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

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

Report of the Secretary-General*

Summary

The present report, prepared pursuant to General Assembly resolution [74/88](#), provides an update on Israeli settlement activities in the occupied West Bank, including East Jerusalem, and the occupied Syrian Golan, from 1 June 2019 to 31 May 2020, and highlights their impact on human rights.

* The present report was submitted after the deadline in order to include the most recent information.



I. Introduction

1. The present report, submitted pursuant to General Assembly resolution 74/88, provides an update on the implementation of the resolution from 1 June 2019 to 31 May 2020. It is based on monitoring and other information-gathering activities conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory, and on information provided by other United Nations entities in the Occupied Palestinian Territory and by non-governmental organizations (NGOs). The report should be read in conjunction with recent related reports of the Secretary-General and of the High Commissioner submitted to the Assembly and to the Human Rights Council.¹ The quarterly reports of the Secretary-General to the Security Council on the implementation of resolution 2334 (2016) concerning the same period² also provide relevant information.

2. The report contains an update on settlement advancement and its impact on human rights, in which, in particular, demolitions and evictions in East Jerusalem and Bethlehem are examined. It also contains an update on Israeli settlements in the occupied Syrian Golan.

3. During the period under review, Israeli settlement activities increased in the occupied West Bank, including East Jerusalem. On 20 April 2020, the parties to the new coalition Government of Israel agreed on terms under which the Prime Minister could put forward a proposal to annex parts of the occupied West Bank.³ Demolitions of Palestinian property and forced evictions increased and settler violence continued at the high levels of the previous reporting period, including during the coronavirus disease (COVID-19) pandemic, and largely with impunity. These developments exacerbated the coercive environment described in previous reports of the United Nations High Commissioner for Human Rights.

II. Legal background

4. International human rights law and international humanitarian law are concurrently applicable in the Occupied Palestinian Territory, namely, Gaza and the West Bank, including East Jerusalem. This includes the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), which is binding upon Israel as the occupying Power. A detailed analysis of the legal framework applicable in the Occupied Palestinian Territory and the occupied Syrian Golan can be found in previous reports of the Secretary-General.⁴

III. Activities related to settlements

5. During the reporting period, there was an increase in settlement plan advancements and tenders, in particular in East Jerusalem and surrounding areas. The announcement of the “Peace to prosperity: a vision to improve the lives of the Palestinian and Israeli people” by the Government of the United States of America, on 28 January 2020, was followed by calls from members of the Government of Israel to annex parts of the occupied West Bank. The demolition of Palestinian structures in

¹ A/74/357, A/74/468, A/HRC/43/67, A/HRC/43/21 and A/HRC/43/70.

² See S/PV.8557, S/2019/938, and S/2020/263. See also <https://unsco.unmissions.org/security-council-briefings-0>.

³ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_23_april_2020.pdf.

⁴ A/HRC/34/38 and A/HRC/34/39.

the West Bank, including in East Jerusalem, increased by 19 per cent as compared with the previous reporting period and has continued at slightly lower levels since the COVID-19 outbreak. Settler violence continued at high levels, resulting in significant property damage, in particular during the COVID-19 outbreak. In the majority of incidents of settler violence monitored by OHCHR, as described below, Israeli security forces failed to protect the Palestinian population, and for most incidents there was no accountability for violence perpetrated in those incidents.

A. Settlement expansion

Land designation, planning and tenders

6. Advancement of plans for settlement construction further increased by 7 per cent in the reporting period from the already high level of the previous reporting period, with plans for some 11,700 housing units in the West Bank advanced or approved by the Israeli authorities.⁵ Of those units, 10,400 will be located in Area C, including about 4,400 which had reached the final stages of approval by 31 May 2020. In East Jerusalem, plans were advanced for some 1,500 housing units, about 900 of which had reached the final stage of approval as at 31 May 2020.⁶ The Government of Israel further announced intentions to advance thousands of units in East Jerusalem, including in the E1 and E2 areas, which, if constructed, would sever the contiguity of the West Bank, including East Jerusalem (see sect. IV).

7. Israeli authorities issued tenders for 1,700 units in Area C settlements, compared with 2,400 during the previous reporting period. In East Jerusalem, tenders were announced for 1,500 housing units.⁷

8. Official data on settlement construction starts in Area C indicate a decrease from 2,395 units in the previous reporting period to 1,301 units.

