip in August 2022. Also, IOF maintained its policy of direct demolitions of Palestinian properties and other civilian objects in the West Bank, including occupied East Jerusalem, under their 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**

IOF launched a widescale military aggression on the Gaza Strip in August 2022 and deliberately destroyed civilian objects, including houses and economic facilities, in violation of international laws and IHL rules on the principles of military necessity, distinction and proportionality.

According to PCHR's statistics, 76 residential houses, including 146 housing units, sustained damage. Those houses were home to 141 families of 728, including 312 children. Also, 5 civilian objects, including 4 industrial workshops and a mosque, were damaged during the August 2022 military aggression on Gaza.



“Palestinians pick over the rubbles of a building destroyed by an Israeli airstrike in Gaza City, 06 August 2022.”

### **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. The Israeli authorities continued their collective punishment policy against Palestinian families involved in resistance activities



Israeli bulldozers destroy a Palestinian 3-storey building in Hebron, the West Bank, on 31 October 2022.

against IOF or settlers by demolishing or closing their houses. This policy 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 razing operations continued in favor of Israeli settlement projects. Also, settlers' attacks, under IOF's protection, continued against Palestinians and their property. This indicates grave violations against the civilian population, especially civilians in Area C, where 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.

In 2022, IOF issued 2290 demolition orders against houses and civilian facilities in the West Bank, including occupied East Jerusalem. They also demolished 950 houses; 65 of them were self-demolished. Additionally, IOF issued 144 settlement schemes targeting the West Bank lands; half of them had already started on the ground, as 2220 colonial residential units were built in 2022<sup>18</sup>.

Furthermore, other civilian facilities were significantly targeted as PCHR documented that demolition of 122 facilities. These facilities were as follows: 68 for commercial purposes, 12 industrial facilities, 22 agricultural facilities, 8 water wells, 5 educational facilities, and 7 religious facilities. Also, punitive demolition policy adopted by IOF against the houses of Palestinians accused of carrying out attacks against Israelis has been continued. Such violations constitute collective punishment contrary to the rules of international humanitarian law.

Meanwhile in occupied East Jerusalem, IOF demolished 39 houses that included 45 residential apartments home to 40 families of 236 individuals, including 118 children. Also, IOF delivered cease-construction notices to 9 houses that included 11 residential apartments. IOF also forced 18 Palestinians to self-demolish their houses, including 19 housing units. In addition, IOF demolished 27 houses, under the pretext of unlicensed construction and halted construction works in 34 houses for the same reason.

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18 «A Brief of Israeli Violations Against Palestinian Land and Housing Rights for 2022» Land Research Center - Jerusalem, Arab Studies Society. See link: <https://www.lrcj.org/publication-8-3544.html>

In 2022, so far in 2022, the proportion of structures demolished or sealed off by their owners in East Jerusalem following the issuance of demolition orders, reached 53 per cent, up from 27 per cent in the previous five years. This is attributed to new Israeli legislation which limits the authority of Israeli courts to intervene and enables the Jerusalem Municipality to exert pressure on families to demolish their properties themselves. Also, IOF reportedly threatened to jail or fine family members if they did not complete the demolition quickly<sup>19</sup>.



“IOF destroy 2 Palestinian houses in Jabal Johar area in Hebron near the Israeli Kiryat Arba settlement in the West Bank, 28 November 2022 (Taken by Mamo)”.

## 6. Settler-attacks and settlement crimes

Israel continued to take chunks of the oPt and create irreversible facts on the ground, including tripling its settlement expansion schemes; creating a Jewish majority in occupied East Jerusalem, isolating East Jerusalem and forcing its local Palestinian population out of the city; constructing the annexation wall, severing the cities, villages and refugee camps of the West Bank apart by settlements, settler bypass roads and hundreds of military checkpoints. The Israeli military occupation managed to change the features of the oPt, seized its resources and deprived Palestinians

<sup>19</sup> OCHA, West Bank Demolition and Displacement: an overview, November 2022, link: <https://www.ochaopt.org/content/west-bank-demolitions-and-displacement-november-2022#:~:text=In%20November%202022%2C%20the%20Israeli,been%20provided%20as%20humanitarian%20aid.>

from their inalienable rights in favor of Israeli settlers. Israel created a new version of apartheid in which settlers enjoy privileges at the expense of the indigenous population who are besieged and separated in Bantustans, stripped of their rights guaranteed by international law and oppressed by the means of law and brute force that are enforced by its occupation forces and military rule.

During the year 2022, settler-attacks and settlement crimes in the West Bank, including occupied Jerusalem, escalated in an unprecedented manner, as the Israeli occupation gave licenses to construct (12,934) settlement units in the West Bank, including occupied Jerusalem, while IOF demolished (318) homes and (583) Palestinian facilities<sup>20</sup>. The most prominent settlement activities were on 06 May 2022 when the Israel government approved new settlement schemes that include 3,988 new settlement units in settlements. By the end of 2022, the number of settlers reached about 1 million in 189 settlements spread across the West Bank.

In addition to the settlement expansion schemes, on 05 May 2022, the Israeli Supreme Court authorized forcible expulsion of hundreds of Palestinians from their lands in Masafer Yatta in southern Hebron, and rejected the petition submitted by 12 Palestinian residential compounds housing at least 2000 people against the 1980 military order that declared the complete closure of Masafer Yatta area and that over (30,000) dunums from its lands will be designated as (Firing Zone 918), with no regard that it is an inhabited area. Upon this, the Court allowed IOF to take all the measures they deem appropriate, including military exercises under any designation between Palestinians' houses and expel them from the area at any time.<sup>21</sup>

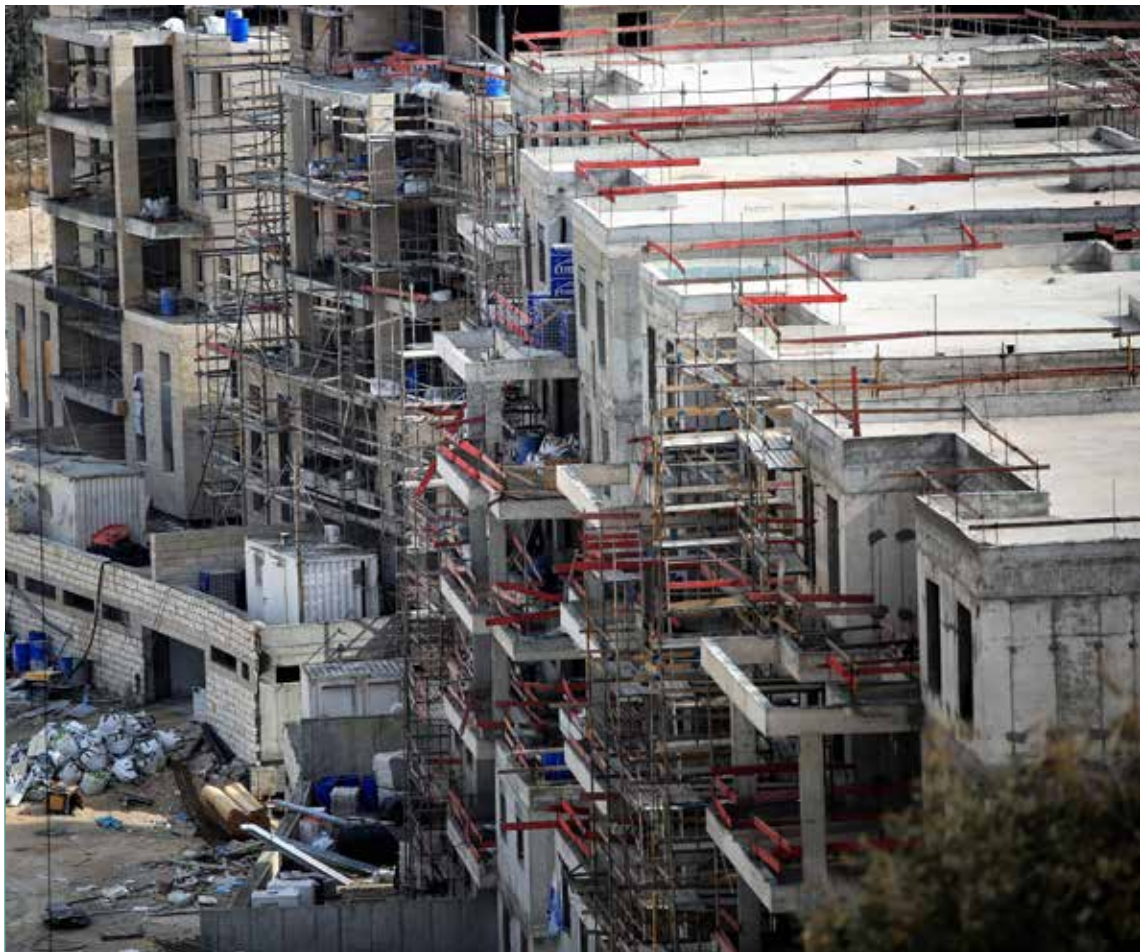
Not to mention the demolitions of homes and facilities, and razing lands in favor of settlements and bypass roads, By the end of 2022, Israel controls more than 75% of Palestinian lands classified as Area C according to the Oslo Accords, which constitutes the largest area of the West Bank lands. The Israeli authorities do not allow the Palestinians to build within this area, where Israel retains full control of security and land-management, while the

<sup>20</sup> ARIJ Institute.

<sup>21</sup> An area located in eastern Hebron, southern West Bank, inhabited by 200 Palestinian families. Since 1980s, the Israeli authorities designated a part of Masafer Yatta as 'Firing Zone 918'. In 1999, the Israeli government issued eviction orders against hundreds of Palestinians for "illegally living in a firing zone". Since then, they have been subjected to harassments and expulsions. Last May, the Israeli Supreme Court ruled that there were no legal barriers to the planned expulsion of Palestinian residents from Masafer Yatta, being subjected to home demolitions and placing them at imminent risk of expulsion.

Palestinians are crowded into what is left of it, a quarter. The population density of Palestinians is concentrated in two areas: Area (A), under full Palestinian control, and Area (B), under Palestinian civil and administrative control and Israeli security control.

In Jerusalem, the Israeli authorities rapidly accelerate steps to complete the Greater Jerusalem Bill, which includes large settlement blocs, such as Ma'ali Adumim, Pisgat Ze'ev, and Gush Etzion, and annexing them to the city of Jerusalem. The schemes aimed at creating a Jewish majority in the city, maintaining the Jewish demographic superiority, emptying its residents and force them out the city. The Israeli authorities impose policies and measures to tighten the Palestinians and forcing them out of the city. Thousands of Jerusalemites were forced to build outside the City's municipal borders in adjacent areas because they were not given construction licenses, thereby depriving them of their right to reside in the City according to the Israeli law and decreasing the number of Palestinians in the city.



"Israeli workers build new settlement units to expand Nof Zion Settlement in East Jerusalem, 22 November 2022."

The UN Special Coordinator for the Middle East Peace Process, Tor Wennesland, indicated in the Security Council briefing in New York, on 19 December 2022, that the number of housing units advanced more than tripled from the previous year – from some 900 units in 2021 to some 3,100 units in 2022.<sup>22</sup>

### Settler Attacks against Palestinian Civilians and Property

Settlers' attacks against Palestinians and their property escalated in an unprecedented manner. PCHR reported (259) attacks which included shooting crimes and injuring Palestinians, which resulted in the death of 2 Palestinians and the injury of 32 others; physical assaults; the destruction and burning of crops. These attacks are carried out by settler groups and organizations that call themselves "the Hilltop Youth" or "Price Tag" gangs, affiliated with extremist right-wing Jewish organizations and parties. 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. However, UN bodies and human rights organizations that can have access to Area (C) documented more attacks against Palestinians and their property. In 2022, the Applied Research Institute – Jerusalem (ARIJ) documented (1296) settler-attacks in the West Bank, including Jerusalem. Most of those attacks happened in Nablus recording 29. Those attacks included uprooting (12,500) fruit trees, most of them olive trees.



"A Palestinian checks his car after it was burnt by Israeli settlers near Jaloud village, southern Nablus in the West Bank, 28 March 2022."

<sup>22</sup> <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-reporting-implementation-unscr-2334-delivered>

## 7. Annexation Wall

It has been 19 years since the Advisory Opinion of the International Court of Justice (ICJ) was issued on 09 July 2004, 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 nor considered the advisory opinion and continued the construction of the wall. The suffering of the Palestinians continued due to the construction of the wall, which was mostly established on their lands inside the West Bank.

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.

The Israeli authorities completed 65% of the wall as 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 wall a border for negotiation with the Palestinians who seek to establish their state within the borders of June 4, 1967. According to the Palestinian Authority's estimates, 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.

Israel has 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. This situation has forced many Palestinian families to give in planting their lands due to these obstacles, incurring heavy economic losses since these lands constitute a high proportion of fertile lands which



supply the Palestinian market with good agricultural products. Moreover, they have to obtain permits in order to visit their families or go shopping on the other side of wall.

## 8. Israeli Attacks against Human Rights Defenders

During 2022, the series of attacks by the Israeli occupation against the Palestinian civil society and human rights defenders continued and amounted to a level described by UN experts as a crime of apartheid that has been practiced by the Israeli authorities in the oPt for decades.<sup>23</sup>

On 18 August 2022, Israeli Occupation Forces (IOF) raided and closed 7 Palestinian Civil Society Organizations (CSOs) in Ramallah and confiscated some of their contents. The decision came few hours after Israeli Defense Minister, Benny Gantz, conclusively announced 3 CSOs- “Bisan Center for Research and Development, the Union of Palestinian Women’s Committees (UPWC)<sup>24</sup>, and Addameer Prisoner Support and Human Rights Association” as “terrorist organizations”, for allegedly funding the Popular Front for the Liberation of Palestine (PFLP). The decision was made after an appeal was submitted by these organizations against a previous decision issued in October 2021 labeling 6 CSOs as terrorist organizations and then rejected. The organizations reopened their doors, in defiance of the Israeli decision, amid Israeli threats to prosecute the staff and directors.

PCHR monitored IOF’s raid with large forces into Ramallah and Al-Bireh, where they broke into 7 Palestinian development and human rights organizations and confiscated some of their contents. Afterwards, they shut them with locks and iron bars and left an Israeli military order issued by the commander stating, “For area’s security and to counter terrorism infrastructure, in all its parts, vehicles, organizations and bodies, as well as thwarting terrorism operations, I am ordering to close this place...” These organizations were as follows: the Bisan Center for Research and Development, the Union of Palestinian Women Committees (UPWC), Addameer Prisoner Support and Human Rights Association, Al-Haq, the Union of Agricultural Work

23 United Nations, UN News, Two UN experts confirm that Israel’s use of military force to silence non-violent and peaceful organizations and individuals is symptomatic of an apartheid regime, brittle and intolerant to any form of criticism.”, <https://www.ohchr.org/en/press-releases/2022/11/israel-un-experts-condemn-attacks-against-human-rights-defender-issa-amro>

24 PCHR Condemns and Demands International Community to Intervene Promptly after Israeli Occupation Forces Shut Down 7 CSOs in Ramallah, <https://pchrgaza.org/en/pchr-condemns-and-demands-international-community-to-intervene-promptly-after-israeli-occupation-forces-shut-down-7-csos-in-ramallah/>

Committees (UAWC), Defense for Children International- Palestine, and the Union of Health Work Committees (UHWC).

