HUMAN RIGHTS VIOLATIONS IN PALESTINE 2018

June marked 50 years since Israel’s occupation of the Palestinian Territories and the start of the 11th year of its illegal blockade of the Gaza Strip, subjecting approximately 2 million inhabitants to collective punishment and a growing humanitarian crisis. The Israeli authorities intensified expansion of settlements and related infrastructure across the West Bank, including East Jerusalem, and severely restricted the freedom of movement of Palestinians. Israeli forces unlawfully killed Palestinian civilians, including children, and unlawfully detained within Israel thousands of Palestinians from the Occupied Palestinian Territories (OPT), holding hundreds in administrative detention without charge or trial. Torture and other ill-treatment of detainees, including children, remained pervasive and was committed with impunity. Israel continued to demolish Palestinian homes in the West Bank and in Palestinian villages inside Israel, forcibly evicting residents. Conscientious objectors to military service were imprisoned. Thousands of African asylum-seekers were threatened with deportation.

BACKGROUND - Israeli authorities intensified settlement expansion and land appropriation in the OPT. US and international efforts to revive negotiations failed, and Israeli-Palestinian relations remained tense. In January, Israeli authorities passed the so-called “regularization law” that retroactively legalized the settler takeover of thousands of hectares of privately owned Palestinian land and an estimated 4,500 settler homes. In addition, Israeli authorities announced and issued tenders for tens of thousands of new settlement units in East Jerusalem and across the rest of the West Bank. Palestinians carried out stabbings, carramings, shootings and other attacks against Israelis in the West Bank and in Israel. The attacks, mostly carried out by individuals unaffiliated to armed groups, killed 14 Israelis and one foreign national. Israeli forces killed 76 Palestinians and one foreign national. Some were unlawfully killed while posing no threat to life. In March, the UN Economic and Social Commission for Western Asia issued, then withdrew, a report determining Israel to be “guilty of the crime of apartheid” against Palestinians. In May, a UNESCO resolution reaffirmed the occupied status of East Jerusalem and criticized Israel’s conduct in the city. Following the killing of two Israeli policemen by Palestinians, in July Israel installed metal detectors to screen Muslim worshippers entering the Temple Mount/ Haram al-Sharif. The new security measures led to heightened tensions and mass protests by Palestinians, including collective prayers, across the West Bank. The prayer protests, often met with excessive force, ended once the metal detectors were removed. In September, the Hamas de facto administration in Gaza and the “national consensus” government in the West Bank embarked on a reconciliation process, which was rejected by Israel. In December, US
President Donald Trump recognized Jerusalem as Israel’s capital in violation of international law, sparking widespread protests across the OPT and globally.

New legislation entrenched discrimination against non-Jewish citizens. Israeli forces killed more than 290 Palestinians, including over 50 children; many were unlawfully killed as they were shot while posing no imminent threat to life. Israel imposed an illegal blockade on the Gaza Strip for the 11th year in a row, subjecting approximately 2 million inhabitants to collective punishment and exacerbating a humanitarian crisis. Freedom of movement for Palestinians in the West Bank remained restricted through a system of military checkpoints and roadblocks. Israeli authorities unlawfully detained within Israel thousands of Palestinians from the Occupied Palestinian Territories (OPT), holding hundreds in administrative detention without charge or trial. Torture and other ill-treatment of detainees, including children, remained pervasive and was committed with impunity. Israel continued to demolish Palestinian homes and other structures in the West Bank and in Palestinian villages inside Israel, forcibly evicting residents. The Israeli justice system continued to fail to adequately ensure accountability and redress for victims of grave violations of international humanitarian and human rights law. The authorities continued to deny asylum-seekers access to a fair or prompt refugee status determination process; hundreds of African asylum-seekers were deported and thousands were threatened with deportation. Conscientious objectors to military service were imprisoned.

The Israeli authorities continued to expand illegal settlements and related infrastructure in East Jerusalem and elsewhere in the occupied West Bank, including by legalizing outposts built without state authorization on private Palestinian land. They held local elections in October across Israel and in illegal settlements including in occupied East Jerusalem and the occupied Golan Heights.

