

ISRAEL AND THE GOLAN HEIGHTS 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Israel is a multiparty parliamentary democracy. Although it has no constitution, parliament, the unicameral 120-member Knesset, has enacted a series of “Basic Laws” that enumerate fundamental rights. Certain fundamental laws, orders, and regulations legally depend on the existence of a “state of emergency,” which has been in effect since 1948. Under the Basic Laws, the Knesset has the power to dissolve the government and mandate elections. The nationwide Knesset elections in 2015, which were considered free and fair, resulted in a coalition government led by Prime Minister Benjamin Netanyahu. The Knesset voted on December 26 to dissolve itself and set April 9, 2019, as the date for national elections.

Civilian authorities maintained effective control over the security services.

Human rights issues included reports of unlawful or arbitrary killings, including Palestinian killings of Israeli civilians and soldiers; arbitrary detention; restrictions on Palestinian residents of Jerusalem including arbitrary or unlawful interference with privacy, family, and home; and significant restrictions on freedom of movement.

The government took steps to prosecute and punish officials who committed abuses within Israel regardless of rank or seniority.

This section includes Israel, including Jerusalem, and the Golan Heights. In December 2017 the United States recognized Jerusalem as the capital of Israel. It is the position of the United States that the specific boundaries of Israeli sovereignty in Jerusalem are subject to final status negotiations between the parties. The Palestinian Authority exercises no authority over Jerusalem.

As stated in Appendix A, this report contains data drawn from foreign government officials; victims of alleged human rights violations and abuses; academic and congressional studies; and reports from the press, international organizations, and nongovernmental organizations (NGOs) concerned with human rights. In the context of the Israeli-Palestinian conflict, some of those sources have been accused of harboring political motivations. The Department of State assesses external reporting carefully but does not conduct independent investigations in all cases. We have sought and received input from the government of Israel and we have noted responses where applicable.

Section 1. Respect for the Integrity of the Person, Including Freedom from:**a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

From March 30 to December 5, Palestinian militant groups launched more than 1,150 rockets and mortars from the Gaza Strip toward arbitrary or civilian targets in Israel. Gaza-based militants shot and killed one Israeli soldier, and a rocket launched by Gaza-based militants killed one Palestinian laborer in Ashkelon. More than 200 Israelis required treatment from these attacks, mostly for shock.

Beginning on March 30, Israeli forces engaged in conflict with Palestinians at the Gaza fence, including armed terrorists, militants who launched incendiary devices into Israel, and unarmed protesters. This occurred during mass protests co-opted by terrorist organization Hamas and dubbed a “March of Return.” The government stated that since March 30 it had been “contending with violent attempts led by Hamas to sabotage and destroy Israel’s defensive security infrastructure separating Israel from the Gaza Strip, penetrate Israel’s territory, harm Israeli security forces, overrun Israeli civilian areas, and murder Israeli civilians.” Israel Defense Forces (IDF) shot and killed 190 Palestinians at the Gaza fence as of the end of the year, including 41 minors, according to B’Tselem (see West Bank and Gaza section). According to the World Health Organization, 6,239 Palestinians in Gaza were injured by IDF live fire in the protests. Human rights organizations claimed most victims posed no imminent threat to the IDF. The government stated that many of the victims were operatives of Hamas or encouraged by Hamas to protest near the fence. The government claimed the IDF used live fire as a last resort, when a clear and imminent threat existed, and they aimed below the knee with the intention to wound but not to kill. The government also stated that it used live fire with lethal intent against terrorists perpetrating attacks against IDF forces at the border. The IDF stated they opened an internal inquiry into each Palestinian death at the border. The Israeli Military Advocate General opened five criminal investigations into IDF actions at the Gaza fence as of the end of the year.

On May 24, the Supreme Court rejected human rights organizations’ objections to the IDF rules of engagement that permitted live ammunition against demonstrators near the Gaza fence. The court ruled the applicable international legal paradigm is that of war, not law enforcement, but it called on the IDF to learn operational lessons that will lead to the use of alternative, nonlethal means, in light of “the number of casualties and injuries, and the fact that many were injured in their

upper body and some in the back.” The number of Palestinian deaths from IDF fire at the border decreased significantly in the second half of the year.

On May 1, following an investigation of more than one year, State Attorney Shai Nitzan announced he was closing without charges the government’s investigation into a January 2017 incident in which a policeman and a Bedouin Israeli died during a police action to demolish homes in the unrecognized Bedouin village of Umm al-Hiran. Nitzan wrote that he decided not to bring criminal charges against police officers after concluding police shot Abu al-Qian because they feared for their lives, but he recommended disciplinary action against some officers due to “professional mistakes,” according to media reports. In votes on May 9 and June 13, the Knesset rejected a proposal by Minister of Knesset (MK) Taleb Abu Arar, one of three Bedouins in the Knesset, to establish a Knesset inquiry into the events and all subsequent investigations leading to Nitzan’s decision.

According to the government and media reports, during the year terrorist attacks targeting Jewish Israelis killed two persons and injured 23 others in Israel. The locations of attacks included Jerusalem, Acre, Sderot, Be’er Sheva, and Ashkelon. Most attackers were Palestinians from the West Bank or Gaza, but one was an Arab citizen of Israel. In addition, the Israeli government reported that security forces foiled approximately 500 terrorist attacks during the year. In April authorities indicted Jewish Israelis Koren Elkayam and Tamir Bartal on charges of terrorism targeting Arab citizens of Israel in a series of attacks, including a stabbing, in Be’er Sheva that began in 2016. According to the indictment, on several occasions the defendants assaulted men who they believed were Arab to deter them from dating Jewish women.

On March 18, Palestinian attacker Abd al-Rahman Bani Fadel stabbed and killed Israeli citizen Adiel Kolman in the Old City of Jerusalem. Police shot and killed the attacker. Palestinians carried out other terrorist attacks in Jerusalem during the year. Israeli forces killed other Palestinians in Jerusalem who were attempting to attack them or civilians. According to unsubstantiated media reports and NGOs, not all of those killed posed a lethal threat to the security forces or civilians at the time they were killed.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

There is no law explicitly banning torture; however, the law prohibits assault and pressure by a public official. In 1999 the Supreme Court ruled that although torture and the application of physical or psychological pain were illegal, Israeli Security Agency (ISA) interrogators may be exempt from criminal prosecution if they used “exceptional methods” in extraordinary cases determined to involve an imminent threat, such as the “ticking bomb” scenario, as long as such methods did not amount to torture. On June 19, the Lod District Court ruled that two defendants’ statements were inadmissible evidence because they followed application of interrogation measures “that severely impair the physical and mental well-being of the defendants, as well as their dignity.” The case concerned two Jewish defendants indicted for the 2015 firebombing of a Palestinian home in Duma, the West Bank, which led to the deaths of three family members. The court acknowledged that those measures included physical pain but did not rule whether they amounted to torture. On November 26, the Supreme Court rejected a complaint alleging that ISA interrogators tortured West Bank resident Fares Tbeish in 2012, including punches, slaps, stress positions, threats, humiliation, and sleep deprivation. According to the verdict, the ISA was justified in extracting information from him with “exceptional methods,” even in a situation that did not qualify as a “ticking bomb” scenario. Whereas prior rulings had not expressly permitted violence in interrogations, the NGO Public Committee Against Torture in Israel (PCATI) stated the text of this ruling may imply that torture is permitted in highly extraordinary cases. The government stated that ISA rules, procedures, and methods of interrogation are confidential for security reasons, but they are subject to governmental supervision from within and outside of the ISA.

Authorities continued to state the ISA held detainees in isolation only in extreme cases and when there was no alternative option, and that the ISA did not use isolation as a means of augmenting interrogation, forcing a confession, or punishment. An independent Inspector for Complaints Against ISA Interrogators in the Ministry of Justice handled complaints of misconduct and abuse in interrogations. The decision to open an investigation against an ISA employee is at the discretion of the attorney general.

In criminal cases investigated by police involving crimes with a maximum imprisonment of 10 years or more, regulations require recording interrogations; however, an extended temporary law exempts the General Security Services from

audio and video recording of interrogations of suspects related to “security offenses.”

The 2015 Ciechanover report, which suggested practical steps for implementing recommendations of the second report by the Turkel Commission concerning the legal framework surrounding the interception and capture by the Israeli Navy of ships carrying humanitarian aid bound for Gaza, recommended installing audiovisual documentation systems in ISA interrogation rooms. The government installed closed-circuit cameras and stated that cameras broadcast in real time from all ISA interrogation rooms to a control room, accessible to supervisors appointed by the Ministry of Justice, as of the beginning of 2018. Supervisors are required to report to the comptroller any irregularities they observe during interrogations. PCATI criticized this mechanism as insufficient to prevent and identify torture, since there is no recording of interrogations for later accountability and judicial review.

According to PCATI, the government had acknowledged that it used “exceptional measures” during interrogation in some cases. These methods included beatings, forcing an individual to hold a stress position for long periods, threats of rape and physical harm, and painful pressure from shackles or restraints applied to the forearms, sleep deprivation, and threats against families of detainees. As of May 21, one complaint led to a criminal investigation, but as of the end of the year, authorities had never indicted an ISA interrogator. Nonetheless, some preliminary examinations led to disciplinary measures, changes in procedures, and changes in methods of interrogation. PCATI reported that the average amount of time for the ISA Interrogee Complaint Comptroller to render a decision on a case was more than 34 months, and the vast majority of complaints submitted in 2014 were unanswered as of November. The comptroller initiated 30 preliminary inquiries into allegations regarding ISA interrogations during the year, according to the government.

In its May 2016 review of the country’s compliance with the UN Convention Against Torture, the UN Committee Against Torture recommended (among 50 other recommendations) that the government provide for independent medical examinations for all detainees. The government stated that requests from prisoners for independent examination at the prisoner’s expense are reviewed by an Israel Prison Service (IPS) medical team. During the year 121 private doctors entered IPS facilities to provide both general medical care to the prisoners and individual care requested by prisoners. According to PCATI and Physicians for Human Rights Israel, Israeli medics and doctors ignored bruises and injuries resulting from

violent arrests and interrogations. Regulations allow the IPS to deny medical treatment if there are budgetary concerns, according to Physicians for Human Rights Israel.

PCATI stated the government's system for investigating allegations of mistreatment of detainees was complex and fragmented. For example allegations against police and the ISA are investigated by two separate departments of the Police Investigation Department in the State Attorney's Office of the Ministry of Justice, each with different procedures. The National Prison Wardens Investigation Unit is responsible for investigating allegations against members of the IPS. PCATI reported this fragmentation created a disorganized system characterized by widely varying response times and professional standards.

Prison and Detention Center Conditions

The law provides prisoners and detainees the right to conditions that do not harm their health or dignity.

Physical Conditions: The IPS held 19,376 prisoners, including 12,475 Israeli citizens, 5,725 Palestinians from the West Bank, 836 Palestinians from East Jerusalem, and 340 Palestinians from Gaza, as of the end of the year. Of these prisoners, the IPS characterized 5,539 as "security prisoners" (those convicted or suspected of nationalistically motivated violence), as of the end of the year. The vast majority (85 percent) of the security prisoners were Palestinian residents of the West Bank; 6 percent were Palestinian residents of Jerusalem, 4 percent were Israeli citizens, and 4 percent were Palestinian residents of Gaza. These prisoners often faced more restrictive conditions than those for prisoners characterized as criminals, including increased incidence of administrative detention, restricted family visits, ineligibility for temporary furloughs, and solitary confinement.

A June 2017 report on 62 prisons by the Public Defender's Office described physical neglect and harsh living conditions. The report also cited a shortage of treatment and rehabilitation groups for non-Hebrew-speaking prisoners, lack of social workers in some prisons, excessive shaking of detainees during transportation, and extended stays in court detention facilities beyond the duration of legal proceedings.

Among Israeli citizens, the percentage of minors of Ethiopian or Arab origin in prison was significantly higher than their proportion of the population. As of the end of the year, there were 11 Ethiopian-Israeli minors and 44 Arab citizen minors

in prison. In addition, 181 imprisoned minors were Palestinians from the West Bank or Gaza and 48 were Palestinian residents of Jerusalem.

In June 2017 following a petition by the Association of Civil Rights in Israel (ACRI) and the Academic Center for Law and Business in Ramat Gan, the Supreme Court ruled that within 18 months, prisons must allocate a living space of 48 square feet to each prisoner, including toilet and shower, or 43 square feet, not including toilet and shower. According to ACRI, each prisoner is currently allocated 33 square feet, including toilet and shower, and approximately 40 percent of the prisoners were imprisoned in an area that amounted to less than 32 square feet per person. On November 1, the Supreme Court extended the deadline for implementing the verdict to May 2020 but stipulated that living space should be no less than 32 square feet by April 2019. On November 5, the Knesset passed a temporary law for three years to enable earlier release of prisoners excluding security prisoners--in order to facilitate implementation of the Supreme Court verdict on prisoners' living space.

As of October the government had not applied a 2015 law authorizing force-feeding of hunger-striking prisoners under specific conditions. The Israel Medical Association declared the law unethical and urged doctors to refuse to implement it.

Administration: Authorities conducted proper investigations of credible allegations of mistreatment, except as noted above. While authorities usually allowed visits from lawyers and stated that every inmate who requested to meet with an attorney was able to do so, this was not always the case. NGOs alleged authorities did not allow Palestinian detainees, including minors, access to a lawyer during their initial arrest. The government granted permits to family members from the West Bank on a limited basis and restricted those entering from Gaza more severely.

In a report in July, the Public Defender's Office stated that defendants with mental disabilities were often sent to prison when the justice system lacked suitable accommodations and supportive therapeutic treatment.

Independent Monitoring: The International Committee of the Red Cross maintained its regular visits to all detention facilities holding Palestinian detainees in Israel, including interrogation centers, in accordance with its standard modalities, as in previous years. The Public Defender's Office is mandated to report on prison conditions, which it does every two years.

Improvements: In December 2017 the IPS published new regulations allowing HIV-positive prisoners to reside with the general prison population and to participate in activities as permitted other prisoners, subject to their medical condition.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements. Authorities subjected non-Israeli citizens in Jerusalem and the Israeli-controlled Golan Heights to the same laws as Israeli citizens. Palestinian residents of the West Bank and Gaza detained on security grounds fell under military jurisdiction as applied by Israel to Palestinians in the West Bank and Gaza, even if detained inside Israel (see “West Bank and Gaza” section).

With regard to irregular migrants from countries to which government policy prohibits deportation, mainly Eritrea and Sudan, the law allows the government to detain migrants who arrived after 2014, including asylum seekers, for three months in the Saharonim Prison “for the purpose of identification and to explore options for relocation of the individual.” The law also states authorities must bring irregular migrants taken into detention to a hearing within five days. After three months in Saharonim, authorities must release the migrant on bail, except when the migrant poses a risk to the state or the public, or when there is difficulty in identity verification.

On January 3, the government approved a plan to detain indefinitely in Saharonim migrants from Sudan and Eritrea who refused to depart to a third country after authorities denied their asylum claim, as well as those who had not submitted an asylum request by December 2017. The plan also included closing the Holot detention center, a remote facility where the IPS had detained Eritrean men for up to 12 months without a criminal conviction. On March 14, the IPS released all irregular migrants from Holot and closed the facility. On April 15, following a Supreme Court order, the IPS also released from Saharonim all Eritrean migrants except those suspected of criminal offenses. The government terminated the plan on April 24 (see section 2.d.).

A policy dating to 2014 authorizes the government to detain without trial and for an indefinite period irregular migrants who were “implicated in criminal proceedings.” The NGO Hotline for Refugees and Migrants noted this policy

enabled indefinite detention even in cases in which there is insufficient evidence to try a suspect, including for relatively minor crimes, as well as cases of migrants who completed a sentence following conviction. The Office of the UN High Commissioner for Refugees (UNHCR) stated this policy is “at variance with international human rights and refugee law,” and called for migrants suspected of crimes to be treated equally under Israel’s existing criminal laws. On January 4, the Supreme Court ruled that the legality of this policy required additional review. It had not issued any new guidance as of October 27.

Role of the Police and Security Apparatus

Under the authority of the prime minister, the ISA combats terrorism and espionage in Israel, the Golan Heights, the West Bank, and Gaza. The national police, including the border police and the immigration police, are under the authority of the Ministry of Public Security. The IDF has no jurisdiction over Israeli citizens. ISA forces operating in the West Bank and East Jerusalem fall under the IDF for operations and operational debriefing.

Civilian authorities maintained effective control over the ISA and police forces, and the government has effective mechanisms to investigate and punish abuse and corruption. The government took steps to investigate allegations of the use of excessive force by police and military.

The Department for Investigations of Police Officers (DIPO) is responsible for investigating complaints against ISA bodies, including incidents involving police and the border police that do not involve the use of a weapon. In April 2017 the State Comptroller published a report criticizing DIPO for investigating complaints narrowly on criteria of individual criminal or disciplinary violations rather than broadly on criteria of systemic or organizational problems. According to its annual report DIPO published in February, in 2017 DIPO filed criminal indictments in 249 cases (up from 110 in 2016) and 85 percent of indictments led to convictions. For example, in one case a police officer stopped a female driver and touched her inappropriately while conducting an illegal body search. The court sentenced him to five months in prison and 22,000 shekels (\$6,000) compensation.

Investigative responsibility for alleged abuses by the IDF, including incidents involving a weapon in which police units were operating under IDF authority in the West Bank and East Jerusalem, remains with the Military Police Criminal Investigations Department of the Ministry of Defense.

Arrest Procedures and Treatment of Detainees

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

Authorities detained most Palestinian prisoners within Israel. (Further information on arrest procedures under military law can be found in the West Bank and Gaza section.)

Authorities may prosecute persons detained on security grounds criminally or hold them as administrative detainees or illegal combatants, according to one of three legal regimes.

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

Second, the Emergency Powers Law allows the Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely.

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

October, according to B'Tselem based on IPS data, no Palestinian prisoners were held under this law.

NGOs including Military Court Watch, HaMoked, and B'Tselem accused authorities of using isolation to punish or silence politically prominent Palestinian detainees. According to the government, the IPS did not hold Palestinian detainees in separate detention punitively or to induce confessions. The government stated it uses separate detention only when a detainee threatens himself or others, and authorities have exhausted other options--or in some cases during interrogation, to prevent disclosure of information. In such cases authorities maintained the detainee had the right to meet with International Committee of the Red Cross representatives, IPS personnel, and medical personnel, if necessary.

Palestinian sources reported the IPS placed Palestinian detainees who were mentally disabled or a threat to themselves or others in isolation without a full medical evaluation. According to Physicians for Human Rights-Israel, isolation of Palestinian prisoners with mental disabilities was common.

Arbitrary Arrest: Allegations continued of arbitrary arrests of Arab citizens, Palestinian residents of Jerusalem, and Ethiopian-Israelis during protests. On May 18, police arrested Mossawa Center Director Jafar Farah, his son, and 17 other Israelis at a protest in Haifa involving primarily Arab citizens. Police officers subsequently broke his knee and inflicted blunt trauma injuries to his chest and abdomen while he was in custody, according to Farah. Police hospitalized him while under arrest, then released him and other detainees on May 21. On May 20, Public Security Minister Gilad Erdan stated that he expected the Justice Ministry Police Investigation Division to “quickly investigate the circumstances of Jafar Farah’s injury and his claims. It is urgent to clarify whether unnecessary force has been used illegally.” The Ministry of Justice stated on October 7 that it was considering indicting a police officer for assault and causing injury in this incident but had not indicted him by year’s end. The Israel National Police stated the officer was on compulsory leave since the opening of the investigation.

On November 5, President Rivlin and Justice Minister Ayelet Shaked invited Ethiopian-Israelis whom authorities had previously charged with minor offenses such as insulting a public servant, obstructing a public servant, and prohibited assembly and riot, and who were not imprisoned, to apply for their criminal records to be deleted. President Rivlin said the state would view these requests positively in light of the discrimination that Ethiopian-Israelis faced from officials and from Israeli society.

Pretrial Detention: Administrative detention continued to result in lengthy pretrial detention for security detainees (see above).

Detainee's Ability to Challenge Lawfulness of Detention before a Court: By law persons arrested or detained on criminal or other grounds are entitled to challenge in court the legal basis or arbitrary nature of their detention and any delay in obtaining judicial rulings. If the court finds persons to have been detained unlawfully, they are entitled to prompt release, compensation, or both. An administrative detainee has the right to appeal any decision to lengthen detention to a military court of appeals and then to the Supreme Court. All categories of detainees routinely did so, including citizens, legal residents, and nonresident Palestinians. Military courts may rely on classified evidence denied to detainees and their lawyers when determining whether to prolong administrative detention. There is no system whereby authorities may clear a defense team member to view classified information used to justify holding an administrative detainee.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right. Exceptions to the right for a public trial include national security concerns, protection of the interest of a minor or an individual requiring special protection, and safeguarding the identity of an accuser or defendant in a sex-offense case. On December 10, the Knesset passed an amendment eliminating the requirement for court involvement before publishing the identity of a victim of a sex offense, provided she or he gave written consent for publication.

Defendants enjoy the rights to a presumption of innocence, to be informed promptly and in detail of the charges against them, to a fair and public trial without undue delay, and to be present at their trial. They may consult with an attorney or, if indigent, have one provided at public expense. They have adequate time and facilities to prepare their defense. Defendants who cannot understand or speak the language used in court have the right to free interpretation as necessary from the moment charged through all appeals. Defendants have the right to confront

witnesses against them and to present witnesses and evidence on their behalf. They may not be compelled to testify or confess guilt and may appeal to the Supreme Court.

The prosecution is under a general obligation following an indictment to provide all evidence to the defense. The government may on security grounds withhold from defense lawyers evidence it has gathered but will not use in its case against the accused. The Supreme Court (with regard to civilian courts) and the Court of Appeals (with regard to military courts) can scrutinize the decision to withhold such evidence. The rules of evidence in espionage cases tried in criminal court do not differ from the normal rules of evidence, and no use of secret evidence is permissible.

Children as young as 12 years old may be imprisoned if convicted of serious crimes such as murder, attempted murder, or manslaughter. The government reported no child was imprisoned under this law as of the end of the year.

Political Prisoners and Detainees

The government described security prisoners as those convicted or suspected of nationalistically motivated violence. Some human rights organizations claimed that Palestinian security prisoners held in Israel should be considered political prisoners.

In February 2017 the Supreme Court imposed the following restrictions on a practice by the ISA of summoning Israeli political activists suspected of “subversive” activity unrelated to terror or espionage for questioning under caution, meaning they might be charged with a crime. Summoning will be carried out only after consultation with the legal advisor of the ISA; police and the ISA will clarify that questioning is voluntary and the person summoned is not required to appear; and the ISA will clarify during questioning that the suspect’s statements cannot be used in court for other proceedings. On July 31, ACRI sent a letter to the State Attorney’s Office contending the ISA violated the Supreme Court ruling in three incidents at Ben Gurion Airport in June and July, when it detained employees of civil society organizations for questioning upon their return to Israel from outside the country.

Civil Judicial Procedures and Remedies

An independent and impartial judiciary adjudicates lawsuits seeking damages for, or cessation of, human rights violations. Administrative remedies exist, and court orders usually were enforced. Palestinian residents of Jerusalem can file suit against the government of Israel. By law nonresident Palestinians may file suit in civilian courts to obtain compensation through civil suits in some cases, even when a criminal suit is unsuccessful and the actions against them considered legal. On November 4, however, the Be'er Sheva District Court rejected a tort claim filed by two NGOs in 2016 on behalf of a Palestinian teenager whom the Israeli military shot and injured in his Gaza home, in the absence of military operations, in 2014. Adalah claimed the verdict prevents Gazans from redress for civilians harmed by Israeli security forces under a 2012 amendment to Israel's Civil Wrongs Law, which exempted from damages "persons who are not citizens or residents of Israel, and ... are residents of declared 'enemy territory.'"

Property Restitution

New construction remained illegal in towns that did not have an authorized outline plan for development. The government stated that, as of June, 132 of 133 Arab localities had approved outline plans for development, of which 76 had been updated since 2005, and 18 had new plans undergoing statutory approval. NGOs criticized the lack of Arab representation on regional planning and zoning approval committees and stated that planning for Arab areas was much slower than for Jewish municipalities, leading Arab citizens to build or expand their homes without legal authorization, risking a government-issued demolition order. Authorities issued 1,792 administrative and judicial demolition orders during the year, including both Jewish-owned and Arab-owned structures. In cases of demolitions with no agreement from the residents to relocate, the government levied fines against residents to cover expenses incurred in the course of demolitions.

A plan for the Bedouin village of al-Fura'a was not yet completed as of the end of the year, despite government recognition of the village in 2006. As a result, the village lacked basic electricity and water infrastructure, and NGOs reported house demolitions occurred regularly. The government stated that a team from the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev began working on this issue in the second half of the year, after completing a survey of 180 Bedouin residential clusters.

In April 2017 the Knesset passed an amendment that increased the government's power to demolish unpermitted structures. Arab MKs and human rights

organizations condemned the law for increasing enforcement and demolitions without addressing the systemic housing shortages in Arab communities that led to unpermitted construction. According to human rights organizations, approximately 50,000 Arab families lived in unpermitted houses.

According to the NGO Negev Coexistence Forum for Civil Equality (NCF), Bedouins accounted for 34 percent of the population of the Negev, but only 12.5 percent of the residential-zoned land was designated for the Bedouin population. The seven Bedouin townships were all crowded, especially in comparison to the Jewish towns and cities in the area, and had low-quality infrastructure and inadequate access to health, education, welfare, public transportation, postal, and garbage disposal services. In 35 unrecognized Bedouin villages in the Negev inhabited by approximately 90,000 persons, the government stated it used a “carrot and stick” approach to attempt to compel Bedouin Israelis to move, including demolishing unpermitted structures and offering incentives to move to Bedouin towns. Bedouins often refused to participate because they asserted they owned the land or that the government had given them prior permission to settle in their current locations, as well as fears of losing their traditional livelihoods and way of life and fears of moving onto land claimed by a rival Bedouin clan.

