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THE DEFENCE OF
THE INDIVIDUAL

המוקד להגנת הפרט

مركز الدفاع عن الفرد

ANNUAL ACTIVITY REPORT

2022

Message from our Executive Director

Dear friends,

The day-to-day work of defending human rights can be frustrating, even heartbreaking, as we witness the suffering around us. So it is gratifying to periodically step back and see the big picture. Some 6,000 people turned to HaMoked for assistance this past year, and in the majority of cases, we succeeded in helping them: locating family members in detention, enabling farmers to continue cultivating their land, reuniting families, and ensuring that people can travel freely and live in their homes without fear of deportation.

Alongside the individual assistance, HaMoked works for broader changes, filing strategic litigation, supplemented with research and advocacy, in order to challenge government and military policies that violate human rights. While success is more sporadic on this level, some of the principled litigation was also successful, as detailed in this report.

The year 2022 ended with the election of an extremist Israeli government that is working to further entrench the occupation and erode Palestinian human rights. This government is also explicitly working to hinder efforts to defend Palestinians, both by undermining the independence of the Israeli judiciary and by advancing restrictions on human rights organizations. This is a direct threat to HaMoked's work.

Of course we all feel moments of despair, but we are determined to continue, both providing individual assistance and advancing our principled demands to respect basic rights. This work is more important now than ever.

I take this opportunity to thank all of our partner organizations, our donors and our supporters. We could not do this work alone, and we are proud to be part of a broader community working to advance Palestinian human rights.

JESSICA MONTELL
EXECUTIVE DIRECTOR





In 2022 some **6,000 Palestinian** victims of human rights violations turned to HaMoked for assistance:



383

families in East Jerusalem denied residency rights



415

families seeking to reunite through visits to Gaza or the West Bank



4,481

families trying to locate loved ones in detention, including 293 children



284

Palestinians denied access to lands beyond the Separation Wall



125

prisoners and detainees seeking accountability for violence and adequate prison conditions



167

Palestinians contesting bans on travel abroad



23

cases challenging punitive home demolitions



250

legal proceedings litigated to demand greater respect for rights and changes to harmful laws and policies



9

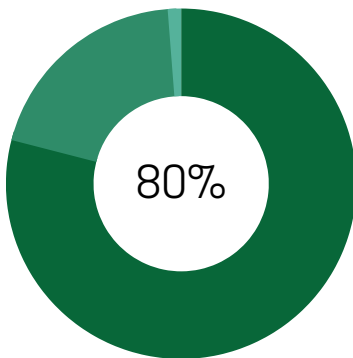
Freedom-of-Information requests to expose Israeli policy and practices that violate human rights



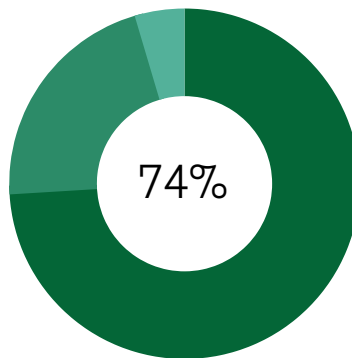
2022: Changing policy one person at a time

Of cases concluded in 2022,
a majority were **resolved successfully**

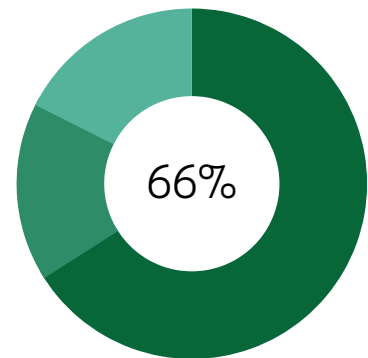
● Successful ● Unsuccessful ● Other



Detainee Rights



Freedom of Movement



Residency & Social Rights in Jerusalem

In 2022, HaMoked advanced 17 principled cases
to demand changes to discriminatory laws and policies

Achievements of

HaMoked's Principled Litigation:

