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Human rights situation in Palestine and other occupied Arab territories

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report, submitted pursuant to Human Rights Council resolution 46/26, provides an update on its implementation from 1 November 2020 to 31 October 2021.

* The present report was submitted after the deadline so as to include the most recent information.

I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 46/26. It is based on direct monitoring conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory, on governmental sources, and on information provided by other United Nations entities in the Occupied Palestinian Territory and non-governmental organizations. It should be read in conjunction with recent relevant reports of the Secretary-General and the High Commissioner to the General Assembly and to the Human Rights Council.¹ The quarterly updates and reports of the Secretary-General presented to the Security Council on the implementation of Security Council resolution 2334 (2016) also provide relevant information.²

2. The report, which covers the period from 1 November 2020 to 31 October 2021, contains an update on settlement activities, illegal under international law, and their impact on the human rights of Palestinians. Section IV focuses on Israel's restrictions, including use of force, on the rights to freedom of expression and peaceful assembly of Palestinians protesting against the settlement-related activities and the wider context of the occupation. The report also addresses issues related to Israeli settlements in the occupied Syrian Golan.

3. During the reporting period, Israeli settlement expansion continued at a rapid pace in the occupied West Bank, including East Jerusalem. Settlers established 13 new outposts, continuing a decade-long trend of increase. Demolitions of Palestinian property and incidents of settler violence reached the highest levels ever recorded by the United Nations and settler violence became more severe. In most settler violence incidents monitored, Israeli Security Forces (ISF) failed to protect the Palestinian population, and in many cases used excessive³ force against Palestinians. Further, in many instances, ISF used excessive force when Palestinians protested against settlement expansion and outposts. Widespread impunity for settler violence and for ISF excessive use of force remained a serious concern. These developments further exacerbated the coercive environment in many Palestinian communities described in previous reports and increased the risk of forcible transfer.⁴

II. Legal framework

4. International human rights law and international humanitarian law apply concurrently in the Occupied Palestinian Territory, namely Gaza and the West Bank, including East Jerusalem. In particular, Israel is bound by the obligations of an occupying Power as set out in international humanitarian law. A detailed analysis of the relevant legal framework is contained in two reports of the Secretary-General, A/HRC/34/38 and A/HRC/34/39.

III. Activities related to settlements

A. Settlement expansion

Land designation, planning and tenders

5. During this period, the number of new tenders and construction starts increased, while the advancement or approval of new plans decreased. Israeli authorities issued tenders for a total of 3,600 units in West Bank settlements, including almost 300 in East Jerusalem, compared with 3,200 units during the previous reporting period. Plans for some 7,100

¹ A/76/336, A/76/333, A/HRC/49/83, A/HRC/49/25.

² See <https://unsco.unmissions.org/security-council-briefings-0>.

³ The term "excessive use of force" is used in the present report to refer to incidents in the context of law enforcement operations in which force was not used in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990). Such incidents may entail situations in which force was used unnecessarily and/or disproportionately; and/or in pursuit of an illegal law enforcement objective; and/or in a discriminatory manner.

⁴ A/76/336, section IV; A/HRC/46/65, para.48; A/HRC/46/22, para.4.

housing units were advanced or approved in West Bank settlements, including approximately 500 in East Jerusalem,⁵ compared to some 9,300 units in the previous period.⁶ Official data on settlement construction starts indicated a 40 percent increase, with an average monthly rate of 142 units, compared with 101 units during the previous period.⁷

6. Settlement advancements aimed at further consolidating a ring of settlements around occupied East Jerusalem continued. On 20 May, the Jerusalem District Planning Committee approved the Har Homa E plan for 540 additional housing units, which would connect the existing Gilo and Har Homa settlements. On 13 October, the Jerusalem Local Planning Committee approved the designation of land for Givat Hamatos, which would be the first new settlement built over the 'Green Line' in Jerusalem in over two decades. On 4 and 18 October, the Israeli Civil Administration held hearings on objections to plans for nearly 3,500 units in the strategic E1 area.⁸ This area is home to Palestinian Bedouin communities, including some 7,500 residents whom Israeli authorities had already expressed an intention to forcibly displace under previously attempted 'relocation' plans.⁹ Completion of these plans for Givat Hamatos, Har Homa E, and the E1 area would create a contiguous built-up area of Israeli settlements along the southern and eastern perimeters of East Jerusalem, sever the connection between the northern and southern West Bank, detach East Jerusalem from the rest of the West Bank, and thereby seriously undermine the possibility for a viable and contiguous Palestinian State.¹⁰

7. In mid-October, construction of a new residential compound in the Jewish settlement in Hebron began. On 24 October, the Israeli Land Authority announced tenders for some 1,350 settlement housing units, half of them in the settlement of Ariel, in the middle of the northern West Bank, with serious implications for future Palestinian development in the area.¹¹ On 27 October, Israel's High Planning Committee advanced plans for some 3,100 housing units in Area C.

8. On 29 November, in a potential precedent for several other pending cases,¹² the Israeli High Court of Justice 'legalized' 224 dunums of land for the settlement of Kokhav Ya'aqov, which is built on private and traditional village lands of the Palestinian town of Kafr Aqab. On 17 January, Israel declared as state land 286 dunums between the settlements of Modi'in Illit and Kfar Haoranim, and 71 dunums near the settlement of Na'aleh,¹³ ostensibly with the intention to allocate land for settlement expansion.¹⁴

9. Settlers established 13 new outposts,¹⁵ illegal also under Israeli domestic law, continuing a decade-long trend of increase.¹⁶ Of the total, nine were unauthorized agricultural farms, which have a devastating impact on surrounding Palestinian communities.¹⁷ Israeli authorities demolished one outpost and evacuated another, pending an Israeli land survey to determine the status of the land (see para. 43).¹⁸ On 11 May, the Israeli High Court of Justice ordered the eviction of Israeli settlers from 170 dunums of land in Shiloh Valley, near the

⁵ Office of the United Nations Special Coordinator for the Middle East Peace Process.

⁶ A/HRC/46/65, para.8.

⁷ Office of the United Nations Special Coordinator for the Middle East Peace Process.

⁸ A/75/376, para.43; [E1_Objection_Eng.pdf](#) (ir-amim.org.il).

⁹ <https://unsco.unmissions.org/security-council-briefing-19-october-2021>; A/HRC/31/43, paras. 46 and 68, A/67/ 372, para.55.

¹⁰ A/75/376, para. 61.

¹¹ [S/2021/1047 - E - S/2021/1047 -Desktop](#) (undocs.org).

¹² <https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\17\260\054\r42&fileName=17054260.R42&type=4>; <https://www.haaretz.com/israel-news/premium-israeli-high-court-rejects-petition-against-declaring-west-bank-area-state-land-1.9338816>.

¹³ Peace Now, on file.

¹⁴ A/76/336, para.41, https://f35bf8a1-b11c-4b7a-ba04-05c1ffae0108.filesusr.com/ugd/cdb1a7_04c9fe5f2c954d17953d9c5114041962.pdf.

¹⁵ Peace Now, on file.

¹⁶ A/76/336, para.9.

