ISRAEL AND THE GOLAN HEIGHTS 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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

Civilian authorities maintained effective control over the security services.

The most significant human rights issues included terrorist attacks targeting civilians and politically and religiously motivated killings by nonstate groups and individuals; administrative detention of Palestinians, often extraterritorially in Israel; and legal requirements and official rhetoric that adversely affected the operating environment for human rights nongovernmental organizations (NGOs).

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

This section includes Israel, the Golan Heights, and problems primarily related to Israeli residents of Jerusalem. Problems primarily related to Palestinian residents of Jerusalem are covered in the "West Bank and Gaza" section. On December 6, 2017, the United States recognized Jerusalem as the capital of Israel. It is the position of the United States that the specific boundaries of Israeli sovereignty in Jerusalem are subject to final status negotiations between the parties.

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

We have sought and received input from the government of Israel with regard to allegations of human rights abuses, and we have noted any responses where applicable. Because of timing constraints, the Israeli government was not able to provide a detailed response to every alleged incident, but it did maintain generally that all incidents were thoroughly investigated and parties held accountable, as appropriate, according to due process of law.

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

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

There was a report the government or its agents committed an arbitrary or unlawful killing. On January 18, during a police action to demolish homes in the unrecognized Bedouin village of Umm al-Hiran in the Negev region of southern Israel, police shot local resident Yaqub Musa Abu al-Qian. Abu al-Qian's car subsequently struck and killed one police officer. Abu al-Qian died of his injuries shortly thereafter. NGOs alleged, based on an autopsy report leaked to Israel Channel 10, that he bled to death after authorities denied him immediate medical treatment. Police also fired sponge-tipped bullets at protesters, injuring Joint List Chairman Member of Knesset (MK) Ayman Odeh. The Department for Investigations of Police Officers had not completed its investigation into the incident as of October 15.

According to the government and media reports, during the year terrorist attacks killed seven persons and injured 23 others. The locations of attacks included Jerusalem, Yavne, Petah Tikva, Tel Aviv, and Arad. Most of the attackers were Palestinians from the West Bank, and two were Arab citizens of Israel.

In April authorities indicted Koren Elkayam and Tamir Bartal on charges of terrorism targeting Arab citizens of Israel in a series of attacks, including a stabbing, in Be'er Sheva that began in December 2016. According to the indictment, on several occasions, the defendants assaulted men who they thought were Arab to deter them from dating Jewish women.

On October 4, police discovered the body of Reuven Schmerling, a 70-year-old Israeli man, who had been stabbed to death. Authorities arrested West Bank residents Yusef Khaled Mustafa Kamil and Muhammad Ziad Abu al-Roub for the killing and on October 29 indicted them for premeditated murder and entering Israel illegally, according to media reports.

b. Disappearance

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

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

The law does not refer to a specific crime of torture but prohibits assault and pressure by a public official. In 1999 the Supreme Court ruled that, although torture and the application of physical or psychological pain were illegal, Israeli Security Agency (ISA) interrogators may be exempt from criminal prosecution if they used "exceptional methods" in extraordinary cases determined to involve an imminent threat, such as the "ticking bomb" scenario, as long as such methods did not amount to torture. Human rights organizations such as the Public Committee Against Torture in Israel (PCATI), Defense for Children International-Palestine, and Military Court Watch reported that "physical interrogation methods" permitted by the law and used by security personnel could amount to torture. Methods documented by the organizations included beatings, forcing an individual to hold certain stress positions for long periods, sleep deprivation, threatening an illegal act against the detainee or a family member, and painful pressure from shackles or restraints. The government stated that ISA rules, procedures, and methods of interrogation are confidential for security reasons, but they are subject to governmental supervision from within and outside of the ISA.

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

The government established the Turkel Commission to implement the findings of the 2010 report of the Public Commission to Examine the Maritime Incident, which concerned the interception and capture by the Israeli Navy of ships carrying humanitarian aid bound for Gaza. This led to the 2015 "Ciechanover Report," which deferred a decision to impose responsibility on military commanders and civilian superiors for offenses committed by their subordinates. The report instead recommended that: "[T]he question of the explicit anchoring of the responsibility

of military commanders and civilian superiors in Israeli law would continue to be examined by the relevant parties before being decided." The report also recommended increasing and clarifying civilian oversight (via the attorney general) of the military justice system. In July 2016 the security cabinet adopted the report's recommendations. In the context of the Ciechanover report, and in response to more than 60 complaints of violent acts by soldiers that the military closed without response since 2014, the Supreme Court ruled in September 2016 that complaints should be examined within 14 weeks. The government did not publish the number of complaints it examined during the year.

In criminal cases investigated by police involving crimes with a maximum imprisonment of 10 years or more, regulations require recording interrogations; however, an extended temporary law exempts the General Security Services from audio and video recording of interrogations of suspects related to "security offenses." In December 2016 the Knesset passed an amendment to the Criminal Procedure (Interrogation of Suspects) Law whereby the questioning of a suspect in relation to a security offense is subject to random inspections by a supervising authority, which may supervise any interrogation of such suspects, at any time, without advance notice and without the interrogator's awareness.

The Ciechanover report recommended installing closed-circuit cameras in all ISA interrogation rooms that broadcast to a control room in real time. The government's implementation team recommended that this control room be located in an ISA facility in which interrogations are not conducted and that it be accessible and available to a supervising entity from the Ministry of Justice at any time. According to the recommendation, the supervising entity would prepare a concise memorandum on what the observer saw, but no other record would be kept. In the event that the supervising entity believes that interrogators used illegal means during the interrogation, the observer would be required to report the matter to the Office of the Inspector for Complaints against ISA Interrogators in the Ministry of Justice. The government had not finished preparations to implement this mechanism as of September. Human rights NGOs criticized this mechanism as insufficient to prevent and identify torture, arguing there is no recording of interrogations for later accountability and judicial review. NGOs submitted a petition to the Supreme Court opposing the recommendation in 2015. The court rejected the petition on January 17 on the grounds that it was outdated, following significant legal changes.

According to PCATI, as of October the government had never opened a criminal investigation nor indicted an ISA interrogator for torture during an investigation--

despite more than 1,100 complaints of torture by detainees in the country since 2001, in some of which cases the government acknowledged that "exceptional measures" were used. The government stated none of these complaints led to a criminal investigation due to insufficient evidence. Nonetheless, some preliminary examinations led to disciplinary measures, changes in procedures, and changes in methods of interrogation. The government noted 139 open cases as of June, of which one-half were received between 2013 and 2015. PCATI reported the preliminary examinations of complaints averaged 28 months, and all but one complaint the organization submitted regarding incidents in 2014 remained unanswered as of September. PCATI submitted 48 new cases of alleged torture or cruel, inhuman, or degrading treatment for the year as of October 24.

In its May 2016 review of the country's compliance with the UN Convention Against Torture, the UN Committee Against Torture recommended (among 50 other recommendations) that the government provide for independent medical examinations for all detainees. In a September 2017 response, the government listed the services available to detainees by the medical staff of the Israel Prison Service (IPS) and stated that requests from prisoners for independent examination at the prisoner's expense are reviewed by an IPS medical team. PCATI added that professional training for medical personnel to identify, document, and report all allegations and evidence of torture had not been implemented as of October.

PCATI stated the government's system for investigating allegations of mistreatment of detainees was complex and fragmented. For example, allegations against police and the ISA are investigated by two separate departments of the Police Investigation Department in the State Attorney's Office of the Ministry of Justice, each with different procedures. The National Prison Wardens Investigation Unit is responsible for investigating allegations against members of the IPS. PCATI reported this fragmentation created a disorganized system characterized by widely varying response times and professional standards. PCATI noted victims often did not know the institutional affiliations of the perpetrators and that complaints were often passed from one organization to another for months or years with each authority denying jurisdiction in the case.

In May 2016 plainclothes Border Police officers beat an Arab citizen, Maysam Abu Alqian, outside the supermarket in which he was working in central Tel Aviv. After requesting to see his identification, the officers beat Alqian severely. The officers alleged Alqian attacked them, but the Tel Aviv District Court ordered him released the day after his arrest. Authorities dropped the criminal charges against the police officers during the year. On March 30, the Department for

Investigations of Police Officers (DIPO) in the Ministry of Justice ordered disciplinary actions against one officer, Ben Edri, for "unreasonable use of force and improper behavior."

Prison and Detention Center Conditions

The law provides prisoners and detainees the right to conditions that do not harm their health or dignity. Conditions in permanent detention facilities run by the IPS generally met international standards, according to the International Commission of the Red Cross (ICRC). For information about the Holot detention facility for irregular migrants, see section 2.d.

Physical Conditions: As of October 19, according to the government, there were 9,279 Israeli citizens held in IPS facilities (5,432 Jewish and 3,847 non-Jewish, the latter predominantly Arab citizens). IPS facilities also held 3,494 prisoners who were legal residents of Israel (including Palestinian residents of East Jerusalem), and 6,552 Palestinian prisoners from the West Bank or Gaza. The prison population included 157 minors who were citizens or residents of Israel--most of them Palestinians from East Jerusalem--and 282 Palestinian minors from the West Bank or Gaza. Of the total prisoner population, 5,821 were characterized as "security prisoners" (those convicted or suspected of nationalistically motivated violence). These prisoners often faced harsher conditions than those for prisoners characterized as criminals, including increased incidence of administrative detention, restricted family visits, ineligibility for temporary furloughs, and solitary confinement.

The vast majority of the security prisoners held in Israel were Palestinian residents of the West Bank; there were a small number of Israeli citizens and Palestinian residents of Gaza. Extraterritorial detention of Palestinians in Israel imposed heavy logistical burdens on family members who wished to visit them. Additionally, because the two Israeli military courts that try Palestinian suspects were both located in the West Bank, detention of Palestinians in Israel led to extensive delays for Palestinian prisoners due to transportation to and from each hearing.

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

extended stays in court detention facilities beyond the duration of legal proceedings.

The percentage of minors of Ethiopian origin in prison was significantly higher than their proportion of the population, comprising 14 percent of the inmates in Ofek Prison for juveniles as of October. Data from the Public Defender's Office reported by the newspaper *Ha'aretz* in September 2016 revealed that the proportion of Ethiopian-Israeli minors convicted of crimes and sentenced to prison instead of treatment was nearly 90 percent, three times the percentage for non-Ethiopian-Jewish minors and almost double that of minors who are Arab citizens of Israel.

On June 13, following a petition by the Association of Civil Rights in Israel (ACRI) and the Academic Center for Law and Business in Ramat Gan, the Supreme Court ruled that within 18 months, prisons must allocate a living space of 48 square feet to each prisoner, including toilet and shower, or 43 square feet, not including toilet and shower. According to ACRI each prisoner is currently allocated 33 square feet, including toilet and shower, and approximately 40 percent of the prisoners were imprisoned in an area that amounted to less than 32 square feet per person.

In 2015 the Knesset passed a law authorizing force-feeding of hunger-striking prisoners under specific conditions; however, the Israel Medical Association declared the legislation unethical and urged doctors to refuse to implement it. The government had not applied this law as of October. Approximately 1,500 Palestinian prisoners participated in all or part of a hunger strike between April 17 and May 27. The prisoners' principal demands were reinstatement of a second monthly family visit and an end to administrative detention (detention without charge).

In February the IPS installed heaters in the cells of Palestinian security prisoners at Gilboa prison, following a letter from the Arab legal rights NGO Adalah alleging that excessively cold temperatures in prisoners' cells during the winter months constituted inhuman treatment.

During the year, according to the government, 17 prisoners died in IPS custody, including seven in prisons and 10 in hospitals.

Administration: While authorities usually allowed visits from lawyers and stated that every inmate who requested to meet with an attorney was able to do so, this

was not always the case. NGOs alleged authorities did not allow Palestinian detainees, including minors, access to a lawyer during their initial arrest. Travel restrictions on entry into Israel from the West Bank and Gaza affected the access of lawyers and family visitors to some Palestinian prisoners held extraterritorially in Israel. The government granted permits to family members from the West Bank on a limited basis and restricted those entering from Gaza more severely.

After MK Basel Ghattas smuggled items to security prisoners, the Knesset House Committee decided in December 2016 to ban MKs from visiting security prisoners, with limited exceptions for parliamentary oversight of prison conditions. As of August 31, the government authorized two MKs from the coalition and two from the opposition to visit security prisoners. The Public Defender's Report published in June 2016 cited difficulties in holding meetings between detainees and their lawyers in detention facilities in Jerusalem, Tiberias, Nazareth, Petah Tikva, and Be'er Sheva.

On April 25, Adalah complained that the IPS prevented seven lawyers from meeting Palestinian prisoners regarding their hunger strike. On May 3, following a petition to the Supreme Court, the IPS, and Adalah reached an agreement allowing the prisoners to meet their lawyers under restricted conditions.

Independent Monitoring: The ICRC monitored all facilities in accordance with its standard modalities, except for urgent or isolated cases that the ICRC raised bilaterally with the concerned authorities (that is, relating to the composition of the visiting team and the conditions for interviews without witnesses). PCATI and other organizations continued to press for structural reforms, including mandatory audio-video recordings of interrogations. The Public Defender's Office is officially responsible for monitoring and reporting on prison conditions, which it does every two years (see above).

d. Arbitrary Arrest or Detention

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

With regard to irregular migrants, the most recent amendment to the Prevention of Infiltration Law allows the government to detain migrants and asylum seekers who arrived after December 2014 for three months in the Saharonim Prison facility "for the purpose of identification and to explore options for relocation of the individual." The law also states authorities must bring irregular migrants taken into detention to a hearing within five days and inform them of their rights, including the right to legal counsel. After three months in Saharonim, the government may then hold them for 12 months in Holot, a remote, semiopen facility run by the IPS (see section 2.d.). The law also allows authorities to send those who fail to renew their visas on time to Holot for up to 120 days. It prohibits, however, detention in Holot based on certain factors including age, health, gender, or other protected status. Authorities can send those who violated rules at Holot to Saharonim Prison and reportedly transferred two or three detainees per day, on average. A policy dating to 2014 authorizes the government to detain without trial and for an indefinite period irregular migrants who were "implicated in criminal proceedings." The NGO Hotline for Refugees and Migrants noted this policy enabled indefinite detention even in cases in which there is insufficient evidence to try a suspect, including for relatively minor crimes, as well as cases of migrants who completed a sentence following conviction. The Office of the UN High Commissioner for Refugees (UNHCR) stated this policy is "at variance with international human rights and refugee law," and called for migrants suspected of crimes to be treated equally under Israel's existing criminal laws. On January 4, the Supreme Court ruled that the legality of this policy requires additional review. It had not issued any new guidance as of October 27.

Role of the Police and Security Apparatus

Under the authority of the prime minister, the ISA combats terrorism and espionage in Israel and the West Bank. The national police, including the border police and the immigration police, are under the authority of the Ministry of Public Security. The Israeli Defense Forces (IDF) have no jurisdiction over Israeli citizens. ISA forces operating in the West Bank and East Jerusalem fall under the IDF for operations and operational debriefing. The Ciechanover report (see section 1.c.) clarified that the Ministry of Justice and its investigators and the IDF and its investigators would divide investigative and prosecutorial responsibilities in incidents in which police operated under the authority of the military.

Civilian authorities maintained effective control over the ISA and police forces, and the government has effective mechanisms to investigate and punish abuse and

corruption. The government took steps to investigate allegations of the use of excessive force by police and military.

PCATI continued to criticize the extremely low number of indictments issued relative to the number of investigations opened, the reliance on internal disciplinary measures instead of criminal charges, and the high percentage of cases closed due to investigation failures by military police.

DIPO is responsible for investigating complaints against ISA bodies, including incidents involving police and the border police that do not involve the use of a weapon. On April 5, the state comptroller published a report criticizing DIPO for investigating complaints narrowly on criteria of individual criminal or disciplinary violations rather than broadly on criteria of systemic or organizational problems. According to its annual report DIPO published in February, after reviewing 2,945 cases in 2016, DIPO filed criminal indictments in 110 cases (4 percent), ordered disciplinary proceedings in 128 cases (4 percent), closed 974 cases without further investigation (33 percent), and closed 843 cases following a preliminary examination (29 percent). In 2016 courts in Israel ruled on 86 cases brought by DIPO and issued 67 convictions.

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

Human rights NGOs, including Human Rights Watch (HRW) and Amnesty International (AI), continued to allege that accountability mechanisms precluded serious internal investigations by the military and were marred by severe structural flaws.

Arrest Procedures and Treatment of Detainees

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

detainees to consult with an attorney in a timely manner, including one provided by the government for the indigent and to contact family members promptly. (Further information on arrest procedures under military law can be found in the West Bank and Gaza section.)

Authorities detained most Palestinian prisoners within Israel. The government stated that the establishment of new prisons in the West Bank could adversely affect detainees' living conditions. Authorities prosecuted Palestinian noncitizens held in Israel under Israeli military law, a practice Israel has applied since the 1967 occupation. According to the circumstances of each case, such as the severity of the alleged offense, status as a minor, risk of escape, or other factors, authorities either granted or denied bail to noncitizens of Palestinian origin detained for security violations.

Authorities may prosecute persons detained on security grounds criminally or hold them as administrative detainees or illegal combatants, according to one of three legal regimes. First, under a temporary law on criminal procedures, repeatedly renewed since 2006, the IPS may hold persons suspected of a security offense for 48 hours prior to bringing them before a judge, with limited exceptions allowing the IPS to detain a suspect for up to 96 hours prior to bringing the suspect before the senior judge of a district court. In security-related cases, authorities may hold a person for up to 35 days without an indictment (versus 30 days for nonsecurity cases), and the law allows the court to extend detentions on security grounds for an initial period of up to 20 days for interrogation without an indictment (versus 15 days for other than security-related cases). Authorities may deny security detainees access to an attorney for up to 60 days under military regulations or 21 days under Israeli civilian procedures.

Second, the Emergency Powers Law allows the Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely. As of May 31, according to data provided to the NGO B'Tselem by the IPS, 475 Palestinians including two minors were in administrative detention.

Third, the Illegal Combatant Law permits authorities to hold a detainee for 14 days before review by a district court judge, deny access to counsel for up to 21 days with the attorney general's approval, and allow indefinite detention subject to twice-yearly district court reviews and appeals to the Supreme Court. As of May 31, according to B'Tselem based on IPS data, no Palestinian prisoners were held under this law.

While international law allows the use of administrative detention in rare "ticking time bomb" scenarios, civil society organizations and some MKs continued to criticize the government for using it excessively, adding that the practice was undemocratic since there was no due process. In its September submission regarding compliance with the UN Convention Against Torture, the government claimed it issued administrative detention orders "as a preventive measure where there is a reasonable basis to believe that the detention is absolutely necessary for clear security purposes. Administrative detention is not employed where the security risk can be addressed by other legal alternatives, especially criminal prosecution." The government further emphasized the role of military judges in reviewing administration detention orders and noted that 395 such orders were appealed to the Supreme Court as of September 10.

Arbitrary Arrest: The annual report of the Office of the Public Defender in 2016 highlighted indictments on problems of trivial importance or against persons who break the law to obtain basic needs such as food, electricity, water, or housing. Allegations continued of arbitrary arrests of Arab citizens during protests, as well as of Ethiopian-Israelis. The NGO Human Rights Defenders Fund reported police detained nine lesbian, gay, bisexual, transgender, intersex (LGBTI) participants in a July 20 protest (see section 6) and strip-searched seven of them at the police station. In response to a complaint, the Tel Aviv District Police legal advisor wrote that the search was not in accordance with regulations and that the officers involved would face disciplinary action.

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

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

For information on procedures related to the detention of irregular migrants, including refugees and asylum seekers, see section 2.d.

e. Denial of Fair Public Trial

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

Trial Procedures

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Exceptions to the right for a public trial include national security concerns, protection of the interest of a minor or an individual requiring special protection, and safeguarding the identity of an accuser or defendant in a sex-offense case.

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

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

In August 2016, in response to a wave of attacks, many perpetrated by minors, that began in September 2015, the Knesset passed a “Youth Law” legalizing imprisonment of children as young as 12 years old if convicted of serious crimes

such as murder, attempted murder, or manslaughter. The government reported no child had been imprisoned under this law as of October.

Military court trials are open to the public, but, since authorities conduct them in a military camp, members of the public require an entry permit from the military. Authorities conducted certain trials in a closed setting, not open to the public, for reasons of security or for the protection of the identity of a minor.

The evidentiary rules governing military trials of noncitizen Palestinians, all of whom are subject to military law, are the same as evidentiary rules in criminal cases. According to the Ministry of Justice, the law does not permit convictions based solely on confessions. Counsel may assist the accused in such trials, and a judge may assign counsel to defendants. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, even in minor cases. Court indictments were read in Hebrew and, unless the defendant waived this right, in Arabic. Authorities translated all military court indictments into Arabic. At least one interpreter was present for simultaneous interpretation in every military court hearing, unless the defendant waived that right. Various human rights organizations claimed the availability and quality of Arabic interpretation was insufficient; most interpreters were bilingual Israelis performing mandatory military service. Defendants may appeal through the Military Court of Appeals and then to the Supreme Court. (Further information on military court proceedings against Palestinians and others can be found in the West Bank and Gaza section, Political Prisoners and Detainees.)

Political Prisoners and Detainees

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

ACRI petitioned the Supreme Court in 2013 regarding a practice by the ISA of calling in Israeli political activists suspected of “subversive” activity unrelated to terror or espionage for questioning under caution, meaning they might be charged with a crime. In response the government confirmed a classified secret procedure regulates Israel National Police assisting the ISA in the summoning process. In February the Supreme Court imposed the following restrictions on this process: Summoning will be carried out only after consultation with the legal advisor of the ISA; police and the ISA will clarify that questioning is voluntary and the person

summoned is not required to appear; and the ISA will clarify during questioning that the suspect's statements cannot be used in court for other proceedings.

Civil Judicial Procedures and Remedies

An independent and impartial judiciary adjudicates lawsuits seeking damages for, or cessation of, human rights violations. Administrative remedies exist, and court orders usually were enforced. By law noncitizen Palestinians may file suit in civilian courts to obtain compensation through civil suits in some cases, even when a criminal suit is unsuccessful and the actions against them considered legal.

Property Restitution

In 35 unrecognized Bedouin villages in the Negev inhabited by approximately 70,000 persons, the government viewed all buildings as illegal and subject to demolition. The government maintained a program to encourage Bedouins to relocate from unrecognized villages, which lacked basic infrastructure, to established towns by providing low-cost land. It offered compensation for demolition of illegal structures for those willing to move to designated permanent locations. Bedouins often refused to participate because they asserted they owned the land or that the government had given them prior permission to settle in their current locations.

According to a 2016 report from the state comptroller, from 2008-14 the Ministry of Agriculture and Rural Development resolved only 3 percent of ownership claims through settlement agreements and legal proceedings. In cases of demolitions with no agreement from the residents to relocate, the government levied fines against residents to cover expenses incurred in the course of demolitions. On August 16, the Be'er Sheva Magistrate's Court ruled that six residents of al-Araqib (see below) must pay 262,000 shekels ($73,400) for the costs of demolitions of their village from July to December 2010 and 100,000 shekels ($27,800) for the expenses of the state's lawyer. On December 24, following a trial that lasted four years, a Be'er Sheva court sentenced the head of al-Araqib, Sheikh Sayyah al-Turi, to 10 months in prison and a fine of 36,000 shekels ($10,000) for charges relating to residence in the village, including trespassing and entering public space against the law. Many Bedouins whose residences or structures were subject to demolition orders elected to demolish them themselves to avoid fines.

According to the NGO Negev Coexistence Forum for Civil Equality (NCF), Jewish citizens reside in 126 out of 144 communities in the Negev, in addition to approximately 60 family farms, alongside 18 government-approved communities for Bedouin citizens. According to the NCF, 115 of the 126 Jewish communities maintained admission committees to screen new residents, effectively excluding non-Jewish residents. Authorities approved plans for new Jewish communities called Hiran (see below), Daya, and Neve Gurion to replace existing Bedouin villages. Authorities planned Daya to replace the unrecognized Bedouin village of al-Qatamat, and Neve Gurion was to replace some houses in the recognized village of Bir Haddaj. In June the government completed registration of 44,500 acres of land in the Negev, effectively nullifying approximately 600 land claims filed by Bedouin citizens in the 1970s. As of October it was unclear whether the Bedouin plaintiffs would accept monetary compensation the government offered as restitution. The NCF noted the Negev was sparsely populated, with only 8 percent of the country's population living on 60 percent of the land, so there was ample room to establish new communities without razing existing ones.

