

**Submission by United Nations Watch
to the UN Committee Against Torture
for its Initial Review of the State of Palestine
74th Session**

Submitted By:

Hillel Neuer and Dina Rovner
United Nations Watch
Case Postale 191
1211 Geneva 20, Switzerland
Tel: +41 22 734 1472

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I. INTRODUCTION

United Nations Watch, an ECOSOC-accredited NGO, submits this report for the first review by the Committee Against Torture (“Committee”) of the State of Palestine’s compliance with the Convention Against Torture (“Convention”).

The State of Palestine under President Mahmoud Abbas gained non-member observer status at the United Nations in 2012 by virtue of General Assembly resolution 67/19. This granted it the privilege to accede to the core international human rights treaties, including the Convention Against Torture, which it did in April 2014. At that time, UN Spokesperson Rupert Colville hailed the Palestinians’ accession to the treaties as “a significant step towards enhancing the promotion and protection of human rights in Palestine.” Colville further praised the Palestinians for joining the treaties “without making a single reservation,” noting that this was highly unusual for the region.¹

Regrettably, however, it has become clear that the Palestinians never intended to use their membership in these human rights treaties to “enhance the promotion and protection of human rights in Palestine,” which would have meant accountability from the Palestinian Authority (“PA”) and Hamas for their human rights record in the West Bank and Gaza. Rather, the PA under President Abbas has been using these treaty reviews to evade its own compliance obligations and instead shift responsibility and blame for non-compliance to Israel, as the “occupying power.” Indeed, some 20% of the PA report submitted to this Committee focuses on criticizing Israeli policies and actions. Furthermore, the report provides no information about rampant torture being committed by the PA in the West Bank and by Hamas in Gaza. This is a misuse of the Committee’s time and resources and an affront to the UN and the Convention which the Palestinians were so eager to join. Because the State of Israel is a party to the Convention Against Torture and undergoes its own periodic review by the Committee, there is no need for the Committee to address Israel in this review, which should focus only on PA and Hamas compliance with the Convention.

This report by United Nations Watch attempts to fill in the gaps in the PA report by providing the Committee with information about the different types of torture routinely committed by or under the authority of the PA and Hamas, including torture against women, LGBT persons, political opponents, so-called “collaborators,” Palestinians who sell land to Jews, and Israelis.

II. DEFECTS IN THE PALESTINIAN AUTHORITY’S REPORT

As noted, the PA’s 67-page report seeks to absolve Palestinian actors of responsibility for compliance with the Convention and to deflect attention from their own egregious violations by repeatedly pointing the finger at Israel.

In addressing its own obligations and responsibilities, the State of Palestine’s report focuses on summarizing the theoretical protections contained in the relevant legislation and

¹ *Press Briefing Notes on Palestine*, UN (May 2, 2014), <https://www.un.org/unispal/document/auto-insert-196396/>.

policies, but omits comprehensive discussion on the actual impact of these laws on increasing protection for the Palestinian population. The Palestinian report contains no data on:

- The extent and pervasiveness of torture under the PA and Hamas;
- Practical measures implemented to prevent torture by security forces during interrogations, such as installation of surveillance cameras, internal and external oversight over interrogations, and real-time complaint mechanisms;
- Individual cases of torture;
- Justice for victims; and
- Actions to address underlying causes of violations.

While there is minimal data on accountability for violators, it shows that the PA does not treat the matter with sufficient gravity. According to the PA report, in 2015 there were only four convictions with light sentences ranging from three to six months.² This does not match the systemic nature of the problem.

Furthermore, the PA is so intent on misusing its report to demonize Israel that it depicts a completely distorted version of reality where there is no critical self-reflection on the PA's own policies and practices, while all Israeli policies and actions are presented as evil. For example:

- *On treatment of women prisoners:* The report claims that women inmates in the PA are “accorded special treatment” and their “personal hygiene and other needs are met,” but in Israeli prisons women are “systematically subjected to various forms of physical and mental torture” and they are held in “wretched” conditions. (Paragraphs 45-47). There is no acknowledgement of PA and Hamas torture and mistreatment of women.
- *On juvenile detention:* The report states that in the PA juvenile justice is not based on “punishment” but rather “rehabilitation” and there is a “completely separate criminal justice system for children” whereas in Israel “the suffering of Palestinian child prisoners starts from the moment of their arrest...” (Paragraphs 51-57). There is no acknowledgement of PA and Hamas torture and mistreatment of juveniles.
- *On prison facilities:* The report asserts “Palestine does not have non-public or secret prisons,” but “Israel, the occupying power, has set up illegal prisons on Palestinian territory that are not subject to human rights standards.” (Paragraph 134). There is no acknowledgement of non-compliance with human rights standards in PA and Hamas facilities.
- *On arbitrary detention:* The report states that under Palestinian law unlawfully detaining someone is an offense punishable by up to one-year imprisonment or a fine, but in Israel “the Israeli forces continue to issue arbitrary administrative detention orders against

² Initial report submitted by the State of Palestine under article 19 of the Convention, due in 2015, UN Doc. CAT/C/PSE/1, ¶ 43 (August 26, 2019) [*Hereinafter* PA Report].

Palestinians...” (Paragraphs 161-162). There is no acknowledgement of PA and Hamas arbitrary detentions.

- *On forced confessions:* The report claims that Palestinian law prohibits the use of forced confessions, but accuses Israel of forcing Palestinian detainees “under psychological pressure, to sign a statement in Hebrew that they do not understand...” (Paragraphs 184-185). There is no acknowledgement of PA and Hamas forced confessions.
- *On prison conditions:* The report insists that Palestinian law ensures that detainees “are provided with appropriate living conditions,” while Palestinian prisoners in Israel “live in deplorable conditions because of deliberate neglect, cruel torture, abuse of patients...” (Paragraphs 201-213). There is no acknowledgement of PA and Hamas prison conditions that violate international norms for health, hygiene, and fair treatment.

Notably, the PA’s description of the situation in the State of Palestine is mostly theoretical and divorced from reality, as it refers to official laws and policies and largely ignores what actually goes on within Palestinian law enforcement, Palestinian prisons, and the Palestinian justice system. In reality, even groups like Amnesty International and Human Rights Watch, which normally focus on condemning Israel, criticize both the PA and Hamas for torture and mistreatment, including violations against women and children, arbitrary detentions, solitary confinement, forced confessions, and prison conditions that violate human rights standards. According to the NGO Freedom House, the West Bank under the PA and the Gaza Strip under Hamas are ranked as “Not Free.” Neither tolerates dissent, and both subject government critics and other vulnerable groups to abuse.³ The Palestinian Human Rights Commission (“ICHR”) has also published cases of torture.⁴ In its annual report for 2020, the ICHR stated that it had received more than 300 complaints that year by West Bank and Gaza Palestinians against Palestinian law enforcement for torture and ill-treatment.⁵

III. INADEQUATE LEGISLATION: CAT ARTICLES 1, 2 AND 4

The Convention Against Torture (CAT) defines torture in Article 1 as “any act by which severe pain or suffering, whether physical or mental” which is “intentionally inflicted” by “or with the consent or acquiescence of a public official or other person acting in an official capacity” and “for purposes of (1) obtaining from him or a third person information or a confession; (2) punishing him for an act he or a third person has committed or is suspected of having committed; (3) intimidating or coercing him or a third person; or (4) for any reason based on discrimination of any kind. when such pain or suffering is inflicted.”⁶

³ Freedom in the World 2022: West Bank, FREEDOM HOUSE (2022), <https://freedomhouse.org/country/west-bank/freedom-world/2022>; Freedom in the World 2022: Gaza Strip, FREEDOM HOUSE (2022), <https://freedomhouse.org/country/gaza-strip/freedom-world/2022>.

⁴ See, e.g., *ICHR calls for an investigation into the torture of Mohammed Abu Ghneimah, a citizen detained in the Al-Shuja’iya Police station*, ICHR (2016) <https://www.ichr.ps/en/media-center/2393.html>.

⁵ *The Status of Human Rights in Palestine: Executive Summary*, at pp. 27-28, ICHR (2020), https://cdn1.ichr.ps/cached_uploads/download/2021/10/20/executive-summary-of-the-twenty-sixth-annual-report-of-ichr-2020-1634716818.pdf.

⁶ *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* at Article 1 (December 10, 1984) [Hereinafter CAT].

Article 2 of the CAT obligates state parties to “take effective legislative, administrative, judicial or other measures” to prevent torture in their territory. Article 4 obligates state parties to criminalize torture as an offense “punishable by appropriate penalties” taking into account the “grave nature” of the offense.

Palestinian law fails in numerous ways to comply with these provisions. First, Palestinian law does not contain a definition of torture consistent with CAT Article 1. While the PA has cited numerous laws that supposedly contain “safeguards” against torture, it has not cited any legislation that defines torture in line with the definition of Article 1 of the Convention. As the CAT explained in its General Comment No. 2 on Article 2, “Serious discrepancies between the Convention’s definition and that incorporated into domestic law create actual or potential loopholes for impunity.”⁷

Palestinian laws that fail to comply with the Convention’s definition of torture include:

- Article 13 of the Palestinian Basic Law which states: “No person shall be subject to any duress or torture. Indictees and all persons deprived of their freedom shall receive proper treatment.”⁸ The term “torture” is not defined.
- Article 4 of the Code of Conduct for Law Enforcement Officials which states “members of the security forces shall refrain from carrying out any acts of torture or cruel, degrading or inhuman treatment, whether physical or mental, consenting to such acts or tacitly permitting them to be carried out, whether directly or through third parties.”⁹ The terms “torture” and “cruel, degrading or inhuman treatment” are not defined. In addition, this provision does not cover incidents of torture committed by individuals acting “with the consent or acquiescence of a public official or other person acting in an official capacity.” As will be seen below, Palestinian women and members of the LGBT community are particularly vulnerable to acts of torture committed by their family members who operate with the acquiescence of public officials knowing they will not be punished under the law.