¹⁷ A/76/336, sect. IV; A/75/376, para.10; A/HRC/40/42, para.39.

¹⁸ Peace Now, on file.

settlement Shevot Rahel by 1 October 2021, but later postponed it until 1 February 2023.¹⁹ Four plans retroactively regularizing outposts were advanced.²⁰ On 16 December and 10 May, the Knesset advanced, in a preliminary vote, bills aimed at legalizing approximately 65 outposts and mandating that they should be treated as authorized settlements in the interim, with their residents receiving all municipal services.²¹ On 18 July, the Israeli High Court of Justice dismissed a 2019 petition to stop the transfer of public state funds to the Amana settler organisation, which finances settlement activity, including unauthorised outposts.²²

Consolidation of settlements

10. Israel continued to unlawfully consolidate settlement blocs with networks of bypass roads and the Wall, endangering the viability of a two-State solution and with severe impact on the rights of Palestinians. While Israel has implemented extensive infrastructure projects to facilitate the movement of settlers, the movement of Palestinians in the West Bank continued to be restricted, severely infringing upon their freedom of movement and access to services and livelihoods.²³ Construction began on Qalandiya underpass highway,²⁴ which would connect Jerusalem to a cluster of settlements deep inside the West Bank. Private Palestinian land will be seized to construct the highway.²⁵ Four other plans for roads were approved or advanced in the West Bank.²⁶

11. A key current issue in settlements and human rights is land registration. In May 2018, the Israeli Government had decided that fifty percent of land ownership in occupied East Jerusalem should be registered by the fourth quarter of 2021 and the rest, by the end of 2025.²⁷ As of 31 October, the registration had begun in 70 plots of land throughout occupied East Jerusalem, including Beit Hanina, Sur Baher, Sheikh Jarrah, Issawiya, Hizma and At-Tur.²⁸ As the occupying power, Israel is prohibited from applying its domestic laws in occupied East Jerusalem, being occupied territory, and may not extend its sovereignty to, nor acquire permanent ownership over land it occupies there.²⁹ Settlement of titles constitutes an irreversible act of sovereignty by a permanent regime, and so subverts the principle that occupation is inherently temporary.³⁰ The recent action taken in this regard in occupied East Jerusalem is illegal under international law.³¹ It also increases the risk of illegal appropriation of property and of forcible transfer.³²

12. The establishment and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem, have no legal validity and are flagrant violations of international law. In addition, outposts are considered illegal under Israeli domestic law. Such establishment and expansion of settlements amounts to the transfer by Israel of its population

¹⁹ <https://www.haaretz.com/israel-news/.premium.HIGHLIGHT-israel-s-top-court-delays-settler-evacuation-until-after-jewish-farming-sabbatical-1.10302191>.

²⁰ Peace Now, on file.

²¹ https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_21_december_2020_2334.pdf and <https://main.knesset.gov.il> (Hebrew).

²² <https://www.haaretz.com/israel-news/.premium-high-court-rejects-petition-to-halt-public-funds-to-settlement-movement-1.10012528>.

²³ A/HRC/46/65, para. 13.

²⁴ According to Ir Amim: <https://mailchi.mp/ir-amim/civil-administration-advances-huge-road-construction-plans-pushing-forward-the-de-facto-annexation-of-greater-jerusalem?e=f7e1245427>.

²⁵ Ibid.

²⁶ Peace Now, on file.

²⁷ https://www.gov.il/he/departments/policies/dec3790_2018. See background: https://www.ir-amim.org.il/sites/default/files/3790%20Monitor%20Report_May%202021_English_0.pdf.

²⁸ Norwegian Refugee Council, on file.

²⁹ Hague Regulations, arts. 43 and 55. and International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, 2005, Volume I: Rule 51,

³⁰ A/76/336, para. 13.

³¹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136.

³² A/75/376 sect. IV; A/HRC/46/65, sect. IV; A/HRC/37/43 para. 36.

into the Occupied Palestinian Territory, prohibited under international humanitarian law.³³ Such transfers amount to a war crime that may engage the individual criminal responsibility of those involved.³⁴

B. Impact of settlements on human rights

Settlement-related violence

13. Settler violence reached the highest level since the United Nations began publicly reporting statistics on it in 2017.³⁵ There were 502 incidents of settler violence in the West Bank including East Jerusalem,³⁶ compared with 339 incidents in the previous period. The severity of attacks also intensified: of particular concern were incidents of armed settlers carrying out attacks inside Palestinian communities, sometimes in the proximity of ISF, and of ISF attacking Palestinians alongside settlers. Six Palestinians (four men and two women) were killed in such attacks - four by settlers and two either by settlers or accompanying ISF. Settlers also injured 170 others, including at least 83 men, 32 children and 11 women. Settlers vandalized 12,800 trees and 242 vehicles. According to Israeli sources, two Israelis known or believed to be settlers were killed and 98 injured by Palestinians.³⁷

14. In December, settler violence surged across the West Bank following the deaths of two settlers in violent incidents.³⁸ There was a further serious surge starting in April, seemingly driven by the threat of evictions in Sheikh Jarrah and Silwan for the benefit of settler organizations (see Section IV). Confrontations and nationalistically motivated incitement and violence spread across East Jerusalem and, in the course of May, to the entire Occupied Palestinian Territory and Israel, and triggered the largest escalation in hostilities between Israel and Palestinian armed groups in Gaza since 2014.³⁹

15. In several cases documented during this period, ISF were recorded attacking Palestinians alongside settlers, including with firearms. On 14 May, around 20-30 settlers and at least six ISF personnel raided Urif village near Nablus. Palestinian youth threw stones at them, and in clashes that followed, settlers and ISF fired live ammunition. A 32-year old Palestinian man was hit with two bullets to his chest and abdomen, and died of his injuries. Eye-witnesses identified a guard of Yitzhar settlement as the shooter. He was photographed, shooting alongside ISF. At least three other Palestinians were injured with live ammunition.

16. Settlement guards also appeared to play an active role in violent attacks. Settlement guards are usually settlers, are often trained and armed by ISF, and they have the authority to detain and search, including without a warrant, using any reasonable means, until military or police arrive.⁴⁰ On 28 April, a settlement guard physically assaulted a Palestinian man with disability in the Wadi Hilweh neighbourhood of Silwan, causing injuries and bruises to his head and face. Surveillance cameras showed the guard pepper spraying the victim directly in the face, pushing him to the ground, strangling him and punching him repeatedly in the head. Palestinian neighbours called the police who never arrived.

17. Settler violence increased again during the olive harvest in October. Between 4 and 31 October, OCHA recorded 52 incidents of settler violence, including 2,956 trees and 37 cars vandalised or destroyed.⁴¹ Palestinians faced restrictions in accessing olive groves by settlement guards, ISF and settlers. Nablus and Ramallah Governorates were most affected. In many cases documented by OHCHR, ISF did not respect their duty to protect

³³ A/HRC/46/65, para.57 and Fourth Geneva Convention, art. 49(6).

³⁴ A/HRC/46/65, para.57 and Rome Statute of the International Criminal Court, art.8(2)(b)(viii).

³⁵ OCHA.

³⁶ Incidents of settler violence resulting in injury, death and/or property damage. OCHA.