Authorities halted efforts to demolish homes in the unrecognized Bedouin village of Umm al-Hiran, in preparation for replacing it with a Jewish community called Hiran, after protests and a fatal police shooting in January (see section 1.a.). Construction in the area surrounding Umm al-Hiran stopped after this incident, then resumed in July, but the government had not conducted any further demolitions in the village as of October 24. In January 2016 the Supreme Court ruled that eviction orders issued against the residents of Umm al-Hiran, where the Israeli government had moved them in 1956, were valid. The government offered plots of land and cash compensation to villagers willing to accept resettlement to the nearby Bedouin town of Hura, three miles away. Village leaders had rejected this option because, according to the Hura local council, there was insufficient space for natural growth in the town, and due to fears it would force the villagers to abandon a traditional rural lifestyle for an urban one. Village leaders expressed openness to almost any option that would allow them to remain in place, including living side by side with Jewish neighbors in an expanded community. On August 7, Adalah wrote a letter to the National Planning and Building Council objecting to bylaws drafted by the Hiran cooperative association that would allow only Orthodox Jews to live in Hiran. A group of 35 Jewish families sponsored by the OR Movement (an organization dedicated to expanding the Jewish population of the Negev region) who planned to move to Hiran remained in the forest outside Umm al-Hiran living in mobile homes donated by the Jewish National Fund (JNF), while waiting to obtain the land.

The NCF recorded 1,158 demolitions in 2016, the highest number since they began tracking in 2013. Demolitions by Israeli authorities increased to 412 in 2016 from 365 in 2015, while Bedouins demolished the remaining structures to avoid fines. In May 2016 a report from the state comptroller stated: "The ongoing circle of construction for housing and demolition of these structures deepens the alienation of the Bedouin residents of the Negev towards the state and does not contribute to the regulation of their settlement." The report recommended the government act to settle land claims as early as possible, plan resettlement of Bedouin citizens in cooperation with the Bedouin community, develop infrastructure in recognized Bedouin communities, and formulate an enforcement policy regarding illegal construction.

One week before the January demolitions in Umm al-Hiran, the government demolished 11 homes in the Arab city of Qalansawe, which Prime Minister Netanyahu applauded in a Facebook posting. The demolitions in Qalansawe and Umm al-Hiran, as well as planned demolitions in the northern Druze town of Maghar, led thousands of Arab and Druze citizens to protest in multiple locations from January 21 to 24. (For details about housing construction and demolitions, see section 6.)

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

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

Separate religious court systems adjudicate matters such as marriage and divorce for the Jewish, Muslim, Christian, and Druze communities. The country lacks a civil marriage law. In order to be considered legal, civil marriages, marriages of some non-Orthodox Jews, marriages in non-Orthodox ceremonies, same-sex marriages, marriages of a Jew to a non-Jew, or marriages of a Muslim woman to a non-Muslim must take place outside the country to be considered legal, because religious courts refuse to conduct these marriages. Approximately 11 percent of marriages registered with the Ministry of the Interior in 2015 occurred abroad, according to the Central Bureau of Statistics.

The majority of Jewish citizens objected to exclusive Orthodox control over aspects of their personal lives, including marriage and "kashrut "(Jewish dietary laws), according to a survey of 800 Jewish Israelis published in September by the NGO Hiddush. The Orthodox Rabbinate did not consider to be Jewish

approximately 337,000 Israeli citizens who considered themselves Jewish and who immigrated either as Jews or as family members of Jews; therefore, these citizens could not be married or buried in Jewish cemeteries. The Orthodox Rabbinate had the authority to handle divorces of any Jewish couple regardless of how they were married. The government stated that 24 cemeteries in the country served immigrants not considered Jewish by the Orthodox Rabbinate. Authorities did not fully implement a law requiring the government to establish civil cemeteries.

The 2003 Law of Citizenship and Entry, which is renewed annually, prohibits non-Jewish Iranians, Iraqis, Syrians, Lebanese, and Palestinians from the West Bank or Gaza, including those who are spouses of Israeli residents or citizens, from obtaining resident status in Jerusalem or Israel unless the Ministry of the Interior makes a special determination, usually on humanitarian grounds. AI and other human rights organizations repeatedly called on the government to repeal this law and resume processing of family unification applications. The law allows the entry of spouses of Israelis on a "staying permit" if the male spouse is age 35 or older and the female spouse is age 25 or older. The NGO Mossawa reported this law impacts approximately 30,000 Arab families in Israel.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

The law imposes tort liability on any person who knowingly issues a public call for an economic, cultural, or academic boycott of the State of Israel, or of institutions or entities in areas under its control in the West Bank. Plaintiffs must prove direct economic harm to claim damages under the "antiboycott" legislation. In 2015 the Supreme Court upheld the constitutionality of this law.

The law also permits the finance minister to institute regulations imposing administrative sanctions on those calling for such a boycott, including restrictions on participating in tenders for contracts with the government and denial of government benefits. On March 6, the Knesset passed an amendment barring entry to the country to visitors (excluding permanent residents) who called for such a boycott. Criteria published on July 24 by the Population and Immigration

Authority restricted enforcement of this law to prominent activists promoting a boycott individually or as a leader of an organization. Adalah criticized the law for making political opinions a factor in decisions about whether to allow noncitizens entry to the country. Since immigration authorities already had broad powers to deny entry, and they do not routinely provide visitors who are denied entry with the statute under which they were refused, it is unknown how many times this law has been applied.

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

In July 2016 the Knesset passed a law increasing the penalty for desecrating the Israeli flag from one year to three years in prison and increased the fine from the equivalent of eight dollars to 58,400 shekels ($16,400).

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

Authorities repeatedly attempted to obstruct events by the NGO Breaking the Silence in public facilities. For example, on February 7, at the request of Culture Minister Miri Regev, Jerusalem Mayor Nir Barkat tried to prevent a speech by Breaking the Silence by ordering the eviction from a government-owned building of an art gallery in which the speech was scheduled to take place. The art gallery refused to cancel the event, and it proceeded as planned on February 8 (see also Press and Media Freedom below). Independent media were active and expressed a wide variety of views without restriction.

Press and Media Freedom: In December 2016 ACRI published a report detailing a variety of legislative and rhetorical attacks on media throughout the year by elected officials, especially Prime Minister Netanyahu, and expressed concern about the chilling effect of these attacks on press freedom. On October 23, President Reuven Rivlin said, “It is one thing to work to remedy the problems of the media…and quite another thing to try to control it. … How can it be in the interest of the State of Israel--or of any democracy and Israel’s democracy in particular--to have a weak media begging for its life?” Reactions to the president’s speech included death threats on social media and hate graffiti, according to media reports.

In February, Prime Minister Netanyahu gave up the position of communications minister after a petition to the Supreme Court objected to his holding the

communications portfolio while being investigated for corruption relating to his dealings with media companies. In May he appointed MK Ayoob Kara to the position of communications minister.

On July 31, Prime Minister Netanyahu ordered Communications Minister Kara to close the offices of the news outlet al-Jazeera, accusing the network of incitement to violence during a crisis on the Temple Mount/Haram al-Sharif. As of October the government had not closed al-Jazeera. Media reported on September 7, however, that Prime Minister Netanyahu banned al-Jazeera's bureau chief Walid al-Omari from a government seminar on freedom of speech.

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

News printed or broadcast abroad is subject to security censorship. The government regularly enacted restrictive orders on sensitive security information and continuing investigations, and required foreign correspondents, as well as local media, to abide by these orders. According to data provided by the military at the request of *+972 Magazine*, *Mekomit* and the NGO Movement for Freedom of Information, from 2011 through August 2016, the military censor banned the publication of 1,936 articles and redacted information from 14,196 articles. *Ha'aretz* reported on October 2 that the national police legal advisor issued new guidelines increasing the police's authority to bar journalists from entering an area based on "fear that the journalist's entry will inflame a violent atmosphere to a level that is liable to endanger people's lives" or possibly violate a gag order. Previous gag orders restricted only publication, not journalists' presence.

In January 2016 the State Attorney's Office sought a court order to compel the NGO Breaking the Silence to reveal the identity of an individual who served in the IDF during 2014's Operation Protective Edge and who testified to the organization about alleged war crimes during the operation. Breaking the Silence claimed the investigation was politically motivated and that providing this information would effectively force the organization to ends its operations. In March, Breaking the Silence and the state reached a compromise in which the NGO would transfer to the government original source materials for its report on Operation Protective

Edge but withhold the names of its sources. As of the end of the year, the case remained pending at the Petah Tikva Magistrate's Court.

National Security: The Counterterrorism Law, which took effect in November 2016, criminalizes as "terrorist acts" speech supporting terrorism, including public praise of a terrorist organization, display of symbols, expression of slogans, and "incitement." There were at least 11 convictions under the law as of the end of the year, according to media reports.

On August 15, police arrested Sheikh Raed Salah, head of the Northern Islamic Movement, which the government outlawed in 2015 under the emergency law, an act for which it was criticized by Arab-Israeli politicians who had claimed the decision to outlaw the Northern Islamic Movement appeared to have motivated by politics rather than a threat to national security. Authorities indicted Salah for incitement to terrorism and supporting an illegal association.

Internet Freedom

The government monitored email and social media platforms and censored online content; according to Adalah, the government monitored private online communications without appropriate legal authority.

The government monitored email, internet chat rooms, and the popular texting application WhatsApp for security purposes. On July 17, the Knesset passed a law authorizing district court judges to restrict access to internet sites to prevent the commission of crimes. The state attorney's cyber unit's end-of-year report for 2016 stated that requests to social media outlets to remove content based on its assessment that the content is illegal under the law led to the removal of 1,554 online postings.

Internet access was widely available, and approximately 73 percent of the country's inhabitants used it regularly.

Academic Freedom and Cultural Events

The law prohibits institutions that receive government funding from engaging in commemoration of the Nakba, or "catastrophe," the term used by Palestinians to refer to the displacement of Palestinians during Israel's 1948 War of Independence.

On June 9, Education Minister Naftali Bennett presented a new draft code of ethics to prevent academics from engaging in "political activity," defined as supporting or opposing a party, political figure, or position on a topic under debate in the Knesset. Academics and a Supreme Court justice condemned Bennett's initiative as an assault on academic freedom and freedom of speech. The government did not implement the code of ethics as of October 19.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

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

In January, Adalah wrote letters to the attorney general and police commissioner objecting to police efforts to prevent Arab secondary school students from participating in street protests. According to Adalah police summoned Arab school principals to a Haifa police station and sent WhatsApp messages to students falsely claiming the planned protests were illegal and would lead to clashes with police.

In 2015 thousands of Ethiopian-Israelis and their supporters gathered to protest police brutality and discrimination following the publication of a video showing police beating Ethiopian IDF soldier Demas Fekadeh in the Tel Aviv suburb of Holon. The demonstrations at some points resulted in clashes with police. The police committee created to investigate the events led to several steps toward reform in partnership with an Ethiopian-Israeli NGO, including a pilot project for police body cameras, which ended in June, and new guidelines and training at police stations near Ethiopian-Israeli communities.

Freedom of Association

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

The law prohibits registration of an association or a party if its goals include denial of the existence of the State of Israel or the democratic character of the state. A political party will not be registered if its goals include incitement to racism or support of an armed struggle, enemy state, or terror organization against Israel.

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted the government sought to intimidate them and prevent them from receiving foreign government funding. According to media reports, in meetings February 6 and 7, Prime Minister Netanyahu requested that British Prime Minister Theresa May and Belgian Prime Minister Charles Michel stop funding Israeli NGOs that are "hostile to Israel" and "act against IDF soldiers." Prime Minister Netanyahu canceled a meeting with German Foreign Minister Sigmar Gabriel after Gabriel refused to cancel his April 26 meetings with NGOs Breaking the Silence and B'Tselem. On June 11, Netanyahu proposed to ban all foreign-government funding of Israeli NGOs. Israeli human rights NGOs, which generally receive more foreign-government funding than other Israeli organizations, stated this would cause many of them to close. In October, Netanyahu tasked Tourism Minister Yariv Levin with drafting a bill on this topic. Media reports indicated it would target NGOs with "political" agendas and possibly ban Breaking the Silence. The Knesset did not take action on this proposal by October 25 (see also section 5).

On March 22, the Knesset passed an amendment to the National Service law mandating additional scrutiny on requests for National Service volunteers from NGOs that received more than one-half of their funding from foreign governments. A 2016 law requires such NGOs to state this fact in all their official publications, applications to attend a Knesset meeting, and any communications with the public (on television, radio, billboards, or emails). A report is due from NGOs to the Ministry of Justice in July 2018. The law fines NGOs that violate these rules 29,200 shekels ($8,180). The Ministry of Justice claimed that 27 NGOs received more than one-half their funding from foreign governments; of these, 25 were human rights organizations. NGOs criticized the 2016 law as stigmatizing left-wing organizations, which more commonly received international funding from foreign governments, while not imposing similar reporting requirements for NGOs funded by private international donors, which was more common among right-wing organizations.

c. Freedom of Religion

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

d. Freedom of Movement

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

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

Abuse of Migrants, Refugees, and Stateless Persons: Communities with a large concentration of African migrants were occasionally targets of violence. The Tel Aviv municipality dedicated a special police unit to combat violence and crime in the migrant community. Additionally, the nature of government policies on the legality of work (see Employment section below) forced many refugees to work in "unofficial" positions, making them more susceptible to poor treatment and questionable work practices by their employers.

In December 2016 the government charged two Israeli citizens, Dennis Barshivatz and a minor, with killing Sudanese asylum seeker Babikar Ali Adham after they beat him for 75 minutes in the city of Petah Tikva in November 2016. Adham died from brain-stem bleeding four days later. The case continued as of November.

In-country Movement: Authorities prohibited asylum seekers released from the Holot facility from going to Eilat and Tel Aviv, in part to keep them from working there, and municipal officials in other areas stated they would oppose asylum seekers' relocating to their communities.

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

The government requires all citizens to have a special permit to enter "Area A" in the West Bank (the area, according to the Interim Agreement, in which the Palestinian Authority exercises civil and security responsibility). But the government allowed Arab citizens of Israel access to Area A without permits, and *Yediot Yerushalayim* reported on August 25 that an increasing number of Jewish Israelis entered Area A without permits for entertainment and tourism.

A case filed by two NGOs in Be'er Sheva District Court in October 2016 objected to the government's motion to dismiss a tort lawsuit on behalf of a Palestinian teenager whom the Israeli military shot and injured in his Gaza home in 2014. Adalah claimed that a 2012 amendment to Israel's Civil Wrongs Law, which exempted from damages "persons who are not citizens or residents of Israel, and … are residents of declared 'enemy territory'" imposed nearly insurmountable obstacles to access to courts, accountability, and redress for civilians harmed by Israeli security forces in the West Bank and Gaza. In June the court asked the Knesset to join the case as a respondent. The case remained pending as of October 19.

Citizenship: The 2011 amendment to the Nationality Law allows revocation of citizenship from a person on grounds of "breach of loyalty to the State of Israel." In May 2016 Minister of the Interior Aryeh Deri filed a motion with the Haifa District Court to revoke the citizenship of Alaa Zayoud, whom the courts convicted of four counts of attempted murder in a 2015 car-ramming attack. On August 6, the Haifa District Court ruled to revoke Zayoud's citizenship, but the Supreme Court issued a temporary injunction preventing revocation of his citizenship on October 26. The case continued at year's end.

Additionally, in June 2016 Minister Deri requested that the attorney general approve a request to petition the courts to revoke the citizenship of Luqman Atun and the permanent residency of Jerusalem resident Khalil Adel Khalil, following their attempts to join the Islamic State in Syria. The attorney general denied both requests.

Protection of Refugees

Refoulement: The government provided some protection against expulsion or return of refugees to countries where their lives or freedom could be threatened and stated its commitment to the principle of nonrefoulement. The government maintained three policies to induce departure of irregular migrants and asylum seekers who entered the country without permission, almost all of whom were from Eritrea and Sudan. As of September there were approximately 38,000 irregular migrants and asylum seekers in the country, of whom approximately 500 entered as unaccompanied minors and approximately 7,000 were women, according to NGOs.

The first policy, announced in 2015, allows deportation of migrants and asylum seekers who refuse to depart the country "voluntarily." On August 28, the Supreme Court ruled that in principle migrants can be deported to a third country against their will but ruled the government cannot detain migrants for more than 60 days to persuade them to accept "voluntary departure." As of December 31, no migrants were known to have been jailed under this policy.

The second policy is to offer irregular migrants incentives to "voluntarily depart" the country to one of two unspecified third countries in Africa, sometimes including a $3,500 stipend (paid in U.S. dollars). The government claimed the third-country governments provided for full rights under secret agreements with Israel. The government provided most returnees with paid tickets to either Uganda or Rwanda, but NGOs and UNHCR confirmed that migrants who arrived in Uganda and Rwanda did not receive residency or employment rights. During the year approximately 4,000 irregular migrants departed the country, compared with 3,607 in 2016 and 3,381 in 2015. In 2015 a Be'er Sheva court upheld the legality of the secrecy of these agreements in response to a petition by NGOs. Prior to departure the Population and Immigration Authority and the Custody Review Tribunal reviewed mandatory recorded video interviews and written statements of those who opted to participate in the voluntary return program to verify they were departing voluntarily. NGO advocates for asylum seekers claimed the policy led to abuses in the receiving countries, and that this transfer could amount to refoulement. UNHCR and NGOs reported the policy led to many individuals' quickly leaving again to other countries or returning to their country of origin because the foreign countries in which they arrived did not accord them protection, residency, and employment rights. HRW and the HRM documented the treatment of some returnees whom Sudanese and Eritrean authorities arrested upon their return to Sudan and Eritrea, reporting that authorities surveilled, beat, threatened, and in some cases tortured them. The Israeli government affirmed it maintained a series of mechanisms to monitor the conditions of those who departed "voluntarily." Authorities stated they had successfully contacted by telephone more than 80 percent of those who departed, and the majority of those individuals had no complaints.

The third policy is detaining irregular migrants without conviction in the Holot or Saharonim detention facilities (see below).

Access to Asylum: The law provides for granting of asylum or refugee status. The government has established a system for providing protection to refugees, but it has rarely done so. In 2008 authorities began giving the majority of asylum

seekers a "conditional release visa" that requires renewal every one to four months. Only two Ministry of the Interior offices in the country, located in Tel Aviv and Eilat--the two cities where migrants are forbidden to live after gaining release from the Holot facility--renew these visas. The Ministry of the Interior closed a third visa renewal office, in Be'er Sheva, during the year, and the Supreme Court rejected a petition against the closure of that office in September. The government provided these individuals with a limited form of group protection regarding freedom of movement, protection against refoulement, and some informal access to the labor market. Access to health care, shelter, and education was inconsistently available. The protection environment significantly deteriorated following the adoption in late 2011 of policies and legislation aimed at deterring future asylum seekers by making life difficult for those already in the country. These actions further curtailed the rights of the population and encouraged its departure.

Refugee status determination (RSD) recognition rates were extremely low. In the 2012-17 period, the government received 44,752 asylum applications, including 19,292 from citizens of Ukraine and Georgia from January 1, 2016, to October 26, 2017. As of October 26, the government had received 3,950 applications from citizens of other countries. During the year the government approved no asylum requests. The government granted refugee status to a Sudanese applicant for the first time in June 2016. Authorities stated the reason for the high proportion of unresolved applications is that the Ministry of the Interior's RSD unit has been overwhelmed with applications. NGOs rejected this explanation, pointing to government statements and policies pressuring irregular migrants to depart the country.

In June the government announced it would issue A/5 humanitarian visas to 200 Sudanese migrants from Darfur. While this represented an improvement over the 2A5 "conditional release" status, NGOs cautioned that even these 200 migrants would continue to lack the full protections of refugee status. In February the Population and Immigration Authority issued new guidelines to RSD adjudicators to increase their sensitivity to gender problems. The new guidelines did not create new protection categories or lead to an increase in RSD approvals.

In September 2016 an administrative appeals tribunal ruled that asylum applications from Eritreans should not be rejected out of hand on the basis of fleeing military conscription, but a district court later overturned the ruling. In response to a November 2016 ruling by another administrative appeals tribunal, which overturned the government's blanket rejection of applications submitted

more than one year after arrival, the government agreed to reopen those applications.

Data that the HRM received under the Freedom of Information Law revealed that as of 2015 there were 16 migrants who had been detained for more than three years, 30 migrants detained between two to three years, and 31 migrants detained between one to two years. In July 2016, following a court order, authorities released an asylum seeker from Guinea detained in Saharonim Prison for 10 years. Migrants who were unable to prove their citizenship, including those claiming to be Eritrean or Sudanese, were subject to the same policy of indefinite detention as migrants from countries eligible for deportation. UNHCR reported more than 30 migrants with undetermined or disputed citizenship in long-term detention as of October. During the year the government released two Eritrean human trafficking victims whom prison authorities had detained for more than five years because they were unable to prove they were Eritrean citizens, according to the HRM.

Despite a stated nondeportation policy preventing refoulement of irregular migrants and asylum seekers to Eritrea and Sudan, government officials and media outlets continued to refer to asylum seekers from Eritrea and Sudan as "infiltrators." The government and media did not apply those descriptions to the large number of asylum seekers from Ukraine and Georgia, who mostly entered on tourist visas before applying for asylum. On February 26, the Population and Immigration Authority (PIBA) announced a fast-track procedure to reject asylum applications from applicants whose country of citizenship the Ministry of the Interior had determined is safe for return and began applying it to Georgian applicants. PIBA expanded the fast-track procedure to Ukrainian applicants on October 17.

UNHCR expressed continuing concerns for Palestinian residents of the West Bank who claimed to be in a life-threatening situation due to their sexual orientation and who requested legal residency status in Israel. There is no mechanism for granting such persons legal status, leaving those who cannot return to the West Bank due to fear of persecution vulnerable to human traffickers, violence, and exploitation. The government stated that an interministerial committee headed by the Prime Minister's Office recommended the Coordinator of Government Activities in the Territories welfare coordinator only handle "extreme cases where a person claims to be threatened for reasons other than collaboration" with the Israeli authorities.

Freedom of Movement: The Prevention of Infiltration Law defines all irregular border crossers as "infiltrators" and permits authorities to detain irregular migrants,

including asylum seekers and their children. Under the Law of Entry, the government can detain irregular migrants based on an administrative order rather than through the legal process. In 2014 the Supreme Court struck down the section of the law that allowed irregular migrants, including refugees and asylum seekers, to be detained in the Holot facility indefinitely, and in 2015 the Supreme Court set the limit at one year. The government may still hold irregular migrants, including refugees and asylum seekers, in Saharonim Prison for three months on arrival and then move them to Holot for 12 months.

As a semiopen facility, authorities closed Holot from 10 p.m. to 6 a.m. daily and required check-in at 10 p.m. Authorities did not confine detainees to their rooms during the night, but they could not leave the facility.

In February, African migrants and asylum seekers detained in the Holot detention facility complained of poor medical care. Authorities provided detainees with a bed, clothes, clean towels, food, free medical care, and air-conditioned living quarters. Dental care was not available in Holot. Beginning during the year, a psychiatrist was available once a week. Detainees received a monthly allowance of 480 shekels ($134), but authorities regularly docked detainees' monthly allowance for minor infractions. In response to a lawsuit by a human rights NGO against overcrowding of 10 detainees into each room in the Holot facility, the Supreme Court ruled in June that each room must be limited to six individuals by March 2018.

An amendment to the Prevention of Infiltration Law, passed in 2014, excluded from summoning to Holot all women and children, men who could prove that they have a wife or children in Israel for whom they provide, persons over age 60, and those whose health could be negatively affected by detention in Holot. The amendment also excluded from summoning recognized victims of trafficking, but did not exclude survivors of torture who do not meet the criteria of trafficking victims. The government reported it released one trafficking victim from the Holot facility in 2016, as well as 13 from the Givon facility. UNHCR reported it was aware of many cases in which authorities did not exempt victims of torture, as well as several cases involving individuals with serious physical or mental health problems. In January the HRM filed a case to the Supreme Court against detention of torture survivors at Holot, and the case continued as of October.

Employment: The few recognized refugees received renewable work visas. In 2015 many asylum seekers who once had B/1 work visas had this status downgraded, and most held a 2A5 visa, which explicitly reads, "This is not a work

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

The Prevention of Infiltration Law, which took effect May 1, requires employers to deduct 20 percent of irregular migrants' salaries for deposit in a special fund and adds another 16 percent from the employer's funds. The employee can only access the funds upon departure from the country, and the government may deduct a penalty for each day that the employee is in the country without a visa. In October an organization assisting irregular migrants reported a 20-percent increase in requests for food aid after the law took effect. NGOs such as Kav LaOved and the HRM criticized the law for pushing vulnerable workers' already low incomes below minimum wage, and leading employers and employees to judge it to be more profitable to work on the black market. As of October technical problems prevented those who departed the country from receiving the accumulated funds. A coalition of NGOs petitioned the Supreme Court against the law, and the first hearing was on July 26. The case continued as of November 1.

