



**PALESTINIAN  
JOURNALISTS  
CAUGHT BETWEEN  
THREE SIDES**

**JUNE 2014**



## INTRODUCTION

The Palestinian Territories make up one of the most difficult places in the world to practise journalism. Freedom of information there is under constant threat. In the West Bank and Gaza, when news media are not hit by Israeli arrests, detention and live fire, they are targeted by the supposedly friendly Palestinian Authorities and Hamas, in the form of arrests, threats and attacks. News coverage itself is subjected to political events. Politicized and partisan journalists and media organizations are caught in a political vice. How can they escape its grip?

Now that the peace process between Israel and the Palestinians is – once again – at a standstill, the Palestine Liberation Organization and Hamas signed a reconciliation agreement in Gaza on 23 April. In theory, this agreement would put an end to seven years of division. Members of the “national consensus” government were sworn in on 2 June, and Mahmoud Abbas announced that elections would take place later this year.

As a result, Palestinians in the West Bank have been able to buy copies of Hamas newspapers since early May, such as *Falestin*, which had been gone from newsstands since 2007. Gaza residents are once again able to read Palestinian Authority dailies *Al-Quds*, and *Al-Hayat Al-Jadida*.



Does the return of these once-banned newspapers signal a real or a symbolic development for freedom of information in Palestine? During a 10-day mission to Palestine by Reporters Without Borders from 25 October to 4 November, 2013, Palestinian and foreign sources in Gaza, Ramallah, Nablus, Bethlehem and Jerusalem had only one word to describe the situation: *Inqissam* (division). Journalists, human rights advocates, NGO staff members, diplomats and political figures all shared the view that without real and lasting peace between Palestinian factions, the quality of information – and freedom of information – cannot improve.

Source : OCHA "Occupied Palestinian territory : Overview Map | Dec 2011," Published January, 2012.

# 1 YOUNG, POLITICALLY COMMITTED JOURNALISM

## 1) NEWLY MINTED MEDIA

Except for *Al-Quds*, a newspaper founded in 1951 by the Abu Zalaf family, the Palestinian press emerged after the signing of the Oslo Accords in September 1993. The Palestinian Authority first had to establish a legal structure for the press. A law on the written press was adopted in 1995<sup>1</sup>.

The first Palestinian broadcast media were not launched until [Oslo II](#) (the intermediate agreement on the West Bank and Gaza) was signed in September 1995. Article 36 of Annex III (Protocol on Civil Affairs) is designed to provide a framework for Palestinian telecommunications, especially terrestrial and satellite radio and television, by establishing a *Joint Technical Committee*. Israel imposed strict limits on the creation of these media.

*"The first Intifada was not covered by Palestinians because the Israeli Army systematically arrested Palestinian journalists,"* a local cameraman says. *"This is why we felt the need to have our own images, our own media."* A television executive in the West Bank adds: *"There were plenty of programs in Arabic in the Israeli media, but almost always during the day. In the evening, they broadcast nothing but movies in Hebrew. The Jordanian media were fairly boring, with lots of news about the army, the king... There was only a program for children that was actually focused on Palestinians, nothing more. After Oslo, people wanted local news, and they still do. Therefore, television seemed to be the best response."*

Palestinian media organizations, in other words, are less than 20 years old. *Tarik Al-Mahabeh*, a Nablus radio station, for instance, opened in 1997. According to its director, it was the second station to be authorized,

following *Al-Mahboubah wa Al-Salam* in 1996. Nevertheless, it should be noted that the very first radio station was that of the Palestinian Authority – *Sawt Falestin* – launched on 2 July 1994, following Arafat's return to Palestine after 27 years in exile. *Radio Bethlehem 2000*, launched in 1996, did not receive its authorization until 1999. The first Palestinian television channel, *Gamma TV* of Nablus, went on the air in 1994.

After the Second Intifada and the division of the Palestinian territories, with Israeli Army checkpoints scattered throughout, numerous media entrepreneurs opted to start radio stations or television networks rather than newspapers, which were difficult to distribute. The dismantling of numerous checkpoints in recent years has not changed this dynamic. The Second Intifada has also had important economic effects on the Palestinian media market, forcing organizations to join their efforts and form working networks.

## AL-QUDS, A PALESTINIAN PAPER OPERATING UNDER ISRAELI MILITARY CENSORSHIP

Created by the Abu Zalaf family in 1951, *Al-Quds* is the oldest Palestinian daily. Unlike *Al-Ayam* and other newspapers, *Al-Quds* is printed in Jerusalem, as the paper's name indicates, more specifically in East Jerusalem. The Israeli army conquered this part of the city in the Six-Day

War of 1967, then annexed it in 1980<sup>2</sup> (an annexation not recognized by the United Nations<sup>3</sup>). Located in territory that the State of Israel has placed under its effective control, *Al-Quds* is subject to [Israeli military censorship](#).

Though some of the newspaper's journalists say that censorship is more relaxed than in the past, it has not disappeared. Some issues are off-limits: for example, the death in detention of a Palestinian prisoner, or any information deemed dangerous to Israeli security.

<sup>1</sup> [Analysis by Article 19 and CMF](#)

<sup>2</sup> [Jerusalem Law of 30 July 1980](#)

<sup>3</sup> The UN and the majority of member States consider this part of the city as occupied territory. Security Council Resolution 478 characterizes the Israeli annexation of this part of Jerusalem as a violation of international law.

## 2) AN APPEARANCE OF PLURALISM

The number of Palestinian media outlets is impressive, especially compared with Arab countries in the region. However, following a boom in the 1990s, the number has fallen. Today, there are more than more than 12 television channels, and nearly 60 radio stations in the West Bank; as well as 22 satellite TV and five radio stations in Gaza. In addition, the West Bank has more than 30 newspapers and online news agencies, and Gaza has no fewer than 20. And all this for a country with a population of 4.4 million!

The Palestinian media landscape is notable for its local character. A strong media presence exists in Ramallah in the West Bank. But each city harbors its own media: approximately 10 broadcasters transmit from in Nablus, in the northern West Bank (two television channels and eight radio stations); eight in Bethlehem (two television channels and six radio stations); and about as many in Hebron in the southern West Bank (eight radio stations and one television channel). A Nablus journalist told Reporters Without Borders that the news broadcast on his station is essentially local, focused on events in the city and in neighbouring villages.

To obtain a TV licence in the West Bank, a television network must first obtain approval from three ministries. The interior ministry examines financing sources, information ministry reviews program content, and telecommunications ministry grants technical approval to the assigned frequency, in coordination with the *Joint Technical Committee*.

The licence must be renewed annually, with the price set according to transmitting power and the size of the coverage zone. Some journalists point to a fee increase in 2009-2010 as a *“disguised means of forcing certain media to shut down.”* Others say that, *“depending on a broadcast outlet’s political tone, the interior minister can deny a broadcast permit”*.

The size of the media community is considerable, considering the Territories’ population -- an estimated 2,000 (1,600 in the West Bank and 430 in Gaza). That number may explain the terms *“army*

*of journalists”*, that some people use. In the absence of an independent press-accrediting body, which would provide completely reliable numbers, these statistics were furnished by journalists’ unions in the West Bank and Gaza.