³⁷ OCHA. Excluding the number of Palestinians injured by ISF in the context of settler related incidents.

³⁸ A/76/336, para.21.

³⁹ A/76/336, para.22.

⁴⁰ <https://www.yesh-din.org/en/the-lawless-zone-the-transfer-of-policing-and-security-to-the-civilian-security-coordinators-in-the-settlements-and-outposts/>.

⁴¹ OCHA, on file.

Palestinians.⁴² On 13 October, ISF were responding to settlers uprooting olive trees in al-Mughayyir, when a number of settlers, some masked, pepper-sprayed their military vehicle, lightly hurting two soldiers, and attempted to hit a Palestinian man with a metal rod. On 14 October, the Israeli Defence Minister called on the Israeli Defence Forces (IDF) to “act systemically, aggressively and uncompromisingly, against all forms of violence, against Palestinians, Jews and of course against security forces”. Yet, on 23 October, when approximately 20 masked settlers attacked Palestinian farmers picking olives with their families in Turmus’ayya, ISF instead responded by shooting tear gas and rubber coated metal bullets towards the Palestinians.

18. On 28 September, some 70 masked settlers carrying stones, batons and pistols attacked Palestinian villages of Umm Fagarah, Ar Rakeez, and At Tuwani. In Umm Fagarah, the settlers injured eight Palestinians in the presence of ISF, including a three-year-old boy who was hit the head with a large rock and severely injured. The settlers also killed five sheep, damaged ten homes, 13 vehicles, two tractors, and several solar panels, water pipes, and tanks. According to eyewitnesses, Palestinian residents threw stones attempting to keep the settlers away. ISF, present at the scene from the beginning, did not intervene. Instead, it responded by firing tear gas and stun grenades at the residents. In related clashes, 20 Palestinians were injured by ISF, and one Israeli soldier was injured.

19. As the occupying Power, Israel has the obligation to take all the measures in its power to restore and ensure, as far as possible, public order and life in the Occupied Palestinian Territory and, in all circumstances, to protect the Palestinian population against all acts or threats of violence.⁴³ Israel also has the obligation to respect and ensure the human rights of the Palestinian population, including their rights to life and security of person.⁴⁴ It is required to protect the life of persons in the Occupied Palestinian Territories, including East Jerusalem, from all reasonable foreseeable threats, including from threats emanating from private persons and entities.⁴⁵ Instead, systematic and increasingly severe settler violence – with the acquiescence or, on occasion, practical support by ISF – is contributing to the worsening of the coercive environment for Palestinians.⁴⁶

Accountability for settler violence

20. The Secretary-General and the United Nations High Commissioner for Human Rights have repeatedly reported on the prevailing climate of impunity with regard to settler violence.⁴⁷ This continued⁴⁸ despite the increased severity of attacks and public calls for accountability by Israeli officials. For example, following the 28 September attack in Umm Fagarah, Israel’s Foreign Minister condemned the attack and said that Israel had “a responsibility to bring [the attackers] to justice.” Israeli authorities arrested seven Israelis.⁴⁹ While five of them were released, two settler children, aged 15 and 17, were indicted on 21 October for participating in the attack, none of them for the actual assault of Palestinians.⁵⁰

21. On 19 November, three Israelis, including two children, were indicted for attacking Palestinians harvesting their olives a month earlier.⁵¹ On 29 December, the State Attorney’s

⁴² See: <https://mailchi.mp/c106b3db21b6/state-re-opens-investigation-into-2010-severe-injury-of-unarmed-civilian-demonstrator-4841926?e=c3c0aff43a>.

⁴³ Hague Regulations, arts.43 and 46; and Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), art.27.

⁴⁴ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004. See also A/HRC/34/38, paras. 6–9 (with full references).

⁴⁵ Human Rights Committee, General Comment no 36, CCPR/C/GC/36, para.18.

⁴⁶ A/76/336, para.19.

⁴⁷ A/76/336, para.26; A/74/357, para.27.

⁴⁸ A/76/336, para.27–28. Yesh Din, “Settler crime and violence inside Palestinian communities, 2017–2020”, May 2021, [inside+Palestinian+communities_EN.pdf](https://www.yeshdin.org/inside-palestinian-communities-EN.pdf).

⁴⁹ <https://www.haaretz.co.il/news/law/.premium-1.10314884>.

⁵⁰ <https://www.haaretz.com/israel-news/.premium-jewish-teens-from-west-bank-charged-with-rioting-in-palestinian-village-1.10315594>.

⁵¹ <https://www.timesofisrael.com/three-israelis-indicted-for-assaulting-palestinians-during-olive-harvest/>.

Office filed an indictment against two Israelis, one of them a child, in relation to planning a “price tag” operation.⁵² On 23 February, Israeli authorities indicted a 17-year-old Israeli boy for throwing stun grenades into Palestinian homes in Sartah.⁵³ On 1 September, the Jerusalem Juvenile Court acquitted five Israeli children from charges of violence and terrorism, for participating in a so-called “hate wedding” in 2015.⁵⁴ One was convicted of wilful property damage. On 14 October, the prosecutor's office appealed.

22. Accountability measures remained gravely deficient in cases where settlers, or ISF alongside settlers, killed Palestinians.⁵⁵ There was no information publicly available of any investigation into the 5 January killing of a 25-year old Palestinian man by a settler at Etzion-junction. In respect of a settler killing a 32-year old Palestinian man in Ras Karkar on 5 February, Israeli police decided not to launch a criminal investigation into the killing.⁵⁶ Regarding the killing of a 32-year-old Palestinian man in Urif ISF on 14 May,⁵⁷ a military police investigation was announced on 16 July.⁵⁸ However, on 7 October, media reported that IDF failed to take steps against the masked person suspected of the killing. IDF spokesman said he was an off-duty soldier who lived in the area and that no complaint had been submitted against him.⁵⁹ Regarding the Palestinian man killed on 14 May by settlers in Ar-Rihyah, on 23 July Israeli media reported that the victim's family had filed a complaint. As of 31 October, the Israeli police had not opened an investigation.⁶⁰ In respect of the 27-year old man killed in Iskaka on 14 May and a 37-year old woman killed near Kiryat Arba on 19 May, in circumstances where both settlers and ISF had used force, no information on any accountability steps was available. Regarding the events on 26 June, where a settler was recorded shooting live ammunition at Palestinians with a weapon of an Israeli soldier near the Havat Maon outpost, Israeli police opened an investigation in September. However, the settler was not summoned for questioning, and the army decided not to file an official complaint against him.⁶¹ On 17 October, IDF announced that a deputy battalion commander, who was recorded physically attacking Palestinians and Israeli activists twice in September, would, as a consequence, not be promoted for the next three years.⁶²

23. Failure to protect Palestinians and deficiencies in the justice system to hold settlers accountable for violence against Palestinians include: the application of different legal systems to settlers and Palestinians; the persistent and prevailing lack of thorough and impartial investigations; the very low rate of indictments and convictions; frequently delayed

⁵² <https://www.srugim.co.il/521483-%D7%9B%D7%AA%D7%91-%D7%90%D7%99%D7%A9%D7%95%D7%9D-%D7%A0%D7%92%D7%93-%D7%A9%D7%A0%D7%99-%D7%A6%D7%A2%D7%99%D7%A8%D7%99%D7%9D-%D7%A9%D7%AA%D7%9B%D7%A0%D7%A0%D7%95-%D7%AA%D7%92-%D7%9E%D7%97%D7%99%D7%A8>. For “price tag operations” A/HRC/40/42, para. 30.

