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**Seventy-eighth session**

Item 51 of the provisional agenda[[1]](#footnote-2)\*

**Israeli practices and settlement activities affecting the rights
of the Palestinian people and other Arabs of the occupied territories**

 Report of the Special Committee to
Investigate Israeli Practices Affecting
the Human Rights of the Palestinian People
and Other Arabs of the Occupied Territories

 Note by the Secretary-General[[2]](#footnote-3)\*\*

 The Secretary-General has the honour to transmit to the members of the General Assembly the fifty-fifth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, submitted pursuant to General Assembly resolution [76/80](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/388/01/PDF/N2138801.pdf?OpenElement)

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| *Summary* |
| The present report documents the rising influence of Israeli settlers on the human rights situation in the occupied territories. Part IV considers current Israeli government policy in its historical and political context. Part V considers Israeli practices in the occupied territories from September 2022 to September 2023. |
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 I. Introduction

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was established in 1968 by the General Assembly in its [resolution 2443 (XXIIII)](https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/244/03/PDF/NR024403.pdf?OpenElement). It is composed of three Member States: Sri Lanka (represented by the Permanent Representative of Sri Lanka to the United Nations, H.E. Ambassador Mohan Pieris, serving as Chair); Malaysia (represented by the Permanent Representative of Malaysia to the United Nations, H.E. Ambassador Ahmad Faisal Muhamad); and Senegal (represented by the Permanent Representative of Senegal to the United Nations, H.E. Ambassador Chiekh Niang). The Special Committee reports to the Secretary-General. Its reports are reviewed in the Special Political and Decolonization Committee (Fourth Committee) of the General Assembly.

 II. Mandate

2. Pending complete termination of the Israeli occupation, the Special Committee is mandated by resolution 2443 (XXIII) (1968) to investigate Israeli policies and practices affecting the human rights of persons under occupation since June 1967. This consists of the Occupied Palestinian Territory; comprised of the occupied West Bank, including East Jerusalem, and Gaza; the occupied Syrian Golan; and refugees who left because of hostilities. The Special Committee is not mandated to investigate human rights violations committed by other duty bearers in the occupied territories. The Special Committee submits this report pursuant to biennial General Assembly [resolution 76/80](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/388/01/PDF/N2138801.pdf?OpenElement) (2021), covering the period from 1 September 2022 to 30 September 2023.

3. The human rights of the Palestinian people and other Arabs of the occupied territories are as described by the Security Council in its [resolution 237](https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/240/89/pdf/NR024089.pdf?OpenElement) (1967), adopted in the immediate aftermath of Israel’s occupation of East Jerusalem and the West Bank, as “essential and inalienable human rights”. The Special Committee also bases its work on the human rights standards and obligations articulated in the [Universal Declaration of Human Rights](https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf), the Charter of the United Nations, the Geneva Conventions of 1949 and relevant Additional Protocols, and other core human rights instruments, particularly those concerning circumstances of military occupation.

4. General Assembly [resolution 3005 (XXVII)](https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/270/35/PDF/NR027035.pdf?OpenElement) (1972) further mandated the Special Committee to investigate: Israeli settlement establishment, Israel’s annexation of territories occupied since 5 June 1967, exploitation and looting of the resources of the occupied territories, population transfer, pillaging the archaeological and cultural heritage of the occupied territories, and interference in the freedom of worship in the holy places of the occupied territories. Resolution 3005 (XXVII) also calls upon Israel to desist from annexation, settlement activity, destruction of villages and houses, deportation of the inhabitants of the occupied territories, and denial of the right of displaced persons to return.

 III. Activities of the Special Committee

5. In preparation for its annual field mission to the Middle East, the Special Committee addressed a letter dated 4 May 2023 to the Permanent Representative of Israel to the United Nations Office in Geneva, requesting Israel’s cooperation with the Special Committee’s mandate and requesting access to the Occupied Palestinian Territory, Israel, and the occupied Syrian Golan. On 5 June 2023, OHCHR sent a *note verbale* to the Permanent Representative of Israel to the United Nations Office in Geneva, further requesting cooperation and a Special Committee meeting with Israel’s Permanent Representative during the Committee’s Geneva Consultations. The Government of Israel did not respond to these requests. The Special Committee has not, since its establishment in 1968, been granted access by Israel to the occupied territories.

6. In the absence of access to the occupied territories, in 2023 the Special Committee conducted a field visit to Egypt and Jordan, prior to holding its annual consultations in Geneva and attending the 53rd regular session of the Human Rights Council. The Special Committee travelled to Cairo, Egypt for the first time since 2014, meeting with Gaza-based Civil Society Organisations and UN representatives on 8–10 June 2023 prior to travelling to Amman, Jordan to meet with Civil Society Organisations, senior Palestinian Authority officials, and UN representatives from 10–16 June 2023. The Special Committee subsequently held consultations with Member States and other stakeholders in Geneva from 16–19 June 2023, and attended the Interactive Dialogue under Item 2 of the Human Rights Council’s agenda on 20 June 2023.

 IV. Historical and political context

7. The present report is finalised 30 years after the first Oslo agreement (Oslo I) and the iconic handshake between Yasser Arafat and Yitzhak Rabin on the White House South Lawn on 13 September 1993. Absent a political horizon for peace, and in the context of the most violent year in the occupied West Bank since the Second Intifada, the present report considers Israeli policies in their broader context since Oslo I.

8. The optimism of Oslo I was quickly supplanted by fear and violence. On 4 November 1995, Prime Minister Yithak Rabin was assassinated by Yigal Amir, a 27-year-old Jewish law student opposed to the peace process after a pro-peace rally in Tel Aviv.[[3]](#footnote-4) In its [1996 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N96/101/83/pdf/N9610183.pdf?OpenElement), citing Israel’s liberal newspaper of record and other media, the Special Committee noted that “on 7 November, the widow of Prime Minister Yitzhak Rabin blamed the Likud Party leader, Benjamin Netanyahu, and other Israeli right-wing inciters for helping to create the atmosphere that had led to her husband’s assassination by a religious Jewish fanatic. In a series of television interviews, Mrs. Rabin blamed right-wing parliamentarians for giving extremely violent speeches in the Knesset and allowing incitement against her husband.”[[4]](#footnote-5) The domestic atmosphere of fear and violence that Benjamin Netanyahu has cultivated since the mid-1990s when he first campaigned against the Oslo Accords persists, and has worsened in 2023 during Netanyahu’s sixth term as Prime Minister.

9. The virulent rhetoric and policies of some Israeli ministers during the Oslo years galvanised Israeli practices that endure today. Amidst negotiations with the Palestinian Authority in 1998, then-Israeli Foreign Minister Ariel Sharon delivered a speech urging settler youth to “run and grab as many hilltops as they can to enlarge the settlements, because everything we take now will stay ours.”[[5]](#footnote-6) As the Special Committee noted in its [1999 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/258/03/pdf/N9925803.pdf?OpenElement), “the settlers responded rapidly to Minister Ariel Sharon’s calls for the occupation of the western hills in the West Bank and their transformation into new settlement nuclei.”[[6]](#footnote-7) Sharon’s speech propagated the nascent “Hilltop Youth” movement – an extremist, ultranationalist movement that seeks to establish illegal settlement outposts across the occupied West Bank. On 23 June 2023, Israel’s National Security Minister Itamar Ben-Gvir, who is both a settler and a former “Hilltop Youth”, invoked Sharon’s message in a speech at an illegal outpost also called on settlers to ““run to the hilltops” and establish additional outposts”.[[7]](#footnote-8)

10. During Benjamin Netanyahu’s first term as Prime Minister, from June 1996 to July 1999, the peace process faltered, and it later collapsed at the Camp David Summit of July 2000. Two months later, Ariel Sharon infamously visited the Holy Sites as opposition leader on 28 September 2000, leading to what the Special Committee’s [2000 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/675/63/pdf/N0067563.pdf?OpenElement), published within a week of the visit, described as “violent disturbances, resulting in great loss of life and injuries… spreading to the occupied territories of West Bank, Gaza and also to several Arab townships in Israel.”[[8]](#footnote-9) This unrest quickly became the Second Intifada. On 3 January 2023, Minister Itamar Ben-Gvir visited East Jerusalem’s Holy Sites in his first week in office, prompting the first emergency session of the United Nations Security Council for 2023. The Council was briefed that it was the first visit “to the site by an Israeli minister since 2017”[[9]](#footnote-10) and was considered “particularly inflammatory given Mr. Ben-Gvir’s past advocacy for changes to the status quo.”[[10]](#footnote-11) Ben-Gvir visited the Holy Sites a second time on 21 May, amid ongoing tensions[[11]](#footnote-12), and a third time this reporting period on 27 July 2023 (*Tisha B’Av*[[12]](#footnote-13)*),* stating “This is the most important place for the people of Israel, which we must return to and show our rule”.[[13]](#footnote-14) The Special Committee notes that the Hashemite Kingdom of Jordan has been custodian of Jerusalem’s Holy Sites for over a century, a role recognised in Article 9 of the 1994 Israel-Jordan peace treaty,[[14]](#footnote-15) and condemns Minister Ben-Gvir’s repeated attempts to undermine the historic status quo and incite violence at East Jerusalem’s Holy Sites.

11. Itamar Ben-Gvir’s “Jewish Power” is the most right-wing party in Israeli politics; its parent party, “Kach” [[15]](#footnote-16), was banned from the Knesset in 1988 for inciting racism. After Kach member Dr. Baruch Goldstein murdered 29 Palestinian worshippers at Al-Ibrahimi Mosque/the Cave of the Patriarchs in Hebron during the holy month of *Ramadan* (and the Jewish holiday of *Purim*) on 25 February 1994, Kach was designated as a terrorist organisation in Israel, and a Foreign Terrorist Organisation by the United States.[[16]](#footnote-17) The United Nations Security Council strongly condemned the massacre and called upon Israel to prevent “illegal acts of violence by Israeli settlers”[[17]](#footnote-18) and in [S/RES/904](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N94/139/85/PDF/N9413985.pdf?OpenElement) (1994) called for “a temporary international or foreign presence”[[18]](#footnote-19), which led to the establishment of the Temporary International Presence in Hebron, a civilian observer mission comprised of 65 international monitors, in 1994. In 2019, Prime Minister Netanyahu refused to renew the mandate of the civilian observer mission, and the mandate expired on 31 January 2019.[[19]](#footnote-20) In its [2019 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/288/60/pdf/N1928860.pdf?OpenElement), the Special Committee noted that since the announcement of the termination of the mission’s mandate, the number of incidents of settler harassment and intimidation in the Hebron area doubled.[[20]](#footnote-21)

12. Israeli National Security Minister Itamar Ben-Gvir was once an active member of “Kach”, and still attends annual memorial services for Meir Kahane each November.[[21]](#footnote-22) A settler leader in the notoriously militant[[22]](#footnote-23) *Kiryat Arba* settlement on the outskirts of Hebron, Ben-Gvir has eight criminal convictions, including supporting a terrorist organisation, and incitement to racism.[[23]](#footnote-24) At the age of 18 in March 1995, Ben-Gvir reportedly dressed up as Baruch Goldstein for the holiday of *Purim*[[24]](#footnote-25)*,* one year after Goldstein massacred 29 Palestinians during *Purim* in 1994. Aged 19, Ben-Gvir brandished a stolen Cadillac ornament from then-Prime Minister Yitzhak Rabin’s car on television in October 1995, threatening to “get to” Rabin three weeks before he was assassinated.[[25]](#footnote-26) Following Rabin’s assassination, Ben-Gvir was exempted from conscription to the Israel Defence Forces on account of his extreme views.[[26]](#footnote-27) On their first date, Ben-Gvir and his wife reportedly visited Goldstein’s grave in Meir Kahane Park[[27]](#footnote-28), and a portrait of Goldstein reportedly hung in their living room until January 2020, when Ben-Gvir offered to take it down in an unsuccessful bid to be considered in Naftali Bennett’s right-wing bloc.[[28]](#footnote-29) Israel’s police chief reportedly named Ben-Gvir as the biggest inciter of intercommunal violence in Israel’s “mixed cities” in May 2021. [[29]](#footnote-30)

13. Minister Ben-Gvir’s celebration of one of the most notorious racists and mass murderers in Israel’s history is particularly ominous given his popularity[[30]](#footnote-31) with young Israelis. In September 2023, dozens of Kahanists protested in Jerusalem wearing stickers proclaiming that Yigal Amir, Baruch Goldstein, Amiram Ben Uliel[[31]](#footnote-32) and Meir Kahane “were right”[[32]](#footnote-33). As recalled in paragraph eight of the present report, glorification of political violence by right-wing Members of Knesset in the mid-1990s preceded the assassination of Prime Minister Yitzhak Rabin.