Detainees in the Holot facility are prohibited from working outside the facility, but some worked inside the facility for less than the minimum wage. Some of the facility's services depended on detainee labor.

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

Access to Basic Services: Access to health care, shelter, and education was available on an inconsistent basis. The few recognized refugees received social services, including access to the national health-care system, but the government did not provide asylum seekers with public social benefits such as health insurance, public housing, or income assistance to the most vulnerable individuals, including children, single parents, and persons with disabilities. The NGO Physicians for Human Rights Israel reported that the lack of health insurance for persons without

civil status in the country made them dependent on limited solutions, such as those offered by the Ministry of Health or humanitarian organizations. The government stated it provided infirmary services, including laboratory services, medical imaging, and general and mental hospitalization services in the Holot facility for individuals held there, including asylum seekers. UNHCR reported, however, that when a detainee accessed health services, another detainee often provided translation, compromising confidentiality and potentially affecting the quality of treatment. The government sponsored a mobile clinic, and mother and infant health-care stations in south Tel Aviv, which were accessible to migrants and asylum seekers. The clinic provided health and dental services, evaluation and treatment of sexually transmitted disease, and prenatal and infant medical care. Hospitals provided emergency care to migrants but often denied follow-up treatment to those who failed to pay for their emergency care, according to NGOs.

Temporary Protection: The government provided temporary protection primarily to Eritrean and Sudanese asylum seekers, as described above.

Stateless Persons

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

In August media reported the Ministry of the Interior had retroactively canceled the citizenship of 2,600 Bedouin citizens since 2010, alleging that a “registration error” had mistakenly granted citizenship to their ancestors between 1948-51. Cancellation of their citizenship left these individuals stateless. On August 28, according to press reports, the Ministry of the Interior stated it was taking steps to rectify the problem. As of October 17, the problem was not resolved.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered parliamentary elections held in March 2015 free and fair. In 2014 a change in the law raised the electoral threshold from

2 percent of votes to 3.25 percent of votes, a move some civil society organizations criticized for its limitation on freedom of representation and its potential effect on parties representing the Arab minority. The four Arab-majority parties represented in the Knesset united into one faction, the Joint List, winning 13 seats and becoming the third-largest faction in the Knesset.

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

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

In July 2016 the Knesset passed a law enabling dismissal of an MK for the remainder of the term if 90 of 120 MKs voted for expulsion, following a request of 70 MKs, including at least 10 from the opposition. The party of an expelled member could replace the MK with the next individual on its party list, and the expelled member could run in the next elections. Joint List MK Yousef Jabareen and two NGOs petitioned the Supreme Court against the law in December 2016, arguing the government intended the law to target Arab legislators and that it harmed democratic principles such as electoral representation and freedom of expression. The case continued as of year's end.

Participation of Women and Minorities: No laws limit participation of women and/or members of minorities in the political process, and they did participate. The law provides an additional 15 percent in campaign funding to municipal party lists composed of at least one-third women. Although senior political and social leaders often came from among veterans of the predominantly male IDF officer corps, women participated widely in politics, including in leadership positions. Women faced significant cultural barriers in political parties representing conservative religious movements and the Arab minority, although the 2015 elections resulted in two female Arab MKs from the Joint List winning seats. As of September the 120-member Knesset had 33 female members and 17 members from ethnic or

religious minorities (13 Muslims, three Druze, and one Christian). As of September the 23-member cabinet included four women and one Druze minister. One woman was a deputy minister; there were no Arabs. For the first time, an Arab citizen of Israel, Aida Touma Suliman, chaired a permanent committee in the Knesset, the Committee on the Status of Women. Four members of the 15-member Supreme Court were women, and one was Arab.

According to Adalah, the recognized Bedouin village of al-Fura'a, with approximately 6,000 residents, had not been assigned to a regional council, meaning that residents were unable to vote for a local government.

Section 4. Corruption and Lack of Transparency in Government

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

Corruption: The government continued to investigate and prosecute top political figures. As of December there were four continuing investigations of Prime Minister Netanyahu and individuals close to him. In "Case 1000," Netanyahu was accused of receiving inappropriate gifts. "Case 2000" focused on whether Netanyahu had attempted to misuse his authority to suppress newspaper competition in exchange for favorable press. A third police investigation, known as "Case 3000," concerned possible graft and bribery by government officials to facilitate the purchase of, and profit from, a billion-dollar submarine deal with the German corporation ThyssenKrupp. "Case 4000" reportedly involved possible corruption highlighted in a state comptroller report involving regulation of a telecommunications company and the Ministry of Communications when the prime minister also served as the communications minister. Netanyahu denied wrongdoing in all cases. Police were also investigating Netanyahu's wife, Sara, regarding possible misuse of government funds related to the official prime minister's residence. Several other government ministers and senior officials were under investigation for various alleged offenses.

On December 28, the Knesset passed a law prohibiting police from recommending whether or not to indict a public official when transferring an investigation to prosecutors. The law does not apply to investigations in process at the time of the law's passage.

On July 2, former prime minister Ehud Olmert was released on parole, after serving 16 months in prison following a conviction for fraud and breach of trust.

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

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

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

Israeli and Palestinian NGOs, particularly those focused on human rights problems and critical of the government, asserted that the government sought to intimidate and stigmatize them. Breaking the Silence, a group of military veterans whose goal is to create transparency on how the IDF interacts with Palestinians in the West Bank and Gaza, was the target of intensely negative rhetoric during the year. For example, in an interview on IDF Radio on April 26, Deputy Minister of Foreign Affairs Tzipi Hotovely compared the NGO to the terrorist organization Hamas, describing it as “an enemy that harms the State of Israel.” On June 22 and July 24, at the request of Justice Minister Ayelet Shaked, police questioned Breaking the Silence spokesperson Dean Issacharoff on charges relating to his claim that he assaulted a Palestinian man while serving in the IDF. In November the state’s attorney closed the investigation, concluding that the incident had not occurred. Authorities reopened the case in December after Breaking the Silence provided evidence that police had interviewed the wrong victim, according to media reports. In October media reported that Prime Minister Netanyahu tasked Tourism Minister Yariv Levin with drafting a bill to ban organizations seeking to prosecute IDF soldiers, especially Breaking the Silence.

On February 20, the Ministry of the Interior denied a work permit application for an HRW researcher, accusing HRW of spreading "Palestinian propaganda." The Ministry of the Interior subsequently approved his visa on April 26.

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

The staffs of Israeli NGOs, particularly those calling for an end to Israel's military presence in the West Bank, received death threats, which spiked during periods in which government officials spoke out against their activities. On September 4, prosecutors indicted a man from Bnei Brak on charges of vandalism, extortion, and preparation of dangerous substances in six separate incidents, including vandalism of a Reform synagogue in Ra'anana in November 2016 and planning arson against the headquarters of Breaking the Silence.

Following a series of incidents in which government officials declined or canceled their participation at events organized by human rights NGOs from 2014 to 2017, ACRI submitted a complaint to the attorney general on August 16. The attorney general's reply on September 19 encouraged government ministries to engage in dialogue with civil society, including through participation in conferences.

The United Nations or Other International Bodies: The government generally cooperated with the United Nations and other international bodies. The government continued its participation in the UN Human Rights Council, including the Universal Periodic Review process. Following a July 7 UNESCO vote designating the Tomb of the Patriarchs in Hebron as a Palestinian world heritage site, Prime Minister Netanyahu announced the government would cut one million dollars in membership fees to the United Nations and repurpose the money to establish a museum of Jewish heritage in Kiryat Arba and Hebron and other similar projects. On October 12, Netanyahu instructed the Ministry of Foreign Affairs to make preparations for Israel's withdrawal from UNESCO. The government continued its policy of nonengagement with the UN Human Rights Council's "special rapporteur on the situation in the Palestinian territories occupied since 1967."

Government Human Rights Bodies: The state comptroller also served as ombudsman for human rights problems. The ombudsman investigated complaints

against statutory bodies that are subject to audit by the state comptroller, including government ministries, local authorities, government enterprises and institutions, government corporations, and their employees. The ombudsman is entitled to use any relevant means of inquiry and has the authority to order any person or body to assist in the inquiry.

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

Women

Rape and Domestic Violence: Rape, including spousal rape, is a felony punishable by 16 years in prison, or up to 20 years' imprisonment for rape under aggravated circumstances or if the perpetrator rapes or commits a sexual offense against a relative. The government effectively enforced rape laws.

Arab and Jewish women's rights groups protested against perceived police inaction and societal indifference to or support for actions to combat domestic violence. The government stated police had developed procedures and trained special investigators to deal with domestic violence, sex offenses, and the violation of protective orders in diverse communities, including the Arab community.

Women from certain Orthodox Jewish, Muslim, Bedouin, and Druze communities faced significant social pressure not to report rape or domestic abuse. The government stated that awareness and the perceived legitimacy of reporting and investigating rape and domestic violence were especially difficult in these communities.

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

Sexual Harassment: Sexual harassment is illegal but remained widespread. Penalties for sexual harassment depend on the severity of the act and whether the harassment involved blackmail. Police notified all known victims of their right to receive assistance from the Association of Rape Crisis Centers in Israel. The law provides that victims may follow the progress on their cases through a computerized system and information call center.

In some ultra-Orthodox neighborhoods, private organizations posted "modesty signs" demanding women obscure themselves from public view to avoid distracting devout men. The local municipality of Beit Shemesh failed to comply with court orders from 2015 and January 2016 to remove the signs, leading the Jerusalem District Court to rule on June 7 that the municipality would face a fine of 10,000 shekels ($2,800) per day if the signs remained posted after July 6. The municipality appealed the decision to the Supreme Court, which upheld the contempt of court finding. At least two "modesty signs" remained up as of October 19, and the next hearing was scheduled for March 2018.

On September 3, media reported that Major General Roni Rittman, head of police anticorruption unit Lahav 433 that is investigating Prime Minister Netanyahu for corruption (see section 4), will resign at the end of the year due to accusations of sexual harassment of a subordinate in 2010. Then attorney general Yehuda Weinstein closed the investigation against Rittman in 2015, but in August the Supreme Court ordered Police Commissioner Roni Alsheich to explain why he allowed Rittman to continue working despite the sexual harassment complaint.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law provides for the same legal status and rights for women as for men. In the criminal and civil courts, women and men enjoyed the same rights, but in some matters religious courts--responsible for adjudication of family law, including divorce--limited the rights of Jewish, Christian, Muslim, and Druze women.

On August 15, following three years of hearings on a petition by women's rights organizations to appoint a female director general to the rabbinical courts, the Supreme Court ruled that since the position is inherently administrative, not religious, it must be open to anyone licensed as a rabbinic pleader, including women. In June the Rabbinical Courts Administration named a female deputy director general for the first time. Although women currently serve as judges in nonreligious courts, they remain barred from serving as judges in rabbinical courts.

On April 25, the government appointed Hana Khatib as the first female judge in the sharia (Islamic) courts in Israel.

The law allows a Jewish woman or man to initiate divorce proceedings, and both the husband and wife must give consent to make the divorce final. Sometimes a husband makes divorce contingent on his wife conceding to demands, such as those relating to property ownership or child custody. As a result, according to the Rackman Center for the Advancement of the Status of Women at Bar Ilan University, thousands of Jewish women could not remarry or give birth to legitimate children. In rare cases Jewish women refused to grant men divorces, but this has lesser effect on a husband under Jewish law. Rabbinical courts sometimes sanctioned a husband who refused to give his wife a divorce, while also declining to grant the divorce without his consent.

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

Although the law prohibits discrimination based on gender in employment and wages and provides for class action antidiscrimination suits, a wage gap between men and women persisted. The government subsidizes daycare and after-school programs to encourage labor participation by mothers and offers professional training to single parents.

The Authority for the Advancement of the Status of Women in the Prime Minister's Office works to mainstream women's participation in the government and private sector and to combat sexual harassment and domestic violence. The authority requires every city, local council, and government ministry to have an advisor working to advance women's rights.

Children

Birth Registration: Children derive citizenship at birth within or outside of the country if at least one parent is a citizen. Births are supposed to be registered within 10 days of the delivery. According to the law, births are registered in the country only if the parents are citizens or permanent residents. Any child born in an Israeli hospital receives an official document from the hospital that affirms the birth.

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

According to UNHCR, the Ministry of the Interior issues a confirmation of birth document, which is not a birth certificate, for children without legal residency status in the country.

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

The government did not enforce compulsory education in unrecognized Bedouin villages in the Negev. Bedouin children, particularly girls, continued to have the highest illiteracy rate in the country. The government did not grant construction permits in unrecognized villages, including for schools. In April the Ministry of Education of Education began providing transportation to preschool for 21 Bedouin children. NGOs stated that bussing for preschoolers in unrecognized villages, rather than building schools near their villages, was discriminatory. In response to a petition on this topic, on October 15, the Be'er Sheva District Court instructed the government to submit a detailed plan for expedited construction of safe bus stops.

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

The government offered to fund fully Christian schools if they become part of the public (state) school system, but the churches rejected this option. The government pledged to transfer an additional 50 million shekels ($14 million). Church leaders noted this transfer did not resolve their annual deficits nor did it

close the financial disparity with two politically affiliated ultra-Orthodox Jewish school systems.

The Tel Aviv municipality opened 46 new preschools and kindergartens and 10 first grade classes in 2016, primarily for the children of migrant workers and refugees, raising concerns of segregation. Segregation by place of origin is illegal.

In recent years an influx of Arab residents to the primarily Jewish town of Nazareth Illit led to a population of some 2,600 Arab students with no option for education in Arabic. As a result most such students attended schools in Arab-majority Nazareth and nearby villages. In June 2016 ACRI submitted a petition demanding establishment of a school for Arabic-speaking students, and the case continued at year's end.

Medical Care: The government provides preventive health services to minors younger than age six without legal status. For noncitizens under age 18, it also provides services similar to those provided for citizens, regardless of their legal status in country. This arrangement does not include minors whose guardian is a resident of the Palestinian Authority.

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

The National Council for the Child received a number of complaints during the year of abuses related to physical and sexual abuse, child pornography, and poor educational environments. NGOs expressed concern regarding police negligence in child abuse and domestic violence cases reported in minority communities.

Early and Forced Marriage: The law sets the minimum age of marriage at 18 years, with some exceptions for younger children due to pregnancy and for couples older than 16 years old if the court permitted it due to unique circumstances. The government stated that no marriages of children under 15 were registered with the Population Registry in 2016, but there may have been some such marriages that were not registered. For additional information, see Appendix C.

Sexual Exploitation of Children: The law prohibits sexual exploitation of a minor and sets a penalty of seven to 20 years in prison for violators, depending on the circumstances. The law prohibits the possession of child pornography (by downloading) and accessing such material (by streaming). Authorities enforced the law.

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

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's report *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

Jews constituted approximately 80 percent of the population. The government often defined crimes targeting Jews as nationalistic crimes relating to the Palestinian-Israeli conflict rather than as resulting from anti-Semitism.

On August 31, Sephardi Chief Rabbi of Jerusalem Shlomo Amar described non-Orthodox Jews as "accursed evil people," according to press reports. Prime Minister Netanyahu condemned Amar's remarks. In September media reported that opposition MK Haneen Zoabi stated that Israel's "fascist laws" make it "suitable to compare, logical to compare, Israel… with Germany in the [19]30s."

Regarding claims for the return of, or restitution for, Holocaust-era assets, the government has laws and mechanisms in place, and the government made some progress on resolution of such claims. Relevant Israeli laws refer to assets imported during World War II whose owners did not survive the war. Unclaimed assets were held in trust and not transferred to legal inheritors, who in most cases were not aware that their late relatives had property in Israel. The government stated that in recent years it initiated a program to contact potential claimants.

Trafficking in Persons

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

Persons with Disabilities

The Basic Laws provide a legal framework for prohibiting discrimination against persons with disabilities in the provision of government services. Legislation mandates access to buildings, information, communication, transportation, and physical accommodations and services in the workplace, as well as access to mental health services as part of government-subsidized health insurance, and the government generally enforced these laws.

The 2005 Equal Rights for Persons with Disabilities Law mandates that local governments implement all necessary changes to public buildings and locations to make them accessible. The deadline for implementation in nongovernmental buildings was November 1; in government-owned buildings it is November 1, 2018, but the Ministry of Justice extended the deadline to November 1, 2021, for buildings and places owned by local authorities.

Societal discrimination and lack of accessibility persisted in employment, housing, and education.

Shortages of funding for Arab municipalities adversely affected Arabs with disabilities.

Access to community-based independent living facilities for persons with disabilities remained limited.

The law prioritizes access by persons with disabilities to public services, such as eliminating waiting in line.

National/Racial/Ethnic Minorities

Arab citizens, many of whom self-identify as Palestinian, faced institutional and societal discrimination. There were multiple instances of security services' or other citizens' racially profiling Arab citizens. A May report from the state comptroller criticized the Ministry of Justice for failing to collect systematically complaints regarding discrimination and inequality.

There were "price tag" attacks, which refer to violence by Jewish individuals and groups against non-Jewish individuals and property with the stated purpose of exacting a "price" for actions taken by the government against the attackers'

interests. The government classifies price tag attacks as terrorism. The most common offenses, according to police, were attacks on vehicles, defacement of real estate, harm to Muslim and Christian holy sites, assault, and damage to agricultural lands.

In 2015 arsonists burned a large section of the Church of the Multiplication in Tabgha and scrawled on the building's stone walls sections of the Jewish prayer book that, in this context, denigrated Christians. In July a court convicted one person of charges including arson and defacing real estate with a hostile motive and acquitted a second suspect. In January the government paid 1.5 million shekels ($420,000) for the restoration of the church. On February 12, President Rivlin attended an interfaith ceremony to mark the completion of the restoration.

In September vandals desecrated a church at the Beit Jamal Monastery, smashing a statue, shattering stained glass windows, and damaging furniture. This was the third time this church was attacked in recent years. According to the Custody of the Holy Land, a priory of the Franciscan order, no arrests were made after any of the attacks as of the end of the year.

In 2015, following negotiations with the Arab community, the cabinet approved a five-year plan for development of the Arab sector in the fields of education, transportation, commerce and trade, employment, and policing. On October 26, the government reported it transferred approximately three billion shekels ($840 million) under this resolution in 2016 and projected transfers of more than two billion shekels ($560 million) during the year. But Mossawa reported in October that most of the budgetary allocations, which must be approved retroactively and individually by the Knesset Finance Committee, had not yet been approved.

The government employed affirmative action policies for non-Jewish minorities in the civil service. In August the Ministry of Labor, Social Affairs, and Social Services announced an investment of 15 million shekels ($4.2 million) over the next five years to integrate Arab employees into the high-tech sector.

Separate school systems within the public and semipublic domains produced a large variance in education quality. Arab, Druze, and ultra-Orthodox students passed the matriculation exam at lower rates than their non-ultra-Orthodox Jewish counterparts. The government continued operating educational and scholarship programs to benefit Arab students. In 2015 the Council for Higher Education invited proposals for the establishment and operation of a state-funded college in

an Arab locality in northern Israel, but there was no tangible progress towards opening this institution as of October.

In November 2016 the Ministry of Transport, National Infrastructure, and Road Safety removed automated audio announcements in Arabic from urban buses in Be'er Sheva after receiving complaints from the mayor and residents. Buses continued to display electronic announcements in Arabic and Hebrew. In response to a lawsuit by Arab residents, the ministry reinstated the Arabic announcements by June 7.

Approximately 93 percent of land in Israel is in the public domain. This includes approximately 12.5 percent owned by the JNF, whose statutes prohibit sale or lease of land to non-Jews. Human rights organizations withdrew a 2004 petition in January 2016 after the Israel Lands Administration (ILA) and JNF made an arrangement in which Arab citizens will be allowed to participate in all bids for JNF land, but the ILA will grant the JNF another parcel of land whenever an Arab citizen of Israel wins a bid. In August 2016 human rights organizations petitioned the Supreme Court against the requirement that six of 14 members of the Israel Land Authority Council be JNF representatives, claiming the JNF's mission to benefit only Jewish citizens may make the council discriminatory against non-Jews. The case continued as of the end of the year. On March 28, the Knesset passed an amendment to the 1960 Israel Land Authority Law requiring representation of an Arab, Druze, or Circassian member in the ILA Executive Council.

New construction remained illegal in towns that did not have an authorized outline plan for development, which is the legal responsibility of local authorities. The government stated that as of 2015, 131 of 133 Arab localities had approved outline plans for development, 84 of which the National Planning Administration furthered. NGOs serving the Arab population, however, alleged discrimination in planning and zoning rights, noting regional planning and zoning approval committees did not have Arab representation. NGOs stated planning for Arab areas was much slower than for Jewish municipalities, leading frustrated Arab citizens to build or expand their homes without legal authorization, risking a government-issued demolition order. A plan for the Bedouin village of al-Fura'a was not yet completed as of October, despite government recognition of the village in 2006. As a result, the village lacked basic electricity and water infrastructure, and NGOs reported house demolitions occurred regularly.

According to a 2015 report from the Knesset Research and Information Center, 338 out of 350 administrative demolition orders from 2012-14 were against structures in Arab communities. In April the Knesset passed an amendment to the 1965 Planning and Building Law, which increased the government's power to demolish unpermitted structures. Arab MKs and human rights organizations condemned the law for increasing enforcement and demolitions without addressing the systemic housing shortages in Arab communities that led to unpermitted construction. According to Mossawa, approximately 50,000 Arab families live in unpermitted houses.

A May report from the state comptroller criticized the segregation of Jewish and Arab women in hospital maternity wards. The report noted that separation of patients for nonmedical reasons was incompatible with the principle of equality, even if such separation was requested by the patient or for "cultural considerations."

Arab communities in the country generally faced economic difficulties, including discrepancies in access to healthcare.

The Bedouin segment of the Arab population continued to be the most disadvantaged. More than one-half of the estimated 230,000 Bedouin population lived in seven government-planned communities. Approximately 70,000 Bedouins lived in 35 unrecognized tent or shack villages that did not have water and electricity or educational, health, and welfare services. A three-billion-shekel ($840 million) multi-year plan the government approved in February to promote economic and social development in Bedouin communities excluded the unrecognized villages.

In nine of 11 recognized villages, all residences remained unconnected to the electricity grid or to the water infrastructure system, and only seven had high schools, according to the Negev Coexistence Forum for Civil Equality.

(See section 1.e. for issues of demolition and restitution for Bedouin property.)

The law bars family reunification when a citizen's spouse is a non-Jewish citizen of Iran, Iraq, Lebanon, or Syria. Citizens may apply for temporary visit permits for Palestinian male spouses age 35 or older or Palestinian female spouses age 25 or older, but they may not receive residency based on their marriage and have no path to citizenship.

The government generally prohibited Druze citizens and residents from visiting Syria. Prior to 2013 the government allowed Druze residents of the Golan Heights to attend university studies and religious meetings in Syria. This ended after insurgent groups seized control of the Syrian side of the border crossing. Subsequently, the government facilitated the return of resident Druze students from Syria. The government has prevented family visitations to Syria for noncitizen Druze since 1982. Since 2013 the government facilitated the entry of several thousand Syrian nationals, including Druze, to Israel to receive medical treatment.

An estimated population of 144,100 Ethiopian Jews faced persistent societal discrimination, although officials and citizens quickly and publicly criticized discriminatory acts against them. In July 2016 Prime Minister Netanyahu publicly received the recommendations of an interministerial team established to address racism against Israelis of Ethiopian origin. There was one Ethiopian-Israeli member of the Knesset. The government maintained several programs to address social, educational, and economic disparities between Ethiopian-Israelis and the general population.

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

The law prohibits discrimination based on sexual orientation, and the government generally enforced these laws, although discrimination based on sexual orientation or gender identity persisted in some parts of society.

Despite a 2014 directive from the Ministry of Health that government-subsidized health services include sex-reassignment surgery, patients received conflicting information from health-care providers.

There were reports of discrimination in the workplace against LGBTI persons, despite laws prohibiting such discrimination.

HIV and AIDS Social Stigma

Although discrimination against persons living with HIV is illegal, the Israel AIDS Task Force reported instances of HIV-related stigma and discrimination, including cases related to employment, military service, burial services, and prisons.

Other Societal Violence or Discrimination

Individuals and militant or terrorist groups attacked civilians, including 10 stabbing, shooting, Molotov cocktail, or ramming attacks characterized by authorities as terror attacks (see section 1.a.). (For issues relating to violence or discrimination against asylum seekers, see section 2.d.)

Human rights NGOs criticized the government for failing to invest sufficient resources to combat organized crime and gang violence, and to seize illegal weapons in Arab communities. Mossawa reported that more than 1,200 Arab citizens of Israel died as a result of organized crime and gang violence since 2000.