PCHR hereby emphasizes that the assault on the CSOs constitutes a flagrant violation of the Fourth Geneva Convention and the Israeli occupation authorities' obligations under the International Covenant on Civil and Political Rights, which guarantees the right to freedom of association in Article 22.

In October 2021, the Israeli Defense Minister designated six leading Palestinian civil society organizations, being the most reputable human rights and humanitarian groups, 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, Al-Haq, Defense for Children International – Palestine, and the Union of Agricultural Work Committees are all terrorist organizations<sup>25</sup>. The decision of the Israeli Defense Minister was met with widespread criticism from UN bodies, decision-makers, and the High Commissioner for Human Rights. Moreover, 10 EU Member States rejected the Israeli decision, and considered that it was based on false accusations, and confirmed in a joint statement that they will continue to work with these organizations and that having a free and strong civil society is indispensable for promoting democratic values.<sup>26</sup>

The Israeli measures taken against the 6 organizations are the latest in a long series of a systematic policy to undermine the civil society operating against the Israeli occupation of Palestine, where civil society and human rights activists were directly or indirectly targeted with the help of organizations that work undercover as non-governmental organizations, but they are affiliated with the Israeli occupation. The Israeli authorities adopt a hostile policy 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 arrests, administrative detention, office raids and confiscation of contents; as well as smear campaigns against human rights organizations

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

26 UN experts condemn Israel's designation of Palestinian human rights defenders as terrorist organizations, OHCHR <https://www.ohchr.org/en/press-releases/2021/10/un-experts-condemn-israels-designation-palestinian-human-rights-defenders>

operating in the oPt both to question their credibility in relation to exposing the Israeli crimes and to limit their funding.<sup>27</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 and Sanctions (BDS) movement<sup>28</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>29</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>30</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 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>31</sup>

27 Israeli Attacks on Human Rights Organizations and Activists, PCHR 2020, <https://pchrgaza.org/en/israeli-attacks-on-human-rights-organizations-and-activists/>

28 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.

29 Israeli Attacks on Human Rights Organizations and Activists, PCHR 2020, <https://pchrgaza.org/en/israeli-attacks-on-human-rights-organizations-and-activists/>

30 Ibid

31 Ibid

During 2022, IOF continued to arrest Palestinian human rights defenders; the most prominent cases are as follows:

- » IOF arrested B'Tselem's field researcher, Nasser Nawaj'ah, from his home in Susiya village in the West Bank. Nawaj'ah was handcuffed, blindfolded, and detained for more than 12 hours. He was interrogated by the Israeli officers about his work, and was accused of "causing all the trouble in the area." The officers then asked Nawaj'ah to stop "causing trouble" before releasing him.<sup>32</sup>
- » On 12 September 2022, IOF arrested human rights defender Hafez al-Huraini, and brought him to a military trial on 15 September 2022 on charges of attempted murder, harming the security of the area and severe assault. IOF arrested Al-Huraini from his land in at-Tuwan village in Masafer Yatta, Hebron, after a group of armed Israeli settlers attacked him, resulting in severe injuries and breaking both of his arms.<sup>33</sup>
- » IOF arrested human rights defender and lawyer Salah Hamouri on 07 March 2022, after breaking into his house in the town of Kafr Aqab. The military commander transferred him to administrative detention for a period of three months that ended on 06 June 2022, and a day before his release date, they renewed his administrative detention for another 3 months which expired on 05 September 2022, as it was confirmed for the entire period by the court. On 04 August 2022, Ofer Military Court of Appeal rejected the appeal filed by Salah's lawyer against his administrative detention and maintained his arrest. On the day Salah was supposed to be released, The Israeli authorities renewed Salah's administrative detention for three additional months, which was expected to expire on 04 December 2022 but is still up for indefinite renewal, noting that IOF revoked his Jerusalemite ID card in September 2020<sup>34</sup>. On 30 November 2022, the Israeli authorities unlawfully and forcibly deported Salah to France, as he holds the French nationality.
- » Israeli occupation forces established a "closed military zone" around Mr. Issa Amro's house on 31 October, a day after Amro sought to file a police

32 The Israeli Information Center for Human Rights in the Occupied Territories, ISA detains and interrogates B'Tselem field researcher; B'Tselem: "Disgraceful arrest aimed at hampering the work of a human rights organization" [https://www.btselem.org/press\\_releases/20220812\\_isa\\_detains\\_and\\_interrogates\\_btselem\\_field\\_researcher](https://www.btselem.org/press_releases/20220812_isa_detains_and_interrogates_btselem_field_researcher)

33 Human rights defender Hafez Huraini detained after being injured as a result of an attack by Israeli Settlers, Frontline Defenders, [frontlinedefenders.org/en/case/human-rights-defender-hafez-huraini-released-israeli-prison-while-investigation-continues#case-update-id-15412](https://frontlinedefenders.org/en/case/human-rights-defender-hafez-huraini-released-israeli-prison-while-investigation-continues#case-update-id-15412).

34 Salah Hassan Hammouri, Addameer <https://www.addameer.org/prisoner/2992>

complaint against Israeli settler-attacks on his house in Hebron, West Bank. Amro was assaulted with sticks and stones throughout October as he led an initiative to assist Palestinian families with the olive harvest. Amro's house, around which a cordon was imposed, is used as a community center of the "Youth Against Settlements" organization. 'Amro, who is an internationally respected human rights defender and a civil society leader in youth education initiatives, regularly receives death threats from settlers and Israeli forces. UN experts have previously intervened and called for his protection."<sup>35</sup> In a joint statement issued on 17 November 2022 by the international experts; Francesca Albanese, UN Special Rapporteur on human rights in the Palestinian Territory occupied since 1967, and Mary Lawlor, Special Rapporteur on the situation of human rights defenders, stated as follows:

“The case of Issa Amro is emblematic of the sophisticated array of obstacles faced by Palestinian human rights defenders who engage in non-violent activities,” said the experts. “Israel’s use of military force to deter, silence or persecute non-violent and peaceful organizations and individuals is symptomatic of an apartheid regime, brittle and intolerant to any form of criticism.” They added “Israel is using counter-terrorism legislation and military orders to halt, restrict and criminalize legitimate human rights and humanitarian work, and as a means of controlling and repressing the Palestinian population,” the experts said. “Israel’s targeting of Issa Amro and closure of the Youth Against Settlements community center amount to yet another unilateral Israeli attack on civic space across occupied Palestine.”<sup>36</sup>

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35 “Israel’s use of military force to deter, silence or persecute non-violent and peaceful organizations and individuals is symptomatic of an apartheid regime, brittle and intolerant to any form of criticism.” <https://www.ohchr.org/en/press-releases/2022/11/israel-un-experts-condemn-attacks-against-human-rights-defender-issa-amro>.

36 Ibid



“Raid and closure of al-Haq Organization in Ramallah.”



“Raid and closure of Defense for Children International- Palestine Section”.

## 9. Justice for Palestinians

2022 ended without tangible progress in the prosecution of Israeli war criminals before the International Criminal Court (ICC), although the ICC prosecutor, Fatou Bensouda, issued in March 2021 a decision to open an investigation into the situation of Palestine. Bensouda declared in her decision 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 accepting the jurisdiction of the Court. Since the new Prosecutor, Mr. Karim Khan, took office, the Court has not taken any step towards activating the decision of opening an investigation into the situation of Palestine. On the other hand, the ICC currently allocates all its resources and efforts to the situation in Ukraine, raising an unfortunate paradox that may amount to double standards when dealing with the Palestinian situation. PCHR is amazed by the new ICC prosecutor's disregard for the Palestinian file, especially at a time the Israeli crimes are escalating in the oPt. PCHR also strongly condemns the Court's double standards while dealing with the Palestinian situation comparing to other files at the Court, noting that the Prosecutor has been too quick to take all procedures needed to ensure the investigation into war crimes in Ukraine, but has completely ignored the Palestinian file. On 27 December 2022, 10 Israeli human rights centers issued a statement urging the ICC to advance the Court's ongoing investigation and stressing their commitment to assisting the Prosecutor's office in moving forward with the ongoing investigation of the Situation in Palestine.

ICC's disregard for the Palestinian file was evident in the new ICC Prosecutor's, Mr. Karim Khan, non-issuance of any statement on the situation in Palestine, despite the aggression on the Gaza Strip in August, and almost-daily summary executions in the West Bank that have targeted large number of civilians; many of them were children. The new ICC Prosecutor's reprehensible approach contradicts what Ms. Bensouda had done as she did not hesitate to issue statements with every major incident occurring in the oPt. This had a tremendous impact on strengthening the ICC's role in achieving public deterrence against war crimes, especially the two statements issued on the Great March of Return<sup>37</sup>, and IOF's attempts to evacuate and destroy the Palestinian village of Al-khan Al-Ahmar in Jerusalem<sup>38</sup>.

37 ICC, Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, regarding the worsening situation in Gaza, <https://www.icc-cpi.int/news/statement-prosecutor-international-criminal-court-fatou-bensouda-regarding-worsening-situation>

38 ICC, Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, regarding the Situation in Palestine <https://www.icc-cpi.int/news/statement-prosecutor-international-criminal-court-fatou-bensouda-regarding-situation-palestine>

Ever since the situation of Palestine was filed before ICC, the latter were met with intense US-Israeli pressure to prevent it 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 pursue 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>39</sup> 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.

Besides, the International commission of inquiry, which was formed on 27 May 2021, presented its first report to the Human Rights Council and to the UN General Assembly. The Commission, comprised of 3 members, was mandated to investigate “in the Occupied Palestinian Territory, including East Jerusalem, and in Israel, all alleged violations of international humanitarian law and abuses of international human rights law leading up and since 13 April 2021.” The resolution A/HRC/RES/S-30/1 further requested the commission of inquiry “investigate all underlying root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity”. The commission of inquiry presented its report to the Human Rights Council on 08 July 2022. The report emphasized attacks by the Israeli military forces may have amounted to war crimes, stressing that the continuing Israeli occupation and longstanding discrimination against Palestinians are among the root causes of conflict and violations in the oPt.

Two months later, on 14 September 2022, the commission of inquiry submitted its first report to the United Nations General Assembly where it concludes that the Israeli Occupation of the Gaza Strip and West Bank, including Jerusalem, is unlawful under international law. The Commission of Inquiry called for requesting the International Court of Justice (ICJ) to advise on “the legal consequence of Israel’s continued refusal to end its occupation of the Palestinian Territory, underlining that under international humanitarian law the occupation of territory in wartime is a temporary situation which deprives the occupied Power of neither its statehood nor

<sup>39</sup> PCHR Condemns US Economic Sanctions on International Criminal Court Officials, PCHR’s press release on 03 December 2020.



its sovereignty". Navanethem Pillay, Chairman of the Commission, said that, "Recent statements by the Secretary-General and numerous member States have clearly indicated that any attempt at unilateral annexation of a State's territory by another State is a violation of international law and is null and void; 143 member States including Israel last week voted in favor of a General Assembly resolution reaffirming this." "Unless universally applied, including to the situation in the Occupied Palestinian Territory, this core principle of the United Nations Charter will become meaningless", she added.<sup>40</sup>

Subsequently, the UN General Assembly's Fourth Committee (the Special Political and Decolonization), voted favorably to refer the question of Palestine to the ICJ to request an Advisory Opinion on the legal consequences of Israel's long-term occupation of the Palestinian Territory and the legal status of the existing occupation. It is expected that the question will be presented to the UN General Assembly to approve the referral and that the latter will successfully pass the resolution. This request is the second of its kind after the ICJ's historic advisory opinion in 2004 that the construction of separation was illegal. However, the new request is distinctively characterized by of a broader scope, as the questions focus this time on the legal status and consequences of the Israeli occupation of Palestinian territory. On 31 December 2022, the UN General Assembly voted 87 in favor of ICJ's advisory opinion, 26 against, and 53 abstentions. It is expected that the ICJ advisory opinion will refute the Israeli allegations regarding classification of the oPt as a disputed territory, and putting all international parties upon their responsibilities to end the occupation. The advisory opinion could also expose the reality of the apartheid crime practiced by the Israeli occupation authorities for decades in the oPt.

The Israeli authorities' representative at the UN tried to influence the Committee through accusations of anti-Semitism, but the committee denied these accusations. Navi Pillay, the former High Commissioner for Human Rights and Chair of the International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel, said that the crimes committed in the oPt include the transfer, directly or indirectly, of part of the (Israeli) civilian population to the occupied territory and the crime against humanity of deportation and forcible transfer (of Palestinians)". She added "we also found that some of Israel's policies and

40 UN, Human Rights Council, Commission of Inquiry concludes that the Israeli occupation is unlawful under international law. <https://www.ohchr.org/en/press-releases/2022/10/commission-inquiry-finds-israeli-occupation-unlawful-under-international-law#:~:text=%E2%80%9CRecent%20statements%20by%20the%20Secretary,favour%20of%20a%20General%20Assembly>

actions in the West Bank are only cosmetically intended to address the so-called security concerns, and that security is often used as a pretext by Israel to justify territorial expansion.”<sup>41</sup>

It should be noted that the Israeli authorities have continued to set obstacles to impede Palestinians’ access to justice; in both the criminal and civil courts. Also, the Israeli authorities employ 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 civilians since that offensive to date<sup>42</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>43</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>44</sup>. The most prominent decisions were the Israeli government’s decision issued on 12 September 2014, to designate Gaza Strip as a hostile entity. This decision implicitly

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41 UN News, the International Commission of Inquiry denies the accusations of anti-Semitism of the Israeli delegate to the state members and confirms that the report focuses on the Occupation. <https://www.unmultimedia.org/avlibrary/asset/2968/2968733/>

42 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 2017.

43 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 were 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.

44 Penalizing the Victim Recent Israeli Measures to Deny Palestinian Civilians’ Right to Reparation, 21 March 2012, PCHR <https://pchrgaza.org/en/penalising-the-victim-recent-israeli-measures-to-deny-palestinian-civilians-right-to-reparation-2/>

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 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.



## Palestinian Violations of Human Rights and Obstacles to Democratic Transition

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

In 2022, 70 civilians<sup>45</sup> were killed in the oPt, including 15 children and 8 women, and 316 others were injured, including 118 children and 30 women, in incidents related to misuse of weapons, assault on the rule of law, internal explosions, law-enforcement missions, and social violence. Among those killed, 41 persons were killed in the Gaza Strip, including 13 children and 6 women; 2 of them were killed on grounds of Gender-Based Violence (GBV), and 272 were wounded, including 114 children and 30 women. Meanwhile, 29 persons were killed in the West Bank, including 2 women on grounds of GBV and 2 children, and 44 others were wounded, including 4 children.