14. Minister Ben-Gvir is a policy neophyte compared to Israel’s Minister of Finance and Additional Minister in the Ministry of Defense, Bezalel Smotrich, a *Kedumim[[33]](#footnote-34)* settlement leader. At the age of 25 in 2005, Bezalel Smotrich was reportedly arrested and detained by Israel’s *Shin Bet* security service for three weeks, due to his role in a cell of five in possession of 700 litres of gasoline, allegedly planning to torch cars along Ayalon Highway to protest Israel’s disengagement from Gaza.[[34]](#footnote-35) In 2017, Smotrich published a “Decisive Plan”[[35]](#footnote-36) which he introduced as “a realistic, geopolitical, strategic document”[[36]](#footnote-37) – i.e. his policy blueprint. This racist manifesto claims the Palestinian People are “but a counter-movement to the Zionist movement” and that “there is room for only one expression of national self-determination west of the Jordan River: that of the Jewish nation”. Smotrich explicitly calls for “the application of full Israeli sovereignty to the heartland regions of Judea and Samaria” (the occupied West Bank) and “establishing new cities and settlements deep inside the territory and bringing hundreds of thousands of additional settlers to live therein.” For Palestinians, Smotrich envisages either assimilation “contingent on loyalty” into the Jewish State; or emigration.

15. Tracts from Minister Smotrich’s 2017 policy appear in the current Israeli government’s Coalition Agreement, which states that “the prime minister will work towards the formulation and promotion of a policy whereby sovereignty is applied to Judea and Samaria.” [[37]](#footnote-38) On 23 September 2023, Prime Minister Netanyahu appeared in front of the United Nations General Assembly with a map “of Israel” visually depicting that policy[[38]](#footnote-39). As the Special Committee noted in its [end-of-mission statement](https://www.ohchr.org/en/statements/2023/06/end-mission-statement-un-special-committee-investigate-israeli-practices) in June, the agreement between Defence Minister Gallant and Additional Minister Smotrich dividing Defence responsibilities between them granted Smotrich expanded authority over settlement-related activities and civil affairs in the occupied West Bank, and establishes a “Settlement Administration” to oversee, instruct, and direct the activities of the Coordinator of Government Activities in the Territories (COGAT) and of the Israeli Civil Administration[[39]](#footnote-40). On 18 June, the Israeli government reduced the six stages of approval required to advance or expand settlements to two stages; Minister Smotrich, and a planning committee.[[40]](#footnote-41) Many of the Special Committee’s interlocutors assess that Israel is currently in the process of transferring military control of the occupied West Bank to civilian officials, and therefore consider Israel to be annexing the West Bank, consistent with Smotrich’s 2017 plan to achieve the “political-legal act of imposing sovereignty on all Judea and Samaria, with concurrent acts of settlement.”[[41]](#footnote-42)

16. On 1 March 2023, when asked on television about an Israeli settler rampage[[42]](#footnote-43) through the Palestinian West Bank village of Huwwara, Minister Smotrich said: “The village of Huwwara needs to be wiped out. I think that the state of Israel needs to do that – not, God forbid, private individuals.”[[43]](#footnote-44) Other Israeli ministers and several “Jewish Power” Members of Knesset praised the Huwwara attacks, or demanded impunity for settlers. Israel’s Attorney-General opened an investigation into “Jewish Power” member (and former Brigadier-General) Zvika Fogel after he said: “Huwwara is closed and burnt. That is what I want to see. Only thus can we obtain deterrence”. [[44]](#footnote-45) Jerusalem Affairs and Heritage Minister, Amichai Eliyahu (from “Jewish Power”), reportedly denied the existence of settler violence completely.[[45]](#footnote-46) On 4 August 2023, former “Jewish Power” spokesman Elisha Yared was arrested in connection with the murder of 19-year-old Palestinian Qusai Matan during a settler attack on the Palestinian herding village of Burqa, along with the suspected murderer, Yehiel Indore.[[46]](#footnote-47) On 6 August, commenting on Yared and Indore’s legal defence, Minister Ben-Gvir tweeted: “a Jew who defends himself and others against the murder of Palestinians is not a murder suspect, but a hero who will receive my full support.”[[47]](#footnote-48) Elisha Yared was reportedly transferred to house arrest on 9 August.[[48]](#footnote-49)

17. As acclaimed Israeli historian Avi Shlaim prophetically noted in 2014 upon Ariel Sharon’s death: “His enduring legacy has been to empower and embolden some of the most racist, xenophobic, expansionist, and intransigent elements in Israel’s dysfunctional political system.”[[49]](#footnote-50) In November 2022, Prime Minister Netanyahu’s sixth coalition comprised of his “Likud”; ultranationalist parties “Jewish Power” and “Religious Zionism”; religious conservative parties “United Torah Judaism” and “Shas”; and religious conservative/anti-LGBT party “Noam” won an unprecedented 64 of the Knesset’s 120 seats in Israel’s fifth legislative election in four years. The most right-wing and conservative government in Israel’s history was sworn in on 29 December 2022. As International Crisis Group noted earlier this year, the election of Israel’s current government has provided settlers with political legitimacy they didn’t have before, in turn giving them greater audacity.[[50]](#footnote-51) The Special Committee concurs that the elevation of settlers to ministerial positions has emboldened settler groups and reinforced their impunity, with tragic consequences for Palestinian human rights.

18. The failure of the Oslo process to achieve a peace treaty, and fulfil the right of the Palestinian people to self-determination, ultimately resulted in the deaths of over 3,000 Palestinians and 1,000 Israelis during the Second Intifada between September 2000 and February 2005. During the Intifada, Israel began construction of an illegal[[51]](#footnote-52) separation wall in 2002; ceased home demolitions in 2005, finding they had no deterrent effect; and subsequently disengaged from Gaza in August 2005, described in the Special Committee’s [2007 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/515/39/pdf/N0751539.pdf?OpenElement) as “more of a redeployment”[[52]](#footnote-53). Subsequent major Israeli military operations in 2006[[53]](#footnote-54), 2008-2009[[54]](#footnote-55), 2014[[55]](#footnote-56) and 2021[[56]](#footnote-57) all prompted United Nations Human Rights Commissions of Inquiry or fact-finding missions. 2023 is already the deadliest year in the Occupied Palestinian Territory since 2014, when Israel’s “Operation Protective Edge” killed over 2,250 Palestinians[[57]](#footnote-58) in Gaza and prompted an ongoing International Criminal Court investigation[[58]](#footnote-59).

 V. Situation of Human Rights in the Occupied Palestinian Territory

19. By early August 2023, Israeli Forces had already killed more Palestinians in the occupied West Bank and Israel this year than any other year since 2005.[[59]](#footnote-60) For the third year in a row, Israel also waged a major military operation (“Operation Shield and Arrow”[[60]](#footnote-61)) against Gaza in May 2023, killing at least 33 Palestinians in five days.[[61]](#footnote-62) As of September 2023, Israel holds 1,264 Palestinians in administrative detention, the highest number in over a decade.[[62]](#footnote-63) As of 12 September, Israeli Forces had killed at least 210 Palestinians to date in 2023, Israeli settlers had killed seven Palestinians in the occupied West Bank, and another Palestinian was either killed by Israeli Forces or by a settler.

20. In September 2023, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) documented that since 2022, over 1,100 Palestinians from 29 communities in the occupied West Bank have been displaced, citing rising settler violence and prevention of access to grazing land by Israeli settlers. Most of those displaced were in the governorates of Ramallah, Nablus, and Hebron, which also have the highest number of Israeli settlement outposts.[[63]](#footnote-64) United Nations Humanitarian Coordinator Lynn Hastings noted that four of the villages are now empty; six others are halved[[64]](#footnote-65). Instances of Israeli settler violence have risen every year for the past seven years since United Nations Security Council [resolution 2334](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/463/89/PDF/N1646389.pdf?OpenElement) (2016) was adopted, from 180 incidents a year in 2017, to 856 a year in 2022.[[65]](#footnote-66) OCHA has documented an average of three instances of settler violence a day in 2023, compared to an average of two per day in 2022 and one per day in 2021. This is the highest daily average of settler-related incidents affecting Palestinians since the UN started recording this data in 2006.[[66]](#footnote-67)

21. On 19 June 2023, Israel deployed helicopter gunships in the occupied West Bank for the first time since the Second Intifada, killing five Palestinians[[67]](#footnote-68). Two days later, Israel conducted its first targeted killings via drone strike in the occupied West Bank since 2006[[68]](#footnote-69), killing three Palestinians. From 3-5 July 2023, Israel conducted the largest operation in Jenin Refugee Camp since the Battle of Jenin in 2002[[69]](#footnote-70), with over 1,000 Israeli ground forces entering the camp,[[70]](#footnote-71) killing 12 Palestinians and wounding 143.[[71]](#footnote-72) The only health clinic run by UNRWA inside Jenin Refugee Camp was damaged by Israeli fire during the operation and closed, and more than 460 Palestinian homes were damaged.[[72]](#footnote-73) A thirteenth Palestinian died of his wounds on 25 August 2023[[73]](#footnote-74), after being shot in the mouth on the first day of the Israeli operation. The United Nations Secretary-General expressed “deep concern”[[74]](#footnote-75) at Israeli military operations in Jenin, which killed and injured more Palestinians than any other single Israeli operation in the occupied West Bank since at least 2005.[[75]](#footnote-76) As reconstruction efforts were underway in Jenin refugee camp, Israeli Forces killed another four Palestinians in the camp on 19 September 2023,[[76]](#footnote-77) which Israel attributed to its deployment of *Maoz* suicide drones.[[77]](#footnote-78)

**Settler violence, settlement expansion, and home demolitions**

22. On 26 February 2023, after the killing of two settlers from the *Har Bracha* settlement, hundreds of settlers descended on Huwwara and neighbouring Palestinian villages, “carrying out, with Israeli security forces present, arson and other attacks. Amid the violence, one Palestinian man was shot and killed, 387 others, including 137 women and 89 children, were injured”[[78]](#footnote-79). Hundreds of Palestinians cars were also destroyed, and dozens of shops were damaged. According to *The Economist’s* Israel correspondent, a flyer “demanding revenge” and calling on settlers to march on Huwwara at 18:00 was widely circulating by early afternoon.[[79]](#footnote-80) Israel Defense Force personnel in location reportedly stood by for hours as settlers assembled in groups with weapons, then attacked Palestinians in the villages below. The Israeli military commander responsible for the region, Major General Yehuda Fuchs, described the settler rampage as a “pogrom”, but claimed it “caught the military off-guard.”[[80]](#footnote-81) On 7 March 2023, during the holiday of *Purim*, settlers attacked Huwwara again[[81]](#footnote-82), and Israeli soldiers were filmed[[82]](#footnote-83) dancing with settlers.

