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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights situation in Palestine and other occupied Arab territories

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

Report of the United Nations High Commissioner for Human Rights*

Summary

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

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



I. Introduction

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

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

3. During the reporting period, Israeli settlement expansion continued at a rapid pace in the occupied West Bank, including East Jerusalem. Settlers established 13 new outposts, continuing a decade-long trend of increase. Demolitions of Palestinian property and incidents of settler violence reached the highest levels ever recorded by the United Nations and settler violence became more severe. In most settler violence incidents monitored, the Israeli security forces failed to protect the Palestinian population, and in many cases used excessive force³ against Palestinians. Furthermore, in many instances, the Israeli security forces used excessive force when Palestinians protested against settlement expansion and outposts. Widespread impunity for settler violence and for the excessive use of force by the Israeli security forces remained a serious concern. These developments further exacerbated the coercive environment in many Palestinian communities described in previous reports and increased the risk of forcible transfer.⁴

II. Legal framework

4. International human rights law and international humanitarian law apply concurrently in the Occupied Palestinian Territory, namely Gaza and the West Bank, including East Jerusalem. In particular, Israel is bound by the obligations of an occupying Power as set out in international humanitarian law. A detailed analysis of the relevant legal framework is contained in two reports of the Secretary-General.⁵

¹ [A/76/333](#), [A/76/336](#), [A/HRC/49/25](#) and [A/HRC/49/83](#).

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

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

⁴ [A/76/336](#), sect. IV; [A/HRC/46/65](#), para. 48; and [A/HRC/46/22](#), para. 4.

⁵ [A/HRC/34/38](#) and [A/HRC/34/39](#).

III. Activities related to settlements

A. Settlement expansion

Land designation, planning and tenders

5. During the reporting period, the number of new tenders and construction starts increased, while the advancement or approval of new plans decreased. Israeli authorities issued tenders for a total of 3,600 units in West Bank settlements, including almost 300 in East Jerusalem, compared with 3,200 units during the previous reporting period. Plans for some 7,100 housing units in West Bank settlements, including approximately 500 in East Jerusalem,⁶ were advanced or approved, compared with some 9,300 units during the previous reporting period.⁷ Official data on settlement construction starts indicated a 40 per cent increase, with an average monthly rate of 142 units, compared with 101 units during the previous reporting period.⁸

6. Settlement advancements continued with the aim of further consolidating a ring of settlements around occupied East Jerusalem continued. On 20 May, the Jerusalem District Planning Committee approved the Har Homa E plan for 540 additional housing units, which would connect the existing Gilo and Har Homa settlements. On 13 October, the Jerusalem Local Planning Committee approved the designation of land for Gi'vat Hamatos, which would be the first new settlement built over the Green Line in Jerusalem in over two decades. On 4 and 18 October, the Israeli Civil Administration held hearings on objections to plans for nearly 3,500 units in the strategic E1 area.⁹ This area is home to Palestinian Bedouin communities, including some 7,500 residents whom Israeli authorities had already expressed an intention to forcibly displace under previously attempted relocation plans.¹⁰ The completion of the plans for Givat Hamatos, Har Homa E and the E1 area would create a contiguous built-up area of Israeli settlements along the southern and eastern perimeters of East Jerusalem, sever the connection between the northern and southern West Bank and detach East Jerusalem from the rest of the West Bank, thereby seriously undermining the possibility of a viable and contiguous Palestinian State.¹¹

7. In mid-October, construction of a new residential compound in the Jewish settlement in Hebron began. On 24 October, the Israel Land Authority announced tenders for some 1,350 settlement housing units, half of them in the settlement of Ariel, in the middle of the northern West Bank, with serious implications for future Palestinian development in the area.¹² On 27 October, the High Planning Committee of Israel advanced plans for some 3,100 housing units in Area C.

8. On 29 November 2020, in a potential precedent for several other pending cases, the High Court of Justice of Israel “legalized” 224 dunums of land for the settlement of Kokhav Ya'aqov,¹³ which is built on private and traditional village lands of the Palestinian town of Kafr Aqab. On 17 January 2021, Israel declared as “State land” 286 dunums between the

⁶ Information provided by the Office of the United Nations Special Coordinator for the Middle East Peace Process.

⁷ [A/HRC/46/65](#), para. 8.

⁸ Information provided by the Office of the United Nations Special Coordinator for the Middle East Peace Process.

⁹ [A/75/376](#), para. 43; <https://www.ir-amim.org.il/en>; and <https://unsco.unmissions.org/security-council-briefing-19-october-2021>.

¹⁰ [A/HRC/31/43](#), paras. 46 and 68; and [A/67/372](#), para. 55. See also [A/70/421](#), para. 43.

¹¹ [A/75/376](#), para. 61.

¹² [S/2021/1047](#), para. 5.

¹³ See

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

settlements of Modi'in Illit and Kfar Haoranim, and 71 dunums near the settlement of Na'aleh,¹⁴ apparently with the intention to allocate land for settlement expansion.¹⁵

9. Settlers established 13 new outposts,¹⁶ illegal also under Israeli domestic law, continuing a decade-long trend of increase.¹⁷ Of the total, nine were unauthorized agricultural farms, which have a devastating impact on surrounding Palestinian communities.¹⁸ Israeli authorities demolished one outpost and evacuated another, pending an Israeli land survey to determine the status of the land (see para. 43).¹⁹ On 11 May, the Israeli High Court of Justice ordered the eviction of Israeli settlers from 170 dunums of land in Shiloh Valley, near the settlement of Shevot Rahel, by 1 October, but later postponed the eviction until 1 February 2023.²⁰ Four plans retroactively regularizing outposts were advanced.²¹ On 16 December 2020 and 10 May 2021, the Knesset advanced, in preliminary votes, bills aimed at legalizing approximately 65 outposts and mandating that they should be treated as authorized settlements in the interim, with their residents receiving all municipal services.²² On 18 July, the Israeli High Court of Justice dismissed a 2019 petition to stop the transfer of State funds to the Amana settler organization, which finances settlement activity, including unauthorized outposts.²³

Consolidation of settlements

10. Israel continued to unlawfully consolidate settlement blocs with networks of bypass roads and the Wall, endangering the viability of a two-State solution and having a severe impact on the rights of Palestinians. While Israel has implemented extensive infrastructure projects to facilitate the movement of settlers, the movement of Palestinians in the West Bank continued to be restricted, severely infringing upon their freedom of movement and access to services and livelihoods.²⁴ Construction began on the Qalandiya underpass highway,²⁵ which would connect Jerusalem to a cluster of settlements deep inside the West Bank. Private Palestinian land would be seized to construct the highway.²⁶ Four other plans for roads in the West Bank were advanced.²⁷

11. A key current issue in settlements and human rights is land registration. In May 2018, the Government of Israel decided that 50 per cent of land ownership in occupied East Jerusalem should be registered by the fourth quarter of 2021 and the rest by the end of 2025.²⁸ As at 31 October, the registration had begun for 70 plots of land throughout occupied East Jerusalem, including Beit Hanina, Sur Baher, Sheikh Jarrah, Issawiya, Hizma and At-Tur.²⁹ As the occupying Power, Israel is prohibited from applying its domestic laws in occupied

¹⁴ Information provided by Peace Now.