## 3) HISTORICALLY POLITICIZED JOURNALISTS

After the creation of the Palestinian Authority, when the first media organizations saw the light of day, professional journalists were scarce. Given the national history, the first journalists were, above all, activists working for partisan media. Most of them saw their journalism as a means to fight Israel and liberate Palestine. *“Before the Oslo Accords, journalists were either in prison, or writing political leaflets...They had their articles published in Lebanon, Cyprus, Tunisia or Syria, depending on their political connections,”* one of them says.

This activism is a given. As Raed Othman, director of *Ma’an News Agency*, notes: *“Many journalists have a political background.”* But while the first Palestinian journalists learned on the job, Palestinian universities have since established teaching programs, including *Birzeit* in Ramallah in 1998 and *Al-Najah National University* in Nablus in 2010.

Nevertheless, the links between the media and politics have only tightened. *“As Palestinians, we cannot be neutral in regard to the Israeli occupation,”* one of them exclaims. Another adds: *“As journalists, we serve our country!”*

## 4) MEDIA AS POLITICAL PARTY MOUTHPIECES

A foreign diplomat underlines the “incestuous ties” between politics and the media. In the West Bank, news organizations reflect Palestinian Authority policy. They do not constitute anything close to a counter-balance to government power, casting no critical eye on the Authority and its activities, although society at large is highly politicized and well-educated. One journalist, who contributes to foreign media, deplors the lack of independence by Palestinian media. For her, *“they are public relations agencies more than anything else.”* A colleague goes one step further: *“The media are not fulfilling their responsibility as counter-balance. None of them is independent, despite what they say, because none of the media backers is independent.”*

One foreign observer tells Reporters Without Borders that *Wafa*, the Palestinian Authority press agency, is *“its master’s voice, or worse”* and that *“Al-Hayat Al-Hadida is a government newspaper.”* The same source characterizes *Al-Ayam* as *“semi-official,”* emphasizing



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that Akram Haniyeh, editor in chief since the paper's founding in 1994, was an adviser to Arafat before taking the same position with Abu Mazen (Mahmoud Abbas). He views *Al-Quds* as more independent, given that its news staff was not chosen by the Palestinian Authority. However, he adds, *"this newspaper is not known for its critical views on the Authority"*.

Hamas media in the Gaza Strip prompt similar comments. These media include the *Safa* news agency, as well as publications authorized in this territory. Once again, an analyst goes so far as to describe as "incestuous" the relations between press and politics in Palestine, emphasizing the close ties to advertisers. Today, these partisan affiliations add to a polarization that has only intensified since the "division" (*Inqissam*, as Palestinians call it) of 2007, when Hamas seized power in Gaza.

The break between the Palestinian Authority in the West Bank and Hamas in Gaza has torn Palestinian society. Since then, media organizations as well as journalists are clearly divided between those close to Hamas and those close to Fatah. In one journalist's account of the 2007 split: *"Either you are with us, or you are against us... In Gaza, anyone affiliated with the Palestinian Authority was considered a traitor, and vice-versa. Journalists have taken on this way of thinking."*

This dichotomy can be seen in the near-absence of independent media in the Palestinian territories. Nevertheless, one foreign observer sees polarization as less of a factor among journalists themselves. *"They are more independent than their editors,"* he says, noting the latter's close ties to those in power, in both Gaza and the West Bank.

This politicization and polarization are perfectly reflected in the Palestinian journalists' union (see inset text). In the words of one commentator, the union is *"nothing but a political organization"*.

## DISUNITY IN JOURNALISTS' UNION

The journalists' union was headed from 1999 to 2009 by Naim Toubassi, known for his embrace of patronage. On 3 September 2007, Hamas officials decided to dissolve the union's branch in Gaza, thereby reinforcing the separation from the West Bank.

In 2010, the union's new head, Abdul Nasser Najjar, established a committee in Ramallah to clean up the union and eliminate from its rolls all members who were not journalists. Then, in Gaza, came a takeover in October 2011. With the tacit approval of Hamas security forces, dozens of journalists affiliated with Hamas and the Islamic Jihad movement took over the union's offices, threw out the employees, confiscated their mobile telephones and proclaimed themselves the new leaders.

After the failure of negotiations between the Palestinian Authority and Hamas to jointly organize union elections in March 2012, two unions were created: one in the West Bank and one in Gaza.

Journalists' union elections were held on 9 March 2012 in Jerusalem and the West Bank. Members who were clearly leaders of political organizations decided not to run, but political factions were still well represented. However, five independents were elected to the council, and two to the executive bureau. In order to put an end to some abuses, a "Rules and Ethics" commission was established.

In Gaza, a new union, under Hamas orders, was established on 18 March 2012, with a three-year mandate.

But journalists affiliated with Fatah refused to recognize its legitimacy. In addition, the union that suffered the 2011 takeover continues its activities under the leadership of Dr. Tahseen Al-Astal. The head of the union for Hamas-affiliated journalists, Yasser Abu Heen, editor in chief of the *Safa* agency, finally resigned in July 2013 as secretary general.

Estimating the membership of his union in Gaza at 530 (430 according to other sources), he attributed his resignation to a wish for

unification and expressed regret that the two sides still had not been able to put aside their differences.

The two unions do not cooperate at all. It should be noted that there have not been genuine journalists' union elections in Gaza (recognized by the profession as a whole) since 1999. The split in the Palestinian journalists' union is emblematic of the general condition of the media, and of Palestinian society as a whole.



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# 2 JOURNALISTS CAUGHT IN A MANY-SIDED CONFLICT

## A - ISRAELI ARMY, PREDATOR OF PRESS FREEDOM

Most Palestinian journalists who spoke to RWB view the Israeli army as the main source of danger -- the major enemy of Palestinian media workers doing their jobs. Not only are media organizations targeted, but journalists also face physical danger. Palestinian and non-Palestinian photojournalists regularly come under deliberate fire from Israeli soldiers. This occurs mainly as journalists cover weekly demonstrations held to protest construction of the separation wall.

The Palestinian Center for Development & Media Freedoms (MADA), which tracks press freedom violations in the Palestinian territories committed by all sides (the Israeli army, the Palestinian Authority and Hamas), registered 139 attacks in 2010 by Israeli troops and settlers, against 79 by Palestinian security forces.

The number [decreased slightly in 2011](#), with 206 violations overall, with more (106) committed by the Palestinians than by the Israelis (100). [In 2012](#), of the 238 press freedom violations recorded, 164 (70%) were committed by Israeli forces. This was a dark year, with an 11.5% increase in attacks, which also became more deadly. [In 2013](#), [the organization documented 151 press freedom violations](#) (of a total of 229) by Israeli forces.

	Violations by Israeli army (and settlers)	Proportion (%)	Palestinian violations	Proportion (%)	TOTAL
2008	147	57,2	110	48,2	<b>257</b>
2009	97	56	76	44	<b>173</b>
2010	139	63,8	79	36,2	<b>218</b>
2011	100	48,5	106	51,5	<b>206</b>
2012	164	69	74	31	<b>238</b>
2013	150	66	78	34	<b>229</b>
<b>TOTAL</b>	<b>798</b>	<b>65,4</b>	<b>523</b>	<b>34,6</b>	<b>1221</b>

Source: [MADA \(2013 report, complete version published in 2014\)](#)

### 1) MEDIA ORGANIZATIONS AS MILITARY TARGET

In recent years, many Palestinian media organizations have endured military raids, seizures and other repressive actions by the Israeli army. The military, often acting in arbitrary fashion, cites as sole motivation the duty to safeguard the security of the Israeli state. Security rhetoric serves as an all-encompassing justification when other reasons have proved invalid.

