



Amnesty International Report 2017/18 - Israel and the Occupied Palestinian Territories

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State of Israel

Head of government: **Benjamin Netanyahu**

Head of state: **Reuven Rivlin**

June marked 50 years since Israel's occupation of the Palestinian Territories and the start of the 11th year of its illegal blockade of the Gaza Strip, subjecting approximately 2 million inhabitants to collective punishment and a growing humanitarian crisis. The Israeli authorities intensified expansion of settlements and related infrastructure across the West Bank, including East Jerusalem, and severely restricted the freedom of movement of Palestinians. Israeli forces unlawfully killed Palestinian civilians, including children, and unlawfully detained within Israel thousands of Palestinians from the Occupied Palestinian Territories (OPT), holding hundreds in administrative detention without charge or trial. Torture and other ill-treatment of detainees, including children, remained pervasive and was committed with impunity. Israel continued to demolish Palestinian homes in the West Bank and in Palestinian villages inside Israel, forcibly evicting residents. Conscientious objectors to military service were imprisoned. Thousands of African asylum-seekers were threatened with deportation.

BACKGROUND

Israeli authorities intensified settlement expansion and land appropriation in the OPT. US and international efforts to revive negotiations failed, and Israeli-Palestinian relations remained tense. In January, Israeli authorities passed the so-called "regularization law" that retroactively legalized the settler takeover of thousands of hectares of privately owned Palestinian land and an estimated 4,500 settler homes. In addition, Israeli authorities announced and issued tenders for tens of thousands of new settlement units in East Jerusalem and across the rest of the West Bank.

Palestinians carried out stabbings, car-rammings, shootings and other attacks against Israelis in the West Bank and in Israel. The attacks, mostly carried out by individuals unaffiliated to armed groups, killed 14 Israelis and one foreign

national. Israeli forces killed 76 Palestinians and one foreign national. Some were unlawfully killed while posing no threat to life.

In March, the UN Economic and Social Commission for Western Asia issued, then withdrew, a report determining Israel to be "guilty of the crime of apartheid" against Palestinians. In May, a UNESCO resolution reaffirmed the occupied status of East Jerusalem and criticized Israel's conduct in the city. Following the killing of two Israeli policemen by Palestinians, in July Israel installed metal detectors to screen Muslim worshippers entering the Temple Mount/ Haram al-Sharif. The new security measures led to heightened tensions and mass protests by Palestinians, including collective prayers, across the West Bank. The prayer protests, often met with excessive force, ended once the metal detectors were removed.

In September, the Hamas de facto administration in Gaza and the "national consensus" government in the West Bank embarked on a reconciliation process, which was rejected by Israel.

In December, US President Donald Trump recognized Jerusalem as Israel's capital in violation of international law, sparking widespread protests across the OPT and globally.

FREEDOM OF MOVEMENT – GAZA BLOCKADE AND WEST BANK RESTRICTIONS

Israel's illegal air, land and sea blockade of the Gaza Strip entered its 11th year, continuing the long-standing restrictions on the movement of people and goods into and from the area, collectively punishing Gaza's entire population. Combined with Egypt's almost total closure of the Rafah border crossing, and the West Bank authorities' punitive measures, Israel's blockade triggered a humanitarian crisis with electricity cuts reducing access to electricity from an average of eight hours per day down to as little as two to four hours, affecting clean water and sanitation and diminishing health service access, and rendering Gaza increasingly "unlivable" according to the UN. Gaza's economy deteriorated further and post-conflict reconstruction of civilian infrastructure remained severely hindered; some 23,500 Palestinians remained displaced since the 2014 conflict. Many patients with life-threatening illnesses were unable to access treatment outside Gaza due to Israeli restrictions and delays by West Bank authorities in processing referrals. Israeli forces maintained a "buffer zone" inside Gaza's border with Israel and used live ammunition against Palestinians who entered or approached it, wounding farmers working in the area. Israeli forces also fired at Palestinian fishermen in or near the "exclusion zone" along Gaza's coastline, killing at least one and injuring others.

In the West Bank, Israel maintained an array of military checkpoints, bypass roads and military and firing zones, restricting Palestinian access and travel. Israel established new checkpoints and barriers, especially in East Jerusalem. In response to Palestinian attacks on Israelis, the military authorities imposed collective punishment; they revoked the work permits of attackers' family members and closed off villages and entire areas including Silwad, Deir Abu Mishal and Beit Surik.

In Hebron, long-standing prohibitions limiting Palestinian presence, tightened in October 2015, remained in force. In Hebron's Tel Rumeida neighbourhood, a "closed military zone", Israeli forces subjected Palestinian residents to oppressive searches and prevented the entry of other Palestinians while allowing free movement for Israeli settlers. In May, Israel erected a new checkpoint and a new fence barrier within Hebron's H2 area, arbitrarily confining the Palestinian Gheith neighbourhood and segregating a street alongside the area.

