



The Status of Human Rights in Palestine

Executive Summary

2020

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1 January – 31 December 2020



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A Palestinian State, where the rule of law and equality are promoted, and human rights and freedoms of all individuals are respected.

Law – Rights – Freedoms

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Preface

This is the Annual Report 2020 of the Independent Commission for Human Rights (ICHR). Reflecting the human rights situation in the Palestinian territory, the report presents the outcome of the diligent work and ongoing activity carried out by the ICHR staff under extremely challenging circumstances throughout the Palestinian territory. In addition to monitoring and documentation, in 2020, the ICHR received complaints from citizens and intervened with government bodies.

By publishing its *Annual Report on the Situation of Human Rights*, the ICHR aims to shed light on the status of human rights and public freedoms in Palestine, serving the inherent right of citizens and various community actors to access relevant information. The report showcases the outcome of another year of the reality of, and respect for, human rights by duty bearers. The ICHR also seeks to draw conclusions and come up with recommendations to be implemented, contributing to the respect for citizens' rights, promoting human rights, redressing injustices done to citizens and social groups, and creating an enabling environment for observing these rights.

Respect for human rights reflects appreciation of the intrinsic dignity of the human person. It is the prescription that inevitably contributes to maintaining community safety and stability. It produces informed and free citizens, who take an active part in political, social, and cultural action, build their own society on grounds of equality, and renounce violence, hatred, and discrimination against any background.

This year saw a decline in respect for human rights and fundamental freedoms with the continued occupation of the Palestinian territory by Israel, the occupying Power. In the apparent absence of justice and accountability, Israel has consistently defied the rules of International Law, particularly International Humanitarian Law (IHL), and committed countless practices, which amounted to war crimes and crimes against humanity.

The Israeli occupying authorities continued to carry out settlement activity throughout, and transfer the Israeli civilian population to, the Palestinian territory. Israeli settlers continued to perpetrate organised crime against Palestinian civilians and property. Israel imposed collective punishment on Palestinians and engaged in the ethnic cleansing of Palestinian residents of the city of Jerusalem, particularly in the Sheikh Jarrah and Silwan neighbourhoods. A frenzied displacement activity was designed to seize Palestinian homes and properties. For the 14th year in a row, Israel has imposed a blockade on the Gaza Strip, placing severe restrictions on the movement of persons and goods. The blockade has undermined the humanitarian situation on an unprecedented scale, mainly resulting in widespread poverty, high unemployment, and lack of access to already impaired basic services.

In addition, the Israeli occupying forces continued to use lethal force, arbitrary and administrative detention (arrest without charge or trial), torture, and ill-treatment against Palestinian detainees. In violation of IHL rules, these Palestinians contin-

ued to be held in prisons in unacceptable inhumane conditions inside the Israeli territory. Israeli further continued to withhold and refuse to hand over the bodies of Palestinians to their families to bid farewell and honourably bury them according to religious rites and social traditions. These and other grave breaches amount to war crimes and crimes against humanity.

On the other hand, the internal Palestinian political divide is still in place, reproducing itself so dramatically that it puts at risk the territorial integrity of Palestine. Should this situation persist, the divide will create irreversible facts on the ground. Most often, basic services and citizens' rights, especially public servants', were thrust into the midst of political conflict. This came at the considerable cost of citizens.

2020 witnessed a significant deterioration in respect for fundamental freedoms, particularly freedom of peaceful assembly and freedom of expression – the backbone of democracy and other human rights. This should be a matter of grave concern for society as it would probably narrow the space for individuals' right to freedom of expression and opinion, right of access to information, right to freedom of peaceful assembly, and right to protest. Except as prohibited by law in a democratic system, no restrictions may be imposed on individuals' right to freedom of expression and peaceful assembly.

Following a presidential decree, the call for elections furnished another opportunity and offered hope to overcome the serious crisis of the Palestinian political system and enable citizens to choose their representatives. However, this opportunity was squandered by another decree, which provided for postponing the elections in view of the obstacles created by the occupying Power, particularly in the city of Jerusalem.

Israeli actions would have necessarily been a reason for proceeding with the elections. Given the fact that elections would be held under occupation in Jerusalem as well as in other parts of the Palestinian territory, it would have been a chance to challenge and expose Israel to the world. In the Palestinian context, elections are of paramount importance because they provide a starting point for putting an end to the internal Palestinian political divide and promoting citizens' trust and confidence in political participation and political system at large. Elections are also an inherent rights enshrined in the Palestinian Basic Law. Not only do citizens have the right to vote and to stand for election, they are also entitled to exercise this right periodically every four years. As a constitutional right, elections are a necessary prerequisite to renew legitimacy of the political system and institutions. Although it had been inactive for years, the Palestinian Legislative Council (PLC) was dissolved by a ruling from the Supreme Constitutional Court. PLC dysfunction and weak formal oversight have seriously undermined control and accountability. In addition to the ordinary law making process, oversight and accountability are key tasks entrusted to the PLC.

Honoured to present this Annual Report, I would like to extend my thanks and

appreciation to all the parties that cooperated with the ICHR and facilitated the Commission's work, particularly the President's Office, Prime Minister's Office, line ministries, High Judicial Council, PLC, security agencies, and other bodies in the West Bank and Gaza Strip.

My thanks, appreciation, and gratitude also go out to the ICHR staff for their persistent, tireless, and professional work in spite of difficult and extraordinary conditions throughout the Palestinian territory. If it were not for their efforts and dedication, this report would have not seen the light of day.

I would also like to convey my thanks and gratitude to the Palestinian government and all donors for their continued support to the ICHR. Notwithstanding the difficult circumstances, this support has enabled the ICHR to play its role as a national human rights institution in ensuring protection, respect, and promotion of human rights in the State of Palestine.

Mr. Issam Younes
ICHR Commissioner General

Introduction

I am pleased to present the *26th Annual Report on the Situation of Human Rights in Palestine*. The report seeks to provide a description that is as comprehensive and objective as possible of the human rights situation in the West Bank, including East Jerusalem, and Gaza Strip in 2020. It monitors key positive and negative developments in each human right. The presentation is informed by a normative framework that is premised on international human rights conventions, which the State of Palestine has acceded to, as well as on the Palestinian Basic Law.

Based on its accurate perception of the complicated crisis of the dominant internal Palestinian political divide, the ICHR is responsible for monitoring and documenting human rights abuses in the occupied Palestinian territory (oPt) and analyzing the legislative environment and current policies on the situation of rights and freedoms. Against this backdrop, the ICHR confirms that it is not the body, which gives legitimacy to one or other party. The primary mission of the ICHR is to ensure and maintain human rights and respect for human dignity. Accordingly, the characterization and terms used in this report are provided for the purpose of delineating the responsibility for the violations monitored by the Commission.

The human rights track was marked by decline and deterioration as a result of the ongoing Israeli occupation of the Palestinian territory and entrenched political divide. Legal and legislative frameworks have not been developed to remove obstacles to strengthening human rights and public freedoms or contribute to supporting the set of rights laid out by Palestinian Amended Basic Law of 2003.

The ongoing internal Palestinian political divide has had bitter consequences on Palestinian society and public order at political, economic, and legal levels. Ultimately, public rights and freedoms disintegrated by encroachment, ban, and exclusion. These outcomes emerge at a time when all political factions have agreed on the need for putting an end to the political divide, which has generated multiple and deteriorating political, legislative, judicial, and economic crises.

Persistent Israeli occupation, including expansionist colonial and racist practices, remains the primary violation of Palestinian individual and collective human rights. Occupation is the main obstacle that prevents Palestinian citizens from enjoying their fundamental rights to education, health, and economic life. It also precludes the enjoyment of the right to security of the person, right to life, right to freedom of movement, etc. In 2020, according to the platform announced and agreed among parties to the government coalition, the Israeli government attempted to annex 30 percent of the West Bank area, particularly in the Jordan Valley. *De jure* annexation was not implemented in view of significant international opposition and Palestinian reaction. However, *de facto* annexation is going on, posing an existential threat to Palestinians and thwarting the establishment of a viable Palestinian state.

With the outbreak of coronavirus (COVID-19) beginning in early 2020, states, gov-

ernments, and nations around the globe have faced a real test of their ability to provide a health response to the pandemic, while at the same time maintaining social cohesion and providing protection and care to all groups, particularly the most vulnerable and disadvantaged persons. In Palestine, the government fought the pandemic by declaring the state of emergency for one month, starting on 5 March 2020. The state of emergency has continued to be extended on a monthly basis as at the time of reporting. Lockdown and restrictions were also placed on movement and gatherings. The state of emergency has not been generally used beyond the scope of the stated goal, namely, response to the COVID-19 pandemic. However, following the first extension, the ICHR expressed the view that there was no need for a continuous state of emergency. This could be replaced by enforcing some effective laws, including the Public Health Law and Civil Defence Law, in order to tackle the pandemic.

In spite of the difficulties and developments created by the pandemic, within its available resources and scope of work, the ICHR continued to play its assigned role in promoting and protecting human rights. During the pandemic, the Commission made extraordinary efforts to monitor the state of emergency measures, quarantine capacities, and places of detention. The ICHR contributed to passing general amnesty decrees, suspending the imprisonment of civilians, and easing overcrowding in places of detention. Additionally, the ICHR contributed to developing detailed guidance on certain groups, such as children, women, and persons with disability. The pandemic revealed that these groups needed special protection from violence and vulnerability. The ICHR also published many fact sheets on some issues and relevant government measures during the COVID-19 pandemic. For example, the ICHR monitored the emergency committees established in many cities and villages across the West Bank. It also commented on the tripartite agreement concluded between the government, employers, and worker representatives at the inception of the pandemic. While it continued to carry out its duties and tasks, the Commission brought its activity in line with applicable safety measures and health protocols.

In the West Bank, the phenomenon of arms chaos saw a marked increase. Murder rates were also on the rise, particularly in areas beyond control of Palestinian security agencies. In contravention to the rule of law and justice, some customary and tribal practices were resumed, such as the so-called *Forat al-dam* [outburst of blood, alluding to revenge] and *Jalwah* [eviction of families]. In many instances, these practices were committed with the acquiescence, complicity, or at least toleration of government bodies.

Combined with the absence of the legislative power, namely the PLC, the internal Palestinian political divide persisted, further undermining public institutions, weakening citizens' trust in these institutions, and warding off a real and serious intention to hold elections. Given the importance of elections, which can put an end to the internal split and restore democratic life, the ICHR, Palestinian human rights institutions, civil society organizations, and academic and independent persons launched a campaign for an expedited action to hold national elections. Fol-

Following a meeting with Dr. Hanna Nasser, Chairman of the Central Elections Commission (CEC), the ICHR organized a press conference in front of the CEC premises. The ICHR also addressed a public appeal on national elections to the President and secretaries general of Palestinian factions during their meeting in Beirut and Ramallah in September 2020. The ICHR also called on the President to pass a presidential decree on holding the elections as soon as practicable.