Palestinian farmers can no longer be denied permits to access lands beyond the Separation Wall due to plot size

After nearly two years, Israel renewed family visits to Gaza residents incarcerated inside Israel

After a two-year ban, Palestinian children can again visit their parents incarcerated in Israel

Ongoing Cases:

Palestinians must have an equal right to family life – the law banning Palestinian family unification must be overturned

Israel must halt the night arrests of Palestinian children

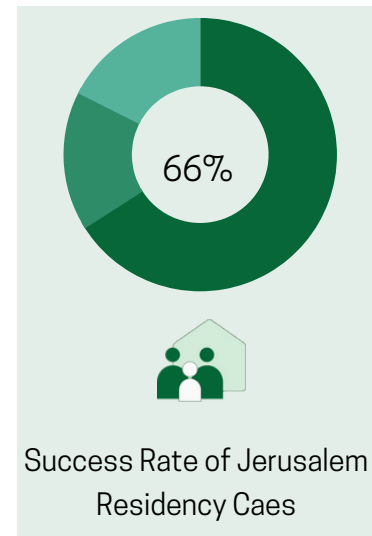
Palestinians over age 50 must be able to cross the Separation Wall without permits

(Partial list)

Our Achievements

THE STATUS OF PALESTINIANS IN EAST JERUSALEM

In 2022, HaMoked provided assistance to 383 individuals and families in East Jerusalem seeking to realize their residency rights. This included cases of child registration, residency revocation and reinstatement, statelessness and family unification. Of the cases concluded this past year, 66% were closed successfully.



Ensuring an equal right to family unification

In March 2022, the Knesset passed the renewed Citizenship and Entry into Israel Law (Temporary Order), preventing Palestinian families from living together lawfully in Israel and in East Jerusalem. While the previous version of the law was justified solely on security grounds, the new law's stated purpose suggests that its motivation is demographic ("given that Israel is a Jewish democratic state") as well as security. In April, HaMoked filed a principled petition to the High Court of Justice together with ACRI and PHR-Israel to challenge the renewed Citizenship and Entry into Israel Law.

The petition argues that the Law establishes a prohibited discrimination between Arab Palestinian citizens and residents compared to Jews when it comes to their right to family life in Israel and East Jerusalem. The state responded that all the petitions against the Law that were joined under a single proceeding, including HaMoked's petition, should be dismissed, given that the Law "in its current version is constitutional", that its only purpose is security and that it constitutes a "temporary law that is not designed to shape a demographic reality". The state also claimed that although the Law violates Israeli spouses' constitutional right to equality, the resultant harm was for the worthy purpose of security and that it "meets all the other tests of the limitation clause" of Basic Law: Human Dignity and Liberty. The Court held a hearing in December 2022 and instructed the State to submit a notice within 90 days regarding its willingness to allow spousal permits for same-sex partners; to grant temporary residency also to women age 40 and older; and to explain the need for the annual quota established in the Law for humanitarian requests for status.

Alongside the principled challenge to the Citizenship Law, HaMoked provided individual assistance to hundreds of families to renew the military stay permits that allow them to live together in Jerusalem. In addition, HaMoked submitted nine requests for status upgrades for couples above age 50 – one of the few improvements in the new version of the law allows spouses over age 50 to receive temporary residency instead of stay permits. Six people actually received temporary residency.



383

East Jerusalem families assisted to demand residency rights

Challenging residency revocation as a collective punishment or for “Breach of Allegiance”