The two most recent Israeli military operations in Gaza ("Cast Lead," in December 2008-January 2009 and "Pillar of Defence" in November 2012) have not spared the media. News coverage was clearly one of the victims of "Cast Lead." In a February 2009 report, Reporters Without Borders summed up results: *"Six journalists died between 27 December 2008 and 17 January 2009, two of them while working, and at least three buildings housing media were hit. Foreign journalists were banned from entering the Gaza Strip throughout the conflict"*. The Israeli army had by then already [targeted media with ties to Hamas](#).

During Operation "Pillar of Defence," foreign journalists were not barred from the Gaza Strip. In fact, Tsahal expanded its communications via Facebook and Twitter. But the outcome of the operation was no less tragic: two journalists killed and 11 wounded, including Khadar Al-Zahar of *Al-Quds TV*, who had a leg amputated.

Numerous media were blocked from carrying out their work after the bombing of the Al-Shawa Wa Hassri and Al-Shourouq towers: *Al-Quds TV*; *Sky News Arabia*; *ARD*, a German TV network; and the Arab networks *MBC*, *Abu Dhabi TV* and *Al-Arabiya*, as well as *Reuters*, *Russia Today*, and *Ma'an*, the Palestinian news service.

<sup>4</sup> See Reporters Without Borders report: ["Israel/Gaza - Operation 'Cast Lead': News control as military objective"](#)

An Israeli army spokesman said, via the Twitter account @IDFspokesperson, that the buildings which had been hit housed a Hamas communications centre. [Reporters Without Borders stated](#): “Even if the targeted media support Hamas, this does not in any way legitimize the attacks. We call for a transparent investigation into the circumstances of these air strikes. Attacks on civilian targets are war crimes and serious violations of the Geneva Conventions. Those responsible must be identified”.

According to information gathered by the [organization 7thEye](#), the Israeli Army opened an investigation into the targeting of media during “Pillar of Defence”.

IDF abuses of Palestinian media are not confined to military operations in the Gaza Strip. A West Bank journalist expressed outrage that “*licences issued by the Palestinian Authority offer no protection against arbitrary actions by the Israeli army, which when it wants to can silence a Palestinian media outlet, even if it is located in Zone A.*” Many media organizations have been affected by mistreatment of this kind, including *Tarik El-Mahabeh* radio in 2002, and *Gamma TV* in 1997.

More recently, on 6 June 2014, [the Israeli police prohibited broadcast of the weekly programme “Good Morning Jerusalem,”](#) which is transmitted live every Friday on the Palestinian Authority’s *Palestine TV* channel, from the Palmedia studio in East Jerusalem.

In addition, *Wattan TV*, whose equipment [was confiscated in February 2012](#) (see inset text), and *Al-Quds Educational TV*, a network whose offices are located in Al-Bireh, 2 km from Ramallah, in territory controlled by the Palestinian Authority. On 20 November 2011, the Israeli communications ministry ordered the closing of radio [Kol Hashalom \(Voice of Peace\)](#), based in annexed East Jerusalem and broadcasting from Ramallah in the West Bank. The station was accused of not being licensed to broadcast and of “inciting hatred towards Israel!”

In reality, this station had been broadcasting programs in Hebrew and Arabic for the past seven years, encouraging efforts to promote peace and dialogue between Israelis and Palestinians. Before the move against that broadcaster, [Radio Bethlehem 2000 \(Sawt Bethlehem 2000\)](#) had [arbitrarily been shut down](#) and had its equipment seized by the Israeli army.

## WATTAN TV – “THE SECURITY DOCTRINE ALLOWS EVERYTHING TO BE LEGITIMIZED IN ISRAEL, EVEN ARBITRARY ACTIONS.”

On the night of 28 February 2012, the Israeli army mounted [a raid](#) against the offices of *Wattan TV* located in Ramallah, in territory controlled by the Palestinian Authority. Some of the network’s equipment was seized, including transmitters, as well as administrative files and other company documents.

Israeli authorities have put forward three different justifications for the military operation. At first, they said the *Wattan TV* broadcast frequency interfered with Israeli media transmissions. The network rebutted that argument, noting that the *Joint Technical Committee* established by interim Israeli-Palestinian accord (Oslo II) had not been notified of this potential problem, as the accord required.

The second reason given was that the *Wattan TV* frequency interfered with various communications systems. *Wattan TV* also rejected that explanation on the grounds that the alleged interference had not previously been reported to the *Joint Technical Committee*.

The Palestinian Authority’s ministry of telecommunications and information technology and the Ramallah Governorate have noted the Israeli authorities refused to consult the *Joint Technical Committee* before carrying out the raid and seizing equipment.

In January 2013, part of the seized equipment was returned, though it had been rendered useless. And the Israeli army finally decided to officially confiscate the transmission equipment. But official notice of the seizure came only in August 2013, 18 months after the fact.

The [final official justification](#) given by the Israelis was that it “posed a threat to defense activities”, as well as “communications systems”. Since the security doctrine was invoked, no further details had to

be supplied. It should be noted that the authorities resorted to this argument more than one year after the raid, effectively illustrating the arbitrary nature of the confiscation.

On 4 December 2013, the [Israeli Supreme Court decided](#) not to overturn the Israeli army order to seize the network’s transmission equipment. That day, the government’s lawyer requested an *ex parte* hearing in order to show how the country’s security concerns justified the equipment seizure. The court accepted the closed hearing request, although the *Wattan TV* lawyers, Michael Sfard and Noa Amrami, pointed out the importance of the need to respect the right to present a counter argument to each item of state evidence. At the end of the 15-minute hearing, the court decided, without giving any reasons or justification, not to overturn the Israeli army decision to confiscate the *Wattan TV* equipment. The court decision upheld the argument that *Wattan TV* broadcasts interfered with some communications that touched on security.

However, the Israeli Supreme Court did not close the case. Concluding that *Wattan TV* had used an illegal broadcasting frequency, the court granted the network 45 days to acquire a new frequency. *Wattan TV* complied, obtaining a new frequency from the Palestinian Authority’s telecommunications and information technology ministry. But Israel, whose consent was required under the 1995 accord between Israel and the PLO, refused to go along. And on 24 April 2014, the network’s lawyer received [a message from the legal department of the Israeli army](#) threatening to mount a new raid if the network continued to broadcast programs. The IDF justified this new demand to shut down broadcasting with a claim of interference by the new frequency with communications at Ben Gurion Airport – therefore, a security threat. Arguing that the network obtained the new frequency illegally, the IDF said the network’s move violated the provisions of Oslo II by posing a threat to regional security.

## 2) THREATS TO THE PHYSICAL WELL-BEING OF MEDIA WORKERS

A West Bank journalist told RWB in October 2013: *“These days, the Israeli army is treating Palestinian journalists as if they were demonstrators. They make no distinction.”* On 29 November 2013, more than a dozen Palestinian and foreign photojournalists covering clashes between Palestinian demonstrators and Israeli soldiers were at the Qalandia border crossing when they came under fire from rubber bullets fired at head height, followed by stun grenades. The [Foreign Press Association issued](#) a press release condemning the lack of a credible investigation by the Israeli army.