9. On 1 December 2019, the Minister of Defence of Israel instructed the Israeli Civil Administration to advance planning procedures for a new settlement in the wholesale market in the H2 zone in Hebron.⁸

10. According to the Israeli NGO Peace Now, seven new outposts were established during the reporting period,⁹ compared with 11 in the previous.¹⁰ Previously, between 2007 and 2017, an average of 1.7 outposts were established per year.¹¹ All the new outposts are agricultural, which has a greater impact on surrounding Palestinian communities as they take over large swathes of land and divert water.¹² The Secretary-General recalls that settlement activities by Israel in the Occupied Palestinian Territory, including East Jerusalem, are violations of international humanitarian law. Although outposts are also considered illegal under Israeli domestic law, Israeli authorities continued to encourage and facilitate the establishment of certain outposts through the provision of services and incentives. For example, on 24 February 2020, the Prime Minister of Israel reportedly ordered that 12 outposts be connected to the

⁵ Compared with 10,900 in the previous reporting period.

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

⁷ In East Jerusalem, the first tender in more than two years was issued for 600 units in the previous reporting period.

⁸ [A/HRC/43/67](#), para. 16, and [S/2019/938](#), para. 5.

⁹ Peace Now, on file: Maskiot South, Nili East, Makhruh outpost, Kedar East (“Mitzpeh Yehuda”), Neriya Ben Pazi’s farm, Amihai South, Hallamish East.

¹⁰ [A/74/357](#), para. 10.

¹¹ [A/HRC/43/67](#), para. 10.

¹² [A/HRC/40/42](#), para. 39.

Israeli electrical grid.¹³ Israeli authorities demolished structures or prevented construction in at least six outposts, but none was fully dismantled.¹⁴

B. Consolidation of settlements

11. Following the announcement of the United States “Peace to prosperity” vision, the Prime Minister of Israel stated that “Israel will apply its laws to the Jordan Valley, to all the Jewish communities in Judea and Samaria, and to other areas that the [United States Government’s] plan designates as part of Israel and which the United States has agreed to recognize as part of Israel.”¹⁵ He later clarified that such a step would take place only once a joint United States-Israeli mapping committee agreed on specific areas of the West Bank over which Israel would apply its sovereignty.¹⁶ The committee’s work was ongoing at the end of the reporting period. The Government of Israel announced that it would advance large-scale plans in the areas which appear to be allocated to Israel according to the map included in the vision (see sect. IV below). Other notable advancements in January and February 2020 included the plan announced to declare 7 new nature reserves in Area C and to expand 12 existing reserves, for the first time since the 1990s¹⁷ and the early advancement of a large new industrial park south of Qalqilyah.¹⁸

12. On 20 April 2020, the new coalition Government of Israel agreed on terms under which the Prime Minister could put forward a proposal to annex parts of the occupied West Bank for Government or Knesset approval.¹⁹ On 22 April 2020, the President of the State of Palestine stated that he would regard agreements with Israel and the United States as “completely cancelled” if Israel moved forward with such steps.²⁰ On 19 May, he announced that the State of Palestine and the Palestinian Liberation Organization were absolved “of all the agreements and understandings with the American and Israeli governments and of all the obligations based on these understandings and agreements, including the security ones.”²¹ The following day, Palestinian officials formally notified Israeli counterparts of the termination of security coordination.

13. If implemented, annexation of any part of the West Bank would constitute a most serious violation of international law, including the Charter of the United Nations.²² It would also severely impede the exercise by the Palestinian people of its right to self-determination, and be a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace.²³ Such a step would

¹³ See www.haaretz.com/israel-news/elections/.premium-netanyahu-authorizes-west-bank-outposts-connection-to-electrical-grid-1.8569266.

¹⁴ See unsco.unmissions.org/sites/default/files/security_council_briefing_-_30_march_2020_2334.pdf and S/2019/938.

¹⁵ See www.whitehouse.gov/briefings-statements/remarks-president-trump-prime-minister-netanyahu-state-israel-joint-statements/.

¹⁶ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_24_february_2020_0.pdf.

¹⁷ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_21_january_2020.pdf.

¹⁸ See <https://peacenow.org.il/en/1739-settlement-units-promoted-eli-settlement-housing-legalized-new-industrial-park>.

¹⁹ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_23_april_2020.pdf.

²⁰ See www.aljazeera.com/news/2020/04/pompeo-annexation-occupied-west-bank-ultimately-israel-200422163510199.html.

²¹ S/2020/555, para. 40.

²² S/2020/596, annex I; and S/2020/555, para. 54.