23. Although only seven percent of Israelis are settlers[[83]](#footnote-84), since 29 December 2022 the settler movement has been represented by two of the six permanent members of Prime Minister Netanyahu’s Security Cabinet.[[84]](#footnote-85) Six weeks after it formed, Israel’s security cabinet granted retroactive “legalisation” for nine settler outposts in the occupied West Bank, and announced an additional 10,000 new settlement units would be approved.[[85]](#footnote-86) This flagrant violation of United Nations Security Council [resolution 2334](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/463/89/PDF/N1646389.pdf?OpenElement) (2016) prompted the Security Council to express its “deep concern and dismay” in its first [presidential statement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/052/50/PDF/N2305250.pdf?OpenElement) on this Council agenda item since 2014. The Secretary-General of the United Nations subsequently urged “the Government of Israel to halt and reverse the expansion of settlements in the Occupied Palestinian Territory” and noted that “Israel’s persistent expansion of its settlements in the occupied West Bank, including East Jerusalem, deepens humanitarian needs, significantly fuels violence, increases the risk of confrontation, further entrenches the occupation, and undermines the right of the Palestinian people to self-determination.”[[86]](#footnote-87)

24. In its 2022 report, the Special Committee noted that the previous Israeli government acknowledged settlement activity at Homesh was illegal and should be evacuated, but Israeli Forces facilitated large settler marches to the site throughout 2022, including a march joined by serving Members of Knesset Idit Silman and Itamar Ben-Gvir.[[87]](#footnote-88) On 21 March 2023, Israel’s Knesset repealed elements of its 2005 Disengagement Law, which had authorised the evacuation of 21 settlements in Gaza and four in the West Bank: Homesh, Sa-Nur, Ganim and Kadim; and provided settlers with financial compensation. The decision drew an immediate rebuke from the United States, saying it was “extremely troubled that the Israeli Knesset has passed legislation rescinding important parts of the 2005 disengagement law, including the prohibition on establishing settlements in the northern West Bank”, including Homesh, “built on private Palestinian land.” The State Department further emphasised that “nearly 20 years ago, Prime Minister Ariel Sharon on behalf of Israel affirmed in writing to George. W. Bush that it committed to evacuate these settlements and outposts in the northern West bank, to stabilise the situation and reduce frictions.” [[88]](#footnote-89)

25. According to the Norwegian Refugee Council, in 1993 there were 280,000 settlers in the occupied West Bank; today there are “more than 700,000, blocking peace and rendering any future Palestinian state increasingly unviable.”[[89]](#footnote-90) Between 1 June 2022 and 31 May 2023, Israeli plans for the construction of some 16,500 settlement units were advanced or approved, of which 11,400 were in Area C of the occupied West Bank, and 5,090 in East Jerusalem, a 58 per cent and 145 per cent increase on the previous year’s figures, respectively.[[90]](#footnote-91) According to Israeli media, by 26 June 2023 the Israeli government had already broken its previous record for most settlement homes advanced for construction in a year, with 13,082 settlement units advanced in six months eclipsing the 2020 record of 12,159 units[[91]](#footnote-92). Between 15 June and 19 September 2023, “some 9,500 housing units advanced in this period alone.”[[92]](#footnote-93) As the Special Committee has now noted in all fifty-five of its annual reports, settlements have no legal validity, and constitute a flagrant violation of international law and every United Nations resolution on this item since June 1967.

26. Article 119 of Palestine Defence (Emergency) Regulations of 1945 permitted British military commanders to order the forfeiture of property, as a penal provision[[93]](#footnote-94) for violent acts generally committed by the (Zionist) insurgency against the British mandate. It further permitted the military commander to “destroy the house or the structure or anything growing on the land.”[[94]](#footnote-95) Although repealed by Britain before it withdrew from Palestine in 1948, this punitive colonial practice was revived by Israel following its June 1967 occupation until the end of the Second Intifada, when an Israeli army review of the first 1,000 days of the conflict found “no proof of the deterrent influence of house demolitions”, and reportedly also said attacks rose after the army began demolishing homes.[[95]](#footnote-96) Israel resumed the practice in 2014, under Prime Minister Netanyahu. Under Netanyahu’s current government, in the first quarter of 2023, OCHA reported a 46 percent increase in home demolitions “compared with the same period in 2022, which already saw the highest numbers of demolitions record in the West Bank, including East Jerusalem, since 2016.”[[96]](#footnote-97) One month into the job, National Security Minister Ben-Gvir tweeted[[97]](#footnote-98) photos of demolitions he ordered. On 17 August, a Palestinian elementary school in Ein Samiya serving nearly 80 pupils aged 6 to 12 was demolished days before the start of the school year.[[98]](#footnote-99)

27. On 25 January 2023, during a joint Israeli military and police operation in East Jerusalem’s Shuafat refugee camp to demolish the home of Uday Tamimi, Israeli Police shot and killed 17-year-old Mohammad Ali, who had been holding a toy gun.[[99]](#footnote-100) On 13 February, 13-year-old Mohammad Zalabani, an eyewitness to the police shooting of his friend less than three weeks prior and likely motivated by that trauma, reportedly attempted to stab an Israeli Police officer with a kitchen knife on a bus[[100]](#footnote-101). A private security guard on the bus attempted to shoot the boy, but instead shot and killed the policeman. Mohammad Zalabani was taken into juvenile detention, awaiting charges. A court dismissed his family’s appeal against the demolition of their home on 25 August[[101]](#footnote-102), which will make 13-year-old Mohammad the youngest Palestinian to have his home demolished by Israel. As this tragic chain of events demonstrates, home demolitions have no deterrent effect, and in some instances, have incited further violence. The Special Committee reiterates its call for home demolitions in Palestine – a vengeful colonial relic and a grave breach of Article 53 of [Geneva Convention IV](https://ihl-databases.icrc.org/assets/treaties/380-GC-IV-EN.pdf) (1949) – to cease immediately. The Special Committee notes that home demolitions also constitute an act of collective punishment, criminalised under Article 33 of Geneva IV.

**Hebron’s protection crisis**

28. The Biblical Palestinian city of Hebron’s Jewish, Christian and Islamic heritage has made it a religious, cultural, and strategic target to many Israeli policymakers, however no previous government has featured a Hebron settler as a senior minister, with a vested personal interest in consolidating Israeli control of the city. Hebron is the only city aside from East Jerusalem where Israeli settlers reside in a Palestinian urban area, and following Israeli settlement in Hebron since 1968 and its corresponding violence, the city was divided into two zones, “H1” and “H2”, under the 1997 Hebron Protocol. Over 200,000 Palestinians reside in H1, and approximately 33,000 Palestinians and 700-800 Israeli settlers reside in H2. Al-Ibrahimi Mosque/the Tomb of the Patriarchs in Hebron’s Old City (H2) is the fourth-holiest site in Islam and the second-holiest site in Judaism. At this flashpoint, Palestinians are increasingly vulnerable to religious violence.

29. Israel established a “closed military zone” encompassing most of Hebron’s Old City (H2) in November 2015, and three protective presence organisations withdrew in November 2015, citing the closed military zone[[102]](#footnote-103). The avowedly non-violent Palestinian civil society organisation “Youth Against Settlements” also received its first temporary closure order in H2 in November 2015[[103]](#footnote-104). As documented in paragraph 11 of the present report, in January 2019 Prime Minister Netanyahu refused to renew the mandate of the Temporary International Presence in Hebron, and expelled its protective presence of 65 international civilian monitors. Since 2020, Israel has rolled out the “Wolf Pack” facial recognition database[[104]](#footnote-105) in H2, an initiative it labels “Hebron Smart City”[[105]](#footnote-106) but Amnesty International describes as “[Automated Apartheid](https://www.amnesty.org/en/documents/mde15/6701/2023/en/).”

30. In its [May 2023 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/089/77/PDF/G2308977.pdf?OpenElement), the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (hereafter “the Commission of Inquiry”) documented a February 2023 incident in which Issa Amro, founder of ”Youth Against Settlements” and OHCHR’s Human Rights Defender of the Year for Palestine in 2010, was grabbed by the throat, pushed to the ground, and kicked by an Israeli soldier. Pulitzer-prize winning journalist Lawrence Wright, who filmed the incident, noted: “I never had a source assaulted in front of me until today when an Israeli soldier who stopped my interview did this.”[[106]](#footnote-107) Following widespread media attention[[107]](#footnote-108), the soldier was sentenced to 10 days in detention. The Commission of Inquiry documented that Minister of National Security Itamar Ben-Gvir “stated that the soldier should not have been sent to military detention for his actions, and should have received the support of the establishment instead.”[[108]](#footnote-109) Earlier in the reporting period, United Nations experts [condemned](https://www.ohchr.org/en/press-releases/2022/11/israel-un-experts-condemn-attacks-against-human-rights-defender-issa-amro) Israeli Forces’ imposition of a “closed military zone” around Issa Amro’s house on 31 October 2022, the day after he had sought to file a police complaint against Israeli settler violence. United Nations experts also previously called for Issa Amro’s protection in April 2019,[[109]](#footnote-110) noting that Israel’s removal of the Temporary International Presence in Hebron in 2019 led to a group of human rights defenders, including Issa Amro, accompanying children to school in order to protect them from settlers in Hebron.[[110]](#footnote-111)

31. In its [2007 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/515/39/pdf/N0751539.pdf?OpenElement), the Special Committee observed that “settlers living in and around Hebron are particularly militant and violent.”[[111]](#footnote-112) In its [detailed findings](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session53/A-HRC-53-CRP1.pdf) on attacks, restrictions and harassment of civil society actors, issued in June 2023, the Commission of Inquiry also noted “Hebron has long been an epicentre of settler violence – including violence against human rights defenders.”[[112]](#footnote-113) A 2016 United Nations “[Joint UN Strategy for Hebron](https://unsco.unmissions.org/sites/default/files/joint_un_strategy_for_hebron.pdf)” similarly expressed “concerns of continued reports of human rights defenders subjected to physical attacks, harassment, arrest and detention, and death threats, particularly in H2.” [[113]](#footnote-114) H2 is one of the most sophisticated surveillance environments on earth; a single checkpoint on Hebron’s Shuhada Street – Checkpoint 56 – reportedly has at least 24 audio-visual surveillance devices and other sensors mounted on it[[114]](#footnote-115). It is impossible for acts of settler violence to occur in H2 without the knowledge and acquiescence of the battalion of approximately 600 Israeli soldiers in the immediate vicinity, however Israeli Forces are central to the protection crisis. Last year, the Special Committee noted that in this context, it is increasingly difficult to discern between settler and State violence.[[115]](#footnote-116) The Special Committee notes that in September 2023, the Norwegian Refugee Council directly attributed settler violence to the State of Israel, finding Israel is responsible for settler violence where its “legislature, judiciary or executive, including the armed forces, fail to take all necessary steps to protect Palestinians and prevent settler violence directed at them.”