Promotion of Acts of Discrimination

On August 29, following a Supreme Court ruling restricting the government's options on irregular migrants, Justice Minister Ayelet Shaked stated, "Zionism should not continue…to bow its head to a system of individual rights that is interpreted in a universalist fashion…." In response, according to media reports, opposition MK Tzipi Livni stated maintaining human rights "is a part of Israel's values as a Jewish and democratic state."

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers to form and join independent unions, strike, earn the minimum wage and overtime, and bargain collectively. After a union declares a labor dispute, there is a 15-day "cooling period" in which the Histadrut, the country's organization of trade unions, negotiates with the employer to resolve the dispute. On the 16th day, employees are permitted to strike. Workers essential to state security, such as members of the military, police, prison service, Mossad, and the ISA, are not permitted to strike. While the law allows the government to declare a state of emergency to block a strike that it deemed could threaten the economy or trade with foreign states, according to the Histadrut, this law has never been applied.

The law specifically prohibits antiunion discrimination. A labor court has discretionary authority to order the reinstatement of a worker fired for union activity. The government respected these rights, and there are penalties if an employer is found guilty of firing a worker for union activity. The Histadrut raised concerns, however, that the deterrence was not always effective, primarily because

the appeal process is lengthy and the fines imposed on employers were insufficient to deter violations.

Court rulings and union regulations forbid simultaneous membership in more than one trade union. Approval by a minimum of one-third of the employees in a given workplace is needed to form a union. Members of the Histadrut who pay affiliation fees may be elected to the union's leadership bodies regardless of ethnicity, religion, or gender.

Authorities generally respected workers' rights to free association and collective bargaining for citizens, although foreign workers often faced difficulties exercising these rights. According to the International Trade Union Confederation (ITUC), some employers actively discouraged union participation and collective bargaining. Worker organizations were independent of the government and political parties. For the most part, the Basic Laws do not differentiate between public-sector and private-sector workers.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits forced or compulsory labor and criminalizes labor exploitation, the government did not effectively enforce laws concerning minimum employment conditions for foreign workers.

The Knesset passed an amendment, which went into effect on July 16, removing a geographic limitation on foreign caregivers seeking a new employer following the death or entry into a nursing home of the prior employer. In 2016 the Supreme Court analyzed the offense of "holding under conditions of slavery" for the first time since the statute passed in 2006, upholding the conviction of Ibrahim and Basma Julani for enslaving a foreign worker from the Philippines.

Some workers, particularly foreign workers, experienced conditions of forced labor, including the unlawful withholding of passports, restrictions on freedom of movement, limited ability to change or otherwise choose employers, nonpayment of wages, exceedingly long working hours, threats, sexual assault, and physical intimidation. Foreign agricultural workers, construction workers, and nursing care workers--particularly women--were among the most vulnerable to conditions of forced labor, including in particular nonpayment or withholding of wages. In December 2016 the government passed a resolution to issue permits directly to Palestinian workers rather than Israeli employers in the construction industry.

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

c. Prohibition of Child Labor and Minimum Age for Employment

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

The government generally enforced these laws and conducted year-round inspections to identify cases of underage employment, with special emphasis on summer and school vacation periods. Authorities punished violations with fines that were generally effective. During the year authorities imposed a number of sanctions against employers for child labor infractions, including administrative warnings and levied administrative fines. Additionally, authorities filed criminal indictments and imposed criminal fines on some of these employers. Employers employed minors mainly in the food-catering, the entertainment, and hospitality sectors.

d. Discrimination with Respect to Employment and Occupation

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

The law charges the Commission for Equal Employment Opportunities with the implementation and civil enforcement of the Equal Employment Opportunities Law. The 26-member commission includes one member each from organizations that promote employment rights for Arab Muslims, Arab Christians, Druze, Circassians, Haredim, immigrants, elderly persons, women, and army veterans. Additionally, the commission must have adequate representation of citizens of Ethiopian descent and persons with disabilities. Civil society organizations reported discrimination in the employment or pay of women (see section 6),

Ethiopian-Israelis, and Arab citizens. On October 15, a Jerusalem court fined the operator of the jobs website "Hebrew Labor," which hosted ads from employers seeking to hire only Jewish workers, for discriminating against non-Jews.

e. Acceptable Conditions of Work

The national minimum wage, which is set annually, was above the poverty income level for individuals, but below the poverty level for couples and families. In 2016 authorities issued administrative warnings and imposed financial penalties for violations related to minimum wage. The law allows a maximum 43-hour workweek at regular pay and provides for paid annual holidays. Premium pay for overtime is set at 125 percent for the first two hours and 150 percent for any hour thereafter up to a limit of 15 hours of overtime per week.

The Labor Inspection Service, along with union representatives, enforced labor, health, and safety standards in the workplace. The 2014 "Adam Commission," which was established by the Ministry of Labor, Social Affairs, and Social Services, concluded that occupational safety legislation was outdated. There have been no legislative changes since that report. The number of labor inspectors was insufficient to enforce the law. A 2016 report from the state comptroller found that labor inspectors visited less than one-half of active construction sites every year. The employer held responsibility for identifying unsafe situations. No law protects the employment of workers who report on situations that endanger health or safety or remove themselves from such situations. During the year 35 workers died in accidents in the construction industry, according to the labor rights NGO Kav LaOved.

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

According to some NGOs, the country failed to enforce its labor laws fully with respect to minimum working conditions for foreign workers, including asylum seekers, and existing penalties were not sufficient to deter violations. There were numerous documented cases of foreign laborers living in harsh conditions and subjected to debt bondage, but authorities prosecuted few employers.

A 2007 Supreme Court ruling extended the protections of the labor law to most Palestinians employed by Israeli businesses in the West Bank. In August 2016, however, the Ministry of Justice instituted a regulation under which noncitizen

workers employed by Israeli companies, whether in the West Bank or Israel, must make a monetary deposit to file a labor-rights claim against their employer in an Israeli court. Following a petition by civil society groups opposing the regulation as an obstacle to fair labor practices, the Supreme Court held hearings in May and September. The case continued as of October 26.

The country had bilateral work agreements with Bulgaria, Moldova, Romania, Ukraine, and China to regulate recruitment fees of migrant workers in the construction sector, and it had agreements with Thailand and Sri Lanka to regulate recruitment fees for migrant workers in the agricultural sector. The entire recruitment process of foreign workers in these industries was coordinated solely through government offices, which resulted in a steep decline in recruitment fees paid by migrant workers in the construction and agricultural sectors. Besides small pilot programs with Nepal in 2015 and Sri Lanka in 2016, the government did not sign any bilateral work agreements in the largest sector of foreign labor, home care, which employs tens of thousands of migrant workers, mostly from the Philippines and the Indian subcontinent.

The agreements provide for migrant workers to have information on their labor rights as well as a translated copy of their labor contract before they arrive in the country. As a result of greater awareness of their legal rights and their reduced recruitment debt, more workers were willing to report labor violations to NGOs or to quit their jobs and return home. The government created and helped fund a hotline for migrant workers to report violations. Government enforcement bodies claimed they investigated all of these complaints.

Some employers in the agricultural sector circumvented the bilateral agreement with Thailand by recruiting students from poor countries to take part in agricultural study programs on student visas and then forcing them to work in the agriculture industry once they arrived in the country. According to Kav LaOved, the number of these student workers doubled from 2012 to approximately 4,500 in 2016. Employers required participants to pay high fees to one of six private companies to participate in what they believed were study programs, but authorities did not supervise their working or living conditions since they lacked work permits and were ostensibly in the country for study. In November the Central District Court rejected a class-action lawsuit filed by Kav LaOved against Agrostudies, a division of agricultural cooperative Granot. The lawsuit alleged that Agrostudies sidestepped a number of Israeli labor and student laws through this method.

The absence of full-scale bilateral labor agreements in the caregiving field led to continuing widespread abuses against foreign caregivers, including excessive recruitment fees and false descriptions of the terms of employment contracts. Live-in arrangements and lack of legal protections and inspections led to many cases of exploitative working conditions for female migrant workers. Local NGOs filed hundreds of complaints on behalf of foreign caregivers, including allegations of underpayment of wages, physical violence, sexual harassment, and unsuitable employment conditions.

THE WEST BANK AND GAZA 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Palestinian Authority (PA), according to PA basic law, has an elected president and legislative council. The PA exercised varying degrees of authority in the West Bank and no authority over Jerusalem. The PA maintains civil and security control in Area A of the West Bank. In Area B, it has civil control and joint security control with Israel. The PA has no authority over either Israeli or Palestinian residents in Area C of the West Bank (in which Israel retains both security and civil control).

Although PA laws apply in the Gaza Strip, the PA did not have authority there. While the PA deployed personnel at Gaza's border crossings in November, Hamas continued to exercise de facto control of security and other matters.

The PA head of government is Prime Minister Rami Hamdallah. President Mahmoud Abbas, in office since he was elected to a four-year term in 2005, is also chairman of the Palestine Liberation Organization (PLO) and general commander of Fatah. The Palestinian Legislative Council (PLC) has not functioned since 2007. In 2007 Hamas staged a violent takeover of PA government installations in the Gaza Strip and has since maintained a de facto government in the territory.

Both PA and Israeli civilian authorities maintained effective control over their security forces. Hamas maintained control of security forces in Gaza.

The most significant human rights issues included Palestinian terror attacks against Israeli civilians and security forces in the West Bank and Jerusalem, which killed 13 Israelis. Israeli forces killed 68 Palestinians in the West Bank and Gaza, four of whom nongovernmental organizations (NGOs) and media reported did not pose a lethal threat to Israeli Security Forces (ISF) or civilians at the time they were killed. Other significant human rights issues included allegations that interrogation techniques used by Israeli security forces constituted torture; allegations that security detention procedures constituted arbitrary arrest; demolition and confiscation of Palestinian property; limitations on freedom of expression, assembly, and association; severe restrictions on Palestinians' internal and external freedom of movement pursuant to military law; and concerns that Palestinian children were vulnerable to Israeli violations of the law regarding arrest, physical restraint, night interrogations, treatment during interrogations, and holding

conditions. The government of Israel asserted these events took place in a context of Palestinian incitement to violence against Israel.

The most significant human rights issues in the parts of the West Bank under PA control included allegations of torture; political prisoners; increased restrictions on freedom of speech and press, including detention of journalists and blocking access to critical websites; and limitations on freedom of association, including government preapproval of NGO programs and limits on independent labor unions. The Palestinian Authority has not held national elections since 2006, significantly limiting political participation. The government did not effectively prosecute allegations of rape and domestic violence; same-sex sexual activity was criminalized, although the law was not enforced; there were reports of forced labor and child labor.

Terrorist organizations and militant factions in Gaza launched rocket and mortar attacks against civilian targets in Israel, and they did so at or near civilian locations in Gaza. The most significant human rights abuses under Hamas de facto rule included unlawful and arbitrary killings, disappearances, torture, arbitrary arrest and detention; political prisoners; severe infringements on privacy rights; severe restrictions on freedoms of speech and press, including violence against journalists; interference with academic freedom and cultural events; violent interference in the freedom of assembly; severe restrictions on freedom of association, including arbitrary interference with NGO operations and opposition political parties; negation of the right to participate in the political process; widespread and arbitrary enforcement of “morality codes” against women by authorities; official harassment and arbitrary detention of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; restrictions on independent labor unions, and reports of forced labor and child labor.

The PA and Israeli authorities took steps to address impunity or reduce abuses, but there were criticisms both did not adequately pursue investigations and disciplinary actions related to violations. Impunity was a major problem under Hamas.

This section includes areas subject to the jurisdiction of the Palestinian Authority and issues primarily related to Palestinian residents of Jerusalem. Issues primarily related to Israeli residents of Jerusalem are covered in the “Israel and the Golan Heights” section. On December 6, 2017, the United States recognized Jerusalem as the capital of Israel. It is the position of the United States that the specific boundaries of Israeli sovereignty in Jerusalem are subject to final status negotiations between the parties.

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

We have sought and received input from the government of Israel (and, where relevant, the Palestinian Authority) with regard to allegations of human rights abuses, and we have noted any responses where applicable. Because of timing constraints, the Israeli government was not able to provide a detailed response to every alleged incident, but it did maintain generally that all incidents were thoroughly investigated and parties held accountable, as appropriate, according to due process of law.

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

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

There were no reports that PA security services committed unlawful killing during the year. A PA investigation was completed into an August 2016 incident in which PA Security Forces (PASF) officers allegedly beat to death Ahmad Halaweh when he was in custody in the PA's Juneid prison. No one was held accountable for Halaweh's death.

Palestinian terrorist groups and unaffiliated individuals committed unlawful killings of 13 Israeli civilians and security forces in terrorist attacks in the West Bank and Jerusalem. According to media reports, the Israeli Defense Forces (IDF) reported that in 2017, Palestinians perpetrated 99 terrorist attacks originating from the West Bank. According to media reports, the PA, and NGOs, there were approximately 56 stabbing, shooting, or vehicular attacks against Israelis during the year. Both the IDF and the PA reported the number of terrorist attacks in 2017 was lower than in 2016, but the IDF reported the number of Israeli victims increased. Israeli intelligence officials reported to the Knesset that they prevented another 400 attacks, including intended suicide attacks and attempted kidnappings. Israeli authorities located and closed down more than 40 illegal weapons manufacturing plants and confiscated 455 unlicensed weapons. The PASF

continued to coordinate with the ISF to prevent terrorist attacks, PA and Israeli officials confirmed.

For example, on July 14, three Israeli-Arab attackers shot and killed two Israeli National Police (INP) officers and injured a third at the Bab al-Hutta entrance to the Haram al-Sharif/Temple Mount compound in Jerusalem's Old City. The attackers then entered the Haram al-Sharif/Temple Mount compound, where they were fatally shot by Israeli security forces. On July 21, 20-year-old Palestinian Omar al-Abed stabbed and killed three Israelis and critically injured a fourth in the Israeli settlement of Halamish, northwest of Ramallah. Al-Abed entered the settlement and attacked a family during Shabbat dinner. An off-duty member of the Israeli security forces who lived in the settlement shot, injured, and detained al-Abed.

The PA and the PLO continued to provide "martyr payments" to the families of Palestinian individuals killed during the commission of a terrorist act. The PA and the PLO also continued to provide payments to Palestinians in Israeli prisons, including those convicted of acts of terrorism against Israelis. Israeli government officials criticized this practice as incentivizing acts of terror. These payments and separate canteen stipends for the prisoners that the Israeli government allowed for prisoners were first initiated by the PLO in 1965 and have continued under the PA since the Oslo Accords with Israel.

The Palestinian Media Watch (PMW) asserted that since its establishment in 1994 the PA has encouraged terrorism against Israelis by naming 31 schools after Palestinian collaborators with Nazi Germany, and labelling 41 schools with names that "glorify martyrdom." The PMW reported the PA Ministry of Education and Higher Education advertised on its Facebook page a guidebook that included a map that did not delineate Israel, the Golan Heights, the West Bank, and Gaza. Palestinian media and NGOs reported that maps used in Israeli schools frequently labelled the Golan Heights, West Bank, and Gaza as "Israel."

According to media, as of the end of the year, Hamas executed three persons in Gaza for alleged murder of a Hamas commander and three persons for alleged collaboration with Israel. By law the PA president must ratify each death penalty sentence, but Hamas proceeded with these executions without the PA president's approval.

During the year Israeli forces killed 68 Palestinians in the West Bank, Gaza, and Jerusalem, some of whom were attempting or allegedly attempting to attack

Israelis, according to the Israeli NGO B'Tselem, the Palestinian NGO Palestinian Center for Human Rights (PCHR), and media reports. The government of Israel asserted these events took place in a context of Palestinian incitement to violence against Israel. Four of those killed did not pose a lethal threat to the ISF or civilians at the time they were killed, according to media and NGO reports. Israeli soldiers allegedly shot and killed an individual who was trying to damage barbed wire 160 feet away from the Gaza perimeter fence on December 22 and one who had earlier thrown stones at soldiers on the other side of the Gaza perimeter fence but was sitting 640 feet away from the fence at the time of his shooting on December 23. In those two cases, the IDF said it had fired toward Palestinians who tried to cross the border into Israel. Israeli soldiers allegedly killed fisherman Muhammad Baker on May 15; soldiers from an Israeli naval vessel allegedly shot and killed him while pursuing Baker's boat near the northern limit of the fishing zone. Separate investigations by B'Tselem and the PCHR found that at the time of the shooting, Baker and his relatives were fishing within the approved zone. According to the IDF, the vessel had strayed away from the approved zone. In the fourth incident, an Israeli tank shell on March 22 killed a Palestinian who was allegedly sitting next to a fire with two others cooking food after 10:00 pm at a distance of 320 to 530 yards from the Gaza perimeter fence; the IDF announced that they suspected the group was planting explosive devices.

NGOs such as Human Rights Watch (HRW), B'Tselem, the Palestinian Center for Human Rights, and Defense for Children-Palestine published reports alleging ISF personnel committed unlawful killings. In December, Israeli soldiers allegedly shot and killed three Palestinians who threw stones toward soldiers on the other side of the Gaza perimeter fence and four others who were participating in protests near the perimeter fence during which other protesters threw stones at Israeli security fences. On December 15, Israeli forces shot and killed 29-year-old Ibrahim Abu Thurayya during a demonstration at the Nahal Oz checkpoint in Gaza. Thurayya, a double amputee, was 65 feet from the perimeter fence when Israeli forces shot him in the head, according to the B'Tselem. B'Tselem and the PCHR noted that, as he was unarmed and had no legs, he did not pose a threat to Israeli forces. An initial IDF inquiry found no wrongdoing in Thurayya's death, but the IDF later reopened the investigation due to a disparity in the findings of the initial investigation and those of Palestinians groups inside Gaza, according to media. Ten of the 68 Palestinians killed by the ISF in the West Bank and Jerusalem were minors.

On January 16, an Israeli border police officer fatally shot a 17-year-old Palestinian, Qusai Hassan Muhammad al-Amur, after he and several other youths

threw stones at police in the town of Tuqu in Bethlehem District of the West Bank, according to media reports. On May 7, Israeli border police shot and killed a 16-year-old Palestinian, Fatimah Hjeiji, after she brandished a knife at police officers near the Old City's Damascus Gate in Jerusalem. B'Tselem and witnesses quoted in media reports said that Hjeiji did not pose a danger given that she stopped several yards away from the officers, who were behind a metal barrier and wearing protective gear. According to Israeli police, Hjeiji had written a letter bidding farewell to her family, indicating she intended to be killed by police.

There were reports that ISF use of small-caliber live ammunition seriously wounded or killed Palestinians in the West Bank and Gaza, according to UN reports and media reports. On July 21, Israeli forces shot 17-year-old Mohammed Khalaf Lafi in the chest during clashes with Palestinian rioters in the West Bank Area B town of Abu Dis, which borders East Jerusalem. Lafi later died of his wounds.

Israeli forces killed 11 Palestinians in restricted areas in Gaza using live fire. Israel warned Palestinians they risked being shot if they entered a "buffer zone" extending 328 yards (300 meters) into Gaza from the border fence.

On January 4, a military court panel found ISF soldier Sergeant Elor Azaria guilty of manslaughter and subsequently sentenced him to 18 months' imprisonment plus an 18-month suspended sentence for shooting an unarmed, incapacitated Palestinian attacker in the West Bank. In March 2016 Azaria had shot and killed 20-year-old Abed al-Fatah al-Sharif after al-Sharif stabbed an Israeli soldier in Hebron's Tel Rumeida neighborhood, near the Israeli settlement of the same name. Video footage obtained by B'Tselem and eyewitness testimony indicated Azaria shot al-Sharif in the head after he was injured, as al-Sharif lay motionless on the ground. The ISF charged Azaria with manslaughter. On July 30, the court rejected Azaria's appeals. On August 9, Azaria began serving his sentence. On September 27, IDF Chief of Staff Lt. Gen. Gadi Eisenkot announced he would shorten Azaria's sentence from 18 months to 14 months, against the recommendation of the military court. On November 19, Israeli President Reuven Rivlin denied Azaria's request for clemency.

As of August 2016, the most recent update published by the Military Advocate General (MAG) on its investigation into the 2014 Gaza war, nearly three-quarters of the 360 reports of "exceptional incidents" it had received were still under investigation. The MAG issued indictments in three cases of looting. The seven-week war killed 2,251 Palestinians (including 1,462 civilians) and 73 Israelis

(including six civilians), according to the United Nations. The MAG has neither announced a timetable for concluding the investigation, nor whether there will be further updates. Human rights organizations expressed strong reservations about the scope, methods, and independence of the MAG inquiry. On June 23, the Israeli newspaper *Haaretz* reported that the MAG had not yet decided whether to open a criminal investigation into the period from August 1 to 4, 2014, when, following Hamas's capture of Lieutenant Hadar Goldin and killing of two other soldiers, Israel fired or dropped more than 2,000 shells and bombs into the city of Rafah, including 1,000 shells in the first three hours after Goldin's capture. According to Amnesty International (AI), the IDF killed 150 Gazans during this fighting. Hamas was reportedly still holding the remains of Hadar Goldin, as well as those of IDF soldier Oron Shaul, as of October 26. On August 20, the NGO Adalah submitted a prepetition letter demanding a response from the attorney general to their appeal against the closure of the investigation into the deaths of four children from the Bakr family who were playing soccer on a beach in Gaza in 2014. The MAG announced in June 2015 it closed the investigation without charges despite reasonable suspicion that the military action was not carried out in accordance with IDF rules and procedures. As of October 17, Adalah had not received a response.

Gaza-based militant groups periodically conducted rocket and small arms attacks into Israel; the Israeli government periodically launched strikes into Gaza against specific targets and in response to rockets and small arms fired into Israel by militant groups. ISF ground forces, tanks, ships, aircraft, and remote-controlled weapons fired on Palestinians inside Gaza.

b. Disappearance

In the West Bank, there were no reports of disappearances by or on behalf of government authorities. Some detainees registered complaints with the PA's Independent Commission for Human Rights (ICHR) that their arrests were arbitrary. In Gaza, Hamas security operatives carried out extrajudicial detentions based on political affiliation. Information concerning the whereabouts and welfare of those detained was not consistently or reliably available. Hamas denied due process or access to family and legal counsel to many of those detained. There was no new information on the disappearances in 2014 and 2015 of two Israeli citizens who crossed into Gaza and whom Hamas reportedly apprehended and held incommunicado.

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

The PA basic law prohibits torture or use of force against detainees; however, international and local human rights groups reported that torture and abuse remained a problem.

Palestinian detainees held by PASF registered complaints of abuse and torture with the ICHR. Reported abuses by PA authorities in the West Bank included forcing prisoners, including those accused of affiliation with Hamas, to sit in a painful position for long periods, beating, punching, flogging, intimidation, and psychological pressure. Independent observers assessed abuse was not systematic or routinely practiced in PA prisons, although some prisoners experienced abuse during arrest or interrogation. The PA Corrections and Rehabilitation Centers Department, under the authority of the Ministry of Interior, continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons but reported no cases of inmate abuse by its staff.

Detainees held by Hamas filed claims of torture and abuse with the ICHR. Other human rights organizations reported that Hamas internal security tortured detainees. According to a media report, Hamas security officials tortured Mohammad Sufian al-Qassas, a 30-year-old Palestinian living in Gaza, after his arrest on September 18. Al-Qassas was arrested following complaints that some of his internet cafe clients were “insulting God.” On September 19, 19-year-old Khalil Abu Harb from Gaza died after falling from a window in an interrogation room in the district prosecutor’s office, after authorities arrested him on charges of theft. Hamas claimed Abu Harb committed suicide. The incident prompted local human rights groups to call for an end to torture in Gazan prisons.

Human rights organizations such as the Public Committee Against Torture in Israel (PCATI) reported that “special interrogation methods” used by Israeli security personnel against Palestinian security detainees in the West Bank and East Jerusalem could amount to torture. The methods reportedly included beatings, forcing an individual to hold a stress position for long periods, threats of rape and physical harm, and painful pressure from shackles or restraints applied to the forearms. According to a *Haaretz* media report based on a freedom of information request to the Ministry of Justice, as of January the Ministry of Justice unit that handles complaints about interrogations against Shin Bet officers had in no case opened a criminal investigation against or indicted any of its personnel implicated by such allegations, despite the fact that more than 1,100 complaints had been submitted since 2001. The Ministry of Justice did not accept any appeal against the closure of such an investigation since the appeals process was established in

2013. PCATI further noted that preliminary examinations into complaints continue to take an average of 28 months. As of November 21, all except one complaint filed since 2014 awaited initial responses from the Ministry of Justice.

Israeli officials stated they did not use techniques that could amount to torture. Israeli and Palestinian NGOs continued to criticize Israeli detention practices they termed abusive, including isolation and prolonged solitary confinement, sleep deprivation, lack of food, exposure to the elements, and psychological abuse, including threats to interrogate spouses, siblings, or elderly parents, or to demolish family homes.

