

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	969
Land:	Gaza-Vestbredden
Kilde:	United Nations Office of the High Commissioner for Human Rights
Titel:	Israel's discriminatory administration of the occupied West Bank, including East Jerusalem
Udgivet:	7. januar 2026
Optaget på baggrundsmaterialet:	20. januar 2026

THEMATIC REPORT

Israel's discriminatory administration of the occupied West Bank, including East Jerusalem

7 January 2026



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

Occupied Palestinian Territory

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INTRODUCTION AND CONTEXT

1. This thematic report considers the human rights situation in the occupied West Bank, including East Jerusalem, with a focus on Israel's discriminatory administration there in violation of international law, including Article 3 of the International Convention on the Elimination of all Forms of Discrimination (ICERD). The Office of the High Commissioner for Human Rights (OHCHR) has raised concerns of discrimination against Palestinians for decades, alongside other violations of international humanitarian law and international human rights law. The report does not reflect the situation in Gaza, which is documented in other reports.¹
2. The report's focus also follows the 19 July 2024 advisory opinion of the International Court of Justice (ICJ), which held that Israel's applicable policies and practices constitute a breach of Article 3 of ICERD.²³ On 21 August 2024, the *ad hoc* conciliation commission established by the Committee on the Elimination of Racial Discrimination under article 12 (1) (b) of the ICERD found the systemic discrimination against Palestinians living in the Occupied Palestinian Territory, together with the restrictions of movement imposed on Palestinians through checkpoints, as well as limited access to roads, natural resources, land and basic social facilities, amounted to a situation of racial segregation.⁴ The *ad hoc* conciliation commission further stated that those acts may amount to a situation of apartheid if no action was taken by Israel to effectively address the issues raised.⁵ On 16 September 2024, the Committee on the Rights of the Child referred to the ICJ's advisory opinion and urged Israel to bring an end to such legislation and measures that amount to racial segregation or apartheid.⁶
3. These concerns follow decades of Israel's advancement of settlements in the occupied West Bank, including East Jerusalem, which has seen the unlawful confiscation of large tracts of Palestinian land and other resources,⁷ and the transfer of this land and other resources to Jewish Israelis, as well as non-Israeli Jews who qualify for Israeli nationality under Israeli legislation,⁸ to build settlements, in violation of international law.⁹ Palestinians, including in practice Palestinian citizens of Israel, are

¹ See for example A/HRC/58/28 and <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>

² International Court of Justice, Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024 (hereafter "Legal Consequences"), para. 229. See also A/79/347, para. 31.

³ Article 3 ICERD: "States parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction."

⁴ Report of the *ad hoc* conciliation commission on the inter-State communication submitted by the State of Palestine against Israel under article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination CERD/C/113/3, para. 48.

⁵ Report of the *ad hoc* conciliation commission on the inter-State communication submitted by the State of Palestine against Israel under article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination, Addendum: Assessment of the facts CERD/C/113/3/Add.2, para. 11.

⁶ CRC/C/ISR/CO/5-6, para. 18.

⁷ *Legal Consequences*, paras. 120–123, and paras. 142–147. See also, for example, A/78/554, paras. 4 and 29.

⁸ *Legal Consequences*, para. 68.

⁹ *Legal Consequences*, para. 155. See also A/78/554, para. 14, which sets out the illegality of Israeli settlements under international law, as well as A/HRC/52/76, para. 2, which states that "the advancement of settlements in the West Bank, including East Jerusalem, and the transfer by Israel of its civilian population to the occupied territory, in contravention of international law, has continued over the decade. This has resulted in numerous systematic violations of the human rights of Palestinians." The ICJ also held that settlers had been transferred into the OPT in violation of international law; see *Legal Consequences*, para. 119.

excluded from settlements: according to Israeli census data for 2022, the settlements population in the occupied West Bank is made up of 97.4 per cent “Jewish” and 2.3 per cent other “non-Arab” persons, while 0.3 per cent are “Arab” (0.2 per cent are Muslim and 0.1 per cent Christian).¹⁰

4. The policy of creating, supporting and expanding Israeli settlements¹¹ has benefitted residents of settlements and “outposts” in the Occupied Palestinian Territory (hereinafter “Israeli settlers”) who have been transferred into the territory in violation of article 49 of the Fourth Geneva Convention, at the cost of the rights and freedoms of the local Palestinian population. The Government of Israel has also taken steps to “entrench [its] control of the Occupied Palestinian Territory, notably of East Jerusalem and of Area C of the West Bank,”¹² including through the integration of large parts of the Occupied Palestinian Territory into Israel,¹³ which amounts to annexation in violation of the prohibition of the acquisition of territory by force and the violation of Palestinians’ right to self-determination.¹⁴
5. The unlawful annexation of parts of the Occupied Palestinian Territory has been accompanied by a disregard for the equal human rights of Palestinians living in the occupied West Bank, including East Jerusalem. Israeli authorities treat Israeli settlers and Palestinians residing in the West Bank under two distinct bodies of law¹⁵ and policies, resulting in unequal treatment on a range of critical issues including movement¹⁶ and access to resources such as land and water.¹⁷ Palestinians continue to be subjected to large-scale confiscation of land and deprivation of access to resources.¹⁸ This has had the effect of dispossessing them of their lands and homes, alongside other forms of systemic discrimination,¹⁹ including criminal prosecution in military courts during which their due process and fair trial rights are systematically violated.²⁰ Meanwhile, Israeli settlers “benefit from the criminal law and criminal justice system applicable to civilians in Israel”,²¹ and Israel’s approach of “equalisation of citizenship” ensures that Israelis living in illegal settlements in the West Bank enjoy access to the same rights and benefits as Israelis living within Israel.²²
6. Systemic discrimination against Palestinians in the Occupied Palestinian Territory is a long-standing concern,²³ with the United Nations High Commissioner for Human Rights previously documenting patterns of systematic discrimination, segregation, oppression, domination, violence and other

¹⁰ See [לשכה מרכזית לסטטיסטיקה נתוני מפקד 2022 יחידות גאוגרפיות](#).

¹¹ See for example A/78/554, paras. 4 and 5.

¹² Legal Consequences, para. 173.

¹³ Legal Consequences, paras. 117 and 167, 169; A/78/554, para. 5; A/79/347; paras 8-10; A/HRC/55/72, para. 7; A/HRC/58/73, paras. 8-12; A/80/399, paras. 5-10

¹⁴ Legal Consequences, paras. 158, 173, 179, 238 and 243.

¹⁵ A/HRC/48/43, para. 31.

¹⁶ Legal Consequences, para. 206.

¹⁷ Legal Consequences, paras. 120, 126, 127 and 129. See also A/HRC/48/43, para. 31.

¹⁸ Legal Consequences, para. 143; A/79/347, para. 23; a/HRC/58/73, paras. 20-22.

¹⁹ Legal Consequences, para. 223.

²⁰ A/HRC/55/72, para. 33.

²¹ Legal Consequences, para. 136.

²² A/HRC/55/72, para. 7; A/78/554, para. 6.

²³ For example, the Commission of Inquiry on Settlements in 2013 found that “The settlements are established for the exclusive benefit of Israeli Jews and are being maintained and developed through a system of total segregation between the settlers and the rest of the population living in the Occupied Palestinian Territory. This system of segregation is supported and facilitated by a strict military and law enforcement control to the detriment of the rights of the Palestinian population.” A/HRC/22/63, para. 103.

inhumane acts against the Palestinian people, as well as control of the Occupied Palestinian Territory.²⁴

7. The situation has drastically deteriorated since at least December 2022,²⁵ and especially since the attacks of 7 October 2023.²⁶ Since 7 October 2023, the Government of Israel further expanded the unlawful use of force, arbitrary detention and torture, repression of civil society and undue restrictions on media freedoms, severe movement restrictions, settlement expansion and related violations in the occupied West Bank, which has marked an unprecedented deterioration of the human rights situation there. OHCHR has also documented a continuation and escalation of settler violence, in many cases with the acquiescence, support and participation of Israeli security forces (ISF).²⁷ The Government of Israel has introduced structural changes to the administration of the occupied West Bank which, according to the responsible Israeli Government Minister, will “accompany [Israel] for many years ahead”, and change the “DNA” of the system, that is, of the Israeli military occupation.²⁸ This has included transferring the administration of the occupied West Bank from the Israeli military to Israeli civilian officials.²⁹
8. These factual developments, which have worsened the situation identified by the *ad hoc* conciliation commission in August 2024,³⁰ are considered in more detail in this report. This thematic report thus analyses the situation in the occupied West Bank, including East Jerusalem, and identifies trends of discrimination and control exercised over the Palestinian population, documented in previous reports of the Office and further supported by the monitoring of events between the reporting period of 7 October 2023 and 30 September 2025.

UNLAWFUL KILLINGS OF PALESTINIANS: SYSTEMATIC VIOLATIONS OF THE RIGHT TO LIFE

9. The Government of Israel's control over the local population of the occupied West Bank, including East Jerusalem, is enforced through constant discriminatory violence, with use of unnecessary and disproportionate force routinely leading to deaths and instilling fear in the local population. OHCHR has consistently documented patterns of unlawful killings of Palestinians, including apparent extra-judicial executions by the ISF,³¹ with almost complete impunity.³² Since 2005 and as of 30 September

²⁴ See for example A/HRC/58/73, para. 10.

²⁵ The current Government of Israel was inaugurated in December 2022, with increased support for settlements and annexation of the occupied West Bank (see A/78/554, para. 5), which in turn led to a further deterioration in the situation, and escalation in negative trends. See also A/78/502, particularly paras. 13, 27, 36, 39, and 48, and A/HRC/55/72, para. 51. See also <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>

²⁶ The horrific atrocity crimes committed on a wide scale during these attacks by Hamas and other Palestinian armed groups against Israel and subsequently during the escalation of hostilities in Gaza are reported elsewhere. See for example A/HRC/58/28; <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>, including paras. 2-5.

²⁷ A/79/347, para. 4.

²⁸ [Annexation-of-the-WB-Peace-Now-June-2024.pdf](#); [Israeli Official Describes Secret Government Bid to Cement Control of West Bank - The New York Times](#). See Minister Smotrich in a live conference in May 2025 [שידור חי: ועידת ההתיישבות בעפרה - מקור ראשון - YouTube](#), interview between 2:45:00-3:08:00.

²⁹ <https://www.english.acri.org.il/post/a-silent-takeover-changing-the-nature-of-israeli-control-of-the-west-bank>. See also A/HRC/55/72, para. 8; A/79/347, para. 9.

³⁰ See para. 2 above.

³¹ See, for example, A/HRC/52/75, paras. 5, 18-9, 20 and 27; A/HRC/49/83, para. 26; A/76/333, para. 11.

³² See, for example, A/HRC/52/75, paras. 56-58. See generally for all unlawful killings A/HRC/58/28, para. 55.

2025, ISF have killed 2,321 Palestinians (1,760 men, 65 women, 496 children)³³ in the occupied West Bank, including East Jerusalem, in the absence of hostilities there, and injured thousands more, in many instances causing life-long injuries and disabilities. In the same period, 205 Israelis (including 148 men, 32 women, 25 children) have been killed in the occupied West Bank, including East Jerusalem, of them 69 members of ISF (62 men, seven women),³⁴ during clashes or following attacks by lone Palestinians.

10. Patterns of unlawful use of lethal force documented by OHCHR over the years have included practices that may amount to extra-judicial executions, such as confirmation of killing³⁵ and targeted killings.³⁶ The ISF have systematically used unnecessary or disproportionate force, including unwarranted lethal force, against Palestinians – including children – throwing stones, firecrackers, and Molotov cocktails, who were posing no threat to life or serious injury (including, for example, where stones were thrown from a distance at well-protected and equipped forces),³⁷ and those no longer posing a threat (for example, shooting at Palestinians running away after having thrown a stone or Molotov cocktail or after they were injured),³⁸ as well as during general law enforcement operations.³⁹ While these unlawful practices have been endemic in the Occupied West Bank for years, they dramatically escalated after 7 October 2023.
11. Although an Israeli investigative policy since 2011 requires the Israeli military to open an immediate investigation into operations resulting in Palestinian deaths outside the context of hostilities, very few investigations have been opened since, and even fewer have resulted in indictments. Convictions are rare, and when they do occur often result in lenient sentences.⁴⁰ Impunity for reportedly unlawful use of lethal force by the ISF against Palestinians remains widespread after 7 October 2023. Between 1 January 2017 and 30 September 2025, 1,509 Palestinians were killed by ISF in operations in the occupied West Bank, including East Jerusalem.⁴¹ Based on information available to OHCHR, only 112 of these deaths have been or are under criminal investigation, and at least 29 investigations were closed without further action. Indictments for use of force in the context of law enforcement were issued in only 2 cases, 1 of which led to convictions.⁴² Furthermore, there is a significant lack of transparency regarding the status of investigations that do occur and victims and their relatives have almost no participation in these investigations.
12. Israeli authorities – including the military and courts – have also applied a “combat” exception to the use of force in the occupied West Bank,⁴³ under which killings that the ISF assessed as having occurred during “combat” are not investigated. This exception is applied with a wide interpretation and implementation, in clear contradiction of international law, resulting in the almost complete impunity for the unlawful killing of Palestinians in the occupied West Bank, excluding East

³³ OCHA, on file with OHCHR.

³⁴ OCHA, on file with OHCHR.

³⁵ A/HRC/52/75, para. 19; A/78/502, para. 18.

³⁶ A/76/333, para. 11; <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>, paras. 13 and 17.

³⁷ A/HRC/49/83, paras. 26 and 27; A/HRC/43/70, para. 28. See also A/78/502, para. 23.

³⁸ A/HRC/46/22, para. 17.

³⁹ A/78/502, paras. 13-14.

⁴⁰ A/HRC/49/25, para. 17. See also A/HRC/37/38, para. 30; A/HRC/40/43, para. 20; A/HRC/43/21, para. 25; and A/HRC/46/22, para. 17.

⁴¹ OHCHR fatality tracking.

⁴² OHCHR fatality tracking and monitoring. See A/HRC/58/28, para. 55.

⁴³ A/HRC/52/75, paras. 53-57.

Jerusalem.⁴⁴ In East Jerusalem, a similar approach can be seen in cases of lethal force used against Palestinians. On 6 July 2023, the Jerusalem District Court acquitted a border police officer who, on 30 May 2020, killed Iyad Al-Hallaq, a 32-year-old Palestinian man with disabilities, who had autism, from East Jerusalem, even though he was not posing any threat. The court held that the accused made a split-second decision, which is "an integral part of military activity," conflating the two regimes on use of force, applying the "combat" exemption to law enforcement and thus illustrating the generalized impunity enjoyed by ISF in the West Bank including East Jerusalem.⁴⁵ The impunity for the unlawful use of lethal force by the ISF only affects the Palestinian population, impeding their exercise of the right to equal and effective access to justice and remedies, including in relation to the right to life. Conversely, attacks on Israelis are quickly and effectively investigated and remedied. This structural impunity, through which members of the ISF are aware that there are no real consequences for unlawful use of force, remained in place after 7 October 2023, and is an essential element of the context of the surge in the killing of Palestinians.

13. After 7 October 2023, there was a dramatic escalation in the use of lethal force by the ISF in the West Bank, resulting in an unprecedented number of killings of Palestinians, which was already on the increase since 2022. According to OHCHR records, in the reporting period, 966 Palestinians were killed by the ISF in the West Bank (737 men, 20 women, 202 boys and 7 girls; including 7 men with disabilities), compared with 348 killed the two years before (264 men, 7 women, 74 boys and 3 girls; including 4 men with disabilities). Fatalities during the reporting period amounted to 42 % of all Palestinians killed in the West Bank in the past two decades.⁴⁶ Of these, 638 were killed with live ammunition and 305 struck by air-to-ground or ground-to-ground missiles.⁴⁷
14. In the same period, 59 Israelis were killed in individual Palestinian attacks or exchange of fire (38 men, 16 women, 4 boys and 1 girl), 22 of whom were members of Israeli security forces (20 men, 2 women), compared to 51 the two years before (38 men, 6 women, 6 boys and 1 girl), 7 of whom were members of Israeli security forces (6 men, 1 woman). According to OHCHR monitoring, ISF do not use lethal or potentially lethal force against Israeli settlers in the occupied West Bank, for instance to protect life of Palestinians or to prevent their serious injury from an imminent threat in the context of settler violence and have never, to the knowledge of OHCHR, used force against them that has led to fatalities. Indeed, Israeli Minister of Finance decried the firing of live ammunition into the air by ISF to disperse Israeli settlers attacking them and Palestinians near Kafr Malik, Ramallah on 27 June 2025 as "crossing a forbidden and dangerous red line".⁴⁸
15. According to OHCHR fatality tracking, around 64 per cent of Palestinian fatalities (623, including 445 men, 16 women, 156 boys and 6 girls) occurred in the context of ISF operations in the absence of armed clashes or alleged Palestinian attacks, following the use of lethal force against unarmed bystanders and/or Palestinians throwing stones or Molotov cocktails at usually very well protected and well-equipped ISF soldiers, who were often inside armoured vehicles. In many cases documented by OHCHR in this period, ISF shot at Palestinians, including children, who did not appear to pose any

⁴⁴ A/HRC/52/75, para. 55; A/HRC/49/25, para. 17; [YeshDin++Data+2018+-2022+Eng.pdf](#)

⁴⁵ See A/HRC/55/28, para. 83 and A/HRC/49/25, para. 20, regarding the failure to open an investigation in East Jerusalem.

⁴⁶ OCHA records, on file.

⁴⁷ While 5 were killed by explosive devices, 6 by other means, and 12 whose cause of death are unknown.