32. In the context of Hebron’s protection crisis and the State of Israel’s unwillingness to prevent acts of settler violence, the Special Committee calls on the United Nations Security Council to urgently renew the mandate of the International Observer Presence in Hebron in accordance with its resolution S/RES/904 (1994). The Special Committee recalls that the Commission of Inquiry recently warned of instances of settler violence coinciding with *Shabbat Chayei Sarah* celebrations in Hebron in late November each year.[[116]](#footnote-117) The Special Committee also notes that *Purim* in 2024 will mark the 30th anniversary of Baruch Goldstein’s terrorist act at Al-Ibrahimi Mosque, and Kahanists have previously commemorated *Purim* with further violence.

**Human rights situation in the Gaza Strip**

33. As the policies and practices of the current Israeli government are increasingly driven by settler interests in the occupied West Bank, emerging policies of this government are generally less visible in Gaza, as Israel withdrew its Gaza settlements in August 2005. However, the predominance of ultranationalists in Israel’s current government has equally grave consequences for Palestinian human rights in Gaza[[117]](#footnote-118), noting the National Security Minister has continued to campaign for attacks on Gaza since assuming office[[118]](#footnote-119), and the Treasurer and Additional Minister in the Ministry of Defence, who once protested Israel’s disengagement from Gaza with gasoline, has been described as the “arsonist running the fire station”[[119]](#footnote-120). Recommendations from the Special Committee’s 2019 report, following the “Great March of Return” protests (an idea conceived by a Palestinian poet and envisaged as a non-violent march at the separation fence), are particularly pertinent in 2023 amid renewed violence at the Gaza perimeter fence. This latest round of violence again demonstrates the urgent need to end Israel’s 16-year air, sea, and land blockade, as demanded in every Special Committee report since 2006.

34. On 31 August 2023, Hamas’s “Supreme National Committee for the March of Return and Breaking the Siege” announced that it intended to erect tents near the border fence east of Gaza City, as a prelude to weekly marches demanding the Palestinian right of return and protesting Israel’s blockade. Senior Hamas officials told media that the economic and humanitarian situation in Gaza has worsened again in 2023, and the renewed protests are intended to raise international awareness of the humanitarian situation.[[120]](#footnote-121) The Special Committee is deeply concerned that Palestinians were again killed at the Gaza perimeter this September, and recalls that during the “Great March of Return” from 30 March 2018 until 27 December 2019, Israeli Forces killed 214 Palestinian protestors, including 46 children. Thousands of Palestinians were maimed, and over 36,100, including nearly 8,800 children, were wounded.[[121]](#footnote-122)

35. The 2019 [report](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) of Commission of Inquiry on the protests in the Occupied Palestinian Territory (hereafter the “Commission of Inquiry on the protests”) documented that prior to the first “Great March of Return” demonstration in March 2018, Israeli Forces “reinforced their positions at the fence with additional troops, including more than 100 sharpshooters”, and “permitted snipers to shoot at the legs of “main inciters” as a means to prevent a demonstrating crowd from crossing the separation fence.”[[122]](#footnote-123) The Commission of Inquiry on the protests noted that, in its view, “the demonstrations were civilian in nature, had clearly stated political aims and, despite some acts of significant violence, did not constitute combat or a military campaign.”[[123]](#footnote-124) Israeli Forces were therefore only permitted to employ firearms in self-defence or for the defence of others in the event of an imminent threat to life.

36. On 30 March 2018, the first day of the protests, Israeli Forces killed 18 people and wounded 703, including a two-year-old wounded in the head, and a 71-year-old woman shot in the legs.[[124]](#footnote-125) Of the 703 wounded, a 16-year-old boy was shot in the face as he distributed sandwiches to demonstrators; a 17-year-old student athlete lost his right leg after being shot from behind whilst aiding tear-gas victims; and a 19-year-old student journalist wearing a blue “Press” vest was shot in both legs, resulting in his right leg being amputated.[[125]](#footnote-126) A 21-year-old member of the Palestinian cycling team was “shot by Israeli forces in the right leg as he stood holding his bicycle, wearing his cycling kit, watching the demonstrations”, and also required a leg amputation. On 14 May 2018, the 70th anniversary of Israel’s declaration of independence and the Palestinian *Nakba*, Israeli Forces killed 60 Palestinian demonstrators, the highest one-day death toll in Gaza since Israel’s “Operation Protective Edge” in 2014. On 14 May 2018 alone, Israeli snipers shot at least 1,162 people with live ammunition, and “hospitals in Gaza were literally overwhelmed by the sheer number of deaths and injuries.”[[126]](#footnote-127) The Commission of Inquiry on the protests found reasonable grounds to believe that Israeli snipers shot health care workers and journalists intentionally, “despite seeing that they were clearly marked as such.”[[127]](#footnote-128)

37. The Special Committee’s 2019 report called on Israel to “systematically investigate all cases of excessive use of force that have led to death or serious injury, including in the context of the Great March of Return and demonstrations in Gaza and the West Bank, including East Jerusalem, and to ensure that all those responsible are held accountable.” This has not occurred, and Israel’s accountability deficit persists. The Special Committee notes that on 20 December 2019, the Prosecutor of the International Criminal Court’s [Summary of Preliminary Examination Findings](https://www.icc-cpi.int/sites/default/files/itemsDocuments/210303-office-of-the-prosecutor-palestine-summary-findings-eng.pdf) announced that she was satisfied that there was a reasonable basis to believe that war crimes have been committed in the West Bank, including East Jerusalem, and the Gaza Strip.[[128]](#footnote-129) On 3 March 2021, the Court confirmed it had initiated an ongoing investigation into the *Situation in the State of Palestine*[[129]](#footnote-130). As of September 2023, this investigation does not appear to have materially progressed.

38. As a group of 32 United Nations Special Rapporteurs noted this March, since the International Criminal Court opened its investigation, “many new violations, allegedly amounting to war crimes and crimes against humanity, have been committed.” In the Special Committee’s view, this includes the targeted killing of journalist Shireen Abu Akleh in Jenin in May 2022, which followed almost identical incidents of Israeli marksmen targeting Palestinian journalists wearing helmets and protective blue jackets labelled “PRESS” at the Gaza perimeter fence in 2018. The Special Committee implores the Court to progress its investigation, particularly noting Israeli judicial paralysis in the context of a constitutional crisis, and the prevailing culture of impunity for Israeli war crimes committed in the Occupied Palestinian Territory.

**Human rights situation of Palestine refugees**

39. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)[[130]](#footnote-131) provides critical services to millions of registered Palestine refugees in the Occupied Palestine Territory, Jordan, Lebanon, and Syria. UNRWA’s services provide education, health care, relief and social services, protection, infrastructure and camp improvement, and emergency assistance. Although it provides public-like services, UNRWA is funded almost entirely by voluntary contributions, and has been chronically underfunded for a decade, with overall income stagnant at 2013 levels while needs and costs have increased. Suspension of UNRWA’s services would result in a humanitarian crisis, potentially destabilise Jordan, Lebanon, and Syria, and have security consequences for the entire region. Potential flashpoints are already visible. On 3 August 2023, Lebanon’s caretaker Prime Minister called the Palestinian President to warn him the Lebanese Army may intervene in armed violence in Lebanon’s largest Palestinian refugee camp[[131]](#footnote-132), after clashes in Ein El Hilweh killed 13 and wounded 40, including an UNRWA staff member.[[132]](#footnote-133) On 7 September, further clashes in Ein El Hilweh killed another four and wounded 60.[[133]](#footnote-134)

40. This year, UNRWA emergency appeals followed earthquakes impacting refugee communities in Syria and Lebanon[[134]](#footnote-135), and Israeli attacks on Gaza[[135]](#footnote-136) and Jenin[[136]](#footnote-137). Despite a pledging conference in Juna and a ministerial-level meeting co-hosted by Sweden and Jordan on the sidelines of the General Assembly on 21 September 2023, UNRWA still lacks the funds to operate from November. Days prior to the conference, the International Crisis Group warned that “the perpetual state of [UNRWA’s financial] crisis is untenable. It undermines staff morale, prompts salary strikes, and reduces an international agency with a proud record of aiding Palestinian refugees to a miserable beggar for alms. It is also inefficient to run what amounts to a welfare state for three million people on a shoestring, as it militates against investing in infrastructure, digitisation, and other updating of outlay, eroding the quality of services.”[[137]](#footnote-138) The [report](https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/242-unrwas-reckoning-preserving-un-agency-serving-palestinian-refugees) urged “a mix of traditional donors and new ones” to provide multi-year funding commitments, noting “cleaning up after an UNRWA breakdown would be far more costly than closing the financial gap.”

41. On 29 August 2023, 63 members of the United States Congress addressed a letter to the United States Senate Foreign Relations Committee, requesting release of USD 75 million in previously appropriated congressional funding for UNRWA delivery of food assistance in Gaza and the West Bank, and noting United States assistance to Palestine refugees was a “reflection of American values as well as in the diplomatic and security interests of the United States.”[[138]](#footnote-139) These funds were released on 30 September. The United States also announced it would provide “more than USD 73 million in additional funding to support UNRWA’s core and emergency services”[[139]](#footnote-140) at the 21 September ministerial meeting. Whilst the Special Committee welcomes the resumption of United States funding to UNRWA, which has returned to approximately USD 350 million a year after being frozen from 2018 to 2021, current United States funding to UNRWA equates to seven-to-nine percent of the foreign military assistance provided by the United States to Israel each year, set at USD 3.8 billion a year but often supplemented by an additional USD 1 billion to replenish Israel’s “Iron Dome” system[[140]](#footnote-141). This foreign military assistance provides the United States with no measurable influence over Israeli policies and practices, as repeatedly demonstrated throughout 2023 and acknowledged by former United States Ambassadors to Israel, Daniel Kurtzer and Martin Indyk.[[141]](#footnote-142) The Special Committee urges the United States to divert a substantial portion of its annual allocation to the Israeli military to instead fund UNRWA’s programme budget, thereby making a real investment in Palestinian human rights.

 V. Human rights situation in the occupied Syrian Golan

42. Israeli acts of incitement at Jerusalem’s Al-Haram Al-Sharif during Ramadan in 2023 prompted violent reactions from all occupied territories, including the Syrian Golan. After footage of Israeli police beating worshippers inside the Al-Aqsa Mosque in the early hours of 5 April 2023 prompted outrage across the region, rockets were fired into Israel by Palestinian groups in Gaza, southern Lebanon, and Syria[[142]](#footnote-143). On 8 to 9 April 2023, six rockets were fired at the Israeli-occupied Golan from Syria, reportedly by the Damascus-based Palestinian group Al-Quds Brigade[[143]](#footnote-144). In response, Israel bombed Damascus and fired tank and artillery rounds into southern Syria, and shrapnel showered United Nations peacekeepers and local civilians on the occupied Syrian Golan. Civilians living on or near the Golan were regularly endangered by Israeli targeting operations throughout 2023, most recently on 21 September 2023, when two people riding a motorcycle were reportedly killed by an Israeli targeted strike near the Syrian town of Beit Jinn.[[144]](#footnote-145)

43. For Syrians living on the occupied Golan, ongoing conflict between Israel and Syria severely constrains their freedom of movement, unless they accept Israeli citizenship. Many Golan residents are Druze Arabs, who unlike Palestinian citizens of Israel, may be conscripted to serve in Israel’s Defense Forces. This coercive environment was codified in Israeli legislation in December 1981, when the Knesset passed the “Golan Heights Law”, purportedly annexing the Golan Heights. At the time, international media reported that there were approximately 12,500 Druze Arabs living on the Golan Heights and 6,000 Israeli settlers, and annexation “was regarded, in part, as a government attempt to mollify militant settlers in Sinai, who have vowed to resist physically when Israel returns the final strip of the desert peninsula to Egypt [in April 1982], as required by the peace treaty”[[145]](#footnote-146) with Egypt. Bezalel Smotrich, an infant in 1981 living in the religious *Haspin* settlement, was among those 6,000 settlers. By 2023, the number of settlers on the occupied Golan had risen to 29,000, outnumbering the local population of approximately 28,000.[[146]](#footnote-147)

44. The Special Committee reiterates its concern that the 34 existing Israeli settlements on the occupied Syrian Golan, in addition to Israeli commercial activity such as the wind turbine project, have limited the Syrian population’s access to natural and agricultural resources, in violation of their basic human rights. In June 2023, violent protests against Israel’s expansion of its wind turbine project on the Golan were dispersed by Israeli police firing tear gas and water cannons[[147]](#footnote-148). Four demonstrators were reportedly seriously wounded, one from gunfire.[[148]](#footnote-149) 12 Israeli police suffered minor injuries. The mayor reportedly warned of further violence, and expressed community outrage “at Israel’s policies and planning laws.”[[149]](#footnote-150) Israeli Finance Minister Bezalel Smotrich said he supported the police in “enforcing the law, order and governance in the Golan Heights.” On the Golan, as in Palestine, Israel’s ongoing military occupation and settlement continue to deny the fulfilment of basic human rights.

