

Executive summary

Chapter I

The Israeli occupation policy and violations and their effect on the ability of State of Palestine to ensure human rights in 2019

In 2019, the Israeli occupation went very far in violating the International Humanitarian Law and Human Rights Law and continued ignoring punishment of those committing grave violations against the Palestinians and ignored equity for the victims.

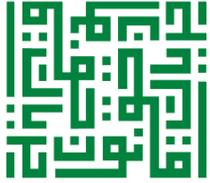
Part I: Repercussions of occupation on the basic rights of the Palestinians in the West Bank and Gaza Strip

State of Palestine faced many challenges and obstacles that hindered the protection of human rights of the Palestinians and safeguarding their basic rights as enshrined in the international human rights conventions, the most important of these violations include:

Violations to the right to life and physical integrity, including violations of the Palestinian human right to life and the Israeli detention of the bodies of martyrs, in addition, the Israeli occupation forces continued using excessive force against Palestinian civilians in the West Bank and Gaza Strip and target their lives; the number of Palestinian martyrs became 144 in both the West Bank and Gaza Strip,¹ most of them were civilians taking part in the Major Return marches along the eastern and northern borders of the Gaza Strip, 28 of them were children under the age of 18, (23) of whom were from the Gaza Strip.² At least 8,000 Palestinians were injured during the year.³ The Israeli occupation authorities continued to pursue a policy of detaining the bodies of Palestinian martyrs and continued detaining some (52) martyrs who have been martyred since

¹ Monitoring and documentation by the Palestinian Monitoring Group affiliated with the Negotiations Support Unit in the Palestine Liberation Organization.

² <https://arabic.dci-palestine.org> : Monitoring and documentation by Defense for Child International, on the website
³ "The 2019 report ... Occupation violations in the occupied Palestinian territories", a report issued by the Abdullah Al-Hourani Center for Studies and Documentation. The Palestine Liberation Organization, 12/31/2019.



2015, (15) of whom were martyred in 2019, as a form of revenge and collective punishment that is prohibited under international law.

During the year, the Israeli occupation forces arrested more than 5,500 Palestinians, including (889) children and at least 91280 women, while the number of administrative detainees amounted to about (450) detainees⁴. During the year, the occupation authorities also continued arresting (11) journalists and eight former members of the Legislative Council, the majority of whom were administratively detained. The prisoners live under harsh detention conditions, while dozens of testimonies of detainees, who have been severely tortured, have been monitored during the year.⁵ The suffering of the prisoners continued as a result of the systematic policy of medical negligence, as a result of which five Palestinian prisoners were martyred during the year.

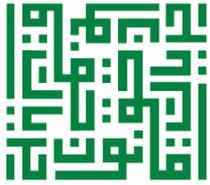
The occupation authorities continued targeting children and minors, forcing them into harsh conditions of detention and imposing heavy fines and fines. At least 200 children were monitored in the Israeli detention facilities at the end of the year, in addition to 35 other children under house arrest.⁶

As for the violations to the economic and social rights, the Israeli occupation authorities continued their illegal and inhumane air, land and sea blockade of the Gaza Strip and tightened restrictions on its crossings for the 13th consecutive year, using the blockade as a tool of collective punishment, the effects of which affected various aspects of human rights for all the Gaza Strip residents and caused severe humanitarian crises in the Gaza Strip and contributed to the continued deterioration of humanitarian conditions, living standards, increased unemployment and poverty rates, with more than 67% of the population of the Gaza Strip classified as "lacking food security", according to the United Nations Office for the Coordination of Humanitarian Affairs. In addition to the above, the occupation authorities imposed new restrictions, during the year, on the supply of goods they classify as "dual-use materials"; this includes an estimated 62-item list of vital commodities and basic materials.

A fact sheet on "Prisoners in Israeli Detention", prepared by the Prisoners' Institutions and Human Rights groups⁴ (Palestinian Prisoners Club, Addameer Prisoner Support and Human Rights Association, Prisoners Affairs Authority), published on December 30, 2019.

⁵ A fact sheet on "Prisoners in Israeli Detention", previously mentioned source

⁶ A fact sheet on "Prisoners in Israeli Detention", prepared by the Prisoners' Institutions and Human Rights groups (Palestinian Prisoners Club, Addameer Prisoner Support and Human Rights Association, Prisoners Affairs Authority), published on December 30, 2019



The tightened blockade had repercussions on the health situation, as it posed an obstacle to citizen's ability to enjoy the highest attainable level of health. The occupation measures also limited the ability of duty bearers to guarantee the right to health of the citizens of the Gaza Strip. There are many forms of suffering that patients endure in the Gaza Strip in their quest for care and health service, including: the rejection of applications for permits to access treatment abroad; in addition to the Israeli interrogation and blackmailing of patients in exchange for issuing them permits for treatment, while some patients or their attendants were arrested at the Beit Hanoun "Erez" crossing.

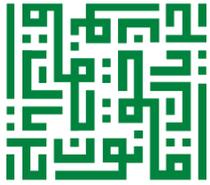
Between 1/1-30/11/2019, the Israeli occupation authorities denied medical travel permits for approximately 8,000 out of 22,144 patients, who applied for permits to travel for treatment; this makes 35.1% of the total applications submitted. The prohibition also affected those accompanying patients, resulting in infants travelling without their mothers to the West Bank for treatment of various diseases, including cancer.⁷

The impact of the blockade on the economic situation was considered to be the worst year for the Gaza Strip. The economic sector has deteriorated significantly as a result of the siege and has suffered significantly from economic decline, which also affected the level of income and productivity. The factories in the Gaza Strip functioned, during the year, at a rate of (20-25%) of their capacity because of the blockade and repeated attacks against the Gaza Strip. The direct and indirect monthly losses of the economic sector (industrial, commercial, agricultural and contracting sector) increased at the end of the year to nearly \$100 million per month.

With regard to violations to the right to education, students suffered policies and attacks by the occupation as part of their daily lives and in many cases suffered attacks by the Israeli settlers. Mr. Samir Jibril, Director of the Jerusalem Education Office, was arrested, placed under house arrest and made to pay a financial fine, while the Office of the Directorate of Education was closed for a renewable period of six months, added to the above the Israeli occupation's incitement against the Palestinian curriculum. The number of Israeli attacks was (140) attacks on Palestinian schools, (2) attacks targeting Palestinian students' lives, whereas, at least (175) students and (120) teachers and administrative staff from the educational service were injured.⁸

Report "Israeli restrictions on travel for patients from the Gaza Strip for treatment abroad," Palestinian Center for Human Rights, Gaza, December 2019.

"The annual report of the monitored Israeli violations against the educational process for the year 2019," General Department of Field Follow-up at the Ministry of Education, January 2020.



In addition, the number of detained Palestinian students reached (161) male and female students, while the number of teachers and administrators in Israeli occupation detention was (17) education staff members. The safe access of students, administrators and teachers was hampered due to the delay at the checkpoints hindering the safe access of students (4,576) times.

With regard to violations of the right to housing and forced displacement, the Israeli occupation authorities carried out (686) demolitions of Palestinian facilities, (80%) of which were in the governorates of Jerusalem, Bethlehem and Hebron,⁹ and issued about (456) demolition orders. The demolitions contributed to the displacement of (898) Palestinians.¹⁰ The occupation authorities also continued restricting traffic and the freedom of movement of Palestinian citizens, as the occupation forces deployed (3982) random checkpoints,¹¹ impeding the passage of people and goods, as well as limiting the ability to enjoy all basic human rights, in addition to preventing thousands from traveling under the pretext of security. The suffering of the citizens of the Gaza Strip continued, due to the closure of the international crossings around the Gaza Strip.

The occupation authorities hindered the Palestinians' access to places of worship, while citizens faced the occupation's arbitrary practices of humiliation, arrest and deportation, as the occupation authorities expelled more than (170) people from Al-Aqsa Mosque and arrested dozens others and prevented them from the freedom to pray there¹².

With regard to the settlement expansion policies and settler attacks, the occupation authorities approved the construction of thousands of new settlement units in West Bank settlements, Jerusalem and its surrounding, continued taking measures in support of the settlement construction in the occupied Palestinian territory and continued enacting laws and legislations supporting settlement. The Israeli Knesset enacted (3) laws in support of settlements, focusing on granting preferential budgets to settlements. The Israeli Knesset has also submitted (23) draft laws that directly affect Palestinian sovereignty.

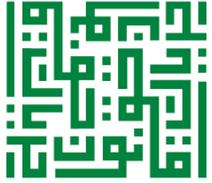
The annual report of the Wall and Settlement Affairs Authority on "The most prominent Israeli violations in the .⁹ occupied Palestinian territory, January 2020.

¹⁰ OTCHA/ Hourani

¹¹ .Monitoring and documentation by the Palestinian Monitoring Group affiliated with the Negotiations Support Unit in the Palestine Liberation Organization.

¹² . Report issued by the General Administration of Media and Public Relations, Ministry of Endowments and

Religious Affairs, January 2020.



Settler attacks have escalated sharply, compared to previous years, as part of the occupation government's policy of supporting settlers and settlement expansion. The number of cases of settler attacks on Palestinian citizens and property amounted to (987) cases of assault in various areas of the occupied West Bank¹³.

The number of Palestinian martyrs, who lost life at the hands of Israeli settlers reached (4), in addition to the wounding of (192) Palestinian civilians at the hands of settlers.