⁴⁸ [ל נגד יהודים הוא חציית קו "האירוע בליל שבת בבנימין עוד ייחקר ויתברר. ביינתים מה שברור - ירי חי של צה"ל: "בצלאל סמוטריץ ל נלחם" ל והמתיישבים זה דבר אחד. מי שמרים ידו כנגד לוחמי צה"ל אדם אסורה ומסוכנת שראויה לבידור מעמיק ומסקנות אישיות. צה"ל / נגד ההתיישבות ולא בעדה. ועדיין - ירי חי על יהודים אסור](#)

imminent threat to life or serious injury. Additionally, out of 638 Palestinians killed with live ammunition, at least 355 were hit in the upper body, including 118 in the head, raising concerns that that lethal force may have been intentionally used⁴⁹. In 25 per cent of all cases monitored by OHCHR (243 of the 966), ISF obstructed or delayed the provision of medical assistance to those injured.

16. Apparently gratuitous killings also continued during the reporting period. For instance, on 29 November 2023, during an operation in Jenin, and as shown in a video recording, Israeli soldiers travelling in an armoured convoy stopped and opened their driver's door to shoot 8-year-old Adam Samer Othman Al-Ghoul in the back of the head as he was running away, as well as 15-year-old Basil Suleiman Tawfiq Abu Al-Wafa twice in the chest as he was trying to light a small unidentified device, which would have posed no threat to an armoured vehicle. The soldiers did not provide the boys with medical assistance, leaving them unattended as they died. On 4 March 2024, ISF, shooting from the backdoor of a jeep, shot in the head and killed a 10-year-old boy who was travelling in his father's minivan while confrontations involving stone throwing were ongoing in Burin village, Nablus. The soldiers then drove towards the mini-van and fired live ammunition towards the people who were assisting in transporting the boy. These examples demonstrate at least reckless and possibly malicious use of lethal force, in some cases appearing intended to punish and instil fear in the local population of the occupied territory, instead of meeting the obligations on Israel to restore and maintain security and civil life.
17. ISF further carried out repeated operations in towns and refugee camps in northern West Bank that employed methods, means and tactics designed to be used in warfare, despite the absence of hostilities amounting to armed conflict in the occupied West Bank, including East Jerusalem. They launched airstrikes and directed shoulder-fired missiles at the houses of wanted persons during operations, which appeared to have been planned to kill "wanted" Palestinians rather than to arrest them as part of law enforcement operations.
18. During these operations in the reporting period, ISF killed 444 Palestinians mainly in Jenin, Tulkarem and Tubas governorates (360 men, 10 women, 70 boys, 4 girls), of whom 258 were killed by airstrikes and 46 by shoulder-fired projectiles. In many cases monitored by OHCHR, ISF employed unnecessary and disproportionate use of lethal force which resulted in unlawful killings, including of bystanders, and the wanton destruction of Palestinian homes and public infrastructure. ISF also in some cases used airstrikes launched by Unmanned Aerial Vehicles (UAV) or systems that raised concern of extra-judicial executions of Palestinians wanted for allegedly attacking Israelis, in violation of international human rights law. The use of force causing the death of persons not posing a threat to life or serious injury constitutes a violation of the right to life. In context of an occupation, these may also amount to wilful killings, under the Fourth Geneva Convention,⁵⁰ which is a war crime.
19. In one example, on 27 December 2023, an air-to-ground missile struck and killed six Palestinians, including four men and two boys (16 and 17-years-old) outside the Nur Shams Refugee Camp, Tulkarem. ISF claimed that they targeted Palestinians who threw improvised explosive devices (IEDs) at them. However, according to OHCHR monitoring, the victims were unarmed and informing themselves on their phones about an ongoing raid inside the camp. The 16-year-old boy was injured in the strike and died after ISF stopped and raided the ambulance that was transporting him,

⁴⁹ This continued a practice previously reported on, see for example A/78/502 para 20.

⁵⁰ See article 147.

removed his bandages and stabbed him. OHCHR documented at least 56 other killings of unarmed Palestinians by airstrikes during the reporting period.

20. On 7 January 2024, an hour after an Israeli soldier was killed by an IED launched by armed Palestinians in Jenin, an Israeli Air Force aircraft struck and killed seven unarmed Palestinians, including one boy. ISF claimed that they “attacked a terrorist squad that threw explosive devices at the forces that were operating in the area”. According to OHCHR monitoring, another IED had been thrown, without consequence, towards withdrawing ISF vehicles. In another example from 27 August 2024, Israel launched 10-days of simultaneous operations in the Jenin, Tulkarm and Tubas governorates, during which it killed 37 Palestinians, 8 of them children, in raids involving airstrikes, ground-to-ground missiles, and live ammunition.
21. On 21 January 2025, Israel initiated the so-called “Iron Wall” operation in northern West Bank particularly targeting refugee camps in Jenin, Tulkarem and Tubas Governorates, which, as of 30 September 2025 had resulted in the killing of 64 Palestinians (50 men, 3 women, 9 boys, 2 girls),⁵¹ the expulsion of more than 32,000 people from three major refugee camps (Jenin refugee camp, Tulkarem refugee camp, Nur Shams refugee camp) and the deliberate destruction of large parts of the camps. According to OHCHR monitoring, ISF did not plan or conduct the operations to minimize loss of life, injuries and damage. On the contrary, the Israeli military reportedly amended and further loosened its “rules of engagement” in the West Bank to permit soldiers to shoot with live ammunition at individuals “messing with the ground,” which refers to persons whom Israeli forces suspect may be planting explosives, and at vehicles approaching checkpoints.⁵² These changes in the rules of engagement appear to have contributed to several incidents in which Palestinians, including women and children, were killed.
22. On 28 January 2025, ISF shot in the abdomen a 10-year-old boy, Saddam Hussein Rajab, who died from his injuries on 7 February 2025. As shown in a video recording of the incident, the boy was shot while standing empty-handed at the doorstep of a building in Tulkarem.⁵³ ISF initially stated that the boy “was messing with the ground” in a suspicious way⁵⁴ and subsequently announced a probe into the killing. On 9 February 2025, ISF entered the Tulkarem refugee camp in the context of “Iron Wall” and killed three Palestinians, including an eight-month pregnant woman, 23-year-old Sondos Shalabi, who was shot while attempting to drive away from the camp with her husband and her brother-in-law. ISF first shot in the head and injured the husband, and when the woman got out of the vehicle to look for help, shot her at least three times, in the back, pelvis, and thigh. ISF initially stated that on that day they had “struck” several “terrorists”,⁵⁵ and subsequently stated that she had been shot because she was “looking suspiciously at the ground”. ISF also acknowledged that the woman was unarmed and no IEDs were found near her.⁵⁶

⁵¹ During the same period, ISF killed a total of 88 Palestinians (68 men, 3 women, 15 boys and 2 girls) in the governorates of Jenin, Tulkarem and Tubas.

⁵² See <https://www.haaretz.com/israel-news/2025-02-10/ty-article/.premium/israeli-army-expands-open-fire-orders-leading-to-surge-in-palestinian-civilian-deaths/00000194-ef85-dd03-add7-ffc72f120000>

⁵³ https://t.me/tolkarem_news/79326

⁵⁴ [Israeli Army Expands Open-fire Orders in West Bank, Leading to Surge in Palestinian Civilian Deaths - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2025-02-10/ty-article/.premium/israeli-army-expands-open-fire-orders-leading-to-surge-in-palestinian-civilian-deaths/00000194-ef85-dd03-add7-ffc72f120000)

⁵⁵ ISF stated that they “hit a number of terrorists” and arrested others as they started operations in Nur Shams camp. See https://t.me/idf_telegram/15360

⁵⁶ [Israeli Army Expands Open-fire Orders in West Bank, Leading to Surge in Palestinian Civilian Deaths - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2025-02-10/ty-article/.premium/israeli-army-expands-open-fire-orders-leading-to-surge-in-palestinian-civilian-deaths/00000194-ef85-dd03-add7-ffc72f120000).

23. As a result of this violence, coupled with broadcasted calls to camp residents to leave under threat of further violence, by 10 February 2025, tens of thousands of Palestinians had been displaced from the camps and adjacent areas.⁵⁷ As of May 2025, around 32,000 remained displaced⁵⁸ and faced grave challenges in accessing basic services such as education. In parallel, Israeli forces detonated, demolished, and burned hundreds of buildings and homes in the camps. A UN assessment based on satellite imagery indicated that 43 per cent of the structures in Jenin camp, 14 per cent of Tulkarem camp, and 35 per cent of Nur Shams camp were destroyed as of May 2025.⁵⁹ In addition, Israeli bulldozers destroyed much of the road, water and electricity infrastructure in the camps.⁶⁰ By 30 September 2025, ISF had issued demolition orders for over 400 buildings (comprising about 1400 homes). The cumulative impact of this conduct has been to compel the displacement of tens of thousands of Palestinians for an indefinite duration,⁶¹ which may amount to unlawful transfer.⁶²
24. OHCHR also monitored the unlawful use of lethal force by the ISF during such operations, including the “confirmation of killing” of injured Palestinians and the execution of surrendering armed Palestinians. Other violations have included the withholding and desecration of Palestinian bodies; and the use of unarmed Palestinians — including women, children and paramedics — as shields during exchange of fire with Palestinians.
25. On 19 September 2024, after an exchange of fire which incapacitated four armed Palestinian men, ISF shot and killed from point blank range the incapacitated men before throwing their bodies from a roof and onto a bulldozer, which then took the bodies away. In another case monitored by OHCHR, on 1 October 2024, during a 9-hour operation in Nablus during which ISF exchanged fire with armed Palestinians and killed a 25-year-old Palestinian man, ISF forced a 22-year-old man and a 33-year-old woman at gunpoint to precede them when entering Palestinian homes, followed by drones, to shield the ISF from Palestinian fire.
26. OHCHR has observed that the ISF continued to use tactics over many years that indicate that lethal force has been deliberately used when unwarranted,⁶³ in a discriminatory manner against Palestinians, and with the apparent intention to kill. These tactics have included shooting at the head and upper body, including of children;⁶⁴ the unlawful targeting with lethal force of those identified as “main rioters” in demonstrations;⁶⁵ and the obstruction or denial of medical assistance to those critically injured, including by shooting at medical personnel and others attempting to provide aid.⁶⁶
27. Unlawful killings of Palestinians are often the result of Israeli policies and practices, including rules of engagement that appear to allow the use of lethal force against Palestinians as a first and often only resort in the absence of a concrete and imminent threat to life or serious injury and without graduated use of force, in violation of international human rights law and standards applicable to the

⁵⁷ [Large-scale forced displacement in the West Bank impacts 40,000 people | UNRWA](#)

⁵⁸ <https://www.ochaopt.org/content/humanitarian-situation-update-339-west-bank>

⁵⁹ https://unosat.org/static/unosat_filesystem/4149/UN-OCHA_027_UNOSAT_CE20231007PSE_WestBank_RefugeeCamps_CDA_SA_20250519.pdf

⁶⁰ https://www.haaretz.com/israel-news/2025-04-08/ty-article-magazine/.premium/satellite-images-reveal-the-destruction-wrought-by-the-idf-in-west-bank-refugee-camps/00000196-10b6-d710-a1bf-b2ff314c0000;https://www.aljazeera.com/news/2025/3/30/mapping-how-israels-land-grabs-are-reshaping-the-occupied-west-bank?traffic_source=rss&utm_source=General+Mailing+List&utm_campaign=dad40dd122-

⁶¹ A/80/399, para. 24.

⁶² Fourth Geneva Convention, art. 49.

⁶³ A/76/333, para. 15.

⁶⁴ A/78/502, para. 20.

⁶⁵ A/76/333, para. 13.

⁶⁶ A/HRC/43/70, para. 27.

conduct of law enforcement.⁶⁷ These practices have been recorded in response to attacks and alleged attacks by Palestinians;⁶⁸ during arrests; during the dispersion of Palestinian assemblies and demonstrations; against Palestinians gathering, chanting or raising the Palestinian flag;⁶⁹ to protect settlers during settler attacks on Palestinians or their property;⁷⁰ and to enforce discriminatory movement restrictions.⁷¹

28. The evidence obtained over two decades of monitoring indicates that unwarranted lethal force has been utilized by the ISF to maintain control over Palestinians in the occupied West Bank, including East Jerusalem, including by instilling fear among the local population. OHCHR has also documented discriminatory patterns in the use of force, with clear differences in use of force practices if and when addressing threats emanating from settlers in the occupied West Bank – many of them armed and involved in daily harassment and attacks that kill and injure Palestinians and activists and destroy their property.⁷²

DISCRIMINATORY MOVEMENT RESTRICTIONS

29. During the 58-year-long occupation of the West Bank, including East Jerusalem, the Israeli authorities have established control over the Palestinian population through discriminatory movement restrictions that affect almost every aspect of Palestinian life, including access to public and private land, affecting the enjoyment of all their human rights, including their rights to food, water, health, adequate housing, education, family life, participation in cultural life, and self-determination.⁷³ Since 7 October 2023, Israeli authorities extended and intensified existing restrictions on the movement of Palestinians across the occupied West Bank, including East Jerusalem. Often justified as temporary and due to the exceptional situation post-7 October 2023, restrictions appeared to unlawfully pursue two main aims: further fragmenting Palestinian territory and society for easier control by the Israeli army and creating and expanding areas for ISF and settlers' access only, including roads, to guarantee "security" for settlers. Additional movement restrictions included: a) complete closure or restricted working hours of most checkpoints connecting Palestinian cities across the occupied West Bank, including East Jerusalem; b) installation of 86 new obstacles between October 2023 and March 2024,⁷⁴ 40 per cent of which were iron gates and earth mounds that closed off the access of most Palestinian villages and towns to main roads; and c) closure of agricultural gates, blocking access to

⁶⁷ See CCPR/C/GC/36, para. 12; and Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

⁶⁸ A/76/333, para. 11.

⁶⁹ Ibid., para. 15.

⁷⁰ <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>, paras 37-40;

⁷¹ See for example A/76/333, paras. 47 and 48; see also <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>, paras. 11 and 23.

⁷² A/79/347, paras. 50-54; A/HRC/58/73, paras. 33-50; A/80/399, paras. 38-46.

⁷³ OHCHR monitoring. See also, for example, A/79/347, paras. 47-49. On self-determination, see *Legal Consequences*, paras. 239 and 242. On freedom of movement, see A/78/502, para. 56; A/HRC/31/44 (report dedicated to freedom of movement). On 23 August 2023, in an interview with Channel 12 News, Itamar Ben-Gvir said that "my right, the right of my wife and my children to move around Judea and Samaria is more important than freedom of movement for the Arabs. The right to life comes before freedom of movement." <https://x.com/mmagadli/status/1694413803637600610>

⁷⁴ <https://www.unocha.org/publications/report/occupied-palestinian-territory/fact-sheet-movement-and-access-west-bank-august-2024>. As of September 2024, there were 793 movement obstacles permanently or intermittently controlling, restricting and monitoring the movement of Palestinians.

Palestinian-owned land between the green line and the Wall (so called “seam-zone”) and discontinuation of the “coordination” needed to “allow” Palestinians to access their land near illegal settlements. In many instances, closures and roadblocks were imposed at the request of settlers and/or initially established by settlers and retained by the Israeli authorities. By February 2025, there were 849 total obstacles obstructing the movement of 3.3 million Palestinians in the West Bank: 247 permanently or intermittently staffed checkpoints; 205 road gates (of which 127 are frequently closed); 101 linear closures (such as earth walls and trenches); 180 earth mounds; and 116 roadblocks.⁷⁵

30. In most cases, settlers use dedicated checkpoints, where movement restrictions do not apply. Settlers thus remain effectively free to move around the occupied West Bank unrestricted, increasing the risk to Palestinians in a context in which settler violence has increased dramatically.
31. Sixteen per cent (129 out of a total of 793) of the existing obstacles of the obstacles in the occupied West Bank including East Jerusalem as of March 2024 were located along Road 60 — the principal north-south artery that connects multiple towns in the West Bank. In one example, Israeli authorities completely closed the Beit El checkpoint connecting Ramallah and surrounding villages to Road 60 in the immediate aftermath of 7 October and until 3 June 2024. This forced thousands of Palestinians to use long and unpredictable detours to access Road 60 and from there to access the northern West Bank or Jerusalem and Jericho. Following a petition to the Israeli Supreme Court, the checkpoint was temporarily reopened on 3 June 2024,⁷⁶ but closed again between 3 and 4 June following settler violence against Palestinians as a form of protest against the opening of the checkpoint. After 5 June 2024, it was reopened, but only between 0900 to 1600 hours, subject to closure by the ISF without warning.
32. Israeli authorities expanded discriminatory, disproportionate and arbitrary movement restrictions⁷⁷ on approximately 7,000 Palestinians residents of Hebron Old City and H2, to benefit several hundred settlers also living there, including by ensuring the least possible presence of Palestinians in the open in H2, allowing settlers movement there largely free of Palestinians.
33. From 8 to 22 October 2023, ISF imposed a full closure of H2 during which Palestinians could not leave the area and were subjected to a curfew. Subsequently, throughout the reporting period, Israeli authorities continued to prevent the entry of Palestinians not resident in Israel and to restrict Palestinian residents’ entry and exit to only during the day (7am to 7pm). Curfews were imposed during the remaining hours, which were enforced through arrest, detention, and ill-treatment at checkpoints.⁷⁸ OHCHR received reports of ISF subjecting Palestinian women and girls to sexual harassment and men and boys to physical assaults at checkpoints, further constraining movement. In Hebron H2, as in other areas adjacent to settlements, additional movement restrictions such as gates and barbed wire fences have been imposed on Palestinian individual households, to enable settlers to use roads free of Palestinians.⁷⁹
34. Israeli authorities completely prevented access of Palestinians in the West Bank to East Jerusalem for at least two weeks after 7 October 2023, claiming that there were insufficient forces to staff the

⁷⁵ https://www.ochaopt.org/sites/default/files/Factsheet%20Booklet_Movement_and_Access.pdf

⁷⁶ HCJ 4292/24 JLAC v. *the Military Commander of the West Bank*, filed on 23 May 2024. There was no verdict as parties agreed to withdraw the petition.