²³ Security Council resolution 2334 (2016).

entrench the establishment of settlements in the Occupied Palestinian Territory, including East Jerusalem, which has no legal validity and constitutes a flagrant violation under international law.²⁴

Hebron

14. On 23 December 2019, the Jerusalem District Court confirmed after appeal the eviction of the Israeli settlers who have occupied the Palestinian-owned “Al Bakri” house in Tall al-Rumaydah, Hebron, since 2001. After 14 years of legal proceedings, the Jerusalem Magistrate Court had ruled on 12 March 2019 that the Bakri family owned the property and that the settlers had acted in bad faith by using forged documents to claim ownership, and ordered them to evacuate the property within 45 days.²⁵ Israeli authorities had previously ordered the settlers to evacuate in 2006, 2008 and 2012, without result. The latest court decision had not been implemented by the end of the reporting period.

15. On 12 May 2020, the Ministry of Defence of Israel assumed municipal planning authority over the Ibrahimi Mosque/Tomb of the Patriarchs in Hebron from the Palestinian Hebron municipality, on the stated grounds that the site should be made accessible to persons with disabilities with the construction of an elevator.²⁶ The order allowed 60 days for objections.

Regularization of outposts

16. According to Peace Now, four outposts were regularized under Israeli law through the approval of plans that retroactively included the outposts²⁷ as neighbourhoods of existing settlements.²⁸ Plans to similarly regularize the outposts of Mevo'ot Yericho, Jericho Governorate, and Haroeh Ha'ivri, near the Palestinian Bedouin community of Khan al-Ahmar/Abu al-Helu, east of Jerusalem, were deposited in February and March 2020 respectively.

C. Impact of settlements on human rights

Settlement-related violence

17. According to the Office for the Coordination of Humanitarian Affairs, incidents of settler violence continued at a high level, with 337 incidents recorded during the reporting period,²⁹ compared with 357 in the previous. Killings of and injuries to Palestinians and the severity of attacks decreased slightly. No Palestinians were killed by settlers, while a 17-year-old Israeli girl was killed by Palestinians at the Ein Bubin spring in the West Bank in an attack in which her father and brother were severely injured.³⁰ The number of Palestinians injured³¹ by settlers decreased from 133 in the previous reporting period to 116, with no injuries from live ammunition reported. Twenty-one Israelis were injured by Palestinians, compared with 37 in the previous

²⁴ Ibid.

²⁵ CS 12278-02-14, available in Hebrew at http://peacenow.org.il/wp-content/uploads/2019/03/Bakri_eviction_verdict_120319.pdf.

²⁶ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_20_may_2020_0.pdf and www.jpost.com/israel-news/plans-to-make-cave-of-patriarchs-wheelchair-accessible-move-forward-627778.

²⁷ Brosh, Givat Sal'it, Ibei Hanahal and Haresha.

²⁸ Peace Now, on file.

²⁹ Only incidents resulting in injuries or property damage are included.

³⁰ Compared with four Palestinians and five Israelis killed in the previous reporting period.

³¹ Injured: i.e., people physically hurt and treated at a medical facility or on site by paramedic personnel. See www.ochaopt.org/page/settler-related-violence.

reporting period. Incidents of property damage by settlers slightly increased to 266, with 8,591 trees vandalized.³² Attempts by settlers to enter and/or attack Palestinian communities continued to cause friction between Israeli security forces and Palestinians. Israeli security forces killed 1 Palestinian and injured 230 in such contexts.³³

18. Nablus Governorate continued to account for the largest part (27 per cent) of settler violence incidents, while 50 per cent of the injuries due to settler violence were recorded in Hebron Governorate.³⁴ The United Nations High Commissioner for Human Rights has reported on how repeated and apparently organized settler violence, coupled with other coercive factors, has forced several Palestinian families to leave their homes in those areas.³⁵