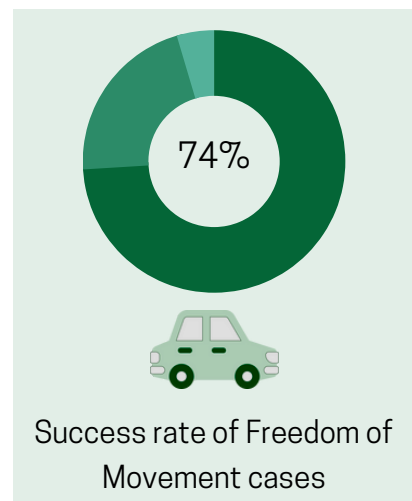
HaMoked continues its fight against revocation of Palestinians’ permanent residency in Jerusalem on the basis of alleged “breach of allegiance” to the State of Israel. The outstanding individual case concerns human rights defender and lawyer Salah Hammouri, whose Jerusalem residency was revoked on the basis of secret evidence. HaMoked exhausted all legal avenues to contest this revocation and to prevent his deportation, and he was deported to France in December. HaMoked is preparing principled litigation to be submitted in early 2023, opposing the amendment allowing residency revocation for breach of allegiance.

In addition, HaMoked challenged revocation of family unification and social security benefits as a collective punishment. HaMoked has three ongoing cases in which the Minister of Interior revoked family unification status as a punitive measure. In two of these cases, the Ministry revoked the family unification stay permit of one parent (a mother in one case and a father in the other) of a man who perpetrated a deadly attack. In the third case, HaMoked appealed against the revocation of stay permits and temporary residency of ten members of the Qunbar family (second and third-degree relatives of Fadi Qunbar who committed an attack killing four soldiers in Jerusalem in 2017). The Appeals Tribunal rejected HaMoked’s appeals regarding the Qunbar family members and Interior Minister Ayelet Shaked ordered their immediate deportation from Jerusalem. HaMoked appealed this decision to the District Court, arguing against that revocation of status for “deterrence purposes” is a new and illegal form of collective punishment. We obtained an interim injunction preventing deportation and are waiting for the District Court judgement.

HaMoked also successfully reversed the revocation of social welfare benefits from families in response to the 2021 demonstrations. Altogether, HaMoked succeeded in restoring benefits to nine families who lost National Insurance Institute benefits in what appears to be a collective punishment. In an August 2022 ruling, the Jerusalem District Labor Court Judge sharply criticized the NII, both for revoking benefits with no grounds and for failing to offer any explanation. “It is to be hoped that the NII will derive the appropriate conclusions from this judgment,” she wrote. HaMoked also filed Freedom of Information requests, which compelled the NII to admit that benefits had been revoked arbitrarily and based on Israel Security Agency Information.

THE RIGHT TO FREEDOM OF MOVEMENT

Throughout the year, HaMoked continued its support to Palestinians by challenging a wide range of Israeli military restrictions on their freedom of movement. We assisted 522 individuals and families to travel in and out of Gaza Strip to keep families together or enable visits in humanitarian circumstances, and to contest bans on travel abroad. In 74% of these cases, HaMoked’s intervention was successful.



In several cases, the military imposed restrictions on entire communities following fatal attacks, closing the only road to Al Mas'udiya in the northern West Bank (in March) and the checkpoint at the entrance to Shuafat Camp in Jerusalem (in October). HaMoked in both cases filed urgent interventions to the relevant authorities and was able to remove the blockade, enabling the inhabitants of the neighborhoods to resume their daily routine.

Residency rights in the OPT and the new military procedure restricting the entry and stay of foreigners in the West Bank

HaMoked lead the challenge to the harmful and illegal COGAT procedure for entry and residence of foreigners in the West Bank. The new procedure was first published in February 2022. It restricts the ability of foreigners to come to the West Bank for short-term visits, or to work, study, volunteer or teach in Palestinian institutions. It also imposes harsh restrictions on foreign spouses of Palestinians, essentially preventing families from living together. HaMoked submitted detailed objections to the procedure, alerted the international community to the procedure’s implications and petitioned the High Court of Justice demanding to delay implementation and ensure a complete overhaul.

These efforts succeeded in delaying the implementation of the procedure and effecting a few improvements. The revised procedure came into force in September. HaMoked submitted detailed objections to the revised procedure and is now preparing additional legal challenges.