Second, in violation of CAT Articles 2 and 4, Palestinian law fails to adequately prevent torture by failing to subject offenders to sufficiently severe penalties under the Palestinian criminal law. The Palestinian Authority admits in its report that “torture is not defined as a crime in the legislation in force in the State of Palestine, under which it is merely classified as a misdemeanor and not a felony.”¹⁰ According to the report, misdemeanors carry either a fine or a light prison sentence of up to three years.¹¹ As the Committee’s concluding observations for other countries indicate, such a short prison sentence does not comport with the gravity of the

⁷ CAT General Comment No. 2, UN Doc. CAT/C/GC/2, ¶¶ 8-9 (January 24, 2008),

<https://www.ohchr.org/en/documents/general-comments-and-recommendations/catcg2-general-comment-no-2-2008-implementation>.

⁸ 2003 Amended Basic Law of Palestine (March 18, 2003), <https://www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law>.

⁹ PA Report, *supra note 2* at ¶ 31.

¹⁰ *Id.* at ¶ 17.

¹¹ *Id.* at Footnote 4.

crime.¹² For example, in its recent concluding observations for Uzbekistan from January 14, 2020, the Committee expressed concern that the maximum penalty for torture was 10 years, putting it in the category of “minor and less serious offenses.”¹³ Likewise in its December 2019 concluding observations on Latvia, the Committee expressed concern about sentences of “up to ten years,” which it said were “not appropriate sanctions for the crime of torture.”¹⁴

Third, in violation of Article 2, Palestinian law fails to sufficiently protect marginalized populations including LGBT and women. In its General Comment No. 2 on Article 2, the CAT stated that State Parties should “ensure the protection of members of groups especially at risk of being tortured by fully prosecuting and punishing all acts of violence against these individuals...”¹⁵ The CAT further stated that failure of a State to “exercise due diligence to intervene to stop, sanction and provide remedies to victims of torture facilitates and enables non-State actors to commit acts impermissible under the Convention with Impunity.”¹⁶ The comments are specifically addressed to gender-based violence and persecution against those who do not conform to socially determined gender roles often committed by non-State actors, specifically family members.¹⁷ This is particularly relevant for the Palestinian community where violence against these populations is common. In this regard, we note that General Comment No. 2 directs State parties to identify in their reports these types of situations and the measures taken to punish or prevent them.¹⁸ However, this is missing from the PA report.

Furthermore, the laws of the West Bank and Gaza Strip are not harmonized, such that the same act is subject to different penalties in each of those two territories. For example, in the West Bank, obtaining a confession through acts of force is punished by imprisonment of *three months to three years*, whereas, in Gaza, the punishment is imprisonment of *one week to 3 years or a fine*.¹⁹

IV. CATEGORIES OF TORTURE NOT ADDRESSED IN PALESTINIAN AUTHORITY REPORT

A. Gender Based Violence and Honor Killings

Violence against women in the West Bank and Gaza Strip is widespread. The PA has even broadcast TV programs encouraging wife-beating.²⁰ The 2016 report of the Special

¹² See Daniel O’Donnel, *The Obligations to Establish Sentences for Torture That Are Commensurate with the Gravity of the Offense*, 22 Buff. Hu. Rts. L. Rev. 95 (2016), <https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=1014&context=bhrlr>.

¹³ Concluding observations on the fifth periodic report of Uzbekistan, UN Doc. CAT/C/UZB/CO/5, ¶ 23 (January 14, 2020).

¹⁴ Concluding observations on the sixth periodic report of Latvia, UN Doc. CAT/C/LVA/CO/6, ¶ 8 (December 24, 2019).

¹⁵ CAT General Comment No. 2 ¶ 21.

¹⁶ *Id.* at ¶ 18.

¹⁷ *Id.* at ¶ 18-22.

¹⁸ *Id.* at ¶ 22.

¹⁹ PA Report, *supra* note 2 at ¶¶ 32-33; 36.

²⁰ Asher Weber, *Palestinian TV: If you have to beat your wife, follow Quranic instructions*, JERUSALEM POST (April 6, 2017), <https://www.jpost.com/arab-israeli-conflict/palestinian-tv-if-you-have-to-beat-your-wife-follow-quranic->

Rapporteur on violence against women noted that Palestinian women “suffer under a system of violence emanating from the tradition and culture, with embedded patriarchal social norms and multiple outdated legal frameworks,”²¹ and expressed specific concern about honor killings, domestic violence and sexual violence.²²

In its 2018 concluding observations on the State of Palestine, the UN Committee which monitors the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) expressed concern about “the high prevalence of gender-based violence against women, in particular so-called ‘honor killings’ and domestic and sexual violence, which remain socially accepted and underreported due to the stigma suffered by victims.”²³ Notably, while the PA acceded to CEDAW in 2014, at least two Palestinian government entities—the Supreme Fatwa Council and the Supreme Commission of Tribal Affairs—oppose compliance with CEDAW.²⁴

The issue of honor killings made headlines in 2019 when Israa Ghrayeb, a 21-year-old woman, was pushed out of a window and then beaten to death in the hospital by family members who were incensed by a photo she had had shared on Instagram of herself with a man.²⁵ Palestinian women’s rights groups documented 26 killings of Palestinian women in 2021 (through November),²⁶ 11 killings in the first four months of 2020 alone,²⁷ at least 18 killings in the first nine months of 2019 and 23 killings in 2018.²⁸ However, because there are no reliable statistics on gendered violence due to underreporting, the numbers are likely higher.²⁹ COVID-19 lockdowns exacerbated the problem.³⁰

A survey by the Palestinian Bureau of Statistics from 2019 found that nearly 30% of Palestinian women reported at least one incident of psychological, physical, sexual, social or

[instructions-486344](https://www.timesofisrael.com/gaza-mufti-explains-how-men-should-hit-their-wives/); *Gaza mufti explains how men should beat their wives*, TIMES OF ISRAEL (February 17, 2016), <https://www.timesofisrael.com/gaza-mufti-explains-how-men-should-hit-their-wives/>.

²¹ *Report of the Special Rapporteur on violence against women, its causes and consequences, on her mission to the Occupied Palestinian Territory/State of Palestine*, UN Doc. A/HRC/35/30/Add.2, ¶ 23 (June 2017).

²² *Id.* at ¶ 25.

²³ Concluding observations on the initial report of the State of Palestine, CEDAW, UN Doc. CEDAW/C/PSE/CO/1, ¶ 26 (July 25, 2018).

²⁴ Mitchell G. Bard, *Myths and Facts: Women’s Rights are Protected by the Palestinian Authority*, JEWISH VIRTUAL LIBRARY (last visited May 18, 2021), <https://www.jewishvirtuallibrary.org/myths-facts-online-exclusives#304>.

²⁵ Kersten Knipp and Dina Elbasnaly, *Palestinian ‘honor killing’ sparks outrage, calls for women’s protection*, DEUTSCHE WELLE (September 2, 2019), <https://www.dw.com/en/palestinian-honor-killing-sparks-outrage-calls-for-womens-protection/a-50265088>.

²⁶ Zena Al Tahhan, *Palestine: Femicide highlights need for domestic violence law*, AL JAZEERA (November 29, 2021), <https://www.aljazeera.com/features/2021/11/29/palestinefemicide>.

²⁷ Farah Najjar, *Domestic abuse against Palestinian women soars*, AL JAZEERA (April 20, 2020), <https://www.aljazeera.com/news/2020/04/domestic-abuse-palestinian-women-soars-200420175924348.html>.

²⁸ Ali Sawafta, *Palestinian women demand legal protection after suspected ‘honor killing’*, REUTERS (September 4, 2019), <https://www.reuters.com/article/us-palestinians-women-killings/palestinian-women-demand-legal-protection-after-suspected-honor-killing-idUSKCN1VP2AW>; Rothna Begum, *The Deadly Toll for Palestinian Women*, HRW (September 19, 2019), <https://www.hrw.org/news/2019/09/19/deadly-toll-palestinian-women>.

²⁹ Maja Sojref, *No to femicide in Palestine!* INTERNATIONAL POLITICS AND SOCIETY (November 6, 2019), <https://www.ips-journal.eu/regions/middle-east/article/show/no-to-femicide-in-palestine-3844/>.