19. A series of settler attacks was recorded in the H2 zone in Hebron during a Jewish religious celebration, on 22 and 23 November 2019. In all incidents, Israeli security forces were present but did not take action to protect Palestinians. On 22 November 2019, in wadi al-Husayn neighbourhood, a group of around 50 settlers beat (including with batons) and pepper-sprayed members of an extended Palestinian family outside a shop. Six men and one woman were injured, one of them seriously. On 23 November 2019, three settler attacks took place in the restricted area of Tall al-Rumaydah. In one incident, a large group of settlers threw stones and bottles at the house of a local human rights defender. One stone entered through a window and struck a 1-year-old boy in the head, causing injury. Israeli security forces denied entry of an ambulance to Tall al-Rumaydah. After soldiers outside the house had failed to contain the settlers for 20 minutes, six Palestinian men and women carried the boy to a checkpoint, and were pepper-sprayed by settlers on the way. The boy was treated in a hospital. The same day, in the same area, another group of settlers entered a building where two Palestinian women (one of whom was pregnant) and their five children, aged between two days and eight years old, were present. In an agitated state, the settlers threw empty bottles onto the doors and stairway, causing damage to the property. Owing to a sudden movement, one of the women, who had recently given birth, started bleeding after her surgical stitches opened. Israeli security forces prevented the ambulance from entering Tall al-Rumaydah, forcing two paramedics to cross the checkpoint on foot to treat the woman. Approximately two hours later, a group of four to five settlers entered a shop nearby. One of them pepper-sprayed five young Palestinian males, including a 16-year-old boy in a wheelchair.³⁶ Two soldiers stationed nearby stopped and spoke to the settlers after the attack, but let them leave without taking any action.

20. On 15 December 2019, a group of six settlers threw stones at three Palestinian women and a four-year-old girl who were sitting in the yard of their house in Madama village, adjacent to Yitzhar settlement, Nablus Governorate. As they fled into the house, two of the women were hit with stones and one of them – at the time five months pregnant – fell twice. She reported that she was later treated in the hospital for an injury to her shoulder and for medical examination of possible complications related to the pregnancy. Another 20 settlers gathered and smashed three windows with iron pipes and threw one stone into the house, before a group of Palestinians approached the house, prompting the settlers to leave. Fearing further attacks, the family relocated for more than two months.

³² Compared with 246 incidents and over 8,300 trees vandalized in the previous reporting period.

³³ During the previous reporting period, Israeli security forces killed 4 Palestinians and injured 295 in such circumstances.

³⁴ Office for the Coordination of Humanitarian Affairs. See www.ochaopt.org/page/settler-related-violence.

³⁵ A/HRC/43/67, paras. 46–59.

³⁶ Two were treated on the spot and three were briefly treated in the hospital for burns.

21. The cases illustrate that Palestinian women are particularly targeted by settler violence in their homes during the day, when men are usually absent. Furthermore, pregnant women and women who have recently given birth may suffer additional injury or other consequences from such attacks.

22. Settlers also attacked Palestinians and their property following Israeli security forces law enforcement measures against settlers, leaving messages suggesting that those attacks were acts of retribution. A series of incidents resulting in damage to Palestinian property marked with graffiti conveying threats or hate speech³⁷ occurred following demolitions in the outpost of Kumi Ori, near Yitzhar settlement, in Nablus Governorate, on 15 January 2020.³⁸ On 24 January 2020, a mosque in Sharafat neighbourhood, East Jerusalem, was partially burned by three masked men who left the following graffiti on the mosque: “You demolish for Jews, Kumi Ori demolishes for the enemies”. On 28 January 2020, unknown assailants set fire to a classroom of the Aynabus school, Nablus Governorate. Graffiti at the site read “You are demolishing homes? That is only for enemies! Regards from Kumi Ori.” At least eight attacks of this type took place from 24 October to 19 December 2019 in Nablus, Qalqilyah and Salfit Governorates, with over 70 vehicles and other property of Palestinians damaged and marked with similar messages, following the imposition of a closed military area in Kumi Ori, in October 2019, which barred settlers from entering the area.

23. As in previous years, settler violence peaked during the olive harvest and the spring months. In 2019, in conjunction with severe restrictions imposed by Israeli authorities on access to land for Palestinians seeking to harvest, the Office for the Coordination of Humanitarian Affairs recorded 60 incidents of settler violence against farmers across the West Bank, with 45 per cent of them in Nablus Governorate.³⁹ The attacks resulted in 10 Palestinians injured, damage to over 2,700 trees and the theft of approximately 160 tons of produce.⁴⁰ Despite significant movement restrictions imposed by both the Israeli and Palestinian authorities during the COVID-19 pandemic, settler violence increased in the spring of 2020, in particular in terms of damage to Palestinian property.

24. The monthly rate of settler violence from March to May 2020 was over 20 per cent higher than during the same period in 2019.⁴¹ This significant increase is particularly alarming, as it happened despite the almost total lockdown in the West Bank during March and April during the COVID-19 outbreak. Amid almost daily attacks in some areas at the beginning of the outbreak, according to media, Israeli security forces did not appear to enforce the movement restrictions vis-à-vis settlers and reportedly accompanied them on several occasions.⁴² On 9 April, Israeli security forces reportedly placed 20 settlers from the so-called “Hilltop Youth”, a group from outposts and settlements around Nablus, in an improvised quarantine site near Jericho, after they had been in contact with a confirmed COVID-19 patient. Two of

³⁷ Such incidents are often referred to as “price tag” attacks by authorities and in media. See [A/HRC/40/42](#), para. 30.

