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OCCUPIED PALESTINIAN TERRITORY (oPt): West Bank

Protection Analysis Update | March 2024

BRIEF

EXECUTIVE SUMMARY

In the backdrop of ongoing hostilities in Gaza, protection actors have noted a steady deterioration of the protection situation of Palestinians living in the occupied West Bank, including East Jerusalem. Protection actors are concerned that the ever-escalating situation in Gaza, coupled with the imposition of restrictions during Ramadan, will fuel the further deterioration of an already volatile environment in the West Bank, including East Jerusalem. The protection risks requiring immediate attention in the period covered by this analysisⁱ are:

1. **Excessive and other unlawful use of force and attacks against protected persons**
2. **Forcible Transfer**
3. **Arbitrary or unlawful arrest and detention and ill-treatment**
4. **Psychological/emotional abuse and inflicted distress**
5. **Gender-Based Violence**

These risks are being exacerbated by Israeli restrictions on movement and access, which are isolating communities from each other and from service providers, and obstructing effective delivery of humanitarian responses, including protection services.

URGENT ACTION NEEDED

The current hostilities in Gaza and severe restrictions placed on Palestinians in the occupied West Bank, including East Jerusalem, are generating an unstable political and security situation in the area, which is increasing immediate threats to Palestinians and risk driving a further upsurge of violence if not immediately addressed. Urgent action is needed to prevent and mitigate the protection risks highlighted in this analysis.

1. The donor community, along with protection partners, are called on to safeguard - and increase - the provision of humanitarian assistance in the occupied West Bank.
2. Humanitarian actors should update locally specific inter-sectoral contingency and response plans.
3. The international community should continue to advocate and leverage all duty-bearers to uphold their international responsibilities in the West Bank.
4. All relevant actors should support proactive protection and community-led protection, including protective presence actions in hot spot locations.

CONTEXT

After 7 October, protection partners have seen a severe increase in protection risks faced by Palestinians in the occupied West Bank. Between 7 October – 27 December alone, the following figures were recorded:ⁱⁱ

PALESTINIANS KILLED BY ISRAELI FORCES (including children)	PALESTINIANS ARRESTED BY ISRAELI FORCES	PERSONS DISPLACED BY SETTLER VIOLENCE	CHILDREN KILLED BY ISRAELI FORCES	SETTLER ATTACKS
291	4785	1208	79	367

In the occupied West Bank,ⁱⁱⁱ including East Jerusalem, protection risk severities and needs continue to be driven by a protracted protection crisis driven by more than 56 years of Israeli occupation, and 21 years of the Wall,^{iv} built mainly on Palestinian land, separating the West Bank from East Jerusalem and dividing communities, lack of respect for international humanitarian and human rights law, recurrent spikes in violence and use of force by Israeli Forces (IF), settler violence, grave violations of children’s rights, and intra-Palestinian violence. 2023 had already seen the most violence against Palestinians in the occupied West Bank, including East Jerusalem, since UN records began in 2005.

Israeli use of often unlawful lethal force, including extrajudicial executions, has become a pervasive practice in the West Bank, directly leading to now chronic levels of killings and injuries, committed with almost total impunity, with refugee camps particularly affected. The United Nations Secretary-General has reported on the coercive environment in the West Bank - with increasing concerns that Palestinians are forced to leave their homes and land - with respect to Area C, including the Jordan Valley, Israeli-controlled part of Hebron city (H2) and East Jerusalem.

In the aftermath of the 7-8 October Al Qassam and other Palestinian armed group attacks in Israel and the escalation of hostilities in Gaza, Israeli authorities have imposed severe restrictions on the movement of Palestinians across the West Bank, including East Jerusalem. Since 7 October, IF has closed almost all entrances to Palestinian villages and towns to vehicular access, including ambulances. These restrictions affect every aspect of the daily life of Palestinians, including access to health services, education, food, and sources of livelihood.

Settler violence is a consistent threat faced by Palestinians. Hate speech and incitement to violence have grown with repeated calls issued by settlers on social media to shoot at Palestinians and burn their homes, and leaflets placed on vehicles in the West Bank warning Palestinians to leave if they don’t want to face “elimination.”