A few months earlier, on 8 April 2013, **Mohamed Al-Azza**, a photographer for the Palestine News Network, was in the Aida refugee camp, in the West Bank 2 km from Bethlehem, in the office of the Lajee Center, which specializes in youth education and cultural activities. He was photographing an incursion by Israeli troops [when he was targeted](#). Hit on his right cheekbone by a rubber-coated steel bullet, he was taken to Beit Jala Hospital and underwent surgery that evening. According to information reaching RWB, the Israeli army has launched an internal investigation into the incident.

In May 2011, Palestinian photojournalist **Mohamed Othman** was seriously wounded by a shot fired by an Israeli soldier near the Beit Hanoun (Erez) checkpoint in the Gaza Strip, where he was covering clashes between young Palestinians and the Israeli army on the anniversary of the “Nakba” (the 1948 Palestinian exodus). He was [hit in the chest](#) and taken to Al-Shifa Hospital, before undergoing several operations abroad. Othman is now partially paralyzed. His lawyers, who filed a case in the Israeli courts, are still awaiting the results of an investigation.

Although the army does carry out some investigations, they are rarely concluded. For example, Israeli photographer **Mati Milstein** [filed a complaint](#) against the Alexandroni Brigade after being targeted on 29 July 2011 while working with other photojournalists on the outskirts of the village of Nabi Saleh. He received a response in late 2011 in the form of a letter from Lieutenant-Colonel Avital Leibovich, an army spokeswoman, which amounted to a flat refusal to investigate. The officer, who did not address the clashes at Nabi Saleh, said that armed forces had responded appropriately to what they considered one of the *“illegal and violent demonstrations”* that had taken place at that location. In addition, the spokeswoman emphasized that the complaint was ill-founded given the danger involved in covering parts of the West Bank: *“Members of the media are sometimes caught in the eye of the storm.”* Photojournalists must assume responsibility for the risks they face, the spokeswoman said. Milstein, in an [article published on the 972.mag.com](#) site, took issue with this response. A clear difference existed, he wrote, between assuming a risk and being designated as a military target.

Meanwhile, Israeli authorities have no qualms about arresting Palestinian journalists because of their work. In the most recent example, *Al-Quds* Jerusalem correspondent **Mohamed Jamal Abu Khdeir** was [arrested](#) on 6 November 2013 as he walked off an airplane on his return from Cairo where he had covered a meeting between Arab League foreign ministers. The same day, his residence in Jerusalem was searched. And four days later, an Israeli court issued a “gag order,” preventing Israeli media from publishing facts concerning a case. The order was renewed, but the journalist was [finally freed one month later](#), on 5 December.

## 3) OBSTACLES TO FREEDOM OF MOVEMENT

Shortly after the second *Intifada* began, the Israeli government press office (GPO) stopped accrediting Palestinian journalists, many of whom were working for international news organizations. Since then, they have been allowed to apply for credentials, but most are dismissed. Only a handful of Palestinian journalists possess the precious document. Accreditation allows the holder to pass through checkpoints and to attend press conferences and other official events organized by the Israeli government or army in Israel, including Jerusalem.

In addition, a press pass offers some protection in conflict zones. Although these journalists are officially accredited by the Palestinian information ministry, the [Israeli authorities do not recognize that accreditation](#). Consequently, journalists with only that credential cannot cover certain events or interview Israeli officials. Even in the West Bank, their freedom of movement is limited, and they are barred from East Jerusalem and the Gaza Strip. These journalists are thus subject to the same rules and restrictions on movement as all Palestinians, with the [exception of those from East Jerusalem](#)<sup>5</sup>. The latter can go to the West bank, with a press card from the Palestinian information ministry, and cover events in Israel and Jerusalem if they also are accredited by Israel's GPO. Abdul Nasser Najjar, leader of the West Bank journalists' union, [said](#) in August 2013 that *“ninety-five percent of Palestinian journalists are not authorized to travel in the West Bank. They have even been stopped at checkpoints while ordinary citizens are let through.”*

<sup>5</sup> “Restrictive measures continue to be applied concerning identity papers and residency status for Palestinians in East Jerusalem. Following the Israeli occupation of East Jerusalem in 1967, Palestinian residents of the city were granted the status of ‘permanent residents’ of Israel. This status gives them right to live in Jerusalem and work in Israel, with no specific permit required. In order to retain this status, residents must regularly prove that their lives are centred in Jerusalem. If they are not able to persuade Israeli authorities, their status is revoked and they lose the right to reside in the city. Between 1967 and mid-2010, about 14,000 Palestinians had their status revoked. Unlike Israeli citizenship, permanent resident status is not automatically inherited by non-Jewish children, who acquire the status only under certain conditions”.



Israeli journalists, however, are allowed to travel to Zones B and C of the West Bank without having to go through any special procedures. To interview a Palestinian minister in the *Mukata'a* – the presidential palace – or to travel in Zone A, they must give advance notice to Israeli military authorities. But, like all Israeli citizens, they have been banned from travel to Gaza since 2006. Israeli journalist [Amira Hass](#) broke this prohibition in 2008 and 2009.

As for foreign journalists, they can work in Israel and in Palestine, with accreditation from the GPO. For the West Bank, they must have authorization from the information ministry. In Gaza, they are required to have accreditation from the Hamas government there (see inset text). A Palestinian journalist based in Ramallah concludes that *“the near-impossibility of travel puts Palestinian journalists at a disadvantage. The result is that stories about Palestine are reported by other journalists”*.

In response to this discrimination, and in order to highlight the travel problems, some Palestinian journalists called during the summer of 2013 for a boycott of press conferences in Ramallah. Israeli journalists attend these events, and the Palestinians asked the Israelis to sign a [petition supporting their freedom](#) to travel. But the boycott initiative did not receive unanimous support. *“The boycott does not solve the problem,”* said one journalist opposed to the idea. *“On the contrary, I think to make Israeli public opinion evolve, in addition to the great voices of Haaretz such as Amira Hass or Gideon Levy, more Israeli journalists need to reflect Palestinian reality in their reporting.”*

Another initiative: [petition](#) sent in July 2013 to the UN Secretary-General [to demand](#) that Israeli authorities allow Palestinian journalists to travel freely in Palestine and Israel. Palestinian Authority President [Abbas signed](#) the petition.



## B – FACING THE PALESTINIAN SECURITY FORCES

Some journalists consider the Israeli army as the source of most of their problems, but others believe the main day-to-day pressures come from Hamas in Gaza and the Palestinian Authority in the West Bank.

One journalist sums up the situation: *“In the beginning, problems came mainly from the Israeli occupation. The Palestinian Authority carried no weight. Israel laid down the law, military censorship prohibited publication of some articles. Today, this censorship remains, as does the occupation, but fewer incidents are recorded. At the same time, the Palestinian Authority has begun to exercise its power. From 2003 to 2006, the country was in chaos, so one could write anything! No censorship! In 2007, the ‘division’ (Inqissam) shook everyone. What is written pleases one and therefore displeases the other, who will automatically react. However, the situation has improved slightly”.*

According to MADA, the years 2007 and 2008 were marked by a worrisome number of freedom of information violations (110 in 2008 alone). Things improved somewhat until 2011, a year in which the organization documented an increase in violations (106 cases, compared with 16 and 79 respectively in the preceding years). In 2012, the number fell again (to 74 cases, i.e. 31 percent of the violations committed in Palestine). At the same time, MADA noted [at the end of 2013](#) a clear deterioration in Gaza after the Egyptian crisis in 2013. The number of violations in the West Bank continues to decline.