¹⁵ [A/76/336](#), para. 41. See also https://f35bf8a1-b11c-4b7a-ba04-05c1ffae0108.filesusr.com/ugd/cdb1a7_04c9fe5f2c954d17953d9c5114041962.pdf.

¹⁶ Information provided by Peace Now.

¹⁷ [A/76/336](#), para. 9.

¹⁸ *Ibid.*, sect. IV; [A/75/376](#), para. 10; and [A/HRC/40/42](#), para. 39.

¹⁹ Information provided by Peace Now.

²⁰ See <https://www.haaretz.com/israel-news/.premium.HIGHLIGHT-israel-s-top-court-delays-settler-evacuation-until-after-jewish-farming-sabbatical-1.10302191>.

²¹ Information provided by Peace Now.

²² See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_21_december_2020_2334.pdf.

²³ See <https://www.haaretz.com/israel-news/.premium-high-court-rejects-petition-to-halt-public-funds-to-settlement-movement-1.10012528>.

²⁴ [A/HRC/46/65](#), para. 13.

²⁵ See <https://mailchi.mp/ir-amim/civil-administration-advances-huge-road-construction-plans-pushing-forward-the-de-facto-annexation-of-greater-jerusalem?e=f7e1245427> and <https://peacenow.org.il/en/works-begun-on-paving-the-qalandiya-underpass>.

²⁶ See <https://mailchi.mp/ir-amim/civil-administration-advances-huge-road-construction-plans-pushing-forward-the-de-facto-annexation-of-greater-jerusalem?e=f7e1245427>.

²⁷ Information provided by Peace Now.

²⁸ See https://www.gov.il/he/departments/policies/dec3790_2018. For further information, see https://www.ir-amim.org.il/sites/default/files/3790%20Monitor%20Report_May%202021_English_0.pdf.

²⁹ Information provided by the Norwegian Refugee Council.

East Jerusalem, being occupied territory, and may not extend its sovereignty to, or acquire permanent ownership over, land it occupies there.³⁰ The settlement of titles constitutes an irreversible act of sovereignty by a permanent regime, and so subverts the principle that occupation is inherently temporary.³¹ The recent action taken in this regard in occupied East Jerusalem is illegal under international law.³² It also increases the risk of illegal appropriation of property and of forcible transfer.³³

12. The establishment and expansion of settlements in the Occupied Palestinian Territory, including East Jerusalem, have no legal validity and are flagrant violations of international law. In addition, outposts are considered illegal under Israeli domestic law. Such establishment and expansion of settlements amount to the transfer by Israel of its population into the Occupied Palestinian Territory, which is prohibited under international humanitarian law.³⁴ Such transfers amount to a war crime that may engage the individual criminal responsibility of those involved.³⁵

B. Impact of settlements on human rights

Settlement-related violence

13. Settler violence reached the highest level since the United Nations began publicly reporting statistics on it in 2017.³⁶ There were 502 incidents of settler violence in the West Bank, including East Jerusalem, resulting in injury, death and/or property damage³⁷ compared with 339 incidents during the previous reporting period. The severity of attacks also intensified: of particular concern were incidents of armed settlers carrying out attacks inside Palestinian communities, sometimes in the proximity of the Israeli security forces, and of the Israeli security forces attacking Palestinians alongside settlers. Six Palestinians (four men and two women) were killed in such attacks – four by settlers and two by either settlers or accompanying Israeli security forces. Settlers also injured 170 others, including at least 83 men, 32 children and 11 women. Settlers vandalized 12,800 trees and 242 vehicles. According to Israeli sources, two Israelis known or believed to be settlers were killed and 98 were injured by Palestinians.³⁸

14. In December, settler violence surged across the West Bank following the deaths of two settlers in violent incidents.³⁹ There was a further serious surge starting in April, seemingly driven by the threat of evictions in Sheikh Jarrah and Silwan for the benefit of settler organizations (see sect. IV below). Confrontations and nationalistically motivated incitement and violence spread across East Jerusalem and, in the course of May, to the entire Occupied Palestinian Territory and Israel, and triggered the largest escalation in hostilities between Israel and Palestinian armed groups in Gaza since 2014.⁴⁰

15. In several cases documented during the reporting period, the Israeli security forces were recorded attacking Palestinians alongside settlers, including with firearms. On 14 May, about 20 to 30 settlers and at least 6 Israeli security forces personnel raided Urif village near Nablus. Young Palestinians threw stones at them and, in clashes that followed, settlers and

³⁰ Regulations respecting the Laws and Customs of War on Land, arts. 43 and 55; and <https://www.icrc.org/en/doc/assets/files/other/customary-international-humanitarian-law-i-icrc-eng.pdf>, rule 51.

³¹ [A/76/336](#), para. 13. See also the Regulations respecting the Laws and Customs of War on Land, arts. 43 and 55.

³² International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

³³ See [A/75/376](#), sect. IV; [A/HRC/46/65](#), sect. IV; and [A/HRC/37/43](#), para. 36.

³⁴ [A/HRC/46/65](#), para. 57; and Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 49 (6).

³⁵ [A/HRC/46/65](#), para. 57; and Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

³⁶ Information provided by the Office for the Coordination of Humanitarian Affairs.

³⁷ *Ibid.* The figure excludes the number of Palestinians injured by the Israeli security forces in the context of settler related incidents.

³⁸ Information provided by the Office for the Coordination of Humanitarian Affairs.

³⁹ [A/76/336](#), para. 21.

⁴⁰ *Ibid.*, para. 22.

the Israeli security forces fired live ammunition. A 32-year-old Palestinian man was hit with two bullets to his chest and abdomen and died of his injuries. Eyewitnesses identified a guard of Yitzhar settlement as the shooter, and he was photographed shooting alongside the Israeli security forces. At least three other Palestinians were injured with live ammunition.

16. Settlement guards also appeared to play an active role in violent attacks. Settlement guards are usually settlers, often trained and armed by the Israeli security forces, and have the authority to detain and search, including without a warrant, using any reasonable means, until the military or police arrive.⁴¹ On 28 April, a settlement guard physically assaulted a Palestinian man with disability in the Wadi Hilweh neighbourhood of Silwan, causing injuries and bruises to his head and face. Surveillance cameras showed the guard using pepper spray against the victim directly in the face, pushing him to the ground, strangling him and punching him repeatedly in the head. Palestinian neighbours called the police, who never arrived.

17. Settler violence increased again during the olive harvest in October. Between 4 and 31 October, the Office for the Coordination of Humanitarian Affairs recorded 52 incidents of settler violence, including 2,956 trees and 37 cars vandalized or destroyed.⁴² Palestinians faced restrictions in accessing olive groves by settlement guards, the Israeli security forces and settlers. Nablus and Ramallah Governorates were the most affected. In many cases documented by OHCHR, the Israeli security forces did not respect their duty to protect Palestinians.⁴³ On 13 October, the Israeli security forces were responding to settlers uprooting olive trees in Al-Mughayyir, when a number of settlers, some masked, used pepper spray on their military vehicle, slightly injuring two soldiers, and attempted to hit a Palestinian man with a metal rod. On 14 October, the Israeli Minister of Defence called on the Israel Defense Forces to “act systemically, aggressively and uncompromisingly ... against all forms of violence, against Palestinians, Jews and of course against security forces”.⁴⁴ Yet, on 23 October, when approximately 20 masked settlers attacked Palestinian farmers picking olives with their families in Turmus’ayya, the Israeli security forces instead responded by shooting tear gas and rubber-coated metal bullets towards the Palestinians.