Israel and the Palestinian Authority have both taken measures that have shrunk humanitarian and civic space. Israel is denying visas and permits for UN and NGO staff, and further cracking down on Palestinians’ freedom of expression after 7 October, including intensified arrests, arbitrary detention, torture and ill-treatment. The Palestinian Authority has taken measures to limit freedom of association, peaceful assembly, and expression, including use of force to disperse peaceful protests, arbitrary arrests and torture and ill-treatment.^v

PROTECTION RISKS

RISK 1 Excessive use of force and attacks against protected persons

Palestinians living in the occupied West Bank, including East Jerusalem, face dual risks from the IF and settlers. Protection partners are particularly concerned by grave violations against children that are increasing in line with the excessive and other unlawful use of force and attacks against protected persons. Between 7 October – and 9 November, 49 children were killed by the IDF.

The period since the start of the Gaza escalation has seen increasing use by Israeli forces of weapons and tactics associated with hostilities in heavily populated refugee camps - purportedly to arrest or kill Palestinians allegedly planning attacks against

Israelis, with many cases documented of extra-judicial executions. The ongoing escalation is intensifying the effects of the use of force by IF that resulted in the killing of 168 Palestinians between 7 October and 9 November 2023 alone.^{vi}

Since the beginning of 2023, IF stepped up raids and operations in the West Bank. The situation in the 19 refugee camps across the West Bank, including East Jerusalem, is particularly dire. UNRWA has tracked the increased injury of children from live ammunition in the camps.

Since October 7th, the West Bank has also seen a further escalation of settler violence, already at record-high levels. Hundreds of settlers are estimated to have carried out attacks, including shooting, burning homes and vehicles, and uprooting trees. While hundreds of settlers participated in such attacks, few have been arrested, charged, or prosecuted. Israeli settlers are an increasing driver of the risk of displacement and forcible transfer. Even before the onset of the current crisis, the rates of settler violence had seen a significant spike, with an exponential increase of settler-related incidents (three per day in 2023, compared to two in 2022 and one in previous years).

LACK OF ACCOUNTABILITY

Violence and violations against the protected population in the West Bank cannot be separated from the pervasive lack of accountability,^{vii} with impunity acting as a driver of further violations. According to Yesh Din,^{viii} 93.7% of complaints (2019-2023) relating to IF harming Palestinians and their property were closed with no indictment.^{ix} Israel, as the occupying power, has a range of obligations under international humanitarian law and international human rights law throughout the West Bank, including East Jerusalem, including to ensure the essential needs of the population are met.

RISK 2 Forcible transfer

The coercive environment placing Palestinians at risk of forcible transfer in Area C, Hebron H2 and East Jerusalem has been extensively documented. Elements of the coercive environment include demolitions and threats thereof, new demolition orders and military seizure orders, forced evictions and the threat of mass forced evictions and/or mass demolition, increased military presence, movement restrictions and administrative measures, diminished access to grazing land and, increasingly, settler violence. Settler violence as a tactic to drive Palestinians out of their homes and their lands has become increasingly pervasive. After 7 October, settler attacks intensified against Palestinian herding and farming communities already at risk of forcible transfer, as settlers appear to act with the connivance or acquiescence of Israeli Forces and take advantage of the political and security atmosphere to force Palestinian communities out of their homes and take over their land.

According to OCHA, between 7 October and 9 November alone, at least 111 Palestinian households, comprising 905 people, over half of whom are children, were displaced from 15 Bedouin and herding communities in Area C of the West Bank, succumbing to intensified settler violence and access restrictions.

East Jerusalem

Legal aid partners have highlighted a series of discriminatory measures^x advanced and intensified by the Israeli government to revoke citizenship and residency rights from Palestinians,^{xi} including measures constituting collective punishments and punitive revocation of family unification,^{xii} as they target family members of people involved in attacks.

These measures, in the context of Israel’s historical unilateral imposition of arbitrary status and conditions for Palestinians to maintain residence status in East Jerusalem, and restrictions on family unification between residents of East Jerusalem and other parts of the West Bank, are contributing to an intensification of the coercive environment in East Jerusalem.