⁵³ <https://unsco.unmissions.org/security-council-briefing-25-march-2021-unscr-2334>. Also: <https://www.timesofisrael.com/israeli-17-indicted-for-stun-grenade-attack-on-palestinians-vandalism/>.

⁵⁴ <https://www.haaretz.co.il/news/law/1.10171777> and <https://www.haaretz.co.il/news/law/1.10294297>.

⁵⁵ Also: <https://www.haaretz.com/israel-news/.premium-settler-masked-person-filmed-shooting-at-palestinians-as-israeli-soldiers-watch-1.10006087>; and <https://www.972mag.com/joint-attacks-israeli-settlers-soldiers/>.

⁵⁶ <https://www.timesofisrael.com/man-said-to-have-shot-infiltrator-dead-already-on-trial-for-shooting-palestinian/>, see also A/76/336, para.30.

⁵⁷ <https://www.haaretz.com/israel-news/.premium-settler-masked-person-filmed-shooting-at-palestinians-as-israeli-soldiers-watch-1.10006087>.

⁵⁸ <https://www.972mag.com/joint-attacks-israeli-settlers-soldiers/>.

⁵⁹ <https://www.haaretz.com/israel-news/.premium-the-israeli-military-spotted-a-settler-shooting-at-palestinians-but-did-nothing-1.10273450>.

⁶⁰ <https://www.haaretz.com/israel-news/.premium-two-weeks-on-police-haven-t-begun-probing-alleged-settler-killing-of-palestinian-1.9931965>.

⁶¹ <https://www.haaretz.com/israel-news/.premium-israel-police-stall-in-probe-of-settler-who-fired-soldier-s-weapon-at-palestinians-1.10331978?lts=1640245559380>.

⁶² <https://www.haaretz.com/israel-news/.premium.HIGHLIGHT-idf-officer-barred-from-promotion-for-3-years-after-attacking-leftists-palestinians-1.10301506>.

processes; and lenient charges. Overall, these deficiencies exacerbate a climate of impunity for settler violence, encouraging attacks to continue.⁶³

Demolitions, forced evictions and displacement

24. Representing the highest number since OCHA started recording demolitions in 2009, Israeli authorities demolished 967 Palestinian-owned structures⁶⁴ in the West Bank (83 per cent), including East Jerusalem (17 per cent), displacing 1,190 Palestinians, including 656 children, 261 women, and 273 men. Structures demolished by Israeli authorities included 243 donor-funded structures provided as humanitarian aid, 86 water, sanitation and hygiene structures despite the COVID-19 pandemic,⁶⁵ and two schools, affecting 643 children.⁶⁶ Israeli authorities demolished 70 structures by applying Military Order No. 1797, authorizing the removal of new structures in Area C within 96 hours of notice.⁶⁷ In occupied East Jerusalem, Palestinians were increasingly forced to carry out self-demolitions, as it is almost impossible for them to obtain building permits due to the discriminatory Israeli zoning and planning regime, and the imposition of large fines and charges should the municipality carry out the demolition instead.⁶⁸ Self-demolitions accounted for 98 demolitions, compared with 74 in the previous period.⁶⁹

25. At least 218 Palestinian households in East Jerusalem comprising 970 persons, including 424 children, remained at imminent risk of forced eviction owing to cases filed in Israeli courts, primarily by Israeli settler organizations, at the end of the reporting period.⁷⁰ In February, Jerusalem Municipality rejected a master plan for the Al Bustan area of Silwan neighbourhood in East Jerusalem, submitted as part of ongoing negotiations to create a housing solution for the residents.⁷¹ The Municipality also opposed a request to extend a demolition freeze to 68 homes. In March and August, the Jerusalem Local Affairs Court granted extensions to 52 freezes, currently until 10 February 2022, pending the planning process with the Municipality. It leaves out 16 homes in Al Bustan, which are at an imminent risk of demolition.⁷² In the Batan Al Hawa section of Silwan, as many as 85 families remain at the risk of evictions pending a ruling of the Israeli Supreme Court in appeals against lower courts eviction rulings.

26. Palestinian communities in Masafer Yatta, south of Hebron, have been subject to several waves of demolitions and have demolition and eviction cases pending with Israeli courts, affecting some 1300 Palestinians.⁷³ The Norwegian Refugee Council provided legal representation to the families with pending demolition orders and on 24 December secured an interim injunction until 60 days after the ruling of the High Court of Justice in the eviction case.⁷⁴ The Rural Council of Masafer Yatta had requested to join the proceedings in the eviction case to present evidence that the residents has been living in the area before its declaration as firing zone, and a hearing is scheduled for March 2022. Another location where up to 300 Palestinians are at imminent risk of displacement is Al Walajeh, on the southern border of Jerusalem, where 36 residential and nine uninhabited structures have pending demolition orders against them. An interim injunction protecting 38 homes from demolition

⁶³ A/76/336, para.31.

⁶⁴ Compared to 964 structures in the previous period.

⁶⁵ OCHA, on file.

⁶⁶ UNICEF, on file.

⁶⁷ OCHA, on file.

⁶⁸ A/76/336, para.34. Also: https://www.alhaq.org/cached_uploads/download/2021/09/14/weekly-focus-ola-ag-final2-sp-1631603444.pdf.

⁶⁹ OCHA, on file.

⁷⁰ A/76/336, para.34 and [sg_report_on_the_implementation_of_scr2334_-_18_june_2021_english.pdf](https://www.unmissions.org/sites/default/files/sg_report_on_the_implementation_of_scr2334_-_18_june_2021_english.pdf) (unmissions.org).

⁷¹ <https://www.ir-amim.org.il/en/node/2627>; Norwegian Refugee Council, on file.

⁷² NRC on file; <https://www.ochaopt.org/content/west-bank-demolitions-and-displacement-august-2021>.

⁷³ See A/76/336, para.51.