As of the end of the year, 34 percent of 163,089 acres of land that was under ownership dispute was no longer in dispute as a result of either settlement agreements or following legal proceedings, according to the government.

According to NCF, 115 of the 126 Jewish communities in the Negev maintained admission committees to screen new residents, effectively excluding non-Jewish residents. Following objections by multiple NGOs, authorities canceled plans for new Jewish communities called Daya, Eshel HaNasi, and Neve Gurion to replace existing Bedouin villages. The National Planning and Building Council recommended to the government in August to progress with the establishment of a town called Ir Ovot, which was to include a zone for approximately 50 Bedouin Israelis to stay in their current locations.

On April 11, Bedouin residents of the unrecognized village Umm al-Hiran signed an agreement with the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev to self-demolish their structures and relocate to vacant plots in the Bedouin town of Hura, following extended legal action and negotiations. Umm al-Hiran was to be replaced with a Jewish community called Hiran.

NCF recorded 2,220 demolitions of Bedouin Israelis' structures in 2017, nearly double the number in 2016, and stated the demolition policy violated Bedouin Israelis' right to adequate housing. Demolitions by Israeli authorities increased to 641 in 2017 from 412 in 2016, while Bedouins demolished the remaining structures to avoid fines. In 2016 a report from the state comptroller recommended the government act to settle land claims as early as possible, plan resettlement of Bedouin citizens in cooperation with the Bedouin community, develop infrastructure in recognized Bedouin communities, and formulate an enforcement policy regarding illegal construction. The NGO Regavim praised the demolitions as combatting illegal construction by squatters.

In addition to the Negev, authorities ordered demolition of private property in Arab towns and villages, and in East Jerusalem, claiming that they were built without permits. On January 30, in one incident in Issawiya, authorities demolished 12 commercial and livestock structures that were the source of livelihood for nine families. Authorities demolished, or Palestinians demolished on authorities' orders, 177 Palestinian-owned structures in East Jerusalem due to lack of permits, a 20 percent increase over 2017, according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA). Human rights NGOs claimed that in Jerusalem, authorities often placed insurmountable obstacles against Palestinian applicants for construction permits, including the requirement that they document land ownership despite the absence of a uniform post-1967 land registration process, the imposition of high application fees, and requirements to connect new housing to often unavailable municipal works.

According to the government, all land ownership cases are assessed individually by an administrative committee, which is subject to judicial review.

According to Ir Amim and B'Tselem, authorities evicted some Palestinians in East Jerusalem based on legal challenges to their ownership of property prior to 1948. Palestinians evicted by authorities in East Jerusalem claimed they received unequal treatment under the law, as the law facilitated Jewish owners' claims on land owned prior to 1948, while not providing an opportunity for Palestinians to seek restitution for land they owned in Israel prior to 1948.

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

The law prohibits such actions, and the government generally respected those prohibitions.

Separate religious court systems adjudicate matters such as marriage and divorce for the Jewish, Muslim, Christian, and Druze communities. The country lacks a civil marriage law. To be considered legal, civil marriages and any type of marriage that the religious courts refuse to conduct (for example, marriages in non-Orthodox ceremonies, same-sex marriages, marriages of a Jew to a non-Jew, or marriages of a Muslim woman to a non-Muslim) must take place outside the country to be considered legal. Approximately 15 percent of marriages registered with the Ministry of the Interior in 2016, the most recent year available, occurred abroad, according to the Central Bureau of Statistics. A growing number of Jewish couples married inside the country in ceremonies not sanctioned by the Chief Rabbinate and are, therefore, not recognized by the government, according to civil society organizations.

The Orthodox Rabbinate did not consider to be Jewish approximately 4 percent of the population who considered themselves Jewish and who immigrated either as Jews or as family members of Jews; therefore, these citizens could not be married or buried in Jewish cemeteries. The government stated that 24 cemeteries in the country served immigrants not considered Jewish by the Orthodox Rabbinate, but the NGO Hiddush stated that most of those cemeteries would not bury unrecognized Jews alongside recognized Jews nor allow them a non-Orthodox Jewish burial. Only two civil cemeteries were available to the general public, in addition to a few civil cemeteries in smaller localities reserved for local residents, leaving no access to civil burial in the vicinities of Tel Aviv or Jerusalem, where the majority of the Jewish population lives, according to Hiddush. The Orthodox Rabbinate had the authority to handle divorces of any Jewish couple regardless of how they were married.

The 2003 Law of Citizenship and Entry, which is renewed annually, prohibits non-Jewish Iranians, Iraqis, Syrians, Lebanese, and Palestinians from the West Bank or Gaza, including those who are spouses of Israeli residents or citizens, from obtaining resident status unless the Ministry of the Interior makes a special determination, usually on humanitarian grounds. The government has extended the law annually due to government reports that Palestinian family reunification allows entry to a disproportionate number of persons who are later involved in acts of terrorism. HaMoked asserted that statistics from government documents obtained through Freedom of Information Act requests contradicted these terrorism allegations, and the denial of residency to Palestinians from the West Bank or Gaza for the purposes of family reunification led to cases of family separation. According to HaMoked, there were approximately 10,000 Palestinians living in

Israel, including Jerusalem, on temporary stay permits because of the law, with no legal guarantee that they would be able to continue living with their families. There were also cases of Palestinian spouses living in East Jerusalem without legal status. Authorities did not permit Palestinians who were abroad during the 1967 war or whose residency permits the government subsequently withdrew to reside permanently in Jerusalem. Amnesty International and other human rights organizations called on the government to repeal this law and resume processing family unification applications. The law allows the entry of spouses of Israelis on a “staying permit” if the male spouse is age 35 or older and the female spouse is age 25 or older, but they may not receive residency based on their marriage and have no path to citizenship.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

The law imposes tort liability on any person who knowingly issues a public call for an economic, cultural, or academic boycott of the State of Israel or of institutions or entities in areas under its control in the West Bank. Plaintiffs must prove direct economic harm to claim damages under the “antiboycott” legislation. The law also permits the finance minister to impose administrative sanctions on those calling for such a boycott, including restrictions on participating in tenders for contracts with the government and denial of government benefits. According to an August 28 report in *Ha’aretz*, however, the Ministry of Finance’s legal advisor declined 14 requests to apply such sanctions over the prior 12 months.

In March 2017 the Knesset passed an amendment barring entry to the country to visitors who called for such a boycott. Criteria published in July 2017 by the Population and Immigration Authority restricted enforcement of this law to prominent activists promoting a boycott individually or as a leader of an organization. Following its passage, in January the Ministry of Strategic Affairs published a list of 20 organizations whose members would be refused entry to Israel. Based on the law, authorities denied entry to 10 visitors throughout the year, according to the government. In an October 18 court ruling in the case of a foreign student denied entry, the Supreme Court reversed the denial and restricted

application of the law to visitors who are “currently” involved in “actively, consistently, and persistently calling publicly for a boycott,” as stated in the July 2017 regulations.

Freedom of Expression: The law prohibits hate speech and content liable to incite to violence or discrimination on grounds of race, origin, religion, nationality, and gender.

The maximum penalty for desecrating the Israeli flag is three years in prison and a fine of 58,400 shekels (\$16,200).

In cases of speech that are defined as incitement to violence or hate speech, the law empowers police to limit freedom of expression.

On July 16, the Knesset passed a law defining service in the IDF or national service alternative as an objective of the public education system and banning from schools any NGO whose activity “gravely and significantly contradicts the objectives of state education” or “actively initiates legal or political proceedings outside Israel against IDF soldiers for an action carried out in the course of their military duty or against the State of Israel.” The goal of the law was to “prohibit individuals or organizations that are not part of the education system from engaging in activities within an educational institution when the nature of the activity undermines the goals of state education,” according to its explanatory note. Both supporters and opponents of the bill said it targeted the NGO Breaking the Silence, which described the organization’s activities as collecting and publishing “the testimonies of soldiers who served in the occupied territories in order to generate public discourse on the reality of the occupation, with the aim of bringing it to an end.” Breaking the Silence criticized the new law as a violation of freedom of political expression. The Ministry of Education had not issued regulations necessary to implement the law as of the end of the year.

Israeli security officials prohibited Palestine Liberation Organization- or Palestinian Authority (PA)-affiliated groups from meeting in Jerusalem based on a 1995 law banning the PA from engaging in political, diplomatic, security or security-related activities in Israel, including Jerusalem. For example, on October 3, Public Security Minister Gilad Erdan ordered the cancelation of a PA-sponsored event commemorating a Palestinian resident of Jordan who worked to place schools for Palestinians under the authority of the Jordanian Waqf after the 1967 war.

Press and Media Freedom: Independent media were active and expressed a wide variety of views without restriction, with a few exceptions.

In August 2017 the Israeli Journalists Association filed a lawsuit against the minister of public security, police, and the Office of the Attorney General demanding that they stop harming journalists and freedom of the press, refrain from irrelevant restrictions on coverage, and set a transparent policy on maintaining press freedom and journalists' rights. Police prevented photojournalist Debbie Hill from documenting a strike by Arab citizens of Israel in Jerusalem on October 1, according to media watchdog The Seventh Eye. Following a Supreme Court order, the police submitted to the court on October 18 a new procedure to regulate the work of journalists in areas experiencing clashes, which authorities claimed balanced freedom of press and the security requirements of policy. On November 1, the Supreme Court dismissed the lawsuit, stating that it was too early to judge the new regulations, but urged police and journalists to maintain a dialogue.

Violence and Harassment: Palestinian journalists who were able to obtain entry permits, as well as Jerusalem-based Palestinian journalists, reported incidents of harassment, racism, and occasional violence when they sought to cover news in Jerusalem, especially in the Old City and its vicinity. This included reports of alleged harassment by Israeli soldiers and acts of violence against Palestinian and Arab-Israeli journalists that prevented them from covering news stories. For example, on April 18, Israeli authorities closed the East Jerusalem offices of the Palestinian Elia Youth Media Foundation after then defense minister Avigdor Lieberman claimed the organization recruited young Palestinians to create videos that encouraged violence. The Committee to Protect Journalists rejected the accusation and noted that Lieberman provided no evidence of his claim. The government stated that it allowed Palestinian journalists interested in visiting Israel to request an entry permit and instructed IDF soldiers to allow journalists as much freedom to carry out their work as operational circumstances permit, and that it investigated thoroughly any allegations of mistreatment by Israeli security forces.

Censorship or Content Restrictions: All media organizations must submit to military censors any material relating to specific military issues or strategic infrastructure problems, such as oil and water supplies. Organizations may appeal the censor's decisions to the Supreme Court, and the censor may not appeal a court judgment. In July 2017 the Israel Democracy Institute stated that power to prohibit publication of news should be transferred from the military censor to the judicial system.

News printed or broadcast abroad is subject to security censorship. The government regularly enacted restrictive orders on sensitive security information and continuing investigations, and required foreign correspondents, as well as local media, to abide by these orders. According to data provided by the armed forces to the news outlet *Mekomit* and the NGO Movement for Freedom of Information, in 2017 the censor intervened in more than 2,350 articles of 11,000 submitted to it and banned 271 articles.

While the government retained the authority to censor the printing of publications for security concerns, anecdotal evidence suggested authorities did not actively review the Jerusalem-based *al-Quds* newspaper or other Jerusalem-based Arabic publications. Those publications, however, reported they engaged in self-censorship.

National Security: The law criminalizes as “terrorist acts” speech supporting terrorism, including public praise of a terrorist organization, display of symbols, expression of slogans, and “incitement.” On March 7, the Knesset amended the law to authorize restrictions on the release of bodies of terrorists and their funerals to prevent “incitement to terror or identification with a terrorist organization or an act of terror.” The government issued 59 indictments and courts convicted 12 persons under the law as of December 25, including the May 3 conviction by the Nazareth Magistrate’s Court of Dareen Tatour, an Arab citizen, as a result of the poems, pictures, and other media she posted online in 2015.

On July 6, police released to house arrest Sheikh Raed Salah, head of the Northern Islamic Movement, which the government outlawed in 2015. Authorities indicted Salah for incitement to terrorism and supporting an illegal association after arresting him in August 2017.

Internet Freedom

The government monitored electronic communications for security purposes. Based on a 2017 law authorizing district court judges to restrict access to internet sites to prevent the commission of crimes, district court judges approved requests from the state attorney’s cyber unit to remove 15 websites. The state attorney’s cyber unit’s end-of-year report for 2017 stated that requests to social media outlets to remove content based on its assessment that the content is illegal under the law led to the removal of almost 10,500 online postings, up from 1,554 in 2016. According to the report, 73 percent of the requests were due to offenses related to a

terror organization, and 26 percent were due to incitement offenses. Adalah wrote a letter to the attorney general on November 21 stating that the cyber unit should cease submitting requests to social media providers to remove content because only the judicial branch has the authority to determine whether any particular content constitutes a crime.

In August authorities arrested East Jerusalem resident Suzanne Abu Ghanem on suspicion of incitement to violence and terrorism, based on Facebook posts about the death of her son during the 2017 demonstrations on the Temple Mount/Haram al-Sharif.

Internet access was widely available. According to the International Telecommunication Union, 82 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

The law prohibits institutions that receive government funding from engaging in commemoration of the Nakba, or “catastrophe,” the term used by Palestinians to refer to the displacement of Palestinians during Israel’s 1948 War of Independence. According to an August 28 report in *Ha’aretz*, the Ministry of Finance rejected 98 requests to enforce the Nakba Law over the prior 12 months, including 60 requests from a political activist and 17 from Culture Minister Miri Regev.

In May, Education Minister and Chairman of the Council for Higher Education (CHE) Naftali Bennett agreed with the council of university heads regarding a new draft code of ethics to prevent academics from engaging in “political activity,” defined as supporting or opposing a party, political figure, or position on a topic under debate in the Knesset. According to the agreement, the CHE will not compel universities to adopt a unified ethics code, and the government will not advance legislation regarding an ethics code. Instead, academic institutions agreed to adopt five principles to their regulations, including nondiscrimination on the basis of political opinion and a regulation prohibiting faculty from presenting a personal political view as the view of the university.

Palestinian sources reported that Israeli authorities continued to provide an edited version of the Palestinian Authority curriculum that deleted information on Palestinian history and culture to schools in Palestinian-majority neighborhoods in East Jerusalem and sought to tie funding for those schools to the use of Israeli curriculum (see the West Bank and Gaza report for concerns regarding incitement

and anti-Semitism in Palestinian Authority textbooks).

Israel maintained prohibitions on some prominent Jerusalem-based Palestinian institutions, such as the Jerusalem Chamber of Commerce and Orient House, which had been the de facto Palestine Liberation Organization office. The government renewed a military closure order for these and other institutions on the grounds they violated the Oslo Accords by conducting political activities or otherwise operating on behalf of the Palestinian Authority in Jerusalem. The government likewise shut down several Palestinian academic and cultural events taking place in Jerusalem due to Palestinian Authority participation or support. For example, on July 14, authorities disrupted an al-Quds University conference in East Jerusalem on “Islamic Endowment Properties in Jerusalem” due to alleged Palestinian Authority sponsorship, and they temporarily detained a member of the university’s board of trustees before releasing him.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

The law provides for this right, and the government generally respected it.

There were reports that police used excessive force in response to protests by certain groups, including ultra-Orthodox men and boys, Arab citizens and residents, and persons with disabilities. For example, on April 4 in Jerusalem, two police officers reportedly hit on the head an ultra-Orthodox man with a mental disability after he briefly stopped in the road and waved his hands while walking with a group of ultra-Orthodox protesters toward a demonstration, according to PCATI. Multiple NGOs reported that on some occasions, police used excessive force to break up permitted demonstrations after protesters waved a Palestinian flag.

Freedom of Association

The law provides for this right, and the government generally respected it.

The law prohibits registration of an association or a party if its goals include denial of the existence of the State of Israel or the democratic character of the state. A

political party will not be registered if its goals include incitement to racism or support of an armed struggle, enemy state, or terror organization against Israel.

The 2016 NGO law, which came into effect after NGOs filed their 2017 annual statements in the first half of the year, requires NGOs receiving more than one-half of their funding from foreign governments to state this fact in all of their official publications, applications to attend Knesset meetings, websites, public campaigns, and any communication with the public. The law allows a fine of 29,200 shekels (\$8,000) for NGOs that violated these rules. As of December 15, the government had not taken legal action against any NGO for failing to comply with the law.

In March 2017 the Knesset passed a law mandating additional scrutiny on requests for National Service volunteers from NGOs that received more than one-half of their funding from foreign governments.

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted the government sought to intimidate them and prevent them from receiving foreign government funding (see section 5).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights for citizens.

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern, except as noted below.

Abuse of Migrants, Refugees, and Stateless Persons: Communities with a large concentration of African migrants were occasionally targets of violence. Additionally, the nature of government policies on the legality of work forced many refugees to work in “unofficial” positions, making them more susceptible to poor treatment and questionable work practices by their employers.

On February 22, a court convicted Dennis Barshivatz of manslaughter and a minor of inflicting grievous bodily harm for the death of Sudanese asylum seeker Babikar Ali Adham, whom the defendants beat to death in the city of Petah Tikva in 2016. Adham died from brain-stem bleeding four days after being beaten.

In-country Movement: The security barrier that divided the majority of the West Bank from Israel also divided some Palestinian communities in Jerusalem, affecting access to places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities. For example, restrictions on access in Jerusalem had a negative effect on Palestinian residents who were patients and medical staff trying to reach the six Palestinian hospitals in Jerusalem that offered specialized care, including delays at checkpoints lasting up to two hours. Israeli authorities sometimes restricted movement within Palestinian-majority neighborhoods of Jerusalem and Jerusalem's Old City and periodically blocked entrances to the East Jerusalem neighborhoods of Issawiya, Silwan, and Jabal Mukabber. The government stated that restrictions on movement in Jerusalem were temporary and implemented only when necessary for investigative operations, public safety, or public order, and when there was no viable alternative.

Foreign Travel: Citizens generally were free to travel abroad provided they had no outstanding military obligations and no administrative restrictions. The government may bar citizens from leaving the country based on security considerations, due to unpaid debts, or in cases in which a Jewish man refuses to grant his wife a Jewish legal writ of divorce. Authorities do not permit any citizen to travel to any state officially at war with Israel without government permission. This restriction includes travel to Iran, Iraq, Lebanon, Saudi Arabia, Syria, and Yemen.

The government requires all citizens to have a special permit to enter "Area A" in the West Bank (the area, according to the Interim Agreement, in which the Palestinian Authority exercises civil and security responsibility), but the government allowed Arab citizens of Israel access to Area A without permits. Israel continued to revoke Palestinians' Jerusalem identity cards. This meant Palestinian residents of Jerusalem could not return to reside in Jerusalem. Reasons for revocation included holding residency or citizenship of another country; living in another country, the West Bank, or Gaza for more than seven years; or, most commonly, being unable to prove a "center of life" (interpreted as full-time residency) in Jerusalem. Some Palestinians who were born in Jerusalem but studied abroad reported losing their Jerusalem residency status, but the government

denied revoking residency status of anyone who left for the sole purpose of studying abroad. The government stated that during the year it revoked the Jerusalem residency status of six persons for “breach of trust” relating to terrorism, four persons for “breach of trust” relating to membership in the Palestinian Legislative Council, which has been defunct since 2007, and 13 persons whose residency status “expired.” The government added that the residency of individuals who maintain an “affinity to Israel” will not be revoked and former residents who wish to return to Israel may receive renewed residency status under certain conditions. On October 29, an immigration appeals tribunal granted permanent residence to a woman who had received temporary residency in 2009 based on marriage to a permanent resident but left the man in 2011 after suffering domestic abuse.

Palestinians possessing Jerusalem identity cards issued by the Israeli government needed special documents to travel abroad.

Exile: Following a September 2017 Supreme Court decision striking down the revocation of four Palestinians’ permanent residency for “breach of trust” because no law granted the Minister of the Interior that authority, on March 7, the Knesset passed an amendment to the Entry Into Israel Law granting the minister that authority. NGOs such as the Jerusalem Legal Aid and Human Rights Center criticized the amendment. Human rights organizations appealed against the law, and the case continued at year’s end. In 2017 Human Rights Watch (HRW) said continued Israeli revocation of Jerusalem identity cards amounted to forced exile of Palestinian residents of Jerusalem to the West Bank, Gaza, or abroad.

Citizenship: The law allows revocation of citizenship from a person on grounds of “breach of trust to the State of Israel” or following a conviction for an act of terror. In 2016 Minister of the Interior Aryeh Deri filed a motion with the Haifa District Court to revoke the citizenship of Alaa Zayoud, whom the courts convicted of four counts of attempted murder in a 2015 car-ramming attack. In August 2017 the Haifa District Court ruled to revoke Zayoud’s citizenship, but the Supreme Court issued a temporary injunction preventing revocation of his citizenship in October 2017. As of September 18, the case was continuing.

Protection of Refugees

Refoulement: The government provided some protection against expulsion or return of refugees to countries where their lives or freedom could be threatened and stated its commitment to the principle of nonrefoulement.

The government maintained three policies to induce departure of irregular migrants and asylum seekers who entered the country without permission and whom the government could not deport to their home countries due to Israel's temporary protection policy prohibiting deportation to those countries. As of September there were 34,370 irregular migrants and asylum seekers in this category, nearly all of whom were from Eritrea or Sudan, according to the Population and Immigration Authority (PIBA).

The first policy, announced in 2015, allowed deportation or indefinite detention of migrants and asylum seekers who refuse to depart the country "voluntarily." On April 24, following three years of legal challenges, the government informed the Supreme Court that this policy had collapsed and it had no plan to deport migrants to a third country forcibly.

The second policy is to offer irregular migrants incentives to "depart" the country to one of two unspecified third countries in Africa, sometimes including a \$3,500 stipend (paid in U.S. dollars). The government claimed the third-country governments provided for full rights under secret agreements with Israel. The government provided most returnees with paid tickets to either Uganda or Rwanda, but NGOs and UNHCR confirmed that migrants who arrived in Uganda and Rwanda did not receive residency or employment rights. In July media reported that the government had stopped offering voluntary departure to Rwanda. During the year, 2,667 irregular migrants departed the country, compared with 3,375 in 2017. Approximately 1,000 of those who departed during the year were resettled to Canada after the Canadian government accepted their refugee claims. NGO advocates for irregular migrants claimed many of those who departed to other countries faced abuses in those countries and that this transfer could amount to refoulement. UNHCR and NGOs reported that many individuals who departed to other countries quickly left or returned to their country of origin because the foreign countries in which they arrived did not accord them protection, residency, and employment rights. The government affirmed it maintained a series of mechanisms to monitor the conditions of those who departed under this program. Authorities stated they had successfully contacted by telephone more than 85 percent of those who departed during the year.

The third policy was detaining irregular migrants without a legal conviction in the Holot facility; however, this policy ended when Holot closed on March 12 (see section 1.d.).

On April 2, Prime Minister Netanyahu announced an agreement with UNHCR to relocate 16,000 Eritrean and Sudanese migrants to Western countries over the next five years while settling a similar number in Israel. Netanyahu canceled the agreement less than 24 hours later, following criticism from his coalition partners and public supporters.

Access to Asylum: The law provides for granting of asylum or refugee status. The government has established a system for providing protection to refugees, but it has rarely done so. In 2008 authorities began giving the majority of asylum seekers a “conditional release visa” that requires renewal every one to six months. Only two Ministry of the Interior offices in the country, located in Bnei Brak and Eilat, renew these visas. The government provided these individuals with a limited form of group protection regarding freedom of movement, protection against refoulement, and informal access to the labor market. Advocacy groups argued that the policies and legislation adopted in 2011 were aimed at deterring future asylum seekers by making life difficult for those already in the country, and that these actions further curtailed the rights of the population and encouraged its departure.

Refugee status determination (RSD) recognition rates were extremely low. Since 2009 the government approved only 52 of 55,433 asylum requests, according to a report in May from the State Comptroller’s Office. The government approved six asylum requests during the year, including five from Eritreans and one from a Nigerian.

On February 15, an administrative appeals tribunal ruled that an Eritrean asylum seeker had a well founded fear of persecution after he fled military conscription, and PIBA should not have rejected his asylum application peremptorily. The Ministry of Interior appealed the ruling to a district court, where the case was pending as of the end of the year. As a result of the ruling, however, authorities released from detention 12 Eritreans with similar asylum claims that the government had previously rejected.

In February the government announced it would issue humanitarian visas, which allow migrants to work legally and to reenter Israel after a short departure, to 300 Sudanese migrants from Darfur, and in August the government announced it would issue another 300 to Sudanese migrants from Darfur, the Blue Nile, and Nuba Mountains. While this represented an improvement over previous “conditional release” status, NGOs cautioned that these migrants would continue to lack the full protections of refugee status. On October 28, the government announced a

decision to cease issuance of the visas to Sudanese citizens and to begin examining their asylum claims individually.

Migrants from countries eligible for deportation under government policy and those who were unable to prove their citizenship, including those claiming to be Eritrean or Sudanese, were subjected to indefinite detention if they refused to depart after receiving a deportation order. There were 165 migrants with undetermined or disputed citizenship in detention at year's end.