⁷⁷ See also *Legal Consequences*, paras. 198 -206; A/78/502, para. 56; A/HRC/22/63, paras. 72-76; A/HRC/31/44, especially paras. 32 and 69.

⁷⁸ See <https://www.un.org/unispal/document/ohchr-pr-26aug24/>

⁷⁹ Ibid.

checkpoints,⁸⁰ and restrictions remained pervasive until the end of January 2024. This restriction also applied to Jerusalem residents living on the West Bank side of the Wall to whom access remained extensively restricted until February 2024. In parallel, Israeli authorities intensified movement restrictions in Jerusalem's Old City to limit Palestinians' access to Al Aqsa Mosque compound, especially on Fridays. Since March 2024, new requirements were introduced for Palestinians from the rest of the occupied West Bank to enter East Jerusalem during Ramadan and hold Friday prayers at the compound, including increased age restrictions, the requirement of a specific magnetic card and permit, and an obligation to leave East Jerusalem by 1700 hours.⁸¹ Coupled with extensive movement restrictions across the entire West Bank, these additional restrictions resulted in a sharp reduction in the number of Palestinians accessing Al Aqsa Mosque. For example, the number of Palestinians attending the first Friday prayer of Ramadan dropped from 170,000 in 2023 to 70,000 in 2024, rising slightly to 90,000 in 2025.⁸²

35. Checkpoints, gates, and other mobility obstacles have involved violence and discrimination against Palestinians, staffed by soldiers and armed private security personnel contracted by the Israeli Government, who threaten and intimidate and on occasion use force against Palestinians crossing checkpoints⁸³ as they go about their daily lives of going to work and school, visiting relatives, going to places of worship, and undertaking leisure activities. This compounds the pervasive coercive and oppressive environment where daily activities or even the limited leisure activities available to Palestinians are not free from danger. During the reporting period, 28 Palestinians (24 men, 2 women and 2 boys) were shot and killed by ISF — while unarmed and not posing any threat — at checkpoints, near the West Bank wall, or at other access restrictions. On 10 February 2024, two Palestinian boys aged 17 were driving home after taking photos in Khirbet Um Al Lahem village, a common recreational destination for Palestinians from Biddu, in East Jerusalem's periphery. The two boys were shot by ISF patrolling the area near the Wall for no apparent reason with both boys unarmed and posing no threat. While one boy was not injured, a bullet hit the other boy in the head and killed him.
36. Discriminatory movement restrictions had a detrimental impact on the enjoyment of human rights, including the economic, social and cultural rights of Palestinians, infringing on their right to work and preventing access to their lands, causing major financial hardship and impeding the realization of their right to an adequate standard of living. The International Labour Organization assessed that measures imposed by Israeli authorities had caused a loss of 306,000 jobs in the West Bank as of 31 January 2024, including most of the 171,000 jobs held by Palestinian workers previously employed in Israel and the settlements and approximately 144,000 jobs lost in the private sector⁸⁴, with unemployment rates in the West Bank rising to 31.7 per cent for men and 33.7 per cent for women by the first quarter of 2025.⁸⁵ Undue restrictions harmed Palestinians' rights to private and family

⁸⁰ https://hamoked.org/document.php?dID=Updates2387&_cf_chl_tk=PTxJq5ZsMn0FPjYiHw664Kaztq2oFXWFrHhWI.5aRJu-1729593432-1.0.1.1-Q1UrKpJx4AeMxk3Z2BojFXUnStLqTxxJ1eBAjNORbU

⁸¹ Israeli authorities announced that entry to the Al Aqsa Mosque compound would be allowed to Palestinians holding valid magnetic cards and Israeli permit (a new requirement), and subject to age requirements (55-year-old and above for males, 50-year-old and above for women, up to 10-years-old for children. In previous years, women could access without age restrictions, and children were allowed up to 12-years-old.

⁸² Information provided to OHCHR by the Waqf, the Islam Religious Endowments organization of Jordan

⁸³ See also CCPR/C/ISR/CO/5, para. 36.

⁸⁴ <https://doi.org/10.54394/OZPO4600>, p. 4.

⁸⁵ International Labour Organization and Palestinian Central Bureau of Statistics, The two-year war in Gaza: Impacts on employment and livelihoods in the West Bank, Bulletin no 6, October 2025, p.4.

life, including their enjoyment of green and open spaces in Palestinian land such as water springs, picnic areas, trekking tracks and their participation in cultural life, as well as infringing the minimum core obligations of the right to education.⁸⁶ According to the Global Education Cluster, increased movement restrictions and ISF operations and settler violence caused an 85 per cent reduction of traffic across the West Bank, affecting at least 782,000 students since October 2023 to August 2024, and causing cancellation of classes and reliance on remote learning, which is not accessible to all.⁸⁷ In the 2024-2025 academic year, additional challenges to access education were faced by 6,630 Palestinian students following the closure by Israeli authorities of 16 UNRWA schools in East Jerusalem and in refugee camps in Northern West Bank, as well as two governmental schools near the Jenin camp.

37. Women and girls were affected disproportionately, as families stopped sending girls to school, particularly at times of intensified violence, fearing extensive searches which involved gender-based violence and humiliation at checkpoints. This exacerbated the decades-long situation under which Palestinian students have faced significant challenges in accessing quality and safe education.⁸⁸
38. After 7 October 2023, discriminatory movement restrictions further restricted access to healthcare, especially in remote villages, refugee camps and H2 in Hebron, raising grave concerns of the widespread violation of Palestinians' right to health. The United Nations Population Fund estimated, for instance, that increased restrictions impeded access to and continuity of sexual and reproductive health services for the more than 73,000 women who were pregnant each year.⁸⁹
39. For years prior to 7 October 2023, Israeli authorities restricted freedom of movement of Palestinians across the Occupied Palestinian Territory, primarily through the permit regime regulating passage between Gaza and the occupied West Bank, and specifically to East Jerusalem, and abroad;⁹⁰ the wall being constructed in the West Bank,⁹¹ which among other concerns further prevents Palestinians living in the "seam zone" from fully exercising their rights to family life, education, and to work, including the cultivation of land⁹²; and by a system of permanent and temporary checkpoints and other obstacles.⁹³ Within this discriminatory system of restrictions, Palestinians in the occupied West Bank, including East Jerusalem, live in more than 160 disconnected enclaves, while settlers enjoy full freedom of movement within the occupied West Bank, including East Jerusalem, and between the occupied West Bank, including East Jerusalem, and Israel. Expansion of the settlements, together with roads and infrastructure serving only settlers who are protected by the ISF and segregated from Palestinians, has a direct correlation with the increasingly constrained movement of Palestinians.
40. The Human Rights Committee has expressed "deep concern about the continuing restrictions on freedom of movement imposed by [Israeli authorities] throughout the Occupied Palestinian Territory, including East Jerusalem, through its discriminatory permit regime and the designation of

⁸⁶ A/HRC/46/63, para. 41. See also more generally A/78/502, paras. 56-60

⁸⁷ <https://reliefweb.int/report/occupied-palestinian-territory/unprecedented-education-crisis-west-bank>, pp. 3 and 7.

⁸⁸ See A/HRC/31/44, paras. 46-51.

⁸⁹ [Situation Report #19 - Palestine; https://palestine.unfpa.org/sites/default/files/pub-pdf/unfpa-situation-report-6-march24.pdf](https://palestine.unfpa.org/sites/default/files/pub-pdf/unfpa-situation-report-6-march24.pdf), p. 2.

⁹⁰ A/78/502, para. 56; A/HRC/31/44, para. 14.

⁹¹ Legal Consequences, para. 201.

⁹² A/68/502, para. 23.

⁹³ A/HRC/22/63, para. 72; see also <https://www.ochaopt.org/content/movement-and-access-west-bank-september-2024>.

access-restricted areas".⁹⁴ The restrictions compound the coercive and oppressive environment for Palestinians and force Palestinians to leave communities they have lived in for generations. According to the International Court of Justice, "the entire régime of restrictions on the movement of Palestinians throughout the Occupied Palestinian Territory has a discriminatory effect on their enjoyment of the right to work, to health, to education and to an adequate standard of living, as well as to the right to be protected from arbitrary or unlawful interference with family life ...".⁹⁵ In light of this, the Court held that "Israel's policies restricting freedom of movement amount to prohibited discrimination under Articles 2, paragraph 1, and 26 of the ICCPR [International Covenant on Civil and Political Rights]; Article 2, paragraph 2, of the ICESCR [International Covenant on Economic, Social and Cultural Rights]; and Article 2 of the [ICERD].⁹⁶ It further held that "Israel's legislation and measures impose and serve to maintain a near-complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities", and that therefore, "Israel's legislation and measures constitute a breach of Article 3 of [ICERD]".⁹⁷

DETENTION, CIVIC SPACE AND FREEDOM OF EXPRESSION

41. Israeli authorities have used the arbitrary deprivation of liberty of Palestinians in a discriminatory manner and as an acute means of control over the Palestinian population. OHCHR and United Nations human rights mechanisms have repeatedly expressed concerns at the practice of administrative detention by Israel as perpetuating arbitrary detention in the Occupied Palestinian Territory.⁹⁸ In 1998, the Human Rights Committee recommended that the application of administrative detention be brought within the strict requirements of the ICCPR,⁹⁹ and, in 2014, called on Israel to end the practice of administrative detention.¹⁰⁰ The Committee against Torture has also repeatedly concluded that the use by Israel of administrative detention, particularly for inordinately lengthy periods, violates the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and has called upon Israel to urgently end this practice.¹⁰¹ On the other hand, administrative detention has rarely been used against Israeli settlers, and in November 2024, the Israeli Defense Minister declared an end to the use of administration detention orders for Israeli settlers.¹⁰²
42. Another concerning factor of arbitrary detention is the recurrent violations of the right to a fair trial in criminal proceedings, particularly when of such gravity as to render arbitrary deprivation of liberty.¹⁰³ The detention of Palestinian children by Israeli authorities in the West Bank, including East Jerusalem, whether under the military justice system or under administrative detention, continued

⁹⁴ Human Rights Committee, "Concluding observations on the fifth periodic report of Israel", UN doc. CCPR/C/ISR/CO/5 (5 May 2022), para. 36.

⁹⁵ Legal Consequences, para. 206.

⁹⁶ Ibid.

⁹⁷ Legal Consequences, para. 229.

⁹⁸ See [20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf](#), para. 63; A/HRC/37/42, paras. 17-19; A/76/333, para. 31; A/71/355, para. 20; A/71/364, paras. 34-35; A/69/347, paras. 28-29. See also, in general, A/HRC/37/42, particularly paras. 17-23.

⁹⁹ See CCPR/C/79/Add.93, para. 21.

¹⁰⁰ See CCPR/C/ISR/CO/4, para. 10 (b).

¹⁰¹ CAT/C/ISR/CO/4, para. 17; CAT/C/ISR/CO/5, paras. 22-23.

¹⁰² <https://www.timesofisrael.com/defense-minister-declares-end-to-administrative-detention-against-west-bank-settlers/>; בצווי השימוש את להפסיק החליט צ"כ השר "דמוקרטיים" לעקרונות מנגד - מנהלים מעצר צווי": לאוסטין צ"כ; ש"ביו יהודים נגד מנהלים מעצר פגוש: [העיתונות את 23 בנובמבר 2024 | 12+](#) 1:12:55-1:18:30

¹⁰³ A/HRC/37/42, para. 27.

and escalated during the reporting period and appears to violate international standards.¹⁰⁴ In 2024, the Committee on the Rights of the Child regretted Israel's complete disregard for the Committee's recommendations made in 2002, 2010 and 2013 in relation to the arrest and detention of Palestinian children and children in the Occupied Palestinian Territory and its persistent failure to end these practices, despite its obligations under international human rights and humanitarian law.¹⁰⁵ It was further gravely concerned about reports of the torture and ill-treatment of Palestinian children and children in the Occupied Palestinian Territory during arrest and in detention, in violation of Israel's international human rights obligations, including solitary confinement; the use of electric shocks, hand ties and/or leg ties; denial of food, water or access to toilets; exposure to the elements; verbal and physical violence, including beatings, stripping, sexual violence and psychological intimidation; and the attempted recruitment of child detainees as informants for the security forces.¹⁰⁶ Another endemic concern, which escalated after 7 October 2023, has been the resort to arbitrary detention to curtail political dissent or the expression thereof and to impede the work of journalists and human rights defenders.¹⁰⁷

43. Since 7 October 2023, ISF increased the detention of Palestinians from towns and cities across the occupied West Bank, including East Jerusalem. ISF incursions into towns and cities to undertake arrests occurred on an almost daily basis.¹⁰⁸ At the end of September 2024, the Israel Prison Service held 3,289 men, 28 women and 85 boys as administrative detainees, which increased to 3,577 administrative detainees in September 2025 — more than double the 1,319 in September 2023 — 3,349 of whom were from the West Bank, including East Jerusalem (disaggregation not available).¹⁰⁹ Additionally, thousands have been arrested, detained for varying periods of time, and released without charge, with an estimated about 20,000 Palestinians arrested by ISF in the occupied West Bank, including East Jerusalem, from 7 October 2023 to September 2025, including about 17,800 men, 595 women and 1,600 children (gender disaggregation not available), according to Palestinian prisoners' organizations.¹¹⁰
44. Detentions often fail to respect due process guarantees and may therefore become arbitrary. In addition to the misuse of power to detain and intimidate Palestinians during raids and operations, in several cases monitored by OHCHR, ISF carried out mass arrests of Palestinians based on claims of ideological support or political affiliation to political parties or Palestinian armed groups, contributing to the prevailing atmosphere of fear in the occupied West Bank, including East Jerusalem. Many

¹⁰⁴ A/HRC/37/42, paras. 33-39; See also in general

<https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>

¹⁰⁵ CRC/C/ISR/CO/5-6, para. 48.

¹⁰⁶ CRC/C/ISR/CO/5-6, para. 29.

¹⁰⁷ A/HRC/37/42, para. 40.

¹⁰⁸ For more details, see <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>

¹⁰⁹ https://www.gov.il/BlobFolder/generalpage/hofesh_meida/he/%D7%93%D7%95%D7%97%20%D7%9B%D7%9C%D7%95%D7%90%D7%99%D7%9D%20-%D7%A8%D7%91%D7%A2%D7%95%D7%9F%20%D7%A9%D7%9C%D7%99%D7%A9%D7%99%20%D7%9C%D7%A9%D7%A0%D7%AA%20%D7%99%D7%95%D7%9C%D7%99%202024.xlsx. The overall figures for prisoners qualified as "security prisoners" by Israel include Israelis and non-Israelis, although the vast majority are Palestinian. As of the end of September 2025, the Israel Prison Service held 2,674 Palestinians as "unlawful combatants" (a form of administrative detention that is not a legal category under international humanitarian law); 3,050 men, 28 women and 148 boys, 1 girl inmates (remand before sentencing); 3,344 men, 9 women and 168 boys as administrative detainees; and 1,458 men, 8 women and 26 boys sentenced. These figures do not include detainees from Gaza held by the military, which number is unknown.

¹¹⁰ <https://t.me/ppsmo/7626>.

family members of “wanted persons” were allegedly taken into custody and detained to pressure their “wanted” relatives to hand themselves over to the ISF.

45. There is a pattern of Israeli security forces subjecting Palestinian detainees to torture and ill-treatment during arrest, through beating, stress positions, sexual harassment during arrest, transfer and interrogation, and imposing on them substandard detention conditions, including disproportionately restricted contact with family and lawyers¹¹¹ across detention facilities, which has substantially worsened since 7 October 2023. OHCHR interviews with Palestinians released from Israeli detention facilities, consistent with information from other United Nations entities, human rights organizations, and the media, indicated that Israeli authorities deliberately subjected Palestinians to inhumane conditions of detention, ill-treatment and torture.¹¹²
46. This has included extensive sexual and gender-based violence against men and women, such as rape and threats of rape; beating on genitals and other sexualized torture; repeated, unnecessary and humiliating strip searches; forced nudity; and inappropriate touching.¹¹³ As of 30 September, two released male detainees from the West Bank reported to OHCHR that they were subjected to anal rape with an object, along with other inmates.¹¹⁴
47. Since 7 October 2023, OHCHR has verified at least 76 Palestinian deaths (75 men and 1 boy) in Israeli custody, among them 24 from the occupied West Bank, including East Jerusalem.¹¹⁵ The lack of food coupled with ill-treatment and/or denial of access to medical care resulted in the deterioration of the health of many detainees, with released male Palestinians stating to OHCHR they had lost between 25kg to 55kg in body weight while in custody. In some cases, these conditions and treatment contributed to the death of Palestinian detainees.¹¹⁶ At least five detainees from the occupied West Bank, including East Jerusalem, were reportedly beaten to death.¹¹⁷ Israeli courts reportedly ordered the investigation of certain cases,¹¹⁸ but no information was made public, or

¹¹¹ A/HRC/58/28, para. 44. See also <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>, paras 33-45, relating to torture and other ill-treatment of Palestinians in Israeli custody, including detainees from the West Bank.

