



Israel and the occupied territories

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(The Report on the [occupied territories](#) is appended at the end of this Report.)

Israel is a parliamentary democracy with a multiparty system and free elections. There is no Constitution; a series of "basic laws" provide for fundamental rights. The legislature, or Knesset, has the power to dissolve the Government and limit the authority of the executive branch. Following Labor Party Prime Minister Ehud Barak's resignation in December 2000, voters elected Likud Party leader Ariel Sharon Prime Minister in a February general election. Sharon took office in March as the head of a broad "unity" government that includes the Labor Party, the largest bloc in the Knesset. The judiciary is independent.

Since its founding in 1948, Israel has been in a state of war with most of its Arab neighbors. Throughout its existence, Israel also has experienced numerous terrorist attacks by a number of terrorist organizations that have had as their stated objective the elimination of the Israeli State. With the onset of the "Al-Aqsa Intifada" in September 2000, there was a dramatic escalation in the level of violence directed against Israelis. The number of terrorist incidents, and Israeli casualties due to such attacks, rose sharply during the year compared with the previous year.

Israel concluded peace treaties with Egypt in 1979 and with Jordan in 1994, and a series of agreements with the Palestinians beginning in 1993. As a result of the 1967 war, Israel occupies the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights (the human rights situation in the occupied territories is discussed in the annex appended to this report). The international community does not recognize Israel's sovereignty over any part of the occupied territories.

An historic process of reconciliation between Israel and the Palestinians began with the Madrid Conference in 1991 and continued with the September 1993 signing of the Israeli-Palestinian Declaration of Principles (DOP). In September 1995, Israel and the Palestine Liberation Organization (PLO) signed the Interim Agreement on the West Bank and the Gaza Strip. In January 1997, the parties concluded the Hebron Protocol and in October 1998, Israel and the PLO signed the Wye River Memorandum. In September 1999, the Israeli Government and the PLO signed the Sharm el-Sheikh Memorandum. The parties held intensive working-level talks between March and June 2000 and met at Camp David in July of that year; however, the Government and the PLO did not reach an agreement. After the outbreak of the Intifada in the fall of 2000, Israeli and Palestinian authorities made several attempts to reduce the level of violence and return to the negotiating process, including during talks in Taba, Egypt, in January. During the year, both sides attempted to implement recommendations contained in the Tenet Agreement and the Mitchell Report, both of which were designed to reduce the violence and return the parties to negotiations.

Internal security is the responsibility of the Israel Security Agency (the ISA--formerly the General Security Service, or GSS, and also known as Shin Bet, or Shabak), which is under the authority of the Prime Minister's office. The police are under the authority of the Minister of Internal Security. The Israel Defense Forces (IDF) are under the authority of a civilian Minister of Defense. The IDF includes a significant portion of the adult population on active duty or reserve status and plays a role in maintaining internal security. The Foreign Affairs and Defense Committee in the Knesset reviews the activities of the IDF and the ISA. Members of the security forces committed serious human rights abuses in the occupied territories and regarding Palestinian detainees.

The country's population is approximately 6.4 million (including Israeli settlers who live in the occupied territories). Israel has an advanced industrial economy, and citizens enjoy a relatively high standard of living, with a per capita income of more than \$17,000. Unemployment averaged approximately 9 percent during the

year, but was substantially higher in the country's peripheral regions and among lower-skilled workers. The country's economic growth has been accompanied by an increase in income inequality. The longstanding gap in levels of income within the Jewish population and between Jewish and Arab citizens continues. The 14 towns with the highest unemployment rate in the country all are populated by Arab citizens. The country's heavy reliance on foreign workers, principally from Asia and Eastern Europe, was increasingly controversial during the year. Such workers generally are employed in agriculture and the construction industry and constitute approximately 10 percent of the labor force. The country has moved gradually to reduce state intervention in the economy through privatization of several state-owned companies and through deregulation, although progress in these areas has slowed in recent years. The Government made progress in its effort to privatize the government-owned phone company (Bezeq) during the year. Numerous other enterprises remain government owned. State-owned companies continue to dominate such fields as electricity generation and transmission, oil refining, shipping, and international air travel. However, individuals are free to invest in private interests and to own property. The Government owns and manages 77 percent of the country's land area, and as a matter of policy it does not sell land. The Jewish National Fund (JNF), an organization established in 1897 for the purchase and management of land for the Jewish people, owns 8 percent of the country's land area, including a considerable amount transferred directly from the Government, and manages another 8 percent on behalf of the Government. Foreigners and citizens of all religions are allowed freely to purchase or lease the 7 percent of land not controlled by the Government or the JNF. In March 2000, the High Court of Justice ruled that the Government's use of the JNF to develop public land was discriminatory, since the JNF's statute prohibits the sale or lease of land to non-Jews.

The Government generally respects the human rights of its citizens. However, there continued to be problems with respect to its treatment of Arab citizens. Historically, Israel's main human rights problems have arisen from its actions in response to the terrorist threat and its policies and practices in the occupied territories. Hostility from states in the region has exacerbated these problems. The Islamic Resistance Movement (Hamas), Hizballah, Islamic Jihad in Palestine, and the Popular Front for the Liberation of Palestine (PLFP), among others, all committed acts of terrorism in Israel during the year. Nearly 2,000 terror attacks, including suicide bombings, drive-by shootings, mortar and grenade attacks, and stabbings took place during the year in the West Bank, Gaza, and Israel proper. Also during the year, more than 200 Israelis were killed and over 1,500 injured, a sharp increase over the previous year, when 22 Israelis were killed and 244 injured in terrorist incidents. In November 2000, a Legal Commission of Inquiry headed by Justice Theodore Or was established to investigate the demonstrations and riots of October 2000, during which police used excessive force and killed 13 Arab citizens. During the first round of testimony, police officers involved in the events admitted that they were underprepared for dealing with potentially violent demonstrations and that, despite initial denials, the police, including snipers, had used live ammunition against unarmed demonstrators. The Commission's work was expected to continue into 2002. A landmark decision by the High Court of Justice in September 1999 prohibited the use of a variety of other abusive practices, including violent shaking, painful shackling in contorted positions, sleep deprivation for extended periods of time, and prolonged exposure to extreme temperatures; however, during the year, human rights organizations, including B'tselem, Human Rights Watch (HRW), and the Public Committee Against Torture in Israel (PCATI), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that security forces tortured detainees, including using methods prohibited in the High Court decision. There also were numerous allegations that police officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Detention and prison conditions for Palestinian security detainees held in Israel were poor and did not meet international standards regarding the provision of sufficient living space, food, and access to medical care. The Government continued to detain without charge Palestinians, some of them for lengthy periods; the number of such detainees increased following the outbreak of violence in September 2000. During the year, the Government held 62 persons without charge in administrative detention. As of early December, 35 individuals were being held in administrative detention. In April 2000, an Israeli High Court ruling declared illegal the holding of Lebanese detainees in Israeli prisons as "bargaining chips" to extract concessions or the release of Israeli prisoners held in Lebanon; however, at year's end, there were approximately 19 Lebanese prisoners in custody, two of whom--Sheikh al-Karim Obeid and Mustafa Dirani--were held without charge. The Government did not comply with High Court decision mandating that the International Committee of the Red Cross (ICRC) have access to Obeid. One Lebanese prisoner completed his sentence during the year and was released. Following the outbreak of violence in September 2000, and increasingly during the year, the Government detained without charge hundreds of persons in Israel, the West Bank, and Gaza. Some security prisoners are sentenced on the basis of coerced confessions, of both themselves and others. According to human rights organizations, the legal system often imposes more severe punishments on Arab citizens than on Jewish citizens, although such discrepancies are not provided by law. The Government interferes with individual privacy in some instances. The Government imposed severe restrictions on the movement of persons and some restrictions on the movement of goods between Israel and the West Bank and Gaza as well as between cities in the West Bank and Gaza. Also known as "closure," this practice has been in effect to varying extents since 1993 (see Section 2.d. of the annex). The Government claims that the closures are necessary to prevent terrorism. A number of NGO's claim that these restrictions often exceed those justified by security concerns, and that they are provocative and incite public reaction.

Discrimination and societal violence against women persists, although the Government continued to take steps to address the problems. Discrimination against persons with disabilities persists. The Government made little headway in reducing institutional, legal, and societal discrimination against Israel's Arab citizens, who constitute approximately 20 percent of the population but do not share fully the rights provided to, and obligations imposed on, the country's Jewish citizens. Demonstrations and clashes between the police and Israeli Arabs in October 2000 brought renewed attention to the different treatment accorded to the Jewish and Arab sectors of the country. The Government did not take significant, tangible steps to improve the situation of the country's Arab citizens during the year. In October 2000, the Government approved a \$975 million economic assistance plan for Arab citizens to be phased in over 4 years; however, some human rights groups criticized the plan as inadequate. No money for the plan was disbursed during the year. There were a number of instances of societal violence between Jewish and Arab citizens during the year. Trafficking in women for the purpose of forced prostitution is a continuing problem.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of political killings during the year.

In October 2000, in violent incidents that coincided with the outbreak of violence in the occupied territories, police used excessive force to disperse demonstrations in the north of the country, killing 13 Arab citizens and injuring 300. There were reports that the police used a combination of live ammunition and rubber-coated steel bullets against the demonstrators and fired tear gas at the Arab citizens. On October 8, 2000, a group of approximately 1,000 Israeli Jews attacked Arab homes in Nazareth. The attackers allegedly targeted Arab citizens due to their anger over the Hizballah kidnaping of three IDF soldiers and the attack on Joseph's Tomb in the West Bank in early October 2000. Police reportedly arrived at the scene late, did not take action beyond inserting themselves between the two groups, and fired live ammunition, rubber bullets, and tear gas at the Arab citizens. Two Israeli Arabs were killed in the incident and approximately 50 others were injured. In November 2000, the Government of Ehud Barak established a legal Commission of Inquiry, chaired by Justice Theodore Or and including an Israeli Arab judge, to investigate the causes of the riots and the police response. By year's end, the Commission had held more than 50 sessions and heard the testimony of more than 330 witnesses. In testimony taken during the year, numerous police officers testified that the police, including snipers, fired live ammunition into crowds of demonstrators, something police officials vehemently had denied in the period after the demonstrations. Doctors testified that rubber-coated steel bullets being fired from too close a range apparently caused several of the 13 deaths. Police witnesses testified that they had not been trained in the proper use of rubber-coated steel bullets and were not aware of regulations requiring that officers be a minimum distance from targets before firing such bullets. Police witnesses also testified that there was confusion regarding the chain of command and that some local commanders had not been informed that snipers had been deployed in the towns. Some local commanders believed the use of snipers was inappropriate. Some police described a few of their colleagues as having engaged in overly aggressive actions. The Commission's activities were expected to continue well into 2002. At the conclusion of the investigation, the Commission may make recommendations, including whether certain individuals should be indicted.

During the year, there were no violent demonstrations on the scale of those that occurred in late 2000. During demonstrations in Arab areas in March, May, and October, the police worked closely with local Arab leaders to prevent a recurrence of the events of October 2000 (see Section 2.b.).

There was a sharp increase in the number of suicide bombings, shootings, and other acts of terrorism by Palestinian groups or individuals in Israel and the occupied territories, which resulted in the deaths of approximately 208 Israelis (also see Sections 1.a. and 1.c. of the annex). For example, on February 14, a Palestinian driving a bus purposefully rammed into a bus stop south of Tel Aviv, killing eight persons.

On March 4, a suicide bomber killed 3 Israelis and injured 60 persons on Herzl Street in Netanya.

In June a suicide bomber killed 22 Israelis outside the Dolphinarium discotheque in Tel Aviv. The terrorist group Hamas claimed responsibility for the attack.

In August a suicide bomber blew himself up in the Sbarro Restaurant in West Jerusalem, killing 15 persons and injuring 130. The Palestinian Islamic Jihad took responsibility.

In October Palestinian gunmen opened fire on a bus stop in Hadera, killing 4 and injuring more than 40 persons. Islamic Jihad took responsibility for the incident.

In early December, two suicide bomber killed 11 persons and injured 188 in a pedestrian mall in West Jerusalem. The next day, a bus bomb in Haifa killed 15 and injured 40. Hamas took responsibility for the Haifa and the December Jerusalem pedestrian mall bombings.

There were at least 1,970 terror attacks directed against Israelis during the year, including drive by shootings, ambushes, firing of mortars or anti-tank missiles, use of grenades, and stabbings in the West Bank, Gaza, and Israel proper.

Attacks by Hizballah in the Sheba Farms/Har Dov in northern Israel area resulted in the death of one Israeli soldier. On February 16, the soldier was killed by a rocket fired by Hizballah while on IDF patrol in the area.

b. Disappearance

In October 2000, Hizballah guerrillas kidnaped 3 Israeli soldiers on patrol in the Har Dov area of the Golan Heights, demanding that the Israeli government release all remaining Lebanese detainees in Israeli prisons. Hizballah continued to deny other governments and the ICRC access to the prisoners during the year. In June there were reports that U.N. forces videotaped the area of the kidnaping before and after the event. Families of the kidnaped soldiers believe that U.N. forces may possess other videotapes that could provide information regarding the condition of the victims or the kidnapers' identities. In October the Ministry of Defense announced that it had received information that the three soldiers had been killed during the ambush or had died of injuries sustained during the kidnaping.

After consulting with the Ministry of Defense, rabbinical authorities declared the two Israeli soldiers dead and stated that they believed the Muslim soldier also was dead. However, for cultural reasons, the Muslim soldier's family chose not to accept the determination of death unless they received additional proof of the soldier's death or a body. The families of the two Jewish soldiers accepted the determination of death and performed traditional mourning rituals, despite the fact that no bodies have yet been recovered.

A fourth hostage, Elhannan Tannenbaum, who was kidnaped in either Europe or Lebanon in October 2000, was believed to be in Hizballah custody at the end of the year. The ICRC attempted to pass medication and messages to Tannenbaum, but was unable to ascertain whether he received the packages.

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

Laws and administrative regulations prohibit the physical abuse of detainees; however, during the year, human rights organizations, including B'tselem, Human Rights Watch, Palestinian Society for the Protection of Human Rights and the Environment (LAW), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that security forces tortured detainees, including using methods prohibited in the 1999 High Court decision. There also were numerous allegations that police officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Although it is not clear that any formal complaints of torture have been filed, human rights groups point out that no GSS agent has been criminally charged with torture or other ill-treatment for the past several years. Human rights groups further complain that the investigators who do field work for the Attorney General's office on such claims are GSS agents.

Prior to the High Court's 1999 decision, laws prohibiting the physical abuse of detainees were not enforced. Regulations authorized security officers to use "moderate physical and psychological pressure" (which included violent shaking) while interrogating detainees. These practices often led to excesses. In 1999 the Attorney General issued guidelines that denied blanket immunity from prosecution for interrogators.

A Commission of Inquiry continued to conduct throughout the year an investigation into the causes of the October 2000 demonstrations and riots, and the police response. During the year, the Commission held more than 50 sessions in which it heard testimony from more than 330 witnesses (see Section 1.a.).

In March a mob of Jewish persons severely beat a Palestinian man in Netanya. The authorities sentenced one Jewish man who was convicted of being part of the mob to 18 months in prison. The mob attacked the victim after a bomb exploded in the area. The victim sustained brain damage and other serious injuries during the incident.

During the year, an estimated 1,523 Israelis were injured in terrorist attacks carried out by Palestinian groups or individuals in Israel and the occupied territories (see Sections 1.a. and 1.c. of the annex).

Conditions vary in incarceration facilities in Israel and the occupied territories, which are administered by the Israeli Prison Service (IPS), the IDF, or the national police. IPS prisons, which generally house Israeli citizens convicted of common crimes, usually provide inmates with sufficient living space, food, and access to medical care. In general IPS guards do not subject inmates to physical abuse, and prisoners receive basic necessities. Inmates receive mail, have television sets in their cells, and receive regular visits. Prisoners receive wages for prison work and benefits for good behavior. Many IPS prisons have drug treatment, educational, and recreational programs. The IPS established a national police unit to investigate allegations of offenses committed by guards, including complaints about the use of force against inmates.

Since the 1995 closure of the main IDF detention camps in the occupied territories, all security detainees from the occupied territories who were held for more than a few days were transferred to facilities within Israel. During the year, security detainees usually were held in the IDF's Megiddo prison, in IPS facilities, and in special sections of police detention facilities. Prisoners incarcerated for security reasons were subject to a different regimen, even in IPS facilities, and conditions for them were poor. According to the Government, security detainees may receive financial assistance from the Palestinian Authority (PA); food, including food required for observing religious holidays, from their families and other persons or organizations; and medical supplies from the ICRC and other aid organizations. Security detainees include some minors. Detention facilities administered by the IDF are limited to male Palestinian detainees. The total number of Palestinian prisoners held by Israel, which was approximately 1,832 at the beginning of the year, reached 2,226 by year's end. The Government stated that it held 35 persons from Gaza and the West Bank, and no Israeli Arabs in administrative detention (without charge or trial) at year's end, and that it had held 62 prisoners, including at least 2 Israeli citizens, in administrative detention at some point during the year (see Section 1.d.).

Conditions at the Russian Compound, which is run by police and houses a combination of security and common prisoners and detainees in Jerusalem, were criticized in 1997 as "not fit to serve as lock-up" by High Court of Justice President Aharon Barak. Conditions in other IDF facilities have improved in some respects. For example, inmates are provided more time to exercise outside their cells. During the year, prisoners in the Megiddo facility told diplomatic visitors that conditions there were acceptable. Nevertheless, recreational facilities remained minimal, and there are strict limitations on family visits to detainees.

Male family members of Palestinian prisoners who are between 16 and 40 years of age, and any family members with security records, generally are barred from visiting relatives in facilities in Israel. Relatives of Palestinian prisoners also claimed that in some instances they learned that visitation rights have been canceled only when they arrived at the prison after traveling for many hours from the occupied territories. Following the outbreak of violence in late September 2000, the Israeli Government banned all family visits for Palestinian prisoners in Israeli jails, although some visitation rights were restored during the year after ICRC interventions (see Section 1.c. of the annex).

Since the Intifada began, only Israeli lawyers or Palestinian lawyers with Jerusalem identification cards have been permitted to visit Palestinian prisoners in Israeli jails as advocates or monitors. This has reduced significantly the availability and timeliness of legal aid for such prisoners.

Conditions at some national police detention facilities are poor. Such facilities are intended to hold criminal detainees prior to trial but often become de facto prisons. Those held include some security detainees and some persons who have been convicted and sentenced. Inmates in the national police detention facilities often are not accorded the same rights as prisoners in the IPS system. Moreover, conditions are worse in the separate facilities for security detainees maintained both in police facilities and in IPS prisons.

In 1996 the Government began a reform program for the country's detention facilities. Improvements included the opening of a model detention center near Netanya; however, problems, including dilapidation and overcrowding, persist. The 1997 Arrest and Detention law provided for the right to live in conditions that would not harm the health or dignity of the detainee, access to adequate health care, the right to a bed for each detainee, and access to exercise and fresh air on a daily basis. The Government has made strides towards implementing this legislation, although problems remain. For example, in October Ha'aretz newspaper reported on continuing deficiencies in the care of prisoners with mental illness (see Section 5).

Children's rights groups have expressed particular concern over the separate sections of holding facilities set aside for the detention of children. Overcrowding, poor physical conditions, lack of social workers, and denial of visits by parents are among the main problems. In addition to some Israeli minors held in criminal cases, there are juveniles among Palestinian detainees. Children's rights activists had recommended the construction of a separate detention facility for children, and after a prolonged legal battle, separate prison facilities were

built for Arab and Jewish children separate from the adult prison population.

All incarceration facilities are monitored regularly by various institutions including branches of the Government, members of the Knesset, the ICRC, and human rights groups (see Section 1.d. of the annex).

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest; however, in some instances, the Government has not observed this prohibition. Defendants are considered innocent until proven guilty and have the right to writs of habeas corpus and other procedural safeguards. However, a 1979 law permits, subject to judicial review, administrative, or preventive, detention (i.e., without charge or trial), which is used in a small percentage of security cases. In such cases, the Minister of Defense may issue a detention order for a maximum of 1 year, although such orders may be extended. Within 24 hours of issuance, detainees must appear before a district judge who may confirm, shorten, or overturn the order. If the order is confirmed, an automatic review takes place after 3 months. Detainees have the right to be represented by counsel and to appeal detention orders to the High Court of Justice; however, the security forces may delay notification of counsel with the consent of a judge. According to human rights groups and legal experts, there were cases in which a judge denied the Government's request to delay notification of counsel. At detention hearings, the security forces may withhold evidence from defense lawyers on security grounds. The Government also may seek to renew administrative detention orders. However, the security services must "show cause" for continued detention, and, in some instances, individuals were released because the standard could not be met.

In felony cases and in ordinary security cases, a district court judge may postpone for 48 hours the notification of arrest to the detainee's attorney. The Minister of Defense may extend the postponement to 7 days on national security grounds or by the police inspector general to conduct an investigation. Moreover, a judge may postpone notification for up to 15 days in national security cases.

The 1997 Arrest and Detention Law more narrowly defined the grounds for pretrial detention in criminal and security cases and reduced to 24 hours the length of time a person may be held without charge; however, this law does not extend to administrative detention cases. Human rights groups alleged abuse of detention orders in cases in which the accused did not pose a clear danger to society.

Children's rights activists have recommended separate legislation to define when and how a child may be arrested and how long children may be detained.

After the October 2000 violent demonstrations, the Government arrested and held numerous Arab citizens of Israel, including some minors, as security prisoners, which enabled the government to hold the prisoners without access to counsel for up to 2 weeks. The Government never charged any of the detainees with security offenses, although many of them were convicted of nonsecurity crimes based on confessions elicited during the periods they were denied access to counsel (see Section 1.e.). There also were credible reports that police made the initial security charges in bad faith, in attempts to elicit confessions of crimes such as stone-throwing, which carries a penalty of up to 20 years in prison. Many of the persons arrested also reportedly were held without bail until the end of criminal proceedings against them. Several detainees appealed their cases to the High Court of Justice; however, the Court upheld their detentions without bail on the basis that calm had not yet been restored in the country. Most were released after a short period. According to Amnesty International, the Government denied at least 10 Arab citizens detained in connection with disturbances in October access to counsel for up to 1 week.

In February the Government arrested another Israeli Arab, Kamal Obeid, and briefly held him under administrative detention.

In December 2000, for the first time since 1994, the Government placed an Israeli Arab, Jhasan Athamnah, in administrative detention based on secret evidence. In March the High Court refused a petition to release Athamnah. In June the Ministry of Defense declined to renew Athamnah's detention order, and he was released.

Some protections afforded to Israelis are not extended to Palestinian detainees, who fall under the jurisdiction of military law even if they are detained in Israel. Following IDF redeployment in the West Bank, detention centers there were closed in 1995. As a result, all Palestinian detainees held for longer than 1 or 2 days are incarcerated in Israel (see Section 1.d. of the annex).

At year's end, the Government held approximately 2,200 Palestinians in custody. Those held were a combination of common criminal prisoners (approximately 1,300), administrative detainees, and ordinary

security detainees (between 800 and 900). The Government continues to deny the ICRC access to one Lebanese citizen, Mustafa Dirani, a head of security for the Amal militia, who the Government has held without charge since 1994. The Government has held Sheikh Obeid, a Hizballah leader, without charge since 1989. The Government claims that Obeid and Dirani are security threats. In May 1998, the High Court of Justice ruled that the Government was entitled to continue holding both Obeid and Dirani for use in a possible exchange for Israelis who still may have been held by hostile forces. The High Court's ruling emphasized that national security needs took precedence over the detainees' individual rights under Israeli and international law. However, in April 2000, the High Court declared illegal the detention of individuals to be used as "bargaining chips." The Government subsequently released 13 Lebanese prisoners; however, Obeid, Dirani, and approximately 17 other Lebanese prisoners remained in custody at year's end. Obeid and Dirani are administrative detainees, and the 17 other prisoners have been charged and convicted of crimes. One Lebanese detainee completed his sentence during the year and was released.

The Government granted the ICRC access to Obeid for the first time in 1999 and allowed the ICRC four additional visits during 2000. However, following the October 2000 kidnaping of IDF soldiers by Hizballah guerrillas (see Section 1.b.), the Government suspended ICRC access to Sheikh Obeid. In September the High Court ruled that the Government must grant the ICRC access to Obeid. However, families of the missing IDF soldiers requested that the Government delay action on the order, and implementation of the court's decision was postponed, and had not occurred by year's end.

The law prohibits forced exile of citizens, and the Government generally respects this prohibition in practice.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government respects this provision. The September 1999 landmark High Court of Justice decision barring the use of torture (see Section 1.c.) was a major change from the judiciary's previous practice of acquiescence to the government's position in cases, as did the April 2000 ruling prohibiting the holding of detainees for use as "bargaining chips." The judiciary generally provides citizens with a fair and efficient judicial process. However, in practice, according to some human rights organizations, Arab citizens often receive stiffer punishments than Jewish citizens.