HaMoked conducted extensive advocacy on the procedure, circulating [a 2-page briefing document](#) and briefing diplomats, the international press, international organizations, civil society groups, and ex-pat Palestinian communities on how they will be affected by the new restrictions. This work resulted in extensive media coverage of these restrictions. HaMoked also initiated a letter signed by 16 Israeli human rights organizations to EU High Representative Josep Borrell urging him to prioritize this issue. HaMoked's Executive Director also gave a briefing in the Israeli Knesset on the implications of the procedure.

THE PERMIT REGIME IN THE 'SEAM ZONE'

By illegally constructing the Separation Wall on occupied Palestinian territory, Israel imposed a highly bureaucratic and discriminatory permit regime on the lands trapped between the wall and the Green Line, requiring all Palestinians who wish to access the so-called "Seam Zone" to first obtain a permit, while Israelis and tourists can enter these areas freely.

This year, HaMoked combined individual assistance, principled litigation and new research and advocacy to combat Israel's increasing restrictions on Palestinian access to lands behind the Separation Barrier. We were able to assist and advocate for 284 Palestinians seeking to access their farmlands, homes, businesses, services and family members in the Seam Zone – almost double the number of Palestinians who requested our assistance in the previous year. 80% of these cases were resolved successfully. We also challenged Israeli policy and practice at the principled level, with impact for large numbers of beneficiaries. Our individual and principled litigation in 2022 resulted in important legal precedents, allowing thousands to continue cultivating their lands and stalling Israel's efforts to dispossess Palestinians from the Seam Zone.



284

Palestinians assisted to access their lands beyond the Separation Wall

**As a result of HaMoked petition:
The harsh “tiny plot” restriction was cancelled**

In March 2022, the High Court accepted our petition to cancel the Israeli military’s discriminatory assertion that plots of land in the Seam Zone that are under a certain size (less than 330 m²) are “too small to require agricultural cultivation,” and therefore do not justify issuing permits for their owners. HaMoked’s case on the matter was pending before the HCJ since 2018. We argued that the HCJ approved the route of the Barrier and the Seam Zone permit regime solely on security grounds, so this sweeping restriction on farmers’ access to their lands for reasons unrelated to security cannot be justified. In the judgment, the HCJ unanimously ruled that “the plot-size examination section [of the Regulations] leads to disproportionate harm to the right to property of the landowners in the Seam Zone, and so cannot stand in its current format.” Also, for the first time, the Court acknowledged that access to farmlands is important for cultural and traditional reasons and not only economic reasons.

This judgement lead to a very tangible improvement in access. In 2020, the Israeli military rejected 5,831 requests for farmer permits to the Seam Zone – 73% of all requests, with “tiny plots” being a leading reason for permit rejections. In 2021, the rate of permit rejections decreased to 47%. This is still an outrageous number, however, thousands of additional farmers now receive the permits to which they are entitled as a result of HaMoked’s principled challenge.

**The HCJ rejected HaMoked’s
petition to dismantle the Qaffin
segment of the Separation Barrier**

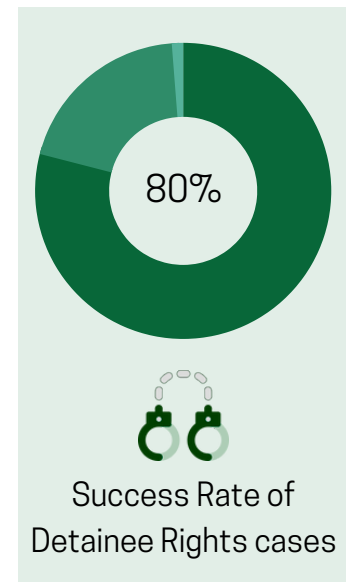
HaMoked continues to argue that those portions of the Wall constructed inside the West Bank are illegal and must be dismantled. However, our litigation against the barrier itself did not succeed this year.