Despite a stated nondeportation policy preventing refoulement of irregular migrants and asylum seekers to Eritrea and Sudan, government officials and media outlets continued to refer to asylum seekers from Eritrea and Sudan as “infiltrators.” The term comes from the 1954 Prevention of Infiltration Law that applies to persons who entered Israel illegally.

A report in May from the state comptroller criticized PIBA regarding excessively long processing time for asylum applications, poor service at RSD facilities, and the exclusion of UNHCR from the PIBA advisory committee that adjudicates asylum claims.

Palestinian residents of the West Bank who claimed to be in a life-threatening situation due to their sexual orientation or other reasons, such as domestic violence, did not have access to the asylum system in Israel. NGOs stated this left persons who claimed they could not return to the West Bank due to fear of persecution vulnerable to human traffickers, violence, and exploitation. The government stated that the Coordinator of Government Activities in the Territories examines each case individually, with a preference for solutions that allow such individuals to remain under Palestinian administration, but can grant a residence permit in Israel in acute cases.

The government did not accept initial asylum claims at its airports. In October the immigration authority denied entry to 13 Sri Lankan citizens who sought to claim asylum, according to media and NGO reports. The NGO Hotline for Refugees and Migrants appealed for their release and to prevent their deportation. The 13 asylum seekers remained in detention as of December 4.

Safe Country of Origin/Transit: In 2017 PIBA announced a fast-track procedure to reject asylum applications from applicants whose country of citizenship the Ministry of the Interior determined was safe for return and began applying it to Georgian and Ukrainian applicants.

On October 7, PIBA announced the government ended the temporary protection policy for Democratic Republic of the Congo (DRC) citizens and those without a visa must leave Israel by January 5, 2019. Following a petition by human rights organizations, the Jerusalem District Court issued an injunction on December 31, suspending the order to depart. According to NGOs, as of October approximately 200 asylum claims from DRC citizens remained pending for more than 10 years. There were 314 DRC citizens in Israel at year's end, according to media reports.

Freedom of Movement: Authorities prohibited asylum seekers released from the Holot facility from residing in Eilat and Tel Aviv. Additionally, following the closure of Holot, authorities prohibited asylum seekers from residing in Jerusalem, Petah Tikva, Netanya, Ashdod, and Bnei Brak.

Employment: The few recognized refugees received renewable work visas. Most asylum seekers held a 2A5 visa, which explicitly reads, "This is not a work visa." The government allowed asylum seekers to work in the informal sector but not to open their own businesses or register to pay value-added tax, although the law does not prohibit these activities. Despite the lack of a legal right to employment, the government's published policy was not to indict asylum seekers or their employers for their employment. In September 2017, however, the Supreme Court ruled that asylum seekers are included as "foreign workers," a category prohibited by Finance Ministry regulations from working on government contracts, including local government contracts for cleaning and maintenance, which often employed irregular migrants.

The law requires employers to deduct 20 percent of irregular migrants' salaries for deposit in a special fund and adds another 16 percent from the employer's funds. The employee can access the funds only upon departure from the country, and the government may deduct a penalty for each day that the employee is in the country without a visa. NGOs such as Kav LaOved and Hotline for Refugees and Migrants criticized the law for pushing vulnerable workers' already low incomes below minimum wage, leading employers and employees to judge it to be more profitable to work on the black market, increasing migrants' vulnerability to trafficking and prostitution. According to government officials and NGOs, some Eritrean women entered prostitution or survival sex arrangements in which a woman lives with several men and receives shelter in exchange for sex. The NGO ASSAF Aid Organization for Refugees and Asylum Seekers in Israel reported significant increases in homelessness, mental health concerns, and requests for food assistance following implementation of the law. In contrast to 2017, when

technical problems prevented those who departed the country from receiving the accumulated funds, the government stated that 722 departing migrants withdrew their funds during the year. Kav LaOved reported there was no way for migrants to monitor their deposit balance, and approximately half of the funds were never deposited in the account by employers, despite withholding the funds from their employees. At least 30 migrants left the country without receiving any money that was deducted from their wages, according to Kav LaOved. A coalition of NGOs petitioned the Supreme Court against the deposit law in March 2017, leading the Knesset's committee on Labor, Welfare, and Health to pass a regulation on June 27, reducing the deduction to 6 percent for vulnerable populations, including recognized trafficking victims. PIBA did not accept a letter from the police that confers official recognition as a trafficking victim for the purpose of reducing the deduction or refunding the deposit, according to Kav LaOved.

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

Access to Basic Services: Access to health care and shelter was available on an inconsistent basis. The few recognized refugees received social services, including access to the national health-care system, but the government did not provide asylum seekers with public social benefits such as public housing, income assistance, or free health insurance to the most vulnerable individuals, including children, single parents, persons with chronic illnesses, and persons with disabilities. For example, Physicians for Human Rights Israel reported on the difficulties faced by five cancer patients who needed treatment during the year. The Ministry of Health offered medical insurance for minor children of asylum seekers for 120 shekels (\$33) per month. The government sponsored a mobile clinic, and mother and infant health-care stations in south Tel Aviv, which were accessible to migrants and asylum seekers. Hospitals provided emergency care to migrants but often denied follow-up treatment to those who failed to pay for their emergency care, according to NGOs. The Ministry of Health funded one provider of mental health services to irregular migrants, which NGOs praised as very effective but overburdened.

Temporary Protection: The government also provided temporary protection to individuals whom it did not recognize as refugees or may not qualify as refugees and did so primarily to Eritrean and Sudanese irregular migrants, as described above.

Stateless Persons

Despite being eligible for Israeli citizenship since 1981, an estimated 23,000 Druze living in territory captured from Syria in 1967 largely refused to accept it, and their status as Syrian citizens was unclear. They held Israeli identification cards, which listed their nationality as “undefined.”

In August 2017 media reported the Ministry of the Interior had retroactively canceled the citizenship of 2,600 Bedouin citizens since 2010, alleging that a “registration error” had mistakenly granted citizenship to their ancestors between 1948 and 1951. Cancellation of their citizenship left these individuals stateless. The government stated at the end of the year that anyone in this group whose citizenship was a result of a clerical error would have the opportunity to regain citizenship, barring any criminal or other impediment.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Palestinian residents of Jerusalem who have permanent residency status may vote in Jerusalem municipal elections and seek some municipal offices, but not mayor, and they cannot vote in Knesset elections or serve in the Knesset.

Elections and Political Participation

Recent Elections: Observers considered the October 30 municipal elections and parliamentary elections held in 2015 free and fair. In the October 30 municipal election, 60 percent of eligible voters cast ballots, but less than 2 percent of eligible Palestinian residents of Jerusalem did so. Police arrested and subsequently released four Fatah activists in the Jabal Mukabber and Sur Baher neighborhoods of Jerusalem for attempting to interfere with Palestinian residents of Jerusalem participating in the municipal elections.

Political Parties and Political Participation: The Basic Laws prohibit the candidacy of any party or individual that denies the existence of the State of Israel as the state of the Jewish people or the democratic character of the state or that incites racism. Otherwise, political parties operated without restriction or interference. The Northern Islamic Movement, banned in 2015, continued its practice of prohibiting its members from running for local or national office and boycotting elections.

In 2017 the Knesset passed a law restricting the funding of individuals and groups that engage in “election activity” during the period of a national election, which is typically three months. The law’s sponsors described it as an effort to prevent organizations and wealthy individuals from bypassing election-funding laws, but some civil society organizations expressed concern the law would stifle political participation.

The law allows dismissal of an MK if 90 of 120 MKs voted for expulsion, following a request of 70 MKs, including at least 10 from the opposition. The party of an expelled member could replace the MK with the next individual on its party list, and the expelled member could run in the next election. On May 27, the Supreme Court rejected a legal challenge to this law from Joint List MK Yousef Jabareen and two NGOs. They argued the government intended the law to target Arab legislators, and it harmed democratic principles such as electoral representation and freedom of expression.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The law provides an additional 15 percent in campaign funding to municipal party lists composed of at least one-third women. Women participated widely in politics, including in leadership positions. As of November 20, the 120-member Knesset had 35 female members and 18 members from ethnic or religious minorities (12 Muslims, three Druze, two Ethiopian-Israelis, and one Christian). As of September the 23-member cabinet included four women and one Druze minister. One woman was a deputy minister; there were no Arabs. Aida Touma Suliman, an Arab, chaired a permanent committee in the Knesset, the Committee on the Status of Women. Four members of the 15-member Supreme Court were women, and one was Arab. Following the October 30 municipal elections, the number of women mayors and local council heads increased from six to 14 of a total of 257.

On September 3, in response to a lawsuit against the ultra-Orthodox party Agudat Israel, the party told the Supreme Court it would change its regulations to allow women to run as candidates.

According to Adalah, the estimated 6,000 residents of the recognized Bedouin village of al-Fura’a were unable to vote in the October 30 municipal elections because the village had not been assigned to a regional council. The government stated that efforts by the Ministry of Agriculture Authority for the Development and Settlement of Bedouin in the Negev to create a plan of action for the village,

including assigning jurisdiction to a local authority, remained underway as of the end of the year.

Section 4. Corruption and Lack of Transparency in Government

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

Corruption: The government continued to investigate and prosecute top political figures. As of December there were four continuing investigations of Prime Minister Netanyahu and individuals close to him. Investigations concerned alleged receipt of inappropriate gifts, an alleged attempt to misuse authority to suppress newspaper competition in exchange for favorable press, and alleged possible corruption involving regulation of a telecommunications company. Netanyahu denied wrongdoing in all cases. The Jerusalem District Attorney's Office indicted Netanyahu's wife, on June 21 for misuse of government funds related to the official prime minister's residence. Several other government ministers and senior officials were under investigation for various alleged offenses.

In December 2017 the Knesset passed a law prohibiting police from offering a recommendation whether to indict a public official when transferring an investigation to prosecutors. The attorney general or state prosecutor can ask police for a recommendation, however. Detectives or prosecutors who leak a police recommendation or an investigation summary can be imprisoned for up to three years. The law does not apply to investigations in process at the time of the law's passage.

The NGO Lawyers for Good Governance, which combats corruption in Israel's 86 Arab municipalities, reported that it received 782 corruption-related complaints through its hotline, up 65 percent from 2017. The NGO stated that during the year it prevented 30 senior staff appointments on the basis of nepotism or being hired without a public announcement, such as an appointment to the position of general manager in the northern town of Mashhad.

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

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

A variety of Israeli, Palestinian, and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally responsive to their views, and parliamentarians routinely invited NGOs critical of the government to participate in Knesset hearings on proposed legislation. Human rights NGOs have standing to petition the Supreme Court directly regarding governmental policies and may appeal individual cases to the Supreme Court.

Many NGOs, particularly those focused on human rights, viewed the NGO law (see section 2.b.), which came into effect during the year, as an attempt to stigmatize and delegitimize them. Supporters of the NGO law described it as a transparency measure to reveal foreign government influence. Critics noted it targeted only foreign government funding, while leaving organizations receiving the majority of their funding from foreign private donors secret. The NGO Im Tirtzu, which received a majority of its funding from foreign private donors and strongly supported the law, stated that foreign governments should promote their agendas directly through communication with the government and not indirectly through funding civil society.

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted that the government sought to intimidate and stigmatize them. The Israeli branch of the New Israel Fund (NIF), an NGO that received the majority of its funding from foreign private donors, was the target of negative rhetoric from government officials during the year alleging it was responsible for Rwanda's withdrawal from an agreement to receive migrants deported from Israel, a charge which the organization denied.

The attorney general notified the Prime Minister's Office on November 19 that it has no legal authority to collect information on Israeli human rights NGOs and must delete any information already collected on civilian organizations, according to media reports.

In December 2017 the Be'er Sheva municipality ordered NCF's Mulkata-Mifgash Cultural Center to evacuate the public shelter where they had operated for a decade on the grounds they had conducted "political activity" in the shelter in violation of the terms of their agreement. The Be'er Sheva District Court upheld the eviction

on May 15. On December 26, however, the Supreme Court overturned the order, ruling that “political activity” refers only to activity relating to a political party.

On May 7, the government revoked the work permit of a foreign citizen HRW researcher and instructed him to leave the country within 14 days, based on allegations that he supported a boycott of Israel. He appealed the decision, and a court issued an injunction allowing him to remain in Israel until the end of his case. As of the end of the year, the case was continuing. In February 2017 the government accused HRW of spreading “Palestinian propaganda.”

The Ministry of the Interior continued to deny entry into the country to foreign nationals affiliated with certain NGOs that the government stated called for a boycott of the state of Israel, one of its institutions, or entities in areas under its control. (For information about boycotts against Israel and Israeli settlements in the West Bank, see section 2.a.).

The staffs of Israeli NGOs, particularly those calling for an end to Israel’s military presence in the West Bank, stated they received death threats from nongovernmental sources, which spiked during periods in which government officials spoke out against their activities or criticized them as enemies or traitors for opposing government policy. For example, NIF faced increased threats following PM Netanyahu’s April 3 statement and a video by the NGO Im Tirtzu on April 4 that accused NIF’s then president Talia Sasson of battling against the IDF and supporting terrorists.

The government stated that it makes concerted efforts to include civil society in the legislation process, in developing public policy, and in a variety of projects within government ministries, but did not state whether it participated in any civil society conferences following the attorney general’s recommendation. Media reported on December 25 that PM Netanyahu barred an IDF legal advisor from participating in a course conducted by ACRI and the International Committee of the Red Cross.

The United Nations or Other International Bodies: The government generally cooperated with the United Nations and other international bodies. The government continued its policy of nonengagement with the UN Human Rights Council’s “special rapporteur on the situation in the Palestinian territories occupied since 1967.” Following a November 2 letter from four UN special rapporteurs requesting clarification about the Nation State Law (see section 6) in preparation for a report to the UN Human Rights Council, media reported that Israeli

Ambassador to the UN Danny Danon stated, “The Council has no right to demand anything from us until it removes its clear bias against the State of Israel.”

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

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

Women

Rape and Domestic Violence: Rape, including spousal rape, is a felony punishable by 16 years in prison, or up to 20 years’ imprisonment for rape under aggravated circumstances or if the perpetrator rapes or commits a sexual offense against a relative. Authorities opened 1,443 investigations of suspected rape, issued 235 indictments, and convicted 154 persons during the year.

During the year 26 women and girls, half of whom were Arab citizens, were killed, most by family members or male partners, including two girls in separate incidents on November 25. This was the highest number since 2011. According to the Women’s International Zionist Organization, in 2016 and 2017 police had received domestic violence complaints from half of the women and girls who were later killed in these domestic attacks. On December 4, dozens of Jewish and Arab women NGOs mobilized tens of thousands of women to strike and protest across the country, demanding the elimination of violence against women. A governmental committee resolved on December 5 to finance a 250 million shekel (\$68 million) five-year plan and to expedite relevant legislation to combat violence against women.

The Ministry of Labor, Social Affairs, and Social Services operated 14 shelters for survivors of domestic abuse, including two for the Arab community, two mixed Jewish-Arab shelters, two for the ultra-Orthodox community, and eight for non-ultra-Orthodox Jewish communities. The Labor Ministry also operated a hotline for reporting abuse. The Labor Ministry reported that it assisted 600 women and girls involved in prostitution during the year, including providing emergency shelters, day centers, and therapeutic hostels.

Women from certain Orthodox Jewish, Muslim, and Druze communities faced significant social pressure not to report rape or domestic abuse. The government stated that police officers receive training to interact with persons of different cultures and backgrounds, with an emphasis on special minority communities.

Beginning in 2017 the global #MeToo campaign led Israeli women to speak out against men they claimed had sexually harassed or assaulted them. In one prominent case, on July 23, the Tel Aviv District Court sentenced real estate businessman and nightclub owner Alon Kastiel to four years and nine months in prison for sexually assaulting four women.

On December 31, the Knesset passed a law criminalizing the purchase of sex, while leaving the provision of sex legal. The law also created new mechanisms for rehabilitation of persons working in prostitution. In addition, police stated they took down some websites advertising prostitution and disconnected telephone numbers on advertisements for prostitution in major cities.

Sexual Harassment: Sexual harassment is illegal. Penalties for sexual harassment depend on the severity of the act and whether the harassment involved blackmail. The law provides that victims may follow the progress on their cases through a computerized system and information call center. The Association of Rape Crisis Centers in Israel reported that it received more than 9,000 requests for assistance relating to sexual harassment in 2017, and prosecutors filed 129 indictments for sexual harassment in 2017, up from 26 in 2016. From January 1 to October 15, police opened fewer sexual harassment investigations than during the same period in 2017, according to *Ma'ariv* newspaper. In March, Supreme Court Chief Justice Hayut established a committee to examine the judicial system's treatment of victims of sex offenses. The committee had not submitted recommendations as of October 5.

In May, Major General Roni Rittman, head of police anticorruption unit Lahav 433, resigned following accusations that he sexually harassed a subordinate in 2011.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men. In the criminal and civil courts, women and men enjoyed the same

rights, but in some matters religious courts--responsible for adjudication of family law, including marriage and divorce--limited the rights of Jewish, Christian, Muslim, and Druze women.

On May 5, the state announced that it began recruiting women as legal advisors in rabbinical courts in response to a petition to the Supreme Court from the NGO ITIM. In June 2017, in response to a three-year court challenge by women's rights organizations, the Rabbinical Courts Administration named its first female deputy director general. Although women served as judges in nonreligious courts, they remained barred from serving as judges in rabbinical courts.

The law allows a Jewish woman or man to initiate divorce proceedings, and both the husband and wife must give consent to make the divorce final. Sometimes a husband makes divorce contingent on his wife conceding to demands, such as those relating to property ownership or child custody. Jewish women in this situation could not remarry or give birth to legitimate children from another man. In rare cases Jewish women refused to grant men divorces, but this has lesser effect on a husband under Jewish law. Rabbinical courts sometimes sanctioned a husband who refused to give his wife a divorce, while also declining to grant the divorce without his consent.

A Muslim woman may petition for and receive a divorce through the sharia courts without her husband's consent under certain conditions. A marriage contract may provide for other circumstances in which she may obtain a divorce without his consent. A Muslim man may divorce his wife without her consent and without petitioning the court. Through ecclesiastical courts, Christians may seek official separations or divorces, depending on their denomination. Druze divorces are performed by an oral declaration of the husband alone and then registered through the Druze religious courts, placing a disproportionate burden on the woman to leave the home with her children immediately. A civil family court or a religious court settles child custody, alimony, and property matters after the divorce, which gives preference to the father unless it can be demonstrated that a child especially "needs" the mother.

Although the law prohibits discrimination based on gender in employment and wages and provides for class action antidiscrimination suits, a wage gap between men and women persisted. On average, men earned 19 percent more per hour than women, according to the Central Bureau of Statistics.

The law requires every government ministry and every local government to have an advisor working to advance women's rights. The government subsidizes day-care and after-school programs to encourage labor participation by mothers and offers professional training to single parents.

In some ultra-Orthodox neighborhoods, private organizations posted "modesty signs" demanding women obscure themselves from public view to avoid distracting devout men. The local municipality of Beit Shemesh failed to comply with court orders from 2015 and 2016 to remove the signs, leading the Jerusalem District Court to rule in 2017 that the municipality would face a fine of 10,000 shekels (\$2,800) per day if the signs remained posted. In December 2017 the municipality took down six of the eight signs, then ceased their removal due to a protest. Local residents put up new signs to replace those the municipality removed. On February 18, the Supreme Court ordered the municipality to install security cameras and take action against those posting the signs. As of September 4, police had not made any arrests, and the court case continued. The municipality had not installed cameras as of November, according to media reports.

Women's rights organizations cited a growing trend of gender segregation reflecting increased incorporation of Jewish religious observance in government institutions, including in the IDF, as accommodation to increase the enlistment of participants who follow strict interpretations of Jewish law prohibiting mixing of the sexes. For example, IDF commanders sometimes asked female soldiers serving in leadership or instructor positions to allow a male colleague to assume their duties when religious soldiers were present, according to the Israel Women's Network. In response to this claim and similar allegations in media reports, IDF Chief of Personnel Director Major General Almoz said that such practices "are in violation of Army orders and policy, do unnecessary harm to large groups serving in the Army, and are inconsistent with IDF commanders' responsibility." In general the trend in recent years has been toward greater inclusion of women in the IDF, including in combat roles and senior leadership positions. In June the Army assigned four women to serve as tank commanders for the first time, and in August the Air Force announced the first female commander of a flight squadron.

Children

Birth Registration: Children derive citizenship at birth within or outside of the country if at least one parent is a citizen. Births are supposed to be registered within 10 days of delivery. Births are registered in the country only if the parents

are citizens or permanent residents. Any child born in an Israeli hospital receives an official document from the hospital that affirms the birth.

A child's status derives from a parent's status; if one of the parents is an Israeli citizen and the other is not, the child may be registered as Israeli as long as he or she lives with the parent who is an Israeli citizen or permanent resident.

On July 25, in response to a petition by 34 lesbian mothers, the Supreme Court ordered the government to explain its refusal to list nonbiological mothers on birth certificates, despite court-issued parenting orders. In another petition same-sex couples demanded to be listed on the birth certificate of their adopted child, following the issue of a parenting order. The government argued that birth certificates should represent a child's biological parents. As of September 4, both petitions were ongoing.

The Ministry of the Interior issues a confirmation of birth document, which is not a birth certificate, for children of nonresident parents, including those who lacked legal status in the country. The Supreme Court confirmed in a November 22 ruling that the ministry does not have the authority to issue birth certificates for nonresidents under existing law.

Israel registers the births of Palestinians born in Jerusalem, although Palestinian residents of Jerusalem sometimes reported delays lasting years in that process.

Education: Primary and secondary education is free and universal through age 17 and compulsory through grade 12.

The government did not enforce compulsory education in unrecognized Bedouin villages in the Negev. Bedouin children, particularly girls, continued to have the highest illiteracy rate in the country, and more than 5,000 kindergarten-age children were not enrolled in school, according to NCF. The government did not grant construction permits in unrecognized villages, including for schools. During the year the government began to provide transportation to preschools for 95 children from the unrecognized villages of al-Sira, al-Jaraf, and Umm al-Nameileh for the first time, in response to legal action. Following an October 2017 court order, the government agreed in May to fund the construction of school bus stops to serve approximately 20,000 Bedouin children from 19 villages, according to Adalah.

There were insufficient classrooms to accommodate schoolchildren in Jerusalem. Based on population data from the Central Bureau of Statistics, the NGO Ir Amim estimated there was a shortage of 2,500 classrooms for East Jerusalem Palestinian children, and 18,600 Palestinian children in Jerusalem were not enrolled in any school. On May 13, the government announced a two billion shekel (\$555 million), five-year development plan for East Jerusalem that included 445 million shekels (\$120 million) for education. Ir Amim stated that 43 percent of this amount was contingent on schools transitioning from the Palestinian to the Israeli curriculum.

The government operated separate public schools for Jewish children, in which classes were conducted in Hebrew, and for Arab children, with classes conducted in Arabic. For Jewish children separate public schools were available for religious and secular families. Individual families could choose a public school system for their children to attend regardless of ethnicity or religious observance.

The government funded approximately 34 percent of the Christian school system budget and restricted the schools' ability to charge tuition from parents, according to church officials. The government offered to fund Christian schools fully if they become part of the public (state) school system, but the churches continued to reject this option, citing concerns that they would lose control over admissions, hiring, and use of church property.

Dozens of Jewish schoolgirls were denied admission to ultra-Orthodox schools due to discrimination based on their Mizrahi ethnicity (those with ancestry from North Africa or the Middle East) despite a 2009 court ruling prohibiting ethnic segregation between Mizrahi and Ashkenazi schoolgirls, according to the NGO Noar Kahalacha.

The Netanya municipality moved 70 children of Eritrean irregular migrants from the different preschools they attended during the previous school year to one preschool in poor condition, segregating them from Israeli-born children, according to *Ha'aretz*. Fearing for their children's safety because the school was next to a park known for use by drug addicts, the parents of these children all withdrew them from school, according to migrant community leaders.

In recent years an influx of Arab residents to the primarily Jewish town of Nazareth Illit led to a population of some 2,600 Arab students with no option for education in Arabic. As a result most such students attended schools in Arab-majority Nazareth and nearby villages. Following a 2016 petition from ACRI

demanding establishment of a school for Arabic-speaking students, authorities established a team to address the issue, including municipality employees, the mayor, Arab residents, and ACRI. The team was in the process of conducting a needs assessment as of the end of the year, according to ACRI.

The NGO National Council for the Child reported it received more than 2,400 complaints during the year relating to the infringement of children's rights in the education system across the country, concerning issues related to children with disabilities, school transportation, violence in schools, early childhood education, and other issues. Nearly 1,000 of these complaints concerned verbal, emotional, and/or physical violence between students or violence by staff toward students.

On September 3, outgoing Jerusalem Mayor Nir Barkat announced plans to remove the UN Relief and Works Agency from the municipality and replace it with government providers of education and health care services to Palestinian beneficiaries within municipal boundaries, including the Shu'fat refugee camp. He accused the UN agency of operating illegally and promoting incitement against Israel. On October 8, Barkat visited Shu'fat Camp and promised to provide municipal services there. On October 28, residents of Shu'fat protested Barkat's plan.

Child Abuse: The law requires mandatory reporting of any suspicion of child abuse. It also requires social service employees, medical and education professionals, and other officials to report indications that minors were victims of, engaged in, or coerced into prostitution, sexual offenses, abandonment, neglect, assault, abuse, or human trafficking. The Ministry of Education operated a special unit for sexuality and for prevention of abuse of children and youth that assisted the education system in prevention and appropriate intervention in cases of suspected abuse of minors.

The National Council for the Child received more than 2,000 complaints during the year relating to physical and sexual abuse, neglect, and child pornography.