The judicial system is composed of civil, military, religious, labor relations, and administrative courts, with the High Court of Justice as the ultimate judicial authority. The High Court of Justice is both a court of first instance (in cases involving government action) and an appellate court (when it sits as the Supreme Court). All courts in the judicial system, including the High Court of Justice, have appellate courts or jurisdictions.

The law provides for the right to a hearing with representation by counsel, and authorities observe this right in practice. A regional and national system of public defenders operated by the Ministry of Justice employs approximately 700 attorneys through 5 regional offices. Under the system, economically disadvantaged persons who face sentences of 5 years or longer, and all persons who are accused of crimes with sentences of 10 years or longer, receive mandatory legal representation. Judges also have discretionary power to appoint an attorney in all cases. Approximately 70 percent of defendants are represented by counsel. All nonsecurity trials are public except those in which the interests of the parties are deemed best served by privacy.

Cases involving national security may be tried in either military or civil courts and may be partly or wholly closed to the public. The prosecution must justify closing the proceedings to the public in such cases, and the Attorney General determines the venue. Adult defendants have the right to be represented by counsel even in closed proceedings but may be denied access to some evidence on security grounds. Under the law, convictions may not be based on any evidence denied to the defense, although it may influence a judge's decision.

The 1970 regulations governing military trials allow for evidentiary rules that are the same in criminal cases. Convictions may not be based solely on confessions, although in practice some security prisoners have been sentenced on the basis of the coerced confessions of both themselves and others. The accused may be assisted by counsel, and a judge may assign counsel to those defendants when it is deemed necessary. Charges are made available to the defendant and the public in Hebrew, and the court may order that the charges be translated into Arabic if necessary. Sentencing in military courts is consistent with that in criminal courts. Defendants in military trials have the right to appeal through the Military High Court. Defendants in military trials also may petition to the civilian High Court of Justice (sitting as a court of first instance) in cases in which they believe there are procedural or evidentiary irregularities.

According to human rights organizations, the legal system in practice often imposes stiffer punishments on Arab citizens than on Jewish citizens. For example, human rights advocates claim that Israeli Arabs are more likely to be convicted of murder (which carries a mandatory life sentence) than Jewish Israelis. The courts

reportedly also are more likely to detain Israeli Arabs until the conclusion of proceedings. For example, in the first month after the October 2000 riots in Arab and Jewish locales, police arrested approximately 1,000 persons, including 660 Arabs and 340 Jews. Of the Arabs arrested, 79 percent reportedly were indicted, compared to 21 percent of the Jews; 72 percent of the Arabs were detained without bond, compared to 11 percent of the Jews. A number of Arabs accused of crimes such as stone-throwing during the year received sentences of more than 3 years. In contrast in October a Jewish man who was convicted of being part of a mob that severely beat a Palestinian man in Netanya in March was sentenced to 18 months in prison (see Section 1.c.). The Government has stated that allegations of systematic discrimination of non-Jews in the courts are unfounded.

There were no reports of political prisoners.

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

Privacy of the individual and the home generally are protected by law; however, there also are laws that provide that authorities may interfere with mail and monitor telephone conversations in certain circumstances. In criminal cases, the law permits wiretapping under court order; in security cases, the order must be issued by the Ministry of Defense. Under emergency regulations, authorities may open and destroy mail based on security considerations.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of the press, and the Government generally respects this right in practice. The law authorizes the Government to censor any material reported from Israel or the occupied territories that it regarded as sensitive on national security grounds; however, authorities rarely apply the law in practice. A censorship agreement between the Government and media representatives applies to all media organizations in the country and provides that military censorship is to be applied only in cases involving national security issues that have a near certainty of harming the country's defense interests. All media organizations may appeal the censor's decision to the High Court of Justice. Moreover, a clause prohibits the military censor from closing a newspaper for censorship violations and from appealing a court judgement against it. News printed or broadcast abroad may be reported without the censor's review, which permits the media to run previously censored stories that have appeared in foreign sources. Emergency regulations prohibit persons from expressing support for illegal organizations. On occasion the Government has prosecuted persons for speaking or writing on behalf of terrorist groups. In August the Attorney General announced that he would file an indictment against Knesset Member Azmi Bisharah for making statements perceived by some as supportive of Hizballah during Bisharah's June visit to Syria (a country still in a state of war with Israel). In November the Knesset voted to lift Bisharah's immunity so that he could face prosecution. During the year, there were reports that the military censor intervened in at least one case related to national defense. For instance, in late March, authorities arrested Retired Brigadier General Yitzhak Ya'acov on charges that he had revealed secret information. The censorship office notified media outlets that a court had issued a gag order on Ya'acov's arrest. However, after a foreign newspaper printed an article on the case in April, Israeli media outlets, including a military radio station, began carrying the story and the court rescinded the gag order.

One Palestinian-owned newspaper, Al-Quds, is required to submit its entire contents, including advertising, to the military censor by 4 p.m. each day. The editor claims that this process caused his journalists to practice self-censorship. Journalists and professional journalist groups claimed that the Government placed limitations on their freedom of movement within the occupied territories, between the West Bank and Gaza, and between the occupied territories and Israel during the violent unrest throughout the year. The Government and security forces do not target journalists due to their profession; however, 2 journalists were killed and at least 10 were injured while covering events in the occupied territories during the year (see Section 2.a. of the annex).

The Government Press Office, due to security concerns, requires foreign journalists to sign an agreement stating that they will submit certain news stories and photographs for censorship; however, they rarely are challenged for not doing so.

Individuals, groups, and the press freely address public issues and criticize government policies and officials without reprisal. Laws prohibit hate speech and incitement to violence. The Government investigated a significantly higher number of Arab Members of the Knesset (MK's) than Jewish MK's under such laws. At least five MK's were under investigation at some point during the year. Adalah has noted that Jewish MK's and political leaders made inflammatory or provocative remarks during the year but were not investigated. Such remarks included some seeming to support the Kach-Kahane Chai terrorist movement and some supporting the transfer of Israeli Arab citizens to other countries.

All newspapers are privately owned and managed. Newspaper licenses are valid only for Israel; separate licenses are required to distribute publications in areas in the occupied territories still under the Government's authority. Sixteen daily newspapers are published in the country. There are approximately 90 weekly local newspapers and more than 250 periodical publications.

Directed by a government appointee, the quasi-independent Israel Broadcast Authority (IBA) controls television Channel 1 and Kol Israel (Voice of Israel) radio, both major sources of news and information. The privately operated Channel 2, the country's first commercial television station, is operated by 3 franchise companies and supervised by the Second Television and Radio Authority, a public body that also supervises 14 private radio stations. There are five cable television companies that carry both domestic and international networks, and produce shows specifically for the Israeli audience.

The Government generally respects academic freedom; however, in December the human rights organization Adalah claimed that the Government interferes with the education of Israeli Arab students because a member of the GSS monitors and approves the appointment of teachers and administrators in Arab schools. Adalah claims that the GSS discriminates against candidates for education positions based on political affiliations (see Section 5).

b. Freedom of Peaceful Assembly and Association

The law provides for the right of assembly, and the Government generally respects this provision in practice.

During the year, there were a number of peaceful demonstrations against the division of Jerusalem and for and against peace negotiations with the Palestinians.

In March, May, and October, Israeli Arabs demonstrated against the past expropriation of their lands, and in remembrance of the previous year's riots in October 2000, during which police killed 13 Arab citizens and injured hundreds of others. Police officials and Israeli Arab leaders cooperated closely before each of the demonstrations. Police maintained a low profile and in most cases did not approach the demonstrations. The demonstrations passed relatively peacefully, with no injuries during those in March and May. In demonstrations in October, a fight broke out, injuring protesters and a police officer.

A Commission of Inquiry continued to conduct an investigation into the causes of the October 2000 demonstrations and riots, and the police response (see Section 1.a.).

The law provides for the right of association, and the Government generally respects this provision in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respects this right; however, it imposes some restrictions. Approximately 80 percent of citizens are counted as Jewish, although some persons in that group are not considered Jewish under Orthodox Jewish law or are merely related by marriage to a Jewish citizen. Muslims, Christians, and Druze make up the remaining 20 percent of the population. The Government recognized 5 religions, including 10 Christian groups. The status of some Christian organizations with representation in the country heretofore has been defined by a collection of ad hoc arrangements with various government agencies. Several of these organizations seek to negotiate with the Government in an attempt to formalize their status. Each recognized religious community has legal authority over its members in matters of marriage and divorce. Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, may bring cases to religious courts. Jewish and Druze families may ask for some family status matters, such as alimony and child custody in divorces, to be adjudicated in civil courts as an alternative to religious courts. Christians only may ask that child custody and child support be adjudicated in civil courts as an alternative to religious courts. Muslims have no recourse to civil courts in family-status matters.

Under the Law of Return, the Government grants automatic citizenship and residence rights to Jewish immigrants and their families; the Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith (see Section 2.d.).

Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and most burials. The State does not recognize marriages or conversions to Judaism performed in the country by non-Orthodox rabbis. In June the Chief Rabbinate issued new regulations stipulating that immigrants who arrived in the country after 1990 must be investigated to confirm that they are Jewish before they can be married in a Jewish ceremony. Many Israeli Jews who wish to marry in secular or non-Orthodox religious ceremonies do so abroad, and the Ministry of Interior recognizes such marriages. However, many Jewish citizens object to such

exclusive control, and it has been at times a source of serious controversy in society, particularly in recent years, as thousands of immigrants from the former Soviet Union have not been recognized as Jewish by Orthodox authorities. For example, following the Dolphinarium discotheque bombing in June, which killed 22 Israelis (see Section 1.a.), some religious authorities questioned whether several of the young victims, who were immigrants from the former Soviet Union, qualified for Jewish burial. One of the victims ultimately was buried in a special part of a cemetery reserved for persons whose Jewish identity was "in doubt." Newspapers reported that the decision caused pain to many Russian immigrants.

Under the Jewish religious courts' interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband's consent. Consequently, there are thousands of so-called "agunot" in the country who are unable to remarry or have legitimate children because their husbands either have disappeared or refused to grant a divorce.

Rabbinical tribunals have the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept a divorce from their husbands. However, in some cases, rabbinical courts have failed to invoke these sanctions. In cases in which a wife refuses to accept a divorce, the rabbinical courts occasionally allow a husband to take a second wife; however, a wife never may take a second husband. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli persons present in the country.

A group of more than 100 Orthodox, Conservative, and Reform women continued a long legal battle to hold women's prayer services at the Western Wall. In May 2000, the High Court ruled that women could pray aloud and wear prayer shawls at the Western Wall. In November 2000, an expanded High Court reheard the case; a decision remained pending at year's end. Most Orthodox Jews believe that mixed gender prayer services violate the precepts of Judaism, and Jews generally still are unable to hold egalitarian (mixed gender) prayer services at the Western Wall. The Conservative movement is experimenting with conducting services at a different, recently excavated portion of the wall. The North American Reform Movement has rejected such an alternative.

Some Islamic law courts have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Members of unrecognized religious groups (particularly evangelical Christians), at times face problems obtaining marriage certificates or burial services. However, informal arrangements provide relief in some cases.

A 1999 High Court ruling enabled Reform and Conservative rabbis to hold seats on the powerful municipal and religious councils. In 1998 the High Court ruled that draft exemptions for yeshiva students were illegal; however, it delayed implementation of the ruling several times and gave the Knesset until December 21, 2000, to pass legislation on the matter. On December 20, 2000, an 11-justice panel of the High Court rejected the Government's request for another extension; however, it stated that it would grant the IDF a "reasonable period" of time in which to implement the ruling. The Government had not implemented the ruling by year's end.

The Government provides proportionally greater financial support to institutions in the Jewish sector compared with those in the non-Jewish sector, i.e., Muslim, Christian, and Druze. For example, the budget for the Ministry of Religious Affairs for 2000 only allocated 2.9 percent of its resources to the non-Jewish sector, although Muslims, Christians, and Druze constitute approximately 20 percent of the population. In 1998 the High Court of Justice ruled that the Ministry of Religion budget allocation constituted "prima facie discrimination" but that the plaintiff's petition did not provide adequate information about the religious needs of the various communities. The Court refused to intervene in the budgetary process on the grounds that such action would invade the proper sphere of the legislature. However, in 2000 the Court ordered the Government to allocate resources equitably to cemeteries of the Jewish and Arab communities. The Government began implementing to some degree the decision during the year.

The Government generally continued to permit Muslim citizens to make the Hajj; however, for security reasons, the Government imposes restrictions on its citizens who perform the Hajj, including requiring that they be over the age of 30 (see Section 2.d.).

Missionaries are allowed to proselytize, although the Church of Jesus Christ of Latter-Day Saints voluntarily refrains from doing so under an agreement with the Government. The law prohibits anyone from offering or receiving material benefits as an inducement to conversion; however, there have been no reports of the enforcement of this law.

In previous years, Jehovah's Witnesses suffered verbal abuse, assaults, theft, and vandalism; however, no such incidents occurred during the year. There were no prosecutions of the more than 120 cases of harassment filed by members of Jehovah's Witnesses between 1998 and 2000.

The Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites Law. The Government states that it also protects the holy sites of other faiths. It also states that it has provided funds for some holy sites of other faiths. Muslim groups claim that the Government has been reluctant to renovate mosques in areas in which there no longer is a Muslim population. In May the High Court sustained a demolition order for a mosque in the unrecognized village of Husseinya, which was built without a permit in 1996.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice for citizens, except with regard to military or security zones or in instances in which citizens may be confined by administrative order to their neighborhoods or villages. Since the outbreak of violence in September 2000, the Government has imposed some restrictions on the movement of persons between Israel and the West Bank and Gaza, and between cities inside the West Bank and Gaza (also see Section 2.d. of the annex).

Citizens are free to travel abroad and to emigrate, provided they have no outstanding military obligations and are not restricted by administrative order. During the year, the Government generally continued to permit Muslim citizens to make the Hajj. However, for security reasons, the Government imposes some restrictions on its Muslim citizens who perform the Hajj (see Section 2.c.). The Government does not allow persons to return if they leave the country without formal permission. The Government justifies these restrictions on the grounds that Saudi Arabia remains officially at war with Israel and that travel to Saudi Arabia therefore is considered subject to security considerations.

The Government states that non-Jewish female citizens who marry noncitizen men, including men from the occupied territories, may retain their citizenship. The law includes provisions that allow a male spouse of a non-Jewish citizen to acquire citizenship and enter the country after the spouse passes a 4 1/2 year, multistage period of adaptation, except in cases in which the man has a criminal record or is suspected of posing a threat to security. A small number of Christian, Muslim, and Druze women who have married men from Arab states or the West Bank and Gaza have made unsubstantiated claims that the Government revoked their Israeli citizenship and their right to reenter Israel, particularly after marrying men who are citizens of countries technically at war with Israel. During the year, the Ministry of Interior informed a Jewish citizen that the Government considered him to have "converted to another faith" because he was married in a church wedding in the U.S. In October the High Court ruled that the man was still Jewish and that his wife had the right to immigrate to the country.

Journalists claimed that the Government placed limits on their freedom of movement within the occupied territories, between the West Bank and Gaza, and between Israel and the occupied territories, during the violent unrest throughout the year (see Section 2.a.).

The Government welcomes Jewish immigrants, their Jewish or non-Jewish family members, and Jewish refugees, on whom it confers automatic citizenship and residence rights under the Law of Return. Beginning in February, children of female converts to Judaism are eligible to immigrate only if the children were born after the woman's conversion. The Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith.

Other than the Law of Return and the family reunification statutes, there is no immigration law that provides for immigration to the country, or for political asylum or refugee status. The law does allow individuals to live in the country as permanent residents. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government does not provide asylum to refugees from states with which the country remains in a state of war. Individuals present in the country on tourist or work visas, or illegally, sometimes file petitions with the UNHCR to obtain refugee status. If a person is granted such status by the UNHCR, it is the government policy to grant renewable temporary visas, provided that the person is not from a state with which the country is at war. In those cases, the Government attempts to find a third country in which the individuals can live. The Government provides refugees all the protections under refugee conventions, although in some instances individual ministries have not complied in an expeditious manner.

The issue of first asylum did not arise during the year. There was one unconfirmed allegation that the Government returned persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens To Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage for adult citizens. The last national elections were held on February 6, when Ariel Sharon was elected Prime Minister and the governing coalition changed party affiliation.

The country is a parliamentary democracy with an active multiparty system in which a wide range of political views is represented. Relatively small parties, including those whose primary support is among Israeli Arabs, regularly win seats in the Knesset. Elections are by secret ballot.

There are no legal impediments to the participation of women and minorities in government; however, the percentage of women in government and politics does not correspond to their percentage of the population. Women hold 15 of 120 Knesset seats, compared with 9 female members in the previous Knesset. Of the Knesset's 19 committees, 4 (including the Committee on the Status of Women) are chaired by women. At year's end, there were 3 women in the Cabinet and 1 Druze minister; 4 women serve on the 14-member High Court of Justice.

There are 11 Arabs and 2 Druze in the Knesset; most represent parties that derive their support largely or entirely from the Arab community. No Arab or Druze citizens, serve on the 14-member High Court of Justice.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of local and international human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperate with investigations.

Section 5 Discrimination Based on Race, Sex, Religion,

Disability, Language, or Social Status

The law prohibits discrimination on the basis of sex or marital status. The law also prohibits discrimination by both government and nongovernmental entities on the basis of race, religion, political beliefs, and age. Local human rights groups are concerned that these laws often are not enforced, either as a result of institutionalized discrimination, or because resources for implementing those laws, or mechanisms for their enforcement, sometimes are lacking.

Women

The law prohibits domestic violence; however, violence against women is a problem, despite the steps taken by the Government and other organizations to reduce violence against women in Jewish and Arab communities.

Twenty-one women were killed by their husbands or other male relatives during the year. According to one prominent women's group, between 150,000 and 200,000 women and girls are victims of domestic violence each year; an estimated 7 percent of them are abused on a regular basis. According to women's organizations, approximately 2,800 women and girls were assaulted sexually and approximately 1,200 were victims of incest during the year; an estimated 44 percent of them were girls under the age of 18. Only a small percentage of the victims complained to the police. According to the Domestic Violence Law, a district or magistrate court may prohibit access by violent family members to their property.

Government funding to combat such violence increased significantly in 1998 but has remained level since. In 1998 the Government appointed a commission to address the subject of domestic violence; on the basis of the commission's recommendations, the Government allotted a supplementary budget allocation to combat domestic violence during this year. Funds went to fund crisis center projects, victim support programs, and education programs. Groups that focus on domestic violence include a committee established by the Ministry of Labor and Social Affairs that includes Jewish and Arab NGO's as well as government representatives, and a coalition of human rights organizations; however, women's rights activists reported that most of the groups are funded privately.

The Government provides partial funding for 12 shelters for battered women, including 1 exclusively for Arab

women and 1 for ultra-Orthodox Jewish women. Women's rights advocates consider this number inadequate. The Government also provides funding for 13 rape crisis centers. There are approximately 10 hot lines and 25 domestic violence prevention and treatment centers, which mainly are funded privately.

Rape is illegal. While sentences handed down to men convicted of rape have increased in recent years, some women's rights activists argue that the penalties are not sufficiently severe. In June the Knesset amended the law to simplify the definition of rape as a crime. The Knesset also amended laws in order to facilitate the delivery of welfare benefits to women staying in shelters. The amendment also prohibited any employer from dismissing an employee during that person's first 6 months of residence in a shelter.

Arab human rights advocates also have formed a coalition to raise public awareness of so-called honor crimes, a violent assault with intent to commit murder against a woman or girls by a relative for her perceived immodest behavior or alleged sexual misconduct. At least 10 of the 11 Arab women killed during the year by male relatives were killed in family "honor" cases; families often attempted to cover up the cause of such deaths. NGO's and press accounts reported that the Government investigated and tried the perpetrators of so-called honor crimes.

Unlike in previous years, there were no reports that Jewish religious extremists attacked physically women whom they considered to be dressed immodestly in public.

Prostitution per se is not illegal; however, the operation of brothels and organized sex enterprises is outlawed. Prostitution is a problem. NGO's report that an unknown number, possibly between 100 and 200, of the nation's prostitutes are under the age of 18.

Trafficking in women has become a significant problem in recent years. According to recent studies, every year hundreds of women from the former Soviet Union are trafficked to Israel by well-organized criminal networks to work as prostitutes (see Section 6.f.).

In 1998 Israel adopted a comprehensive sexual harassment prevention law; since that time, several prominent cases have increased public awareness of the issue. For example, in July 2000, the Government lifted the immunity of then-Transportation Minister Yitzhak Mordecai following complaints that he had sexually harassed three women. Mordecai was convicted in January on two of the three counts and given a suspended sentence of 18 months.

Women's advocacy groups report that women routinely receive lower wages for comparable work, are promoted less often, and have fewer career opportunities than their male counterparts. Despite 1996 legislation that provides for class action suits and requires employers to provide equal pay for equal work, including important side benefits and allowances, women's rights advocates claim that deep gaps remained. For example, the wage gap between men and women for year-round, full-time employment was approximately 30 percent, and only 2 percent of women serve in positions of senior management in large companies. According to recent reports, 52 percent of doctoral students were women, but women made up 24 percent of the senior faculty members at universities and 10 percent of full professors.

Legislation in 1993, reinforced by a 1994 ruling of the High Court of Justice, led to an increase in the percentage of women on the boards of government-owned companies. Women occupied 39 percent of director slots, up from 28.8 percent in 1997.

The adjudication of personal status law in the areas of marriage and divorce is left to religious courts, in which Jewish and Muslim women are subject to restrictive interpretations of their rights. Under personal status law, Jewish women are not allowed to initiate divorce proceedings without their husbands' consent; consequently there are estimated to be thousands of so-called "agunot" who may not remarry or have legitimate children because their husbands either have disappeared or have refused to grant a divorce (see Section 2.c.).

In accordance with Orthodox Jewish law, the 1995 Rabbinical Courts Law allows rabbinical tribunals to impose sanctions on husbands who refuse to divorce wives who have ample grounds for divorce, such as abuse. However, in some cases, rabbinical courts have failed to invoke these sanctions. In addition there have been cases in which a wife has failed to agree to a divorce, but rabbinical authorities have allowed the man to "take a second wife;" this remedy is not available to wives. Such restrictive practices have been used by husbands to extort concessions from their wives in return for agreeing to a divorce. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli Jews present in Israel

Some Islamic law courts in the country have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Jewish women are subject to the military draft. While they cannot be "placed" in combat positions, they are free to volunteer for such units. In January 2000, the Knesset amended the Defense Service Law to state that women have the same right as men to serve in every profession in the Israeli military. In response to a High Court of Justice ruling, the Israeli Air Force (IAF) since 1996 has permitted women to enter pilot training. There are several female Air Force navigators. Women serve as flight surgeons and flight paramedics; there are no female flight mechanics.

In March 2000, the Knesset passed the Equality of Women Law, which provides for equal rights for women in the workplace, the military, education, health, housing, and social welfare, and entitles women to protection from violence, sexual harassment, sexual exploitation, and trafficking (see Section 6.f.).

Women's groups cooperate with legal and social service institutions to provide women's rights education.

Children

The Government has stated its commitment to the rights and welfare of children; however, in practice resources at times are insufficient, particularly with respect to low-income families. Government spending was proportionally lower in predominantly Arab areas than in Jewish areas, which adversely affects children in Arab villages and cities. Education is compulsory up to the age of 15, or until the child reaches the 10th grade, whichever comes first. Government ministries, children's rights groups, and members of the legislature often cooperate on children's rights issues. The Government provides an extensive health care program for children. There is a broad network of mother and child clinics, which provide prenatal care as well as postnatal follow-up.

Arab children make up approximately one-quarter of the public school population, but historically government resources allocated for them were proportionately less than for Jewish children. Current expenditures do not make up for the historic inequities in government investments in educational infrastructure. Many schools in Arab communities are dilapidated and overcrowded, lack special education services and counselors, have poor libraries, and have no sports facilities. The Government allocated 26 percent of the school budget for the year for the construction of new classrooms for schools in Arab Communities (not including Druze communities).

High school graduation rates for Arabs are significantly lower than for Jews. According to 1998 statistics, 58 percent of the teachers in Jewish schools had university degrees compared with 39 percent of the teachers in Arab schools. Preschool attendance for Bedouin children is the lowest in the country, and the dropout rate for Bedouin high school students is the highest.