Protection risks as reported by assessed communities

protection risk	# of Communities
Settler Violence	51
Restricted access to livelihood resources (water, grazing land etc)	31
Restrictive planning policies (demolitions, confiscation, evictions, requisition of lands and assets etc)	30
Restricted access to basic services (health, education, social services, markets etc)	18
Military operations and arrest / military training (military trainings, search and arrest operations, arbitrary arrests and detention, presence of mines and other explosive ordinances etc)	12
Restricted access to protective services (MHPSS, GBV, Child Protection, accessing justice for IF or settler attacks etc)	2

Figure 1: Illustrative examples taken from August 2023, Herding communities assessment

RISK 3 Arbitrary or unlawful arrest and detention and ill-treatment

The period following the 7th of October has further been characterised by an increase in arrests and detentions of Palestinians in the West Bank, accompanied by reports of widespread arbitrary detention, ill-treatment, denial of access to legal counsel and incommunicado detention. Since 7 October, IF carried out daily mass arrests of Palestinians, including former members of the Palestinian Legislative Council and other political figures, community leaders, activists, journalists, and relatives of wanted persons. According to the Palestinian Prisoners Commission, between 8 and 9 November, IF arrested more than 2,000 Palestinians in the West Bank, including East Jerusalem, the vast majority on the grounds of political affiliation or following the publication of posts on social media, which are closely monitored by Israeli authorities, contributing to a climate of fear and repression. The current escalation is particularly worrying given the already extremely high numbers of children detained or arrested.

IF has been detaining, apparently without any legal basis, thousands of Palestinian workers from Gaza who found themselves in Israel on 7 October. It is estimated that 18,000 workers from Gaza were legally working in Israel prior to Hamas attacks in southern Israel. By 11 October, Israel had revoked all working and patients' permits, exposing them to arrest and transfer.

RISK 4 Physical/emotional abuse and inflicted distress

Populations exposed to violence and conflict are well known to be at risk of increased incidence of poor mental health outcomes.^{xiii} A report and survey by MdM-France and AIDA^{xiv} showed that prolonged feelings of insecurity, fear and instability resulting from a coercive environment could translate into both physical pain (headaches and stomach pain), emotional impact (fear, anxiety, sadness, despair, and lack of safety)^{xv} and behavioral impact (isolation and difficulty sleeping). The report, moreover, highlighted challenges of quantifying the tangible impact of a coercive environment on mental health. Mental health impacts of exposure in this context can often be a hidden driver of displacement that is overlooked.

Already before the recent escalation and the events after the 7th of October, the oPt faced a severe mental health crisis, with one of the highest burdens of mental health issues and psychological disorders in the Eastern Mediterranean Region, with 54 per cent of Palestinian boys and 47 per cent of Palestinian girls (aged 6 to 12 years) presenting emotional and/or behavioral disorders. The current escalation only compounds the existing mental health distress amongst adults and children, mainly caused by the prolonged impact of the occupation, recent spikes in violence, fear for life and loss of loved ones, physical injuries, widespread damage and destruction, displacement of people and families, dispossession of homes, and the risk thereof. Protection partners have further identified violence within Palestinian families and communities, including domestic violence, harsh corporal punishment in homes and schools, sexual abuse, early marriage, and child labor as additional key drivers of the rising need for Mental Health Psychosocial Support (MHPSS). Across the oPt, children face high levels of violence at home, with 90 per cent of children facing some form of violent discipline (boys 92.3 per cent, girls 87.9 per cent).^{xvi} Particularly vulnerable groups to psychological/emotional abuse and inflicted distress include children, persons with disabilities, women and girls and Palestinians in refugee camps.

RISK 5 Gender-Based Violence (GBV)

GBV remains a prevalent protection risk in the West Bank, where women and girls face widespread and severe risks of GBV throughout their lives, exacerbated by conflict, displacement, movement restrictions and closures of cities. Life-saving specialized GBV services are extremely limited in some areas such as area C and H2, and access is further restricted due to significant freedom of movement and access restrictions – with the result that those who experience GBV are not able to access quality GBV service and support to recover. GBV takes many forms in the oPt, including early and forced marriage, intimate partner/family violence, sexual harassment, rape, incest, denial of resources, psychological abuse and sexual exploitation and abuse, and digital violence. The current escalation only compounds the existing risks, exacerbating the underlying drivers and placing serious barriers to existing mechanisms in place to address gender-based violence in the West Bank, including East Jerusalem. OHCHR has moreover documented that women and girls have been particularly targeted by settler attacks in their homes when men were absent, amounting to another form of violence against women, as the constant risk of attacks has kept women confined to the domestic environment, thus compounding negative aspects of traditional gender roles.