Israeli authorities reportedly used similar tactics on Palestinian minors. Military Court Watch (MCW), Hamoked, and other human rights NGOs claimed Israeli security services continued to employ abuse, and in some cases torture, to coerce confessions from minors arrested on suspicion of stone throwing or others acts of violence. In May the MCW released a briefing note that reported 93 percent of Palestinian children arrested by the ISF during the year were hand-tied, 80 percent blindfolded, 58 percent subjected to physical abuse, and 90 percent denied access to a lawyer prior to questioning. According to the latest Israeli Prison Service data, the ISF as of May held in detention 331 Palestinian children between ages 12 and 17, an 82-percent increase from the monthly average for 2015.

Prison and Detention Center Conditions

Physical conditions in prisons and detention centers in the West Bank were reportedly poor. The PA Corrections and Rehabilitation Centers Department, under the authority of the Ministry of Interior, continued to maintain a mechanism for reviewing complaints of prisoner abuse in civil prisons but reported no cases of inmate abuse by its staff.

The basic conditions of prisons in Gaza were reportedly poor and prison cells were overcrowded.

ISF detention centers for security detainees were less likely than Israeli civilian prisons to meet international standards, according to PCATI and the Association for Civil Rights in Israel (ACRI). Authorities detained extraterritorially in Israel most Palestinian prisoners who had been arrested by the ISF in the West Bank and Gaza. According to the MCW, as of November 21, Israeli government authorities transferred and held 5,986 Palestinians detainees, or an average of 82 percent of all prisoners from the West Bank, in prisons inside (the 1949 Armistice line) Israel.

According to PCATI and Physicians for Human Rights in Israel, Israeli medics and doctors routinely ignored bruises and injuries resulting from violent arrests and interrogations. On one occasion prison health professionals were called to an interrogation room after a Palestinian detainee fainted during the interrogation, but they allowed the interrogation to continue unchecked. Although the Israeli Prison Service (IPS) directives provided for private doctor visitations for external medical second opinions, the IPS regularly denied access of external doctors to evaluate Palestinian prisoners.

NGOs reported PA, Israeli, and Gazan prisons lacked adequate facilities and specialized medical care for detainees and prisoners with disabilities.

Physical Conditions: Some PA prisons continued to be crowded and lacked ventilation, heating, cooling, and lighting systems conforming to international standards. Authorities at times held male juveniles with adult male prisoners. Security services used separate detention facilities. Conditions for women were virtually identical to those for men.

Most Israeli government facilities provided insufficient cell space. NGOs, including PCATI and the MCW, stated that authorities appeared to use poor conditions or exposure to weather as an interrogation or intimidation method. Prisoners also continued to claim inadequate medical care. PCATI, Hamoked, B'Tselem, and the MCW noted that most reports of abuse or poor conditions occurred during arrest and interrogation, generally within the first 48 hours following arrest.

Female prisoners and detainees reported harassment and abuse during arrest and in detention by the ISF. According to PCATI there was no investigation into these complaints.

Administration: By PA law any person sentenced to imprisonment for a term of not more than three months may petition the PA public prosecutor to be put to work outside the prison instead of imprisonment, unless the judgment deprives him of that option. Although the law allows for this option, the legal system did not have the capacity to implement such a process. The PA investigated allegations of mistreatment.

Little information was available about Hamas prison administration in the Gaza Strip.

NGOs, including the MCW and Hamoked, alleged Israeli authorities did not allow Palestinian detainees, including minors, access to a lawyer during their initial arrest. Human rights groups such as the PCHR reported families of imprisoned Palestinians, particularly Gazans, had only limited ability to visit prisoners due to their detention inside Israel and the lack of entry permits to Israel for most Palestinians.

PCATI claimed there was a systematic failure to investigate abuse claims made by Palestinians held in various Israeli interrogation and detention facilities. PCATI reported no torture complaint resulted in a criminal investigation, prosecution, or conviction. PCATI claimed the government regularly dismissed complaints of abuse following a preliminary examination by an Israeli Security Agency (ISA) employee. Authorities exempted ISA facilities from regular independent inspections. NGOs reported investigations of abuse at ISF and Israeli police facilities were slow and ineffective and rarely led to prosecutions. Of more than 200 complaints filed by PCATI between 2007 and 2017 regarding ISF violence against detainees in the West Bank, three complaints resulted in an indictment against an Israeli soldier on assault charges.

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

In Gaza the ICRC was given access to detainees to assess treatment and conditions in accordance with the ICRC's standard modalities. Human rights organizations conducted monitoring visits to some prisoners in Gaza, but Hamas authorities denied representatives permission to visit high-profile detainees and prisoners.

The Israeli government permitted visits by independent human rights observers. The government permitted the ICRC to monitor treatment and prison conditions, including at detention centers, in accordance with the ICRC's standard modalities. NGOs sent representatives to meet with Palestinian prisoners--including those on hunger strikes--and inspect conditions in Israeli prisons, detention centers, and some ISF facilities. Security prisoners held by the ISA remained inaccessible to independent monitors. Palestinian families and human rights groups reported delays and difficulties in gaining access to specific detainees from Israeli

authorities. They also reported transfers of detainees without notice and claimed Israeli authorities at times used transfer practices punitively against prisoners engaging in hunger strikes.

d. Arbitrary Arrest or Detention

PA law prohibits arbitrary arrest and detention, and PA prosecutors generally charged suspects prior to detaining them. Nonetheless, the PA criminal justice system often did not provide a prompt and speedy trial. There were instances of PA detention without charge or trial for selected security detainees in PASF custody.

Hamas reportedly practiced widespread arbitrary detention in Gaza, particularly of Fatah members, civil society activists, journalists, and those accused of publicly criticizing Hamas. Fatah officials claimed Hamas arrested several Fatah members for their participation in January demonstrations against electricity shortages in Gaza.

Since the 1967 occupation, Israel has prosecuted Palestinian residents of the West Bank under military law, based on orders from the Israeli military commander. Since 1967 the Israeli Knesset has since extended criminal and civil law protections to Israeli settlers in the West Bank. Israel applies Israeli civil law to all residents of Jerusalem, both Israeli and Palestinian.

Under Israeli military law, the IPS may hold adults suspected of a security offense for four days prior to bringing them before a judge, with limited exceptions that allow the IPS to detain a suspect for up to eight days prior to bringing the suspect before the senior judge of a district court. For minors, Israeli military law differentiates by age among those suspected of a security offense. Suspects between ages 12-14 can be held up to one day, with a possible one-day extension. Those age 14-16 can be held up to two days, with a possible two-day extension. Those age 16-18 can be held up to four days, with a possible four-day extension.

Under military law, in security-related cases, Israeli authorities may hold adults for 20 days prior to an indictment, with the possibility of additional 15-day extensions up to 75 days. An Israeli military appeals court can then extend the detention up to 90 days at a time. Prior to an indictment in security-related cases, authorities may hold minors for 15 days, with the possibility of 10-day extensions up to 40 days. An Israeli military appeals court can then extend the detention up to 90 days at a time.

The Emergency Powers Law allows the Israeli Ministry of Defense to detain persons administratively without charge for up to six months, renewable indefinitely. According to IPS statistics, as of November 30 there were 425 Palestinians in administrative detention, including two Palestinian minors over the age of 14.

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

Role of the Police and Security Apparatus

West Bank Palestinian population centers mostly fall into Area A, as defined by the Oslo-era agreements. In Area A, which contains 55 percent of the Palestinian population on approximately 18 percent of West Bank land, the PA has formal responsibility for security and civil control. Nevertheless, since the Second Intifada in 2002, Israeli security forces have regularly conducted security operations in Area A, often without coordinating with the PASF. These incursions, which increased at the outbreak of violence beginning in 2015, continued throughout the year. PA officials claimed Israeli incursions in Area A increased to approximately 50 per week in September. The PA has civil control, and the PA and Israel maintain joint security control of Area B territory in the West Bank, which contains 41 percent of the population on approximately 21 percent of the land. Israel retains full civil and security control of Area C, which comprises approximately 4 percent of the Palestinian population and 61 percent of the land of the West Bank. Approximately 400,000 Israelis live in Area C Israeli settlements.

Six PA security forces operate in the West Bank. Several are under the PA Ministry of Interior's operational control and follow the prime minister's guidance. The Palestinian Civil Police have primary responsibility for civil and community policing. The National Security Force conducts gendarmerie-style security operations in circumstances that exceed the capabilities of the civil police. The Military Intelligence Agency handles intelligence and criminal matters involving PASF personnel, including accusations of abuse and corruption; it can refer cases to court. The General Intelligence Service is responsible for external intelligence gathering and operations. The Preventive Security Organization is responsible for internal intelligence gathering and investigations related to internal security cases (for example, antiterrorism, weapons violations, and money laundering). The

Presidential Guard protects facilities and provides dignitary protection. The ICHR continued to report accusations of abuse and torture at the hands of the PASF.

The PA maintained effective control over its security forces and has mechanisms to investigate and punish abuse and corruption.

In the Gaza Strip, Hamas forces exercised de facto control. Press and NGO reports suggested Hamas enforced strict control across all sectors of society. Impunity remained a problem. There were numerous instances when Hamas forces failed to prevent or deter violence, such as rocket attacks into Israel by rival Salafist groups.

Israeli authorities maintained a West Bank security presence through the ISF, the ISA, the INP, and Border Guard. According to organizations such as Yesh Din, PCATI, and B'Tselem, Israeli authorities took some steps to investigate and punish abuse and corruption, but there were reports of failure to take disciplinary action in cases of abuse (see section 1.a.). The ISF stated it continued to open investigations automatically into claims of abuse of Palestinians in Israeli military police custody. Yesh Din claimed the automatic opening of investigations applied only to some Israeli military activity in the West Bank, but not to Palestinians reporting abuse in custody. NGOs such as Yesh Din, PCATI, and B'Tselem reported that impunity among Israeli security forces remained a problem, in part because mechanisms for investigating allegations were not effective. Reports of abuse go to the Israeli Attorney General's Office; PCATI reported Israeli authorities systematically disregarded abuse allegations. In May 2016 B'Tselem announced it would no longer refer Palestinian complaints of abuse or injury by the ISF to Israeli military investigators and the MAG, citing a desire to avoid contributing to what the NGO called the pretense of an Israeli military law enforcement system in the West Bank.

NGOs such as Yesh Din and Rabbis for Human Rights also criticized Israeli efforts and accountability in investigating reports of Israeli security forces killing Palestinian civilians, noting that only one case since 2011 has resulted in an indictment. Israeli law restricts the ability of Palestinians to seek compensation in Israeli courts for harm by Israeli security forces. In January 2016 the State Attorney's Office filed an indictment on charges of reckless and negligent use of a firearm against two soldiers who shot and killed a 16-year-old in the village of Budrus who was reportedly trying to flee a restricted area. The State Attorney's Office proposed (inter alia) that the soldiers pay damages to the families, but the soldiers' attorney rejected the offer. As of October the case remained pending.

According to Israeli and Palestinian NGO and press reports, the ISF did not respond sufficiently to violence perpetrated against Palestinians by Israeli settlers in the West Bank. The number of Israeli settler attacks perpetrated against Palestinians increased for the first time in three years, according to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA). As of August, UNOCHA had identified 89 incidents of Israeli settler violence that resulted in Palestinian fatalities, injuries, or property damage, an 88-percent increase in the monthly average compared with 2016. The Israeli NGO Yesh Din, citing Israeli security forces and MAG figures, reported that Israeli authorities closed 75 percent of investigative files into alleged Israeli settler violence due to police investigators' failure to locate suspects or find sufficient evidence to enable an indictment. Yesh Din claimed that failures in Israeli law enforcement procedure and management led to the limited results in terms of indictment and conviction of offenders.

In January the Israel Central District Attorney's Office indicted two Israeli suspects on charges connected with a July 2015 "price tag" arson attack on a Palestinian home in the West Bank village of Douma, which killed a toddler and his parents, and severely injured his four-year-old brother. A perpetrator also spray-painted "Revenge!" and a Star of David on the wall of the home. One Israeli was charged with murder and another was charged with conspiring to commit a crime. The trial continued throughout the year without reaching a verdict. In May relatives of the Palestinian family killed in the attack filed a lawsuit against the Israeli government seeking admission of responsibility and damages.

ACRI and other NGOs stated Israeli security and justice officials operating in predominantly Palestinian neighborhoods in East Jerusalem--such as Issawiya, Silwan, Ras Alamud, At-Tur, Sheikh Jarrah, and the Old City--used excessive force or displayed bias against Palestinian residents in investigating incidents involving Palestinian and Israeli actors.

According to ACRI, during various security raids in Palestinian-majority neighborhoods in Jerusalem, the ISF fired sponge bullets at the head and upper torso of Palestinians (including minors) at close range, in violation of Israeli police rules of engagement. There were multiple reports of blinding and serious injury from synthetic black sponge bullets. On July 12, Israeli border guards shot and injured 13-year-old Nour al-Din Mustafa while he was sitting outside his home in East Jerusalem's Issawiya neighborhood. Israeli security forces had reportedly entered the area due to a conflict between two Palestinian families and used crowd control weapons after local Palestinian residents threw stones. Israeli police said they were investigating this and other incidents. Palestinians claimed Israeli

authorities closed most investigations of injury from sponge bullets for lack of evidence. Relaxed rules of engagement adopted in June 2016 also enabled the INP and Border Guard forces, which constitute the primary security forces operating in Palestinian-majority neighborhoods of Jerusalem, to use live fire as a first resort against suspects engaged in throwing Molotov cocktails, shooting fireworks, or using slingshots.

Arrest Procedures and Treatment of Detainees

PA law generally requires a warrant for arrest and provides for prompt judicial determination of the legality of detention. These provisions were largely--but not uniformly--observed in areas of the West Bank under PA control. There are exceptions that allow for PA arrest without a warrant. PA law allows police to hold detainees for 24 hours if there is sufficient evidence to charge a suspect, and for up to 45 days with court approval. PA authorities held some prisoners detained by order of Palestinian governors in lengthy pretrial detention, according to complaints received by the ICHR. PA law requires that a trial start within six months, or authorities must release the detainee. While some PA security forces reportedly detained Palestinians outside appropriate legal procedures, including without warrants and without bringing them before judicial authorities within the required time, there were no known PA detentions extending beyond the time limit without trial. PA authorities generally informed detainees of the charges against them, albeit sometimes not until interrogation. Bail and conditional release were available at the discretion of judicial authorities. PA authorities granted detainees access to a lawyer. PA courts consistently afforded the right to counsel to indigents charged with felony offenses. Indigent defendants charged with misdemeanors often did not receive counsel, although NGO efforts to represent indigent juveniles and adults in misdemeanor cases were at times successful. The Palestinian Bar Association (PBA) regulates the professional conduct of lawyers in the West Bank. In May the PBA adopted a policy that restricted lawyers' ability to represent indigents free of charge. An NGO challenged this ruling in court, and in October the PBA rescinded this policy. AI reported that the PASF failed to provide prompt access to legal counsel to some detainees, effectively holding them incommunicado during interrogation.

The PA Military Intelligence Organization (PMI) operated de facto, without a service-specific mandate, to investigate and arrest PA security force personnel and civilians suspected of "security offenses," such as terrorism. The PMI conducted these activities in a manner consistent with the other PA security services. Hamas continued to charge that the PA detained individuals during the year solely due to

their Hamas affiliation. The PA stated it charged many of these individuals with criminal offenses under PA civil or military codes.

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

Israeli military law applied to Palestinians in the West Bank, while Israeli civil law was applied to Israelis living in the West Bank. Under Israeli military law as applied to Palestinians in the West Bank, Israeli authorities can hold detainees for up to 60 days without access to a lawyer. According to the most recent official data, Israeli military courts had a conviction rate of more than 95 percent for Palestinians. Israeli authorities informed Palestinian detainees of the charges against them during detention, but did not always inform minors and their families of the reasons for arrest at the time of arrest, according to the MCW. Israeli authorities stated their policy was to post notification of arrests within 48 hours, but senior officers could delay notification for up to 12 days, effectively holding detainees incommunicado during the interrogation process. An Israeli military commander may request that a judge extend this period. In accordance with law, Israeli authorities generally provided Palestinians held in Israeli military custody inside Israel access to a lawyer of their choice (and provided lawyers for the indigent). Nonetheless, Palestinian detainees often obtained lawyers only after initial interrogations, and 76 percent of minors did not see a lawyer prior to interrogation. Impediments to movement on West Bank roads or at Israeli-operated crossings often made legal consultation difficult and delayed trials and hearings. According to the MCW, most Palestinian detainees saw their lawyer for the first time when they appeared before an Israeli military court. Israeli military courts denied bail to Palestinians in most cases, including for minors. Israeli authorities delayed or deprived some Palestinian detainees of visits by their families or lawyers.

NGOs such as the MCW and Hamoked claimed Israeli authorities in the West Bank frequently failed to inform Palestinian parents why their children had been detained or where they had been taken. Israeli authorities stated their policy was to provide written notification about the arrest to parents when they arrested a child at home; however, this occurred only in 19 percent of cases. Legally, minors who are 16 and 17 years old can be held for 96 hours before seeing a judge, the same period applied to adults. In 2013 an Israeli military order reduced the time that authorities can detain Palestinian children between the ages of 12 and 15 before appearing

before a military court judge, although there was no change for minors ages 16 and 17. In 2014 Israeli authorities amended the law to mandate audiovisual recording of all interrogations of minors in the West Bank but limited this requirement to nonsecurity-related offenses. That excluded approximately 95 percent of cases involving Palestinian minors in Israeli military courts. The ISF entered Palestinian homes at night to arrest or to take pictures of minors. Human rights organizations alleged this treatment could amount to torture in some cases. Israeli officials denied these allegations. Israeli military authorities began providing translations into Arabic of some recent changes to military laws affecting Palestinian minors.

As of November 30, there was a drop in Israeli detention rates of Palestinian minors, compared with an all-time high in 2016, but the rate remained significantly higher than 2011-2015 levels. From October 2015 through March 2016, there was a marked increase in Palestinian attacks and attempted attacks against the ISF and Israeli civilians. As of November 30, Israel detained 310 Palestinian minors. NGOs anecdotally reported a high number of arrests of Palestinian minors in December, but official statistics were not yet available. On December 15, the ISF arrested 16-year-old Palestinian Ahed Tamimi and charged her with assault after she was filmed slapping an Israeli soldier in the West Bank town of Nabi Saleh. NGOs criticized the nighttime arrest and charges, arguing that Tamimi did not pose a true threat. Tamimi remained in custody at the end of the year.

Israeli legislation approved in August 2016 effectively lowered the minimum age in Israel for criminal responsibility for serious crimes, such as attempted murder, from 14 to 12. In Jerusalem, where Palestinian residents are subject to Israeli civil law, NGOs reported that increased sentences and mandatory minimum sentences introduced in late 2015 for rock throwing led to increased use of pretrial detention and longer sentences for Palestinian minors. NGOs submitted a petition in 2016 challenging an Israeli civil law that revokes social welfare benefits for the parents of Palestinian minors convicted of security offenses. On January 28, Israel's High Court of Justice (HCJ) issued a temporary injunction on the new law and required the government to prove the law was not discriminatory. As of November 21, there was no formal response from the Israeli government, but Jerusalem-based families of Palestinian children currently in prison continued to receive social welfare benefits.

Nighttime arrest raids by Israeli authorities in Palestinian-majority neighborhoods such as Issawiya and Silwan, including those resulting in detention of Palestinian minors, were routine in the West Bank and Palestinian-majority neighborhoods in Jerusalem. The MCW reported little substantive improvement since the

publication of a 2013 report by the UN Children's Fund (UNICEF) that stated, "Mistreatment of Palestinian children in the Israeli military detention system appears to be widespread, systematic, and institutionalized." The MCW said data from more than 400 MCW detainee testimonials collected between 2013-17 confirmed UNICEF's conclusion that mistreatment by Israeli authorities of Palestinian child detainees in the West Bank was widespread.

The ISA continued its practice of incommunicado detention of Palestinians, including isolation from outside monitors, legal counsel, and family throughout the duration of interrogation. NGOs including the MCW, Hamoked, and B'Tselem reported Israeli authorities used isolation to punish or silence politically prominent Palestinian detainees. According to the Israeli government, the IPS did not hold Palestinian detainees in separate detention punitively or to induce confessions. The Israeli government stated it uses separate detention only when a detainee threatens himself or others, and authorities have exhausted other options--or in some cases during interrogation, to prevent disclosure of information. In such cases, Israeli authorities maintained the detainee had the right to meet with ICRC representatives, IPS personnel, and medical personnel, if necessary.

Arbitrary Arrest: In the West Bank, the ICHR reported that the PA continued to perform arbitrary detentions, in which Palestinian detainees were held without formal charges or proper procedures, particularly in arrests based on political affiliation with Hamas. There were numerous reports the PASF improperly detained Palestinian journalists, as well as reports PA security officials arrested and physically abused Palestinians who posted criticism of the PA online.

The ICHR received complaints of arbitrary arrests by Hamas in Gaza. Many of these arrests and detentions by de facto Hamas authorities appeared to be politically motivated, targeting political opponents and those suspected of ties to Israel.

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

Pretrial Detention: PA law allows police to hold detainees for 24 hours if there is sufficient evidence to charge a suspect, and for up to 45 days with court approval. It requires a trial to start within six months, or authorities must release the detainee.

It was unclear how long detainees in Hamas custody stayed in pretrial detention or what legal means, if any, Hamas used to detain individuals.

Israeli authorities continued to detain Palestinians administratively (hold indefinitely without presenting charges or going to trial). As of November, Israeli authorities held 425 Palestinians on security grounds (including two minors) for renewable six-month sentences. Security offenses included alleged incitement to violence on social media. Many NGOs, including HRW, AI, and various Palestinian and Israeli NGOs called for an immediate end to Israeli administrative detention. An Israeli military court must approve an administrative detention order. Palestinian detainees may appeal the ruling to the Israeli Military Appeals Court and the Israeli HCJ. The HCJ did not free any Palestinians under administrative detention during this period.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Palestinian detainees held by Israel and the PA faced barriers to their ability to challenge in court the legal basis or arbitrary nature of their detention, and to obtain prompt release and compensation if found to have been unlawfully detained. Palestinians held by Israeli authorities in administrative detention have no right to trial and can only challenge their detention before a military court judge in a closed setting. In cases in which the evidence substantiating the charges against a detainee is classified, the detainee has no means of examining the evidence (and, in some cases, to examine the charges) in order to challenge his or her detention. Detainees held in PA custody faced delays in the enforcement of court rulings regarding their detention, especially regarding the PA's obligation to release suspects who have met bail.

e. Denial of Fair Public Trial

The PA basic law provides for an independent judiciary. The PA generally respected the judicial independence and impartiality of the High Judicial Council and maintained authority over most court operations in the West Bank. PA-affiliated prosecutors and judges stated that ISF prohibitions on movement in the West Bank, including Israeli restrictions on the PA's ability to transport detainees and collect witnesses, hampered their ability to dispense justice.

Since 2011 the PA has mandated that Palestinian civilians appear before civilian courts. PA security services continued to pressure PA military justice court personnel to detain West Bank civilians charged with state security violations.

The PA civil, magistrate, and religious courts handle civil suits in the West Bank and provide an independent and impartial judiciary in most matters. There were unconfirmed reports of various Palestinian political factions' attempting to influence PA judicial decisions. Palestinians have the right to file suits against the PA but rarely did so. Seldom-used administrative remedies are available in addition to judicial remedies. PA authorities did not always execute court orders.

In the Gaza Strip, Hamas-appointed prosecutors and judges operated de facto courts which the PA considered illegal.

Gaza residents can file civil suits. Unofficial, anecdotal reports claimed some Gaza courts operated independently of the Hamas government and were at times impartial. HRW reported Hamas internal security regularly tried civil cases in military courts.

Israeli law provides for an independent judiciary, and the government generally respected Israeli civil courts' independence and impartiality. The ISF tried Palestinian residents of the West Bank accused of security offenses (ranging from rock throwing to membership in a terrorist organization to incitement) in Israeli military courts, which some NGOs claimed were inadequate and unfair. Israeli law defines security offenses to include any offense committed under circumstances that might raise a suspicion of harm to Israel's security and which the ISF believes may link to terrorist activity.

Trial Procedures

PA law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right in the West Bank. Trials are public, except when the court determines PA security, foreign relations, a party's or witness' right to privacy, protection of a victim of a sexual offense, or an "honor crime" requires privacy. If a court orders a session closed, the decision may be appealed to a higher PA court. Defendants enjoy a presumption of innocence and the right to prompt and detailed information regarding the charges, with free interpretation as necessary, from the moment charged through all appeals. AI reported that PA political and judicial authorities sometimes failed to adhere to basic due process rights, including promptly charging suspects. PA law provides for legal representation, at public expense if necessary, in felony cases during the trial phase. Defendants have the right to be present and to consult with an attorney in a timely manner during the trial, although during the investigation phase, the

defendant only has the right to observe. Defendants have the right to adequate time and facilities to prepare a defense. Suspects and defendants in the PA justice system have a right to remain silent when interrogated by the prosecutor according to the law. Defendants also have a legal right to counsel during interrogation and trial. They have the right to appeal. PA authorities generally observed these rights.