According to local government officials, Gaza fence protests, air raid sirens, and rocket attacks led to psychological distress among children living near the Gaza Strip, including nightmares and posttraumatic stress disorder.

Early and Forced Marriage: The law sets the minimum age of marriage at 18 years, with some exceptions for minors due to pregnancy and for couples older than 16 years old if the court permitted it due to unique circumstances. Some

Palestinian girls were coerced by their families into marrying older men who were Arab citizens of Israel, according to government and NGO sources.

Sexual Exploitation of Children: The law prohibits sexual exploitation of a minor and sets a penalty of seven to 20 years in prison for violators, depending on the circumstances. The law prohibits the possession of child pornography (by downloading) and accessing such material (by streaming). Authorities enforced the law. For example, in October police arrested 42 suspects for internet-based pedophilia offenses. On November 14, media reported that authorities filed indictments against eight of the suspects. Websites and apps such as Telegram and Total Chat facilitated prostitution, including prostitution of children, according to NGOs.

The minimum age for consensual sex is 16 years old. Consensual sexual relations with a minor between the ages of 14 and 16 constitute statutory rape punishable by five years' imprisonment.

On September 6, authorities indicted handball coach Beno Reinhorn for sexual offenses, including rape, sodomy, sexual harassment, and cybersexual assault, against 170 girls ages nine to 15 in Israel and outside the country.

On November 19, the Ministry of Public Security launched a new hotline for complaints regarding online harm to children through bullying, spreading hurtful materials, extortion, sexual abuse, and exhortation to suicide.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's report *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

Anti-Semitism

Jews constituted approximately 75 percent of the population, according to the Central Bureau of Statistics. The government often defined crimes targeting Jews as nationalistic crimes relating to the Palestinian-Israeli conflict rather than as resulting from anti-Semitism.

On August 13, a vandal spray-painted Nazi symbols on the Mikdash Moshe synagogue and government offices in Petakh Tikva. On August 16, police arrested a suspect. No further information was available as of the end of the year.

Regarding claims for the return of, or restitution for, Holocaust-era assets, the government has laws and mechanisms in place. Relevant Israeli laws refer to assets imported during World War II whose owners did not survive the war. Unclaimed assets were held in trust and not transferred to legal inheritors, who in most cases were not aware that their late relatives had property in Israel.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The Basic Laws provide a legal framework for prohibiting discrimination against persons with disabilities in the provision of government services. Legislation mandates access to buildings, information, communication, transportation, the judicial system, and physical accommodations and services in the workplace, as well as access to mental health services as part of government-subsidized health insurance, and the government generally enforced these laws. The law prioritizes access by persons with disabilities to public services, such as eliminating waiting in line. There were 1.5 million persons with disabilities in the country, including 790,000 of working age, according to a December report from the Ministry of Justice Commission for Equal Rights of Persons with Disabilities (CERPD). Among Arab citizens, 26 percent had a disability, compared with 18 percent of the general population. Of working-age adults with a disability, 60 percent were employed in 2017, compared with 52 percent in 2016.

The law mandated that local governments implement all necessary changes to public locations and buildings constructed before 2009 to make them accessible by November 1, but the Ministry of Justice extended the deadline to November 1, 2021, for buildings and places owned by local authorities. On March 5, the Knesset's Committee on Labor, Welfare, and Health extended the deadline for 70 percent of government-owned buildings to December 31, and for the remaining 30 percent of government-owned buildings to December 31, 2019. By law buildings constructed since 2009 must be accessible.

Societal discrimination and lack of accessibility persisted in employment, housing, and education. Government ministries had not developed regulations regarding the accessibility of health services, roads, sidewalks, and intercity busses as of November.

The law requires that at least 5 percent of employees of every government employer with more than 100 workers be persons with disabilities. In 2017, 61 percent of government employers met this requirement, according to the December CERPD report.

Shortages of funding for Arab municipalities adversely affected Arabs with disabilities. The disability rights NGO Bizchut reported a lack of accessible transportation services in Palestinian-majority neighborhoods of East Jerusalem.

Access to community-based independent living facilities for persons with disabilities remained limited. Following a 2016 plan from the Ministry of Labor, Social Affairs, and Social Services to move 900 individuals from group homes to individual facilities, authorities had moved 350 individuals as of November.

On August 13, the government approved the establishment of two new towns, Shibolet in the north of the country and Daniel in the south, in which 20 percent of residents were to be persons with disabilities.

National/Racial/Ethnic Minorities

On June 19, the Knesset passed a new basic law referred to as the “Nation State Law.” The new law changed Arabic from an official language, which it had been since Israel adopted prevailing British Mandate law in 1948, to a language with a “special status.” The law also recognized only the Jewish People as having a national right of self-determination and called for promotion of “Jewish settlement” within Israel, which Arab organizations and leaders in Israel feared would lead to increased discrimination in housing and legal decisions pertaining to land. Druze leaders criticized the law for relegating a minority in Israel that serves in the military to second-class citizen status. Opponents also criticized the law for not mentioning the principle of equality to prevent harm to the rights of non-Jewish minorities. Supporters stated it was necessary to anchor Israel’s Jewish character in a basic law to balance the 1992 “Basic Law: Human Dignity and Liberty,” which protected individual rights, noting that the Supreme Court had already interpreted the 1992 law as mandating equality. Such supporters argued that the Human Dignity and Liberty law continues to safeguard individual civil rights.

Political leaders conceded that the criticisms of the Druze community must be addressed. As of December 2, multiple lawsuits challenging the Nation State Law were pending with the Supreme Court.

There were “price tag” attacks, which refer to violence by Jewish individuals and groups against non-Jewish individuals and property with the stated purpose of exacting a “price” for actions taken by the government against the attackers’ interests. The government classifies any association using the phrase “price tag” as an illegal association and a price tag attack as a security (as opposed to criminal) offense. On March 29, the Lod District Court convicted one person of “membership in a terrorist organization” for a 2015 price tag attack, according to media reports. The most common offenses, according to police, were attacks on vehicles, defacement of real estate, harm to Muslim and Christian holy sites, assault, and damage to agricultural lands. For example, vandals slashed the tires of 30 vehicles and spray-painted pro-Jewish graffiti on a truck in the Arab town of Kafr Kassem in central Israel on December 2, according to media reports.

According to the Latin Patriarchate of Jerusalem, in October vandals damaged tombs and broke crosses at the cemetery of the Salesian Monastery at Beit Jimal near Beit Shemesh, the third attack on the monastery in three years. An October 18 statement from the Latin Patriarchate criticized Israeli authorities for failing to apprehend the culprits in any of the preceding cases.

On August 16, following an appeal by the State Attorney’s Office, the Supreme Court added 18 months to a four-year sentence for Yinon Reuveni, who burned and vandalized a large section of the Church of the Multiplication in Tabgha in 2015.

Arab citizens faced institutional and societal discrimination. There were multiple instances of security services’ or other citizens’ racially profiling Arab citizens. Some Arab civil society leaders described the government’s attitude toward the Arab minority as ambivalent; others cited examples in which Israeli political leaders incited racism against the Arab community or portrayed it as an enemy.

On April 24, Prime Minister Netanyahu announced two allocations aimed at increasing employment opportunities for Arab citizens in the high-tech sector. The Prime Minister’s Office Committee for Arab Affairs allocated 20 million shekels (\$5.6 million) for construction of technology parks to serve as research incubators and office space for high-tech startups in Arab communities and five million

shekels (\$1.4 million) for roads and transportation services connecting Arab towns to the technology parks.

In 2015, following negotiations with the Arab community, the cabinet approved a five-year plan for development of the Arab sector in the fields of education, transportation, commerce and trade, employment, and policing. In September the government reported it had transferred 4.8 billion shekels (\$1.3 billion) under this resolution.

The government employed affirmative action policies for non-Jewish minorities in the civil service. The percentage of Arab employees in the 62 government-owned companies was 2.5 percent; however, Arab citizens held 12 percent of director positions in government-owned companies as of 2017, up from 1 percent in 2000, and Arab workers held 11 percent of government positions, up from 5 percent in 2000, according to the NGO Sikkuy. In August 2017 the Ministry of Labor, Social Affairs, and Social Services announced an investment of 15 million shekels (\$4.2 million) over the next five years to integrate Arab employees into the high-tech sector. The ministry reported that it signed contracts with two implementing partners, which conducted two training courses for 480 Arab students and graduates by the end of the year.

Separate school systems within the public and semipublic domains produced a large variance in education quality. Arab, Druze, and ultra-Orthodox students passed the matriculation exam at lower rates than their non-ultra-Orthodox Jewish counterparts. The government continued operating educational and scholarship programs to benefit Arab students. As of October, 15 percent of students in Israeli institutes of higher education were Arab citizens or residents, up from 9 percent in 2010, according to the organization Inter-Agency Task Force on Israeli Arab Issues.

In March, Kfar Vradim Mayor Sivan Yechieli reportedly suspended sales of new residential land plots after Arab citizens bought 58 of the first 125 plots in the otherwise Jewish town. Yechieli defended his decision as seeking to preserve “communal life and the special character” of the town, according to media reports, but he later clarified to Israel Channel 10 that he had not canceled the tender.

The ethics tribunal of the Israel Press Council, a voluntary association of publishers, journalists, and the public, ruled in May that *Israel Hayom* and *Yediot Ahronot*, two of the biggest newspapers, had violated their ethics code by

publishing opinion polls of issues relevant to the entire public based on samples of only Jewish Israelis.

Approximately 93 percent of land in Israel is in the public domain. This includes approximately 12.5 percent owned by the Jewish National Fund (JNF), whose statutes prohibit sale or lease of land to non-Jews. Arab citizens are allowed to participate in bids for JNF land, but the Israel Lands Administration (ILA) will grant the JNF another parcel of land whenever an Arab citizen of Israel wins a bid. In 2016 human rights organizations petitioned the Supreme Court against the requirement that six of 14 members of the ILA Council be JNF representatives, claiming the JNF's mission to benefit only Jewish citizens may make the council discriminatory against non-Jews. On June 21, the Supreme Court rejected the case, ruling that JNF representatives in the council are expected--like the other representatives--to uphold equality. The law requires representation of an Arab, Druze, or Circassian member in the ILA Executive Council.

The Bedouin segment of the Arab population continued to be the most disadvantaged. More than one-half of the estimated 258,000 Bedouin citizens in the Negev lived in seven government-planned towns. In nine of 11 recognized villages, all residences remained unconnected to the electricity grid or to the water infrastructure system, according to NCF. Nearly all public buildings in the recognized Bedouin villages were connected to the electricity grid and water infrastructure, as were residences that had received a building permit, but most residences did not have a building permit, according to the government. Each recognized village had at least one elementary school, and eight recognized villages had high schools.

Approximately 90,000 Bedouins lived in 35 unrecognized tent or shack villages without access to any government services. A three-billion-shekel (\$840 million) multiyear plan the government approved in February 2017 to promote economic and social development in Bedouin communities excluded the unrecognized villages. (See section 1.e. for issues of demolition and restitution for Bedouin property.)

In May women filed a class action lawsuit against four hospitals for segregating Jewish and Arab women in maternity wards, according to media reports. A May 2017 report from the state comptroller criticized this practice, noting that separation of patients for nonmedical reasons was incompatible with the principle of equality, even if such separation was requested by the patient or for "cultural considerations."

Since 2013 the government facilitated the entry of several thousand Syrian nationals, including Druze, to Israel to receive medical treatment. The government generally prohibited Druze citizens and residents from visiting Syria. The government has prevented family visitations to Syria for noncitizen Druze since 1982.

An estimated population of 148,700 Ethiopian Jews faced persistent societal discrimination, although officials and citizens quickly and publicly criticized discriminatory acts against them. According to government assessments, the Ministry of Justice's National Antiracism Unit (NARU), which combats racism and discrimination by government bodies or individuals against any minority group of Israeli citizens, was more effective in its work on behalf of Ethiopian-Israelis than Arab citizens. There were two Ethiopian-Israeli members of the Knesset. The government maintained several programs to address social, educational, and economic disparities between Ethiopian-Israelis and the general population. On February 19, the government passed a motion to recognize more Ethiopian-Jewish religious leaders and integrate them into Jewish religious councils. Additionally, on October 7, the cabinet approved a plan to facilitate immigration of approximately 1,000 parents of Ethiopian-Israelis from the Ethiopian Falash Mura community to Israel.

On November 5, police were photographed beating a 15-year-old Ethiopian-Israeli boy at his school in Ashdod, according to Kan Radio. On November 20, NARU asked the DIPO to investigate the incident.

On December 20, the Supreme Court partly overturned the conviction of Ethiopian-Israeli Yardau Kasai, whom a Haifa court had convicted after an altercation with city inspectors and police in 2012. The Supreme Court ruled the city inspectors and police were motivated by racism when they detained Kasai.

Following a statement by Sephardi Chief Rabbi of Israel Yitzhak Yosef comparing black persons to monkeys, on March 29, NARU stated it was reviewing the incident to assess whether it constituted incitement to racism.

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

The law prohibits discrimination based on sexual orientation, and the government generally enforced these laws, although discrimination based on sexual orientation

or gender identity persisted in some parts of society. There were reports of discrimination in the workplace against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, despite laws prohibiting such discrimination. At least 14 LGBTI candidates won seats in the October 30 municipal elections, up from eight in the 2013 election.

LGBTI activists were able to hold public events and demonstrations with few, if any, restrictions. On May 31, police canceled security restrictions they had imposed on organizers of the first ever Kfar Saba LGBTI Pride march, including a two-meter (six-foot) fence along the parade route, which would have cost approximately 24,000 shekels (\$6,700). This action followed an appeal to the Supreme Court by the NGOs Israel Gay Youth, ACRI, and the Aguda. The march was held on June 1.

Violence and discrimination against transgender persons in confinement remained a matter of concern. Following a lawsuit by a transgender woman and NGOs, on March 5, the IPS issued new regulations that prohibit holding transgender prisoners in solitary confinement, except for the first days after an arrest.

On September 6, the Tel Aviv Magistrate's Court sentenced a police officer to two months of community service after he shared a video of a shirtless transgender woman detained at a police station.

HIV and AIDS Social Stigma

Although discrimination against persons with HIV is illegal, the Israel AIDS Task Force (IATF) reported instances of HIV-related stigma and discrimination, including cases related to employment, insurance, rehabilitation centers, and prisons.

On March 1, the Petah Tikva Magistrate's Court ordered a beauty salon to pay 27,000 shekels (\$7,500) compensation to an HIV-positive man to whom the salon had refused service. In August the Kibbutzim movement refused to let a person with HIV volunteer in a kibbutz but later reversed its decision, according to IATF.

On April 1, the Ministry of Health began a two-year pilot program to accept blood donations from gay and bisexual men. Under the pilot program, a donation from a gay or bisexual man is to be stored until the man donates blood again four months later. If both donations pass routine screening tests, both will be used.

Other Societal Violence or Discrimination

Individuals and militant or terrorist groups attacked civilians in Israel, including five stabbing, bombing, or ramming attacks characterized by authorities as terror attacks (see section 1.a.), in addition to rockets shot into Israel by Gaza-based terrorist groups. Incendiary devices tied to kites and balloons caused nearly 2,000 fires and burned more than 5,600 acres of land in Israel, according to the government. These attacks caused 35 million shekels (\$10 million) of damage, according to government data. (For issues relating to violence or discrimination against asylum seekers, see section 2.d.)

Arab communities in Israel continued to experience high levels of crime and violence, especially from organized crime, and high numbers of illegal weapons, according to government data and NGOs. Arab citizens constitute 21 percent of the Israeli population, but they were 62 percent of murder victims and 56 percent of murder suspects from 2014 through the first half of 2017, according to a Knesset Research and Information Center report published on February 8. Causes included low level of policing; limited access to capital; easy access to illegal weapons; and socioeconomic factors, such as poverty, unemployment, and the breakdown of traditional family and authority structures, according to The Abraham Fund Initiatives and other NGOs. Government action to address the issue included the following: opening two police stations in Arab towns in 2017 and working to open or upgrade 20 stations by 2020, instituting a plan to hire more than 2,000 Arab officers by 2020, improving communication with Arab citizens through Arabic-language media and social media, and expanding joint patrols between police officers and local government-hired inspectors to every Israeli locality with more than 15,000 residents.

Israeli authorities investigated reported attacks against Palestinians and Arab citizens of Israel, primarily in Jerusalem, by members of organizations that made anti-Christian and anti-Muslim statements and objected to social relationships between Jews and non-Jews. In September police arrested a 21-year-old Jerusalem resident in connection with an attack on four Palestinian youth who were beaten, tasered, and stoned while sitting near a rail station in Jerusalem.

The Israeli government and Jewish organizations in Jerusalem made efforts to increase property ownership by Jewish Israelis and emphasized Jewish history in predominantly Palestinian neighborhoods of Jerusalem. Organizations such as UNOCHA, Bimkom, and Ir Amim alleged that the goal of Jerusalem municipal and Israeli national policies was to decrease the number of Palestinian residents of

Jerusalem. Jewish landowners and their descendants, or land trusts representing the families, were entitled to reclaim property they had abandoned in East Jerusalem during fighting prior to 1949, but Palestinians who abandoned property in Israel in the same period had no reciprocal right to stake their legal claim to the property. In some cases private Jewish organizations acquired legal ownership of reclaimed Jewish property in East Jerusalem, including in the Old City, and through protracted judicial action sought to evict Palestinian families living there. Authorities designated approximately 30 percent of East Jerusalem for Israeli settlements. Palestinians were able in some cases to rent or purchase Israeli-owned property, including private property on Israeli government-owned land, but faced significant barriers to both. Israeli NGOs stated that after accounting for Israeli settlements, Israeli government property and declared national parks, only 13 percent of all land in East Jerusalem was available for Palestinian construction.

Although Israeli law entitles Palestinian residents of Jerusalem to full and equal services provided by the municipality and other Israeli authorities, the Jerusalem municipality failed to provide sufficient social services, education, infrastructure, and emergency planning for Palestinian-majority neighborhoods in Jerusalem, especially in the areas between the security barrier and the municipal boundary. Approximately 117,000 Palestinians lived in that area, of whom approximately 61,000 were registered as Jerusalem residents, according to Israeli government data. According to ACRI, 76 percent of East Jerusalem's Palestinian residents and 83 percent of Palestinian children in East Jerusalem lived in poverty. On May 13, the government announced a two-billion-shekel (\$555 million), five-year development plan for East Jerusalem (see section 6, "Children").

Promotion of Acts of Discrimination

Following an oath to the State of Israel and its laws as they took office, members of the Afula City Council added an oath to "preserve the Jewish character" of the city on November 22, according to media reports. Arab analysts interpreted this as promotion of discrimination in accordance with the Nation State Law clause to promote Jewish settlement.

On February 12, in a speech regarding the Nation State bill (which passed into law on June 19), Justice Minister Ayelet Shaked called to "maintain a Jewish majority even at the price of violation of rights," adding that democracy and maintaining a Jewish majority "must be parallel and one must not outweigh the other."

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, strike, and bargain collectively. After a union declares a labor dispute, there is a 15-day “cooling period” in which the Histadrut, the country’s largest federation of trade unions, negotiates with the employer to resolve the dispute. On the 16th day, employees are permitted to strike. Workers essential to state security, such as members of the military, police, prison service, Mossad, and the ISA, are not permitted to strike. While the law prohibits strikes over political issues and also allows the government to declare a state of emergency to block a strike that it deemed could threaten the economy or trade with foreign states, according to the Histadrut, this law has never been applied.

The law prohibits antiunion discrimination. A labor court has discretionary authority to order the reinstatement of a worker fired for union activity.

The government generally respected these rights; penalties for violations included compensation. The Histadrut raised concerns that enforcement was not always effective, primarily because the appeal process is lengthy and the compensation imposed on employers was insufficient to deter violations.

Court rulings and union regulations forbid simultaneous membership in more than one trade union. Approval by a minimum of one-third of the employees in a given workplace is needed to allow the trade union to represent all workers in that workplace. Members of the Histadrut who pay 0.95 percent of their wages in affiliation fees may be elected to the union’s leadership bodies. Instead of affiliation fees, Palestinian workers pay 0.80 percent of their wages as “trade union fees,” of which half the Histadrut transfers to the Palestinian trade union. Only those who pay affiliation fees are eligible to elect and be elected to its governing bodies, according to the Histadrut.

Authorities generally respected workers’ rights to free association and collective bargaining for citizens, although foreign workers continued facing difficulties exercising these rights during the year, according to the Histadrut. According to the International Trade Union Confederation (ITUC), some employers actively discouraged union participation, delayed or refused to engage in collective bargaining, or harassed workers attempting to form a union.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits and criminalizes forced or compulsory labor, and prescribes up to 16 years' imprisonment for forced labor of an adult, the government did not effectively enforce laws for foreign workers and some citizen workers.

Some workers, particularly foreign workers, experienced conditions of forced labor, including the unlawful withholding of passports, restrictions on freedom of movement, limited ability to change or otherwise choose employers, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. For example, the Turkish construction company Yilmazlar, which employed approximately 1,200 workers, took extensive measures to deter employees from escaping, including requiring a bond of up to \$40,000 before starting work, paying salaries three months in arrears, and employing thugs to chase and beat those who escape, according to NGOs. In April, five employees sued Yilmazlar, alleging they endured forced labor. The company denied all allegations. The case was continuing as of December 3. In addition, an estimated 400 Chinese workers who arrived under agreements with five private Chinese employer associations incurred large debts to pay brokerage fees of up to \$30,000 before arriving to Israel. These debts prevented employees from leaving their employer or reporting abuses, according to NGOs.

Foreign agricultural workers, construction workers, and nursing care workers--particularly women--were among the most vulnerable to conditions of forced labor, including in particular nonpayment or withholding of wages. According to government and NGO data, as of October, foreign workers included approximately 113,000 documented foreign workers in the caregiving, agriculture, and construction sectors, including a few thousand in the "skilled worker" category and 39,000 who arrived under bilateral work agreements; 100,000 documented Palestinian workers; 40,000 undocumented Palestinian workers; 100,000 undocumented workers, mostly from countries of the former Soviet Union, who remained in the country after overstaying a visa-free entry or a work visa; and 30,000 irregular African migrants working semilegally in low-skilled jobs. Undocumented workers were not eligible for benefits such as paid leave or recourse in the event of workplace injury.

Palestinian laborers continued to suffer from abuses and labor rights violations, especially in construction, partly as a result of lack of adequate government oversight and monitoring. For example, despite a 2016 government resolution to issue permits directly to Palestinian construction workers rather than Israeli

employers, PIBA continued to issue work permits to employers. The work permits linked the employee to a specific employer, creating a dependence which some employers and employment agencies exploited to charge employees monthly commissions and fees; half of Palestinian workers in Israel paid monthly brokerage fees of 1,000 to 3,000 shekels (\$270 to \$810), according to Kav LaOved. In many cases the employer of record hired out employees to other workplaces. More than half of the documented Palestinian workers did not receive written contracts or pay slips, according to the International Labor Organization (ILO).

Gray-market networks of manpower agencies exploited visa-waiver agreements with countries in Eastern Europe and the former Soviet Union to recruit laborers to Israel to work illegally, particularly in construction, caregiving, and prostitution, according to NGOs and government authorities. For example, some Israeli companies spread misinformation in Ukraine and Georgia about the possibility of working legally in Israel, then charged large sums of money as agents' fees, and sometimes sold fake documentation, according to Hotline for Refugees and Migrants. In one case from 2017, an Ukrainian man was recruited by an Ukrainian manpower company and promised work in Israel. He stated that he paid \$800 for the service and received guidance on how to pass border control at the Israeli airport, after which two Ukrainian-Israelis provided him with forged documents and took him to a factory where he worked with 15 other Ukrainians between 12 to 15 hours a day. The employer threatened the workers and forbade them from leaving the premises except to return to their apartments.

See also the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

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

The government generally enforced these laws and conducted year-round inspections to identify cases of underage employment, with special emphasis on summer and school vacation periods. During the year authorities imposed a

number of sanctions against employers for child labor infractions, including administrative warnings and fines. Minors worked mainly in the food-catering, entertainment, and hospitality sectors. In 2017 there were more than 1,200 cases on violation of rights of children and teenagers at the workplace, mainly regarding pay, firing, and social rights, and authorities filed three indictments against employers for the violating the rights of children in employment, according to the annual report of the National Council for the Child.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect of employment and occupation. The Equal Employment Opportunities Law prohibits an employer from discriminating against employees, contractors, or persons seeking employment. The Equal Pay Law provides for equal pay for equal work of male and female employees. The Equal Rights for Persons with Disabilities Law prohibits discrimination against persons with disabilities (see section 6). The law does not explicitly prohibit discrimination on the basis of language, citizenship, HIV/AIDS status, or other communicable diseases.

The government effectively enforced applicable law, and penalties were sufficient to deter violations. The law charges the Commission for Equal Employment Opportunities with the implementation and civil enforcement of the Equal Employment Opportunities Law. The 26-member commission includes one member each from organizations that promote employment rights for Muslims, Christians, Druze, Circassians, Haredim, immigrants, elderly persons, women, and army veterans. Additionally, the commission must have adequate representation of citizens of Ethiopian descent and persons with disabilities. According to the commission's annual report, in 2017 it received 766 complaints, an increase of 8 percent from 2016, including cases relating to discrimination against women and Muslims. Civil society organizations reported discrimination in the employment or pay of women, Ethiopian-Israelis, and Arab citizens. In one case the Commission for Equal Employment Opportunities joined a Muslim dentist in an antidiscrimination lawsuit against the New Shen Clinic in Netanya, which asked her to remove her hijab (Muslim religious women's head covering) at work. The case was continuing as of December.