¹¹² See, for example:

https://www.unrwa.org/sites/default/files/content/resources/summary_on_detention_and_alleged_ill-treatmentupdated.pdf;
<https://www.addameer.org/sites/default/files/publications/Full%20Report%20on%20the%20situation%20after%20October%207th.pdf>; https://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf;
https://www.phr.org.il/wp-content/uploads/2024/02/5845_Impersonated_Paper_Eng.pdf;
<https://www.haaretz.com/israel-news/2024-09-07/ty-article/.premium/israeli-guards-filmed-abusing-detainees-prison-service-says-its-a-routine-exercise/00000191-cb71-d359-a5f9-dffd26f60000>

¹¹³ From 7 October to present, 27 of 29 released detainees interviewed by OHCHR reported some form of sexual and gender-based violence in detention (16 men, 10 women, 1 girl).

¹¹⁴ <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>; see also for documented sexual violence: B'Tselem report: "Welcome to Hell: The Israeli Prison System as Network of Torture Camps", August 2024, pp. 58-61; PCHR: <https://pchrgaza.org/wp-content/uploads/2025/05/Torture-and-Genocide-The-Shattered-Futures-of-Former-Palestinian-Detainees-in-Gaza.pdf>, pp. 58-64.

¹¹⁵ In addition, an unspecified number of detainees from Gaza have died at Israeli military bases and IPS custody. See <https://www.ohchr.org/en/documents/reports/detention-context-escalation-hostilities-gaza>

¹¹⁶ For example, 21-year-old Muhammad Elsbar died in custody for lack of provision of the diet he required to treat his Hirschsprung's disease, according to the report of a doctor appointed by the family that observed the autopsy. See <https://www.phr.org.il/wp-content/uploads/2024/03/Death-in-Israeli-Prisons-28.03.24-Ver.pdf>,

¹¹⁷ <https://www.phr.org.il/wp-content/uploads/2024/07/State-of-the-Occupation-Report-2024.pdf>, p. 30.

¹¹⁸ <https://www.addameer.org/sites/default/files/publications/Full%20Report%20on%20the%20situation%20after%20October%207th.pdf>. In one case, the Israeli police opened an investigation against 19 prison guards for “their involvement in a violent event” related to the death of a detainee who was likely beaten to death:

made available to OHCHR, on the progress or outcome of these investigations, or on any further measures taken to effectively investigate and hold to account those responsible.¹¹⁹

48. Since 7 October 2023, civic space for Palestinians continued to shrink across the occupied West Bank, including East Jerusalem, with further violations of freedom of expression, opinion, association and assembly. Israeli authorities have applied broad and opaque speech related offences in a discriminatory manner to severely crack down on Palestinians' freedom of expression, including media freedom. Notably, Israeli authorities scaled up detention and ill-treatment of Palestinians based on political grounds and for social media posts related to the war in Gaza, including anti-occupation activists, human rights defenders,¹²⁰ and journalists,¹²¹ some of whom were arrested in connection with their work. In East Jerusalem, the Israeli police intensified monitoring of Palestinian social media accounts, which led to the arrest and indictment of dozens of Palestinians on incitement grounds for posting content related to Gaza, or for featuring religious icons or citing religious quotations unreasonably deemed to amount to incitement. Some were convicted and sentenced for up to 33-months imprisonment. On the other hand, Israeli authorities have largely failed to punish the surge in dangerous and dehumanizing rhetoric, potentially amounting to incitement to human rights violations and even atrocity crimes, in the public discourse in Israel, including by persons of authority.¹²²
49. OHCHR monitored many cases of ISF stopping Palestinians at checkpoints across the occupied West Bank, including East Jerusalem, and forcibly seizing and inspecting their phones, then beating, humiliating and arresting them if any material related to Israeli violations or containing Palestinian symbols was discovered.
50. During the reporting period, ISF detained 145 Palestinian journalists in the occupied West Bank, including East Jerusalem, at least 41 of them under administrative detention.¹²³ By the end of the reporting period, 27 were still detained, of whom 20 held under administrative detention and at least six under accusations of incitement.¹²⁴ In one instance, ISF arrested a Palestinian journalist and held him in administrative detention for several months. During interrogation, he was first accused of incitement over social media posts about the Israeli occupation and Palestinian resistance and then questioned about his journalistic work. The journalist reported to OHCHR that ISF subjected him to ill-treatment, including through threats of killing and rape while in detention and attempts to sodomize him. ISF regularly obstructed journalistic coverage of their operations by targeting on-duty journalists with live ammunition or tear gas, physically assaulting them, and confiscating their equipment. Compounding wider pressure on the media, on 5 May 2024, the Israeli Government approved the closure of Al Jazeera's operations in Israel, and on 22 September 2024, ISF raided, and

<https://www.haaretz.com/israel-news/2023-12-21/ty-article/.premium/19-israeli-prison-guards-suspected-of-attacking-security-prisoner-who-died/0000018c-8943-da81-a1bc-cff737700000>

¹¹⁹ Similarly, the UN Special Rapporteur on Torture called on Israel to investigate allegations of torture or ill-treatment: <https://www.ohchr.org/en/press-releases/2024/05/israel-un-expert-calls-probe-allegations-torture-and-mistreatment-against>. A comprehensive report on detention in OPT was released by OHCHR in July 2024; see <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>.

¹²⁰ <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>, para. 26. See, specifically for deaths in custody: [At least 75 Palestinians have died in Israeli detention since 7 October 2023 - UN Human Rights in Occupied Palestinian Territory - Question of Palestine](#).

¹²¹ Ibid., para. 29.

¹²² A/HRC/58/28, para. 50

¹²³ Palestinian Journalists Syndicate.

¹²⁴ Ibid.

closed by military order, the network's Ramallah office, which remains forbidden from broadcasting in the West Bank.

51. The Israeli Government's 2021 designation of seven well-established Palestinian civil society organizations as "terrorist" or "unlawful" remained in place, applying unclear and vague definitions¹²⁵ and despite a lack of evidence presented against them. This presented a constant threat of closure and arrest to the organizations concerned, and their staff, which significantly impeded their work to the detriment of the communities they support. On 17 and 26 September 2024, ISF arrested two members of the Union of Palestinian Women's Committees, the executive director and another staff member, and on 1 October closed the organization's main office in Ramallah. Among many other cases, in November 2023, Israeli authorities arrested a male Palestinian human rights defender and held him in administrative detention for more than seven months for simply phoning a fellow human rights defender. He was reportedly subjected to inhumane detention conditions, and daily torture and other ill-treatment, including insults, repetitive and humiliating strip searches, beatings, and sexual violence including beatings on his genitals.
52. Through decades of Israel's occupation of Palestinian territory, it has systematically violated Palestinians' due process and fair trial rights,¹²⁶ a trend that continued during the reporting period. Israeli authorities have applied two different sets of applicable laws: Israeli civil law to settlers in settlements with greater human rights protections compared to the military justice administered to Palestinians.¹²⁷ The two different legal systems extend to criminal law, national health insurance law, taxation laws, traffic, planning and building and political participation.¹²⁸ The application of two separate legal systems by Israeli authorities to settlers, on the one hand, and to the Palestinian population, on the other hand, which in practice results in the differentiated treatment on the basis of, inter alia, race, religion or ethnic origin, is discriminatory.
53. OHCHR trial and other monitoring has confirmed that Palestinians are routinely subjected to unfair trials.¹²⁹ The criminal law applied under the military legal system to Palestinians, including children, applies broad and vague offences, allows prolonged pretrial detention, hinders certain due process rights, and does not provide for an effective and adequate judicial review. The application of this law also results in other violations of Palestinians' human rights, such as rights to liberty and privacy.¹³⁰ The military legal system is a significant tool in controlling Palestinians in the occupied West Bank,¹³¹ as it criminalizes acts that constitute the exercise of fundamental freedoms, such as the freedoms of expression, peaceful assembly and association, and has the effect of curtailing dissenting voices or any manifestation of resistance to Israel's occupation and the settlements enterprise or the expression thereof, including peaceful protests and activities. The prolonged imposition of military law and the manner in which it has been implemented has allowed and facilitated the control of the local population in a discriminatory manner.

¹²⁵ A/HRC/49/83, para. 29.

¹²⁶ A/HRC/55/72, para. 33; *Legal Consequences*, para. 136

¹²⁷ A/HRC/55/72, para. 33; A/HRC/37/42, para. 8; *Legal Consequences*, para. 136; <https://law.acri.org.il/en/wp-content/uploads/2015/02/Two-Systems-of-Law-English-FINAL.pdf>, pp. 33-37.

¹²⁸ See Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, A/77/328, paras. 46-47.

¹²⁹ See, for example, A/HRC/55/72, para. 33.

¹³⁰ See also <https://law.acri.org.il/en/wp-content/uploads/2015/02/Two-Systems-of-Law-English-FINAL.pdf>, chapter 2. See with reference to children, A/HRC/37/42, paras. 33-39.

¹³¹ https://www.btselem.org/military_courts

SETTLEMENT EXPANSION AND APPROPRIATION OF RESOURCES

54. Successive Israeli Governments have consistently advanced and implemented policies of settlement expansion and takeover of Palestinian land¹³² and other natural resources, including water.¹³³ The implementation of these policies has intensified since 7 October 2023, aiming at long-term and irreversible control of the occupied West Bank, including East Jerusalem, or to allow only limited Palestinian self-rule “devoid of national characteristics”.¹³⁴ Statements by senior officials of the Government of Israel referred to these steps and period as a “miracle period”.¹³⁵
55. Israeli authorities have promoted further settlement of occupied territory. While “Jewish settlement” has been officially referred to as a “national value” of the State of Israel in the 2018 Basic Law: Israel as the Nation-State of the Jewish People, the Basic Law remains ambiguous as to what this means, as it fails to specify whether this only applies to the territory of the State of Israel or to the “Land of Israel” which is also mentioned in the Basic Law. The policies of the Israeli Government inaugurated in December 2022 are aligned, to an unprecedented extent, with the goals of the Israeli settler movement to expand long-term control over the occupied West Bank, including East Jerusalem, and, in practice, to further integrate those areas into the territory of the State of Israel.¹³⁶
56. In the last two years, there has been an unparalleled spike in settlement activities, increasing the already unprecedented encroachment on Palestinian land and dramatically changing the geography of the occupied West Bank, including East Jerusalem. During the reporting period, 141 new outposts including 12 in Area “B”— which are illegal under Israeli law — were established by settlers, compared to an average of eight outposts established yearly on average in the previous ten years.¹³⁷ Most of these were farming outposts which, supported by government and private funding,¹³⁸ have proven an efficient and effective tool to displace Palestinian communities and replace them with Israeli presence and economic activities.¹³⁹ During the reporting period, settlers had paved approximately 240 new roads, connecting outposts and settlements while fragmenting Palestinian land and also blocking Palestinian’s access to their land, water and other resources.¹⁴⁰ Israeli authorities recognized, in violation of international law, 32 new settlements through the retroactive “legalization” of outposts under domestic law,¹⁴¹ while about 70 other outposts were recognized as “sites under legalization” and eligible to benefit from services and infrastructure.¹⁴² Facilitated by the

¹³² A/78/554, para. 4.

¹³³ See A/HRC/48/43; https://www.alhaq.org/cached_uploads/download/2022/12/12/al-haq-report-2-1670826325.pdf; <https://www.haaretz.com/israel-news/2024-06-13/ty-article/.premium/water-supply-reduced-in-palestinian-neighborhood-in-east-jerusalem-amid-heat-wave/00000190-1170-d667-abf0-75fbf3850000>; https://www.btselem.org/sites/default/files/publications/202305_parched_eng.pdf

¹³⁴ <https://www.timesofisrael.com/smotrich-urges-ramping-up-west-bank-gaza-settlements-pushing-palestinians-out/>

¹³⁵ https://x.com/hod_barel/status/1809807762689302902?ref_src=twsrc%5Etfw

¹³⁶ See A/78/554, para. 5

¹³⁷ <https://peacenow.org.il/wp-content/uploads/2024/10/War-and-Annexation-Peace-Now-Report-October-2024.pdf>, p. 2.

¹³⁸ <https://peacenow.org.il/en/government-funds-for-farms>; <https://www.haaretz.com/israel-news/2024-06-13/ty-article/.premium/israel-finances-west-bank-outpost-owned-by-settlers-placed-under-u-s-u-k-eu-sanctions/00000190-1105-db28-a995-559d87720000>

¹³⁹ Ibid.

¹⁴⁰ Peace Now, on file.

¹⁴¹ Including 17 outposts retroactively regularized and 15 designated as “neighbourhoods” of existing settlements; Peace Now, on file.

¹⁴² <https://peacenow.org.il/wp-content/uploads/2024/10/War-and-Annexation-Peace-Now-Report-October-2024.pdf>, p. 4; <https://peacenow.org.il/en/construction-in-outposts>

structural changes of governance over the occupied territory,¹⁴³ Israeli authorities approved or advanced an unprecedented number of settlement housing units in the West Bank, including more than 40,000 in Area C, and more than 40,000 in East Jerusalem¹⁴⁴, of which more than 20,000 advanced at the level of the Jerusalem Planning Committee alone.¹⁴⁵

57. Israel made several declarations of “state land” during the reporting period, which appropriated¹⁴⁶ a total of 25,459 dunams of Palestinian land in the occupied West Bank, including privately owned land, representing approximately half of all land declared as “state land” since the Oslo Accords.¹⁴⁷ Such appropriation usually provides land for settlement construction and expansion,¹⁴⁸ thus discriminating against Palestinians whose public and private land is unlawfully confiscated for use by Israeli citizens. Indeed, 99.76 per cent of all land declared as “state land” (as of 2018) has been allocated for Israeli settlements.¹⁴⁹ Among the declarations of “state land” by Israeli authorities during the reporting period was a 29 February 2024 declaration of 2,640 dunams of land in the southern area of the controversial E1 Plan (approved in August 2025, see below), between the settlements of Ma’ale Adumim and Keidar. This declaration threatens the livelihoods of Palestinian communities in Abu Dis and el-Azariya and risks the displacement of the Abu Nuwar, Wadi Abu Al-Suwan, and Abu Hindi Bedouin communities, totalling 1,000 Palestinians. The Government of Israel reportedly planned to build 1,500 housing units in the area. On 20 March 2024, the Israeli Civil Administration declared as “state land” 8,000 dunams in the Jordan Valley, followed by about 12,700 dunams also declared as “state land” on 20 June 2024 — a huge swath of land in this fertile part of the occupied West Bank.¹⁵⁰
58. Another dimension of these concerning policies by the Israeli Government is the unlawful appropriation of Palestinian land in the West Bank after 7 October 2023 through the confiscation of land to establish “military buffer zones” around settlements and settler roads, alleging the need to ensure the security of settlers. Twenty-five of such confiscation orders were issued by the Israeli military during the reporting period, resulting in the appropriation of more than 400 dunams of land, additional movement restrictions for Palestinians, and further fragmentation of their territory.¹⁵¹ On 11 May 2025, the Israeli security cabinet decided to resume land registration in Area C of the occupied West Bank. The registration, which was suspended in 1968, would result in the acquisition of Palestinian land and contribute to the consolidation of the unlawful annexation of the West Bank. The process of land registration or “settlement of land title”, under which Israel purportedly seeks

¹⁴³ A/80/399, para. 5.

¹⁴⁴ Advanced at municipal or district level, based on information provided by Ir Amim, on file with OHCHR.

¹⁴⁵ Monitoring by the Office of the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, on file.

¹⁴⁶ By this declaration, the administration of the land is entrusted to the Israeli Civil Administration; see https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/Hafiha_24/Hafiha_ENG.pdf, p.35. See also A/HRC/52/76, para. 8.

¹⁴⁷ <https://peacenow.org.il/wp-content/uploads/2024/10/War-and-Annexation-Peace-Now-Report-October-2024.pdf>, p.3.

¹⁴⁸ *Legal Consequences*, para. 122

¹⁴⁹ Israel response to freedom of information request, see <https://peacenow.org.il/wp-content/uploads/2018/07/Lands-Allocated-to-Palestinians-1.pdf>

¹⁵⁰ Other declarations of “state land” in this period include: 170 dunams declared as “state land” on 1 April 2024, around the Herodium archaeological site; 69 dunams declared as “state land” near Evyatar outpost, Nablus, on 9 July 2024.

¹⁵¹ According to Peace Now.

to definitively establish land ownership registration in favour of Israeli settlers, represents an exercise of sovereignty in an occupied territory, which is prohibited under international law.

59. As result of the Israeli settlements and related measures taken by the Government of Israel, Palestinians have been deprived of the natural resources necessary for their livelihood, including through Israel's control and diversion to settlements of Palestinian water resources; the confiscation and demolition of Palestinian water-related infrastructure; and the seizure of water wells and springs by settlers through violence and the imposition of access restrictions.¹⁵² Furthermore, waste from settlements continues to pollute Palestinian water, air, and soil.¹⁵³ The discriminatory building permit system has prevented Palestinians from developing their own water system (i.e. the drilling of wells, the building and maintenance of water infrastructure, the infrastructure to distribute water across communities), resulting in the discriminatory allocation of water between Palestinians and settlers.¹⁵⁴ Despite the occupied West Bank, including East Jerusalem, being relatively rich in ground water, and with settlers enjoying a virtually unlimited water supply, Palestinian authorities are forced to buy large amounts of water from "Mekorot" — the Israeli Government company operating under the Israeli Ministry of Energy, and the Israeli Water Authority, which extracts water from the occupied West Bank.¹⁵⁵
60. Israel's appropriation of natural resources in the West Bank, including East Jerusalem, the discriminatory allocation of water supply, and the pollution of existing water resources has generated a water scarcity for Palestinians. Since the beginning of June 2024, Palestinian residents of Bethlehem, Hebron and Ramallah governorates, which rely heavily on Mekorot, faced water reductions ranging from 35 to 50 per cent of previous supplies.¹⁵⁶ Water reductions by Mekorot led to severe water shortages for more than 100,000 Palestinians living in the neighbourhood of Kufr Aqab, East Jerusalem in the summer of 2024.¹⁵⁷ Whereas water supplies resumed in Ramallah at the beginning of July 2024, further reductions were announced in Hebron by the end of the month,¹⁵⁸ with no justification provided by Mekorot according to Palestinian authorities.
61. Approximately 70 Palestinian communities, mostly in Area C, are not allowed by the Israeli authorities to connect to the water grid. Instead, they have to rely on water tanks and water springs, which have been systematically attacked and/or seized by Israeli authorities and settlers.¹⁵⁹ Since 7 October 2023, settlers have increased their presence in Sebastiya, Nablus, reportedly in an attempt to take over one of the largest water sources in the occupied West Bank located there — a source

¹⁵² A/HRC/48/43, para. 31.