To address case backlogs, the PA piloted new processing techniques in public prosecutors' offices (PPOs) in six of 11 governorates in the West Bank. From January 2016, when the PA began collecting statistics, until August, PA case backlogs (that is, misdemeanor case processing over three months, or felony processing over six months) declined by an average of 49.5 percent in the PPOs in the Ramallah, Jericho, Salfit, Bethlehem, Tulkarem, and Nablus Governorates.

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

Israeli authorities tried Israelis living in West Bank settlements under Israeli civil law in the nearest Israeli district court. Israeli military trials were provided for Palestinians in the West Bank. In Jerusalem both Israeli and Palestinian residents were subject to civil law proceedings. The same evidentiary rules used in Israeli criminal cases apply in both Israeli military and civilian proceedings; for example, Israeli authorities cannot base convictions solely on confessions. Indigent detainees do not automatically receive free legal counsel for military trials, but almost all detainees had counsel, in part because NGOs, such the Human Rights Defenders Fund funded their representation. Israeli military courts use Hebrew, but Palestinian defendants have the right to simultaneous interpretation at every hearing. Various human rights organizations claimed the availability and quality of Arabic interpretation was insufficient; most interpreters were bilingual Israelis performing mandatory military service. Defendants can appeal through the Military Court of Appeals and petition Israel's HCJ. Israeli military courts rarely acquitted Palestinians charged with security offenses, although they occasionally reduced sentences on appeal.

Several NGOs, including ACRI and the MCW, claimed Israeli military courts were not equipped to adjudicate cases properly. NGOs and lawyers reported many Palestinian defendants elected to plead guilty and receive a reduced sentence rather than maintain innocence and go through a military trial that could last months, if not more than a year. Human rights lawyers also reported the structure of military trials--which take place in Israeli military facilities with Israeli military officers as

judges, prosecutors, and court officials, and with tight security restrictions--limited Palestinian defendants' rights to public trial and access to counsel.

The MCW reported that Israeli authorities continued to use confessions signed by Palestinian minors and written in Hebrew, a language most Palestinian minors could not read, as evidence against them in military courts. The MCW reported that 76 percent of Palestinian minors were shown or made to sign documentation written in Hebrew at the conclusion of their interrogation. PCATI reported that authorities coerced confessions during interrogations. Israeli authorities disputed these findings, asserting that interrogations of Palestinians took place only in Arabic and that authorities submitted no indictments based solely on a confession written in Hebrew.

Political Prisoners and Detainees

NGOs reported arrests of Palestinians on political grounds occurred in both the West Bank and Gaza. There was no reliable estimate of the number of political prisoners the PA held in the West Bank during the year.

In Gaza, Hamas allegedly detained several hundred persons because of political affiliation, public criticism of Hamas, or suspected collaboration with Israel and held them for varying periods. Observers associated numerous allegations of denial of due process with these detentions. The ICRC and NGOs had limited access to these prisoners.

The Palestinian NGO Addameer reported that Israel continued to hold PLC members in administrative detention without charges, most of whom had some affiliation with Hamas.

Civil Judicial Procedures and Remedies

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

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

Property Restitution

The Israeli government conducted multiple demolitions of Palestinian property in East Jerusalem and the West Bank on the basis of lack of permits, use of the property by the ISF, or as punishment. Israeli authorities pursued efforts through Israeli courts to demolish homes built by Palestinian Bedouin tribes in the West Bank villages of Khan al-Ahmar and Susiya, among several others (see section 1.f.).

Israeli authorities sometimes charged demolition fees for demolishing a home; this at times prompted Palestinians to destroy their own homes to avoid the higher costs associated with Israeli demolition. Palestinians had difficulty verifying land ownership in Israeli courts, according to Israeli requirements for proof of land ownership.

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

The PA penal procedure code generally requires the PA attorney general to issue warrants for entry and searches of private property; however, PA judicial officers may enter Palestinian houses without a warrant in case of emergency. There were no specific reports the PA harassed family members for alleged offenses committed by an individual, although NGOs reported this tactic was common.

Hamas de facto authorities in Gaza frequently interfered arbitrarily with personal privacy, family, and home, according to reporting from local media and NGO sources. Hamas authorities reportedly searched homes and seized property without warrants. They targeted Palestinian journalists, Fatah loyalists, civil society members, youth activists, and those whom Hamas security forces accused of criminal activity. Hamas forces monitored private communications systems, including telephones, email, and social media sites. They demanded passwords and access to personal information and seized personal electronic equipment of detainees. While Hamas membership did not appear to be a prerequisite for obtaining housing, education, or government services in Gaza, authorities commonly reserved employment in some government positions, such as those in the security services, for Hamas members. In several instances Hamas detained individuals for interrogation and harassment, particularly prodemocracy youth activists, based on the purported actions of their family members.

The ISF frequently raided Palestinian homes, including in areas designated as areas under PA security control by Oslo-era accords, according to media and PA officials. These raids often took place at night, which the ISF stated was due to

operational necessity. Under Israeli occupation orders, only ISF officers of lieutenant colonel rank and above can authorize entry into Palestinian private homes and institutions in the West Bank without a warrant, based upon military necessity.

In the West Bank and Palestinian-majority neighborhoods in Jerusalem like Beit Hanina, Silwan, Shuafat, Wadi al-Joz, Sheikh Jarrah, Issawiya, Jabal al-Mukabber, and Sur Bahir, the Israeli Civil Administration (ICA), part of Israel's Ministry of Defense; the Jerusalem municipality; and the Ministry of Interior continued to demolish homes, cisterns, and other buildings and property constructed by Palestinians in areas under Israeli civil control on the basis that these buildings lacked Israeli planning licenses. Properties close to the security barrier, ISF military installations, or firing ranges also remained subject to a heightened threat of demolition or confiscation. Demolition operations by the Israeli authorities focused on three major regions: the South Hebron Hills, the Ma'ale Adumim area, and the Jordan Valley. According to UNOCHA, as of October, the number of demolitions and seizures in Area C had declined compared with the record highs in 2016, but demolitions in Palestinian-majority neighborhoods in Jerusalem continued at nearly the same rates recorded in 2016, which were the highest since 2000.

Organizations such as UNOCHA, Ir Amim, and Peace Now expressed concern at the high rate of demolitions of Palestinian structures in Jerusalem. As of September 30, the ICA destroyed 39 structures in Palestinian-majority neighborhoods of Jerusalem, displacing 126 Palestinians and affecting many more. In both Jerusalem and the West Bank, the ICA targeted commercial structures and infrastructure in addition to residences. In August the ICA seized six caravans used as classrooms in the Palestinian community of Jubbet ad Dhib, in the Bethlehem governorate. The ICA also seized two solar panel systems in the Palestinian communities of Jabal al-Baba and Abu Nuwar, in the Jerusalem governorate. In a majority of demolitions in Area C, the ICA claimed that structures lacked Israeli building permits or were illegally located in a closed military zone (large parts of Area C were declared closed military zones after 1967).

The ISF continued punitive demolitions of the homes of the families of Palestinians implicated in attacks against Israelis. As of October 8, Israeli authorities partially or fully demolished five family homes of Palestinians who had carried out attacks on Israelis since 2014. These actions often also rendered other dwellings near the demolished homes uninhabitable. Punitive demolitions

displaced 36 Palestinians, including 19 children, according to the United Nations. NGOs such as AI, HRW, and several Palestinian and Israeli NGOs widely criticized punitive demolitions as collective punishment. The Israeli government asserted such demolitions have a deterrent effect on would-be assailants.

On August 10, Israeli authorities demolished three homes in the Palestinian community of Deir Abu Mashaal, near Ramallah. The homes belonged to the families of the Palestinians who killed an Israeli border police officer in an attack near the Old City's Damascus Gate in Jerusalem on June 16.

The Israeli government advanced efforts to demolish Palestinian homes in the West Bank Area C villages of Khan al-Ahmar and Susiya, both located near Israeli settlements. Khan al-Ahmar is a 145-person Bedouin community in E-1, an area that territorially connects Israeli settlements in the West Bank and East Jerusalem. On March 5, the ICA changed 42 stop-work orders issued against 42 Khan al-Ahmar structures to demolition orders. These 42 structures comprised the entire village. All were built without ICA building permits (residents are not able to receive permits, as the Israeli government has not approved a master plan for the area). On September 13, ICA representatives entered Khan al-Ahmar and proposed the community evacuate and relocate to an ICA-built Jabal West transfer site about five miles away. In documents provided to the Israeli High Court, the ICA said it planned to move the Khan al-Ahmar residents and demolish the village in April 2018. The case continued at year's end. Separately, the ICA proposed in 2016 that Palestinian residents of the Area C village of Susiya move to an area bordering PA-controlled Area A. Israeli residents of a nearby settlement continued to advocate that the ICA carry out demolition orders in Susiya. In August 2016 the Israeli High Court ordered the Israeli government to submit its position on the evacuation of the village and the government's proposed demolition of 30 Palestinian houses. On November 22, the Israeli government submitted its position to the HCJ, stating its intent to demolish 20 structures--approximately 20 percent of the community. The case continued at year's end.

Palestinians and human rights NGOs such as Yesh Din reported the ISF were largely unresponsive to Israeli settlers' actions against Palestinians in the West Bank, including destruction of Palestinian property and agriculture (see section 6, National/Racial/Ethnic Minorities).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

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

Israeli civil and military law provides limited protections of freedom of expression and press for Palestinian residents of Jerusalem and the West Bank. Israeli authorities continued to restrict press coverage and placed limits on certain forms of expression--particularly by restricting Palestinian journalists' movement, as well as through violence, arrests, closure of media outlets, and intimidation, according to media reports and the Palestinian Center for Development and Media Freedoms.

Freedom of Expression: Although no PA law prohibits criticism of the government, media reports indicated PA authorities arrested West Bank Palestinian journalists and social media activists who criticized, or covered events that criticized, the PA. Additionally, there were several complaints during the year that the PA prevented journalists from covering events favorable to Hamas in the West Bank.

Palestinian President Abbas approved a law known as the "Cybercrime Law" or the "Electronic Crimes Law" on June 24. The law imposes imprisonment and fines for the publication of material that would endanger "the integrity of the Palestinian state" or "public order," or for the publication of material that attacks "family principles or values." Based on this law, the PA arrested West Bank journalists and blocked websites associated with political rivals. On June 12, the Palestinian attorney general ordered the West Bank-based internet service providers to block access to more than two dozen websites. Eleven of these sites were affiliated with political parties, including Hamas or other opposition groups critical of the Fatah-controlled PA.

In Gaza, Palestinians publicly criticizing Hamas authorities risked reprisal by Hamas, including arrest, interrogation, seizure of property, and harassment. Media practitioners accused of publicly criticizing Hamas, including civil society and youth activists, social media advocates, and journalists, faced punitive measures,

including raids on their facilities and residences, arbitrary detention, and denial of permission to travel outside Gaza. In July, Hamas security forces summoned 12 Gaza-based journalists and social media activists for questioning based on anti-Hamas social media posts. Human rights NGOs reported that Hamas interrogators subjected several of those detained to harassment and violence.

De facto Hamas authorities also imposed restrictions on the work of foreign journalists in the Gaza Strip, including lengthy interrogations of foreign journalists at entry points to the Gaza Strip and refusal or long delays in providing permits to enter the Gaza Strip. Some of this harassment appeared to be punitive reaction to what Hamas perceived as critical reporting.

In Jerusalem, Israeli authorities prohibited displays of Palestinian political symbols, such as the Palestinian flag, as well as public expressions of anti-Israeli sentiment, which were punishable by fines or imprisonment. Israeli authorities did not always enforce these restrictions. Israeli security officials prohibited PLO- or PA-affiliated groups from meeting in Jerusalem. They also restricted media coverage of incidents that might provoke criticism of Israeli policies.

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

Previously Hamas had modestly loosened some restrictions on PA-affiliated or pro-PA publications in Gaza, although significant restrictions remained. In 2014 Hamas lifted its ban on three West Bank-based newspapers--*al-Quds*, *al-Ayyam*, and *al-Hayat al-Jadida*. Hamas authorities permitted broadcasts within Gaza of reporting and interviews featuring PA officials. Hamas allowed, with some restrictions, the operation of non-Hamas-affiliated broadcast media in Gaza. For instance, the PA-supported Palestine TV reportedly operated in Gaza.

Hamas sought to restrict the movement of journalists both at crossing points into Gaza and within Gaza. In a few cases, authorities refused reporters permits, provided permits of untenably brief duration, or told reporters their permits were conditional on not working with specific Palestinian journalists. In some cases

Hamas rejected permit applications for or arrested international reporters in retaliation for unfavorable news coverage.

On June 18, Hamas security forces arrested Hasan Jaber of the *al-Ayyam* daily and questioned him regarding his report on an anti-Hamas group in Gaza. He was released later that night.

In areas of the West Bank to which Israel controls access, Palestinian journalists claimed Israeli authorities restricted their freedom of movement and ability to cover stories. The ISF does not recognize Palestinian press credentials or credentials from the International Federation of Journalists. Few Palestinians held Israeli press credentials, following Israel's revocation of the vast majority of these credentials during the Second Intifada, which began in 2000.

Israel does not issue Palestinian journalists special press permits to travel into Jerusalem or west of the security barrier. Palestinian journalists who were able to obtain entry permits on other grounds, as well as Jerusalem-based Palestinian journalists, reported incidents of harassment, racism, and occasional violence when they sought to cover news in Jerusalem, especially in the Old City and its vicinity.

In April 2016 Israeli authorities arrested Palestinian journalist and deputy head of the Palestinian Journalists Syndicate Omar Nazzal at an Israeli-Jordanian border crossing as he traveled to Sarajevo to attend a meeting of the European Federation of Journalists. The Israeli government alleged that Nazzal was involved in unlawful activity and association with the terrorist group Popular Front for the Liberation of Palestine. He was released on February 20 after serving 10 months in Israeli prison under administrative detention.

Violence and Harassment: There were numerous reports that the PASF harassed, detained (occasionally with violence), prosecuted, and fined journalists in the West Bank during the year. Since January the number of violations against freedom of press by the PA in the West Bank and the Hamas de facto government in Gaza significantly increased. The PA arbitrarily arrested, harassed, or intimidated a number of Palestinian journalists and activists. In Gaza, Hamas authorities arrested several journalists, including those who criticized Hamas for its handling of the continuing electricity crisis.

On July 6, PA Preventive Security agents arrested journalist Jihad Barakat of Palestine Today TV, for taking a picture of the PA prime minister's motorcade as it stopped at an Israeli checkpoint near Tulkarm, in the West Bank. Authorities

charged Barakat with “being at a public place, at such time and in such circumstances for an unlawful or improper purpose.” On July 9, authorities released Barakat, but his case was still pending.

PA security forces also at times reportedly demanded deletion of footage showing PA security personnel. For example, according to the Palestinian Center for Development and Media Freedoms, on August 27, PA security forces detained photographer Hazem Nasser of Transmedia and reporter Mujahed Saadi of Media Port for two hours after they covered a sit-in in front of the Palestinian Preventive Security facilities in Jenin. PA security forces deleted all photos of the sit-in saved on their camera hard drives.

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

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

In Gaza, Hamas at times arrested, harassed, and pressured journalists, sometimes violently. Reportedly Hamas summoned and detained Palestinian and foreign journalists for questioning to intimidate them. Hamas also constrained journalists’ freedom of movement within Gaza during the year, attempting to ban access to some official buildings as well as to several prodemocracy protests.

On June 4, the Hamas Magistrate's Court in Gaza sentenced journalist Hajar Abu Samra in absentia to six months in jail. The charges came a few months after Abu Samra published an investigative report about corruption in the Medical Referrals Department of the Ministry of Health in Gaza. On June 11, Hamas convicted Mohammad al-Talouli, an activist against Hamas policies, of misusing technology and distributing misleading information to the public in comments he posted on Facebook. He was released on bail and was awaiting trial.

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

On May 18, an Israeli settler shot and seriously wounded Associated Press photographer Majdi Mohammad Eshtayeh while he covered a disturbance in Hawara, in the West Bank. According to the Associated Press, citing video footage, the settler fired his gun after Israeli soldiers arrived and dispersed the protesters. The Israeli-based Foreign Press Association stated the photographer was clearly identified as a journalist, with a protective helmet and vest with the word "Press" in large letters. Israeli police said they were still investigating the incident as of November 21.

On April 28, Israeli police prevented international photographers from covering a demonstration near the Damascus Gate of Jerusalem's Old City. According to the Foreign Press Association, police kicked and shoved journalists; a Reuters reporter required hospital treatment after the incident. The border police also used horses to charge photographers and cameramen without warning, leading to injuries of an Agence France-Presse (AFP) photographer.

There were many reports of Palestinian journalists injured by rubber-coated steel bullets and live fire or tear gas while covering demonstrations and clashes in the West Bank between Palestinian protesters and Israeli security forces.

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

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

On January 12, plainclothes Hamas security officers detained an Associated Press reporter covering a demonstration in Gaza and forced him at gunpoint to surrender his mobile phones to them. In a separate instance, Hamas uniformed police officers beat an AFP photographer after he refused to surrender his camera. Police confiscated the camera's memory card and arrested him.

While Israeli authorities retain the right to censor the printing of all Jerusalem-based Arabic publications for material perceived as a security concern (as Israeli

authorities also do with Israeli media), anecdotal evidence suggested Israeli authorities did not actively review the Jerusalem-based *al-Quds* newspaper or other Jerusalem-based Arabic publications. Jerusalem-based publications reported they engaged in self-censorship as a result.

The Israeli government continued to raid and close West Bank Palestinian media sources, primarily on the basis of allegations they incited violence against Israeli civilians or security services. On October 18, the ISF launched a coordinated nighttime raid of seven branch offices of three Palestinian media service support companies located in Area A of the West Bank due to allegations of "broadcasting calls and incitement to terrorist acts." The companies rented out space to numerous customers, including media funded by Hamas and Palestinian Islamic Jihad. Additionally, the ISF have raided and shut seven other Palestinian media outlets since 2015.

Israeli military law governs Palestinian incitement in the West Bank. Acts of incitement under military law are punishable by up to 10 years imprisonment. NGOs and other observers said Israeli military regulations were vaguely worded and open to interpretation. The ISF generally cited two laws in its military orders when closing Palestinian radio stations--the 1945 Defense Emergency Regulations and the 2009 Order Concerning Security Provisions. These laws generally define incitement as an attempt to influence public opinion in a manner that could harm public safety or public order.

West Bank Palestinian broadcaster Wattan TV continued to attempt to retrieve from the Israeli government foreign-funded equipment confiscated in 2012 by the ISF from its Ramallah Studio, under allegations that Wattan TV had "disturbed various communication systems." Wattan TV's lawyers were not permitted to view evidence nor testimony presented against the media broadcaster and complained of an opaque legal process that left West Bank Palestinian broadcasters with no realistic legal recourse. An Israeli court was scheduled to rule on Wattan's request for compensation in January 2018.

Libel/Slander Laws: There were some accusations of slander or libel against journalists and activists in the West Bank.

On September 4, Palestinian security forces in the West Bank arrested human rights activist Issa Amro after he criticized the PA in a Facebook post for its arrest of another Palestinian journalist, Ayman Qawasmeh. PA security services had detained Qawasmeh on September 4 for calling in a social media video for PA

President Abbas and Prime Minister Hamdallah to resign. Amro was released on bail from PA custody on September 10.

On June 6, PA security forces arrested Palestinian journalist Taher Shamali in the West Bank. Authorities charged him with "insulting higher authorities and causing strife" in an article he wrote criticizing Palestinian President Abbas. He was subsequently released.

National Security: There were some accusations of suppression of journalists on national security grounds.

On August 8, undercover PA security agents arrested five journalists from Hamas-affiliated media outlets in the West Bank for "leaking sensitive information to hostile security services." PA authorities released the five journalists on August 14, after posting bail; they were awaiting trial as of November 9.

Internet Freedom

Internet was generally accessible throughout the West Bank, Gaza, and Jerusalem. Frequent power outages in Gaza interrupted accessibility. A 2015 agreement between the Israeli government, the PA, and telecommunications companies that would allow import of 3G and newer telecommunications technologies into the West Bank was implemented, leading to fewer limitations on mobile internet access.

While there were no PA restrictions on access to the internet, there were reports the PA actively monitored social media, pressuring and harassing activists and journalists. There were instances the PA arrested or detained Palestinians because of their posts on social media.

Gaza-based Palestinian civil society organizations and social media practitioners stated Hamas de facto authorities monitored the internet activities of Gaza residents and took action to intimidate or harass them. On January 1, the Hamas public prosecutor's office arrested and interrogated Ramzi Hirzallah, a former Hamas member, on the basis of allegations he had insulted Hamas officials on Facebook. Hamas security officials confiscated his cell phone and computers and prevented human rights representatives from meeting with him. Hamas authorities released Hirzallah a few days later with a warning not to insult Hamas officials.

Israeli authorities monitored Palestinians' online activities and arrested a number of Palestinians in the West Bank and Jerusalem for social media statements they categorized as incitement. In November, Israeli authorities arrested Jerusalem resident Amin Syam because he posted on social media lyrics from a song using the term "martyr." Israeli authorities said they believed the post was a call to violence. Syam was detained for four days and released.

Academic Freedom and Cultural Events

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

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

Hamas authorities sought to disrupt some educational, cultural, and international exchange programs. They routinely required Palestinians to obtain exit permits prior to departing Gaza. Students participating in certain cultural and education programs (including programs sponsored by foreign governments and international organizations) faced questioning from de facto Hamas authorities. Hamas authorities denied exit permits for some Palestinians through the Rafah and Erez crossings.

Hamas authorities also interfered in local cultural programs. There were continued reports the de facto government suppressed cultural expression that might offend Hamas' interpretation of religious and cultural values and identity.

Israeli restrictions on movement adversely affected academic institutions and access to education and cultural activities for Palestinians (see section 2.d. and section 6).

There were reports the Israeli government prevented copies of the PA curriculum from entering Jerusalem for use in schools in Palestinian-majority neighborhoods and that the Jerusalem Municipality instead provided an edited/censored version of the PA curriculum that deleted information on Palestinian history and culture. In August, Israeli police blocked the delivery of textbooks bearing the PA logo to schools located on the Haram al-Sharif/Temple Mount compound in the Old City of Jerusalem. Local officials complained to Western diplomats about reported efforts by the Israeli Ministry of Education to tie funding of Palestinian schools to the use of Israeli curriculum and to "Israelize" the curriculum. In September, three schools in the East Jerusalem neighborhoods of Silwan, al-Issawiya, and Shuafat went on strike to protest the condition of the schools' infrastructure and the Israeli government's attempts to impose the Israeli curriculum as a condition for repairing the infrastructure.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

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

According to a Hamas decree, any public assembly or celebration in Gaza requires prior permission, in contradiction of the PA basic law. Following large-scale January protests against electricity cuts in Gaza, Hamas used violent tactics to disperse crowds, including live ammunition and batons. Hamas at times allowed Fatah members to hold rallies when it was politically advantageous for them to do so, such as during high-profile meetings on Palestinian reconciliation. Activists reported Hamas harassed women in public and impeded their ability to assemble peacefully. Hamas also attempted to impede criticism of Hamas policies by

imposing arbitrary demands for the approval of meetings on political or social topics.

The ISF continued to use a 1967 Israeli military order that effectively prohibits Palestinian demonstrations and limits freedom of speech in the West Bank. The order stipulates that a "political" gathering of 10 or more persons requires a permit from the regional commander of military forces--which Israeli commanders rarely granted. The penalty for a breach of the order is up to 10 years' imprisonment or a heavy fine. Israeli military law as applied to Palestinians in the West Bank prohibits obstructing or insulting a soldier, participating in an unpermitted rally, and "incitement" (encouraging others to engage in civil disobedience). In February 2016 an Israeli military court indicted Palestinian human rights activist Issa Amro on 18 charges dating back to 2010. Human rights organizations such as the Human Rights Defenders Fund and AI stated Amro's actions during these incidents were consistent with nonviolent civil disobedience. Amro's trial, which began in November 2016, continued through the end of the year.

ACRI claimed that the ISF did not respect freedom of assembly and often responded aggressively to Palestinian demonstrators. Israeli security forces sometimes used force, including live fire, against Palestinians and others involved in demonstrations in the West Bank and Jerusalem, resulting in the deaths of Palestinian civilians (see section 1.a.). The ISF used force against weekly Palestinians protests in or near Israeli West Bank settlements. The ISF responded to protests with military crowd-control techniques, including tear gas and stun grenades, that led to Palestinian casualties. On July 10, a Palestinian child died after suffering from tear-gas inhalation during May 19 clashes between Palestinian protesters and the ISF in Ramallah. A group had gathered to express support for hunger-striking Palestinian prisoners; when the protest turned violent, the ISF responded by firing tear-gas canisters close to the child's home.