18. On 28 September, some 70 masked settlers carrying stones, batons and pistols attacked the Palestinian villages of Umm Fagarah, Ar Rakeez and At Tuwani. In Umm Fagarah, the settlers injured eight Palestinians in the presence of the Israeli security forces, including a 3-year-old boy who was hit in the head with a large rock and severely injured. The settlers also killed five sheep, damaged 10 homes, 13 vehicles, two tractors, and several solar panels, water pipes and tanks. According to eyewitnesses, Palestinian residents threw stones, attempting to keep the settlers away. The Israeli security forces, present at the scene from the beginning, did not intervene. Instead, they responded by firing tear gas and stun grenades at the residents. In related clashes, 20 Palestinians were injured by the Israeli security forces and 1 Israeli soldier was injured.

19. As the occupying Power, Israel has the obligation to take all measures in its power to restore and ensure, as far as possible, public order and life in the Occupied Palestinian Territory and, in all circumstances, to protect the Palestinian population against all acts or threats of violence.⁴⁵ Israel also has the obligation to respect and ensure the human rights of the Palestinian population, including their rights to life and security of person.⁴⁶ It is required to protect the life of persons in the Occupied Palestinian Territory, including East Jerusalem, from all reasonable foreseeable threats, including from threats emanating from private

⁴¹ See <https://www.yesh-din.org/en/the-lawless-zone-the-transfer-of-policing-and-security-to-the-civilian-security-coordinators-in-the-settlements-and-outposts/>.

⁴² Information provided by the Office for the Coordination of Humanitarian Affairs.

⁴³ See <https://mailchi.mp/c106b3db21b6/state-re-opens-investigation-into-2010-severe-injury-of-unarmed-civilian-demonstrator-4841926?e=c3c0aff43a>.

⁴⁴ See https://www.timesofisrael.com/liveblog_entry/gantz-instructs-idf-to-act-uncompromisingly-against-settler-violence/.

⁴⁵ Regulations respecting the Laws and Customs of War on Land, arts. 43 and 46; and Fourth Geneva Convention, art. 27.

⁴⁶ See International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*. See also [A/HRC/34/38](#), paras. 6–9.

persons and entities.⁴⁷ Instead, systematic and increasingly severe settler violence – with the acquiescence or, on occasion, practical support of the Israeli security forces – is contributing to the worsening of the coercive environment for Palestinians.⁴⁸

Accountability for settler violence

20. The Secretary-General and the United Nations High Commissioner for Human Rights have repeatedly reported on the prevailing climate of impunity with regard to settler violence.⁴⁹ The climate of impunity continued⁵⁰ despite the increased severity of attacks and public calls for accountability by Israeli officials. For example, following the attack on 28 September in Umm Fagarah, the Minister for Foreign Affairs of Israel condemned the attack and said that Israel had a responsibility to bring the attackers to justice. Israeli authorities arrested seven Israelis.⁵¹ While five of them were released, two settler children, aged 15 and 17 years, were indicted on 21 October for participating in the attack, but neither of them for the actual assault of Palestinians.⁵²

21. On 19 November, three Israelis, including two children, were indicted for attacking Palestinians harvesting their olives a month earlier.⁵³ On 29 December, the Attorney General of Israel filed an indictment against two Israelis, one of them a child, in relation to planning a “price tag” operation.⁵⁴ On 23 February, Israeli authorities indicted a 17-year-old Israeli boy for throwing stun grenades into Palestinian homes in Sartah.⁵⁵ On 1 September, the juvenile court in Jerusalem acquitted five Israeli children of charges of violence and terrorism relating to their participation in a so-called hate wedding in 2015.⁵⁶ One was convicted of wilful property damage. On 14 October, the Attorney General appealed.⁵⁷

22. Accountability measures remained gravely deficient in cases where settlers, or the Israeli security forces alongside settlers, killed Palestinians.⁵⁸ There was no information publicly available about any investigation into the killing on 5 January of a 25-year-old Palestinian man by a settler in Gush Etzion. In respect of a settler killing a 32-year-old Palestinian man in Ras Karkar on 5 February, Israeli police decided not to launch a criminal investigation into the killing.⁵⁹ Regarding the killing of a 32-year-old Palestinian man in Urif on 14 May,⁶⁰ a military police investigation was announced on 16 July.⁶¹ However, on 7 October, media reported that the Israel Defense Forces had failed to take steps against the masked person suspected of the killing. The Israel Defense Forces spokesperson said that he

⁴⁷ Human Rights Committee, general comment No. 36 (2019), para. 18.

⁴⁸ A/76/336, para. 19.

⁴⁹ Ibid., para. 26; and A/74/357, para. 27.

⁵⁰ A/76/336, para. 27. See also https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/מא+2021+נייר+עמדה+בתוך+ישובים+inside+Palestinian+communities_EN.pdf.

⁵¹ See <https://www.haaretz.co.il/news/law/.premium-1.10314884> (in Hebrew).

⁵² See <https://www.haaretz.com/israel-news/.premium-jewish-teens-from-west-bank-charged-with-rioting-in-palestinian-village-1.10315594>.

⁵³ See <https://www.timesofisrael.com/three-israelis-indicted-for-assaulting-palestinians-during-olive-harvest/>.

⁵⁴ See <https://www.srugim.co.il/521483-%D7%9B%D7%AA%D7%91-%D7%90%D7%99%D7%A9%D7%95%D7%9D-%D7%A0%D7%92%D7%93-%D7%A9%D7%A0%D7%99-%D7%A6%D7%A2%D7%99%D7%A8%D7%99%D7%9D-%D7%A9%D7%AA%D7%9B%D7%A0%D7%A0%D7%95-%D7%AA%D7%92-%D7%9E%D7%97%D7%99%D7%A8> (in Hebrew). See also A/HRC/40/42, para. 30.

⁵⁵ See <https://unsco.unmissions.org/security-council-briefing-25-march-2021-unscr-2334>. See also <https://www.timesofisrael.com/israeli-17-indicted-for-stun-grenade-attack-on-palestinians-vandalism/>.

⁵⁶ See <https://www.haaretz.co.il/news/law/1.10171777> (in Hebrew).

⁵⁷ See <https://www.haaretz.co.il/news/law/1.10294297> (in Hebrew).

⁵⁸ See <https://www.haaretz.com/israel-news/.premium-settlermasked-person-filmed-shooting-at-palestinians-as-israeli-soldiers-watch-1.10006087> and <https://www.972mag.com/joint-attacks-israeli-settlers-soldiers/>.

⁵⁹ See <https://www.timesofisrael.com/man-said-to-have-shot-infiltrator-dead-already-on-trial-for-shooting-palestinian/> and A/76/336, para. 30.

⁶⁰ See <https://www.haaretz.com/israel-news/.premium-settler-masked-person-filmed-shooting-at-palestinians-as-israeli-soldiers-watch-1.10006087>.