### 2. Death Penalty in the PA

The State of Palestine is among the states that have undertaken to abolish death penalty after signing the Protocol aiming at the Abolition of the Death Penalty. Unstatedly, the authorities in the West Bank have refrained from executing death sentences since 2005, and the courts have refrained from issuing death sentences since 2015. Meanwhile, death sentences continued to be issued and executed in the Gaza Strip, where the year 2022 witnessed serious developments regarding death penalty. Five death sentences were executed since their suspension in 2017 in the Gaza Strip. This year also witnessed an increase in the number of new death sentences issued (not upholding previous sentences) in an unprecedented manner ever since the establishment of PA in 1994 as 27 new death sentences were issued, coinciding with the establishment of the Higher Crime Committee in the Court of First Instance in Gaza. Also, another phenomenon peaked when the Court of Appeal raised sentences of life imprisonment to death sentences

<sup>45</sup> Also, ten members of Palestinian armed groups were killed in different incidents: 9 in the Gaza Strip and 1 in the West Bank.

in a dangerous precedent that reflects the general trend towards excessive use of this penalty under the pretext of public deterrence.

PCHR monitored several cases in which death sentences were quickly issued, as the period between the commission of a crime and issuance of the verdict was a week, constituting a serious human rights violation, especially the right to due process and the right to defense. These cases are serious violations that amount to 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. It is noteworthy that 102 death sentences were issued since Palestine's accession to the Protocol and were all in Gaza; 71 new sentences, 31 rulings reaffirming previous ones, and one sentence issued after retrial. Bringing civilians before the military courts in the Gaza Strip constitutes a grave violation of international standards and the Palestinian Basic Law. PCHR monitored the use of death penalty against a person convicted of drug dealing without a legal provision that allows application of death penalty in crimes of drug dealing.

In 2022, the most prominent development was executing 5 death sentences on 04 September 2022, without fulfilling the law-conditioned procedures in execution of death sentences, including the Palestinian President's ratification, in violation of the Palestinian Law and relevant international standards. According to the statement issued by the Ministry of Interior, a death sentence by firing squad was executed against (N. A.) (44) after being convicted of collaborating with the Israeli occupation, and (J. Q.) (30) after being convicted of premeditated murder. Also, a death sentence by hanging was carried out against (K. S.) (54) after being convicted of collaborating with the Israeli occupation, (E. 'A.) (43) after being convicted of premeditated murder, and (M. Z.) (30) after being convicted of premeditated murder and robbery, according to the statement. All death sentences were carried out at approximately 05:00 in Ansar Security Compound, western Gaza City. PCHR<sup>46</sup> and human rights organizations condemned at the time the execution of these sentences, which may amount to extrajudicial killings.

With the execution of 5 death sentences in the Gaza Strip, the number of death sentences executed Since the establishment of the PA in 1994 has risen to 46

<sup>46</sup> In violation of Palestine's International Obligations, 5 Death Sentences Executed in Gaza Strip, PCHR <https://pchrgaza.org/en/in-violation-of-palestines-international-obligations-5-death-sentences-executed-in-gaza-strip/>

death sentences: 44 in the Gaza Strip, and 2 in the West Bank. Of those executed in the Gaza Strip, 33 were carried out without the ratification of the Palestinian President in violation of Palestinian law. In this context, PCHR supports the Palestinian President’s position not to ratify any death sentences since 2005.

2022 witnessed an unprecedented increase in the number of death sentences as 41 death sentences were issued: 27 new sentences and 14 rulings affirming previous verdicts, and 15 issued by military courts: 5 by military courts of first instance. Thus, the total number of death sentences issued by courts of first instance in the Palestinian territory since 1994 reached 280; 30 in the West Bank and 250 in the Gaza Strip. Among those issued in the Gaza Strip, 191 sentences were issued after the 2007 Palestinian political division.



**Palestinian Authority's 2022 new death sentences issued;  
all in the Gaza Strip**

| No. | Trial's Date | Name  | Type of Court | Court's degree          | Charge                                 |
|-----|--------------|-------|---------------|-------------------------|----------------------------------------|
|     | 28 December  | Y.F.  | Civil         | Court of First Instance | Murder                                 |
|     | 28 December  | E.F.  | Civil         | Court of First Instance | Murder                                 |
|     | 08 December  | M.J   | Civil         | Court of First Instance | Murder                                 |
|     | 14 November  | F.J.  | Military      | Court of First Instance | Collaborating with Israeli authorities |
|     | 13 October   | Y.B.  | Civil         | Court of First Instance | Murder                                 |
|     | 13 October   | H.S.  | Military      | Court of First Instance | Collaborating with Israeli authorities |
|     | 10 October   | A.S.  | Civil         | Court of First Instance | Drug dealing                           |
|     | 09 October   | F.D.  | Civil         | Court of First Instance | Murder                                 |
|     | 27 September | M.D.  | Military      | Court of First Instance | Collaborating with Israeli authorities |
|     | 18 August    | S.B.  | Civil         | Court of First Instance | Murder                                 |
|     | 25 August    | A.Sh. | Civil         | Court of First Instance | Murder                                 |
|     | 18 August    | M/H   | Civil         | Court of First Instance | Murder                                 |
|     | 01 August    | J.Q.  | Military      | Court of First Instance | Murder                                 |
|     | 30 June      | Kh.S. | Civil         | Court of Appeal         | Murder                                 |
|     | 22 June      | H.B.  | Civil         | Court of Appeal         | Murder                                 |
|     | 20 June      | N.S.  | Military      | Court of First Instance | Collaborating with Israeli authorities |



|  |             |       |          |                         |                                        |
|--|-------------|-------|----------|-------------------------|----------------------------------------|
|  | 05 June     | H.R.  | Military | Court of First Instance | Collaborating with Israeli authorities |
|  | 01 June     | M.H.  | Civil    | Court of First Instance | Murder                                 |
|  | 26 May      | A.B.  | Civil    | Court of First Instance | Murder                                 |
|  | 24 May      | M.SH  | Civil    | Court of Appeal         | Murder                                 |
|  | 19 May      | M.Y.  | Civil    | Court of First Instance | Murder                                 |
|  | 17 April    | Y.SH. | Civil    | Court of Appeal         | Murder                                 |
|  | 13 April    | M.D.  | Civil    | Court of Appeal         | Murder                                 |
|  | 07 April    | SH.'A | Civil    | Court of First Instance | Murder                                 |
|  | 07 April    | A.J.  | Civil    | Court of First Instance | Murder                                 |
|  | 31 March    | 'A.F  | Civil    | Court of First Instance | Murder                                 |
|  | 02 February | S.A   | Civil    | Court of First Instance | Murder                                 |

**Palestinian Authority's 2022 executed death sentences;  
all in the Gaza Strip**

| No. | Date of execution | Name  | Place | Charge                                 |
|-----|-------------------|-------|-------|----------------------------------------|
|     | 04 September      | J.Q.  | Gaza  | Murder                                 |
|     | 04 September      | M.A   | Gaza  | Murder                                 |
|     | 04 September      | A.'A  | Gaza  | Murder                                 |
|     | 04 September      | KH.S. | Gaza  | Collaborating with Israeli authorities |
|     | 04 September      | N.A.  | Gaza  | Collaborating with Israeli authorities |

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

In 2022, 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 ICCPR and Convention against Torture (CAT).

Most of those arrests and summonses are on political grounds, practicing freedoms of expression and opinion, including posting on social media or peaceful assemblies and protests, and 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 arrests 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, arrests and summonses encounter degrading treatment by law enforcement bodies and physical and psychological torture during interrogation and questioning as well as during arrest. Prisons and detention centers encounter inhumane conditions that do not meet the Standard Minimum Rules for the Treatment of Prisoners, including adequate healthcare, and being put in inadequate overcrowded cells/detention rooms.

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

In 2022, 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. PCHR also documented that many persons who were arrested on political grounds or practicing freedoms of expression and opinion in security services' detention facilities in the West Bank and the Gaza Strip. However, PCHR also received testimonies and complaints from citizens alleging being tortured on criminal or security grounds.

PCHR also documented cases of degrading treatment of citizens by law enforcement officers, including beating, dragging, shooting, arbitrary arrest,

and pepper-spraying. Security services' attacks on peaceful assemblies of freedoms of opinion and expression, or demand-driven protests organized by citizens, constitute the most prominent violation committed by the security services as they used excessive and disproportionate force against civilians. PCHR also documented cases subjected to inhumane treatment by the security officers during law enforcement operations, including arbitrary arrest, house raids and forcible searches, threats, swearing and others.

PCHR documented torture cases in prisons and detention centers in the Gaza Strip on various grounds, most prominently in police stations for detainees on criminal grounds. Also, PCHR documented security personnel's attacks against citizens during arrests, including violent house raids, forced searches, and other forms of cruel treatment, or during law enforcement operations, including dispersal of assemblies that involved shooting and injury of citizens, beating and injuring women and men as well as arrests.

Most of these torture cases occurred on criminal grounds in police stations, while torture cases on grounds of freedom of expression and opinion occurred at the Internal Security office. The torture methods varied, including beatings with batons all over the body, Shabeh (shackling the detainee's hands and legs to a small chair) violent shaking and beating with a plastic hose. The complainant (W.'A.) (27), who suffers from a motor impairment, said that he was subjected to torture at Bani Suhaila police, including handcuffing, blindfolding, shackling up to the room ceiling for two hours, and beating with a hose on the back, shoulders and all over the body.

A citizen also said that he was arrested by the General Investigation Service in Gaza City on grounds of expressing his opinion on social media and then was referred to the Internal Security HQ, where he was detained for nearly two months and subjected to harsh interrogation on security charges. The complainant said that he was subjected to different forms of torture, including beating him with a hammer on the hand, locking both hands between 2 iron bars too tight until swollen, being shackled in the "Bus" (the shabeh Corridor," and being tied to the ceiling for hours, 13 days of sleep deprivation, beating the feet and legs with shoes, Foot whipping (*Falaka*), and head shaving.

PCHR documented excessive use of force cases committed by security services personnel during law enforcement operations that included abuse and violence practiced by members of Municipal police in Khan Yunis while removing a stall from al-Qal'a Yard area in Khan Yunis, south of the Gaza

Strip. On 02 February, the police officers beat (R. Sh.) (25), the owner of a selling hot drinks stall in Khan Yunis, after they verbally altercation during the police officers' attempt to remove the stalls in the middle of the market.

In the West Bank, PCHR documented ongoing practice of torture by the security services' personnel using it as a main method for dealing with prisoners and detainees at the detention facilities in the West Bank. PCHR received affidavits and complaints about detainees being subjected to torture and degrading treatment on political grounds; some of them were arrested for taking part in peaceful assemblies and protests occurred in different areas in the West Bank.

The techniques of torture and inhuman treatment by law enforcement officials varied and included: suffocation, beating with iron bars all over the body, kicking and punching all over the body, and shackling (Shabeh) in different forms.

Father of one of the victims (H.Kh.) (28), from 'Aroua village in Ramallah, said via his lawyer that his son was subjected to torture during interrogation at the General Intelligence Office in Ramallah, including beating and shackling him for hours, after he was arrested on 09 June in his home. Meanwhile, another victim, (A.H.) (28), said that he was arrested on 06 June and cruelly tortured at the General Intelligence office in Ramallah; he was tied up with ropes, binding his hands up in a painful position and hanging him for long hours as well as being beaten on his limbs and fingers with wooden sticks.

The security services in Hebron carried out arrest campaigns. These arrests coincide with the 35<sup>th</sup> Hamas Movement founding anniversary and raided detainees' houses and used violence during the arrests. Detainees were beaten, including (H.A.H) (41) and his son (A) (20) who were arrested at dawn on 12 December from their house in Surif town, west of Hebron, where their family confirmed that member of the joint force raided the house without showing a warrant issued by the Prosecution, violently took the father pulled his hair and grabbed him by force. When his daughter (R) (22) intervened trying to help him, one of the security officers shocked her with an electric shock baton, so she fell on the ground and fainted. As soon as the security car was leaving, it stepped on (R)'s foot while lying on the ground, causing her a foot laceration; as a result, she was taken to Al-Ahly Hospital in Hebron.

## Arrests and summonses on political ground

In 2022, 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. Citizens were summonsed and interrogated or arrested on grounds of opinion and posts on social media.

In the West Bank, dozens affiliated with Hamas Movement and the Islamic Jihad 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 or on grounds of participating in peaceful assemblies organized across the West Bank. The most prominent arrests were conducted by the security services between 12-15 December, targeting dozens of those affiliated with Hamas in the West Bank, including university students and activists on the 35th Hamas Movement founding anniversary. Those arrests were accompanied by use of force during raids on detainees' houses, intimidating their families, and assaulting some with batons and electric shocks.

## Deaths in Prisons and Detention Centers

In 2022, 7 detainees died inside Palestinian security services' prisons and detention facilities, including 4 arrested on criminal grounds and 3 on financial grounds. Of those died; 4 in Gaza Strip: 3 in police detention centers and 1 in a military prison as two of them committed suicide and the other two died due to the deterioration of their health conditions. Meanwhile, 3 detainees died in the West Bank: 2 in police Rehabilitation and Reform Centers, and 1 in the Military Intelligence HQ.

- » On 08 January, (N. Z.) (56), from Hebron, died after referring him from prison to Hebron Governmental Hospital after having a heart attack. The family of the deceased refused to refer the body to the forensic department, and sufficed with the hospital statement and he was buried.

The deceased was arrested on financial grounds.

- » On 22 February, (F. 'A.), who was arrested at Khan Younis Detention and Rehabilitation Center on criminal charge, was pronounced dead shortly after being transported to Naser Hospital in a critical state. The inmate F.'A was found hanging from his neck with a piece of cloth taken from a blanket, that was used as a rope with one end tied to the steel bars on the window as his body was hanging.
- » On 02 April, (S. T.) (50), from Rafah, died at Khan Younis Detention and Rehabilitation Center following a sudden deterioration in his health. He was arrested on criminal grounds.
- » On 05 May (A. M. W.) (39) died in Hebron Governmental Hospital after he was admitted to the hospital from a police detention center in Hebron. (A.M.W) was arrested by police on 30 April 2022 on financial grounds, as he was found hanged with a piece of a blanket around his neck tied to the window guards. On 03 May, he was taken to the Hospital and pronounced dead two days later.
- » On 11 June, (N. H.) (44), from Rafah, was transferred from Ansar Central Prison to Al-Shifa Hospital in Gaza where he was pronounced dead after two days due to acute heart failure. (N. H.) was arrested on 01 November 2021 on criminal grounds.
- » On 16 October, (N. 'A.) (52), was referred from Ansar Military Prison to al-Shifa Hospital where he was pronounced dead as a result of a stroke. The deceased was a retired military officer from Deir Al-Balah and had been detained since 03 September on grounds of "helping and harboring a fugitive". Noting that he did not suffer from any disease.
- » On 19 October, (M. T. B.) (29), from Qalqilya, died inside the Military Intelligence prison in Ramallah after hanging himself. (M. T. B.) was arrested two days before his death by the Intelligence officers on financial grounds as he was referred to the Central Intelligence HQ in Ramallah where he was pronounced dead.