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

Freedom of Association

PA law allows freedom of association. PA authorities sometimes imposed limitations in the West Bank, including on labor organizations (see section 7.a.). NGOs said a 2015 regulation subjecting "nonprofit companies" to PA approval prior to receiving grants impeded their independence and threatened the ability of both local and international nonprofits to operate freely in the West Bank.

In Gaza, Hamas attempted to prevent various organizations from operating. These included some it accused of being Fatah-affiliated, as well as private businesses and NGOs that Hamas deemed to be in violation of its interpretation of Islamic social norms. The Hamas "Ministry of Interior" claimed supervisory authority over all NGOs, and its representatives regularly harassed NGO employees and requested information on staff, salaries, and activities. There were instances when Hamas temporarily closed NGOs that did not comply. Activists reported women's rights groups faced significant pressure from Hamas.

Israel maintained prohibitions on some prominent Jerusalem-based Palestinian institutions, such as the Jerusalem Chamber of Commerce and Orient House, which had been the de facto PLO office. Israeli authorities renewed a military closure order initiated in 2001 for these and other institutions on the grounds they violated the Oslo Accords by operating on behalf of the PA in Jerusalem.

c. Freedom of Religion

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

d. Freedom of Movement

The PA basic law provides for freedom of movement, but the PA at times effectively restricted freedom of movement into Israel for Gazans by declining to make referrals to Israeli authorities on their behalf. Between April and June, the PA Ministry of Health decreased the number of referrals it issued to Gazan residents in need of medical care in Israel. Following the death of three infants unable to leave Gaza for medical care, the PA reversed its permit cuts. The PA basic law does not specify regulations regarding foreign travel, emigration, or repatriation.

Until the PA deployed personnel to Gaza's border crossings on November 1 and Hamas authorities departed the crossings, Hamas authorities restricted some

foreign travel into and out of Gaza and required exit permits for Palestinians departing through the Gaza-Israel Erez crossing. Hamas closed the Erez crossing for a week in March/April, stranding international aid workers inside Gaza. Hamas also prevented some Palestinians from exiting Gaza for reasons related to the purpose of their travel or to coerce payment of taxes and fines. There were some reports unmarried women faced restrictions on their travel out of Gaza.

The ISF regularly imposed significant restrictions on Palestinians' movement within the West Bank, into and out of Gaza, and foreign travel. At times the ISF increased restrictions on the movement of Palestinians citing security justifications.

A key barrier to Palestinian movement was the security barrier that divides the majority of the West Bank from Israel, most parts of East Jerusalem, and some parts of the West Bank. The barrier runs up to 11 miles (18 kilometers) east of the Green Line in some places, isolating an estimated 25,000 West Bank Palestinians living in communities west of the barrier from the remainder of the West Bank. Other significant barriers to Palestinian movement included internal ISF road closures and Israeli restrictions on the movement of Palestinian persons and goods into and out of the West Bank and Gaza Strip. Israeli restrictions on movement affected virtually all aspects of Palestinian life, including access to places of worship, employment, agricultural lands, schools, and hospitals, as well as the conduct of journalism and humanitarian and NGO activities.

Additional restrictions on Palestinian activities and development in Area C zones of the West Bank included Israeli confiscation of postdemolition assistance. Such restrictions affected both nonrefugees and refugees.

The PA, Hamas, and Israel generally cooperated with humanitarian organizations in providing protection and assistance to internally displaced persons and refugees. Nonetheless, Israeli officials imposed controls on movement of materials, goods, and persons into and out of Gaza and, as a result, constrained UNRWA's ability to operate in Gaza. AI and HRW reported difficulties by foreign workers in obtaining Israeli visas, which affected the delivery of humanitarian assistance in the West Bank and Gaza. AI and HRW also reported that the Israeli government denied their employees permits to enter Gaza. On October 30, the Israeli government denied entry to the West Bank to an AI employee who planned to visit relatives in the West Bank and Israel. AI claimed the employee was questioned about his work with AI prior being denied entry on public security grounds.

During the year Israeli authorities imposed movement restrictions on UNRWA staff, resulting in the loss of 1,261 UNRWA workdays in the West Bank and Jerusalem. The majority were due to increased Israeli demands to search UNRWA vehicles at checkpoints between Bethlehem and Jerusalem, especially UNRWA buses transporting 100 UN personnel to UNRWA West Bank Field Office in Jerusalem.

Humanitarian organizations continued to raise concerns about the "shrinking operational space" for international NGOs in Gaza following Israel's publication of allegations that staff of international NGOs had diverted goods and funds to Hamas. In one case in 2016, Israeli authorities arrested an employee of an international NGO returning to Gaza from Israel through the Erez crossing and held him for 21 days before he had access to a lawyer of his choosing. He claimed he was physically and psychologically tortured and gave a false confession under duress, according to representatives of the NGO. Israeli authorities held the employee in detention for a total of 50 days before filing charges against him. Israeli authorities held several hearings, but there was no resolution at the end of the year.

Abuse of Migrants, Refugees, and Stateless Persons: Israeli security operations in the West Bank and Jerusalem led to 13 refugee fatalities as of September, of whom six were allegedly killed while conducting an attack on the ISF or Israeli civilians. Most injuries were caused by Israeli use of live ammunition. There were 134 Palestinians reported injured by Israeli authorities in West Bank refugee camps, according to UNRWA, of whom 70 were injured by live ammunition.

According to UNRWA, between November 2016 and April 30, at least 25 tear-gas canisters used by ISF personnel landed in UNRWA installations during confrontations between ISF and Palestinians. UNRWA reported a significant increase in the use of tear gas by the ISF in and around densely populated refugee camps, in particular in the Aida, Jalazone, and Dheisheh camps. UNRWA also reported instances in which ISF personnel entered UNRWA facilities. On April 3, Israeli police entered the UNRWA Shu'fat Boys' School in Shu'fat refugee camp in East Jerusalem and threw two stun grenades and two tear-gas canisters. The incident affected 23 UNRWA staff members and more than 300 students, including a third-grade student whose leg was injured.

On January 10, the ISF fatally shot 33-year-old Mohammad Subhi Ahmad Khamis Salhi during an ISF search and arrest operation in El Fara' Camp. A Palestinian eyewitness claimed Salhi was shot without cause by a group of soldiers who

entered the family home. Israeli media, citing ISF sources, claimed Salhi was shot because he tried to stab soldiers with a kitchen knife.

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

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

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

Israel imposed significant restrictions on Palestinian movement in the West Bank and between the West Bank and Jerusalem. Israeli authorities frequently prohibited travel between some or all Palestinian West Bank towns and deployed "flying" (temporary) checkpoints. Palestinians who lived in affected villages stated that "internal closures" continued to have negative economic effects. During periods of potential unrest, including on some major Israeli, Jewish, and Muslim holidays, Israeli authorities enacted "comprehensive external closures" that precluded Palestinians from leaving the West Bank and Gaza. These closures also resulted in Palestinian economic losses. For example, the 11-day extended closure enacted by the Israeli government during the Sukkot holiday in October resulted in estimated economic losses of up to $86 million, according to the Palestinian Central Bureau of Statistics. The bulk of these losses comprised lost wages for Palestinian laborers working inside Israel. Israeli authorities also imposed movement restrictions on Palestinian towns and villages.

From September 26-27, Israeli authorities blocked the main and bypass road entrances to the Palestinian town of Beit Surik, on the outskirts of Jerusalem, while conducting arrest operations. Israeli authorities damaged Palestinian property while conducting raids, sealed off entries and exits, and confiscated vehicles. The Israeli government stated collective restrictions were imposed only if a military commander was convinced there was a military necessity for the action and that the imposition on the everyday lives of Palestinian civilians was not disproportionate.

Israeli authorities restricted or prohibited Palestinian travel on 41 roads and sections of roads throughout the West Bank, including many of the main traffic arteries. These restrictions on Palestinian travel affected a total of more than 400 miles of roads on which Israelis may travel freely. The ISF also imposed temporary curfews confining Palestinians to their homes during ISF arrest operations. During the Muslim holy month of Ramadan, Israeli authorities eased restrictions on Palestinians entering Jerusalem and Israel, allowing Muslim men over the age of 30 who applied for and obtained special prayer permits, as well as Muslim men over 40 without permits, to visit the Haram al-Sharif/Temple Mount for religious services.

The Israeli government continued construction of the security barrier, which ran largely inside the West Bank and along parts of the 1967 Green Line. Israeli authorities extended the barrier in the Cremisan Valley near Bethlehem and began land clearing to extend the barrier through Walajah village, also near Bethlehem. By use of special permits, Israel continued to restrict movement and development near the barrier, including access by some international organizations. Palestinian lawyers reported that Israeli authorities allowed many Palestinians who had been separated by the barrier from their land access to their property for only a few days each year.

Private security companies employed by the Israeli government controlled many points of access through the security barrier. International organizations and local human rights groups claimed these security companies did not respond to requests to allow movement of goods or NGO representatives through the barrier. Many Palestinians and NGOs reported higher levels of mistreatment at checkpoints run by security contractors than at those staffed by IDF soldiers.

The barrier affected the commute of Palestinian children to school in Jerusalem and some farmers' access to land and water resources. Palestinian farmers continued to report difficulty accessing their lands in Israeli-controlled Area C of the West Bank and in the seam zone, which is a closed area between the security barrier and the Green Line. NGOs and community advocates reported numerous Palestinian villages owned land in the seam zone rendered inaccessible by the barrier. A complicated Israeli permit regime (requiring more than 10 different permits) prevented these Palestinians from fully using their lands.

Israel eased restrictions limiting access to farmland in Gaza to 328 feet (100 meters) from the boundary with Israel. Despite this easing, reports indicated Israel continued to enforce "buffer zone" restrictions on nonfarmers attempting to enter

within 328 feet (100 meters) of the land boundary between Gaza and Israel and that Israeli authorities sprayed pesticides into Gaza across the border fence, onto lands cleared by the ICRC for farmers to return. The extent to which authorities permitted access along the border remained unclear. UNOCHA reported Palestinians in Gaza considered areas up to 984 feet (300 meters) from the perimeter fence to be a "no-go" area, and up to 3,280 feet (1,000 meters) to be "high risk," which discouraged farmers from cultivating their fields. UNOCHA estimated nearly 35 percent of the Gaza Strip's cultivable land was located in the restricted area. The Palestinian human rights NGO al-Mezan reported that as of October 20 Israeli authorities arrested 119 farmers, and shot and injured another 13 for cultivating land in or near the buffer zone.

Gaza's fishing waters were largely inaccessible to Palestinians due to Israeli restrictions that allowed fishing only within six nautical miles of land. The Israeli government stated these restrictions were necessary for security reasons. Israeli authorities eased the naval blockade in May, extending fishing limits from six to nine nautical miles. The extension was temporary and returned to six nautical miles in June. The United Nations reported the nautical restriction was "of particular concern." Israeli naval patrol boats strictly enforced the new limit, which represented a reduction from the 20-nautical-mile limit established in the 1994 Agreement on the Gaza Strip and Jericho Area. Israeli naval forces regularly fired warning shots at Palestinian fishermen entering the restricted sea areas, in some cases directly targeting the fishermen, according to UNOCHA. Israeli armed forces often confiscated fishing boats intercepted in these areas and detained the fishermen. Palestinian fishermen reported confusion over the exact limits of the new fishing boundaries.

During the year Israeli security forces restricted movement in Palestinian-majority neighborhoods of Jerusalem and Jerusalem's Old City. Israeli security forces periodically blocked entrances to the East Jerusalem neighborhoods of Issawiya, Silwan, and Jabal Mukabber. In the West Bank, Israeli military authorities continued to restrict Palestinian vehicular and foot traffic and access to homes and businesses in downtown Hebron, citing a need to protect several hundred Israeli settlers resident in the city center. The ISF continued to occupy rooftops of private Palestinian homes in Hebron as security positions, forcing families to leave their front door open for soldiers to enter.

Following the July 14 attack by three Arab Israelis that killed two Israeli police at the Haram al-Sharif/Temple Mount, Israeli police closed the compound and cancelled Friday prayers at the al-Aqsa Mosque for the first time since 1969.

Following the compound's reopening two days later, Israeli police erected new security screening equipment, including metal detectors, at entrances to the site used by Muslim worshippers. The Waqf (the government of Jordan Islamic trust and charitable entity that administers the site) rejected these changes, characterizing them a violation of the status quo at the holy site. Muslim worshippers refused to enter the site pending full revocation of all newly imposed security measures, triggering a wave of popular protests in Jerusalem and the West Bank that continued until the INP removed the equipment on July 27.

Visits by Jewish activists to the Haram al-Sharif/Temple Mount, some facilitated by Israeli authorities, increased to record levels during the year. A single-day record 1,079 Jewish activists visited on Tisha b'Av (August 1), which commemorates the destruction of the Jewish Temples. Over the week-long Jewish holiday of Sukkot, activists conducted 2,266 visits, a 40-percent increase over the number of visits conducted during Sukkot in 2016. The Israeli government, in accordance with the status quo understanding with the Jordanian authorities managing the site, prohibits non-Muslim worship at the Haram al-Sharif/Temple Mount. But police have become more permissive of silent Jewish prayer and other religious rituals performed on the site in violation of this understanding, according to the Jerusalem Islamic Waqf, Jewish Temple Mount groups, and local media. Israeli authorities, citing security concerns, mostly prevented Knesset members (MKs) and government ministers from visiting the Haram al-Sharif/Temple Mount; however, for the first time since October 2015, Israeli PM Netanyahu ordered Israeli police to permit MK visits for one day on August 29. Police subsequently permitted Israeli MK Yehuda Glick to visit the Haram al-Sharif/Temple Mount on October 25, according to the Waqf. The Israeli government, citing security concerns, also continued to impose intermittent restrictions on Palestinian access to certain religious sites, including the Haram al-Sharif/Temple Mount. Waqf officials said Israeli police increased restrictions on Waqf operations, and renovation and repair projects at the site. Travel restrictions, including limited access to Jerusalem during major Jewish holidays, as well as continued construction of Israel's security barrier, impeded the movements of Palestinian Muslims and Christians in the West Bank.

Foreign Travel: PA authorities did not limit West Bank residents' foreign travel. The PA does not control border crossings into or out of the West Bank.

Hamas authorities in Gaza enforced movement restrictions on Palestinians attempting to exit Gaza to Israel via the Erez Crossing and to Egypt via the Rafah Crossing. Israeli authorities often denied Palestinian applications for travel permits

through the Erez Crossing. Entry and exit from the Gaza Strip at the Erez Crossing was largely limited by Israel to humanitarian cases. According to the NGO Gisha, there were 5,819 average monthly exits from Gaza between January and October, a significant drop compared with the monthly average in 2016 (12,150). This prevented Palestinians from transiting to Jerusalem for visa interviews, to Jordan (often for onward travel) via the Allenby Bridge, and to the West Bank for work or education.

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

Increased Israeli travel restrictions also allowed fewer students than the previous year in the West Bank and Gaza to participate in cultural programming within the Palestinian Territories, as well as study programs abroad. Delays in permit approvals by Israeli officials caused Palestinians to miss the travel dates for their exchange programs abroad or for cultural programming in Jerusalem or the West Bank. In some cases authorities asked students to submit to security interviews prior to receiving permits. In the past two years, Israeli authorities detained some students indefinitely without charge following their security interview, which caused other students to refuse to attend these interviews due to fear of detention.

Permit denials increased for staff of international organizations and for some categories of medical care inside Israel, according to Israeli NGOs. There were several reports that Gazans in need of urgent medical care could not get permits from the Israeli government in sufficient time. Aya Khalil Abu Metlaq, a five-year-old girl, died from a metabolic disorder on April 17 while waiting for a permit to exit Gaza for medical treatment in Jerusalem. The NGO Gisha claimed many of the security holds placed by Israeli authorities on Palestinians seeking to exit Gaza for work, education, or family events were arbitrary. Israeli border officials increased rates of detention and interrogation of Palestinians from Gaza seeking business permits.

Because Egyptian authorities also maintained the closure of the Rafah Crossing for all but 28 days of the year (as of December 5) except for special categories of travelers, Palestinians in Gaza remained virtually confined. Egyptian authorities enforced movement restrictions on Palestinians attempting to exit Gaza via the Rafah Crossing. The Egyptian government periodically allowed border crossings

for a few days at a time--and mostly only in one direction--for passenger travel and humanitarian aid.

Restrictions on access to Jerusalem had a negative effect on Palestinian patients and medical staff trying to reach the six Palestinian hospitals in Jerusalem that offered specialized care unavailable in the West Bank. According to Palestine Red Crescent Society (PRCS), IDF soldiers at checkpoints at times harassed and delayed ambulances from the West Bank or refused them entry into Jerusalem, even in emergency cases. When ambulances lacked access, medics moved patients across checkpoints from an ambulance on one side to a second ambulance (usually one of five East Jerusalem-based ambulances) or a private vehicle on the other side. The PRCS reported hundreds of such actions impeding humanitarian services during the year. Most included blocking access to those in need, preventing their transport to specialized medical centers, or imposing delays at checkpoints lasting up to two hours.

Palestinians possessing Jerusalem identity cards issued by the Israeli government needed special documents to travel abroad. The Jordanian government issued passports to Palestinians on the basis of individual requests.

According to NGOs such as Ir Amim and B'Tselem, residency restrictions prevented family reunification, particularly between East Jerusalem Palestinian residents of Jerusalem and West Bank-based spouses or children. Israeli authorities permitted children in the Gaza Strip access to a parent in the West Bank only if no other close relative was resident in the Gaza Strip. Israeli authorities did not permit Palestinians who were abroad during the 1967 War or whose residence permits the Israeli government subsequently withdrew to reside permanently in the occupied territories. It was difficult for foreign-born spouses and children of Palestinians to obtain residency. Authorities required Palestinian spouses of Jerusalem residents to obtain a residency permit with reported delays of several years to obtain them.

Exile: Continued Israeli revocation of Jerusalem identity cards amounted to forced exile of Palestinian residents of Jerusalem to the West Bank, Gaza, or abroad, according to HRW. According to HRW the Israeli Ministry of Interior renewed "temporary" orders authorizing the revocation of Jerusalem residency rights from legal residents. Between 1967 and 2016, Israel revoked the residency status of 14,595 Palestinian residents of Jerusalem. Revocations continued in recent years, averaging approximately 100 per year, but not approaching the high point of 2008, when Israel revoked the Jerusalem identity cards of 4,577 individuals. In 2015

Israel revoked the status of 84 Palestinian residents of Jerusalem. Reasons for revocation included acquiring residency or citizenship in another country by Palestinian residents of Jerusalem; living "abroad" (including in the West Bank or Gaza) for more than seven years; or, most commonly, being unable to prove a "center of life" (interpreted as full-time residency) in Jerusalem. Some Palestinians who were born in Jerusalem but studied abroad reported losing their Jerusalem residency status. On September 13, the Israeli HCJ ruled that the Israeli government could not revoke Palestinian residence for "breach of loyalty." The ruling followed then interior minister Roni Bar's 2006 revocation of the residency of four Jerusalem residents elected to the PLC.

Internally Displaced Persons (IDPs)

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

According to UNOCHA, Israeli settlement activity was a driver of displacement in the West Bank and Jerusalem. In the West Bank and Jerusalem, authorities demolished hundreds of Palestinian homes and other Palestinian structures due to residents' lack of difficult-to-obtain Israeli building permits. According to UNOCHA, ACRI, and other NGOs, Israeli restrictions made it almost impossible for Palestinians to obtain permits in Area C and Jerusalem, while providing preferential treatment for Israeli settlers in these areas. UNOCHA noted that in many cases Palestinian displacement resulted from a combination of factors including settler violence, movement restrictions, and restricted access to permits, services, and resources. Israeli authorities displaced Palestinians in Jerusalem by revoking residency status and through forced evictions. In some cases Israeli authorities facilitated takeover of Palestinian property by Israeli organizations via court actions asserting a claim to Palestinian properties owned by Jews before 1948.

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

Protection of Refugees

Access to Asylum: According to UNRWA, as of the end of 2016, there were 818,535 registered Palestinian refugees in the West Bank and more than 1.3 million in the Gaza Strip. Almost one-quarter (24 percent) of Palestinian refugees in the West Bank lived in camps, as did approximately 40 percent in Gaza. Some Palestinians, registered with UNRWA as refugees, who lived in Syria prior to the Syrian civil war were reportedly living in Gaza. In addition, Syrians of Palestinian descent (without UNRWA refugee status) were also reportedly living in Gaza after fleeing the Syrian civil war.

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

Palestinian refugees in the West Bank and Gaza were eligible to access UNRWA schools and primary health care clinics, although in some cases, movement restrictions limited access to UNRWA services and resources in the West Bank.

Beginning in 2014 Israeli authorities required that UNRWA trucks use only commercial crossings into Jerusalem, at which they faced significant delays, long detours, and increased search demands. UNRWA continued to seek to use standard checkpoint crossings instead of commercial crossings, with mixed results. UNRWA reported that service delivery was problematic in the area between the security barrier and the Green Line, particularly near Bartaa, in three refugee communities near Qalqilya, and in four communities northwest of Jerusalem.

The deterioration of socioeconomic conditions during the year in Gaza severely affected refugees. UNRWA reported that food security continued to be at risk. A continuing shortage of UNRWA school buildings in Gaza during the year resulted in a double-shift system and shorter school hours.

Essential infrastructure in Gaza, including water and sanitation services, continued in a state of severe disrepair. Israeli restrictions limited the import of spare parts and components. Israeli import restrictions on certain commodities considered to be dual use continued to impede humanitarian operations in Gaza, including those directed toward refugees. In December 2016 Israeli authorities introduced a requirement whereby approval of UNRWA projects remains valid for only one year. As project implementation timelines often exceeded one year, this new requirement necessitated applications for re-approval of projects, which hampered implementation and increased transaction costs for multiple UNRWA projects.

Stateless Persons

According to NGOs, 40,000 to 50,000 Palestinians in Gaza lacked identification cards recognized by Israel. Some were born in Gaza, but Israel never recognized them as residents; some fled Gaza during the 1967 war; and some left Gaza for various reasons after 1967 but later returned. A small number lacking recognized identification cards were born in the Gaza Strip and never left, but had only Hamas-issued identification cards. The Israeli government controlled the Palestinian Population Registry, which allows stateless persons to obtain status.

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

Recent Elections: Authorities scheduled municipal elections in both the West Bank and Gaza on May 13; however, the PA postponed municipal elections in Gaza. Hamas and the Popular Front for the Liberation of Palestine boycotted the May 13 elections in the West Bank. According to election observers, voting generally proceeded without incidents of violence or voter intimidation. As required by Palestinian law, 20 percent of candidates on the lists were women.

There have been no national elections in the West Bank and Gaza since 2006, when Palestinian voters elected the 132-member Palestinian Legislative Council in a vote that international observers concluded generally met democratic standards and provided Palestinians the ability to choose their government peacefully. As of year's end, no date was set for new national or municipal elections in the West Bank or Gaza.

Palestinian residents of Jerusalem who possess permanent residency status may vote in Jerusalem municipal elections and seek municipal office. Palestinian

residents of Jerusalem have repeatedly boycotted municipal elections. In the most recent municipal election in 2013, 99 percent of eligible Palestinian voters in Jerusalem boycotted and did not vote, according to NGO reports. Palestinians with permanent residency status in Jerusalem cannot vote in Knesset elections or serve in the Knesset.

Palestinian residents of Jerusalem were able to vote in PA elections held in 2006 from East Jerusalem polling stations, but they have not voted in PA elections since.

Political Parties and Political Participation: The PA allowed a diversity of political parties to exist in the West Bank but limited the ability of Hamas members to campaign and organize rallies. In Gaza, Hamas allowed other political parties to exist but severely restricted their activities.

Participation of Women and Minorities: No PA laws limit participation of women or members of minorities in the political process, and they did participate. Legally women and minorities can vote and participate in political life on the same basis as men and nonminority citizens, although women faced significant social and cultural barriers in both the West Bank and Gaza. There were 16 women in the 132-member PLC, which represented West Bank, Gaza, and East Jerusalem districts, and there were three women in the 23-member PA cabinet. There were seven Christians in the PLC and three in the PA cabinet.

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

Section 4. Corruption and Lack of Transparency in Government

PA law provides criminal penalties for official corruption. The PA respected the law, making progress in investigations and prosecutions during the year.