Arab groups note that the public school curriculum stresses Israel's Jewish culture and heritage. Israeli Arab students also are not eligible to participate in a special education program to provide academic assistance to students from disadvantaged backgrounds. A petition was filed with the High Court of Justice in May 1997 charging that the Ministry of Education's refusal to provide this program to Israeli Arab students was discriminatory. The Attorney General's office agreed that the policy constituted impermissible discrimination but asked for 5 years to expand the program to Israeli Arab students. The petitioners rejected this proposal as being too slow. The court held hearings in the case twice in 1999; during the hearings, the Government promised to equalize special education resources by 2004. In July 2000, the Commission to Examine the Implementation of the Special Education Law (the Margalit Commission) published its detailed recommendations on how to improve special education in the Arab sector. The Government still had not implemented those recommendations by year's end, and the budget for 2002 did not contain provisions to equalize spending on Arab and Jewish special education.

In December Human Rights Watch (HRW) released a report regarding discrimination against Israeli Arab children's access to education. HRW reported that Arab schools are segregated from Jewish schools, that the Education Ministry allocates less money per Israeli Arab student than per Jewish student, and that Arab children overall receive an inferior education to that of Jewish children. HRW also noted that the education system provides less training to teachers in Arab schools, that those teachers earn less money, and that their qualifications are not as high as teachers in Jewish schools.

In December Adalah requested that the Government discontinue GSS monitoring and approval of teachers and administrators in Arab schools, and claimed that in its role at the Ministry of Education, the GSS has discriminated against persons on the basis of their political affiliation (see Section 2.a.).

There has been concern regarding the thousands of children of the country's growing population of foreign workers, many of whom reside in the country illegally. Children born in the country of legal foreign workers are

entitled to health and education benefits until the age of 18. Children of parents who are in the country illegally live in social limbo, occasionally without access to education.

The Government has legislated against sexual, physical, and psychological abuse of children and has mandated comprehensive reporting requirements regarding these problems. Although there has been a sharp increase in reported cases of child abuse in recent years, activists believe that this largely is due to increased awareness of the issue rather than a growing pattern of abuse. There are five shelters for children at risk of abuse.

NGO's in the field of children's welfare concentrate their efforts on public education, on promoting the concept of children's rights as citizens, on improving legal representation for minors, and on combating the problems of poverty, which are most notable for the Bedouin children of the south.

Privately funded children's rights information centers have been established in some communities, and the Government assists in funding additional centers in other cities.

Persons with Disabilities

The Government provides a range of benefits, including income maintenance, housing subsidies, and transportation support for persons with disabilities, who constitute approximately 10 percent of the population. Existing antidiscrimination laws do not prohibit discrimination based on disability, and persons with disabilities continue to encounter difficulties in areas such as employment and housing. A law requiring access for persons with disabilities to public buildings is not widely enforced. There is no law providing for access to public transportation for persons with disabilities. A 1996 law extended disability assistance for deaf children from the age of 14 to maturity. Extended protests by organizations for persons with disabilities in 1999 led to an increase in government spending in support of persons with disabilities.

In 2000 the Government implemented a law seeking to rehabilitate and integrate persons with mental disabilities into the community; however, government discrimination against persons with mental disabilities remained a problem. According to the Ministry of Health, there are between 60,000 and 80,000 persons with mental disabilities in the country; however, only 4 percent of the Ministry of Health's \$5 billion (20 billion NIS) budget is allocated for mental health services. Additionally, 80 percent of the mental health budget is allocated to psychiatric hospitals in which less than 6,000 persons with mental disabilities reside; the remaining tens of thousands of persons with mental disabilities live on their own with little or no government support to help them integrate into the community.

In October Ha'aretz newspaper reported on the insufficient mental health services, vocational training, and recreational opportunities provided by the Government for prisoners with mental illness.

Religious Minorities

Unlike in previous years, there were no reports that evangelical Christians, Jehovah's Witnesses, and Reform and Conservative Jews complained of incidents of harassment, threats, and vandalism directed against their building, and other facilities, many of which were committed by two ultraorthodox groups, Yad L'Achim and Lev L'Achim. In civic areas where religion is a determining criterion, such as the religious courts and centers of education, non-Jewish institutions routinely receive less state support than their Jewish counterparts.

National/Racial/Ethnic Minorities

The Government has not allocated sufficient resources or taken adequate measures to provide Israeli Arabs, who constitute approximately 20 percent of the population, with the same quality of education, housing, and social services, as well as the same opportunities for government employment, as Jews. In addition government spending is proportionally far lower in predominantly Arab areas than in Jewish areas; on a per capita basis, the Government spends two-thirds as much for Arabs as for Jews.

Municipalities, including Arab municipalities, are responsible for issuing building permits within the municipal boundaries. Some Arab NGO's claim that outside of Arab-governed municipalities, the Government is more restrictive in issuing building permits to Arabs than to Jews. Bedouin living in unrecognized villages have no way to obtain building permits; the Government demolished at least two homes in unrecognized villages during the year. Many ministers publicly acknowledged the continuing disparities in government funding for the country's non-Jewish citizens. Following the demonstrations and disturbances in September and October 2000, the Government approved a \$975 million (4 billion NIS) economic assistance plan for the country's Arab citizens to be phased in over 4 years. Most of the money included in the plan is allocated for education and

new infrastructure development. Israeli Arab leaders and human rights groups criticized the plan because it was not based on a comprehensive survey of the economic and development needs of the country's Arab population and was considered inadequate to meet that population's needs. Critics also pointed out that only half of the total sum represented newly allocated money. The Government had not implemented the plan by year's end.

The Government reports that, according to its own statistics, it made some progress in addressing discriminatory allocation of resources. For example, the budget allocated a higher portion for development, public transportation, education, and sanitation for Israeli Arab communities than in 2000.

The Government appointed an Arab citizen to the board of the Israel Land Authority in November 1999. This marked the first representation of non-Jews on the board, which by law has 18-24 members. Half of the members represented organizations forbidden by statute to transfer land to non-Jews. During the year, the High Court of Justice ruled that the Government must appoint an additional Arab to the board. In March 2000, the High Court ruled on an October 1995 petition brought by an Arab couple who were barred from buying a home in Katzir, a Jewish municipality that was built on state-owned land. The High Court ruled that the Government's use of the Jewish National Fund to develop public land was discriminatory, since the fund's by-laws prohibit the sale or lease of land to non-Jews. The High Court determined that its ruling in the case would not affect previous land allocations and that differentiating between Jews and non-Jews in land allocation might be acceptable under unspecified "special circumstances." The municipality was instructed to develop and publish criteria for its decisions and a plan for implementation. Israel Lands Authority had not fully implemented the ruling by year's end.

Israeli Arab organizations have challenged publicly the 1996 "Master Plan for the Northern Areas of Israel," which listed as priority goals increasing the Galilee's Jewish population and blocking the territorial contiguity of Arab villages and towns, on the grounds that it discriminates against Arab citizens; the Government continued to use this document for planning in the Galilee.

Relative to their numbers, Israeli Arabs are underrepresented in the student bodies and faculties of most universities and in higher level professional and business ranks. In 1999 Arabs constituted 8.7 percent of the students at major universities in the country. Well-educated Arabs often are unable to find jobs commensurate with their level of education. Arab citizens hold fewer than 60 of the country's 5,000 university faculty positions. The Government states that it is committed to granting equal and fair conditions to Israeli Arabs, particularly in the areas of education, housing, and employment. A small number of Israeli Arabs have risen to responsible positions in the civil service, generally in the Arab departments of government ministries. In 1994 a civil service commission began a 3-year affirmative action program to expand that number, but it has achieved only modest results. In 2000 only the Ministry of Health and Ministry of Religious Affairs had representation of more than 5 percent of Arabs in their workforce. The Ministry of Housing, Transportation, Industry, and Media all had representation of less than 1 percent of Arabs in their workforce. Arab composition in the remaining nine ministries was approximately 5 percent. In October 2000, the Knesset passed a bill requiring that minorities and underrepresented populations be granted "appropriate representation" in the civil service, and on the boards of government corporations. The Government took steps toward implement the law during the year, including setting aside civil service positions for Arab candidates and appointing more Israeli Arabs to corporate boards.

In practice few Israeli Arabs serve in the military or work in companies with defense contracts or in security-related fields. The Israeli Druze and Circassian communities are subject to the military draft and the overwhelming majority accepts service willingly. Some Bedouin and other Arab citizens who are not subject to the draft serve voluntarily. Those who do not serve in the army have less access than other citizens to those social and economic benefits for which military service is a prerequisite or an advantage, such as housing, new-household subsidies, and government or security-related industrial employment. The social security child allowance for parents who did not serve in the military and did not attend a yeshiva (including Arabs) is to equal the allowance of those who had done so.

Israeli Arab groups allege that many employers use the prerequisite of military service to avoid hiring non-Jews. For example, a September 1999 survey revealed that 40 percent of employment ads in one weekend newspaper listed "army service necessary." Jobs included ice cream sales, typist, bus driver, and customer service. In August the municipality of Tel Aviv advertised for parking lot attendants; "military service" was a prerequisite.

There are approximately 130,000 Bedouin in the Negev; of this number approximately half live in 7 state planned communities and the other half live in 45 settlements that are not recognized by the Government. The recognized Bedouin villages receive basic services from the Government; however, they are among the poorest communities in the country. The unrecognized villages were declared illegal by the National Planning and Building Law of 1965 when the lands on which they sit were rezoned as nonresidential and the

Government claimed ownership. According to the Government, recognizing these villages would conflict with its attempts to establish new villages in "an orderly manner, and would leave disputes over the land unresolved." Residents of the unrecognized villages pay taxes to the Government; however, their villages are not eligible for government services. Consequently, such villages have limited access to infrastructure, such as electricity, water, and sewers, provided to recognized communities. The lack of basic services has caused difficulties for the villagers in regard to their education, health care, and employment opportunities. New building in the unrecognized villages is considered illegal and subject to demolition. Private efforts have supplied some unrecognized villages with water, and the courts have ordered the provision of limited health and education services. The Government has yet to fulfill its commitment to resolve the legal status of unrecognized Arab villages. Eight villages have been recognized officially since 1994, but nearly 100 more, of varying size and with a total population of nearly 70,000 persons, remain in limbo. In 1998 the High Court of Justice ordered the Ministry of Education to provide electricity to schools in several unrecognized villages in the Negev. In March 1999, the High Court ordered the Ministry of Health to provide within 2 months six permanent health clinics to serve the unrecognized villages; only one clinic had been built by year's end. The Government notes that following the High Court case, it agreed to begin a study to determine the infrastructure needed in each village, and that the implementation of plans made by a professional team of researchers will be discussed with villagers. A planning committee is required to submit a report regarding the progress of these plans to the Court in October 2002. No projects related to the planning committee had begun by year's end.

Unresolved problems of many years' standing also include claims by Arab groups that land expropriation for public use has affected the Arab community disproportionately; that Arabs have been allowed too little input in planning decisions that affect their schools and municipalities; that mosques and cemeteries belonging to the Islamic Waqf (religious endowment) have been neglected or expropriated unjustly for public use; and that successive governments have blocked the return to their homes of citizens displaced in the early years of the country's history. The Government has yet to agree with the pre-1948 residents of the northern villages of Bir Am and Ikrit, and their descendants, regarding their long-term demand to be allowed to rebuild their houses. In 1997 a special interministerial panel recommended that the Government allow the villagers to return to Bir Am and Ikrit. The High Court has granted the Government several extensions for implementing the recommendation. In October after the expiration of the most recent extension, under instructions from the Sharon government, the State Prosecutor's Office submitted an affidavit to the High Court asking it to reject the villagers' appeal, stating that the Government had legally appropriated the land and that the precedent of returning displaced persons to their villages would be used for propaganda and political purposes by the Palestinian Authority. The Court's decision was pending at year's end.

There were a number of incidents of ethnically based violence during the year. After the bombing at the Dolphinarium discotheque in June (see Section 1.a.), a crowd of several hundred Jews attempted to attack a mosque across the street from the site of the bombing. The police contained the crowd and safely evacuated the occupants of the mosque. In March in Netanya, a mob attempted to lynch a Palestinian man after a terrorist bomb exploded nearby (see Section 1.c.). The man suffered severe brain damage. In August in a shopping mall in Haifa, a man threw a Druze baby against a wall after he heard the child's parents speaking Arabic.

Unlike in previous years, there were no reports of societal discrimination against Ethiopian immigrants.

Section 6 Worker Rights

a. The Right of Association

Citizen workers may join and establish labor organizations freely. Most unions belong to Histadrut (the General Federation of Labor in Israel), or to a much smaller rival federation, the Histadrut Haovdim Haleumit (National Federation of Labor). These organizations are independent of the Government. Histadrut members democratically elect national and local officers, and officials of its affiliated women's organization Na'amat, from political party lists of those already in the union. Plant or enterprise committee members are elected individually. Approximately 650,000 workers are members of Histadrut, and much of the non-Histadrut work force is covered by Histadrut's collective bargaining agreements.

The right to strike is exercised regularly. Unions must provide 15 days' notice prior to a strike unless otherwise specified in the collective bargaining agreement. However, unauthorized strikes occur. Strike leaders--even those organizing illegal strikes--are protected by law. If essential public services are affected, the Government may appeal to labor courts for

back-to-work orders while the parties continue negotiations. There were a number of strikes in both the public and private sectors during the year by employees protesting the effects of privatization. Worker dismissals and

the terms of severance arrangements often were the central issues of dispute.

Palestinians from the West Bank and Gaza Strip who worked in Israel were not able to join Israeli trade unions or organize their own unions in Israel. Palestinian trade unions in the occupied territories are not permitted to conduct activities in Israel (see Section 6.a. of the annex). However, nonresident workers in the organized sector are entitled to the protection of Histadrut work contracts and grievance procedures. They may join, vote for, and be elected to shop-level workers' committees if their numbers in individual establishments exceed a minimum threshold. Palestinian participation in such committees is minimal.

Labor laws apply to Palestinians in East Jerusalem and to the Syrian Druze living on the Golan Heights.

Unions are free to affiliate with international organizations.

b. The Right to Organize and Bargain Collectively

Citizen workers fully exercise their legal rights to organize and bargain collectively. While there is no law specifically prohibiting antiunion discrimination, the law against discrimination could be cited to contest discrimination based on union membership. No antiunion discrimination has been reported.

Nonresident workers may not organize their own unions or engage in collective bargaining, but they are entitled to be represented by the bargaining agent and protected by collective bargaining agreements. They do not pay union dues, but are required to pay a 1 percent agency fee in lieu of dues, which entitles them to union protection by Histadrut's collective bargaining agreements. The Ministry of Labor may extend collective bargaining agreements to nonunionized workplaces in the same industrial sector. The Ministry of Labor also oversees personal contracts in the unorganized sectors of the economy.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, specifically including forced and bonded labor by children, and neither citizens nor nonresident Palestinians working in Israel generally are subject to this practice; however, civil rights groups charge that unscrupulous employers often take advantage of illegal workers' lack of status to hold them in conditions amounting to involuntary servitude (see Section 6.e.).

Women are trafficked for the purpose of prostitution (see Section 6.f.)

d. Status of Child Labor Practices and Minimum Age for

Employment

Children who have attained the age of 15 years, and who fall under the compulsory education law (which applies to all children except those who have completed grade 10), may not be employed unless they work as apprentices under the Apprenticeship Law. Children who are 14 years old may be employed during official school holidays. Employment of those 16 to 18 years of age is restricted to ensure time for rest and education; and the Government enforces these restrictions in practice.

There are no reliable data regarding illegal child workers. The small number of child workers reportedly is concentrated among the country's Arab population and its most recent Jewish immigrants. Illegal employment is found primarily in urban, light-industrial areas.

Children's rights groups have called for more vigorous enforcement of child labor laws, combined with a parallel effort to deal with the causes of illegal child labor.

The Government specifically prohibits forced and bonded labor by children, and it generally does not occur (see Section 6.c.).

Activists estimate that there may be several hundred prostitutes among the nation's children (see Section 5).

e. Acceptable Conditions of Work

During the year, the minimum wage was raised to 47.5 percent of the average wage. The minimum wage is calculated periodically and adjusted for cost of living increases. At year's end, the minimum wage was approximately \$760 (3,266 NIS) per month. The minimum wage often is supplemented by special allowances and generally is sufficient to provide a worker and family with a decent standard of living. Union officials have expressed concern over enforcement of minimum wage regulations, particularly with respect to employers of illegal nonresident workers, who sometimes pay less than the minimum wage.

By law the maximum hours of work at regular pay are 47 hours a week, 8 hours per day, and 7 hours on the day before the weekly rest, which must be at least 36 consecutive hours and include the Sabbath. By national collective agreements, the private sector established a maximum 45-hour workweek in 1988. The public sector moved to a 5-day, 42-plus hour workweek in 1989, while the military adopted it in 1993.

Employers must receive a government permit to hire nonresident workers from the occupied territories, certifying that no citizen is available for the job. All Palestinians from the occupied territories are employed on a daily basis and, unless they are employed on shift work, are not authorized to spend the night in Israel. Palestinians without valid work permits are subject to arrest. Due to security concerns, the Government stopped issuing almost all permits for Palestinian workers following the outbreak of violence in October 2000.

Nonresident workers are paid through the employment service of the Ministry of Labor, which disburses wages and benefits collected from employers. The Ministry deducts a 1 percent union fee and the workers' required contributions to the National Insurance Institute (NII), the agency that administers the Israeli social security system, unemployment benefits, and other benefits. Despite these deductions, Palestinian workers are not eligible for all NII benefits. They continue to be insured for injuries suffered while working in the country, maternity leave, as well as the bankruptcy of a worker's employer. However, they do not have access to unemployment insurance, general disability payments, or low-income supplements. Since 1993 the Government has agreed to transfer the NII fees collected from Palestinian workers to the Palestinian Authority, which is to assume responsibility for all the pensions and social benefits of Palestinians working in Israel. Mechanisms for providing these services in the PA controlled territories, as well as mechanisms for transferring the funds, have not been established. The funds currently are held in a trust.

Following the outbreak of violence in September 2000, the Government implemented a closure policy, which prevented thousands of Palestinians from getting to their places of employment in Israel (see Section 2.d.).

Along with union representatives, the Labor Inspection Service enforces labor, health, and safety standards in the workplace, although resource constraints affect overall enforcement. Legislation protects the employment rights of safety delegates elected or appointed by the workers. In cooperation with management, these delegates are responsible for safety and health in the workplace.

Workers do not have the legal right to remove themselves from dangerous work situations without jeopardy to continued employment. However, collective bargaining agreements provide some workers with recourse through the work site labor committee. Any worker may challenge unsafe work practices through government oversight and legal agencies.

Public debate continued regarding the role in the workplace and society of (non-Palestinian) foreign workers, who are estimated to number at least 300,000 and about half of whom are undocumented and employed illegally. The majority of such workers come from Eastern Europe and Southeast Asia, and work in the construction and agricultural sectors. The law does not allow foreign workers the ability to obtain citizenship or permanent residence status, unless they happen to be Jewish, in which case they would qualify under the laws which allow for Jewish persons to immigrate. As a result, foreign workers, and their families, especially those who enter the country illegally, experience uncertainty in addressing legal and social problems, including exploitation or abuse in the workplace.

Illegal foreign workers facing deportation are brought before a special court established to deal with issues related to deportation, and workers may contest the deportations. Many workers lack fluency in Hebrew, and this is a hindrance in these courts. NGO's exist to aid workers facing deportations, and there have been cases in which the worker's status has been reinstated. The court also provides a forum where deportable workers can claim that they were not paid or given benefits according to the law. In some cases, the court has delayed deportation until all claims, including severance, have been paid. However, some NGO's suggest that illegal workers often live in situations amounting to involuntary servitude, due primarily to their tenuous legal status.

Human rights groups claim that since foreign worker residency permits are tied to specific employment, even legal foreign workers have little leverage to influence their work conditions.

f. Trafficking in Persons

The law prohibits trafficking in women for the purpose of prostitution; however, it is a continuing problem. During the year, the Government reported that it increasingly pursued legal action against traffickers.

Women are trafficked to Israel from the former Soviet Union, including Moldova, Russia, Ukraine, Georgia, Kazakhstan, and Lithuania; Turkey; South Africa; Brazil; the Dominican Republic; and some countries in Asia. According to Amnesty International (AI), every year hundreds of women from the former Soviet Union are brought to Israel by well-organized criminal networks and forced, often through violence and threats, to work illegally as prostitutes. According to some local NGO's, approximately 500 women are trafficked into the country annually. NGO's have reported that the number of trafficked women entering the country has fallen from previous years, partially due to increased security at border points.

Traffickers reportedly often lure women into traveling to the country by offering them jobs in the service industry. In many cases, traffickers meet women at the border and confiscate all of their official documents. Many trafficked women are forced to live and work under extremely harsh conditions and to give most of the money that they earn to their traffickers. The women reportedly often are raped and beaten, and often are afraid to report their situation to the police because they are in the country illegally. According to press reports, brothels are common despite being illegal.

Some victims have accused individual police officers of complicity with brothel owners and traffickers.

In June 2000, the Government enacted a law that prohibits the trafficking of persons for the purpose of prostitution. The law does not prohibit specifically prostitution; however, the operation of brothels and "organized sex enterprises" is outlawed, as are many of the abuses committed by traffickers and pimps, such as assault, rape, abduction, and false imprisonment. The Penal Code stipulates that it is a criminal offense, punishable by between 5 and 7 years' imprisonment, to force or coerce a person to engage in prostitution. The Penal Code also makes it a criminal offense to induce a woman to leave the country with the intent to "practice prostitution abroad." In March 2000, the Knesset passed the Equality of Women Law (see Section 5), which stipulates that every woman is entitled to protection from violence, sexual harassment, sexual exploitation, and trafficking.

During the year, the Government opened 405 files for trafficking and related crimes; most files dealt with multiple victims and suspects--40 of the files specifically included trafficking as a charge. A total of 213 persons were detained for trafficking related crimes during the year and an additional 981 interrogated; 60 persons were arrested and 39 detained until the beginning of legal proceedings. The Government convicted 12 persons and delivered sentences. In nine cases, the Government settled by plea bargaining with the defendants.

Police often detain trafficked women following raids on brothels; the number of such raids increased during the year. The Ministry of Interior has broad powers to deport illegal aliens and to hold them in detention pending deportation. The Ministry may issue deportation orders against any person who is in the country without a residence permit and may hold the deportee in detention following the issuance of a deportation order. The deportee may appeal the deportation order to the Ministry within 3 days of its issuance. According to the Ministry of Public Security, by July the Government had deported 300 prostitutes, not all of whom were victims of trafficking, who had been living illegally in the country.

The Government has provided training to immigration officials at Ben Gurion Airport on how to detect women being trafficked into the country.

Authorities generally keep trafficked women who are arrested in a special section of a women's prison and then deport them. Since 1997 police have arrested and deported approximately 1,200 women who were trafficked into the country for prostitution. Trafficked women often do not challenge a deportation order because they do not speak the language, or are unaware of the appeals procedure. The Government transfers women who testify against their traffickers to a hotel or hostel and provides them with funds on which to live. However, AI has reported that the Government also has detained some trafficked women for extended periods of time by issuing orders requiring them to remain in the country to testify in criminal proceedings against their traffickers. Many women are reluctant or afraid to testify in trials due to threats and intimidation by their traffickers. During the year, the courts began to allow victims to submit testimony on video in order to expedite their return home.

According to AI, women refuse to testify in court in approximately 90 percent of all the cases that are prosecuted. NGO reports and witness testimony has indicated that the Government does not attempt to determine whether or not a trafficked woman or girl would be at risk of abuse if she were deported to her

country of origin, even in cases in which the woman or girl has testified in criminal proceedings.

The Government provides limited funding to NGO's for assistance to victims.

According to the Government, it finalized a plan to make a shelter available for trafficked women; however, it had not opened the shelter by year's end. The Government also reported that it began to provide legal representation to some trafficked women.

The Government has acknowledged the need to educate trafficked women regarding where to go for help and was developing such programs, but had not finalized any plans for or begun such education programs by year's end.

The occupied territories (Including Areas Subject to the Jurisdiction of the Palestinian Authority)

Israel occupied the West Bank, Gaza Strip, Golan Heights, and East Jerusalem during the 1967 War. The West Bank and Gaza Strip now are administered to varying extents by Israel and the Palestinian Authority (PA). Pursuant to the May 1994 Gaza-Jericho Agreement and the September 1995 Interim Agreement, Israel transferred most responsibilities for civil government in the Gaza Strip and parts of the West Bank to the PA while retaining responsibility for external security; foreign relations; the overall security of Israelis, including public order in the Israeli settlements; and certain other matters (this annex on the occupied territories should be read in conjunction with the report on Israel).