## 4. Palestinian legislative process

The legislature, as an independent and competent authority, is considered the cornerstone of any democratic system. With the absence of the elected PLC and disruption of any opportunity to elect a new one, the chaos of legislations in Palestine continued for the 16<sup>th</sup> year in a row. 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. Although the Constitutional Court's decision for dissolving the PLC, which was met by criticism from the political parties and human rights organizations, called for holding legislative elections within 6 months from the date of issuing this decision, the legislative elections have not been held yet. This step caused legislative fragmentation, reinforced the political division, and institutionalized a state of permanent division between the West Bank and Gaza Strip.

The Palestinian President continued to excessively use his legislative authority enshrined in Article 43 of the PBL, which grants him this authority only in cases of necessity that does not tolerate delay. The Palestinian President abuses his legislative powers, causing a state of instability in legislature due to the many amendments and abolitions by the President due to issuing hasty legislations and not involving stakeholders and civil society in the draft legislation discussions. Meanwhile, the Change and Reform Bloc, affiliated with Hamas, continued to practice a de facto legislative authority in the Gaza Strip on behalf of the dissolved PLC without a legal basis. PCHR and human rights organizations opposed the monopoly of each party over the legislative authority, which has contributed to the fragmentation of the Palestinian legal system, and to thwarting the efforts made since the establishment of PA to unify legislations in the West Bank and the Gaza Strip.

There were hopes that the 2022 Algerian document for Palestinian reconciliation would end the Palestinian political division, and hold elections, as it agreed to hold elections within a year after signing the Agreement on 13 October 2022. However, Hopes vanished after the Agreement was amended in a last minute and the Article regarding regaining the national unity government, which was entrusted with preparing for the elections, was terminated. Following the failure to hold general elections overdue since 2010, which the Palestinian president announced by virtue of a presidential decree on 15 January 2021, due to IOF's refusal to hold them in East Jerusalem.

In 2022, the Palestinian President issued 52 laws by decree, including 28 new legislations and 24 others amending previous legislations. The most prominent of these new legislations issued to abolish legislations amending laws were on the specific performance, Civil and Commercial Procedure Law and Code of Criminal Procedure. These amendments were met with strong criticism from civil society, especially the Bar Association that carried out several strikes to cancel the Amendments which conflict with the public interest. The most prominent amendments stipulated in the law by decree was those relevant to the Palestinian Doctors Syndicate Law, after the law by decree received strong opposition from the Syndicate which also went on a strike to cancel this law. Among the new laws by decree (not amending): 4 were issued to renew the state of emergency which has been ongoing since the outbreak of Coronavirus pandemic in Palestine in March 2020, as well as the general budget law, and the law by decree accrediting the new ministers in the eighteenth government ( the Government of Mohammad Shtayyeh), and other laws by decree regarding administrative matters or the adoption of international conventions.

**In the Gaza Strip,** Change and Reform Bloc continued issuing decisions on behalf of the dissolved Legislative Council, without any legal basis. This year, two laws were published in al-Waqa'l Official Gazette in the Gaza Strip: the amended Law No. 1 of 2022 of the Palestinian Law on the Regulation of Zakat No. 9 of 2008, and the amended Law No. (2) of the Public Retirement Law No. (7) of 2005. Additionally, 7 laws were approved in the Gaza Strip in the first reading and were as follows: The Law Amending the Narcotic Drugs and Psychotropic Substances Law, the Law Concerning the Amendment of the Palestinian Traffic Law, the Shari'a Procedure Law, the Law regulating the jurisdiction of the Legislative Council, the Law Amending the Right to Return Law, the Law on Management and Development of the Endowment Funds, and the Law Amending the Law on the Financial Rights of Chairpersons and Members of Local Councils. Also, the Council discussed in 2022 several draft laws, most prominently a new Personal Status Draft Bill which was widely criticized by civil society organizations as it came to perpetuate the shortcomings of the old law.

## 5. Independence of the Judiciary

The independence of judiciary serves a foundation for the democracy and rule of law, which contributes to achieving stability and peace in the societies. The Palestinian Basic Law and international standards binding on the State of Palestine guarantee the independence of the judiciary



and separation of powers. In 2022, the Palestinian judiciary was exposed to further interference by the executive authority in the West Bank and Gaza Strip, as the Palestinian President issued a decree appointing himself as the head of “the Higher Council of Judicial Authorities and Bodies”. Subsequently, the Palestinian civil society, through a movement led by the Palestinian Bar Association, managed to repeal three laws by decree issued by the Palestinian President in June 2022. These decrees were relevant to judicial affairs and were issued without consulting the Palestinian Bar Association and civil society organizations nor considering the judicial work requirements. On the other hand, the division in the judicial authority between the West Bank and Gaza Strip continued, as the de-facto authorities in Gaza, without having a legislative authority, formed a judicial system in Gaza and appointed judges and prosecutors in violation of the Palestinian Law, particularly the PBL.

In October 2022, the Palestinian President issued a decree to form a new council under the name of “the Higher Council of Judicial Authorities and Bodies” headed by himself, in a serious precedent, giving himself absolute authority, as all authorities in Palestine have become under his effective control. Subsequently, PCHR issued a press release condemning this step and considered it as a serious blow to the last pillar of judicial independence, which is considered a safety valve for stability and civil peace as well as one of the most important pillars of democracy and safeguards of human rights. PCHR emphasized that the decree violates, in form and substance, the Palestinian Basic law, principle of legality and all constitutional norms, and is a grave breach of Palestine’s obligations, particularly under Article (14) of the International Covenant on Civil and Political Rights (ICCPR) and the 1985 UN Principles on the Independence of the Judiciary. This decree crowns a long history of the executive authority’s interference into the judicial authority, which has been on the rise since the Palestinian political division in 2007. There were several forms exposing the executive authority’s intervention in Judicial authority, including the overthrowing of the Former Head of the Higher Judicial Council, Sami Sarsour, in 2016, dissolving the Higher Judicial Council in 2019 through a presidential decree, and assigning a transitional one under the pretext of judicial reforms. This was a serious step under which a number of judges were dismissed.

On the other hand, the Palestinian civil society, through a movement led by the Palestinian Bar Association, managed to repeal three laws relevant to judicial affairs. The President issued three laws by decree: Law by Decree No. 7 of 2022 Concerning the Amendment of the Law of Penal Procedure No.

3 of 2001, Law by Decree No. 8 of 2022 on the Amendment of the Code of Civil and Commercial Procedure Promulgated by Law No. 2 of 2001, and Law by Decree No. 12 of 2022 on the Amendment of the Law of Execution No. (23) of 2005. The Palestinian Bar Association led a movement that continued for 40 days before the President's issuance of a law by decree to repeal on 08 August 2022.<sup>47</sup>

In the Gaza Strip, the judiciary also suffers from the executive authority's interference on the one hand and withdrawing the civil judiciary powers in favor of the military judiciary on the other hand. Also, Gaza authorities continued the trial of civilians before the military judiciary, as the 2008 Military Justice Law issued by the Change and Reform Bloc in the Gaza Strip allows the trial of civilians before the military judiciary upon the Minister of Interior's approval. One of the most prominent cases reflecting this policy was the issuance of a death sentence against a person accused of drug dealing in a dangerous precedent, which was not the first of its kind, as a similar death sentence was issued in 2017. The trial of civilians before the military judiciary is considered a violation of the Palestinian Basic Law, particularly Article (30), which stipulates that, "Filing an action before a court shall be a protected and guaranteed right for all persons, and every Palestinian has the right to resort to his natural judge".

The Higher Judicial Council in the Gaza Strip created a Higher Criminal Committee at the Court of First Instance in Gaza. According to the Head of the Higher Judicial Council in Gaza, Diaa al-Madhoun, this committee is mandated to consider "all murder crimes, drug dealing and possession crimes, corruption offenses (employees), in addition to other crimes that require a decision from the Head of the Higher Judicial Council to be referred for consideration. Al-Madhoun clarified the committee aims at "achieving public deterrence by adjudicating public opinion issues, issuing aggravating penal provisions against criminals, and thus maintaining the stability of the society.<sup>48</sup>" It is worth noting that since the establishment of this committee, there was an unprecedented acceleration in the issuance

47 PCHR: Presiding Over All Authorities: Palestinian President Appoints Himself Head of Judicial Bodies and PCHR Demands His Immediate Repeal. See link: <https://pchrgaza.org/en/presiding-over-all-authorities-palestinian-president-appoints-himself-head-of-judicial-bodies-and-pchr-demands-his-immediate-repeal/>

48 The Higher Judicial Council, news, the judiciary discusses mechanisms to activate the Higher Crimes Committee: <https://www.hjc.gov.ps/ar/%d8%a7%d9%84%d9%82%d8%b6%d8%a7%d8%a1-%d9%8a%d9%86%d8%a7%d9%82%d8%b4-%d8%a2%d9%84%d9%8a%d8%a7%d8%aa-%d8%aa%d9%81%d8%b9%d9%8a%d9%84-%d9%87%d9%8a%d8%a6%d8%a9-%d8%a7%d9%84%d8%ac%d9%86%d8%a7%d9%8a%d8%a7/%3E>

of death sentences in Gaza.

**Also, it should be noted that the Palestinian judiciary has been divided since the division occurred in 2007 when the judiciary suspended its work in the Gaza Strip following the Gaza Government's interference (the de facto government that ruled the Gaza Strip following Hamas takeover.** The Gaza de facto government then unconstitutionally appointed new judges, and the courts immediately returned to work but with a new cadre that was illegally appointed. Therefore, there are now two totally 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.

## **6. Obstruction of General and Local Elections**

This year ended and the Palestinians did not hold general elections (legislative and presidential) since the last legislative elections were held in 2006. Holding general elections to elect a president and a legislative council has become more urgent than ever, especially in light of the constitutional court's decision in 2018 to dissolve the PLC that had been disrupted for 15 years and had not exercised its oversight role since then. The division parties since then have practiced their legislative powers each in their controlled area, as the President issues laws by decree in the West Bank, while the Change and Reform Bloc practices legislations in the Gaza Strip on behalf of the Legislative Council.

It was supposed to hold general elections (legislative and presidential) in 2021 upon a presidential decree, according to which legislative 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.

On 29 April, 3 weeks before the date set to hold the legislative elections, 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 emphasizes that holding general elections in the oPt with the participation of Palestinians in occupied Jerusalem in the elections, as candidates and voters, is a must just as the elections that were held in 1996, 2005 and 2006 elections. PCHR also calls on all Palestinian factions to work together to emphasize the right of Palestinians in Jerusalem to participate in the elections, as it has radical political connotations relevant to Palestinian national rights and right of Palestinians in Jerusalem in the face of the Deal of the Century, Judaization plans, creation of irreversible facts and the ethnic cleansing crime against the Palestinians in the City.

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 second stage of local council elections was held on 26 March for local councils classified (A) and (B) in the West Bank and for the local councils where no elections were held in the first phase. It should be noted that the first phase of the local council elections was held on 11 December 2021 for 154 local councils classified (C) in the West Bank, and Hamas was not involved.

According to the Palestinian Cabinet's decision in September 2021, it was supposed that the second stage of elections includes local councils classified (C) in the Gaza Strip, but there was no consensus on holding the elections. The CEC received a response from the Hamas Movement on their position from holding local elections scheduled on 26 March 2022. In their response, Hamas emphasized that there are some political matters that the movement saw essential for their approval of the Local Elections. These matters included written guarantees to hold the Elections as previously decided. The other matter was about the Elections law; more specifically the cancellation of forming the Elections court and returning the mandate of adjudicating appeals to the courts of First Instance in the West Bank and Gaza. In light of this, CEC Chairman, Dr. Hanna Nasir replied to Hamas; indicating that these demands are political, and require addressing the political level and that the CEC does not have any mandate to decide on any of the matters. Dr. Nasir added that until this happens, the CEC considers the meaning of Hamas's position to be that the Local Elections cannot possibly be currently held in Gaza, especially since time is passing by.

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 2022, 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 due to the disruption of the local elections 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 considers that all Palestinian parties bear full responsibility for the disruption of holding elections consecutively to date in all councils in the West Bank and Gaza Strip. Also, PCHR reminds that the last time the Palestinian parties had agreed on hold local council elections was in 2017, but it was set aside due to judicial election disputes and challenging the constitutionality of the Gaza Strip Courts. On 03 October 2016, the Supreme Court in Ramallah ordered local elections in the West Bank but excluded the Gaza Strip.

This dilemma had been solved after the Palestinian President issued a presidential decree to amend the Elections Law on 09 January 2017. According to this amendment, a court in local election matters was established to adjudicate appeals against CEC's decisions and challenges against the election results, similar to general elections. PCHR considered that establishing this court removed one of the main obstacles of holding local elections and was an end to this crisis.

## **7. Freedom of Opinion and Expression**

Freedom of opinion, including freedom of access to information, is one of the hallmarks of democracy and indispensable condition for humans to enjoy other rights. This right is among other rights binding for the authorities in Palestine according to Article 19 of the ICCPR, which Palestine has acceded to since 2014. In 2022, restrictions on the freedom of opinion and expression continued in Palestine, maintaining stable status of deterrence triggered by the constant suppression of freedom of expression, which has escalated since the Palestinian political division in 2007. One of the most prominent violations committed this year was the Palestinian Cabinet's discussion of the 2022 Draft Regulation on Licensing Media Institutions, which included many restrictions on the journalistic work. This year, PCHR noticed a decrease in the number of documented violations against freedom of expression comparing to previous years. However, this decrease does not

reflect any improvement on freedom of expression in the Palestinian society but reflects the state of self-censorship exercised by the opinion makers and journalists, who avoid issues that may outrage the authorities. This analysis can be confirmed through the follow-up of the cases that had been exposed to violations, as the authorities' criteria of suppression of freedom of opinion still consider merely criticizing the authorities or being in places of demonstrations as a justification for their violations. Also, the authorities use torture and inhuman and degrading treatment to deter freedom of expression, including beating, shackling (Shabeh) and insulting opinion makers during arrest or interrogation. One of the most prominent forms of mental torture that have been used against activists was confiscating their cellphones and forcibly accessing and publishing their personal data aiming to discredit them through character assassination as well as the recurrent summonses of opinion makers.

The laws which restrict the right to freedom of opinion and expression are still applicable in the West Bank and the Gaza Strip, particularly the 1995 Press and Publication Law and 2018 Cybercrimes Law along with the two Penal Codes applicable in the West Bank of 1960 and the Gaza Strip of 1936 that all include articles to undermine the freedom of journalistic work and opinion-makers. Moreover, absence of the PLC and an independent judiciary have contributed to this situation for 15 consecutive years, 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.