Negotiations between Israeli and Palestinian authorities remained stalled. On 15 May, the USA moved its embassy from Tel Aviv to Jerusalem in violation of international law. Two police investigations recommended that Prime Minister Benjamin Netanyahu be indicted over corruption allegations. The attorney general had not yet ruled on the recommendations by the end of the year.

Waves of armed hostilities broke out between Israel and Palestinian armed groups in the Gaza Strip. Israeli forces launched dozens of air strikes on Gaza, killing 46 people. Palestinian armed groups launched hundreds of rockets into Israel, killing one Palestinian civilian. On 13 November 2018, after two days of intense hostilities by both sides, a ceasefire between Israel and Palestinian armed groups, brokered by Egypt, was announced. Individual Palestinians, most unaffiliated to armed groups, attacked Israelis in the West Bank and in Israel, killing at least 13. Attacks by settlers on Palestinians resulted in the death of a Palestinian woman.
Israel reportedly conducted scores of air strikes inside Syria.

MANIFESTATION OF HUMAN RIGHTS VIOLATIONS IN DIFFERENT FORMS

FREEDOM OF MOVEMENT – GAZA BLOCKADE AND WEST BANK RESTRICTIONS Israel’s illegal air, land and sea blockade of the Gaza Strip entered its 11th year, continuing the long-standing restrictions on the movement of people and goods into and from the area, collectively punishing Gaza’s entire population. Combined with Egypt’s almost total closure of the Rafah border crossing, and the West Bank authorities’ punitive measures, Israel’s blockade triggered a humanitarian crisis with electricity cuts reducing access to electricity from an average of eight hours per day down to as little as two to four hours, affecting clean water and sanitation and diminishing health service access, and rendering Gaza increasingly “unlivable” according to the UN. Gaza’s economy deteriorated further and post-conflict reconstruction of civilian infrastructure remained severely hindered; some 23,500 Palestinians remained displaced since the 2014 conflict. Many patients with life-threatening illnesses were unable to access treatment outside Gaza due to Israeli restrictions and delays by West Bank authorities in processing referrals. Israeli forces maintained a “buffer zone” inside Gaza’s border with Israel and used live ammunition against Palestinians who entered or approached it, wounding farmers working in the area. Israeli forces also fired at Palestinian fishermen in or near the “exclusion zone” along Gaza’s coastline, killing at least one and injuring others. In the West Bank, Israel maintained an array of military checkpoints, bypass roads and military and firing zones, restricting Palestinian access and travel. Israel established new checkpoints and barriers, especially in East Jerusalem. In response to Palestinian attacks on Israelis, the military authorities imposed collective punishment; they revoked the work permits of attackers’ family members and closed off villages and entire areas including Silwad, Deir Abu Mishal and Beit Surik. In Hebron, long-standing prohibitions limiting Palestinian presence, tightened in October 2015, remained in force. In Hebron’s Tel Rumeida neighbourhood, a “closed military zone”, Israeli forces subjected Palestinian residents to oppressive searches and prevented the entry of other Palestinians while allowing free movement for Israeli settlers. In May, Israel erected a new checkpoint and a new fence barrier within Hebron’s H2 area, arbitrarily confining the Palestinian Gheith neighbourhood and segregating a street alongside the area.