In May 2022, the HCJ dismissed our petition on behalf of the villages of Qaffin, Nazlat’ Isa and Akkaba, in the northwest of the West Bank. The petition demanded to dismantle a 6-km-segment of the Separation Barrier and described the devastating economic and cultural impact of it on the lives and livelihood of the local communities. The Court ruled that “we are not at the point of time where petitions may be filed against the route of the Barrier”, noting that the way to address the harm caused by the Barrier was to focus on specific regulations. Justice Amit specifically noted the Court’s ruling canceling the “tiny plots” restriction, which was issued just two months previously.

DEFENDING THE RIGHTS OF DETAINEES

HaMoked remains the primary address for Palestinian families whose loved ones are arrested and want to find out where they are being held. In 2022, HaMoked provided assistance to 4,481 families trying to locate loved ones in detention. This included 293 cases where families were searching for children who had been detained. In addition, we provided individual legal assistance to prisoners, including children, to obtain prison visitation permits or contest prison conditions that violate their rights. Of the detention cases concluded this past year, 80% were closed successfully.



Halting Night Arrests of Children

HaMoked continues its fight against the night arrests of Palestinian children in the West Bank. We are demanding that such arrests be a last resort and that a summons be issued instead when children are wanted for questioning. HaMoked released a [new report](#) that shows that this past year, Israeli security forces continued and even exacerbated their use of traumatic night arrests as the first recourse for bringing Palestinian children to interrogation. Out of 125 cases of pre-planned arrests of Palestinian children documented by HaMoked in 2022, not one family received a summons prior to the night arrest of their child. In December, HaMoked provided this data to the High Court in the context of its petition. The High Court is scheduled to hear HaMoked's petition against the night arrests of children in March 2023.



An alarming rise in the number of administrative detainees

HaMoked monitored the dramatic increase in administrative detainees. Data from the Israel Prison Service showed that at the end of 2022, Israel held 866 administrative detainees, the highest number since June 2008. As our Executive Director, Jessica Montell, said in this [article](#), “Administrative detention should be a rare, exceptional measure, but it’s standard practice in Israel’s treatment of Palestinians.” Our concerns were featured in several news articles, in both the [Israeli](#) and the [international](#) press.



After a two-year visit-ban:

Children from the oPt can again visit their parents incarcerated in Israel

In February 2022, HaMoked filed a prisoner petition to the Beersheba Court for Administrative Affairs on behalf of a resident of the oPt who had not seen his children for some 18 months, since he was detained in administrative detention. In the petition, HaMoked demanded that the inmate’s children be allowed to visit their father. More broadly, the petition demanded cancellation of the restriction on visits imposed at the start of the Covid-19 outbreak on all Palestinian children seeking to visit their parents incarcerated inside Israel. This restriction remained in force although six months earlier prison visits had been renewed for Israeli children. In March 2022, the IPS revised the visits guideline, whereby residents of the West Bank would be able to visit as usual according to the regular arrangements, without a vaccination requirement.

Renewal of family visits to security inmates from the Gaza Strip who are held inside Israel

Following HaMoked and Al-Mezan Center’s petition to the High Court of Justice, the Israel Prison Service renewed visits to ‘security’ inmates for family members from the Gaza Strip (except for those affiliated with Hamas). The visits had been suspended for almost two years, since the beginning of the pandemic in March 2020. Following HaMoked's urgent letter, in July 2021 the IPS renewed family visits from the West Bank. However, inmates from Gaza were deprived of their basic right to family life and kept almost entirely without contact to the outside world, including with their families during the whole period. Around 200 Palestinian residents of the Gaza Strip held by Israel as ‘security’ prisoners will benefit from the renewal of visits. HaMoked’s success was featured in [an article](#) in Ha’aretz newspaper.

DEFENDING VICTIMS OF TORTURE AND VIOLENCE

HaMoked demands accountability for Palestinians who suffered torture, abuse or ill-treatment at the hands of the Israeli security forces that arrest, interrogate and detain them. HaMoked represents Palestinians who wish to complain regarding torture or ill-treatment, demanding a prompt and thorough criminal investigation and that perpetrators be brought to justice.