³⁰ *COVID-19 risks creating and exacerbating women’s vulnerabilities and gender inequalities in Palestine, warns UN Women*, UN WOMEN (May 6, 2020), <https://palestine.unwomen.org/en/news-and-events/stories/2019/3/rapid-gender-analysis>.

economic violence by their husbands in the preceding year.³¹ Another study found that the rates of physical intimate partner violence among Palestinian women in the past year was 24%.³² Statistics published by UN Women indicate that 50% of Palestinian women and 63% of Palestinian men agree that women should tolerate violence to keep the family together.³³

Moreover, Palestinian law does not sufficiently protect Palestinian women. Article 99 of the Palestinian Authority Penal Code—inherited from Jordan—has protected the perpetrators of honor crimes, allowing charges to be dropped or sentences to be reduced.³⁴

In a 2014 study on Palestinian honor killings published by the Office of the High Commissioner for Human Rights, Palestinian judge Ahmad Al Ashqar wrote:

[L]egislation in place contributes, to a large extent, to building a social awareness that killing under the pretext of honor is acceptable. Legal justifications and legal processes known as pardoning excuses...contribute to that, as the majority of perpetrators benefit from these excuses based on Article 99 of the Penal Code of 1960.³⁵

In 2011, Palestinian President Mahmoud Abbas amended some of the penal laws to deter honor killings. However, these amendments did not affect Articles 99 or 100 of the Jordanian Penal Code—the laws used to mitigate penalties for murder and to deny women access to justice.³⁶ Thus, the impact of these amendments as a deterrent for honor killings was limited.³⁷

In March 2018, Article 99 was finally amended to prohibit its use for reducing sentences. However, the deterrent impact of this remains unclear as a number of honor killings were documented since then.³⁸

Likewise, Palestinian law fails to protect women from domestic violence generally. A report by the Gender Index of the OECD Development Centre explained that in Palestinian

³¹ *Almost one in three Palestinian women reported violence by their husbands in 2018-2019*, OCHA OPT (December 18, 2019), <https://www.ochaopt.org/content/almost-one-three-palestinian-women-reported-violence-their-husbands-2018-2019>.

³² Elghossain, T., Bott, S., Akik, C. *et al.* *Prevalence of intimate partner violence against women in the Arab world: a systematic review*, BMC INT HEALTH HUM RIGHTS 19, 29 (2019), <https://bmcinthealthhumrights.biomedcentral.com/articles/10.1186/s12914-019-0215-5>.

³³ *Facts and Figures: Ending Violence against Women*, UN WOMEN PALESTINE (last visited January 27, 2021), <https://palestine.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>.

³⁴ Dov Lieber, *As so-called 'honor killers' get away with murder, Palestinians say law, judges outdated*, TIMES OF ISRAEL (May 18, 2017), <https://www.timesofisrael.com/as-so-called-honor-killers-get-away-with-murder-palestinians-say-law-judges-outdated/>.

³⁵ Judge Ahmad Al Asqar, *Murder of Women in Palestine Under the Pretext of Honor: Legislation and Jurisprudence Analytical Study*, OHCHR (April 2014), at p. 4, https://www.ohchr.org/Documents/Issues/Women/WRGS/Executive_summary_study_called_honour_killings_Palestine.pdf.

³⁶ *State of Palestine: Gender Justice & The Law*, UNDP (2018), at p. 18; *see also As so-called 'honor killers' get away with murder, Palestinians say law, judges outdated*, *supra* note 14.

³⁷ *Murder of Women in Palestine Under the Pretext of Honor: Legislation and Jurisprudence Analytical Study*, *supra* note 35.

³⁸ *Palestine: 'Marry-Your-Rapist' Law Repealed*, HRW (May 10, 2018), <https://www.hrw.org/news/2018/05/10/palestine-marry-your-rapist-law-repealed>

society, extended family tend to intervene to resolve issues of domestic violence, which often works in favor of the perpetrators, and victims of sexual violence are stigmatized.³⁹ In March 2018, Article 308 of the Penal Code which allowed a convicted rapist to avoid imprisonment by marrying the victim was amended. However, this was just a first step which did not solve the problem. Families still try to force women to marry their alleged rapists because of laws preventing registration of children born out of wedlock.⁴⁰

While the Palestinian Ministry of Women's Affairs announced it would introduce a new family protection law before the end of 2019,⁴¹ as of the end of 2021, the law had yet to be adopted.⁴²

B. Torture of Members of the Palestinian LGBTQ Community

LGBTQ persons living under Palestinian Authority and Hamas control suffer severe persecution and ostracism. In Gaza, it is illegal to be gay. In the West Bank, being gay is not technically illegal, but it may as well be. According to *Dar al-Iftaa*, the PA's office of Islamic rulings, LGBTQ behavior is a crime deserving of harsh punishment.⁴³ A recent study listed the West Bank and Gaza as among the most dangerous places in the world for LGBTQ individuals.⁴⁴ A 2019 study, commissioned by BBC News Arabic and conducted by the Arab Barometer research network, found that only 5% of West Bank Palestinians accept same-sex relations (Gaza Palestinians were not surveyed).⁴⁵ Many Palestinian homosexuals end up fleeing to Israel.⁴⁶

Testimonies from gay Palestinians who managed to escape recount harrowing torture by both family and PA and Hamas security forces, often successful attempts to coerce them to inform on others, forced marriages, and other forms of threats and harassment including death threats. For example, one gay Gaza Palestinian now living in exile in Turkey described being arrested and tortured by Hamas on suspicion of being gay: "They arrested me, hanged me from

³⁹ *West Bank and Gaza Strip*, OECD DEVELOPMENT CENTRE (2019), <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/PS.pdf>.

⁴⁰ *Palestine: 'Marry-Your-Rapist' Law Repealed*, *supra* note 38.

⁴¹ George Sadek, *West Bank: Palestinian Authority Announces Planned Changes to Penal Code in Response to Case of Honor Killing*, LIBRARY OF CONGRESS (November 13, 2019), <https://www.loc.gov/law/foreign-news/article/west-bank-palestinian-authority-announces-planned-changes-to-penal-code-in-response-to-case-of-honor-killing/>.

⁴² Zena Al Tahhan, *Palestine: Femicide highlights need for domestic violence law*, AL JAZEERA (November 29, 2021), <https://www.aljazeera.com/features/2021/11/29/palestinefemicide>; *Government and Partners Discuss Women's Rights in Palestine*, UN WOMEN (September 27, 2020), <https://palestine.unwomen.org/en/news-and-events/stories/2020/09/press-release-government-and-partners-discuss-women-rights-in-palestine>.

⁴³ *Persecution of the LGBT Community in the Palestinian Authority's Territory, Including the Gaza Strip*, SHURAT HADIN (2019), available at <https://en.calameo.com/read/0065329009bb02cbb1979> [Hereinafter *Persecution of LGBT in PA Territory*].

⁴⁴ Benjamin Weinthal, *Among most dangerous places for gays: West Bank, Gaza, Iran, UAE and Yemen*, JERUSALEM POST (April 17, 2021), <https://www.jpost.com/international/ksa-iran-qatar-west-bank-and-gaza-among-most-dangerous-places-for-lgbtq-665426>,

⁴⁵ *Only 5% of Palestinians and 6% of Lebanese accept gay relationships*, JERUSALEM POST (July 1, 2019), <https://www.jpost.com/middle-east/only-5-percent-of-palestinians-and-6-percent-of-lebanese-accept-gay-relationships-594179>.

⁴⁶ Lee Gancman, *High Court ruling ends gay Palestinian's asylum nightmare*, TIMES OF ISRAEL (February 11, 2016), <https://www.timesofisrael.com/high-court-ruling-ends-gay-palestinians-asylum-nightmare/>.

the ceiling, beat me up and interrogated me for five days.”⁴⁷ Another gay man from Gaza summarized the situation: “Everyone is afraid of everyone. Some have been punished, some have been killed. Others killed themselves...”⁴⁸

A November 2019 report by Shurat HaDin – Israel Law Center describes the cases of five gay Palestinian men who sought refuge in Israel in the previous five years due to persecution from family and police.⁴⁹ In one case, the family of 13-year-old boy “A” from the West Bank blamed the boy after he was gang-raped. They accused him of being a homosexual and subjected him to physical and psychological abuse for years after the incident. A Palestinian court cleared the attackers of wrongdoing.⁵⁰ After “A” left home, the family asked the Palestinian welfare society to hospitalize their son for being a homosexual. Since then he has been pursued by the Palestinian police, harassed, detained, tortured and almost beaten to death. He now lives in Israel on a temporary residency permit.⁵¹

The only two Palestinian LGBT organizations—Al Qaws and Aswat—operate from Israel rather than the West Bank or Gaza.⁵² There is good reason for this. In August 2019, the PA barred Al Qaws from holding events in the West Bank and threatened to arrest participants.⁵³ PA police spokesman Col. Louai Irzeiqat described the group’s activities as “a blow to, and violation of, the ideals and values of Palestinian society.”⁵⁴

In October 2019, Al Qaws released a statement accusing the PA police of inciting violence against the Palestinian LGBTQ community. The statement noted “much of the violence and harassment perpetrated since August [2019] has been at the hands of police officers themselves,” and questioned the PA’s “commitment to human rights.”⁵⁵ The statement further accused PA police of arresting an unknown number of activists and subjecting them to “military-style investigations involving violence, blackmailing, and interrogations marked by coercive, offensive and insulting questions regarding private lives, their connections to Al Qaws, and attempts to coerce these individuals to collaborate with the PA in order to arrest and persecute others.”⁵⁶

⁴⁷ *Pride and Prejudice: The Hellish Life of Gaza’s LGBTQ Community*, HA’ARETZ (June 5, 2019), <https://www.haaretz.com/middle-east-news/palestinians/.premium-pride-and-prejudice-the-hellish-life-of-gaza-s-lgbtq-community-1.7403501>.

⁴⁸ *Id.*

⁴⁹ *Persecution of LGBT in PA Territory*, *supra* note 43.

⁵⁰ *Id.* at p. 14.

⁵¹ *Id.* at pp. 14-15.

⁵² *Id.* at p. 6.