ARBITRARY ARRESTS AND DETENTIONS - Israel detained or continued to imprison thousands of Palestinians from the OPT, mostly in prisons in Israel, in violation of international law. Many detainees’ families, particularly those in Gaza, were not permitted entry to Israel to visit their relatives. The authorities continued to substitute administrative detention for criminal prosecution, holding hundreds of Palestinians, including children, civil...
society leaders and NGO workers, without charge or trial under renewable orders, based on information withheld from detainees and their lawyers. More than 6,100 Palestinians, including 441 administrative detainees, were held in Israeli prisons at the end of the year. Israeli authorities also placed six Palestinian citizens of Israel under administrative detention. The trial of Mohammed al-Halabi, a Gaza based humanitarian worker, began at Beer Sheva District Court on charges of embezzlement from the NGO World Vision to fund Hamas. Neither an Australian government review of World Vision Gaza nor an internal World Vision audit found any evidence to support the charges. Mohammed al-Halabi stated in court that he was tortured during interrogation and detention.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY - The authorities used a range of measures, both in Israel and the OPT, to target human rights defenders who criticized Israel’s continuing occupation. In March the Knesset (parliament) passed an amendment to the Entry into Israel Law banning entry into Israel or the OPT to anyone supporting or working for an organization that has issued or promoted a call to boycott Israel or Israeli entities, including settlements. The authorities continued to obstruct human rights workers’ attempts to document the situation by denying them entry into the OPT, including the UN Special Rapporteur on the human rights situation in the OPT. An Amnesty International staff member was denied entry after he was questioned about the organization’s work on settlements. Using public order laws in East Jerusalem, and military orders in the rest of the West Bank, Israeli authorities prohibited and suppressed protests by Palestinians, and arrested and prosecuted protesters and human rights defenders. In July, the military trials of Palestinian human rights defenders Issa Amro and Farid al-Atrash began on charges related to their role in organizing peaceful protests against Israel’s settlement policies. Israeli authorities continued to harass other Hebron-based human rights activists, including Badi Dweik and Imad Abu Shamsiya, and failed to protect them from settler attacks.

TORTURE AND OTHER ILL-TREATMENT - Israeli soldiers and police and Israel Security Agency officers subjected Palestinian detainees, including children, to torture and other ill-treatment with impunity, particularly during arrest and interrogation. Reported methods included beatings, slapping, painful shackling, sleep deprivation, use of stress positions and threats. No criminal investigations were opened into more than 1,000 complaints filed since 2001. Complaints of torture and other ill-treatment by the Israeli police against asylum-seekers and members of the Ethiopian community remained common. In December the Israeli High Court of Justice accepted the Attorney General’s decision not to open a criminal investigation into Asad Abu Ghosh’s torture claims despite credible evidence, thus condoning the continued use of stress positions and sleep deprivation against Palestinian detainees by Israeli interrogators. UNLAWFUL KILLINGS Israeli soldiers, police and security guards killed at least 75 Palestinians from the OPT, including East Jerusalem, and five Palestinians with Israeli citizenship. Some of those killed were shot while attacking Israelis or suspected of intending an attack. Many, including children, were
Some killings, such as that of Yacoub Abu al-Qi’an, shot in his car by police in Umm al-Hiran in January, appeared to have been extrajudicial executions.

**EXCESSIVE USE OF FORCE** - Israeli forces, including undercover units, used excessive and sometimes lethal force when they used rubber-coated metal bullets and live ammunition against Palestinian protesters in the OPT, killing at least 20, and injuring thousands. Many protesters threw rocks or other projectiles but were posing no threat to the lives of well-protected Israeli soldiers when they were shot. In July, in response to the tensions over Temple Mount/ Haram al-Sharif, the authorities killed 10 Palestinians and injured more than 1,000 during the dispersal of demonstrations, and conducted at least two violent raids on al-210 Amnesty International Report 2017/18 Makassed hospital in East Jerusalem. In December, wheelchair user Ibrahim Abu Thuraya was shot in the head by an Israeli soldier as he was sitting with a group of protesters near the fence separating Gaza from Israel.