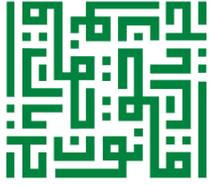
Part II: The repercussions of the Israeli occupation on the general performance and work of the Palestinian institutions

The protracted Israeli occupation of the Palestinian territory is the most important obstacle restricting Palestinian people's enjoyment of their full human rights, enshrined in the international agreements and conventions, as well as obstructing the performance of the different Palestinian ministries and institutions of their duties and responsibilities, as outlined in the Basic Law and regulating legislations.

On the other hand, the Israeli occupation state has adopted a policy of theft against the Palestinian money under several pretexts, in addition to making that theft legal, by issuing legislations that deprived State of Palestine of its financial resources, a matter that resulted in obstructing the Palestinian development plans and exacerbated the financial crises that the State of Palestinian suffered.

The daily Israeli violations to human rights contributed to restricting the performance of all of the Palestinian ministries and institutions and posed as the most important obstacle that negatively affected the ability of the Palestinian institutions to carry out their duties, provide services and ensure the Palestinian human rights. The effect of the Israeli occupation policies on the performance and interventions of the official institutions and on the major sectors

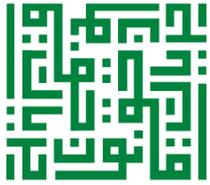
¹³ . "The 2019 report ... Occupation violations in the occupied Palestinian territories", a report issued by the Abdullah Al-Hourani Center for Studies and Documentation. The Palestine Liberation Organization, 12/31/2019.



specialized in ensuring rights and basic services to the Palestinian people, include the following:

- 1- The Commission of Detainees Affairs: The Israeli occupation carried out a number of arbitrary measures and many obstacles that obstructed the performance of the Commission, including:**
 - **Obstructing the work and performance of the Commission's lawyers assigned to defend and advocate for the Palestinian prisoners in Israeli detention. These obstacles took the form of preventing detainees from contacting the lawyer upon arrest, preventing the attorney from attending interrogation sessions and limiting lawyers' visits to detainees, in addition to failing to respond to complaints raised about violations and rejecting petitions for improving the detainees' conditions and their living conditions.**
 - **The Commission of Detainees Affairs suffered the consequences of Israel's policy of medical negligence and failure to provide the necessary medical treatment to sick prisoners, by having to send specialized doctors to examine the health status of prisoners and provide medical advice to them. This constituted a financial burden on the families of the prisoners and prisoner-specialized institutions. The Commission also carried the burden of the maintenance of the prisoners after their release due to their physical and psychological inability to work with dignity.**
 - **Added to the above, bearing the high financial cost as a result of the occupation's policy against the prisoners, which includes:¹⁴**
 - Providing legal representation for prisoners before the courts by contracting a sufficient number of lawyers to defend them. Paying the cantina allowance annually. Paying an aid allowance to the families of prisoners in prisons to contribute to providing them with a decent life, following the arrest of the breadwinner. Reintegration of released prisoners into society after years of detention, within the framework of the released prisoners' rehabilitation program, such as by providing vocational training. Added to the above, bearing the cost of university education for released prisoners and the same for prisoners in prisons.

A correspondence received by the Commission from the Legal Department of the Ministry of Prisoners and Freed Prisoners' Affairs on February 26, 2020. ¹⁴



Coupled with the above, was the Israeli occupation's deduction of Palestinian tax revenues money due for the State of Palestine, as a bargain chip to pressure the later to stop payments of living maintenance money paid to families of prisoners, injured and martyrs, a deduction that violates their rights. The deductions constituted (7%) of the Palestinian annual tax clearance revenues.

2. National economy: The Palestinian economy suffered from the continuous Israeli policies and procedures and faced a set of challenges that had continuous repercussions on the Palestinian economy, including:¹⁵

- **Control of its economic resources located in areas classified "C", which are under full Israeli control, completion of the construction of the annexation and expansion wall and confiscation of land for settlement expansion. It also suffered from the continued separation of the Palestinian governorates from each other and from the dependence of the Palestinian economy on the Israeli economy. The occupation authorities also continued control of (62%) of the area of the West Bank that is richest in economic resources, in addition to their control over (85%) of water sources, as well as control of crossings and borders.**

- **Closing and destroying economic establishments and the occupation's attacks on the economic infrastructure, as it continued the policy of demolishing and closing economic establishments, closing and destroying dozens of them in the West Bank, in addition to confiscating some equipment and machinery, which resulted in direct losses estimated at millions of shekels.**

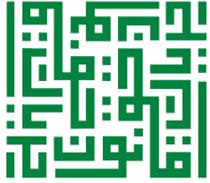
- **The failure to provide the Palestinian governorates with adequate quantities of water has created a major setback for the owners of industrial establishments that are dependent on water.**

- **Continuing to impede the movement of goods (import and export, marketing of products), as the import of dual-use materials that constitute major production inputs for some Palestinian industries, has been prohibited.**

- **Competition of the with settlement products, as the Palestinian market continued to be an important market for the disposal of Israeli exports in general and settlement exports in particular, as the Ministry of National Economy seized more than 500 thousand shekels-worth Israeli settlements' products.**

3- Local government sector: The local government sector suffered a number of violations, including those targeting infrastructure, impeding the implementation of projects or

Correspondence received by the Authority from the Ministry of National Economy on January 14, 2020. .¹⁵



sabotaging them after their implementation in many areas of the West Bank, in addition to the confiscation of equipment.

- The daily violations in the areas of water and electricity have resulted in frequent and daily power cuts due to the transfer of capacities in favor of the Israeli settlements and the reduction of the capacity of the supply connection points that feed Palestinian cities and villages. As for water, the share of the Palestinian citizen throughout the year did not exceed (20%) compared to that of the Israeli settler in the West Bank settlements. Endeavor continued to dismantle the forced connection between Palestinian and Israeli networks that affect the ability of Palestinians to control the quantity and quality of services such as energy and water, all of this was linked to the ability of Palestinians to control their own natural resources, especially in the “C” areas.¹⁶

4- Environment sector: The Israeli occupation has impeded the implementation of the Environment Quality Authority and other competent authorities of the national policies to protect the Palestinian environment, this violation included:

- Creating obstacles and preventing the implementation of operations related to the provision of public and environmental services: Rejection, procrastination and the complications, which the Israeli occupation placed in the way of issuing approvals and licenses for the construction of environmental infrastructure.¹⁷

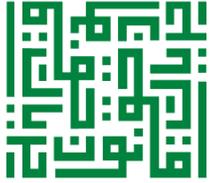
- Violations against natural reserves and biological diversity, in addition to the occupation authorities' prevention of Palestinian institutions from carrying out their tasks in managing these reserves and protecting Palestinian biodiversity, as well as exposing them to sabotage and bulldozing them, in addition to sanctioning some areas as natural reserves to control them.

- The continued drainage of wastewater from settlements into Palestinian valleys, agricultural land and natural areas posed as the most important challenges and the most serious violations against the Palestinian environment.

- The continued flow of Israeli waste from settlements and waste smuggled from the 1948-occupied areas, of all hazardous kinds, household, construction, solid and liquid materials, to the 1967-occupied Palestinian territories, without the occupation authorities taking any measures to prevent their transfer.

The Status Report of the "C" Areas, and the Impact of Israeli Violations Therein on the Capacity of the State of .¹⁶
Palestine, Independent Commission for Human Rights, 2016.

Correspondence received to the ICHR from the Environmental Quality Authority on March 5, 2020. .¹⁷



5- Public Works and Housing Sector: The Ministry of Public Works and Housing faced many obstacles and challenges that prevented the Ministry of Public Works from exercising its functions and providing its services to the fullest, including:¹⁸

- Obstruction and control by the occupation and its control of administrative powers in Area “C” has obstructed the Ministry of Public Works from exercising its mandate duties in most areas of the West Bank, in terms of road construction, implementing housing programs, developing and maintaining infrastructure and constructing public facilities for Palestinians living there.

- Tens of thousands of Palestinians continue suffering the Israeli occupation’s denial and violation to their right to housing, because of the occupation authorities’ exclusive authority to grant building and housing permits.

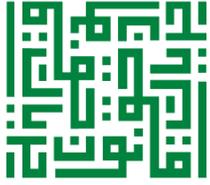
- Preventing and disrupting the Ministry of Public Works and Housing from achieving its goals, by limiting the ministry’s ability to draft and organize structural plans related to road improvement and rehabilitation, construction of new roads and other infrastructure works, or housing projects to secure adequate housing for the Palestinian citizen in the territories. C ”.

- Causing traffic jams due to the lack of alternatives and the inadequate infrastructure for traffic size, especially in central West Bank.

6- The Security Sector and the Rule of Law: The Israeli violations constituted a flagrant threat to the Palestinian security apparatus, which impeded the performance of the Palestinian National Security Forces and contributed to weakening the Palestinian public confidence in them, which negatively affected the apparatus’s effective performance. During the year, the National Security Forces monitored and documented the daily Israeli violations. At least (1,129) violations were monitored, ranging from raids and arrests of civilians, detention and confiscation of property, road closures, establishment of military checkpoints to the arrest of National Security personnel, which impeded the work of the security forces.

As for the Customs Police, it faced many challenges that impeded its work in protecting the economic and food rights of the Palestinian citizen, through complicating the procedures for obtaining the necessary coordination to operate in the areas classified "B" and "C", and the refusal to coordinate and impede work at least (247) times in various Palestinian areas. Added to the above, the Israeli occupation caused delays to the Customs Police work, despite

A correspondence received by the ICHR from the Ministry of Public Works and Housing on January 22, 2020. .¹⁸



coordination about (97) times, this provided cover for smuggler merchants to bring in spoiled goods and settlement products.