¹⁵³ Ibid., para. 37.

¹⁵⁴ HRC resolution 28/27 and CERD/C/113/3/Add.2, paras. 45-46.

¹⁵⁵ See also: https://www.alhaq.org/cached_uploads/download/2022/12/12/al-haq-report-2-1670826325.pdf; https://www.btselem.org/publications/202305_parched

¹⁵⁶ For instance:

<https://www.facebook.com/pwapalestine/posts/pfbid02nNbVDHmVM1kegDYei3fwngTKEc8R8PinngJhHMgWSWoZo8pqHQqpdKjL5R8EzUPI>

¹⁵⁷ Kufr Aqab is part of the area unlawfully annexed to Israel in 1967 and located within Jerusalem's municipal boundaries but is physically detached from the rest of the city by the West Bank Wall. Despite paying taxes to Israel, and unlike other neighbourhoods in Jerusalem that receive water from the municipal water corporation Hagihon and benefit from a continuous supply of water throughout the year, residents of Kufr Aqab receive water from the Jerusalem Water Undertaking - a Ramallah-based company that buys water from the Israeli company Mekorot.

¹⁵⁸ <https://www.facebook.com/pwapalestine/posts/pfbid029yEndHg8NpgqiYG7ubzj3Rp2f2myMQ8PfXPt6mdLqcG66eU6PFQI3EbQm2Pcbsjoi>

¹⁵⁹ <https://www.ochaopt.org/content/how-dispossession-happens-takeover-palestinian-water-springs-israeli-settlers-march-2012>

which provides water for approximately 300,000 Palestinian residents living in rural villages and refugee camps. Elsewhere, following the establishment of a new settler outpost on 14 April 2024 near the Al 'Auja water spring in Jericho governorate, OHCHR documented three, among many, incidents¹⁶⁰ of ISF and settlers blocking access to the water spring for the Bedouin herding community of Ras Ein Al Auja, which had been using it for decades, and cutting the water pipes that bring water from the spring to the community, as part of the efforts to forcibly displace this largest Bedouin community remaining in the central Jordan Valley. By the end of the reporting period, the community was forced to buy water from Al- Au'ja village, making it impossible for the community to sustain itself.¹⁶¹

62. The allocation of Palestinian resources, including land and water, to the Israeli State and settlers deprives Palestinians of their basic means of subsistence, exacerbates the coercive environment and contributes to their forcible displacement and forcible transfer, leading to further control by Israel over the occupied West Bank, and the integration of these areas into Israel.¹⁶² The result of these policies is to further the goals of the Israeli Government to expand long-term control over the occupied West Bank, including East Jerusalem,¹⁶³ while cementing the discriminatory and oppressive system of Israeli control over Palestinians.

A CONTINUUM OF STATE VIOLENCE AND SETTLER VIOLENCE

63. Settler violence against Palestinians, often committed with the acquiescence and support of ISF,¹⁶⁴ is a long-term concern in the occupied West Bank, including East Jerusalem, and has been one of the elements that has forced communities to leave their homes, leading to forcible transfer.¹⁶⁵ In the last two years, violent acts and other abuses perpetrated by settlers against Palestinians reached a new peak in scale and severity, causing deaths, destruction of Palestinian property and livelihoods, forcible displacement, and the dismemberment of Palestinian communities. This was enabled by the policy of the Government of Israel to draft thousands of settlers into "regional defense battalions" of the Israeli army, empowering so-called "settlements defense squads" with human resources and weapons, and distributing thousands of weapons to settlers, including in outposts illegal under Israeli law.¹⁶⁶ This has resulted in further attacks by settlers with impunity and actions such as blocking Palestinian roads and paving new roads for settlers. Multiple cases of settler violence monitored by OHCHR during the reporting period indicated that the growing phenomenon of "settler-soldiers"¹⁶⁷ (settlers wearing full or partial military fatigue with no clarity on whether they are acting as part of the army or in their private capacity) is further blurring the line between state and settler violence. This has further cemented the impunity under which settlers commit violent acts and other abuses

¹⁶⁰ According to information on file, among 60 settler attacks recorded by OCHA against the community, 36 were related to water.

¹⁶¹ A/80/399, para. 20.

¹⁶² *Legal Consequences*, paras. 143-147 and 169.

¹⁶³ A/79/347, para. 4. See also, for example, <https://peacenow.org.il/en/the-annexation-agenda-of-the-israeli-government>

¹⁶⁴ See, for example, A/78/554, paras. 73 and 81.

¹⁶⁵ See also A/80/399, para. 38; A/HRC/58/73, para. 40; A/78/554, para. 74.

¹⁶⁶ <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>, para.36; https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/Hafiha_24/Hafiha_ENG.pdf, pp.53-54; A/HRC/58/73, paras. 43-44.

¹⁶⁷ See also <https://acleddata.com/2024/06/10/civilians-or-soldiers-settler-violence-in-the-west-bank/>; A/HRC/58/73, paras. 41-42.

against Palestinians,¹⁶⁸ and undermined access to remedies for Palestinians – for example, through repeated refusal by the Israeli police to receive complaints against individuals known to be settlers but wearing full or partial uniform. Furthermore, the army also dismisses complaints regarding violence committed by individuals known to be settlers while wearing uniform, without a thorough investigation and merely stating that “no military activity” had been reported at the time and place of the relevant incident.¹⁶⁹

64. During the reporting period, according to OHCHR monitoring, settlers killed 19 Palestinians, including 17 men and 2 boys. In addition, 13 Palestinians, among them 12 men and one boy, were killed either by settlers or the ISF in circumstances where both ISF and settlers were shooting at Palestinians. In the same period, OCHA recorded 3,088 Israeli settler attacks against Palestinians, with a daily average of four incidents. The attacks resulted in Palestinian casualties (309 incidents), damage to Palestinian-owned property (2,455 incidents), or both casualties and damage to property (324 incidents). In total, 1,603 Palestinians (1,332 men, 107 women, 156 boys, 8 girls) were injured within this context,¹⁷⁰ over 44,000 trees and saplings were damaged, and 1,100 vehicles, 190 houses, and 400 water tanks and other water and sanitation structures were vandalized.¹⁷¹ In comparison, around 1,860 settler incidents resulting in casualties, property damage, or both were documented between 7 October 2021 and 7 October 2023 (about 66 per cent increase). According to OHCHR monitoring, settlers continued to trespass into residential areas of herding and farming communities and carry out actions violating the privacy of women herders, accompanied by increased attacks and harassment against women and children.¹⁷² This continued to be a key coercive factor in forcing herding and farming communities to leave their homes. Based on available information, nine settlers, four of them minors, were indicted during the reporting period for violence against Palestinians in the occupied West Bank, including East Jerusalem, with no information as to the status of the cases.
65. On 19 January 2024, 17-year-old American Palestinian, Tawfeeq Hafez, drove with a friend to a picnic area on a mountain in Wadi Al Baqar, near road 60. While on a dirt road, the boy, unarmed, was killed after being shot multiple times from two opposite directions: by an Israeli off-duty police officer and a settler on one side and ISF on the other. ISF stated to Israeli media that the Israeli police had launched an investigation, the status of which was unknown to OHCHR at the time of writing.
66. Settler violence against Palestinian communities also took the form of daily trespassing in and harassment of Palestinian communities, and attacks by large groups of armed settlers resulting in killings, injuries and destruction of property.¹⁷³ On the evening of 15 August 2024, approximately 100 settlers armed with tear gas canisters, metal rods, incendiary devices, stones and bearing firearms, according to witnesses, attacked the village of Jit, Qalqilya, and killed a 23-year-old Palestinian man and seriously injured a 21-year-old Palestinian man. As monitored by OHCHR, and recorded by security cameras in footage seen by OHCHR, settlers attacked Palestinians with stones, hitting them with rods, breaking into homes, and setting on fire at least four houses and four vehicles. Despite having prior intelligence of an imminent attack, ISF were late to arrive and failed to “act more

¹⁶⁸ A/HRC/58/73, paras. 51-53.

¹⁶⁹ See <https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/Letter+on+settlers+in+uniforms+Yesh+Din+2024%5B1%5D.pdf>

¹⁷⁰ OCHA, on file. Including 400 by settlers, 308 by Israeli forces and 17 where it remains unknown whether they were injured by Israeli forces or settlers.

¹⁷¹ OCHA, on file.

¹⁷² A/79/347, para. 69. See also A/HRC/55/72, para. 28; A/80/399, para. 42.

¹⁷³ Other such attacks documented by OHCHR prior and after 7 October 2023: A/78/554, paras. 54ss; A/HRC/58/73, paras. 47-48; A/80/399, para. 43.

decisively” according to an Israeli internal investigation.¹⁷⁴ The same investigation found that members of the “rapid response team” from a nearby settlement participated in the attack. They were dressed in military uniform while “not in active reserve duty” and were acting “contrary to the authority defined for the members of the rapid response team”.¹⁷⁵ While no arrests were made on the day of the incident, ISF had reportedly arrested eight settlers by 25 September 2024, subsequently releasing three of them, and placing five others in administrative detention while the investigation was ongoing.¹⁷⁶ While the five settlers were subsequently released in January 2025 following a prisoner exchange with Hamas¹⁷⁷, there is no further information available of further steps taken with regard to the criminal investigation at the time of writing.

67. The constant acts of State and settler violence against Palestinians, including gender-based violence, appear to be an integral part of policies and practices aiming at expanding Israeli control beyond the settlement area, limiting Palestinians' access to land, and consolidating and expanding Israeli settlements and outposts. This climate has a serious psychological impact on Palestinians, leading to intergenerational trauma, and forcing them to leave their lands, leading, in many cases, to their forcible transfer. The impunity for ISF and settler violence and other abuses, documented by OHCHR for many years, contributed to the creation and maintenance of the coercive environment against Palestinians,¹⁷⁸ their forcible displacement and transfer, and consolidated Israel's discriminatory control over Palestinians.

TAKING OVER “AREA C” OF THE WEST BANK: FORCIBLE TRANSFER OF HERDING AND FARMING COMMUNITIES

68. While the unlawful transfer of Israelis into settlements in the occupied West Bank, including East Jerusalem, has been ongoing for decades, with support from successive Israeli Governments, this support has escalated since December 2022. After 7 October 2023, the Government of Israel took steps increasing its political support, including through the security forces, to settlers to leverage the prevailing environment of impunity and accelerate their long-standing mutual goals to consolidate control over Area C, which covers 60 per cent of the occupied West Bank (excluding East Jerusalem), including through the forcible transfer of Palestinian communities.¹⁷⁹ This forms part of the Government of Israel's steps towards expanding and consolidating its permanent control of the occupied West Bank, which the International Court of Justice has concluded amounts to annexation,¹⁸⁰ and its goal to control as much territory with as few Palestinians in it as possible.¹⁸¹ In

¹⁷⁴ idfanc.activetrail.biz/ANC28082024214907657

175 Ibid.

176 <https://www.haaretz.com/israel-news/2024-09-25/ty-article-magazine/.premium/a-month-after-settler-riot-at-a-palestinian-village-the-economic-insecurity-weighs-too/00000192-29e1-d08a-a7ba-39f304be0000>

177 <https://www.c14.co.il/article/1096221>; <https://www.timesofisrael.com/katz-says-settlers-in-administrative-detention-to-go-free-ties-it-to-palestinian-release/>

¹⁷⁸ A/76/336, para. 19; A/HRC/55/72, para. 33.

¹⁷⁹ See for example [The Annexation Agenda of the Israeli Government - Peace Now](https://www.timesofisrael.com/amid-shin-bet-warnings-ben-gvir-said-to-dismiss-deadly-settler-violence-as-graffiti/);
<https://www.timesofisrael.com/amid-shin-bet-warnings-ben-gvir-said-to-dismiss-deadly-settler-violence-as-graffiti/>;
<https://www.haaretz.com/israel-news/2024-03-13/ty-article/.premium/west-bank-police-chief-most-complaints-of-settler-violence-are-false-filed-by-anarchists/0000018e-34cf-d5ad-addf-7cdf2310000>;
<https://www.timesofisrael.com/ben-gvir-forms-police-team-targeting-left-wing-activists-in-the-west-bank-report/>;
https://www.timesofisrael.com/liveblog_entry/smotrich-vows-more-settlements-as-eu-sanctions-extremist-settlers/

¹⁸⁰ See *Legal Consequences*, paras. 172-173.

¹⁸¹ See for example ש"מ השטח ביו 82% סיפוח: חושף את מפת הריבונות 'סמוטריץ'.

this regard, it is recalled that any acts or policies amounting to annexation of occupied territories constitute a most serious violation of international law.

69. The forced displacement of Palestinian herding communities in Area C is caused by a build-up of pressure from State and settler policies and practices, including State and settler violence often in combination, that create an increasingly coercive environment.¹⁸² Actions documented in this report were not new, but were bolder, faster, more coordinated and with more overt consent, coordination and collusion by the ISF since the current government of Israel was inaugurated in 2022, with further intensification after 7 October 2023.
70. Such actions led to an unprecedented level of displacement stemming from settler violence often amounting to forcible transfer.¹⁸³ During the reporting period, more than 3,000 Palestinians, including over 1,500 children, had been displaced from at least 70 primarily Bedouin herding communities in Area C of the West Bank.¹⁸⁴ This followed attacks by settlers, and/or settlers forcibly closing access to grazing lands, water sources and other basic services.¹⁸⁵ The number of displaced represents 8.5 per cent of the 35,000 strong herding population in Area C.¹⁸⁶ By the end of the reporting period, the few remaining communities were under constant attack and threat by settlers, placing them under imminent risk of forcible transfer.¹⁸⁷
71. Palestinians living in the eastern part of the West Bank have been targeted, including communities in strategic areas for Israeli settlement in the South Hebron Hills, south-east of Bethlehem, East Ramallah and the northern Jordan Valley. Most of these communities are located in Area C or on the edges of Areas B and A. In their place, Israel has, since 7 October 2023, established or permitted settlements and outposts, including lucrative Israeli farms, settler-only roads, energy-generating projects and other infrastructure, creating facts on the ground to further annex other parts of the West Bank. In some cases, outposts were established in areas of previously sparse settlement construction, serving to link together illegal settlements into long bands and destroy Palestinian contiguity. An estimated 100,000 dunams (24,700 acres, or 10,000 hectares) of land had been effectively cleared of Palestinians since 7 October 2023 and as of March 2024.¹⁸⁸ In May 2025, a leader of the settler "Hilltop Youth" published a map purporting to show that settler outposts controlled a contiguous area of 381,000 dunams (94,735 acres or 38,100 hectares) in the eastern edge of the West Bank; an area equivalent in size to the entire Gaza Strip.¹⁸⁹
72. Identified trends of forced displacement include the rapid installation of settler shepherding outposts close to Palestinian herding communities; repeated attacks by armed settlers intimidating the communities; daily trespassing by settlers into residential areas of the communities, threatening women and children, and depriving herders of their traditional sources of livelihood (by blocking access to grazing land and water, and killing and stealing livestock); and the destruction, including

¹⁸² On the coercive environment see, for example, A/HRC/34/39, paras. 40-42; A/HRC/43/67, paras. 38-39.

¹⁸³ See, for example, <https://www.ochaopt.org/content/displacement-palestinian-herders-amid-increasing-settler-violence>

¹⁸⁴ OCHA, on file.

¹⁸⁵ OCHA, on file.

¹⁸⁶ <https://mpccommunities.bimkom.org/who-are-the-mps/>

¹⁸⁷ <https://www.un.org/unispal/document/statement-on-a-new-wave-of-settler-attacks-displacing-palestinian-herding-communities-and-consolidating-settlements-and-outposts-in-the-occupied-west-bank-ohchr/>

¹⁸⁸ <https://www.haaretz.com/israel-news/twilight-zone/2024-03-30/ty-article-magazine/.highlight/while-war-rages-in-gaza-the-west-bank-has-undergone-a-metamorphosis/0000018e-8d23-d9a4-a7bf-cd7b2c270000>

¹⁸⁹ <https://x.com/elishayered/status/1928016788165644454?s=46>.

the torching, of homes, schools, basic services, and off-grid infrastructure (solar panels, water tanks and water pipes).¹⁹⁰

73. OHCHR monitored 20 communities among those fully displaced since 7 October 2023,¹⁹¹ adding to the existing and extensive body of monitored cases,¹⁹² documenting that Palestinians were forced to leave due to the concerted efforts of settlers, the ISF, and other Israeli authorities to directly drive them from their land or create impossible living conditions.
74. Cases monitored by OHCHR demonstrate how the combined effects of settler violence and Israeli discriminatory policies have displaced Palestinian communities in acts amounting to forcible transfer. For instance, the community of Khirbet Zanuta in the South Hebron Hills was one of the largest communities forced to leave following attacks by armed settlers in October 2023.¹⁹³ After the community was emptied, settlers destroyed shelters, solar panels, latrines and the community school, and erected a barbed wire fence around the area. Following a petition, the Israeli High Court of Justice ruled on 29 July 2024 that Israel had an obligation to allow the residents to return to their village under the protection of the ISF. On 21 August 2024, about 100 residents from 33 families returned to the village but were forbidden by the Israeli Civil Administration from rebuilding any new structure, making it impossible for them to restore their community and attend to basic needs. In parallel, settlers resumed the daily harassment of Palestinians and their livestock. On 4 September, the Civil Administration suggested that the residents relocate about 2.5km north of the current village, in a remote area adjacent to Areas A and B within lands declared as “state lands”, which the community refused to do. By 23 September 2024, all those who had returned to Zanuta were forced to leave for a second time.
75. In the aftermath of 7 October 2023, settlers also started harassing a community located in a strategic area in East Jerusalem’s periphery — an area slated for the controversial E1 settlement project in Area C. Settlers closed the road connecting the community of 100 families to the main urban centre, As-Sawahira - Ash-Sharqiya, forcing them to use long detours to access essential services or supplies and blocking access to grazing fields. Following legal action by the community, on 26 February 2024 the Israeli High Court endorsed a 21 January 2024 order by the IDF central command that the road be temporarily seized for “security reasons”. On 29 February 2024, Israeli authorities declared as “state land” 2,640 dunams of land belonging to the Palestinian towns of Abu Dis and Al Eizariya, including land near the Al Muntar community, which will allow settlement development in the area and place the community at imminent risk of expulsion and forcible transfer.
76. Displacement, including forcible transfer, of Palestinians in the West Bank, including East Jerusalem, beyond herding communities also occurred at an unprecedented rate through the implementation of unlawful and discriminatory Israeli planning and zoning regulations and other discriminatory policies.¹⁹⁴ The Human Rights Committee and the Committee on the Elimination of Racial Discrimination have found that these policies and practices contribute to a situation of racial

¹⁹⁰ See also A/79/347, paras. 55-59.