⁵³ Isabelle Kershner and Mohammed Najib, *Palestinian Authority Bans Activities by Gay Rights Groups*, NEW YORK TIMES (August 19, 2019), <https://www.nytimes.com/2019/08/19/world/middleeast/palestinian-gay-tansgender-rights-group.html>; *Palestinian Authority bans events by local LGBTQ+ organization*, THE NEW ARAB (August 19, 2019), <https://english.alaraby.co.uk/english/news/2019/8/19/palestinian-authority-bans-events-by-local-lgbtq-organisation>.

⁵⁴ *Id.*

⁵⁵ *alQaws’ Post-Police Statement: The Persecution and Restrictions Continue*, AL-QAWS (October 30, 2019), http://alqaws.org/news/alQaws-Post-Police-Statement-The-Persecution-and-Restrictions-Continue?category_id=0.

⁵⁶ *Id.*

C. Torture Against Political Opponents

The PA and Hamas systematically repress dissent, including through arbitrary arrest and torture. In October 2018, Human Rights Watch (“HRW”) published a report exposing 86 cases of arbitrary arrests and torture of peaceful dissenters by both the PA and Hamas based on personal interviews with the victims and their families.⁵⁷ Similarly, Amnesty International found that in 2019 “Palestinian security forces in the West Bank and Gaza routinely used torture and other ill-treatment with impunity” and noted that there were 143 allegations of torture in the West Bank and 156 in Gaza that year.⁵⁸ Its Middle East Director, Saleh Higazi, has said that “torture is rife within [Palestinian] law enforcement.”⁵⁹ In September 2017, Al Jazeera reported on several cases of severe torture of detainees in Palestinian prisons, noting a “pattern of abuse” by the Palestinian security services as part of its “attempts to stifle dissent and imprison political opponents.”⁶⁰ A more recent report of 250 arrests between January 2018 and June 2021 found that in every single case the detainees’ legal rights were violated and 61% of the detainees were tortured.⁶¹

Torture included beatings, solitary confinement, feet whipping, threats and taunts, and forcing detainees into various painful positions for extended periods. HRW commented that “the habitual, deliberate, widely known use of torture, using similar tactics over years with no action taken by senior officials in either authority to stop these abuses, make these practices systematic.”⁶²

One recent detainee describing his ordeal said: “After 48 hours of continuous torture, I lost vision and the ability to distinguish sounds. The smell of blood was unbearable.”⁶³ Another described being subjected to reverse hanging: “They tied my hands in the back and threw the rope over the iron door and pulled hard until my body arched forward. The rope was tied to the iron door from behind, and they covered my head with a hood.”⁶⁴

These are not isolated incidents, but part of a pattern and practice of repression that continues today. In a May 2021 crackdown, PA security forces arrested dozens of activists and students considered critical of the PA.⁶⁵ Many of the detainees were taken to the infamous Jericho prison known as the “slaughterhouse,” where they were subjected to torture and other

⁵⁷ *Two Authorities, One Way, Zero Dissent: Arbitrary Arrest and Torture under the Palestinian Authority and Hamas*, HRW (October 23, 2018), <https://www.hrw.org/report/2018/10/23/two-authorities-one-way-zero-dissent/arbitrary-arrest-and-torture-under>.

⁵⁸ *Human Rights in the Middle East and North Africa: Review of 2019*, AMNESTY INTERNATIONAL, p. 53 (2019), <https://www.amnesty.org/en/documents/mde01/1357/2020/en/>.

⁵⁹ Charlie Hoyle, *Tortured by the Palestinian Authority: One woman’s fight for justice*, NEW ARAB (January 15, 2020), <https://english.alaraby.co.uk/analysis/one-womans-fight-justice-against-palestinian-authority-torture>.

⁶⁰ Jacob Burns, *Palestinian speaks out about torture in PA prison*, AL JAZEERA (September 27, 2017), <https://www.aljazeera.com/indepth/features/2017/09/palestinians-speak-torture-pa-prison-170906092016102.html>.

⁶¹ Aziz Nofal, *Torture Continues in Palestinian Authority Prisons*, ALBAWABA (January 30, 2022), <https://www.albawaba.com/opinion/torture-continues-palestinian-authority-prisons-1464303>.

⁶² *Two Authorities, One Way, Zero Dissent*, *supra*, note 57.

⁶³ *Torture Continues in Palestinian Authority Prisons*, *supra* note 61.

⁶⁴ *Id.*

⁶⁵ Lina Alsaafin, *Why is the Palestinian Authority arresting West Bank activists?* AL JAZEERA (May 28, 2021), <https://www.aljazeera.com/news/2021/5/28/why-is-palestinian-authority-arresting-activists-in-west-bank>.

forms of abuse. They were accused of “stirring up sectarian and racial strife,” understood to mean “insulting the PA”⁶⁶ in a clear violation of their rights to freedom of expression and freedom of association.

The June 24, 2021 death in PA custody of prominent PA critic and activist Nizar Banat sparked a wave of protests in the West Bank.⁶⁷ Banat had been beaten to death by more than 20 PA officers who raided his home to arrest him. The PA police responded to the protests by arresting and beating the protesters, along with journalists, civil society activists and lawyers.⁶⁸ PA radio journalist Akil Awadah, who was beaten and detained on July 5, 2021 with several other protesters described the violence by PA police: “Never in my life have I seen such brutality. The sounds of people screaming inside the police station, to this day I still hear it.”⁶⁹

At the time, Amnesty International quoted lawyer Diala Ayash who attended the July 5th protest. “When they found me,” she said, “I was violently dragged towards the police station by male officers, one of whom was sexually harassing me by grabbing and hitting me on my bottom and chest.”⁷⁰ She and other witnesses also said that inside the police station, the police officers had beaten the protesters with batons on their heads and bodies. “Now I fully understand how Nizar Banat was killed,” said Hind Shrayadeh, another witness.⁷¹

Hamas in Gaza also routinely employs torture. Gaza peace activist Rami Aman who was held by Hamas for more than six months in 2020, recently spoke publicly about being tortured by Hamas.⁷² This is nothing new or unusual for Hamas. In March 2019, Hamas harshly cracked down on “we want to live” protesters demonstrating against poor living conditions in Gaza.⁷³ Hamas security forces severely beat protesters with batons and clubs and arrested more than 1,000, including journalists and human rights defenders.⁷⁴ Many were subjected to torture.

⁶⁶ *Id.* See also Khaled Abu Toameh, *The US-Backed Palestinian Human Rights Violations*, GATESTONE INSTITUTE (June 21, 2021), <https://www.gatestoneinstitute.org/17482/palestinians-human-rights>.

⁶⁷ Khaled Abu Toameh, *Palestinian Authority facing unprecedented wave of protests*, JERUSALEM POST (July 8, 2021), <https://www.jpost.com/middle-east/palestinian-authority-facing-unprecedented-wave-of-protests-673315>; Jack Jeffrey, Imad Isseid, *Family: Palestinian Authority covering up critic’s death*, ASSOCIATED PRESS (July 17, 2021), <https://apnews.com/article/middle-east-5787544397ee67fa5ba9b97a59de5927>.

⁶⁸ *Palestinian security forces escalate brutal campaign of repression*, AMNESTY (July 7, 2021), <https://www.amnesty.org/en/latest/news/2021/07/palestinian-security-forces-escalate-brutal-campaign-of-repression/>.

⁶⁹ *PA crackdown shakes Palestinians but fails to halt protests*, ARAB WEEKLY (July 17, 2021), <https://theArabweekly.com/pa-crackdown-shakes-palestinians-fails-halt-protests>.

⁷⁰ *Palestinian security forces escalate brutal campaign of repression*, *supra* note 68.

⁷¹ *Id.*

⁷² Fares Akram, *Gaza man: After lengthy torture, Hamas forced me to divorce*, AP (April 1, 2021), <https://apnews.com/article/israel-middle-east-coronavirus-pandemic-marriage-gaza-strip-1836eabe150e816658907967835f029a>.

⁷³ Maram Humaid, (March 19, 2019), *Gaza rights groups denounce Hamas crackdown on protests*, AL JAZEERA <https://www.aljazeera.com/news/2019/03/gaza-rights-groups-denounce-hamas-crackdown-economic-protests-190318093948229.html>; Joseph Hincks, *Hamas Condemned After a Violent Crackdown on Protests in Gaza*, TIME (March 21, 2019), <https://time.com/5555736/hamas-violent-protest-crackdown-condemnation/>.

⁷⁴ Omar Shakir, *Another Brutal Crackdown by Hamas in Gaza*, HRW (March 14, 2019), <https://www.hrw.org/news/2019/03/20/another-brutal-crackdown-hamas-gaza>.