ARBITRARY ARRESTS AND DETENTIONS

Israel detained or continued to imprison thousands of Palestinians from the OPT, mostly in prisons in Israel, in violation of international law. Many detainees' families, particularly those in Gaza, were not permitted entry to Israel to visit their relatives.

The authorities continued to substitute administrative detention for criminal prosecution, holding hundreds of Palestinians, including children, civil society leaders and NGO workers, without charge or trial under renewable orders, based on information withheld from detainees and their lawyers. More than 6,100 Palestinians, including 441 administrative detainees, were held in Israeli prisons at the end of the year. Israeli authorities also placed six Palestinian citizens of Israel under administrative detention.

In April around 1,500 Palestinian prisoners and detainees launched a 41-day hunger-strike to demand better conditions,

family visits, an end to solitary confinement and administrative detention, and access to education. The Israeli Prison Service punished hunger-striking detainees, using solitary confinement, fines, and denial of family visits.

Palestinians from the West Bank charged with protest-related and other offences faced unfair military trials, while Israeli civilian courts trying Palestinians from East Jerusalem or the Gaza Strip issued harsh sentences even for minor offences.

In April the Israeli High Court of Justice issued a decision to reduce excessive sentencing of Palestinians under the military judicial system and ordered that legislation be amended to apply shorter sentences as of May 2018. Despite the ruling, the sentences would remain harsher than those in the Israeli civilian judicial system.

Khalida Jarrar, a member of the Palestinian Legislative Council and board member of the NGO Addameer, and Addameer staff member Salah Hammouri, remained in administrative detention at the end of the year.

The trial of Mohammed al-Halabi, a Gaza-based humanitarian worker, began at Beer Sheva District Court on charges of embezzlement from the NGO World Vision to fund Hamas. Neither an Australian government review of World Vision Gaza nor an internal World Vision audit found any evidence to support the charges. Mohammed al-Halabi stated in court that he was tortured during interrogation and detention.

TORTURE AND OTHER ILL-TREATMENT

Israeli soldiers and police and Israel Security Agency officers subjected Palestinian detainees, including children, to torture and other ill-treatment with impunity, particularly during arrest and interrogation. Reported methods included beatings, slapping, painful shackling, sleep deprivation, use of stress positions and threats. No criminal investigations were opened into more than 1,000 complaints filed since 2001.

Complaints of torture and other ill-treatment by the Israeli police against asylum-seekers and members of the Ethiopian community remained common.

In December the Israeli High Court of Justice accepted the Attorney General's decision not to open a criminal investigation into Asad Abu Ghosh's torture claims despite credible evidence, thus condoning the continued use of stress positions and sleep deprivation against Palestinian detainees by Israeli interrogators.

UNLAWFUL KILLINGS

Israeli soldiers, police and security guards killed at least 75 Palestinians from the OPT, including East Jerusalem, and five Palestinians with Israeli citizenship. Some of those killed were shot while attacking Israelis or suspected of intending an attack. Many, including children, were shot and unlawfully killed while posing no immediate threat to life. Some killings, such as that of Yacoub Abu al-Qi'an, shot in his car by police in Umm al-Hiran in January, appeared to have been extrajudicial executions.

EXCESSIVE USE OF FORCE

Israeli forces, including undercover units, used excessive and sometimes lethal force when they used rubber-coated metal bullets and live ammunition against Palestinian protesters in the OPT, killing at least 20, and injuring thousands. Many protesters threw rocks or other projectiles but were posing no threat to the lives of well-protected Israeli soldiers when they were shot. In July, in response to the tensions over Temple Mount/ Haram al-Sharif, the authorities killed 10 Palestinians and injured more than 1,000 during the dispersal of demonstrations, and conducted at least two violent raids on al-

Makassed hospital in East Jerusalem. In December, wheelchair user Ibrahim Abu Thuraya was shot in the head by an Israeli soldier as he was sitting with a group of protesters near the fence separating Gaza from Israel.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities used a range of measures, both in Israel and the OPT, to target human rights defenders who criticized Israel's continuing occupation.

In March the Knesset (parliament) passed an amendment to the Entry into Israel Law banning entry into Israel or the OPT to anyone supporting or working for an organization that has issued or promoted a call to boycott Israel or Israeli

entities, including settlements. The authorities continued to obstruct human rights workers' attempts to document the situation by denying them entry into the OPT, including the UN Special Rapporteur on the human rights situation in the OPT. An Amnesty International staff member was denied entry after he was questioned about the organization's work on settlements.

Using public order laws in East Jerusalem, and military orders in the rest of the West Bank, Israeli authorities prohibited and suppressed protests by Palestinians, and arrested and prosecuted protesters and human rights defenders. In July, the military trials of Palestinian human rights defenders Issa Amro and Farid al-Atrash began on charges related to their role in organizing peaceful protests against Israel's settlement policies. Israeli authorities continued to harass other Hebron-based human rights activists, including Badi Dweik and Imad Abu Shamsiya, and failed to protect them from settler attacks.