³⁸ The Israeli security forces have also reported several instances of settlers attacking Israeli security forces in and around the outpost. See for example [www.haaretz.com/israel-news/premium-israeli-soldier-wounded-by-west-bank-settlers-throwing-stones-military-says-1.8010112](#) and [www.haaretz.com/israel-news/premium-firebombs-hurled-at-border-police-vehicle-in-yitzhar-settlement-1.8715546](#).

³⁹ See [www.ochaopt.org/content/record-yield-reported-2019-olive-harvest](#).

⁴⁰ Ibid.

⁴¹ Office for the Coordination of Humanitarian Affairs. See [www.ochaopt.org/page/settler-related-violence](#).

⁴² See [www.wattan.net/ar/news/304131.html](#); [www.wattan.net/ar/news/304306.html](#); [www.wattan.net/ar/news/304336.html](#); and [www.alwatanvoice.com/arabic/news/2020/03/16/1322491.html](#) (all in Arabic).

them were reportedly arrested five days later, suspected of having thrown stones and tear gas canisters at three Palestinians and of setting fire to two cars near the quarantine site.⁴³ Human rights organizations also reported cases of settlers spitting on Palestinians during attacks, causing fear of exposure to COVID-19 and prompting victims to go into quarantine or self-isolation.⁴⁴ In several incidents, settlers appeared to attempt to take over Palestinian land, taking advantage of the restricted movement of Palestinians owing to the state of emergency.⁴⁵ For example, on 6 April, 10 settlers attempted to install a fence on Palestinian lands in Ash Shuyukh village, Hebron Governorate. When the owners arrived, settlers threw stones, used electric tasers and pepper spray and unleashed dogs. One Palestinian sustained a dog bite to the leg and others bore bruises. When Israeli security forces arrived, they ordered the Palestinians to leave their land, firing tear gas and stun grenades. The Palestinians filed a complaint to the Israeli police.

25. As the occupying Power, Israel has the obligation to take all the measures in its power to restore and ensure, as far as possible, public order and life in the Occupied Palestinian Territory and to protect the Palestinian population against all acts or threats of violence in all circumstances.⁴⁶ All incidents of settler violence must be promptly, fully and impartially investigated. Israel also has the obligation to respect, protect and fulfil the human rights of the Palestinian population, including their rights to life and security of person; as well as the right to health, including during the COVID-19 pandemic.⁴⁷

Accountability for settler violence

26. The Secretary-General and the United Nations High Commissioner for Human Rights have on many occasions reported on the prevailing climate of impunity that exists for settlers and those taking over private Palestinian land.⁴⁸ In August 2019, the Ministry of Justice of Israel released a report listing 118 investigations into allegations of ideologically motivated crimes perpetrated by settlers against Palestinians and Israeli security forces between January 2017 and June 2019. The report indicates that investigations resulted in 11 indictments filed, two trials and no convictions.⁴⁹ Forty-six cases were still under investigation or prosecution stages. During that period, 559 incidents of settler attacks against Palestinians were reported.⁵⁰

27. During the reporting period, OHCHR followed up on accountability for 11 cases of settler violence that occurred between 11 July 2018 and 19 October 2019, including

⁴³ See www.haaretz.com/israel-news/.premium-settler-youths-flee-military-run-coronavirus-quarantine-steal-army-tents-1.8770302 and www.btselem.org/press_releases/20200423_violent_attacks_by_settlers_spike_in_april.

⁴⁴ See www.btselem.org/press_releases/20200423_violent_attacks_by_settlers_spike_in_april.

⁴⁵ On 5 March 2020, the Palestinian President proclaimed by presidential decree a state of emergency in the State of Palestine valid for one month owing to the outbreak of COVID-19. The state of emergency was later prolonged and valid as at the end of the reporting period. Severe restrictions on movement and assembly have been implemented during most of the state of emergency.

⁴⁶ Hague Regulations annexed to the Hague Convention IV of 1907 (Hague Regulations), arts. 43 and 46; and Fourth Geneva Convention, art. 27.

⁴⁷ A/HRC/34/38, paras. 13, 36 and 37.