Among those arrested was Amnesty International researcher journalist and activist Amer Balousha who said he was put in stress positions and beaten.⁷⁵

In August 2018, Hamas detained and tortured a 13-year-old boy after he fought with the son of a Hamas military commander.⁷⁶ In a Palestinian Authority television broadcast, the boy said “they hit me with daggers and a whip. He broke my finger...When one finished or tired out another came and continued to hit me with a belt. They broke iron on my neck.”⁷⁷ A few months before that, in May 2018, Hamas detained and tortured a mother of six from a Fatah-affiliated family. She was released without being charged after 23 days. There was speculation the arrest was due to the Hamas-Fatah rivalry.⁷⁸ Similar cases of Hamas torture were reported in 2017.⁷⁹

D. Torture and Summary Execution of Alleged Collaborators

Palestinians accused of “collaborating” with Israel are routinely tortured and subjected to extrajudicial killings by both the PA and Hamas. In June 2018, an Israeli court ordered the PA to pay \$3.5 million in compensation to 51 victims and family members of Palestinians who were arrested and tortured by the PA between 1990 and 2003 for assisting Israeli security forces to prevent terror attacks. Torture included beatings, putting out cigarettes on their bodies, pulling out teeth, forcing them into painful positions and abusing their genitals.⁸⁰

Yet the practice continues. In March 2022, Palestinian-American Suha Jbara testified against the PA accusing its agents of torturing her in late 2018 when they arrested her for “collaboration” with Israel. “[The interrogator] also threatened me with rape and started beating me. He said he knows how to beat me without leaving signs on my body. The interrogation and beating lasted all night,” she said. On another occasion, the interrogator denied her a visit with a human rights representative, threatening to make her “disappear” if she opened her mouth. He then said “Here, we can rape you. I can take you to the men so that they could have fun with you. I can also bring your mother and sisters.”⁸¹ Jbara’s testimony completely contradicts the claim in Para 45 of the PA report that “women inmates are accorded special treatment in that they are entitled to more frequent external contact” and that “all their personal hygiene and other needs are met by the administration” of the facilities.

⁷⁵ *Human Rights in the Middle East and North Africa: Review of 2019*, supra note 58, p. 53.

⁷⁶ Itamar Marcus and Nan Jacques Zilberdik, *Hamas fighters torture 13-year Adham, because he hit son of Hamas military leader*, PMW (August 29, 2018), <https://palwatch.org/page/14624>.

⁷⁷ *Id.*

⁷⁸ Bassam Tawil, *Palestinians: A Story You Have Not Heard in the West*, GATESTONE INSTITUTE (June 5, 2018), <https://www.gatestoneinstitute.org/12422/palestinians-gaza-human-rights>.

⁷⁹ *Detained Teens in Gaza Highly Vulnerable to Abuse*, IMEMC (October 16, 2017), <https://imemc.org/article/detained-teens-in-gaza-highly-vulnerable-to-abuse/>; Mohammed Othman, *Gaza activists decry rise in torture within prisons*, AL-MONITOR (September 28, 2017), <https://www.al-monitor.com/pulse/originals/2017/09/palestine-gaza-security-torture-death-prisoners.html>.

⁸⁰ *PA ordered to pay \$3.5 million compensation to tortured ‘collaborator’ prisoners*, TIMES OF ISRAEL (June 29, 2018), <https://www.timesofisrael.com/pa-ordered-to-pay-3-5-million-compensation-to-tortured-collaborator-prisoners/>.

⁸¹ Khaled Abu Toameh, *Palestinian woman recounts torture, abuse in ‘Jericho Slaughterhouse,’* JERUSALEM POST (March 12, 2022), <https://www.jpost.com/middle-east/article-701067>.

Hamas in Gaza is also known for torturing and executing suspected “collaborators.” Following its May 2021 military confrontation with Israel, Hamas reportedly arrested 43 Gazans on charges of spying for Israel—so-called collaborators—who will be tried in military court and likely executed.⁸² Human rights groups also sharply criticized similar Hamas violations against suspected collaborators arrested during the 2014 Gaza war, including torture, other due process violations and summary executions.⁸³ After that, in April 2017, Hamas summarily executed by hanging three men convicted of collaborating with Israel.⁸⁴ In December 2018, a Hamas military court sentenced six Palestinians to death for collaborating with Israel.⁸⁵ Earlier that year, a Hamas family in Gaza shot to death a family member accused collaborating with Israel. That man had been held by Hamas for several months without trial before the militant group handed him over to his family. Media reported that Hamas said that it welcomed the “execution of this criminal.”⁸⁶

E. Torture and Summary Execution of Palestinians Who Sell Land to Jews

Palestinians who sell land to Jews are routinely tortured and killed. In October 2021, a Palestinian man was sentenced by a Palestinian court to 15 years in prison for attempting to sell land to Israeli Jews.⁸⁷ This follows the high-profile December 2018 case of American-Palestinian Isaam Akel who was sentenced to life in prison with hard labor for violating the Palestinian law prohibiting land sales to Israelis.⁸⁸ Both Akel’s wife and a U.S. official who visited Akel in prison confirmed that he had been put in isolation and tortured.⁸⁹ Akel’s conviction was part of a PA crackdown on land sales to Jews. One week before the conviction, the PA announced the arrest of 44 Palestinians for involvement in attempted sales of properties in the West Bank and

⁸² *Hamas to try collaborators in military courts*, AL-MONITOR (May 27, 2021), <https://www.al-monitor.com/originals/2021/05/hamas-try-collaborators-military-courts-claiming-legality>.

⁸³ *Hamas tortured and killed Palestinian ‘collaborators’ during Gaza conflict – new report*, AMNESTY INTERNATIONAL (May 27, 2015), <https://www.amnesty.org.uk/press-releases/hamas-tortured-and-killed-palestinian-collaborators-during-gaza-conflict-new-report>.

⁸⁴ *Palestine: Hamas executes three civilians tried in Gaza military courts*, AMNESTY INTERNATIONAL (April 6, 2017), <https://www.amnesty.org/en/latest/news/2017/04/palestine-hamas-executes-three-civilians-tried-in-gaza-military-courts/>.

⁸⁵ *Hamas court sentences six to death for ‘collaborating’ with Israel*, ARAB NEWS (December 3, 2018), <https://www.arabnews.com/node/1414851/middle-east>.

⁸⁶ <https://www.theguardian.com/world/2018/jan/19/gaza-family-kills-member-who-acted-as-israeli-informant>.

⁸⁷ @KhaledAbuToameh, TWITTER (October 17, 2021, 6:12 PM), <https://twitter.com/KhaledAbuToameh/status/1449755259753148422>.

⁸⁸ *Palestinian court jails U.S.-Palestinian for life for Jerusalem land sale*, REUTERS (December 31, 2018), <https://www.reuters.com/article/us-israel-palestinians-usa-detainee/palestinian-court-jails-u-s-palestinian-for-life-for-jerusalem-land-sale-idUSKCN1OU0JG>; Khaled Abu Toameh, *Palestinian-American Sentenced to Life in Prison by PA for Selling Property to Jews*, JERUSALEM POST (December 31, 2018), <https://www.jpost.com/Arab-Israeli-Conflict/Palestinian-American-gets-life-in-prison-for-selling-properties-to-Jews-575903>.

⁸⁹ Shoshana Keats-Jaskoll, *This Palestinian Was Tortured. But No One Cares Because It Wasn’t By Israel*, FORWARD (December 31, 2018), <https://forward.com/opinion/416801/this-palestinian-was-tortured-but-no-one-cares-because-it-wasnt-by-israel/>.

East Jerusalem to Jewish Israelis.⁹⁰ Two months earlier, in November 2018, two Palestinians were sentenced to 15 years of hard labor for selling land to Israeli Jews.⁹¹

In 2016, a group of Palestinian activists, operating with the blessing of senior PA and Hamas officials, undertook a campaign against Palestinians engaged in land sales to Jews.⁹² In 2009, a Hebron court sentenced a Palestinian man to death by hanging for selling land near his village in the West Bank to Israelis.⁹³ Prior to that, at least eight Palestinians suspected of involvement in the sales of property to Jews had been kidnapped and executed extrajudicially.⁹⁴

The prohibition against selling land to Israeli Jews is based on PA laws and fatwas.⁹⁵ Article 114 of the Jordanian Penal Code, applicable to the Palestinian territories, prohibits Palestinians from selling lands to “an enemy state or one of its subjects.”⁹⁶ Enemy state refers to Israel. In a 2014 executive order, PA President Mahmoud Abbas amended this section of the penal code to increase the penalty for this crime from temporary hard labor to hard labor for life.⁹⁷ However, courts have meted out the death sentence.⁹⁸

Palestinians consider it treason to sell land to Israeli Jews. In October 2018, the Palestinian Fatwa Supreme Council issued a statement renewing the ban on property transactions with Israelis, emphasizing that “selling [property] to the occupation or facilitating the transfer of its ownership... is a great betrayal of the religion, the homeland, and morals.”⁹⁹ A recent study by the Palestinian Center for Policy and Survey Research found that nearly 90% of surveyed Palestinians would call Palestinians who sell land to Jews “traitors.”¹⁰⁰

⁹⁰ Khaled Abu Toameh, *PA Arrests 44 Palestinians for Selling Properties to Jews*, JERUSALEM POST (December 23, 2018), <https://www.jpost.com/Arab-Israeli-Conflict/PA-arrests-44-Palestinians-for-selling-properties-to-Jews-575221>.

⁹¹ Adam Rasgon, *PA court sentences Palestinians to 15 years hard labor for selling land to Jews*, TIMES OF ISRAEL (November 21, 2018), <https://www.timesofisrael.com/pa-court-sentences-palestinians-to-15-years-hard-labor-for-selling-land-to-jews/>.

⁹² *Id.*

⁹³ *Palestinian handed death sentence*, BBC (April 29, 2009), http://news.bbc.co.uk/2/hi/middle_east/8024281.stm.

⁹⁴ Khaled Abu Toameh, *Selling a House to a Jew is a betrayal of Allah*, GATESTONE INSTITUTE (June 20, 2016), <https://www.gatestoneinstitute.org/8300/palestinians-homes-jews>.