⁶¹ See <https://www.972mag.com/joint-attacks-israeli-settlers-soldiers/>.

was an off-duty soldier who lived in the area and that no complaint had been submitted against him.⁶² Regarding a Palestinian man killed on 14 May by settlers in Ar-Rihyah, on 23 July Israeli media reported that the victim's family had filed a complaint. As at 31 October, the Israeli police had not opened an investigation.⁶³ In respect of a 27-year-old man killed in Iskaka on 14 May and a 37-year-old woman killed near Kiryat Arba on 19 May in circumstances where both settlers and the Israeli security forces had used force, no information on any accountability steps was available. Regarding the events on 26 June where a settler was recorded shooting at Palestinians with live ammunition with a weapon of an Israeli soldier near the Havat Maon outpost, Israeli police opened an investigation in September. However, the settler was not summoned for questioning and the army decided not to file an official complaint against him.⁶⁴ On 17 October, the Israel Defense Forces announced that a deputy battalion commander who was recorded physically attacking Palestinians and Israeli activists twice in September would, as a consequence, not be promoted for the next three years.⁶⁵

23. Failure to protect Palestinians and deficiencies in the justice system to hold settlers accountable for violence against Palestinians include: the application of different legal systems to settlers and Palestinians; the persistent and prevailing lack of thorough and impartial investigations; the low rate of indictments and convictions; frequently delayed processes; and lenient charges. Overall, these deficiencies exacerbate a climate of impunity for settler violence, encouraging attacks to continue.⁶⁶

Demolitions, forced evictions and displacement

24. In the highest number since the Office for the Coordination of Humanitarian Affairs started recording demolitions in 2009, Israeli authorities demolished 967 Palestinian-owned structures⁶⁷ in the West Bank (83 per cent), including East Jerusalem (17 per cent), displacing 1,190 Palestinians (656 children, 261 women and 273 men). The structures demolished by Israeli authorities included 243 donor-funded structures provided as humanitarian aid, 86 water, sanitation and hygiene structures, despite the coronavirus disease (COVID-19) pandemic,⁶⁸ and two schools, affecting 643 children.⁶⁹ Israeli authorities demolished 70 structures by applying Military Order No. 1797, which authorizes the removal of new structures in Area C within 96 hours of notice.⁷⁰ In occupied East Jerusalem, Palestinians were increasingly forced to carry out self-demolitions, as it is almost impossible for them to obtain building permits due to the discriminatory Israeli zoning and planning regime and the imposition of large fines and charges should the municipality carry out the demolition instead.⁷¹ Self-demolitions accounted for 98 demolitions, compared with 74 during the previous reporting period.⁷²

25. At least 218 Palestinian households in East Jerusalem, comprising 970 persons, including 424 children, remained at imminent risk of forced eviction owing to cases filed in Israeli courts, primarily by Israeli settler organizations, at the end of the reporting period.⁷³ In February, Jerusalem Municipality rejected a master plan for the Al Bustan area of the Silwan neighbourhood in East Jerusalem, submitted as part of ongoing negotiations to create

⁶² See <https://www.haaretz.com/israel-news/.premium-the-israeli-military-spotted-a-settler-shooting-at-palestinians-but-did-nothing-1.10273450>.

⁶³ See <https://www.haaretz.com/israel-news/.premium-two-weeks-on-police-haven-t-begun-probing-alleged-settler-killing-of-palestinian-1.9931965>.

⁶⁴ See <https://www.haaretz.com/israel-news/.premium-israel-police-stall-in-probe-of-settler-who-fired-soldier-s-weapon-at-palestinians-1.10331978?lts=1640245559380>.

⁶⁵ See <https://www.haaretz.com/israel-news/.premium.HIGHLIGHT-idf-officer-barred-from-promotion-for-3-years-after-attacking-leftists-palestinians-1.10301506>.

⁶⁶ A/76/336, para. 31.

⁶⁷ Israeli authorities demolished 964 structures during the previous reporting period.

⁶⁸ Information provided by the Office for the Coordination of Humanitarian Affairs.

⁶⁹ Information provided by the United Nations Children's Fund (UNICEF).

⁷⁰ Information provided by the Office for the Coordination of Humanitarian Affairs.

⁷¹ A/76/336, para. 34. See also https://www.alhaq.org/cached_uploads/download/2021/09/14/weekly-focus-ola-ag-final2-sp-1631603444.pdf.

⁷² Information provided by the Office for the Coordination of Humanitarian Affairs.

⁷³ A/76/336, para. 34. See also S/2021/584.

a housing solution for the residents.⁷⁴ The Municipality also opposed a request to extend a demolition freeze to 68 homes. In March and August, the Jerusalem Local Affairs Court granted extensions to 52 freezes, currently until 10 February 2022, pending the planning process with the Municipality. It leaves out 16 homes in Al Bustan, which are at an imminent risk of demolition.⁷⁵ In the Batan Al Hawa section of Silwan, as many as 85 families remain at risk of eviction pending a ruling of the Supreme Court of Israel in appeals against eviction rulings of lower courts.

26. Palestinian communities in Masafer Yatta, south of Hebron, have been subjected to several waves of demolitions and have demolition and eviction cases pending with Israeli courts, affecting some 1,300 Palestinians.⁷⁶ The Norwegian Refugee Council provided legal representation to the families with pending demolition orders and on 24 December secured an interim injunction until 60 days after the ruling of the High Court of Justice on the eviction case. The Rural Council of Masafer Yatta requested to join the proceedings in the eviction case to present evidence that the residents had been living in the area before its declaration as a firing zone, and a hearing is scheduled for March 2022. Another location where up to 300 Palestinians are at imminent risk of displacement is Al Walajeh, on the southern border of Jerusalem, where 36 residential and 9 uninhabited structures have pending demolition orders against them. An interim injunction protecting 38 homes from demolition was still in effect at the end of October.⁷⁷ On 31 October, the District Court issued a decision allowing the community to submit a new plan.

27. These demolitions and forced evictions entail numerous human rights violations, exacerbate the coercive environment and may lead to forcible transfer, a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention). Pursuant to international humanitarian law, private property in occupied territory must be respected and cannot be confiscated by the occupying Power,⁷⁸ which is also prohibited from destroying property and institutions dedicated to education.⁷⁹

Communities at risk of forcible transfer

28. Palestinians across Area C, in East Jerusalem and in the H2 area of Hebron remain at risk of forcible transfer as a result of a coercive environment.⁸⁰ At particular risk are Bedouin and herder communities, including 18 communities in and around East Jerusalem, among them Khan al-Ahmar/Abu al-Helu⁸¹ and communities in the Jordan Valley and on lands designated by Israel as military firing zones.⁸² On 29 September, the High Court of Justice of Israel granted a request by the State of Israel to postpone until March 2022 its response to a petition to implement eviction orders against Khan al-Ahmar/Abu al-Helu. In its request, the Government cited the COVID-19 pandemic and the “current diplomatic-security situation”, adding that there had been “significant progress” towards an agreement to avoid mass demolition.⁸³

29. The homes and livelihood structures of the Bedouin community of Humsa al Bqai’a located in the Israeli designated military firing zone 903 were subjected to eight mass demolition and seizure operations during the reporting period.⁸⁴ Decade-long petitions and appeals by the community against the demolitions ended without a final verdict from the

⁷⁴ See <https://www.ir-amim.org.il/en/node/2627>. Information provided by the Norwegian Refugee Council.