 VI. Recommendations

45. **The General Assembly and its Member States should:**

 (a) **Urge the United Nations Security Council to renew the mandate of the International Observer Presence in Hebron in accordance with its resolution S/RES/904 (1994);**

 (b) **Urge the International Criminal Court to progress its investigation into the situation in Palestine, noting that since the Court announced it had initiated an investigation in March 2021, Israel has allegedly committed further war crimes and crimes against humanity in Gaza and the occupied West Bank;**

 (c) **Ensure Israel immediately desist from the practice of home demolitions, in accordance with the Fourth Committee’s decolonisation mandate, noting the British Empire repealed this penal provision 75 years ago.**

46. **The Special Committee reiterates the following recommendations for the General Assembly and its Member States from its previous reports:**

 (a) **The General Assembly should:**

 (i) **Urge the Security Council to consider sanctions against Israel if it persists in paying no attention to its international legal obligations;**

 (ii) **Urge the High Contracting Parties to the Fourth Geneva Convention to take concrete measures in respect of their obligation to ensure respect of the Convention by Israel. A meeting of the High Contracting Parties to that effect should be convened urgently;**

 (iii) **Urge Israel to end its occupation, in accordance with United Nations Security Council resolution 242 (1967) and all relevant subsequent resolutions;**

 (iv) **Urge Israel to end its blockade of Gaza;**

 (v) **Urge Israel to cease all settlement activity in the occupied West Bank, including East Jerusalem, and in the occupied Syrian Golan;**

 (vi) **Ensure all Member States review national policies, legislation, regulations, and enforcement measures in relation to business activity in order to ensure that they in effect serve to prevent and address the heightened risk of human rights abuses in the occupied territories. In accordance with operative paragraph five of United Nations Security Council resolution 2334 (2016), all Member States must distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967;**

 (vii) **Ensure that corporations respect human rights, and cease funding or entering into commercial transactions with organisations and bodies involved in settlements, or the exploitation of natural resources in the Occupied Palestinian Territory and the occupied Syrian Golan;**

 (viii) **Ensure Member States cease offering tax incentives and other concessions to settler organisations;**

 (iv) **To give effect to the legal obligations contained in the relevant advisory opinions of the International Court of Justice;**

 (x) **Support UNRWA with predictable and sustainable funding, to ensure undisrupted service provision to millions of Palestinian refugees and to preserve the rights, dignity and hope of Palestine refugees, especially women and children.**

47. **The Government of Israel should:**

 (a) **Reverse its January 2019 decision to end the mandate of the International Observer Presence in Hebron;**

 (ii) **Investigate all incidents involving use of force resulting in death or injury, particularly war crimes and crimes against humanity committed by Israeli Forces, and hold perpetrators accountable;**

 (iii) **Immediately desist from the practice of home demolitions.**

48. **The Special Committee reiterates the following recommendations for the State of Israel from its previous reports:**

 (a) **End the occupation, in accordance with United Nations Security Council Resolution 242 (1967) and subsequent resolutions;**

 (b) **End the blockade on Gaza;**

 (c) **Ensure accountability for violations of International Criminal Law, International Humanitarian Law, and International Human Rights Law;**

 (d) **End and reverse all policies and practices of home evictions, demolitions and settlements in the occupied territories;**