In 2020, laws by decrees continued to be promulgated without a clear vision or specific and consistent procedures, which should have ensured greater participation by affected groups in consultations conducted in the lead up to the promulgation of these acts. A total of 41 laws by decrees were passed, including five on the declaration and extension of the state of emergency.

As chair of the Arab Network for National Human Rights Institutions (ANNHRI), the ICHR followed up on the changing situation of Palestinian rights. To this avail, the ANNHRI published statements and organised regional and international meetings and seminars, which highlighted commitment to the Palestinian people's rights and warned about the dangers of the so-called Deal of the Century. The Network rejected and viewed Israel's schemes for annexing the West Bank as an unlawful, invalid step that was void of any legal value. Calling on all states around the world not to admit or recognise these schemes, the ANNHRI asked these states to support and assist the Palestinian people and Palestinian Authority to continue to confront Israeli annexation and Trump's vision so that they can eventually accomplish their national goals of freedom and independence.

Internationally, the ICHR carried out many interventions that aimed at ending the Israeli occupation and holding the Israeli authorities to account for persistent abuses of the Palestinian people from across the spectrum. For instance, the ICHR sent submissions and letters to UN Special Rapporteurs for human rights, as well as written and oral interventions before the UN Human Rights Council.

Based on its powers as a national human rights institution, the ICHR developed and participated in the deliberations of the Shadow Report on the Convention on the Rights of the Child with the Committee on the Rights of the Child in Geneva during the first quarter of 2020. Further, the ICHR compiled the parallel report submitted to the UN Committee on Economic, Social and Cultural Rights on the initial report of the State of Palestine on the implementation of the International Covenant on Economic, Social and Cultural Rights. In addition to submitting shadow and parallel reports to treaty bodies, the ICHR role involves ongoing follow up on the Palestinian government's implementation of recommendations made by these treaty bodies with a view to strengthening and promoting human rights.

The progress scored in the ICHR functions would have not been possible without the Board of Commissioners, who supported and guided the ICHR executive team. Believing in the Commission's mission and vision, the ICHR executive team worked around the clock to provide assistance to the citizens who needed it. On this occasion, I would like to extend my profound thanks to Mr. Issam Younes, ICHR

Commissioner General. I would also like to thank all members of the ICHR Board of Commissioners for their unrelenting support and guidance. I would further like to extend my thanks to all ICHR staff members, each within their own sphere of competence, for the remarkable and earnest effort they made, including receipt and follow up on citizens' complaints, visits to detention centres, participation in capacity building courses targeting partner duty bearers, and organisation of advocacy campaigns. ICHR staff also developed countless legal and policy submissions and held meetings, seminars, and workshops with duty bearers in order to reach understandings that would consolidate Palestinian human rights.

Also, 2020 saw the conclusion of the National Inquiry into Health Insurance, which the ICHR had initiated in 2018. Targeting the Palestinian public, this was an extensive examination of key gaps of the Palestinian health insurance system and challenges that hinder Palestinian citizens' enjoyment of the right to health in the light of relevant international standards. In the methodology of this inquiry, the ICHR relied on the principles of partnership and integrated roles of government bodies, international institutions, and civil society organisations with a key concern for the right to health.

I would also like to thank my colleagues at the ICHR Administrative and Financial Department for the administrative and logistic support they provided, ensuring an impeccable and optimal output by every ICHR staff member. My profound appreciation and gratitude also go to my colleagues who contributed to this Annual Report. At the forefront of these is Khadijah Zahran, lawyer and Head of the ICHR Monitoring of National Legislation and Policy Unit, who led the report team. Thanks are also due to my colleagues and legal researchers: Maen Id'eis, Aisha Ahmed, Hazem Haniyyah, Taher al-Masri, Ammar Jamous, Mousa Abu Duheim, and Sami Jabareen.

Dr. Ammar Dwaik
ICHR Director General

Section One

Policies and violations of the Israeli occupation and their impact on the ability of the State of Palestine to guarantee human rights in 2020

The Israeli occupation authorities continued their systematic violations of Palestinian human rights in conjunction with the emergence of the "Covid-19" pandemic. While other countries took preventive and precautionary measures to confront the pandemic and limit the spread of the virus, the occupation authorities continued their daily violations of the rights of the Palestinians.

This section deals with the most prominent violations of the occupation authorities and their forces against Palestinian civilians, their rights, freedoms, lives and property, as well as some aspects of the settlers' attacks against them. Additionally, it will present the impact of Israeli violations on the performance of official institutions.

First: The repercussions of the occupation on the basic Palestinian human rights in the West Bank and Gaza Strip

1. Violations of the right to life and physical integrity

The Israeli occupation forces continued their excessive and systematic use of force, targeting the lives of Palestinian civilians and disregarding their lives in both the West Bank and the Gaza Strip. They opened fire more than (2931) times at them. The number of Palestinian martyrs in each of the West Bank, including occupied East Jerusalem and Gaza Strip was (38) martyrs¹, including (9) children and one woman². At least (1025) Palestinian civilians were wounded in the West Bank and Gaza Strip³, and the number of those wounded in the Gaza Strip reached (58), while (16) of the injured were children.⁴

Since October 2015, the occupation authorities have been holding the bodies of more than 250 Palestinians, whom Israel killed or field-executed. The occupation authorities are still holding them under the pretext of using them as bargain chips

1 Monitoring and documentation of the Palestinian Monitoring Group of the Negotiations Support Unit in the Palestine Liberation Organization, January 2021.

2 Al-Haq Field Report on Human Rights Violations for the year 2020 ,February 8 ,2021.

3 Monitoring and documentation of the Palestinian Monitoring Group of the Negotiations Support Unit in the Palestine Liberation Organization

4 " A Statistical Report on the Israeli Occupation Forces 'Violations of the Rules of International Humanitarian Law and the Principles of Human Rights in the Gaza Strip during the Year 2020 ,"on the web page: <http://mezan.org/>

in a possible prisoner exchange deal. On the other hand, the bodies of about (253) female martyrs have been lying in the cemetery for decades⁵. While the number of Palestinian prisoners and detainees in the occupation prisons, by the end of the year, reached about (4400), including (40) female prisoners, the number of child and minor detainees reached (170). Israel also continued arresting (9) legislators from the Palestinian Legislative Council when the number of administrative detainees is about (380). Four prisoners died in the Israeli occupation detention: Nouredin Al-Barghouti, Saadi Al-Gharabli, Daoud Al-Khatib, and Kamal Abu Waer⁶. The number of sick prisoners reached nearly (700), including (300) prisoners who suffer from chronic diseases and need continuous treatment and medical care.

The occupation authorities adopt a policy of deliberate medical neglect against sick prisoners, making approximately (700) prisoners, who suffer from various diseases —the causes of which are due to the tough detention conditions, malnutrition and poor ventilation —(350) of whom are male and female prisoners suffering chronic diseases that need follow-up and permanent medical care. In addition, until the end of 2020, the spread of the Corona virus has increased significantly among Palestinian prisoners in the prisons of the Israeli occupation, and concerns for the prisoners' lives are increasing due to the infection of dozens of sick prisoners, notable the elderly and those who suffer from chronic diseases and need continuous medical care. The majority of infections occurred during the last two months of the year. The number of injuries in Gilboa prison reached (100) during November. The rise in the number of infections confirmed the extent of the deliberate neglect by the Israeli Prison Authority administration in providing means of prevention and protection for the prisoners.

2. Targeting Jerusalem and Jerusalemites

The occupation authorities intensified targeting of Jerusalemites and continued campaigns of arbitrary arrests against them in the towns and neighborhoods of Jerusalem, especially in the town of Al-Isawiya, the old city and Al-Aqsa Mosque in Jerusalem. Prisoners' institutions confirmed that Jerusalem and its suburbs suffered the highest rate of daily arrests compared to other Palestinian governorates, reaching (1975) arrests, including the arrest of (363) minors, and the arrest of (100) women, including three female minors.

The highest rates of arrest were in the town of Al-Isawiya, where (642) cases were recorded, followed by the town of Silwan with (296) cases, and the old city with (289) cases, and the Al-Aqsa Mosque and its gates and roads leading to it

5 Human rights organizations present a report to the United Nations experts on the policy of holding the bodies of martyrs https://www.jlac.ps/details_en.php?id=mjr5bwa2750y71qwqq984:

6 The annual report on the conditions of Palestinian prisoners and detainees, which was prepared by the prisoners and human rights institutions (Detainees and Ex-Prisoners Affairs Commission, Palestinian Prisoners Club, Addameer Foundation for Prisoner Care and Human Rights, and Wadi Hilweh Information Center - Silwan), published on December 31, 2020.

recorded (362) cases⁷. Among the most prominent violations and activities that Israel committed in Jerusalem are targeting activists, ministers, governors, faction leaders and national and community work. The Israeli did so by arresting them, storming their homes and confiscating some of their house contents, prosecuting and threatening former prisoners, issuing decisions to expel the wives of Jerusalemite prisoners from Jerusalem, which is what the wife of the former prisoner, Muhammad al-Ajlouni, suffered.

3. Continuing the tight siege on the Gaza Strip

According to the Ministry of Health in the Gaza Strip, the health sector and its facilities - in conjunction with the Corona pandemic - suffered from a severe shortage of emergency needs of medicines, medical devices and supplies, laboratory test materials and devices for testing people infected with the virus, and intensive care beds. As for intensive care and ventilators, until the middle of the year, only (39) ventilators were available in the Gaza Strip, (80-90%) of which were in use. This was not enough for the Gaza Strip's patients compared to the number of its residents, especially in the event of the virus spreading more widely. The percentage of the deficit reached (60%) for medical tests, (50%) for the list of main medicines, (45%) for medical tasks, including a shortage of protective kits for protecting medical staff and the necessary medicines to treat against the virus. The Israeli occupation authorities' ban on importing a number of new medical devices, such as radiological devices needed to diagnose cancerous tumors, or importing spare parts for the maintenance and repair of medical devices, led to the inability of hospitals and medical centers to deal with hundreds of sick cases. This, in addition to the inadequacy of hospitals and health centers and their workforce in relation to the population, which foreshadowed the seriousness of the situation.

As it suffered greatly from economic recession, the economic sector witnessed a decline in income levels and of production process, as well as direct and indirect losses of the Gaza Strip as a result of the blockade during (2020), which were estimated at about one and a half billion dollars. Both the blockade and the Corona pandemic threatened the food security of about (70%) of families in the Strip, at a time when more than (85%) of the population lives below the poverty line. The unemployment rates have risen to nearly (60%), while more than (350,000) workers are unemployed. The Corona pandemic has exacerbated the deterioration of the already stretched humanitarian situation for the citizens of the Gaza Strip⁸.