⁴⁸ A/74/357, para. 27; A/70/351, para. 23; A/HRC/25/38, paras. 42–47; A/HRC/43/67, paras. 26–29; A/HRC/31/43, para. 37; and A/HRC/34/39, para. 18.

⁴⁹ A/HRC/43/67, para. 27; report available in English at <https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/Law+enforcement+settlers+official+reports/Moj+report+om+Law+Enforcement+in+the+West+Bank+++28.8.19.pdf>.

⁵⁰ Office for the Coordination of Humanitarian Affairs, see A/HRC/43/67, para. 27.

the killing of three Palestinians, which were reported on in the previous reports of the Secretary-General and the United Nations High Commissioner for Human Rights.⁵¹

28. Concerning the killings, the OHCHR review revealed that one suspect was arrested and indicted in one case, while no perpetrator has been held accountable in the other two cases. Thus, one settler was indicted for the manslaughter of a Palestinian woman on 12 October 2018, near Nablus.⁵² In May 2019, he was however released to house arrest, and on 2 May 2020, he was permitted to return to the settlement in the West Bank where he had been living, despite objections by the State prosecutor that he presented a danger to the public.⁵³ The trial has not advanced since the indictment.⁵⁴ Concerning the killing of a man by settlers in Mughayyir, Ramallah Governorate, on 26 January 2019,⁵⁵ witnesses were interviewed and the police collected evidence, including video footage, in February 2019. The family of the victim has since received no updates on the investigation and no arrests were reported. In another case, on 3 April 2019, two settlers shot and killed a 23-year-old Palestinian man south of Nablus, after he had thrown stones at Israeli vehicles, and injured another.⁵⁶ The man's family reported that they did not file a complaint because Israeli security forces had publicly stated that the man had attacked the settlers. The man who was injured in the same incident filed a complaint, but had not received any information on the investigation as at the end of the reporting period. In May 2020, in response to a request by a member of the Knesset, the Israeli State Attorney reportedly stated that the killing was lawful, according to the findings of the police.⁵⁷

29. In the other eight cases which OHCHR reviewed where violence resulted in injuries or property damage, no perpetrators were held accountable. In four of the cases, the victims either submitted no complaints or withdrew them, reporting that they had received threats or feared reprisals from settlers, that numerous complaints that they had previously filed about settler violence had not led to an investigation, or that they lacked trust in, and knowledge of, the Israeli legal system. In one case where a complaint was submitted, the settler (an off-duty soldier) was suspended from the Israeli security forces and arrested on 4 June 2019 on suspicion of setting fire to Palestinian property on 17 May 2019, which had been captured on video footage.⁵⁸ However, no indictment was reported, according to available information. In the other four cases in which complaints were submitted, no steps to investigate had been reported to the victims as at the end of the reporting period, even though the incidents had taken place up to two years ago (see para. 27). The Palestine Red Crescent Society reported that it had not received any information about investigations following its complaints to the Israeli police about four⁵⁹ settler attacks against their ambulances in Hebron from July to November 2018.⁶⁰ The NGO Youth Against Settlements, which filed a complaint about an incident of settler violence during which Palestinians were injured on 24 December 2018,⁶¹ had received no information. It reported two new incidents of settler violence, in April and May 2020.

⁵¹ A/74/357, paras. 22, 45, 46, 49, 56, 59 and 61, and A/HRC/43/67, paras. 20, 22, 24 and 58.

⁵² A/74/357, para. 45.

⁵³ Ibid. See also www.haaretz.com/israel-news/.premium-suspected-killer-of-palestinian-woman-can-go-back-to-settlement-home-court-rules-1.8815179.

⁵⁴ In January 2020, the Ministry of Defence of Israel denied the woman's husband compensation for an "act of hostility" because she did not have Israeli citizenship or a residence permit.

⁵⁵ A/74/357, para. 22.

⁵⁶ A/74/357, para. 46.

⁵⁷ See www.inn.co.il/News/News.aspx/436210 (in Hebrew).

⁵⁸ A/74/357, para. 49.

⁵⁹ The four incidents are counted as one case for the purpose of the present review.

⁶⁰ A/74/357, para. 61 and A/HRC/40/42, para. 43.

⁶¹ A/74/357, para. 59.

30. With regard to incidents of settler violence which occurred during the reporting period, some victims reported they had not filed complaints to the Israeli police for reasons similar to those mentioned above. For example, on 22 November 2019, four adult settlers kicked, slapped and pepper-sprayed a 10-year-old boy in the street in wadi al-Husayn neighbourhood in the H2 zone of Hebron. A soldier stationed at a nearby checkpoint took no action. The boy was treated in a hospital for burns from the pepper spray and bruises and was discharged the same day. The family reported they had not submitted a complaint for fear of reprisals from the settlers and because of failure by the police to investigate their numerous previous complaints about settler violence.