 (e) **Investigate and prosecute all instances of settler violence;**

 (f) **Restore freedom of movement for the people of the occupied territories;**

 (g) **End the mass detention of Palestinians;**

 (h) **Cooperate with the United Nations.**

1. \* A/78/150. [↑](#footnote-ref-2)
2. \*\* The present report was submitted after the deadline in order to reflect the most recent information. [↑](#footnote-ref-3)
3. See: [A/51/99](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N96/101/83/pdf/N9610183.pdf?OpenElement) (1996), paragraph 44; and [The Assassination of Yitzhak Rabin | The New Yorker](https://www.newyorker.com/magazine/2015/10/26/yitzhak-rabin-assassination-israel-oslo-peace-accords). [↑](#footnote-ref-4)
4. See: A/51/99 (1996), paragraph 48. [↑](#footnote-ref-5)
5. See: [The Unsettlers - The New York Times (nytimes.com)](https://www.nytimes.com/2003/02/16/magazine/the-unsettlers.html?smid=nytcore-ios-share&referringSource=articleShare), 16 February 2003. [↑](#footnote-ref-6)
6. [A/54/325 (1999)](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/258/03/pdf/N9925803.pdf?OpenElement), page 39. [↑](#footnote-ref-7)
7. [Security Council Seventy-eighth year 9361st meeting Tuesday, 27 June 2023, 10.25 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/184/63/PDF/N2318463.pdf?OpenElement), page 3. [↑](#footnote-ref-8)
8. A/55/453 of 5 October 2000, paragraph 34. [↑](#footnote-ref-9)
9. Israel’s current Ambassador to the United Nations, Gilad Erdan, was the minister (Likud) who visited in 2017. In its [2022 report](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/610/71/pdf/N2261071.pdf?OpenElement) (paragraphs 21-22), the Special Committee previously condemned Ben-Gvir for accessing the Holy Sites on 7 August 2022 (i.e. before becoming a minister) on the final day of Israel’s “Operation Breaking Dawn” as an act of incitement. [↑](#footnote-ref-10)
10. See: [Security Council Seventy-eighth year 9236th meeting Thursday, 5 January 2023, 3 p.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/007/06/PDF/N2300706.pdf?OpenElement), p. 2. Under the status quo, Jews and Christians are permitted to visit Al-Haram Al-Sharif, but only Muslims can pray; Jews pray at the Western Wall. The Holy Sites are managed by the Jordanian *Waqf*, but access is controlled by Israel Police. [↑](#footnote-ref-11)
11. See: [Far-right minister says Israel 'in charge' during visit to Jerusalem holy site | Reuters](https://www.reuters.com/world/middle-east/far-right-minister-says-israel-in-charge-during-visit-jerusalem-holy-site-2023-05-21/) [↑](#footnote-ref-12)
12. On *Tisha B’av*, the ninth day of the Jewish month of Av, Jews commemorate the destruction of the First and Second Temples. [↑](#footnote-ref-13)
13. See: [Israeli army kills 14-year-old Palestinian as an Israeli minister visits a flashpoint holy site | AP News](https://apnews.com/article/israel-gvir-minister-palestinians-killed-west-bank-3c0495b6671588233e4fce2e45c1cfad?taid=64c20c50e6cfe30001f46d6f) [↑](#footnote-ref-14)
14. See: [IL JO\_941026\_PeaceTreatyIsraelJordan.pdf (un.org)](https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20JO_941026_PeaceTreatyIsraelJordan.pdf) [↑](#footnote-ref-15)
15. Meir Kahane, founder of “Kach”, emigrated from Brooklyn to Israel in 1971. In 1972, Kahane was arrested in Israel for attempting to smuggle explosives to Europe, [reportedly](https://www.washingtonpost.com/archive/opinions/1987/11/08/kahanes-money-tree/fde5cddd-21d8-4803-8330-0de0c394cf0f/) to blow up the Libyan Embassy in Brussels. “Jewish Power” is an ideological offshoot of Kach, and Ben-Gvir once served as a Kach youth leader. See also: [Israel election: Netanyahu brings right-wing Jewish Power party into fold - The Washington Post](https://www.washingtonpost.com/world/middle_east/israel-election-netanyahu-ben-gvir/2021/03/19/c3992b7c-85c4-11eb-be4a-24b89f616f2c_story.html) [↑](#footnote-ref-16)
16. [Foreign Terrorist Organizations (state.gov)](https://2009-2017.state.gov/j/ct/rls/other/des/123085.htm). Kach was delisted due to inactivity alongside the likes of Aum Shinrikyo in 2022, although it remains [listed](file://C:\Users\dean.callas\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\VU7QIA5M\Revocation%20of%20Five%20Foreign%20Terrorist%20Organizations%20Designations%20and%20the%20Delisting%20of%20Six%20Deceased%20Individuals%20as%20Specially%20Designated%20Global%20Terrorists%20-%20United%20States%20Department%20of%20State) as a Specially Designated Global Terrorist entity. [↑](#footnote-ref-17)
17. See: [S/RES/904 (1994)](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N94/139/85/PDF/N9413985.pdf?OpenElement), paragraph 2. [↑](#footnote-ref-18)
18. See: [S/RES/904 (1994)](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N94/139/85/PDF/N9413985.pdf?OpenElement), paragraph 3. [↑](#footnote-ref-19)
19. See: [Remarks to Committee on the Exercise of the Inalienable Rights of the Palestinian People | United Nations Secretary-General](https://www.un.org/sg/en/content/sg/speeches/2019-02-15/remarks-committee-inalienable-rights-of-palestinian-people); [Israel to Expel International Monitoring Force in Hebron After 20-year Presence - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2019-01-28/ty-article/.premium/israel-to-expel-international-monitoring-force-in-hebron-after-20-year-presence/0000017f-dc7f-db5a-a57f-dc7f563f0000). Netanyahu once approved the expansion of the Temporary International Presence in Hebron under the 1998 Wye River Memorandum. [↑](#footnote-ref-20)
20. [A/74/356](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/288/60/pdf/N1928860.pdf?OpenElement) (2019), paragraph 24. See also: [Dignity denied: Life in the settlement area of Hebron city | United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory (ochaopt.org)](https://www.ochaopt.org/content/dignity-denied-life-settlement-area-hebron-city) [↑](#footnote-ref-21)
21. See: [Far-right jeers, U.S. censure for Ben-Gvir attendance at Kahane event | Reuters](https://www.reuters.com/world/middle-east/us-see-how-israels-far-right-lawmakers-act-before-passing-judgement-ambassador-2022-11-10/) [↑](#footnote-ref-22)
22. The Special Committee has documented [*Kiryat Arba*](https://kiryat4.org.il/) settler violence for over 30 years. In 1991, the Special Committee noted that “Jerusalem district courts sentenced 12 *Kiryat Arba* settlers to prison terms ranging from one to four months. They were found guilty of breaking into the Dheisheh [refugee] camp on 6 June 1987, shooting, beating soldiers and committing other offences. Three of the suspects were acquitted.” (See [A/46/282](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N91/219/01/pdf/N9121901.pdf?OpenElement) (1991), paragraph 150.) *Kiryat Arba* is also home to Baruch Goldstein’s grave in Meir Kahane Park. [↑](#footnote-ref-23)
23. See: [Itamar Ben-Gvir, Israel’s Minister of Chaos | The New Yorker](https://www.newyorker.com/magazine/2023/02/27/itamar-ben-gvir-israels-minister-of-chaos) [↑](#footnote-ref-24)
24. See: [In Israel Today, the Joyous Festival of Purim Shows Its Darker Side - Haaretz Today - Haaretz.com](https://www.haaretz.com/israel-news/haaretz-today/2023-03-07/ty-article/.premium/in-israel-today-the-joyous-festival-of-purim-shows-its-darker-side/00000186-bce2-da7d-a98e-fdeed3e00000) [↑](#footnote-ref-25)
25. See: [Itamar Ben Gvir: How an extremist settler became a powerful Israeli minister - The Washington Post](https://www.washingtonpost.com/world/2023/02/15/israel-ben-gvir-netanyahu-government/) [↑](#footnote-ref-26)
26. See: [Who is Itamar Ben-Gvir, Israel’s kingmaker? (economist.com)](https://www.economist.com/the-economist-explains/2022/11/03/who-is-itamar-ben-gvir-israels-kingmaker) [↑](#footnote-ref-27)
27. See: [Itamar Ben-Gvir, Israel’s Minister of Chaos | The New Yorker](https://www.newyorker.com/magazine/2023/02/27/itamar-ben-gvir-israels-minister-of-chaos) and [Israel’s Centrists Have Discovered Meir Kahane Park. It’s Better Late Than Never - Opinion - Haaretz.com](https://www.haaretz.com/opinion/2023-08-27/ty-article-opinion/.premium/israels-centrists-have-discovered-meir-kahane-park-its-better-late-than-never/0000018a-3346-d87f-a3ff-7fe7984e0000) [↑](#footnote-ref-28)
28. See: [Ben Gvir responds to Bennett: Fine, I'll take down Baruch Goldstein's picture | The Times of Israel](https://www.timesofisrael.com/liveblog_entry/ben-gvir-responds-to-bennett-fine-ill-take-down-baruch-goldsteins-picture/) [↑](#footnote-ref-29)
29. See: [Palestinians Fear Israel Government May Spark Settler Attacks | Time](https://time.com/6252759/palestine-israel-settler-attacks-biden/). [↑](#footnote-ref-30)
30. See: [Why So Many Young Israelis Adore This Racist Politician - Israel Election 2022 - Haaretz.com](https://www.haaretz.com/israel-news/elections/2022-09-13/ty-article-magazine/.highlight/why-so-many-young-israelis-adore-this-racist-politician/00000183-3743-db19-abcb-37fb61520000) [↑](#footnote-ref-31)
31. Amiram Ben Uliel murdered 18-month-old Palestinian Ali Dawabshe and his parents Saad and Riham in an arson attack on their home in the occupied West Bank village of Duma in 2015. Ben Uliel’s accomplice, a minor, was represented in court by Itamar Ben-Gvir. See: [Israeli Settler Found Guilty of Murdering Palestinian Family in 2015 Arson - The New York Times (nytimes.com)](https://www.nytimes.com/2020/05/18/world/middleeast/israel-amiram-ben-uliel-guilty.html) [↑](#footnote-ref-32)
32. See: [Israel's Gen Z Kahanists Have a New Hero-terrorist - Opinion - Haaretz.com](https://www.haaretz.com/opinion/2023-09-10/ty-article-opinion/.premium/israels-gen-z-kahanists-have-a-new-hero-terrorist/0000018a-7b2f-d193-a18b-7f3f1c0b0000) and [Organizers claim stickers praising extremists at rally handed out by 'provocateurs' | The Times of Israel](https://www.timesofisrael.com/organizers-claim-stickers-praising-extremists-at-rally-handed-out-by-provocateurs/) [↑](#footnote-ref-33)
33. Smotrich technically resides outside the *Kedumim* settlement boundary, in violation of the settlement’s master plan, Israeli law, and international law. [↑](#footnote-ref-34)
34. See: [Former Shin Bet deputy chief said to claim MK Smotrich planned terror attack | The Times of Israel](https://www.timesofisrael.com/former-shin-bet-deputy-chief-said-to-call-hardline-mk-smotrich-a-terrorist/) and: [Ex-security official foresees 'major disaster' if Smotrich made defense minister | The Times of Israel](https://www.timesofisrael.com/ex-security-official-foresees-major-disaster-if-smotrich-made-defense-minister/) [↑](#footnote-ref-35)
35. Bezalel Smotrich, [Israel's Decisive Plan - השילוח (hashiloach.org.il)](https://hashiloach.org.il/israels-decisive-plan/) [↑](#footnote-ref-36)
36. Bezalel Smotrich, [Israel's Decisive Plan - השילוח (hashiloach.org.il)](https://hashiloach.org.il/israels-decisive-plan/) [↑](#footnote-ref-37)
37. [CA37-RZ.pdf (knesset.gov.il)](https://main.knesset.gov.il/mk/government/Documents/CA37-RZ.pdf) [↑](#footnote-ref-38)
38. See video: [Israel on the cusp of historic peace with Saudi Arabia, Netanyahu announces at UN | UN News](https://news.un.org/en/story/2023/09/1141302).
In March 2023 Minister Smotrich also spoke at a podium displaying a “map of Israel” that not only included the Occupied Palestinian Territories, but the Hashemite Kingdom of Jordan. [↑](#footnote-ref-39)
39. See: [Security Council Seventy-eighth year 9290th meeting Wednesday, 22 March 2023, 10 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/083/28/PDF/N2308328.pdf?OpenElement), page 4. [↑](#footnote-ref-40)
40. See: [Israeli government gives settler minister control over West Bank settlement planning | AP News](https://apnews.com/article/israel-palestinians-west-bank-settlements-smotrich-1f16401de915559965e906f70269908b) [↑](#footnote-ref-41)
41. Bezalel Smotrich, [Israel's Decisive Plan - השילוח (hashiloach.org.il)](https://hashiloach.org.il/israels-decisive-plan/), “Stage One: Victory Through Settlement” [↑](#footnote-ref-42)
42. See paragraph 22 and: [Security Council Seventy-eighth year 9290th meeting Wednesday, 22 March 2023, 10 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/083/28/PDF/N2308328.pdf?OpenElement), page 3. [↑](#footnote-ref-43)
43. See: [U.S. Condemns Smotrich's 'Repugnant, Disgusting' Call for Israel to Wipe Out Palestinian Village - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2023-03-01/ty-article/.premium/u-s-condemns-smotrichs-repugnant-disgusting-call-to-wipe-off-palestinian-village/00000186-9eb2-d930-a7ae-dffe27000000) and [Israeli minister's call to 'erase' Palestinian village an incitement to violence, US says | Reuters](https://www.reuters.com/world/middle-east/israeli-ministers-call-erase-palestinian-village-an-incitement-violence-us-says-2023-03-01/) [↑](#footnote-ref-44)