¹⁹¹ Khirbet Zanuta, Al Ganoub, Khirbet ar Ratheem, Juret Al Kheil, Al Buwieb , Kisan wilderness, Al Minya and Deir Alla in South West Bank; Wadi Al Seeq, Khirbit Ei’n Al-Rashash, Khirbet Tana, Ein al-Hilwa – Wadi al-Faw, Al Mu'arrajat East (Arab Al-Mulaihat), Khirbit Jib'it, Rantis, Ein Ayoub in Central and Northern West Bank; Hizma in East Jerusalem.

¹⁹² See for example, A/78/554, para. 43.

¹⁹³ See A/79/347, paras. 60-63.

¹⁹⁴ A/79/347, para. 39; A/72/564, para. 25; A/75/376, para. 54; A/HRC/58/73, paras. 54-56 and 61; A/80.399, paras. 10, 28 and 72. See also *Legal Consequences*, paras. 147 and 220-222.

segregation and systemic discrimination against Palestinians.¹⁹⁵ This also raises concerns of collective punishment in the aftermath of 7 October 2023. In the two following years, 3,280 Palestinians were displaced following demolition of 685 inhabited homes on the grounds of lacking Israeli building permits, representing a 288 per cent rise in displacement compared to the previous 24 months.¹⁹⁶ In addition, 398 Palestinians were displaced following punitive demolitions,¹⁹⁷ with the Israeli High Court of Justice approving in March 2024 a punitive demolition in an attack by a Palestinian child against two Israeli police officers, with no fatalities, in an expansion of the punitive demolition policy.¹⁹⁸ Demolitions on lack-of-permit and punitive grounds, which numbered 2,889 Palestinian-owned structures, included 751 homes, of which almost half (301) were in Jerusalem.¹⁹⁹

77. The forcible displacement and transfer of Palestinian communities documented in this report reflects the overall dispossession and fragmentation of the Palestinian population of the occupied West Bank and the subordination of Palestinians to the interests of the Israeli State and of settlers, as the Government of Israel in practice further integrates land of the occupied West Bank into Israel. Forcible transfer destroys communities and cultures,²⁰⁰ amounts to a violation of international humanitarian law,²⁰¹ is a war crime,²⁰² and may amount to a crime against humanity if committed as part of a widespread or systematic attacks against a civilian population.²⁰³

EAST JERUSALEM – DEMOLITIONS, EVICTIONS, SETTLEMENTS, SYSTEMIC DISCRIMINATION

78. Since Israel occupied East Jerusalem in 1967 and annexed it under Israeli law in 1980, in violation of international law, it has applied discriminatory laws regarding citizenship and residency rights, freedom of movement, family reunification,²⁰⁴ housing, zoning and planning policies,²⁰⁵ and protection of property.²⁰⁶ Furthermore, Israel has taken steps to encircle East Jerusalem with settlements and isolate it from the rest of the West Bank.²⁰⁷ During the reporting period, Israeli authorities accelerated the creation of facts on the ground that have had the effect of entrenching Israeli control over East Jerusalem.²⁰⁸

¹⁹⁵ CERD/C/113/3, para. 48; CCPR/C/ISR/CO/5, para. 42.

¹⁹⁶ [Between 7 October 2021 and 6 October 2023, 359 structures were demolished, including 147 inhabited residential structures that resulted in the displacement of 845 people, including 418 children.](#) OCHA, on file.

¹⁹⁷ [Data on demolition and displacement in the West Bank | United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory.](#) For the practice of punitive demolitions, unlawful under international law, see HRC/44/60, para. 38-52.

¹⁹⁸ <https://hamoked.org/document.php?dID=Updates2400>

¹⁹⁹ [Data on demolition and displacement in the West Bank | United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory.](#)

²⁰⁰ Pastoralist communities in the West Bank, for example, are severed from the traditional lifestyles which are central to their livelihoods and socio-cultural development.

²⁰¹ Fourth Geneva Convention, Article 49. See also ICRC Study on Customary International Humanitarian Law, Rule 129.

²⁰² Rome Statute, article 8 (2) (a) (vii) and 8 (2) (b) (viii).

²⁰³ Ibid., article 7(2)(b)

²⁰⁴ A/78/502, paras. 57-59; A/HRC/46/63, paras. 44-45.

²⁰⁵ A/HRC/52/76, para. 30; A/HRC/58/73, paras. 25-32; A/80/399, paras. 31-36.

²⁰⁶ A/77/493, paras. 11-12; A/78/554, para. 40.

²⁰⁷ A/77/493, para. 6; A/78/554, para. 11; A/HRC/58/73, para. 23; A/80/399, para. 8.

²⁰⁸ See also <https://mailchi.mp/ir-amim/israel-poised-to-advance-next-week-six-settlement-plans-in-east-jerusalem-in-one-day?e=c51325a0b8>; <https://www.ateretcohanim.org/under-the-fog-of-war-kidmat-tzion-is-not-only-approved-but-gets-a-bus-stop/>

79. The last two years have been marked by escalated steps to evict Palestinians and transfer Israelis into East Jerusalem. The application of discriminatory Israeli zoning and planning legal regimes, in violation of the law of occupation and international human rights law, continued to make it almost impossible for Palestinians to acquire planning permission for construction.²⁰⁹ As a result, almost all construction by Palestinian residents of East Jerusalem, even on privately-owned land, is subject to demolition. During the reporting period, according to OCHA, Israeli authorities demolished 456 Palestinian-owned structures in East Jerusalem, citing lack of building permits, of which 245 were inhabited residential units, resulting in the displacement of 1,243 Palestinians. This represents a 27 per cent overall increase in demolitions, and a 67 per cent increase in demolitions of inhabited structures compared to the two previous years when 359 structures were demolished, 147 of them inhabited.²¹⁰
80. In Silwan neighbourhood,²¹¹ adjacent to the Old City, Israeli authorities demolished 54 Palestinian structures and displaced 226 Palestinians, citing lack of Israeli building permits. At the end of the reporting period, over 100 Palestinian homes of 1500 Palestinians in Al Bustan neighbourhood of Silwan were under threat of demolition as Israeli authorities applied discriminatory Israeli laws to create a park next to an illegal Israeli settlement.²¹²
81. Palestinians in East Jerusalem also faced eviction under Israel's discriminatory Absentee Property Law and the Legal and Administrative Matters Law of 1970, which is applied unlawfully in occupied territory.²¹³ At least 218 Palestinian households, mostly in the neighbourhoods of Sheikh Jarrah and Silwan, face forced eviction.²¹⁴ For example, in Batn al-Hawa in Silwan, some 85 families, making up 700 Palestinians,²¹⁵ faced eviction proceedings initiated by two settler organizations. On 15 August 2024, Israeli authorities forcibly evicted the Shehadeh family (35 people), marking the first forced eviction there in almost a decade. Israeli authorities issued eviction orders to another 11 families in the area.²¹⁶
82. Israeli authorities advanced 69 plans to create or expand Israeli settlements with a total of 44,837 housing units in East Jerusalem, including plans for nine new settlements, three of them approved (Givat Hamatos D, Givat Shaked, and the Lower Aqueduct) and six others (Nofey Rachel, Atarot, Kidmat Zion, Um Lisun, Um Haroun-Sheikh Jarrah, and Begin Complex-Sheikh Jarrah) advanced in the reporting period.²¹⁷ These settlements encroach on vital space in Palestinian neighbourhoods and isolate them from other Palestinian areas, cutting off East Jerusalem from the rest of the West Bank. On 9 October 2023, Israeli authorities fast-tracked the approval of Kidmat Zion settlement in the Abu Dis neighbourhood of East Jerusalem on the Israeli side of the Wall; a project initiated by the settler organization Ateret Cohanim expressly to "spell the end of a Palestinian state" and "ensure Jerusalem remains Jewish".²¹⁸

²⁰⁹ In general, see A/HRC/25/38, paras. 11-20; see also A/HRC/55/72, para. 34; A/79/347, para. 34; A/HRC/31/43, para. 45.

²¹⁰ OCHA, on file.

²¹¹ A/70/351, paras. 25ss.

²¹² See A/79/347, para. 42.

²¹³ A/75/376, para. 54.

²¹⁴ A/HRC/52/76, para. 35.

²¹⁵ Ir Amim, on file.

²¹⁶ <https://mailchi.mp/ir-amim/district-court-rules-to-evict-66-palestinians-from-their-homes-in-batan-al-hawa-silwan-in-favor-of-settlers?e=%5bUNIQID%5d>

²¹⁷ Ir Amim, on file.

²¹⁸ <https://www.ateretcohanim.org/under-the-fog-of-war-kidmat-tzion-is-not-only-approved-but-gets-a-bus-stop/>

83. On 20 August 2025, the Israeli Civil Administration approved and fast-tracked the so-called E1 settlement plan, presented by Israeli authorities as a crucial step to “bury” the viability of a Palestinian state.²¹⁹ The plan envisages the construction of more than 3,400 units and a massive extension of the Wall in the only remaining “open” area connecting the three major Palestinian cities of East Jerusalem, Ramallah and Bethlehem as well as the north and south of the West Bank.²²⁰ By severing the West Bank in two and cutting Jerusalem off the rest of the West Bank, the plan will further dramatically restrict Palestinians’ ability to move within the occupied West Bank, with catastrophic effects on their enjoyment of fundamental rights, including the rights to access health, education, and to maintain family ties. In parallel, the Government of Israel advanced the construction of a Palestinian-only road — the so-called “fabric of life road” or “sovereignty road”²²¹ — to divert all Palestinian traffic from the settlement bloc in the E1 area and consolidate its annexation.²²² In total, 18 Palestinian herding communities living in the area slated for E1 are at imminent risk of displacement.
84. In East Jerusalem, Israeli authorities continued to pursue the “settlement of land title”, which is unlawful under international law,²²³ and which, coupled with a discriminatory legal structure²²⁴ and settlement expansion plans,²²⁵ is expected to lead to significant evictions of Palestinians and unlawful transfer of land to Israeli settlers. By the end of September 2025, Israeli authorities had initiated the procedure in 238 blocs (8,421 dunams of land) and concluded it in 47 blocks (2,263 dunams, 90 per cent of which were finalized in favour of settlers or the Israeli State, according to Israeli non-governmental organizations. In the Wadi Hilweh area of Silwan — a Palestinian neighbourhood next to Jerusalem’s Old City targeted for settlement expansion — settlement of title was initiated in 13 blocks, to include some 95 per cent of buildings or sites taken over by settlers.²²⁶ In the neighbourhood of Umm Tuba, where settlement of land title was finalized without the knowledge of the residents, 139 Palestinians discovered that the lands on which they had been living for decades were registered to the Jewish National Fund, leaving them vulnerable to eviction.²²⁷
85. Discrimination against Palestinian residents of East Jerusalem continued on grounds of citizenship and residency.²²⁸ Palestinian residents of East Jerusalem who do not have Israeli citizenship are

²¹⁹ מי שמנסה היום בעולם להכיר במדינה פלסטינית – יקבל מאיתנו תשובה בשטח. לא "X" on 'בצאל סמוטריץ' במסמכים, לא בהחלטות או בהצהרות – אלא בעובדות. בעובדות של בתים, שכונות, כבישים ומשפחות יהודיות בונות חיים. הם ידברו על חלום פלסטיני – ואנחנו נמשיך לבנות מציאות יהודית. המציאות הזו קוברת סופית את המדינה <https://t.co/xSsk4C4UsY> / X; https://x.com/shlomo_karhi/status/1958563812392755262

²²⁰ UN Human Rights in the Occupied Palestinian Territory: E1 settlement plan, another unlawful step to consolidate the annexation of the occupied West Bank, including East Jerusalem [EN,AR] - Question of Palestine

²²¹ The Cabinet Decided to Build the Road that will Close the Heart of the West Bank to Palestinians - Peace Now

²²² [E1 settlement project widely condemned, but is it fatal to two-state solution idea? | The Times of Israel](#)

²²³ A/78/554, paras. 21-22.

²²⁴ A/HRC/52/76, para. 34; <https://mailchi.mp/ir-amim/strategic-bloc-of-land-between-east-jerusalem-abu-dis-covertly-transferred-into-state-hands-in-parallel-to-completion-of-land-registration?e=5dfcd834de>

²²⁵ https://www.ir-amim.org.il/sites/default/files/Three%20years%20to%20implement%20Government%203790_HEB%20%28002%29.pdf

²²⁶ <https://mailchi.mp/ir-amim/new-analysis-paper-status-report-the-grand-land-theft-israels-registration-of-land-ownership-in-east-jerusalem?e=%5bUNIQID%5d>

²²⁷ A/HRC/58/73, para. 26.

²²⁸ Palestinian residents of East Jerusalem who apply for Israeli citizenship often face insurmountable obstacles. According to official data, only 18,982 people, representing 5 per cent of Palestinian residents of East Jerusalem, obtained Israeli citizenship from 1967 to 2022, most of them in the 1970s, with

effectively unable to participate in Palestinian parliamentary or general elections²²⁹ and to fully exercise their rights including to freedom of movement and residence, and are vulnerable to the arbitrary revocation of residency status by Israeli authorities, which would deny them health and welfare benefits,²³⁰ on multiple grounds, including “lack of allegiance” to Israel. In February 2023, these powers were extended to allow revocation of citizenship or residency and the deportation of Palestinians sentenced to prison for an “act of terrorism” and who have received monetary benefits from the Palestinian Authority allegedly in relation to committing the act.²³¹ Throughout 2024, the Israeli Ministry of Interior revoked the permanent residency status of 60 residents of East Jerusalem, including 24 men, 33 women and 3 children.²³² On 7 November 2024, the Knesset passed the Deportation of Families of Terrorists Law, allowing the Interior Minister to deport relatives of alleged attackers, residents and citizens, for 7–20 years, even without conviction, based on presumed prior knowledge or expressions of support. Implementation began in February 2025, with at least three Palestinians subjected to ongoing deportation proceedings as of 30 September 2025. Since 1967, Israeli authorities have revoked the permanent residency of over 14,000 Palestinians. Israeli authorities continued to underfund Palestinian schools to pressure them to adopt the Israeli curriculum,²³³ to close organizations,²³⁴ events and media outlets²³⁵ alleged to be founded by the Palestinian Authority; and to effectively criminalize display of the Palestinian flag.²³⁶

86. The Governments of Israel's policy towards Palestinians in East Jerusalem since 1967 has been implemented to control the population, including by setting demographic targets for the city of Jerusalem as a whole, to prevent the risk that “one day the Arab residents of eastern Jerusalem, which had been annexed to the State of Israel in 1967, would seek to realize their national aspirations – either by a repartition of the city, by linking up to an independent Palestinian entity, or in some

approval of “naturalization” procedures and sharply dropping in recent years. While applications by Palestinians for Israeli citizenship grew dramatically since the building of the Wall, which cut off East Jerusalem from the rest of the West Bank, most were rejected based on the discriminatory grounds of “centre of life”, lack of Hebrew language skills, refusal to renounce Jordanian citizenship, as well as for “security” reasons.

²²⁹ One of the official reasons to cancel Palestinian general elections scheduled in 2021, for the first time since 2006, was the alleged refusal by Israeli authorities to allow Palestinian residents of East Jerusalem to vote; see A/HRC/49/83, para. 33.

²³⁰ Israel has used the revocation of health benefits also as a punitive measure against Palestinians in East Jerusalem, raising concerns of collective punishment; see A/HRC/49/83, para. 20.

²³¹ A/78/502, para. 59.

²³² Response to freedom of information request submitted by Hamoked. Simultaneously, they reinstated the residency status of 9 Palestinians.

²³³ <https://www.haaretz.com/israel-news/2022-05-29/ty-article/why-so-few-palestinians-from-jerusalem-have-israeli-citizenship/00000181-0c46-d090-abe1-ed7f7efc20000>

²³⁴ [Factsheet Education in Jerusalem.pdf](#)

²³⁵ See for example, A/75/336, para. 48.