In 2022, the Draft Regulation on Licensing Media Outlets was recently presented before the Palestinian Cabinet as alternative for the current regulation issued in 2018. The draft has included 63 articles, meaning it is more detailed than the previous regulation, which included only 25 articles. The draft has also addressed new matters that were not included in the current regulation, such as those related to electronic media outlets and social media. The regulation has also violated the principle of legitimacy, as it was not based on legislation. It also includes many arbitrary restrictions on media outlets' licensing and imposed several conditions that make this right only available for those with considerable financial means. The regulation has also imposed many restrictions on the media content through using loose phrases that allow widescale restrictions on media content under the pretext of protecting national unity, public interest, and Palestinian customs and traditions. Such type of restrictions violates Palestine's obligations

under Article 19 of the ICCPR.

In the same context, 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 following are the most prominent cases monitored by PCHR:

- » On 06 November 2022, human rights activist, Mohammed al-Telbani, said that he was summoned by the police in Gaza on grounds of his posts on social media. He was released on the same day after signing a pledge not to offend Hamas and its government in Gaza and not to misuse technology.
- » On 08 June 2022, a photojournalist at J- media agency, Laith Ja'ar, said security officers in civilian clothes assaulted him and broke his camera and other equipment while he was covering an event in Nablus.
- » On 16 May 2022, a journalist at al-Kofia TV, 'Amr Al-Tabash, said that he was severely beaten by the police in Khan Yunis while on duty.
- » On 03 July 2022, a journalist at Amad News Agency, Safinaz al-Louh, said that she was summoned and interrogated by the General Investigation Service in Gaza on grounds of her journalistic work.
- » On 18 January 2022, Mar'l Basheer, was summoned by the internal security service in Dir al-Balah and was interrogated about his posts on social media.

## 8. Violation of Right to Peaceful Assembly

This year witnessed ongoing deterioration of the right to freedom of peaceful assembly in the West Bank and Gaza Strip, in violation of the PBL and international conventions binding on the State of Palestine, including imposing preemptive measures to ban or restrict peaceful assemblies, each in their controlled areas. Officials continued to implement official decisions and circulars based on the executive regulation of the Public Meetings Law no.12 of 1998, which imposes restrictions on peaceful assembly (public meetings) in the areas, in violation of the same law, most notably the necessity of organizers' obtaining a permit from the police or the governor instead of notifying them according to law.

During the year 2022, the two authorities blatantly impeded citizens' right to peaceful assembly by preventing them from holding before or during the assemblies, violating the Palestinian Basic Law, Public Meetings Law and the relevant international conventions binding to the State of Palestine, which has accordingly become bound to protect this right and take all necessary measures to protect it. In some cases, the two authorities dispersed assemblies by force, such as shooting, injuring citizens, beatings, and arrests.

The two authorities continued to use double standards when dealing with citizens' right to peaceful assembly in each area as they allowed peaceful assemblies, which are not against their policies, to be held smoothly with all means of support and protection, while they mostly prevented the organization of peaceful assemblies against their policies and even imposed restrictions on holding such assemblies. They usually disperse these assemblies by force such as arrests, shootings, beatings and others.

Besides, no measures were taken by the authorities in the West Bank and Gaza Strip in 2022 neither at the policy level nor at the legislation level in a way that would end the restrictions imposed on the right to peaceful assembly and give citizens more space to enjoy this right.

Overall, the cumulative restrictions on the right to peaceful assembly by the two authorities in the West Bank and Gaza Strip over the past years have led to self-imposed restrictions, causing a noticeable decline in forms of opinion expression among citizens, including peaceful assemblies. These restrictions created a form of self-censorship when citizens practice their right to peaceful assembly, for fear of security services' oppression.



In 2022, PCHR documented cases where force was used to disperse peaceful assemblies, or to prevent holding peaceful assemblies in the West Bank and Gaza Strip.

In the West Bank, PCHR documented the security services' assaults on protesters in peaceful assemblies, the most prominent case was the attack on student sit-in at An-Najah University in Nablus by university security officers and gunmen dressed in civilian clothes on 14 June. The university security officers assaulted a group of students during a protest organized in the university campus jointly with gunmen in civilian clothes believed to be university-affiliated security officers. Moreover, the university security officers assaulted Dr. Naser al-Deen al-Sha'er, member of the University teaching staff, while he was trying to settle the dispute and stop the security's assault on the students. A university female student (A. 'A.) said that about 30 university security officers assaulted and pepper-sprayed male and female students who organized a sit-in in the university campus. They also beat and dragged some of the students and forced them out of the university. She added that one of the security officers attacked her and pepper-sprayed her face, causing severe suffocation.

Meanwhile, the Ministry of Interior banned holding the "Popular Conference – 14 Million" in Ramallah, which was supposed to be simultaneously held in various areas inside and outside Palestine on 05 November. On 30 October, the police informed the Municipality of Ramallah of banning the Conference as it was supposed to be held at the municipality's theatre, despite completion of all arrangements, forcing the municipality to cancel the reservation. The conference organizers had to announce holding it at the Popular Alliance in the Bisan Center for Research and Development at Al-Masyoun neighbourhood in Ramallah. However, the security services prevented the organizers from entering the Centre and arrested 'Omar 'Assaf, a member of the conference's preparatory committee, when he was on his way to the conference, and detained him for several hours.

**In the Gaza Strip,** PCHR documented the security services' attacks on peaceful assemblies and use of force to disperse them, most prominently on 09 June 2022 when the police suppressed a protest organized against the removal of encroachments on a government land in the Bedouin Village, north of the Gaza Strip. The police fired live bullets to disperse the protestors who threw stones at the police. As a result, four Palestinians sustained bullet wounds; one was in serious condition. Moreover, many others sustained bruises and fractures all over their bodies after being beaten by police

officers. Additionally, two police officers sustained an incised injury in the head and bruises due to the villagers' assaults and stone-throwing. The police heavily deployed in the area, declared it as a closed military zone and imposed a curfew in the village after arresting around 50 persons and they are pending investigation.

PCHR also documented the security services' ban to organize an event in solidarity with the detainees in the Israeli prisons; Nasser Abu Hmaid and Khaled Abu 'Amsha, on 21 September. The event was supposed to be held in the house yard of Fatah secretary in Beit Hanoun. Although the security services was informed by the organizers to hold the event inside the house not in the street, they insisted on the ban decision.

In addition, the authorities in Gaza impose additional restrictions on peaceful assemblies, as the organizers must obtain a permit from the Ministry of Interior for any gatherings held in closed place, in violation of the law, as such gatherings, workshops, and seminars are private gatherings and do not fall within the 1998 Public Meetings Law No. (12).

**The most prominent violations were as follows:**

- » On 27 November, the Tourism Investigation Police prevented the Women's Studies Center from holding a workshop at Cedar Restaurant in Gaza City allegedly for not having a permit.
- » On 08 December, the Tourism Investigation Police demanded the Independent Commission for Human Rights to end its human rights activity, on the occasion of Human Rights Day, at Rashad Shawa in Gaza City, allegedly for not having a permit.
- » On 11 December, a Tourism Police officer raided an event organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Lighthouse Restaurant in Gaza City to commemorate the Universal Declaration of Human Rights, noting that the event was attended by human rights organizations and civil society organizations (CSOs.) The police officer ordered the organizers to call off the event allegedly for not having a permit from the Ministry of Interior to hold it; however, after ensuring that all necessary procedures were followed, the event continued.

## 9. The Right to Form Associations

The right to freedom of association is of the fundamental rights codified in the two International Human Rights Covenants. Realizing individuals' right to form associations including NGOs, cooperatives, charities, and non-profit companies, is considered one of the most prominent indicators that there is an 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 has imposed systematic restrictions on associations, particularly their right to obtain funding and practice and manage their activities freely. Civil society in Gaza is particularly subject to double and increased restrictions by the authorities in Gaza and the West Bank. This year witnessed further restrictions, including the amendment to the non-profit companies' regulation upon a decision issued by the Palestinian Cabinet, which imposed excessive restrictions on the work and funding of non-profit companies, under the pretext of fighting terrorism.

### First: issuance of the Non-Profit Companies Regulation No. (20) of 2022

The Palestinian Cabinet issued a new regulation on non-profit companies, which includes many restrictions on the work and funding of these companies, which is one of the forms of the right to freedom of association in Palestine. This regulation, which was published in the issue 194 of the Palestinian Gazette on 25 September 2022, included serious restrictions that threaten the existence of CSOs registered as non-profit companies. This regulation was issued without consulting with CSOs and without considering the work reality and requirements. The new regulation, which has replaced the old one in force since 2010 and the cabinet's decision attached to it in 2016 concerning the funding of non-profit companies<sup>49</sup>, came to add more restrictions on the right to form non-profit companies, as the old regulation included many restrictions. The regulation was issued under the pretext of fighting terrorism and money laundering.

The regulation contradicts the State of Palestine's declared trends, which were expressed through its accession to the ICCPR, and also contradicts the 2003 Palestinian Basic Law and its amendments, which in Part Two guarantees the Palestinians, individuals and groups, the right to political participation, which may be through forming and establishing associations, unions, or popular institutions. The regulation goes beyond the idea of

<sup>49</sup> PCHR, legal review, Shrinking Space: Government Restrictions on Non-Profit Companies Funding in Light of International Standards. See link: <https://pchr.org/en/shrinking-space-government-restrictions-on-non-profit-companies-funding-in-light-of-international-standards/>

censorship to reach the stage of a punitive system, as it gives the Ministry of Economy and the Cabinet absolute powers over non-profit companies, not only in terms of censorship, but by imposing penalties as well. The new regulation has also placed great burdens on the administrative work of the non-profit companies by requiring many reports, including monthly reports. The regulation violates the principle of the right to funding, which is a main part of the right to form associations. The regulation also includes provisions that jeopardize the right of non-profit companies to freely exercise their activities and manage the company in a way commensurate with their objectives.

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

More arbitrary measures were imposed by the authorities in the West Bank and Gaza Strip on associations, threatening the associations' right to exist, practice its activities freely, and obtain funding. 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. Also, increased restrictive measures are imposed on the associations in the Gaza Strip due to the double restrictions imposed by the two authorities in Gaza and the West Bank.

The adoption of a unified electronic system for the NGOs continued in the Gaza Strip. This system obliges the associations to enter all the associational information, activities and data as well as getting 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, illegal and high fees relevant to the associational measures continued as they were imposed by the Gaza De Facto Government in 2018.

On the other hand, the authorities in the West Bank continued to impose arbitrary measures on associations operating in the Gaza Strip, including approving aid lists by the Ministry of Social Development before distribution, a measure that was imposed by the de facto authority in the Gaza Strip, and is now required in a double manner by the authorities in the West Bank and Gaza. This constitutes an infringement on the associations' freedom of the right to practice their activities, especially relief activities, which serve a large segment of the Gaza Strip population amid a deteriorating economic situation. The circular issued in the West Bank, which obliges 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 the bank accounts of many associations in the Gaza Strip as they delayed fulfillment of these measures or refused to obey orders relevant to changing members of the BOD for their political grounds. Many associations were late in fulfilling their financial obligations due to these arbitrary measures, which threatened their ability to continue to operate.

## 10. Persons with Disabilities' Rights in the Gaza Strip

In 2022, the suffering of persons with disabilities continued as a result of being denied of basic health and educational services, as well as in-kind and financial support due to the impact of the ongoing restrictions on freedom of movement and the closure of crossings, 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.

The Israeli-imposed closure ongoing for 16 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 families, who have lacked rehabilitation and social care services and health and educational services in addition to threats and difficulties facing the persons with disabilities in general, and mobility disability in particular during Israeli offensives on the Gaza Strip, and the difficulty of evacuating them from dangerous areas or threatened civilian houses.

The Palestinian internal division hinders implementing the Palestinian Law No. 4 of 1999 regarding the rights of persons with disabilities and deprives such a significant group 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 according to Government Health Insurance System for Persons with Disabilities No. (2) of 2021.

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 and their realization of their rights guaranteed by the Convention, especially that the number of persons with disabilities has increased over the past years due to Israeli violations in the West Bank and ongoing offensives on the Gaza Strip, which have inflicted hundreds of amputation and disability cases.

The governmental and private facilities are responsible for providing healthcare services for persons with disabilities. The Ministry of Social Development is the competent authority of this category, despite the complexity of the needs of persons with disabilities, especially the healthcare services provided for their disability, and social and economic needs, including the right to work, social security and social integration. It should be noted that 27% were unable to access basic healthcare services during the lockdown due to COVID 19 pandemic, which indicates that the official multi-sectoral approach to the health rights of people with disabilities has not risen to the level of realizing economic and social rights.<sup>50</sup>

Until now, the Palestinian law dealing with issues of persons with disabilities has been limited to generalities, as it lacks clear mechanisms and unified criteria between service providers and relevant committees in determining the type and level of eligibility and financial coverage for various services. The law requires a 60% disability and incapacitation rate so the coverage can be entitled, as this rate has been determined by committees that lack standardization or a level of specialization that allows a fair assessment of each disability case, which leads to a clear and random deprivation in the estimates of the disability percentage and, accordingly, the eligibility to obtain the available services.

Also, persons with disabilities have difficulty obtaining assistive devices and medical supplies, which are not included in the basket of medicines and medical supplies available in health facilities and are obtained through the Palestinian Ministry of Social Development (MoSD), the relevant CSOs,

<sup>50</sup> PCBS 2021 press release on the occasion of the International Day of Persons with Disabilities, <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4123>

donors, or charitable associations. This aspect suffers from a high level of deficiency, deprivation, and dependence on philanthropists to provide these devices and supplies, which may lead to jeopardize the dignity of the persons with disabilities.

The suffering of persons with disabilities along with others benefiting from the cash transfer program continued due to the non-disbursement of social affairs dues, which continued for 20 months before the resumption of payments in October. As a result, many of them had to stop going to schools or rehabilitation centers due to the difficult living conditions of their families who live in extreme poverty and are unable to meet their basic needs.

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%.) The Central Elections Committee indicated that the number of persons with disabilities whose names are included in the voter registry is more than 52,000, (constituting around 2% of the total number of people registered from all over Palestine).

The Data also indicates the unemployment rate among persons with disabilities was 37% (19% in the West Bank and 54% in the Gaza Strip), while the participation rate of women with disabilities in the labor force constituted 2% compared to men with disabilities constituting 23%<sup>51</sup>. This data shows a large gap between the reality of persons with disabilities in Palestine and their rights guaranteed by domestic and international laws.

The importance of updating the statistics of persons with disabilities in Palestine<sup>52</sup> has become clear in order to develop intervention plans and programs that meet the services needed by this significant category. Moreover, it is hoped that positive changes will be achieved to develop policies and laws that enable persons with disabilities to enjoy all their rights, based on the availability of accurate statistics of their numbers all over the Palestinian governorates.

51 " PCBS: The International Day Of Persons With Disabilities, 2019, <https://www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3607>

52 \* The latest statistic survey on the persons with disabilities was conducted by the Palestinian Central Bureau for Statistics in 2011.

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

The Palestinian political division has entered its 16<sup>th</sup> year in a row, worsening the living conditions of 2.2 million Palestinians. Throughout the political division years, which started in June 2007, the division parities imposed many economic measures and procedures, such as issuing administrative and political decisions that burdened the people in Gaza.