⁹⁵ *Id.*

⁹⁶ Elhanan Miller, *Abbas toughens law against Palestinians selling land to Jews*, TIMES OF ISRAEL (October 21, 2014), <https://www.timesofisrael.com/abbas-toughens-law-against-palestinians-selling-land-to-jews/>; Khaled Abu Toameh, *PA Edict: Selling Property to Israelis an Act of ‘High Treason,’* JERUSALEM POST (October 12, 2018), <https://www.jpost.com/Arab-Israeli-Conflict/PA-edict-Selling-property-to-Israelis-an-act-of-high-treason-569254>.

⁹⁷ *Id.* See also Maurice Hirsch, *The PA’s Apartheid land laws*, PMW (December 31, 2018), http://www.palwatch.org/main.aspx?fi=157&doc_id=27029.

⁹⁸ Elhanan Miller, *Abbas toughens law against Palestinians selling land to Jews*, TIMES OF ISRAEL (October 21, 2014), <https://www.timesofisrael.com/abbas-toughens-law-against-palestinians-selling-land-to-jews/>.

⁹⁹ Khaled Abu Toameh, *PA Edict: Selling Property to Israelis an Act of High Treason*, JERUSALEM POST (October 12, 2018), <https://www.jpost.com/Arab-Israeli-Conflict/PA-edict-Selling-property-to-Israelis-an-act-of-high-treason-569254>.

¹⁰⁰ Maurice Hirsch, *The PA’s Apartheid land laws*, PMW (December 31, 2018), http://www.palwatch.org/main.aspx?fi=157&doc_id=27029.

F. Palestinian Attacks Against Israelis

In addition to all of these examples of torture committed against different Palestinian groups, both the Palestinian Authority and Hamas are responsible for acts of terrorism committed against Israelis, including by non-State actors. CAT Article 2 requires State parties to take measures to prevent acts of torture. This includes adopting effective measures “to prevent public authorities and other persons acting in an official capacity from directly committing, instigating, inciting, encouraging, acquiescing in or otherwise participating or being complicit in acts of torture.”¹⁰¹ The State is also responsible for the conduct of private actors when it fails to “exercise due diligence to prevent, investigate, prosecute and punish” them.¹⁰² The Committee has addressed situations of conflict-motivated violence, including by non-State parties, in previous Concluding Observations.¹⁰³

1. PA law promotes and rewards terrorism against Jewish Israelis

Palestinian law actively encourages the murder of Jewish Israelis through its program of martyr and prisoner payments. The 2003 Amended Palestinian Basic Law guarantees the right of “martyrs, prisoners of war, the injured and the disabled,” to “education, health and social insurance.”¹⁰⁴ A series of other laws from 2004 and 2013 mandate payments to prisoners and/or their families with the amount determined according to the severity of the crime.

Each of these laws—Law No. 14 (2004), Amended Palestinian Prisoners Law No. 19 (2004), and Decree No. 1 (2013) on the Amendment of the Prisoners and Released Prisoners Law No. 19 (2004)—defines a prisoner as “anyone incarcerated in the occupation’s prisons for his participation in the struggle against the occupation,”¹⁰⁵ meaning involvement in terror attacks against Israel. Significantly, these laws reward only terrorists who killed or injured Israelis or attempted to do so. Persons convicted of other crimes, like theft, do not receive similar rewards.

The rewards to these terrorists include monthly salary and other benefits, such as tuition fees at state universities and priority job placements at state institutions upon release from prison, with seniority determined based on the length of the prison term.¹⁰⁶ Likewise, pursuant to PA Government Decision No. 23 of 2010, the amount of the monthly salary is fixed based on the length of the prison term.¹⁰⁷ Thus, the more serious the crime, the longer the prison sentence and the more seniority and higher the salary.

¹⁰¹ CAT General Comment No. 2, ¶ 17.

¹⁰² CAT General Comment No. 2, ¶ 18.

¹⁰³ See, e.g., Concluding observations on the second periodic report of the Democratic Republic of the Congo, UN Doc. CAT/C/COD/CO/2, ¶¶ 30-31 (June 3, 2019); Concluding observations on the fifth periodic report of Cameroon, UN Doc. CAT/C/CMR/CO/5, ¶¶ 9-10 (December 18, 2017).

¹⁰⁴ Article 22, 2003 Amended Palestinian Basic Law (last visited June 3, 2019), <https://www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law>.

¹⁰⁵ Sander Gerber, *Incentivizing Terrorism: Palestinian Authority Allocations to Terrorists and their Families*, Appendix 5, JERUSALEM CENTER FOR PUBLIC AFFAIRS (2017), <http://jcpa.org/paying-salaries-terrorists-contradicts-palestinian-vows-peaceful-intentions/#appendix-5>; PA Law No. 19, BIRZEIT UNIVERSITY (last visited July 1, 2019), <http://muqtafi.birzeit.edu/pg/getleg.asp?id=14777>.

¹⁰⁶ *Id.*

¹⁰⁷ PA Government Decision No. 23, BIRZEIT UNIVERSITY (last visited July 1, 2019), <http://muqtafi.birzeit.edu/pg/getleg.asp?id=16259>.

Thousands of Palestinian prisoners currently serving or having served time in Israeli jails for terror-related offenses receive salaries and benefits from the PA.¹⁰⁸ Despite a financial crisis in 2019 which led to cuts in the salaries of the PA's actual public employees, PA salaries to terrorists increased from 2018 to 2019.¹⁰⁹ In 2019, the PA paid \$150 million for prisoner salaries to incarcerated or released terrorists and \$194 million for "martyrs."¹¹⁰ In 2020, the PA paid more than \$181 million to incarcerated or released terrorists, not including payments to families of "martyrs."¹¹¹

These payments cannot be characterized as welfare as they are not based on need and the budget separately allocates more than \$200 million for welfare. Also, the PA has refused to transfer the salaries to its Ministry of Social Affairs. In January 2022, PA Ministry of Detainees official Hassan Abd Rabbo admitted that the detainees are "fighters, not social cases."¹¹²

The PA program of terror payments, which promotes and encourages the murder of Israeli Jews, has been widely condemned. In March 2018, the United States Congress passed the Taylor Force Act to cut aid to the Palestinians until they end their policy of reward payments to terrorists.¹¹³ The Biden administration affirmed the U.S. position against these payments.¹¹⁴ Criticizing the Palestinian terror payments, EU official Johannes Hahn, then in charge of financial assistance to the Palestinians, stated in April 2019 that payments to Palestinian terrorists and their families should be based on need only.¹¹⁵

In response, President Abbas reiterated the PA's commitment to these payments, stating "even if we have only a penny left, we will give it to the martyrs, the prisoners and their families."¹¹⁶

We hope that the Committee will follow the examples of the U.S. and EU by condemning these PA laws mandating rewards for terrorists.

¹⁰⁸ *PA salaries to terrorists and their families*, PMW (last visited July 1, 2019), <http://www.palwatch.org/main.aspx?fi=1005>.

¹⁰⁹ Maurice Hirsch and Nan Jacques Zilberdik, *PA salaries to terrorists rise by 11.8% in 2019 – amidst self-inflicted financial crisis*, PMW (July 3, 2019), http://palwatch.org/main.aspx?fi=157&doc_id=27753.

¹¹⁰ Maurice Hirsch, *PMW Exclusive: PA gives 517.4 million shekels to terrorists as salaries in 2019*, PMW (January 30, 2020), <https://palwatch.org/page/17309>.

¹¹¹ Maurice Hirsch, Itamar Marcus and Nan Jacques Zilberdik, *How much did the PA spend on terrorists' salaries in 2020?* PMW (February 22, 2021), <https://palwatch.org/page/18603>.

¹¹² *Palestine Rejects US Proposal to Transfer Prisoners' Salaries to 'Social Welfare'*, ASHARQ AL-AWSAT (January 27, 2022), <https://english.aawsat.com/home/article/3439576/palestine-rejects-us-proposal-transfer-prisoners-salaries-social-welfare>.

¹¹³ *Congress passes Taylor Force act as part of \$1.3 trillion budget bill*, TIMES OF ISRAEL (March 23, 2018), <https://www.timesofisrael.com/congress-passes-taylor-force-act-as-part-of-1-3-trillion-budget-bill/>.

¹¹⁴ Jacob Magid, *Biden administration says it's pushing Ramallah to reform terror payment policy*, TIMES OF ISRAEL (June 23, 2021), <https://www.timesofisrael.com/biden-administration-says-its-pushing-ramallah-to-reform-terror-payment-policy/>.

¹¹⁵ Tovah Lazaroff, *EU Official Proposes Palestinian Terrorism Payments on Needs Basis*, JERUSALEM POST (April 30, 2019), <https://www.jpost.com/Arab-Israeli-Conflict/EU-official-proposes-Palestinian-terrorism-payments-on-needs-basis-588326>.

¹¹⁶ *PA TV repeats Abbas' vow to pay terrorists no matter what – even "if we are left with only one penny,"* PMW (March 13, 2021), <https://palwatch.org/page/18660>.