The historic process of reconciliation between Israel and the Palestinians, which began with the Madrid Conference in 1991 and continued with the September 1993 signing of the Israeli-Palestinian Declaration of Principles (DOP) and subsequent agreements, has been impeded significantly by the ongoing conflict between Palestinians and Israelis, known as the "al-Aqsa Intifada," or merely the Intifada. Violence associated with the conflict has claimed approximately 1,000 Palestinian lives. The Intifada started in late September 2000. Its causes are complex and remain highly controversial between the parties. During the initial stage of the Intifada, Palestinian demonstrators threw stones and Molotov cocktails at Israeli security forces. The security forces responded using rubber-coated metal bullets and live ammunition to disperse the demonstrators, resulting in injuries and deaths. Demonstrations and clashes continued daily through the end of 2000 and throughout the year. The nature of the violence changed during this year, leading to increased armed attacks and terrorism by Palestinians against Israeli targets. In addition to violent demonstrations, Palestinians attacked Israelis, including settlers, other civilians, and soldiers, on a daily basis in the occupied territories and Israel proper, including by suicide bombings, using other types of bombs, shooting at Israeli vehicles and military installations, firing of anti-tank missiles and mortars, and use of hand grenades. IDF retaliation against Palestinians included violence and abuse at checkpoints, incursions into Palestinian-controlled towns and villages, targeted killings, firing toward civilian areas, and intense gun battles with Palestinian shooters.

In October 2000, pursuant to an international conference held in Sharm el-Sheikh, a fact-finding committee headed by former U.S. Senate leader George Mitchell was established to examine the causes of the violent events that began in late September 2000 and to recommend ways to prevent their recurrence. The committee began its work in December 2000. The report of the Sharm el-Sheikh Fact-Finding Committee was published on April 30, and both Israel and the PA agreed in principle to implement its recommendations, along with the Tenet Plan, which outlines specific steps that both the Israeli Government and the PA should take to maintain a cease-fire, restore security, and resume political negotiation. None of the provisions of the Report or the Plan had been implemented by year's end.

During 2000 and early in the year, the parties held intensive talks concerning final status issues, including water rights, refugees, settlers, the status of Jerusalem, and border and security issues, most notably in July 2000 and in Taba in January; however, they did not reach an agreement by year's end. Despite meetings between high level Israeli and Palestinian political and security officials, and repeated declarations of cease-fires by both sides, efforts to end the violence yielded few results by year's end.

Israel and the PA have varying degrees of control and jurisdiction over the Gaza Strip and the West Bank. Israel continues to control certain civil functions and is responsible for all security in portions of the occupied territories categorized as Area C. In the West Bank, this constitutes more than 61 percent of the land, and approximately 4 percent of the total West Bank Palestinian population, including the Israeli settlements. In Gaza more than 12 percent of the land is designated as Area C equivalent, and includes the Israeli settlements. In areas designated as Area B, the PA has jurisdiction over civil affairs and shares security responsibilities with Israel. Approximately 21 percent of West Bank land is Area B, and approximately 41 percent of the West Bank Palestinian population resides there. The Area B equivalent in Gaza constitutes almost 19 percent of the land. The PA has control over civil affairs and security in Area A; however, contrary to the terms of the Interim Agreement, Israeli forces entered cities and villages in Area A for periods of a few

hours up to several weeks during the year. The West Bank Area A constitutes nearly 18 percent of the land, and includes roughly 55 percent of the West Bank Palestinian population. The Gaza Area A equivalent constitutes approximately 69 percent of the land. The PA also has jurisdiction over some civil affairs in Area C, as specified in the Interim Agreement.

Israel continues to exercise civil authority in parts of the West Bank and Gaza through the Israeli Ministry of Defense's Office of Coordination and Liaison, known by the Hebrew acronym MATAK. The approximately 175,000 Israeli settlers living in Area C of the West Bank and in the Gaza Strip are subject to Israeli law and, as citizens, receive preferential treatment from Israeli authorities in terms of protection of personal and property rights and of legal redress. The body of law governing Palestinians in the occupied territories derives from Ottoman, British Mandate, Jordanian, and Egyptian law, and Israeli military orders. Certain laws and regulations promulgated by the PA also are in force. The international community considers Israel's authority in the occupied territories to be subject to the Hague Regulations of 1907 and the 1949 Geneva Convention relating to the Protection of Civilians in Time of War. The Israeli Government considers the Hague Regulations applicable and maintains that it largely observes the Geneva Convention's humanitarian provisions.

In January 1996, Palestinians chose their first popularly elected Government in democratic elections that generally were free and fair; the 88-member Palestinian Council (PC) and the Chairman of the Executive Authority were elected. The PA also has a cabinet of 30 ministers. Chairman Yasir Arafat continues to dominate the affairs of government and to make major decisions. Most senior government positions in the PA are held by individuals who are members of, or loyal to, Arafat's Fatah faction of the Palestinian Liberation Organization (PLO). Prior to the Intifada, the Council met regularly to discuss issues significant to the Palestinian people; however, it did not have significant influence on policy or the behavior of the executive. On December 2, Arafat invoked a state of emergency that granted him broad powers to make arrests, prohibit demonstrations, and take action against organizations that the PA suspects are affiliated with terrorist groups. In the West Bank, pre-1967 Jordanian law and PA laws apply. In recent years, the PA had stated that it was undertaking efforts to unify the Gaza and West Bank legal codes; however, it has made little progress. The PA courts are perceived as inefficient, and the PA executive and security services frequently ignore or fail to carry out court decisions.

Israeli security forces in the West Bank and Gaza Strip consist of the IDF; the Israel Security Agency (the ISA—formerly the General Security Service, or GSS, and also known as Shin Bet, or Shabak); the Israeli National Police (INP); and the paramilitary border police. Israeli military courts try Palestinians accused of committing security crimes in Israeli-controlled areas. Members of the Israeli security forces committed numerous, serious human rights abuses throughout the year.

The Palestinian Police Force (PPF) was established in May 1994 and includes the Palestinian Public Security Force; the Palestinian Civil Police; the Preventive Security Force (PSF); the General Intelligence Service, or Mukhabarat; the Palestinian Presidential Security Force; and the Palestinian Coastal Police. Other quasi-military security organizations, such as the military intelligence organization, also exercise de facto law enforcement powers. Palestinian police are responsible for security and law enforcement for Palestinians and other non-Israelis in PA-controlled areas of the West Bank and Gaza Strip. Israeli settlers in the occupied territories are not subject to PA security force jurisdiction. Members of the PA security forces committed numerous, serious human rights abuses throughout the year.

The occupied territories are composed of the Gaza Strip, the West Bank, and East Jerusalem. The population of the Gaza Strip is approximately 1,140,000. The population of the West Bank (excluding East Jerusalem) is approximately 2,191,300. The population of East Jerusalem is approximately 390,000. The economy of the West Bank and Gaza Strip is small, poorly developed, and highly dependent on Israel, and it has been impacted severely by the Israeli security measures imposed in response to the Intifada. The economy relies primarily on agriculture, services, and, to a lesser extent, light manufacturing. Before the beginning of the Intifada, approximately 125,000 West Bank and Gazan workers, representing roughly 20 percent of the Palestinian work force, were employed at day jobs in Israel, Israeli settlements, and Jerusalem. Israeli-imposed closures, or increased restrictions, on Palestinian cities and towns have impeded Palestinians from reaching jobs or markets or disrupted internal and external trade. In addition the IDF and settlers have destroyed sections of Palestinian-owned agricultural land and economic infrastructure. The Government of Israel stated that some of these actions, such as the destruction of groves alongside roadways by the IDF, were necessary for security reasons. Some human rights groups stated that these actions often exceeded what was required for security. The adjusted unemployment rate was roughly 38 percent throughout the year. The poverty rate in the PA was 33 percent at the end of 2000 and was estimated at 50 percent by the end of the year.

Since the signing of the Israeli-Palestinian DOP in 1993, Israel has required Palestinians to obtain Israeli permits for themselves and their vehicles to cross from the West Bank or Gaza into Israel and Jerusalem. In times of tension, Israel further restricts the movement of persons and products into Israel and Jerusalem from

the West Bank and Gaza. Citing security concerns, Israel has applied partial "external closure," or enhanced restrictions, on the movement of persons and products, often for lengthy periods, since 1993. During periods of violent protest in the West Bank or Gaza, or when it believes that there is an increased likelihood of such unrest or of terrorist attacks in Israel, Israel imposes a tightened, comprehensive version of external closure, generally referred to as total external closure. Total external closures also are instituted regularly during major Israeli holidays. During such closures, Israel cancels all travel permits and prevents Palestinians--even those with valid work permits--from entering Israel or Jerusalem. The Israeli Government also bans travel on the safe passage route between the West Bank and Gaza at such times. Due to the ongoing unrest in the occupied territories, Israel imposed 210 days of total external closure during the year and 155 days of partial external closure, compared with 88 days of closure in 2000 and 15 days in 1999. The safe passage route was not open at all during the year, despite the fact that its existence is stipulated in the 1995 Interim Agreement, signed by both parties.

In periods of unrest in the West Bank and Gaza or heightened terrorist activity in Israel, the Israeli Government also prohibits most travel between cities, towns, and villages within the West Bank--an "internal closure"--impeding the movement of goods and persons. During the year, Israel expanded its use of internal closure further in response to the sustained violence of the Intifada. The internal closures may be severe--prohibiting Palestinians from using primary roads and closing off many secondary roads with physical barricades--or limited, allowing access to Palestinians on most secondary roads, but only some main roads, with roadblocks and checkpoints dispersed along those roads that are open. The Government of Israel imposed approximately 87 days of limited internal closure and 278 days of severe internal closure in the West Bank during the year, compared with 81 days of internal closure in 2000 and no days in 1999. Prior to the current Intifada, the Government of Israel rarely imposed internal closure within Gaza. However, during the year, the Israeli Government imposed roughly 361 days of limited internal closure and 4 days of severe internal closure in Gaza. Israeli forces further restricted freedom of movement of Palestinians by imposing curfews, often for extended periods, on specific Palestinian towns or neighborhoods. These curfews do not apply to Israeli settlers in the same areas.

Israel's overall human rights record in the occupied territories was poor, continuing a deterioration that began in late 2000, after the beginning of the sustained violence of the Intifada. Israeli security forces committed numerous, serious human rights abuses during the year. Security forces killed at least 501 Palestinians and 1 foreign national and injured 6,300 Palestinians and other persons during the year, including innocent bystanders. Israeli security forces targeted and killed at least 33 Palestinians whom the Israeli authorities suspected had in the past attacked or were planning to attack Israeli settlements, civilians, or military targets. On August 27, Israeli forces also killed the secretary general of the political wing of the Popular Front for the Liberation of Palestine (PFLP), which some claimed expanded the scope of such operations to include political figures. Palestinian and Israeli human rights groups stated that four of those killed were not directly involved in terrorist activities. At least 18 other persons, including 4 children, killed by Israeli forces during such operations were bystanders, relatives, or associates of those targeted.

In contravention of their own rules of engagement, which provide that live fire is to be used only when the lives of soldiers, police, or civilians are in imminent danger, Israeli security units often used excessive force against Palestinian demonstrators including live fire. IDF forces also shelled PA institutions and Palestinian civilian areas in response to Palestinian attacks on Israeli targets. Israeli security forces killed 93 Palestinians and injured 1,500 in these attacks. The IDF killed another 68 Palestinians during Israeli incursions into Palestinian-controlled territory (Area A). Israeli security forces frequently impeded the provision of medical assistance to Palestinian civilians by their strict enforcement of internal closures, which reportedly contributed to at least 32 deaths. Israeli security forces harassed and abused Palestinian pedestrians and drivers who were attempting to pass through the more than 130 Israeli-controlled checkpoints in the occupied territories. During the year, human rights organizations, including B'tselem, Human Rights Watch, the Palestinian Society for the Protection of Human Rights and the Environment (LAW), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that Israeli security forces tortured detainees, including using methods prohibited in a 1999 High Court decision; there also were numerous allegations that police officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Two Palestinian prisoners died in Israeli custody under ambiguous circumstances during the year. Prison conditions were poor. Prolonged detention, limits on due process, and infringements on privacy rights remained problems. The IDF destroyed numerous orchards, olive and date groves, and irrigation systems on Palestinian-controlled agricultural land, and demolished the homes of Palestinians suspected of terrorism, without judicial review. Israeli authorities censored Palestinian publications in East Jerusalem. Some journalists who were covering the clashes were injured and killed by IDF fire. The Israeli authorities placed limits on freedom of assembly, and severely restricted freedom of movement for Palestinians. Israeli security forces failed to prevent, and in some cases protected, some Israelis who entered Palestinian-controlled areas in the West Bank and injured and killed several Palestinians.

The PA's overall human rights record continued to be poor; its performance improved in a few areas, but

worsened in several others during the year. Unlike in the previous year, there were no documented instances of on-duty Palestinian security forces killing Israeli security force members in the occupied territories during the year. Some off-duty members of Palestinian security services and Fatah faction reportedly participated with civilians and militant groups in violent attacks against Israeli settlers, other civilians, and soldiers. At year's end, there was no conclusive evidence that the most senior PLO or PA leadership gave prior approval for these acts. On a number of occasions, Arafat called on Palestinians not to fire from Area A and ordered a complete cease-fire. However, Arafat did not take sufficient sustained action to end the violence. PA security forces arrested some of those implicated in the violence, but many quickly were released or not kept under credible conditions of arrest.

At least five Palestinians in the custody of PA security services died under ambiguous circumstances. PA prison conditions were very poor. PA security forces arbitrarily arrested and detained persons, and prolonged detention was a problem. There were credible reports of abuse and torture of prisoners held by the PA during the year. Lack of due process also was a problem. PA courts are perceived as inefficient, lacking in staff and resources, and failing to ensure fair and expeditious trials. The imposition by Israel of internal closure in the occupied territories during the year prevented courts from holding sessions or issuing rulings during most of the year. The PA executive and security services frequently ignored or failed to enforce court decisions. Lack of due process also is a serious problem in the PA's state security courts. PA security forces infringed on citizens' rights to privacy and restricted freedom of speech and of the press. The PA continued to harass, detain, and abuse journalists. PA harassment contributed to the practice of self-censorship by many Palestinian commentators, reporters, and critics. The PA placed some limits on freedom of assembly and association. Violence against women and "honor crimes" persisted. Societal discrimination against women and persons with disabilities was a problem. Child labor was a problem.

Israeli civilians, especially settlers, harassed, attacked, and occasionally killed Palestinians in the occupied territories. There were credible reports that settlers killed at least 14 Palestinians during the year. Three Jewish extremist groups, believed to be associated with settlers, claimed responsibility for the killing of five other Palestinians, including an infant, in three separate attacks. Although Israeli officials criticized the acts and promised to take action and detained one suspect, they made no other arrests in any of these cases by year's end. Settlers also caused significant economic damage to Palestinians by attacking and damaging greenhouses and agricultural equipment, uprooting olive trees, and damaging other valuable crops. The settlers did not act under government directive in the attacks; however, they were at times accompanied by Israeli soldiers whose standing orders are to protect, not arrest or restrain, Israeli civilians in the occupied territories. The Israeli Government generally did not prosecute the settlers for their acts of violence. In general settlers rarely serve prison sentences if convicted of a crime against a Palestinian.

Palestinian civilians were responsible for the deaths of the 87 Israelis killed in the occupied territories. Palestinian-instigated violence in the initial months of the Intifada was characterized by violent demonstrations; shootings; incidents in which Palestinians usually threw stones and Molotov cocktails at IDF checkpoints; random shootings at Israeli settlements and IDF positions; and limited armed attacks on Israeli settlers, soldiers, and civilians. During the year, violence directed at Israeli civilians and settlers became more lethal as Palestinians targeted Israelis in drive-by shootings and ambushes, suicide and other bombings, mortar attacks, and armed attacks on settlements and military bases. Palestinians acting individually, or in unorganized or small groups, including some members of Palestinian security services, killed at least 36 Israelis, including 17 settlers, as well as 10 members of the Israeli security forces in the occupied territories during the year. Off-duty members of PA security forces and members of Chairman Arafat's Fatah faction participated in some of these attacks.

A number of extremist Palestinian groups, including the militant Islamic Resistance Movement (HAMAS), the Palestine Islamic Jihad (PIJ), the PFLP, the Democratic Front for the Liberation of Palestine (DFLP), and Fatah-affiliated groups such as the al-Aqsa Brigades, the Thabet Thabet Group, and the Brigades of Return, killed 51 Israelis and 4 foreigners and injured numerous others in the occupied territories during the year. The PA had made few arrests in these killings by year's end.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The number of deaths due to political violence associated with the Intifada remained extremely high in the occupied territories during the year. Israeli security forces killed at least 501 persons in the West Bank and Gaza. Israeli civilians, mostly settlers, as well as extremist groups believed to be associated with settlers, killed at least 19 Palestinians. Palestinian militants and civilians killed an estimated 87 Israelis. Palestinian civilians

killed at least 22 Palestinians suspected of being collaboration with the Israeli Government. Additionally, more than 7,300 persons were injured during the year, including more than 6,600 Palestinians and nearly 700 Israelis (see Sections 1.c. and 1.g.).

Israeli security forces killed at least 501 Palestinians--of whom at least 103 were members of PA security forces--and 1 foreign national during the year. Most of the Palestinians killed by Israeli security forces were killed during violent demonstrations, armed clashes, targeted killings, incursions into Palestinian-controlled areas, at checkpoints, or as a result of sometimes excessive or indiscriminate fire toward Palestinian civilian areas. During the incidents, Palestinian protestors frequently threw stones and Molotov cocktails, and in some cases, also fired weapons at IDF soldiers (see Sections 1.c. and 1.d.). In response Israeli security forces used a variety of means to disperse demonstrators, including tear gas, rubber-coated metal bullets, and live ammunition. In many instances, Israeli security forces used excessive force against demonstrators, at times resulting in deaths, in contravention of their official rules of engagement (see Section 1.g.).

For example, on July 7, Khalil al-Mughrabi, an 11-year-old child, was killed in Gaza. According to B'tselem, al-Mughrabi was killed when an Israeli tank used live ammunition to fire warning shots during a demonstration in which the IDF states that demonstrators threw fragmentation grenades and stones at IDF soldiers. B'tselem stated that al-Mughrabi and two other boys who were hit were a distance from the demonstration and had not participated.

On November 22, five schoolboys in Gaza on their way to class were killed by the explosion of an ordnance that they found and apparently touched. The IDF had planted the mine in an effort to kill Palestinian gunmen who had been shooting at Israelis at night from the area. The IDF conducted an internal investigation, and senior staff reprimanded the officers who had laid the mine, stating that they should not have placed the mine there because they should have known that school children used the area. There was no other reported disciplinary action against the officers.

The IDF targeted for killing at least 33 Palestinians during the year. The Israeli Government explicitly or implicitly acknowledged its role in the targeting and killing of at least 22 Palestinians, and also acknowledged its role in killing another 5 persons who were not targets while attempting to kill 3 militants. In January a senior public official in the Israeli Government, speaking off-the-record to Israeli journalists, stated that the IDF deliberately had targeted 10 Palestinians since the beginning of the Intifada. According to the IDF, the targeted persons were militants whom the IDF believed recently had attacked or had been planning future attacks against Israeli civilians, settlements, or military targets. The IDF stated that it targeted persons only with the authorization of senior political leaders. The Government of Israel stated that such actions were exceptional self-defense measures taken only against those engaged in hostilities against Israeli citizens, and were justified by its obligation to protect its citizens against terrorism and consistent with its right to self defense. In the death of at least seven other Palestinian militants, Israeli officials either declined to take responsibility for the action or actively denied Israel's involvement. During the course of the year, Israeli Prime Minister Sharon stated publicly that there would be targeted killings that the Israeli Government would deny publicly. In several cases in which Israeli officials denied that the killings were targeted, officials acknowledged that the persons killed had been wanted by the Israeli Government for past or planned attacks on Israelis, and the circumstances of the attacks led to suspicion that Israeli authorities were responsible for the killings. PA officials, Palestinian political leaders, and Palestinian and Israeli human rights organizations stated that four of the Palestinians targeted and killed during the year were political activists who were not involved in violent attacks. IDF forces killed 18 Palestinian bystanders, relatives, or associates of those targeted, and injured a number of others during the operations (see Section 1.c.); however, the Government of Israel has stated that it makes every effort to avoid collateral injuries or deaths and has aborted operations against known terrorists when it became clear that they might endanger innocent civilians. In most cases, the only death or serious injury was the person targeted, although in some cases there were unintended victims.

For example, on July 17, IDF helicopters fired several rockets into the one-room house of an alleged Hamas member in Bethlehem, killing four Palestinians and injuring eight others, including several women. Israeli officials said that the operation targeted a Hamas terror cell that was planning an imminent bombing in Jerusalem. Neighbors of the family and Palestinian and Israeli human rights groups stated that the four men were not active in Hamas. One of those killed, Ishaq Sa'adeh, was a well-known peace activist and history teacher at a Christian school in Bethlehem.

On July 31, Israeli helicopters fired several rockets into the second floor of a six-story building in Nablus, killing two Hamas senior officials--Jamal Mansour and Jamal Salim--and six other Palestinians, including two children who were standing outside the building. Israeli officials maintained that the operation targeted Hamas military operatives. The Hamas office was a media center, and two of those killed were journalists (see Section 2.a.).

On December 10, Israeli helicopters fired several rockets into the market in al-Sahel in Hebron, apparently targeting the car of PIJ member Mohamad al-Sider. Al-Sider was injured slightly. At least one of the rockets

missed its target and hit the car behind it, killing two Palestinian children, Burhan Yaoun (3 years old) and Ahmad Ararat (13 years old). At least seven other civilian bystanders were injured. The IDF released a statement that acknowledged that the operation was intended to kill al-Sider, and expressed regret at the death of the children.

Israeli security force personnel killed a number of Palestinians in ambiguous circumstances that appeared to involve the excessive use of force in responding to what they stated were violent, or potentially violent situations at checkpoints (see Section 1.g.). The IDF generally did not investigate the actions of security force members who killed and injured Palestinians under such circumstances, leading to a climate of impunity. The IDF stated that it did not investigate such incidents because of technical problems; because Israel does not have full control over the occupied territories; and because the PA reportedly would not cooperate in investigations in Areas B and C. However, in certain high-profile cases, the IDF agreed to investigate. For example, on October 18, as IDF tanks and armored personnel carriers entered Area A in Jenin, an 11-year-old girl, Rihmah Abu Wardeh, was killed by IDF tank fire near the Ibrhimyeen school compound. Seven other school children were injured. Some eyewitness accounts indicate that Rihmah was injured critically while in the classroom, but others indicate that she was in the school compound when shrapnel from tank fire struck her. Rihmah died before her arrival at the Jenin hospital. The IDF conducted an internal investigation concerning the Jenin incursion. The officer in charge of the area was found to have exceeded his authority during the entry into, and firing upon the area. The IDF sentenced him to 28 days in military prison, and removed him from further command positions. However, the charges against him did not mention specifically the death of the girl or the injuries at the school.

Frequently, and often following shooting attacks, many of which were nonlethal, in the direction of Israeli settlements and military positions, the IDF retaliated against Palestinian towns and cities in the West Bank and Gaza. Israeli forces fired tank shells, heavy machine-gun rounds, and rockets from helicopters and F-16s at targets in residential and business neighborhoods located near the sites from which the Palestinian gunfire was believed to have originated. Such Israeli actions during the year killed at least 93 Palestinians, most of whom were noncombatants, injured at least 1,500 persons, and caused significant damage to buildings, schools, and hospitals or other medical facilities. Two doctors, a nurse, and an ambulance driver were among those killed (see Section 1.g.).

In addition at least 68 Palestinians were killed in more than 50 temporary Israeli incursions into Palestinian-controlled (Area A) cities and towns. Such incursions usually were conducted as retaliation for Palestinian suicide bombings or shooting attacks that had killed Israeli civilians, settlers, or soldiers, or to make arrests. The occupation of these areas varied in length from a few hours to more than 6 weeks. As part of such actions, the IDF usually leveled either a major PA building, or, especially in Gaza, a series of buildings, including homes. The Israeli Government stated that such actions were intended to widen a security strip area adjacent to Israeli-controlled territory. At least three of the PA buildings that the IDF destroyed during such incursions were facilities housing Special Forces Units of the Palestinian national police.

According to Israeli and Palestinian human rights organizations, Israeli security forces at checkpoints impeded the provision of medical assistance to sick and injured Palestinians, reportedly contributing to the deaths of at least 32 Palestinians. The Israeli Government states that soldiers have been ordered to refrain from harming ambulances and other medical vehicles (see Section 1.g.).

At least two Palestinian prisoners died in Israeli custody during the year (see Section 1.c.).

Palestinian security forces killed at least 11 Palestinians in Gaza in October and December during violent demonstrations initiated by members of Hamas and during PA operations aimed at arresting Hamas members. In contrast to 2000, during the year, there were no documented instances of Palestinian security forces killing Israeli security force members during violent clashes with Israeli soldiers. During an Israeli incursion into the Palestinian-controlled city of Ramallah (Area A) in September, local residents, reportedly including members of Fatah and members of the PA security services, killed an Israeli soldier when they fired at Israeli security forces that had entered their neighborhood.