	West Bank	Percentage (%)	Gaza	Percentage (%)	TOTAL
2008	66	60	44	40	<b>110</b>
2009	49	64,5	27	35,5	<b>76</b>
2010	46	58,2	33	41,8	<b>79</b>
2011	44	41,5	62	58,5	<b>106</b>
2012	37	50	37	50	<b>74</b>
2013	28	35,9	50	64,1	<b>78</b>

Source : MADA (2013 annual report, published in 2014)

## 1 - THE 2007 DIVISION AND ITS REPERCUSSIONS ON PRESS FREEDOM

### THE DARK YEARS

Since Hamas' seizure of power in the Gaza Strip and the political split, newspapers regarded as close to the Palestinian Authority (*Al-Ayam, Al-Hayat Al-Jadida and Al-Quds*) were banned in Gaza. Reciprocally, *Al-Istiqlal* of Islamic Jihad, and *Falestin* and *Al-Rissala*, close to Hamas, were banned in the West Bank. Television channels were treated the same way.

After 2007, journalists in Gaza who were members of, or close to, Fatah have been subjected to harsh repression by the armed branch of Hamas (before its transformation into an official security force). In The West Bank, journalists known for having links to Hamas receive the same treatment. According to one Palestinian journalist, *“Many journalists have been arrested not because of their journalistic activities but for ‘security reasons.’ In the West Bank and Gaza, Palestinian leaders adopt the same terminology used by Israeli authorities... A journalist close to Hamas while a student will always be categorized that way by the Palestinian Authority, even if in the meantime he has distanced himself from Hamas.”* A foreign observer notes the irony: *“The occupied mimic the occupier.”*

In Gaza as in the West Bank, authorities tolerate only the media and journalists who pledge allegiance to them, or at least do not criticize them. The division has only strengthened this tendency. Thus, journalists working for media affiliated with Hamas deplore the attitude of West Bank political figures who refuse to share information with these journalists.

Nevertheless, a foreign diplomat on active service believes conditions for basic rights are better in the West Bank than in the Gaza Strip. A West Bank media executive agrees: *“Even though arrests and arbitrary detentions still occur and torture is frequent, journalists' lives are not in danger here, unlike in Gaza.”* A Gaza journalist close to Hamas rejects this charge.



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## THE CAIRO AGREEMENT OF 2011: ADVENT OF A PALESTINIAN SPRING?

In the West Bank and in the Gaza Strip, the Cairo Agreement of May 2011 brought improved conditions for journalists, as well as a better climate for freedom of information. The agreement was signed at a time when the Arab Spring was flowering in the region. Journalists felt the effect immediately. Reporters for *Al-Aqsa TV*, affiliated to Hamas, were allowed to cover events in the West Bank, and those of *Falestin TV*, a Fatah affiliate, were able to get their cameras out again in Gaza.

The agreement marked a new phase in relations between the Palestinian Authority and Hamas. And the thaw is not without benefits for journalists working in the Palestinian Territories: *“One is no longer caught up in the permanent ping-pong between Fatah and Hamas that began in 2007,”* a media executive says. *“Journalists used to spend their time criticizing the other side. Today, one can write about issues that used to be taboo. There are even Fatah journalists who criticize Fatah! And some who could not even be published before are seeing their articles in newspapers again.”* A colleague says: *“I can even quote statements by opposition figures, which was not possible before.”*

But here, too, everything depends on a journalist's political label and personal relations. As one journalist says: *“Criticism is only acceptable if it comes from chosen insiders. They work for the good of the party, not to overthrow it. And even if this criticism is better received than criticism from an outsider, it can only be made within precise guidelines.”*

For a long time, thaw was not a synonym for détente. Not until April 2014 could newspapers close to the Palestinian Authority be distributed in Gaza, or those affiliated with Hamas sold in newsstands in the West Bank, and for *Al-Quds TV* and *Al-Aqsa TV* teams to be allowed to cover stories about the president and meetings at the *Mukata'a*. The branch of the journalists' union affiliated with Fatah was likewise able on 14 May to resume its long interrupted activities. New elections were to be organized, for March 2015 at the latest, in the West Bank, Gaza and East Jerusalem (see inset text on the union). But all is not well, as seen in the attack by security forces on *Al-Aqsa TV* cameraman **Ahmed Khateeb**, as [he was covering a sit-in](#) at the Palestinian intelligence services headquarters in Tulkarem city on 6 June. MADA has registered no fewer than 10 attacks on freedom of information in May 2014 alone.

## SOCIAL MEDIA, A NEW SPACE FOR EXPRESSION?

In reaction to the partisan, sclerotic media who are “their masters' voices”, and do not help the Palestinian political elite renew itself, the Internet has become the place where Palestinians – especially young people - express themselves. Young people can let go, especially on Facebook, expressing without restraint their discontent and frustration. Insult and slander, not to mention defamation, are common. One journalist acknowledges: *“Facebook is where I can express myself freely, as long as I do not represent my news organization.”*

Though the Web allows greater freedom of expression, it is also a center of rumors. Often, some journalists accept these as fact, without taking the trouble to verify them. These professional slip-ups can be explained in part by the fact that Palestinian media organizations are still fairly new. *“Many young people lack the basics of journalistic culture.”*

Finally, one foreign observer notes that, unable to find a place for themselves in a media environment where the “old guard” reigns, the new generation *“is radicalizing itself through social media, without proposing a political alternative to Fatah and Hamas.”* The observer noted a *“journalistic and societal regression”* and a *“major generation gap”*.

It should be remembered that the Web is closely watched by the security forces of the Palestinian Authority and Hamas, looking for hostile comments.

## 2) THREATS OF FREEDOM OF INFORMATION IN GAZA AND THE WEST BANK

### TARGETED ARRESTS AND INTERNET LOCKED OUT IN THE WEST BANK

National and foreign observers agree that things are better in the West Bank than Gaza but are still far from ideal, in particular for those associated with, or presumed to be associated with, Hamas. One West Bank journalist who enjoys considerable freedom, acknowledges that *“things would be different if I was Hamas”*. A colleague went further: *“These days I can't go and see anyone from Hamas without running the risk of being questioned. Hamas leaders don't want to do it either. So the problem is there's no debate...”*

In the words of another: *“Things are much better than they were in 2009-2010, but further improvement is needed.”*

One foreign observer points out that pressure by the Palestinian Authority is insidious compared with the radical measures often taken by Hamas. As one Palestinian journalist working in the West Bank put it: *"Neither Hamas nor the Palestinian Authority understands what journalism is, or that it is in their interests to have independent media."*

Because of the importance of new media, the Palestinian Authority has boosted its surveillance of the Internet. Thus since 2011, journalists and activists have been arrested by the security forces for "insulting the Palestinian president", most often for [comments posted on Facebook](#). Several people noted the existence of a cyber police force, known as "Qism IT", which was officially denied by the deputy information minister, Mahmoud Khalifeh<sup>6</sup>.

The journalist **Mamdouh Hamamreh**, who works for pro-Hamas *Al-Quds TV*, has first-hand experience of this surveillance. He [was arrested](#) by the intelligence services in Bethlehem in October 2012 as a result of a complaint (no. 128/2012) by the public prosecutor for publishing a photo of the president on his Facebook page a few days previously. He was imprisoned in Bethlehem jail and released 53 days later. In late 2012, he received a one-year suspended sentence, which was changed to an actual jail term in March 2013, for insulting the Palestinian president and publishing "hate-filled" content. Hamamreh was eventually pardoned by President Mahmoud Abbas.