2. PA and Hamas responsibility for incitement to terrorism

PA and Hamas officials, including President Mahmoud Abbas, routinely use their public statements to instigate and incite terrorist attacks against Israelis. In August 2019, the UN Committee on Elimination of Racial Discrimination found that Palestinian laws and policies failed to implement UN treaties on racism, or to properly investigate complaints for acts of racial discrimination. The panel urged Ramallah to combat “hate speech and incitement to violence,” saying it was “concerned” about statements by Palestinian public figures, politicians and media officials, as well as in school textbooks and curricula, pointing to “hate speech against Israelis” which it found “fuels hatred” and “may incite violence” and “antisemitism.” The Committee urged the Palestinians to “combat hate speech and incitement to violence, including...by public officials, politicians and media outlets.”¹¹⁷

Nevertheless, the incitement by public officials continues. Below are some recent examples:

- **Inciting violence during Ramadan:** Against the backdrop of a new wave of Palestinian terror attacks against Israelis, PA Supreme Shariah Judge Mahmoud Al-Habbash encouraged Palestinians to pursue jihad in a Ramadan speech. He said Ramadan “is not a month of laziness but rather...a month of Jihad, conquest, and victory.” (*Official PA TV*, April 3, 2022).¹¹⁸
- **Rallying against Jews who “defiled” Al-Aqsa Mosque during Ramadan:** The PA routinely uses the Al Aqsa Mosque to incite violence against Jews. During Ramadan, a number of PA officials and media channels, publicly called on Palestinians to defend Al Aqsa from “the defilement of the Jews” and “Jewish extremists” who “violate its sanctity” using violent language such as “we won’t lower the rifle, the stone, nor any [other] means of resistance to the occupation.” (*Multiple sources*, May 2022).¹¹⁹
- **Threatening revenge against Jews if Al-Aqsa Mosque is desecrated:** In a rabble-rousing speech at the end of Ramadan, Hamas Gaza leader Yahya Sinwar threatened to desecrate thousands of synagogues around the world if the Al-Aqsa Mosque was desecrated and accused Israel of turning the Israeli-Palestinian conflict into a regional religious war. He added that Hamas was prepared to spare no effort to defend its holy places, including by rocket attacks on Israel, and he called for more terror attacks. (*Al-Jazeera*, April 30, 2022).¹²⁰
- **Blaming Israel for internal Palestinian violence:** On the PA’s state-run TV, the PA Security Forces Spokesman accused Israel of deliberately spreading weapons to create internal strife within Palestinian society, “Certainly, and especially in areas that have all

¹¹⁷ Concluding observations on the combined initial and second periodic reports of the State of Palestine, UN Doc. CERD/C/PSE/CO/1-2, ¶¶ 19 and 20 (August 29, 2019).

¹¹⁸ Maurice Hirsch, *The PA/Fatah initiated and fueled terror wave*, PMW (April 10, 2022), <https://palwatch.org/page/31033>.

¹¹⁹ Nan Jacques Zilberdik, *PA incited riots and terror during Ramadan, using PA libel that Al Aqsa is being “desecrated” by Jews*, PMW (May 15, 2022), <https://palwatch.org/page/31423>.

¹²⁰ *Hamas Gaza Leader Yahya Sinwar*, MEMRI (April 30, 2022), <https://www.memri.org/reports/hamas-gaza-leader-yahya-sinwar-we-will-desecrate-synagogues-throughout-world-if-al-aqsa>.

kinds of social problems, we see these weapons being spread [by the occupation] in a noticeable manner...this occupation also certainly views the internal conflicts in the Palestinian society as a means of getting rid of confrontations that are part of the popular uprising (*i.e.*, term used by Palestinians, which also refers to the use of violence and terror) against this occupation.” (*PA TV*, August 23, 2021).¹²¹

- **Denying Israel’s right to exist:** PA Grand Mufti Muhammad Hussein assured PA TV viewers that Israel’s destruction is only a matter of time, “The injustice will certainly pass and the occupation (*i.e.*, Israel) will pass...Jerusalem will certainly be liberated and return to the embrace of Islam.” (*PA TV*, September 29, 2021).¹²²
- **Denying Jewish ties to Temple Mount:** In July 2021, several PA officials accused Israel of trying to take over the Temple Mount. For example, PA Presidential Office Advisor Ahmed Al-Ruweidi said “Our position is clear: This is our land, this is our mosque, the Al-Aqsa Mosque with its entire territory of 144 dunams (*i.e.*, all of the Temple Mount and the Western Wall), and it is an exclusive right of the Muslims and no one shares this with them... ‘What is happening at the blessed Al-Aqsa Mosque is laying the groundwork for a religious war that will reach you, your countries.’” (*Fatah Commission of Information and Culture Facebook Page*, July 18, 2021).¹²³
- **Antisemitic Libel:** Director of Palestinian Prisoner Club in Hebron Amjad al-Najjar accused Israel of deliberately harming Palestinian prisoners by using unqualified “Russian doctors [who] failed the ‘Israeli Medical Association’ test” to treat them. (*Official PA TV*, July 17, 2021).¹²⁴
- **Inciting bombing of Israeli civilians:** Fatah Central Committee member Abbas Zaki expressed praise and admiration for the May 2021 Hamas rocket attacks on Israeli civilians, posting the following on Facebook “Blessings to the rockets that placed Hamas that put Israel on alert or put them in bomb shelters. They caused [Israelis] to hide.” (*Fatah Central Committee Member Abbas Zaki Facebook Page*, May 30, 2021).¹²⁵
- **Glorifying terrorists:** PA officials praised terrorists imprisoned for killing Israelis. For example, Fatah Tulkarem Secretary Iyad Jarrad referred to such prisoners as “a crown on our heads.” He said, “We must always welcome them, carry them aloft, and make speeches that [are] worthy of them, their activities, and all our brave prisoners, because truly they are the spearhead of the Palestinian problem and they are a crown on our heads.” (*PA TV*, April 9, 2021).¹²⁶

¹²¹ Nan Jacques Zilberdik and Maurice Hirsch, You can always blame Israel! PA: Israel spreads weapons among Palestinians to fuel internal disputes, PMW (September 3, 2021), <https://palwatch.org/page/29124>.

¹²² Nan Jacques Zilberdik and Itamar Marcus, *Israel’s destruction is inevitable – a repeating PA promise*, PMW (October 22, 2021), <https://palwatch.org/page/29279>.

¹²³ Itamar Marcus, *PA leaders continue to deny existence of Jewish Temples*, PMW (August 4, 2021), <https://palwatch.org/page/26049>.

¹²⁴ Itamar Marcus, *New PA libel: Israel uses unqualified Russian doctors to treat Palestinian prisoners*, PMW (July 21, 2021), <https://palwatch.org/page/26024>.

¹²⁵ Nan Jacques Zilberdik, *Senior Fatah official supports Hamas rockets “that put Israel in bomb shelters,”* PMW (June 14, 2021), <https://palwatch.org/page/23945>.

¹²⁶ Nan Jacques Zilberdik, *Terrorist murderers are “a crown on our heads,” - PA Ministry of Health and Fatah*, PMW (June 4, 2021), <https://palwatch.org/page/23859>.

- **Advocating genocide against the Jews:** On Official PA TV, Fatah Deputy Secretary of Shuafat and Beit Hanina rejected a two-state solution, vowing that Jerusalem will never be divided—“Jerusalem is ours”—and that the Palestinians will continue to fight until all of Palestine is “liberated” from “the [Mediterranean] Sea to the [Jordan] River.” (*Official PA TV*, May 18, 2021).¹²⁷
- **Inciting violence against Israel:** Top PA and Fatah leader Jibril Rajoub incited further violence against Israel in the wake of the May 2021 conflict with Hamas. On the last day of the war, referring to Israel’s “fascist and Nazi state terror,” he stated that unless “the world will give us a solution,” “we will continue the cycle of blood and killing.” (*Fatah Commission of Information and Culture Facebook Page*, May 20, 2021).¹²⁸

In this climate, it is not surprising that Palestinian terrorism against Israelis continues. This includes indiscriminate rocket attacks from the Hamas-controlled Gaza Strip¹²⁹; shootings¹³⁰; bombings¹³¹; stabbings¹³²; car-rammings¹³³; and rock-throwing attacks.¹³⁴ To the extent these attacks are carried out by non-State actors, the PA and Hamas are responsible for these attacks under the Convention because they fail to punish the perpetrators and actively incite and encourage them. We hope the Committee will condemn this incitement.

¹²⁷ Itamar Marcus, *Fatah: “Palestine from the Sea to the River” – will be liberated*, PMW (May 30, 2012), <https://palwatch.org/page/23846>.

¹²⁸ Itamar Marcus, “*We will continue the cycle of blood and killing,*” threatens Fatah leader Rajoub – “*We are not the only ones who will die,*” PMW (May 25, 2021), <https://palwatch.org/page/23833>.

¹²⁹ *Palestinian Rockets in May Killed Civilians in Israel, Gaza*, HRW (August 12, 2021), <https://www.hrw.org/news/2021/08/12/palestinian-rockets-may-killed-civilians-israel-gaza>; *Gaza militants fire rockets, Israel responds with strikes in biggest escalation since last war*, FRANCE 24 (April 21, 2022), <https://www.france24.com/en/middle-east/20220420-israel-launches-fresh-strikes-on-gaza-after-rocket-fire>.

¹³⁰ Amir Tal, *Two killed, many injured in Tel Aviv shooting*, CNN (April 8, 2022), <https://edition.cnn.com/2022/04/07/middleeast/tel-aviv-shooting-intl/index.html>; *Five killed by Palestinian gunman in latest deadly attack in Israel*, BBC (March 30, 2022), <https://www.bbc.com/news/world-middle-east-60902330>.

¹³¹ *Israeli teenage girl killed on West Bank bomb attack*, BBC (August 23, 2019), <https://www.bbc.com/news/world-middle-east-49447035>.