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

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

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

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

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

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

Israeli and Palestinian human rights NGOs, including B'Tselem, Rabbis for Human Rights, and Breaking the Silence, operating in East Jerusalem, the West Bank, and Gaza reported harassment from Israeli settlers and anonymous sources. NGOs reported continued telephonic harassment following widespread publication of a video naming and vilifying activists or supporters of four NGOs that reported on Palestinian human rights issues. B'Tselem, Rabbis for Human Rights, and Breaking the Silence reported some of their employees were subject to intimidation, death threats, or physical assault.

On August 23, Israeli security forces arrested Salah Hammouri, a Palestinian field researcher of the NGO Addameer at his home in the East Jerusalem neighborhood of Kufr Aqab. Authorities subsequently ordered him detained for six months in administrative detention without charges.

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

In Gaza, Hamas routinely harassed civil society groups, including by dissolving and closing peaceful organizations. Gaza-based NGOs reported that Hamas

representatives appeared at their offices to seek tax payments, demand beneficiary lists and salary information, and summon NGO representatives to police stations for questioning.

Palestinian, Israeli, and international NGOs monitored the Israeli government's practices in the West Bank, Gaza, and Jerusalem and published their findings, although movement and access restrictions in the West Bank and Gaza made it difficult to work. Israeli authorities permitted some human rights groups to hold and publish press conferences and provided the ICRC with access to most detainees.

The United Nations or Other International Bodies: PA and Israeli officials generally cooperated with and permitted visits by representatives of the United Nations and organizations such as the ICRC, although there were numerous reports Israeli authorities blocked the delivery of humanitarian aid, especially to Gaza. There were numerous reports Hamas harassed members of international organizations.

In 2015 the International Criminal Court Office of the Prosecutor (OTP) opened a preliminary examination to determine whether crimes had been committed within the court's jurisdiction on the territory of the "State of Palestine." Israeli officials strongly opposed the preliminary examination but maintained communication with the OTP. Palestinian officials indicated they continued to respond to requests from the OTP by submitting information. Palestinian human rights groups proactively submitted information regarding alleged crimes to the OTP.

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

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

Women

Rape and Domestic Violence: Rape is illegal under PA law, but the legal definition does not address spousal rape. Punishment for rape is five to 15 years in

prison. PA law (which applies both in the West Bank and in Gaza) relieves rapists who marry their victim of criminal responsibility. PA and de facto Hamas authorities generally did not enforce laws pertaining to rape effectively in the West Bank or Gaza. In previous years there were reports police treated rape as a social and not a criminal matter, and that authorities released some accused rapists after they apologized to their victims.

PA law does not explicitly prohibit domestic violence, but assault and battery are crimes. PA and de facto Hamas authorities did not enforce the law effectively in domestic violence cases in the West Bank and Gaza. NGOs reported Palestinian women were frequently unwilling to report cases of violence or abuse to PA or Hamas de facto authorities due to fear of retribution. HRW in previous years reported that PA authorities prosecuted few domestic violence cases successfully. According to the PA's Central Bureau of Statistics, domestic violence, especially psychological violence, was common in the West Bank and Gaza.

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

Other Harmful Traditional Practices: The law precludes "family honor" as protection for perpetrators in "honor killing" crimes, although some NGOs argued the law was not sufficiently enforced. NGOs reported 28 documented reports of honor killings in 2015 in the West Bank and Gaza but expressed concern about underreporting, based on how PA police documented allegations in the West Bank, and due to lack of information on the situation in Gaza.

Sexual Harassment: No PA law specifically relates to sexual harassment, which was a significant and widespread problem in the West Bank and Gaza. Some women claimed that when they reported harassment, authorities held them responsible for provoking men's harassing behavior. Authorities in Gaza harassed women for "un-Islamic" behavior, including being in public after dark and walking with an unrelated man.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

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

Hamas enforced a conservative interpretation of Islam in Gaza that discriminated against women. Authorities generally prohibited public mixing of the sexes. Plainclothes officers routinely stopped, separated, and questioned couples to determine if they were married. In Gaza premarital sex was considered a crime punishable by imprisonment. Hamas's "morality police" punished women for behavior they deemed inappropriate such as riding motorcycles, smoking cigarettes or water pipes, leaving their hair uncovered, and dressing "inappropriately" in Western-style or close-fitting clothing such as jeans or T-shirts. Women in refugee camps in Gaza stated they felt unsafe using public bathing and latrine facilities.

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

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

Children

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

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

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

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

Some Jerusalem school administrators said ISF activities on campuses adversely affected students and faculty. On October 23, the Parents' Committee of schools in the East Jerusalem Palestinian neighborhood of Issawiyeh suspended school attendance in response to the presence of Israeli Border Police adjacent to school grounds. In the West Bank, Palestinian government officials and Palestinian university officials accused the ISF of disrupting university campuses, especially in areas close to Israeli settlements. Officials from the al-Quds University's Abu Dis campus in the West Bank continued to accuse Israeli soldiers of harassing Palestinian university students on campus and attempting to provoke students. There were occasional low-level skirmishes near the entrance to al-Quds University between the IDF and youths unaffiliated with the university.

Israeli restrictions on construction in Area C of the West Bank affected Palestinian students' access to education. In August and September, three primary schools or kindergartens were demolished or had their equipment confiscated, affecting 132 Palestinian children, according to UN reports. At least 56 Palestinian schools in Area C of the West Bank were subject to pending demolition or stop-work orders.

The Israeli High Court ordered the Jerusalem Municipality in 2011 to correct the deficit of school classrooms in Palestinian-majority neighborhoods of Jerusalem by the 2016-17 school year. According to the Norwegian Refugee Council, the Palestinian classroom deficit in Jerusalem has grown since 2011: The annual construction rate in schools serving Jerusalem's Palestinian children was 37 classrooms per year, while the growth rate of the Palestinian student population required an additional 70 classrooms per year. The Jerusalem Municipality announced a plan for the 2017-18 school year that included an increase of 105 first grade classrooms within five years and 20 classrooms per year in secondary schools.

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

Israeli security forces reportedly committed violence against Palestinian children in military custody and during arrest (see section 1.c.) in the West Bank and near the Gaza Strip buffer zone, according to MCW, Hamoked, and UN reports.

Doctors Without Borders reported the number of Palestinian children with posttraumatic stress disorder and other anxiety disorders, including depression, increased in recent years. The organization attributed a majority of the cases to trauma experienced during Israeli military incursions or to settler violence.

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

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

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

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

Anti-Semitism

Israeli settlements in the West Bank had approximately 400,000 Jewish residents. The Jewish population in Gaza, aside from foreign nationals, was nonexistent. Israeli settlements in East Jerusalem had an estimated 207,000 Jewish residents.

Some Palestinians and Muslim religious leaders used anti-Semitic rhetoric and engaged in Holocaust denial. Anti-Israel sentiment was widespread in public

discourse and sometimes crossed the line into anti-Semitism, including expressions of longing for a world without Israel and glorification of terror attacks on Israelis. During times of heightened tensions between Israeli authorities and Palestinians, Palestinian press and social media sometimes circulated cartoons encouraging such attacks.

At times the PA failed to condemn incidents of anti-Semitic expression in official PA media outlets.

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

Trafficking in Persons

No PA law specifically prohibits trafficking in persons, and small numbers of Palestinian children and adults reportedly experienced forced labor in both the West Bank and Gaza, as well as in Jerusalem, where Israeli law applies.

Persons with Disabilities

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

Palestinians with disabilities continued to receive inconsistent and poor-quality services and care. The PA in the West Bank and de facto Hamas authorities in Gaza partially depended on UN agencies and NGOs to care for persons with physical disabilities, and both offered substandard care for persons with mental disabilities. Palestinians in Gaza reported little to no infrastructure accommodations for persons with mobility disabilities, as well as difficulty in importing wheelchairs and other mobility aids due to Israeli authorities' control of goods transiting border crossings into Gaza.

There were reports that Palestinian detainees deemed mentally disabled or a threat to themselves or others were placed in isolation without a full medical evaluation

by Israeli authorities. According to Physicians for Human Rights-Israel, Israeli isolation of Palestinian prisoners with mental disabilities was common.

National/Racial/Ethnic Minorities

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

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

PA law, based on the 1960 Jordanian penal code, prohibits consensual same-sex sexual activity. The PA did not prosecute individuals suspected of such activity. Societal discrimination based on cultural and religious traditions was commonplace, making the West Bank, Gaza, and East Jerusalem challenging environments for Palestinian lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. In February the Palestinian attorney general confiscated a book that allegedly contained references of a homosexual nature. Some Palestinians claimed PA security officers and neighbors harassed, abused, and sometimes arrested LGBTI individuals because of their sexual orientation or gender identity. NGOs reported Hamas also harassed and detained persons due to their sexual orientation or gender identity.

HIV and AIDS Social Stigma

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

Other Societal Violence or Discrimination

UNOCHA, Yesh Din, and other NGOs reported numerous attacks by Israeli settlers on Palestinians and their property in the West Bank, undermining the livelihoods and physical security of Palestinians. The attacks included Israeli

settler violence against Palestinian residents and NGO workers. Some Israeli settlers reportedly used violence against Palestinians to keep them away from land settlers sought to acquire. The number of settler attacks perpetrated against Palestinians increased for the first time in three years, according to UNOCHA. As of August, UNOCHA identified 89 incidents of settler violence since January that resulted in Palestinian fatalities, injuries, or property damage, representing an 88-percent increase in the monthly average compared with 2016.

Various human rights groups, including Yesh Din, Rabbis for Human Rights, and B'Tselem, continued to claim Israeli authorities insufficiently investigated and rarely prosecuted settler violence. Some groups attributed this circumstance in part to the ICA's neglect of Palestinian complaints. Palestinian residents were reportedly reluctant to report incidents due to fears of settler retaliation and were discouraged by a lack of accountability in most cases. Yesh Din stated that of 1,200 investigations into settler violence since 2005, only 3 percent resulted in convictions.

According to Israeli media reports, Israeli middle school students hiking near the West Bank Area C Palestinian village of Qusra on November 30 were approached by a group of Palestinians who harassed the child hikers and their adult chaperones, threw rocks at them, and assaulted them. The timing and route of the hike had been previously cleared with the IDF. The adults split up, one going for help and the other guiding the children to a cave for protection. According to multiple media reports, one Israeli chaperone fired a weapon in self-defense, killing a Palestinian resident of Qusra who was farming his land nearby, 48-year-old Mahmoud Za'al Odeh. The IDF arrived and escorted the children and chaperones to safety.

Palestinian residents of the West Bank claimed settlers perpetrated hit-and-run attacks against Palestinian pedestrians, although in most cases the circumstances were unclear. On August 26, an Israeli settler vehicle struck and killed an eight-year-old Palestinian girl. PA medical sources said the vehicle struck the girl near the Furush Beit Dajan village in Nablus, but Israeli police contended the vehicle hit her on Route 90 in the Jordan Valley. On April 20, an Israeli settler vehicle injured a Palestinian teenager on a road in Teqoua east of Bethlehem and then fled; the teenager suffered moderate injuries.

Many incidents involved Israeli settlers trespassing onto Palestinian-owned land and damaging land and crops. In January, six settler youths from the Geulat Tzion outpost near Shilo entered Palestinian-owned olive groves in Turmus Ayya, threw

stones at the farmers who were plowing their fields, and sprayed graffiti with the word "revenge." Israeli settler attacks on olive trees, on which many rural Palestinians rely for their livelihoods, remained common. During the annual olive harvest in the West Bank in October-November, NGO Rabbis for Human Rights documented 19 cases of settler intimidation and violence or damage to harvests. On October 22, settlers from Adei Ad stole olives from 200 trees of the grove of Jamil Nassan in the Palestinian village of al-Mughayyer, northeast of Ramallah. His harvest has been stolen annually for several years.

"Price tag" attacks (property crimes and violent acts by extremist Jewish individuals and groups against Palestinians) continued.

In May the Israeli Central District Attorney's Office indicted three Israeli suspects for vandalizing several Palestinian homes in East Jerusalem and cars in the Arab village of Naura, located near the Israeli city of Nazareth. The trial continued throughout the year without reaching a verdict.

Harassment and attacks against Palestinians in Jerusalem by extremist Jewish groups reportedly increased. The Jewish organization Lehava continued to protest social relationships between Jews and Palestinians, made anti-Christian and anti-Muslim statements, and reportedly assaulted Palestinians in West Jerusalem. On October 22, authorities remanded Lehava leader Bentzi Gopstein to house arrest following allegations he made threats against Arabs romantically involved with Jewish women. The Jerusalem Magistrate's Court sentenced Gopstein to five days' house arrest. Media reported that of the 14 other members of the antiassimilation group arrested at the same time, two had their remand extended by two days, and authorities allowed the others to return home.

Access to social and commercial services in Israeli settlements in the West Bank, including housing, education, and health care, was available only to Israelis. Israeli officials discriminated against Palestinians in the West Bank and Jerusalem regarding access to employment and legal housing by denying Palestinians access to registration paperwork. In both the West Bank and Jerusalem, Israeli authorities often placed insurmountable obstacles against Palestinian applicants for construction permits, including the requirement that they document land ownership despite the absence of a uniform post-1967 land registration process, the imposition of high application fees, and requirements that new housing be connected to often-unavailable municipal works.

According to B'Tselem, in 2000 Israel began curtailing the Palestinian population registry by denying paperwork to Palestinians and effectively declaring some Palestinians illegal residents. Some Palestinians defined as illegal residents faced harassment, arrest, or deportation to Gaza.

The World Bank reported that Palestinians in the West Bank suffered water shortages and purchased approximately one-half of their domestic water supply from Israel. Oslo-era agreements limited the amount of water Palestinians can draw from West Bank aquifers. According to AI, Palestinians received an average of eight gallons less than the World Health Organization's prescribed minimum daily water supply to maintain basic hygiene standards and food security. Political and fiscal constraints limited the PA's ability to improve water network management and efficiency, including the requirement for Israeli approval to implement water-related projects and the PA's lack of authority to prevent theft from the network in Area C, as well as the PA's own management problems.

The Israeli military continued to destroy Palestinian water cisterns, some of which donor countries had funded for humanitarian purposes. The Israeli military also destroyed unlicensed Palestinian agricultural wells, particularly in the Jordan Valley area of the West Bank, claiming they depleted aquifer resources.

Palestinians living within the boundaries of the Jerusalem Municipality, but cut off from the rest of the city by the security barrier, reported that the municipality failed to provide basic services, including water, policing, and infrastructure.

Organizations such as UNOCHA, Bimkom, and Ir Amim alleged that Jerusalem municipal and Israeli national policies aimed at decreasing the number of Palestinian residents of Jerusalem. Israeli government-sponsored construction of new housing units in East Jerusalem's Israeli settlements continued, while building permits were difficult to obtain for Palestinian residents of Jerusalem. Authorities demolished homes built by Palestinian residents without the legal permits they were unable to obtain, or for which they did not apply due to the high costs, extensive wait period, and minimal chance of obtaining the permit in the end. The Israeli NGOs Bimkom and Ir Amim stated that Palestinians in East Jerusalem continued to face barriers to purchasing property or obtaining building permits. Israeli authorities generally zoned land owned or populated by Palestinians for low residential growth. Authorities designated approximately 30 percent of East Jerusalem for Israeli settlements. Palestinians were able in some cases to rent Israeli-owned property, but they were generally unable to purchase property in an Israeli neighborhood. Israeli NGOs stated that after accounting for Israeli

settlements, Israeli government property and declared national parks, only 13 percent of all land in East Jerusalem was available for Palestinian construction.

The Israeli government and Jewish organizations in Jerusalem made efforts to increase Israeli property ownership or emphasize Jewish history in predominantly Palestinian neighborhoods of Jerusalem. Jewish landowners and their descendants, or land trusts representing the families, were entitled to reclaim property they had abandoned in East Jerusalem during fighting prior to 1949, but Palestinians who abandoned property in West Jerusalem during fighting in the same period had no reciprocal right to stake their legal claim to the property. Private Jewish organizations in Jerusalem acquired legal ownership of reclaimed Jewish property in East Jerusalem, including in the Old City, and sought to evict Palestinian families living there through protracted judicial action. According to UNOCHA, as of August, at least 260 Palestinians living in 24 residential buildings in East Jerusalem were under threat of eviction.

Although Israeli law entitles Palestinian residents of Jerusalem to full and equal services provided by the municipality and other Israeli authorities, the Jerusalem Municipality failed to provide sufficient social services, education, infrastructure, and emergency planning for Palestinian-majority neighborhoods in Jerusalem. According to ACRI, 76 percent of East Jerusalem's Palestinian residents and 83 percent of Palestinian children in East Jerusalem lived in poverty--an increase from 2016. There was a chronic shortage of classrooms in the official school system serving Palestinian children, despite commitments made by Israeli authorities and a high court ruling that the Jerusalem municipality must close the gap of missing classrooms for Palestinian students by year's end. Authorities largely segregated bus services in Jerusalem between Israelis and Palestinians. Light-rail service completed in 2010 served both Palestinian and Israeli populations, and of the 24 stops on the light rail, five were in or near Palestinian neighborhoods. The Jerusalem municipality continued not to operate the light-rail stop in the East Jerusalem neighborhood of Shu'fat. Palestinian youth periodically threw rocks at trains in Shu'fat and caused minor damage.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

PA law provides for the rights of workers to form and join independent unions and conduct legal strikes. The law requires conducting collective bargaining without any pressure or influence but does not include protections for employees and

unions to engage effectively in collective bargaining. Antiunion discrimination and employer or government interference in union functions are illegal, but the law does not specifically prohibit termination or provide for reinstatement due to union activity.

The PA labor code does not apply to civil servants or domestic workers, although the law allows civil servants the right to form unions. The requirements for legal strikes are cumbersome, and strikers had little protection from retribution. Prospective strikers must provide written warning two weeks in advance of a strike (four weeks in the case of public utilities). The PA Ministry of Labor can impose arbitration; workers or their trade unions faced disciplinary action if they rejected the result. If the ministry cannot resolve a dispute, it can refer the dispute to a committee chaired by a delegate from the ministry and composed of an equal number of members designated by the workers and the employer, and finally to a specialized labor court, although authorities had not established the court as required by labor legislation.

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

The PA respected freedom of association and the right to collective bargaining in the West Bank, with some significant exceptions. Labor unions were not independent of authorities and political parties in the West Bank or Gaza.

Two main labor unions in the West Bank (the Palestinian General Federation of Trade Unions and the Federation of Independent and Democratic Trade Unions and Workers) competed for membership and political recognition.

Israel applies Israeli civil law to Israeli settlements in the West Bank, but authorities did not enforce it uniformly. Despite a 2007 ruling by the Israeli HCJ requiring the government to apply Israeli law to Palestinian workers in Israeli settlements, the Israeli government did not fully enforce the ruling. Most Israeli

settlements continued to apply the Jordanian labor law applicable prior to 1967 to Palestinian workers; that law provides for lower wages and fewer protections than does Israeli law. Palestinian workers in Jerusalem often joined West Bank labor unions or the Israeli General Federation of Labor (Histadrut); however, they could not vote in Histadrut elections.

b. Prohibition of Forced or Compulsory Labor

Forced labor occurred in the West Bank and Gaza. PA law does not expressly forbid forced or compulsory labor or human trafficking. Women working as domestic workers were vulnerable to forced labor conditions in both the West Bank and Gaza, since the PA and de facto Hamas authorities do not regulate domestic labor within households or in the large informal sector. Forced child labor also occurred (see section 7.c.).

c. Prohibition of Child Labor and Minimum Age for Employment

The 2000 PA Unified Labor Law and the 2004 PA Palestinian Child Law prohibit the employment of any person under age 15. PA law classifies children as persons under age 18 and restricts employment for those between 15 and 18. The law permits hiring children between ages 15 and 18 for certain types of employment under set conditions. The law allows children younger than age 15 to work for immediate family members under close supervision.

PA law prohibits children from working more than 40 hours per week; operating certain types of machines and equipment; performing work that might be unsafe or damage their health or education; and working at night, in hard labor, or in remote locations far from urban centers. A 2012 presidential decree included provisions on child labor accompanied by explicit penalties for violations. PA authorities can penalize repeat offenders by having fines doubled and/or full or partial closure of their facility. Fines and enforcement were not sufficient to deter violations.

Many cases of child labor violations in the West Bank reportedly occurred in home environments, for example, on family farms, which were not open to labor ministry inspection. Child protection officers with the PA Ministries of Social Affairs and Labor reported they referred only employers who hired children under age 15 to work in dangerous conditions or hazardous jobs to the attorney general for prosecution; the PA Ministry of Labor referred only a few cases during the year. As of October the PA had detected 16 cases involving child labor (below the age of 15), compared with 10 in 2015. In recent years PA officials reported fining

"numerous" persons after successful investigations conducted by the PA Ministry of Labor. The ministry inspected only businesses operating in the formal economy and was unable to conduct investigations in the Gaza Strip. It did not have access to Israeli-controlled Area C of the West Bank (nearly 60 percent of the West Bank), where child economic exploitation and labor were most likely to occur, according to PA officials.

In the second quarter of the year, the PA estimated that 3.1 percent of children between the ages of 10 and 17 worked in the West Bank and Gaza, 4.2 percent in the West Bank, and 1.5 percent in Gaza. Palestinian child laborers deemed by the PA to be most vulnerable to forced labor and extreme weather conditions generally worked on family farms, in shops, as roadside and checkpoint street vendors, in car washes, in factories, or in small manufacturing enterprises.

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

The Israeli government stated it did not issue permits for Palestinian West Bank residents under the age of 18 to work in Israeli settlements in the West Bank, except in the Jordan Valley where the law allows issuing permits to persons age 16 and older. There were reports during the year that some Palestinian children entered the settlements or crossed into Israel illegally, often smuggled, to seek work. The PA reported that Palestinian children engaged in child labor in Israeli settlements in the West Bank faced security risks, exploitation, and harassment, since they did not have access to legal protection or labor inspection.

There were reports some children worked in forced labor in the West Bank, including in settlements. NGOs reported employers subjected Palestinian men to forced labor in Israeli settlements in industry, agriculture, construction, and other sectors. The PA was unable to monitor and investigate abuses in these areas because the Oslo Accords limited the PA's authorities in Areas B and C.

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

d. Discrimination with Respect to Employment and Occupation

PA laws and regulations do not prohibit discrimination regarding race, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. While PA laws prohibit discrimination based on gender and disabilities, the PA did not effectively enforce those laws and regulations in the West Bank, nor did Hamas in Gaza.

There was discrimination in the West Bank and Gaza based on the above categories with respect to employment and occupation. Women endured prejudice and, in some cases, repressive conditions at work. Women's participation in the workforce was extremely low, particularly in Gaza, although gradually growing, according to PA statistics (see section 6, Women).

e. Acceptable Conditions of Work

The PA cabinet approved a minimum wage at the beginning of 2013, but 36.8 percent of wage employees received less than the minimum wage in the second quarter of the year. The minimum wage is lower than the poverty threshold. In the West Bank, approximately 17.1 percent of wage employees in the private sector received less than the minimum monthly wage. In Gaza 78 percent of wage employees in the private sector received less than the minimum monthly wage. The PA's minimum wage of 1,450 Israeli new shekels (NIS) ($406) fell well below the poverty line of NIS 1,950 ($546) per month. Palestinians working in Israeli settlements reported they continued to receive wages lower than the Israeli minimum wage, despite a 2008 high court ruling that Israeli labor laws apply to relations between Palestinian workers and Israeli employers in settlements in the West Bank and East Jerusalem. In 2011, the date of the most recent official estimate, the PA estimated 25.8 percent of residents in the West Bank and Gaza lived below the poverty line of NIS 7.49 ($2.10) per day.

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

The PA Ministry of Labor was responsible for setting occupational health and safety standards, but its enforcement ability even in the West Bank was limited, in part due to lack of staff. The inspectorate staff was inadequate to enforce compliance. The PA did not effectively monitor smaller worksites, which were at times below legal safety standards. Palestinian workers do not have the legal

protection to remove themselves from situations that endangered their health or safety without jeopardy to their employment.

The PA was unable to monitor labor conditions in the Gaza Strip and had no authority to monitor labor safety in the 60 percent of the West Bank designated as Area C under the terms of Oslo-era agreements with Israel. The ministry cannot enforce Palestinian labor law in seam zones east of the Green Line and west of Israel's security barrier, in Israel (where Palestinians were employed on permits or illegally), or in Israeli settlements in the West Bank. Israeli authorities did not conduct labor inspections in Israeli settlements, where Palestinian workers constituted a significant part of the workforce. The lack of a competent labor authority in the settlements increased workers' vulnerability to exploitation. NGOs such as Kav LaOved stated that exploitative practices in Israeli settlements were widespread. Israeli NGOs brought some cases in Israeli labor courts on behalf of Palestinian workers employed by enterprises in Israeli West Bank settlements.

Occupational safety and health were poor.