31. The Israeli human rights organization Yesh Din reported that 75 per cent of victims did not file a complaint in 28 settler violence incidents⁶² that it had monitored during the olive harvest in 2019. In most cases, the reason given was loss of trust in the law enforcement system.⁶³ Yesh Din reported that, in the 308 investigation files that it had monitored between 2014 and 2019, the rate of indictment decreased to 4 per cent from 2017 to 2019, compared with an overall rate of 9 per cent from 2014 to 2019.⁶⁴

32. In a significant development, on 18 May 2020, a settler was convicted for murder, attempted murder and additional charges for the arson attack that killed a Palestinian family (two adults and a toddler) in 2015. No sentence has yet been handed down in the case, including in respect of another settler convicted in the case in October 2019 for “conspiracy to commit a crime motivated by a racist motive”, following a plea deal.⁶⁵

33. Deficiencies in the justice system to hold settlers accountable for violence against Palestinians include: the application of different legal systems to settlers and Palestinians;⁶⁶ the persistent and prevailing lack of thorough and impartial investigations;⁶⁷ the very low rate of indictments and convictions reported between 2017 and 2019; frequently delayed processes; and lenient charges. Fewer complaints are submitted by Palestinians owing to distrust in the Israeli legal system and fear of reprisals. While efforts have been made by the Israeli authorities in recent years to prevent, investigate and prosecute particular incidents of settler violence, overall, these deficiencies sustain a climate of impunity for settler violence, encouraging attacks to continue.

Demolitions, forced evictions and displacement

34. Demolitions and forced evictions as referred to below entail numerous human rights violations, exacerbate the coercive environment and raise concerns about the risk of forcible transfer. They also continue to raise concern about compliance with the relevant provisions of international humanitarian law that are binding on the occupying Power, including the prohibition of the destruction of property and institutions dedicated to education.⁶⁸

35. During the reporting period, Israeli authorities demolished 606 structures in the West Bank, including East Jerusalem, displacing 778 people (194 women, 182 men,

⁶² Including violence resulting in property damage.

⁶³ See www.yesh-din.org/en/reaping-with-sorrow-a-summary-of-the-2019-olive-harvest/.

⁶⁴ See <https://s3-eu-west-1.amazonaws.com/files.yesh-din.org/דצמבר+2019+נתונים+הוק/אנגלית/Law+Enforcement+Data+Sheet+12.2019+ENG.pdf>.

⁶⁵ A/HRC/43/67, para. 27.

⁶⁶ A/HRC/43/67, para. 29, and A/68/513, para. 12.

⁶⁷ A/HRC/40/42, para. 55; A/71/355, para. 50; A/HRC/34/38, para. 38; and A/HRC/37/43, para. 23.

⁶⁸ Fourth Geneva Convention, art. Hague Regulations, arts. 46 and 56 (see A/HRC/34/38, paras. 21 and 33).

177 girls and 225 boys).⁶⁹ In the previous reporting period, 511 structures were demolished, displacing 641 people. The majority of the demolitions took place in Area C (427 demolished structures, displacing 465 people), and the most affected areas were East Jerusalem (122), Hebron Governorate (126), Jordan Valley (110) and Bethlehem (110). Demolitions more than tripled during Ramadan in 2020 as compared with 2019.⁷⁰

36. Demolitions and confiscations continued during the COVID-19 pandemic at only a slightly lower monthly rate than in the previous period,⁷¹ leaving Palestinians without adequate housing, medical facilities and access to water, thereby seriously increasing the risk of COVID-19 infection in the West Bank. On 26 March 2020, in Ibbiq village, Jordan Valley, the Israeli Civil Administration demolished one residential structure (displacing two persons), and dismantled and confiscated eight tents and equipment (including a water tank, a generator and spraying devices) on the grounds of lack of a building permit. Some tents were assigned as clinical facilities.

37. Military Order No. 1797 came into effect in July 2019, authorizing the Israeli Civil Administration to remove new structures built without a permit⁷² in Area C within 96 hours.⁷³ The order can be applied to residential structures only if they have been inhabited for less than 30 days.⁷⁴ It has been used to demolish 47 structures since it came into effect.⁷⁵ The order has further limited opportunities for legal recourse,⁷⁶ and only one appeal against demolition under the order has been successful.