The occupation forces and navy committed (309) attacks at sea against Palestinian fishermen in the Gaza Strip. The attacks were dominated with pursuit of fishermen,

⁷ The annual report on the conditions of Palestinian prisoners and detainees, which was prepared by the prisoners and human rights institutions (Detainees and Ex-Prisoners Affairs Commission, Palestinian Prisoners Club, Addameer Foundation for Prisoner Care and Human Rights, and Wadi Hilweh Information Center - Silwan), published on December 31, 2020.

⁸ Statement of the Popular Committee to Confront the Siege in the Gaza Strip ,24/12/2020.

arresting them, sinking their fishing boats, shooting them, and confiscating their equipment and fishing boats. These attacks resulted in the injury of (12) fishermen, the arrest of (10) others, the confiscation and detention of (4) fishing boats, damage to fishing equipment and the sabotage of boats in (12) different incidents.

The occupation forces also continued to attack Palestinian citizens in the areas adjacent to the eastern and northern border fences of the Gaza Strip and restricted access by land. The number of these attacks amounted to more than (903), ranging from incursions into its territory and targeting farmers. The occupation forces also targeted Palestinian civilian objects, and directly bombed residential houses, aiming to destroy them, causing extensive damage to them and to the adjacent houses and civilian facilities. Israel also partially destroyed (24) houses and damaged (10) public, commercial and industrial facilities, in addition to causing damage to hundreds of houses, such as shattering windows.

4. Violations of the right to education

Through the monitoring and documentation, by the General Directorate of Field Follow-up in the Ministry of Education, of the Israeli violations against the educational process, the attacks of the occupation forces affected at least (233) schools, (17,776) male and female students, and (1,727) teachers and administrative staff. These attacks varied between targeting lives with shooting, arrest and detention, denial of safe access to schools because of pursuit and passing through permanent and surprise military checkpoints and iron gates. During the year, a Palestinian student was martyred, and a number of students and teachers suffered arbitrary arrests. The number of arrested students, teachers and administrators reached about (118) students and (20) teachers and administrative employees. The number of students wounded and injured due to the occupation bullets and tear gas canisters reached about (539).

The number of schools in which functioning was partially disrupted reached (18), with (36) attacks, affecting about (4,845) students and (427) teachers and administrative staff, and resulted in the wasting of about (542) educational classes. As for those schools in which work was completely suspended as a result, it amounted to about (15) schools with (20) educational days and affected (3,812) students and (362) teachers and administrative staff, which resulted in wasting (774) classes. Additionally, during the year, (7) notices to stop construction and demolition orders were delivered to (7) different schools and demolishing the foundations of two schools was carried out.

5. Violations of the right to housing, and the policy of forced displacement

The occupation authorities carried out (869) demolitions against Palestinian homes and facilities compared to (686) demolitions in 2019. The demolitions in the governorates of Jerusalem, Hebron and Tubas constituted more than (65%) of the total demolitions in the governorates of the West Bank combined⁹. The Israeli occupation also demolished six homes of families of Palestinian prisoners accused of carrying out operations against the Israeli occupation in Birzeit, Kobar, Ramallah, Rojib, Ya'bad, and Jenin. Of the total (248) houses demolished, (242) were demolished under the pretext of not having a construction permit. Of these, (72) houses are located in the city of Jerusalem, (169) houses are in areas classified as "C", three houses are in areas "B", and (4) houses are in areas classified as "A".¹⁰

6. Settlement expansion policies and settler attacks

The occupation authorities continued land confiscation operations for the purposes of settlement expansion and seized approximately (8830) dunums of Palestinian land. On the other hand, it announced the seizure of (11,200) dunums for the benefit of three nature reserves in the Jordan Valley.

The occupation authorities bulldozed more than 1500 dunums of agricultural lands in the West Bank and uprooted thousands of olive and almond trees. The occupation authorities approved a plan to build (9,000) new settlement housing units in the "Atarot" settlement, located north of Jerusalem, on the runway of occupied Qalandia Airport. A tender was issued to build (1257) new settlement units in the "Givat Hamatos" settlement, south of Jerusalem. Settlers' attacks against Palestinian citizens and property have also escalated. These attacks amounted to no less than 1,090 attacks, an increase of (9%) over 2019. The majority of these attacks, (49%) of them, took place in the governorates of Nablus and Hebron, and caused the injury of (185) Palestinians. With various injuries, the majority of the attacks took place under the protection of the occupation army. Where it continued not to intervene to stop such attacks, and the Israeli judiciary continued not to hold settlers accountable or try the perpetrators.

⁹ The annual report of the Wall and Settlement Affairs Commission on "The Most Notable Israeli Violations in the Occupied Palestinian Territory, March 2021."

¹⁰ Al-Haq Field Report on Human Rights Violations for the year 2020, February 8, 2021.

Second: The repercussions of Israeli violations on the ability of Palestinian institutions to fulfill their obligations

The violations and policies of the Israeli occupation affected the performance and interventions of some Palestinian ministries and official institutions in implementing rights, and the vital sectors specialized in guaranteeing rights and providing various basic services to Palestinian citizens:

1. Prisoners and Ex-Prisoners Affairs Commission

The occupation authorities obstructed the work and performance of the commission's lawyers charged with defending and counselling prisoners in light of the spread of the "Corona" pandemic, the continued declaration of a state of emergency and lockdown by those authorities, which led to the prevention of lawyers from visiting prisoners in interrogation and detention centers. It also continued to impose exorbitant financial fines against the prisoners and their families, to make their case a permanent source of income.

On the other hand, in February, the Israeli military governor of the West Bank issued a military order targeting the prisoners' families' allowances in banks. In accordance with the decision, the judge will prosecute and punish all persons and institutions, including Palestinian banks, who cooperate in the transfer of money to the prisoners and their families, as "rewards for committing terrorist attacks," and the violator will be liable to a sentence of up to seven years in prison. Accordingly, the prohibited funds were subject to confiscation.

2. National economy

The tax clearance crisis negatively affected the ability of the Palestinian government to pay the salaries of its employees, and meet the large financial obligations resulting from the Corona pandemic, forcing it to resort to borrowing from local banks. The year 2020 witnessed a remarkable increase in the public debt of the Palestinian government, reaching nearly 3.5 billion US dollars by the end of October 2020, and this debt increased by (25%) during the first ten months of 2020 compared to the end of 2019.

The most prominent obstacles and challenges that the Palestinian national economy faced included¹¹: the continued Israeli control over the Palestinian economic resources, closure and destruction of economic facilities and the assault on the economic structure, impeding the flow of goods between the West Bank and the Gaza Strip. The tightening of the siege prevented the entry of goods in general and production materials, in particular to the Gaza Strip. This led to huge

11 Correspondence to ICHR from the Ministry of National Economy on January 14, 2020.

losses in different economic sectors, especially the industrial sector. The result was a rise in unemployment rates to about (48.6%), based on the results of the Palestinian Central Bureau of Statistics report on the labor force for the third quarter of 2020, in addition to high rates of poverty, where more than half of the Gaza Strip population is below the poverty line.

3. Local government sector

The occupation authorities have obstructed the implementation of more than thirty infrastructure projects, which the Ministry implements with self-financing and with the support of institutions and donor countries for international development.

4. Environment sector

The Environment Quality Authority continued to face a number of Israeli challenges and obstacles that limited its ability to implement national policies for the protection of the Palestinian environment. This manifested in impeding access to areas classified as "C" and the areas behind the annexation and expansion wall. The occupation authorities prevented citizens and official institutions from accessing the areas behind the annexation and expansion wall that contain natural areas, where Israeli practices pollute the environment, smuggling and establishing landfills for Israeli waste. Occupation authorities continued to dispose of hazardous waste from the settlements and the 1948-occupied territories, in the Palestinian territories in several forms. This included burning, landfills, recycling, separating, sorting, and returning materials that can be used to the Israeli side, in violation of IHL and international conventions, without taking into account any environmental or health considerations and requirements. In addition to 17 official Israeli waste treatment facilities, there are more than 40 disposal sites in the Palestinian territories.

5. Security sector and rule of law

The occupation authorities continued to impede the work of the security services and put obstacles during their movement from one area to another, especially in the areas that fall under their security control in areas classified as "C". This has caused obstacles to their work and their ability to carry out the tasks entrusted to them in order to preserve the rights of the Palestinian citizen and ensure security, in addition to carrying out judicial control, implementing court decisions, settling disputes between citizens and imposing order and law.

The occupation's arrest of workers in the ranks of Palestinian security forces'

members hindered the work of the security establishment and its ability to impose order and protect the security of the citizen. The customs police apparatus, which provides economic and food security by combating spoiled, smuggled and expired goods as well as settlement products, faced many challenges that hindered its work in protecting the economic and food rights of the Palestinian citizens. This has provided cover for entry of settlement products and other spoiled goods, in addition to the occupation forces detaining and harassing some members of the security forces and members of the customs police, including in Al-Bireh, while they were preventing an attempt to smuggle prohibited goods and stopping their entry into the Palestinian territories¹².

6. Violations in Jerusalem

The occupation measures in Jerusalem and its suburbs hindered the ministry's ability to confront the Corona pandemic and prevented it from communicating with citizens under the pretext of undermining the sovereignty of the occupying state. One of the occupation's attempts to obstruct official Palestinian work in the city was in preventing the Palestinian Authority, civil institutions and voluntary gatherings in the city from protecting and ensuring Palestinian human rights there. The occupation authorities are still closing the Education Office in Jerusalem, which has doubled the efforts made at various levels, as Palestinian students were deprived of regular education, which decreased to less than (15%) compared to education outside of Jerusalem. We note here that the Israeli policies prevented Arab Jerusalem schools from holding distance education, which negatively affected the entire educational process, especially for high school students.

7. Media sector

The Israeli occupation authorities have escalated the frequency of their violations against journalists and media freedom. The Ministry of Information monitored (350) violations committed by the Israeli occupation forces against Palestinian journalists in their quest to document events and expose the continuous violations of the occupation against the Palestinian people, their rights and freedoms, in a flagrant violation of UN Security Council Resolution No. (2222) on the protection of journalists. The Israeli occupation also targeted (162) male and (18) female journalists and dozens of press crews, in addition to blocking more than (65) media webpages and accounts affiliated with male and female journalists on social media sites to intimidate journalists from conveying the Palestinian narrative to the world. The Israeli occupation directly and deliberately targeted them, as they were covering events. The violations, which included beatings, threats with weapons and use of dogs to prevent them from media covering, amounted to (92), while arrests and attacks in the occupation prisons amounted to (79) cases¹³.

¹² Correspondence received by ICHR from the Ministry of Interior January 2021

¹³ Correspondence received by ICHR from the Ministry of Information. February 2021.

8. Transport and Communications Sector

The cessation of security coordination with the Israeli side had negative repercussions, as it caused the cessation of the work of all the joint committees between the Palestinian and Israeli sides related to road maintenance, traffic solutions to congestion and reducing traffic accidents. The occupation authorities' control over most of the Palestinian land made it difficult to plan effectively to establish effective road networks with the shortest distances between Palestinian cities.