For example, on December 21, violent clashes broke out between PA security forces and residents of Jabalia refugee camp in Gaza. Security forces fired live ammunition into the crowds, injuring approximately 50 persons and killing 5 Palestinian civilians. The clashes began following the funeral for 17-year-old Mahmoud Abdel Rahman El-Muqayed, who had been killed the previous night during an attempted arrest by the PA on an operation cell of Hamas members. A few hundred demonstrators, some armed members of Hamas and PIJ, attacked a nearby police station in Jabalia during the clashes, which lasted for several hours. The PA security forces brought in between 400 and 500 reinforcement officers and deployed several armed personnel carriers. At its peak, the crowd of Palestinians, including armed, masked militants, reached almost 10,000.

Members of Palestinian security services and Arafat's Fatah faction are widely believed to have participated in violent attacks against Israeli settlers, civilians, and soldiers; at year's end, the extent to which senior PA or PLO officials authorized such incidents was not clear. In addition, despite several orders issued by Chairman Arafat to Palestinians not to fire on Israelis from Area A, armed Palestinians, some of them members of Palestinian security forces and Fatah, fired at Israelis from within or close to the homes of Palestinian civilians or in other locations in which civilians were present, increasing the potential for the noncombatants to be wounded as a result of the Israeli response. Since June 1, Arafat also issued several total cease-fire orders, none of which were effective.

There were no reports that Palestinian security forces impeded the provision of medical assistance to injured Israelis in the occupied territories during the year, in contrast to two such allegations in 2000; however, the Israeli Government stated that there were instances in which Israeli ambulances were attacked by Palestinian civilians. Although there were near daily attacks by Palestinian gunmen on Israeli civilians on the West Bank and Gaza during the year, there were several instances in which PA security officials took into protective custody, and returned safely to Israeli authorities, Israeli civilians who had violated Israeli regulations by entering Palestinian-controlled areas of the West Bank. For example, on September 16, senior PA adviser and Minister of Local Government Saeb Erekat personally escorted an Israeli settler from Vered Yericho settlement to the District Coordination Office (Israeli-Palestinian security liaison office). The settler had lost his way and entered Area A in Jericho that evening.

At least five Palestinians died in PA custody during the year. On February 27, 37-year-old Salim al-Aqra' died in Nablus while in the custody of the PA's military intelligence service. Al-Aqra' was detained on suspicion of collaboration with Israel approximately 1 month before his death. According to press reports and statements by his family members, al-Aqra's body bore signs of beatings and bruises. The PA released no autopsy on his death. The PA did not indicate if an investigation would take place or if officers involved in the case had been identified or held responsible for the alleged abuses.

On August 15, Sulieman Abu Amra, a 38-year-old Palestinian from Deir al-Balah, died while in the custody of the PA's General Intelligence Services in Gaza. Arafat ordered a board of inquiry to look into his death, but no findings had been released by year's end. Palestinian human rights activists stated that signs of torture were evident on the body.

On September 9, the PSF killed Gazan Khaled Okeh, age 35. The PSF reported that he was killed when he attempted to escape while being moved from one prison to another in anticipation of an IDF retaliatory attack on PA facilities, including the first prison.

On October 8, PA authorities found 32-year-old Bizra Hisham dead in his cell in Junaid Prison in Nablus. West Bank PSF had arrested Hisham on charges that he had collaborated with Israel. PA security officials asserted that he had committed suicide.

On October 21, 41-year-old Eladdin Wahbah died while in custody of the General Intelligence Service in Khan Younis, in Gaza. Wahba, who worked at an UNRWA school, had been detained 3 days earlier on suspicion of collaborating with Israel. The PA informed Wahbah's family that he had committed suicide by hanging himself in his cell with a blanket. The family insisted on an autopsy, which was performed in the presence of a team of physicians, including two whom did not work for the PA. The team reportedly concurred with the initial PA assessment of suicide.

At least 128 Israelis and Palestinians and 5 foreigners in the occupied territories died in politically related violence perpetrated by civilians and extremist groups during the year.

Israeli settlers, acting individually or in small, at times unstructured, groups harassed, attacked, and occasionally killed Palestinians in the West Bank and Gaza Strip (see Section 1.c.). There were credible reports that settlers killed at least 14 and injured several more Palestinians during the year, usually by shooting them, stoning their vehicles (causing fatal accidents), or hitting them with moving vehicles. The settlers at times were accompanied by IDF troops. IDF soldiers have standing orders to protect, not restrain or arrest, Israeli settlers in the occupied territories. The Israeli Government did not generally prosecute the settlers for their acts of violence (see Section 1.g.). In general settlers rarely serve prison sentences if convicted of a crime against Palestinians. For example, on January 21, the Jerusalem District Court sentenced Nahum Korman, former security coordinator for the Gush Etzion settlement, to 6 months of community service and 15 months of probation for the 1996 murder of 12-year-old Palestinian Hilmi Shusha. The court also ordered Korman to pay \$16,000 (NIS 70,000) to Shusha's family. The Israeli human rights organization B'tselem stated that the court's decision in effect signaled to the settlers that they could attack violently, and even kill, Palestinians without suffering severe penalties. In a similar case, in February the Israeli High Court released settler Yoram Skolnick from prison. Skolnick was convicted of the 1993 shooting and killing of a bound, blindfolded

Palestinian who allegedly had attacked a settler with a knife. Although a judge originally sentenced Skolnick to life in prison, he served less than 8 years for the crime.

At least three Jewish extremist groups, believed to be associated with settlers, claimed responsibility for the deaths of five Palestinians, including an infant, in drive-by shooting attacks.

Palestinian civilians harassed, attacked, and killed Israelis, especially settlers. During the year, Palestinians, acting as individuals or in unorganized or small groups, reportedly including some members of PA security services, killed 26 Israeli settlers and civilians and 10 Israeli soldiers, and injured hundreds of others in the occupied territories (see Section 1.c.). The Palestinian attacks consisted primarily of shooting attacks and stone-throwing at Israeli drivers.

For example, on April 21, Palestinians beat to death Stanislaw Sandomirski near Ramallah. Sandomirski's body was found in the back of his car by Palestinian villagers.

A number of extremist Palestinian groups, including the militant HAMAS, PIJ, the PFLP, DLFP, and Fatah-affiliated groups such as the al-Aqsa Brigades, Thabet Thabet Group, and the Brigades of Return, continued to kill and injure Israelis. The PA made few arrests in these killings by year's end, and many of those arrested were released a short time later or held under conditions not commensurate with normal conditions of arrest. Such extremist groups claimed responsibility for the killings of 40 Israeli settlers and civilians, 11 Israeli soldiers, and 4 foreigners in the occupied territories in various attacks and bombings. In one case, two teenage boys from Teqoa settlement were found dead on the morning of May 9 outside Bethlehem. The boys had missed school the previous day to go hiking but did not return home. Evidence indicated that the boys had been beaten brutally and stoned to death. A group calling itself "Hizballah-Palestine," a name frequently used by individual PIJ and Hamas cells, reported to a French news service that its members killed the boys.

On October 17, two Palestinian men killed Israeli Minister of Tourism Rehavem Ze'evi outside his hotel room in East Jerusalem. The PFLP claimed responsibility.

Early in the year, some PA officials made public statements justifying Palestinian attacks on Israelis, stating that such attacks were in response to the occupation. Additionally, some mid-level Fatah leaders made public statements urging Palestinians to continue all aspects of the Intifada, including violent opposition. Several times during the latter part of the year, Arafat publicly ordered a complete cease-fire and stated that he had instructed security forces to enforce it. The PA's limited attempts at enforcement were only partially successful. By year's end, the PA security forces were making increased attempts at arrest.

Palestinian civilians also killed at least 22 Palestinians in the occupied territories who allegedly had collaborated with Israel. Most of the deaths were shootings perpetrated by small groups of unidentified Palestinians gunmen. The PA made no arrests in any of these killings. An example of such a case is the July 31 death of Jamal Shahin.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

During the year, groups of armed Palestinians beat two journalists and kidnaped two others for a 24-hour period (see Section 2.a.). One man disappeared in the West Bank on August 1, in unclear circumstances. It was not apparent whether his disappearance was politically or criminally motivated.

No persons whose abduction previously was reported remained missing at year's end.

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

Israeli laws and administrative regulations prohibit the physical abuse of detainees and a landmark decision by the High Court of Justice in September 1999 prohibited the use of a variety of abusive practices, including violent shaking, painful shackling in contorted positions, sleep deprivation for extended periods of time, and prolonged exposure to extreme temperatures; however, during the year, human rights organizations, including B'tselem, Human Rights Watch, LAW, and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that Israeli security forces tortured and abused detainees, including using methods prohibited in the 1999 High Court decision. There also were numerous allegations that police officers beat detainees. The Government stated that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Human rights

groups indicate that the person who is responsible for carrying out the initial investigation into such allegations is a GSS officer, and that, as a result, the GSS provides preliminary research in injuries into its own alleged abuses. Human rights groups charge that largely because of the system, few cases have been opened and no GSS agent has been criminally charged with torture or other ill-treatment for the past several years.

Prior to the High Court's 1999 decision, laws prohibiting the physical abuse of detainees were not enforced. Regulations authorized security officers to use "moderate physical and psychological pressure" (which included violent shaking) while interrogating detainees. These practices often led to excesses. In 1999 the Attorney General issued guidelines that denied blanket immunity from prosecution for interrogators.

Israeli and Palestinian human rights groups noted that it was difficult to visit prisoners during the interrogation period and that some detainees were reluctant to report abuse out of fear of retribution.

Several human rights groups stated that the case of Abdel Rahman al-Ahmar is representative of the allegations of physical abuse they are receiving. On May 24, Israeli authorities arrested al-Ahmar, a well-known Palestinian human rights activist and field researcher, for entering Jerusalem without a permit. The authorities first detained al-Ahmar at Etzion Prison, then transferred him 6 days later to the Russian Compound in Jerusalem. According to testimony he gave his lawyer, authorities beat al-Ahmar when they arrested him, subsequently subjected him to shabeh (shackling in painful positions for prolonged periods), and held him in a dirty, cold cell. According to a press release from the Public Committee Against Torture in Israel, authorities denied al-Ahmar adequate medical care. On June 18, an Israeli military judge denied al-Ahmar's legal complaint of torture--despite bruises on his arms and visible difficulty walking--and extended his detention without charging him. In early July, al-Ahmar was remanded for 6 months of administrative detention, and in November the order was renewed for an additional 6 months. International, Israeli, and Palestinian human rights groups continued to petition for his release.

Most convictions in security cases before Israeli courts are based on confessions. The law prohibits the admission of forced confessions as evidence; however, there have been allegations that this occurs. A detainee may not have contact with a lawyer until after interrogation, a process that may last days or weeks. The Government does not allow representatives of the International Committee of the Red Cross (ICRC) access to detainees until the 14th day of detention. Detainees sometimes state in court that their confessions are coerced, but judges rarely exclude such confessions. According to Palestinian human rights groups, some Palestinian detainees fail to make complaints either due to fear of retribution or because they assume that such complaints would be ignored. During the year, there were no known cases in which an Israeli court excluded a Palestinian confession because of a finding of improper means of investigation or interrogation.

Israeli security forces injured more than 6,300 Palestinians during armed clashes, violent demonstrations, retaliatory strikes, and other military actions during the year. The marked decline in the number injured compared with 2000 reflects primarily the changing nature of the conflict. The massive daily demonstrations across the West Bank and Gaza have given way to a much higher incidence of armed attacks by individuals or unorganized or small groups of Palestinians, heavy IDF retaliation against civilian areas, and intense gun battles resulting from Israeli military incursions into Palestinian-controlled towns and villages. However, smaller, less-frequent demonstrations, many of which turned violent, continued (see Sections 1.a., 1.g., and 2.b.).

The IDF injured a number of bystanders, including journalists, at demonstrations, clashes, or during retaliatory strikes. Israeli gunfire killed 2 journalists and injured at least 10 others during Israeli military actions during the year (see Sections 1.a. and 2.a.).

There also were many reports that Israeli authorities treat Palestinians in an abusive manner at checkpoints, subjecting them to verbal and physical harassment. Each day, hundreds of thousands of Palestinians who wish to travel between Palestinian towns and villages must pass through one or more of the approximately 130 Israeli checkpoints across the occupied territories. Credible anecdotal stories of checkpoint abuses recounted by international humanitarian aid groups, and by hundreds of Palestinian citizens throughout the year, suggest that abuse is common and that as many as several thousand Palestinians have encountered some form of abuse from soldiers at checkpoints. In extreme cases, there were numerous reports of soldiers forcing Palestinians to hit or spit on other Palestinians in line, to strip off their own clothing, or to eat or drink during the Ramadan fast before being allowed to pass through the checkpoints.

In a case reported by local and international press, and videotaped by an Israeli settler, in February in central Hebron, 50-year-old Palestinian pedestrian Jadirallah al-Jabri was stopped at an IDF checkpoint near an entrance to the H-2, Israeli-controlled section. Although al-Jabri provided all the correct documentation, and reportedly was not acting in a threatening manner, a soldier shot him in his ankle, severely injuring him. The soldiers neglected to provide any medical care to the man for several minutes, despite profuse bleeding.

Finally, Palestinian bystanders called for an ambulance.

Human Rights Watch estimated that in the first 2 months of the year, hundreds of Palestinians in the West Bank and Gaza were subjected to serious beatings, tire slashings, and gunfire directed against them or their vehicles because they were traveling on, or trying to circumvent, roads on which the IDF blocked passage to Palestinians as it attempted to enforce internal closures between Palestinian cities and towns in the West Bank and Gaza (see Section 2.d.).

The Palestinian Red Crescent Society (PRCS) stated that IDF soldiers and settlers committed 67 attacks against PRCS ambulances during the year. The PRCS also reported that IDF soldiers and Israeli settlers injured 121 PRCS emergency personnel in attacks.

Two doctors, a nurse, and an ambulance driver were killed by Israeli fire during retaliatory attacks on civilian areas or PA institutions (see Sections 1.a and 1.g.). In one widely reported case, IDF soldiers abused a number of PRCS emergency workers at checkpoints. The soldiers at a roadblock south of Nablus forced three medics out of the ambulance, confiscated their radios, and ordered them to lie on the road. The soldiers repeatedly beat the workers with rifle butts, verbally abused them, kicked them, and broke one medic's hand. The PRCS team was allowed to leave only after the intervention of the ICRC.

The PA does not prohibit by law the use of torture or force against detainees, and PA security forces reportedly regularly employ torture and abuse against Palestinian detainees. Such abuse generally takes place after arrest and during interrogation, and reportedly is widespread. In 1995 the Gaza civil police commander issued to police officers in the West Bank and Gaza a directive forbidding torture during interrogation, and directing the security forces to observe the rights of all detainees; however, the directive does not have the force of law, and Palestinian security officers have not been issued formal guidelines regarding the proper conduct of interrogations. The PA lacks adequate equipment to collect and use evidence, and convictions are based largely on confessions.

PA security officials torture and abuse prisoners by threatening, hooding, beating, and tying detainees in painful positions, forcing them to stand for long periods of time, depriving them of sleep and food, and burning detainees with cigarettes and hot instruments. Palestinians also alleged that PA authorities have shaken them violently while in PA custody. International human rights groups have documented widespread arbitrary and abusive conduct by the PA. The organizations state that the use of torture is widespread and not restricted to those persons detained on security charges. Human rights groups state that Palestinians who are suspected of belonging to radical Islamic groups are more likely to be treated poorly, as are the large numbers of alleged collaborators with Israel who have been arrested since the start of the Intifada. Observers have noted that documentation of abuses is very limited, due partly to the hesitancy of alleged victims to file or make public claims of torture and abuse against the PA authorities.

During the year, five Palestinians died under ambiguous circumstances while in PA custody. The PA released no autopsy of the deaths (see Section 1.a.).

Off-duty Palestinian security officers and Fatah Tanzim members with firearms were deeply involved in the violence during the year. In some cases, they fired at Israeli civilians or soldiers from within or close to the homes of Palestinian civilians, drawing Israeli return fire. For example, on several occasions, Palestinian security forces on night patrol in the al-Bireh neighborhood near Ramallah failed to find and prevent Palestinian gunmen from firing on the nearby Israeli settlement of Psagot. Most of the shootings caused no injuries and did little damage, but they did prompt the IDF to respond with gunfire and, occasionally, tank shells, which resulted in at least two deaths and numerous injuries to noncombatants.

Palestinian security forces also at times failed to prevent armed Palestinians in areas under PA control from opening fire on Israeli settlers or other civilians, soldiers, or military targets.

Extremist Israeli settlers harassed, attacked, and occasionally killed Palestinians in the West Bank and Gaza Strip (see Section 1.a.). There were credible reports that settlers injured a number of Palestinians during the year, usually by stoning their vehicles (which at times caused fatal accidents), shooting them, or striking them with moving vehicles. Human rights groups received a number of reports during the year that Israeli settlers in the West Bank beat Palestinians.

Some settlers also attacked Palestinian homes and damaged crops, olive trees, greenhouses, and agricultural equipment, usually in areas located near settlements, causing extensive economic damage to Palestinian-owned agricultural land. For example, PRCS and LAW reported that, on June 1, settlers burned the wheat fields and allegedly poisoned the sheep of Palestinians in Sawyeh village, near Nablus. The settlers acted in

an area in which the IDF is responsible for security. The IDF took no action to apprehend the perpetrators, and no compensation was provided to the Palestinian victims. Settlers usually act independently of government direction in such attacks; however, the Israeli Government generally does not prosecute settlers for their acts of violence against Palestinians, and settlers rarely serve prison sentences if convicted of a crime against a Palestinian.

In October B'tselem published a report criticizing Israeli law enforcement officials for their failure to control settlers during attacks against Palestinians. The report also charged that the Israeli security forces contribute to the continued violence by failing to discipline such abuses by settlers. Earlier in the year, B'tselem criticized the IDF not only for its failure to control settlers during attacks on Palestinians, but also for applying curfews and closures only to Palestinians, including in cases that prevented Palestinians from defending themselves and their property against attacks by the settlers.

For example, on May 14, settlers broke into Muhammad Ra'id Khalil Dar Khalil's cement block factory. The settlers used his forklift and tractor to severely damage the facility, burned a truck, a crane, feed for his animals, and 200 platforms of concrete blocks. The settlers also damaged his car and factory equipment, and stoned his house, breaking windows and doors. Khalil reported that soldiers who were present did nothing to stop the settlers, and also refused to allow him to leave his home during the incident.

According to human rights organizations, Israeli settlers at times attacked Palestinian ambulances and impeded the provision of medical services to injured Palestinians (see Section 2.d. and 1.g.). During the year, Israeli settlers in Hebron also increased their longstanding harassment of members of the Temporary International Presence in Hebron (TIPH), which monitors relations between Israeli and Palestinian security forces, Palestinian civilians, and settlers in the city, and damaged a number of their vehicles; TIPH suspended its regular patrols in the Israeli-controlled section of Hebron for a week in August due to such incidents.

Palestinians harassed, attacked, and occasionally killed Israelis, especially settlers (see Section 1.a.). For example, during the year, unidentified Palestinian gunmen regularly fired on homes in Gilo, a Jewish neighborhood in the Jerusalem area, from residential areas of the neighboring Palestinian town of Beit Jala. Since the beginning of the Intifada, at least 550 Israeli settlers and civilians in the occupied territories have been injured by Palestinian civilians or Palestinian security forces. Several Palestinian extremist groups claimed responsibility for injuring a number of Israeli settlers, civilians, and soldiers in armed attacks or bombings in the occupied territories.

There was a report during the year that Hamas militants shot at an Israeli medical team.

On August 23, an official from the Israeli Government accused the PRCS of allowing gunmen to be transported in its ambulances in the Nablus area. However, when later asked by the ICRC and the PRCS to provide evidence of the practice, the Israeli Government retracted the allegations. The ICRC and PRCS noted that this was the third time that Israeli officials had falsely accused the PRCS of transporting gunmen or weapons during this Intifada; each time the Israeli Government and the IDF have failed to provide any evidence to support their charges.

Conditions for Palestinians in Israeli prisons are poor. Facilities are overcrowded, sanitation is poor, and medical care is inadequate. For most of the year, Israeli prison authorities held at least 80 minors who had been arrested on security charges, primarily stone-throwing, in cells with convicted adult Israeli criminals at Tel Mond prison in Israel. Previously, including during the first Intifada, Palestinian minors had always been incarcerated separately from other prisoners. The youths' lawyers and relatives reported frequent instances of mistreatment by adult Israeli prisoners incarcerated for criminal offenses, and occasionally by prison officials, against these minors, including beatings, rapes, attacks with razors, theft of food and money, and general harassment. Upon receiving complaints by several human rights and humanitarian groups, prison officials moved 50 youths to other prisons or released them upon completion of their sentence; however, the Israeli authorities subsequently incarcerated additional minors at Tel Mond. At year's end, 60-70 minors remained in the cells in Tel Mond.

Palestinian prisoners went on several, short-lived hunger strikes in Israeli prisons to protest living conditions. In Ramleh prison, female prisoners went on a hunger strike for 1 day in May. In the Megiddo military detention facility and at Ashkelon and Beersheva there were several 1-day hunger strikes in during the year. The minors held in Tel Mond also held hunger strikes during the year, which lasted from 1 to 3 days.

In September 2000, Israeli authorities suspended family visits for Palestinian prisoners; however, they allowed limited visits to resume in February. Visits for families of prisoners from Gaza had resumed at a fairly normal level; however, visits for families of prisoners from the West Bank were reduced significantly because of time and logistical barriers due to internal closure in the West Bank. The IDF suspended the visitation program for

families from the West Bank at the end of July, citing the security situation as the reason. During the year, two Palestinian prisoner serving time on a criminal charge died in Israeli custody under ambiguous circumstances (see Section 1.a.).

Israel permits independent monitoring of prison conditions by the ICRC and other groups, although human rights groups sometimes encounter difficulties gaining access to specific detainees. Since the Intifada began, only Israeli citizens or Palestinian lawyers with Jerusalem identification cards have been permitted to visit Palestinian prisoners in Israeli jails as advocates or monitors. This has significantly reduced the availability and timeliness of legal aid for such prisoners due to a reduction from 1,300 to approximately 100 available lawyers to handle such cases. Lawyers with Jerusalem identification cards report frequent, repeated, and lengthy delays in meeting with prisoners. Israeli lawyers have not take steps to fill the void.

Conditions in PA prisons continue to be very poor. In many cases, facilities are overcrowded, old, dilapidated, and neglected. Food and clothing for prisoners are inadequate and must be supplemented by donations from families and humanitarian groups. Male and female inmates are held separately. There are separate facilities to hold juvenile prisoners. During the year, five Palestinians died in PA custody under ambiguous circumstances (see Section 1.a.).

During the year, several prisoners held hunger strikes to protest their imprisonment in PA prisons. For example, in October 12 members of the PFLP in Ramallah conducted a hunger strike that lasted approximately 5 days. During the strike some 300 supporters held a protest march, and PFLP members set up a protest tent in Manara Square.

The PA permits independent monitoring of its prisons, although human rights groups, humanitarian organizations, and lawyers reported difficulties arranging visits or gaining access to specific detainees. Human rights organizations state that their ability to visit PA jails and detention centers varies depending on which security organization controls the facility. Human rights organizations state that the police, Preventive Security Force, and Mukhabarat generally allowed them to inspect facilities and visit prisoners and detainees. However, they stated that the Military Intelligence Organization usually did not grant them access to facilities that they control. Human rights monitors state that prison authorities do not consistently permit them to have access to PA detention facilities, and that they rarely are permitted to see inmates while they are under interrogation.

The ICRC operates in the West Bank and Gaza under the terms of a memorandum of understanding signed in September 1996 between the ICRC and the PLO. The memorandum accords the ICRC access to all detainees held by the PA and allows regular inspections of prison conditions. In accordance with the agreement, the ICRC conducted visits of facilities run by the PA. The PA may deny a group access to a detainee for 14 days immediately following his or her arrest. If abuses occur, they frequently happen during this 2-week period.

d. Arbitrary Arrest, Detention, or Exile

Israeli security personnel may arrest without warrant or hold for questioning a person suspected of having committed a criminal or security offense. Most of these arrests and detentions are for alleged security offenses. Persons arrested for common crimes usually are provided with a statement of charges and access to an attorney, and may apply for bail. However, these procedures in some cases are delayed.

Israeli authorities intermittently issued special summonses for those suspected of involvement in or knowledge of security offenses. There were reports that some such summonses were issued immediately before and during the Intifada. Israeli military order 1369 provides for a 7-year prison term for anyone who does not respond to a special summons delivered to a family member or posted in the MATAK office nearest the suspect's home address. There were no reports during the year that any person was convicted of failing to respond to a summons. Bail rarely is available to those arrested for security offenses.

Although Israeli law does not allow Israelis under the age of 16 to be tried as adults, Israeli courts treat Palestinians more than the age of 12 as adults. Defense for Children International (DCI) reported that over 500 Palestinian minors (below the age of 18 years) were arrested and detained in Israeli prisons during the year, and that at year's end, there were approximately 160 minors in Israeli prisons. The IDF stated that it held 102 Palestinian minors in detention as of early December. The Israeli Prisons Service Facilities held 14 minor prisoners and detainees as of early December. Some discrepancy in the number of minors held is attributable to the different definitions of what age constitutes a Palestinian minor.