⁷⁴ Request on file.

was still in effect at the end of October. On 31 October, the District Court issued a decision allowing the community to submit a new plan.⁷⁵

27. These demolitions and forced evictions entail numerous human rights violations, exacerbate the coercive environment and may lead to forcible transfer, a grave breach of the Fourth Geneva Convention. Pursuant to international humanitarian law, private property in occupied territory must be respected and cannot be confiscated by the occupying Power⁷⁶, which is also prohibited from destructing property and institutions dedicated to education.⁷⁷

Communities at risk of forcible transfer

28. Palestinians across Area C, in East Jerusalem and in the H2 area of Hebron, remain at risk of forcible transfer as a result of a coercive environment.⁷⁸ At particular risk are Bedouin and herder communities, including 18 communities in and around East Jerusalem, among them Khan al-Ahmar/Abu al-Helu⁷⁹ and communities in the Jordan Valley and those located in lands designated by Israel as military firing zones.⁸⁰ On 29 September, Israel's High Court of Justice granted a request by the State of Israel to postpone until March 2022 its response to a petition to implement eviction orders against Khan al-Ahmar/Abu al-Helu. In its request, the Government cited the COVID-19 pandemic and the "current diplomatic-security situation," adding that there had been "significant progress" toward an agreement to avoid mass-demolition.⁸¹

29. The homes and livelihood structures of the Bedouin community of Humsa al Bqai'a located in the Israeli designated military firing zone 903, were subjected to eight mass-demolition and seizure operations during the reporting period.⁸² Decade-long petitions and appeals by the community against the demolitions ended without a final verdict from the High Court of Justice when in early November 2020 Israeli authorities verbally ordered the community to leave the area and the demolitions and confiscations were carried out without time for any further legal action.⁸³ Between November and July, Israeli authorities demolished 196 structures, including 112 donor-funded, some of them provided as humanitarian assistance in response to previous demolitions, displacing 365 Palestinians, including 209 children. Israeli authorities also confiscated personal belongings, including food, milk for children, clothes, hygiene materials and toys. Livestock, which constitutes the community's main source of income, was left without food, water or shelter.⁸⁴ Reportedly, two families (12 persons) left their homes in Humsa al Bqai'a after the November 2020 demolitions, and moved to Froush Beit Dajan near Nablus, where they remained as of 31 October. Other families moved just outside the firing zone, and on 21 February, the Israeli High Court of Justice issued a temporary order against the demolition of their structures at this location at a distance of about 1,400 meters from their homes. As of 31 October, nine families (86 persons) reportedly remained in this location, and two families (11 persons) remained in the firing zone. The actions by Israel placed the community under extreme pressure to move and appear to have led to at least 11 families (98 persons) leaving their homes. In testimonies given to OHCHR on 12 July, residents stated their unwillingness to relocate to the Israeli designated relocation sites. Forcible transfer is a grave breach of the Fourth Geneva Convention and thus amounts to a war crime.

⁷⁵ <https://mailchi.mp/ir-amim/al-walajah-under-heightened-risk-of-mass-demolition-after-state-files-motion-to-dismiss-appeal?e=%5bUNIQID%5d>.

⁷⁶ Hague Regulations, art.46.

⁷⁷ Fourth Geneva Convention, arts.49 and 147; and Hague Regulations, arts.46 and 56. See also A/HRC/34/38, paras.21 and 33.

⁷⁸ A/76/336, para.37; A/72/564, paras.36–58.

⁷⁹ A/73/410, para.22; A/74/357, para.36; A/HRC/37/43, paras.24 and 25; and A/HRC/43/67, para.33.

⁸⁰ A/76/336, para.37-57.

⁸¹ <https://www.undocs.org/en/S/2021/1047>.

⁸² OCHA.

⁸³ A/76/336, para.39.

⁸⁴ OCHA. Following a mass-demolition on 7 July, humanitarian organizations were denied access to the site until 14 July, in contravention with Fourth Geneva Convention, art. 59.

IV. Israeli suppression of Palestinian protest against settlement activities

30. In a significant spike, ISF killed 70 Palestinians, including 51 men, three women and 16 boys, and injured 14,090 Palestinians in the West Bank, including East Jerusalem during this period. Of them, 10 (four boys and six men) were killed and 10,867 injured (including 795 with live ammunition) in the context of mainly peaceful protests against settlements, settlement-related issues and wider context of the occupation. Particular tensions occurred in East Jerusalem where Palestinians protested against the threat of evictions in Sheikh Jarrah and Silwan for the benefit of settler organizations, and in Nablus Governorate, where Palestinians protested against settler presence and the establishment of illegal outposts. In both contexts, examined further below, OHCHR documented numerous cases of discriminatory law enforcement, intimidation of protesters and journalists, mass arrests, and use of excessive force against mainly peaceful protesters, including use of lethal force as crowd control measure. This raised serious concerns of ISF human rights violations, including against the rights of Palestinians to freedom of expression and peaceful assembly, and their rights to life and security of person.⁸⁵

Sheikh Jarrah, East Jerusalem

31. During the reporting period, Israeli police injured at least 265 Palestinians in East Jerusalem in the context of demonstrations, including five with live ammunition.⁸⁶ ISF used force against entirely peaceful demonstrators, human rights activists, and journalists in violation of international norms and standards. Law enforcement appeared to be carried out in a discriminatory manner and several arrests, including of journalists, raised concern of arbitrary arrest and of hindering the work of journalists.

32. In East Jerusalem, over 200 Palestinian households had eviction cases pending in Israeli courts at end of reporting period, affecting almost a thousand Palestinians. The cases are based on the application of the Absentee Property Law and the Legal and Administrative Matters Law, which allow Jewish Israelis who owned properties in East Jerusalem prior to 1948 to reclaim their property.⁸⁷ The application of these laws in East Jerusalem is inconsistent with Israel's obligations under international humanitarian law.⁸⁸ There are no similar laws allowing Palestinians to reclaim their property, rendering them inherently discriminatory.⁸⁹ In the East Jerusalem neighbourhood of Sheikh Jarrah, a total of eight families, approximately 75 persons, faced the threat of eviction for the benefit of settler organizations at end of reporting period. In this case, the Nahalat Shimon settler organization claims ownership of the land following their acquisition of the properties, and has filed eviction lawsuits against the Palestinian families. These claims are disputed by the Palestinian families, some of whom have resided in these homes for nearly seventy years, and have appealed against the eviction orders. On 10 February, the District Court dismissed the appeal of four of these families, upholding their eviction, and ordering them to vacate their properties by 2 May 2021, placing them at imminent risk of eviction and igniting tensions starting in April.

33. For years, Palestinians, supported by Israeli and other activists, have demonstrated against evictions in Sheikh Jarrah. During April the protest movement grew. Palestinian, Israeli and other human rights activists initiated widespread sit-ins in the streets of Sheikh Jarrah and staged near daily protests. The community mobilized actively on social media, documenting events with the hashtag #SaveSheikhJarrah, which gained international attention. A recording of a settler telling one of the families under threat of forced eviction

⁸⁵ UDHR, art.19, 20; ICCPR, arts.6(1),9(1),19,22. The Hague Regulations Respecting the Laws and Customs of War on Land, 1907 art. 46; and Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), art.27.

⁸⁶ OCHA.

⁸⁷ A/75/376, paras.51–55.

⁸⁸ A/75/376, para.54.

⁸⁹ A/75/376, para.54.