The wall of annexation and expansion caused bottlenecks in some Palestinian villages and cut off communication between them, which hindered the Ministry's ability to plan in them due to the inability to conduct field surveys there. The closures affected transport lines and increased travel distances. Preventing Palestinian vehicles from entering some roads, such as the external road linking the south of the West Bank with its center and north, contributed to the traffic congestion there. Such acts caused the distortions in the planning of the roads.

Studies conducted by the Ministry of Transport and Communications on "the impact of Israeli measures on the transportation sector" showed that Palestinians lose approximately (60) million hours annually due to Israeli restrictions, at a cost of more than (270) million dollars for those wasted hours. Fuel consumption exceeds (80) million additional liters annually at a cost of more than (135) million US dollars, in addition to an increase in carbon dioxide emissions at an annual rate of more than (196) thousand tons.

9. Labor sector

The occupation authorities continued their failure to implement occupational health and safety requirements for Palestinian workers in the work environment within the Green Line, as the number of workers' deaths reached (23), while the number of work injuries reached more than (500).

The percentage of decrease in the number of organized workers inside the Green Line during the Corona pandemic reached 15%), at a time when Israeli employers laid off workers and expelled them from their workplaces without compensating them for the period of having to stop work in the first three months of the pandemic (March/ March-May).

During the pandemic, it was documented that the occupation forces threw Palestinian workers infected with the Corona virus on the side of the road and at Israeli checkpoints in the West Bank, without admitting them to Israeli hospitals or providing them with appropriate treatment. On the other hand, a group of Palestinian workers working in the service and cleaning sector, in the laundries were forced to clean the clothes of those infected with the Corona virus.

The occupation authorities continued to support the process of selling work permits in the black market through work permit brokers, at a time when the price of the permit reached more than (2,500) shekels per month.

10. Land sector

The occupation forces prevented the technical staff of the Land Authority from carrying out necessary land surveys and plans, and in some cases attacked them. The lack of recognition by the Israeli side of the registration documents certified by the letterhead of the State of Palestine in Area C deprived the Land Authority departments of citizens' trust and deprived it of credibility and the citizens of the protection it may constitute. This has negatively affected the Palestinian citizen's trust of its various departments.

The political classification of Palestinian land continued to restrict the process of land exploitation, as the majority (61%) of the West Bank's land is located in Area C, which is under full Israeli control. The arbitrary policies and practices of the Israeli occupation impede the work of land survey crews. In some areas classified as "A" and "B", the land certificates are with the Israeli side, which constitutes an obstacle to work and severe harm to the citizen due to the high rate of fees and the long time for them to complete the transaction. Israeli threats to annex lands from the West Bank have raised Palestinian fears over ownership of their land and stripped them of their rights to land¹⁴.

11. Energy sector

Israeli policies and procedures have contributed to obstructing and impeding the work of the Energy and Natural Resources Authority and in slowing its work in implementing projects and providing citizens with services. One of the Israeli occupation policies that impeded the work of the Energy Authority, is not allowing the supply of electricity service to areas adjacent to the Israeli annexation and expansion wall, areas classified "C", and water wells, such as wells located in the areas of Qalqilya and some wells located in the areas of Jericho and the Jordan Valley. In addition to the destruction of many solar cell plants, installed to serve the residents of many marginalized areas, to which the occupation authorities prevented the supply of electricity.

The Israeli procrastination continued in granting the necessary licenses for the studies and proposals submitted to the occupation authorities to establish new stations belonging to the Palestinian Electricity Transmission Company, to provide the necessary electrical capacity in the Palestinian areas. The Israeli delay in the provision of development facilities in the field of electricity and the failure to

14 Correspondence by ICHR from the Land Authority. February 2021.

grant the necessary licenses have impeded the work of some projects, such as the solar energy project in the Bani Naim project, although it is located in areas classified as "A" and the projects do not require having Israeli permits. Due to the lack of a clear position of the Israeli Civil Administration regarding the project, the Chinese government donating the \$50,000,000 project insists that there be a clear position on the part of the Israeli side. The Israeli procrastination contributed to the failure to utilize the financial allocations for the implementation of the project's infrastructure.

12. ICT sector

The occupation authorities have consistently obstructed Palestinian attempts to make international law reference for dealing and coordination in the field of communications, information technology, and mail. Israel continued placing obstacles in the way of importing communications equipment necessary for the development and control of communications networks, monitoring communications and wireless transmission networks on the Palestinian territories, and preventing the entry of communications equipment for Palestinian companies. The Israeli occupation did so by holding equipment in ports and crossings for long periods, and imposing storing fees on the Palestinian companies. It also prevented the Palestinian side from establishing a gateway for international communication, and prevented Palestinian companies from establishing physical links to connect the Palestinian areas, or benefit from global submarine cable services, and prevented direct connection with telecommunication networks in neighboring Arab countries such as Jordan and Egypt. The Israeli occupation continued establishing hundreds of wireless communication towers in settlements and military bases in the occupied Palestinian territory, and acquisition of (30%) of the Palestinian telecommunications market, according to World Bank reports. This causes economic losses to the Palestinian side in general, controlling frequencies and restricting the electromagnetic spectrum and not granting modern generation frequencies in the Palestinian territories, despite it being a national resource belonging to the Palestinian people. This has affected the already limited frequencies granted to the third generation telecommunication frequencies. More importantly, Palestine is deprived of its rights to the frequencies of the fourth and fifth generations, while the Gaza Strip is deprived of the frequencies of the third generation.

Recommendations:

ICHR reiterates its recommendations contained in the previous annual reports, and stresses in particular the need for the Palestinian government to approach the UN to request its serious intervention to stop the daily and escalating violations of the Israeli occupation, and to take the necessary measures to protect the Palestinian civilians under occupation in the occupied Palestinian territory.

Call on the High Contracting Parties to the four Geneva Conventions of 1949 to intervene and ensure that the occupying power respects the Conventions and adheres to its legal obligations to implement the international conventions to which it is a party to, in the occupied Palestinian territory, including East Jerusalem. The Palestinian government should continue pressure on the international community to end the protracted Israeli occupation of the 1967-occupied Palestinian territories, to consolidate Palestinian sovereignty over the Palestinian land and to protect the right of the Palestinian people to life and self-determination. For the Palestinian government to invite the UN Special Rapporteur on Arbitrary Detention to visit the Palestinian prisoners in the Israeli occupation prisons, to learn about their detention conditions and the occupation policies against them in light of the Corona pandemic. For the Palestinian government to call on the international community to support the prisoners and intervene in order to pressure the Israeli occupying power to release the sick prisoners, the elderly, women and children. For the Palestinian government to continue its diplomatic efforts, targeting UN member states, to pressure the occupying power to stop all its settlement expansionist activities in the occupied Palestinian territory, and implement UN Security Council Resolution 2334 on settlements. Approach the Oslo Accords and the Paris Economic Agreement sponsoring countries; prepare a file of the occupying power's violations of those agreements, to put pressure on the Israeli occupying power and reconsider the agreements.

Second section

Rights Framework

1. Developments in civil and political rights

1.1 Developments in the right to life

Violations of the right to life

The causes of deaths monitored by ICHR ranged among different backgrounds; according to information received from the Ministry of Labor, deaths among workers within the Green Line this year were close to those of the previous year, as the number of worker deaths this year reached (23) deaths compared to (28) deaths in 2019¹⁵.

The death rate due to the spread of the Corona virus, according to the electronic platform of the Ministry of Health, reached (1572) deaths, (57%) males and (43%) females, (1%) of them were children and (76.5%) elderly. The deaths recorded in the Gaza Strip were (24.5%) of the total deaths recorded in the Palestinian territories. ICHR monitored (227) deaths in abnormal circumstances, (52) of them for females and (54) of children, compared to (140) deaths in abnormal circumstances that occurred in 2019, of which (30) were females and (40) children.

On the other hand, ICHR has only recorded one death case against the background of the so-called "family honor" issues¹⁶. Nonetheless, ICHR still sees an increase in the number of mysterious female deaths, reaching (10 cases) and deaths recorded as suicide (7 cases). Additionally, the initial conditions that ICHR documented raise suspicions and lead to many questions, as there is a possibility that the underlying cause of some mysterious cases, or deaths due to suicide, were committed on grounds of "family honor". This requires the Public Prosecution, as an official competent investigation body, to pay the highest attention to investigate these deaths in order to reveal the real causes behind them and those responsible and to hold them accountable.

ICHR also documented (34) deaths due to family quarrels, compared to (27) cases recorded in 2019. This figure indicates the continuation of killings within the family, which requires the competent authorities to play a more effective role in reducing the incidence of such deaths.

ICHR recorded (2) deaths resulting from the misuse of weapons by citizens, one in the West Bank and another in the Gaza Strip, all of which were adult males, which equates the number recorded by ICHR in 2019. The number of deaths due

¹⁵ The response of the Ministry of Labor, which reached ICHR on 18/1/2021

¹⁶ Because the commission was not aware of the death reasons, or because it is still under investigation by the Public Prosecution.

to failure to follow public safety procedures increased sharply, as the number of deaths recorded against this background reached (93) cases, compared to (47) cases in 2019.

This year, (15) death sentences were issued compared to (4) sentences issued in 2019, all of which were issued by the judiciary in the Gaza Strip against adult males, and this constituted a clear increase, compared to the number of judgments issued in 2019. The total number of people sentenced to death since 1995 until the end of 2020 was (227) people, with (41) of them were executed.

As for complaints, ICHR received (32) complaints regarding the right to life, compared to (26) complaints in 2019. These complaints ranged between (17) complaints related to death because of negligence or medical error, compared to (9) cases in 2019. This, in addition to one complaint about deaths in mysterious circumstances compared to one complaint also in 2019. Additionally, (9) complaints related to judicial rulings related to the death penalty compared to (7) complaints in 2019, and (3) complaints related to deaths in places of detention compared to two complaints in 2019, and two unclassified complaints compared to one complaint in 2019.

Official procedures and measures to protect the right to life

With the spread of the Covid-19 virus, all official authorities have taken a number of measures aimed at combating the spread of this virus, as it may harm all human rights, especially the right to life. The Ministry of Health has worked, in addition to all preventive measures to prevent infection with the Corona virus, to monitor all cases of deaths resulting from infection with this virus¹⁷.

Despite the preventive measures taken by the ministry in this regard, it recorded the occurrence of (1572) deaths this year out of the total number of citizens infected with this virus.

Accountability for violations of the right to life

The number of complaints about deaths following medical treatment reached (17) complaints in the West Bank, compared to (8) complaints in 2019. ICHR did not receive any responses.