Israeli authorities may hold persons in custody without a warrant for 96 hours; following that time, they must be released unless a warrant is issued. Prearrest detention may last up to 11 days for Palestinians arrested in the occupied territories and up to 8 days for minors and those accused of less serious offenses. Authorities

must obtain a court order for longer administrative detentions--up to 6 months from the date of arrest. At hearings to extend detention for interrogation purposes, detainees are entitled to be represented by counsel, although defense attorneys often are not allowed to see or hear the evidence against their clients. Detainees either are released at the end of the court-ordered detention or sent to administrative detention if they are not indicted. If there is an indictment, a judge may order indefinite detention until the end of the trial. Israeli regulations permit detainees to be held in isolation during interrogation. Detainees have the right to appeal continued detention.

Although a detainee generally has the right to consult with a lawyer as soon as possible, in security cases authorities may delay access to counsel for up to 15 days. Higher-ranking officials or judges may extend this period. Access to counsel is denied routinely while a suspect is being interrogated, which may last up to several weeks. Authorities must inform detainees of their right to an attorney and whether there are any orders prohibiting such contact.

A number of factors hamper contacts by Palestinians in Israeli prison and detention facilities with their lawyers, families, and human rights organizations. Israeli authorities state that they attempt to post notification of arrest within 48 hours; however, Palestinian suspects often are kept incommunicado for longer than 48 hours. Even if family members or others become aware of a person's arrest, it often is difficult for them to obtain information regarding where a detainee is being held or whether the detainee has access to an attorney. Palestinians generally locate detained family members through their own efforts. Palestinians may check with a local ICRC office to determine whether it has information regarding the whereabouts of a family member. A senior officer may delay for up to 12 days notification of arrest to immediate family members and attorneys. A military commander may appeal to a judge to extend this period in security cases for an unlimited period of time.

The Israeli Government routinely transfers Palestinians arrested in the occupied territories to facilities in Israel, especially the prison in Ashkelon and the military detention center in Megiddo. Such transfers contravene international humanitarian law (see Section 1.g.). Israeli authorities in some instances scheduled appointments between attorneys and their detained clients, only to move the clients to another prison prior to the meetings. Authorities reportedly use such tactics to delay lawyer-client meetings for as long as 90 days. Palestinian lawyers also have difficulty traveling to meet with their clients during Israeli-imposed closures, which were in place for most of the year (see Section 2.d.). Israel requires Palestinian attorneys to obtain permits to enter Israel to see their clients held in prisons there. Human rights groups state that Palestinian lawyers from the Gaza Strip have a more difficult time obtaining these permits than their West Bank counterparts and that they are denied entry into Israel more frequently than West Bank lawyers. Since the beginning of the Intifada, West Bank lawyers have not been permitted to visit Palestinian prisoners in Israeli jails, although Palestinian lawyers with valid Jerusalem identification cards have been permitted to do so. This has significantly reduced the availability and timeliness of legal counsel for such prisoners (see Section 1.c.).

Male family members between 16 and 40 years of age, and any family members with security records, generally are barred from visiting relatives in facilities in Israel. Relatives of Palestinian prisoners also state that in some instances they learn that visitation rights have been canceled only when they arrive at the prison after travelling for many hours from the occupied territories. Following the outbreak of violence in late September 2000, the Israeli Government banned all family visits for Palestinian prisoners in Israeli jails, although some visitation rights were restored during the year after ICRC interventions (see Section 1.c.).

Evidence used at hearings for administrative detentions is secret and unavailable to the detainee or his attorney during the hearings; the detainee and defense lawyer are required to leave the courtroom when secret evidence is presented. Israeli authorities maintain that they are unable to present evidence in open court because doing so would compromise the method of acquiring the evidence. In July 1998, the High Court of Justice ruled that only judges, rather than military officials, may renew administrative detention orders beyond a 6-month period. Detainees may appeal detention orders, or the renewal of a detention order, before a military judge, but their chances for success are very limited. No information was available regarding whether any detainees were successful in such appeals.

The total number of Palestinian prisoners and administrative detainees in Israeli jails increased during the year due to arrests associated with the ongoing Intifada. According to the IDF, there were 1,854 Palestinian security prisoners held in IDF and Israeli Prisons Service jails, compared to 1,402 at the end of 2000. The IDF also held an unspecified number of Palestinian detainees in waiting facilities in the occupied territories. Addameer, a leading Palestinian prisoner rights group, estimated that there were approximately 2,200 Palestinian prisoners in Israeli jails as of October 1. Approximately 1,350 to 1,400 had been detained before the Intifada began (most of them pre-Oslo prisoners serving long terms), and 800 to 850 of those currently in custody had been arrested during the year. According to the IDF and IPS, 918 were awaiting trial. Addameer estimated that approximately 210 Palestinian detainees were undergoing interrogation. Addameer assessed that between 1,950 to 2,000 Palestinians had been arrested on security-related charges during the year, but that 1,100 to 1,200 had been released or completed their sentences.

Addameer and the IDF reported that 34 Palestinians were in administrative detention as of December. Most had been detained for less than 1 year. A number of Palestinians under administrative detention during the previous several years have had their detention orders renewed repeatedly and few, if any, appeals have been successful.

PA security forces arbitrarily arrested and detained persons. The PA does not have a uniform law on administrative detention, and security officials do not always adhere to the existing laws in the West Bank and Gaza Strip. Laws applicable in Gaza, which do not apply to the West Bank, stipulate that detainees held without charge must be released within 48 hours. The law allows the Attorney General to extend the detention period to a maximum of 90 days during investigations. Human rights organizations and the PA Ministry of Justice assert that PA security officials do not always adhere to this provision. The law in the West Bank allows a suspect to be detained for 24 hours before being charged. The Attorney General may extend the detention period.

According to Human Rights Watch (HRW), in October the authorities issued an order to place seven persons who allegedly belonged to Palestinian Islamic Jihad and Hamas in administrative detention. They neither were charged nor tried, and were ordered to be held for a period of 6 months to 1 year. The PA stated that this reflected their attempt to combat terrorism.

The PA Chairman has not signed the Basic Law, which was designed to limit executive branch abuses and to provide safeguards for citizens, since it was passed by the Palestinian Council (PC) in 1996. The lack of safeguards has contributed to the tendency of PA security forces to refuse to carry out High Court of Justice orders to release detainees. In some cases in past years, the High Court ordered the release of prisoners detained for years without trial, and PA security forces released the prisoners several months up to 1 year later. In November 1997, the Palestinian High Court ordered the release of HAMAS member Mahmud Muslah; it is not clear if Muslah remained in detention at year's end. In February 1999, the High Court ordered the release of Wa'el Farraj, who has been detained without charges since 1996; it is not clear if Farraj remained in detention at year's end. According to the Palestinian Independent Commission for Citizens Rights, the High Court ordered 17 detainees released during the year, compared with 9 detainees in 2000. The PA released 2 of the 17 in response to the High Court order.

Addameer estimated that approximately 340 suspected collaborators and 180 to 200 political prisoners were in custody in PA jails at year's end (see Section 1.e.). According to HRW, these alleged collaborators often were held without sufficient evidence, and denied access to lawyers, their families, or doctors.

Palestinian security forces at times detained or placed under house arrest the relatives of alleged security criminals. For example, the PA arrested and reportedly still held at the end of the year, two brothers of the suspects who allegedly killed Israeli Tourism Minister Ze'evi on October 17. Lawyers and PA judicial officials acknowledged that, in contravention of the law, PA security services sometimes arrest and detain persons without informing judicial officials.

PA authorities generally permit prisoners--except those held for security offenses--to receive visits from family members, and human rights monitors. PA security officials do not always permit lawyers to see their clients. In principle detainees may notify their families of their arrest, but this is not always permitted. Human rights organizations reported in the past that lawyers at times were denied access to their clients.

PA security services have overlapping or unclear mandates that often complicate the protection of human rights. Under existing law in the West Bank, only the PA's civil police force is authorized to make arrests. In practice all security forces are known to detain persons at various times. The operating procedures and regulations for the conduct of PA security personnel in the various services still are not well developed and have not yet been made fully available to the public.

There are many detention facilities in the West Bank and Gaza Strip administered by the overlapping PA security services, a situation that complicates the ability of families, lawyers, and even the Ministry of Justice to track detainees' whereabouts and to determine their numbers. Security services, including Preventive Security, General Intelligence, Military Intelligence, and the Coast Guard have their own interrogation and detention facilities. In general these services do not, or only sporadically, inform families of a relative's arrest. Most PA security officers remain unaware of proper arrest, detention, and interrogation procedures, as well as basic human rights standards. In previous years, human rights groups have provided basic human rights training to a number of PA security services, and nearly 1,600 PA security officials have participated in human rights courses since the PA's establishment in 1994.

PA security forces continued to harass and arbitrarily arrest and detain journalists, political activists, and human rights advocates who criticized the PA and its policies (see Sections 2.a. and 4).

On September 14, Palestinian police detained for approximately 2 hours five journalists who were covering a demonstration at the Nuseirat refugee camp (see Section 2.a.).

During the year, an Israeli commentator of Egyptian origin claimed that members of the PA security forces held him incommunicado in the Bethlehem area for several weeks (see Section 2.a.).

Neither the Israeli Government nor the PA used forced exile, or forcibly deported anyone from the occupied territories, during the year.

e. Denial of Fair Public Trial

Israeli law provides for an independent judiciary, and the Government generally respects this provision. Palestinians accused by Israel of security offenses in the occupied territories are tried in Israeli military courts. Security offenses are defined broadly and may include charges as varied as stone-throwing or membership in outlawed organizations. Military prosecutors bring charges. Serious charges are tried before three-judge panels; lesser offenses are tried before one judge. The Israeli military courts rarely acquit Palestinians of security offenses, but sentences in some cases are reduced on appeal.

The 1970 regulations governing Israeli military trials allow for evidentiary rules that are the same in criminal cases. Convictions may not be based solely on confessions, although in practice some security prisoners have been sentenced on the basis of the coerced confessions of both themselves and others. The prosecution must justify closing the proceedings to the public in such cases, and the Attorney General determines the venue. The accused may be assisted by counsel, and a judge may assign counsel to those defendants when it is deemed necessary. Charges are made available to the defendant and the public in Hebrew, and the court may order that the charges be translated into Arabic if necessary. Sentencing in military courts is consistent with that in criminal courts. Defendants in military trials have the right to appeal through the Military High Court. Defendants in military trials also may petition to the civilian High Court of Justice (sitting as a court of first instance) in cases in which they believe there are procedural or evidentiary irregularities. The court may here secret evidence in security cases that is not available to the defendant or his attorney; however, while a conviction may not be based solely on such evidence, it reportedly may influence the judge's decision.

Trials sometimes are delayed because witnesses, including Israeli military or police officers, do not appear, the defendant is not brought to court, files are lost, or attorneys fail to appear, sometimes because they have not been informed of the trial date or travel restrictions prevent Palestinian lawyers reaching the court (see Section 2.d.). These delays pressure some defendants to plead guilty to minor offenses so that an expedited trial may be held; in expedited trials a charge sheet is drawn up within 48 hours and a court hearing is scheduled within days. There frequently is no testimony provided by Palestinian witnesses either for or against Palestinians on trial. Israeli authorities maintain that this is due to the refusal of Palestinians to cooperate with the authorities. Tension resulting from the current security situation, and the closures imposed on the West Bank and Gaza, pose additional barriers to cooperation. Physical and psychological pressures and reduced sentences for those who confess may induce security detainees to sign confessions. Confessions usually are given in Arabic but translated into Hebrew for the record because, authorities maintain, many Israeli court personnel speak Arabic but few read it. As a result, many Palestinian prisoners sign confessions written in Hebrew, which they cannot read or understand.

Crowded facilities and poor arrangements for attorney-client consultations in prisons hinder legal defense efforts. Appointments to see clients are difficult to arrange, and prison authorities often fail to produce clients for scheduled appointments.

Israeli settlers in the West Bank and Gaza Strip accused of security and ordinary criminal offenses are tried under Israeli law in the nearest Israeli district court. Civilian judges preside, and the standards of due process and admissibility of evidence are governed by the laws of Israel, not military orders. Settlers rarely are prosecuted in Israeli courts of crimes against Palestinians, and, in the rare instances in which they are convicted, regularly receive lighter punishment than Palestinians convicted in Israeli courts of similar crimes against either Israelis or other Palestinians (see Section 1.a.). The Government of Israel stated that they established a special department within the police force to investigate violence by settlers; however, the establishment of such a unit has not noticeably diminished the problem. During the year, 42 settlers were indicted for violence in the occupied territories; however, most of these indictments were for crimes against Israeli security forces rather than against Palestinians.

There were no reports that the Israeli Government held political prisoners.

The Israeli Government held hundreds of persons for security related offenses (see Section 1.d.).

The PA courts are inefficient, lack staff and resources, and often do not ensure fair and expeditious trials. The PA executive and security services frequently ignore or fail to carry out court decisions and otherwise inhibit judicial independence. In a report released in November, HRW asserted that lack of judicial independence and the lack of rule of law in the PA leads to the continuing problems of torture, extrajudicial killings, and arbitrary detention (see Sections 1.a., 1.c., and 1.d.).

The PA inherited a court system largely based on structures and legal codes predating the 1967 Israeli occupation. During the year, a new law regarding the formation of the courts took effect, which changed the types or sizes of cases that some of the civil court can conduct. In each district there must be at least one conciliation court and a court of first instance that hears appeals from that conciliation court, and which has original jurisdiction of more serious cases. There is a court of appeals in both Gaza and Ramallah to review decisions of the first instance courts. Until this law took effect, the Courts of Appeal also served as the High Court. The law established one High Court, which will serve as an administrative court and the Constitutional Court until these are formed by law. However, it is not clear how the judiciary plans to manage this transitions, since there are limited resources to make these changes to the judiciary. Additionally, it is not clear how or when the changes will take effect, since Article 1 of the law states that the courts are established pursuant to the Judicial Authority law, which has not been implemented.

The PA executive at times does not respect decisions of the High Court, and the Palestinian security agencies do not always enforce its rulings (see Section 1.d.). In 1995 the PA established state security courts in Gaza and the West Bank to try cases involving security issues. Three military judges preside over each court. A senior police official heads the state security court in Jericho, and three judges preside over it. There is no right of appeal, but the PA Chairman reviews the court's findings, and he may confirm or reject the decision. The PA Ministry of Justice has no jurisdiction over the state security courts, which are subordinate only to the Chairman. There is a separate Attorney General appointed by the Chairman to work with the state security courts.

The Gaza legal code derives from Ottoman law, British Mandate law, Egyptian law, and PA directives and laws. Pre-1967 Jordanian law applies in the West Bank. Bodies of law in the Gaza Strip and West Bank have been modified substantially by Israeli military orders. According to the Declaration of Principles and the Interim Agreement, Israeli military decrees issued during the occupation theoretically remained valid in both areas and are subject to review pursuant to specific procedure. The PA has stated that it was undertaking efforts to unify the Gaza and West Bank legal codes, but it has made little progress. Human rights advocates state that the PA's judiciary does not operate consistently.

The court system in general is recovering from years of neglect; many of the problems predate PA jurisdiction. Judges and staff lack sufficient resources and suffer from a lack of skills and training. Court procedures and record keeping are antiquated. The delivery of justice often is slow and uneven. The ability of the courts to obtain enforcement of their decisions is extremely weak, and the appeals process is administratively confusing. A heavy caseload even before the Intifada exacerbated these systemic problems. During the year, the revolving caseload reportedly increased by at least 60 percent, because judicial officials rarely could reach the courthouse in time due to Israeli-imposed closures (see Section 2.d.).

The High Judicial Council (HJC) is slowly gaining authority over judicial matters that formerly were administered by the PA Ministry of Justice. In 1998 the Palestinian Legislative Council mandated the creation of the HJC with the goal of enhancing the judicial system and its independence. Arafat approved the establishment of the HJC in 2000. During the year, the HJC planned the budget for the judicial branch, supervised judicial operations in the West Bank and Gaza, and nominated more than 30 new judges for the Chairman's confirmation. Prior to this year, the Ministry of Justice appointed all civil judges for 10-year terms and supervised judicial operations.

The PA's state security courts fail to afford defendants due process. The PA usually ignores the legal limits on the length of pre-arraignment detention of detainees suspected of security offenses. Defendants often are brought to court without knowledge of the charges against them or sufficient time to prepare a defense. They typically are represented by court-appointed lawyers, who generally are members of the security services who have earned valid law degrees, but who had not practiced trial law, or, in some cases, any law, as part of their career. Court sessions often take place on short notice in the middle of the night, and without lawyers present. In some instances, security courts try cases, issue verdicts, and impose sentences in a single session lasting a few hours.

During the year, the state security courts sentenced 10 persons to death for collaboration with Israel in the killing of Palestinians. In at least one of the cases, the trial reportedly was hasty, and the defendant did not have adequate representation, bringing into question whether the defendant received a fair judicial review. In January the PA executed two men convicted on collaboration with Israel. The PA also sentenced four men to life sentences with labor for collaboration. One of the life sentences subsequently was commuted to a 15-year

sentence because the convict was a minor (age 17).

The state security courts adjudicate cases that fall far outside the scope of the courts' original mandate. In addition to cases in which violations of state security allegedly occurred, the courts have on occasion dealt with tax cases and economic crimes, such as smuggling. In 2000 Chairman Arafat decreed that "serious" crimes, including homicide, rape, and drug trafficking, be referred to state security courts. The decision prompted human rights organizations to issue statements requesting the abolition of state security courts and the referral of all cases to the regular civil courts.

There were no reports during the year that persons were convicted for their political beliefs. A credible Palestinian prisoner rights organization estimated that the PA held 180 to 200 political prisoners, as well as approximately 340 Palestinians on charges of collaboration as of year's end (see Section 1.d.).

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

Israeli military authorities in areas of the West Bank under their control may enter private Palestinian homes and institutions without a warrant on security grounds when authorized by an officer of the rank of lieutenant colonel or above. In conducting searches, both in areas under Israeli control and during incursions into areas ostensibly under PA control, IDF personnel have forced entry and in some cases have beaten occupants and destroyed property. Israeli authorities state that forced entry may occur lawfully only when incident to an arrest and when entry is resisted. Authorities have stated that beatings and arbitrary destruction of property during searches are punishable violations of military regulations and that compensation is due to victims in such cases. The Israeli Government stated that it does not keep consolidated information regarding the claims against the Ministry of Defense for damages resulting from IDF actions.

Israeli security forces may demolish or seal the home (owned or rented) of a Palestinian suspected of terrorism without any judicial review. The decision to seal or demolish a Palestinian's home is made by several high-level Israeli officials, including the coordinator of the MATAK and the Defense Minister, and usually are claimed to be designed to combat terrorism. Residents of homes ordered demolished have 48 hours to appeal to the area commander, and a final appeal may be made to the Israeli High Court. (A successful appeal generally results in the conversion of a demolition order to sealing.) However, during the year, numerous homes belonging to Palestinians suspected of being terrorists were demolished without providing the right of appeal during IDF incursions into Palestinian controlled cities and towns. After a house is demolished military authorities prohibit the owner from rebuilding or removing the rubble. Israelis suspected of terrorism are subject to Israeli law and do not face the threat of home demolition.

On the night of September 18, the Israeli Government expelled Bedouin farmers from their homes in caves near the Jewish settlement of Ma'on, stating that the area was a closed military zone. The IDF had taken similar action against the same families in November 1999. In March 2000, the Israeli High Court of Justice had ordered that the farmers be allowed to return to their homes. The September expulsion was carried out to implement deportation orders that the IDF originally had issued in April 2000 to returnees who were not party to the original legal suit. Israeli peace groups strongly protested the move. A number of Bedouin families reportedly were allowed to return to the area after the IDF left. A petition on this case was filed with the High Court of Justice and was pending at year's end. The Government of Israel expelled the families following the killing of an Israeli citizen in the same area on July 2.

From September 2000 through the end of the year, the IDF destroyed numerous citrus orchards, olive and date groves, and irrigation systems on Palestinian-owned agricultural land in both the West Bank and Gaza (see Section 1.g.). The IDF generally destroyed these groves or orchards for security reasons, because they stated that Palestinians had been shooting from those areas.

The PA requires the Attorney General to issue warrants for entry and searches of private property; however, Palestinian security services frequently ignore these requirements. Police searched homes without the consent of their owners. In some cases, police forcibly entered premises and destroyed property.

PA security forces at times detained or placed under house arrest the relatives of alleged security criminals. For example, the PA reportedly arrested and detained two brothers of the suspects in the killing of Israeli Tourism Minister Ze'evi (see Section 1.d.).

g. Use of Excessive Force and Violations of Humanitarian

Law in Internal Conflicts

During the year, Israeli security forces killed at least 501 Palestinians and injured more than 6,300 others during violent demonstrations, armed clashes, and military and security operations. At least 68 of the deaths occurred during Israeli incursions into areas in which the PA has civilian and security control (Area A). Palestinian demonstrators frequently threw stones and Molotov cocktails at the IDF. In some demonstrations, Palestinians, probably including off-duty members of the security forces, also used firearms. In response Israeli security forces used a variety of means to disperse demonstrators, including tear gas, rubber-coated metal bullets, and live ammunition. Human rights groups charged that in many instances, Israeli security forces at times used excessive force against demonstrators and others, in contravention of their official rules of engagement (see Section 1.a.). According to the IDF, its actions, and its rules of engagement are based on a legal framework. It also stated that it follows a policy of restraint and proportionality, and that, to the extent possible, it avoids harming civilians.

IDF regulations permit the use of rubber-coated metal bullets and live ammunition only when the life of the soldier or another person is imminently threatened, and no other means of defense is available; to apprehend a fleeing person suspected of having committed a dangerous offense who has not responded to warning calls and shots; and to disperse a violent demonstration or riot. A response to a violent demonstration must be in clear escalatory stages--first tear gas, then warning shots in the air, then rubber-coated steel bullets. IDF Open-Fire Regulations state that in apprehending a fleeing suspect, soldiers are to direct fire at the suspect's legs only. Soldiers are not permitted to fire at persons suspected of having committed only minor offenses, such as refusal to identify themselves or fleeing from security forces. Regulations prohibit security force members from opening fire in the direction of children or women, even in the case of severe public disorder, unless there is an immediate and obvious danger to a soldier's life. Firing on a suspicious vehicle at a checkpoint is permitted only when the soldiers at the site are in a clearly life-threatening situation.

The IDF stated that it has revised its rules of engagement since the beginning of the Intifada in order to allow for the use of live fire when a life is imminently threatened. The definition of "life threatening" can include situations in which persons are throwing stones. While in general Israeli security forces have held their fire despite provocations, there is credible evidence that the IDF has killed or injured Palestinians or others in non-life threatening situations. IDF data indicates that are no known cases in which an Israeli soldier on duty has ever been killed by stone-throwing during the Intifada.

The IDF killed or injured a number of bystanders, including journalists, medical personnel, and Palestinian civilians, when they fired into crowds at demonstrations (see Sections 1.a. and 2.a.). The Palestinian Health, Development, Information, and Policy Institute (HDIP) reported that as of April, 75 percent of Palestinian deaths during the Intifada had been due to live bullets, and that nearly 70 percent of the fatal injuries were shots to the head, neck, and chest. Live bullets and rubber-coated metal bullets had caused two-thirds of all injuries, 35-40 percent of which were injuries to the head, neck, or chest. PRCS figures indicated that more than 52 percent of the nearly 17,000 injuries to Palestinians since the start of the Intifada were caused by live ammunition or rubber-coated metal bullets. Palestinian medical groups estimated that more than 10 percent of the injuries will result in permanent disabilities (see Section 5).

In addition to the damage to the PRCS headquarters in al-Bireh (during two retaliatory attacks on the area), the PRCS Emergency Center in Jenin and several ambulances there were damaged heavily during IDF shelling of the city on September 11. The PRCS center remained closed at year's end.

The Israeli Government stated that it has ordered soldiers to refrain from interfering with the provision of medical services, and to allow ambulances and medical personnel to pass through checkpoints, and has provided this information to soldiers. The Israeli Government further stated that Palestinians have used ambulances to transport arms, and that soldiers must balance these security considerations with humanitarian concern.

According to the Government, Israeli ambulances and medical personnel facilitated the medical evacuation of Palestinians to Israel, Jordan, and other countries during the year.

During the Intifada, the IDF also used excessive force in responding to a number of incidents at checkpoints and border areas that it considered security situations, in contravention of the rules of its Open-Fire Regulations. On May 15, three different television crews taped an Israeli border guard shooting French journalist Bertrand Aguirre in Ramallah. The tapes showed an Israeli border guard getting out of his vehicle, adjusting his weapon, and opening fire at chest level. Aguirre, who had just finished recording his report and was standing behind a group of demonstrators, was hit in the chest; his bullet-proof vest saved his life (see Section 2.a.).