On June 17, the Knesset passed an amendment to the Hours of Work and Rest Law, allowing workers to refuse to work on a day of rest, based on their religion, even if they are not religiously observant. The law was scheduled to come into effect on January 1, 2019.

e. Acceptable Conditions of Work

The number of labor inspectors was insufficient to enforce the law, particularly in the construction and agriculture industries, and crane and scaffolding regulations were inadequate to protect workers from falls. Employers were responsible for identifying unsafe situations. No law protects the employment of workers who report on situations that endanger health or safety or remove themselves from such situations. During the year 38 workers, including more than 20 Palestinians, died in accidents in the Israeli construction industry, according to the ILO and the labor rights NGO Kav LaOved. Another 169 persons were injured in construction accidents, according to media reports. On November 6, following threats of a general strike, the government signed an agreement with the Histadrut aimed at increasing safety standards for construction workers. The agreement included an increase of on-site inspections, safety training for workers, improvement of safety standards, and sanctions on contractors violating workers' safety.

The Labor Inspection Service, along with union representatives, enforced labor, health, and safety standards in the workplace. Following the 2014 "Adam Commission," which concluded that occupational safety legislation was outdated, the government amended the law in 2017 to expand the power of labor supervisors to impose financial sanctions for safety flaws. On November 27, the Knesset passed an amendment appointing a safety officer for construction sites, and on December 31 it passed an amendment authorizing human resource companies to employ crane operators only after receiving a government-issued permit tied to construction safety and labor rights.

Two NGOs petitioned the Supreme Court to demand establishment of a police unit to investigate construction accidents with investigators from the Ministry of Labor, Social Affairs, and Social Services; opening of a police investigation into each construction accident resulting in a death or a moderate to severe injury; and an increase in the number of inspectors and investigators. The case was continuing as of the end of the year. On December 31, the government established a new police unit, PELES (an acronym of "Working Without Risk" in Hebrew), to investigate workplace accidents, mainly at construction sites, that resulted in death or severe injuries.

The national minimum wage, which is set annually, was above the poverty income level for individuals, but below the poverty level for couples and families. Authorities investigated 1,418 employers, imposed 103 administrative sanctions

totaling nine million shekels (\$2.5 million), and filed two indictments for violations of the Minimum Wage Law during the year.

The law allows a maximum 43-hour workweek at regular pay and provides for paid annual holidays. Premium pay for overtime is set at 125 percent for the first two hours and 150 percent for any hour thereafter up to a limit of 15 hours of overtime per week.

The law applies to the informal economy, but there was little information about protection and enforcement standards in this sector, which included an estimated 7 percent of the economy in 2017, according to the ITUC.

According to some NGOs, the country failed to enforce its labor laws fully with respect to minimum working conditions for foreign workers, including asylum seekers, and existing penalties were not sufficient to deter violations. There were documented cases of foreign laborers living in harsh conditions and subjected to debt bondage (see section 7.b.), but authorities prosecuted few employers. The government rejected the allegations in a November 23 BBC report on Thai agricultural workers that described squalid living conditions, lack of appropriate protective equipment while spraying pesticides, and 172 deaths since 2012 in which authorities recorded the cause as “undetermined.”

The provisions of the labor law extended to most Palestinians employed by Israeli businesses in the West Bank. On September 17, the Supreme Court rejected a challenge by civil society groups against a regulation under which noncitizen workers employed by Israeli companies, whether in the West Bank or Israel, must make a monetary deposit to file a labor-rights claim against their employer in an Israeli court. According to Kav LaOved, courts dismissed 28 petitions from workers who did not pay the deposit, as of November. In response to a Supreme Court petition from Kav LaOved, the government confirmed in July that it had not disbursed any sick leave payments to Palestinian workers since January 1, despite depositing 2.5 percent of Palestinian workers’ salaries in a sick leave fund. The case was continuing as of the end of the year.

The country had bilateral work agreements (BWAs) with Bulgaria, Moldova, Romania, Ukraine, and China for employment of migrant workers in the construction sector, and with Thailand and Sri Lanka in the agricultural sector. The entire recruitment process of foreign workers in these industries was coordinated solely through government offices, which resulted in a steep decline in recruitment fees paid by those workers. On September 3, the government signed

an agreement with the government of the Philippines for employment of workers in the caregiving sector, which officials expect to begin implementation in 2019.

BWAs provide for migrant workers to have information on their labor rights as well as a translated copy of their labor contract before they arrive in the country. The government continued to help fund a hotline for migrant workers to report violations. Government enforcement bodies claimed they investigated all of these complaints. On December 17, noting the government's progress in moving toward BWAs, the Supreme Court dismissed a 2006 case by human rights NGOs advocating for foreign workers to arrive only through such agreements. The court affirmed that the NGOs' demands were legitimate, however, noting the government should combat labor trafficking by signing more BWAs and by prohibiting foreign workers who do not arrive through a BWA.

Some employers in the agricultural sector circumvented the bilateral agreement with Thailand by recruiting students from poor countries to take part in agricultural study programs on student visas and then forcing them to work in the agriculture industry once they arrived in the country. According to Kav LaOved, the number of these student workers was approximately 4,000. A government resolution on January 11 began including students in the government's agricultural worker quotas for the first time. The absence of full-scale bilateral labor agreements in the caregiving field led to continuing widespread abuses against foreign caregivers, including excessive recruitment fees and false descriptions of the terms of employment contracts. Live-in arrangements and lack of legal protections and inspections led to many cases of exploitative working conditions for female migrant workers. Local NGOs filed hundreds of complaints on behalf of foreign caregivers, including allegations of underpayment of wages, physical violence, sexual harassment, and unsuitable employment conditions. For example, a woman who was sexually assaulted by three different employers suffered with the last employer for eight months because she knew regulations would not allow her to switch employers again, according to an NGO. The new agreement with the Philippines will not apply to thousands of foreign caregivers already working in the country, except they will have access to a complaint hotline.

THE WEST BANK AND GAZA 2018 HUMAN RIGHTS REPORT**EXECUTIVE SUMMARY**

The Palestinian Authority (PA) basic law provides for an elected president and legislative council. There have been no national elections in the West Bank and Gaza since 2006. The president has remained in office notwithstanding the expiration of his four-year term in 2009. The Palestinian Legislative Council (PLC) has not functioned since 2007. On December 22, President Abbas announced that the PA Constitutional Court had issued a decision dissolving the PLC and calling for PLC elections within six months. The PA head of government is Prime Minister Rami Hamdallah. PA President Mahmoud Abbas is also Chairman of the Palestine Liberation Organization (PLO) and General Commander of the Fatah movement.

The PA exercised varying degrees of authority in the West Bank and no authority over Gaza. The PA maintains civil and security control in Area A of the West Bank and civil control and joint security control with Israel in Area B. The PA has no authority over either Israeli or Palestinian residents in Area C of the West Bank where Israel retains both security and civil control. Both PA and Israeli civilian authorities maintained effective control over their security forces. Although PA laws apply in Gaza, the PA did not have authority to enforce laws there. In 2007 Hamas staged a violent takeover of PA government installations in Gaza and has since been the de facto authority in the territory, which it governs with a combination of PA laws and Hamas decrees. Hamas maintained control of security forces in Gaza.

On March 30, Palestinians in Gaza launched the “March of Return,” a series of weekly protests along the fence between Gaza and Israel. The protests, some of which drew tens of thousands of people, and included armed terrorists, militants who launched incendiary devices into Israel, and unarmed protesters, continued throughout the year. Hamas took control of the weekly protests, and many of the protests were violent as encouraged by Hamas.

Human rights issues included:

- With respect to the PA: reports of unlawful or arbitrary killings; reports of systematic torture; reports of arbitrary detention; political prisoners; arbitrary or unlawful interference with privacy, family and home; undue restrictions on free expression and the press, including detention of

journalists and the criminalization of libel, and restrictions on the internet, including censorship and site blocking; substantial interference with the rights of peaceful assembly and freedom of association, including harassment of nongovernmental organizations (NGOs); restrictions on political participation, as the PA has not held a national election since 2006; corruption; reports of crimes involving violence or threats motivated by anti-Semitism, payments to Palestinians in Israeli prisons, including those convicted of acts of terrorism against Israelis; reports that the government did not effectively prosecute allegations of rape and domestic violence; and use of forced or compulsory child labor.

- With respect to Israel authorities: reports of unlawful or arbitrary killings, including reports that deaths of Palestinians in the course of Israeli military operations were due to unnecessary or disproportionate use of force; reports of torture; reports of arbitrary detention; arbitrary or unlawful interference with privacy, family and home, including demolitions of unpermitted homes and schools; restrictions on free expression and the press, including detention of journalists; interference with the rights of peaceful assembly and freedom of association; and restrictions on freedom of movement, including the requirement of exit permits.
- With respect to Hamas: reports of unlawful or arbitrary killings; reports of systematic torture; reports of arbitrary detention; political prisoners; arbitrary or unlawful interference with privacy, family and home; undue restrictions on free expression, the press, and the internet, including detention of journalists, censorship, and site blocking; substantial interference with the rights of peaceful assembly and freedom of association; significant restrictions on freedom of movement, including the requirement of exit permits; restrictions on political participation, as there has been no national election since 2006; corruption; unlawful recruitment or use of child soldiers; threats of violence motivated by anti-Semitism; violence or threats of violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and use of forced or compulsory child labor.
- With respect to Palestinian civilians: numerous reports of unlawful or arbitrary killings, including killings of eight Israeli soldiers and seven Israeli civilians; and reports of crimes involving violence or threats motivated by anti-Semitism.

- With respect to Israeli civilians: one report of unlawful or arbitrary killing of a Palestinian resident of the West Bank; and property defacement and destruction of agriculture.

The PA and Israeli authorities took steps to address impunity or reduce abuses, but there were criticisms both did not adequately pursue investigations and disciplinary actions related to violations. There were no legal or independent institutions capable of holding accountable the Hamas de facto authority in Gaza.

This section includes the West Bank and Gaza. In December 2017 the United States recognized Jerusalem as the capital of Israel. It is the position of the United States that the specific boundaries of Israeli sovereignty in Jerusalem are subject to final status negotiations between the parties. Many NGOs and international organizations reporting on the region combine statistics from the West Bank and East Jerusalem, so references to their reports in this section sometimes include data from East Jerusalem.

As stated in Appendix A, this report contains data drawn from foreign government officials; victims of alleged human rights violations and abuses; academic and congressional studies; and reports from the press, international organizations, and NGOs concerned with human rights. In the context of the Israeli-Palestinian conflict, some of those sources have been accused of harboring political motivations. The Department of State assesses external reporting carefully but does not conduct independent investigations in all cases. We have sought and received input from the government of Israel and we have noted responses where applicable.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

Palestinian terrorist groups and unaffiliated individuals killed seven Israeli civilians and five Israeli Defense Forces (IDF) soldiers in terrorist attacks in the West Bank, and more were injured, according to the Israeli NGO B'Tselem. In addition, the Israeli government reported that security forces foiled approximately 500 terrorist attacks during the year.

For example, on September 17, 17-year-old Palestinian Khalil Jabarin fatally stabbed Ari Fuld at a shopping mall in the West Bank, before being shot by Fuld

and another civilian and arrested by police. An Israeli military court indicted Jabarin on October 22 for “intentionally causing death,” and he remained in custody pending trial at year’s end.

During the year Israeli forces killed Palestinians in the West Bank who were attempting or allegedly attempting to attack Israelis, according to B’Tselem and media reports. According to media reports and B’Tselem, some of those killed did not pose a lethal threat to the Israeli Security Forces (ISF) or civilians at the time they were killed.

For example, on December 4, IDF soldiers shot and killed Mohammad Khosam Khabali in the West Bank city of Tulkarm. After the incident, the IDF claimed they were reacting to a group of rock throwing Palestinians. B’Tselem compiled security camera videos showing Khabali walking away from the soldiers when he was killed.

On March 30, Palestinians in Gaza launched the “March of Return,” a series of weekly protests along the fence between Gaza and Israel. The protests, some of which drew tens of thousands of people, and included armed terrorists, militants who launched incendiary devices into Israel, and unarmed protesters, continued throughout the year. Hamas took control of the weekly protests, and many of the protests were violent. IDF shot and killed 190 Palestinians at the Gaza border as of the end of the year, including 41 minors, according to B’Tselem. According to the World Health organization, 6,239 Palestinians in Gaza were injured by IDF live fire in the protests. B’Tselem stated that 149 of the Palestinian protesters who were killed did not take part in hostilities. The government stated that many of the victims were operatives of Hamas or encouraged by Hamas to protest near the border. For example, following media reports that the IDF shot and killed 62 Palestinians at the Gaza fence on May 14, Hamas and Islamic Jihad claimed at least 53 were affiliated with their organizations, including some who were active members. The IDF stated they opened an internal inquiry into each Palestinian death at the border. The Israeli Military Advocate General opened five criminal investigations into IDF actions at the Gaza border, as of the end of the year.

On June 1, IDF shot and killed Razan al-Najjar north of Khuza’ah in Gaza during a Friday protest near the security fence with Israel. Al-Najjar was identified as a medical provider, according to B’Tselem. On October 29, media reported that Israel’s Military Advocate General (MAG) rejected the findings of an IDF inquiry that concluded a soldier did not deliberately shoot her. According to a *New York Times* report, an IDF sniper fired one round of live ammunition into a crowd

including 14 white-coated medics, including al-Najjar, when no protesters in the immediate vicinity were conducting violent acts. According to the government, the circumstances of al-Najjar's death were under investigation by the Military Police.

Gaza-based militant groups periodically conducted small arms attacks into Israel during the protests. In addition, from March 30 to December 5, Palestinian militant groups launched more than 1,150 rockets and mortars from the Gaza Strip indiscriminately toward civilian areas in Israel, as well as incendiary devices tied to kites and balloons that sparked nearly 2,000 fires and burned more than 5,600 acres of land in Israel, according to the government. More than 200 Israelis required treatment from these attacks, mostly for shock. Gaza-based militants shot and killed one Israeli soldier and a rocket launched by Gaza-based militant killed one Palestinian laborer in Ashkelon. On July 20, a Palestinian sniper shot and killed IDF Staff Sergeant Aviv Levi, an Israeli infantry soldier.

In August the Israeli military opened an investigation into the IDF shootings of two Palestinian minors in Gaza. According to an Israeli military statement, an initial probe suggested the soldiers who shot and killed 18-year-old Abed Nabi in March and 15-year-old Othman Hellis in July during Gaza border protests did not adhere to open-fire regulations.

Following multiple terrorist attacks by Palestinians in the West Bank in November and December, the IDF killed two Palestinian drivers and one minor passenger in three incidents in which IDF soldiers perceived attempts to ram vehicles into soldiers at checkpoints. According to B'Tselem, none of the three events were ramming attacks, and one of the adults and the minor passenger were shot in the back as their cars were driving away from checkpoints.

According to media reports, on October 28, an IDF drone strike killed three minors near the eastern Gaza perimeter fence. According to the IDF, the minors were planting an explosive device. The government stated it opened investigations into all deaths at the fence.

According to the government, Gaza-based militants, including Hamas, Palestinian Islamic Jihad, al-Aqsa Martyrs' Brigades, al-Mujahideen Movement, and other militant factions launched more than 1150 rockets and mortars toward Israel. These attacks killed a Palestinian laborer in Ashkelon and injured an IDF soldier. According to NGOs, media, and the Israeli government, Gaza-based militants fired rockets from civilian locations toward civilian targets.

In response to the rocket, mortar and incendiary attacks, and attempts to infiltrate Israel through the fence, the IDF launched 865 strikes against targets in Gaza during the year, according to the IDF. Air strikes and tank shellings killed 27 Palestinians at least seven of whom were civilians not participating in hostilities, according to B'Tselem. Seventeen of those killed in air strikes were militants, according to the Israeli government. According to B'Tselem, the IDF killed two minors in Gaza on July 14 in a "roof knocking," a tactic in which a low-explosive projectile is dropped on the roof of a building to warn residents to vacate ahead of a full air strike. B'Tselem released a report on December 19 alleging the IDF withheld aerial footage of the event showing the teenage boys sitting on the edge of the roof. On August 9, the IDF struck more than 150 targets in the Gaza Strip in response to more than 180 rockets and mortars fired by Gaza-based militants into Israel. One of the IDF airstrikes killed one-year-old Bayan Abu Khamash and his pregnant mother, 22-year-old Inas Abu Kahmas, while they were asleep at home in Deir al-Balah, Gaza.

There were reports of Gazan fishermen killed by Israeli and Egyptian authorities. According to the NGO Palestinian Center for Human Rights (PCHR), Israeli soldiers on a naval vessel shot and killed an 18-year-old Gazan fisherman, Isma'il Saleh Abu Riyalah in February. On November 8, Egyptian naval forces allegedly shot and killed Gazan Mostafa Abu Audeh while he was fishing just off the coast of the Palestinian city of Rafah. According to press, the Egyptian military denied the reports.

In Gaza, according to PCHR, Hamas extrajudicially executed seven persons during the year and has issued 125 death sentences since 2007. At year's end, there were 10 persons in Hamas prisons awaiting capital punishment. PCHR noted a significant increase in application of the death penalty in Gaza since 2007 and particularly in the last three years. By law the PA president must ratify each death penalty sentence, but Hamas proceeded with these executions without the PA president's approval.

On May 8, Israeli authorities released IDF soldier Elor Azaria from a military prison after nine months' incarceration for killing incapacitated Palestinian attacker, Abed al-Fatah al-Sharif, in Hebron in 2016. A military court found Azaria guilty of manslaughter in January 2017. IDF Chief of Staff Gadi Eisenkot shortened Azaria's sentence from 18 months to 14 months in September 2017. Israeli President Reuven Rivlin denied Azaria's request for clemency in November 2017. The parole board approved releasing Azaria after completing two-thirds of

his sentence, as is customary in Israel. According to media reports, Azaria's punishment included demotion to the rank of private prior to his discharge from the IDF.

The sixth update of the MAG investigation into the 2014 Gaza war closed 88 more cases, bringing the total of alleged incidents closed without charges to 186 of 360. MAG previously brought charges against three soldiers for looting. The remaining investigations were ongoing or not mentioned. This update addressed the IDF application of the "Hannibal Directive," which calls for overwhelming firepower when an enemy captures an IDF soldier to prevent use of the soldier as a hostage. A March State Comptroller report on the war criticized the Hannibal Directive--which the IDF replaced in 2017--for failing to mention distinction and proportionality, as well as for ambiguous wording that led to confusion about whether the IDF should risk killing its own soldier when attacking kidnappers to prevent a hostage situation. Human rights organizations criticized MAG for failing to find fault in hundreds of incidents that caused more than 1,000 Palestinian civilian deaths, and for focusing on actions by individual soldiers, who may have violated IDF rules or the law, rather than the conformity of IDF rules and policies with international law, including high-level orders regarding the use of force.

b. Disappearance

In the West Bank, there were no reports of disappearances by or on behalf of government authorities in 2018. There was no new information on the disappearances in 2014 and 2015 of three Israeli citizens, Avraham Abera Mengistu, Hisham al-Sayed, and Juma Ibrahim Abu Ghanima, who crossed into Gaza and whom Hamas reportedly apprehended and held incommunicado.

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

The PA basic law prohibits torture or use of force against detainees; however, international and local human rights groups reported that torture and abuse remained a problem. According to an October Human Rights Watch (HRW) report based on 86 cases and dozens of interviews of former detainees, lawyers, and family members, torture occurred in detention centers in both Gaza and the West Bank by Hamas and PA security services. Based on 147 interviews with prisoners, HRW assessed abuse was systematic and routinely practiced in PA prisons, particularly in the PA's Intelligence, Preventive Security, and Joint Security Committee detention facilities in Jericho. HRW reported tactics including

forcing detainees to hold painful stress positions for long periods, beating, punching, and flogging. The spokesperson for PA's security services, Adnan al-Dumairi, claimed the report was politically motivated and faulted HRW for not fact-checking it with the PA Ministry of Interior.

In September the *Middle East Monitor* reported that 28-year-old Ahmed Abu Hamada died in a PA jail. The PA reported that he died of natural causes. According to the *Middle East Monitor*, human rights groups alleged that he died due to torture in detention. Abu Hamada was reportedly a member of the Al Aqsa Martyrs' Brigades and had been charged with "causing security chaos."

Palestinian detainees held by Palestinian Authority Security Forces (PASF) registered complaints of abuse and torture with the Palestinian Authority's Independent Commission for Human Rights (ICHR). The PA Corrections and Rehabilitation Centers Department (CRCDD), under the authority of the Ministry of Interior, continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons but reported no cases of inmate abuse by its staff. HRW reported that despite hundreds of complaints having been filed, no disciplinary action was taken in the majority of the cases. The PA denied the use of torture. CRCDD conducted yearly assessments of all seven civil prisons in the West Bank to review prison operations, including mechanisms of reporting allegations of abuse and subsequent investigation and disciplinary action.

The ICHR and HRW reported that Hamas internal security tortured detainees. For example, one detainee reported being whipped on his feet and chest with a cable. In letters to HRW, Hamas denied the allegations.

Human rights organizations such as the Public Committee Against Torture in Israel (PCATI) reported that "special interrogation methods" used by Israeli security personnel against Palestinian security detainees in the West Bank included beatings, forcing an individual to hold a stress position for long periods, threats of rape and physical harm, and painful pressure from shackles or restraints applied to the forearms, sleep deprivation, and threats against families of detainees. Female prisoners and detainees reported harassment and abuse in detention by the ISF. According to PCATI there was no investigation into these complaints.

NGO HaMoked alleged that Israeli detention practices included prolonged solitary confinement, lack of food, exposure to the elements, and threats to demolish family homes.

Military Court Watch (MCW) and HaMoked claimed Israeli security services used these techniques to coerce confessions from minors arrested on suspicion of stone throwing or others acts of violence. Israeli officials stated they did not use these techniques.

Prison and Detention Center Conditions

Physical conditions in prisons and detention centers in the West Bank were reportedly poor. The PA does not publish data on detainee numbers. In responses to HRW in April, Preventive Security claimed it held 126 detainees and Intelligence Services claimed it held 61 detainees.

The basic conditions of Hamas-run prisons in Gaza were reportedly poor, prison cells were overcrowded, and there were many reports of abuses. There were an estimated 4,000 detainees in Gaza prisons with about 50 percent held in correctional facilities and 50 percent in temporary police detention, according to the United Nations. Approximately 100 detainees were held by Hamas' Internal Security Agency. There were approximately 60 women and 60 minor detainees, each held in separate facilities.

Israeli authorities detained inside Israel 82 percent of Palestinian prisoners arrested by the ISF in the West Bank. According to the MCW, as of year's end, these comprised 5,370 Palestinian detainees. According to Israel Prison Service figures obtained by MCW, the monthly average of minors in detention during the year was 283. As of year's end, there were eight members of the PLC being held in Israeli prisons.

NGOs reported all prisons lacked adequate facilities and specialized medical care for detainees and prisoners with disabilities.

Physical Conditions: PA prisons continued to be crowded and lacked ventilation, heating, cooling, and lighting systems conforming to international standards. Authorities at times held male juveniles with adult male prisoners. Security services used separate detention facilities. Conditions for women were virtually identical to those for men. The PA used several refurbished structures and buildings as prisons, some of which lacked necessary security accommodations.

NGOs, including PCATI and MCW, stated that Israeli authorities appeared to use poor conditions or exposure to weather as an intimidation method.

Administration: According to HRW, mechanisms designed to hold employees and administrators accountable in both PA and Hamas detention facilities rarely, if ever, led to consequences for serious abuses. There were reports that prison administrators denied some detainees visits from family members.

Human rights groups such as the PCHR reported families of imprisoned Palestinians, particularly Gazans, had only limited ability to visit prisoners due to their detention inside Israel and the lack of entry permits to Israel for most Palestinians.

Independent Monitoring: In the West Bank, the PA permitted the International Committee of the Red Cross (ICRC) access to detainees to assess treatment and conditions. The ICRC continued its regular visits to detention facilities, including interrogation centers, in accordance with its standard modalities, as in previous years. Human rights groups, humanitarian organizations, and lawyers indicated that, as in previous years, there were some difficulties in gaining access to specific detainees held by the PA--depending on which PA security organization managed the facility.

In Gaza, Hamas granted ICRC access to detainees to assess treatment and conditions. The ICRC continued its regular visits to detention facilities, including interrogation centers, in accordance with its standard modalities, as in previous years. Human rights organizations conducted monitoring visits to some prisoners in Gaza, but Hamas authorities denied representatives permission to visit high-profile detainees and prisoners.

The Israeli government permitted visits by independent human rights observers. NGOs sent representatives to meet with Palestinian prisoners--including those on hunger strikes--and inspect conditions in Israeli prisons, detention centers, and some ISF facilities. Palestinian families and human rights groups reported delays and difficulties in gaining access to specific detainees from Israeli authorities. They also reported transfers of detainees without notice and claimed Israeli authorities at times used transfer practices punitively against prisoners engaging in hunger strikes.

d. Arbitrary Arrest or Detention

For information on treatment of Palestinians in Israeli prisons as well as prison conditions in Israel, see the Israel report. PA law prohibits arbitrary arrest and detention. Nonetheless, the PA criminal justice system often did not provide a

prompt and speedy trial. There were widespread instances of PA detention without charge or trial for selected security detainees in PASF custody. The PA also arrested without charge Palestinians who posted critical social media postings, journalists critical of the PA, and individuals from areas known to support PA President Abbas' exiled Fatah rival Muhammad Dahlan, according to HRW.