Within the framework of the investigation into the deaths documented by ICHR, the Public Prosecution in the West Bank responded to the circumstances of (43) deaths out of (103) unnatural documented deaths, i.e. a response rate of approximately

¹⁷ For more details on this ,see :Maen Shehda Dais ,The State of Palestine’s Readiness to Realize the Right to Health During the Corona Pandemic) Covid-19) ,(Palestine :The Independent Commission for Human Rights ,(2020 .In addition ,the electronic platform on the website of the Ministry of Health is www.moh.ps

(42%) of the total number of cases for which ICHR requested information about them. The Public Prosecution Office in the Gaza Strip also responded to the circumstances of the death of (68) out of (106) deaths documented by the commission, i.e. a response rate of approximately (64%) of the total number of cases that the commission requested information about.

ICHR reaffirms its recommendations contained in previous annual reports, and emphasizes in particular:

- The necessity of accomplishing the reconciliation procedures, in order to achieve respect for the right to life, including the re-formation of the Higher Committee for Community Reconciliation and resumption of its work on the part of the families of those affected by the division, and the payment of compensation to those whose lives were affected.
- The necessity for the Public Prosecution to investigate all cases of murder that occur in abnormal circumstances, to reveal the perpetrators and bring them to justice, especially the ambiguous cases recorded by the commission this year and previous years.
- The necessity for the Military Prosecution to conduct serious investigations into the allegations against violations of the right to life, against law enforcement personnel or in places of detention, or about deaths resulting from the misuse of weapons of this category.
- The need for the various municipal councils to exercise an effective oversight role on public and private places, to ensure that public safety precautions are available within the geographical boundaries they follow, and to activate the role of these councils in observing dangerous places within their geographical boundaries.
- The necessity of rehabilitating the Civil Defense apparatus and providing the necessary equipment to play its role in saving lives and preserving the right to life, which may be threatened with risks of drowning, fire and others
- The necessity for the Energy Authority to carry out adequate monitoring, inspection and awareness measures in order to reduce the deaths that occur because of electric shock.
- The necessity for the Ministry of Health to undertake a serious investigative role in cases in which deaths occur after the deceased undergoes treatment or surgery, and to put in place serious preventive and remedial measures for such cases, especially the executive procedures necessary to implement the Decree Law on medical and health protection and safety No. 2018.
- The necessity for the Ministry of Labor to play an effective and real inspection role in workplaces to ensure the availability of public safety means, especially

in housing, buildings and facilities under construction, where a significant number of deaths occur every year.

1.2 Developments in the right to physical integrity

Allegations of torture and ill-treatment

ICHR received (291) complaints from citizens in the West Bank and Gaza Strip regarding torture and ill-treatment at the hands of law enforcement agencies, with (176) complaints in the West Bank and (115) complaints in the Gaza Strip. These complaints included (410) allegations of torture and ill-treatment, including (204) allegations in the West Bank, and (209) others in the Gaza Strip¹⁸. While such allegations in the West Bank and Gaza Strip amounted to (692) in 2019, compared to (676) in 2018 and (898) in 2017.

On the other hand, the Commission received (50) complaints from women and children in the West Bank and Gaza Strip about being subjected to torture and ill-treatment at the hands of law enforcement agencies. The women's complaints amounted to (28) complaints, including (12) in the West Bank, which included (12) allegations of torture and ill-treatment, and (16) complaints in the Gaza Strip, which included (30) allegations of torture and ill-treatment in the Gaza Strip. As for the complaints of children under the age of (18) years, they amounted to (22) complaints, consisting of (17) complaints in the West Bank which included (19) allegations of torture and ill-treatment, and (5) complaints in the Gaza Strip which included (7) Allegations of torture and ill-treatment.

As for complaints on grounds of torture and ill-treatment to which women and children suffered, it did not differ much from that of which most detainees suffered. It was either for obtaining a confession from the children and women about the incident under investigation, or for subjecting them to punishment in the reform and rehabilitation detention centers, in which they serve their sentence because of violating the internal prison instructions. One of the children also suffered abuse at school.

Patterns of torture and ill-treatment

According to the complaints received by the Commission regarding torture and ill-treatment, the allegations of torture alone, including physical and moral torture, amounted to (330) allegations, including (176) allegations in the West Bank, and (154) in the Gaza Strip. As for the allegations that were limited to ill-treatment, they amounted to (71) allegations, of which (26) were in the West Bank, and (45) were in the Gaza Strip.

¹⁸ The number of allegations of torture and ill-treatment exceeds the number of complaints, because some complaints include two allegations ,the first :torture and the other is ill-treatment.

Entities responsible for torture and ill-treatment

Of the complaints that ICHR received, the majority of citizens who brought up suffering torture and ill-treatment, complained against members of the public police force in both the West Bank and Gaza Strip alike. Allegations of torture and ill-treatment against members of the police in the West Bank were (151), while that of the Gaza Strip amounted to (169) allegations. These also included (24) allegations of torture and ill-treatment against members of the Internal Security Service in the Gaza Strip, (22) allegations against members of the Preventive Security Service in the West Bank, and (15) allegations against members of the General Intelligence Service in the West Bank. Also, (11) allegations of torture and ill-treatment against members of the Higher Coordinating Security Committee (formerly the Joint Security Committee) were recorded in Jericho in the West Bank¹⁹, and (8) allegations of torture and ill-treatment against correction and rehabilitation centers were recorded, with one allegation in the West Bank, and (7) Allegations in the Gaza Strip. In addition, in some complaints, allegations of torture and ill-treatment were against members of the Public Prosecution Office and some staff of the Ministry of Health in the West Bank and Gaza Strip.

Accountability for torture and ill-treatment and compensation for victims

When we addressed the Public Prosecution Office in the West Bank regarding any investigations they had conducted this year against security forces in relation to their perpetration of acts that constitute torture and ill-treatment, it stated that it investigated (11) complaints of torture submitted by citizens against members of the security services in the West Bank. Two of the complaints were referred to the Military Public Prosecution to complete the investigation. They added that the investigation is still ongoing in the other nine complaints and they had no decision yet, either to keep them, or to refer them to the Military Public Prosecution.

When addressing the Security Forces Judicial Authority in the West Bank regarding inquiring about any judicial rulings issued to convict members of the security services for committing crimes of torture, the aforementioned authority reported that this year, the military courts issued judgments convicting (4) members of the security services. The aforementioned authority did not elaborate, in this context, if it was for unlawful detention or murder. This year, ICHR also recorded (8) investigation files against members of the security services in the West Bank,

¹⁹ The High Coordinating Security Committee reports to the Council of Ministers. It includes the main security agencies in the West Bank (the General Intelligence Service as head, the Preventive Security Service, the General Police Service, the Military Intelligence Service, and the National Security Service). In June 2018, the Council of Ministers issued a decision to dissolve it after criticism of its legitimacy and performance, as a number of its security personnel were involved in serious human rights violations, and then it was re-formed under the name of the "High Coordinating Security Committee." The citizens euphemistically call it "the slaughterhouse of Jericho", because of the seriousness of the violations committed there.

without having clarifications of any classification of the subject of these files and whether they relate to the crime of torture, murder, illegal detention, or attack on Peaceful gatherings, or refraining from executing judicial rulings to release accused persons, or other crimes.

As for the accountability of those involved in torture and ill-treatment in the Gaza Strip, we addressed the Public Prosecution there to inquire about the cases of investigation and accountability that took place this year against those involved in torture and ill-treatment, unfortunately, we did not receive any responses to that effect.

Recommendations

ICHR reaffirms its recommendations in the previous annual reports, none of which have yet been implemented, particularly:

- Adoption of a law against torture and ill-treatment, in line with the Convention against Torture “CAT”, to which the State of Palestine acceded seven years ago, including a comprehensive and extensive definition of torture and ill-treatment, criminalizing them with deterrent criminal penalties, dismissal from public office, and redress and compensation for victims.
- Assigning the Civil Public Prosecution and the regular judiciary as the exclusively competent authorities to prosecute those involved in torture and ill-treatment, regardless of their job description, whether they are military or civil servants, in line with Article 101 of the Basic Law, which denies any jurisdiction for military judiciary outside the Military matter.
- The necessity for the judges of the regular courts to assume their responsibilities in protecting human rights, by maintaining official records in cases where it appears that detainees who are brought before them have been subjected to torture and ill-treatment, and to refer these cases to the Civil Public Prosecution for investigation according to the rules and law
- Adoption of the law of the national preventive mechanism to prevent torture and ill-treatment based on the Optional Protocol to the Convention against Torture, to which the State of Palestine has acceded since 2017, in a way that guarantees the independence of the mechanism and its members from official authorities.
- The need for detainees to be brought before civil medical departments, which in turn must abide by medical ethics, and to provide detainees with medical reports on their physical safety, independently and professionally, with an emphasis on the need for accountability in the event that doctors violate their duties and medical ethics.

1.3 Development in the right to personal liberty

Arbitrary arrest and unlawful detention

The Commission received (425) complaints in the West Bank and Gaza Strip regarding arbitrary arrest and illegal detention at the hands of law enforcement agencies, with (281) complaints in the West Bank, and (144) complaints in the Gaza Strip. These complaints included (550) allegations of arbitrary arrest and unlawful detention²⁰, including (344) allegations in the West Bank, and (206) allegations in the Gaza Strip. The women's complaints amounted to (8) complaints, including (4) complaints in the West Bank that included (4) allegations of arbitrary arrest and illegal detention in the West Bank, and (4) complaints in the Gaza Strip that included (5) allegations of arbitrary arrest and illegal detention in the Strip. As for the complaints of children under the age of (18) years being subjected to arbitrary arrest and illegal detention, they amounted to (12) complaints, including (10) complaints in the West Bank with (11) allegation of arbitrary arrest and illegal detention, and two complaints in the Gaza Strip. Two allegations cited arbitrary arrest and unlawful detention. The rate of women and children being subjected to arbitrary arrest and unlawful detention is (4%) of all allegations in this field.

Patterns of Arbitrary Arrest and Unlawful Detention

Arbitrary arrest for exercising freedom of expression

Allegations of arbitrary arrest due to the exercise of freedom of expression amounted to (141) of the total allegations of arbitrary arrest and illegal detention this year, with (80) allegations in the West Bank, including (7) allegations of human rights defenders, and (61) allegations in the Gaza Strip. This includes two allegations against two journalists, and human rights defenders respectively. Such allegations amounted to (46) allegations in 2019 and (125) allegations in 2018.

Detention without due process

Allegations of detention without a legal warrant amounted to (155) out of the total allegations of arbitrary arrest and illegal detention, with (51) allegations in the West Bank, and (104) allegations in the Gaza Strip. While the allegations of not notifying the detainee of the reasons for his arrest and of the charges against him amounted to (30) allegations, with (16) in the West Bank, and (14) in the Gaza Strip. In addition, (84) citizens of both the West Bank and Gaza Strip reported that they were detained without being brought before any judicial authority, while (33)

²⁰ The number of allegations of arbitrary arrest and unlawful detention exceeds the number of complaints, because some complaints include more than one allegation of arbitrary arrest and unlawful detention. For example, one complaint might include an allegation of detention without a legal warrant, an allegation of detention for exercising freedom of expression, and an allegation of administrative detention by the governor.

other citizens reported that they were prevented from communicating with the outside world and at least (5) of them reported that the security services prevented them from contacting a lawyer.