**RIGHT TO HOUSING – FORCED EVICTIONS AND DEMOLITIONS** - In the West Bank, including East Jerusalem, the Israeli authorities carried out a large number of demolitions of Palestinian property, including 423 homes and structures built without Israeli permits that remained virtually impossible for Palestinians to obtain, forcibly evicting more than 660 people. Many of these demolitions were in Bedouin and herding communities that the Israeli authorities planned to forcibly transfer. The authorities also collectively punished the families of Palestinians who had carried out attacks on Israelis, by demolishing or making uninhabitable their family homes, forcibly evicting approximately 50 people. Israeli authorities forcibly evicted eight members of the Shamasneh family from their home in Sheikh Jarrah, East Jerusalem, allowing Jewish settlers to move in. The authorities also demolished dozens of Palestinian homes inside Israel that they said were built without permits, including in Palestinian towns and villages in the Triangle, the Galilee, and in “unrecognized” Bedouin villages in the Negev/Naqab region. In January the Israeli police forcibly demolished the Bedouin village of Umm al-Hiran, to begin building a Jewish town in its place. The Knesset passed a law in April that raised the fines for building without permits, charging punitive costs for the demolition to those whose homes have been demolished, and a limited recourse to the courts for those challenging demolition or eviction orders. In August, the authorities demolished al-Araqib village in the Negev/Naqab for the 116th time. Residents were ordered to compensate the state 362,000 new shekels (approximately USD100,000) for the cost of demolition and lawyers’ fees.

**IMPUNITY** - More than three years after the end of the 2014 Gaza-Israel conflict, in which some 1,460 Palestinian civilians were killed, many in evidently unlawful attacks including war crimes, the authorities had previously indicted only three soldiers for looting and obstructing an investigation. In a rare move, in January an Israeli military court convicted Elor Azaria, a soldier whose apparent extrajudicial execution of a wounded Palestinian in Hebron was filmed, of manslaughter. His conviction and 18-month prison sentence, which
was confirmed on appeal but reduced by four months by Israel’s military Chief of Staff in September, failed to reflect the gravity of the crime. Israeli authorities failed to investigate, or closed investigations into, cases of alleged unlawful killings of Palestinians by Israeli forces in both Israel and the OPT. The Prosecutor of the ICC continued her preliminary examination of alleged crimes under international law committed in the OPT since 13 June 2014. VIOLENCE AGAINST WOMEN AND GIRLS There were new reports of violence against women; Palestinian communities in Israel were particularly affected. In June, the Special Rapporteur on violence against women issued recommendations urging Israeli authorities to carry out law and policy reforms by integrating CEDAW standards; to combat and prevent violence against women in Israel and the OPT; and to investigate reported abuses. DEPRIVATION OF NATIONALITY On 6 August the Haifa District Court confirmed the citizenship revocation of Alaa Zayoud, who was stripped of his citizenship and rendered stateless by the Minister of the Interior following a conviction for attempted murder. An appeal against the decision was pending before the Supreme Court at the end of the year. The authorities also revoked the citizenship of dozens of Palestinian Bedouin residents of the Negev/Naqab region without process or appeal, leaving them as stateless residents. REFUGEES AND ASYLUM-SEEKERS The authorities continued to deny asylum seekers, more than 90% of whom were from Eritrea or Sudan, access to a fair or prompt refugee status determination process. More than 1,200 asylum seekers were held at the Holot detention facility and at Saharonim Prison in the Negev/Naqab desert at the end of the year. According to activists, there were more than 35,000 asylum seekers in Israel; 8,588 asylum claims remained pending. In December, the Knesset passed an amendment to the anti-infiltration law that would force asylum seekers and refugees to accept relocation to countries in Africa or face imprisonment. Tens of thousands were at risk of deportation. CONSCIENTIOUS OBJECTORS At least six Israeli conscientious objectors to military service were imprisoned, including Tamar Zeevi, Atalia Ben-Abba, Noa Gur Golan, Hadas Tal, Mattan Helman and Ofir Averbukh. Israeli authorities recognized Tamar Zeevi as a conscientious objector and released her from conscription after she served a total of 100 days in prison.

REGION-WISE HUMAN RIGHTS VIOLATIONS

Gaza Strip

Closure

Israel’s near-total closure of the Gaza Strip continued to severely harm the civilian population.

The Israeli army limits travel out of Gaza to what it calls “exceptional humanitarian cases,” meaning mostly medical patients, their companions, and prominent businesspersons with permits. In the first eight months of 2018, the army approved only 60 percent of permit
applications from Palestinians seeking medical treatment outside Gaza. In August, the Israeli Supreme Court found unlawful Israel’s practice of denying exit permits to “first-degree relatives of Hamas members.”