### The deterioration of economic and social conditions in the Gaza Strip

This year, the deterioration of economic and social conditions in the Gaza Strip continued due to the political division which deprived new generations of applying for official public posts without discrimination based on political affiliations. In addition to the Israeli-imposed closure on the Gaza Strip, the Palestinian political division led to a drastic rise on the unemployment rates, recording 44% i.e., with 223,000 unemployed workers.<sup>53</sup>

Families receiving allocations and assistance under the social protection program 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 for 20 months. Although the program was resumed in October 2022, the Ministry did not compensate the poor beneficiaries for the unpaid dues and only disbursed one payment of their allocations in 2022. Moreover, the political division worsened poverty rates particularly among the marginalized and low-income families as in Gaza the poverty rate reached 53% among the individuals, and 68.2% of the Strip's population suffer from food insecurity<sup>54</sup>.

Hundreds of PA employees continued to suffer from illegally withholding salary payments on political grounds, including employees in the health and education sectors, and the allocations for prisoners and their families. These measures have reflected in the level of government services provided for citizens in various sectors, most importantly the health and education sectors. The residents of the Gaza Strip have also 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.

53 PCBS: Press Release on the Results of the Labour Force Survey for the Second Quarter 2022, <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4294#:~:text=The%20participation%20rate%20in%20the,Bank%20during%20the%20same%20period.>

54 PCBS: Indicators <https://www.pcbs.gov.ps/site/881/default.aspx>



The political division has also clearly impacted the economic conditions in the Gaza Strip when comparing the conditions of Gaza Strip population with those of the West Bank. According to PCBS, the unemployment rate in the Gaza Strip reached 44% while in the West Bank 14% while the unemployment rate among young graduates of intermediate diploma holders and higher reached 48% (72% in Gaza and 29% in the West Bank.)

The monthly minimum wage in the Gaza Strip was (710 NIS) compared with (1,412 NIS) in the West Bank <sup>55</sup>, which is way less than the minimum wage (1880 NIS) that is legally set. The percentage of wage employees in the private sector who receive a monthly wage less than the minimum wage in Gaza Strip was about 88%, while the percentage in the West Bank was 20%.<sup>56</sup> It is worth mentioning that in August 2021, the Palestinian Cabinet issued a decree stating the minimum wage to be (1,880 NIS) as of the beginning of January 2022.<sup>57</sup>

Moreover, PA-imposed punitive measures on the Gaza Strip continued in 2022, 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.

### The worsening health conditions in the Gaza Strip

The healthcare system in Gaza suffers from two separate administrations in struggle of power triggered by the ongoing political division (one is affiliated with the government in Ramallah and the other is affiliated to the Administrative Governmental Committee in the Gaza Strip). This caused many real crises that affected citizens' health rights.

Due to the ongoing Palestinian political division, the health system in the Gaza Strip faced many challenges and crises, the latest was the work abstention enforced by a number of doctors at the Military Services

55 PCBS: Press Release on the Results of the Labour Force Survey for the Second Quarter 2022, <https://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=4294#:~:text=The%20participation%20rate%20in%20the,Bank%20during%20the%20same%20period.>

56 Ibid

57 Ibid

Hospitals, along with the political bickering over the reasons for their work cessation in 2022. Administratively, these doctors follow the instructions of the Ministry of Health in Gaza while they receive their salaries from the Palestinian Government in Ramallah. The number of those who work at the Ministry of Health in the Gaza Strip is 5,600 employees, including about 600 physicians and 350 specialized doctors, while the rest work in ancillary health fields such as laboratories, x-rays, anesthesia and nursing. They provide health services to more than 3,500 patients per day in 13 hospitals affiliated with the MOH.<sup>58</sup>

The dramatic and growing shortage of specialized medical personnel in Gaza Strip hospitals renders the operation of the public health system unstable and in constant challenge especially during crises and emergencies. Thus, the number of patients referred for treatment abroad has increased and requires Israeli-issued permits to exit via Beit Hanoun “Erez” crossing to reach the West Bank hospitals, including East Jerusalem.<sup>59</sup>

Non-allocation of sufficient budgets to the Palestinian MOH as a result of the Palestinian political division is the main factor in exacerbating the shortage of specialized medical personnel, and the reason for the absence of plans to develop civil service systems applicable to healthcare workers in order to attract and motivate them financially, including training and continuing education, participation in scientific conferences to improve the quality of healthcare services provided to citizens. The employees at the Gaza Strip hospitals receive 60% of their salaries, which are already low, increasing the immigration of distinctive medical personnel from the Gaza Strip, especially doctors who hold rare medical specialties, as they leave their work at the Gaza Strip hospitals, to join better-paying jobs outside the besieged Gaza and the countries, which suffer from a shortage of specialized doctors, offer them many incentives to work in their hospitals.

The poor coordination between the division parties caused a chronic shortage of medicines and medical supplies; accordingly, the central warehouses suffered acute shortage of the essential drugs list; as the number of drugs categories at zero stock has reached 219 out of 522, with a 42% deficit rate, while the number of categories that suffice for less than 3 months has reached 62. Additionally, the central warehouses have serious shortage of the essential medical supplies list; as the number of categories at zero stock has reached 172 out of 853, with a 20% deficit

58 An interview by PCHR’s researcher with Dr. ‘Imad Al-fayoumi, Director of Physicians in the General Administration of Hospital at MOH, on 11 January 2022.

59 WHO, Report on “Health conditions in the occupied Palestinian territory”, P. 7, 20 May 2022, WHO.

rate, while the number of categories that suffice for less than 3 months has reached 110.<sup>60</sup>

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60 General Directorate of Pharmacy Report: "Reality of Medicine and Medical Consumables in the Gaza Strip." June 2022

## Part II:

# PCHR 2022 Organizational Report

In Part I of the report, PCHR presented a detailed overview of the human rights situation in the oPt in 2022, reflecting a complex and challenging environment where PCHR and human rights organizations work not only due to the ongoing deterioration of the human rights situation but also due to IOF's direct targeting of the human rights organizations and attempts to delegitimize them. This year was marked by unprecedented and serious escalation in this regard when the Israeli occupation authorities closed 7 Palestinian CSOs, including 3 leading human rights organizations.

PCHR continued to implement its 5-year strategic plan 2020-2024 and succeeded in making significant breakthroughs in its battle against the occupation's endeavors to delegitimize it. During this year and after a struggle of a whole year, PCHR managed to resume EU funds to its projects in August 2022 after their suspension on 08 May 2021 due to systematic smear campaigns conducted by the Israeli occupation authorities and extremist rightwing organizations against PCHR when one of the Centre's most important projects relevant to the right to health was suspended; however, PCHR could resume it after proving to the EU the fallacy of the Israeli baseless allegations. PCHR managed that situation efficiently not only to resume the funding, which is vital to PCHR, but also for preserving PCHR's credibility to ensure the effective monitoring and documentation of human rights violations and exposure of the Israeli crimes. This constituted a new blow to the Israeli attempts to undermine the work of the human rights organizations as PCHR could successfully restore its full partnership with the EU, which funded a new project with PCHR before ending the current project.

In a new international recognition of PCHR's leading role in human rights work and prosecution of the Israeli criminals, PCHR's Director, lawyer Raji Sourani, received the 2022 Honorary Human Rights Award by the Association for Human Rights for Spain (The Asociación Pro Derechos Humanos de España- APDHE). The award is granted to outstanding human rights defenders for their tireless work in the defense and promotion of human rights in all parts of the world. APDHE was established on 14 March 1976 and is the first organization directed to the defense and promotion of



"PCHR's BOD Meeting



PCHR's Program Committee Meeting



PCHR's General Assembly Meeting

human rights in the history of Spain. APDHE focuses with its work on the human rights situation in Spain and other parts of the world, with a special focus on the situation in the oPt.

PCHR effectively managed to respond to developments in the field, particularly the Israeli offensive on the Gaza Strip from 05 to 07 August, when PCHR monitored and documented all the International human rights law and international humanitarian law violations committed during the offensive and built legal files to represent the victims. During the year, PCHR played a role in achieving a progress in various human rights issues and accomplishing its strategic plan, which was formulated through a participatory process that lasted for months and was the outcome of intensive and effective discussions that engaged PCHR staff, management, and programs. The discussions focused on PCHR's vision, mission and work strategies within a 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.

PCHR also continued its lobbying and advocacy activities at the international level, primarily to exert pressure on the ICC to initiate its investigations into the Israeli crimes committed in the situation of Palestine. PCHR launched two international advocacy campaigns in the Hague, where several meetings and workshops were organized with politicians and international human rights activists; most notably, the speech of Raji Sourani, PCHR's Director, during the 21st session of the Assembly of High States Parties to the Rome Statute in the Hague. PCHR also recruited technology to communicate and network with international bodies and partners all over the world.

PCHR focused an important part of its work in 2022 on children within a program it has launched since 2021 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. During the year, PCHR managed to empower children's right to political participation through various activities and significant events, where they met with officials and decision-makers.

In terms of resource mobilization, PCHR succeeded in securing funding for its work despite the global funding crisis that ensued with the war on Ukraine and the COVID-19 pandemic consequences. 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.

On the other hand, the Israeli occupation continued to persecute human rights defenders in the oPt. This year was marked with unprecedented incident when 7 Palestinians CSOs were closed, including organizations that are strategic partners with PCHR. This step aimed at intimidating the Palestinian organizations, particularly human rights organizations, to deter them from practicing their role in documenting and monitoring the Israeli violations and prosecution of the Israeli war criminals in various international forums. In the same context, the smear campaigns led by the Ministry of Strategic Affairs in Israel continued 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 2022 in accordance with its new five-year strategic plan. The report provides a description of 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.

## 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 breach 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 work at the ICC continued by exerting pressure on the court to initiate the investigations from one hand and preparing the legal files to represent the victims on the other hand.

#### **Output 1.1.1.1: Legal submissions drafted, and cases filed before the ICC and under UJ, based on evidence collected by PCHR Staff.**

PCHR defended the victims of the Israeli occupation crimes in the oPt, particularly those impacted by the Israeli military aggression on the Gaza Strip in August 2022 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**

- » 8 legal files prepared pertaining to the August 2022 offensive.
- » 491 legal files under follow-up
- » 181 legal consultations conducted.



### Output 1.1.1.2: Qualified young lawyers trained in IHRL, ICC and UJ

PCHR maintained its plan to train HRD lawyers to have sufficient knowledge in the local and international legal remedies under the Bertha Justice Fellows Program. This year PCHR supported lawyers' skills and engaged them in PCHR's work in building legal files. The trainee lawyers also 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.



PCHR's Director, Raji Sourani, Meets with Bertha Justice Fellows.



Bertha Justice Fellows meet with a Spanish delegation.

### **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. In 2022, the International Commission of Inquiry, which was formed by the Human Rights Council on 27 May 2021 to investigate crimes and violations in the oPt as well as the causes and roots of the Palestinian-Israeli conflict, submitted its first report to the Human Rights Council and the United Nations General Assembly (UNGA). In the report, the Commission affirmed the illegality of the Israeli occupation, practicing racial discrimination against the Palestinian people and committing practices that amount to war crimes and requested the UNGA to ask for an advisory opinion from the International Court of Justice (ICJ) related to the Israeli occupation of the Palestinian territory. On 30 December 2022, the UNGA adopted a resolution, which was approved with 87 votes in favor, requesting the ICJ to weigh in on the “legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination. On 15 December, the UNGA issued a resolution affirming Palestinians’ right to self-determination. Additionally, on 12 December 2022,

a resolution was issued by the UNGA confirming the illegality of Israeli settlements in the oPt. On 30 November, three resolutions were issued by the UNGA urging the UN secretariat to exert efforts in order to monitor Israeli violations against Palestinian people and make sure that the latter are enjoying their rights.

### **Output 1.1.2.:1 PCHR advocacy office established in Europe.**

This output was not executed in 2022 for funding reasons due to the war on Ukraine and the consequences of 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 executed several initiatives and activities internationally in its efforts to defy Israeli impunity and executed a number of activities locally. PCHR prepared and published the 2021 annual report. PCHR also continued its international advocacy campaign to protect Palestinian civilian victims through sending submissions to the international bodies and producing high-quality advocacy materials.

#### **Indicators:**

- » PCHR prepared the 2021 annual report in English and Arabic and released it on 15 April 2022. Also, a promo was made on the report's launch day.
- » PCHR issued 13 joint press releases with local and international organizations on human rights situation in the oPt and Israeli violations.
- » PCHR filed a joint submission to the Human Rights Council in the 4th Universal Periodic Review (UPR) cycle, which addressed human rights record in Israel.
- » PCHR sent a letter to the Prosecutor of the International Criminal Court on Israeli crimes committed against Palestinian civilians and civilian objects from 05 to 07 August 2022.
- » PCHR and al-Quds University sent a joint submission to the special rapporteur on the Israeli occupation authorities' closure of 6 schools in occupied East Jerusalem.

- » PCHR prepared and published a video documenting an event in solidarity with child victims of the Israeli aggressions.



PCHR's Annual Report Ceremony



As part of "Hear Our Voice: We Love Life If We Find a Way to it", Palestine Children Council meets with Head of ICRC.

### Output 1.1.2.3: Improved coordination and networking with partners and stakeholders on legal and advocacy work

In 2022, 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, focusing on several issues most notably were the apartheid system enshrined by Israel in the oPt for decades, shrinking space for freedoms, Israeli aggression on the Gaza Strip, the prosecution of Israeli war criminals and settlement activity. PCHR also held meetings with partners on legal work and international advocacy.

#### Indicators:

- » PCHR prepared and submitted a parallel report to the Committee Against Torture in partnership with Lawyers for Human Rights International (LFHRI) and the World Coalition Against the Death Penalty.
- » On 05 October 2022, PCHR prepared and submitted a report to the European Union (EU) on human rights situation in the Palestinian Authority (PA) and its violations before the meeting of the European-Palestinian Subcommittee on Human Rights, which was held in November 2022.
- » PCHR participated in a conference to commemorate the 25th anniversary of the founding of the Euro Med Rights Network in Brussels.
- » PCHR participated in an international workshop organized by the Euro Med Rights Network on the impact of anti-terrorism measures on human rights in Turkey, Egypt and Israel.
- » PCHR participated in a roundtable discussion organized by the Palestinian NGO Network and the Association of International Development Agencies (AIDA) titled: “Gaza Now... Challenges and Opportunities”, with the participation of UN International bodies and civil society.
- » PCHR delivered 11 oral and written interventions with the UN Human Rights Council. Additionally, 3 other interventions submitted by partners were signed, addressing Israeli violations, the apartheid system, and the racial discrimination practiced by the occupation authorities against the Palestinians.

- » PCHR, al-Haq and al-Mezan Center for Human Rights organized a press conference in the Hague, coinciding with the demand of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 upon the Prosecutor of the International Criminal Court to open an investigation into the Israeli crimes in the oPt.
- » PCHR held a workshop in the Hague with the international legal team and representatives of non-governmental European organizations to discuss latest updates on ICC work regarding the situation in Palestine and necessary steps to embrace the investigation into the situation in Palestine.
- » PCHR sent a submission to the United Nations Independent International Commission of Inquiry to investigate Israeli violations committed against Palestinians in the oPt and in Israel. The submission addressed targeting human rights activists, journalists and children.
- » PCHR participated in a roundtable discussion at the office of the ICC's prosecutor in the Hague on crimes affecting children.
- » PCHR participated in a two-day awareness session at the Office of the ICC's Prosecutor in the Hague on Palestinian victims' rights before the ICC.
- » PCHR held 27 coordination meetings with partners.