Administrative detention²¹

The number of allegations of administrative detention reached (59) out of the total allegations of arbitrary arrest and illegal detention, and the overwhelming majority are in the West Bank (56), and only three allegations are in the Gaza Strip. In 2019, these allegations reached (64), including three allegations of children under the age of 18 who were detained by the governor for exercising their right to freedom of opinion and expression, all of which were in the West Bank.

The detention of detainees continues despite a judicial decision to release them

(47) Citizens in the West Bank reported that the security services kept them detained despite a judicial decision to release them, while two other citizens of the Gaza Strip reported that the security services refrained from implementing judicial decisions issued for their release, and kept them in detention. Such allegations amounted to only (5) allegations in 2019, all in the West Bank, and (54) allegations in 2018, including 2 allegations in the Gaza Strip, and (81) allegations in 2017, including (16) allegations in the Gaza Strip.

Entities responsible for arbitrary arrest and unlawful detention

ICHR found, through the complaints it received, that most citizens filed complaints about being subjected to arbitrary arrest and unlawful detention against the Internal Security Agency in the Gaza Strip, as such allegations amounted to (136), while the allegations against the Preventive Security Service in the West Bank amounted to (98) allegation. As for the allegations made against the police apparatus in the West Bank, they amounted to (84) allegations, and the allegations made against the police apparatus in the Gaza Strip amounted to (49). Additionally, 52 allegations were made against the General Intelligence Service in the West Bank. ICHR also recorded (23) allegations of arbitrary arrest and unlawful detention against members of the Higher Coordinating Security Committee (formerly the Joint Security Committee in the city of Jericho) in the West Bank, as well as (74) allegations against the governorates, most of which were for administrative detention. In addition, there were (13) allegations against the Public Prosecution, the Military Public Prosecution and the Military Intelligence Service in the West

²¹ Administrative detention is defined as the deprivation of a person's personal freedom by detaining him by order of the administrative authorities - not the judiciary - even if there are later ways to challenge the legality of such detention before the courts.

Bank, and (19) against the Military Police, the Ministry of Interior and the Military Judiciary in the Gaza Strip.

When ICHR addressed the Public Prosecution Office in the West Bank regarding any investigations they had conducted this year against security forces in relation to committing acts that constitute arbitrary arrest or illegal detention, it stated that it did not investigate such complaints. When we addressed the Security Forces Judiciary Authority in the West Bank regarding inquiring about any judicial rulings issued to convict members of the security services for committing the crime of illegal deprivation of liberty, ICHR reported that this year the military courts issued rulings convicting (4) members of the security services. The judiciary, in this context, detailed or categorized these provisions and indicated which of them came from unlawful detention of freedom, torture, or murder. The aforementioned commission also reported that it recorded (8) investigation files, this year, against members of the security services in the West Bank. Yet, it did not clarify any classification of the subject of these files, whether they relate to the crime of unlawful detention of freedom, torture, murder, or assault on peaceful gatherings, or refraining from executing judicial rulings to release accused persons, or other crimes.

As for the accountability of those involved in arbitrary arrest and illegal detention in the Gaza Strip, ICHR addressed the Public Prosecution there to inquire about cases of investigation and accountability that took place this year against those involved in arbitrary arrest and illegal detention, and unfortunately, we did not receive any responses to that effect.

Recommendations

ICHR reaffirms its recommendations in previous annual reports, which have not been implemented so far, and specifically mentions:

- The need for the security services to stop carrying out arrests of citizens for exercising their legitimate rights, including the right to freedom of opinion and expression and the right to peaceful assembly.
- For the governors to stop detaining citizens on grounds of security reasons, which is known as administrative detention or detention under the custody of the governor.
- Considering the civil public prosecution and the regular judiciary as the exclusive competent authorities to prosecute those involved in arbitrary arrests and illegal detention. Prosecuting them should be regardless of titles, military or civil servants, in line with Article 101 of the Basic Law, which denies any jurisdiction for military justice outside of military affairs.
- The need for the civil public prosecution to assume its responsibility in the

criminal prosecution of those involved in arbitrary arrests and illegal detention.

- The necessity for the judges of regular courts to carry out their constitutional responsibilities in protecting human rights, especially in cases of pretrial detention and extension of detention, by applying the principles of necessity, proportionality and legality. As well as not accept the extension of the detention of any person without having an investigation file that includes the minutes of interrogation and evidence proving the risk of releasing them.

1.4 Developments in the right to freedom of opinion and expression

ICHR received (86) complaints, including (115) allegations of violation of the right to freedom of opinion and expression, (58) complaints in the West Bank, and (28) others in the Gaza Strip. This is compared to 2019, during which ICHR received (74) complaints. These included (32) complaints in the West Bank and (42) others in the Gaza Strip. We noted that there has been an increase in the number of complaints related to violations of the right to freedom of opinion and expression for the year 2020, by an average of (12) complaints, where the increase in the West Bank was by (26) complaints and the number decreased by (8) complaints in the Gaza Strip.

The number of apparatuses against which the commission received complaints about violating the right to freedom of opinion and expression reached (9) civil and security entities, (8) in the West Bank²², including (5) security services and (3) civil departments. In the Gaza Strip there were (5) entities²³, including two security services and (3) civil departments.

Four types of allegations emerged, the first related to the freedom to use social networking sites, the second related to harassment against the background of freedom of opinion and expression, the third related to the freedom of the press and media, while the fourth one was related to preventing human rights defenders from carrying out their work.

The categories of victims varied according to complaints. The largest share of (63) complaints was for (ordinary) citizens, with (46) complaints in the West Bank, and in the Gaza Strip (17) complaints, including 1 complaint from a female, and the remaining (23) complaints, were from journalists, bloggers, or partisans (12) complaints in the West Bank, and (11) complaints in the Gaza Strip.

ICHR wrote to the relevant criminal accountability competent actors in the West Bank (the Public Prosecution and the Security Forces Judiciary Authority). The

22 The bodies against which the commission received complaints about violating the right to freedom of opinion and expression in the West Bank: the Ministry of Education, National Security, General Intelligence, Military Intelligence, the Public Prosecution, the Ministry of Interior, Preventive Security, and the police.

23 The bodies against which the commission received complaints about violations of the right to freedom of opinion and expression in the Gaza Strip: the Ministry of Education, the Ministry of Interior, the Public Prosecution Office, the police, and the Internal Security

Commission found that they did not hold any security personnel accountable for committing violations of the right to freedom of opinion and expression. Through correspondence with the Security Forces Judiciary Commission²⁴, it was found that it tried (18) security personnel for murder, torture, unlawful detention, and assault on peaceful gatherings.

As for the Gaza Strip, ICHR did not receive any response from the relevant authorities about holding any security personnel to account for committing unjust acts on the right to freedom of opinion and expression.

ICHR reaffirms its recommendations in its previous annual reports, specifically:

- The need for the Council of Ministers to instruct the police and security services to stop detaining and summoning citizens or journalists on the grounds of exercising the right to freedom of opinion and expression through social media, and practicing journalistic and media work.
- The necessity for President Mahmoud Abbas to intervene by instructing the security services in the West Bank to stop detaining and summoning citizens or journalists on the grounds of exercising the right to freedom of opinion and expression through social media, and practicing journalistic and media work.
- The necessity for the Ministry of Interior in the Gaza Strip to issue instructions to the police and its security services, especially the Internal Security Agency, to stop detaining and summoning citizens or journalists on the grounds of exercising the right to freedom of opinion and expression. This mainly covers their activity through social media, or speaking through the media, or publishing data, and practicing journalistic and media work.
- The necessity for the Ministries of Interior and Information to intervene in the Gaza Strip to remove the restrictions imposed on Palestine TV. They should allow the Palestine TV crews to work freely in the Gaza Strip.

1.5 Developments in the Right to Peaceful Assembly

The Commission received (29) complaints about the violation of the right to peaceful assembly, all of them were in the West Bank, but it did not receive any complaint about the violation of the right to peaceful assembly in the Gaza Strip. The number of violations reached (41), all of them in the West Bank, and were all of an economic or political nature. The types of complaints that ICHR received varied from preventing to dispersing peaceful assemblies. This included either detaining or assaulting some of the participants. In addition, (36) peaceful assemblies were

²⁴ ICHR's letter to Major General Ismail Farraj, Head of the Security Forces Judiciary Authority, dated 12/02/2020.

dispersed, and (5) peaceful assemblies were prevented, during which participants in (18) peaceful gatherings were detained, and participants in (17) peaceful gatherings were attacked.

ICHR reaffirms its recommendations contained in the previous annual reports, in particular:

- The need for legislative bodies to harmonize national legislation and executive regulations regulating the right to peaceful assembly with the international documents, as signed and acceded by the State of Palestine. This is particularly for the International Covenant on Civil and Political Rights, and to amend or repeal everything that contradicts the right to peaceful assembly contained in The Penal Code applicable in the West Bank, and the Penal Code applicable in the Gaza Strip.
- The necessity for the security services and the Ministry of Interior to abide by the provisions of Law No. (12) of 1998 regarding public meetings, which limits dealing with public meetings with the police. This is also to emphasize the prohibition of members of the security services in their civilian clothes from carrying out missions of operational nature in dispersing peaceful gatherings.
- The necessity for the security services in the Gaza Strip to abide by the provisions of Law No. (12) of 1998 regarding public meetings, and to stop interfering in the organization of public meetings in closed places.
- Immediate investigation, by the Public Prosecution, the judiciary and the legal competent authorities, into any incident that affects the right to peaceful assembly in the State of Palestine. To publish the results of the investigation publicly and holding those found guilty of assaulting participants in peaceful assemblies to account or using excessive force in violation of the law.

1.6 Developments in the right of association

ICHR received (3) complaints related to the violation of the right to form associations. Two of these complaints related to the security safety condition, whether in completing the process of registering associations, or enabling them to open or activate bank accounts, and one complaint related to the closure of the association without taking into account the criteria established by the Associations Law Charitable and civil bodies, and its executive regulations.

Remittances to non-profit companies, including NGOs working in the field of human rights in the Gaza Strip, also continued to be subject to the prior approval of the Council of Ministers. This constitutes a severe restriction of the right to form associations and unions, especially since the funding of associations as indicated

by the Special Rapporteur on the situation of human rights defenders, represents an integral element of the right to freedom of assembly and the guarantee of freedom of action for civil society organizations. The Rapporteur also stressed that the issue of association funding is essential for the enjoyment of the right to form associations.