⁷⁵ Information provided by the Norwegian Refugee Council. See also <https://www.ochaopt.org/content/west-bank-demolitions-and-displacement-august-2021>.

⁷⁶ [A/76/336](#), para. 51.

⁷⁷ See <https://mailchi.mp/ir-amim/al-walajeh-under-heightened-risk-of-mass-demolition-after-state-files-motion-to-dismiss-appeal?e=%5bUNIQID%5d>.

⁷⁸ Regulations respecting the Laws and Customs of War on Land, art. 46.

⁷⁹ Fourth Geneva Convention, arts. 49 and 147; and Regulations respecting the Laws and Customs of War on Land, arts. 46 and 56. See also [A/HRC/34/38](#), paras. 21 and 33.

⁸⁰ [A/76/336](#), para. 37. See also [A/72/564](#), paras. 36–58.

⁸¹ [A/73/410](#), para. 22; [A/74/357](#), para. 36; [A/HRC/37/43](#), para. 25; and [A/HRC/43/67](#), para. 33.

⁸² [A/76/336](#), paras. 37–57.

⁸³ [S/2021/1047](#), para. 11.

⁸⁴ Information provided by the Office for the Coordination of Humanitarian Affairs.

High Court of Justice when, in early November 2020, Israeli authorities verbally ordered the community to leave the area, and the demolitions and confiscations were carried out without time for any further legal action.⁸⁵ Between November and July, Israeli authorities demolished 196 structures, including 112 donor-funded structures, some of which had been provided as humanitarian assistance in response to previous demolitions, displacing 365 Palestinians, including 209 children. Israeli authorities also confiscated personal belongings, including food, milk for children, clothes, hygiene materials and toys. Livestock, which constitutes the community's main source of income, was left without food, water or shelter.⁸⁶ Reportedly, two families (12 persons) left their homes in Humsa al Bqai'a after the demolitions in November 2020 and moved to Froush Beit Dajan, near Nablus, where they remained as at 31 October. Other families moved just outside the firing zone and, on 21 February, the High Court of Justice of Israel issued a temporary order against the demolition of their structures at this location, which was at a distance of about 1,400 metres from their previous homes within the firing zone. As at 31 October, nine families (86 persons) reportedly remained at this location, and two families (11 persons) remained in the firing zone. The actions by Israel placed the community under extreme pressure to move and appear to have led to at least 11 families (98 persons) leaving their homes. In testimonies given to OHCHR on 12 July, residents stated their unwillingness to relocate to the Israeli designated relocation sites. Forcible transfer is a grave breach of the Fourth Geneva Convention and thus amounts to a war crime.

IV. Israeli suppression of Palestinian protests against settlement activities

30. In a significant spike, the Israeli security forces killed 70 Palestinians (51 men, 3 women and 16 boys) and injured 14,090 in the West Bank, including East Jerusalem, during the reporting period. Of them, 10 (4 boys and 6 men) were killed and 10,867 injured (including 795 with live ammunition) in the context of mainly peaceful protests against settlements and settlement-related issues and the wider context of the occupation. Particular tensions occurred in East Jerusalem, where Palestinians protested against the threat of evictions in Sheikh Jarrah and Silwan for the benefit of settler organizations, and in Nablus Governorate, where Palestinians protested against settler presence and the establishment of illegal outposts. In both contexts, examined further below, OHCHR documented numerous cases of discriminatory law enforcement, intimidation of protesters and journalists, mass arrests and use of excessive force against mainly peaceful protesters, including use of lethal force as a crowd control measure. This raised serious concerns of human rights violations by the Israeli security forces, including against the rights of Palestinians to freedom of expression and peaceful assembly, and their rights to life and security of person.⁸⁷

Sheikh Jarrah, East Jerusalem

31. During the reporting period, Israeli police injured at least 265 Palestinians in East Jerusalem in the context of demonstrations, including 5 with live ammunition.⁸⁸ The Israeli security forces used force against entirely peaceful demonstrators, human rights activists and journalists in violation of international norms and standards. Law enforcement appeared to be carried out in a discriminatory manner and several arrests, including of journalists, raised concerns of arbitrary arrest and of hindering the work of journalists.

32. In East Jerusalem, over 200 Palestinian households had eviction cases pending in Israeli courts at the end of the reporting period, affecting almost a thousand Palestinians. The

⁸⁵ A/76/336, para. 39.

⁸⁶ Information provided by the Office for the Coordination of Humanitarian Affairs. Following a mass demolition on 7 July, humanitarian organizations were denied access to the site until 14 July, in contravention of article 59 of the Fourth Geneva Convention.

⁸⁷ Universal Declaration of Human Rights, arts. 19–20; International Covenant on Civil and Political Rights, arts. 6 (1), 9 (1), 19 and 22; Regulations respecting the Laws and Customs of War on Land, art. 46; and Fourth Geneva Convention, art. 27.

⁸⁸ Information provided by the Office for the Coordination of Humanitarian Affairs.

cases are based on the application of the Absentee Property Law and the Legal and Administrative Matters Law, which allow Jewish Israelis who owned properties in East Jerusalem prior to 1948 to reclaim their property.⁸⁹ The application of these laws in East Jerusalem is inconsistent with the obligations of Israel under international humanitarian law.⁹⁰ There are no similar laws allowing Palestinians to reclaim their property, rendering them inherently discriminatory.⁹¹ In the East Jerusalem neighbourhood of Sheikh Jarrah, a total of eight families – approximately 75 persons – faced the threat of eviction for the benefit of settler organizations at the end of the reporting period. In this case, the Nahalat Shimon settler organization claims ownership of the land following their acquisition of the properties and has filed eviction lawsuits against the Palestinian families. These claims are disputed by the Palestinian families, some of whom have resided in these homes for nearly 70 years, and they have appealed against the eviction orders. On 10 February, the District Court dismissed the appeals of four of these families, upholding their eviction, and ordering them to vacate their properties by 2 May 2021, placing them at imminent risk of eviction and igniting tensions (see para. 14).

33. For years, Palestinians, supported by Israeli and other activists, have demonstrated against evictions in Sheikh Jarrah. During April the protest movement grew. Palestinian, Israeli and other human rights activists initiated widespread sit-ins in the streets of Sheikh Jarrah and staged near daily protests. The community mobilized actively on social media, documenting events with the hashtag #SaveSheikhJarrah, which gained international attention. A recording of a settler telling one of the families under threat of forced eviction “if I don’t steal it [their house] someone else will steal it” circulated widely and became a symbol of the settlement activities.⁹² In an apparent bias in the moderation of online expression, content by Palestinian users about Sheikh Jarrah was increasingly restricted and taken down at the behest of the Israeli authorities.⁹³ On 14 September, Facebook’s Oversight Board recommended an examination into the moderation of Palestinian and pro-Palestinian content.⁹⁴