¹³² AFP, *Two Palestinian killed, Israeli policeman stabbed as violence simmers*, AL ARABIYA (May 8, 2022), <https://english.alarabiya.net/News/middle-east/2022/05/08/Policeman-stabbed-in-Jerusalem-attacker-shot-wounded-Police-medics->; *Israel hunts Palestinian axe attackers who killed three*, BBC (May 6, 2022), <https://www.bbc.com/news/world-middle-east-61344529>; Emanuel Fabian, *Haifa teen stabber was motivated by death of boyfriend – report*, TIMES OF ISRAEL (April 28, 2022), <https://www.timesofisrael.com/haifa-teen-stabber-was-motivated-by-death-of-palestinian-boyfriend-report/>.

¹³³ *Four dead in stabbing, car-ramming in southern-Israel*, FRANCE 24 (March 22, 2022), <https://www.france24.com/en/live-news/20220322-four-dead-in-stabbing-car-ramming-in-southern-israel>; *Palestinian killed after ramming car into 6 Israeli police in Jerusalem – police*, REUTERS (May 16, 2021), <https://www.reuters.com/world/middle-east/palestinian-killed-after-ramming-car-into-6-israeli-police-jerusalem-police-2021-05-16/>.

¹³⁴ *Palestinian hurls cinderblock at Israeli car in West Bank, is shot by soldier*, TIMES OF ISRAEL (May 13, 2022), <https://www.timesofisrael.com/palestinian-hurls-cinderblock-at-israeli-car-in-west-bank-is-shot-by-troops-idf/>; Nir Hasson, Deiaa Haj Yahia, Jack Khoury, *Five Wounded in Palestinian Stone-throwing at Temple Mount, Police Enter Compound*, HA’ARETZ (April 17, 2022), <https://www.haaretz.com/israel-news/israel-police-enter-temple-mount-compound-to-allow-jewish-visitors-in-1.10746398>; *Israeli army: Soldier killed by rock during West Bank raid*, ABC (May 12, 2020), <https://abcnews.go.com/International/wireStory/israeli-army-soldier-killed-rock-west-bank-raid-70630358>.

3. PA and Hamas responsibility for security of Israelis who enter territory controlled by them

In addition, the PA and Hamas are responsible for the security of Israelis who enter territory under their control. The failure to guarantee such security violates Article 2 of the Convention. Indeed, during the reporting period, Hamas took captive two Israelis who crossed into Gaza by mistake—a 29-year-old Israeli Bedouin who entered Gaza in September 2015 and a 30-year-old Israeli Ethiopian who entered Gaza in April 2015, both of whom suffer from mental illness.¹³⁵ Hamas continues to hold these young men incommunicado without providing information on their location, permitting contact with the families, or allowing Red Cross visits.¹³⁶ Hamas also holds the bodies of two Israeli soldiers killed in the 2014 Gaza conflict in violation of international law.

Also during the reporting period in June 2014, Hamas terrorists in the West Bank abducted three Israeli teens, holding them hostage in a vehicle for a period of time before shooting them to death at point blank range. In the *Fraenkel v. Iran* case brought by the family of one of the murdered teens—Naftali Fraenkel—the U.S. District Court for the District of Columbia found that Hamas was responsible for this attack. It also found that Naftali Fraenkel suffered at the hands of his kidnappers because he was “aware that he was kidnapped and in imminent danger of losing his life due to the weapons used by the terrorists.”¹³⁷ Certainly, this violated Article 2 of the Convention. The PA and Hamas each bear responsibility for this attack as the terrorists were affiliated with Hamas, influenced by PA and Hamas incitement and planned and implemented the attack from PA-controlled territory.

Furthermore, the PA continues to violate Article 2 of the Convention by failing to assure security for Israelis who enter PA-controlled territory. Significantly, Israeli law forbids Israelis from entering the parts of the West Bank controlled by the PA because of the likelihood they will be attacked.¹³⁸ Over the years, there have been numerous cases of Israelis entering such areas, often by accident, and being attacked by local Palestinians. Israelis still vividly recall with horror the bloody lynching of two Israeli reservists who entered Ramallah by mistake at the beginning of the Second Intifada in October 2000. The men were brutally stabbed and beaten to death and their mutilated bodies were dragged to the town square.¹³⁹ More recently, in February 2018, two Israeli soldiers were wounded after they accidentally entered Jenin and were attacked by a Palestinian mob who threw rocks at them and banged on their car.¹⁴⁰

Below are some examples of similar attacks on Israeli civilians:

¹³⁵ Raphael Ahren, *Families of Israeli civilians held in Gaza hold joint prayer, appeal to Hamas*, TIMES OF ISRAEL (September 6, 2018), <https://www.timesofisrael.com/families-of-israeli-civilians-held-in-gaza-hold-joint-prayer-appeal-to-hamas/>.

¹³⁶ *2 Israelis Who Entered Gaza Held Incommunicado*, HUMAN RIGHTS WATCH (May 2, 2017), <https://www.hrw.org/news/2017/05/03/2-israelis-who-entered-gaza-held-incommunicado>.

¹³⁷ *Fraenkel v. Islamic Republic of Iran*, 248 F.Supp.3d 21 (D.D.C. 2017).

¹³⁸ *Israeli family accidentally enters Palestinian town, returned safely*, TIMES OF ISRAEL (July 8, 2017).

¹³⁹ Adiv Serman, *'We were in a craze to see blood,'* TIMES OF ISRAEL (December 25, 2013), <https://www.timesofisrael.com/we-were-in-a-craze-to-see-blood/>.

¹⁴⁰ Adam Rasgon, *IDF Soldiers Rescued by PA Security Forces After Accidentally Entering Jenin*, JERUSALEM POST (February 12, 2018), <https://www.jpost.com/Arab-Israeli-Conflict/IDF-soldiers-assailed-by-Palestinians-after-accidentally-entering-Jenin-542398>.

- On May 15, 2022, an Israeli man was attacked and beaten by a Palestinian mob after entering the East Jerusalem village of Isawiya.¹⁴¹
- On April 30, 2022, an Israeli couple was attacked with pepper spray and carjacked in the West Bank city of Qalqilya.¹⁴²
- On December 1, 2021, two Israelis were attacked by a Palestinian mob and their car set on fire after they entered the town of Ramallah by mistake.¹⁴³
- On February 2, 2018, an Israeli man was rescued after accidentally entering the Palestinian town of Abu Dis and being attacked by rock-throwers.¹⁴⁴
- On January 9, 2018, two Czech tourists were rescued by police after accidentally entering the Palestinian village of Teqoa. Their car was attacked with rocks and slightly damaged during the rescue.¹⁴⁵
- On June 30, 2016, nine Israeli peace activists were rescued from Ramallah after they were attacked with rocks and one of their cars was set on fire.¹⁴⁶
- On May 16, 2014, two Israeli journalists were attacked while covering clashes near Beitunia in the West Bank.¹⁴⁷

While PA security officers have assisted in the rescue of these Israelis, we are not aware of PA prosecutions against Palestinians who participate in such attacks. This lack of accountability and deterrence for Palestinians who attack Israelis violates Article 2 of the Convention. Furthermore, it sends a clear message that such attacks are acceptable and that Israelis should have no expectation of safety in Palestinian-controlled areas. We hope the Committee will demand accountability from the PA and Hamas for these violations.

V. Conclusion

The PA's report seeks to distract this Committee from its own obligations under the Convention by omitting crucial facts and data about egregious violations within its territory, while at the same time wrongly pointing the finger at Israel, which is not the subject of this review. Furthermore, the PA and Hamas themselves are guilty of committing the very same violations of which they accuse Israel, including violations against women and children, arbitrary

¹⁴¹ *Israeli attacked in E. J'lem neighborhood of Isawiya, in stable condition*, JERUSALEM POST (May 15, 2022), <https://www.jpost.com/breaking-news/article-706794>.

¹⁴² *Israeli couple attacked with pepper spray, carjacked while shopping in Qalqilya*, TIMES OF ISRAEL (April 30, 2022), <https://www.timesofisrael.com/israeli-couple-attacked-with-pepper-spray-carjacked-while-shopping-in-qalqilya/>.

¹⁴³ *Palestinian mob attacks 2 Israelis in Ramallah who entered city by accident*, YNET (December 1, 2021), <https://www.ynetnews.com/article/h1ckqsrfy>.

¹⁴⁴ *Elior Levy, Yishai Porat, Yoav Zitun, Israeli enters Abu Dis and is attacked, his vehicle torched*, YNET (February 2, 2018), <https://www.ynetnews.com/articles/0.7340.L-5079878.00.html>.

¹⁴⁵ *Police rescue Czech tourists who accidentally entered Palestinian village*, TIMES OF ISRAEL (January 9, 2018), <https://www.timesofisrael.com/police-rescue-czech-tourists-who-accidentally-entered-palestinian-village/>.

¹⁴⁶ *Judah Ari Gross, Israeli activists evacuated from Ramallah after car is set on fire*, TIMES OF ISRAEL (June 30, 2016), <https://www.timesofisrael.com/israeli-activists-evacuated-from-ramallah-after-car-is-set-on-fire/>.

¹⁴⁷ *Gili Cohen, Two Israeli Journalists Attacked in West Bank Clashes*, HAARETZ (May 16, 2014), <https://www.haaretz.com/2-israeli-journalists-attacked-in-west-bank-1.5248566>.

detentions, solitary confinement, forced confessions, prison conditions that violate human rights standards, and many other violations as detailed herein. We trust the Committee will look beyond the PA report and demand accountability from the PA for its non-compliance with the Convention.