In October the PA arrested in the West Bank a Palestinian resident of East Jerusalem allegedly involved in the sale of an apartment in the Old City's Muslim Quarter to a Jew, for allegedly violating a law that prohibits "transferring positions to the enemy." On December 31, a criminal court sentenced him to life in prison with hard labor.

Hamas practiced widespread arbitrary detention in Gaza, particularly of Fatah members, civil society activists, journalists, and those accused of publicly criticizing Hamas. For example, Hamas arrested dozens of Fatah members for their planned participation in a gathering to watch President Abbas' UN General Assembly speech in September. Some detainees registered complaints with the PA's ICHR that their arrests were arbitrary. Information concerning the whereabouts and welfare of those detained was not consistently or reliably available. Hamas did not respect fair trial guarantees or provide access to family and legal counsel to many of those detained.

Since taking control of the West Bank in 1967, Israel has prosecuted Palestinian residents of the West Bank under military law. Since 1967 the Israeli Knesset has extended Israeli criminal and civil law protections to the 412,000 Israeli settlers in the West Bank.

Under Israeli military law, the IPS may hold adults suspected of a security offense for four days prior to bringing them before a judge, with limited exceptions that allow the IPS to detain a suspect for up to eight days prior to bringing the suspect before the senior judge of a district court. Israeli law defines security offenses to include any offense committed under circumstances that might raise a suspicion of harm to Israel's security and which the ISF believes may link to terrorist activity. Suspects between the ages of 12 and 14 can be held up to one day, with a possible one-day extension. Those between the ages of 14 and 16 can be held up to two days, with a possible two-day extension. Those between the ages of 16 and 18 can be held up to four days, with a possible four-day extension.

Under military law, in security-related cases, Israeli authorities may hold adults for 20 days prior to an indictment, with the possibility of additional 15-day extensions

up to 75 days. An Israeli military appeals court can then extend the detention up to 90 days at a time. Prior to an indictment in security-related cases, authorities may hold minors for 15 days, with the possibility of 10-day extensions up to 40 days. An Israeli military appeals court can then extend the detention up to 90 days at a time.

The Emergency Powers Law allows the Israeli Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely.

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

Role of the Police and Security Apparatus

West Bank Palestinian population centers mostly fall into Area A, as defined by the Oslo-era agreements. In Area A, which contains 55 percent of the Palestinian population on approximately 18 percent of West Bank land, the PA has formal responsibility for security and civil control. Nevertheless, according to media reports, since 2002 Israeli security forces regularly conducted security operations in Area A, at times without coordinating with the PASF. During the year the IDF conducted incursions throughout Area A in the West Bank, citing security concerns. The PA has civil control, and the PA and Israel maintain joint security control of Area B territory in the West Bank, which contains 41 percent of the population on approximately 21 percent of the land. Israel retains full civil and security control of Area C, which comprises approximately 4 percent of the Palestinian population and 61 percent of the land of the West Bank, although the majority of land in Area C is vacant, and according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), Israel has designated 30 percent of Area C as closed military zones. According to Israel's Central Bureau of Statistics, approximately 413,000 Israelis live in Area C Israeli settlements.

Six PA security forces operate in the West Bank. Several are under the PA Ministry of Interior's operational control and follow the prime minister's guidance. The Palestinian Civil Police have primary responsibility for civil and community policing. The National Security Force conducts gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. The Military Intelligence Agency handles intelligence and criminal matters involving

PASF personnel, including accusations of abuse and corruption; it can refer cases to court. The General Intelligence Service is responsible for external intelligence gathering and operations. The Preventive Security Organization is responsible for internal intelligence gathering and investigations related to internal security cases (for example, antiterrorism, weapons violations, and money laundering). The Presidential Guard protects facilities and provides dignitary protection.

The PA maintained effective control over its security forces and has mechanisms to investigate and punish abuse and corruption. Some Israeli officials claimed that PA authorities failed to prevent and, in fact, incited violence, including terrorist attacks, against Israelis.

The PA and the PLO continued to provide “martyr payments” to the families of Palestinian individuals killed during the commission of a terrorist act. The PA and the PLO also continued to provide payments to Palestinians in Israeli prisons, including those convicted of acts of terrorism against Israelis. These payments and separate stipends for prisoners were first initiated by the PLO in 1965 and continued under the PA since the Oslo Accords with Israel. President Abbas said he will use his last penny “on the families of the prisoners and martyrs.”

In Gaza, Hamas forces exercised de facto authority. Impunity remained a problem. Hamas at times instigated violence at the fence with Israel and failed to prevent or deter violence in numerous other instances.

Israeli authorities maintained a West Bank security presence through the ISF, the ISA, the Israel National Police (INP), and Border Guard. According to organizations such as Yesh Din, PCATI, and B’Tselem, Israeli authorities took some steps to investigate and punish abuse and corruption, but there were reports of failure to take disciplinary action in cases of abuse (see section 1.a.). The ISF stated it continued to open investigations automatically into claims of abuse of Palestinians in Israeli military police custody. Yesh Din claimed the automatic opening of investigations applied only to some Israeli military activity in the West Bank, but not to Palestinians reporting abuse in custody. Reports of abuse go to the Israeli Attorney General’s Office; PCATI reported Israeli authorities systematically disregarded abuse allegations.

NGOs such as Yesh Din and Rabbis for Human Rights also criticized Israeli efforts and accountability in investigating reports of Israeli security forces killing Palestinians. In 2016 the State Attorney’s Office filed an indictment on charges of reckless and negligent use of a firearm against two soldiers who shot and killed a

16-year-old in the village of Budrus who was reportedly trying to flee a restricted area. The State Attorney's Office proposed (among other actions) that the soldiers pay damages to the families, but the soldiers' attorney rejected the offer. In June MAG withdrew a pending indictment against the soldiers.

According to NGOs Yesh Din and Bimkom, and media reports, the ISF did not respond sufficiently to violence perpetrated against Palestinians by Israelis in the West Bank (see section 6.).

In January the Israel Central District Attorney's Office indicted two Israeli suspects on charges connected with a 2015 "price tag" arson attack on a Palestinian home in the West Bank village of Douma, which killed a toddler and his parents, and severely injured his four-year-old brother. A perpetrator also spray-painted "Revenge!" and a Star of David on the wall of the home. Authorities charged one Israeli with murder and another with conspiring to commit a crime. In May relatives of the Palestinian family killed in the attack filed a lawsuit against the Israeli government seeking admission of responsibility and damages. In July a defendant who was a minor at the time of the attack was released to house arrest for the remainder of the hearings. The case was ongoing at year's end.

Arrest Procedures and Treatment of Detainees

PA law generally requires a warrant for arrest and provides for prompt judicial determination of the legality of detention. There are exceptions that allow for PA arrest without a warrant. PA law allows police to hold detainees for 24 hours if there is sufficient evidence to charge a suspect, and for up to 45 days with court approval. PA law requires that a trial start within six months, or authorities must release the detainee. PA authorities held some prisoners detained by order of Palestinian governors in lengthy pretrial detention, according to complaints received by the ICHR. Some PA security forces reportedly detained Palestinians outside appropriate legal procedures, including without warrants and without bringing them before judicial authorities within the required time. There were no known PA detentions extending beyond the six-month time limit without trial. PA authorities generally informed detainees of the charges against them, albeit sometimes not until interrogation. Bail and conditional release were available at the discretion of judicial authorities. PA authorities granted detainees access to a lawyer. PA courts consistently afforded the right to counsel to indigents charged with felony offenses. Indigent defendants charged with misdemeanors often did not receive counsel, although NGO efforts to represent indigent juveniles and adults in misdemeanor cases were at times successful. The Palestinian Bar

Association (PBA) adopted a policy in May that restricted lawyers' ability to represent indigents free of charge. An NGO challenged this policy in court, and in October the PBA rescinded it. Amnesty International reported that the PASF failed to provide prompt access to legal counsel to some detainees, effectively holding them incommunicado during interrogation.

The PA Military Intelligence Organization (PMI) operated without a service-specific mandate to investigate and arrest PA security force personnel and civilians suspected of "security offenses," such as terrorism. The PMI conducted these activities in a manner consistent with the other PA security services. Hamas continued to charge that the PA detained individuals during the year solely due to their Hamas affiliation. The PA stated it charged many of these individuals with criminal offenses under PA civil or military codes.

In Gaza, Hamas detained a large number of persons during the year without recourse to legal counsel, judicial review, or bail. There also were instances in which de facto Hamas authorities retroactively issued arrest warrants and used military warrants to arrest Gaza residents.

Israeli military law applied to Palestinians in the West Bank. Israeli civil law applied to Israelis living in the West Bank. Under Israeli military law, authorities can hold detainees for up to 60 days without access to a lawyer. Israeli authorities informed Palestinian detainees of the charges against them during detention, but did not always inform them of the reasons for arrest at the time of arrest, according to the MCW. Israeli authorities stated their policy was to post notification of arrests within 48 hours, but senior officers could delay notification for up to 12 days, effectively holding detainees incommunicado during the interrogation process. An Israeli military commander may request that a judge extend this period.

In accordance with law, Israeli authorities generally provided Palestinians held in Israeli military custody inside Israel access to a lawyer of their choice (and provided lawyers for the indigent). Nonetheless, Palestinian detainees often obtained lawyers only after initial interrogations, and according to interviews with 29 minors, HaMoked reported that 22 of them did not see a lawyer prior to their interrogations. Impediments to movement on West Bank roads or at Israeli-operated crossings often made legal consultation difficult and delayed trials and hearings. According to the MCW, many Palestinian detainees saw their lawyer for the first time when they appeared before an Israeli military court. Based on the circumstances of each case, such as the severity of the alleged offense, status as a

minor, risk of escape, or other factors, authorities either granted or denied bail to Palestinians detained for security violations, but denied bail in most cases. Israeli authorities delayed or deprived some Palestinian detainees of visits by their families or lawyers.

NGOs such as MCW and HaMoked claimed Israeli authorities in the West Bank frequently failed to inform Palestinian parents why authorities detained their children or where they had been taken. Israeli authorities stated their policy was to provide written notification about the arrest to parents when they arrested a child at home; however, the NGOs argued this occurred only in 19 percent of cases. Legally, minors who are 16 and 17 years old can be held for 96 hours before seeing a judge, the same period applied to adults. The law mandates audiovisual recording of all interrogations of minors in the West Bank but limits this requirement to nonsecurity-related offenses. NGOs expressed concern that the ISF entered Palestinian homes at night to arrest or photograph minors. Israeli military authorities began providing translations into Arabic of some recent changes to military laws affecting Palestinian minors.

During the year there was a decrease in the detention rate of minors, compared with the high in 2015, which coincided with a spike in knife attacks, but the rate remained higher than earlier levels.

In December 2017 the ISF arrested 16-year-old Palestinian Ahed Tamimi, who had a series of previous altercations with the IDF, and charged her with assault after she was filmed slapping an Israeli soldier in the West Bank town of Nabi Saleh. NGOs criticized the nighttime arrest and charges, arguing that Tamimi did not pose a true threat. Tamimi remained in custody for nine months as a result of a plea agreement and sentencing. Her attorney alleged that Tamimi was interrogated by male interrogators without a female present and without an interrogator specialized in questioning minors. It was also alleged that one of the interrogators sexually harassed Tamimi and that threats were made to arrest her relatives if she remained silent during questioning. A formal complaint was filed in April and an IDF spokesperson stated that an investigation had been opened.

In June MCW reported that the majority of minor detainees reported ISF use of blindfolds, hand ties, physical abuse, and threats of violence. The MCW said data from more than 400 MCW detainee testimonials collected between 2013 and 2017 confirmed widespread physical mistreatment by Israeli authorities of Palestinian minor detainees in the West Bank. HaMoked interviewed minors and their families, who reported very similar circumstances of detention, including lack of

notification to families of where authorities detained their children, lack of family visits, and coercive interrogation techniques.

According to NGOs, the ISA engaged in the practice of incommunicado detention of Palestinians, including isolation from outside monitors, legal counsel, and family throughout the duration of interrogation.

Arbitrary Arrest: The PA in the West Bank and Hamas de facto authorities in Gaza made arbitrary arrests based on political affiliation, according to ICHR and HRW. In many cases detainees were held without formal charges or proper procedures. There were numerous reports that the PA and Hamas improperly detained Palestinian journalists and arrested Palestinians who posted criticism of the PA (in the West Bank) or Hamas (in Gaza) online. Hamas also targeted those suspected of ties to Israel.

According to human rights NGOs, including the MCW, B'Tselem, and HaMoked, throughout the year there were reports Israeli security forces in the West Bank arbitrarily arrested and detained Palestinian protesters and activists, particularly those participating in demonstrations against the security barrier or against killings of Palestinians.

Pretrial Detention: It was unclear how many Palestinians were held in pretrial detention in West Bank prisons.

Hamas' de facto Ministry of Interior told HRW that as of April there were more than 4,000 persons in custody, which includes both charged and pretrial detention. It was unclear how long detainees in Hamas custody stayed in pretrial detention.

As of the end of the year, according to the IPS, 467 persons were in administrative detention, including 432 Palestinian residents of the West Bank and four Palestinian residents of Jerusalem. Three people in administrative detention were minors. An Israeli military court must approve an administrative detention order. Palestinian detainees may appeal the ruling to the Israeli Military Appeals Court and the Israeli High Court of Justice (HCJ). The HCJ did not free any Palestinians under administrative detention during the year.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Palestinian detainees faced barriers to their ability to challenge in court the legal basis or arbitrary nature of their detention, and to obtain prompt release and compensation if found to have been unlawfully detained. Detainees held in PA

custody faced delays in the enforcement of court rulings regarding their detention, especially regarding the PA's obligation to release suspects who have met bail.

Hamas told HRW that between January 2016 and December 2017, Palestinians in Gaza lodged 314 complaints against the security services for "overstepping the law and mistreatment," and 90 of them were proven true, according to Hamas' internal investigations.

Palestinians held by Israeli military authorities in administrative detention have no right to trial and can only challenge their detention before a military court judge. In cases in which the evidence substantiating the charges against a detainee is classified, the detainee has no means of examining the evidence (nor, in some cases, to examine the charges) to challenge the detention.

Civil society organizations and some Israeli members of Knesset continued to criticize the Israeli government for using administrative detention excessively, adding that the practice was undemocratic since there was no due process. In its September 2017 submission regarding compliance with the UN Convention Against Torture, Israel claimed it issued administrative detention orders "as a preventive measure where there is a reasonable basis to believe that the detention is absolutely necessary for clear security purposes. Administrative detention is not employed where the security risk can be addressed by other legal alternatives, especially criminal prosecution." The government further emphasized the role of military judges in reviewing administration detention orders.

e. Denial of Fair Public Trial

The PA basic law provides for an independent judiciary. According to ICHR, the PA judicial system was subject to pressure from the security agencies and the executive, undermining judicial performance and independence. PA authorities did not always execute court orders.

Palestinians have the right to file suits against the PA but rarely did so. Seldom-used administrative remedies are available in addition to judicial remedies.

In Gaza Hamas-appointed prosecutors and judges operated de facto courts, which the PA considered illegal. Gaza residents can file civil suits. HRW reported Hamas internal security regularly tried civil cases in military courts.

Israeli law provides for an independent judiciary, and the government generally respected Israeli civil courts' independence and impartiality. The ISF tried Palestinian residents of the West Bank accused of security offenses in Israeli military courts.

Trial Procedures

PA law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right in the West Bank. Trials are public, except when the court determines PA security, foreign relations, a party's or witness' right to privacy, protection of a victim of a sexual offense, or an "honor crime" requires privacy. If a court orders a session closed, the decision may be appealed to a higher PA court. Defendants enjoy a presumption of innocence and the right to prompt and detailed information regarding the charges, with free interpretation as necessary, from the moment charged through all appeals. Amnesty International reported that PA political and judicial authorities sometimes failed to adhere to basic due process rights, including promptly charging suspects. PA law provides for legal representation, at public expense if necessary, in felony cases during the trial phase. Defendants have the right to be present and to consult with an attorney in a timely manner during the trial, although during the investigation phase, the defendant only has the right to observe. Defendants have the right to adequate time and facilities to prepare a defense. Suspects and defendants in the PA justice system have a right to remain silent when interrogated by the prosecutor according to the law. Defendants also have a legal right to counsel during interrogation and trial. They have the right to appeal. PA authorities generally observed these rights.

Hamas authorities in Gaza followed the same criminal procedure law as the PA in the West Bank but implemented the procedures inconsistently.

Israeli authorities tried Israelis living in West Bank settlements under Israeli civil law in the nearest Israeli district court. Israeli military trials were provided for Palestinians in the West Bank. The same evidentiary rules used in Israeli criminal cases apply in both Israeli military and civilian proceedings; for example, Israeli authorities cannot base convictions solely on confessions. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, in part because NGOs funded their representation. Israeli military courts use Hebrew, but Palestinian defendants have the right to simultaneous interpretation at every hearing. Various human rights organizations claimed the availability and quality of Arabic interpretation was insufficient; most

interpreters were bilingual Israelis performing mandatory military service. Defendants can appeal through the Military Court of Appeals and petition Israel's HCJ. According to NGO reports, Israeli military courts rarely acquitted Palestinians charged with security offenses, although they occasionally reduced sentences on appeal.

Human rights lawyers also argued that the structure of military trials--which take place in Israeli military facilities with Israeli military officers as judges, prosecutors, and court officials, and with tight security restrictions--limited Palestinian defendants' rights to public trial and access to counsel. MCW reported that 65 percent of Palestinian minors were shown or made to sign documentation written in Hebrew, a language most Palestinian minors could not read, at the conclusion of their interrogation. Israeli authorities disputed these findings, asserting that interrogations of Palestinians took place only in Arabic and that authorities submitted no indictments based solely on a confession written in Hebrew.

Political Prisoners and Detainees

NGOs reported arrests of Palestinians on political grounds occurred in both the West Bank and Gaza. There was no reliable estimate of the number of political prisoners the PA held in the West Bank during the year. In an April letter to HRW, the PA denied it had made any arrests based solely on political or party affiliation.

In Gaza, Hamas detained dozens of Palestinians due to political affiliation, public criticism of Hamas, or suspected collaboration with Israel and held them for varying periods. Hamas alleged that they arrested Fatah members on criminal, rather than political charges. Observers associated numerous allegations of denial of due process with these detentions. The ICRC and NGOs had limited access to these prisoners.

Some human rights organizations claimed Palestinian security prisoners held in Israel were political prisoners. The Israeli government described security prisoners as those convicted or suspected of nationalistically motivated violence.

Civil Judicial Procedures and Remedies

A Palestinian resident of the West Bank can file suit against the PA, including on matters related to alleged abuses of human rights, but this was uncommon.

A Palestinian resident of Gaza can file suit against de facto Hamas authorities, including on matters related to alleged abuses of human rights, but this was also uncommon.

Palestinian residents of the West Bank can file suit against the government of Israel. In November an Israeli court ruled that residents of Gaza are not able to seek redress or compensation from the Israeli government for damage to property or bodily harm due to Gaza's classification as an "enemy territory" under the Civil Wrongs (State Liability) Law.

Property Restitution

The Israeli government conducted multiple demolitions of Palestinian property in the West Bank based on lack of permits, use of the property by the ISF, or as punishment. Human rights NGOs claimed that in the West Bank, Israeli authorities often placed insurmountable obstacles against Palestinian applicants for construction permits, including the requirement that they document land ownership despite the absence of a uniform post-1967 land registration process, the imposition of high application fees, and requirements to connect new housing to often-unavailable municipal works.

Israeli authorities, including the Israeli Civil Administration (ICA) in the West Bank; part of Israel's Ministry of Defense; and the Ministry of the Interior continued to demolish Palestinian homes, cisterns, and other buildings and property on the basis that these buildings lacked Israeli planning licenses. According to B'Tselem, from 2000 to 2016, Palestinians filed 5,475 applications for building permits in Area C of the West Bank. Of these requests, the ICA approved 226 applications, approximately 4 percent.

During the year Israeli authorities demolished 272 Palestinian structures in the West Bank, 98 percent of which lacked an Israeli building permit and displaced 220 Palestinians, according to data from UNOCHA. The Israeli authorities demolished 15 unpermitted Israeli homes in the Netiv Ha'avot neighborhood of the Elazar settlement in July that the owners had partially built on private Palestinian land. In February the government authorized a financial compensation plan for the affected Netiv Ha'avot residents to provide temporary lodging nearby in the Alon Shvut settlement and money to rebuild their homes elsewhere.

As of year's end, the Palestinian Bedouin community Khan al-Ahmar in the West Bank had not been demolished, although the Israeli government took

administrative steps to do so during the year. Approximately 170 residents live in the community, in an area adjacent to a highway, with unpermitted, makeshift electrical and water connections. On May 24, after nearly 10 years of litigation, the HCJ ruled that the ICA's demolition orders against the structures in Khan al-Ahmar were valid, which provided the ICA legal justification to demolish every structure in the village since all were built without ICA permits. Residents were not able to receive permits, as the Israeli government has not approved a master plan for the area. Following the ruling the HCJ issued a temporary injunction to delay the demolition pending a series of petitions from the PA and Khan al-Ahmar residents. On September 5, the HCJ convened a panel to judges to review these petitions. The panel ultimately rejected the petitions and upheld the HCJ's May 24 decision, which terminated the temporary injunction beginning on September 12. In an effort to resolve the Khan al-Ahmar dispute, the government constructed an alternative site for the residents that included electric and water connections and a school building for the community's children. Khan al-Ahmar residents rejected the transfer proposal, arguing that the site was unsuitable.

Israeli authorities sometimes charged demolition fees for demolishing a home; this at times prompted Palestinians to destroy their own homes to avoid the higher costs associated with Israeli demolition. Palestinians had difficulty verifying land ownership in Israeli courts, according to Israeli requirements for proof of land ownership. According to the government, all land ownership cases are assessed individually by an administrative committee, which is subject to judicial review, and decisions made according to the evidence provided.

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

The PA penal procedure code generally requires the PA Attorney General to issue warrants for entry and searches of private property; however, PA judicial officers may enter Palestinian houses without a warrant in case of emergency. NGOs reported it was common for the PA to harass family members for alleged offenses committed by an individual. According to Amnesty International, during the interrogation of a 31-year-old woman in Jericho the police threatened to hurt her family and take away her children.

Hamas de facto authorities in Gaza frequently interfered arbitrarily with personal privacy, family, and home, according to reporting from local media and NGO sources. Hamas authorities searched homes and seized property without warrants. They targeted Palestinian journalists, Fatah loyalists, civil society members, youth

activists, and those whom Hamas security forces accused of criminal activity. Hamas forces monitored private communications systems, including telephones, email, and social media sites. They demanded passwords and access to personal information and seized personal electronic equipment of detainees. While Hamas membership was not a prerequisite for obtaining housing, education, or Hamas-provided services in Gaza, authorities commonly reserved employment in some government positions, such as those in the security services, for Hamas members. In several instances Hamas detained individuals for interrogation and harassment, particularly prodemocracy youth activists, based on the purported actions of their family members.

In response to reported security threats, the ISF frequently raided Palestinian homes, including in areas designated as areas under PA security control by Oslo-era accords, according to media and PA officials. These raids often took place at night, which the ISF stated was due to operational necessity. Only ISF officers of lieutenant colonel rank and above can authorize entry into Palestinian private homes and institutions in the West Bank without a warrant, based upon military necessity.

According to B'Tselem, the Israeli military forced Palestinian families in the Jordan Valley to temporarily vacate their homes 17 times to accommodate Israeli military training in the vicinity. In December the IDF forced 13 families, including 38 minors, to temporarily vacate their homes three separate times. A B'Tselem video from December 26 shows a convoy of Israeli military vehicles driving over crops as the IDF leads families away from their homes.

Israeli authorities froze family unification proceedings for Palestinians in the West Bank and Gaza in 2000. HaMoked filed petitions to the High Court of Justice on November 1 on behalf of Palestinian residents of the West Bank and their foreign spouses, requesting that the Israeli government permit foreign spouses to legalize their status through a family unification procedure. HaMoked claimed the military's refusal to review requests of foreign citizens for family unification is contrary to Israeli law, and to the Israeli-Palestinian Interim Oslo-era agreements. HaMoked further claimed that the IDF rejects family unification requests based on a broad policy, and not on the facts of the individual cases brought before it, and as such does not appropriately balance relevant security needs and the right of Palestinians in the West Bank and Gaza--protected persons under international humanitarian law--to family life.

Israeli authorities reportedly permitted children in Gaza access to a parent in the West Bank only if no other close relative was resident in Gaza. Israeli authorities did not permit Palestinians who were abroad during the 1967 War or whose residency permits the Israeli government subsequently withdrew to reside permanently in the West Bank or Gaza.

The ISF continued punitive demolitions of the homes of the families of Palestinians implicated in attacks against Israelis. As of December 21, Israeli authorities partially or fully demolished six family homes of Palestinians who had carried out attacks on Israelis. These actions often also rendered other dwellings near the demolished homes uninhabitable. Punitive demolitions displaced 45 Palestinians, including 13 children, according to the United Nations. NGOs such as Amnesty International, HRW, and several Palestinian and Israeli NGOs widely criticized punitive demolitions as collective punishment.

Demolition of the family home of Islam Abu Hmeid, located in the al-Ama'ari refugee camp in Ramallah occurred on December 15. Israeli authorities arrested Abu Hmeid in June for killing a soldier during a May raid into the camp. The Israeli government asserted such demolitions had a deterrent effect on would-be assailants.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The PA basic law generally provides for freedom of expression, but it does not specifically provide for freedom of the press. The PA enforced legislation that NGOs claimed restricted press and media freedom in the West Bank. The PASF continued to restrict freedom of expression in the West Bank, including for the Palestinian press--most notably through harassment, intimidation, and arrest.