125

prisoners and detainees
seeking accountability
for violence and
adequate prison
conditions

In 2022, we represented 25 Palestinian victims of violence by soldiers, police officers, ISA interrogators and prison wardens. Successes are few and far between in these cases – it is difficult even to compel the authorities to open a criminal investigation and the cases can drag on for years. However, we remain committed to representing any Palestinian who wishes to complain, petitioning and appealing the closing of complaints and exhausting all avenues to challenge the impunity of Israeli security forces.



HaMoked in a complaint to the military: night arrest of a Palestinian minor deteriorated into sexual abuse

In July 2022, HaMoked sent to the military a complaint on behalf of a minor, who had suffered beatings, ill-treatment and sexual abuse at the hands of soldiers following his arrest from his home in the early hours of the morning. Initially the boy experienced fairly common ill-treatment and violence during the night arrest, but the abuse then escalated. In its complaint, HaMoked wrote that violence and sexual abuse towards a handcuffed and blindfolded person is a grave, cruel and inhuman act, amounting to torture when the victim is a minor. HaMoked demanded that the military conduct a serious and substantive investigation regarding this complaint, put the offending soldiers on trial, and act rigorously to eradicate the widespread phenomenon of violent night arrests of Palestinian minors.

CHALLENGING ISRAEL'S PUNITIVE HOME DEMOLITION POLICY

HaMoked has led the legal battle against Israel's punitive home demolition policy since the organization's establishment in 1988. Our litigation has resulted in some improvements in this area, including recognition of the right to submit an objection prior to the demolition and precedents that prohibit the demolition of a rented home, and limiting the use of demolitions in cases where the assailant had a history of mental illness. Despite these improvements, the Court has repeatedly approved the use of home demolitions at the principled level, and has refused to revisit the wider discussion of the legitimacy of the policy as a whole.

In 2022, HaMoked confronted a wave of punitive home demolitions. In every case of a fatal attack perpetrated by Palestinians from the West Bank or East Jerusalem, Israel issued a demolition order against the family's home. HaMoked worked on 23 home demolition cases including three tort claims and two requests for a remission order. This year, the military demolished 14 homes and at year's end another three homes were threatened with demolition. The High Court of Justice rejected every single petition against a punitive demolition this year.

Despite the low chances of success, we continue to challenge this unlawful collective punishment as a matter of principle. Separately, although the military always reassures the Court that the demolition of a home will not cause damage to nearby homes and structures, it is sometimes the case that neighboring properties are harmed in the course of a demolition. In 2022, we filed three tort claims for such cases on behalf of the owners of the damaged properties, two of them ended successfully, securing compensation for the properties' owners.

In addition, we filed two remission requests, to allow families whose homes were demolished years ago to clear the rubble and rebuild.



23

families seeking to challenge the punitive demolition of their homes



Organizational Challenges

Throughout most of 2022, Israel had a unique coalition government composed of both left and rightwing parties. The Bennet-Lapid government was termed the “government of change”, however it did not result in any significant change regarding the occupation of the Palestinians. In fact, there was a deterioration in Palestinian human rights this past year, with an increase in civilian deaths and administrative detentions, as well as settler violence.

This past year also saw a significant increase in Israeli civilians and security forces killed by armed Palestinians. The attacks began in March and triggered wide-scale arrest operations and restrictions on Palestinian movement. HaMoked saw a significant increase in tracing requests during this year, receiving dozens of calls each day from Palestinians whose loved ones had been arrested by the Israeli security forces, who wanted to find out where they had been taken to. Many were arrested from their homes in the middle of the night in violent search-and-arrest operations, which frequently entailed physical or verbal abuse.

Israel held elections again in November, resulting in the formation of an extreme, ultra-nationalist government that is working to further entrench the occupation and erode Palestinian human rights. This government is also explicitly working to hinder efforts to defend Palestinians, both by undermining the independence of the Israeli judiciary and by advancing restrictions on human rights organizations.