PCHR's Director, lawyer Raji Sourani, receives a delegation from the French Foreign Affairs Ministry headed by Mr. Pierre-Arnaud Blanchard, Director of the Middle East Department at the Ministry, to discuss the human rights situation in the occupied territory.



PCHR's Director receives the General Secretary of DanChurchAid, Ms. Birgitte Qvist-Sørensen.



PCHR meets with partner organizations and the international legal team in the Hague.



An interview with PCHR's Director on the ICC.





PCHR's Director, Raji Sourani, delivers a speech on behalf of the Palestinian human rights organizations at the 21st session of the Assembly of States Parties of the ICC in the Hague.



Raji Sourani speaks in a meeting with representatives of Palestinian and international human rights organizations in the Hague.



Basil Sourani, International Advocacy Officer at PCHR, participates in a meeting organized by the ICC Prosecutor's office in the Hague.



Raji Sourani, PCHR's Director, delivers a speech in a side high-level event organized by the State of Palestine On the sidelines of the Assembly of States Parties of the ICC Conference.



Raji Sourani's interview with a Japanese Agency in front of the ICC.



PCHR's Director, Raji Sourani, receives a delegation from the Irish Representative Office headed by Joe Kennedy, Deputy Director of Irish Aid- Palestine.



PCHR receives a delegation from the European Union in Jerusalem and discusses enhancing the partnership



An ICRC delegation represented by Alessandra Menegon, Head of the ICRC in Israel and the Occupied Territories, Ola Ulmo, Head of Operations and Mirjam Lea Mueller, Head of Gaza Sub-Delegation.



Field visit with the EU Representative, Mr. Sven Kühn von Burgsdorff.



PCHR receives a delegation from OCHA office headed by Ms. Asmaa Shalabi.



PCHR hosts a delegation from Al-Quds Association for Solidarity with the People in Arab Countries in Malaga, Spain and comprised of Francisco Javier Ruiz, the President of Al-Quds; and Eva Maria, the Vice President.



PCHR receives a delegation from the Norwegian Representative office in Palestine.

## **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 and redress was achieved in some cases**

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.

**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, most notably providing support to victims of the crimes of the Israeli occupation, especially in access restricted areas; victims of restrictions on the freedom of movement, especially for patients in the Gaza Strip; 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, rights and public freedoms, and prisoners and guests at the Aman shelter.

### Indicators:

- » The number of legal interventions on the Israeli agenda has reached 1957, including 1432 new complaints, 525 follow-ups to previous complaints, and 1888 legal consultations for victims and their families.
- » Legal aid provided to victims of killings and Palestinian property destroyed or pillaged as the number of complaints under follow-up reached 501 (8 from the Breaking Dawn Operation, 65 from the Protective Edge Operation, 453 from the 2014 offensive and Great March of Return, and 2 for fishermen)
- » 6 compensation cases involved civilian killings and injuries followed up before the Israeli courts.
- » 28 cases followed up regarding Palestinian bodies held in IOF's custody; all of them are men.
- » 180 Palestinian detainees who were arrested by the Israeli occupation (old and new) provided aid.
- » Complaints for 1208 Palestinians denied their right to freedom of movement were filed (383 women, 575 men and 250 children) with 686 positive responses.
- » 35 petitions and appeals filed before the Israeli judiciary regarding persons denied freedom of movement with 20 positive responses.
- » One appeal filed before the Israeli prosecution regarding confiscation of medical devices for cancer patients at Kerem Shalom crossing and is still under follow-up.
- » The number of legal interventions on the Palestinian agenda, other than family issues, reached 363, including 134 legal consultations for victims and their families.

- » 24 detainees in the Palestinian prisons and detention facilities provided legal aid.
- » 33 complaints were filed on behalf of victims arrested and subject to abuse of power, including 9 collective complaints.
- » 160 Palestinians allowed access to healthcare facilities under the protection of right to health.
- » 58 interviews conducted with various Palestinian competent authorities to discuss ways of cooperation in a way that serves citizens' interest and guarantees realization of their right.
- » 9 media interviews conducted with the Legal Unit's lawyers.
- » The number of legal consultations PCHR provided to women reached 1,836 legal consultations via its 3 branches.
- » 61 radio shows of "Istishartak Alina,".
- » The average number of phone calls per single episode in 2022 was 18-20.
- » The number of consultations offered on "Istishartak Alina" radio show averaged 1250.
- » The average number of comments on "Istishartak Alina," Facebook page was more than 6 per single episode; 8491 calls to PCHR lawyers via its hotline.
- » PCHR followed 2062 cases before Sharia courts, including 1478 new cases, and 584 from 2021.
- » PCHR obtained 824 verdicts in favor of women with 946 female beneficiaries, and 616 women benefited from positive verdicts.
- » PCHR ran 771 execution cases for 540 female-beneficiaries.
- » The number of visits carried out by PCHR to Aman Shelter reached 46, and PCHR provided 120 legal consultations.
- » PCHR filed 30 cases on behalf of female-prisoners before Sharia Courts and followed up 51 cases for guests at Aman Shelter.





Mohammed Bseiso, lawyer at PCHR's Legal Unit, receives beneficiaries.



"Istishartak Alina" radio show.



Ahlam Aqraa', lawyer at PCHR's Legal Unit, receives beneficiaries.



Lawyers at PCHR's Women's Unit won a case at the sharia court.

## **SUCCESS STORY BEFORE THE ISRAELI JUDICIARY**

### **PCHR Successfully Obtains Travel Permit for Cancer Patient despite Israeli Authorities' Procrastination**

(R. A.) (56) has a brain cancer and needs a complex surgery as well as radiotherapy sessions. Due to the unavailability of her treatment in the Gaza Strip, she was referred to al-Mutala' Hospital in Jerusalem for treatment. Over long months, the patient submitted many requests to the Israeli authorities via the Coordination and Liaison Department (CLA) at the Palestinian General Authority for Civil Affairs (GACA) to obtain a travel permit to access the hospital for treatment, but she did not receive any positive response in this regard. On 24 August 2022, the patient contacted PCHR after her health condition deteriorated and she lost hope to access the hospital and receive her treatment. PCHR sent several legal submissions to the Israeli competent authorities and successfully obtained a travel permit for the patient on 13 October 2022.

## **Saving Child's Life**

Late on 04 December 2022, PCHR's lawyers received a phone call from Abdel Aziz Rantisi Specialist Hospital for Children informing them that there is a life-saving case for a 1-year-old girl (E. 'A), who suffers from a severe internal bleeding and in dire need for travel via Beit Hanoun (Erez) Crossing to save her life. PCHR's lawyers promptly intervened and made intensive contacts with the Treatment Abroad Department at Palestinian Ministry of Health, the Appointments Department, and the legal advisor at Beit Hanoun crossing. In less than 2 hours, PCHR's efforts were successfully undertaken, and an ICU "lifesaving" ambulance was prepared and the patient traveled with her grandmother.

## **In a Judicial Precedent, PCHR's Lawyer Obtains Travel Permit for Female Cancer Patient**

(Sh. S.) (34) has breast cancer, and due to her serious health condition, she was referred to the Istishari Arab Hospital in Ramallah. The patient's family came to PCHR after exhausting all ways to allow her to travel and her health condition got worse. Upon their arrival at PCHR, PCHR's lawyer promptly dealt with case, as it turned out that she submitted several travel permit requests for treatment abroad over the past months via the GACA, but all her requests were refused, because her sister is illegally living in the West Bank without a permit. As a preliminary attempt, PCHR's lawyer filed a complaint to the Israeli legal advisor at the Erez crossing, but with no response. Due to her critical health condition, PCHR's lawyers filed an urgent appeal to the Israeli Public Prosecution on 01 May 2022. Due to the Israeli Prosecution's procrastination, PCHR decided to file an urgent appeal to Jerusalem District Court on 11 May 2022. On 22 May 2022, PCHR's lawyers succeeded in obtaining a judicial decision to allow the patient to travel for treatment.

## **Saving Life of Patient with Acute Leukemia**

At the end of January 2022, the family of (B. S.) (25), an acute leukemia patient from Gaza City receiving treatment at al-Mutala' Hospital in Jerusalem since 2001, came to PCHR. The patient was in critical health condition at the Turkish-Palestinian Friendship Hospital suffering from complications, Hepatosplenomegaly and mobility problems after being unable to complete his treatment at al-Mutala' Hospital. He had been waiting for more than ten months to get a hospital appointment and complete his treatment in the West Bank. PCHR's lawyers instantly intervened, made intensive contacts with the Treatment Abroad Department and the appointments department and sent a complaint to the Minister of

Health at the time due to the patient's serious health condition. On 30 January 2022, PCHR managed to obtain an urgent appointment at the Istishari Arab Hospital in Ramallah on 01 February 2022 as it was a life-saving case, and on the same day, PCHR's lawyers facilitated patient's travel through Erez Crossing via an ambulance.

### **Payment of monthly salary for 55 former detainees**

PCHR, in cooperation with, the Prisoners Affairs Authority succeeded in paying salaries for 55 former detainees at the Israeli prisons by the Ministry of Finance in Ramallah, noting that PCHR followed up the files of those detainees. 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 arrest date, the charge and the release date. The information was provided to the detainees in order to complete the rest of their file at the Prisoners Affairs Authority. The aforementioned former detainees were seeking for a long time to obtain these documents, and by PCHR's lawyers' efforts, they managed to complete their files and be paid monthly salary by the Ministry of Finance in Ramallah.

### **PCHR Obtains Approvals to Issue Passports for 5 Persons**

(R. Kh.) came to PCHR after knocking all doors in vain to renew his passport in order to travel and complete his PhD in Lebanon, as the Palestinian Ministry of Interior unjustifiably refused to renew his passport. PCHR promptly and legally intervened with the competent authorities at the Ministry of Interior in Ramallah in due process of law. After persistent follow-up, PCHR's efforts were successfully undertaken and (R. Kh.) obtained a passport to to travel.

### **PCHR Obtains Verdict in favor of Woman whose Wali (the guardian) Refuses her Marriage (Wali Consent Case)**

Father of (N. A.), in her forties, refused her marriage to a man, who proposed to her, claiming that he is not good for her neither for his wealth, lineage or religious commitment. (N. A.) resorted to PCHR's lawyers who filed a "Wali Consent Case". Her father claimed that the man is not good for her for reasons related to their customs and traditions, and not for any legal or sharia reasons. After inspection, checking the Ministries of Justice and Interior's records and the young man's bank account, and obtaining a Certificate of Good Conduct, it turned out that the young man is competent. Therefore, PCHR's lawyers managed to obtain a verdict on 14 July 2022 allowing her to get married.

### **Obtaining a separation verdict in favor of a woman due to her husband's misconduct**

Husband of (E. A.), in her twenties, was convicted of committing an immoral offence that inflicted harm to her due to being called and known as "the condemned's wife" Accordingly, PCHR's lawyers filed a separation case for psychological harm on grounds of "discourse and strife". On 29 August 2022, PCHR's lawyers managed to obtain a separation verdict, which was a judicial precedent as it was based on seeking separation for psychological harm on the plaintiff.

### **Obtaining a ruling proving marriage and lineage in favor of a woman**

(S. A.), an Egyptian woman in her twenties living in Egypt, got married to a Palestinian man living in Egypt as well, and their marriage contract has been concluded before a sharia lawyer, but she could not obtain the marriage contract because her husband had no residency. After that, they had a baby, but they could not get him a birth certificate because they did not obtain a copy of their marriage contract. (S. A.) contacted lawyers at PCHR's women Unit

on Facebook and gave them a power of attorney to file a lawsuit and prove her marriage and lineage. PCHR's lawyers managed to obtain a verdict, get a marriage contract and a birth certificate for the child, and then send them to the (S. A.) in Egypt. All these documents were duly submitted to the Egyptian competent authorities.

## Objective 2.2

By 2024, Palestinian judicial system is more responsive to cases related to human rights violations including 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.**

In 2022, 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, children, and gender issues through training new lawyers and documenting violations against women in the Palestinian society, particularly violations to their right to life and bodily integrity. Additionally, PCHR helped the children to form Palestine's Children Council and trained them in order to acquire the necessary skills and knowledge to operate the council. In 2022, the Palestine's Children Council exercised its activities and conducted events while PCHR documented violations against women's rights. Also, 14 trainee lawyers participated in PCHR's legal activities relevant to providing women legal aid.

#### **Output 2.2.1.1 Qualified children and youth including lawyers trained and act at human rights advocacy, including women and children.**

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. Also, PCHR supervised and trained the Palestinian Child Council.

#### **Indicators:**

- » 14 lawyers received training at PCHR's women unit in 2022.
- » 200 copies of gender-based violence training manual printed.
- » Implementation of 11 training courses on women's rights, attended by 168 participants, including 97 females – 57.7 % of the total participants.
- » 25 student parliament delegations received, and 33 awareness meetings held and attended by 852 children, including 511 females- 59.9% of the



total participants.

- » Implementation of 12 training courses on children's rights, with a total of (240) hours, targeting 112 female and male children.
- » 3 consultive meetings held with 136 representatives of 45 child rights organization and participation of 73 females.
- » 5 educational meetings organized with the Secretary of Palestine's Children Council, with one meeting every two months.
- » 2 initiatives in solidarity with children's rights organized and attended by 44 male and female children from the Secretary of Palestine's Children Council and Child Protection Teams at the area councils, including 30 females- 68% of the total participants.
- » 9 field visits conducted to child's organizations, with the participation of 58 male and female children from Palestine's Children Council.
- » 8 briefing sessions conducted with members of Palestine's Children Council to discuss with them the topics they suggest for the accountability sessions.
- » 8 accountability sessions held with officials and decision-makers in the Gaza Strip, with the participation of 50 male and female children from the Palestine's Children Council.
- » 7 meetings held with Secretary of Palestine's Children Council and attended by 86 female and male children.



Palestinian Child Day initiative.



Lawyer Heba al-Malakh in an awareness session on the Personal Status Law at Amwaj Association.



Lawyer Ahmed al-Bura'ie in an awareness session on the Personal Status Law at Family and Society Development Society.



A school student parliament visits PCHR.



Accountability sessions with officials and decision makers in the Gaza Strip.

### Output 2.2.1.2 Timely and high-quality 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 40 violations of women's right to life and bodily integrity, including murder, injury, beatings, bodily harm, medical neglect, suicide, and arrest.
- » PCHR carried out (115) information-gathering missions via 7 different methods: field visits, personal interviews, collecting testimonies, filling out forms, photography, and preparing field reports.
- » PCHR issued (9) high-quality products relevant to women's rights, including (4) press releases; (3) reports: Impact of COVID-19 on Women's Rights, Impact of the 2021 aggression on Women's Rights, a shadow report submitted to the Women's Rights Committee (WRC); and (4) videos on divorce, violence awareness, an inspiring success story, and PCHR's Efforts Within the 16 Days of Activism Campaign to End Violence against Women and Girls. These high-quality products were used in advocacy campaigns.