In Gaza, Hamas restricted press freedom through arrests and interrogations of journalists, as well as harassment and limitations on access and movement for some journalists. These restrictions led journalists to self-censor.

Israeli civil and military law provides limited protections of freedom of expression and press for Palestinian residents of the West Bank. NGOs and Palestinian journalists alleged that Israeli authorities restrict press coverage and place limits on certain forms of expression--particularly by restricting Palestinian journalists' movement, as well as through violence, arrests, closure of media outlets, and

intimidation, according to media reports and the Palestinian Center for Development and Media Freedoms. The Israeli government stated it allows journalists maximum freedom to work and investigates any allegations of mistreatment of journalists.

Freedom of Expression: Although no PA law prohibits criticism of the government, media reports indicated PA authorities arrested West Bank Palestinian journalists and social media activists who criticized, or covered events that criticized the PA. Additionally, there were several complaints during the year that the PA prevented journalists from covering events favorable to Hamas in the West Bank. A video from December 14 showed PA police in Hebron beating people with batons at a rally to mark the 31st anniversary of the founding of Hamas.

The law restricts the publication of material that endangers the “integrity of the Palestinian state.” The PA arrested West Bank journalists and blocked websites associated with political rivals, including sites affiliated with political parties and opposition groups critical of the Fatah-controlled PA. The websites blocked during 2017 continue to be blocked throughout the year.

In Gaza Palestinians publicly criticizing Hamas authorities risked reprisal by Hamas, including arrest, interrogation, seizure of property, and harassment. Media practitioners accused of publicly criticizing Hamas, including civil society and youth activists, social media advocates, and journalists, faced punitive measures, including raids on their facilities and residences, arbitrary detention, and denial of permission to travel outside Gaza. Human rights NGOs reported that Hamas interrogators subjected several of those detained to harassment and violence.

On July 4, a Hamas court issued a suspended six-month jail sentence against journalist Amer Ba'lousha from Beit Lahia in Gaza after publishing a Facebook post criticizing the Hamas leadership, accusing them of corruption and of abusing their power at the expense of the inhabitants of Gaza.

Press and Media Freedom: Independent Palestinian media operated under restrictions in the West Bank and Gaza. The PA Ministry of Information requested that Israeli reporters covering events in the West Bank register with the ministry. According to the PA deputy minister of information, the ministry provides permits to Israeli journalists only if they do not live in a settlement. While officially the PA was open to Israeli reporters covering events in the West Bank, at times Palestinian journalists reportedly pressured Israeli journalists not to attend PA events.

On April 18, media reported that PA security forces arrested Palestinian cameraman Hazen Naser in the West Bank city of Tulkarem. He worked for the An-Najah Broadcast Channel. He was detained while covering a “sit-in”.

Hamas de facto authorities permitted broadcasts within Gaza of reporting and interviews featuring PA officials. Hamas allowed, with some restrictions, the operation of non-Hamas-affiliated broadcast media in Gaza. For example, the PA-supported Palestine TV continued to operate in Gaza.

In areas of the West Bank to which Israel controls access, Palestinian journalists claimed Israeli authorities restricted their freedom of movement and ability to cover stories. The ISF does not recognize Palestinian press credentials or credentials from the International Federation of Journalists. Few Palestinians held Israeli press credentials.

Violence and Harassment: There were numerous reports that the PA harassed, detained (occasionally with violence), prosecuted, and fined journalists in the West Bank during the year based on their reporting.

On June 13, a number of individuals in plain clothes, working alongside Palestinian police, attacked at least 12 journalists who were covering a peaceful protest in Ramallah, demanding that the PA suspend its sanctions against Gaza. They smashed or confiscated cameras and mobile phones belonging to photojournalists to keep them from covering police activities, including assaults against peaceful protesters. Security officials also briefly detained some journalists.

On June 30, Palestinian Authority Preventive Security Organization personnel attacked freelance journalist Lara Kan'an, who worked for the Palestinian Center for Development and media freedoms, as she was covering a march in the West Bank city of Nablus. The agents seized her phone and erased its pictures and recorded material.

The PA occasionally obstructed the West Bank activities of media organizations with Hamas sympathies and limited media coverage critical of the PA.

The PA also had an inconsistent record of protecting Israeli and international journalists in the West Bank from harassment by Palestinian civilians or their own personnel.

In Gaza, Hamas at times arrested, harassed, and pressured, sometimes violently, journalists critical of its policies. Reportedly, Hamas summoned and detained Palestinian journalists for questioning to intimidate them. Hamas also constrained journalists' freedom of movement within Gaza during the year, attempting to ban access to some official buildings.

Throughout the year there were reports of Israeli actions that prevented Palestinian or Arab-Israeli journalists from covering news stories in the West Bank and Gaza. These actions included alleged harassment by Israeli soldiers and acts of violence against journalists. Palestinian journalists also claimed that Israeli security forces detained Palestinian journalists and forced them to delete images and videos under threat of violence or arrest/administrative detention.

On November 19, Israeli forces allegedly shot and wounded Associated Press cameraman Rashed Rashid while he was covering a demonstration in the Gaza Strip. According to press, witnesses said he was about 600 meters (1,969 feet) from the border fence, far from the protesters. He was reportedly operating a live camera on an elevated area overlooking the protest and wearing a blue helmet and protective vest with the word "PRESS" written in white. The Israeli military said it was investigating the incident.

Censorship or Content Restrictions: The PA prohibits calls for violence, displays of arms, and racist slogans in PA-funded and controlled official media. There were no confirmed reports of any legal action against, or prosecution of, any person publishing items counter to these PA rules. Media throughout the West Bank and Gaza reported practicing self-censorship. There were reports of PA authorities seeking to erase images or footage from journalists' cameras or cell phones.

In Gaza, civil society organizations reported Hamas censored television programs and written materials, such as newspapers and books.

The Israeli government raided and closed West Bank Palestinian media sources, primarily on the basis of allegations they incited violence against Israeli civilians or security services.

Acts of incitement under military law are punishable by up to 10 years' imprisonment. NGOs and other observers said Israeli military regulations were vaguely worded and open to interpretation. The ISF generally cited two laws in its military orders when closing Palestinian radio stations--the 1945 Defense

Emergency Regulations and the 2009 Order Concerning Security Provisions. These laws generally define incitement as an attempt to influence public opinion in a manner that could harm public safety or public order.

On July 29, Israel Security Forces raided the Hamas-affiliated al-Quds TV Station and arrested four journalists, on charges of incitement.

NGO Palestinian Media Watch (PMW) reported that the PA promoted violations of human rights through messages conveyed via media controlled by the PA. On November 23, a host on official Palestinian TV praised the death of a Palestinian who attacked an Israeli police station stabbing three officers, reciting a poem calling him a martyr from Jerusalem and a protector of Al-Aqsa.

Libel/Slander Laws: There were some accusations of slander or libel against journalists and activists in the West Bank and Gaza. An HRW report found that Gazan authorities charged Hajar Harb with slander for an investigative piece she wrote in 2016 on corruption. She was convicted in absentia in 2017. She returned to Gaza during the year, and was granted a new trial after the 2017 conviction was overturned.

National Security: Human rights NGOs alleged that the PA restricted the activities of journalists on national security grounds.

Internet Freedom

Internet was generally accessible throughout the West Bank and Gaza. Frequent power outages in Gaza interrupted accessibility.

The PA blocked access to at least 29 news sites sympathetic to Hamas or political factions critical of Abbas. The PA monitored social media actively, pressuring and harassing activists and journalists. There were instances when the PA arrested or detained Palestinians because of their posts on social media.

On July 22, the Palestinian Preventive Security Organization questioned and detained Huthia Abu Jamous, a Palestinian photo-journalist and opinion writer for the Hamas-affiliated Quds news Network, regarding some of his Facebook posts.

Gaza-based Palestinian civil society organizations and social media practitioners stated Hamas de facto authorities monitored the internet activities of Gaza residents and took action to intimidate or harass them. According to HRW, in

December Hamas officials arrested biology professor Saleh Jadallah for a social media post in which he accused Hamas leadership of corruption. On December 26, Hamas officials interrogated writer Khader Mihjez regarding a social media post in which he questioned Jadallah's arrest.

Academic Freedom and Cultural Events

The PA did not restrict academic freedom in the West Bank, and there were no known reports of PA censorship of school curricula, plays, films, or exhibits. Palestinian law provides for academic freedom, but individuals or officials from academic institutions reportedly self-censored curricula. Faculty members reported PA security elements were present on university campuses among the student body and faculty, which may have contributed to self-censorship. HRW claimed that authorities closely monitored criticism of the PA by university students and professors.

Public schools as well as UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools in Gaza followed the same curriculum as West Bank schools. Palestinians in Gaza reported interference by Hamas in public schools at the primary, secondary, or university levels. Hamas reportedly interfered in teaching methodologies or curriculum deemed to violate Islamic identity, the religion of Islam, or "traditions," as defined by Hamas. Hamas also interfered if there were reports of classes or activities that mixed genders. UNRWA reported no Hamas interference in the running of its Gaza schools.

Students from Gaza participating in certain cultural and education programs (including programs sponsored by foreign governments and international organizations) faced questioning from de facto Hamas authorities.

Israeli restrictions on movement (see section 2.d.) adversely affected academic institutions and access to education and cultural activities for Palestinians.

According to the United Nations, more than 40 West Bank schools were under full or partial demolition orders. According to HRW, the difficulty of obtaining permits for new schools and the Israeli destruction of schools built without permits made it difficult for many West Bank Palestinian children to get an education.

b. Freedoms of Peaceful Assembly and Association

Authorities in the West Bank and Gaza limited and restricted Palestinian residents' freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

PA law permits public meetings, processions, and assemblies within legal limits. It requires permits for rallies, demonstrations, and large cultural events. Both the PA and Hamas security forces selectively restricted or dispersed peaceful protests and demonstrations in the West Bank and Gaza during the year.

According to a Hamas decree, any public assembly or celebration in Gaza requires prior permission. Hamas used arbitrary arrest to prevent some events from taking place, particularly political events affiliated with Fatah. Hamas also attempted to impede criticism of Hamas policies by imposing arbitrary demands for the approval of meetings on political or social topics.

A 1967 Israeli military order stipulates that a "political" gathering of 10 or more persons requires a permit from the regional commander of military forces--which Israeli commanders rarely granted. The penalty for a breach of the order is up to 10 years' imprisonment or a heavy fine. Israeli military law prohibits insulting a soldier, participating in an unpermitted rally, and "incitement" (encouraging others to engage in civil disobedience). In 2016 an Israeli military court indicted Palestinian human rights activist Issa Amro on 18 charges dating to 2010. Human rights organizations such as Amnesty International stated Amro's actions during these incidents were consistent with nonviolent civil disobedience. Amro's trial, which began in 2016, continued through the end of the year. In November the seventh hearing on the case was held in Israeli Military Court. Ha'aretz reported the IDF detained him at least 20 times at various checkpoints from May-July.

The IDF Central Command declared areas of the West Bank to be "closed military zones," in which it prohibited Palestinian public assembly. It maintained the same designation on Fridays for areas adjacent to the security barrier in the Palestinian villages of Bil'in and Ni'lin during hours when Palestinian, Israeli, and international activists regularly demonstrated there. There were frequent skirmishes between protesters and ISF personnel. The ISF stationed on the West Bank side of the barrier during weekly protests in those villages responded to rock throwing with nonlethal force.

Freedom of Association

PA law allows freedom of association. PA authorities sometimes imposed limitations in the West Bank, including on labor organizations (see section 7.a.). NGOs said a regulation subjecting “nonprofit companies” to PA approval prior to receiving grants impeded their independence and threatened the ability of both local and international nonprofits to operate freely in the West Bank.

In Gaza, Hamas attempted to prevent various organizations from operating. These included some it accused of being Fatah-affiliated, as well as private businesses and NGOs that Hamas deemed to be in violation of its interpretation of Islamic social norms. The Hamas de facto Ministry of Interior claimed supervisory authority over all NGOs, and its representatives regularly harassed NGO employees and requested information on staff, salaries, and activities.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

PA law provides for freedom of internal movement within the West Bank, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some exceptions.

Hamas authorities restricted some foreign travel into and out of Gaza and required exit permits for Palestinians departing through the Gaza-Israel Erez crossing. Hamas also prevented some Palestinians from exiting Gaza for reasons related to the purpose of their travel or to coerce payment of taxes and fines. There were some reports unmarried women faced restrictions on their travel out of Gaza.

Citing security concerns, Israel imposed significant restrictions on Palestinian movement in the West Bank and between the West Bank and Jerusalem. Israeli authorities frequently prohibited travel between some or all Palestinian West Bank towns and deployed “flying” (temporary) checkpoints. Palestinians who lived in affected villages stated that “internal closures” continued to have negative economic effects. During periods of potential unrest, including on some major Israeli, Jewish, and Muslim holidays, Israeli authorities enacted “comprehensive external closures” that prevented Palestinians from leaving the West Bank and Gaza. For example, Israeli authorities enacted a comprehensive closure for Gaza for eight days during the September 23-30 Sukkot holiday in September, but

allowed access to Israel from the West Bank during part of the Sukkot holiday from September 25 to 28. These closures also reportedly resulted in Palestinian economic losses. B'Tselem reported 32 such days during the year.

Also due to security concerns, Israel has declared access restricted areas (ARA) on both the coastal and land borders around Gaza. The lack of clear information regarding the ARA created risks for Palestinians in Gaza who live or work either on the Mediterranean Coast or near the perimeter fence. The most recent Israeli policy, in 2009, asserts a 300 meter (984 feet) ARA along the perimeter fence, but this was not consistently applied. In some areas, the ARA extends to 500 meters (1,640 feet). No official signage to signify the line of demarcation exists and what exists as official policy changes frequently. Likewise, the permitted maritime activity area for Palestinians along the coastal region of Gaza changed between six and nine miles four separate times from mid-2017 to mid-2018. According to human rights NGOs, this confusion led to frequent instances per year of farmers and fishermen being fired upon by Israeli forces.

A key barrier to Palestinian movement was the security barrier that divides the majority of the West Bank from Israel, including Jerusalem, and some parts of the West Bank. Israeli authorities constructed this barrier to prevent attacks by Palestinian terrorists. In some areas it divides Palestinian communities in the West Bank and Jerusalem. At its widest points, the barrier extends 11 miles (18 kilometers) into the West Bank. B'Tselem estimated that 27,000 Palestinians resided in communities west of the barrier whom were required to travel through Israeli security checkpoints to reach the remainder of the West Bank. Other significant barriers to Palestinian movement included internal ISF road closures and Israeli restrictions on the movement of Palestinian persons and goods into and out of the West Bank and Gaza. In July UNOCHA reported there were 705 permanent obstacles throughout the West Bank, a 3 percent increase from its last survey in 2016. Israeli restrictions on movement affected virtually all aspects of Palestinian life, including access to places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities.

The PA and Hamas generally cooperated with humanitarian organizations in providing protection and assistance to internally displaced persons and refugees. Israeli officials imposed controls on movement of materials, goods, and persons into and out of Gaza based on security concerns. Amnesty International and HRW reported difficulties by foreign workers in obtaining Israeli visas, which affected the delivery of humanitarian assistance in the West Bank and Gaza. Amnesty

International and HRW also reported that the Israeli government denied their employees permits to enter Gaza from Israel.

PA-affiliated prosecutors and judges stated that ISF prohibitions on movement in the West Bank, including Israeli restrictions on the PA's ability to transport detainees and collect witnesses, hampered their ability to dispense justice.

UNRWA reported its West Bank Headquarters staff lost 1,376 workdays during the year, mostly due to increased Israeli demands to search UNRWA vehicles at checkpoints between Bethlehem and Jerusalem. According to UNRWA, as of the end of 2017, there were more than 828,328 Palestinian refugees registered with UNRWA in the West Bank and nearly 1.4 million in the Gaza Strip. Almost one-quarter (24 percent) of Palestinian refugees in the West Bank lived in camps, as did approximately 40 percent in Gaza. Some Palestinians, registered with UNRWA as refugees, who lived in Syria prior to the Syrian civil war were reportedly living in Gaza. Additionally, Syrians of Palestinian descent (not registered with UNRWA as refugees) were also reportedly living in Gaza after fleeing the Syrian civil war.

Abuse of Migrants, Refugees, and Stateless Persons: Israeli security operations in the West Bank led to 14 Palestinian UNRWA beneficiary fatalities as of December 2017 of whom six were killed allegedly while conducting an attack on the ISF or Israeli civilians. Israeli use of live ammunition caused most injuries. There were 223 Palestinians reported injured by Israeli authorities in West Bank refugee camps, according to UNRWA, of whom live ammunition injured 92, including 15 UNRWA beneficiary minors.

UNRWA data from 2014 through October suggests that while total injuries as a result of ISF operations in and around refugee camps have trended down, live ammunition injuries as a percentage of total injuries have increased from 16 percent to 42 percent. The UN Agency expressed particular concern over the use of live ammunition against minors. The most recent fatality in Deheishe refugee camp south of Bethlehem was in July, when the ISF fatally shot with live ammunition 14-year-old Arkan Thaer Mizher. According to the Israeli government, military police were investigating the incident.

There was no process for foreign spouses or foreign-born children of Palestinians to obtain permanent legal status in the West Bank. As a result, many Palestinian children and young adults, especially those born abroad, are without legal status in the region where they have spent most or all of their lives. HaMoked filed an appeal in October in the case of 24-year-old Maen Abu Hafez. Abu Hafez

reportedly has lived in the Jenin refugee camp since he was three, when he moved there with his Palestinian father and Uruguayan mother. His family reunification request has been on hold for several years. In February 2017 he was detained at a checkpoint and has been held since then in an Israeli prison for illegal aliens in Ramle. The Israeli government is attempting to deport him to Brazil, where he was born, although he has no ties there and does not speak Portuguese.

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

Hamas authorities did not enforce routine restrictions on internal movement within Gaza, although there were some areas of Gaza to which Hamas prohibited access. Pressure to conform to Hamas's interpretation of Islamic norms generally restricted movement by women.

As part of security procedures, the ISF routinely detained for several hours Palestinians residing in Gaza who had permits to enter Israel for business and subjected them to interrogations and strip searches at Israeli-controlled checkpoints.

According to human rights NGOs, Israel imposed significant restrictions on Palestinian movement in the West Bank and between the West Bank and Jerusalem as described above. Israeli authorities damaged Palestinian property while conducting raids, sealed off entries and exits, and confiscated vehicles. The Israeli government stated that it imposed collective restrictions only if an armed forces commander believed there was a military necessity for the action and that the imposition on the everyday lives of Palestinian civilians was not disproportionate.

Restrictions on access to Jerusalem had a negative effect on Palestinian patients and medical staff trying to reach the six Palestinian hospitals in Jerusalem that offered specialized care unavailable in the West Bank. According to Palestine Red Crescent Society (PRCS), IDF soldiers at checkpoints at times harassed and delayed ambulances from the West Bank or refused them entry into Jerusalem, even in emergency cases. The PRCS reported hundreds of such actions impeding humanitarian services during the year. Most included blocking access to those in need, preventing their transport to specialized medical centers, or imposing delays at checkpoints lasting up to two hours. According to the Israeli government, security considerations and lack of advanced coordination on the part of Palestinian medical teams often caused delays.

Israeli authorities restricted or prohibited Palestinian travel on 30 roads and sections of roads (totaling approximately 65 miles or 43 kilometers) throughout the West Bank, including many of the main traffic arteries. The ISF also imposed temporary curfews confining Palestinians to their homes during ISF arrest operations. During the Muslim holy month of Ramadan, Israeli authorities eased restrictions on Palestinians entering Israel, including Jerusalem, allowing West Bank Palestinians to use Ben Gurion airport, to visit family, and visit the Haram al-Sharif/Temple Mount for religious services. Israeli authorities did not issue permits to Palestinians in Gaza to visit Jerusalem.

Israeli authorities extended the security barrier in the Cremisan Valley near Bethlehem and began land clearing to extend the barrier through Walajah village, also near Bethlehem. Israel continued to restrict movement and development near the barrier, including access by some international organizations. In response to a freedom of information act request from HaMoked, the IDF reported in November that during the year it had denied 72 percent of permit requests by Palestinian farmers to access their land blocked by the security barrier, of which 1 percent of the denials were for security reasons. HaMoked said that many of these refusals were due to arbitrary claims by Israeli authorities that the farmer's land was too small to cultivate.

Private security companies employed by the Israeli government controlled many points of access through the security barrier. International organizations and local human rights groups claimed these security companies did not respond to requests to allow movement of goods or NGO representatives through the barrier.

Palestinian farmers continued to report difficulty accessing their lands in Israeli-controlled Area C of the West Bank. NGOs and community advocates reported numerous Palestinian villages owned land was rendered inaccessible by the barrier. A complicated Israeli permit regime (requiring more than 10 different permits) prevented these Palestinians from fully using their lands.

UNOCHA reported Palestinians in Gaza considered areas up to 984 feet (300 meters) from the perimeter fence to be a "no-go" area, and up to 3,280 feet (1,000 meters) to be "high risk," which discouraged farmers from cultivating their fields. UNOCHA estimated nearly 35 percent of the Gaza Strip's cultivable land was located in the restricted area.

Israeli restrictions allowed fishing only within three nautical miles of Gaza land during specific periods. The Israeli government stated these restrictions were

necessary for security reasons. Israeli and Egyptian naval forces regularly fired warning shots at Palestinian fishermen entering the restricted sea areas, in some cases directly targeting the fishermen, according to UNOCHA (see section 1.a.). Israeli armed forces confiscated fishing boats intercepted in these areas and detained the fishermen. Palestinian fishermen reported confusion over the exact limits of the new fishing boundaries.

In the West Bank, Israeli military authorities continued to restrict Palestinian vehicular and foot traffic and access to homes and businesses in downtown Hebron, citing a need to protect several hundred Israeli settlers resident in the city center. The ISF continued to occupy rooftops of private Palestinian homes in Hebron as security positions, forcing families to leave their front door open for soldiers to enter. In response to these reports, the Israeli government stated that freedom of movement is not an absolute right, but must be balanced with security and public order.

Non-Muslims have designated times to visit the Haram al-Sharif/Temple Mount, but the Al Aqsa mosque is not open to the non-Muslim public. The Israeli government, in accordance with the status quo understanding with the Jordanian authorities managing the site, officially prohibits non-Muslim worship and other non-Muslim religious activity at the Haram al-Sharif/Temple Mount. The Jerusalem Islamic Waqf, Jewish Temple Mount groups, and local media reported police became more permissive of silent Jewish prayer and other religious rituals performed on the site during the year and Jewish individuals and groups who identify as “Temple Mount activists” made a record number of visits. In July Prime Minister Netanyahu rescinded his 2015 prohibition of Israeli Knesset members and ministers visiting the Haram al-Sharif/Temple Mount, and allowed them to visit once every three months, and in November, he began to allow these officials to visit monthly, according to media reports. The Israeli government, citing security concerns, continued to impose intermittent restrictions on Palestinian access to certain religious sites, including the Haram al-Sharif/Temple Mount. Waqf officials said Israeli police continued to restrict Waqf operations, and renovation and repair projects at the site. Israeli authorities permitted Waqf staff to carry out some minor repairs in September. Israeli officials cited security concerns when imposing travel restrictions, including limited access to Jerusalem during major Jewish holidays, as well as continued construction of Israel’s security barrier, which impeded the movements of Palestinian Muslims and Christians in the West Bank.

Foreign Travel: PA authorities generally did not limit West Bank residents' foreign travel. Residents with pending court cases reported that they were not able to depart until the case had been resolved. The PA does not control border crossings into or out of the West Bank.

Hamas authorities in Gaza occasionally enforced movement restrictions on Palestinians attempting to exit Gaza to Israel via the Erez Crossing and to Egypt via the Rafah Crossing. Since April Hamas has imposed a checkpoint in front of the "Arba Arba" checkpoint near the Erez crossing, requiring all passengers to register before entering and exiting Gaza.

Israeli authorities often denied or did not respond to Palestinian applications for travel permits through the Erez Crossing. Israel largely limited entry and exit from Gaza at the Erez Crossing to humanitarian cases. This restriction prevented Palestinians from transiting to Jerusalem for visa interviews in some cases, to Jordan (often for onward travel) via the Allenby Bridge, and to the West Bank for work or education.

During the year, the Israeli Supreme Court continued to uphold with few exceptions the Israeli ban imposed in 2000 on students from Gaza attending West Bank universities. Students in Gaza generally did not apply to West Bank universities because they understood Israeli authorities would deny permits.

Delays in permit approvals by Israeli officials caused some Palestinians to miss the travel dates for exchange programs abroad, and even for matriculation in foreign universities. In some cases authorities asked students to submit to security interviews prior to receiving permits. Israeli authorities detained some students indefinitely without charge following their security interview, which caused other students to refuse to attend these interviews due to fear of detention.

Beginning in May, the Egyptian authorities opened the Rafah Crossing to pedestrians five days per week, and 87,979 Palestinians departed Gaza through the Rafah Crossing between July and December. For Palestinians in Gaza, obtaining permission from the Hamas de facto government in Gaza and the Egyptian government to travel through Rafah was difficult.

Israel imposed new restrictions on access to healthcare for family members associated with Hamas; according to Gisha, an Israeli organization that focuses on Palestinian freedom of movement, in the first quarter of the year, Israel denied 833 exit permit applications by residents of Gaza on the grounds that the applicants

were “first-degree relative [of] a Hamas operative.” In comparison, Gisha said Israeli authorities refused 21 applications on the same grounds in 2017. In March, Gisha and other human rights groups petitioned for the practice to change, and following the petition, Israel granted a number of female cancer patients permits for treatment in the East Jerusalem Hospital Network. The Jordanian government issued passports to Palestinians based on individual requests.