34. The protests spread from Sheikh Jarrah to other parts of Jerusalem, coinciding with the start of Ramadan and several Israeli holidays. Ethnically and nationalistically motivated tension and violence grew and, with it, significant movement restrictions and use of force against Palestinians. In some cases, Israeli police used unnecessary force, including at the Al-Aqsa compound, against peaceful protesters. For example, on 7 May, the Palestine Red Crescent Society reported 205 Palestinian injuries, the majority at the Al-Aqsa compound, including from an incident where Israeli police shot stun grenades into a crowd of Palestinians in the Bab Al-Rahma chapel with limited possibility to escape. The events in Jerusalem ignited, on 11 May, the worst escalation in hostilities between Israel and Palestinian armed groups in Gaza since 2014, and significant violence spread across the West Bank and Israel.⁹⁵

35. Israeli police imposed movement restrictions and set up ad hoc checkpoints at main entry points to Sheikh Jarrah. Palestinians not residing in the area were banned access and residents were ordered to remain indoors. In several documented cases, Israeli police allowed Israelis, some of them armed, to access and protest in Sheikh Jarrah beyond the checkpoints, thus fuelling confrontation or even directly inciting violence.⁹⁶ On 6 May, a member of the Knesset from the Otzma Yehudit party set up a “field office” in Sheikh Jarrah, reportedly to help to ensure that the Israeli police provided proper protection to Israelis in the

⁸⁹ [A/75/376](#), paras. 51–55.

⁹⁰ *Ibid.*, para. 54.

⁹¹ *Ibid.*

⁹² See <https://www.youtube.com/watch?v=KNqozQ8uaV8>.

⁹³ See [A/HRC/49/83](#), para. 32. See also <https://7amleh.org/2021/05/21/7amleh-issues-report-documenting-the-attacks-on-palestinian-digital-rights> and <https://www.hrw.org/news/2021/10/08/israel/palestine-facebook-censors-discussion-rights-issues>.

⁹⁴ See <https://www.oversightboard.com/decision/FB-P93JPX02>.

⁹⁵ See [A/HRC/49/83](#) and [A/HRC/49/25](#).

⁹⁶ See also <https://twitter.com/i/status/1389469783247163398>.

neighbourhood⁹⁷ and, on 8 May, he called for the police to be given more powers to use firearms to confront Palestinians. On 8 May, at least 23 Palestinians active in civic and political activities in Jerusalem were arrested. All were released within the range of a few hours to a couple of days, most on the condition of staying away from Sheikh Jarrah or Jerusalem.

36. On 18 May, Israeli police arbitrarily shot a kinetic impact projectile at the back of a 16-year-old girl from a distance of a few metres as she was obeying orders of the Israeli police to enter her house in Sheikh Jarrah with her father. She fell to the ground severely injured. The police fired another bullet that hit her father in the leg and threw a stun grenade through the bars of their front gate, which exploded between them. Both were hospitalized. Footage of the incident was widely circulated by media⁹⁸ and the Israeli Police Internal Investigations Department opened an investigation. The officer who shot the girl was suspended, while four other officers were reportedly under investigation as at the end of the reporting period.

37. On 4 June, Palestinians held a solidarity marathon from Sheikh Jarrah to Silwan as a form of peaceful protest. As runners – including women, children and older persons – were gathered, singing and dancing, at the finish line in Batn Al-Hawa in Silwan, Israeli police violently dispersed them by firing stun grenades and kinetic impact projectiles. Footage shows Israeli police raiding the event tent and physically assaulting those inside, including with police clubs.⁹⁹ The Palestine Red Crescent Society treated 23 persons injured.¹⁰⁰ Israeli police violently arrested four Palestinians, including a 15-year-old boy. They also physically assaulted a group of journalists and damaged their cameras¹⁰¹ and hit an ambulance with a kinetic impact projectile, shattering its windshield.¹⁰²

38. Israeli police appeared to prevent, intentionally and sometimes with force, journalists from documenting the events. On 5 June, they arrested a female journalist with the Al-Jazeera media network who was reporting on protests in Sheikh Jarrah.¹⁰³ Israeli police asked for her press card and as she was walking to get it from her car, a female officer pushed her against a wall and kicked her, fracturing her arm. The journalist was arrested – accused of assaulting an Israeli officer – but released in the evening following the release of footage of the arrest, which contradicted the allegation. She was, however, required to stay away from Sheikh Jarrah for 15 days and the charge was changed to “non-compliance with the orders of a police officer”.¹⁰⁴ Several other female journalists were physically assaulted and arrested during the tensions in East Jerusalem¹⁰⁵ and, in several other documented cases, journalists were denied access.¹⁰⁶

39. Amid the tension, on 9 May, the Supreme Court issued a stay order against the eviction of the four families, following the expressed readiness of the Attorney General of Israel to consider intervening in the pending leave to appeal at the Supreme Court. On 4 October, the Supreme Court proposed a settlement that would give the four families first- or second-generation protected tenancy status, while recognizing the Israeli settler organization’s ownership of the land and paying nominal annual rent to the settlers.¹⁰⁷ On 27 October, the four families and the Nahalat Shimon organization both rejected the proposed

⁹⁷ See <https://www.haaretz.com/israel-news/.premium-kahanist-lawmaker-closes-makeshift-office-in-east-jerusalem-at-netanyahu-s-behest-1.9783069?lts=1639435045666>.

⁹⁸ See <https://www.haaretz.com/israel-news/.premium-jerusalem-police-officer-who-shot-palestinian-girl-suspended-after-footage-emerges-1.9845088>.

⁹⁹ See https://twitter.com/JalalAK_jojo/status/1400849842855976969.

¹⁰⁰ See <https://www.aljazeera.com/news/2021/6/4/israeli-police-attack-palestinians-running-to-protest-expulsions>.

¹⁰¹ See <https://www.wattan.net/ar/news/342475.html>.

¹⁰² Information provided by the Wadi Hilweh Information Center.

¹⁰³ See <https://www.aljazeera.com/gallery/2021/6/6/the-moment-when-al-jazeera-journalist-was-arrested>.

¹⁰⁴ See <https://www.aljazeera.net/news/politics/2021/6/5/سلطات-الاحتلال-الإسرائيلية-تعتقل>

¹⁰⁵ See, for example, <https://www.aljazeera.com/news/2021/6/2/palestinian-journalists-on-the-front-line>.

¹⁰⁶ See <https://twitter.com/m7mdkurd/status/1401978033976786950?s=20>.

¹⁰⁷ See

<https://supremedecisions.court.gov.il/Home/Download?path=HebrewVerdicts\21\010\024\e19&fileName=21024010.E19&type=4> (in Hebrew).

settlement. Protests in East Jerusalem continued, though at a lower intensity, through the end of the reporting period.

Beita, Nablus Governorate

40. Most settler-related violence in the West Bank occurs in the vicinity of outposts and there appears to be a correlation between the expansion of outposts and settler attacks against Palestinians.¹⁰⁸ Nablus Governorate has long been a hotspot for settler violence and it was the area the most affected also during the reporting period, with a total of 178 incidents recorded,¹⁰⁹ including of physical violence and shooting live ammunition. The violence occurred particularly within the 25 km² constituting the area surrounding the Yitzhar settlement and its adjacent outposts, along Road 60 and near the ring of outposts from the Itamar settlement west of firing zone 904A.¹¹⁰

41. Two new outposts were established – on Mount Masyaf in Beit Dajan in late 2020 and on Jabal Sabih near Beita in May 2021. Palestinians mobilized in protest and demonstrated in Beita, Beit Dajan, Kafr Qaddum and Ni'lin. The demonstrations were met with harsh means by the Israeli security forces, including lethal force, suppressing freedoms of expression and peaceful assembly of Palestinians, and raising serious concerns of excessive use of force, including arbitrary killings. During the reporting period, the Israeli security forces killed 8 Palestinians, including 2 boys, and injured 6,742 (including 454 children), 348 of whom with live ammunition,¹¹¹ in the context of demonstrations and other protest activities in Nablus Governorate.