ICHR reaffirms its recommendations contained in its annual reports, and specifically mentions:

- The necessity for the Ministry of Interior to suspend the security vetting, which is used in dealing with associations, as a discriminatory measure, and represents a restriction of citizens' right to join charitable associations.
- The Palestinian Monetary Authority should play its role, within its mandate, in supervising enabling associations to maintain effective bank accounts, by instructing banks operating in the Gaza Strip to facilitate the procedures for opening bank accounts.
- The Ministry of Interior in Gaza, to abide by the role assigned to it with regard to the adoption of the unified electronic system, in addition to avoid creating or imposing powers beyond the limits of the role established by law.
- Cancellation of Article (4) of Cabinet Resolution No. (8) of 2015 amending the Law of Non-Profit Companies No. (3) of 2007, which is subject to the financing of non-profit companies, including NGOs, as per the prior approval of the Council of Ministers, which affects these organizations so that they may exercise their activities freely, without the interference of the executive authority.

1.7 Development in the right to hold public office

ICHR received (23) complaints about violating the principle of fair competition in employment, (21) of them in the West Bank, and two others in the Gaza Strip, in which citizens alleged violation of fair competition in employment. ICHR also received (81) complaints related to administrative disputes (promotion, retirement, financial rights), (50) of which in the West Bank, and (31) in the Gaza Strip. The largest number of complaints that ICHR received focused on the Ministry of Finance regarding the financial rights of employees and retirement benefits. Additionally, (25) complaints related to dismissal from public office (arbitrary dismissal), without complying with the legal standards for arresting, dismissing, or dismissing a public employee, (21) complaints of them in the West Bank, and (4) complaints in the Gaza Strip.

On the other hand, the work and outputs of the Legal Administrative Committee to

rectify the situation of Gaza government employees remained without progress. The public service file in the Gaza Strip remains the most prominent obstacle to achieving Palestinian reconciliation. This sensitive issue resulted in failure to taking rectifying measures concerning public officials. It also contributed to eroding trust and seriousness between both sides of the division. In fact, it exacerbated the deterioration in basic vital services in the Gaza Strip.

ICHR reaffirms its recommendations contained in its previous annual reports, in particular:

- The necessity for the Council of Ministers to adopt a system related to the public service in emergencies, through which it defines measures and procedures that would maintain stability of job centers and ensure uninterrupted provision of public services.
- The necessity for the Council of Ministers to cancel the decision to refer public employees in the Gaza Strip to early retirement for violating the Civil Service Law. This, in addition to affecting large sectors of employees, affecting the basic vital services sector (education and health in particular) guaranteed by law and taking into account the obligations arising from the accession of the State of Palestine to the International Covenant on economic, social and cultural rights.
- The need for the Council of Ministers to stop using its powers to infringe on the system of rights and freedoms guaranteed to public officials and to abide by legal standards in approving government policies related to the salaries of public officials, prisoners and liberated persons in the Gaza Strip, which must be subject to standards of equality and non-discrimination.
- The necessity of activating the work of the legal administrative committee assigned by the previous government of reconciliation to rectify the legal positions of the employees of the Gaza government, in order to ensure that their rights are guaranteed on legal grounds.

2. Development in the case of economic, social and cultural rights

2.1 Development in the right to work

Because of the Corona pandemic in the Palestinian territory, and declaring a state of emergency, the government took health and procedural measures related to closing different economic sectors, or the reduction of the number of workers there. The government also decided to lockdown governorates and cities, which prevented workers from being able to reach their workplaces, and the cessation of

the activities of most private economic enterprises. In addition, the government demanded for projects that the private sector provides which affected the level of economic growth, and the resulting expansion, increase in unemployment rates, and the doubling of the number of workers who were absent from their work. This was reflected in the decline in indicators of the right to work, and the damage incurred by the business sector and the economic structure, and the poor official interventions to balance and modify these indicators, compared to the years preceding the pandemic.

The labor sector strategy for the years 2020-2022 in Palestine, which was issued by the Ministry of Labor, included an integrated plan for emergency response and recovery of the labor sector in Palestine. This plan aims to focus the government's efforts towards a specific set of political interventions that help mitigate the effects of the Covid-19 pandemic on the labor market by protecting and sustaining the income flows of Palestinian workers, while at the same time ensuring acceptable levels of business continuity.

At the same level, the Ministry of Labor in the Gaza Strip provided (16,200) job opportunities with a budget of (25) million dollars, and provided financial assistance to (81,850) workers in the sectors most affected by the pandemic, with a budget of (8,570,000) dollars, and supported wages of (8,570,000) dollars. 800) for affected workers in the industrial and tourism sectors for a period of two months.

ICHR notes that the previous interventions were insufficient and poor as a response to cover all labor sectors, in addition to the lack of clear and announced criteria in the process of distributing relief cash to workers affected by the Corona pandemic, and the failure to specify the numbers of beneficiaries of the relief grant and its geographical distribution.

ICHR recommends the following:

- The necessity for the Ministry of Labor to sponsor new labor agreements that bring together the three production parties, through which they guarantee the preservation of the rights of workers and employers, and prevent the hegemony or exclusivity of one of the production parties in exploiting the emergency situation, and violate the standards of the right to work.
- The necessity for the Ministry of Labor to develop and increase its oversight role to the extent to which work establishments adhere to the standards and conditions of risk prevention and health safety related to the pandemic.
- The necessity of the Ministry of Labor's commitment to implementing and applying the minimum wage, developing mechanisms to ensure monitoring and follow-up, adhering to the periodicity of the amendment outlined in the decision, and setting a specific period for the minimum wage amendment.

2.2 Development in the right to the highest attainable standard of health

The right to health is one of the most prominent rights that have been greatly affected by the Corona virus pandemic. Official and private institutions have had to modify their plans and strategies in line with that, while at the same time maintaining that the rights of the majority of citizens who need health care, are not harmed and can obtain medicines and performing surgeries without delay, whether they get infected with the Corona virus.

The number of people infected with the Corona virus, according to the internet platform, reached approximately (157,879) by the end of the year 2020²⁵, out of which males constitute (49.6%) and females constitute (50.4%), while the percentage of children among the total infected was (15.5%)²⁶, and (7%) for the elderly. The number of the dead among them was (1572), (57%) males, (43%) females, (1%) children, and (76.5%) elderly²⁷. The percentage of injuries recorded in the Gaza Strip was (26.6%). While the percentage of deaths recorded in the Gaza Strip was (24.5%) of the total deaths in the Palestinian territories. The information published on the internet platform showed that 898,693 tests were conducted for the virus, without the platform indicating the number of people who were examined.

According to the monthly expenditure report of the Ministry of Health²⁸, for the first eleven months of the year 2020 and despite the increase in the burdens entrusted to the Ministry of Health to confront the Corona virus, it appears that its total expenditures during this period did not exceed (11.4%) of the total public spending of the various responsibility centers in the budget. If we compare this percentage of the ministry's spending to the previous three years (11% in 2017, 11.4% in 2018, and 11% in 2019), it is notable how this year's spending did not exceed prior years by much. It also does not consider the health sector as one of the first principles in which the emergency budget for the year 2020 is based on.

25 The above information, according to the publication on the electronic platform of the observatory on 2/1/2021, noting that the platform, although it shows the total numbers of infected patients in full, it does not show the distribution in terms of sex and age for these total numbers. It rather mentions them under the item "unspecified" (form Unspecified cases (35.3%) of the total recorded cases) due to the lack of this information for two categories of infected. These are: 1) The infected from the Jerusalem governorate, with the exception of its suburbs, which are administratively subject to the Israeli occupation authorities and the Palestinian authorities were unable to obtain information in this regard, and 2) the infected from the Gaza, according to Dr. Izzat Rayan / the Palestinian Institute of Public Health of the Ministry of Health in a phone call on 4/1/2020.

26 Although, according to Palestinian law and international standards, a child is one who has not exceeded 18 years of age, the information available regarding the infected by age on the official electronic platform is for persons under 19 years of age.

27 "Elderly" here means anyone over the age of sixty, and "children" refers to anyone under the age of eighteen.

28 See the financial reports published on the aforementioned website of the Palestinian Ministry of Finance: <http://www.pmf.ps/pmf/index.php>

The number of complaints related to violations by official bodies²⁹ concerning the availability of health services³⁰ in the West Bank and Gaza Strip reached (42) out of a total of (152) complaints of the right to health. Most of the complaints submitted to ICHR regarding this element are related to the issue of quarantine, the lack of sufficient quarantine centers, and the lack of equipment in these places.

These complaints were distributed in terms of gender into (29) complaints for males and (13) for females. In terms of the geographical area, these complaints were distributed among (16) complaints in the Gaza Strip, and (26) complaints in the West Bank.

The number of complaints of violations by official entities pertaining access to health services, there were (8) complaints in the West Bank and Gaza Strip, i.e. (5.3%) of the total complaints on the right to health. Many complaints referred to the high prices of some health services and the lack of economic access to the service. Some of them referred to the inability to access or disseminate information. They noted that this was improper and do not take into account the human right to preserve his privacy.

The number of complaints related to violations by official bodies of the health service quality component in the West Bank and Gaza Strip reached (102) out of a total of (152) complaints about the right to health. Many complaints relate to not obtaining a medical referral/purchasing a service, or the delay in obtaining it, which affected the health status of the citizen, and complaints related to the demand for the medical staff to be held accountable for allegations of medical negligence. The complaints of this component in terms of gender were distributed among (54) complaints by males and (48) complaints by females. In terms of geographical area, these complaints were distributed between (42) complaints in the Gaza Strip and (60) complaints in the West Bank.

Therefore, and for the purpose of adequately implementing the highest attainable degree of health, the Commission recommends the following:

- In the context of the right to publish health information, it is necessary to update the information published on the internet platform regarding Covid-19. This update should include information on the categories of infected persons with disabilities and persons detained in official places of detention, and work to reduce the number of cases that the Ministry was unable to obtain information around, leaving it unspecified until it exceeded a third of the number of recorded injuries.

²⁹ The right to health component of access comprises four types of complaints, which are related to: 1) lack of physical access, 2) lack of economic access, 3) lack of access to general or patient-specific health information, 4) access to health services According to the foundations where discrimination and inequality.

³⁰ Within this element of the four elements of the right to health are the complaints submitted to ICHR regarding: availability of hospitals, health centers and health personnel, availability of basic health procedures, availability of vaccinations, availability of healthy water and sanitation, availability of medicines and medical drugs, and availability of health services for persons with disabilities.