From May to August, the Israeli authorities detained prisoner of conscience and writer Ahmad Qatamesh under a three-month administrative detention order solely on account of his non-violent political activities and writing.

Palestinian human rights NGOs, including Al-Haq, Al Mezan and Addameer, encountered increased levels of harassment by Israeli authorities. Israeli authorities initiated tax investigations against Omar Barghouti, a prominent advocate of the boycott, divestment and sanctions campaign, in what appeared to be an effort to silence his work.

Several Israeli human rights organizations, including Breaking the Silence, Gisha, B'tselem and Amnesty International Israel were also targeted by government campaigns to undermine their work, and faced smears, stigmatization and threats.

RIGHT TO HOUSING – FORCED EVICTIONS AND DEMOLITIONS

In the West Bank, including East Jerusalem, the Israeli authorities carried out a large number of demolitions of Palestinian property, including 423 homes and structures built without Israeli permits that remained virtually impossible for Palestinians to obtain, forcibly evicting more than 660 people. Many of these demolitions were in Bedouin and herding communities that the Israeli authorities planned to forcibly transfer. The authorities also collectively punished the families of Palestinians who had carried out attacks on Israelis, by demolishing or making uninhabitable their family homes, forcibly evicting approximately 50 people.

Israeli authorities forcibly evicted eight members of the Shamasneh family from their home in Sheikh Jarrah, East Jerusalem, allowing Jewish settlers to move in. The authorities also demolished dozens of Palestinian homes inside Israel that they said were built without permits, including in Palestinian towns and villages in the Triangle, the Galilee, and in "unrecognized" Bedouin villages in the Negev/Naqab region. In January the Israeli police forcibly demolished the Bedouin village of Umm al-Hiran, to begin building a Jewish town in its place. The Knesset passed a law in April that raised the fines for building without permits, charging punitive costs for the demolition to those whose homes have been demolished, and limited recourse to the courts for those challenging demolition or eviction orders. In August, the authorities demolished al-Araqib village in the Negev/Naqab for the 116th time. Residents were ordered to compensate the state 362,000 new shekels (approximately USD100,000) for the cost of demolition and lawyers' fees.

IMPUNITY

More than three years after the end of the 2014 Gaza-Israel conflict, in which some 1,460 Palestinian civilians were killed, many in evidently unlawful attacks including war crimes, the authorities had previously indicted only three soldiers for looting and obstructing an investigation.

In a rare move, in January an Israeli military court convicted Elor Azaria, a soldier whose apparent extrajudicial execution of a wounded Palestinian in Hebron was filmed, of manslaughter. His conviction and 18-month prison sentence, which was confirmed on appeal but reduced by four months by Israel's military Chief of Staff in September, failed to reflect the gravity of the crime. Israeli authorities failed to investigate, or closed investigations into, cases of alleged unlawful killings of Palestinians by Israeli forces in both Israel and the OPT.

The Prosecutor of the ICC continued her preliminary examination of alleged crimes under international law committed in the OPT since 13 June 2014.

VIOLENCE AGAINST WOMEN AND GIRLS

There were new reports of violence against women; Palestinian communities in Israel were particularly affected. In June, the Special Rapporteur on violence against women issued recommendations urging Israeli authorities to carry out law and policy reforms by integrating CEDAW standards; to combat and prevent violence against women in Israel and the OPT; and to investigate reported abuses.

DEPRIVATION OF NATIONALITY

On 6 August the Haifa District Court confirmed the citizenship revocation of Alaa Zayoud, who was stripped of his citizenship and rendered stateless by the Minister of the Interior following a conviction for attempted murder. An appeal against the decision was pending before the Supreme Court at the end of the year. The authorities also revoked the citizenship of dozens of Palestinian Bedouin residents of the Negev/Naqab region without process or appeal, leaving them as stateless residents.

REFUGEES AND ASYLUM-SEEKERS

The authorities continued to deny asylum-seekers, more than 90% of whom were from Eritrea or Sudan, access to a fair or prompt refugee status determination process. More than 1,200 asylum-seekers were held at the Holot detention facility and at Saharonim Prison in the Negev/Naqab desert at the end of the year. According to activists, there were more than 35,000 asylum-seekers in Israel; 8,588 asylum claims remained pending. In December, the Knesset passed an amendment to the anti-infiltration law that would force asylum-seekers and refugees to accept relocation to countries in Africa or face imprisonment. Tens of thousands were at risk of deportation.

CONSCIENTIOUS OBJECTORS

At least six Israeli conscientious objectors to military service were imprisoned, including Tamar Zeevi, Atalia Ben-Abba, Noa Gur Golan, Hadas Tal, Mattan Helman and Ofir Averbukh. Israeli authorities recognized Tamar Zeevi as a conscientious objector and released her from conscription after she served a total of 100 days in prison.

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