44. See: [A-G to investigate MK Zvika Fogel for Huwara incitement - Israel News - The Jerusalem Post (jpost.com)](https://www.jpost.com/israel-news/article-733048) [↑](#footnote-ref-45)
45. See: [‘There's No Such Thing’ as Settler Violence: Far-right Israeli Minister Excuses Hawara Rampage - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2023-03-02/ty-article/.premium/no-such-thing-as-settler-violence-far-right-israeli-minister-excuses-hawara-rampage/00000186-a2cd-d45a-a9ef-beef9ee40000) [↑](#footnote-ref-46)
46. See: [Israeli settler accused of involvement in killing of Palestinian moved to house arrest | AP News](https://apnews.com/article/israel-palestinians-west-bank-settlers-attack-bengvir-netanyahu-f59bad22ce74ca2ea99ebc5ce54e727b) [↑](#footnote-ref-47)
47. [Itamar Ben-Gvir on X](https://twitter.com/itamarbengvir/status/1688115966998167552?s=46&t=KDXKGSE0J1CsbcfXlXxEuA) [↑](#footnote-ref-48)
48. See: [Israeli settler accused of involvement in killing of Palestinian moved to house arrest | AP News](https://apnews.com/article/israel-palestinians-west-bank-settlers-attack-bengvir-netanyahu-f59bad22ce74ca2ea99ebc5ce54e727b) [↑](#footnote-ref-49)
49. See: ['Man of peace'? Ariel Sharon was the champion of violent solutions | Avi Shlaim | The Guardian](https://www.theguardian.com/commentisfree/2014/jan/13/ariel-sharon-no-man-of-peace-israel) [↑](#footnote-ref-50)
50. As quoted in: [Why Israeli Settler Attacks on Palestinians Are Increasing | Time](https://time.com/6260249/israel-rising-settler-violence/?utm_source=Sign%20Up%20to%20Crisis%20Group%27s%20Email%20Updates&utm_campaign=6e92d733dd-EMAIL_CAMPAIGN_2019_01_28_08_41_COPY_01&utm_medium=email&utm_term=0_1dab8c11ea-6e92d733dd-360076765). [↑](#footnote-ref-51)
51. In its Advisory Opinion of 9 July 2004 on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory by Israel, the International Court of Justice, principal judicial organ of the United Nations, found that the “construction of the wall, and its associated regime, are contrary to international law.” See: [131-20040709-PRE-01-00-EN.pdf (icj-cij.org)](https://www.icj-cij.org/sites/default/files/case-related/131/131-20040709-PRE-01-00-EN.pdf), paragraph 143. [↑](#footnote-ref-52)
52. [A/62/360](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/515/39/pdf/N0751539.pdf?OpenElement), paragraph 47. [↑](#footnote-ref-53)
53. On 15 November 2006, the Human Rights Council resolution S-3/1 called for a high-level fact-finding mission to be established to investigate Israeli military operations in Beit Hanoun, Gaza in November 2006. Archbishop Desmond Tutu of South Africa was appointed to lead the mission. See: [A/HRC/9/26](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G08/153/11/pdf/G0815311.pdf?OpenElement) (2008). [↑](#footnote-ref-54)
54. On 3 April 2009, the President of the Human Rights Council established the United Nations Fact Finding Mission on the Gaza Conflict to investigate violations of international law in the context of Israeli military operations (“Operation Cast Lead”) in Gaza from 27 December 2008 to 18 January 2009. Justice Richard Goldstone of South Africa was appointed to head the mission. See: [A/HRC/12/48](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/158/66/pdf/G0915866.pdf?OpenElement) (2009). [↑](#footnote-ref-55)
55. In its resolution S-21/1 of 23 July 2014, the Human rights Council dispatched an independent, international commission of inquiry to investigate violations of international law in the context of Israeli military operations (“Operation Protective Edge”) since 13 June 2014. See: A/HRC/29/52 (2015). [↑](#footnote-ref-56)
56. In its resolution [A/HRC/RES/S-30/1](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/114/96/PDF/G2111496.pdf?OpenElement) of 27 May 2021, the Human Rights Council established an ongoing, independent, international Commission of Inquiry, to investigate violations of international law in the occupied Palestinian territory and in Israel leading up to and since 13 April 2021, and all underlying root causes of recurrent tensions, instability and protraction of conflict, including systemic discrimination and repression based on national, ethnic, racial or religious identity.
The IDF named their 10-21 May 2021 operation “Guardian of the Walls.” [↑](#footnote-ref-57)
57. See: [Key figures on the 2014 hostilities | OCHA](https://www.ochaopt.org/content/key-figures-2014-hostilities) [↑](#footnote-ref-58)
58. The Court will investigate crimes alleged to have been committed since 13 June 2014. See: [Palestine | ICC](https://www.icc-cpi.int/palestine) [↑](#footnote-ref-59)
59. [Protection of Civilians Report | 25 July – 7 August 2023 | OCHA](https://www.ochaopt.org/poc/25-july-7-august-2023) [↑](#footnote-ref-60)
60. 14.05.2023 Summary of Operation Shield and Arrow | IDF (www.idf.il) [↑](#footnote-ref-61)
61. [Humanitarian situation in Gaza | Flash Update #5 as of 17:00, 15 May 2023 | OCHA](https://www.ochaopt.org/content/flash-update-5-15-may-2023) [↑](#footnote-ref-62)
62. See: <https://undocs.org/en/S/PV.9425>. For further details on carcerality, see: A/HRC/53/59 (2023). [↑](#footnote-ref-63)
63. See: [Displacement of Palestinian herders amid increasing settler violence | OCHA](https://ochaopt.org/content/displacement-palestinian-herders-amid-increasing-settler-violence) [↑](#footnote-ref-64)
64. See: [Lynn Hastings on X](https://twitter.com/lynnhastings/status/1704784073267302825?s=46&t=KDXKGSE0J1CsbcfXlXxEuA) [↑](#footnote-ref-65)
65. See: [Increase in settler violence: remarks provided to the press | OCHA](https://www.ochaopt.org/content/increase-settler-violence-remarks-provided-press) [↑](#footnote-ref-66)
66. See: [Displacement of Palestinian herders amid increasing settler violence | OCHA](https://ochaopt.org/content/displacement-palestinian-herders-amid-increasing-settler-violence) [↑](#footnote-ref-67)
67. See: [Israeli troops, backed by helicopter, kill 5 Palestinians in clash | Reuters](https://www.reuters.com/world/middle-east/israeli-forces-kill-2-palestinians-west-bank-clash-medics-say-2023-06-19/#:~:text=June%2019%2C%2020232%3A11%20PM%20PDTUpdated%207%20days%20ago,armed%20fighters%2C%20the%20military%20and%20health%20officials%20said.) [↑](#footnote-ref-68)
68. See: [Israeli drone hits Palestinian militants as West Bank violence surges | Reuters](https://www.reuters.com/world/middle-east/israeli-settlers-attack-palestinian-village-after-deadly-hamas-strike-2023-06-21/) [↑](#footnote-ref-69)
69. See: [Israeli air strikes and ground operations in Jenin may constitute war crime: UN experts | OHCHR](https://www.ohchr.org/en/press-releases/2023/07/israeli-air-strikes-and-ground-operations-jenin-may-constitute-war-crime-un) [↑](#footnote-ref-70)
70. See: [Security Council 9387th meeting 27 July 2023](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/221/71/PDF/N2322171.pdf?OpenElement) and [Israel attacks Jenin in biggest West Bank incursion in 20 years | Palestinian territories | The Guardian](https://www.theguardian.com/world/2023/jul/03/palestinians-killed-israeli-strike-west-bank-jenin) [↑](#footnote-ref-71)
71. [Israeli forces’ operation in Jenin | OCHA Situation Report #1](https://www.ochaopt.org/content/israeli-forces-operation-jenin-situation-report-1) [↑](#footnote-ref-72)
72. See: [Security Council Seventy-eighth year 9387th meeting Thursday, 27 July 2023, 10 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/221/71/PDF/N2322171.pdf?OpenElement) [↑](#footnote-ref-73)
73. See: [Protection of Civilians Report | 22 August – 4 September 2023 | OCHA](https://www.ochaopt.org/poc/22-august-4-september-2023) [↑](#footnote-ref-74)
74. [Statement attributable to the Spokesperson for the Secretary-General – on the situation in the Middle East](https://www.un.org/sg/en/content/sg/statement/2023-07-03/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-the-situation-the-middle-east?_gl=1%2A8syfjf%2A_ga%2AMTAxNTA3NDMxNi4xNjc5NjQ2NzA1%2A_ga_TK9BQL5X7Z%2AMTY5NDYyNzA4MC4yOC4xLjE2OTQ2MjczMzguMC4wLjA.) [↑](#footnote-ref-75)
75. See: [Security Council Seventy-eighth year 9387th meeting Thursday, 27 July 2023, 10 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/221/71/PDF/N2322171.pdf?OpenElement), page 2 [↑](#footnote-ref-76)
76. See: [Six Palestinians are killed in latest fighting with Israel, at least 3 of them militants | AP News](https://apnews.com/article/israel-palestinians-killed-gaza-west-bank-0454cf65390d6d8c27ddb55d51a083c4) [↑](#footnote-ref-77)
77. See: [Israel Defense Forces on X](https://twitter.com/idf/status/1704193648097734965?s=46&t=KDXKGSE0J1CsbcfXlXxEuA) [↑](#footnote-ref-78)
78. [Security Council Seventy-eighth year 9290th meeting Wednesday, 22 March 2023, 10 a.m. New York](https://documents-dds-ny.un.org/doc/UNDOC/PRO/N23/083/28/PDF/N2308328.pdf?OpenElement), page 3 [↑](#footnote-ref-79)
79. See: [Anshel Pfeffer on X](https://twitter.com/AnshelPfeffer/status/1629957707556954114) [↑](#footnote-ref-80)
80. See: [Settler extremists are sowing terror, Huwara riot was a 'pogrom,' top general says | The Times of Israel](https://www.timesofisrael.com/settler-extremists-sowing-terror-huwara-riot-was-a-pogrom-top-general-says/) [↑](#footnote-ref-81)
81. See: [Six killed in Israeli raid on Jenin as settlers attack Palestinian town again - The Washington Post](https://www.washingtonpost.com/world/2023/03/07/huwara-attack-purim-israel-settler-violence/) [↑](#footnote-ref-82)
82. See: [IDF soldiers seen dancing with settlers in flashpoint West Bank town of Huwara | The Times of Israel](https://www.timesofisrael.com/idf-soldiers-dance-with-settlers-in-flashpoint-west-bank-town-of-huwara/) [↑](#footnote-ref-83)
83. Israel’s [Central Bureau of Statistics data](https://www.cbs.gov.il/he/publications/doclib/2023/2.shnatonpopulation/st02_15x.pdf) as of 31 December 2022 documents five percent of Israelis residing in “Judea and Samaria area”, however Israel doesn’t include East Jerusalem settlements in these figures, as Israel [claimed](https://main.knesset.gov.il/EN/activity/documents/BasicLawsPDF/BasicLawJerusalem.pdf) the “complete and united Jerusalem” as the “capital of Israel” in 1980. In total, over 700,000 of Israel’s population of 9.7 million are settlers. [↑](#footnote-ref-84)
84. Minister of Finance, Bezalel Smotrich, and Minister of National Security, Itamar Ben-Gvir. Israel’s State Security Cabinet is headed by the Prime Minister and as of September 2023 also consists of the Foreign Minister, Defense Minister, and Justice Minister. [↑](#footnote-ref-85)
85. See: [Israel authorises West Bank outposts, despite U.S. admonition | Reuters](https://www.reuters.com/world/middle-east/israel-authorises-west-bank-outposts-despite-us-admonition-2023-02-12/) [↑](#footnote-ref-86)
86. [Statement attributable to the Spokesperson for the Secretary-General on the Occupied Palestinian Territory](https://www.un.org/sg/en/content/sg/statement/2023-06-28/statement-attributable-the-spokesperson-for-the-secretary-general-the-occupied-palestinian-territory?_gl=1*1tz1w2n*_ga*MTAxNTA3NDMxNi4xNjc5NjQ2NzA1*_ga_TK9BQL5X7Z*MTY5NDYwNTYxNy4yNy4wLjE2OTQ2MDU2MTcuMC4wLjA.) [↑](#footnote-ref-87)
87. See: A/77/501 (2022), paragraphs 20-21 [↑](#footnote-ref-88)
88. See: [Department Press Briefing – March 21, 2023 - United States Department of State](https://www.state.gov/briefings/department-press-briefing-march-21-2023/#post-431426-ispal2) [↑](#footnote-ref-89)
89. See: Norwegian Refugee Council Secretary General Jan Egeland in [Financial Times](https://www.ft.com/content/e9b2167f-79b0-49bb-834c-112327c2ab31?sharetype=blocked) [↑](#footnote-ref-90)
90. See: A/78/XXX (2023) (Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan), paragraph 9. [↑](#footnote-ref-91)
91. See: [Israel advances plans for 5,700 settlements, breaking annual record in 6 months | The Times of Israel](https://www.timesofisrael.com/israel-advances-plans-for-5700-settlement-homes-breaking-annual-record-in-6-months/) [↑](#footnote-ref-92)
92. See: <https://undocs.org/en/S/PV.9425> [↑](#footnote-ref-93)
93. See: [Palestine Defence Emergency Regulations 1945](https://archive.org/details/DefenceEmergencyRegulations1945/page/n31/mode/2up), Part XII [↑](#footnote-ref-94)
94. See: [Palestine Defence Emergency Regulations 1945](https://archive.org/details/DefenceEmergencyRegulations1945/page/n31/mode/2up), Part XII, 119 (1) [↑](#footnote-ref-95)