Hamas journalists are not the only ones to be concerned. **Ismat Abdel-Khaleq**, a journalist and blogger, was arrested on 28 March 2012 as a result of comments posted on her Facebook page that were deemed to be insulting and misleading. She was accused of harming national unity and undermining the Palestinian Authority and its president. She explained that the comments were posted on Facebook by other people and she was released on 8 April after paying a fine of 2,000 shekels (420 euros).

Journalist **Tariq Khamis** was arrested on 1 April 2012 and questioned about his support for Abdel-Khaleq on his Facebook page, among other things. On the same date, **Jamal Abu Rahman**, an online activist, was also arrested by the security services in Ramallah over his Facebook page entitled *"the people want an end to corruption"*, which had more than 6,000 links. Two weeks earlier, the journalist and activist **Shahd Bani-Odeh** was summoned by Palestinian intelligence in connection with a cartoon of Mahmoud Abbas published on Facebook. The summons was withdrawn after various officials, including a representative of the journalists' union, interceded on her behalf.

The result of all this is the growth of self-censorship online. According to one pro-Hamas journalist in the West Bank: *"It's simple. From now on I will only write personal things on Facebook."*

Some television programs face punishment for being too outspoken. Such was the case with the satirical show *"Watan ala Watar"*, shown on the Palestinian Authority's popular station *Palestine TV*. Yasser Abed Rabbo, secretary-general of the Palestine Liberation Organization, was head of the station at the time and pointed out that the existence of such a programme showed how much freedom of expression had improved in the West Bank. The program was [taken off the air](#) after complaints were made, in what many Palestinians saw as a dangerous departure.

Not content with suppressing critical programmes, the Palestinian Authority has no hesitation in arresting journalists it sees as troublesome. **George Canawati**, editor of the radio station *Bethlehem 2000*, was arrested at his home in Beit Sahur on 10 November 2013 on the orders of the Bethlehem public prosecutor, and his house was searched. He was charged with "defamation" and "abuse" after the latest edition of his weekly program was shown and arraigned before a judge the next day. He said he was physically assaulted during his arrest and interrogation. He was released on 12 November. Some Palestinian journalists believe he was detained because of derogatory comments about the Bethlehem police commander, Omar Shalabi.

It was not the first time that Canawati had been "punished" for his criticism of Palestinian Authority figures, including the governor of Bethlehem, Abdel Fattah Hamayel. Earlier in 2013, he [was arrested](#) for mentioning a Fatah leaflet criticizing the Mayor of Bethlehem, Vera Baboun, who had brought proceedings against him for "activity aimed at stirring sectarian strife", [defaming a public official and forgery](#).

He had been [prosecuted in 2011](#) for insults and defamation after he criticized the city's medical services.

On 15 November 2010, he [was arrested and held](#) for five days after a news report on the existence of disagreements between Palestinian Authority President Mahmoud Abbas and Mahmoud Dahlan, a member of Fatah's central committee.

The links between the Palestinian Authority and the foreign media should also be highlighted. To gain media attention for its activities among decision-makers and the public abroad, the PA shamelessly makes use of foreign news organizations, bypassing – even short-circuiting – its own journalists.

<sup>6</sup> Interview on 3 November 2013

## TENSION IN GAZA SINCE THE EGYPTIAN CRISIS

From 2007 up till now, Hamas has moved from an armed resistance movement to being part of the government, managing and administering a territory. However, it still exercises strong pressure on the media and barely tolerates any news and information it believes is aimed against it. However, the means of repression and control have changed. Although the levels of violence are nowhere near those of 2007 and 2009<sup>7</sup>, there is still cause for concern.

That didn't stop Yasser Abu Heen, head of the Gaza journalists' union from March 2012 until July 2013, from stating that there was no policy of repression towards the media in the country. He seemed to overlook the journalists who were arrested in connection with their work while he was in charge of the union. Like most senior media figures who are spokesmen for Hamas, he believes things are worse in the West Bank than in Gaza.

However, on 25 December a month after Operation "Pillar of Defence", the Gaza authorities [banned local journalists](#) and reporters from cooperating with "Zionist media due to its hostility". Similarly, [government officials were also banned](#) from giving interviews to Israeli press or television.

The journalist **Abeer Ayoub** [objected](#): "*We Palestinians are losing the opportunity to make our voices and our story heard by the Israeli public.*"

However, Ihab al-Ghusein, head of the Hamas government's media office, disagrees: "*Working with these media organizations amounts to normalising the occupation and thus constitutes a form of collaboration.*"

Furthermore, journalists point out that it is not always easy to leave the Gaza Strip via the Rafah border post. Leaving the territory requires coordination with the Gaza interior ministry and depends on the goodwill of the current authorities. Thus **Mounir Al-Maniyarawi** was banned from travelling to Egypt on 22 October 2013.

Since the overthrow of Mohamed Morsi as president of Egypt in July last year, there has been a noticeable increase in tension in the Gaza Strip. One foreign diplomat pointed out in late 2013 that the diplomatic choices made by the protest movements in Syria and Egypt have had a high political cost. Hamas, which had close links with the Syrian government for many years, changed its tune in February 2012. Its leader Khaled Meshaal, who lived in Damascus for years, [moved to Qatar](#), turning his back on the Tehran-Damascus axis. Overnight, Hamas lost the financial support of Iran, believing it would make up the loss with backing from the Gulf monarchies, Qatar in particular, and the Muslim Brotherhood in Egypt.

However, things wend rapidly downhill after Morsi was removed from office and the violent crackdown on the Muslim Brotherhood in Egypt. The new authorities in Egypt decided not only to close the border between their country and the Gaza Strip, but also to destroy the tunnels used to smuggle supplies to the Strip, which were a major source of income for Hamas. Weakened and vulnerable, the Gaza authorities closed the offices of the TV station *Al-Arabiya* and the *Ma'an News Agency* in July last year for "disseminating false information", before reversing their decision in November after an outcry over the arbitrary decision (see inset text).

Another sign of the weakness and heightened tension on the part of the Gaza authorities was the large increase in the number of journalists and activists detained, questioned and threatened in September and October 2013, leading up to 11 November 2013, the anniversary of Yasser Arafat's death, which was chosen by the anti-Hamas group [Tamarod](#) for a demonstration against the Hamas government in the Gaza Strip.

Many activists and campaigners received explicit SMS messages threatening them if they took part in the demonstration. "*The government's panic is clearly disproportionate,*" a foreign diplomat said. "*Their over-reaction is indicative of their concern.*" Fearing a bloodbath, Tamarod [called off the march](#).

A journalist known to be ideologically close to Fatah said: "*Hamas only allows its own news outlets to operate freely. Those who say there is genuine press freedom in Gaza are liars, terrorists or Hamas supporters.*"

## CLOSURE OF THE AL-ARABIYA AND MA'AN NEWS AGENCY OFFICES IN JULY 2013

On 25 July 2013, the offices of these two news organizations were closed on the orders of the Gaza public prosecutor with no prior notice or discussion. They were allowed to resume in November. "*The public prosecutor decided to close down the Al-Arabiya and Ma'an offices in Gaza for distributing false news regarding the smear campaign against Hamas and Gaza about what's*

*happening in Egypt,*" a [Hamas official told AFP](#).