²³⁶ Article 82 of the Police Ordinance authorizes police to prohibit flags from being waved if they cause “a breach of peace”. Despite the Attorney General's instructions that sanctions under this article may be resorted to only upon “a high level of probability that waving the flag will lead to a severe breach of public peace”, the police has systematically prevented the Palestinian flag and harassed those who wave it, especially in East Jerusalem. In 2021 and since Itamar Ben-Gvir became the Minister of National Security, the police has intensified its enforcement against the waving of flags in the public sphere by several hundred per cent, based on the minister's view that the flag should not be raised in the public sphere. In the vast majority of cases where the police acted to confiscate flags from public spaces, entailing harm to those who waved them, no real concern arose. In addition, in May 2023 Minister Ben-Gvir issued a directive to the Israel Police Commissioner regarding removing Palestinian flags that were hung or waved in public spaces: See <https://www.english.acri.org.il/post/minister-of-national-security-s-directive-to-remove-palestinian-flags-is-illegal>.

other way.”²³⁷ Steps towards this have included promotion of settlements in East Jerusalem, including through the annexation of territory surrounding Jerusalem, and the confiscation of public and private Palestinian land, and “planning a sufficient supply of housing by building new neighbourhoods and reinforcing and increasing the density of veteran Jewish neighbourhoods, as well as adding places of employment and services on a quantitative and qualitative basis.”²³⁸

LEGAL ANALYSIS

87. During the reporting period, the International Court of Justice concluded that the regime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constituted systemic discrimination based on, inter alia, race, religion or ethnic origin, in violation of Articles 2, paragraph 1, and 26 of the ICCPR, Article 2, paragraph 2, of the ICESCR, and Article 2 of ICERD. Furthermore, the Court found that Israel's legislation and measures impose and serve to maintain a near-complete separation in the West Bank, including East Jerusalem, between the settler and Palestinian communities. For this reason, the Court considered that Israel's relevant legislation and measures constitute a breach of Article 3 of ICERD.²³⁹
88. In accordance with Article 3 of ICERD, “States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.”²⁴⁰ The prohibition of racial discrimination and apartheid is *jus cogens*.²⁴¹ According to the International Law Commission's Draft of the conclusions on identification and legal consequences of peremptory norms of general international law, “States shall cooperate to bring to an end through lawful means any serious breach by a State of an obligation arising under a peremptory norm of general international law (*jus cogens*)”. It also states that “No State shall recognize as lawful a situation created by a serious breach by a State of an obligation arising under a peremptory norm of general international law (*jus cogens*), nor render aid or assistance in maintaining that situation”.²⁴²
89. The *ad hoc* conciliation commission of the Committee on the Elimination of Racial Discrimination highlighted the continuation of the colonization through settlements and outposts and the de facto policy of colonization as an impediment to ensuring equal protection of the rights of Israelis and Palestinians under the Convention. Alongside this, it noted other practices, notably new illegal constructions by Jewish settlers, restricting building permits for Palestinians, and house demolitions, which — together with the restrictions of movement imposed on Palestinians through checkpoints, as well as limited access to roads, natural resources, land and basic social facilities — amount to a situation

²³⁷ Municipality of Jerusalem, Local Outline Plan – Jerusalem 2000, Chapter 7, pages 12 and 14.

<https://jcfa.org/wp-content/uploads/2012/04/Jerusalem-Master-Plan.pdf>

²³⁸ Ibid., pp. 12 and 14.

²³⁹ *Legal Consequences*, paras. 223 and 229.

²⁴⁰ The ICERD is in force for the State of Israel since 2 February 1979. The ICERD is in force for the State of Palestine since 2 May 2014.

²⁴¹ International Law Commission, Draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*), A/77/10, United Nations, Annex, paragraph (e). Materials on the responsibility of states for internationally wrongful acts: second edition, ST/LEG/SER.B/25/Rev.1. ILC, Fourth Report on Peremptory Norms of General International Law (*Jus Cogens*) by Dire Tladi, Special Rapporteur, 31 January 2019, UN Doc. A/CN.4.727, paras. 91-101. See also “Responsibility of States for internationally wrongful acts, [Responsibility of States for Internationally Wrongful Acts \(2001\)](#)”.

²⁴² ILC, Draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*), Conclusion 19.

of racial segregation.²⁴³ In the concluding observations on the report of Israel, the Committee on the Rights of the Child urged Israel “to bring an end to such legislation and measures that amount to racial segregation or apartheid.”²⁴⁴

90. Israel's unlawful continued presence in, and control over, the Occupied Palestinian Territory, including East Jerusalem, has allowed it to control the Palestinian people in the Occupied West Bank, including East Jerusalem, and to facilitate the unlawful seizure, confiscation and alienation of public and private Palestinian land,²⁴⁵ and use of other resources, including water,²⁴⁶ for the benefit of Israeli settlements,²⁴⁷ as it implemented a policy of settlement in the occupied West Bank, including East Jerusalem.²⁴⁸
91. The displacement of Palestinians from their land and homes, including as a result of the denial of access to their natural resources and the seizure of their land and property, and the effects of the coercive environment, furthers the goals of the Israeli state and the settler movement to expand long-term control over the occupied West Bank, including East Jerusalem. In practice, Israeli settlements operate to further integrate these areas within the territory of the State of Israel,²⁴⁹ and contribute to “policies and practices amount[ing] to annexation of large parts of the Occupied Palestinian Territory,”²⁵⁰ denying the Palestinian people their right to self-determination,²⁵¹ and leading to the colonisation of Palestinian land.²⁵²
92. Israeli authorities treat settlers and Palestinians residing in the occupied West Bank under two distinct bodies of law that expressly provide for such treatment. Israeli settlements and the regime established to enforce them, including separate legal systems, road separation, and discriminatory movement restrictions, among other means, have entailed a system of racial discrimination and segregation between the settlers and the Palestinian population, under which Palestinian communities remain physically isolated from each other, separated from the communities of settlers, and subjected to differentiated treatment in a wide range of fields of individual and social activity in the West Bank and East Jerusalem.²⁵³
93. Settlers enjoy privileged access to natural resources in the West Bank and East Jerusalem, including land and water,²⁵⁴ that belong to individual Palestinians or that should be administered according to the rule of usufruct for the benefit of the local Palestinian population,²⁵⁵ unlawfully confiscated by Israeli authorities, whereas Palestinians are deprived access to these resources,²⁵⁶ and have their

²⁴³ CERD/C/113/3, para. 48

²⁴⁴ CRC/C/ISR/CO/5-6, para. 18.

²⁴⁵ A/HRC/55/72, paras. 1, 12, 16, 38-39, 42 and 51. *Legal Consequences*, paras. 120-123.

²⁴⁶ A/HRC/48/43, para. 31; *Legal Consequences*, paras. 127 and 133.

²⁴⁷ *Legal Consequences*, paras. 122, 126 and 240; A/HRC/52/76, para. 8

²⁴⁸ *Legal Consequences*, paras. 113-114.

²⁴⁹ A/78/554, para. 5.

²⁵⁰ *Legal Consequences*, paras. 170, 173. See also A/HRC/55/28 para. 8; A/78/554 para. 5; A/75/376, para. 13; A/80/399, paras. 5, 9-11, 20, 38, 51, 55 and 71.

²⁵¹ *Legal Consequences*, Section E, paras. 230-243.

²⁵² See CERD/C/113/3, para. 48.

²⁵³ See for example *Legal Consequences*, para. 229.

²⁵⁴ *Legal Consequences*, paras. 122 and 126; Reports on “UNCTAD assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory”, TD/B/67/5 (2020), para. 31 and TD/B/EX(71)/2 (2021), paras. 40-41; Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel”, A/77/328, para. 72; 7/5 (5 August 2020), para. 31

²⁵⁵ *Legal Consequences*, paras. 126, 166 and 240

²⁵⁶ *Legal Consequences*, paras. 129-131 and 133.

homes and other structures demolished under the unlawful and discriminatory application of Israeli laws.²⁵⁷ Palestinians are in these ways thus denied their right to self-determination, as well as to equal enjoyment of various human rights, including economic, social and cultural rights.

94. In contrast with Palestinians, individual settlers can, *inter alia*, freely move across most of the occupied West Bank,²⁵⁸ and enjoy protection of and equality before the law.²⁵⁹ Settlers are governed under domestic Israeli law, which includes extensive legal protections, including human rights, while Palestinians are subjected to permanent military rule, which routinely violates their rights, including due process and fair trial rights and access to an effective remedy.²⁶⁰ Palestinians are thus subjected to a system of segregation supported and facilitated by a strict military administration, and are subjected to a pattern of violations of, *inter alia*, their rights to life, liberty, freedom from torture and other ill-treatment, freedom of movement, right to residency, and equality before the law. The combination of protracted discrimination in law and in practice and violence targeted at Palestinian communities has the effect of subordinating Palestinians as a community.²⁶¹
95. The policies and practices that establish the regime of systemic discrimination against Palestinians in the occupied West Bank, including East Jerusalem, have been applied protractedly.²⁶² Furthermore, recent key laws appear to aim at a permanent and irreversible consolidation of the unlawful annexation of increasing areas of the Occupied Palestinian Territory,²⁶³ denying Palestinians their right to self-determination. For example, the Basic Law: Israel the Nation-State of the Jewish People, which was enacted in 2018, refers to the “historical” “Land of Israel” separately from the State of Israel and encourages and promotes the establishment and consolidation of Jewish settlement. Yet, the Basic Law itself does not define the State’s borders. The law also explicitly reserves the “natural, cultural, religious and historical right to self-determination” in the State of Israel (including at least the unlawfully annexed East Jerusalem) for Jewish people only.²⁶⁴ The basic principles of the current Government of Israel further state that “the Jewish people have an exclusive and inalienable right to all areas of the Land of Israel. The Government will promote and develop settlement in all parts of the 'Land of Israel', in the Galilee, the Negev, the Golan, Judea and Samaria.”²⁶⁵ As concluded by the International Court of Justice, Israel’s unlawful policies and practices, including the settlement policy, “are in breach of Israel’s obligation to respect the right of the Palestinian people to self-determination.”²⁶⁶
96. In 2012, the Israeli Government-commissioned Committee to Examine the Status of Construction in Judea and Samaria claimed that Israel's presence in the West Bank was not an occupation, and that

²⁵⁷ See for example A/HRC/55/72 paras. 34-37.

²⁵⁸ See for example, *Legal Consequences*, para. 199.

²⁵⁹ *Legal Consequences*, para. 136, “settlers in the West Bank enjoy the rights and privileges of Israeli citizenship, as well as the protections of Israeli domestic laws and social benefits... (and) benefit from the criminal law and criminal justice system applicable to civilians in Israel.”

²⁶⁰ A/HRC/55/72, para. 33. See also A/79/347, para. 54; A/78/554, para. 52.

²⁶¹ Statements from Israeli politicians indicate that such subordination is intentional. See, for example: <https://www.middleeastmonitor.com/20230824-ben-gvir-my-rights-are-more-important-than-arabs-freedom-of-movement/>

²⁶² See A/HRC/55/72, para. 8.

²⁶³ See A/80/399, para. 55.

²⁶⁴ <https://main.knesset.gov.il/EN/activity/Documents/BasicLawsPDF/BasicLawNationState.pdf>

²⁶⁵ See <https://main.knesset.gov.il/mk/government/pages/coalitionagreements.aspx> (in Hebrew), on file. See also article 118 of the coalition agreement between the Prime Minister and the Religious Zionism party, <https://main.knesset.gov.il/mk/government/Documents/CA37-RZ.pdf> (in Hebrew).

²⁶⁶ *Legal Consequences*, para. 243.

the Israeli settlements were legal under international law.²⁶⁷ In 2015, the Ministry of Foreign Affairs published a position paper stating that the West Bank was not occupied territory, and Israel had legitimate claims to it.²⁶⁸ While the Ministry of Foreign Affairs conceded the “equivalent” rights of the local Palestinian population to reside in their own territory, the diversion of Palestinian private and public land and other natural resources, including water, by the Government of Israel “for its own benefit and for the benefit of settlements”, unlawfully established there, as documented in this report and noted by the International Court of Justice,²⁶⁹ has the effect of denying finite natural resources and opportunities for development to Palestinians. Such diversion of resources, along with other violations of their individual human rights, “including the right to liberty and security of person, and the freedom of movement”, hinder Palestinians’ development.²⁷⁰

97. On 21 July 2024, the Government of Israel adopted a cabinet resolution, claiming “the natural and historic right of the Jewish people over the land of Israel” and the right of Israelis to settle in all parts of the land,²⁷¹ including all of the Occupied Palestinian Territory.²⁷² Any implementation of claims of territorial sovereignty over occupied territory violate international law and to the extent applied there amount to permanent control of the West Bank, including East Jerusalem, and control over the local population in denial of their fundamental human rights.
98. Palestinians and settlers are separated in a discriminatory system²⁷³ that benefits and privileges settlers. Palestinians are subjected to a myriad of discriminatory laws, policies and practices, leading to pervasive violation and denial of their human rights. This report has documented trends of discrimination, state and settler violence, and segregation, as well as denials of freedoms of expression and political participation, against Palestinians that have accompanied Israel’s settlement policy in the occupied West Bank, including East Jerusalem. Systemic discrimination against Palestinians has been extensively documented for decades,²⁷⁴ with the situation rapidly

²⁶⁷ https://www.gov.il/BlobFolder/news/spokeedmond090712/he/documents_doch090712.pdf. See also <https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/%D7%9E%D7%9B%D7%99%D7%91%D7%95%D7%A9+%D7%9C%D7%A1%D7%99%D7%A4%D7%95%D7%97/From+Occupation+to+Annexation+English+Yesh+Din.pdf>

²⁶⁸ A/HRC/52/76, para. 14. See also <https://www.gov.il/en/pages/israeli-settlement-and-international-law>

²⁶⁹ *Legal Consequences*, paras. 133 and 240.

²⁷⁰ *Legal Consequences*, paras. 241 and 242. See also, quoted therein, Economic and Social Commission for Western Asia “Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan”, UN doc. A/78/127-E/2023/95 (30 June 2023), para. 130.

²⁷¹ <https://www.haaretz.com/israel-news/2024-07-21/ty-article/.premium/netanyahu-files-draft-decision-that-rejects-icjs-advisory-opinion-without-consulting-ag/00000190-d544-d65c-a390-fdd598650000>; and <https://img.haarets.co.il/bs/00000190-d504-d89a-a1f7-f784ddd10000/57/00/51ef1fb346bcb190294cc1d77229/%D7%94%D7%A6%D7%A2%D7%AA-%D7%94%D7%97%D7%9C%D7%98%D7%94.pdf>

²⁷² The legal opinion attached to the government resolution following the ICJ Advisory opinion refers to the right of Jewish people to settle in all parts of the land of Israel, explicitly referring to Jerusalem, the West Bank and the Gaza Strip. See also “Prime Minister Netanyahu’s Statement on the Decision in The Hague” at <https://www.gov.il/he/pages/spoke-haag190724>

²⁷³ CERD/C/ISR/CO/17-19 (CERD 2020) para. 22; Human Rights Committee: concluding observations CCPR/C/ISR/CO/5 (5 May 2022), para. 42.

²⁷⁴ The independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem in 2013 already found that “the settlements are established for the exclusive benefit of Israeli Jews and are being maintained and developed through a system of total segregation between the settlers and the rest of the population living in the Occupied Palestinian Territory. This system of segregation is supported and facilitated by a strict military and law enforcement control to the detriment of the rights of the Palestinian population,” see A/HRC/22/63, para. 103. In 2020, the Committee on the Eliminating of Racial Discrimination expressed its concern “at the consequences of

deteriorating during the period under review. This discriminatory system has had the effect of subordinating the rights of the Palestinian population to the interests of the Government of Israel and Israeli settlers.

Potential justifications for differential treatment

99. Certain differential treatment may be allowed or even required by the law of occupation, which obligates the occupying power to interfere as little as possible with the existing legal framework.²⁷⁵ Such differential treatment under the law of occupation is, however, based on the premise that occupation is a temporary measure to respond to military necessity that does not confer sovereign title on the occupying power,²⁷⁶ thus prohibiting annexation.²⁷⁷ The Occupying Power therefore has concomitant obligations, such as to preserve, as much as possible, the legal framework in place and to administer the territory for the benefit of the local population.²⁷⁸ It does not allow the territory to be administered for the benefit of the Occupying Power or of nationals of the Occupying Power.²⁷⁹ The differential treatment imposed by Israel on Palestinians, by administering the occupied West Bank, including East Jerusalem, for its benefit and for the benefit of settlers, has violated these requirements.²⁸⁰
100. The situation in East Jerusalem further indicates that differential treatment is not linked to Israel's application of the law of occupation, which Israel claims does not apply in East Jerusalem, but rather as a matter of policy enforced against Palestinians. Under Israeli law, East Jerusalem was effectively annexed in 1967 and formally annexed in 1981.²⁸¹ Under Israeli law, Palestinians living in East Jerusalem have the status of "permanent resident" instead of citizenship,²⁸² and are subjected to Israeli laws, policies, and practices that systematically discriminate against them. Such discrimination

policies and practices that amount to segregation, such as the existence in the Occupied Palestinian Territory of two entirely separate legal systems and sets of institutions for Jewish communities in illegal settlements on the one hand and Palestinian populations living in Palestinian towns and villages on the other hand. The Committee is appalled at the hermetic character of the separation of the two groups, who live on the same territory but do not enjoy either equal use of roads and infrastructure or equal access to basic services, lands and water resources." (CERD/C/ISR/CO/17-19, para. 22). In 2022 the Human Rights Committee expressed its, "deep concern that the systematic practice of demolitions and forced evictions based on discriminatory policies have led to the separation of Jewish and Palestinian communities in the Occupied Palestinian Territory, which amounts to racial segregation." (CCPR/C/ISR/CO/5, para. 42). See also Report of the ad hoc conciliation commission on the inter-State communication submitted by the State of Palestine against Israel under article 11 of the International Convention on the Elimination of All Forms of Racial Discrimination CERD/C/113/3, para. 48, as well as CERD/C/ISR/CO/17-19, para. 23. See also, for example, A/79/347, paras. 4-11 and 30-31; A/HRC/55/72, paras. 8 and 53; A/78/502, paras. 56 and 57; and A/77/493, para. 13.