Yasser 'Abdel Ghafour, a fieldworker at PCHR in Khan Younis, takes a statement from a victim.



A training course on building and strengthening capacities of community organizations to fulfil children's rights.



Children's initiative within the 16 Days of Activism Campaign to End Violence against Women.



A conference on "Woman's Right to Life between Law and Practice"

## **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 through holding training courses and workshops for different groups of society 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.

### **Output 2.2.2.1: PCHR targeted communities have increased knowledge on women's rights.**

PCHR worked 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**

- » 11 training courses implemented on women's rights and monitoring and documenting women's rights violations, at a rate of 225 training hours, targeting members of the Student Parents Councils in the Gaza Strip governorates, female and teachers and counsellors at UNRWA schools, activist in CSOs, and university students.
- » The number of participants was (260), 50% were females.
- » 200 copies of "Gender-Based Violence" training manual printed.
- » PCHR held 63 lectures on women's rights in coordination with 52 societies and CSOs. The number of participants reached 1440, including 1221 women and 219 men.
- » The number of lectures held by PCHR on violence against women reached 23.
- » The number of lectures on Personal Status Law and Family Law reached 30.
- » 10 lectures were held on women's rights.

**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**

- » 2 videos documenting the inspiring stories of 'Alaa Shurrab and Maryam Abu Swereh published on PCHR's social media websites.
- » 6 awareness raising sessions with the participation of 79 females and 42 males.
- » 6 meetings with the participation of 152 females and 9 males.



Samah 'Ashour, lawyer at PCHR's Women's Rights Unit, in a training course on Mechanisms to Protect Women's Rights and Referral Systems for Women Victims of Violence.



Women's Rights Unit meets with Sheikh Hasan al-Laham, Gaza Jurisconsult "Mufti".



Mona Shawa, Head of Women's Rights Unit, during a training course on women's rights in national and international legislations.





**ونجحت وصارت قصتي الهام لكل الفتيات والسيدات انهم يكسرون حاجز الخوف  
and women to break the barrier of fear**

Mariam, a success story to inspire women in Gaza.



**عمرها ما كانت أي علاقة زواج سابقة للبننت سبب في إنقاص قيمتها  
A previous marriage should never devalue any woman**

A photo from a video talking about "Alaa Challenging misconceptions about divorce in his society in Gaza"

## 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.

#### Output 3.1.1.1: Targeted communities /grassroots organizations have increased capacity in understanding human rights

PCHR enhanced the capabilities and knowledge of the Palestinian community by targeting activists in grassroots organizations and raising their awareness on human rights, especially the right to health and children's rights, including their right to political participation.

#### Indicators

- » Preparing and printing (10) training materials on issues on human rights and the right to health in IHL and IHRL and other topics related to the right to health.
- » Printing 400 copies of manuals on IHRL and the right to health.
- » 11 training courses, at a rate of 220 training hours, attended by (276),

including (159) females, i.e., 57.6%.

- » 15-hour training course for law enforcement officers in reform and rehabilitation centres with the participation of 21 officers.
- » 3 training courses on human rights, the right to property and legal protection for fishermen and farmers, and how to document the violations they are exposed to, at a rate of 60 training hours and targeting (60) persons.



Training course concluded on the right to health for the health sector staff.



During a training course on “capacity building for community organizations”.

### Output 3.1.1.2 developed PCHR's alumni network and the alumni trained on raising awareness, training and advocacy

PCHR continued its work with PCHR's alumni network and PCHR's Friends Club

#### Indicators

- » A meeting with PCHR's Friends Club and attended by 13 members of the Club, including 5 females.



Training course “Capacity building for farmers and fishermen on international law and mechanisms of monitoring and documenting violations”.



PCHR's Friends Club.

**OBJECTIVE 3.2: By 2024, PCHR will have challenged the shrinking civic space through direct actions and more empowerment so that the environment for civil society is increasingly safe and enabled.**

**Outcome 3.2.1: 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. In 2022, civil society contributed to the retraction of three laws by decree on the judiciary that were met with CSOs' opposition. In addition, cessation of death sentence issuance and executions continued in the West Bank.

**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. In 2022, Israeli occupation's fierce campaign against CSOs continued, most prominently the Israeli authorities' closure of 7 Palestinian CSOs, after labeling them as "terrorist organizations" that required cooperation at highest level to confront this menace that threatens the presence of the Palestinian civil society and its ability to expose the Israel's crimes and support the Palestinians' resilience. Locally, PCHR held meetings and workshops with stakeholders and cooperated with various organizations to issue joint statements on vital issues. PCHR also worked on keeping the local and international media updated on the shrinking space for civil society through taking part in media interviews.

**Indicators**

- » Participating/holding (10) meetings with local and international partners on shrinking space for civil society
- » Holding a workshop via Zoom.
- » (2) joint statements were released on the shrinking space for civil society.
- » 15 media meetings

- » 13 visits to organizations working on children’s rights.
- » 33 interviews with local and foreign media outlets on violations of civil and political rights in Palestine, whether by Israeli occupation or the Palestinian Authority (PA).



Raji Sourani, PCHR’s Director, participates in a conference organized by PNGO in Gaza on “the Reality of the Palestinian Civil Society in 2022”.



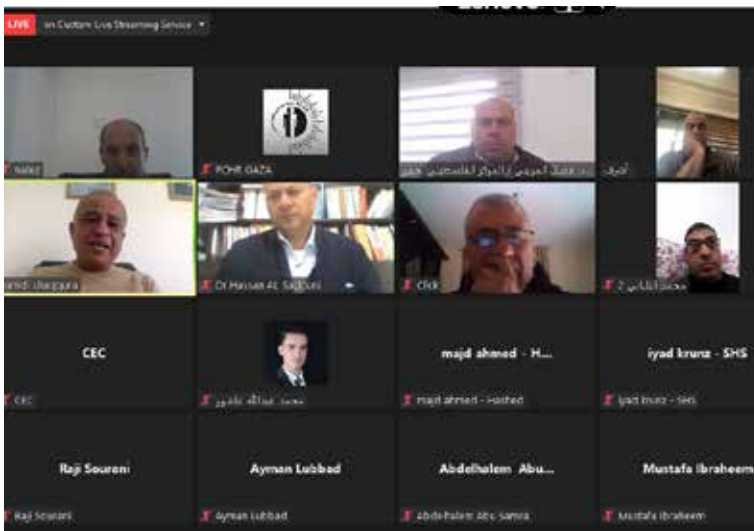
An interview by al-Jazeera Channel with Hamdi Shaqqoura, PCHR’s Deputy Director for Program Affairs, on Israel’s targeting of children in Jabalia Refugee camp.



An interview with Raji Sourani on the sidelines of a joint conference organized by PCHR, al-Mezan Centre for Human Rights, and 'Adalah- the Legal Center for Arab Minority Rights about the Israeli Supreme Court's decision rejecting an appeal against the closure of Baker Children case.



A joint conference organized at PCHR's head office by PCHR, al-Mezan and 'Adalah about the Israeli Supreme Court's decision rejecting an appeal against the closure of Baker Children case.



A Panel discussion organized by PCHR on Zoom about the local elections on 29 March 2022.

### Output 3.2.1.2: Timely and evidence-based knowledge products produced and used in advocacy

PCHR monitored violations of civil and political rights and 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 on general elections and the importance of holding them, 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

- » 13,487 data collection activities on Israeli violations of civil and political rights, including field visits, taking of statements, interviews, field reports and photos, where 39,278 violations were documented.
- » 1,387 data collection activities on Palestinian violations of civil and political rights, including field visits, taking of statements, interviews, field reports, and photos where 668 violations were documented.
- » Issuing (53) press releases related to Israeli and Palestinian human rights violations.
- » (4) reports related to civil and political rights: 2 reports on the human rights situation; Report on Allegedly for Security Reasons, Gaza Strip Citizens Deprived of Right to Have Passports; and report on 2021 Israeli aggression on Gaza
- » Issuing (13) field updates on the assault on the rule of law in the oPt.





Fieldworker 'Emad Abu Hawash in Hebron documents Israeli violations.



Fieldworker Mohammed Ghannam in field visit with the SDC delegation on IOF's violations in northern Gaza.



Fieldworker Yousif Ibrahim in Rafah takes the statement of a victim.



PCHR's Director, Raji Sourani, in an on-site follow-up during the Israeli escalation on Gaza.

### Objective 3.3:

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

**Output 3.3.3.2.1: Activities related to election processes conducted according to international standards including recruitment and training of observers and awareness activities**

The elections were not held.

## 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 2022 relating to the economic and social conditions in the oPt. On 14 December 2022, the UNGA adopted a resolution affirming the Palestinian people's right to sovereignty over their natural resources. On 12 December 2022, UNGA issued a resolution affirming the Palestinian refugees' right to properties and their revenues. Also on 12 December 2022, UNGA has discussed the work and aid of UNRWA for Palestinian refugees.

#### 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

- » (5,947) 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 1,900 violations were monitored.
- » (355) 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 (203) violations were monitored.
- » One advocacy campaign executed, which included the release of 3 videos about the suffering of patients who need treatment abroad; the suffering of children with kidney failure and cancer; and PCHR's success story to

facilitate the travel of a child patient after being denied travel for treatment.

### **Output 3.4.1.2: Timely delivery of high-quality products on Israeli violations of social, economic, and cultural rights and used in lobbying and advocacy**

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 a report related to IOF violations of economic and social rights: Medical Treatment Request Under Study
- » 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, as well as PA's responsibilities towards those rights.
- » Implementation of (4) radio episodes on the Israeli restrictions on the travel of patients for medical treatment abroad.
- » Issuing (20) press releases on violations of economic, social and cultural rights in Palestine.
- » (32) 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 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 medicine 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: Poverty in Palestine: “Nonstop Upward Indicator”.
- » 4 workshops on PA’s responsibilities towards economic, social and cultural rights.
- » 9 roundtable meetings with officials in the West Bank and Gaza Strip on the right to health, Israeli restrictions, and PA’s duties.
- » 8 accountability sessions with the participation of children from the Palestinian Children Council’s Secretariat along with Municipalities and the Electricity Company in the Gaza Strip.
- » 3 press releases on violations of economic, social and cultural rights in Palestine.



A workshop on "Right to Healthcare for Patients with Genetic Diseases".



A workshop on "Johr al-Deek Students' Right to Education".



Accountability sessions with officials and decision makers in the Gaza Strip.



A panel discussion on “Referral System for Patients receiving Treatment abroad”.



A workshop on "Gaza Patients' Right to Access Treatment Abroad".



A workshop on "Effects of Medical Devices Shortage on Gaza Patients".



## 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.

#### 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: economic and social inequality in the countries of the Middle East and North Africa, the application of indicators of sustainable development goals to promote and protect human rights in Palestine, parallel reports of the Human Rights Committee, scientific research methodologies, strategic planning for human resources, preparation of public communication policies and critical analysis, developing PCHR's media outreach, glossary creation for PCHR, protection policies and mechanisms against exploitation and sexual abuse within the work environment, monitoring and evaluation, communication and report writing, pressure management and self-care.

#### Indicators

- » 16 training courses were implemented, a total of (240) training hours, for PCHR's staff to increase their skills and capabilities.



A training course on Public Communication for PCHR's Staff.

### Output 4.1.1.3 Effective monitoring and evaluation system, periodic reports and lessons learned

PCHR adopted a set of new tools with regard to monitoring, evaluation, and follow-up, and developed the M&E tools used in projects, including a matrix for monitoring and evaluating the activities. PCHR also developed the unit and project's information gathering tools based on a monitoring and evaluation system responsive to gender. In addition, PCHR prepared periodic monitoring and evaluation reports for the work of projects and units and held sessions the projects' teams to review the M&E results and benefit from the lessons learnt.

#### Indicators

- » Designing and developing 5 M&E tools.
- » 12 M&E reports related to project activities and PCHR units' annual plans.
- » Developing templates for technical and financial evaluation of PCHR's tasks.
- » Updating the computerized system relevant to the data of PCHR's beneficiaries.

#### **Output 4.1.1.4: Management manuals reflect latest approaches and in line with international requirements.**

PCHR developed its administrative policies and governance standards starting with using new administrative tools and measures through establishing various specialized committee within PCHR's Board of Directors, developing the human resources and financial policies, developing and updating new administrative guidelines and informing the staff of all changes, as PCHR also updated new functions on the online platform for HR.

#### **Indicators**

- » 3 specialized committees formed within PCHR's Board of Directors: The Administrative and Financial Committee; Program Committee; and Internal Audit Committee. Each committee has an accurate description of duties and powers that organizes the work and competence of each committee and determines its members.
- » The Human Resources Policies Manual revised and updated (1)
- » (1) Succession Plan updated.
- » (2) new functions added on the online HR platform.
- » (1) PCHR's Authority Matrix developed

#### **Output 4.1.1.5: PCHR digital content developed and more influential**

Considering the significance of social media platforms as a significant source of information, a PCHR enhanced using these platforms to reach the Palestinian audience in order to disseminate the culture of human rights and expose violations against the Palestinian civilians and the impact of these violations on their lives. PCHR posts its publications on its official pages in an interactive way that facilitates users' access to information by publishing periodically and constantly in different ways, including designs, videos, promos, and campaigns. Since its establishment, PCHR has worked on constantly disseminating its publications in both English and Arabic to its mailing list. Additionally, PCHR managed to prepare and release videos documenting its activities, and other videos on human rights violations and their impact on the Palestinians' lives, as PCHR's various publications went viral on social media.

## Indicators

- » Creating emails for PCHR's staff and providing cloud storage for the staff to enable them using it for storing and sharing their data.
- » Developing and updating PCHR's database, updating the system and developing the sections according to work needs by using the latest systems and software and most updated protection, security and archive systems.
- » Regarding digital security, Appliance Router Firewall installed to enforce access control over PCHR's network boundaries and secure the network using advanced features such as intrusion prevention to recognize and block any hacks and viruses and to guarantee stable performance, a secure network and data flow.
- » Updating PCHR database for all units.
- » PCHR's website updated.
- » All PCHR publications disseminated in both English and Arabic to its mailing list of 4,000 subscribers from all over the world divided into two groups according to the English or Arabic language preferences.
- » Sponsored ads for videos that reached hundreds of thousands of people.
- » Subscribing to telecommunication platforms.
- » PCHR employed latest cyber-security systems that meet its needs for protecting the data and websites.
- » PCHR's growth audience rate increased on Facebook (47,500 followers), on Twitter (29,800 followers), and on Instagram.
- » Sharing videos designed and posted on PCHR's social media accounts, YouTube channel and PCHR's official website.
- » All PCHR publications were released on its website and social media pages in English and Arabic, including press releases, news, updates, reports and factsheets.