95. See: [IDF Panel Recommends Ending Punitive House Demolitions for Terrorists' Families - Haaretz.com](https://www.haaretz.com/2005-02-17/ty-article/idf-panel-recommends-ending-punitive-house-demolitions-for-terrorists-families/0000017f-da82-dc0c-afff-dbdb4dcf0000) [↑](#footnote-ref-96)
96. See: [West Bank demolitions and displacement | January-March 2023 | OCHA](https://ochaopt.org/content/west-bank-demolitions-and-displacement-january-march-2023) [↑](#footnote-ref-97)
97. See: [Itamar Ben-Gvir on X](https://twitter.com/itamarbengvir/status/1619967010292768770) [↑](#footnote-ref-98)
98. See: [Elementary school of Ein Samiya demolished | OCHA](https://www.ochaopt.org/content/elementary-school-ein-samiya-demolished) and <https://undocs.org/en/S/PV.9425> [↑](#footnote-ref-99)
99. See: [Israeli forces kill 2 Palestinians during new violence | AP News](https://apnews.com/article/politics-israel-ab135938d2a8a9289e6af1c5323916c5) [↑](#footnote-ref-100)
100. See: [As Israel pushes punitive demolitions, family of 13-year-old Palestinian attacker to lose home | AP News](https://apnews.com/article/israel-palestinians-demolition-militants-explosion-jerusalem-court-b05977502bc2c40e61eb68ab733653b4) [↑](#footnote-ref-101)
101. See: [Supreme Court approves punitive demolition of child detainee’s home - Amnesty International](https://www.amnesty.org/en/latest/news/2023/08/israel-opt-supreme-court-approves-punitive-demolition-of-child-detainees-home/#:~:text=Following%20the%20attack%2C%20the%20Israeli%20military%20ordered%20the,the%20order%20but%20the%20Supreme%20Court%20rejected%20it.) [↑](#footnote-ref-102)
102. See: [Dignity denied: Life in the settlement area of Hebron city | OCHA](https://www.ochaopt.org/content/dignity-denied-life-settlement-area-hebron-city) [↑](#footnote-ref-103)
103. See: [Joint UN Strategy for Hebron](https://unsco.unmissions.org/sites/default/files/joint_un_strategy_for_hebron.pdf), pages 21-22 [↑](#footnote-ref-104)
104. See: Amnesty International, [Automated Apartheid](https://www.amnesty.org/en/documents/mde15/6701/2023/en/), page 41 [↑](#footnote-ref-105)
105. See: [Israel escalates surveillance of Palestinians with facial recognition program - The Washington Post](https://www.washingtonpost.com/world/middle_east/israel-palestinians-surveillance-facial-recognition/2021/11/05/3787bf42-26b2-11ec-8739-5cb6aba30a30_story.html) [↑](#footnote-ref-106)
106. See: [Lawrence Wright on X](https://twitter.com/lawrence_wright/status/1625225014978002944) [↑](#footnote-ref-107)
107. See, for example: [Palestinian activist beaten by Israeli soldier tells CNN he is scared for his life | CNN](https://edition.cnn.com/2023/02/17/middleeast/palestinian-activist-israeli-soldier-intl/index.html) [↑](#footnote-ref-108)
108. See: [G2308977.pdf (un.org)](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/089/77/PDF/G2308977.pdf?OpenElement), paragraph 19 [↑](#footnote-ref-109)
109. [UN Special Rapporteurs – Press Release](https://www.un.org/unispal/document/israel-must-ensure-protection-for-issa-amro-and-other-human-rights-defenders-say-un-special-rapporteurs-press-release/) [↑](#footnote-ref-110)
110. [UN Special Rapporteurs – Press Release](https://www.un.org/unispal/document/israel-must-ensure-protection-for-issa-amro-and-other-human-rights-defenders-say-un-special-rapporteurs-press-release/) [↑](#footnote-ref-111)
111. See: [A/62/360](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/515/39/pdf/N0751539.pdf?OpenElement), paragraph 36 [↑](#footnote-ref-112)
112. See: [A\_HRC\_53\_CRP\_1 (ohchr.org)](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session53/A-HRC-53-CRP1.pdf), paragraph 75 [↑](#footnote-ref-113)
113. See: [Joint UN Strategy for Hebron](https://unsco.unmissions.org/sites/default/files/joint_un_strategy_for_hebron.pdf), page 3 [↑](#footnote-ref-114)
114. [Automated Apartheid](https://www.amnesty.org/en/documents/mde15/6701/2023/en/), page 40 [↑](#footnote-ref-115)
115. See: [A/77/501](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/610/71/pdf/N2261071.pdf?OpenElement), paragraph 26 [↑](#footnote-ref-116)
116. See: [A\_HRC\_53\_CRP\_1 (ohchr.org)](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session53/A-HRC-53-CRP1.pdf), paragraph 76. See also: [Hebron Palestinians 'Never Seen Anything Like' Weekend Violence From Jewish Worshippers - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2022-11-22/ty-article-magazine/.premium/hebron-palestinians-recall-nothing-like-last-weekends-violence-from-jewish-visitors/00000184-9a7d-d199-ade4-db7ff63a0000). [↑](#footnote-ref-117)
117. For more detailed coverage of the deteriorating human rights situation in Gaza during this reporting period, please see reporting by [OCHA](https://www.ochaopt.org/publications), [UNRWA](https://www.unrwa.org/), [OHCHR](https://www.ohchr.org/en/countries/palestine), [WHO](https://www.emro.who.int/countries/opt/index.html), [UN Women](https://palestine.unwomen.org/en) and [UNICEF](https://www.unicef.org/sop/), in addition to Palestine Red Crescent Society [reporting](https://www.palestinercs.org/en/Category/22/reports) and Al Mezan Centre for Human Rights’ [annual reports](https://mezan.org/public/en/archive/15/-Reports-and-Studies) on the situation of economic, social, and cultural rights in the Gaza Strip. [↑](#footnote-ref-118)
118. See, for example: [Warning of Imminent Gaza War, Ben-Gvir Calls to Reinforce Police, Launch National Guard - Israel News - Haaretz.com](https://www.haaretz.com/israel-news/2023-01-24/ty-article/.highlight/warning-of-imminent-gaza-war-ben-gvir-calls-to-reinforce-police-launch-national-guard/00000185-e4cb-d322-ab8d-edeba10a0000); [Ben Gvir hails Gaza strikes as 'a good start' | The Times of Israel](https://www.timesofisrael.com/liveblog_entry/ben-gvir-hails-gaza-strikes-as-a-good-start/) [↑](#footnote-ref-119)
119. As quoted in: [Why Israeli Settler Attacks on Palestinians Are Increasing | Time](https://time.com/6260249/israel-rising-settler-violence/) [↑](#footnote-ref-120)
120. See: [Hamas Weighing Renewal of Marches of Return Protests - Haaretz](https://www.haaretz.com/israel-news/2023-08-31/ty-article/.premium/hamas-weighing-renewal-of-marches-of-return-protests-building-tents-on-israels-border/0000018a-4b8a-d845-adfe-fbeadbb10000) [↑](#footnote-ref-121)
121. See: [Two Years On: People Injured and Traumatized During the “Great March of Return” are Still Struggling](https://www.un.org/unispal/document/two-years-on-people-injured-and-traumatized-during-the-great-march-of-return-are-still-struggling/) [↑](#footnote-ref-122)
122. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraphs 30 and 31 [↑](#footnote-ref-123)
123. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraph 32 [↑](#footnote-ref-124)
124. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraph 46 [↑](#footnote-ref-125)
125. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraph 44 [↑](#footnote-ref-126)
126. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraphs 58 and 59 [↑](#footnote-ref-127)
127. See: [A/HRC/40/74](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/CoIOPT/A_HRC_40_74.pdf) (2019), paragraphs 71 and 74 [↑](#footnote-ref-128)
128. See: [Statement of ICC Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the Situation in Palestine | International Criminal Court](https://www.icc-cpi.int/news/statement-icc-prosecutor-fatou-bensouda-conclusion-preliminary-examination-situation-palestine) [↑](#footnote-ref-129)
129. See: [Statement of ICC Prosecutor, Fatou Bensouda, respecting an investigation of the Situation in Palestine | International Criminal Court](https://www.icc-cpi.int/news/statement-icc-prosecutor-fatou-bensouda-respecting-investigation-situation-palestine) [↑](#footnote-ref-130)
130. UNRWA was established by General Assembly [Resolution 302 (IV)](https://www.unrwa.org/content/general-assembly-resolution-302) (1949) to carry out direct relief and works programmes for 750,000 Palestine refugees displaced by the establishment of the State of Israel and the 1948 war. [↑](#footnote-ref-131)
131. See: [Lebanon warns Palestinian president that troops may intervene if clashes continue in refugee camp | AP News](https://apnews.com/article/lebanon-palestinian-camp-ein-el-hilweh-clashes-7ea1ab956e65d6c61d0bdce8606f4227) [↑](#footnote-ref-132)
132. See: [Ongoing armed violence in southern Lebanon refugee camp leaves 11 killed and dozens injured among Palestine Refugees | UNRWA](https://www.unrwa.org/newsroom/official-statements/ongoing-armed-violence-southern-lebanon-refugee-camp-leaves-11-dead) [↑](#footnote-ref-133)
133. See: https://www.unrwa.org/newsroom/official-statements/four-killed-and-more-60-injured-amid-heavy-violence-ein-el-hilweh [↑](#footnote-ref-134)
134. See: [UNRWA Flash Appeal - Palestine Refugees in Syria and Lebanon](https://www.unrwa.org/resources/emergency-appeals/updated-unrwa-flash-appeal-emergency-and-early-recovery-response-support) [↑](#footnote-ref-135)
135. See: [UNRWA responds to Palestine Refugees’ Needs in the Gaza Strip as conflict intensifies | UNRWA](https://www.unrwa.org/newsroom/official-statements/unrwa-responds-palestine-refugees%E2%80%99-needs-gaza-strip-conflict-intensifies) [↑](#footnote-ref-136)
136. See: [Humanitarian and Early Recovery Appeal for Jenin | UNRWA](https://www.unrwa.org/resources/emergency-appeals/humanitarian-and-early-recovery-appeal-jenin#:~:text=Through%20this%20Flash%20Appeal%2C%20UNRWA%20seeks%20US%24%2023.8,refugees%20in%20Jenin%20camp%20from%20the%20recent%20operation.) [↑](#footnote-ref-137)
137. See: [UNRWA’s Reckoning: Preserving the UN Agency Serving Palestinian Refugees | Crisis Group](https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/242-unrwas-reckoning-preserving-un-agency-serving-palestinian-refugees) [↑](#footnote-ref-138)
138. See: [UN-Relief-and-Works-Agency-Funding](https://fmep.org/wp/wp-content/uploads/CarsonSanders-UN-Relief-and-Works-Agency-Funding-PDF-Final.pdf) [↑](#footnote-ref-139)
139. See: [Remarks by Ambassador Linda Thomas-Greenfield at a Ministerial-Level Meeting on UNRWA](https://usun.usmission.gov/remarks-by-ambassador-linda-thomas-greenfield-at-a-ministerial-level-meeting-on-unrwa/) [↑](#footnote-ref-140)
140. See: [Military aid for Israel removed from U.S. funding bill, but leadership pledges vote later this week | Reuters](https://www.reuters.com/world/us/military-aid-israel-removed-us-bill-fund-government-2021-09-21/), and [U.S. House approves $1 billion for Israel's 'Iron Dome' missile-defense system | Reuters](https://www.reuters.com/world/us/us-house-backs-bill-provide-1-billion-israel-iron-dome-system-2021-09-23/) [↑](#footnote-ref-141)
141. See: [Opinion | Does Israel Need So Much Aid? - The New York Times (nytimes.com)](https://www.nytimes.com/2023/07/22/opinion/israel-military-aid.html) [↑](#footnote-ref-142)
142. See: [Israel-Palestine: UN calls for restraint following violence at Al-Aqsa Mosque | UN News](https://news.un.org/en/story/2023/04/1135382) [↑](#footnote-ref-143)
143. See: [Israel hits Syria after rockets fired towards Golan Heights | Reuters](https://www.reuters.com/world/middle-east/israel-says-missile-alert-sounded-golan-heights-2023-04-08/?utm_campaign=MECGA%20Soft%20Launch&utm_medium=email&_hsmi=253595270&_hsenc=p2ANqtz--bNe-jWeHxb1lItC2vEg-TwISG1tsq5UrW-_wsN60w1sZjUXWIhgJWXk1-eAvkmm4j8aJgK2NFbJ4gXqNbCIdrB819bA&utm_content=253595270&utm_source=hs_email) [↑](#footnote-ref-144)
144. See: [Israel says its tanks hit two structures used by Syrian army in Golan area | Reuters](https://www.reuters.com/world/middle-east/israel-says-its-tanks-hit-two-structures-used-by-syrian-army-golan-area-2023-09-21/) [↑](#footnote-ref-145)
145. See: [THE GOLAN HEIGHTS ANNEXED BY ISRAEL IN AN ABRUPT MOVE - The New York Times (nytimes.com)](https://www.nytimes.com/1981/12/15/world/the-golan-heights-annexed-by-israel-in-an-abrupt-move.html) [↑](#footnote-ref-146)
146. See: A/78/XXX (2023) (SG report on Israeli settlements, published October 2023) [↑](#footnote-ref-147)
147. See: [Druze opposing Golan wind farm clash with Israeli police | Reuters](https://www.reuters.com/world/middle-east/druze-opposing-golan-wind-farm-scuffle-with-israeli-police-2023-06-21/) [↑](#footnote-ref-148)
148. See: [Associated Press](https://apnews.com/article/israel-druze-golan-syria-1630cc39ebe1839d4dd1c05d92fd44d9) 21 June 2023 [↑](#footnote-ref-149)
149. See: [The Times of Israel](https://www.timesofisrael.com/4-druze-seriously-injured-12-cops-hurt-in-massive-riots-against-golan-wind-farm/) 21 June 2023 [↑](#footnote-ref-150)