On July 2, IDF soldiers shot and killed 32-year-old Radwan Ishtayeh as he was throwing a bag of garbage out of his taxi onto the roadside between Nablus and Salim village. The IDF soldiers stated that they viewed the

bag as a suspicious object. During the year, the IDF shot and killed at least 25 Palestinians, including at least 5 persons with mental retardation or deafness, for allegedly failing to stop at checkpoints or for behaving suspiciously near a checkpoint, although it might not have been apparent to the IDF that these persons were mentally retarded (see Section 1.a.).

B'tselem, HDIP, the PRCS, among others stated that the closures and curfews constituted collective punishment. The Israeli Government stated that they are necessary security measures.

The IDF fired tank rounds, as well as rockets from helicopters and military aircraft, on targets in cities and towns in the West Bank and Gaza during operations undertaken in response to attacks on Israeli soldiers, settlers, and civilians. In such strikes, the IDF killed at least 93 Palestinians, injured hundreds, and caused significant property damage (see Section 1.a.).

On June 9, an Israeli tank shelled the tent of three Bedouin women in Gaza, killing them as they prepared for bed. The IDF had fired two flechette tank shells, and one armor-piercing tank round at the tent after hearing distant light gunfire. A report published in Ha'aretz noted that an internal IDF investigation revealed that soldiers fired from their tanks at the tent after seeing two figures in the dark, 1,400 meters away, despite the fact that their orders authorized them to fire only up to 400 meters. Israeli authorities later stated that the killing of the women was a mistake.

Israeli soldiers at times placed Palestinians directly in the line of fire between the soldiers and their targets, or prevented civilians from exiting buildings that were immediately surrounded during armed operations. The IDF stated that they took these actions for the protection of civilians. B'tselem reported one case in which IDF soldiers forced a man to stand between the soldiers and Palestinian gunfire.

The Israeli Government's sustained imposition of internal and external closures in the West Bank and Gaza during the year negatively impacted Palestinians and contributed to shortages of basic food, water, and medical care and supplies. A number of NGO's state that these actions constituted collective punishment against a civilian population.

The external and internal closures contributed to increased unemployment and poverty in the occupied territories. Approximately 125,000 West Bank and Gaza workers, representing roughly 20 percent of the Palestinian work force, depend on day jobs in Israel, Israeli settlements, and Jerusalem. The closures on Palestinian cities and towns also impeded Palestinians from reaching jobs or markets in the occupied territories and disrupted internal and external trade. The closures, combined with the destruction of large swathes of Palestinian-owned agricultural land and of economic infrastructure by the IDF and settlers, contributed to an adjusted unemployment rate of approximately 38 percent throughout the year. The poverty in the occupied territories was 33 percent at the end of 2000 and was projected to reach 50 percent by the end of the year. The roughly 200,000 Palestinians who live in rural villages especially have been hard hit by all aspects of the closures. Rural villages rarely are self-sustaining communities and do not have the full range of services--such as medical care, education, or municipal provision of water--that larger urban areas have, increasing their isolation when community members are not able to travel outside the area to obtain access to services and provisions. Other rural villages under full Israeli control are further isolated from major Palestinian population centers.

The ICRC and various medical organizations stated that the prolonged closure of Palestinian cities has caused significant problems in the delivery of medical care, and that even in some cases in which urgent treatment is critical to life and death, the IDF has prevented patients from passing through checkpoints in order to get treatment. At least 24 persons have died as a result of delays in, or prohibition from, crossing checkpoints to reach medical care. The closures have made it impossible for most patients living outside large cities who need repeated medical treatment, such as dialysis or physical therapy, to reach medical centers on a regular basis. A senior PRCS official noted that more than one-third of Palestinians who had been injured in the Intifada required some type of physical rehabilitation and that at least 10 percent have permanent disabilities. Medical professionals noted that many Palestinians were delaying all but emergency medical care because of the restrictions and economic conditions. Preventative treatment, such as vaccinations, antenatal and postnatal care, and family planning in most cases are postponed; and the number of births at home, in ambulances, and at checkpoints has increased significantly. Medical observers have noted that as the Intifada continued into a second year, the negative consequences will begin to have a significant impact on public health.

In one example of a closure-related death, Sabri Amin Awad, a 49-year-old Palestinian man from al-Ras (near Tulkarem), died on June 10 after failing to reach the Nablus hospital in time for his dialysis treatment. IDF troops refused to allow the taxi carrying Awad to proceed through a checkpoint to the hospital, and forced it to take a long detour. While en route, Awad lapsed into a coma and was pronounced dead on arrival at the

hospital. During the October incursions into Bethlehem, two different pregnant women were refused passage into the city for medical care while they were in labor. In one case a mother died before giving birth; in the second case, the woman survived, but her newborn child died.

Closures and curfews also have affected the provision of emergency medical care. Israeli security services stop and search all ambulances at each checkpoint, which frequently adds life-threatening delays in reaching hospitals. In responding to a call, each ambulance usually proceeds through multiple checkpoints, and has to use substandard local roads if the IDF denies them transit through any of the checkpoints. For example, on September 1, it took 4 hours for a PRCS ambulance to reach Jerusalem from Jericho because of checkpoint delays. Under normal circumstances, the trip takes 45 minutes.

Israeli soldiers frequently have harassed and abused Palestinian emergency services staff at the checkpoints (see Section 1.c.). The closures also significantly impede the ability of medical staff to reach work. PRCS estimates that across the territories approximately one-third of all its staff arrive late or must leave early each day because of the difficulties caused by the checkpoints and roadblocks.

Israel regularly transfers Palestinians arrested in the occupied territories to prisons and detention facilities in Israel proper (see Section 1.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Israeli Government generally respects freedom of speech in the occupied territories; however, it imposes some forms of censorship and prohibits public expressions of support for Islamic extremist groups. Although the Government and security forces do not target journalists due to their profession, 2 journalists were killed and at least 10 injured while covering events in the occupied territories during the year. During the year, the Israeli Government continued to enforce selectively its standing prohibition on the display in Jerusalem of Palestinian political symbols, such as flags, national colors, and graffiti. Such displays are punishable by fines or imprisonment. Israeli authorities reportedly arrested and temporarily detained several Palestinians and foreign citizens for carrying large Palestinian flags and banners during protests over the closure of Orient House in East Jerusalem in August and September. The protestors subsequently were released. Israeli enforcement of existing censorship regulations increased during the year regarding press coverage of the Intifada. Israeli authorities monitor Arabic newspapers based in East Jerusalem for security-related issues, and newspapers sometimes were ordered to halt publication of stories about the current security situation until the information first appeared in the Israeli media. Military censors review Arabic publications for material related to the public order and security of Israel. Reports by foreign journalists also are subject to review by Israeli military censors for security issues, and the satellite feed used by many foreign journalists is monitored. In periods of heightened security, the Israeli Government often closes areas to journalists when it imposes a curfew or closure. Israeli authorities have denied entry permits to Palestinian journalists traveling to their place of employment in Jerusalem during closures of the territories and the journalists have had difficulty renewing their Israeli issued press credentials (see Section 2.d.).

The IDF requires a permit for Palestinian publications sold in areas of the occupied territories under its control. Publications may be censored or banned for content considered anti-Semitic or anti-Israeli. Possession of banned materials is punishable by a fine and imprisonment. The Israeli Government prohibits the delivery and distribution of publications, including newspapers, in the Gaza Strip on the Jewish holiday of Yom Kippur (when import of any item is prohibited) and on numerous other occasions when the closure of the Gaza Strip is particularly tight. On at least 15 days during the year, usually following major terrorist incidents, the Israelis banned Palestinian daily newspapers from entering Gaza. However, during such periods, Israeli newspapers were allowed into Gaza. During internal closures, on more than 30 occasions, the Israeli Government also blocked the delivery of Palestinian daily newspapers to Palestinian cities in the West Bank.

Two journalists were killed during the year, although it did not appear that they were targeted because of their profession. On July 31, two freelance photojournalists, Fahim Qatini and Mohamad Bishawi, were killed during an Israeli attack on two Hamas leaders in Nablus. At least 10 were injured by Israeli gunfire or during Israeli military actions during Intifada-related violence throughout the year (see Section 1.c.). In July the Paris-based organization Reporters Sans Frontieres (RSF) released a statement expressing concern over alleged targeting of journalists by Israeli forces. It noted that since the Intifada began in September 2000, 30 journalists had been shot. RSF further stated that, with one exception, the apparent source of the gunfire was from Israeli positions.

In March an IDF soldier beat a Palestinian journalist as the journalist was attempting to report on a sit-in at a checkpoint at Ramallah. Observers commented that it was evident that the journalist was acting in his

professional capacity while covering the sit-in.

On December 12, Israeli fired rockets from helicopter gunships on Palestine Broadcasting building in Ramallah, causing temporary suspension of its broadcasts.

Eight other journalists were wounded by gunfire during the year, four lightly, three moderately, and one seriously (see Section 1.g.).

The PA restricts freedom of speech and of the press. In a number of instances during the year, the PA took measures to limit free expression, particularly regarding human rights and alleged security issues. Press freedom is subject to a 1995 press law that does not protect the press adequately. PA security services further stifle the independence of the press by closing media outlets, banning publications or broadcasts, and periodically harassing or detaining members of the media (see Section 1.d.). Palestinian commentators and human rights groups state that, as a result, the practice of self-censorship by journalists is widespread.

There are three Palestinian dailies and several Palestinian weekly newspapers. There also are several monthly magazines and three tabloids.

In addition to the official Palestinian Broadcast Corporation television and radio, also known as Voice of Palestine, there are approximately 20 independently owned television stations and 9 radio stations in the West Bank.

The Internet is available widely.

In March members of Force 17, Arafat's Presidential Security Force, closed the Ramallah and Gaza bureaus of the al-Jazeera satellite television station because the station refused to remove an old film clip of a protester carrying a picture of Chairman Arafat with a pair of shoes strung across his face, considered a serious insult in Arab culture. The authorities allowed the bureaus to reopen 3 days later.

During the year, groups of armed Palestinians beat two journalists and kidnaped two others for a 24-hour period. Two of the three armed groups claimed to be from Fatah. One of the beatings reportedly followed a report by the journalist's syndicate, Agence France-Presse (AFP), that implicated the relative of a high-level Palestinian official in the killing of a Palestinian child. The PA made no arrests in these cases.

On September 14, Palestinian police detained five journalists who were covering a demonstration at the Nuseirat refugee camp in Gaza held in honor of Mohammed Hbeisheh, the perpetrator of the September 9 suicide-bomb attack in Nahariya, Israel, which killed three Israelis. The police confiscated their videotapes and film and released the journalists, who included a Reuters photographer and editor, an Associated Press television cameraman, a correspondent for the Abu Dhabi satellite television station, and an AFP photographer, after approximately 11/2 hours. Four of the detained journalists were Palestinian; one was Norwegian.

On September 20, Palestinian police and security force members closed al-Ro'ah TV, a local private television station in Bethlehem. Hamdi Farraj, the director of the station, stated that the authorities provided no official reason for the closure. He believed that the closure most likely was in reaction to broadcasts that the station had aired earlier that day reporting on claims of responsibility by a Fatah-affiliated group, the Al-Aqsa Brigades, for an attack the previous day that had killed one Israeli settler and wounded a second. Faraj speculated that the report had embarrassed the PA because it suggested that a group associated with Arafat's Fatah had violated the recently announced Palestinian cease-fire.

Israeli-imposed closures, curfews, and military actions severely restricted academic freedom by disrupting the operations of West Bank and Gaza schools, colleges, and universities during the year. Students and staff at all educational levels had difficulty traveling to and from educational facilities because most areas were under some form of internal closure for the entire year. In addition Israeli forces imposed curfews on many Palestinian areas, some for 24 hours a day, for extended periods (see Sections 2.d. and 5). Students from Gaza have been unable to reach West Bank universities since early October 2000, when Israel closed the safe passage route between Gaza and the West Bank. Some Gazan students who were already at West Bank Universities for the 2000-2001 academic year were unable to return home during the summer break because of the closure of the safe passage route. Israeli retaliatory shelling and gunfire damaged a number of schools in the West Bank and Gaza.

Palestinian schoolchildren in the Israeli-controlled section (H-2) of Hebron were unable to attend school throughout the 143 days of curfew that the area was under during the year. The 400 Israeli settler residents of

H-2, for whose benefit the curfews were imposed, had no restrictions imposed on their movement or on the education of their children (see Section 5).

The PA generally has authority over all levels of education in the West Bank and Gaza Strip, and it controls the budgets of all public colleges. The PA did not interfere with education in the West Bank and Gaza Strip during the year.

b. Freedom of Peaceful Assembly and Association

The Israeli Government placed limits on freedom of assembly for Palestinians in the occupied territories, largely through the imposition of internal closures and curfews (see Section 2.d.). Israeli military orders ban public gatherings of 10 or more persons without a permit. Since the 1993 signing of the Declaration of Principles, Israel has relaxed enforcement of this rule, except in cases of Palestinian demonstrations against land seizures or settlement expansions.

Israeli security forces killed at least 103 Palestinians and injured several thousand during demonstrations and other often violent clashes (see Sections 1.a. and 1.c.). The Israeli and Palestinian authorities regularly dispute whether Palestinians fired at security forces during such demonstrations. The PA states that Israeli security forces often resort to live fire even when Palestinian demonstrators have not shot at them first. During the year, the IDF changed its definition of "life-threatening" situations to include in some cases stone-throwing.

The PA imposes some formal limits on freedom of assembly; however, while it requires permits for rallies, demonstrations, and large cultural events, these permits rarely are denied. In Gaza police approval is required for political meetings at several specific large meeting halls. Written permission also is required for buses to transport passengers to attend political meetings. In West Bank cities, the PA requires permits for outdoor rallies and demonstrations and prohibits calls for violence, displays of arms, and racist slogans, although this rarely is enforced.

The Israeli Government generally respected freedom of association; however, it closed several Palestinian political institutions in East Jerusalem.

On August 10, Israeli forces occupied and closed Orient House, the preeminent Palestinian political institution in Jerusalem, and shut down eight other Palestinian offices and social institutions in East Jerusalem. The closings were part of the government's response to a suicide bombing in Jerusalem the previous day; the Government stated that it closed Orient House because it was engaged in political activity in violation of the Interim Agreement. The other East Jerusalem institutions that were closed included a women's center, a prisoner's rights society, and an historical preservation group. The Israeli police arrested a number of Palestinians and foreign nationals during protests calling for the reopening of Orient House. At the end of August, the Jerusalem municipal government seized the institutions' assets for alleged failure to pay back taxes, while the authorities and attorneys from Orient House still were negotiating the appropriate tax rate. Orient House remained closed at year's end.

The PA placed some limits on freedom of association; however, the PA permits Palestinian charitable, community, professional, and self-help organizations to operate. There were periodic complaints during the year from Palestinian political parties, social and professional groups, and other NGO's that the PA attempted to limit their ability to act autonomously. In May low-level officials in the Ministry of Non-Governmental Organizations threatened Palestinian members of a foreign-licensed regional environmental organization with the revocation of their NGO licenses if they continued to participate in the activities of a particular organization. They were told that their seats on a board of directors that had Israeli members was unacceptable in the current political climate. A senior member of the Ministry eventually apologized, and the authorities stopped harassing the activists.

The armed wings of Hamas, PIJ, and other Palestinian opposition groups remained outlawed. While it is not illegal to belong to other components of these groups, during times of heightened security concern, the PA has harassed and detained members of these other components (see Section 1.d.).

c. Freedom of Religion

Israeli law provides for freedom of worship, and the Government generally respects this right in practice in the occupied territories. Israel does not ban any group on religious grounds, and permits all faiths to operate schools and institutions. Religious publications in East Jerusalem are subject to the Publications Laws, including prohibition against the publications, for example, sermons, that incite violence against Israelis or against the state of Israel. However, Israel's imposed closure of the West Bank and Gaza, including the

internal closure that severely restricted travel between towns and cities within the occupied territories, significantly impeded freedom of worship for Muslims and Christians. Israeli closure policies prevented tens of thousands of Palestinians from reaching their places of worship in Jerusalem and the West Bank, including during religious holidays such as Ramadan, Christmas, and Easter. In early April, Israeli authorities prevented thousands of Muslims from reaching the Nabi Musa shrine near Jericho, the site of an annual 3-week Muslim celebration. Israeli officials stated that they decided to cancel the religious festival because the PA intended to turn the event into a "political rally." On numerous occasions, the Israeli Government also prevented worshippers under the age of 45 from attending Friday prayers inside the Haram al-Sharif. In addition a number of Palestinian religious leaders were prevented from reaching their congregations. The Israeli Government states that such actions are necessary for security reasons.

Since the outbreak of the Intifada, Israeli police have prevented all non-Muslims (including Jews seeking to pray) from entering the Temple Mount/Haram al-Sharif. The Government has cited security concerns for this restriction.

On January 9, Israeli soldiers at a checkpoint in the West Bank fired at the car of Latin Vice-Patriarch and Archbishop of Nazareth Paul Marcuzzo; his car bore diplomatic license plates and was flying the Vatican flag. Archbishop Marcuzzo was not injured in the shooting. The following day, the Israeli Minister of Justice visited Marcuzzo and apologized for the incident.

In October the Government of Israel announced that it had arrested the Mufti of Ramallah, interrogated him, and then expelled him from Jerusalem for attempting to attend prayers at al-Aqsa on Friday, September 14, without permission from the Government.

The PA has no law that specifically protects religious freedom; however, the PA generally respects religious freedom in practice. Islam is treated as the de facto religion. In past years, there were unconfirmed allegations that a small number of Muslim converts to Christianity were subject to societal discrimination and harassment by PA officials. However, there were no such reports during the year (see Section 5).

Churches in Jerusalem, the West Bank, and Gaza may be subdivided into three general categories: 1) churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century; 2) Protestant and evangelical churches that were established between the late 19th century and 1967, which are fully tolerated by the PA, although not officially recognized; and 3) a small number of churches that became active within the last decade, whose legal status is more tenuous.

The first group of churches is governed by the 19th century status quo agreements, which the PA respects and which specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Greek Catholic, Coptic, and Ethiopian Orthodox Churches. The Episcopal and Lutheran Churches were added later to the list. These churches and their rights were accepted immediately by the PA, just as the British, Jordanians, and Israelis had done before. Like Shari'a courts under Islam, these religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status issues and some land issues. Civil courts do not adjudicate on such matters.

According to the PA, no other churches have applied for official recognition. However, the second group of churches, including the Assembly of God, Nazarene Church, and some Baptist churches, has unwritten understandings with the PA based on the principles of the status quo agreements. They are permitted to operate freely and are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third group of churches consists of a small number of proselytizing churches, including Jehovah's Witnesses and some evangelical Christian groups. These groups have encountered opposition in their efforts to obtain recognition, both from Muslims, who oppose their proselytizing, and Christians, who fear that the new arrivals may disrupt the status quo. These churches generally operate unhindered by the PA. At least one of these churches reportedly planned to request official recognition from the PA during the year; however, it deferred its request after the outbreak of the Intifada in October 2000.

In practice the PA requires individuals to be at least nominally affiliated with some religion. Religion must be declared on identification papers, and all personal status legal matters must be handled in either Shari'a or Christian ecclesiastical courts. In the absence of legal protection of religious freedom, there are no statutory or regulatory remedies for violations of that freedom.

Islam is the de facto official religion of the Palestinian Authority, and its Islamic institutions and places of worship receive preferential treatment. The PA has a Ministry of Waqf and Religious Affairs that pays for the

construction and maintenance of mosques and the salaries of many Palestinian imams. The Ministry also provides some Christian clergymen and Christian charitable organizations with limited financial support. The PA does not provide financial support to any Jewish institutions or holy sites in the occupied territories.

The PA requires that religion be taught in PA schools. Until recently, only courses on Islam were taught, and Christian students were excused from them. However, during the year, the PA implemented a compulsory curriculum that requires the study of Christianity for Christian students in grades one through six.

Since the outbreak of the Intifada, Waqf officials have prohibited non-Muslims from entering the sanctuary of the Haram al-Sharif. Waqf officials stated that this is a temporary closure because they cannot justify allowing non-Muslims to visit the Haram at a time when Palestinian Muslims from the occupied territories are prevented from worshipping there.

On April 8, Israeli settlers vandalized the al-Aqtat mosque in Hebron and desecrated religious literature. On a number of occasions, Muslims on the Temple Mount/Haram al-Sharif threw stones at Jews who were praying at the Western Wall below (see Section 5).

In October 2000, following the IDF evacuation from the Jewish religious site of Joseph's Tomb, approximately 1,000 Palestinian protesters entered the religious site, burned it, and damaged the roof and an outer wall in an unsuccessful attempt to demolish the tomb (see Section 5). The PA states that they have completed the refurbishment of Joseph's Tomb, but has not indicated whether it will allow Jews to return to the Tomb.

d. Freedom of Movement Within the Occupied Territories, Foreign Travel, Emigration, and Repatriation

The Israeli Government severely restricted freedom of movement for Palestinians during the year, in response to the continuing violence of the Intifada. Most Palestinians from the West Bank and Gaza were prohibited from entering Israel throughout the year, and the IDF instituted a massive network of checkpoints and roadblocks across the occupied territories, impeding the movement of people and goods between Palestinian cities, villages, and towns. The restrictions on movement during the year were the most severe that Israel has imposed since it occupied East Jerusalem, the West Bank, and Gaza in 1967.

Since March 1993, Israel has required that all West Bank and Gaza residents obtain permits to enter Israel and Jerusalem. However, Israel often denies applicants permits with no explanation, and does not allow effective means of appeal. Palestinian officials with VIP passes, including PA cabinet officials and members of the Palestinian Council, regularly have been subjected to long delays and searches at Israeli checkpoints in the West Bank, despite the fact that they were traveling on special passes issued by the Israeli Government. This practice increased markedly during the year. Even in periods before the Intifada, Palestinians in the West Bank and Gaza Strip found it difficult to obtain permits to work, visit, study, or obtain medical care in Israel. Israeli authorities permit only a small number of Gazans to bring vehicles into Israel and sometimes do not permit West Bank vehicles to enter Jerusalem or Israel. Except for senior PA officials, Palestinians of all ages crossing between the Gaza Strip and Israel are not permitted to travel by car across the main checkpoint. Instead, they must travel along a narrow walkway almost a mile long. Israelis moving into and out of the Gaza Strip are permitted to use their cars. Israeli officials sometimes prohibit Palestinian residents of Jerusalem from entering the West Bank. Israeli authorities also require that these Palestinian residents provide written notice to the Israeli Government if they intend to travel to the Gaza Strip; however, provision of such notice does not ensure that the Government will permit the travel.

In November 1999, Israel and the PA implemented arrangements in the 1995 Interim Agreement to establish a safe passage route across Israel between the Gaza Strip and the southern West Bank. The southern safe passage route was closed in October 2000, in response to the outbreak of the Intifada. Prior to its closing, the southern safe passage route facilitated the movement of Palestinians between the West Bank and the Gaza Strip to work, study, and visit, and alleviated some of the problems associated with freedom of movement for Palestinians. However, some Palestinian human rights groups criticized the safe passage agreement because it maintains significant limits on freedom of movement.

Also since March 1993, Israel has applied varying levels of "closure," or enhanced restrictions, on the movement of Palestinians and their goods, often for lengthy periods, in response to Palestinian terrorist attacks and other changing security conditions. During periods of violent protest in the West Bank or Gaza, or when it believes that there is an increased likelihood of such unrest, the Israeli Government imposes a tightened version of closure, called "comprehensive, external" closure. Comprehensive closures also are instituted regularly during major Israeli holidays. During such closures, the Israel Government cancels travel permits and prevents Palestinians—even those with valid work permits—from entering Israel or Jerusalem. During comprehensive closures, the authorities severely restrict the movement of goods between Israel and the occupied territories and between the West Bank and Gaza. Due to the ongoing unrest, Israel imposed at least

210 days of total closure during the year, compared with 88 days in 2000 and 15 days in 1999.

During periods of extreme unrest in the West Bank and Gaza, the Israeli Government also prohibits most travel between towns and villages within the West Bank. These "internal" closures impede the flow of goods, including food and fuel, and persons. Israel expanded internal closure further during the year, in response to the sustained violence of the Intifada. The internal closures may be severe when Palestinians are prohibited from using primary roads and physical barricades close off many secondary roads—or partial when most secondary roads but only some main roads are accessible to Palestinians, and roadblocks and checkpoints dot the open roads. Israel authorities imposed approximately 87 days of partial internal closure and 278 days of severe internal closure in the West Bank during the year, compared with 81 days of internal closure during 2000 and no days in 1999. In the past, Israeli authorities rarely imposed internal closure within Gaza. However, during the year, the Israeli government imposed roughly 361 days of limited internal closure and 4 days of severe internal closure in Gaza.