RESPONSE

PROGRESS MADE ON PROTECTION

On 28 October, the Humanitarian Country Team in oPt activated the **Interagency Contingency Plan for the West Bank**. Critical and life-preserving services within GBV, child protection (CP), mental health support, legal aid, and protective presence.

The Protection Cluster and the GBV, CP and Legal Task Force (LTF) Areas of Responsibility (AoRs) work closely with partners and authorities, enhancing their capacity to ensure inclusion of those in need of protection. Across the various responses, the cluster has prioritized the inclusion of persons with disabilities (PwDs) and proactive approaches to protection in West Bank communities. Protection Cluster and CP AoR worked together with the Health and Education Clusters to support the establishment of an Inter-Cluster MHPSS Technical Working Group in the West Bank and Gaza Strip. Legal aid and human rights partners continue efforts to protect the housing, land, and property rights of Palestinians in the West Bank, including East Jerusalem. The responses include legal information sessions, counselling, paralegal services, litigation before Israeli courts, spatial planning and intensive research and advocacy in response to a flood of policy and legislative changes with potentially detrimental impacts on the rights of the protected population.

ACCESS-RELATED CHALLENGES AND ACTIONS

Since the start of the crisis, movement and access restrictions in the West Bank have been a key challenge as many partners face constraints reaching high-risk areas, undermining access to basic services due to both physical and administrative measures, closures of village entrances by IF, checkpoints, ongoing IF operations, settler demonstrations and clashes. Access is particularly affected in Area C, Hebron H2 and the 'Seam Zone' area between the Wall and the 'Green Line.' Some partners have been forced to cease operations due to safety and security risks, and in other cases, movement restriction measures prevent partners from responding with emergency care. Concerns about reaching vulnerable children who are exposed to unacceptable levels of violence, exploitation, and grave violations. Access to children in their homes and to children detained in Israeli prisons remains a key challenge. Safety and security for frontline field staff is moreover of concern during escalations of violence.

RECOMMENDATIONS

Israel, as the occupying power, has a range of obligations under international humanitarian law and international human rights law throughout the West Bank, including East Jerusalem, including to ensure that the essential needs of the population are met. All efforts should be made to ensure Israel upholds its obligations under international law. The following measures can be taken to reduce the exposure to and mitigate the impact of violence associated with the protection risks.

- The Protection Cluster calls for appropriate geographical level interagency response and contingency planning that mitigate the risk of, and strengthen the response to, Palestinians' exposure to the complexity of protection risks.
- All humanitarian agencies and donors should consider gender, age and disability-inclusive approaches when providing assistance to those affected by violence. This requires ongoing financial assistance to programmes and research that target excluded groups.

RISK 1 Attacks on civilians and other unlawful killings

- Increase sustained protective presence in hotspot areas through assistance programmes and diplomatic presence.
- Support the scale-up of life-saving services for communities affected by violence [this assistance includes children and survivors of GBV and women and girls at risk of GBV].

RISK 2 Forcible transfer

- Prioritize - and scale up funding support - for humanitarian partners that implement multi-sectoral interventions to support communities at risk of/victims of forcible transfer.
- Support local, community-led planning initiatives to ensure participatory engagement in proactive protection approaches.
- Increase support for legal assistance programmes and ongoing legal advocacy.

RISK 3 Arbitrary or unlawful arrest and detention, and ill-treatment

- Ensure sustained diplomatic advocacy to end practices that amount to arbitrary arrest, ill-treatment and torture, and support legal interventions for victims of arbitrary or unlawful arrest and detention, and ill-treatment.
- Proactively engage with communities at high risk (including youth).
- Ensure appropriate services are available for victims of arbitrary or unlawful arrest and detention, and ill-treatment, including MHPSS and other forms of victim support.

RISK 4 Psychological/emotional abuse and inflicted distress

- Ensure sustainable mainstreaming and the integration of MHPSS services and support into the overall humanitarian response framework and all strategies.
- Provide inter-sectoral and institutional capacity to integrate mental health and psychosocial services in all fields of humanitarian action.
- Coordinate the development of guidelines and tools on child protection case management, update Referral Pathways and Standard Operating Procedures, aligned with the National Case Management and Referral System.