Organizational Developments

In 2022, there was a significant increase in the demand for HaMoked’s assistance compared to the previous year. This is partly as a result of the lifting of COVID restrictions, allowing travel between the West Bank and Gaza, and travel abroad – whereas 241 Palestinians requested HaMoked’s assistance in these areas in 2021, we responded to 522 requests in 2022. The increased caseload is also the result of the escalation of violence described above. In 2021, 3,926 families contacted us to locate family members in detention; in 2022, we were contacted by 4,481 families. Moreover, and following the series of deadly attacks in early 2022, the Israeli military began to close holes in the Separation Barrier in the northern West Bank. Many Palestinians who previously accessed their Seam Zone farmlands via these holes then turned to HaMoked for assistance in obtaining Seam Zone permits. HaMoked had 284 Seam Zone cases in 2022, compared to 163 the previous year.

HaMoked hired two new attorneys to respond to the increased workload. HaMoked's staff is now 24 Jewish and Palestinian citizens of Israel and Palestinian residents of East Jerusalem, including five client-intake coordinators, four client-advocacy coordinators responsible for all paralegal interventions, seven in-house attorneys, as well as research, data and administrative support staff.

This year, HaMoked joined seven other human rights organizations to maintain a joint lobby presence in the Knesset. The eight organizations together employ two full-time lobbyists. Through the lobby, Members of Knesset raised HaMoked's concerns in Knesset committees and submitted parliamentary questions to obtain information on government and military policy. HaMoked also used the lobby to try to provide urgent assistance in individual cases. This lobby organized a public event in the Knesset to mark 55 years of occupation, at which HaMoked's Executive Director spoke.

HaMoked planned its third organization-wide crowdfunding campaign that took place in December 2022. It was part of our wider strategy of diversifying our sources of funding and expanding our community of supporters and has presented an interesting challenge for us organizationally. We had involved members from all HaMoked's departments in the campaign, as well as members of our board. In addition to raising funds, the campaign increased our followers across our social media accounts.

Financial Report

Expenses	Total (ILS)
Personnel	4,146,000
Information Dissemination and IT	480,000
Court Fees and Other Legal Costs	605,000
Administrative Costs and Overhead	896,000
Total	6,127,000

Income	Total (ILS)
Grants from Institutional Donors	4,962,000
Private and Small Donations	960,000
Total	5,922,000

*Figures are not final. A complete audited financial report will be available in the second half of 2023.

HaMoked at a Glance

HaMoked is a human rights organization founded in 1988 by Israeli volunteers concerned about Israel's violent suppression of the First Intifada. Today, HaMoked has a professional staff of 24 Israelis and Palestinians. Our priority areas include freedom of movement, residency rights (particularly in East Jerusalem), and detainee rights, and combatting collective punishment. Providing individual legal aid free-of-charge, and conducting strategic litigation to change policy and better protect rights, HaMoked is funded entirely by institutions and individuals in Europe, North America and Israel committed to universal human rights principles.

HaMoked thanks its hundreds of individual donors both in Israel-Palestine and around the world.

We also gratefully acknowledge the support we received from the following institutions:

Catholic Relief Services
DEAR Foundation
Foundation for Middle East Peace
French Consulate of Jerusalem
Representative Office of Germany
MEDICO International
Misereor
Embassy of the Netherlands in Israel
New Israel Fund
Embassy of Norway in Israel
Naomi and Nehemiah Cohen Foundation
Norwegian Refugee Council
Presbyterian World Mission
Pro Victims
Swiss Development Cooperation
SIVMO
Spanish International Development Cooperation
UNICEF
UNVFVT



All our services are provided free of charge. Our work is funded entirely by individuals and institutions in Israel and around the world who share our commitment to universal human rights. Help us continue our vital work!

<https://hamoked.org/assist.php>

Your donation enables us to remain vigilant and responsive to the needs of the Palestinian population.



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