During the year, Palestinian military medical service crews were subjected to many Israeli occupation violations against them, some of which were the detention of field staff and obstruction of their work during confrontations, delaying the arrival and transportation of ambulances at Israeli occupation's military checkpoints, searching the ambulances and examining the identities of the ambulance crews in some cases.¹⁹

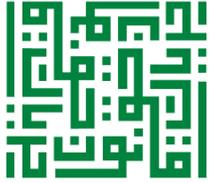
On the other hand, the occupying power denied members of the United Nations Subcommittee on Prevention of Torture entry visas to the occupied Palestinian territory, in their mission to conduct a field visit to the Occupied Palestinian territory, as scheduled for the period 5-12 April 2019. This ban caused obstruction to the endeavor of the State of Palestine to achieve the optimal implementation of the Optional Protocol and benefit from the experiences of the Subcommittee with other countries in preventing torture and ill-treatment and in the fulfillment of its international obligations under the Convention.

7- Violations against Jerusalem: The Ministry of Jerusalem Affairs, like other Jerusalem institutions, was subjected to measures that limited its role and restricted its work in order to prevent the achievement of its objectives in strengthening citizens' resilience and steadfastness.

The Israeli security services arrested, interrogated and repeatedly summoned the Minister of Jerusalem Affairs Fadi Al-Hedmi. These forces also stormed and interrogated staff of the Ministry of Jerusalem Affairs, on June 30, 2019 and threatened them not to practice any social activity in Jerusalem.

Within the framework of its systematic policies, the Israeli occupation forces completely demolished 63 houses and partially demolished 110 other houses in Jerusalem, where the house self-demolition rate increased to 38% with Israeli orders. Demolitions of various forms have resulted in the displacement of hundreds of Palestinian families from their homes. The

Correspondence No. 1634 received by the Commission by the Democracy and Human Rights Unit at the ¹⁹
Ministry of Interior on 10/2/2020.



majority of the ministry's budget was spent on responding to these dangers and providing relief to citizens due to their daily exposure to the arbitrary occupation measures.²⁰

8- The Media Sector: The Israeli occupation authorities escalated their violations against Palestinian journalists' rights and media freedom in the occupied Palestinian territory. The Ministry of Information documented (463) violations against Palestinian journalists. These forces targeted (237) male journalists, (41) female journalists, more than (160) media websites and social media accounts belonging to male and female journalists.²¹

During the last quarter of the year, the occupation forces stormed the Palestine TV office in Jerusalem and issued a decision to close it for six months. It also targeted the journalist Moath Amarneh, on November 15 2019, while covering a march condemning the Israeli settlement in Surif north of Hebron and hit him with a bullet in his left eye, which reflects the occupation authorities' attempts to cover the ongoing crimes against the Palestinian people.

The most severe violations occurred in the Gaza Strip, totaling (82) violations, followed by the violations against journalists and media institutions in Jerusalem, at the total of (53) violations, followed by the violations in the occupation prisons during the detention of journalists, totaling (45) violations.

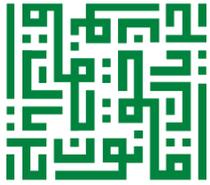
9- The Transportation Sector: The Israeli occupation authorities continued with the policy of siege, closure and deployment of military checkpoints and iron gates in the occupied Palestinian territory. The Annexation and the expansion Wall also contributed to affecting Palestinian transportation, increasing distances and distortions in road planning. Palestinian vehicles were not allowed to travel on some roads, which led to traffic jams. Studies on "The impact of the Israeli measures on the transport sector" showed that Palestinians lose nearly (60) million hours annually due to Israeli restrictions, at the cost of (270) million dollars for those lost hours.²²

10- Labor Sector:

A correspondence received by the Commission from the Ministry of Jerusalem Affairs on March 5, 2020.²⁰

A correspondence received by the Commission from the Ministry of Information on 23 February 2020 .²¹

A correspondence received by the ICHR from the Ministry of Transport and Communications, dated -----.²²



The number of Palestinian workers that work within the Green Line is about (150000) workers, constituting (20%) of the total Palestinian workforce. About (85000) workers work within the Green Line with official work permits issued by the Israeli occupation authorities. Also, about (30000) workers work in the Israeli settlements and there are (23000) other workers work without official work permits.²³

The occupying power continued to evade compliance with international agreements and standards related to employment and relevant to the Palestinian workers, and thus acted unilaterally against the workers and consequently obstructed ability to pursue their rights with the Israeli side, especially social rights. The Israeli occupation acted that way in taking measures and adopting mechanisms in dealing with the Palestinian workers. This consequently marginalized the role of the Palestinian Ministry of Labor and rendered it unable to play its role in organizing the process of employing Palestinian workers inside the Green Line, in order to improve the inhuman conditions that workers suffer, where around (75000) workers, who enter everyday through the Israeli crossings, endure humiliation and oppression while crossing to their work. The phenomenon of permit brokers continued to expand, with no counter measures by the Israeli occupation government to combat it. This phenomenon resulted in making each worker pay around (3000) shekels to get a working permit. During the year, (220) Palestinian workers were injured while working inside the Green Line, (20) of them died of work injuries.

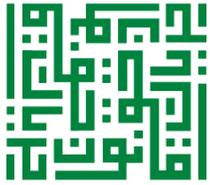
11- The land Sector: The Israeli annexation and expansion wall, military roadblocks and arbitrary practices of the Israeli occupation forces have impeded the ability of citizens and land owners to use and access or even enter their land for agriculture or to develop their property. This has contributed to the continuation and accumulation of citizens' conflicts over land ownership, which constituted undermining the Palestinian civil and social peace.

The classification of areas also contributed to limiting the process of land use, as the majority (61%) of the West Bank land is located in Area C, which is under Israeli control, where the arbitrary occupation policies there impede the work of land survey teams, by preventing them from conducting the necessary surveys and plans. The Israeli occupation forces and settlers also assaulted these teams in some cases. In addition, the failure of the Israeli side to recognize the ownership registration documents issued by the State of Palestine in area C led to weakening citizens' trust in the departments of the Palestinian Land Authority, as well as in their credibility and the protection it stands for.²⁴

In the context of the Israeli occupation's aggression against the Palestinian Land Settlement project PLSP, the Israeli occupation forces attacked the offices of the Palestinian Land Settlement Project with the objective of impeding their work. The Israeli occupation forces warned the PLSP to stop land settlement in Area "C" and in the Jerusalem area. In addition, the occupation forces stormed

A correspondence received by the ICHR from the Ministry of Labor on February 3, 2020.²³

Information received for the ICHR by the Land Authority on February 19, 2020. ²⁴



the offices of the PLSP in Tulkarm and interrogated employees and detained them for hours in order to prevent them from working, which contributed to obstructing the work of the Authority's staff.

12- Energy sector: All Palestinian governorates suffered from the crisis of power cuts. The Energy Authority believed that the Israeli occupation authorities had staged the crisis that negatively affected all aspects of life for the Palestinian citizens in the West Bank. This resulted in damage to all vital sectors, in an attempt by the occupation authorities to show the weakness of the Palestinian governmental institution in managing this vital sector. The shortage in the power capacity supplied to Palestinian cities by the Israeli national power company led to power cuts in most of the Palestinian governorates for long hours during the year.

The policy adopted by the Israeli occupation authorities to cut off the electricity supply has inflicted heavy losses on citizens in various economic, health, educational and service sectors.

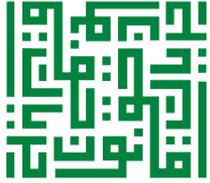
The introduction of the settlement electrical scheme has impeded the building of the Palestinian national electrical system and the implementation of programs to develop and build Palestinian electricity networks, aimed at achieving an independent Palestinian power system that is capable of meeting the needs of the Palestinian citizens and all economic and service sectors.

- Recommendations

The systematic Israeli practices and policies led to the creation of a system that denies the Palestinians their most basic human rights, while allowing the Israeli settlers to enjoy the full support of the occupation authorities. The occupation's attacks and violations of the rules of international law and international humanitarian IHL law came because of the occupation state's evasion of accountability and impunity, which encouraged it to commit more crimes and violations of human rights.

The prolonged Israeli occupation reflects negatively on the ability of the State of Palestine to guarantee and respect human rights because of the arbitrary measures taken by the Israeli occupation authority and its fight against any reality that might serve the establishment of an independent Palestinian State. The aforementioned measures constitute the most important challenges that negatively affect the ability of Palestinian institutions to carry out their tasks and provide basic services to citizens. Accordingly, the ICHR recommends that the State of Palestine take the following:

- The Palestinian government continues to pressure the international community to end the prolonged Israeli occupation of the occupied Palestinian land of 1967, to realize the Palestinian sovereignty over the Palestinian territory and to protect the Palestinian people's right to life and the right to self-determination.
- The need for the government to demand the United Nations to seriously intervene to stop the escalating violations of the Israeli occupation, and to work seriously to ensure the right to



international protection for Palestinians in the occupied Palestinian territory, and to activate accountability and accountability mechanisms in dealing with the perpetrators of violations.

- The need for the Palestinian government to invite the High Contracting Parties to the four Geneva Conventions of 1949 to intervene, ask and ensure respect of the Convention by the occupying power and to stand before its legal obligations to implement the international agreements, to which it is a party to the Occupied Palestinian territory, including East Jerusalem.