A *Ma'an* employee and a Hamas official, who both requested anonymity, told *AFP* the agency was being temporarily closed for a report - citing Israeli sources - saying that Hamas gave refuge in a Gaza hotel to fugitive leaders of the Egyptian Muslim Brotherhood, Mohamed Morsi's movement which was

overthrown by the army on 3 July.

This decision, arbitrary and highly political, was perceived as a strongly negative message to all those involved in journalism and the media in the Gaza Strip. After talks conducted by several leading local figures, the Gaza authorities reversed their decision in November 2013 and the two news organizations were [allowed to resume operations](#).

<sup>7</sup> See RWB report "[Operation 'Cast Lead': news control as a military objective](#)"

### 3) SELF-CENSORSHIP – THE MAIN GAG ON PALESTINIAN JOURNALISTS?

In Palestine, particularly the West Bank, everyone talks, criticizes and comments orally. It is a highly politicised society, but, paradoxically, this is not reflected in the media. One serving diplomat expressed surprise at the discrepancy between what is said and what is published.

*“It’s a puzzle. The main Palestinian news organizations don’t use the freedom that they have. Clearly, things are different in Gaza. But sanitizing debate in this way is confusing, even depressing.”*

According to one foreign journalist, *“three factors explain why Palestinian journalists don’t write what they know: a kind of social censorship, threats and low salaries. They are more daring now than they were before, but still not daring enough. In fact, there is no need any longer to use violence to silence journalists – self-censorship is enough.”*

A Palestinian journalist said ironically: *“Even today, editors still believe that if it isn’t published, nobody will know about it.”* He gave the example of video cameras installed in [the women’s toilets at the finance ministry](#), which hit the headlines during Reporters Without Borders’ fact-finding mission to the Palestinian Territories in October last year. *“Although everyone was talking about it and there were stories all over the Internet, the only newspaper in the West Bank that reported it was Al-Hayat Al-Jadida, even though it is an official news outlet and its editor is appointed by the government.”*

Here is list of some of the subjects that are taboo for West Bank news outlets:

- Politics: Abu Mazen and his entourage, especially cases of corruption, corruption in some Palestinian companies, political prisoners held by the Palestinian Authority (a subject mentioned only in Hamas newspapers), the political activities of Hamas, normalisation of relations with Israel and security cooperation between the Palestinian Authority and Israel,
- Religion,
- Social issues such as clans and families, honour crimes, domestic violence and child neglect.

In most cases, these subjects are discussed freely with no holds barred by Palestinians in the street. But there is no in-depth reporting.

*“Anyone trying to disregard the unwritten ban on the normalisation of relations with Israel is threatened,”* one foreign journalist said. *“Everyone knows about the threats but no-one writes about them.”*

Similarly with corruption in the Palestinian Authority: *“Everyone talks about it but journalists can’t, or won’t, really investigate the subject.”*

And with reference to the *“Inqissam”*, or internal division: *“Since 2007, I have been avoiding anything that touches on the Inqissam. Either I stop myself, or the paper’s management stops me. So there are lots of subjects that we can’t cover any longer.”* Another journalist admitted bluntly: *“I know what can be published in my newspaper and the way it must be written.”*

Foreign news organizations also admit there are some stories they are not able to publish without getting into trouble, such as corruption among Abbas’s entourage or on the Jenin governorate: *“Even when it comes to Israel, there are some stories we can’t write.”* Most journalists we spoke agreed that self-censorship was more prevalent in the Gaza Strip than, especially after the authorities ordered the closure of the *Al-Arabiya* and *Ma’an* offices in July 2013<sup>8</sup>. However, the subjects that are sensitive there are different from those in the West Bank, such as corruption within Hamas. The issue of resistance to Israel is not up for discussion.

According to one foreign journalist: *“The tunnels are a sensitive subject since they are a big source of income for the Hamas government and their closure by the Egyptians over the summer caused a drop in earnings.”*

Other sensitive subjects include Hamas security forces and radical anti-Hamas groups.

Political control of the media is all the greater since they have always been politicised. In the West Bank or Gaza, as soon as a red line is crossed reaction is swift, from a phone call to the journalist or his editors, to an arrest. Some news organizations are ordered by the *mukhabarat* (intelligence service), to submit their programmes before they are broadcast. The constant feeling of being watched breeds fear and self-censorship.

Most journalists are in agreement that the potential consequences depend on their ties with the local authorities or political leaders.

*“If the journalist has ties with lots of people, he will not only have easier access to information, but will also enjoy some protection,”* a West Bank reporter said.

Self-censorship is a result not just of political or security pressure.

*“In Palestine, society also prevents us from talking about certain things such as drugs or rape. And the weight of society and its taboos on some journalists can be greater than that of the Palestinian Authority and the security services.”*

Shouldn’t the overriding issue be the struggle against occupation, with everything else of secondary importance? *“As a Palestinian journalist, I always weigh up the pros and cons before tackling certain subjects,”* he said. *“The interests of Palestine take precedence over everything else.”*

So the only subject on which Palestinian journalists can write freely is criticism of the Israeli occupation, which strengthens national unity and diverts attention from internal divisions. Only “traitors” would air dirty linen in public.

The Israeli journalist Amira Hass, *Haaretz* correspondent in the Palestinian Territories, said<sup>9</sup> in a speech to the media forum *Tribunes de la presse* in Bordeaux last October that she exercised self-censorship in order to avoid the game of “Israeli voyeurism” towards the Palestinians, particularly on some social issues. “*I’m not there to spy,*” she said. This means there are practically no in-depth investigations in newspapers and other news media. Journalists are often happy to editorialize, without analysis or investigation, confusing opinion with information. “*They give their political opinions, although that is not their job! (...) Neither the public nor even those working in the media understand what being a journalist involves.*”

<sup>8</sup> See above. Note that the fact-finding visit took place in late October 2013, before the authorities decided to allow the two news organizations to resume operations.

<sup>9</sup> Conference organised on 18 October 2013 – « [Quand les journalistes acceptent de la boucler](#) »

## SPECIAL CONDITIONS FOR FOREIGN JOURNALISTS

Foreign journalists who want to work in Israel or the Occupied Territories must obtain accreditation from the Government Press Office (GPO). This permit is linked to the acquisition of a residence permit, which requires validation by Israel's Shin Bet security service. Foreign journalists are entitled to five one-year visas. Beyond that, they are required to appear before a commission. Besides registering with the GPO, they also need a Palestinian press card if they plan to work in the Territories.

Since 25 September 2011, all foreigners who want to go to Gaza **must obtain prior permission** from the Gaza authorities. The process takes 48 hours. The journalist may then obtain a renewable annual permit. He must also, however, provide the name of a guarantor, whom the authorities have no qualms about calling to check on the journalist's work and the subjects he covers.

The Hamas authorities appear to be taking a closer interest in the work of foreign journalists. Thus, in order to write a story on the Gaza tunnels, they have to obtain a one-day permit. Hamas also controls departures by sea. One journalist notes visas have become tighter.

## 4) CHALLENGE OF ACCESSING INFORMATION AND LEGAL LIMBO FACING JOURNALISTS

“*Access to information is a real problem,*” said one journalist who works for a foreign news organization. “*But everything depends on a journalist's connections. Some get preferential treatment from politicians.*”

A colleague laments that the heads of government ministries have not received any instructions on how to respond to journalists and provide them with the information they need and are not told to stop favouring some news organizations over others.