42. On 3 May, Israeli settlers re-established the so-called Evyatar outpost on land of the Palestinian villages of Beita, Qabalan and Yatma¹¹² on Jabal Sabih in Area C. In the 1980s, Israeli authorities had temporarily seized this Palestinian-owned land for military purposes. In 2013, 2016 and 2018, settlers attempted to erect an outpost on the land but, each time, Israeli authorities demolished the structures.¹¹³ On 3 May, a day after the killing of a 19-year-old settler in a drive-by shooting by a Palestinian, settlers with support from the Israeli security forces¹¹⁴ rapidly rebuilt the Evyatar outpost. By 31 May, it included some 40 structures housing over 200 settlers.¹¹⁵ According to Israeli media, the reconstruction was carried out at the initiative of the Nahala settlement movement, which provided financial and logistical assistance, along with the Samaria Regional Council.¹¹⁶ According to the settlers, the outpost “prevents the creation of a connection between the villages of Qabalan, Yatma and Beita” and is “a strategic point that strengthens the Jewish presence in the region”.¹¹⁷

43. On 9 June, Israel declared the land a closed military zone and ordered the outpost evacuated. On 2 July, settlers left the outpost following an agreement with the Government of Israel that the Israel Defense Forces would re-establish a presence at the site and an Israeli land survey would be conducted to determine the land status.¹¹⁸ Settlers erected a 13-metre-high iron Star of David facing Beita village with the phrase “we will return” inscribed next to it.¹¹⁹ On 12 August, the Supreme Court of Israel rejected a petition filed on behalf of the

¹⁰⁸ See http://peacenow.org.il/wp-content/uploads/2021/12/settlers_report_eng.pdf.

¹⁰⁹ Information provided by the Office for the Coordination of Humanitarian Affairs.

¹¹⁰ See [A/74/357](#), sect. IV; and [A/76/336](#), paras. 45–49.

¹¹¹ Information provided by the Office for the Coordination of Humanitarian Affairs.

¹¹² [A/76/336](#), para. 9.

¹¹³ See <https://www.haaretz.com/israel-news/.premium-in-just-a-month-illegal-settler-outpost-sprouts-up-on-palestinian-lands-1.9882850>.

¹¹⁴ See <https://www.haaretz.com/israel-news/.premium-israel-soldiers-photographed-helping-build-illegal-west-bank-outpost-1.9897082>.

¹¹⁵ [A/76/336](#), para. 9.

¹¹⁶ See <https://www.haaretz.com/israel-news/.premium-in-just-a-month-illegal-settler-outpost-sprouts-up-on-palestinian-lands-1.9882850>.

¹¹⁷ See <https://www.haaretz.com/israel-news/.premium-in-just-a-month-illegal-settler-outpost-sprouts-up-on-palestinian-lands-1.9882850?lts=1647864046472>.

¹¹⁸ See <https://www.timesofisrael.com/settlers-vacate-illegal-outpost-as-deal-to-keep-it-intact-goes-into-effect/>.

¹¹⁹ *Ibid.*

residents, pending the result of the land survey.¹²⁰ The petitioners requested a revocation of the agreement, and the petition included legal documents, inheritance deeds and photographs attesting to ownership by Palestinians.¹²¹ As at the end of the reporting period, the outpost structures remained on site and the Israeli security forces continued to occupy the area.

44. From 3 May, weekly and in some periods daily protests took place in Beita against the Evyatar outpost, the Israeli occupation and settlement activities in general. Protest measures included collective Friday prayers near the outpost, demonstrations and so-called night-confusion activities. Palestinians carried flags, played loud music, blew horns, burned tyres and shot fireworks. Some demonstrators pointed lasers towards the outpost, including at night, and threw stones, including with slingshots, and in some cases Molotov cocktails towards the Israeli security forces. The Israeli security forces responded with live ammunition, rubber-coated metal bullets, tear gas and stun grenades. Between 3 May and 31 October, the Israeli security forces killed 6 Palestinians, including 2 boys in Beita in the context of protests, and injured at least 4,623 Palestinians (of whom 588 were children), including 177 with live ammunition.¹²²

45. On 14 May, as Palestinians held Friday prayers near the Evyatar outpost, the Israeli security forces positioned on the hills fired tear gas towards Palestinians about 100 metres away on lower ground. The Israeli security forces marched towards the Palestinians, who scattered to avoid the tear gas. After 15 minutes, the Israeli security forces began shooting rubber-coated metal bullets and live ammunition towards the young Palestinians who were still on lower ground 100 metres away. The Israeli security forces injured at least 10 Palestinians with live ammunition. One young Palestinian was shot in his shoulder with live ammunition as he was handing out water bottles. Among a group of 20 Palestinians protesting 70–100 metres away from the closest soldiers, some of them throwing stones, a 40-year-old Palestinian man was shot dead with live ammunition in his stomach. As at 31 October, no information was available about any investigation into the killing. The Palestine Red Crescent Society treated 231 other Palestinians injured by the Israeli security forces that day (45 from live ammunition, 40 from rubber-coated metal bullets, 140 from tear gas inhalation and 6 from physical assaults).

46. On 28 May, the Israeli security forces shot and killed a 25-year-old Palestinian man in Beita. According to eyewitnesses, he was standing under a tree with 10 other Palestinians, eating sandwiches. Two armed settlers opened fire at them, injuring two Palestinians. As the group fled the settlers, the Israeli security forces positioned on higher ground approximately 60 metres away shot at them and hit the 25-year-old Palestinian with live ammunition in the chest. The Israeli security forces continued to fire live ammunition at the group as they were evacuating the victim, injuring two other Palestinians with live ammunition in the legs. As at 31 October, there was no information of an investigation into the killing or the use of live ammunition against unarmed individuals. The Palestine Red Crescent Society treated 69 Palestinians injured by the Israeli security forces that day (9 with live ammunition, 17 with rubber-coated metal bullets, 38 from tear gas inhalation and 5 from physical assaults).

47. On 11 June, the Israeli security forces shot in the chest and killed a 16-year-old Palestinian boy during protests in Beita. Several hundred Palestinians had joined the protests after the Friday prayers when the Israeli security forces dispersed the crowd with tear gas. Groups of young Palestinians burned tyres and threw stones, including with slingshots. The boy was with a group of about 10 other young people 500 metres from the outpost. Five soldiers were located 50–100 metres from them, on higher ground, pointing their rifles. After throwing stones, the 16-year-old and his cousin were under a tree facing the soldiers, while other young people continued throwing stones. The Israeli security forces shot and injured the 16-year-old boy and his cousin, who were both hit by live ammunition in the chest while seemingly not posing any threat. The Israeli security forces shot tear gas canisters as villagers

¹²⁰ See <https://www.facebook.com/JLACps/posts/10158351432886989> (in Arabic).