During the first 10 months of 2018, an average of about 274 Palestinians exited the Erez crossing each day, compared to the daily average of more than 24,000 in September 2000, according to the Israeli rights group Gisha. Outgoing goods in the same period, mostly destined for the West Bank and Israel, averaged 201 truckloads per month, less than 20 percent of the average 1,064 truckloads per month prior to the June 2007 tightening of the closure.

The limited supply of electricity in Gaza compromised the water supply, sewage treatment, and hospital operations. Shortages of fuel, needed to operate generators during power outages, stemming from various factors including disputes over payment for the power between the PA and Hamas and exacerbated by Israel blocking entry of fuel in July, led to the partial closure of several hospitals. As of October 31, 44 percent of “essential” medicines were completely depleted, according to Gaza’s Central Drug Store.

Israeli restrictions on the delivery of construction materials to Gaza and a lack of funding have impeded reconstruction of homes severely damaged or destroyed during Israel’s 2014 military operation in Gaza. About 17,700 Palestinians who lost their homes remain displaced. The Israeli government said that to prevent construction materials from being diverted by Hamas for military purposes, it would allow in only limited quantities under the supervision of international organizations.

Egypt also restricts the movement of people and goods at its border with Gaza at Rafah. Between January and April, an average of about 2,500 persons monthly crossed through Rafah in both directions, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Egyptian authorities opened Rafah on a more regular basis beginning in May, with an average of 11,746 crossing monthly in both directions between May and October, but still a fraction of the average of 40,000 per month in the first half of 2013.

Israeli Actions in Gaza

As of November 19, lethal force by Israeli forces resulted in the killing of 252 and injuring of 25,522 Palestinians in Gaza, OCHA reported. Many of the injuries were life-changing, including hundreds of cases of severe soft tissue damage, some necessitating amputation of limbs. Most of the killings took place in the context of protests, where Israeli forces, following orders from senior officials, used live ammunition against people who approached or attempted to cross or damage fences between Gaza and Israel. Israeli officials rejected the international human rights law standard in policing situations that prohibits the intentional use of lethal force except as a last resort to prevent an imminent threat to life. They argued that live ammunition was necessary to stop breaches of the fences, which they claimed was a
Hamas strategy to enable militants to kill or capture Israelis, without sufficiently addressing why lesser measures would not have worked.

**Hamas and Palestinian Armed Groups’ Actions in Gaza**

Attacks by Palestinian armed groups in Gaza, mainly indiscriminate rocket attacks, led to the injuries of more than 40 Israelis as of November 19. Hamas authorities continue to disclose no information about two Israeli civilians with psychosocial disabilities, Avera Mangistu and Hisham al-Sayed, whom they have apparently held for several years, in violation of international law.

In addition to regular arbitrary arrests of dissidents and torture of those in its custody, Hamas authorities have carried out 25 executions since they took control in Gaza in June 2007, though none in 2018, following trials that lacked appropriate due process protections. Courts in Gaza have sentenced 125 people to death in this period, according to the Palestinian Center for Human Rights.

Laws in Gaza punish “unnatural intercourse” of a sexual nature, understood to include same-sex relationships, with up to 10 years in prison.

**West Bank**

**Israeli Actions in the West Bank**

In the West Bank, including East Jerusalem, Israeli security forces fatally shot 27 Palestinians and wounded at least 5,444, including those suspected of attacking Israelis, but also passersby and demonstrators, as of November 19. In many cases, video footage and witness accounts strongly suggest that Israeli forces used excessive force. As of November 19, attacks by settlers injured 61 Palestinians and damaged property in 147 incidents, according to OCHA. Palestinians killed 10 Israelis, including six civilians, and wounded at least 58 in the same period in the West Bank in acts that Hamas sometimes praised; in one killing, its military wing claimed responsibility.