- Call on the Human Rights Council to form fact finding committees on the various violations of Palestinian human rights by the occupation authorities.

- The need to invite the United Nations Special Rapporteur on Arbitrary Detention to visit the Palestinian prisoners in the occupation prisons and learn about their living conditions and the occupation policies against them. In addition to calling on the international community to support the prisoners and to intervene with their governments in order to pressure the occupying state to stop arbitrary practices against them, and to pressure the occupying power to stop administrative and child detention.

- The need for the Palestinian government to call on the international community and human rights and humanitarian organizations to end the tightened Israeli blockade imposed on the Gaza Strip. In addition to calling on them to open all the Gaza Strip crossings for the movement of individuals and goods, end its humanitarian and economic crises, and stand seriously before the occupation's practices and enable its residents to enjoy their human rights guaranteed by international covenants and agreements for all human rights.

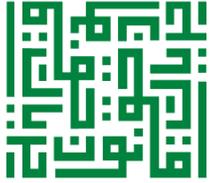
- The Palestinian government continues its diplomatic efforts, targeting the United Nations' member states to pressure the occupying power to stop all its settlement expansion activities in the occupied Palestinian territory, and to ensure the implementation of UN Security Council Resolution No. 2334 on settlements.

- The Palestinian government call on to the United Nations' contractual committees to activate their role in monitoring the occupation state and its violations to the economic, social and cultural rights of the Palestinian citizens, expose these violations and reveal their role in restricting the ability of the State of Palestine to guarantee the basic rights of its citizens.

- The need for the Palestinian government to address the United Nations to take the necessary measures to provide protection for the Palestinian civilians under occupation in the occupied Palestinian territory.

- Call on human rights institutions to continue their support for the State of Palestine in its international efforts to prosecute Israeli perpetrators of war crimes before the International Criminal Court, and to intensify and consolidate national efforts and the efforts of human rights institutions in monitoring and documenting the crimes of the occupation to expose them.

- The need for documentation-specialized departments in the various Palestinian ministries and institutions to work seriously on monitoring and documenting the occupation's practices and violations of human rights, with the aim of exposing them and internationally hold the occupation authorities accountable for these violations, by mobilizing international human rights mechanisms.



- Call on the State of Palestine to approach the Oslo Accords and the Paris Economic Agreement sponsoring countries, as well as to prepare a file of the occupying power's violations of those agreements, in addition to exerting pressure on the occupation state to reconsider its violations.
- Consolidate all efforts and a firm position by the international humanitarian and human rights institutions in taking up their duties towards protecting the education sector in Palestine, in light of the occupation's continued targeting of this vital sector.
- Call on the official Palestinian institutions to address the Treaty Committees at the United Nations in order to explain the obstacles and challenges that the occupation poses and its practices on the ability of the State of Palestine to perform the tasks entrusted to it and implement its international obligations under the human rights conventions it acceded.

The second chapter Rights framework

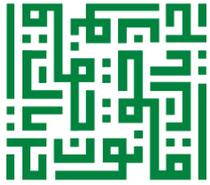
Chapter 1

The developments on Civil and Political Rights

The first subject: The Right to Life

The ICHR documented (140) deaths in abnormal conditions, (30) cases related to females and (40) cases of children, compared to (152) deaths in abnormal conditions that occurred in 2018, of which (45) were for females and (49) for children. It is worth noticing the decline in the number of deaths this year compared to that in last year, whether in terms of the total number or the number of female or child deaths. The ICHR documented one death on grounds of "family honor", but it still sees an increase in the number of mysterious female deaths (19 cases), which raises suspicion that the reason behind some mysterious cases may be that they were motivated by "family honor". This requires the Public Prosecution, as the official investigate-competent body, to demonstrate the highest interest in investigating these deaths, in order to reveal the real causes behind them and find who is responsible for them to hold them accountable.

The Commission documented (2) citizens' deaths resulting from the abuse of weapons, both of which in the Gaza Strip, one of the victims was a female, which is a clear decrease



compared to the five cases documented in 2018, one in the West Bank and (4) in the Gaza Strip, two of which were children and all of them were males.

The commission also documented (40) deaths in mysterious circumstances, (25) cases in the West Bank and (15) cases in the Gaza Strip.²⁵ These cases when disaggregated by gender are as follows: (20) females and (20) males, compared to (28) females and (35) males in 2018.

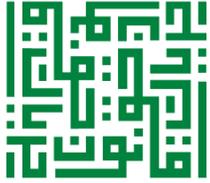
In order to protect the right to life, the Commission recommends that the Public Prosecution Office investigates all cases of murder that occur in unnatural circumstances, reveal the perpetrators and bring them to justice, especially the ambiguous cases that the ICHR documented this year and previous years as well. There is a need to review all death sentences issued in the Gaza Strip before executing them, review the legal system related to the death penalty, in accordance with the relevant legal procedures and international standards. There is a need for the Military Prosecution to conduct serious investigations into allegations affecting the right to life that occur by law enforcement personnel, especially in places of detention, as well as investigate deaths resulting from abuse of weapons by these personnel. There is a need for the various municipal councils to exercise their supervisory role in public and private places and to ensure the availability of public safety precautions within the geographical areas under their jurisdiction. Additionally, there is a need for the Energy Authority to undertake adequate monitoring, inspection and awareness measures in order to reduce the cases of deaths that occur because of electric shock. Furthermore, there is a need for the judicial authority, the Ministry of Interior, the Public Prosecution and the security services in the West Bank and the Gaza Strip to disseminate information related to the measures taken in the context of realizing the right to life, in a way that easily accessible to everyone.

The second subject: The Right not to be Subjected to Torture and Ill-treatment

The commission received (504) complaints of torture and ill-treatment in both the West Bank and the Gaza Strip, (271) complaints in the Gaza Strip and (233) complaints in the West Bank.

These complaints included (692) allegations of torture and ill-treatment, (430) of them in the Gaza Strip and (262) in the West Bank. These figures are very close to the allegations of torture and ill-treatment documented by the Commission in the previous three years, when allegations of torture and ill-treatment reached (676) cases in 2018, while they were (898) cases in 2017, including the West Bank and Gaza Strip.

Having a response from the Public Prosecution in the Gaza Strip contributed to the decrease in the mysterious²⁵ cases registered in the Gaza Strip, while the failure of the Public Prosecution in the West Bank to respond to a correspondence requesting clarifications on the deaths documented in 2019 contributed to the increase in the number of ambiguous cases.



In detailing these allegations, the allegations of torture alone, including physical and psychological torture, were (366) allegations, (262) in the Gaza Strip and (104) in the West Bank. As for the allegations of ill-treatment, they were (326) allegations, (235) in the Gaza Strip and (127) in the West Bank.

The patterns of torture and ill-treatment were in the form of beating. This included severe beating, beating on sensitive organs, falaqa (beating the soles of the feet using a stick or a plastic hose). Torture also included shabeh (stretching) for long hours, torture with water, “spraying cold water on the victim,” and denial of sleep for long hours. Other forms of torture also included threats, threatening with harm for the family, cursing and insulting and insults to God, solitary confinement, putting out cigarettes on the body and limbs of the victim, spraying pepper gas, especially at the moment of arrest and electrocuting.

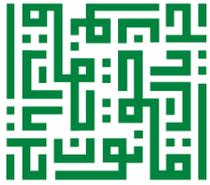
The Commission did not receive any responses to its communications regarding cases of accountability of those involved in torture and ill-treatment, allegedly committed by the security services, namely the General Police Service in both the West Bank and Gaza Strip and the Internal Security Apparatus in Gaza. Additionally, the Commission did not receive any responses to its correspondence, in this regard, concerning the Military Public Prosecution, the Military Judiciary, and the Civilian Public Prosecution.

In order to guarantee the right not to be subjected to torture and ill-treatment, the Commission recommends enacting a law against torture and ill-treatment in line with the Convention Against Torture. The recommended law should include at least a definition of torture and specify cases of ill-treatment and criminalizes them with deterrent penalties, including removal from office. The law should also ensure fair compensation for victims and the provision of mental health care to them. There is a need for the civil public prosecution and the regular judiciary to prosecute the security forces involved in torture and ill-treatment. Furthermore, there is a need to expedite the establishment of the national mechanism for the prevention of torture, based on the Optional Protocol to the Convention Against Torture to which the State of Palestine acceded in 2017. This should ensure the independence of the mechanism from the official authorities. There is also a need to bring the detainees before the civil medical authorities, which in turn must adhere to the ethics of the medical profession and provide detainees with medical reports on their physical health, independently and professionally. If doctors breach their job duties and ethics of the medical profession, there will be a need for accountability.

The third subject: The Right to Freedom and Personal Security

The Commission received (320) complaints about violations to the right to freedom and personal security, of which (267) complaints were in the West Bank and (53) others in the Gaza Strip. These complaints included allegations of violations to the right to freedom and personal safety.

The Commission documented (299) cases of arbitrary detention of the total violations of the right to freedom and personal security. Of these violations, (255) are in the West Bank and (44) in the Gaza Strip, of these cases (47), of which (42) in the West Bank and (5) in the Gaza Strip, including



three allegations of children held in the custody of the governor, in connection with their exercise of the right to freedom of opinion and expression.

The Commission documented (16) cases of house searches without any legal warrant, (7) in the West Bank and (9) in the Gaza Strip. It also documented (5) cases of non-implementation of court decisions to release detainees, all of which in the West Bank and all of the victims were detained on grounds of freedom of opinion and expression.