In 2012, **MADA drew up a draft law on access to information** and sent it to the office of the prime minister, rather than getting the Palestinian Legislative Council to approve it. In fact, the council has not met since 2007 and no legislation has been passed since. To get around the stalemate caused by the division between Fatah and Hamas, the council of ministers can send draft legislation to the legal committee in the president's office for publication as a presidential decree, pending its approval by parliament. Late last year, all those encountered during RWB's visit pointed out the extent to which institutional stalemate was paralysing the whole country.

In the world of journalism, the 1995 law regulating the print media is obsolete. Since there is no independent broadcasting council to guarantee media pluralism, set specifications and issue licences and other permits, there are no provisions for broadcasting. The same applies to new media. Given the large number of television and radio stations in the West Bank and Gaza, the Palestinian authorities must urgently establish some order in the broadcasting sector and end the current chaos.

The 1995 law was signed by Yasser Arafat without any genuine discussion. One journalist noted that “*the law does not guarantee our freedom today*”. An agreement was reached in Jericho in late 2012 providing for a representative of the journalists' union to be present when a journalist is arrested and questioned, and for specialist judges to be appointed to deal with press offences.

Journalists are also awaiting a code regulating their rights and duties. Many of them are angry that “*few people understand the meaning of the words 'ethics' and 'professionalism.'*” It all starts with checking one's sources... It is therefore crucial that agreed efforts are made to improve the professionalism of Palestinian journalists, for example in training courses.



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## CONCLUSION

### THE WAY OUT INVOLVES TWO CLOSELY INTERTWINED ISSUES: AN ADVANCE IN THE PEACE PROCESS AND A LASTING AND EFFECTIVE RECONCILIATION BETWEEN THE PALESTINIAN AUTHORITY AND HAMAS

Concerning the policies of different Israeli governments since the Oslo Accords of 1993, the fear is that the vice Israel and its security forces clamped on Palestinian society, including the media, will not loosen.

What of the second, intra-Palestinian vice? Journalists and political figures that we met agreed that the future will depend on political developments and the creation of a genuine government structure. The solution is political, not just for the media but in all fields, and will be achieved with agreement between Fatah and Hamas.

Commenting in late 2013, one Palestinian analyst was less than optimistic: *“Both sides are responsible for this situation. Each wants its own interests to prevail.”* Will the agreement reached this April prove him wrong? It was not the first agreement between the Palestinian Authority and Hamas since 2007...

The state of relations between Israel and the Palestinian Authority, and progress -- or lack of it -- in the peace process influences ties between the Palestinian Authority and Hamas, and has a knock-on effect on freedom of the press. Indeed, progress in the talks strengthens the position of the Palestinian Authority in intra-Palestinian relations, which causes an imbalance and leads to tension with Hamas.

*“In the 1990s, a time of intense negotiations, the Palestinian Authority arrested many Hamas members,”* an analyst said in late 2013. *“When the talks broke down, relations improved. If they go back to the negotiating table, we can expect more arrests and things to get worse.”* It would appear that recent failures on the part of the US administration to revive the peace process have had a positive effect on relations between the Palestinian Authority and Hamas...

As far as the media are concerned, an insider with a keen sense of the issues summed the situation: *“It takes time for things to change. Maybe a decade, all the more so because borders are closed, journalists are not able to move freely and division prevails ... during that time the generation now running the media will have handed over to a new one.”*



## CHRONOLOGY 1947-2014 (NON-EXHAUSTIVE)

**29 November 1947:** UN partition plan of Palestine (two independent states, one Jewish, one Arab; Jerusalem under international control).

**14 May 1948:** Israel declares independence following end of the British Mandate in Palestine.

**14 May 1948-1949:** First Arab-Israeli war.

**October-November 1956:** Second Arab-Israeli war.

**May 1964:** Creation of the Palestine Liberation Organization.

**1967:** Six-Day War.

**22 November 1967:** UN Security Council adopts Resolution 242, which provides for the evacuation of occupied territories in exchange for mutual recognition by all Middle Eastern States.

**February 1969:** Yasser Arafat elected as president of the PLO executive committee.

**October 1973:** Third Arab-Israeli war.

**28 November 1973:** Arab League recognizes PLO as sole representative the Palestinian people.

**22 November 1974:** UN General Assembly recognizes Palestinians' right to "sovereignty and national independence".

**7 December 1987:** First Intifada (also known as "the war of stones") begins.

**9 December 1987:** Hamas founded.

**October, 1991:** Madrid Conference.

**13 September 1993:** Signature of Oslo Accords (Oslo I) calling for five-year transitional period of Palestinian autonomy.

**4 May 1994:** Signature of Cairo Agreement on the autonomy of Gaza Strip and West Bank city of Jericho.

**22 September 1995:** Signing of Taba Accord (or Oslo II), an intermediate agreement concerning West bank and Gaza Strip.

**20 June 1996:** Yasser Arafat elected president of Palestinian Authority.

**28 September 2000:** Likud leader Ariel Sharon visits Temple Mount; second Intifada (Al-Aqsa Intifada) begins.

**29 March 2002:** Israeli military's "Operation Defensive Shield" against the Makataa (presidential palace) in Ramallah.

**22 March 2004:** Israeli raid kills Sheikh Yassin, Hamas founder.

**8 February 2005:** Sharm el-Sheikh Memorandum, end of Second Intifada.

**11 November 2005:** Yasser Arafat dies.

**9 January 2006:** Mahmoud Abbas elected president of Palestinian Authority.

**25 January 2006:** Hamas wins parliamentary elections.

**21 February 2006:** Abbas names Ismail Haniyeh as prime minister.

**17 March 2006:** Fatah refuses to join government formed by Hamas.

**7 April 2006:** European Union suspends aid.

**28 June 2006:** Israeli military launches "Operation Summer Rain" in Gaza Strip (expanded to West Bank in July).

**15 December 2006:** Abbas announces forthcoming general election, challenged by Hamas, which considers the decision an attempted coup.

**9 February 2007:** Mecca Agreement, overseen by Saudi Arabia, calls for ceasefire and establishment of national unity government headed by Haniyeh.

**15 March 2007:** Abbas accepts makeup of national unity government named by Haniyeh.

**14 June 2007:** Abbas dissolves national unity government with Hamas and declares state of emergency. Haniyeh is dismissed, and Abbas issues presidential decree declaring his authority in Gaza and West Bank. Hamas calls decree worthless and reiterates recognition of Haniyeh as head of government, despite its dissolution.

**14 June 2007:** Hamas takes over Gaza.

**15 June 2007:** Abbas nominates Salam Fayad as prime minister.

**27 December 2008-17 January 2009:** Israeli military launches Operation Cast Lead in Gaza.

**23 October 2009:** Abbas calls parliamentary elections for January 2010. Hamas refuses to hold the elections in Gaza.

**12 November 2009:** Palestinian Authority indefinitely postpones the newly scheduled elections.

**May 2011:** Fatah and Hamas officially reconcile in Cairo Agreement.

**November 2012:** Israeli military launches "Operation Pillar of Defence" in Gaza.

**29 November 2012:** UN General Assembly votes to grant Palestine status as Non-Member Observer State.

**23 April 2014:** Hamas and Fatah sign reconciliation accord.

**12 June 2014:** Israeli military "Brother's Keepers" launches operation

**INVESTIGATION BY SOAZIG DOLLET**

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### REPORTERS WITHOUT BORDERS

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