RISK 5 Gender-Based Violence

- Support lifesaving GBV services for communities affected by violence and displacement.
- Provide contextualized training on safe GBV detection and referrals.
- Continue to support context appropriate GBV support to survivors of GBV, including provision of dignity kits, case management and cash assistance.
- Support GBV prevention and response localization through national NGOs and Women Led Organizations (WLOs) to overcome challenges related to access and movement restrictions.

Endnotes

- ⁱ Given the rapidly evolving situation, up to date figures on casualties, demolitions, displacement, and settler violence can be found at <https://www.ochaopt.org/data>, and by contacting the Protection Cluster Coordinator relevant Areas of Responsibility (see end for contact information). Recent analysis of the human rights situation in the occupied West Bank, including East Jerusalem, is also available [here](#).
- ⁱⁱ <https://www.ohchr.org/en/documents/country-reports/flash-report-human-rights-situation-west-bank-including-east-jerusalem-7>
- ⁱⁱⁱ The State of Palestine is divided into two physically separated geographic regions, the West Bank, including East Jerusalem, and the Gaza Strip. The Oslo Accords signed between the Palestine Liberation Organization and Israel between 1993 and 1999 recognized the West Bank and the Gaza Strip as a single territorial unit and divided the West Bank into three administrative divisions – Areas A, B and C - with different jurisdictional arrangements: Area A (around 18 percent), is administered autonomously by the Palestinian Authority (PA), Area B (22 percent) is under PA civil control and Israeli security control while Area C (60 percent) is under full Israeli administrative and military control.
- ^{iv} OCHA December 2022 Factsheet on humanitarian impact of 20 years of the barrier: https://ochaopt.org/sites/default/files/Barrier_Factsheet_Dec2022.pdf
- ^v <https://www.ohchr.org/sites/default/files/documents/countries/palestine/2023-12-27-Flash-Report.pdf>
- ^{vi} OHCHR Fatality Tracking
- ^{vii} A/HRC/46/22; A/74/357; A/HRC/52/76; A/HRC/43/67; A/HRC/34/39
- ^{viii} Yesh Din Data Sheet, Dec 2023, <https://www.yesh-din.org/en/data-sheet-december-2023-law-enforcement-on-israeli-civilians-in-the-west-bank-settler-violence-2005-2023/>
- ^{ix} 273 complaints were received in total (250 from the West Bank, 23 from Gaza – incidents relating to the Great March or those relating to hostilities were excluded.) 73 were still under review. 144 out of the remaining 200 were closed without investigation,
- ^x CERD/C/ISR/CO/17-19 para 15
- ^{xi} [HaMoked update](#) March 2023
- ^{xii} HaMoked 2022 [Citizenship and Entry into Israel](#) (Temporary Order) Law; Gisha, [Entering and existing Gaza](#)
- ^{xiii} MdM-France and AIDA (June 2022), No Peace of Mind- Palestinian Mental Health Under Occupation
- ^{xiv} MdM-France and AIDA (June 2022), No Peace of Mind - Palestinian Mental Health Under Occupation. The report examined on an initial small scale the impact of the coercive environment on the mental health of 10 Palestinian communities in Area C of the West Bank with a high number of incidents of settler violence, demolitions, and IF excessive use of force.
- ^{xv} In assessing Palestinians' sense of safety and agency over their lives, close to 60 per cent of respondents in the MdM-F and AIDA 2022 report, indicated there was nothing they could do to protect their families when experiencing attacks by settlers and demolitions.
- ^{xvi} Multi-Indicator Cluster Survey 2019-2020 (MICS), Palestine Central Bureau of Statistics, 2021, Chapter 9.2. The figure includes any form of physical discipline as well as psychological aggression.

Methodology

The analysis has been based on both quantitative and qualitative data from existing secondary data sources, protection assessments and reports covering events in the occupied West Bank, including East Jerusalem. A 5W system for the oPt was launched in January 2023 to harmonise and standardise systems for the collection, management, analysis and use of data.

Limitations

Due to spikes in violence, clashes, movement restrictions and deterioration in the coercive environment in certain parts of the West Bank, some partners have faced difficulties with consistent access and gathering in-depth and reliable data. Ongoing needs assessments, updated analysis of threats, impact and capacity will be used to regularly update the PAU.



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