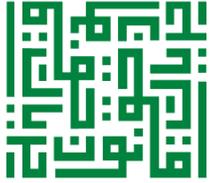
The Preventive Security apparatus stated that it had investigated (98) complaints;²⁶ without clarifying the nature of these complaints, adding that they are allegations and complaints related to criminal cases of people accused of joining illegal armed militias, possession of illegal weapons, providing financial aid and smuggling it to these militias through different means. The Preventive Security apparatus further explained that these complaints typically aim to insult the Palestinian Authority and distort its image, with such allegations before the local and international community. The General Intelligence Service stated that it had received (11) complaints²⁷ regarding violations of a number of human rights, including the right to personal freedom, without clarifying the outcome of this complaint, whether they were investigated or not. However, the General Intelligence made it clear that it took no action against any of its members regarding complaints of human rights violations.

The commission did not receive any responses to its correspondence in this regard from the police forces in the West Bank and Gaza Strip, nor from the Internal Security Agency in the Gaza Strip. To ensure the right to freedom and personal security, the Commission recommends that security services stop carrying out arrests of citizens on grounds of exercising their legitimate rights, especially their right to express their views freely and in peaceful assembly and that the security services must adhere to legal procedures in cases of detention, when enforcing criminal laws. The ICHR further recommends that judges and members of the Public Prosecution Office be very cautious with requests to extend the detention, including examining the investigation cases of the detainees. In all cases, the ICHR further emphasizes the need for examining the elements of necessity and proportionality in the case of pretrial detention. The ICHR further recommends the civil public prosecution and the regular judiciary to prosecute the security personnel involved in arbitrary arrests and illegal detention.

The fourth subject: The Right to Freedom of Movement

The Commission received (47) complaints containing (49) allegations of violation in relation to citizens' right to freedom of movement, 16 in the West Bank and 31 in the Gaza Strip, compared to (30) complaints received in 2018, (10) complaints were received in the West Bank and (20) others in the Gaza Strip, where the increase in the complaints was by (17) complaints. The number of complaints was (6) in the West Bank and (11) in the Gaza Strip.

²⁶ The Preventive Security Service letter to the Independent Commission for Human Rights, dated 1/1/2020,
Letter of the General Intelligence Service to the Independent Commission for Human Rights, No. (D.Q / 89), ²⁷
dated 01/14/2020



The patterns of violations to the right to freedom of opinion and expression varied, according to the complaints received by the commission to three patterns, concerning the prohibition of citizens from obtaining passports, which amounts to the violation of the denial of citizens' entry to the country or departure without legal justification, prohibition of travel through crossings without a court order or for political reasons, and denial and restrictions on freedom of movement.

The Commission recommends that the Ministry of Interior in Ramallah suspend conducting security vetting as a condition for the residents of the Gaza Strip to obtain a passport, stop all denials of issuing passports under security pretexts without a judicial decision, in order to ensure that the needs of citizens in the Gaza Strip are met and that they can obtain passports in a reasonable time.

The fifth subject: The Right to Freedom of Opinion and Expression

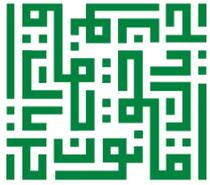
The ICHR received (74) complaints, (32) in the West Bank and (42) in the Gaza Strip, compared to (57) complaints received in 2018, (37) complaints were received in the West Bank and (20) others in the Gaza Strip, with an increase of (22) complaints over the previous year. It's worth noting that the increase in the Gaza Strip was by 20 complaints, while in the West Bank the number declined by (5) complaints.

The patterns of violations to the right to freedom of opinion and expression varied, according to the complaints received by the ICHR, into three patterns related to the violation of the freedom of using social media websites, harassment on grounds of freedom of opinion and expression and freedom of the press and the media.

Through follow-up, the Commission found that the relevant official entities have not developed any policies, nor have they taken any new measures or steps to protect the right to freedom of opinion and expression.

For the Protection of the right to freedom of opinion and expression, the Commission affirms its recommendations in its previous report and recommends that the Council of Ministers instructs the police and security agencies to stop detaining and summoning citizens or journalists grounds of exercising the right to freedom of opinion and expression through social media and the practice of press and media work. The Commission also stresses the need for President Mahmoud Abbas to intervene by issuing instructions to the security services in the West Bank to stop detaining and summoning citizens or journalists on grounds of exercising the right to freedom of opinion and expression through social media. The commission also affirms the need for the Ministry of Interior in the Gaza Strip to instruct the police and its security agencies, particularly the Internal Security Service, to stop detaining and summoning citizens or journalists on grounds of exercising the right to freedom of opinion and expression through social media, speaking through the media, issuing statements, practicing journalistic and media work, and the need for the Ministry of Interior and Ministry of Information in the Gaza Strip to remove restrictions on the Palestine television and allow its crews to operate freely in the Gaza Strip.

The sixth subject: The Right to Peaceful Assembly



The Commission received (18) complaints about the violation of the right to peaceful assembly, of which (3) complaints from the West Bank and (15) complaints from the Gaza Strip. The different complaints that the ICHR received ranged from physical abuse to participants, dispersing peaceful gatherings and preventing peaceful meetings, the nature of which was entirely economic or political.

The total number of complaints for 2019 indicates to a decline compared to the previous year, when (46) complaints were recorded. However, the number of complaints filed by the Gaza Strip citizens increased from (8) in 2018 to (15) in 2019, and the number of complaints in the West Bank dropped from (38) in 2018 to (3) in 2019.

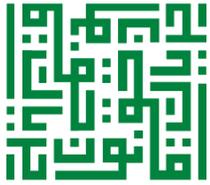
The ICHR's follow up showed that the relevant official actors took no action to ensure protection for the right to peaceful assembly, while noting that in the Gaza Strip, the competent authorities continue imposing restrictions on holding public meetings in closed places and condition allowing that with obtaining organizers to prior permission. Additionally, there are verbal orders to owners of halls to book any hall before the organizers obtain a prior permit for holding the activity, in violation to the Law No. (12) on public meetings, which doesn't state for obtaining any permits or licenses if meetings are held in closed places.

The Commission emphasizes its previous recommendations, contained in its annual report No. (XXIV), as well as the need for the security services and the Ministry of Interior to abide by the provisions of Law No. 12 of 1998 on public meetings, which limits dealing with public meetings to be within the jurisdiction of the police, with the need to emphasize that members of the security services in civilian outfit should be prohibited from carrying out operational tasks in the dispersal of peaceful gatherings, and that the security services in the Gaza Strip must abide by the provisions of Law No. 12 of 1998 on public meetings. They should be prevented from carrying out operational tasks in interfering with public meetings in closed doors, while the public prosecutor's office and the judiciary, which are competent in accordance with the law, should investigate in accordance with the law, any incident affecting the right to peaceful assembly in the State of Palestine, in addition to publicly release the results of such investigation, as well as ensure accountability of those found guilty of attacking participants in peaceful gatherings or using excessive force contrary to instructions.

The seventh subject: The Right to Association

During 2019, (38) applications were submitted for registration in the Gaza Strip, (28) applications were accepted, (9) were submitted in the process of registration, one application was rejected, mainly for technical reasons related to incomplete registration documents. The data from the Ministry of Interior in Gaza indicate that it has dissolved (15) associations this year, on various grounds, (5) associations dissolved on grounds of administrative irregularities, two public associations and two non-active groups. 28

The ICHR's researcher interviewed Mr. Ayman Ayesh, Director General of the General Administration of Public Affairs and Non-Governmental Organizations at the Ministry of Interior in Gaza, on 01/22/2019. 28



During this year, the ICHR received (5) complaints concerning the violation of the right to association, (4) of which relate to the security vetting, which affected the associations during the completion phase of the registration process, or their inability to open or activate bank accounts, one complaint concerning the closure of the association without taking into account the standards established by the Law on Charities and NGOs and its executive regulations.

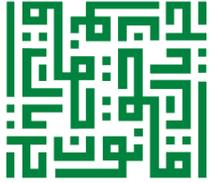
Applications for association registration continued to be subjected to security vetting by the security services, in violation of the Cabinet's decision to abolish the security vetting condition and in violation of the Supreme Court's 2012 ruling on public officials, which considered the security vetting condition to be contrary to the basic law. Additionally, subjecting financial transactions of for the not for the-profit company, including human rights CSOs in Gaza Strip, to prior approval by the Council of Ministers, which restricts the right to assembly and unionization, especially that forming assemblies, as indicated by the Special Repertoire on the Situation of Human Rights Defenders, represents a genuine factor in the right to assembly and in ensuring the freedom of action for the CSOs, while stressing that the issue of funding for associations is considered to be basic for enjoying the right to forming assemblies. He also stressed that within the context of democratic reforms taking place in many countries of the world and discussions on the 2030 Development Goals Agenda, it is the duty of states to facilitate, not restrict, access to funding for associations, including from foreign sources, so that they can actively participate in the democratic process and participate in the development process.

In addition, the decision of the former Minister of Interior in the dismissed government in Gaza No. 48 of 2010 prohibiting civil employees, under Palestinian government in Ramallah, from joining general associations in charitable societies and non-governmental organizations or working as employees therein or members of the board of directors. According to which, no board of directors of the aforementioned societies is approved if there are any of those employees among its members. This constitutes an additional restriction of the right to form and join associations.