¹²¹ See <http://www.jlac.ps/details.php?id=r3wziqa2256ylfc7xtdjf>. See also <https://www.haaretz.com/israel-news/.premium-palestinians-claiming-ownership-of-evyatar-ask-attorney-general-to-block-settler-dea-1.9952576>.

¹²² According to the Office for the Coordination of Humanitarian Affairs, the number of injuries was likely to have been much higher than the figure recorded.

attempted to evacuate the boy to an ambulance. The boy had been hit in the heart and died in the hospital. On 23 June, media reported that a criminal investigation had been launched.¹²³ Three other young people were injured with live ammunition in the chest. On that day, the Palestine Red Crescent Society treated 11 Palestinians injured by the Israeli security forces with live ammunition, 16 with rubber-coated metal bullets, 62 from tear gas inhalation and 20 from physical assaults or falls.

48. On 6 June, the Israeli security forces sealed the main entrance to Beita village with cement blocks, raising concerns of collective punishment measures. On several occasions, the Israeli security forces closed agricultural roads leading to the Evyatar outpost, thereby obstructing the movement of ambulances, and used force against ambulances and medics. For example, on 3 September, the Israeli security forces injured a Palestine Red Crescent Society medic with a rubber-coated metal bullet and damaged four ambulances. On 29 October, the Israeli security forces injured one paramedic and shot at an ambulance.

49. The protests against the occupation, settlement activities and outposts were ongoing as at the end of the reporting period. On 10 August, the chief of staff of the Israel Defense Forces asked senior Central Command officers to take action to reduce the considerable number of shootings of Palestinians by soldiers in the West Bank.¹²⁴ In the following months, the use of live ammunition against Palestinian protesters appeared to decrease, yet there were additional killings and a large number of severely injured Palestinians. The unjustified and illegal recourse to firearms by law enforcement officials against protected persons resulting in their death may constitute a war crime when occurring in the context of a military occupation.¹²⁵

V. Settlements in the occupied Syrian Golan

50. On 11 October 2021, the Prime Minister of Israel announced that the Government intended to significantly increase the number of people living in the occupied Syrian Golan, citing the continued recognition by the United States of America of the northern plateau as Israeli territory. The Prime Minister asserted that the eventual goal would be to increase the Israeli settlers in the occupied Syrian Golan to 100,000 residents, almost four times the current population of approximately 27,000.¹²⁶ According to the proposal, 7,000 housing units would be added to the town of Katzrin by 2026. The proposal is part of a programme, slated for approval in December 2021, to double the population of the Syrian Golan by the end of the decade. In addition to calling for the increase in the number of people living in the Syrian Golan, the plan calls for the creation of two new settlements in current open spaces, new solar energy projects, and industrial, commercial and tourism zones.¹²⁷ Syrians in the occupied Syrian Golan voiced their opposition to the plan through protests held in October 2021.¹²⁸ The Society for the Protection of Nature in Israel also opposed the plan, calling it an exceptional and unreasonable measure.¹²⁹

VI. Conclusions and recommendations

51. The establishment and expansion of settlements in the Occupied Palestinian Territory and the occupied Syrian Golan amount to the transfer by Israel of its own

¹²³ See <https://www.haaretz.com/israel-news/.premium.MAGAZINE-reality-of-a-west-bank-outpost-four-dead-palestinians-and-drone-spraying-tear-gas-1.9933446>.

¹²⁴ See <https://www.haaretz.com/israel-news/.premium-idf-chief-of-staff-asks-senior-officers-to-reduce-shootings-of-palestinians-1.10102726>.

¹²⁵ [A/HRC/29/CRP.4](#), para. 546; and [A/HRC/49/25](#), para. 23.

¹²⁶ See <https://www.timesofisrael.com/bennett-announces-major-drive-to-quadruple-population-of-golan-heights/>.

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

¹²⁸ See <https://www.middleeasteye.net/news/israel-golan-heights-settlements-quadruple-population>.

¹²⁹ See <https://www.haaretz.com/israel-news/.premium-bennett-pushing-unelected-zoning-board-in-golan-heights-in-bid-to-double-population-1.10458132>.

civilian population into the territories it occupies, which is prohibited under international humanitarian law.¹³⁰ Such transfers amount to a war crime that may engage the individual criminal responsibility of those involved.¹³¹ A number of international bodies have confirmed the illegality of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, including the International Court of Justice, the General Assembly, the Security Council and the Human Rights Council.¹³²

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

53. Discriminatory planning policies and practices, demolitions and forced evictions in the Occupied Palestinian Territory, including for the benefit of settler organizations, entail numerous human rights violations and are a key factor in the coercive environment that exists. Displacement and relocation to alternative residential areas as a result of such an environment could amount to forms of forcible transfer, contrary to the obligations of Israel under international humanitarian law and international human rights law.¹³³

54. Settler violence intensified, with the acquiescence or, on occasion, practical support of the Israeli security forces. Israel repeatedly failed in its responsibility as the occupying Power to protect Palestinians and their property,¹³⁴ while in numerous cases the Israeli security forces used excessive force against Palestinians. This contributed to the worsening of the coercive environment for Palestinians, with a climate of impunity prevailing for settler violence and for use of such force by the Israeli security forces.

55. Israel suppressed Palestinians demonstrating against settlements and settlement-related activities. Documented cases of discriminatory law enforcement, intimidation of protesters and journalists, mass arrests and excessive use of force raised serious concerns that Israel committed human rights violations, including against the rights of Palestinians to freedom of expression and peaceful assembly, and their right to life and security of person.¹³⁵

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

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

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

¹³⁰ Fourth Geneva Convention, art. 49 (6).

¹³¹ Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹³² International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136; Security Council resolutions 465 (1980) and 2334 (2016); General Assembly resolutions 71/97 and 72/86; and Human Rights Council resolution 31/36.

¹³³ Fourth Geneva Convention, art. 49 (6); Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹³⁴ Regulations respecting the Laws and Customs of War on Land, arts. 43 and 46; and Fourth Geneva Convention, art. 27.

¹³⁵ Universal Declaration of Human Rights, arts. 19–20; International Covenant on Civil and Political Rights, arts. 6 (1), 9 (1), 19 and 22; Regulations respecting the Laws and Customs of War on Land, art. 46; and Fourth Geneva Convention, art. 27.

- (b) Rescind all policies and practices contributing to a coercive environment and/or increasing the risk of forcible transfer;**
 - (c) Review planning laws and policies to ensure that they are compliant with the obligations of Israel under international human rights law and international humanitarian law;**
 - (d) Refrain from implementing evictions and demolition orders on the basis of discriminatory and unlawful planning policies and practices that may lead to forcible transfer, including of Bedouin and herder communities;**
 - (e) Take all steps necessary to protect the Palestinian population and their property from settler violence, and ensure that all incidents of violence by settlers against Palestinians and damage to their property are promptly, effectively, thoroughly and transparently investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that victims are provided with effective remedies, including adequate compensation, in accordance with international standards;**
 - (f) Protect the rights to freedom of expression and peaceful assembly of Palestinians, refrain from all undue restrictions, including use of force, and create an enabling environment for peaceful protests;**
 - (g) End policies and practices within the occupied Syrian Golan that may lead to discrimination against protected persons.**
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