Internally Displaced Persons (IDPs)

UNOCHA estimated that, at the end of 2016, 47,200 persons in Gaza remained displaced due to destruction caused by the 2014 war. Reconstruction progressed slowly. The Gaza Reconstruction Mechanism enabled the entry of construction materials to rebuild 8,000 of the 11,000 individual homes destroyed in Gaza, but authorities had not yet rebuilt more than 3,000 homes.

UNRWA and other humanitarian organizations provided services to IDPs in Gaza and the West Bank, with some limitations due to Israeli restrictions on movement and border access.

Protection of Refugees

Access to Basic Services: Palestinian refugees in the West Bank and Gaza were eligible to access UNRWA schools and primary health care clinics, although in some cases, movement restrictions limited access to UNRWA services and resources in the West Bank (see “Abuse of Migrants, Refugees, and Stateless Persons” section above regarding UNRWA’s definition of refugees).

All UNRWA projects in the West Bank and Gaza Strip required Israeli government permits, but UNRWA does not apply for permits in refugee camps.

The deterioration of socioeconomic conditions during the year in Gaza severely affected refugees. UNRWA reported that food security continued to be at risk.

Israeli import restrictions on certain commodities considered as dual use continued to impede humanitarian operations in Gaza, including those directed toward refugees. In 2016 Israeli authorities introduced a requirement whereby approval of UNRWA projects remained valid for only one year. As project implementation timelines often exceeded one year, this requirement necessitated applications for reapproval of projects, which hampered implementation and increased transaction costs for multiple UNRWA projects.

Stateless Persons

According to NGOs, 40,000 to 50,000 Palestinians in Gaza lacked identification cards recognized by Israel. Some were born in Gaza, but Israel never recognized them as residents; some fled Gaza during the 1967 war; and some left Gaza for various reasons after 1967 but later returned. A small number lacking recognized identification cards were born in the Gaza Strip and never left, but had only Hamas-issued identification cards. Under the Oslo Accords, the PA administers the Palestinian Population Registry, although status changes in the registry require Israeli government approval. The Israeli government has not processed changes to the registry since 2000.

Section 3. Freedom to Participate in the Political Process

The PA basic law provides Palestinians the ability to choose their government and vote in periodic free and fair elections held by secret ballot and based on universal, equal suffrage. The PA has not held national elections in the West Bank or Gaza since 2006. Residents of Gaza, which has been under Hamas control since 2007, were unable to choose their own government or hold it accountable. Civil society organizations in Gaza stated Hamas and other Islamist groups did not tolerate public dissent, opposition, civic activism, or the promotion of values contrary to their political and religious ideology.

Elections and Political Participation

Recent Elections: There have been no national elections in the West Bank and Gaza since 2006. On December 22, President Abbas announced that the PA Constitutional Court had issued a decision dissolving the PLC and calling for PLC elections within six months. Authorities scheduled municipal elections in both the West Bank and Gaza in May 2017; however, the PA postponed municipal elections in Gaza. Hamas and the Popular Front for the Liberation of Palestine boycotted the elections in the West Bank. According to election observers, voting generally proceeded without incidents of violence or voter intimidation. As required by Palestinian law, 20 percent of candidates on the lists were women. As of year's end, no date was set for new national or municipal elections in the West Bank or Gaza.

Political Parties and Political Participation: The PA allowed a diversity of political parties to exist in the West Bank but limited the ability of Hamas members to

campaign and organize rallies. In Gaza Hamas allowed other political parties but restricted their activities. According to HRW, the PA and Hamas arbitrarily arrested each other's supporters solely because of their political affiliation or expression of views.

Participation of Women and Minorities: No PA laws limit participation of women or members of minorities in the political process, and they did participate. Legally women and minorities can vote and participate in political life on the same basis as men and nonminority citizens, although women faced significant social and cultural barriers in both the West Bank and Gaza. There were three women and three Christians in the 23-member PA cabinet.

Hamas generally excluded women from leadership positions in the de facto ministries in Gaza.

Section 4. Corruption and Lack of Transparency in Government

PA law provides criminal penalties for official corruption, but little was done in practice to prosecute corrupt officials.

Corruption: Allegations of corrupt practices among Fatah officials continued, particularly related to favoritism and nepotism in public-sector appointments, which were rarely advertised publicly.

In Gaza local observers and NGOs alleged instances of Hamas complicity in corrupt practices, including preferential purchasing terms for real estate and financial gains from tax and fee collections from Gazan importers. Hamas de facto authorities severely inhibited reporting and access to information.

Local business representatives in Gaza alleged the PA Ministry of Civil Affairs, which submits applications for the entry of restricted materials into Gaza to Israeli authorities, engaged in nepotism and gave preferential treatment to Gaza-based importers close to the ministry.

Financial Disclosure: PA ministers are subject to financial disclosure laws, but there was little accountability for nondisclosure. The PA publicized financial disclosure documents from public-sector employees, including ministers, via the PA Anticorruption Commission. There was no information on legal requirements for financial disclosure for de facto Hamas authorities in Gaza.

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

Palestinian human rights groups and international organizations generally operated without PA restriction in the West Bank and PA officials cooperated with their efforts to monitor the PA's human rights practices, although according to HRW some civil society groups accused the PA of phone tapping. Several PA security services, including General Intelligence and the Palestinian Civil Police, appointed official liaisons who worked with human rights groups.

Israeli and Palestinian human rights NGOs operating in the West Bank and/or Gaza, including B'Tselem, Rabbis for Human Rights, and Breaking the Silence, reported harassment from Israeli settlers and anonymous sources. NGOs reported continued telephonic harassment following widespread publication of a video naming and vilifying activists or supporters of four NGOs that reported on Palestinian human rights issues. B'Tselem, Rabbis for Human Rights, Yesh Din, Human Rights Watch, and Breaking the Silence reported some of their employees were subjected to intimidation, death threats, or physical assault. NGOs claimed these behaviors increased during periods in which government officials spoke out against their activities or criticized them as enemies or traitors for opposing government policy.

Both Palestinian and Israeli human rights NGOs operating in the West Bank and Gaza reported they faced sophisticated cyberattacks on their websites, servers, and internal databases.

Gaza-based NGOs reported that Hamas representatives appeared at their offices to seek tax payments, demand beneficiary lists and salary information, and summon NGO representatives to police stations for questioning.

Humanitarian organizations continued to raise concerns about the shrinking operational space for international NGOs in Gaza following Israeli media reports that Israeli authorities arrested a French Consulate employee who admitted to smuggling weapons from Gaza to the West Bank in official diplomatic vehicles, which led to further scrutiny on both nongovernmental and diplomatic visitors to Gaza.

Palestinian, Israeli, and international NGOs monitored the Israeli government's practices in the West Bank and Gaza, and published their findings. Israeli

authorities permitted some human rights groups to hold and publish press conferences and provided the ICRC with access to most detainees.

The United Nations or Other International Bodies: PA and Israeli officials generally cooperated with and permitted visits by representatives of the United Nations and other international organizations. There were numerous reports Hamas harassed members of international organizations.

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

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

Women

In March the PA granted women some limited rights regarding their minor children. Palestinian women now pass on citizenship to their children. Women are permitted to choose an "appropriate" school for their minor children and open a bank account in a minor child's name. Mothers may apply for a passport for their minor child, although the child is not allowed to travel without the permission of their male legal guardian.

Rape and Domestic Violence: Rape is illegal under PA law, but the legal definition does not address spousal rape. Punishment for rape is five to 15 years in prison. While the PA repealed article 308 of the 1960 penal code, which relieved a rapist of criminal responsibility if he married his victim, neither the PA nor de facto Hamas authorities enforced laws pertaining to rape effectively in the West Bank or Gaza. In previous years there were reports police treated rape as a social and not a criminal matter, and authorities released some accused rapists after they apologized to their victims.

According to the PA's Central Bureau of Statistics, domestic violence and psychological abuse were common in the West Bank and Gaza. PA law does not explicitly prohibit domestic violence, but assault and battery are crimes. PA and de facto Hamas authorities did not enforce the law effectively in domestic violence

cases in the West Bank and Gaza. NGOs reported Palestinian women were frequently unwilling to report cases of violence or abuse to PA or de facto Hamas authorities due to fear of retribution or little expectation of assistance. HRW in previous years reported that PA authorities prosecuted few domestic violence cases successfully.

The mandate of the PA Ministry of Women's Affairs is to promote women's rights. The ministry worked in the West Bank to highlight the challenges Palestinian women faced in coordination with public institutions, NGOs, and the private sector, as well as international and regional organizations.

Other Harmful Traditional Practices: The law precludes "family honor" as protection for perpetrators in "honor killing" crimes. In March the PA amended article 99 of the 1960 penal code to prohibit the practice of judges giving lighter sentences for crimes against women and children versus crimes against men. NGOs argued the law was not sufficiently enforced. There were no documented reports of honor killings during the year in the West Bank and Gaza but NGOs expressed concerns about underreporting, based on how PA police documented allegations in the West Bank, and due to lack of information on the situation in Gaza.

Sexual Harassment: No PA law specifically relates to sexual harassment, which was a significant and widespread problem in the West Bank and Gaza. Some women claimed that when they reported harassment, authorities held them responsible for provoking men's harassing behavior.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: While PA law provides for equality of the sexes, it discriminates against women. Women can inherit, but not as much as men. Men may marry more than one wife. Women may add conditions to marriage contracts to protect their interests in the event of divorce and child custody disputes but rarely did so. Local officials sometimes advised such women to leave their communities to avoid harassment.

Hamas enforced a conservative interpretation of Islam in Gaza that discriminated against women. Authorities generally prohibited public mixing of the sexes. In Gaza premarital sex was considered a crime punishable by imprisonment.

PA labor law states that work is the right of every capable citizen; however, it regulates the work of women, preventing them from employment in dangerous occupations (see section 7.d.).

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

Children

Birth Registration: The PA registers Palestinians born in the West Bank and Gaza, and Israel requires the PA to transmit this information to the ICA. The PA cannot determine citizenship. Children of Palestinian parents can receive a Palestinian identity card issued by the ICA, if they are born in the West Bank or Gaza to a parent who holds a Palestinian identity card. The PA Ministry of Interior and the ICA both play a role in determining a person's eligibility for that card.

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

In Gaza, primary education is not universal. UNRWA, de facto Hamas authorities, religious institutions, and private foundations all provided instruction. In addition to the PA curriculum, UNRWA provided specialized classes on human rights, conflict resolution, and tolerance. There were reports Hamas offered courses on military training in its schools during youth summer camps, to which school-age children could apply for admission.

According to the United Nations, there were 111 documented instances of "interference of education" by Israeli forces in the West Bank during the year, more than half of which included the firing of live ammunition, tear gas, or stun grenades in or near schools. A video from November 18 showed an IDF soldier firing a tear gas canister into a Hebron school during school hours. In the West Bank, Palestinian government officials and Palestinian university officials accused the ISF of disrupting university campuses, especially in areas close to Israeli settlements. Officials from the al-Quds University's Abu Dis campus in the West Bank continued to accuse Israeli soldiers of harassing Palestinian university students on campus and attempting to provoke students. There were occasional low-level skirmishes near the entrance to al-Quds University between the IDF and youths unaffiliated with the university.

Israeli restrictions on construction in Area C of the West Bank affected Palestinian students' access to education. On December 5, Israeli forces demolished a school in the West Bank village of al-Samou, south of Hebron, due to lack of permits. At least 50 Palestinian schools were under pending demolition orders, including 42 in Area C of the West Bank.

Child Abuse: Child abuse was reportedly widespread. PA law prohibits violence against children; however, PA authorities and de facto authorities in Gaza rarely punished perpetrators of family violence.

Early and Forced Marriage: PA law defines the minimum age for marriage as 18; however, Islamic law allows persons as young as 15 years old to marry. Child marriage did not appear to be widespread in the West Bank and Gaza, according to NGOs including the Women's Center for Legal Aid and Counseling. For additional information, see Appendix C.

Sexual Exploitation of Children: The PA considers statutory rape a felony, based on the Jordanian penal code. Punishment for rape of a victim younger than age 15 includes a minimum sentence of seven years. In Gaza, under the rule of de facto Hamas authorities, suspects convicted of rape of a victim younger than age 14 are eligible for the death penalty. There were reports that societal norms led to underreporting to the de facto authorities in Gaza of sexual exploitation of children.

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

Displaced Children: Conflict and demolition orders (see section 2.d.) displaced Palestinian children in the West Bank and Gaza.

Anti-Semitism

Israeli settlements in the West Bank had approximately 420,000 Jewish residents. The Jewish population in Gaza, aside from foreign nationals, was nonexistent.

Some Palestinians and Muslim religious leaders used anti-Semitic rhetoric and engaged in Holocaust denial. Anti-Israel sentiment was widespread in public discourse and sometimes crossed the line into anti-Semitism, including expressions of longing for a world without Israel and glorification of terror attacks on Israelis. During times of heightened tensions between Israeli authorities and Palestinians,

Palestinian press and social media sometimes circulated cartoons encouraging such attacks.

On April 30, President Abbas delivered a speech at a meeting of the Palestinian National Council, where he said Jews experienced the Holocaust “not because of their religion but because of their social roles related to taxes and banks.” He subsequently issued a statement apologizing to those offended by the remarks.

The PA failed to condemn incidents of anti-Semitic expression in official PA media outlets.

Civil society organizations alleged problematic content in Palestinian textbooks, including inappropriately militaristic and adversarial examples directed against Israel as well as the absence of Judaism alongside Christianity and Islam when discussing religion. NGOs PMW and IMPACT-se reported that PA schoolbooks for the 2017-2018 school year contained material that glorified terrorism and promoted violence.

In Gaza and the West Bank, there were instances in which media outlets, particularly outlets controlled by Hamas, published and broadcast material that included anti-Semitic content, sometimes amounting to incitement to violence.

Trafficking in Persons

No PA law specifically prohibits trafficking in persons, and small numbers of Palestinian children and adults reportedly experienced forced labor in both the West Bank and Gaza (also see section 7.b.).

Persons with Disabilities

The law prohibits discrimination due to a permanent or partial disability in physical, psychological, or mental capabilities. It does not mandate access to buildings, information, or communications. The ICHR reported a lack of accessible transportation in Palestinian areas across the West Bank. UNRWA’s policy is to provide accessibility in all new structures in refugee camps.

Palestinians with disabilities continued to receive inconsistent and poor-quality services and care. The PA in the West Bank and de facto Hamas authorities in Gaza partially depended on UN agencies and NGOs to care for persons with physical disabilities, and both offered substandard care for persons with mental

disabilities. Palestinians in Gaza reported little to no infrastructure accommodations for persons with mobility disabilities, as well as difficulty in importing wheelchairs and other mobility aids.

National/Racial/Ethnic Minorities

According to UNOCHA an estimated 27,500 Palestinian Bedouin lived in Area C of the West Bank. Many were UNRWA-registered refugees. Bedouins were often resident in areas designated by Israel as closed military zones or planned for settlement expansion. Demolition and forced displacement by the Israeli government of Bedouin and herding communities continued in Area C. Many of these communities lacked access to water, health care, education, and other basic services.

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

PA law, based on the 1960 Jordanian penal code, prohibits consensual same-sex sexual activity. The PA did not prosecute individuals suspected of such activity. Some Palestinians claimed PA security officers and neighbors harassed, abused, and sometimes arrested LGBTI individuals because of their sexual orientation or gender identity. NGOs reported Hamas also harassed and detained persons due to their sexual orientation or gender identity.

HIV and AIDS Social Stigma

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

Other Societal Violence or Discrimination

UNOCHA reported 181 incidents of Palestinians committing violent acts against Israeli civilians in the West Bank, primarily stone throwing, which represented a 28 percent decrease from 2017. Although the number of incidents decreased, the number of Israeli civilians killed by Palestinians in the West Bank rose from four in 2017 to seven in 2018, including an incident in which Palestinian assailants wounded six Israeli civilians in a drive-by shooting, injuring a pregnant woman whose child was delivered prematurely and later died.

UNOCHA identified 280 incidents of settler attacks that resulted in Palestinian fatalities, injuries, or property damage, which represented a 77 percent increase from 2017. On October 12, Aysha al-Rabi, a Palestinian resident of Bidya village, died in a stone throwing incident near Nablus after a large stone, allegedly thrown by settlers, crashed through her car window and fatally struck her head. Following an ISA investigation of the case, Israeli state prosecutors announced intentions to indict a minor from the West Bank settlement of Rehelim on charges of manslaughter. NGOs alleged that some Israeli settlers used violence against Palestinians to intimidate them from using land that settlers sought to acquire.

Various human rights groups, including Yesh Din, Rabbis for Human Rights, and B'Tselem, continued to claim Israeli authorities insufficiently investigated and rarely prosecuted settler violence. Palestinian residents were reportedly reluctant to report incidents due to fears of settler retaliation and because they were discouraged by a lack of accountability in most cases, according to NGOs.

Access to social and commercial services in Israeli settlements in the West Bank, including housing, education, and health care, was available only to Israelis. Israeli officials reportedly discriminated against Palestinians in the West Bank regarding access to employment and legal housing by denying Palestinians access to registration paperwork.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

PA law provides for the rights of workers to form and join independent unions and conduct legal strikes. The law requires conducting collective bargaining without any pressure or influence but does not include protections for employees and unions to engage effectively in collective bargaining. Antiunion discrimination and employer or government interference in union functions are illegal, but the law does not specifically prohibit termination or provide for reinstatement due to union activity.

The PA labor code does not apply to civil servants or domestic workers, although the law allows civil servants the right to form unions. The requirements for legal strikes are cumbersome, and strikers had little protection from retribution. Prospective strikers must provide written warning two weeks in advance of a strike (four weeks in the case of public utilities). The PA Ministry of Labor can impose

arbitration; workers or their trade unions faced disciplinary action if they rejected the result. If the ministry cannot resolve a dispute, it can refer the dispute to a committee chaired by a delegate from the ministry and composed of an equal number of members designated by the workers and the employer, and finally to a specialized labor court, although authorities had not established the court as required by labor legislation.

The government did not effectively enforce labor laws and subjected procedures to lengthy delays and appeals. Penalties and enforcement were insufficient to deter violations. The PA enforced the prohibitions on antiunion discrimination and employer interference in union functions, but it inconsistently enforced laws regarding freedom of association. The PA did not seek to enforce collective bargaining rights for unions, with the exception of those representing PA employees. Hamas continued to maintain de facto control of worker rights in Gaza, where the PA was unable to enforce labor law.

The PA respected freedom of association and the right to collective bargaining in the West Bank, with some significant exceptions. Labor unions were not independent of authorities and political parties in the West Bank or Gaza. Two main labor unions in the West Bank (the Palestinian General Federation of Trade Unions and the Federation of Independent and Democratic Trade Unions and Workers) competed for membership and political recognition.

Israel applies Israeli civil law to Israeli settlements in the West Bank, but authorities did not enforce it uniformly. Despite a 2007 ruling by the HCJ requiring the government to apply Israeli law to Palestinian workers in Israeli settlements, the Israeli government did not fully enforce the ruling. Most Israeli settlements continued to apply the Jordanian labor law applicable prior to 1967 to Palestinian workers; that law provides for lower wages and fewer protections than does Israeli law.

b. Prohibition of Forced or Compulsory Labor

PA law does not expressly forbid forced or compulsory labor or human trafficking. Forced labor occurred in the West Bank and Gaza. Women working as domestic workers were vulnerable to forced labor conditions in both the West Bank and Gaza, since the PA and de facto Hamas authorities do not regulate domestic labor within households or in the large informal sector.

c. Prohibition of Child Labor and Minimum Age for Employment

PA law prohibits the employment of any person younger than age 15. PA law classifies children as persons younger than age 18 and restricts employment for those between 15 and 18. The law permits hiring children between ages 15 and 18 for certain types of employment under set conditions. The law allows children younger than age 15 to work for immediate family members under close supervision.

PA law prohibits children from working more than 40 hours per week; operating certain types of machines and equipment; performing work that might be unsafe or damage their health or education; and working at night, in hard labor, or in remote locations far from urban centers. A presidential decree includes provisions on child labor accompanied by explicit penalties for violations. PA authorities can penalize repeat offenders by having fines doubled and/or full or partial closure of their facility. Fines and enforcement were not sufficient to deter violations.

In 2017, the latest year for which data were available, PA officials found 70 cases involving child labor (younger than age of 15) and referred 10 cases to the courts. In recent years PA officials reported fining “numerous” persons after successful investigations conducted by the PA Ministry of Labor. The ministry inspected only businesses operating in the formal economy and was unable to conduct investigations in the Gaza Strip. It did not have access to Israeli-controlled Area C of the West Bank. Many cases of child labor in the West Bank reportedly occurred in home environments, for example on family farms, which were not open to labor ministry inspection.

In the second quarter of the year, the PA estimated that 3 percent of children between the ages of 10 and 17 worked in the West Bank and 1.4 percent of children in this same age group worked in Gaza. Palestinian child laborers deemed by the PA to be most vulnerable to forced labor or extreme weather conditions generally worked in shops, as roadside and checkpoint street vendors, in car washes, in factories, in small manufacturing enterprises, or on family farms.

Hamas reportedly did not enforce child labor laws in Gaza. Hamas reportedly encouraged children to work gathering gravel and scrap metal from bombsites to sell to recycling merchants and increased recruitment of youth for tunnel-digging activities. There were also reports Hamas trained children as combatants.

The Israeli government stated it did not issue permits for Palestinian West Bank residents younger than 18 to work in Israeli settlements in the West Bank, except

in the Jordan Valley where the law allows issuing permits to persons age 16 and older. There were reports during the year that some Palestinian children entered the settlements or crossed into Israel illegally, often smuggled, to seek work. The PA reported that Palestinian children engaged in child labor in Israeli settlements in the West Bank faced security risks, exploitation, and harassment, since they did not have access to legal protection or labor inspection.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings.

d. Discrimination with Respect to Employment and Occupation

PA laws and regulations do not prohibit discrimination regarding race, language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. While PA laws prohibit discrimination based on gender and disabilities, penalties were insufficient to deter violations and the PA did not effectively enforce those laws and regulations in the West Bank, nor did Hamas in Gaza. PA labor law states that work is the right of every capable citizen; however, it regulates the work of women, preventing them from employment in dangerous occupations.

There was discrimination in the West Bank and Gaza based on the above categories with respect to employment and occupation. Women endured prejudice and, in some cases, repressive conditions at work. At just 20 percent in Gaza and 17 percent in the West Bank, Palestinian female labor force participation is one of the lowest in the region, despite high education and literacy rates.

e. Acceptable Conditions of Work

The PA's minimum wage of 1,450 shekels (\$400) fell well below the poverty line of 2,470 shekels (\$678) per month. The PA estimated 14 percent of residents in the West Bank and 39 percent of residents in Gaza lived below the poverty line of 16.4 shekels (\$4.50) per day.

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

The PA Ministry of Labor was responsible for setting occupational health and safety standards. Palestinian workers do not have the legal protection to remove themselves from situations that endangered their health or safety without jeopardy to their employment.

The ministry's enforcement ability on wage, hours of work, and occupational safety and health standards was limited, even in the West Bank, in part due to lack of staff. Penalties ranged from NIS 200-500 (\$53-\$135) and were also insufficient to deter violations. During the year, the Ministry of Labor conducted periodic visits to the work places as mandated by the labor law. In 2017 the Ministry of Labor's Inspection Department made almost 9,500 visits to more than 7,300 business establishments. The inspectorate staff was inadequate to enforce compliance. The PA did not effectively monitor smaller worksites, which were at times below legal safety standards.

The ministry cannot enforce Palestinian labor law west of Israel's security barrier, or in Israeli settlements in the West Bank.

Israeli authorities did not conduct labor inspections in Israeli settlements, where Palestinian workers constituted a significant part of the workforce. The lack of a competent labor authority in the settlements increased workers' vulnerability to exploitation. NGOs such as Kav LaOved stated that exploitative practices in Israeli settlements were widespread. During the second quarter of the year, 125,600 Palestinians worked in Israel or Israeli settlements in the West Bank. The International Labor Organization estimated approximately half of all such workers with permits continued to pay exorbitant monthly fees to brokers (averaging \$600 USD) to obtain and maintain valid work permits. Roughly 40,000 Palestinians work in Israel and Israeli settlements most in construction and seasonal agriculture. These workers were more vulnerable to exploitation and are not eligible for worker benefits such as paid annual and sick leave. Israeli NGO Kav LaOved brought cases to Israeli labor courts on behalf of Palestinian workers employed by enterprises in Israel and West Bank settlements. Many of these cases related to nonpayment or misreporting of wages, as well as inadequate medical care following workplace injury, as well as subsequent health insurance claims within the Israeli system.

According to the Palestine Central Bureau of Statistics Labor Force Survey, 33 percent of wage employees received less than the minimum wage in the second quarter of the year. In the West Bank, approximately 13 percent of wage employees in the private sector received less than the minimum monthly wage. In

Gaza 78 percent of wage employees in the private sector received less than the minimum monthly wage. Palestinians working in Israeli settlements reported they continued to receive wages lower than the Israeli minimum wage, despite a 2008 high court ruling that Israeli labor laws apply to relations between Palestinian workers and Israeli employers in settlements.

Respect for occupational safety and health standards in practice was poor. There were more than 20 workplace fatalities of Palestinian laborers in Israel or Israeli settlements during the year. Israeli NGO Kav LaOved documented dozens of cases where employers instructed employees to return to the West Bank following workplace injury rather than seeking medical attention inside Israel.