In April, an Israeli court sentenced to nine months in prison an Israeli border policeman caught on camera in 2014 shooting 17-year-old Palestinian Nadim Nuwarah from about 60 meters away when he appeared to pose no imminent threat to them. The conviction marked a rare exception to the pattern by which security forces and settlers who attack Palestinians and destroy or damage their homes and other property do not face prosecution.

**Settlements, Discriminatory Policies, Home Demolitions**

Israel continued to provide security, administrative services, housing, education, and medical care for more than 628,000 settlers residing in unlawful settlements in the West Bank, including East Jerusalem. International humanitarian law bars an occupying power’s transfer
of its civilians to occupied territory. Palestinians in much of the West Bank have access to water, electricity, and other state services that are either more limited or costlier than the same services that the state makes available to Jewish settlers there.

The difficulty in obtaining Israeli-issued building permits has driven Palestinians to construct housing and business structures that are at constant risk of demolition or confiscation by Israel on the grounds of being unauthorized. The UN considers 46 Palestinian communities at “high risk of forcible transfer,” including Khan al-Ahmar, a village of 180 residents east of Jerusalem with a school serving 160 children from the community and five surrounding villages, whose demolition Israel’s High Court authorized in May. International law prohibits an occupying power from destroying property unless “absolutely necessary” for “military operations.”

Israeli authorities have also demolished the homes of families in retaliation for attacks on Israelis allegedly carried out by a family member, a violation of the international humanitarian law prohibition on collective punishment.

**Freedom of Movement**

Israel maintained onerous restrictions on the movement of Palestinians in the West Bank. OCHA documented 705 permanent obstacles such as checkpoints across the West Bank in July. Israeli-imposed restrictions designed to keep Palestinians far from settlements forced them to take time-consuming detours and restricted their access to their own agricultural land.

Israel’s separation barrier, which Israel said it built for security reasons but 85 percent of which falls within the West Bank rather than along the Green Line separating Israeli from Palestinian territory, cuts off Palestinians from their agricultural lands and isolates 11,000 Palestinians on the western side of the barrier who are not allowed to travel to Israel and must cross the barrier to access their own property and other services.

**Arbitrary Detention and Detention of Children**

As of October 31, according to Prison Services figures, Israeli authorities held 5,426 detainees for “security” offenses, including 3,224 convicted prisoners, 1,465 pretrial detainees, and 481 in administrative detention based on secret evidence without charge or trial. Almost all are Palestinian. Apart from those detained in East Jerusalem, most of the Palestinians detained in the West Bank, including those held for nonviolent expression, were tried in military courts. Those courts have a near-100 percent conviction rate. Israel incarcerates many West Bank and Gaza Palestinian detainees and prisoners inside Israel, violating international humanitarian law requiring that they not be transferred outside the occupied territory and complicating family visits.

As of October 31, Israel was detaining 220 Palestinian children, many suspected of criminal offenses under military law, usually stone-throwing. Israel denied Palestinian children
arrested and detained in the West Bank legal protections granted to Israeli children, including settlers, such as protections against nighttime arrests and interrogations without a guardian present. Israeli forces frequently used unnecessary force against children during arrest and physically abused them in custody. In July, Israel released 17-year-old activist Ahed Tamimi after she served an eight-month sentence for slapping a soldier.

**Palestinian Authority’s Actions in the West Bank**

PA security services arrested dozens of journalists, activists and opposition members, tortured detainees, and dispersed nonviolent protests. On June 13, they violently broke up a protest in Ramallah against its policy towards Gaza, arresting dozens of demonstrators, beating some of them in custody before releasing them.

In April, the PA amended a cybercrime law passed the previous year following complaints by civil society groups. The amended law continues to grant the government vast authority to monitor and restrict online activity. The PA also blocked more than two dozen websites affiliated with Hamas and rival Fatah factions.

In March, the PA repealed legal provisions that stopped prosecutions of alleged rapists, or allowed convicted rapists to escape punishment, if they married their victims. The PA also prohibited reducing sentences for serious crimes against women including murder done in the name of “honor.” However, discrimination against women in personal status laws and gaps in accountability for domestic violence persisted.

**SOURCES AND REFERENCES -**


https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF