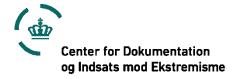
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The West Bank

Security and human rights situation





The West Bank – Security and human rights situation

This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information available on the topic.

The report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of the Danish Immigration Service or of DRC Danish Refugee Council.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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Executive summary

In 2023, violence in the West Bank, including East Jerusalem, saw a sharp increase. The situation notably escalated after the Hamas-led terror attack on Israel on 7 October 2023. The use of lethal force by Israeli security forces has become a recurrent practice in the West Bank. This has contributed to ongoing killings and injuries of Palestinian civilians, conducted by Israeli forces and settlers, which has risen considerably since 7 October 2023.

Since 7 October 2023, there has been a significant increase of Israel's ground and air operations in the West Bank compared to previous years, targeting several locations with a frequency and force. Particularly Palestinian refugee camps are targeted, experiencing military operations. According to the Israeli Security Forces, the operations are conducted with the purpose of dismantling Hamas and other militant groups.

Alongside military actions, settler violence, already at record levels in early 2023, intensified further. In June 2024, Israeli minister of Finance expedited the approval process for settlement expansion, a policy that has driven increased displacement and tensions. Movement restrictions on Palestinians, affecting 3.3 million people, have further tightened since October 2023, with additional checkpoints, roadblocks, and access barriers limiting access to basic services. Palestinians face threats, harassment, arrest and maltreatment at checkpoints, with fatalities reported. Since 7 October 2023, Israeli forces have conducted widespread arrests across the West Bank, sharply increasing the number of detainees.

Palestinians in the West Bank are subjected to military law. Israeli military courts prosecute Palestinians, both adults and children. Following 7 October 2023, Israel declared a state of emergency and introduced significant amendments expanding the legal framework for detaining Palestinians. Among other things, the amendments have made it easier to detain individuals based on perceived security threats. The Israeli authorities use extensive surveillance technology. The surveillance database includes intelligence on nearly all Palestinians in the West Bank. The ISF have arbitrarily arrested and detained NGO workers, Palestinian protesters, activists and journalists, especially those critical of Israeli policies and actions. The Palestinian Authority has routinely carried out arbitrary arrests of critics and opponents, including union leaders, journalists, and activists, students on university campuses, protesters at demonstrations, social media critics, and alleged Hamas supporters.

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Introduction

The report at hand is the product of a collaboration between the Danish Immigration Service (DIS), the Country-of-Origin Information Division, and the Danish Refugee Council (DRC), Asylum & Refugee Rights Division in Copenhagen.

The purpose of the report is to collect updated information on issues relevant for processing asylum cases. The Terms of Reference (ToR) is included in the end of the report (Annex II).

This report examines the human rights and security situation in the West Bank¹ covering the period from 7 October 2023 until 5 December 2024, with specific focus on Israeli and Palestinian Authority (PA) security enforcement activities, armed actors, settlement activity, and freedom of movement as well as, the situation of certain profiles targeted by the Israeli and Palestinian authorities.

The report is not a comprehensive survey of all issues related to the security and human rights situation and the information should be weighed against other available country of origin information. Users of this report are therefore encouraged to consult additional sources alongside this report to obtain the most current and full view of the situation in the West Bank.

The primary focus of this report is on Areas A, B and C of the West Bank (see section 1). The situation in annexed East Jerusalem is not detailed here, as it warrants a separate report due to the distinct legal regime and specific conditions that apply in that area. However, certain situations that are also relevant to East Jerusalem are included when mentioned.

Attention should be called to the changeable and volatile situation in the West Bank, and the fact that the information provided in this report may become outdated. Therefore, the issues addressed in this report should be monitored periodically and brought up to date accordingly.

Since the finalization of this report, Intra-Palestinian clashes involving Palestinian Authority Security Forces (PASF) have escalated. Since 5 December 2024, the PASF have conducted military operations in Jenin refugee camp targeting armed groups in the camp and carrying out arrests. These operations included closing off camp entrances and setting up checkpoints around the city and outside the adjacent refugee camp.² Additionally, The PA has cracked down on media, closing Al Jazeera's West Bank office and digital platforms.³ As these events occurred after the report was finalized, they are not included in the information presented here.

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¹ The West Bank, including East Jerusalem, and the Gaza Strip have been occupied territories since 1967 and thus is referred to as the Occupied Palestinian Territory (oPt), under international law. In line with other COI reports and for the sake of readability, this report will refer to the occupied territories by 'West Bank' and 'Gaza'.

² OCHA, Humanitarian Situation Update #246, 12 December 2024, <u>url</u>; Reuters, *Palestinian security forces try to exert control in volatile West Bank*, 17. December 2024, <u>url</u>

³ Al Jazeera, Palestinian Authority shuts down several AL Jazeera digital platforms, 6 January, 2026, url

The report is available on the website of DIS on www.us.dk as well as on the website of DRC on www.asyl.drc.ngo, thus available to all stakeholders in the refugee status determination process as well as to the public.

Methodology

The ToR for the report was drawn up jointly by DIS and DRC. The ToR is included in Annex 1. The report does not contain policy recommendations. It has been drafted and peer-reviewed in accordance with the European Union Agency for Asylum (EUAA) Country of Origin Information (COI) Report Methodology.⁴ The research and editing of this report were finalized 5 December 2024.

The report is based on a wide range of open-source material and primarily uses verified data from UN sources, including OCHA and OHCHR, as well as from ACLED. The latter compiles statistics on political violence⁵ based on international and local news, reports from organisations, and selected social media and local partner information.

The report is a synthesis of the information from the abovementioned sources. In the report, care has been taken to present the views of the sources as accurately and transparently as possible. The individual sources cannot be held accountable for the content of the report.

Clarification of terminology

The situation in the West Bank is highly complex due to a layered framework of governance, where laws and regulations vary significantly across geographic lines. Throughout this report, the terminology used has been chosen to reflect legal standards of International Humanitarian Law (IHL):

- Occupied West Bank: Since 1967, the West Bank, including East Jerusalem, and the
 Gaza Strip have been occupied territories, referred to as the Occupied Palestinian
 Territory (oPt), under international law.⁷ In line with other COI reports and for the sake
 of readability, this report will henceforth refer to the occupied territories by 'West
 Bank', 'East Jerusalem' and 'Gaza'.
- <u>Israeli Security Forces (ISF):</u> In this report, the use of the term 'ISF' highlights that in the West Bank, the ISF operates as both military and police⁸ (see further elaboration in section 1.1.1. "Israel's presence in the West Bank").

⁴ EUAA, EUAA Country of Origin Information (COI) Report Methodology, February 2023, url

⁵ ACLED defines political violence as the use of force by a group with a political purpose or motivation or with distinct political effects. ACLED, *Armed Conflict Location & Event Data CODEBOOK*, 7 October 2024, <u>url</u>

⁶ UN, THE LEGAL STATUS OF THE WEST BANK AND GAZA, 1982, <u>url</u>; International Crisis Group, Stemming Israeli Settler Violence at Its Root, 6 September 2024, <u>url</u>, p. 5

⁷ HRW, Use of Force in the Occupied West Bank, 8 May 2024, url

⁸ HRW, Use of Force in the Occupied West Bank, 8 May 2024, url

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• Militarized vs. military operations: The UN and other international bodies and organizations describe that military tactics and weapons are used by Israel in the West Bank in context of law enforcement contrary to International Humanitarian Law. On this background, the UN classify operations carried out in the West Bank by the ISF, including the IDF, as 'militarized operations'. However, to enhance readability, the term 'military operations' is used throughout this report to describe the military nature of these operations.

⁹ Human Rights Watch, *Use of Force in the Occupied West Bank*, 8 May, 2024, <u>url</u>; ICRC, *What does the law say about the responsibilities of the Occupying Power in the occupied Palestinian territory?*, 26 June 2024, <u>url</u>; Diakonia International Humanitarian Law Centre, *The Legal Framework Regulating the Use of Force in the West Bank, including East Jerusalem*, 12 Februrary 2024, <u>url</u>

¹⁰ United Nations, UN Human Rights Office condemns the Israeli military's targeting of shelters with internally displaced Palestinians in Gaza and the militarized operations in the occupied West Bank, 12 September 2024, url

Abbreviations

COGAT Coordinator of Government Activities in the Territories

COI Country of Origin Information

DCIP Defense for Children International, Palestine

DIS Danish Immigration Service

DRC Danish Refugee Council

EUAA European Asylum Agency

ICG International Crisis Group

IDF Israel Defense Forces

ISF Israeli Security Forces

JLAC Jerusalem Legal Aid and Human Rights Center

MSF Medicines Sans Frontiers

NGO Non-governmental organisation

OCHA United Nation's Office for Coordination of Humanitarian Affairs in the oPt

OHCHR Office of the High Commissioner for Human Rights

PA Palestinian Authority

PIJ Palestinian Islamic Jihad

UNRWA United Nations Relief and Works Agency for Palestine Refugees in the Near East

1. Background

1.1. The division of areas in the West Bank

The 1995 Oslo Accords divided the West Bank into three areas of control (Areas A, B and C) as part of a temporary agreement, and the Palestinian Authority (PA) was established as an interim self-governing body. The division placed Area A under full PA control, Area B under joint Israeli-PA control, and Area C under Israeli control, enforcing its policies through the Coordinator of Government Activities in the Territories (COGAT). Although this division of power was intended as transitional steps toward a final agreement, the division of the West Bank remains in place today.¹¹

Currently, more than 3 million people live in the West Bank, divided across 11 governorates in area A, B and C respectively, with Hebron being the most populated governorate with more than 800.000 residents. Other major governorates include Jerusalem, Nablus, Ramallah, and Jenin.¹²

9

¹¹ Anera, What are Area, A, Area B, and Area C in the West Bank, n.d. url; Norwegian Refugee Council, Area C is everyting, 8 September 2023, url, pp. 2-3; Council on Foreign Relations, Who Governs the Palestinians?, 28 May 2024, url; The Association for Civil Rights in Israel, One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank, October 2014, url, pp. 10-11

¹² Al Jazeera, Ten maps to understand the occupied West Bank, 16 September 2024, url

The Palestinian territories consist of the Gaza Strip and the West Bank, which are divided into three areas of control under the 1995 Oslo II Accord: Area A Full Palestinian control Shared Israeli and Palestinian control Area C Israeli control West Bank **PALESTINIAN TERRITORIES** Ramallah Jerusalem ISRAEL Gaza Strip The Gaza Strip has been under partial Israeli military control since October 2023. **EGYPT** 25 mi Source: UN Office for the Coordination of Humanitarian Affairs. COUNCIL

How the Palestinian Territories Are Divided

Map source: Council on Foreign Relations, Who Governs the Palestinians?, 28 May, 2024, url

Area A

The PA administers Area A, which makes up 18% of the West Bank and is the most heavily populated area. The PA handles civil and security affairs, but the Israeli military commander continues to retain authority over certain security-related aspects. Additionally, the PA's judicial authority extends only to Palestinians, while Israel maintains legal authority over Israelis in the area. Despite PA's control of the area, infrastructural development is restricted due to the area's close border with the Israeli controlled Area C.¹³

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¹³ Anera, What are Area, A, Area B, and Area C in the West Bank, n.d, url; The Association for Civil Rights in Israel, One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank, October 2014, url, pp. 10-11.; Council on Foreign Relations, Who Governs the Palestinians?, 28 May 2024, url

Area B

Area B makes up approximately 22% of the West Bank and is administratively controlled by the PA while Israel retains security control in coordination with the PA.¹⁴

Most Palestinians in the West Bank reside in Areas A or B. However, Area C, which consequently separates Area A and B into hundreds of disconnected areas, fragment these two areas.¹⁵

Area C

Area C is under full Israeli control and comprises over 60% of the West Bank. Approximately 300,000 Palestinians live in 532 residential areas within the area, alongside an estimated 400,000 Israeli settlers in roughly 230 settlements. 17

In 70% of Area C, there is no formal procedure for Palestinians to apply for construction rights, as this land is categorized by Israel as state land, survey land, firing zones, nature reserves, or has been included in illegal Israeli settlements or regional councils. In the remaining 30% of Area C, where Palestinians can submit requests for construction permits through Israel's Civil Administration, strict restrictions on building still apply, with 90% of villages having been denied any form of building permission.¹⁸

East Jerusalem

East Jerusalem has been occupied by Israel since the 1967 war, and is not part of Areas A, B or C. The separation of East Jerusalem from the rest of the West Bank consists of military checkpoints, an 8-meter-high wall and a permit system controlled by Israel.¹⁹

Currently more than 360.000 Palestinians hold permanent resident status in East Jerusalem. However, East Jerusalem residents can lose their permanent residency and face deportation for numerous reasons, including if the Israeli authorities determine that a Palestinian is no longer

¹⁴ Anera, *What are Area, A, Area B, and Area C in the West Bank*, n.d. <u>url;</u> Council on Foreign Relations, *Who Governs the Palestinians?*, 28 May 2024, url

¹⁵ Anera, *What are Area, A, Area B, and Area C in the West Bank,* n.d. <u>url;</u> Council on Foreign Relations, *Who Governs the Palestinians?*, 28 May 2024, url

¹⁶ Within International Humanitarian Law, Israeli settlements in the West Bank are considered illegal because Article 49 of the Fourth Geneva Convention prohibits the transfer of an occupying power's civilian population into occupied territory, AI, *Chapter 3: Israeli Settlements and International Law*, 30 January 2019, <u>url</u>; ICRC, How does law protect in war?, n.d., <u>url</u>

¹⁷ Anera, What are Area, A, Area B, and Area C in the West Bank, n.d, url

¹⁸ Anera, What are Area, A, Area B, and Area C in the West Bank, n.d. url; Norwegian Refugee Council, Area C is everyting, 8 September 2023, url, p. 6; Council on Foreign Relations, Who Governs the Palestinians?, 28 May, 2024, url; The Association for Civil Rights in Israel, One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank, October 2014, url, pp. 10-11

¹⁹ UN Habitat, Spatial Planning in Area C of the Israeli occupied West Bank of the Palestinian territory, May 2015, url

primarily resident in East Jerusalem or in cases of involvement in anti-Israel activities. Over 14,000 Palestinians have lost their residency since 1967.²⁰

1.2. Actors in the West Bank

1.2.1. Israel's presence

The West Bank, including East Jerusalem, has been occupied by Israel and governed by the Israeli Military Commander since 1967.²¹ The West Bank is recognized as occupied territory under international law²², which means Israel, as the occupying power, has a legal duty to protect the civilian population there. During times of non-armed conflict²³ law and order should be maintained by Israeli police, and military operations are thus not in accordance with international humanitarian law. However, in the West Bank, the Israeli army is regularly conducting military operations in addition to operating in a policing capacity.²⁴

Additionally, parts of the Barrier (commonly referred to as the "Separation Wall") constructed within the West Bank, including East Jerusalem, along with the associated permit and gate system, have been deemed illegal under international law.²⁵

Israeli Law Enforcement

Israel began annexing the West Bank immediately after its occupation through two main strategies: establishing permanent physical control over the land and shaping legal and bureaucratic systems. ²⁶ Israel has enforced two separate legal systems for Israelis and Palestinians, respectively, in the West Bank. Palestinians are primarily subject to military law and brought before military courts for all offenses. ²⁷ Palestinians are thus governed by military ordinances and warrants imposed by the Israeli military commander related to security issues

²⁰ CFR, What to Know About the Arab Citizens of Israel, 26 October 2023, <u>url;</u> Hamoked, The Status of Palestinians in East Jerusalem, n.d., <u>url</u>

²¹ The Platform – Israeli NGOs for Human Rights, STATE OF THE OCCUPATION YEAR 57: A JOINT SITUATION REPORT, Joint Situation Report #2, June 2024, url, p. 23

²² The West Bank is considered occupied territory under international humanitarian law, and Israel's presence in the West Bank is governed by the law of occupation, which is primarily outlined in the Fourth Geneva Convention of 1949, the Hague Regulations of 1907, and customary international law. Under international law, an occupying force is required to distinguish between military operations and civilian law enforcement where law enforcement duties should be handled by civilian authorities.

²³ ICRC, Non-international armed conflict, n.d., url

²⁴ HRW, Use of Force in the Occupied West Bank, 8 May 2024, url; ICRC, Non-international armed conflict, n.d., url

²⁵ OCHA, The humanitarian impact of 20 years of the Barrier - December 2022, 30 December 2022, <u>url</u>

²⁶ The Platform – Israeli NGOs for Human Rights, *STATE OF THE OCCUPATION YEAR 57: A JOINT SITUATION REPORT, Joint Situation Report #2,* June 2024, <u>url</u>, p. 23, International Court of Justice, *Summary of the Advisory Opinion,* 19 July 2024 <u>url</u>, pp. 15-16; UN News, Israel's continued occupation of Palestinian territory 'unlawful': UN world court, 19 July 2024, <u>url</u>

²⁷ The Association for Civil Rights in Israel, *One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank,* October 2014, <u>url</u>, pp. 8, 14-18; USDoS, *2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza,* April 22 2024, <u>url</u>, pp. 18-19

and, in certain areas, PA law.²⁸ In addition, Palestinians in the West Bank are governed by a combination of Jordanian and Mandatory statutes that were in effect before 1967.²⁹

The government of Israel is present in the West Bank through the Israeli Security Forces (ISF), which encompass Israel Defense Forces (IDF), Israeli Security Agency (Shin Bet), Israel National Police, and Border Police.³⁰

The government has assigned the Israeli military (through the Israeli Defense Forces) the role of maintaining security in the West Bank, including traditional policing tasks through military orders.³¹ The Order Regarding Security Provisions grants ISF the authority to enter Palestinian homes without judicial warrants or oversight.³²

1.2.2. Palestinian Authority's presence

The PA functions like a state with ministries and civil services; however, Israel has the final authority. Israel often bypasses the PA by entering areas that are meant to be under PA control. Although the PA has its own security forces in the West Bank, including police, it is not allowed to establish a conventional military under the Oslo Accords.³³

The Law of Service in the Palestinian Security Forces no. 8 of 2005 addresses the general structure of the Palestinian security sector, as well as the mandate, functions and responsibilities of the different security forces. The Palestinian security sector comprises of three branches: 1) Internal Security Forces, 2) National Security Forces and 3) General Intelligence.³⁴ All security forces are classified as "armed" forces, meaning they are permitted to carry weapons, without distinguishing between military and civilian security forces.³⁵ The West Bank security sector, including PA security personnel at both the ministerial and forces level, employs more than 34.000 individuals³⁶ and since the signing of the Oslo Accords, the security forces have expanded significantly, with nearly half of all PA civil servants now working

²⁸ Yesh Din, Physicians for Human Rights Israel and Breaking the Silence, Joint Report, *A Life Exposed, Military invasions of Palestinian homes in the West Bank*, url, p. 20

²⁹ USDoS, West Bank and Gaza, International Religious Freedom Report, May 2023 pp. 1-2, url; Yesh Din, Physicians for Human Rights Israel and Breaking the Silence, Joint Report, A Life Exposed, Military invasions of Palestinian homes in the West Bank, url, p. 20

³⁰ USDoS, *2022 Country Reports on Human Rights Practices: Israel, West Bank and Gaza, 2*0 March 2023, <u>url</u>

³¹ HRW, Use of Force in the Occupied West Bank, 8 May 2024, url

³² Yesh Din, Physicians for Human Rights Israel and Breaking the Silence, Joint Report, *A Life Exposed, Military invasions of Palestinian homes in the West Bank*, url, pp. 7-8

³³ Council on Foreign Relations, *Who Governs the Palestinians?*, 28 May, 2024, <u>url</u>; Aljazeera, *PA security forces are not serving the Palestinian people*, 14 July 2021, <u>url</u>

³⁴ DCAF, A comprehensive reference guide to the Palestinian security and justice sectors, August 2023, <u>url</u>, pp. 13-14, 21

³⁵ DCAF, A comprehensive reference guide to the Palestinian security and justice sectors, August 2023, <u>url</u>, p. 21

³⁶ DCAF, A comprehensive reference guide to the Palestinian security and justice sectors, August 2023, <u>url,</u> p. 27

in the security sector. Additionally, the security sector's budget exceeds the combined budgets of the education, health, and agricultural sectors in the West Bank.³⁷

The PA security forces operate within a framework of "securitized peace," which requires them to cooperate with the Israeli government. This cooperation involves working in coordination with the Israeli military by sharing information on the locations of Palestinian activists, members of Hamas and other armed groups with the Israeli military, as well as participating in joint meetings. Many Palestinians view the PA security forces as an extension of the Israeli security apparatus, as they assist Israel in maintaining tight control over the Palestinian population. 99

1.2.3. Armed actors in the West Bank

In the West Bank, more than 20 Palestinian armed groups are engaged in clashes with the Israeli forces and the settlers. These groups are small and fragmented, and they lack clear leadership. The groups first emerged in Jenin refugee camp and later spread to Nablus, Balata refugee camp, and other areas like Tulkarem and Hebron. The largest groups are the Jenin Brigades, consisting of around 200 members, mainly from Fatah and Palestinian Islamic Jihad (PIJ), and the Lions' Den in Nablus, with about 100 members from Fatah and some Hamas elements. 40

1.2.4. Settlers

Successive Israeli governments have actively promoted settlement expansion in the West Bank by initiating, planning, and funding settlements, alongside providing financial incentives for Israelis to move there.⁴¹

In the West Bank, there are currently 146 officially established settlements and 191 outposts.⁴² According to international law, settlements are illegal.⁴³ Approximately 700,000 Israeli settlers live in the West Bank, of which 465,000 are living in Area C.⁴⁴ Israel has continuously reinforced

³⁷ Al-Shakaba, The Palestinian Authority Security Forces: Whose Security, May 2017, url, p. 5

³⁸ Aljazeera, *PA Security Forces are not serving the Palestinian people,* 14 July 2021, <u>url</u>; CFR, Who Governs the Palestinians?, 28 May 2024, <u>url</u>; Al-Shakaba, *The Palestinian Authority Security Forces: Whose Security*, May 2017, <u>url</u>, p. 5

³⁹ Just International, *Palestinian Authority security forces: Whose Security?*, 25 May 2017, <u>url;</u> Al-Shakaba, *The Palestinian Authority Security Forces: Whose Security*, May 2017, <u>url</u>, p. 6

⁴⁰ International Crisis Group, *Thematic Report: The New Generation of Palestinian Armed Groups: A Paper Tiger?*, 17 April 2023, url

⁴¹ Yesh Din, Settlements and Outposts, n.d., url

⁴² The nascent phase of an Israeli settlement. It is an occupation of land – typically state land - by a relatively small group of people living in temporary shelters such as tents and defended behind barbed wire. UN Habitat, *Spatial Planning in Area C of the Israeli occupied West Bank of the Palestinian territory,* May 2015, <u>url</u>

⁴³ AI, CHAPTER 3: ISRAELI SETTLEMENTS AND INTERNATIONAL LAW, 30 January 2019, url; ICRC, Settlements, n.d., url

⁴⁴ Office of the European Union Representative, 2023, *Report on Israeli settlements in the occupied West Bank, including East Jerusalem, Reporting period -January - December 2023*, 2 August 2024, <u>url</u>

settlement expansion in Area C by providing infrastructure and services, while also allowing Israeli outposts to take over Palestinian agricultural land. At the same time, Palestinians in Area C face severe restrictions, with the construction of basic infrastructure often prohibited and/or demolished. This has led to a discriminatory system favoring Israeli settlements and severely limiting the growth and development of Palestinian communities.⁴⁵

1.2.5. Recent developments

Since the inception of the elected Likud party, that formed a coalition with several far right and religious parties, including Religious Zionism, in late December 2022, the current government has implemented a number of policies and initiatives to expand settlements and has increased the number of military operations in the West Bank.⁴⁶

On 7 October 2023, Hamas launched a terror attack on Israeli territory, killing around 1,200 people, many of them civilians, and wounding around 7,500. Hamas and its allies also took more than 250 individuals hostage during the attack.⁴⁷ As a response, Israel intensified its military operations in Gaza and the West Bank, including East Jerusalem and on 29 May 2024, the Israeli military handed over key legal powers in the West Bank from military to civilian control led by the far-right Finance Minister Bezalel Smotrich.⁴⁸

At the end of October 2024, the Israeli parliament passed legislation banning UNRWA, the UN Relief and Works Agency for Palestine Refugees, from operating on Israeli soil and prohibiting Israeli authorities from communicating with its staff. Shortly after, on 4 November 2024, Israel informed the United Nations of its decision to cancel a 1967 cooperation agreement, within 90 days, that has served as the legal basis for UNRWA's operations within Israel and Gaza, the West Bank including East Jerusalem. This move may lead to disruptions in humanitarian aid delivery, including in the West Bank, where roughly 900,000 registered Palestinian refugees rely

⁴⁵ Norwegian Refugee Council, *Area C is everything*, 8. September 2023, <u>url</u>, p. 1; OHCHR, *STATE OF PALESTINE:* Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan - period from 1 November 2022 to 31 October 2023, March 2024, <u>url</u>; OHCHR, *Annual report of the United Nations High Commissioner for Human Rights, 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, 11 February 2024*, <u>url</u>, pp. 5-11

⁴⁶ The Times of Israel, *Netanyahu presents government's agenda, with focus on judicial reform, expanding settlements,* 28 December 2022, url

⁴⁷ France24, Hamas terrorist attacks on October 7: The deadliest day in Israel's history, 7 October 2024, url; International Crisis Group, A Second October War in Israel-Palestine, 9 October 2023, url

⁴⁸ International Crisis Group, *Stemming Israeli Settler Violence at Its Root*, 6 September 2024, <u>url;</u> Al Jazeera, *Smothrich dream of annexing the West Bank*, 21 June 2024, <u>url</u>

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on UNRWA for essential services—services the PA is likely not equipped to take on independently. 49

⁴⁹ The Guardian, *There is no alternative: Israel's ban on vital UNRWA services will be a catastrophe for Gaza*, 2. November 2024, <u>url;</u> Al Jazeera, *Israel notifies UN of ending ties with UNRWA amid warning famine in Gaza*, 4. November 2024, <u>url;</u> The New Humanitarian, *Israels parliament votes to ban UNRWA*, 29 October 2024, <u>url;</u> The New Humanitarian, *More people will die: How Israels UNRWA ban affect Palestinians in Gaza and beyound,* 7 November 2024, <u>url</u>

2. Security Situation

2.1. Military operations

According to OCHA, the human rights and security situation in the West Bank, including East Jerusalem, was already severe before 7 October 2023. In 2023, violence in the West Bank, including East Jerusalem, saw a sharp increase, with a rise in Palestinian deaths, injuries, settler violence, and property demolitions. Over 500 Palestinians were killed by ISF, making 2023 the year with the highest number of casualties since the UN began tracking casualties in 2005. The situation notably escalated following renewed hostilities after the Hamas-led attack on Israel on 7 October 2023. The situation in the West Bank, including East Jerusalem, was already severe before 7 October 2023. The situation of the West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, including East Jerusalem, was already severe before 7 October 2023. The West Bank, i

Fatalities and injuries

According to the report of Special Rapporteur on the situation of human rights in the Palestinian territories issued in October 2024, more than 690 Palestinians were killed from 7 October 2023 to the end of September 2024. This is ten times the average annual death toll of 69 over the previous 14 years. In addition, almost 5.200 persons were injured during the reporting period of the Special Rapporteur.⁵² According to OCHAs database on casualties, 24 Israelis, of which 17 were soldiers, were killed by Palestinians in the West Bank, including East Jerusalem between 7 October 2023 and 1 October 2024.⁵³

According to data from ACLED, as referenced in Lifos' report about the West Bank issued in October 2024, there has been a significant escalation in violence since 7 October 2023. In 2022, ACLED recorded 5,224 violent incidents⁵⁴ with 176 deaths, increasing to 4,416 incidents and 228 deaths by 6 October 2023. Following 7 October 2023, violence surged, with 7,636 incidents

⁵⁰ UN OCHA, West Bank Snapshot December 2023, 15 December 2023, url; Human Rights Council, Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel, 27 May 2024, url, p. 19; UN OCHA, oPt, Global Protection Cluster, Brief: OCCUPIED PALESTINIAN TERRITORY (oPt): West Bank Protection Analysis Update March 2024, March 2024, url, p. 2; Jerusalem Legal Aid and Human Rights Center, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, url, p. 1

⁵¹ OHCHR, Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice, 4 March 2024, url, p. 2

⁵² UN, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Genocide as colonial erasure, 1 October 2024, url, p. 11

⁵³ UN OCHA, *Humanitarian Situation Update #213*, 4. September 2024, <u>url;</u> Jerusalem Legal Aid and Human Rights Center, *Overview of the Situation in the West Bank including Occupied Jerusalem,* September 2024, <u>url</u>, p. 2 ⁵⁴ ACLED defines violent incidents as encompassing the main categories of battles, explosions/remotely triggered violence, violence against civilians, and riots/unrest. ACLED, *Armed Conflict Location & Event Data CODEBOOK*, 7 October 2024, <u>url</u>

and 806 deaths reported by 30 September 2024.⁵⁵ According to numerous sources, there are reports of unlawful killings by ISF of Palestinians who opposed no apparent security threat.⁵⁶

Child casualties

The number of Palestinian children killed by Israeli forces and settlers has risen significantly since 7 October 2023. A total of 169 Palestinian children have been killed, nearly 80% of whom were shot in the head or torso, which, according to the UN indicates that these have been targeted killings. This represents a 250% increase compared to the previous nine months, totaling more than 20% of children killed in the West Bank since 2000.⁵⁷ The NGO Defense for Children International, Palestine (DCIP) documented that 141 Palestinian children were killed in the West Bank, including East Jerusalem, between 7 October 2023, and 31 July 2024.⁵⁸ Additionally, according to Save the Children, at least 1,400 Palestinian children have been injured since October 2023.⁵⁹

Incursions

Since 7 October 2023, there has been a significant intensification of Israel's ground and air operations in the West Bank compared to previous years, targeting numerous locations with unprecedented frequency and force. Particularly Palestinian refugee camps are targeted, experiencing some of the most extensive military operations.⁶⁰

In its thematic report on the West Bank, the research organization, ACAPS, draws on data from ACLED, which shows that between 7 October 2023 and 18 March 2024, the monthly average of ISF operations in the West Bank nearly doubled to 670, compared to 340 in the first nine months of 2023.⁶¹ According to the report of the Special Rapporteur on the situation of human

⁵⁵ Lifos, Västbanken – Lägesbild 2024, 14 October 2024, url, pp. 17-18

⁵⁶ UN OCHA, *oPt*, *Global Protection Cluster, Brief: OCCUPIED PALESTINIAN TERRITORY (oPt): West Bank, March 2024,* url, pp. 1-3, *Protection Analysis Update March 2024*, March 2024, url, p. 2; Jerusalem Legal Aid and Human Rights Center, *Overview of the Situation in the West Bank including Occupied Jerusalem,* September 2024, url, p. 2; HRW, *West Bank: Israeli Forces' Unlawful Killings of Palestinians*, 8 May 2024, url;

OHCHR, Israel's alleged undercover killings in occupied West Bank hospital may amount to extrajudicial killings and war crimes: UN experts, 9 February 2024, url; UN News, West Bank strikes: UN rights office condemns Israeli military escalation, 28 August 2024, url; OHCHR, UN Human Rights Office - OPT: Grave breaches of international law in the Occupied Palestinian Territory must end, 22 November 2024, url

⁵⁷ UN, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Genocide as colonial erasure, 1 October 2024, <u>url</u>, p. 11

⁵⁸ Defence for Children International Palestine, *Targeting childhood: Palestinian children killed by Israeli forces and settlers in the occupied West Bank*, September 9, 2024, p. 7, <u>url</u>

⁵⁹ Save the Children, *Five Palestinian children killed or injured on average every day in the West Bank since October,* 16 September 2024, <u>url</u>

⁶⁰ Jerusalem Legal Aid and Human Rights Center, *Overview of the Situation in the West Bank including Occupied Jerusalem*, September 2024, <u>url</u>, p. 3

⁶¹ ACAPS, Thematic Report, Palestine. Recent Developments in the West Bank, 4 July, 2024, url, pp. 3-4

rights in the Palestinian territories issued in October 2024, Israeli forces conducted over 5,505 raids between 7 October 2023 and late September 2024.⁶²

According to data from ACLED, as referenced in Lifos' report about the West Bank issued in October 2024, the majority of violent incidents initially involved riots and clashes, with around 30% linked to Israeli settlers attacking Palestinian civilians and property. However, combat incidents, primarily between Israeli forces and Palestinian armed factions during raids, have since become the category with the highest number of casualties with 471 deaths.⁶³

The northern West Bank has been subjected to intensified military violence, especially since August 2024, with sieges, raids, and aerial bombardments impacting over 181,000 Palestinians, many repeatedly. The military operations have targeted in particular the northern governorates of Jenin, Nablus, Tulkarem, and Tubas, with a specific emphasis on refugee camps (Jenin, Tulkarm, and Nur Shams). Jenin was particularly affected by the ten-day long incursion that caused wide-scale damage to road infrastructure, electricity networks and water supplies in Jenin, as well as in other parts of the northern West Bank (see section 2.1.1. Impact on infrastructure). In pact on infrastructure).

Following the incursion in Jenin, a number of airstrikes were conducted on Jenin during late august 2024, resulting in a number of deaths. According to Israeli military, the strikes targeted and killed militants.⁶⁶ Israeli operations in Jenin, Nablus, and Tulkarm have increased since 2022, with violence rising by 50% from October 2022 to September 2023. Across the northern parts of the West Bank, clashes have been the most common and deadly category of incident.⁶⁷

Other areas of the West Bank were also subjected to raids. For example, the Qalandia refugee camp, which is located within Area C and East Jerusalem⁶⁸, was subjected to a 13-hour military operation by Israeli forces on 7 October 2024. There were reports of casualties and detentions,

⁶² UN, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Genocide as colonial erasure, 1 October 2024, url, p. 11

⁶³ Lifos, Västbanken – Lägesbild 2024, 14 October 2024, <u>url,</u> pp. 17-18

⁶⁴ OHCHR, Apartheid Israel is targeting Gaza and the West Bank simultaneously, says expert, 2 September 2024, url; UN, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Genocide as colonial erasure, 1 October 2024, url, p. 12

⁶⁵ OHCHR, Apartheid Israel is targeting Gaza and the West Bank simultaneously, says expert, 2 September 2024, url; Al Jazeera, Israel presses on with assault on occupied West Bank for third day, 30 August, 2024, url; Al Jazeera, Israeli soldiers besiege Jenin on fourth day of West Bank assault, 31 August, 2024, url; Norwegian Refugee Council, Escalating violence and human rights violations in the West Bank, 19 July, 2024, url; Jerusalem Legal Aid and Human Rights Center, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, url, p. 3-4 66 France24, Israel army says West Bank air strike kills 4 militants, 19 September 2024, url; BBC, Israeli strike kills five Palestinians in West Bank, BBC, Israeli strike kills five Palestinians in West Bank, ministry says, 5 September 2024, url; Reuters, Israel kills two Hamas militants in West Bank air strike, url; MSF, West Bank Jenin after nine day military incursion, 18 September 2024, url

⁶⁷ Lifos, Västbanken – Lägesbild 2024, 14 October 2024, <u>url,</u> 19

⁶⁸ UNRWA, Kalandia Camp, n.d., url

with homes being raided and snipers deployed during the operation. The operation extended to raids in the Deir Ammar camp near Ramallah and the Al-Fawwar camp in Hebron.⁶⁹

Search and arrest operations

The government has assigned the Israeli military (through the Israeli Defense Forces) the role of maintaining security in the West Bank, including traditional policing tasks through military order. The Israeli High Court of Justice has ruled that Israeli soldiers can search Palestinian homes in the West Bank without a judicial warrant, while warrants are required for searches of Israeli settlers' homes in the same area. These near nightly raids, often involving between 10 and 100-armed soldiers, include forced entry, sometimes using explosives to break doors. Families, including children and elderly, are held at gunpoint while soldiers search, interrogate, and sometimes use force against residents. The raids can last from 15 minutes to several hours and is considered a means of instilling fear, gathering intelligence, and occasionally using homes as military posts.

As part of its military operations, Israeli forces have long conducted search and arrest operations in the West Bank. Between 2017 and March 2023, Israeli forces conducted over 23,000 search and arrest raids in the West Bank, averaging 10 raids per day. Following 7 October 2023, ISF have intensified raids and mass arrests in the West Bank, with the number of search and arrest operations in the first half of the year of 2024 reaching 3,400 raids, a level typically observed during an entire year. According to the UN, over 70% of the Palestinian fatalities in the three months following 7 October 2023 occurred during search and arrest and other operations carried out by Israeli forces. Half of the fatalities were reported in operations that did not involve armed clashes.

2.1.1 Impact on Infrastructure

Military operations initiated in late August 2024, in the cities of refugee camps Jenin, Tulkarm, and Nur al Shams led to the destruction of 81 structures and the displacement of 499 Palestinians. In the refugee camp of Nur al Shams, NRC reported that a youth center, a

⁶⁹ Roya News, *Israeli Occupation conducts major incursions in multiple West Bank regions,* 7 October 2024, <u>url</u>; UN OCHA, *Humanitarian Situation Update #228 | West Bank*, 10 October 2024, url

⁷⁰ Lawyers for Palestinian Human Rights, *No warrant required to enter Palestinian homes in the West Bank but warrants required to enter settlers' homes, Israeli High Court confirms,* 23 December 2021, <u>url</u>

⁷¹ Aljazeera, In the dead of the night: Israel's military raids into Palestinian homes, 17 April 2023, <u>url</u>; JLAC, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, <u>url</u>, pp. 3-4; Yesh Din, Physicians for Human Rights Israel and Breaking the Silence, Joint Report, A Life Exposed, Military invasions of Palestinian homes in the West Bank, <u>url</u>

⁷² Aljazeera, In the dead of the night: Israel's military raids into Palestinian homes, 17 April 2023, <u>url</u>

⁷³ Norwegian Refugee Council, Escalating violence and human rights violations in the West Bank, 19 July, 2024, <u>url</u>, Aljazeera, In the dead of the night: Israel's military raids into Palestinian homes, 17 April 2023, <u>url</u>

⁷⁴ UN OCHA, Hostilities in the Gaza Strip and Israel, Flash Update #80, 29 December 2023, url

kindergarten and a multipurpose hall were destroyed.⁷⁵ The largest military operation took place in Jenin, where 70% of the city's infrastructure was destroyed, resulting in severely damaged water, sewage, communication, and power networks. Consequently, 80% of the camp was left without access to water. Basic services became unreachable to residents, as they were trapped in their homes and medical staff and ambulances were unable to reach a number of areas in Jenin.⁷⁶

Demolitions of Structures

The policy of demolishing Palestinian property and infrastructure in the West Bank, including East Jerusalem, has been ongoing since the 1967 war, however, it has increased significantly in recent years and particularly since 7 October 2023. These policies include demolishing homes and infrastructure due to the lack of building permits, which, according to NRC, are almost impossible for Palestinians to obtain (see section on permits). In the first half of 2024, 643 Palestinian property and infrastructure were destroyed, marking a 42 % increase from the same period in 2023.⁷⁷

According to Jerusalem Legal Aid and Human Rights Center (JLAC), Israeli forces have demolished 1,433 structures in the West Bank, including East Jerusalem during the period of 7 October 2023 to 28 August 2024 leading to the displacement of more than 3,000 individuals. The demolitions are not limited to Area C (where 64% of demolitions were carried out) but have also taken place in Areas A and B (21% in both areas combined) as well as East Jerusalem (14%). Based on this, JLAC stated that the increased frequency of these demolitions reflects a broader pattern of systematic damage to Palestinian property and infrastructure.⁷⁸

Settlers were also involved in home demolitions and property destruction. Around 90% of the around 1,000 settler attacks documented by the UN between 7 October 2023 and 24 June 2024 involved damage to Palestinian property.⁷⁹

⁷⁵ Norwegian Refugee Council, Escalating violence and human rights violations in the West Bank, 19 July 2024, url

⁷⁶ Andolus agency, Israel destroyed 70% of Jenin's streets, infrastructure, says municipality, 2 September 2024, url; OHCHR, Apartheid Israel is targeting Gaza and the West Bank simultaneously, says expert, 2 September 2024, url; Al Jazeera, Israel lays siege to Jenin as it stops food and water, blocks ambulances, 1 September 2024, url; Jerusalem Legal Aid and Human Rights Center, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, url, p. 4

⁷⁷ Norwegian Refugee Council, West Bank movement restrictions make life harder for residents and aid organisations, 26 March 2024, url; OHCHR, UN Human Rights Chief deplores new moves to expand Israeli settlements in occupied West Bank, 8 March, 2024, url; Jerusalem Legal Aid and Human Rights Center, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, url, p. 4

⁷⁸ Jerusalem Legal Aid and Human Rights Center, *Overview of the Situation in the West Bank including Occupied Jerusalem*, September 2024, url, p. 4

⁷⁹ UN OCHA, Humanitarian Situation Update #183 | West Bank, 26 June 2024, url

2.1.2 Displacement

In 2023, over 2,500 Palestinians in the West Bank were displaced due to movement restrictions, demolitions, and settler violence, which, according to a report published by the NRC reached the highest level of displacement seen in recent years forcing Palestinians to leave their properties, particularly in areas under full Israeli control. ⁸⁰

Data from the UN OCHA database shows a substantial increase in both displacement and the number of people affected by demolitions, evictions, and land confiscation in the West Bank, including East Jerusalem. From 7 October 2023 to 7 November 2024, more than 4,600 people were displaced due to these measures, nearly doubling the 2,400 displaced between 1 January 2022 and 1 October 2023. A similar increase was found amongst the number of people affected by demolitions, evictions, and land confiscation. From 7 October 2023 to 7 November 2024, more than 530,000 people were impacted by these measures, compared to 150,000 in the prior timeframe. This more than triples the number of affected individuals.⁸¹

2.2. Clashes with Palestinian Armed Actors

According to ACLED, Gaza-based militant groups, including PIJ and Hamas, have had direct involvement in violence, supporting the formation of these new local armed groups, and providing arms to other factions, including militants associated with Fatah. Many members of the local armed groups are inexperienced youths with no prior training or political affiliation. They act independently without a formal command structure, though they remain affiliated and publicly identify with PIJ who, in turn, acknowledges fallen militants from these groups as their own members. Both Israeli and Palestinian analysts assessed that the emergence of a new generation of armed groups is partly a result of the PA's diminishing legitimacy as well as the increasing violence from the ISF and settlers. Both Israeli and Settlers and Settle

International Crisis Group (ICG) stated that these new generations of armed groups do not currently pose a significant security threat as these groups are primarily defensive, engaging in regular clashes with Israeli forces in Area A, with limited offensive actions targeting Israeli military positions and settlers.⁸⁴

⁸⁰ NRC, West Bank movement restrictions make life harder for residents and aid organisations, 26 March 2024, url

⁸¹ UN OCHA, Data on demolition and displacement in the West Bank, 11 December 2024, <u>url</u>

⁸² International Crisis Group, *Thematic Report: The New Generation of Palestinian Armed Groups: A Paper Tiger?*, 17 April 2023, <u>url</u>; ACLED, *The Resurgence of Armed Groups in the West Bank and Their Connections to Gaza*, 14 December 2023, <u>url</u>

⁸³ International Crisis Group, *Thematic Report: The New Generation of Palestinian Armed Groups: A Paper Tiger?*, 17 April 2023, <u>url</u>; ACLED, *The Resurgence of Armed Groups in the West Bank and Their Connections to Gaza*, 14 December 2023, <u>url</u>

⁸⁴ International Crisis Group, *Thematic Report: The New Generation of Palestinian Armed Groups: A Paper Tiger?*, 17 April 2023, <u>url</u>

According to ACLED data, these armed groups have engaged in over 500 incidents of violence against the ISF and settlers from October 2022 – September 2023.85 ACLED data drawn by Acaps shows that there has been a significant rise in armed clashes between these groups and the ISF in the West Bank from October 2023 to January 2024. While the average number of clashes decreased from February to May 2024, they remained twice as high as the levels observed between January and September 2023.86

2.3. Settlements and outposts

Settlements are officially established by the Israeli government, while outposts are settlements that were established since the 1990's without government approval and are considered illegal, according to Israeli law.⁸⁷ The Finance minister Bezalel Smotrich, from the far-right Religious Zionism party, is responsible for overseeing governance in the West Bank, including land planning, demolitions, and managing settlement administration. The minister also leads initiatives to regularize outposts, expand settlements and enhance services for settlers. In June 2023, he was given the authority to accelerate the approval process for new settlements and has made annexation his central policy thus expanding settlements and legalizing outposts.⁸⁸ While outposts are initially built without government approval, many outposts are legalized over time and have particularly been so under the current government. For example, 10 outposts were legalized in February 2023, and another three were legalized in July 2024.89

Verified data from Al Jazeera shows that between October 2023 and January 2024, settlers in the West Bank constructed a minimum of 15 illegal outposts and 18 roads, along with hundreds of meters of fencing and numerous roadblocks, further restricting Palestinian movement. This has led to the disintegration of at least 15 Palestinian communities. 90

⁸⁵ ACLED, The Resurgence of Armed Groups in the West Bank and Their Connections to Gaza, 14 December 2023, url

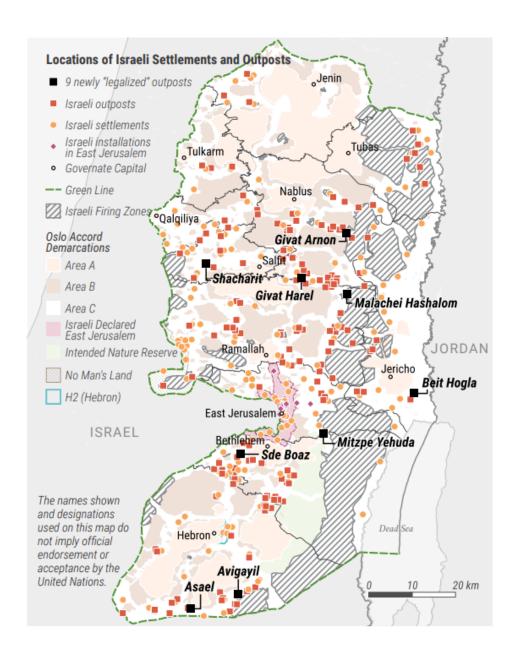
⁸⁶ ACAPS, Thematic Report, Palestine. Recent Developments in the West Bank, 4. July, 2024, url, p. 3-4

⁸⁷ Peace Now, Population, n.d., url

⁸⁸ OHCHR, Annual report of the United Nations High Commissioner for Human Rights, 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, 11 February 2024, url, pp. 9-11; Adalah, The Acceleration of the Annexation of the West Bank under the 37th Israeli Government led by Prime Minister Netanyahu, June 2023, url, pp. 5-6; Gisha, The State of the Occupation, 4 August 2024, url pp. 23-25; Jerusalem Legal Aid and Human Rights Center, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, url, p. 4-5 ⁸⁹ Adalah, The Acceleration of the Annexation of the West Bank under the 37th Israeli Government led by Prime Minister Netanyahu, June 2023, url; p. 6; European External Action Service, Israel/Palestine: Statement by the High Representative on the so-called legalization of outposts in the occupied West Bank, 3 July, 2024, url; Al Jazeera, Israel Appoves three settlement outposts, thousands of homes in the West Bank, 4 July, 2024, url; The Washington Institute, Israel Expands Settlements as Smotrich Increases His Authority, 1 March, 2024, url; Andalous Agency, Smotrich vows to grant 500,000 illegal settlers in West Bank 'same rights of every citizens in Israel' 9 September 2024, url

⁹⁰ Al Jazeera, How Israeli settlers are expanding illegal outposts amid Gaza war ,19 March, 2024, url,

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Source: OHCHR, STATE OF PALESTINE: Israeli settlements in the occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, March 2024, <u>url</u>

2.4. Settler related violence

Settler violence in the West Bank has increased in recent years and reached record levels in the first nine months of 2023 with a further increase after 7 October 2023. 91

In the annual report of the United Nations High Commissioner for Human Rights covering November 2022 – 31 October 2023, the UN Commissioner stated that there was a stark increase in the intensity, severity and regularity of Israeli settler violence. During 2021, the average number of settler attacks was one incident per day while the year 2022 saw an average of two incidents per day. During the first nine months of 2023, the average daily number increased to three, with a total of 835 settler violence incidents – the highest number ever recorded by the UN.⁹²

Since 2016, ACLED has recorded over 5,350 incidents involving settler violence in which settlers have targeted Palestinians and their property through various actions, including stone-throwing, arson, damaging homes, businesses, and farms, as well as water infrastructure. Other forms of violence include cutting down olive trees, stealing or killing livestock, and, in extreme cases, beating, shooting, abducting⁹³ and killing Palestinian civilians.

2.4.1. Settler violence after 7 October 2023

The frequency of settler violence experienced by Palestinians has hit unprecedented levels since 7 October 2023. In the last quarter of 2023, over 535 violent incidents involved settlers in the West Bank — the highest quarterly total recorded by ACLED.⁹⁴ The UN reported an average of eight incidents per day from 7 October to 31 October 2023, totaling 203 documented settler attacks. Nearly half of these incidents involved Israeli forces either escorting or actively supporting the settlers during the attacks. During this period, eight Palestinians, including one child, were killed by the use of firearms by settlers.⁹⁵ DCIP has documented that Israeli forces routinely collaborated with settlers and have often encouraged settler violence against Palestinian children.⁹⁶

⁹¹ ACLED, *Civilians or Soldiers. Settler Violence in the West Bank,* 10 June 2024,<u>url</u>, pp. 5-6; US DoS, *Human Rights Report, 2023: Israel, West Bank and Gaza*, 22. April 2024, <u>url</u>, p.p. 1, 123-124

⁹²OHCHR, STATE OF PALESTINE: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan - period from 1 November 2022 to 31 October 2023, March 2024, <u>url</u>;

⁹³ Middle East Monitor, Jewish settlers abduct, assault elderly Palestinian in occupied West Bank, 9 September 2024, url

⁹⁴ Acled, Civilians or Soldiers. Settler Violence in the West Bank, 10 June 2024 ,<u>url</u>, p. 5

⁹⁵OHCHR, STATE OF PALESTINE: Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan - period from 1 November 2022 to 31 October 2023, March 2024, url; OHCHR, Annual report of the United Nations High Commissioner for Human Rights, 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, 11 February 2024, url, para 16-26

⁹⁶ Defence for Children International Palestine, *Targeting childhood: Palestinian children killed by Israeli forces and settlers in the occupied West Bank*, September 9, 2024, p. 18, url

In the first half of 2024, settler attacks increased to a total of 649 reported incidents, compared to 598 for all of 2023.⁹⁷ Between 7 October 2023 and 30 November 2024, attacks carried out by settler groups, with support from Israeli forces and officials, reached 1,764 attacks.⁹⁸

Before 7 October 2023, approximately 150,000 Israelis, including settlers, held licenses for private firearms, according to Israel's National Security Ministry. Gun ownership rates in Israeli settlements in the West Bank are significantly higher than inside Israel. As such, 86 of the 100 towns with the highest percentages of gun license holders are located in West Bank settlements. In mid-October 2023, Israeli authorities eased gun ownership regulations in Israel and in the West Bank settlements and 100,000 new gun permits were issued between 7 October 2023 and March 2024. According to ACLED data, incidents of settler violence involving firearms rose significantly since 7 October 2023 and Israeli settlers have killed nine unarmed Palestinians in that period. Additionally, five more Palestinians have been killed either by settlers or by IDF.⁹⁹

Based on information about the Israeli police's reaction to the settler violence, it was stated in the report *The State of the Occupation*, issued by Israeli NGO Gisha and 20 other Israeli organisations in September 2024 that police investigations of settler violence are systematically neglected and rarely result in indictments.¹⁰⁰

The Israeli police hold law enforcement jurisdiction over settlers, whereas the army has jurisdiction over Palestinians in the West Bank. Following the events of 7 October 2023, Israel's National Security Minister, Itamar Ben-Gvir, reportedly instructed police not to take action against violent settlers. Official data compiled by Yesh Din indicates that the overwhelming majority of Palestinian complaints against settlers and the Israeli military do not lead to indictments.¹⁰¹

Following the deployment of many active-duty soldiers to Gaza, the settlers joined regional defense battalions, allowing them to serve in both their settlements and nearby Palestinian villages. ¹⁰² The UN has documented incidents of settlers in Israeli army uniforms carrying military weapons, harassing and attacking Palestinians and their property. ¹⁰³

 ⁹⁷ Norwegian Refugee Council, Escalating violence and human rights violations in the West Bank, 19 July, 2024, url
 98 UN OCHA, WEST BANK | MONTHLY SNAPSHOT: CASUALTIES, PROPERTY DAMAGE AND DISPLACEMENT AS OF 30 NOVEMBER 2024, 12 December 2024, url

⁹⁹ Acled, Civilians or Soldiers. Settler Violence in the West Bank, 10 June 2024, url, pp. 2-3,6-7

¹⁰⁰ Gisha, The State of the Occupation, 4 August 2024, url p. 26

¹⁰¹ International Crisis Group, *Stemming Israeli Settler Violence at Its Root*, 6 September 2024, <u>url</u>; HRW, *West Bank: Israel Responsible for Rising Settler Violence*, 17 April 2024, <u>url</u>

¹⁰² Jewish Currents, Israel's Crackdown on Hebron, 13 February 2024, url

¹⁰³ OHCHR, UN Human Rights Chief deplores new moves to expand Israeli settlements in occupied West Bank, 8 March 2024, url; Gisha, The State of the Occupation, 4 August 2024, url p.p. 26-28

3. Freedom of Movement

3.1. Prevalence of movement restrictions

According to OCHA there are nine different types of physical obstacles on movement in the West Bank, consisting of: checkpoints, occasionally staffed checkpoints, earth mounds, roadblocks, road gates, trenches, road barrier, tunnels/underpasses and earth walls.¹⁰⁴

In early 2023, a survey conducted by OCHA identified 645 fixed physical obstacles to movement in the West Bank, established by Israeli forces. These obstacles, which are either permanent or intermittently enforced, regulate, limit, and oversee the movement of Palestinians across the West Bank, including East Jerusalem and the H2 area of Hebron. Since 7 October 2023, Israeli authorities have imposed additional movement restrictions on the 3.3 million Palestinians across the West Bank, including East Jerusalem, through physical barriers and tightened access regulations. A March 2024 survey by OCHA identified 86 new physical obstacles since October 2023, alongside stricter controls at 100 pre-existing obstacles, such as closing road gates or reducing checkpoint hours. Combined with the 712-kilometre-long Separation Barrier, these obstacles have, according to OCHA, restricted and disrupted Palestinian movement, exacerbating territorial fragmentation, undermining livelihoods, and worsening humanitarian conditions. 107

Between 7 October 2023 and 31 July 2024, UN OCHA documented over 1,400 access incidents caused by Israeli military actions. These incidents primarily involved access being blocked or delayed due to the temporary closure of checkpoints and road gates (over 300 cases), the installation of mobile or "flying" checkpoints (380 cases), and Israeli forces operating occasionally staffed checkpoints (760 cases). Since 7 October 2023, at least 580 detentions have been recorded in connection with these access incidents.¹⁰⁸

As of August 2024, there are 793 movement obstacles in the West Bank, including East Jerusalem and Hebron's H2 area. These consist of 89 fully staffed checkpoints, 149 occasionally staffed checkpoints, 158 earth mounds, 196 road gates, 104 roadblocks, and 97 linear closures (e.g., barriers, walls, and trenches). Between October 2023 and March 2024, UN OCHA documented an increase of 23%, from 642 to 793 obstacles, with 65% of the new barriers being

¹⁰⁴ OCHA, Movement and Access in the West Bank | August 2023, 25 August 2023, url

¹⁰⁵ OCHA, Movement and Access in the West Bank | August 2023, 25 August 2023, url

¹⁰⁶ The Hebron Protocol of 1997 divided Hebron into two areas; H1 (80 %) is under Palestinian civil and security control and H2 (20 %) is under Israeli military control and Palestinian civil control (UNRWA, *HEBRON H2 – BACKGROUND AND KEY PROTECTION ISSUES*, November 2022, <u>url</u>)

¹⁰⁷ OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹⁰⁸ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

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earth mounds and partial checkpoints. The Hebron, Ramallah, and Nablus governorates have the highest concentration of obstacles, with Hebron alone accounting for 26 %. ¹⁰⁹

At least 40 % of the obstacles block direct access to key roads, funneling Palestinian traffic onto longer routes and disrupting access to services. For instance, Road 60, the main north-south artery, has 129 obstacles, and Road 505, a key east-west route, has 61 closures. Thirteen checkpoints separate East Jerusalem from the West Bank, but only three are accessible to Palestinians with special permits, most of which have been revoked since October 2023. 110

Palestinian access to privately owned land near 56 Israeli settlements, much of which is classified as "closed military zones," has also been curtailed. Previously, farmers were granted limited access twice a year, but since 7 October 2023, this coordination has been halted, leaving the land inaccessible and negatively affecting 105 communities across seven governorates.¹¹¹

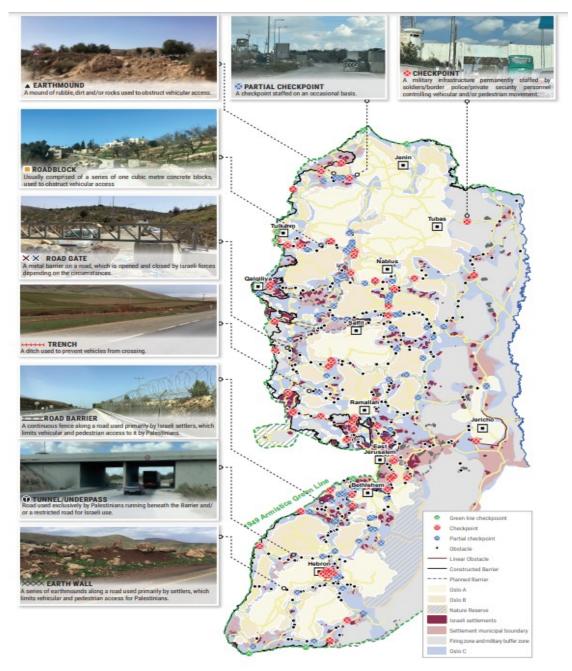
According to NRC Israel frequently destroys roads connecting Palestinian communities in Area C, and the PA lacks the capacity to develop alternative public transportation routes. These restrictions often force Palestinians to take lengthy detours, significantly increasing travel times, and sometimes making travel impossible.¹¹²

¹⁰⁹ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹¹⁰ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹¹¹ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹¹² NRC, Area C is Everything, March 2023, url



Source: UN OCHA, *Fact Sheet: Movement and Access in the West Bank*, September 2024, 25 September 2024, <u>url</u>

3.1.1. Checkpoints

Security forces at checkpoints can deny Palestinians passage without any reason, leaving Palestinians unable to determine if or when they can move freely. Meanwhile, Israeli settlers,

Israeli residents, visitors, and foreign tourists have largely unrestricted freedom of movement throughout the West Bank, as granted by Israeli authorities. 113

There are numerous forms of checkpoints across the West Bank. "End" Checkpoints (Border Crossings) are positioned at the entry points to Israel and are used by Palestinians for various purposes such as work, healthcare, family visits, and religious practices. Access through these checkpoints requires a range of complex permits (see section on permits below). Over 100,000 Palestinian workers pass through them daily, often facing long waits and poor conditions. It Internal Checkpoints are spread across the West Bank, obstructing movement between nearby Palestinian communities and blocking access to main roads or areas reserved for settlers. Agricultural Checkpoints are situated in the seam zone between the Separation Barrier and the Green Line. Its, Ite These checkpoints restrict Palestinian farmers' access to their lands, as they are rarely opened and only for brief periods Item periods Ite

3.1.2. Permits

The division of the Oslo Accords into Areas A, B, and C established the foundation for a complicated permit system with more than 100 different types of permits, for which only a small number of Palestinians qualify. According to numerous sources, such as reporters and human rights organisations, this system governs the movement and everyday lives of Palestinians using bureaucratic control and security measures to monitor, restrict, and isolate them. Sources describe the application process as very bureaucratic, with delays, lack of responses, and arbitrary denials. There is no clear appeal process, and permits are often denied without explanation.¹²⁰

¹¹³ HRW, A Threshold Crossed, Israeli Authorities and the Crimes of Apartheid and Persecution, 27 April 2021, <u>url;</u> Al, Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity, 1 February 2022, <u>url,</u> p. 97

¹¹⁴ Machsom watch, Types of movement restrictions, n.d., url

¹¹⁵ The Green Line also known as the Armistice Line, is the 1949 ceasefire line demarcating the official boundaries of the West Bank. UN Habitat, *Spatial Planning in Area C of the Israeli occupied West Bank of the Palestinian territory*, May 2015, url

¹¹⁶ Machsom Watch, *The Separation Barrier and the Seam Zone*, n.d., <u>url;</u> B'Tselem, *List of military checkpoints in the West Bank and Gaza Strip*, 5 June 2024, url

¹¹⁷ Machsom watch, *Types of movement restrictions*, n.d., <u>url;</u> OCHA, *Movement and Access in the West Bank | August 2023*, 25 August 2023, <u>url</u>

¹¹⁸ Machsom watch, *Types of movement restrictions*, n.d., <u>url;</u> NPR, *Palestinian farmers in the West Bank say Israel is blocking access to their harvests,* 17 December 2023, url; HRW, *Israel: Palestinians Cut Off From Farmlands,* 5 April 2012, <u>url</u>

¹¹⁹ Machsom watch, Types of movement restrictions, n.d., url

¹²⁰+972 Magazine, The permit regime is Oslo's enduring legacy. It must be abolished, 21 September 2023, <u>url</u>; Haaretz, Israel has 101 Different Types of Permits Governing Palestinian Movement, 23 December 2011, url; The Electronic Intifada, How Israel's permit regime costs Palestinians, 28 December 2017, <u>url</u>; Al, Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity, 1 February 2022, url, p. 97; Defence for Children International, Demolishing lives: Israeli authorities' "permit regime" targets Palestinian families in the occupied West Bank, 25 March 2024, <u>url</u>;

The Israeli authorities from time to time exploit the urgency of applicants' situations to coerce Palestinians into collaboration with Israeli authorities in exchange for permits. For instance, by withholding permits in order to obtain information about neighbors or relatives. Sources describe the permit regime as an integral part of the Israeli security system, designed to enforce strict control over Palestinian movement and normalize extensive surveillance.

3.1.3. The Barrier and the Seam Zone

The Barrier is a wall that consists of electronic fence and patrol roads. It separates the West Bank from Israel, East Jerusalem, and Israeli settlements. The construction of the wall was considered a security measure following the second intifada in 2002.¹²³

The Barrier is the single largest obstacle to Palestinians' movements within the West Bank. Where the Barrier is complete, most Palestinian farmers must obtain permission to reach the 'Seam Zone,' the land isolated between the Barrier and the Green Line. Although 69 gates have been designated for farmers' access along the Barrier, they are mostly closed, with few exceptions. Generally, the Israeli authorities only open them during the annual olive harvest for short times each day. This has forced landowners to abandon cultivation or to shift to rain-fed and lower-value crops. About 11,000 Palestinians who live in the 'Seam Zone' and hold West Bank ID cards also depend on the granting of permits or special arrangements to continue living in their own homes and to maintain family and social relations with the rest of the West Bank. The Separation Barrier also obstructs access to East Jerusalem, with 85% of it running inside the West Bank.

The Barrier has reshaped the geography, economy, and social life of Palestinians in East Jerusalem, as well as those living in the surrounding metropolitan area. It has divided

The New Arab, Israel steps up its dehumanisation of Palestinians with new biometric checkpoints in the West Bank, 9 August 2024, url; Berda, Yael, Living Emergency: Israel's Permit Regime in the Occupied West Bank, 2017, url; Freedom House, Freedom in the World 2024, West Bank, 2024, url; World Council of Churches, At checkpoints of Palestinians: We must do something about this inhumane system of control, 9 Februrary 2023, url 121 972 Magazine, The permit regime is Oslo's enduring legacy. It must be abolished, 21 September 2023, url; Haaretz, Israel has 101 Different Types of Permits Governing Palestinian Movement, 23 December 2011, url ¹²² 972 Magazine, The permit regime is Oslo's enduring legacy. It must be abolished, 21 September 2023, url; Haaretz, Israel has 101 Different Types of Permits Governing Palestinian Movement, 23 December 2011, url; The Electronic Intifada, How Israel's permit regime costs Palestinians, 28 December 2017, url; AI, Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity, 1 February 2022, url, p. 97; Defence for Children Palestine, Demolishing lives: Israeli authorities' "permit regime" targets Palestinian families in the occupied West Bank, 25 March 2024, url, The New Arab, Israel steps up its dehumanisation of Palestinians with new biometric checkpoints in the West Bank,9 August 2024, url; Berda, Yael, Living Emergency: Israel's Permit Regime in the Occupied West Bank, 2017, url Freedom House, Freedom in the World 2024, West Bank, 2024, url; World Council of Churches, At checkpoints of Palestinians: We must do something about this inhumane system of control, 9 Februrary 2023, url

¹²³ Institute for Middle East Understanding, Explainer: Israel's West Bank Wall, 3 July 2024, url

¹²⁴ UN OCHA, Movement and Access in the West Bank | August 2023, 25 August 2023, url

¹²⁵ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

neighborhoods, suburbs, and families, cutting them off from the urban center, while also isolating rural communities from their land. 126

3.2. Movement restrictions since 7 October 2023 in each of the 11 governorates

Nablus

The Israeli military has completely closed one of the major checkpoints, Huwara checkpoint, to Palestinian pedestrians and vehicles. Before 7 October 2023, the checkpoint was open, and only random checks were carried out. At other checkpoints, Israel has imposed stricter checks holding traffic up for hours. Additionally, three new checkpoints have been set up, further restricting movement.¹²⁷ In October 2024, the Israeli army closed Hamra checkpoint, which connects Nablus with the Jordan Valley and Jericho.¹²⁸

Ramallah

In the Ramallah District, Israel has closed two of the five crossings between the West Bank and Israel, including Rantis and Qalandiya to most Palestinians, with limited access for East Jerusalem residents and some permit holders.¹²⁹

New random checkpoints have been set up on key roads leading to Palestinian villages, and gates at several locations have blocked village exits. Some of these gates are intermittently opened, while others remain closed, further disrupting movement in the area. On 3 June 2024, the DCO checkpoint, which is one of the main entry and exit points into and out of Ramallah and Al Bireh cities, was re-opened by Israeli authorities for the first time since 7 October 2023. The checkpoint is now scheduled to open daily between 8:00 and 15:00, whereas before 7 October 2023 it was open 24 hours a day. Following the announcement to reopen the checkpoint, settlers gathered on the main road cutting through the West Bank (Road 60) and threw stones at Palestinian vehicles. 130

Hebron

Israeli authorities maintains direct control over 20% of Hebron (known as H2) and has set up 80 physical barriers. Around 700 residents, particularly affected by these measures, have been

¹²⁶ UN OCHA, *The humanitarian impact of 20 years of the Barrier - December 2022*, 30 December 2022, <u>url</u>

¹²⁷ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, <u>url</u>

¹²⁸ Middle East Monitor, *Israel occupation forces close several military checkpoints to obstruct movement in West Bank*, 2 October 2024, url;

Palestine Information Centre, *IOF shuts down several military checkpoints, obstructs movement of Palestinians in the West Bank, 2* October 2024, <u>url</u>

¹²⁹ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹³⁰ UN OCHA, Humanitarian Situation Update #175 | West Bank, 5 June 2024, url

issued special permits to access their homes via three specific checkpoints.¹³¹ The H2 area is home to around 33,000 Palestinians and around 800 Israeli settlers.¹³² Armed settlers in military uniforms held Palestinians in 11 neighborhoods in Hebron under curfew for over a month in the aftermath of 7 October 2023.¹³³

Bethlehem

In Bethlehem District, Israel has closed two out of five crossings into its territory and limiting the hours of operation at three internal checkpoints. Additionally, some village entrances have been blocked with barriers such as earth mounds.¹³⁴

Al-Quds/Jerusalem

After 7 October 2023, the Israeli military has used dirt mounds to block an alternate route that area residents take when the Container/Wadi al-Nar checkpoint is closed. The checkpoint controls Palestinian traffic between the north and south of the West Bank. The Israeli military also used boulders to block access from the community of al-Muntar to Route 4171, cutting the community off from the other villages.¹³⁵

Tulkarm

Tulkarm is located right next to the Israeli border. Since 7 October 2023, Israel has closed two of six checkpoints between the West Bank and Israel, two internal checkpoints between Palestinian areas, and blocking two village entrances. Checkpoints before entering Israel were previously operated for goods transfer; now they are fully closed.¹³⁶

Jenin

Since 7 October 2023, Israel has closed three of five checkpoints between the West Bank and Israel, as well as two internal checkpoints.¹³⁷ The road from other parts of the West Bank to Jenin is complicated with checkpoints and roadblocks.¹³⁸

¹³¹ UN OCHA, Movement and Access in the West Bank | August 2023, 25 August 2023, url

¹³² UNRWA, HEBRON H2 - BACKGROUND AND KEY PROTECTION ISSUES, November 2022, url

¹³³ NPR, Israeli settlers are guarding the West Bank. Palestinians say it's worsening the violence, 19 February 2024, url; Jewish Currents, Israel's Crackdown on Hebron, 13 February 2024, url; B'tselem, Israel holding 750 families in Hebron under curfew for a month, 9 November 2023, url

¹³⁴ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, <u>url</u>

¹³⁵ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹³⁶ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, <u>url</u>

¹³⁷ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹³⁸ +972 Magazine, Inside the brutal siege of Jenin, 4 September 2024, url

Qalqiliyah

Since 7 October 2023, Israel has closed one of three checkpoints between the West Bank and Israel, one internal checkpoint at the entrance to Qalqiliyah, and the entrances to six villages. Israel has installed lookout towers and gates at entrances to the area. The entrance checkpoint to Qalqiliyah city is now intermittently blocked with concrete and closed to pedestrians. 139

Salfit

Since 7 October 2023, Israel has closed one of the two internal checkpoints in the district and blocked the entrances to nine villages. The Israeli military has installed additional gates at entrances to towns in the province.¹⁴⁰

The Jordan Valley

On 7 October 2023, the Israeli military closed the Gochya checkpoint, which restricts the movement of Palestinians living east of it from accessing their district town, Tubas, and a vital water source in Khirbet 'Atuf. Before the closure, the checkpoint was also used to inspect Palestinian workers employed in nearby settlements. Until January 2024, no Palestinians were allowed through, but since then, soldiers have begun opening the gate sporadically. On 28 March 2024, the Israeli military blocked four paths south of Khirbet 'Atuf with dirt mounds, which residents had created to bypass the Gochya checkpoint or avoid delays at the Hamra checkpoint. 141

Tubas

Tayasir checkpoint has been closed to movement of Palestinians obstructing the movement to and from the Jordan Valley. 142

3.3. Surveillance by the Israeli forces

Since 1999, the Israeli forces have tested biometric identification of Palestinians, starting in Gaza and later expanding to the West Bank in 2004. Over time, Israel has significantly advanced its technological surveillance capabilities, pairing these with extensive video surveillance technology across the West Bank.¹⁴³

¹³⁹ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹⁴⁰ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹⁴¹ B'tselem, Israel is drastically restricting movement in the West Bank since the start of the Gaza war, disrupting the lives of 2 million Palestinians, 20 March 2024, url

¹⁴² Middle East Monitor, *Israel occupation forces close several military checkpoints to obstruct movement in West Bank, 2* October 2024, <u>url</u>; WAFA News Agency, *Israeli forces close Tayasir checkpoint near Tubas, 2*4 September 2024, <u>url</u>

¹⁴³ AI, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, <u>url</u>

Hebron, particularly Shuhada Street and the Tel Rumeida neighborhood, is under heavy surveillance, with cameras installed on buildings, light poles, towers, and rooftops. Checkpoint 56 on Shuhada Street has 24 audio-visual devices and other sensors including multiple cameras, ambient noise detection, long-range cameras, and checkpoints equipped with facial recognition technology. Israeli forces describe these systems as part of a "smart city initiative" designed to enable rapid response to security incidents and more efficient identification of individuals.¹⁴⁴

The Israeli military has a comprehensice database, the "Wolf Pack" system, designed to collect, and store detailed personal information on Palestinians from the West Bank. The database includes various details such as identity information, photos, permits, family relationships, security ratings and intelligence on nearly every Palestinian in the West Bank gathered by Israeli authorities. Based on this data, soldiers receive instructions on whether to allow passage or to make an arrest. The military also operates with an app, the "Blue Wolf", integrated with facial recognition, that allows soldiers to instantly retrieve information by scanning faces. Soldiers are encouraged to collect as many facial images as possible, leading to frequent identity checks and expanding the biometric database. A soldier described how Palestinians who resisted having their photos taken were forcibly made to comply with the surveillance program.

In Hebron, soldiers are themselves ranked and rewarded based on the number of Palestinian faces they capture using the Blue Wolf app, incentivizing the mass collection of biometric data. This system supports broader intelligence efforts, including raids on Palestinian homes to gather information about residents and buildings. ¹⁴⁸At checkpoints, the Red Wolf system extensively uses facial recognition. Cameras capture images of Palestinians and match them with existing records, determining whether they can cross the checkpoint or require further action, like questioning or arrest. Red Wolf automatically enrolls individuals not already in the database, continuously expanding biometric data collection. Soldiers are tasked with improving the system to recognize unknown faces without human input. ¹⁴⁹

¹⁴⁴ AI, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, <u>url</u>

¹⁴⁵ Al, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, url; The Washington Post, Israel escalates surveillance of Palestinians with facial recognition program in West Bank, 8 November 2021, url

¹⁴⁶ Al, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, <u>url</u>; The Washington Post, Israel escalates surveillance of Palestinians with facial recognition program in West Bank, 8 November 2021, <u>url</u>

¹⁴⁷ The Washington Post, *Israel escalates surveillance of Palestinians with facial recognition program in West Bank*, 8 November 2021, <u>url</u>

¹⁴⁸ Al, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, <u>url;</u> The Washington Post, Israel escalates surveillance of Palestinians with facial recognition program in West Bank, 8 November 2021, <u>url</u>

¹⁴⁹ Al, Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT, 2 May 2023, url; Breaking the Silence, The computer already knows them, 2020, url

In addition to the Red Wolf and Blue Wolf systems, the existence of another separate smartphone app called "White Wolf" has been reported by The Washington Post and Breaking the Silence. The White Wolf system has been developed for use by settlers in the West Bank. While settlers are not permitted to detain individuals, security volunteers can use White Wolf to scan the identification cards of Palestinians, such as those entering a settlement for construction work.¹⁵⁰

Israel has installed robotic weapons in two locations in the West Bank, including the Al-Aroub refugee camp and Hebron, to control Palestinian protests. These Artificial Intelligence-driven systems can fire tear gas, stun grenades, and sponge-tipped bullets. Israel claims the technology minimizes casualties and protects soldiers. Residents in Al-Aroub report frequent use of these weapons, which fire without warning.¹⁵¹

3.4. Treatment of civilians at checkpoints and at other barriers

Palestinians are regularly detained at checkpoints¹⁵² and subjected to physical abuse, threats, humiliation and harassment.¹⁵³ For example, on 10 June 2024, a Palestinian man was hospitalise after being beaten and assaulted by Israeli forces.¹⁵⁴

Sources have stated that Palestinians have been shot at or killed at checkpoints. ¹⁵⁵ For example, an Israeli solider fatally shot a civilian at a checkpoint on 27 February 2024. ¹⁵⁶

¹⁵⁰ The Washington Post, Israel escalates surveillance of Palestinians with facial recognition program in West Bank, 8 November 2021, url

¹⁵¹ AP News, Israel deploys remote-controlled robotic guns in West Bank, 16 November 2022, url; 7amleh, The Arab Center for the Advancement of Social Media, Impacts of AI Technologies on Palestinian Lives and Narratives, February 2024, url, pp. 10-12

¹⁵² UNRWA, UNRWA Situation Report #137 on the situation in the Gaza Strip and the West Bank, including East Jerusalem, valid as of 16 September 2024, 18 September 2024, url, p. 3; OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p. 8; Euro-Med Human Rights Monitor, Egregious acts of torture, abuse committed by Israeli army against Palestinian civilians in the West Bank, 31 October 2023, url; UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url; Palestinian Centre for Human Rights, Report on Israel's Crimes in the West Bank in July 2024, 5 August 2024, url; WAFA News Agency, Israeli forces detain Palestinian at northern West Bank checkpoint, 31 July 2024, url ¹⁵³ Breaking the Silence, Military Rule, Testimonies of soldiers from the Civil Administration, Gaza DCL and COGAT 2011-2021, 2022, url, pp. 21, 34-35; Machsom watch, Types of movement restrictions, n.d., url; OHCHR, The human rights situation in the occupied West Bank including East Jerusalem 7 October - 20 November 2023, 27 December 2023, url, p. 11; Palestinian Centre for Human Rights, Report on Israel's Crimes in the West Bank in July 2024, 5 August 2024, url

Palestinian Centre for Human Rights, Report on Israel's Crimes in the West Bank in July 2024, 5 August 2024, url
 Machsom watch, Types of movement restrictions, n.d., url; The Guardian, Israeli checkpoint killing of Palestinian was an execution, report claims, 23 February 2021, url; WAFA News Agency, A Palestinian man, 37, fatally shot by Israeli soldiers manning military checkpoint east of Tulkarem, 15 January 2024, url; HRW, West Bank: Israeli Forces' Unlawful Killings of Palestinians, 8 May 2024, url; Lawyers for Palestinian Human Rights, LPHR Child Rights Annual Report 2023 (additionally covering 1 January-12 March 2024), 15 March 2024, url; Al-Haq, Report on Israel's Crimes and Violations of Palestinians' Rights in the West Bank in January and February 2024, 22 March 2024, url
 Al-Haq, Report on Israel's Crimes and Violations of Palestinians' Rights in the West Bank in January and February 2024, 22 March 2024, url

Since the outbreak of the war in Gaza, sources have reported about an increase in sexual harassment of Palestinian girls and women at checkpoints in the West Bank. 157

3.5. Implications on access to work and basic needs

3.5.1. Access to work and land

Due to the very high unemployment rate in the West Bank, many Palestinians rely on work in Israel to support themselves. To reach their workplaces, they must cross one of the checkpoints designated to Palestinians with Israeli work permits.¹⁵⁸

Every day between 4am and 6am, thousands of people crowd into narrow lanes at the checkpoints. Many arrive at 3am or earlier to secure a spot in line, often waiting over an hour before the checkpoint opens. With limited time on their Israeli permits, they must return home by the end of the day. However, some choose to sleep at their workplaces to avoid the harsh checkpoint conditions. 159

In the Tulkarm governorate, the Palestinians of the towns of Deir al Ghusoun, Attil, and Zeita, with a population of 26,000, have been denied access to their agricultural land behind the Barrier for the past 10 months. Before October 2023, local families could access their land in the Seam Zone through coordination with Israeli authorities. The access restriction has caused significant income losses, disrupted the local fresh food supply, and reduced land productivity, with annual losses estimated at \$1.4 million according to the Palestinian Ministry of Agriculture. ¹⁶⁰

Additionally, around 1,500 Palestinians with West Bank IDs living on the East Jerusalem side of the Barrier face difficulties accessing basic services, such as basic health and education services as well as reaching markets, requiring Israeli military coordination to cross checkpoints.¹⁶¹

3.5.2. Access to basic services

Emergency services have also been heavily affected by the intensified restrictions since 7 October 2023. WHO reported that health-related access incidents—such as obstructions to ambulances, mobile clinics, and first responders—have more than doubled between October 2023 and July 2024, with 387 cases compared to 138 in the previous nine months. Other types

¹⁵⁷ The New Arab, Surge in sexual harassment of Palestinians by Israeli forces at Hebron checkpoints, 30 August 2024, <u>url</u>; Haaretz, 'He Took Off His Pants and Said "Come Look": Palestinian Women in Hebron Report Harassment by Israeli Soldiers, 4 September 2024, <u>url</u>; Tasnim News Agency, Palestinian Women Face Sexual Harassment by Israeli Forces across West Bank: Reports, 30 August 2024, <u>url</u>;

UN OCHA, Humanitarian Situation Update #213 | West Bank, 4 September 2024, url

¹⁵⁸ Aljazeera, Checkpoints, *Israel's military checkpoints: 'We live a life of injustice'*, 2018, <u>url;</u>
Kavlaoved, *We must speak about the Palestinian workers: the occupation of labor, version 2024*, 22 February 2024,

¹⁵⁹ Aljazeera, Checkpoints, Israel's military checkpoints: 'We live a life of injustice', 2018, url

¹⁶⁰ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹⁶¹ UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

of interference include the detention of health workers and patients, as well as ISF searches of ambulances. Medicines Sans Frontiers (MSF) reported that medical and paramedical personnel are frequently subjected to attacks, harassment, obstruction, making medical healthcare inaccessible. Palestinian patients and medical staff had difficulties in reaching hospitals because of hours-long delays at checkpoints. MSF also reported that incursions cause widespread destruction, with streets torn up, water and sanitation systems destroyed, and electricity cut off. This disrupts access to hospitals for civilians, including those in need of urgent care, and hinders the movement of healthcare personnel and ambulances.

WHO reported that 44% of 46,163 applications of Israeli medical permits to Palestinians were denied or remain pending between October 2023 and August 2024. 166

The only primary healthcare clinic in the H2 area of Hebron City has been closed for about seven months. This has impacted residents' access to medical care, especially for those with chronic illnesses and around 50 people with disabilities who rely on the clinic for free services and medications. Strict access regulations have also hindered emergency care, as ambulances and emergency health services must coordinate with Israeli forces to reach the area. ¹⁶⁷

Additionally, many Palestinian communities face challenges in obtaining basic services; more than 30% of the communities lack a primary school, forcing children to travel long distances for education; over 70% are not connected to a water network and depend on costly water tanks. Nearly half of the communities in Area C also report that their access to emergency and basic healthcare is hindered by long distances to clinics and the need to navigate checkpoints. ¹⁶⁸

¹⁶² UN OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹⁶³ MSF, In the West Bank, Israeli forces render healthcare inaccessible when it's needed most, 13 June 2024, url

¹⁶⁴ USDoS, 2023 Country Reports on Human Rights Practices, Israel, West Bank and Gaza: Israel, West Bank and Gaza, 22 April 2024, url

¹⁶⁵ MSF, Restrictions and violence block Palestinians in Hebron from medical care, 6 August 2024, <u>url;</u> NRC, Area C is Everything, March 2023, <u>url</u>

¹⁶⁶ OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, <u>url</u>

¹⁶⁷ OCHA, Movement and Access in the West Bank | August 2024, 25 September 2024, url

¹⁶⁸ Anera, What are Area, A, Area B, and Area C in the West Bank, n.d. <u>url</u>; UN Habitat, Spatial Planning in Area C of the Israeli occupied West Bank of the Palestinian territory, <u>url</u>, p.p. 4-5

4. Profiles targeted by Israeli authorities

4.1. Legal Context

Israeli military courts prosecute Palestinians - adults and children - who are charged with violating military orders issued by the Israeli military commander in the West Bank. ¹⁶⁹ There are two main military courts: Ofer, located between Ramallah and Jerusalem, and Salem, near Jenin in the northern West Bank. The Military Court of Appeals is also located at Ofer military base. ¹⁷⁰ In the military court system, the Israeli military assumes the roles of legislator, police, prosecutor, judge, and jury. In addition, judges and prosecutors are military officers, either in active duty or in reserve service. ¹⁷¹

4.1.1. Key legislative provisions

Since 1967, Israeli authorities have issued over 1800 military orders. The most relevant military orders relating to the arrest, detention and prosecution of Palestinians are military order 101 of 1967 and Military Order 1651 of 2010. 172

Military Order 101 of 1967 is often cited by Israeli authorities to criminalize nearly all forms of political expression as 'political incitement' and also prohibits support for 'hostile organisations'. The order effectively prohibits any private or public gathering of more than 10 people that could be seen as political unless a permit is granted from the Israeli military. The order also prohibits actions such as waving the Palestinian flag or other political symbols, displaying political posters, printing and distributing political materials, and chanting slogans.¹⁷³

Military Order 1651 called the *Order on Security Provisions*, issued in 2010, replaced and consolidated a number of orders issued between 1967 and 2005 and functions as a comprehensive legal framework for security enforcement, allowing for detention, trials in military courts, and other actions under the military's authority.¹⁷⁴ Military Order 1651 imposes

¹⁶⁹ Addameer, EYES ON ISRAELI MILITARY COURTS Edition II 2022, February 2022, url, p. 2

¹⁷⁰ Defense for Children International Palestine, *Arbitrary by Default, Palestinian Children in the Israeli Military Court System,* May 2023, url, p.17

¹⁷¹ OHCHR, "Non-Visit" to the occupied Palestinian territory, 27 February 2023, url, p. 4

¹⁷² OHCHR, "Non-Visit" to the occupied Palestinian territory, 27 February 2023, url, p. 4,

Addameer, The Israeli Military Judicial System as a Tool of Oppression and Control: A Review of Military Order No. 1827, 28 May 2020, url; Addameer, Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda", July 2017, url

¹⁷³ Israel Defense Forces, *Order No. 101 Order Regarding Prohibition of Incitement and Hostile Propaganda Actions*, 27 August 1967, <u>url</u>; Addameer, Arrests on charges of "incitement" on social media platforms and Israeli government policy: a Facebook case study, 7 January 2019, <u>url</u>, p. 4; Addameer, *Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda"*, July 2017, <u>url</u>; Addameer, *Military Courts Background and History*, 23 October 2018, <u>url</u>; HRW, *Born Without Civil Rights Israel's Use of Draconian Military Orders to Repress Palestinians in the West Bank*, 2019, <u>url</u>

¹⁷⁴ The Association for Civil Rights in Israel, *One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank,* October 2014, <u>url</u>, pp.32-39;

a 10-year sentence for attempting to influence public opinion in the West Bank in ways deemed harmful to public peace or order. It also criminalizes expressing support for hostile organisations, labeling such actions as "incitement." Additionally, the order outlines broadly defined "offenses against authorities," with penalties up to life imprisonment for acts or omissions causing harm to the security¹⁷⁵ or the IDF, or for approaching military or state-owned areas.¹⁷⁶

Following 7 October 2023, Israel declared a state of emergency and introduced substantial amendments affecting the legal framework for detaining Palestinians. As such, Palestinians detained under military orders and under administrative detention can now be detained for a prolonged period before judicial review or before access to legal counsel. Israel has also increased penalties for actions considered incitement and supporting a hostile organisation (in line with military order 101) and has made amendments to the laws of the prison service (IPS) allowing the National Security Minister to proclaim a 'detention emergency' resulting in overturning minimum requirements for detention conditions.¹⁷⁷

Many of the military orders issued by Israeli authorities are criticized by human rights organisations for their vague wording, effectively making it impossible to figure out which conduct could result in criminal sanctions. Military Order 101 of 1967 is regularly criticized for providing the basis for the arrest of human rights and political activists. According to OHCHR and Human Rights Watch, the military orders issued by Israeli authorities criminalize a vast number of peaceful activities, positive rights and fundamental freedoms, making it very likely for a Palestinian to be arrested and detained.

Israel Defense Forces, Order Regarding Security Directives [Consolidated Version] (Judea and Samaria) (No. 1651), 2009, url

¹⁷⁵ HRW, Born Without Civil Rights Israel's Use of Draconian Military Orders to Repress Palestinians in the West Bank, 2019, <u>url</u>, p. 7, Addameer, Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda", July 2017, <u>url</u>

¹⁷⁶ HRW, Born Without Civil Rights Israel's Use of Draconian Military Orders to Repress Palestinians in the West Bank, 2019, url, p. 7; Addameer, Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda", July 2017, url; USDoS, 2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, url

¹⁷⁷ Addameer, *New Laws and Legal Amendments in 2023*, 2024, <u>url</u>; Haaretz, Using Wartime Provision, Israel Holding Palestinian Detainees for Eight Days Without a Hearing, 8 February 2024, <u>url</u>;

UN, Intensification of Israel's Mass Arrests, Enforced Disappearances, Administrative Detentions, and Torture Since October 2023, 5 February 2024, url; USDoS, 2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, url

¹⁷⁸ HRW, Born Without Civil Rights Israel's Use of Draconian Military Orders to Repress Palestinians in the West Bank, 2019, <u>url</u>, p. 7; Addameer, Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda", July 2017, <u>url</u>

¹⁷⁹ Addameer, Introduction to Israeli Military Orders, Military Order 101 – "Order Regarding Prohibition of Incitement and Hostile Propaganda", July 2017, <u>url</u>

¹⁸⁰ OHCHR, "Non-Visit" to the occupied Palestinian territory, 27 February 2023, url, p. 4

Palestinians tried in military courts are reportedly denied basic procedural rights, including knowledge of the charges against them, access to an interpreter (as proceedings are conducted in Hebrew), and effective legal representation. Military courts maintain conviction rates near 100%, with 97% of the convictions resulting from plea bargains. Human rights organisations attribute this to the fact that Palestinians, regardless of pleading guilty, automatically acquire a security record if charged. Consequently, plea bargains are viewed as the only practical option for securing release. Additionally, detainees are frequently compelled to sign confessions written in Hebrew, a language that many do not read or understand.

4.1.2. Administrative Detention

Administrative detention is the arrest and imprisonment of a person, not for committing a specific offense, but based on the presumption that they may commit one in the future. Is Israeli law (Military Order 1651) stipulates that if there are "reasonable grounds to believe" that detention is necessary for regional or public security, a Palestinian can be detained for up to six months, and detention can be renewed in six-month intervals without limitation. This indefinite renewal process, based on security concerns, enables the authorities to hold a detainee for years without end.

Individuals, subjected to administrative detention, are detained without a trial, and the detention is based on classified evidence for state security reasons withheld from them. This leaves detainees in a position where they are facing unknown allegations they cannot challenge. Individuals detained under administrative detention are not formally charged or convicted and have no knowledge of when they might be released. 186

¹⁸³ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, <u>url</u>, pp. 18-19; Addameer, On Administrative Detention, 2017, <u>url</u>; B'Tselem, Administrative Detention, n.d. <u>url</u>; ¹⁸³ Defense for Children International Palestine, Arbitrary by Default, Palestinian Children in the Israeli Military Court System, May 2023, <u>url</u>

¹⁸¹BBC, How Israel jails hundreds of Palestinians without charge, 15 December 2023, <u>url</u>; OHCHR, "Non-Visit" to the occupied Palestinian territory, 27 February 2023, <u>url</u>, pp. 3-4, Addameer, EYES ON ISRAELI MILITARY COURTS Edition II 2022, February 2022, <u>url</u>

¹⁸² Addameer, Torture and Ill-Treatment, n.d., url

¹⁸⁴ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, <u>url</u>, pp. 18-19; Addameer, On Administrative Detention, July 2017, <u>url</u>; B'Tselem, Administrative Detention, n.d., url

¹⁸⁵ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, pp. 18-19; ; B'Tselem, Administrative Detention, n.d. url

OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p.19; B'Tselem, Administrative Detention, n.d. url

Administrative detention is frequently used for security offenses, allowing commanders to arrest and imprison Palestinians. The large-scale use of administrative detention is a means of controlling the population according to B'Tselem. 188

4.1.3. Detention of children

Military Order 1651 sets the minimum age of criminal responsibility at 12, allowing Israeli military courts to prosecute individuals aged 12 and older. Children under 12 cannot be prosecuted but are often detained and questioned for several hours. The order also specifies maximum penalties for children, with variations based on age. Although the age of maturity was raised to 18 in 2011, 16- and 17-year-olds can still be sentenced as adults in military courts. Palestinian children are frequently arrested at night, interrogated without parents or legal representation, and face extended detention without timely judicial review. Despite recent changes to Israeli military law, these reforms have had little impact on improving treatment during the critical first 24 to 48 hours after arrest, when abuse by soldiers, police, and interrogators is most common. Police in the province of criminal responsibility at 12, allowing Israeli military law, these reforms have had little impact on improving treatment during the critical first 24 to 48 hours after arrest, when abuse by soldiers, police, and interrogators is most common.

4.2. Persons perceived as a security threat

Following the events of 7 October 2023, Israeli forces have carried out mass detentions, across the West Bank, resulting in a sharp increase in the number of Palestinian detainees. 191

According to Palestinian Commission for Detainees and Ex-detainees Affairs and the Prisoners Club, since 7 October 2023, the total number of arrested persons has reached 11,900¹⁹², including 760 children and 430 women. More than 10,000 orders of administrative detention have been issued since 7 October 2023, including both new orders and renewals. 193

According to OHCHR and the Special Rapporteur on the situation of human rights in the Palestinian territories, mass-arrest campaigns have taken place since 7 October 2023. Most of these arrests appeared arbitrary and have led to the detention of tens of thousands, including

¹⁸⁸ France24, We don't know where he is': Israel's administrative detention rates soar after October 7, 17 January 2024, url

¹⁸⁷ Addameer, On Administrative Detention, July 2017, <u>url</u>

¹⁸⁹ Defense for Children International Palestine, *Arbitrary by Default, Palestinian Children in the Israeli Military Court System,* May 2023, url. p. 11

¹⁹⁰ Addameer, *New Laws and Legal Amendments in 2023*, 2024, <u>url</u> pp. 3-5; Defense for Children International Palestine, *Arbitrary by Default, Palestinian Children in the Israeli Military Court System,* May 2023, <u>url</u>, p. 22 ¹⁹¹ JLAC, *Overview of the Situation in the West Bank including Occupied Jerusalem,* September 2024, <u>url</u>; OHCHR, *Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, 31 July 2024, url, p. 3

¹⁹² Commission of Detainees and Ex-Datainees Affairs, *Brief on Detention Campaigns carried out in the West Bank*, 6 November 2024, <u>url;</u> The New Arab, *Israeli settlers carry out rampage in West Bank, setting 20 Palestinian-owned vehicles on fire*, 4 November 2024, <u>url;</u> Middle East Eye, *Israeli forces detain at least 18 Palestinians across West Bank*, 9 November 2024, <u>url</u>

¹⁹³ Commission of Detainees and Ex-Datainees Affairs, *Brief on Detention Campaigns carried out in the West Bank*, 6 November 2024, <u>url</u>

academics, students, lawyers, journalists and human rights defenders who are designated as 'terrorists' or 'national security threats'. 194

In East Jerusalem, reports reveal that young men and boys, some as young as 14, are routinely stopped and questioned. Paids across the West Bank have targeted Palestinian men and youth in refugee camps and at checkpoints and have become increasingly routine. In Hebron's Fawwar camp, Israeli forces rounded up and interrogated all men and young males in the camp by virtue of being male, and subjected them to interrogation. Ten individuals were subsequently detained and transferred to Israeli detention camps. The majority of arrests are conducted upon suspicion of security-related offenses.

4.3. Specific profiles

4.3.1. Persons perceived as expressing anti-Israeli content on social media

As described in section 3.3, Israel's extensive surveillance technology and measures targeting Palestinians, allows authorities to identify protesters and maintain constant monitoring of the Palestinian population.¹⁹⁹ In a report issued by a number of local human rights NGOs, it was reported that Israeli authorities established a 'Vigilance Unit' to monitor social media accounts used by security authorities.²⁰⁰ This enables arrests on the pretext that posts and publications called for incitement and violence based on algorithms designed to identify profiles of individuals deemed likely to commit violence against Israel.²⁰¹ The program monitors the

¹⁹⁴ United Nations General Assembly, *Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*, 1 October 2024, <u>url</u>, p. 11; OHCHR, Thematic Report, *Detention in the context of the escalation of hostilities in Gaza (October 2023 - June 2024)*, 31 July 2024, <u>url</u>, pp. 7-8; OHCHR, *Israel's escalating use of torture against Palestinians in custody a preventable crime against humanity: UN experts*, 5 August 2024, <u>url</u>

¹⁹⁵ Middle East Eye, Israel-Palestine war: Israeli repression in Jerusalem spreads fear among Palestinians, 17 October 2023, url

 ¹⁹⁶ University World News, Academics, students face intensified campaign of arrests, 22 November 2023, url; Al Jazeera, Israeli raid on refugee camp in Hebron part of a 'silent war' on West Bank, 2 November 2024, url
 ¹⁹⁷ Al Jazeera, Israeli raid on refugee camp in Hebron part of a 'silent war' on West Bank, 2 November 2024, url
 ¹⁹⁸ Haaretz, Using Wartime Provision, Israel Holding Palestinian Detainees for Eight Days Without a Hearing, 8
 February 2024, url

¹⁹⁹ Amnesty International, Israel/OPT: Israeli authorities are using facial recognition technology to entrench apartheid, 2 May, 2023, url; Al Jazeera, 'Chilling effect': Israel's ongoing surveillance of Palestinians, 7 May 2023, url ²⁰⁰ Middle East Monitor, Israel arrested 390 Palestinians last year for 'inciting violence' on social media, 10 January 2022, url; NPR, In The West Bank, Facebook Posts Can Get You Arrested, Or Worse, 18 June 2015, url; Middle East Monitor, Israel arrested 410 Palestinians for social media activity in 2022, report says, 5 January 2023, url; CNN, 'The reaction is extreme': Palestinians fear arrest if they voice sympathy for Gaza civilians, 5 November 2023, url; Al Shabaka, Surveillance of Palestinians and the Fight for Digital Rights, 23 October 2017, url, Il Mitte, L'Intelligenza Artificiale e l'occupazione digitale della Palestina – intervista a Marwa Fatafta (Artificial Intelligence and the Digital Occupation of Palestine), 13 September 2024, url

²⁰¹ Middle East Monitor, *Israel arrested 390 Palestinians last year for 'inciting violence' on social media,* 10 January 2022 <u>url</u>; NPR, *In The West Bank, Facebook Posts Can Get You Arrested, Or Worse,* 18 June, 2015 <u>url</u>; Middle East Monitor, *Israel arrested 410 Palestinians for social media activity in 2022, report says,* 5 January 2023, <u>url</u>; CNN, *'The reaction is extreme': Palestinians fear arrest if they voice sympathy for Gaza civilians,* 5 November 2023, <u>url</u>; Al-Shabaka, *Surveillance of Palestinians and the Fight for Digital Rights,* 23 October 2017, url; Il Mitte, *L'Intelligenza*

Facebook accounts of tens of thousands of young Palestinians, scanning for specific terms such as "shaheed" (martyr), "Zionist state", "Al Quds" (Jerusalem), and "Al Aqsa". It also identifies accounts that share images of Palestinians who recently have been killed or imprisoned by Israeli forces. Consequently, this system targets individuals as potential "suspects" based on predictive analytics, rather than any actual acts (or intentions) of violence. According to the local Human Rights organisation, Adaameer, cited in Al Jazeera, Israeli authorities are closely monitoring social media, with a focus on any expressions of solidarity with Gaza, which are often viewed as promoting violence or supporting a terrorist organisation. Adaameer.

The number of Palestinians charged or arrested for using social media platforms has increased steadily in recent years. ²⁰⁴ In the aftermath of 7 October 2023, there has been a further increase in the number of Palestinians - both citizens of Israel and from the West Bank and Gaza - arrested for social media postings. ²⁰⁵ Information provided by the Israeli authorities stated that from 7 October 2023 until 27 March 2024, the Israeli police had arrested 401 individuals in East Jerusalem and Israel on suspicion of speech-related offenses. The police filed complaints against 667 individuals, of which 590 were Palestinians. ²⁰⁶ OHCHR has documented the arrest and mistreatment of Palestinians in the West Bank, including East Jerusalem over social media posts related to the 7 October 2023 attacks and to the subsequent escalation of hostilities in Gaza. Among those arrested are former prisoners, activists, human rights defenders, and journalists, some of whom were detained while performing their professional duties. ²⁰⁷ For example, a man was arrested, reportedly accused of incitement and "belonging to Hamas" because of Facebook posts perceived as undermining the gravity of the October 7 attacks. ²⁰⁸

4.3.2. Journalists and media professionals

Following 7 October 2023, an unprecedented number of journalists and media professionals have been arrested—often without charges or on charges of incitement or other security

Artificiale e l'occupazione digitale della Palestina – intervista a Marwa Fatafta (Artificial Intelligence and the Digital Occupation of Palestine), 13 September 2024, url

²⁰² Al Shabaka, Surveillance of Palestinians and the Fight for Digital Rights, 23 October 2017, url; Haaretz, Arrest of

Palestinians for Potential Terror Attacks Brings New Meaning to 'Minority Report', 24 April 2017, url

203 Al Jazeera, The thousands of Palestinians Israel arrests, tortures, holds even in death, 17 April 2024, url

²⁰⁴Middle East Monitor, Israel arrested 390 Palestinians last year for 'inciting violence' on social media, 10 January 2022 <u>url</u>; NPR, In The West Bank, Facebook Posts Can Get You Arrested, Or Worse, 18 June, 2015 <u>url</u>; CNN, 'The reaction is extreme': Palestinians fear arrest if they voice sympathy for Gaza civilians, 5 November 2023, <u>url</u>; Al-Shabaka, Surveillance of Palestinians and the Fight for Digital Rights, 23 October 2017, <u>url</u>

²⁰⁵ Middle East Monitor, *Israel arrested 390 Palestinians last year for 'inciting violence' on social media,* 10 January 2022, <u>url</u>

²⁰⁶ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza - October 2023-June 2024, 31 July, 2024 url, p. 23

 $^{^{207}}$ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p. 8

²⁰⁸ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p. 23

grounds.²⁰⁹ For instance, J-Media, a West Bank-based news agency, was banned by Israel on security grounds after covering the developments following 7 October 2023 on Facebook and TikTok. Three J-Media employees were arrested, and Israeli forces raided the home of the head of J-Media.²¹⁰ According to the Commission of Detainees and Ex-Detainees Affairs and Addameer, 136 journalist have been arrested since 7 October 2023 of which 59 were still imprisoned as of 24 November 2024.²¹¹

According to The International Federation of Journalists (IFJ), the substantial number of journalists arbitrarily arrested is part of a broader effort by Israel to discourage reporting on the ongoing military campaign.²¹²

According to the UN Special Rapporteur on Freedom of Opinion and Expression, and the Special Rapporteur on Human Rights in the Palestinian territories, attacks on journalists intensified after Israel's military offensive began on 27 August 2024 in the West Bank. These incidents include violence, harassment, intimidation, and obstruction targeting journalists. In September 2024, at least three incidents occurred in Jenin and Tulkarm, where ISF fired live ammunition at journalists or their vehicles as they covered military operations and civilian casualties. Despite wearing clearly marked press jackets, at least four journalists were injured.²¹³ The ISF also targeted Al Jazeera and its journalists, with instances of deadly violence leading to the killing of three journalists.²¹⁴

4.3.3. Human rights activists, protestors, artists and NGO workers Human rights defenders and protestors in the West Bank are often prosecuted under Israeli Military Order 101 (see section 4.1.), that criminalizes various civic activities, including

organizing protests, participating in assemblies, waving flags, distributing political materials, and any actions deemed as "political incitement". 215

Human Rights Watch described how information obtained through surveillance has been used to harass targeted organisation's and human rights defenders, including by intimidation, arbitrary detention of staff, travel bans, office raids, and confiscation of equipment.²¹⁶According to the UN, Israeli authorities are targeting human rights defenders in the West Bank, including East Jerusalem, through extended administrative detention without

²⁰⁹ IFJ, Palestine: Record number of Palestinian journalists' arbitrarily arrested by Israel, 29 May 2024, url

²¹⁰ CPJ, Palestinian journalists are being imprisoned by Israel in record numbers, 18 January 2024, url

²¹¹ Commission of Detainees and Ex-Detainees Affairs , Data on arrest campaigns carried out in the West Bank, 24 November 2024, url

²¹² IFJ, Palestine: Record number of Palestinian journalists' arbitrarily arrested by Israel, 29 May 2024, url

²¹³ OHCHR, UN experts urge Israel to stop attacks and harassment against journalists in occupied West Bank, 12 September 2024, url

²¹⁴ Al Jazeera, Israel closes Al Jazeera bureau in Ramallah: All you need to know, 22 September 2024, url

²¹⁵ Addameer, Human Rights Defenders, n.d., url

²¹⁶ HRW, Spyware Used to Hack Palestinian Rights Defenders, 8 November 2021, url, The Citizen Lab, Devices of Palestinian Human Rights Defenders Hacked with NSO Group's Pegasus Spyware, 8 November 2021, url

charges, as well as through humiliation and ill-treatment.²¹⁷ According to reports from B'Tselem, HaMoked, the Human Rights Defenders Fund (HRDF), and other NGOs, the ISF arbitrarily arrests and detains NGO workers, Palestinian protesters and activists targeting in particular those protesting against Palestinian home demolitions and the killing of Palestinians.²¹⁸ Since 7 October 2023, the ISF has also targeted artists with violence and intimidation and cultural centers and events are frequently disrupted or shut down under the pretext of security concerns.²¹⁹

Despite the lack of evidence or independent witnesses, and the vague or empty basis of the charges often brought against human rights defenders and activists, the majority are found guilty of committing a security offense and sentenced to a term of imprisonment.²²⁰

Human rights defenders have been arrested without warrant, either at their homes, at checkpoints or upon returning from abroad. The Special Rapporteur has reported on five human rights defenders that were placed in administrative detention for periods ranging from four to six months, with the possibility of indefinite renewal.²²¹

4.3.4. Other Profiles

Persons at risk of forced cooperation with the Israeli authorities

There are reports on how Israeli intelligence officers, under the cyber warfare unit 8200, are surveilling Palestinians in order to find out vulnerabilities or compromising material in form of information or imagery that can be used to coerce or pressure Palestinians to cooperate with the Israeli intelligence. This practice, known as 'Isqat', has primarily targeted the LGBTIQ+ community with threats to cooperate with the Israeli intelligence in exchange for not being outed to their communities. The practice of 'Isqat' is also used against vulnerable groups such as

²¹⁷ OHCHR, Israeli authorities must stop targeting Palestinian human rights defenders: Special Rapporteur, 24 July 2024. url

²¹⁸ USDoS, *2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza,* April 22 2024, <u>url</u>, pp. 24-25

²¹⁹ Jerusalem Story, *Police Shut Down Screening of Gaza Films at Yabous Cultural Centre*, 10 August 2024, url, Middle East Eye, *Israel's attack on the Freedom Theatre in Jenin camp is part of a cultural genocide*, 15 December 2023, url; NPR, *Artists rally in support of West Bank theater members detained since Dec. 13*, 20 December 2023, url; NPR, *How a West Bank Palestinian theater went from symbol of hope to casualty of war*, 28 January 2024, url; Al Jazeera, *'No safe place': Jenin's Freedom Theatre raided, daubed with Star of David*, 20 December 2023, url ²²⁰ Addameer, *Human Rights Defenders*, n.d., url; OHCHR, *Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, 31 July 2024, url, p. 8

²²¹ OHCHR, Israeli authorities must stop targeting Palestinian human rights defenders: Special Rapporteur, 24 July 2024, url; OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p. 8

²²² Al Jazeera, *Israel's Automated Occupation: Jerusalem,* 13 May 2023, <u>url</u>; Reuters, *What is Israel's secretive cyber warfare unit 8200?*, 18 September 2024, <u>url</u>

²²³ Al Jazeera, *Israel's Automated Occupation: Jerusalem,* 13 May 2023, <u>url</u>, Arab Reform Initiative, *Policing the Digital Sphere: The Impact of Palestine's Cybercrime*, 11 October 2018, <u>url</u>,

Immigration and Refugee Board of Canada, Responses to Information Requests, PSE106175.E, 23 November 2018, url; Drop Site, How Israel's Elite Intelligence Unit Targets Queer Palestinians in the West Bank, 30 August 2024, url

individuals or family members needing permits to enter Israel for medical treatment²²⁴, women or men who have had sexual affairs outside of marriage and Palestinians with financial problems or drug use.²²⁵

Since 7 October 2023, and as part of the ISF incursions in the West Bank, mass arrests also included family members of "wanted persons", who were detained in order to compel wanted family members to hand themselves over to ISF²²⁶, and according to USDOS, the ISF is known for punishing family members for alleged offenses by a relative.²²⁷

Former prisoners

Since 7 October 2023, thousands of former prisoners have reportedly been rearrested on suspicion of posing a threat to Israel, according to former detainees and rights organisations.²²⁸ For example, in an incident in the town of Dura close to Hebron, an arrest campaign took place targeting more than 20 former prisoners, who were subjected to mistreatment.²²⁹ According to Addameer, individuals with past security-related issues or prior records are specifically targeted.²³⁰

Academic staff and students

Following the first two weeks after 7 October 2023, an estimated 300 students have been arrested.²³¹ Israeli forces have conducted multiple raids on universities in the West Bank after 7 October 2023, including in Birzeit University, Palestine Technical University and An-Najah National University. The ISF targeted both staff and students. Students were subjected to abduction, assault or detention often without clear charges. University property was also

²²⁴ Al Jazeera, *Israel's Automated Occupation: Jerusalem*, 13 May 2023, <u>url</u>; Immigration and Refugee Board of Canada, *Responses to Information Requests, PSE106175.E*, 23 November 2018, <u>url</u>; Drop Site, *How Israel's Elite Intelligence Unit Targets Queer Palestinians in the West Bank*, 30 August 2024, <u>url</u>

²²⁵ Al Jazeera, *Israel's Automated Occupation: Jerusalem,* 13 May 2023, <u>url</u>; Immigration and Refugee Board of Canada, *Responses to Information Requests, PSE106175.E,* 23 November 2018, <u>url</u>; Drop Site, *How Israel's Elite Intelligence Unit Targets Queer Palestinians in the West Bank,* 30 August 2024, <u>url</u>

²²⁶ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024),31 July 2024 <u>url</u>, p.7; OHCHR, The human rights situation in the occupied West Bank including East Jerusalem 7 October - 20 November 2023, 27 December 2023, <u>url</u>, p. 11; CPJ, Palestinian journalists are being imprisoned by Israel in record numbers, 18 January 2024, <u>url</u>

²²⁷ USDoS, 2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, url, p. 3

²²⁸ Al Jazeera, *The thousands of Palestinians Israel arrests, tortures, holds even in death*, 17 April 2024, <u>url</u>; Middle East Eye, Israel brands Palestinian detainees in West Bank with numbers on their foreheads, 1 November 2024, <u>url</u>; Middle East Monitor, *Israel arrested 10,700 Palestinians in West Bank, Jerusalem since 7 October*, 13 September 2024, <u>url</u>; WAFA News Agency, *Israeli forces detain 15 Palestinians, including former prisoners, in West Bank*, 6 July 2024, <u>url</u>

²²⁹ Middle East Eye, *Israel brands Palestinian detainees in West Bank with numbers on their foreheads,* 1. November 2024, url

²³⁰ Al Jazeera, The thousands of Palestinians Israel arrests, tortures, holds even in death, 17 April 2024, url

²³¹ University World News, Academics, students face intensified campaign of arrests, 22 November 2023 url

destroyed during the raids.²³² Teachers and scholars have also been detained outside of educational settings at checkpoints or at home.²³³ Settler attacks on schools, including on students and teachers, have increased after 7 October 2023.²³⁴

Health care workers

Between 7 October 2023 and 14 September 2024, WHO reported that medical workers in the West Bank have been attacked 600 times. Because of those attacks, 25 have been killed, 109 injured, and 56 medical facilities, 20 mobile clinics and 427 ambulances have been damaged.²³⁵

Health care workers have been subjected to direct physical harm, with paramedics injured while providing first aid, detention and use of force on health care workers and military searches of ambulances and staff.²³⁶ For example, in Tulkarem, military raids by Israeli forces are growing more frequent with obstruction and restriction of access to healthcare done routinely. Healthcare workers are being harassed, targeted, or otherwise impeded while injured individuals often cannot access hospitals.²³⁷ The Palestine Red Crecent Society (PRCS) in the West Bank recently begun providing its teams with bulletproof vests, helmets, and tear gas masks in response to incidents of direct targeting of healthcare workers.²³⁸

4.4. Treatment and conditions of arrested and detained persons

The Israeli prison system consists of more than 25 prisons, detention centers and interrogation centers run by Israel across the West Bank. ²³⁹

Since 7 October 2023, reports indicate that there has been a rise in torture and degrading treatment against Palestinian prisoners, with many subjected to severe beatings, humiliation,

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²³² Committee on Academic Freedom, *Letter addressing ongoing violations of academic freedom in occupied Palestinian Territories*, 20 March 2024, <u>url</u>; Le Monde, *West Bank's most prestigious university once again navigates teaching during wartime*, 5 January 2024, <u>url</u>; Birzeit University, *Statement by Birzeit University on the Israeli Military Raid on its Campus and Detention of its Students*, 25 September 2023, <u>url</u>; Al Jazeera, The Take: At Birzeit University, the fight for education under occupation, 28 August 2024, <u>url</u>

²³³ Middle East Monitor, *Israel occupation forces detain Palestinian teachers at military checkpoint near Bethlehem*, 18 September 2024, <u>url</u>, OHCHR, *Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, 31 July 2024, url, p. 8

²³⁴ Middle East Monitor, *Israel occupation forces detain Palestinian teachers at military checkpoint near Bethlehem*, 18 September 2024, <u>url</u>; Le Monde, *West Bank's most prestigious university once again navigates teaching during wartime*, 5 January 2024, <u>url</u>; Birzeit University, *Statement by Birzeit University on the Israeli Military Raid on its Campus and Detention of its Students*, 25 September 2023, <u>url</u>

²³⁵ WHO, oPt Emergency Situation Update 45 (7 Oct 2023 - 18 Sep 2024), 21 September 2024, <u>url</u>

²³⁶ MSF, West Bank: Intensifying Israeli incursions put medical care at risk, 6 September 2024, url; WHO, WHO concerned about escalating health crisis in West Bank, 14 June 2024, url; WHO, Increasing attacks on health care & health worker testimony, 2024, url; PHR, 1000 Attacks on Health Care in the Occupied Palestinian Territories (OPT) Devastate Health System, Demand Accountability: PHR, 2 August 2024, url

²³⁷ MSF, Treating open wounds in Tulkarem, West Bank, 31 October 2024, <u>url</u>, MSF, In the West Bank, Israeli forces render healthcare inaccessible when it's needed most, 13 June 2024, <u>url</u>

²³⁸ WHO, Increasing attacks on health care & health worker testimony, 2024, url

²³⁹ Addameer, Prison and Detention Centers, n.d., url

and denial of basic rights, such as access to legal counsel and contact with families.²⁴⁰ Leaked footage and interviews with prison officials reveal widespread abuse, including torture, degradation, and even rape, with at least 12 detainees dying due to torture or denied medical care.²⁴¹

According to OHCHR, detainees, including women and children, have reported worse conditions in detention facilities where they have faced physical assaults, beatings, and a range of severe abuses. These include prolonged blindfolding, deprivation of food, sleep, water, and medical care, as well as exposure to cold, being forced to kneel on gravel, blackmailing and deliberate humiliation. Other reported abuses include electric shocks, cigarette burns, forced use of hallucinogenic pills and being held in cage-like conditions. Detainees were also forced to remain naked or in diapers for extended periods, denied toilet access, subjected to waterboarding, and left suspended for hours with their hands tied to the ceiling.²⁴²