²⁷⁵ Hague Regulations, art. 43; Fourth Geneva Convention, art. 64.

²⁷⁶ Legal Consequences, para. 105.

²⁷⁷ Ibid., para. 175.

²⁷⁸ Ibid., paras. 105-7, and 159.

²⁷⁹ See for example, *ibid.*, paras. 122, 126 and 240. Specifically, under article 43 of the Hague Regulations, Israel is obliged to take all the measures in its power to restore, and ensure, as far as possible, public order and civil life. In this regard Israel must act as a trustee, see Benvenisti, 'Occupation and Territorial Administration' in Liivoja and MacCormack (eds), *Routledge Handbook of the Law of Armed Conflict* (2016), 435, 436; Gross, *The Writing on the Wall: Rethinking the International Law of Occupation* (2017) 29. Cf. Dinstein (2019), 39-40. See also *Legal Consequences*, paras. 106-107.

²⁸⁰ Ibid., paras. 122, 126, 166 and 240.

²⁸¹ Ibid., para. 138. See also Government and Law Procedures Ordinance (No. 11), 5727-1967, of 28 June 1967 and the Basic-Law: Jerusalem the capital of Israel", 5740-1980

²⁸² *Awad v. Yitzhak Shamir, Prime Minister and Minister of Interior et al* HCJ 282/88.

is pervasive, affecting citizenship,²⁸³ identity and residency, movement, and family reunification, ownership of property including housing, and planning laws that lead to the deprivation of their property and forced eviction from their homes, some of which may amount to deportation or forcible transfer.

101. The International Court of Justice has noted that Israel's concerns regarding the security and protection of the settlers and the settlements — the presence of which in the Occupied Palestinian Territory is contrary to international law — cannot justify the measures that treat Palestinians differently.²⁸⁴ The Court concluded that "Israel's measures imposing restrictions on all Palestinians solely on account of their Palestinian identity are disproportionate to any legitimate public aim and cannot be justified with reference to security".

Prohibition of racial segregation and apartheid

102. The separation, segregation and discrimination against Palestinians, compared to settlers, have been in place across the Occupied Palestinian Territory for decades, with no steps taken by Israeli authorities to dismantle the settlements and the associated regime. Throughout this period Palestinians have been subjected to discrimination, violence and other inhumane acts. These policies and practices continued and escalated throughout the reporting period. As outlined in this and previous reports,²⁸⁵ following 7 October 2023, Israeli authorities and settlers in the occupied West Bank have taken steps to further this control over the occupied West Bank and domination over Palestinians.
103. Previous reports by the United Nations High Commissioner for Human Rights have concluded that Palestinians have been subjected to long-standing patterns of systemic discrimination, racial segregation, oppression, domination, violence and other inhumane acts against the Palestinian people, as well as control of the Occupied Palestinian Territory.²⁸⁶ The long-standing discriminatory system under which Israel exercises control over Palestinians continued to subvert the rights of the Palestinian people, including their right to self-determination.²⁸⁷ These conclusions are supported by the trends documented in this report.
104. The prolonged nature of the segregation and separation of the Palestinian population, both from settlers and through fragmentation imposed by discriminatory movement restrictions, and the systemic nature of the discrimination against them, in practice have resulted in the denial of their right to self-determination. They have also infringed a wide range of other human rights, such as to freedom of movement, to political participation, protection of and equality before the law, and to property. Infringement of Palestinians' human rights are also a result of the lack of access to land and to natural resources, including water, which are crucial for the enjoyment of certain rights.²⁸⁸ Cumulatively, it has had the effect of establishing and maintaining Palestinians as a group with rights subordinate to the interests of settlers living in settlements on the West Bank, including East

²⁸³ This is without prejudice to the International Humanitarian Law prohibition of compelling the inhabitants of occupied territory to swear allegiance to the hostile Power.

²⁸⁴ Legal Consequences, para. 205.

²⁸⁵ A/HRC/58/73, A/79/347 and A/80/399.

²⁸⁶ A/HRC/58/73, para. 10; A/HRC/55/72, para. 8.

²⁸⁷ A/79/347, para. 30. See also A/80/399, para. 5.

²⁸⁸ See E/C.12/GC/26, paras. 5-ff and E/C.12/2002/11, paras. 6-ff.

Jerusalem.²⁸⁹ The result is that the local Palestinian population is controlled by Israeli authorities through the denial of its right to self-determination and the infringement of a wide range of its members' individual and collective human rights. This discriminatory system of domination has, in contrast, guaranteed settlers' access to and use of Palestinian land and other natural resources, freedom of movement within large parts of the West Bank and into Israel, and full political participation and representation in the governance of Israel and the occupied West Bank through Israeli political control exercised over the military governor of the occupied West Bank.

105. Decades of unnecessary and disproportionate use of force, often leading to the unlawful killing of Palestinians, committed with almost complete impunity, including the high number of killing of Palestinian children,²⁹⁰ as well as the patterns of arbitrary detention, torture, cruel, inhuman and degrading treatment of Palestinians, including children, and routine forced evictions, are inherently oppressive. These acts constitute human rights violations. They take place in a context of escalating settler violence, committed with almost total impunity, and in many cases with the support or participation of ISF. Palestinians in the occupied West Bank, including East Jerusalem, have been subjected to decades of forcible displacement and transfer, including through the imposition of a coercive environment, which has escalated in the reporting period. The result has been to further subject the Palestinian population to segregation, vulnerability, loss of property and income and to subject them to disadvantage and suffering based on, *inter alia*, race, religion or ethnic origin.
106. Article 3 of the ICERD prohibits racial segregation and apartheid.²⁹¹ The International Court of Justice has stated, in the context of its consideration of the former apartheid and racial policies of South Africa in Namibia, that to establish and enforce "distinctions, exclusions, restrictions and limitations exclusively based on grounds of race, colour, descent or national or ethnic origin which constitute a denial of fundamental human rights is a flagrant violation of the purposes and principles of the [UN] Charter".²⁹²
107. Apartheid, prohibited by Article 3 of ICERD, is a state sanctioned regime of racial segregation and discrimination that has the purpose of establishing and maintaining domination by one racial group of persons over another racial group of persons and systematically oppressing them. Inhumane acts committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime and as part of a widespread or systematic attack directed against the civilian population would amount to the crime against humanity of apartheid.²⁹³ In July 2024, the

²⁸⁹ See for example, in reference to freedom of movement, <https://www.middleeastmonitor.com/20230824-ben-gvir-my-rights-are-more-important-than-arabs-freedom-of-movement/>. Under international law, Israel's obligation to protect its civilian population in the occupied West Bank should be ensured by evacuating them and not by perpetually limiting or violating the rights of Palestinians. See for example, *Legal Consequences*, para. 205, "... it is the Court's view that the protection of the settlers and settlements, the presence of which in the Occupied Palestinian Territory is contrary to international law, cannot be invoked as a ground to justify measures that treat Palestinians differently."

²⁹⁰ OHCHR has verified that in the 12 months from 7 October 2023 to 7 October 2024, 165 Palestinian children were killed in the West Bank including East Jerusalem, the vast majority by ISF — almost one child killed every second day.

²⁹¹ CERD, Article 3: States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

²⁹² See *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports 1971, paras. 129-131.

²⁹³ See article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid and article 7 (1)(j) and (2) (h) of the Rome Statute of the International Criminal Court. See also

International Court of Justice concluded that the regime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constitutes systemic discrimination based on, *inter alia*, race, religion or ethnic origin, in violation of the ICCPR, ICESCR and ICERD.²⁹⁴

108. The International Court of Justice also concluded that Israel has unlawfully annexed large parts of the Occupied Palestinian Territory, notably East Jerusalem and Area C.²⁹⁵ Despite such annexation, Israel has not extended equal rights to Palestinian residents there, and instead has implemented policies that have facilitated the displacement of communities out of, at least, East Jerusalem and Area C in a manner that appears calculated to ensure that Israel controls as much territory as possible with as few Palestinians as possible. Further, recent statements have been made by the highest authorities of the Government of Israel announcing steps to prevent the establishment of a contiguous Palestinian state even in the areas not directly incorporated into Israel.²⁹⁶ Together, the Government of Israel's strategic developments on the ground, the aggressive expansion of settlements, including the E1 plan, alongside the appropriation of Palestinian land, the forced displacement of residents from their villages, and the escalating settler violence, collectively reflect a systematic effort to undermine Palestinian presence in the occupied West Bank and a coordinated effort to entrench Israeli control and permanently obstruct the formation of a contiguous Palestinian state there.
109. Israeli authorities have, for decades, implemented policies to address what they have considered a demographic threat posed by Palestinians.²⁹⁷ These policies include limiting the population and political power of Palestinians²⁹⁸ and restricting Palestinians' residence in the Occupied Palestinian Territory, particularly but not limited to the occupied East Jerusalem,²⁹⁹ including through family unification.³⁰⁰
110. The overall effect of Israeli policies, including structural changes to the governance of the occupied West Bank,³⁰¹ has been that large parts of the occupied West Bank, including East Jerusalem, where

UN General Assembly resolution 2784 (XXVI), para. 1. See as well the report by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, A/HRC/49/87, para. 31.

²⁹⁴ Legal Consequences, para. 223.

²⁹⁵ *Legal Consequences*, paras. 173-179.

²⁹⁶ Ynet, [מחיר האג], 11 February 2021, yediot.co.il/articles/0,7340,I-5885532,00.html (in Hebrew). At a signing ceremony on 11 September 2025 for a framework agreement to expand the Ma'ale Adumim settlement into the E1 planned development (see above), the Prime Minister of Israel declared "We said there will be no Palestinian state—indeed there will be no Palestinian state. This place is ours." "It's not going to happen. There will be no Palestinian state to the west of the Jordan River." [Statement by PM Netanyahu Prime Minister's Office](#). Defense Minister declared that more settlements in the occupied West Bank "prevent the establishment of a Palestinian state", [Israel announces expansion of West Bank settlements – DW – 05/29/2025](#). <https://www.i24news.tv/en/news/israel/politics/artc-smotrich-unveils-plan-for-israeli-sovereignty-over-82-of-west-bank>. Finance Minister declared that steps were being taken to "bury" the idea of a Palestinian state, [ש"חושף את מפת הריבונות: סיפוח 82% מהשטח ביו 'סמוטריץ'](#). Furthermore, Finance Minister's sovereignty plan, which is designed to annex 82 per cent of the West Bank while leaving Palestinians confined to disconnected population centres states that "an Arab state will never be established" and that Palestinians will remain under limited self-management within Israeli-controlled territory: [Smotrich Isn't Bluffing: Israeli Minister's Plan to Annex 82% of the West Bank Is a Road Map – Israel News](#). In his declaration on 3 September 2025 announcing a plan for Israeli sovereignty over 82 per cent of the West Bank, in what he said was part of a strategy resting on the principle of "maximum territory, minimum population".

²⁹⁷ "When will Israel stop seeing Palestinians as a 'demographic threat?'" - +972 Magazine, 31 May 2015; "Demographic parity is an existential challenge for Israel" - +972 Magazine, 29 March 2018; see also "Netanyahu: Israel's Arabs Are the Real Demographic Threat", 18 December 2003, haaretz.com/1.4802179

²⁹⁸ See for example <https://hashiloach.org.il/israels-decisive-plan> (posted on 7 Sep 2017).

²⁹⁹ See for example https://hamoked.org/files/2021/1665170_eng.pdf

³⁰⁰ A/66/356, para. 38; A/76/333, para. 43; A/78/502, para. 58.

³⁰¹ See for example A/79/347, paras. 4-12; A/HRC/55/72, paras. 5-8.

settlers reside, have been effectively incorporated into Israel, while the rest continues to be controlled and ruled by Israel.³⁰² Palestinians are restricted to non-contiguous areas within the occupied West Bank where they are prevented from exercising their right to self-determination and remain subject to systemic racial discrimination and control. Thus, Israeli settlers are systematically treated preferentially to the local population of the occupied territory, almost exclusively Palestinians who have a different racial, religious or ethnic origin, with indication that this control³⁰³ and its inherent discrimination against Palestinians in the West Bank, including East Jerusalem, is intended to be permanent.

111. The law, policies and practices examined in this report have been in place for prolonged periods, in some cases for decades,³⁰⁴ and have been increased, escalated and consolidated over the last two years, raising concerns that the severe racial discrimination violates Article 3 of ICERD, which prohibits racial segregation and apartheid. In this regard, taking cumulatively the different elements addressed in the present report, there are reasonable grounds to believe that this separation, segregation, and subordination is intended to be permanent, indicating that these laws, policies, and practices amount to a deliberate policy of physical and juridical separation intended to maintain oppression and domination of Palestinians in the occupied West Bank, including East Jerusalem, and thus that acts committed with the intention to maintain such a policy, amount to a violation Article 3 of ICERD, which prohibits racial segregation and apartheid.
112. Under Article 3 of ICERD, States must prevent, prohibit and eradicate all law, policies and practices of racial segregation and apartheid in territories under their jurisdiction. The prolonged nature of the systemic discrimination in the occupied West Bank, including East Jerusalem, indicates a failure to comply with these obligations.

RECOMMENDATIONS

113. As specified by the International Court of Justice and held by the General Assembly, Israel is obliged to bring to an end its unlawful presence in the Palestinian Territory as rapidly as possible, including by ceasing immediately all new settlement activities and evacuating all settlers from the Occupied Palestinian Territory, and to respect the right of the Palestinian people to self-determination. With this aim, Israel must also cease policies and practices that obstruct the right to self-determination. Victims of human rights violations as results of such policies and practices should be granted full reparation. In the meantime, all parties must comply with their obligations under international law, as underscored by the High Commissioner in previous reports.
114. Specifically, the High Commissioner calls on the Government of Israel to:
- a. End its unlawful presence in the Palestinian Territory, including East Jerusalem, as well as engaging in broader processes towards achieving equality, justice, democracy, non-discrimination and the fulfilment of all human rights for all Palestinians;

³⁰² "Israeli military and security forces ... continue to rule the entire territory, up to the Jordan." Haaretz, "At West Bank Event, Netanyahu Promises No More Settlers, Arabs Will Be Evicted", 10 July 2019, <https://www.haaretz.com/israel-news/2019-07-10/ty-article/.premium/at-west-bank-event-netanyahu-promises-no-more-settlers-arabs-will-be-evicted/0000017f-f627-d5bd-a17f-f63f5fd70000>

³⁰³ See *Legal Consequences*, para. 173 where the ICJ, in the context of its finding that large parts of the Occupied Palestinian Territory had been annexed, held that, "(t)hese policies and practices are designed to remain in place indefinitely and to create irreversible effects on the ground."

³⁰⁴ See also *Legal Consequences*, para. 243.

- b. Immediately take steps to repeal all systems of laws, policies and practices that create or perpetuate discrimination against Palestinians in the occupied West Bank, including East Jerusalem, based on race, religion or ethnic origin, and in particular to dismantle all settlements and the associated regime, which have resulted in oppression and domination of the Palestinians that may amount to racial segregation and apartheid, taking into account recommendations made by United Nations human rights mechanisms, including the Committee on the Elimination of Racial Discrimination;
- c. Urgently take steps to end killing and injury of Palestinians during operations in the occupied West Bank and ensure that the use of force is in full compliance with international human rights law and standards governing law enforcement operations;
- d. Issue clear and unambiguous orders to all Israeli security forces to ensure the effective protection of the Palestinian population against settler violence and hold to account members of the Israeli security forces who fail to comply with such orders;
- e. Ensure that appropriate measures are taken to enable the voluntary return of the Palestinian communities forcibly displaced by settler and State violence;
- f. Immediately and completely cease and reverse all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in compliance with international law, including relevant United Nations resolutions, such as Security Council resolution 2334 (2016);
- g. Immediately repeal and end all discriminatory and otherwise unlawful impediments to Palestinians' freedom of movement within the Occupied Palestinian Territory;
- h. Immediately release Palestinians arbitrarily detained in the occupied West Bank, including East Jerusalem, and Israel since 7 October 2023 or before. Ensure that detention conditions strictly conform to international norms and standards, and end all practices that may amount to torture or other ill-treatment of detained Palestinians, including sexual violence;
- i. Where there is evidence of the commission of crimes arising from the human rights violations and abuses and violations of international humanitarian law documented in this and other reports, ensure prompt, effective, thorough, independent, and transparent investigations and ensure that those responsible are prosecuted and, if convicted, punished with appropriate sanctions;
- j. Ensure that all victims of these violations and abuses are provided with effective remedies, including adequate reparation, in accordance with international norms and standards.
- k. The High Commissioner recalls that, as held by the International Court of Justice and the General Assembly, third States are under an obligation not to recognize as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory, nor to render aid or assistance in maintaining the situation created by such presence. Specifically, all States, especially those with influence, should immediately take urgent and concrete measures to:
- l. Prevent international law violations in the West Bank, including East Jerusalem, including in relation to the International Convention on the Elimination of All Forms of Racial Discrimination, as well as to assist Israel in ending all violations of *jus cogens* norms addressed in this report;

- m. Comply with obligations under international law to neither recognize as legal nor aid or assist the maintenance of the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory;
- n. Cease the sale, transfer and diversion of arms, munitions and other military equipment to Israel linked to violations of international humanitarian and human rights law in the West Bank, including East Jerusalem;
- o. To cooperate with the International Criminal Court, and exercise available bases of extraterritorial and universal jurisdiction to investigate and try crimes under international law in national courts, consistent with international standards.