- The need to raise official attention to primary health care in general, and in the event of a health emergency in particular, such as the case of the spread of the Corona virus.
- The need to raise the budget allocated to the health sector in general, especially in the event of a health emergency such as the period of the spread of the Corona virus, because of the increase in financial obligations incurred in such circumstances.
- Continue developing the health sector, including providing the necessary health services on the one hand, and raising the level of their quality on the other. This in addition to removing all physical and economic obstacles that prevent access to health services on the basis of equality and non-discrimination that allows the dissemination of health information without compromising human rights.
- In the context of developing health services provided to patients, it is necessary to raise the level of accountability by the Ministry of Health. This, especially in the implementation of the Decree law on medical and health protection and safety, as soon as possible, with all it requires for establishing a record of medical errors, establishing a permanent committee for medical errors, establishing a compensation fund for medical accidents damages, and developing the necessary medical protocols. This, in addition to the accountability carried out by the Public Prosecution and the judiciary in relation to violations of professional medical confidentiality.

2.3 Development in the right to education

The closure of educational facilities, which came with the decision of the Prime Minister, was followed by the Ministry of Education's announcement of a number of health, educational and administrative measures to ensure the conduct of the educational process, and to ensure that schools remain as safe and healthy space. The Ministry approved a plan to return to schools in light of the continuation of the Corona pandemic, and adopted the health protocol for the return to schools. The Ministry has also taken a series of policies and procedures, in order to keep students in contact with the educational process during the Corona pandemic by various means, the basis of which was distance learning through technological (electronic) communication media.

ICHR's follow-up revealed that there are a number of challenges that hinder distance education, the most prominent of which include lack of rehabilitation of schools to have technology, lack of technology at homes, the lack of teachers' experiences in dealing with technology, the poor economic capacity of the Palestinian community, and the incompatibility of housing structures with distance education.

As for the policies and measures undertaken by the Ministry of Education to implement the right to education, public revenues in 2020 budget was estimated at (8,698) million shekels. The total value of current expenditures, net lending, medical referrals and development expenditures was estimated at (17,687) million shekels. The value of expenditures was 1,400 million shekels, and the budget deficit was estimated at about (50%).

The Palestinian government, within emergency budget of the Ministry of Education, did not take into account the Ministry's needs to respond to the Corona pandemic, which mainly requires financial resources to ensure safe and comprehensive access to educational opportunities for all students through the implementation of the back-to-school plan. This was according to the health protocol for the return of students to schools, as part of the adaptation to the pandemic stage, and this, in turn, will negatively affect the implementation of the right to education.

In the same context, and with the exception of the principles around which the emergency budget was built for "providing a safety net for people with low incomes and marginalized groups," it was noted that the Palestinian government had not issued any decisions related to allocating financial budgets to implement the right to education for people with disabilities. When reviewing the official website of the Ministry of Education, we found no published, clear and specific measures or procedures to protect the rights of persons with disabilities who are enrolled in public schools, to education. Especially for the part related to distance education, within the blended education policy adopted by the Ministry, based on the decision of the Council of Ministers in Its meeting No. (64) on July 6, 2020.

ICHR recommends the following:

- The need for the government to increase the financial resources allocated to the Ministry of Education, specifically the item related to development expenditures. This would enable the ministry to fulfill its obligations in implementing the Return to School plan in light of the continuation of the Corona pandemic, and to implement the health protocol for the return of students to schools, including sterilizers, cleaning tools and other prevention requirements.
- The need for the government to take a number of decisions to reduce the amount of value-added tax on all goods and services related to distance education. This especially applies to those related to the use and possession technology, as this would support the government's directions to success and increase the effectiveness and impact of distance learning, and the adoption of technology in education.
- The necessity for the Ministry of Education to, immediately, complete the provision of the required technologies that respond to the needs of persons with disabilities to integrate them into the distance education system.

- The necessity for the Ministry of Education to subject the educational staff to intensive courses to enable them to deal with students outside the classroom.
- The need for the government to intensify awareness campaigns for the prevention of the Corona virus and to continue to follow up on citizens' compliance with health protocols issued by the Ministry of Health

Third section

Evaluation of official institutions' interaction with ICHR in relation to complaints

1. Assessment of official institutions' responses to the Commission in relation to complaints in the West Bank

ICHR received (81) complaints against the Ministry of Interior, of which (26) were closed. The evaluation of closed complaints was as follows: (13) complaints closed with cooperation and with a satisfactory result, (8) complaints were closed with cooperation and with an unsatisfactory result and (5) complaints of unsatisfactory results. The number of ICHR's correspondence with the Ministry of Interior was (42) original letters, (8) reminder letters, while it received (12) responses.

It also received (129) complaints against the Ministry of Health, (61) of which were closed. The evaluation of closed complaints was as follows: (45) complaints closed with cooperation and with a satisfactory result, (11) complaints were closed with cooperation and with an unsatisfactory result and (3) complaints without Cooperation and two complaints closed for lack of follow-up. The number of ICHR's correspondence with the Ministry reached (61) original letters, (37) reminder letters, while it received (19) responses.

ICHR received (40) complaints against the Ministry of Education, (13) of them were closed. The evaluation of closed complaints was as follows: (5) complaints closed with cooperation with a satisfactory result, (6) complaints closed with cooperation and with an unsatisfactory result, and one complaint without cooperation and another complaint closed for not having follow up. The number of ICHR's correspondence with the Ministry of Education reached (30) original letters, and (15) reminder letters, while it received (24) responses.

The number of complaints submitted against the Ministry of Local Government reached (21) complaints, of which (9) were closed. The evaluation of closed complaints was as follows: (6) complaints were closed with cooperation with a satisfactory result, two complaints were closed with cooperation with an unsatisfactory result, and one complaint was closed for not having follow-up. The number of ICHR's correspondence with the Ministry reached (13) original letters, (7) reminder letters, while it received (11) responses.

In addition to receiving (50) complaints against the Ministry of Social Development, (13) of them were closed, and all closed complaints were evaluated with cooperation and with a satisfactory result. The number of ICHR's correspondence with the Ministry reached (10) original letters, and (7) reminder letters, while it received one written response. (63) Complaints were received against the governorates, (36) of which were closed. The evaluation of the closed complaints was as follows:

(30) complaints closed with cooperation with a satisfactory result, (5) complaints closed with cooperation with an unsatisfactory result, and one complaint was closed after not having followed up. The number of ICHR's correspondence with the governorates reached (5) original letters, and one reminder letter, while it received one response.

The number of complaints against the Higher Judicial Council reached (42), of which (14) were closed, and the evaluation of closed complaints was as follows: (11) complaints closed with cooperation with a satisfactory result, and (3) complaints closed with cooperation and with an unsatisfactory result. The number of ICHR's correspondence with the Council was (30) original letters, (6) reminder letters, while it received (7) responses only.

ICHR also received (22) complaints against the Public Prosecution, of which (9) were closed. The evaluation of closed complaints was as follows: (8) complaints closed in cooperation with a satisfactory result, and one complaint closed with cooperation but with an unsatisfactory result. The number of ICHR's correspondence with the Public Prosecution was (27) original letters, (7) reminder letters, while it received (15) responses. It received (527) complaints against the police, of which (192) were closed. The evaluation of closed complaints was as follows: (143) complaints were closed with cooperation and with a satisfactory result, (42) complaints closed with cooperation and with an unsatisfactory result, and (7) complaints of unsatisfactory results. The number of the ICHR's correspondence with the police reached (136) original messages, and (35) reminder messages, while it received (107) responses.

The number of complaints submitted against the Military Intelligence MI was 31 complaints, of which 13 were closed. The evaluation of closed complaints was as follows: (9) complaints were closed in cooperation with a satisfactory result, and (3) complaints closed with cooperation with an unsatisfactory result. One complaint was not followed up. The number of ICHR's correspondence with MI reached (11) original messages, and one reminder letter, while it received (13) responses.

While the number of complaints submitted against the Preventive Security Service reached (163), (85) of them were closed. The evaluation of closed complaints was as follows: (65) complaints closed with cooperation with a satisfactory result, and (14) complaints closed with cooperation with an unsatisfactory result, a complaint without cooperation and (5) complaints for non-follow-up. The number of ICHR's correspondence with the MI reached (29) original messages, (14) reminder messages, while it received (12) responses.

The commission received (100) complaints against the General Intelligence Service, (45) of which were closed. The evaluation of closed complaints was as follows: (36) complaints closed with cooperation and with a satisfactory result, (6) complaints were closed with cooperation and with an unsatisfactory result, (2) complaints were closed without cooperation and one complaint did not follow up. The number of ICHR's correspondence with the agency reached (41) original messages, (14) reminder messages, while it received (27) responses.

2. Evaluation of the official institutions' interaction with the ICHR regarding complaints in the Gaza Strip

ICHR received (204) complaints against the police, of which (144) were closed, and the evaluation of closed complaints was as follows: (76) complaints closed with cooperation with a satisfactory result, (61) complaints closed with cooperation and with an unsatisfactory result, and (7) complaints without cooperation. The number of ICHR's correspondences reached (56) original messages, (115) reminder messages, and (10) central messages. The Commission received (154) written responses

While (96) complaints were received against the Internal Security Apparatus, (67) of them were closed. The evaluation of closed complaints was as follows: (20) complaints were closed with cooperation and with a satisfactory result, (44) complaints were closed with cooperation and with an unsatisfactory result, and (3) complaints without cooperation. The number of ICHR's correspondence reached (52) original letters, (30) reminder letters, and two central letters, while ICHR did not receive any written response.

The number of complaints submitted against rehabilitation and reform centers reached (62), of which (57) were closed. The evaluation of closed complaints was as follows: (47) complaints were closed with cooperation and with a satisfactory result and (8) complaints were closed with cooperation and with an unsatisfactory result and (2) complaints closed without cooperation.

The number of ICHR's correspondence reached (3) original letters, (4) central letters, and ICHR received (4) written responses. The majority of complaints received against rehabilitation and reform centers focused on the living conditions of inmates inside the centers, specifically with regard to the health status of detainees with some complaints related to attacks on some inmates.

ICHR also received (62) complaints against the Ministry of Social Development, of which (28) were closed. The evaluation of closed complaints was as follows: (15) complaints were closed with cooperation and with a satisfactory result, (2) complaints that were closed with cooperation and with an unsatisfactory result and (11) complaints closed without cooperation. The number of ICHR's correspondence was: (20) original letters, (14) reminder letters and (5) central letters, while ICHR received (4) written responses.

In addition to receiving (108) complaints against the Ministry of Health, (69) of them were closed. The evaluation of closed complaints was as follows: (48) complaints were closed with cooperation with a satisfactory result, (10) complaints were closed with cooperation and with an unsatisfactory result and (11) complaints closed without cooperation. The total ICHR's correspondences was: (69) original messages, (7) reminders and (3) central messages and ICHR

received (11) written responses.

ICH also received (15) complaints against the Ministry of Public Work and Housing, (11) of which were closed. The evaluation of closed complaints was as follows: (3) complaints closed in cooperation and with a satisfactory result, (2) complaints that were closed in cooperation and with an unsatisfactory result and (6) complaints closed without cooperation. The number of ICHR's correspondence reached (7) original letters, one reminder letter, and (7) written responses.