According to the OHCHR, ISF allegedly committed acts of sexual and gender-based violence against detained men and women from Gaza, the West Bank, and East Jerusalem. These acts reportedly involved forced nudity of both men and women, beatings while naked, including on the genitals, electrocution of the genitals and anus, repeated humiliating strip searches, widespread sexual slurs, threats of rape, and inappropriate touching of women by both male and female soldiers. Victim testimonies and video evidence suggested that some nearly naked male detainees were filmed and photographed in deliberately humiliating positions. ²⁴³ In at least one instance, video evidence shows blindfolded and handcuffed male Palestinian detainees being transported completely naked. OHCHR has also received consistent reports of ISF personnel inserting objects into detainees' anuses. ²⁴⁴ According DCIP, on average between 500-700 Palestinian children aged 12-17 are arrested and prosecuted in Israel's military detention system annually and are often subjected to widespread and systematic ill-treatment throughout the process. Since 2000, over 13,000 Palestinian children have been detained, with an average of 225 in custody at any given time, according to DCIP estimates. ²⁴⁵ Most children are handcuffed, blindfolded, and about 75% endure physical violence during or before

²⁴⁰ JLAC, Overview of the Situation in the West Bank including Occupied Jerusalem, September 2024, <u>url</u>; B'Tselem, Welcome to Hell, The Israeli Prison System as a Network of Torture Camps, August 2024, <u>url</u>, p. 26

²⁴¹ UN, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Genocide as colonial erasure, 1 October 2024, url, p. 11

 $^{^{242}}$ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, $\underline{\text{url}}$, p. 12

²⁴³ OHCHR, *Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024),* 31 July 2024, <u>url</u>, p. 12; B'Tselem, Welcome to Hell, The Israeli Prison System as a Network of Torture Camps, August 2024, <u>url</u>, pp. 58-59

²⁴⁴ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p. 12

²⁴⁵ Defense for Children International Palestine, *Arbitrary by Default, Palestinian Children in the Israeli Military Court System,* May 2023, <u>url</u>, pp. 20-22

interrogation.²⁴⁶ Palestinian children in Israeli-run prisons have been facing increasing hunger and abuse, including sexual violence, with conditions deteriorating markedly since 7 October 2023 and contagious diseases such as scabies on the rise.²⁴⁷

4.4.1. Interrogations

The Israeli authorities have stated that they use "exceptional measures" in some interrogations. It has been reported that these measures include beatings, stress positions, incommunicado detention, sexual harassment, threats, painful restraints, religious humiliation, sleep deprivation, extreme temperatures, and threats to detainees' families.²⁴⁸

4.4.2. Conditions of confinement

Following the mass arrests by Israel in the West Bank and Gaza after 7 October 2023, prison overcrowding surged as authorities exceeded cell capacity. The prison state of emergency meant that the Israeli authorities could bypass the Supreme Court's ruling on minimum living spaces in prisons. According to testimonies collected in Israeli NGO B'Tselems report "Welcome to Hell, The Israeli Prison System as a Network of Torture Camps", cells meant for six prisoners are holding 12 to 14, with some inmates forced to sleep on the floor.²⁴⁹ Israel's Minister of National Security has openly stated that Palestinian prisoners, labeled as 'terrorists,' were deliberately subjected to harsh treatment.²⁵⁰

Food restrictions have led to hunger and malnutrition; hygiene and health conditions are poor; and water has reportedly only been available for one hour per day over several weeks. Prisoners have been exposed to cold temperatures while their blankets were confiscated. ²⁵¹ Recreational and outdoor activities have been restricted, and detainees' belongings have been confiscated. Collective and public prayers have been banned, and any violations of the rules resulted in collective punishment for all inmates. ²⁵²

²⁴⁶ Defense for Children International Palestine, *Arbitrary by Default, Palestinian Children in the Israeli Military Court System,* May 2023, url, p. 22

²⁴⁷ Save the Children, *Physical abuse, infectious disease spreading as conditions for Palestinian children in Israeli military detention deteriorate*, 22 July 2024, <u>url</u>

 $^{^{248}}$ USDoS, 2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, \underline{url} , p. 7

²⁴⁹ B'Tselem, Welcome to Hell, The Israeli Prison System as a Network of Torture Camps, August 2024, <u>url</u>, p. 26 ²⁵⁰ OHCHR, *Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, 31 July 2024, <u>url</u>, p. 9

²⁵¹ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, <u>url</u>, pp. 9-10; B'Tselem, Welcome to Hell, The Israeli Prison System as a Network of Torture Camps, August 2024, <u>url</u>, pp. 74-82

²⁵² OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, <u>url</u>, pp. 9-10

5. Profiles targeted by the Palestinian Authority

5.1. Legal Context

5.1.1. Key legislative provisions

The PA's Basic Law, which applies in the West Bank and Gaza, prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court.²⁵³ Under PA law, arrests typically require a warrant and allow for a prompt judicial review to determine the legality of detention. However, there are exceptions where the PA can make warrantless arrests.²⁵⁴

The Basic Law provides general protection for freedom of expression but lacks explicit guarantees for press and media freedom. In 2017, the PA enacted a controversial cybercrime law (Law No. 16) by presidential decree, which was widely criticized for suppressing dissent and restricting media freedom in the West Bank.²⁵⁵ Law No. 10 replaced this law in 2018, but according to NGO's, the law continues to limit press and media freedom through practices like harassment, intimidation, and arrests by Palestinian security forces.²⁵⁶

According to PA law, libel, slander and defamation are considered criminal offenses under the Defamation law. However, the PA reportedly used the law to limit public discourse and target journalists or political opponents.²⁵⁷

5.2. Persons perceived as opposing the PA

The PA governs in an authoritarian manner²⁵⁸, and has continuously restricted the rights of Palestinians to free assembly, association and expression.²⁵⁹

²⁵³ USDoS, West Bank and Gaza Strip, Human Rights Report 2022, 20 March, 2023, url, p. 13

²⁵⁴ US DoS, *2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza,* April 22 2024, <u>url,</u> p. 19

²⁵⁵ Arab Reform Initiative, *Policing the Digital Sphere: The Impact of Palestine's Cybercrime Legislation*,11 October 2018, <u>url</u>; Al Haq, *Al-Haq's Position Paper on the Law by Decree on Cybercrimes and Blocked Websites*, 1 November 2019, <u>url</u>; Association for Progressive Communication, *Has the Palestinian Cybercrime Law really been amended?* 13 August 2024, <u>url</u>

²⁵⁶Arab Reform Initiative, *Policing the Digital Sphere: The Impact of Palestine's Cybercrime Legislation*,11 October 2018, url; Al Haq, *Al-Haq's Position Paper on the Law by Decree on Cybercrimes and Blocked Websites*, 1 November 2019, url; Association for Progressive Communication, *Has the Palestinian Cybercrime Law really been amended*? 13 August 2024, url; US DoS, *West Bank and Gaza Strip, Human Rights Report 2022, 20 March 2023*, url, p. 34; Arab Reform Initiative, *Policing the Digital Sphere: The Impact of Palestine's Cybercrime Legislation*,11 October 2018, url; Al Haq, *Al-Haq's Position Paper on the Law by Decree on Cybercrimes and Blocked Websites*, 1 November 2019, url; Association for Progressive Communication, *Has the Palestinian Cybercrime Law really been amended*? 13 August 2024, url; 7amleh, *Privacy and Personal Data Protection in Palestine*, 20 June 2020,url, p. 7-8

²⁵⁷ US DoS, *2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza,* 22 April 2024, url, p. 76

²⁵⁸ Freedom House, West Bank: Freedom in the World 2024, Country Report, 2024 url

²⁵⁹ Al Jazeera, PA security forces are not serving the Palestinian people, 14 July 2021, url

5.2.1. Journalists, critics and other opponents

The PA has routinely carried out arbitrary arrests of critics and opponents, including union leaders, journalists, activists, students on university campuses, protesters at demonstrations social media critics, and alleged Hamas supporters. During protests, PA Security Forces has used live ammunition, tear gas, and stun grenades, resulting in civilian casualties, including injuries and deaths among children. Critics and opponents were often detained based on charges of insulting "higher authorities" and creating "sectarian strife".

In its Freedom Report from 2024, Freedom House stated that journalists and others who attempt to examine or question PA policies or internal operations face intimidation and harassment.²⁶³ According to LFJ, the PA pressured and intimidated critics to encourage self-censorship, often involving them in lengthy judicial cases.²⁶⁴ According to USDOS, referring to NGOs, it is common for the PA to harass or punish family members for alleged offenses committed by a relative.²⁶⁵ There have been several reports on the PA's surveillance of West Bank residents particularly targeting journalists, people opposed to the government, activists and human rights defenders by using hacker groups linked to the PA to infiltrate devices and collect sensitive information.²⁶⁶ According to Freedom House, the PA and Israeli forces in the West Bank have collaborated on surveillance since 2007. ²⁶⁷

5.2.2. Political opponents and political activists

After 7 October 2023, the PA's security forces arrested perceived political opponents and carried out multiple crackdowns on pro-Gaza demonstrators.²⁶⁸ For example, in a case documented by OHCHR, on 30 April 2024, the Palestinian General Intelligence Service (GIS) detained five Palestinian men, four of whom were accused of having ties to Hamas, reportedly

²⁶⁰ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024),

³¹ July 2024 <u>url p.16</u>, Council on Foreign Relations, *Who Governs the Palestinians?*, 28 May, 2024, <u>url</u>, Human Rights Watch, *Born without civil rights*, November 2019, <u>url</u>, p.13

²⁶¹ Al Jazeera, *Palestinian Authority cracks down on protests over Israel Gaza attacks*, 18 October 2023, <u>url</u>

²⁶² Human Rights Watch, *Born without civil rights*, November 2019, url, p.13

²⁶³ Freedom House, West Bank: Freedom in the World 2024, n.d., url

²⁶⁴ US DoS, 2023 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, url, p. 76

²⁶⁵ US DOS, West Bank and Gaza Strip, Human Rights Report 2023,22 April 2024, url, p. 40

²⁶⁶ Meta, *Taking Action Against Hackers in Palestine*,21 April 2021, url; 7amleh, *The Palestinian Digital Rights Coalition Calls on the Palestinian Government in the West Bank and Gaza Strip to Stop Violating the Right to Privacy*, 22 April 2021, url, Daraj, *White Wolf, Pegasus, and Predator: Israeli Spyware Has Failed in Gaza* 27 November 2023, url, ACM Digital Library, *Digital repression in Palestine*, May 2024,url

²⁶⁷ Freedom House, West Bank: Freedom in the World 2024, n.d., url

²⁶⁸ Al Jazeera, *Palestinian Authority cracks down on protests over Israel Gaza attacks*, 18 October 2023, url

for putting up posters in Hebron that featured greetings from the Al Qassam Brigade for the Muslim Holiday of Eid al-Fitr.²⁶⁹

Freedom House reported that the PA takes a harsh stance toward political supporters of Hamas and against President Abbas's rivals within his own Fatah party.²⁷⁰

Throughout 2023, the LFJ recorded 812 cases of political detentions by PA security services in the West Bank. LFJ also represented 168 individuals detained on the grounds of political detentions, in cases mainly pertaining to social media activity, political affiliations, or participation in protests.²⁷¹ According to the US DoS Human Rights Report, covering 2023 there was no reliable estimate of the number of political prisoners held by the PA in the West Bank.²⁷²

Some political detainees were labeled as "collaborators" for engaging in initiatives with Israelis not supported by the PA. The detainees reportedly faced threats of violence, property damage, and denial of medical treatment from the PA and affiliated groups. Additionally, family members were allegedly denied medical treatment at PA health facilities and were pressured to disown the detained family member.²⁷³

The PA and Israeli forces in the West Bank continued collaborating to suppress political groups with armed wings, such as Hamas and the Popular Front for the Liberation of Palestine (PFLP). Their joint actions included periodic mass arrests, and the closure of institutions affiliated with these groups.²⁷⁴

5.3. Treatment of arrested and detained persons by the PA

Following 7 October 2023, the PA continued to conduct arbitrary detention and subjecting individuals to torture or other forms of mistreatment in the West Bank, reportedly with the main objective of silencing criticism and political opposition.²⁷⁵ Both minors and adults have reportedly experienced mistreatment, including beatings, enforced stress positions,

²⁶⁹ OHCHR, Thematic Report, Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024),31 July 2024 <u>url</u> p.16

²⁷⁰ Freedom House, West Bank: Freedom in the World 2024, n.d., url

²⁷¹ US DoS, West Bank and Gaza Strip, Human Rights Report 2023, 22 April 2024, p.p. 23-24, url

²⁷² USDoS, *2023 Country Reports on Human Rights Practices: West Bank and Gaza: Israel, West Bank and Gaza, 22* April 2024, url, p. 31

²⁷³ USDoS, *2023 Country Reports on Human Rights Practices: West Bank and Gaza: Israel, West Bank and Gaza, 22* April202 4, url, p. 31

²⁷⁴ Freedom House, West Bank: Freedom in the World 2024, n.d., <u>url</u>

²⁷⁵ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p.p. 16-17; US DOS 2023 US DoS, West Bank and Gaza Strip, Human Rights Report 2023,22 April 2024, url, p. 23

intimidation, coercion to confess, and solitary confinement.²⁷⁶ Conditions in prisons run by the PA are reportedly poor, mainly due to overcrowding and infrastructure issues.²⁷⁷

One detainee described in a Human Rights Watch Report as being subjected to electrical shocks and extreme physical abuse, including having a cord tied around his genitals. He also witnessed another detainee's shoulder being dislocated after officers struck him with a chair while his hands were bound, an account confirmed by the detainee's family.²⁷⁸

Jericho prison, controlled by the PA, holds a range of detainees, including members of Hamas, Islamic Jihad, and political activists who oppose the PA. Despite torture being illegal under Palestinian law, it remains widespread, and complaints about abuse are frequently filed, although many cases go unreported.²⁷⁹Detainees held at the Jericho facility report severe physical and emotional torture, including beatings, being tied in painful stress positions, deprivation of food and sleep, and threats of violence against their families. Testimonies describe conditions where detainees suffer significant weight loss and severe physical and psychological trauma.²⁸⁰

Amnesty International and other NGOs reported that the PASF isolated some detainees preventing access to legal counsel and external monitors throughout the duration of interrogation, which in effect is incommunicado detention. There were reports that prison administrators denied some detainees visits from family members.²⁸¹

Generally, PA authorities inform detainees of the charges, though sometimes not until interrogation. Bail and conditional release are available at the discretion of the judiciary, and detainees are granted access to legal representation. PA courts consistently uphold the right to counsel for indigent defendants in felony cases, but those facing misdemeanor charges often do not receive legal aid, although NGOs occasionally succeed in providing representation for indigent juveniles and adults.²⁸²

NGOs have reported that the PA Security Forces (PASF) sometimes isolate detainees from outside monitors, legal counsel, and family during interrogations, effectively holding them

 $^{^{276}}$ OHCHR, Thematic Report Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024), 31 July 2024, url, p.17

²⁷⁷ USDoS, *2023 Country Reports on Human Rights Practices: West Bank and Gaza: Israel, West Bank and Gaza,* April 22 2024, url, p. 14-15

²⁷⁸ HRW, Joint Submission by Human Rights Watch and Lawyers for Justice to the Committee Against Torture on Palestine, 30 June 2022, url

²⁷⁹ Israel Hayom, *PA torturing detainees at notorious Jericho prison*, 29 June 2022, <u>url</u>

²⁸⁰ HRW, Joint Submission by Human Rights Watch and Lawyers for Justice to the Committee Against Torture on Palestine, 30 June 2022, wrl; Israel Hayom, PA torturing detainees at notorious Jericho prison, 29 June 2022, wrl; Arab Organisation for Human Rights in the UK, Jericho Prison, A Palestinian "Abu Ghraib", 17 March 2015, url; Arab

²⁸¹ US DoS, West Bank and Gaza Strip, Human Rights Report 2022, 20 March 2023, url, p. 14

²⁸² USDoS, 2024 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, 22 April 2024, url

incommunicado. There are also reports of prison officials denying family visits to some detainees. The PA's Military Intelligence organization is responsible for investigating and arresting both PASF personnel and civilians suspected of security offenses, such as terrorism.²⁸³

²⁸³ USDoS, 2024 Country Reports on Human Rights Practices: Israel, West Bank and Gaza: Israel, West Bank and Gaza, April 22 2024, <u>url</u>

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Annex 1: Terms of Reference

1. Military Operations in the West Bank

- 1.1. Impact on civilians and civilian infrastructure
- 1.2. Displacement and evictions

2. Settler violence

- 2.1. Settler violence
- 2.2. Displacement

3. Freedom of movement

- 3.1. Movement restrictions
- 3.2. Treatment of civilians at checkpoints etc.
- 3.3. Implications on access to work and basic needs (including food, water, health care)

4. Treatment of Palestinians by Israel and the PA in the West Bank

- 4.1. Targeted groups / profiles
- 4.2. Treatment of arrested and detained persons
- 4.3. Conditions in confinement