The ICHR affirms its previous recommendations, contained in its annual report no. (twenty-fourth) and recommends that the Ministry of Interior should stop requiring security vetting, which is used in dealing with associations as a discriminatory measure, thus represents a restriction of the citizens' right to join charitable societies. There is a need for the Palestinian Monetary Authority to supervise empowerment of associations to have active bank accounts, by instructing banks, operating in the Gaza Strip, to facilitate procedures for opening bank accounts. Additionally, there is a need for the Ministry of Interior in Gaza to adhere to the role stipulated by the law, regarding using the unified electronic system and not to create or impose roles or jurisdiction beyond that.

Topic eighth: The Right to have Public Office

On January 2, 2019, the President issued Decree Law No. (2) of 2019 to amend Civil Service Law No. (4) of 1998 and its amendments, which included the amendment of the first paragraph of the text of Article (87) of the Civil Service Law, related to the unpaid leave requested by the employee to accompany his wife on travel. The amendment stipulated the aforementioned unpaid leave



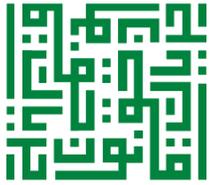
should not exceed four years, while before the amendment, the period was indefinite, while the conditions and procedures for appointment, for higher categories of employees, were not regulated based on merit, equal opportunities and non-discrimination, to include all categories of employees. During this year, the Commission documented the suspension of salaries payment, by the Ministry of Finance, for (3343) public employees in the Gaza Strip. Of these were (1719 civil employees, 1624 military employees) and the suspension of (1700) monthly allocations for families of martyrs, wounded and prisoners in the Gaza Strip for the month of January 2019.

This was coupled with stopping the payment of the salaries of prisoners and released prisoners in the Gaza Strip, whose number was (420) prisoners and released prisoners (400 released prisoners, 20 prisoners in the occupation prisons). This was a continuation of the measures taken by the ministry, since May 2018, deducting 50% of the salaries of prisoners and released prisoners in the Gaza Strip. This measure did not state the reasons and justifications for that step, and was without following the legal requirements outlined in the Civil Service Law and other relevant laws, which clarify the mechanisms and procedures required to stop salaries and financial allocations for the groups affected by this procedure. The implementation of the Council of Ministers decision of 4/4/2017, which provides for deductions in the salaries of public employees in the Gaza Strip, continued to be in effect, with deductions ranging between (30%) to (50%). According to the monitoring reports of the ICHR, these deductions were based on paying the basic salary of employees in the southern governorates and excluding the profession and other allowances, without indicating the legal basis under which the decision was adopted.

The Commission also received (14) complaints about violating the principle of fair competition in employment, (13) of them in the West Bank, and one complaint in the Gaza Strip, in which citizens claim the violation of fair competition in employment. The ICHR also received (115) complaints related to administrative disputes (promotion, retirement) Financial rights), including (60) complaints in the West Bank and (55) complaints in the Gaza Strip. The largest number of complaints that the ICHR received focused on the Ministry of Finance, regarding employees' financial rights and retirement benefits. The ICHR also received (17) complaints related to dismissal from the public office (unfair dismissal) without adhering to the legal standards for suspension, dismissal or dismissing a public employee, (16) complaints of which in the West Bank and one in the Gaza Strip.²⁹

On 9/23/2019, the Council of Ministers formed a governmental committee to update the data of employees in the southern governorates that are on the payroll of the Council of Ministers in the West Bank. The committee was headed by the Deputy Minister of Finance and with the membership of the Ministry of Interior representative and the representative of the General Personnel Bureau. The committee aimed to study the situation of public employees in the southern governorates and review the relevant government procedures. The committee submitted its recommendations to the Council of Ministers to rectify the conditions of public employees in the Gaza Strip. On 7/10/2019, the Commission

See the chapter on the right to have public office in the Commission's twenty-fourth annual report.²⁹



documented summons by the Internal Security service in the Gaza Strip, to members of the Government Data Update Committee, where they were detained for hours and were released and ordered to stop updating employees' data and not to complete the work of the committee. Meanwhile, the work and outputs of the legal administrative committee for rectifying the conditions of Gaza government employees continued to be on hold.

As for accountability procedures, reflected in the number of grievances and complaints taken by the Personnel Bureau. The Bureau stated that it had received (79) complaints received through its Complaints Unit from all parties, which dealt with them and responded to them in accordance with the appropriate legal and administrative principles.³⁰ These complaints varied to include review of appointment procedures,³¹ following objection against conditions and standards of competitions held by the Personnel Bureau, complaints related to promotion, transfer, seconding and demands for financial dues.

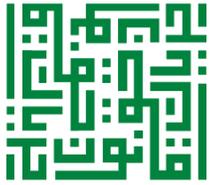
In this context, the commission affirms its previous recommendations, including the need for the Council of Ministers to stop using its powers to infringe the system of rights and freedoms, guaranteed to public employees. In addition to the aforementioned, the need to adhere to legal standards in approving government policies related to the salaries of public employees, prisoners and released prisoners in the Gaza Strip, which must be subject to standards of equality and nondiscrimination. Furthermore, there is a need for the Council of Ministers to cancel the decision on sending public employees in the Gaza Strip to early retirement, which is a violation of the Civil Service Law and its prejudice to large sectors of employees. The aforementioned decision harms the vital basic services sector (education and health) guaranteed by the law, in addition to the need to take into account the obligations arising from the accession of the State of Palestine to the International Covenant of Economic, Social and Cultural Rights. Additionally, there is a need for the General Personnel Bureau to abide by the legal and administrative standards regarding procedures for holding public jobs, promotion and evaluation, as well as in the dismissal or removal from civil service

The ninth subject: Protecting Human Rights Defenders

The commission observed three patterns related to human rights defenders, in the form of physical assault, perhaps the most prominent of which is the physical assault on (Jamil Sarhan and Bakr Turkmani), from the Independent Commission for Human Rights on 3/14/2019. The assault was

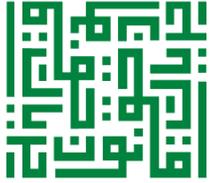
The response of the General Personnel Council to the authority.³⁰

On March 16, 2019, the Commission issued a statement condemning the incident as an unprecedented targeting³¹ of the Commission's workers and a dangerous message addressed to civil society institutions, activists and human rights defenders that there is no immunity for anyone. The ICHR asked the competent authorities in the Gaza Strip to open an official, serious and independent investigation into the incident of assaulting the ICHR's staff and bring those who assaulted them to justice.



committed while they were in a house of the Journalist (A.A) in Deir Al-Balah doing their work in covering the events related to the Movement We Want to Live. They were taken to the street and assaulted by dozens of security men with sticks and punches, despite their knowledge that they work for the ICHR. They were transferred to the hospital and attempts were made to arrest them while they were receiving treatment.³² Added to the above the arbitrary detention and summoning of human rights defenders, most notably the detention by the police in Gaza, on 16/3/2019, of four human rights defenders, affiliated with the human rights organizations operating in the Gaza Strip (Al-Mezan Center for Human Rights, the Palestinian Center for Human Rights and Al-Dameer Foundation for Human Rights). The arrest was during a field tour they conducted to the east of the Shejaiya neighborhood, east of Gaza City. They were released after about two hours of detention. In addition to the suspension from work and the referral for investigation of human rights defenders, the most noted violation was the arrest of three citizens, on May 14, 2019. The arrest was on grounds of their trade union activity in defense of the rights of public employees and peaceful assembly, in protest against the delay in the payment of salaries of public employees in Gaza and to demand that they be paid promptly, where dozens of them participated in the activity. In order to protect Human Rights Defenders, the Commission recommends that the Public Prosecution in the Gaza Strip conduct the necessary investigation in cases in which human rights defenders suffer abuse or arbitrary detention and sums by the security services. The prosecution should also prosecute the perpetrators. There is a need for the responsible authorities in the Gaza Strip to stop the interference of the security services in dismissing military employees from work and referring human rights defenders for investigation on grounds of their unionist activity and exercising the right to peaceful assembly in defense of the rights of public employees and to prosecute the perpetrators.

³² On March 16, 2019, the Commission issued a statement condemning the incident as an unprecedented targeting of the Commission's workers and a dangerous message addressed to civil society institutions, activists and human rights defenders that there is no immunity for anyone. The ICHR asked the competent authorities in the Gaza Strip to open an official, serious and independent investigation into the incident of assaulting the ICHR's staff and bring those who assaulted them to justice.



Chapter II

The change in the situation of Economic, Social and Cultural Rights

The first subject: The Right to Work

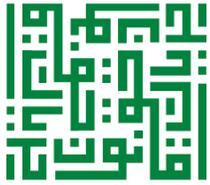
The President issued Decree Law No. (3) of 2019, regarding occupational safety, health committees and supervisors in establishments. This is a positive development in order to improve the protection system for the purposes of occupational safety and health. The Decree Law aims to strengthen internal control in facilities and work sites, to provide a healthy and safe work environment, safety and professional health requirements, by reducing work accidents and injuries and occupational diseases. The Decree Law strengthened the role of labor inspectors, accredited by the Ministry of Labor, with the powers of judicial control and increased penalties against violators of occupational health and safety standards.

Unemployment rates continued to rise among the labor force, as the number of unemployed, 15 years and above, reached (343,800) people, divided by (215,100) people in the Gaza Strip and (128,700) others in the West Bank. The disparity between unemployment rates between the West Bank and the Gaza Strip increased, where the rate was 45% in the Gaza Strip compared to (15%) in the West Bank, and the gap in the participation of women in the workforce continued, with the unemployment rate among females (41%) compared to (21%) for males.