The Israeli Government further constrained the movement of Palestinians and goods in the West Bank and Gaza by imposing total closures on specific areas or villages, sometimes for weeks at a time, and by intermittently closing the Gaza Airport and the Allenby and Rafah crossing points to Jordan and Egypt. Israel also imposed curfews in some areas, often for extended periods. During the curfews, Palestinians generally were confined to their homes for all but a few hours per week during which they were allowed to buy food and other provisions. The IDF placed the approximately 30,000 Palestinian residents of the Israeli-controlled (H-2) section of Hebron under near total curfew for 143 days during the year. The IDF imposed no restrictions on the approximately 400 Jewish settlers who live in the area.

The prolonged closures and curfews imposed by the Government of Israel on Palestinian cities and towns during the year had a severely negative impact on every sector of the Palestinian economy. They impeded Palestinians from reaching jobs or markets and disrupted internal and external trade (see Section 1.g.).

The prolonged closure also affected students' ability to attend school and university (see Sections 2.a. and 5.).

B'tselem, HDIP, and the PRCS, among others stated that the closures and curfews constituted collective punishment. The Israeli Government states that they are necessary security measures (see Section 1.g.). Human rights groups reported that during the year the IDF delayed or prohibited ambulances from crossing checkpoints (see Section 1.g.). In 1998 the Israeli Government established a "continuous employment program" that allows selected Palestinian workers who have been approved by the Ministry of Defense, and who are married, are over 28 years old, and have worked in Israel for a long period of time, to enter Israel to work even in the event of a tightened closure. The program was not implemented during the year.

The Israeli Government continued to restrict the movements of several Jewish settlers living in the occupied territories who belonged to the extremist Kach or Kahane Chai groups, through the use of administrative orders issued by the IDF central command.

The Israeli Government requires all Palestinian residents to obtain permits for foreign travel and has restricted the travel of some political activists. Bridge-crossing permits to Jordan may be obtained at post offices without a screening process.

Palestinians who live in East Jerusalem, which Israel occupied during the 1967 War, generally do not accept Israeli citizenship. Therefore, the Israeli Government issues them a residence permit or Jerusalem identification card. Israel applies the 1952 Law of Permanent Residency and its 1974 amendments to Jerusalem identification card holders. The law stipulates that a Jerusalem resident loses the right of residence if he or she leaves Israeli territory for more than 7 years, acquires the nationality of another country, or acquires permanent residence in another country. Such persons are permitted to return only as tourists and sometimes are denied entry. The Israeli Government does not apply these same restrictions to Israeli citizens.

In the past, invoking the 1952 law as legal justification, the Israeli Interior Ministry stripped residency rights from hundreds of East Jerusalem Palestinians. In the late 1990's, the pace of revocations increased as the Ministry applied restricted policies, including a "center of life" test, which required extensive documentation of continuous residence within Jerusalem for the previous 7 years, to determine whether Palestinians were eligible to retain their identification cards. The Ministry's policy was the subject of numerous lawsuits, including one considered by the High Court of Justice in 1999. In October 1999, then-Minister of Interior Natan Sharansky announced that the Ministry no longer would apply the center of life criteria used previously to revoke the residency rights of East Jerusalem Palestinians. As of the end of August, there had been at least 60 identity card revocations, compared with 207 revocations in 2000, and 414 revocations in 1999.

In February 2000, the Israeli Ministry of Interior also published new instructions regarding residency rights in Jerusalem. According to these instructions, residents of Israel whose identity cards had been revoked since 1995 and who returned to live in Israel since 1998 and had maintained "an appropriate connection," were entitled to restoration of their identity cards. Although the new guidelines still permit the revocation of residency in cases in which East Jerusalem Palestinians obtained new citizenship or residency rights while living abroad, human rights groups report a significant reduction in such revocations. As of the end of August, there had been 236 identity cards restored during the year; 818 were restored in 2000.

Israeli authorities also place restrictions on family reunification. Most Palestinians who were abroad before or during the 1967 War, or who have lost their residence permits for other reasons since then, are not permitted to reside permanently with their families in Jerusalem or the occupied territories. Foreign-born spouses and children of Palestinian residents also experience difficulty in obtaining permission to reside with their family members. For example, a Palestinian with a West Bank identification card must apply to the Israeli Government for permission to live with his or her Jerusalem-resident spouse in Jerusalem. Palestinians report delays of several years or more before spouses are granted residency permits. The Israeli Government occasionally issues limited-duration permits, which must be renewed. Renewing the permits may take up to 8 months, a common delay that results in many Palestinians falling out of status. Palestinians also report extensive delays in registering newborn children with Israeli authorities. In practice, women with Jerusalem residence rights find it more difficult to obtain permission for their spouses to reside in Jerusalem than do men, since Israeli security authorities consider Palestinian males to be greater security risks.

The PA issues passports and identification cards for Palestinians who reside in the West Bank and Gaza, and the Israeli Government requires residents of the West Bank and Gaza to use their Palestinian passports to exit and enter Israel. Bearers of Palestinian passports do not need special exit permits from the PA; however, when leaving the area via Ben Gurion Airport, the Israeli Government requires Palestinians to obtain permits to transit Israel to reach the airport. Since the beginning of the Intifada in September 2000, the Israeli Government rarely has granted such permits to Palestinians unless the applicant is a dual national. However, even dual nationals, in particular residents of Gaza, have had difficulty in obtaining the needed transit permits. Palestinian residents of the West Bank and Gaza are prohibited from using the Sheikh Hussein or Arava crossings. As a result, most Palestinians who are not dual nationals can exit and enter the West Bank and Gaza only via the Allenby Bridge or Rafah crossing points, which were closed completely several times during the year.

Palestinians who hold Jerusalem identification cards, issued by the Israeli Government, must obtain special travel documents from the Israeli Government to travel abroad. Human rights groups report that Palestinian residents of East Jerusalem often do not apply for Israeli travel documents because they fear that the application might prompt a reexamination of their residency status and lead to the revocation of their identity cards.

On request, the Jordanian Government also issues travel documents to Palestinians in the West Bank and East Jerusalem. Palestinians who wish to travel to Jordan must leave their Israeli identification documents with Israeli authorities at the Allenby Bridge. The Israeli authorities also require that Palestinians from East Jerusalem obtain a special permit to cross the Allenby Bridge, which they must purchase from the Ministry of Interior for \$40 (185 NIS). Restrictions on residence, reentry, and family reunification only apply to Palestinian residents of the occupied territories.

The PA generally does not restrict freedom of movement.

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

Palestinian residents of the West Bank, Gaza Strip, and East Jerusalem chose their first popularly elected government in 1996. They elected an 88-member Palestinian Council and the Ra'is (President or Chairman) of the Executive Authority of the Council. Yasir Arafat won almost 89 percent of the vote in a two-person race for Chairman. Approximately 700 candidates competed for Council seats. Voters elected Council members to multimember electoral districts. As many as 35 of the elected members were independent candidates. International observers concluded that the election could reasonably be regarded as generally free and fair, despite some irregularities. During the year, the Council debated numerous draft laws and resolutions. Some members of the Council state that it has a relative lack of power in relation to the executive branch of government.

The last municipal elections in the West Bank and Gaza took place in 1986. New elections were planned for June 1999, but they did not take place. In August 2000, the Fatah Central Committee (FCC) appointed a committee to devise a plan for holding local elections before year's end. Although the Ministry of Local Government supported the idea, Arafat and the PLO Central Committee did not endorse the proposal actively

before the outbreak of the Intifada in September 2000. Incumbent municipal officials serve until the following elections. In the case of the death or resignation of an incumbent, the Ministry of Local Government appoints a replacement, with the approval of the PA Chairman.

Most Palestinians in East Jerusalem do not recognize the jurisdiction of the municipality of Jerusalem. Only a very small percentage of Jerusalem's Palestinian population vote in the municipal council elections. No Palestinian resident of Jerusalem sits on the city council.

The percentage of women in government and politics in the West Bank and Gaza does not correspond to their percentage of the population. There are 5 women on the 88-member Council, and 1 woman serves in a ministerial-level position.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Israeli, Palestinian, and international NGO's monitor the Israeli Government's human rights practices. The Israeli Government generally cooperates with human rights and humanitarian NGO's; officials normally agree to meet with human rights monitors. The Israeli Government permits human rights groups to publish and hold press conferences.

UNRWA has reported increased delays for its personnel and vehicles at crossing checkpoints. Other humanitarian groups, such as PRCS, also similar problems.

During their seizure of the Orient House, Israeli security officials confiscated office equipment, as well as documents belonging to the organization and other Palestinian groups in Jerusalem. The Government of Israel had not provided representatives of the Orient House a full accounting of the documents and property seized by year's end.

Local human rights groups, most of which are Palestinian, and several international organizations monitor the PA's human rights practices. The PA generally cooperates with these organizations, and PA officials usually meet with their representatives. Several Palestinian human rights organizations work privately with the PA to overcome abusive practices in certain areas, and state that the PA generally is cooperative when dealing with them regarding certain human rights issues. They also publish criticism if they believe that the PA is not responding adequately to private encouragement. Public criticism has been somewhat less forthcoming from them since the outbreak of the Intifada, with several NGO's voluntarily deciding to focus their efforts on the Palestinian struggle for basic rights and to defer comprehensive critiques of the PA's human rights performance. Human rights organizations reported that they sometimes were denied access to detainees in Palestinian prisons during the year (see Section 1.d.). Observers have noted that due partly to the hesitancy of alleged victims to file or make public claims of abuse against the PA authorities, documentation of abuses is very limited.

Some PA security organizations, including the General Intelligence Organization in the West Bank and the police, have appointed officials to act as liaisons with human rights groups. These officers meet with human rights organizations and members of the diplomatic community to discuss human rights cases.

The ICRC operates in the West Bank and Gaza under the terms of a memorandum of understanding signed in September 1996 between the ICRC and the PLO. Other human rights groups, including the Palestinian Independent Commission for Citizens' Rights and the Mandela Institute, also visit PA prisons and detention centers on a regular basis. Some human rights and international humanitarian organizations reported that they occasionally encountered delays in obtaining access to detainees in Palestinian prisons during the year. PA officials reportedly are less responsive to queries regarding the PA's policies toward and treatment of collaborators and members of Islamist opposition groups than to queries on other detainees (see Sections 1.c. and 1.d.).

In January 2000, Chairman Arafat approved the NGO law, which had been passed by the PLC in December 1998, and which governs the activities of NGO's and their relations with the PA. By year's end, the Government of Israel had issued registration certificates for 150 of the approximately 350 new and existing NGO's that submitted applications. The remaining applications still were under review.

In May low-level officials in the Ministry of Non-Governmental Organizations threatened Palestinian members of a foreign licensed regional organization with the revocation of their NGO license. The Ministry informed the members that their place on a board of directors that had Israeli members was unacceptable in the current political climate. A senior member of the Ministry eventually apologized, and the authorities stopped harassing

the activists (see Section 2.d.).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Under the complex mixture of laws and regulations that apply to the occupied territories, Palestinians are disadvantaged under Israeli law and practices compared with the treatment received by Israeli settlers. This includes discrimination in residency and land use. In the Palestinian territories homosexuals generally are socially marginalized, and occasionally receive physical threats. During the year, in one widely publicized case, after one homosexual man reportedly received a number of threats he left the territories to live in Israel; however, he is ineligible for Israeli citizenship.

Women

The law does not explicitly prohibit domestic violence, but beating is a crime; however, there are anecdotal reports indicate that domestic violence has risen during the Intifadah.

The problems of rape, domestic violence, and violence related to "family honor" have gained greater attention in the Palestinian community as a result of a significant effort by Palestinian women's groups; however, public discussion generally remains muted. The crimes almost exclusively are tied to alleged sexual interactions of female family members with men who are not their husbands. This could include rape, a sexual encounter with any man except a woman's husband, being seen alone with a male not her family member. Honor crimes result when family members beat or kill women in response to such alleged violations of their family's honor. Victims of violence often are encouraged by relatives to remain quiet and are punished themselves or blamed for the "shame" that has been brought upon them and their families. Women's groups seek to educate women on these problems, but women's rights advocates state that few resources are available to shelter the victims of violence because women's shelters are not accepted culturally in Palestinian society. They also maintain that society has not been receptive to providing counseling or outreach services to victims of violence, which these advocates see as more widespread than is acknowledged. According to women's groups, there are no reliable data on the incidence of violence against women.

Spousal abuse, sexual abuse, and "honor killings" occur, but societal pressures prevent most incidents from being reported and most cases are handled within the families concerned, usually by male family members. However, there are increasing anecdotal reports from women's and humanitarian groups that the incidence of domestic abuse has risen significantly during the Intifada.

Rape is illegal; however, it occurs. No figures are available regarding the extent of the problem. Spousal rape is not explicitly prohibited.

Palestinian women endure various forms of social prejudice and repression within their own society. Due to early marriages, some girls, especially in rural areas, do not finish the mandatory level of schooling. Cultural restrictions at times prevent women from attending colleges and universities. Women who marry outside of their faith, particularly Christian women who marry Muslim men, often are disowned by their families and sometimes are harassed and threatened with death by members of their community. Local officials sometimes attempt to convince such women to leave their communities in order to protect themselves.

Before the Intifada began in October 2000, a growing number of Palestinian women were working outside the home, where they often encountered discrimination and occasionally experienced sexual harassment. There are no special laws that provide for women's rights in the workplace. Women are underrepresented in most aspects of professional life. Despite the fact that there is a small group of women who are prominent in politics, medicine, law, teaching, and NGO's, women for the most part are seriously underrepresented in the decision-making positions in these fields.

Personal status law for Palestinians is based on religious law. For Muslim Palestinians, personal status law is derived from Shari'a (Islamic law). The varied ecclesiastical courts rule on personal status issues for Christians. In the West Bank and Gaza, Shari'a pertaining to women is part of the Jordanian Status Law of 1976, which includes inheritance and marriage laws. Under the law, women inherit less than male members of the family do. The marriage law allows men to take more than one wife, although few do so. Women are permitted to make "stipulations" in the marriage contract to protect them in the event of divorce and questions of child custody; however, only an estimated 1 percent of women take advantage of this provision, leaving most women at a disadvantage in the areas of divorce or child custody. Ecclesiastical courts also often favor men over women in divorce and child custody cases.

While there is an active women's movement in the West Bank, serious attention has shifted only recently from

nationalist aspirations to issues that greatly affect women, such as domestic violence, equal access to education and employment, and laws concerning marriage and inheritance.

Children

The PA provides for compulsory education through the ninth grade, when children usually reach 15 years of age. However, early marriage in certain sectors of society at times prevents girls from completing the mandatory level of schooling. Especially in rural areas and refugee camps, boys often leave school before they reach the mandatory age in order to help support their families.

The internal closure across the occupied territories significantly impeded the ability of both students and teachers to reach educational facilities (see Section 2.a. and 2.d.). In areas under curfew, all classes were cancelled.

Numerous education and health care professionals acknowledged that students were affected badly by the violent security situation, which interfered with learning and which was manifesting itself in lack of focus, nightmares, daytime and nighttime incontinence, and other behavioral problems. UNWRA reported that test scores in its West Bank and Gaza schools had dropped measurably in during the year. Palestinian schoolchildren in the Israeli-controlled section (H-2) of Hebron have been unable to attend school throughout the 143 days of curfew that the area was under during the year. The Hebron municipality tried to compensate for the lost schooldays by broadcasting some lessons on the local television station. The 400 Israeli settler residents of H-2, for whose benefit the curfews were imposed, had no restrictions imposed on their movement or on the education of their children.

The PA Ministry of Health provides for children's immunizations. The PA insurance program provides basic medical care for children, for a small monthly fee.

Child abuse is not prohibited explicitly by law; however, abuse exists but is not a widespread problem. Parents or families that fail to protect children from abuse may be penalized by law. PA courts may provide protections for children in "difficult situations," including cases of neglect or abuse. The Ministry of Social Affairs may intervene by bringing a case before a court, which would decide how to best protect the child. The judge may decide to place a child in an official protective institution, or with an alternate family. There is one protective institution for children in Gaza and one in the West Bank.

British Mandate, Jordanian, and military laws, from which West Bank and Gaza law is derived, offer protection to children under the Labor and Penal Codes. Existing laws designed to protect children, such as a law that sets the minimum employment age, are not always enforced (see Section 6.d.). While there is no juvenile court system, judges specializing in children's cases generally sit for juvenile offenders. In cases in which the child is the victim, judges have the discretion to remove the child from a situation considered harmful. However, the system is not advanced in the protection it affords children.

Palestinians living in East Jerusalem continue to be discriminated against in terms of their access to municipal services compared to other residents of Jerusalem. According to the Association for Civil Rights in Israel (ACRA), the Government of Israel and the municipality have not kept their pledge to the High Court to build three new infant-care clinics in East Jerusalem. In addition East Jerusalem schools remain underfunded and overcrowded, and many students are denied an education in public schools due to lack of space. The Government agreed to build 245 new classrooms within the next 4 years in order to alleviate this problem; however, no funds were budgeted for this purpose during the year, and the 2002 budget included only enough funds for 60 new classrooms.

International and domestic NGO's, including UNICEF, Save the Children, and Defense for Children International, promote the rights and welfare of children in the occupied territories. There also are numerous Palestinian social welfare organizations that focus on developing and providing educational, medical, and cultural services to children. A number of other groups specialize in addressing the needs of children with disabilities.

Persons with Disabilities

There is no mandated accessibility to public facilities in the occupied territories under either Israeli law or Palestinian authority. Many Palestinians with disabilities are segregated and isolated from Palestinian society; they are discriminated against in most spheres, including education, employment, transportation, and access to public buildings and facilities. There were approximately 130,000 Palestinians with disabilities in the West Bank and Gaza prior to the outbreak of the current Intifada. The Health, Development, Information, and Policy

Institute estimates that approximately one-tenth of the Palestinians injured in the Intifada will have permanent disabilities.

Some Palestinian institutions care for and train persons with disabilities; however, their efforts are consistently under-funded.

Religious Minorities

Relations between Christians and Muslims generally are amicable. However, tensions do occasionally surface. The Israeli press has reported several unconfirmed instances of tensions between those groups. In May and June, Israeli press reports accused Tanzim militia members of deliberately opening fire on the Israeli neighborhood of Gilo from Christian areas in Beit Jala in order to draw IDF fire onto the Christian homes. In response to inquiries, several Palestinian Christian leaders in the area denied that the shooting was motivated by anti-Christian sentiments, although some have indicated that they may have done so under duress.

In past years, there were unconfirmed allegations that a small number of Muslim converts to Christianity were subject to societal discrimination and harassment by PA officials. However, there were no reports of such harassment during the year.

On April 8, Israeli settlers vandalized the al-Aqtat Mosque in Hebron and desecrated religious literature. On a number of occasions, Palestinians on the Temple Mount/Haram al-Sharif threw stones at Jews who were praying at the Western Wall below.

Section 6 Worker Rights

a. The Right of Association

Labor affairs in the West Bank and Gaza came under Palestinian responsibility with the signing of the Interim Agreement in September 1995. During the year, labor affairs in the West Bank were governed by Jordanian Law 21 of 1965, as amended by Israeli military orders, and in Gaza by PA decisions. On May 2, Arafat signed a labor law that was scheduled to take effect in January 2002; however, it reportedly faced strong resistance from the Palestinian business community, which could delay its implementation. The Palestinian law permits workers to establish and join unions without government authorization. The previous Israeli requirement that all proposed West Bank unions apply for a permit no longer is enforced. Israeli authorities previously licensed approximately 35 of the estimated 185 union branches currently in existence. Following a process to consolidate trade unions in the West Bank, there were 12 trade unions there. No unions were dissolved by administrative or legislative action during the year.

Palestinian workers in Jerusalem are governed by Israeli labor law. They are free to establish their own unions. Although the Israeli Government restricts unions in Jerusalem from joining West Bank trade union federations, this restriction has not been enforced. Individual Palestinian workers in Jerusalem may belong simultaneously to unions affiliated with West Bank federations and the Israeli Histadrut Labor Federation.

West Bank unions are not affiliated with the Israeli Histadrut Federation. Palestinians from the West Bank and Gaza who work in Israel or Jerusalem are not full members of Histadrut, but they are required to contribute 1 percent of their wages to Histadrut. Their partial membership entitles them to limited benefits, including compensation in the case of on-the-job injuries, maternity leave, and compensation in the case the employer declares bankruptcy. (Full members of Histadrut also receive health insurance, social security benefits, pensions, and unemployment benefits.) Negotiations between Histadrut and West Bank union officials to return half of this fee to the Palestinian Union Federation were completed in 1996, but funds have yet to be transferred.

The great majority of West Bank and Gaza unions belong to the Palestinian General Federation of Trade Unions (PGFTU). The PGFTU was involved in the completion of the negotiations with Histadrut regarding workers' fees. The reorganization of unions under the PGFTU is intended to enable the West Bank and Gaza unions to better represent the union members' interests.

An estimated 95,000 to 100,000 workers in the West Bank are members of the PGFTU, the largest union bloc, which consists of 12 trade unions in the West Bank and 8 in Gaza. The organization has approximately 46,500 members in Gaza. The PGFTU estimates that actual organized membership, i.e., dues-paying members, includes approximately 30 percent of all Palestinian workers.

Palestinian unions that seek to strike must submit to arbitration by the PA Ministry of Labor. If the union disagrees with the final arbitration and strikes, a tribunal of senior judges appointed by the PA decides what, if any, disciplinary action is to be taken, such as a fine. There are no laws in the occupied territories that specifically protect the rights of striking workers. In practice such workers have little or no protection from an employer's retribution. There were no reported labor strikes during the year.

The PGFTU participates in some programs of the International Confederation of Free Trade Unions (ICFTU), but is not a member.

b. The Right to Organize and Bargain Collectively

A majority of workers in the occupied territories are self-employed or unpaid family helpers in agriculture or commerce. Only 35 percent of employment in the occupied territories consists of wage jobs. Most of such employment is through the U.N. Relief and Works Agency (UNRWA), the PA, or municipalities. Collective bargaining is protected. Labor disputes are adjudicated by committees of 3 to 5 members in businesses employing more than 20 workers.

Existing laws and regulations do not offer real protection against antiunion discrimination.

There are no export processing zones in the occupied territories.

c. Prohibition of Forced or Compulsory Labor

PA law does not prohibit specifically forced or compulsory labor, including forced and bonded labor by children, but there were no reports of such practices during the year.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum legal working age in the West Bank and Gaza is 15 years, and there are special limits governing the conditions of employment for juveniles between 15 and 18 years, including prohibitions against working at night, under conditions of hard labor, or in jobs that require them to travel outside their area of domicile. However, in practice many Palestinian children under the age of 15 are engaged in some form of work. Many children under the age of 12 are engaged in some work activities. Most such employment is believed to involve work on family farms and in family shops, or as urban street vendors. Some employment of children also reportedly occurs in small manufacturing enterprises, such as shoe and textile factories.

The PA's capacity to enforce existing labor laws is limited. It has only 40 labor inspectors to inspect an estimated 65,000 enterprises. The International Labor Organization and UNICEF are working with the PA to study the nature and extent of the problem and to develop the capacity to enforce and update child labor laws.

The law does not prohibit specifically forced and bonded labor by children, but there were no reports that it occurred (see Section 6.c.).

e. Acceptable Conditions of Work

There is no minimum wage in the West Bank or Gaza Strip. Prior to the outbreak of the Intifada in September 2000, which severely disrupted employment patterns for the majority of working Palestinians, the average wage for full-time workers appeared to provide a worker and family with a decent standard of living.

In the West Bank, the normal workweek is 48 hours in most areas; in Gaza the workweek is 45 hours for day laborers and 40 hours for salaried employees. There is no effective enforcement of maximum workweek laws.

The PA Ministry of Labor is responsible for inspecting workplaces and enforcing safety standards in the West Bank and Gaza; however, the Ministry's ability to enforce the standard has always been limited due to lack of resources for inspections and other constraints. During the year, the Ministry reported that closures further limited its ability to carry out inspections. The Ministry of Labor states that new factories and workplaces meet international health and safety standards but that older ones fail to meet such standards. There is no specific legal protection afforded workers that allows them to remove themselves from an unhealthy or unsafe work setting without risking loss of employment.

Like all Israeli workers, Palestinians who work in Israel are required to contribute to the National Insurance

Institute (NII), which provides unemployment insurance and other benefits. Palestinians from the West Bank and Gaza are eligible for some, but not all, NII benefits. According to the Interim Agreement, Palestinians who work in Israel and Jerusalem benefit from NII in cases of injuries occurring in Israel, the bankruptcy of a worker's employer, and allowances for maternity leave.

There are outstanding cases of Palestinian workers who have attempted to sue their Israeli employers for non-payment of wages but are unable to travel to the relevant courts because they are unable to receive the proper permits.

f. Trafficking in Persons

Palestinian law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the occupied territories.