“(…) if I don’t steal it [their house] someone else will steal it” circulated widely, and became a symbol of the settlement activities.⁹⁰ In an apparent bias in the social media moderation of online expression, content by Palestinian users about Sheikh Jarrah was increasingly restricted and taken down at the behest of Israeli authorities.⁹¹ On 14 September, Facebook’s Oversight Board recommended an examination into moderation of Palestinian and pro-Palestinian content.⁹²

34. The protests spread from Sheikh Jarrah to other parts of Jerusalem, coinciding with the start of Ramadan and several Israeli holidays. Ethnically and nationalistically motivated tension and violence grew, and with it significant movement restrictions and use of force against Palestinians. In some cases, Israeli police used unnecessary force, including at the Al-Aqsa compound, against peaceful protesters. For example on 7 May, Palestinian Red Crescent reported 205 Palestinian injuries, the majority at Al-Aqsa compound, including from an incident where Israeli police shot stun grenades into a crowd of Palestinians in Bab Al-Rahma chapel with limited possibility to escape.⁹³ The events in Jerusalem ignited, on 11 May, the worst escalation in hostilities between Israel and Palestinian armed groups in Gaza since 2014, and significant violence spread across the West Bank and Israel.⁹⁴

35. Israeli police imposed movement restrictions and set up ad-hoc checkpoints at main entry points to Sheikh Jarrah. Palestinians not residing in the area were banned access, and residents were ordered to remain indoors. In several documented cases, Israeli police allowed Israelis, some of them armed, to access and protest in Sheikh Jarrah beyond the checkpoints, fuelling confrontation or even directly inciting violence.⁹⁵ On 6 May, a Member of Knesset for the Otzma Yehudit party set up a ‘field office’ in Sheikh Jarrah, reportedly to help ensure that the Israeli police provided proper protection to Israelis in the neighbourhood, and on 8 May, he called on police to be given more powers to use firearms to confront Palestinians.⁹⁶ On 8 May, at least 23 Palestinians active in civic and political activities in Jerusalem were arrested. All were released within a range of few hours to a couple of days, most on condition of staying away from Sheikh Jarrah or Jerusalem.

36. On 18 May, Israeli police arbitrarily shot a kinetic impact projectile at the back of a 16-year old girl from the distance of a few meters, as she was obeying orders of the Israeli police to enter her house in Sheikh Jarrah with her father. She fell to the ground severely injured. The police fired another bullet that hit the father in the leg, and threw a stun grenade through the bars of their front gate, which exploded between them. Both were hospitalized. Footage of the incident was widely circulated by media,⁹⁷ and the Israeli Police Internal Investigations Department opened an investigation. The officer who shot the girl was suspended, while four other officers were reportedly under investigation as of the end of the reporting period.

37. On 4 June, Palestinians had organised a solidarity marathon from Sheikh Jarrah to Silwan, as a form of peaceful protest. As runners - including women, children, and older persons - were gathered singing and dancing at the finish line in Batn Al-Hawa in Silwan, Israeli police violently dispersed them by firing stun grenades and kinetic impact projectiles. Footage shows Israeli police raiding the event tent and physically assaulting those inside, including with police clubs. Palestinian Red Crescent treated 23 injured.⁹⁸ Israeli police

⁹⁰ See recording at: <https://www.youtube.com/watch?v=KNqozQ8uaV8>.

⁹¹ A/HRC/49/83, para.31; <https://7amleh.org/2021/05/21/7amleh-issues-report-documenting-the-attacks-on-palestinian-digital-rights>; <https://www.hrw.org/news/2021/10/08/israel/palestine-facebook-censors-discussion-rights-issues>.

⁹² Oversight Board | Independent Judgment. Transparency. Legitimacy.

⁹³ https://m.facebook.com/Silwanic/videos/808905736716482?_rdr.

⁹⁴ A/HRC/49/83, A/HRC/49/25.

⁹⁵ See also recordings of events: <https://twitter.com/i/status/1389469783247163398>.

⁹⁶ <https://www.haaretz.com/israel-news/.premium-kahanist-lawmaker-closes-makeshift-office-in-east-jerusalem-at-netanyahu-s-behest-1.9783069?lts=1639435045666>.

⁹⁷ <https://www.haaretz.com/israel-news/.premium-jerusalem-police-officer-who-shot-palestinian-girl-suspended-after-footage-emerges-1.9845088>.

⁹⁸ <https://twitter.com/i/status/1400849842855976969>; <https://www.aljazeera.com/news/2021/6/4/israeli-police-attack-palestinians-running-to-protest-expulsions>.

violently arrested four Palestinians, including a 15-year-old boy. Israeli police also physically assaulted a group of journalists and damaged their cameras,⁹⁹ and hit an ambulance with kinetic impact projectile, shattering its windshield.¹⁰⁰

38. Israeli police appeared to prevent, intentionally and sometimes with force, journalists from documenting the events. On 5 June, Israeli police arrested a female journalist of Al Jazeera TV who was reporting on protests in Sheikh Jarrah.¹⁰¹ Israeli police asked for her press card and as she was walking to get it from her car, a female officer pushed her against a wall and kicked her, fracturing her arm. The journalist was arrested – accused of assaulting an Israeli officer – but released in the evening following footage of the arrest contradicting the allegation. She was however required to stay away from Sheikh Jarrah for 15 days, and the charge changed to ‘non-compliance with the orders of a police officer’.¹⁰² Several other female journalists were physically assaulted and arrested during the tensions in East Jerusalem,¹⁰³ and in several other documented cases journalists were denied access.¹⁰⁴

39. Amidst the tension, on 9 May, the Supreme Court issued a stay order against the eviction of the four families, following the expressed readiness of the Attorney General of Israel to consider intervening in the pending leave to appeal in the Supreme Court. On 4 October, the Supreme Court proposed a settlement which would give the four families first or second generation protected tenancy status, while recognizing the Israeli settler organization’s ownership of the land and paying nominal annual rent to the settlers.¹⁰⁵ On 27 October, the four families and Nahalat Shimon organisation both rejected the proposed settlement. Protests, in East Jerusalem continued, though at lower intensity, through the end of the reporting period.

Beita, Nablus Governorate

40. Most settler-related violence in the West Bank occurs in the vicinity of outposts and there appears to be a correlation between expansion of outposts and settler attacks against Palestinians.¹⁰⁶ Nablus Governorate has long been a hotspot for settler violence, and it was the area most affected also in this period, with a total of 178 incidents recorded,¹⁰⁷ including of physical violence and shooting live ammunition. The violence occurred particularly within the 25 km² surrounding Yitzhar settlement and adjacent outposts, along Road 60, and near the ring of outposts from Itamar Settlement west of Firing Zone 918.¹⁰⁸

41. Two new outposts were established, on Mount Masyaf in Beit Dajan in late 2020, and on Jabal Sabih near Beita in May 2021. Palestinians mobilized in protest and demonstrated in Beita, Beit Dajan, Kafr Qaddum and Ni’lin. The demonstrations were met with harsh means by ISF, including lethal force, suppressing Palestinian freedom of expression and peaceful assembly, and raising serious concern of excessive use of force, including arbitrary killings. During this period, ISF killed eight Palestinians, including two boys and injured 6,742 (including 454 children), of whom 348 with live ammunition¹⁰⁹, in the context of demonstrations and other protest activities in Nablus governorate.

⁹⁹ <https://www.wattan.net/ar/news/342475.html>.

¹⁰⁰ According to Wadi Hilweh Information Center.

¹⁰¹ See: <https://www.aljazeera.com/gallery/2021/6/6/the-moment-when-al-jazeera-journalist-was-arrested>.

¹⁰² <https://www.aljazeera.com/news/2021/6/5/israeli-police-arrest-al-jazeera-journalist-in-sheikh-jarrah-east-jerusalem>.

¹⁰³ For example: <https://www.aljazeera.com/news/2021/6/2/palestinian-journalists-on-the-front-line>.

¹⁰⁴ <https://twitter.com/m7mdkurd/status/1401978033976786950?s=20>.

¹⁰⁵ <https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\21\010\024\c19&fileName=21024010.E19&type=4>.

¹⁰⁶ See: [sattlers_report_eng.pdf](#) (peacenow.org.il).

¹⁰⁷ OCHA.

¹⁰⁸ See: A/74/357, section.IV and A/76/336, paras.50-54. Also:

<https://www.alhaq.org/advocacy/17738.htm>

¹⁰⁹ OCHA.

42. On 3 May, Israeli settlers re-established so-called “Evyatar” outpost on land of the Palestinian villages of Beita, Qabalan and Yatma,¹¹⁰ on Mount Jabal Sabih in Area C. In the 1980s Israeli authorities had temporarily seized this Palestinian-owned land for military purposes. In 2013, 2016, and 2018, settlers attempted to erect an outpost on the land, but each time, Israeli authorities demolished the structures.¹¹¹ On 3 May, a day after the killing of a 19-year-old settler in a drive-by shooting by a Palestinian, settlers with support from ISF¹¹² rapidly rebuilt “Evyatar” outpost. By 31 May it included some 40 structures housing over 200 settlers.¹¹³ According to Israeli media, the reconstruction was carried out at the initiative of the Nahala settlement movement, which provided financial and logistical assistance, along with Samaria Regional Council.¹¹⁴ According to the settlers, the outposts “prevents the creation of a connection between the villages of Qabalan, Yatma and Beita” and is “a strategic point that strengthens the Jewish presence in the region.”¹¹⁵

43. On 9 June, Israel declared the land a closed military zone and ordered the outpost evacuated. On 2 July settlers left the outpost following an agreement with the Israeli Government that IDF would re-establish a presence at the site and an Israeli land survey would be conducted to determine the land status.¹¹⁶ Settlers erected a 13-meter-high iron Star of David facing Beita village stating “we will return”.¹¹⁷ On 12 August, the Israeli Supreme Court rejected a petition filed by residents of the three Palestinian villages, awaiting the result of the land survey.¹¹⁸ The petition had requested a revocation of the agreement, and included legal documents, inheritance deeds, and photographs attesting to their ownership.¹¹⁹ As of the end of the reporting period, the outpost structures remained on site and ISF continued to occupy the area.

44. From 3 May, weekly and in some periods daily protests took place in Beita against the “Evyatar” outpost, the Israeli occupation, and settlement activities in general. Protest measures included collective Friday prayers near the outpost, demonstrations, and so-called “night-confusion activities”. Palestinians carried flags, played loud music, blew horns, burned tires, and shot fireworks. Some demonstrators pointed lasers toward the outpost, including at night, and threw stones, including with slingshots, and in some cases Molotov cocktails towards ISF. ISF responded with live ammunition, rubber-coated metal bullets (RCMB), tear gas, and stun grenades. Between 3 May and 31 October, ISF killed six Palestinians, including two boys in Beita in the context of protests, and injured at least 4,623 Palestinians (588 of them children), including 177 with live ammunition.¹²⁰

45. On 14 May, as Palestinians held Friday prayers near “Evyatar” outpost, ISF positioned on the hills fired tear gas toward Palestinians around 100 meters away on lower ground. ISF marched towards the Palestinians who scattered to avoid the tear gas. After 15 minutes, ISF began shooting RCMBs and live ammunition towards the Palestinian youth who were still on lower ground 100 meters away. ISF injured at least 10 Palestinians with live ammunition. One Palestinian youth was shot in his shoulder with live ammunition, as he was handing out water bottles. Among a group of 20 Palestinians protesting, 70-100 meters away from the closest soldiers, some of them throwing stones, a 40-year-old Palestinian man was shot dead

¹¹⁰ A/76/336, para.9.

¹¹¹ <https://www.haaretz.com/israel-news/.premium-in-just-a-month-illegal-settler-outpost-sprouts-up-on-palestinian-lands-1.9882850>.

¹¹² <https://www.haaretz.com/israel-news/.premium-israeli-soldiers-photographed-helping-build-illegal-west-bank-outpost-1.9897082>.

¹¹³ A/76/336, para.9.

¹¹⁴ <https://www.haaretz.com/israel-news/.premium-in-just-a-month-illegal-settler-outpost-sprouts-up-on-palestinian-lands-1.9882850>.

¹¹⁵ בואו לחגוג איתנו את השבת... - אביתר - יישוב חדש בשומרון | Facebook.

¹¹⁶ A/76/336, para. 9.

¹¹⁷ <https://www.timesofisrael.com/settlers-vacate-illegal-outpost-as-deal-to-keep-it-intact-goes-into-effect/>.

¹¹⁸ (4) Jerusalem Legal Aid and Human Rights Center - Opslag | Facebook.

¹¹⁹ Petition for the cancelation of Evytar Deal (jlac.ps). See also: <https://www.haaretz.com/israel-news/.premium-palestinians-claiming-ownership-of-evytar-ask-attorney-general-to-block-settler-dea-1.9952576>.

¹²⁰ According to OCHA, the number of injuries was so high that recorded figures are likely under-representative.

with live ammunition in his stomach. As of 31 October, no information was available about any investigation into the killing. Palestinian Red Crescent treated 231 other Palestinians injured by ISF that day, (45 from live ammunition, 40 from RCMBs, 140 from tear gas inhalation, and six from physical assaults).

46. On 28 May, ISF shot and killed a 25-year-old Palestinian man in Beita. According to eyewitnesses, he was standing under a tree with ten other Palestinians, eating sandwiches. Two armed settlers opened fire at them, injuring two Palestinians. As the group fled the settlers, ISF positioned on a higher ground approximately 60 meters away, shot at them and hit the 25-year-old Palestinian with live ammunition in the chest. ISF continued to fire live ammunition at the group as they were evacuating the victim, injuring two other Palestinians with live ammunition in the legs. As of 31 October, there was no information of an investigation into the killing or the use of live ammunition against unarmed individuals. Palestinian Red Crescent treated 69 Palestinians injured by ISF that day, including nine with live ammunition, 17 with RCMBs, 38 from tear gas inhalation, and five from physical assault.

47. On 11 June, ISF shot in the chest and killed a 16-year-old Palestinian boy during protests in Beita. Several hundred Palestinians had joined the protests after the Friday prayer, when ISF dispersed the crowd with tear gas. Groups of Palestinian youth burned tires and threw stones, including with slingshots. The boy was with a group of around 10 other youth, 500 meters from the outpost. Five soldiers were located 50-100 meters from them, on higher ground, pointing their rifles. After throwing stones, the 16-year-old and his cousin were under a tree facing soldiers, while other youth kept throwing stones. While seemingly not posing any threat, ISF shot and injured the cousin and the 16-year-old boy, both hit by live ammunition in the chest. ISF shot tear gas canisters as villagers attempted to evacuate the boy to an ambulance. The boy was hit in the heart and died in the hospital. On 23 June media reported that a criminal investigation had been launched.¹²¹ Three other youth were injured with live ammunition in the chest. On that day, Palestinian Red Crescent treated 11 Palestinians injured by ISF with live ammunition, 16 with RCMBs, 62 from tear gas inhalation and 20 from physical assaults or falls.

48. On 6 June, ISF sealed the main entrance to Beita village with cement blocks, raising concerns of collective punishment measures. On several occasions, ISF closed agricultural roads leading to “Evyatar” outpost obstructing movement of ambulances and used force against ambulances and medics. For example, on 3 September, ISF injured a Palestinian Red Crescent medic with RCMB and damaged four ambulances. On 29 October, ISF injured one paramedic and shot at an ambulance.

49. The protests against the occupation, settlement activities and outposts, were ongoing at the end of the reporting period. On 10 August, the IDF chief of staff asked senior Central Command officers to take action to reduce the considerable number of shootings of Palestinians by soldiers in the West Bank.¹²² In the following months, the use of live ammunition toward Palestinian protesters appeared to decrease, yet there were additional killings and large number of severely injured Palestinians in the months that followed. The unjustified and illegal recourse to firearms by law enforcement officials against protected persons resulting in their death, may constitute a war crime when occurring in context of a military occupation.¹²³

V. Settlements in the occupied Syrian Golan

50. On 11 October 2021, the Israeli Prime Minister announced that the Israeli government intended to significantly increase the number of people living in the occupied Syrian Golan, citing the continued recognition by the United States of the northern plateau as Israeli

¹²¹ <https://www.haaretz.com/israel-news/.premium.MAGAZINE-reality-of-a-west-bank-outpost-four-dead-palestinians-and-drone-spraying-tear-gas-1.9933446>.

¹²² <https://www.haaretz.com/israel-news/.premium-idf-chief-of-staff-asks-senior-officers-to-reduce-shootings-of-palestinians-1.10102726>.

¹²³ A/HRC/29/CRP.4, para. 546; A/HRC/49/25, para. 23.

territory. The Prime Minister asserted that the eventual goal would be to increase the Israeli settlers in the occupied Syrian Golan to 100,000 residents, almost four times the current population of approximately 27,000.¹²⁴ According to the proposal, 7,000 housing units would be added to the town of Katzrin by 2026. The proposal is part of a program slated for approval in December 2021, to double the population of the Golan by the end of the decade. In addition to increasing the number of people living in the Golan, the plan calls for the creation of two new settlements in current open spaces, new solar energy projects and industrial, commercial and tourism zones.¹²⁵ Syrians in the occupied Syrian Golan voiced their opposition to the plan through protests held in October 2021.¹²⁶ The Society for the Protection of Nature in Israel also opposed the plan, calling it an exceptional and unreasonable measure.¹²⁷

VI. Conclusions and recommendations

51. The establishment and expansion of settlements in the Occupied Palestinian Territory and the occupied Syrian Golan amounts to the transfer by Israel of its own civilian population into the territories it occupies, which is prohibited under international humanitarian law.¹²⁸ Such transfers mount to a war crime that may engage the individual criminal responsibility of those involved.¹²⁹ A number of international bodies have confirmed the illegality of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, including the International Court of Justice, the General Assembly, the Security Council and the Human Rights Council.¹³⁰

52. Settlements have significant adverse effects on the rights of Palestinians, including their rights to life and security of person, freedom of movement, privacy, family life, an adequate standard of living, work and education, the exercise of their right to self-determination, and threaten to fragment the contiguity of the West Bank.

53. Discriminatory planning policies and practices, demolitions and forced evictions in the Occupied Palestinian Territory, including for the benefit of settler organisations, entail numerous human rights violations and are a key factor in the coercive environment which exists. Displacement and relocation to alternative residential areas as a result of such an environment could amount to forms of forcible transfer, contrary to Israel's obligations under international humanitarian law and international human rights law.¹³¹

54. Settler violence intensified, with the acquiescence or, on occasion, practical support by ISF. Israel repeatedly failed in its responsibility as the occupying Power to protect Palestinians and their property,¹³² while ISF in numerous cases used excessive force against the Palestinians. This contributed to worsening of the coercive environment for Palestinians, with a climate of impunity prevailing for settler violence and for use of such force by ISF.

¹²⁴ <https://www.timesofisrael.com/bennett-announces-major-drive-to-quadruple-population-of-golan-heights/>.

¹²⁵ <https://www.haaretz.com/israel-news/premium-bennett-pushing-unelected-zoning-board-in-golan-heights-in-bid-to-double-population-1.10458132>.

¹²⁶ <https://www.middleeasteye.net/news/israel-golan-heights-settlements-quadruple-population>

¹²⁷ <https://www.haaretz.com/israel-news/premium-bennett-pushing-unelected-zoning-board-in-golan-heights-in-bid-to-double-population-1.10458132>.

¹²⁸ Fourth Geneva Convention, art.49 (6).

¹²⁹ Rome Statute of the International Criminal Court, art.8(2)(b)(viii).

¹³⁰ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136; Security Council resolutions 465 (1980) and 2334 (2016); General Assembly resolutions 71/97 and 72/86; and Human Rights Council resolution 31/36.

¹³¹ Fourth Geneva Convention, art. 49 (6); Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹³² Hague Regulations, arts. 43 and 46; and Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), art. 27.

55. Israel suppressed Palestinians demonstrating against settlements and settlement-related activities. Documented cases of discriminatory law enforcement, intimidation of protesters and journalists, mass arrests, and excessive use of force raised serious concerns that Israel committed human rights violations, including against the rights of Palestinians to freedom of expression and peaceful assembly, and their right to life and security of person.¹³³

56. The High Commissioner further recalls Security Council resolution 497 (1981), in which the Council decided that the decision of Israel to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void, and without international legal effect.

57. On the basis of the findings presented in the present and in previous reports, the High Commissioner recommends that the Israeli authorities:

(a) Immediately and completely cease and reverse all settlement development and related activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, in accordance with relevant United Nations resolutions, including Security Council resolutions 497 (1981) and 2334 (2016);

(b) Rescind all policies and practices contributing to a coercive environment and/or increasing the risk of forcible transfer;

(c) Review planning laws and policies to ensure that they are compliant with the obligations of Israel under international human rights law and international humanitarian law;

(d) Refrain from implementing evictions and demolition orders on the basis of discriminatory and unlawful planning policies and practices that may lead to forcible transfer, including of Bedouin and herder communities;

(e) Take all steps necessary to protect the Palestinian population and their property from settler violence, and ensure that all incidents of violence by settlers against Palestinians and damage to their property are promptly, effectively, thoroughly and transparently investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that victims are provided with effective remedies, including adequate compensation, in accordance with international standards;

(f) Protect the rights to freedom of expression and peaceful assembly of Palestinians, refrain from all undue restriction, including use of force, and create an enabling environment for peaceful protests.

(g) End policies and practices within the occupied Syrian Golan that may lead to discrimination against protected persons.

¹³³ UDHR, art. 19, 20; ICCPR, arts. 6(1), 9(1), 19, 22; The Hague Regulations Respecting the Laws and Customs of War on Land, 1907 art. 46; and Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), art. 27.