The decision on the national minimum wage remained unrevised. There was no commitment to implementing it, as the percentage of waged employees in the private sector who earn a monthly wage less than the minimum wage in the West Bank was (12%) and in the Gaza Strip (72%).

The Commission also monitored (14) deaths of citizens resulting from failure to follow occupational safety and health standards in the work environment, (10) cases in the West Bank and (4) cases in the Gaza Strip.

The Ministry of Labor stated that it carried out (16322) inspection visits, including (7522) follow-up visits, while the number of facilities visited was (10601) in all work sectors. As for the policies, measures and procedures that the Ministry took to control implementation of occupational safety and health conditions, the Ministry reported that it has completely closed down (73) worksites and establishments, (9) partially closed establishments and stopped the work of (6) machines until the work environment in the establishments is corrected and complied with the legal requirements. The Ministry of Labor in the Gaza Strip conducted (14552) inspection visits and issued (1043)



fulfillment forms setting out requirements for correcting violations of the labor law, two establishments were completely closed, due to their violation of the terms and standards of occupational safety and health.³³

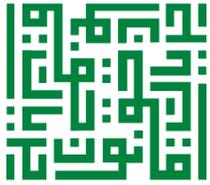
Regarding its role in monitoring and inspecting the conditions of work that must be met and respected by employers, the Ministry stated that it had received (618) complaints, of which (316) complaints were resolved, (212) complaints are still under follow-up and (207) complaints have been referred to the judiciary. The Ministry served (1838) warnings and issued (5242) notices to violating establishments. Meanwhile, the Ministry of Labor in Gaza received (1043) complaints and issued (53) warnings to violating establishments and referred (5) complaints to the judiciary. In this context, the commission recommends that Palestinian legislators make the necessary amendments to the labor law to tighten penalties for violating conditions occupational health and safety and approve a special law that regulates occupational safety and health standards, within the work environment, which is in line with international conventions. There is a need for the Council of Ministers to review government plans and programs, introduce measures and programs to reduce unemployment rates and develop programs targeting youths, in partnership with the private business sector. The programs should respond to indicators of high unemployment rates, especially among youths and the operational plan, as well as to the sectorial plans of the Ministry of Labor, to integrate that into the general budget. Additionally, there is a need for the Ministry of Labor and the Ministry of Women's Affairs to take adequate measures and actions that enable women to fully participate in and exercise their right to work, without any restriction, obstruction or discrimination based on gender. Furthermore, there is a need for the Ministry of Labor to perform its oversight role on the compliance of work establishments with the legal provisions and legislation related to protecting the rights of the Palestinian child and abiding by the restrictions on child labor in the Labor Law. Added to the above the need to take punitive measures and step against any party that violates the above, in addition to the need for activating the inspection and control process on various work facilities.

The second subject: The Right to Health

On May 22, 2019, the General Assembly of the World Health Organization adopted a resolution in favor of Palestine that includes support for Palestinian health services, support for the Capacity Development Program to improve health capacities for Palestinians, including East Jerusalem, and the development of strategic plans regarding investment in the provision of specific capacities for treatment and diagnosis. The issuance of several legislations related to the right to health, including the decision by the law amending the water law,³⁴ the Decree Law on occupational safety and

An interview conducted by the researcher with Eng. Shadi Helles, Deputy Director General of Inspection and Labor Protection, (previous reference).³³

Decree Law No. 18 of 2019 amending Decree Law No. 14 of 2014 concerning water, issued on 9/10/2019 and published in Issue³⁴



health³⁵ and the Decree Law regarding the ratification by the Head of the State to the Arab agreement to combat illicit trafficking in narcotic drugs and psychotropic substances.³⁶

In January 2019, it was agreed that the Hospitals Union would return to honoring insurance cards issued by various insurance companies, as the Association of Private Hospitals and Medical Centers previously announced, in early August 2018, that it had stopped honoring private insurance cards, before the Doctors Syndicate joined them due to the reluctance of the Union of Insurance companies to settle disputed cases between the two unions, which prompted the Capital Market Authority and the Independent Commission for Human Rights to intervene and mediate to stop the action taken by the Hospitals Union, as it affects the citizen's right to health thus sponsored a series of dialogue sessions between the two parties to reach solutions that satisfy both parties.

The ICHR received (65) complaints regarding the right to health, which included (66) violations. There were (5) complaints about the unavailability of vaccinations and medicines, (37) complaints related to the unavailability of basic medical services, (1) complaint about the availability of treatment centers in remote areas and (13) complaints about responsibility for medical errors. The complaints also included (7) complaints about deaths that occurred following medical treatment, (5) of which occurred in 2019 and two cases in previous years (2017 and 2018), in addition to (7) complaints related to the quality of medical services provided, (5) of which were about the purchase of medical services (medical referrals) and one complaint within the framework of the right to health, yet was not classified within the above-mentioned classifications. The above can be compared to (48) complaints in 2018, including (5) complaints about the lack of vaccinations and medicines and (32) complaints about the lack of basic medical services and (3) complaints about the unavailability of treatment centers in remote areas and (8) complaints about liability for medical errors.

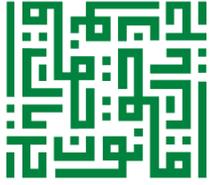
While the Ministry of Health received (255) complaints, including (184) complaints submitted by males, (68) complaints from females, (3) joint complaints, (218) complaints from West Bank governorates and (37) complaints from Gaza Strip governorates. The Ministry dealt positively with (181) and rejected (74) complaints. However, it did not clarify the content of these complaints and whether they were due to professional or administrative employment conditions or the form or nature of the action taken in their regard.³⁷

Within the framework of its vision for realizing the right to health, the Commission emphasized the necessity of realizing the right to health for the citizens in a manner equivalent to the natural population increase of approximately (2.5%) of the total population and the increase in the various burdens that the Israeli occupation creates on the right to health and the continuous increase in the number of elderly people. Especially in this regard, the raise in the development budget and budget

Decree Law No. 18 of 2019 amending Decision Law No. 14 of 2014 Concerning Water Issued on 9/10/2019 and³⁵ published in Issue 159 of the Official Gazette (Al-Waqi'a Palestinian) issued on 9/18/2019.

Decree Law No. 18 of 2019 amending Decision Law No. 14 of 2014 Concerning Water Issued on 9/10/2019 and³⁶ published in Issue 159 of the Official Gazette (Al-Waqi'a Palestinian) issued on 9/18/2019.

This information is according to the Ministry of Health letter No. 56 / R / 236/2020 dated 2/9/2020 in response to³⁷ the ICHR letter no. TS / 58/2020 dated 12/22/2020



allocated to developing scientific research in the health field, increasing the number of hospitals and primary health care centers, increasing the number of beds, increasing the number of health cadres, increasing the list of drugs and health services provided to patients and raising the level of accountability carried out by the Ministry Health, especially in the field of implementing the Decree Law on Medical and Health Protection and Safety, as soon as possible, with what is required of establishing a record of medical errors, establishing a permanent committee on medical errors, establishing a compensation fund for medical accidents damages, developing the necessary medical protocols. The ICHR in confirming its recommendations in the Previous report, including the need the Ministry of Health to develop its annual report so that it includes more comprehensive information that enables knowledge of the extent of government actions for the nine development goals of the third goal of the 2030 Sustainable Development Goals related to the right to health, the objectives related to this right in other development goals and what the World Health Organization has indicated, including developing comprehensive national indicators for the right to health, and providing the necessary statistical data for these indicators in a timely manner.

The third subject: The Right to Education

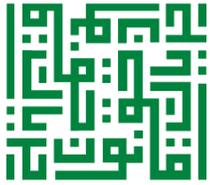
The President issued Decree Law No. (11) of 2019 regarding the splitting of the Ministry of Education and Higher Education into two ministries: The Ministry of Education and the Ministry of Higher Education and Scientific Research.³⁸ The formation of an independent body for higher education (a ministry) and the government's dissatisfaction with forming a "Higher Education Council", established with Decree Law No. (6) of 2018 regarding higher education, could be the beginning of adopting the principle of "governance" in the management of the higher education sector.³⁹ It could also be the beginning of reformulating administrative and financing policies towards providing high-quality education, while preserving the principle of equality in obtaining higher education for eligible students.

On the other hand, the preliminary results of the Household Violence Survey 2019 issued by the Palestinian Central Bureau of Statistics revealed that (25%) of children in the West Bank and Gaza Strip, within the age group of 12-17 years, suffered some type of violence in schools, at a rate of (26%) for males and (15%) for females. Furthermore, (17%) of children have been exposed to physical violence by a male or female teacher, (26%) for males, and (7%) for females.

In addition, (15%) of the children suffered psychological violence, the gender disaggregation of whom was: (18%) males and (12%) for females. The data of the Palestinian Central Bureau of Statistics shows worrying results about violence in schools, especially in the Gaza Strip, generally against male students. This requires the Ministry of Education to review its policies for reducing

The Palestinian Gazette (154) p.11.³⁸

One of the recommendations of the report issued by the Commission in 2017, entitled "The Right to Education³⁹ and the Financial Crisis in Palestinian Public Universities," stipulates the need for the government to adopt the principle of the governance in managing the higher education sector by forming an independent body from the Ministry of Public Education.



violence in schools and to evaluate and update its approved programs on this subject to create a safe and violence-free environment inside schools.

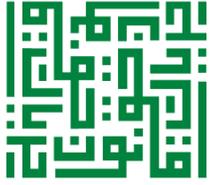
The Commission received (29) complaints that included allegations of violations to the right to education, including (6) complaints in the Gaza Strip and (23) complaints in the West Bank. The complaints that the Commission received in the West Bank included (12) complaints affecting academic freedom, (2) complaints related to the provision of the right to public education for persons with disabilities and persons with learning difficulties, in addition to complaining against violence against them, (4) complaints related to the right to continue schooling, (3) complaints related to the right to continue higher education and (1) complaint related to the provision of basic requirements for a school that suffers lack of public services, in addition to (1) complaint related to solving the problem of morning and evening shifts for a school located in a remote area.

In the Gaza Strip, the distribution of complaints was as follows: (2) complaints related to the request of the Palestinian Ministry of Foreign Affairs to investigate the subject of placing the name of the complainant on what is known as the blacklist and preventing him from traveling through the Palestinian crossings to complete his studies abroad, (1) a complaint related to the request of the Ministry of Education to investigate the issue of expelling a student from school due to a disagreement with the school director and (1) complaint related to a request by graduates of a university college, in the Gaza Strip, to the Ministry of Education to recognize their diplomas, (1) complaint asking the Higher Judicial Council and the Ministry of Interior to investigate the issue of preventing the complainant from traveling to complete her university education under the pretext that she was single and her parents were separated and (1) complaint asking the General Intelligence Service to investigate the circumstances of summoning the complainant and detaining him grounds of conducting a field survey (filling out forms) in order to prepare research for a university in the West Bank.

The Ministry of Education has formed (117) investigation committees for violations attributed to employees, (19) of them for violations related to morning delay and frequent absence, (16) violations for beating and violence against students, (18) violations for refraining from performing the duty, (13) offenses for speaking obscene words, (7) offenses for abuse via social media, (4) offenses for sexual harassment, (4) offense for forging official documents, (7) offenses for theft and illicit gain and (29) other violations. Additionally, (38) employees were suspended from work as a pre-emptive measure for disciplinary investigation (11) job removal decisions due to absence from work for a period of more than (15) continuous days for unjustified reasons.⁴⁰

Within the framework of its vision for realizing the right to education, the Commission stresses the need for the Council of Ministers and the Ministry of Finance to increase the budget of the Ministry of Education and for the Ministry of Education to increase development expenditures, which will enable improving the quality and outputs of educational, implementing programs related to literacy and adult education and integrating the pre-school education in the public educational structure; so as to implement the provisions of the law on public education and the construction of new schools, especially in the Gaza Strip, to reduce overcrowding in the classroom,

Message from the Ministry of Education received by the Commission on 01/29/2020.⁴⁰



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and the need to develop policies and take measures to reduce violence within schools. This can be in cooperation and full partnership with relevant governmental and private institutions and with the involvement of the Parents Council and the local community in developing and approving these policies. There is a need for the Ministry of Education to continue providing the necessary financial resources by the Palestinian government to integrate and increase the number of students with disabilities in education, by creating the school environment necessary to accommodate and empower them, just like the rest of other students. Added to the above, the need for strengthening efforts to expand compulsory education and raise enrollment rates in kindergartens and at the secondary schools, in particular the professional branches thereof, especially for females, persons with disabilities, and the groups that are vulnerable and marginalized because of the current situation and the law.

Chapter Three

Evaluation of the official institutions' responses to the ICHR regarding complaints

The Commission sent (1260) original and reminder written letters during in 2019, compared to approximately (1748) letters that the ICHR sent in 2018, while in 2017, the Commission sent nearly (2,273) of such letters. Conversely; in the year 2019, the ICHR received (635) responses to these communications, the responses ranged between positive and negative.

We note here that, despite the written responses received by the Commission, it still receives typical responses, especially from the security services, which do not often answer the Commission's demands, or deny the citizens' claims, without taking any action to verify or validate those allegations. In order to overcome this, the Commission resorted to attaching to the correspondence the violated legal texts, but this did not change anything. Additionally, the responses remained stereotypical. On the other hand, some security agencies speak of carrying out many disciplinary measures in the event of violations, without necessarily having to report that to the ICHR, as mentioned in a statement of one of the security agencies.

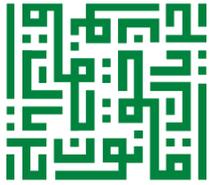
Part I: Assessing the official institutions' responses to the Commission regarding complaints in the West Bank

The Commission received (51) complaints against the Ministry of Health, (11) of which closed, the evaluation of closed complaints was as follows: (3) complaints closed with cooperation and with a satisfactory result; two complaints closed cooperatively, with an unsatisfactory result and one complaint without cooperation. The Commission also received (65) complaints against the Ministry of Social Development, (16) of which closed. The evaluation of closed complaints was as follows: (4) complaints were closed cooperatively following satisfactory results; two complaints were closed cooperatively, with an unsatisfactory result. The commission received (17) complaints against the Ministry of Local Government, (3) of which were closed with cooperation and with a satisfactory result. The number of the ICHR's correspondence with the ministry included (3) original letters, (10) reminder letters, while it received (8) responses. The ICHR also received (5) complaints against the General Personnel Bureau, two of which were closed with cooperation and with a satisfactory result. The number of the Commission's letters to the office included (4) original letters, (3) reminders and one central message, while it received (5) responses.

The Commission also received (4) complaints against the General Secretariat of the Council of Ministers, one of which was closed with cooperation following a satisfactory result. The Commission received (32) complaints against the Public Prosecution Office, (14) of which were closed. The evaluation of closed complaints was as follows: (12) complaints were closed cooperatively following a satisfactory result and two complaints were closed cooperatively following unsatisfactory result.

The Commission received (246) complaints against governors, (22) of them were closed. The evaluation of closed complaints was as follows: (5) complaints were closed cooperatively with a satisfactory result, (17) complaints were closed cooperatively with an unsatisfactory result.

The ICHR received (12) complaints against the Ministry of Finance, one of which was closed with cooperation and with a satisfactory result. The number of the ICHR's letters to the Ministry of



Finance reached (8) original letters, (648) reminders and (14) central letters, while it received (5) responses.

The ICHR also received (32) complaints against the Ministry of Education, (6) of which were closed, and the evaluation of closed complaints was as follows: (3) complaints were closed with cooperation following a satisfactory result; two complaints were closed cooperatively and with an unsatisfactory result, and one complaint without cooperation.

The commission received (10) complaints, of which (3) were closed. The evaluation of closed complaints was as follows: Two complaints were closed with cooperation following a satisfactory result, and one complaint with cooperation and an unsatisfactory result.

The commission received (259) complaints, of which (44) were closed. The evaluation of closed complaints was as follows: (26) complaints were closed with cooperation following a satisfactory result, (17) complaints were closed cooperatively following an unsatisfactory result, and one complaint without cooperation.

The commission received (141) complaints against the General Intelligence Service, (32) of which were closed. The evaluation of closed complaints was as follows: (21) complaints were closed cooperatively following a satisfactory result and (11) complaints were closed with cooperation and with an unsatisfactory result.

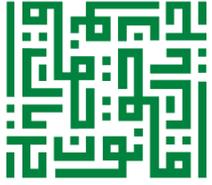
The commission received (53) complaints against the Military Intelligence Service, (14) of which were closed. The evaluation of closed complaints was as follows: (9) complaints were closed with cooperation following a satisfactory result, and (5) complaints were closed with cooperation and with an unsatisfactory result.

The Commission received (439) complaints against the police apparatus, (111) of which were closed. The evaluation of closed complaints was as follows: (53) complaints were closed with cooperation following a satisfactory result, (57) complaints were closed cooperatively and with an unsatisfactory result, and one complaint without cooperation.

Part II: Assessing the official institutions' responses to the commission regarding complaints in the Gaza Strip

The ICHR received (56) complaints against the Ministry of Social Development (30) of which were closed. The evaluation of closed complaints was as follows: (5) complaints were closed cooperatively following a satisfactory result, (10) complaints were closed cooperatively and with an unsatisfactory result, and (15) Complaint without cooperation.

The ICHR received (21) complaints against the Ministry of Health, (8) of which closed. The evaluation of closed complaints was as follows: A complaint was closed with cooperation following a satisfactory result, others were closed with cooperation and an unsatisfactory result, and (6) complaints without cooperation.



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The ICHR received (22) complaints against the Ministry of Public Works and Housing, (11) of them were closed. The evaluation of closed complaints was as follows: (3) complaints were closed cooperatively following a satisfactory result, (2) two complaints were closed cooperatively and with an unsatisfactory result, and (6) Complaints without cooperation.

The ICHR received (463) complaints against the police, (184) of which were closed. The evaluation of closed complaints was as follows: (172) complaints were closed cooperatively following a satisfactory result, (129) complaints were closed cooperatively and with an unsatisfactory result, and (55) complaints without cooperation.

The commission also received (118) complaints against the internal security apparatus, (19) of which were closed. The evaluation of closed complaints was as follows: (3) complaints closed cooperatively following a satisfactory result, (7) complaints closed cooperatively and with an unsatisfactory result, and (9) complaints without cooperation.

The ICHR received (129) complaints against correction and rehabilitation centers, (90) of which were closed. The evaluation of closed complaints was as follows: (76) complaints closed cooperatively following a satisfactory result, (8) complaints closed cooperatively and with an unsatisfactory result, and (6) Complaints without cooperation.