38. Israeli authorities demolished three school-related structures⁷⁷ during the reporting period, which affected 181 students and teachers, while 51 schools (43 in Area C and 8 in East Jerusalem) were under “stop work” or demolition orders as at 31 May 2020.⁷⁸ On 16 January 2020, in Hebron, in the Birin herding community, Israeli security forces demolished the foundations for new school premises intended to serve 60 students.⁷⁹ The demolition order was based on Military Order No. 1797 and delivered to the school representatives 96 hours before demolition.

Impact of settlements on Palestinian communities at risk of forcible transfer

39. The publicly stated intention of the Government of Israel to relocate thousands of Palestinians residing in Area C remains a key concern and contributes to a coercive environment.⁸⁰ Some 18 communities in and around East Jerusalem are at particular risk of forced eviction, including the Bedouin community of Khan al-Ahmar/Abu al-Helu.⁸¹ The Israeli Government’s stated intention to move ahead with annexation of parts of the occupied West Bank increases that risk.

⁶⁹ Office for the Coordination of Humanitarian Affairs.

⁷⁰ Ibid.

⁷¹ A monthly average of 43 demolitions during COVID-19 compared with 51 for the entire reporting period.

⁷² See www.ochaopt.org/poc/17-30-march-2020.

⁷³ A/74/357, para. 37.

⁷⁴ Ibid.

⁷⁵ Office for the Coordination of Humanitarian Affairs.

⁷⁶ A/74/357, para. 37.

⁷⁷ Office for the Coordination of Humanitarian Affairs.

⁷⁸ Data from the education cluster of the United Nations country team.

⁷⁹ Office for the Coordination of Humanitarian Affairs.

⁸⁰ A/HRC/34/39, para. 44; A/72/564, paras. 36–57.

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

IV. Settlement expansion, demolitions and evictions in East Jerusalem and Bethlehem

40. In the weeks leading up to the March 2020 Israeli election, and following the publication of the United States “Peace to prosperity” vision, the Government of Israel advanced or announced its intention to advance thousands of settlement housing units in and around East Jerusalem. If construction is realized, these plans would further consolidate the ring of settlements around East Jerusalem, severing it from the rest of the West Bank. This would further restrict the freedom of movement of Palestinians living in East Jerusalem, negatively impact other rights, increase the risk of forcible transfer for nearby Palestinian communities and seriously impede the exercise by the Palestinian people of the right to self-determination and undermine the possibility of a contiguous Palestinian State.

A. Settlements plans around East Jerusalem

41. On 9 February 2020, a plan to create a new large settlement of 9,000 units in the area of the former Qalandiya/Atarut airport, north of Jerusalem, was advanced and in the early stages of approval.⁸² The construction would disrupt the contiguity of territory between East Jerusalem and the Ramallah area.

42. On 24 February 2020, tenders were announced for 1,077 housing units in a new settlement in Giv‘at Hamatos, in the southern part of East Jerusalem.⁸³ Publication of the tenders, initially scheduled for 3 May, has been delayed to an unknown date as at the end of the reporting period. The Prime Minister of Israel also announced his intention to advance the expansion of the nearby Har Homa settlement, with 2,200 housing units.⁸⁴ Such construction would further consolidate the ring of settlements along the southern perimeter of Jerusalem, separating the Palestinian areas of the city from Bethlehem and the southern West Bank.

43. On 25 February 2020, the Prime Minister of Israel further announced that the Government would advance plans for the construction of over 3,400 housing units in the 12 km² area known as E1, adjacent to Ma‘aleh Adumim settlement, between East Jerusalem and Jericho.⁸⁵ Two plans for E1 settlement were deposited for objections in early March 2020.⁸⁶ Construction in the E1 area would effectively cut the West Bank into two parts. On 9 March 2020, the Minister of Defence of Israel advanced a plan for a so-called “sovereignty road”, between the southern and northern, West Bank for Palestinians. The road would bypass the Ma‘ale Adumim settlement and areas around it, effectively preventing Palestinians from entering E1. The Minister stated that its construction would enable settlement construction in E1.

44. On 6 May 2020, the Minister of Defence of Israel announced his intention to advance some 7,000 housing units south of Bethlehem, in the area known as E2, as

⁸² See <https://peacenow.org.il/en/plan-advanced-for-a-new-settlement-in-atarot-in-the-heart-of-palestinian-east-jerusalem>.

⁸³ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_30_march_2020_2334.pdf. According to Ir Amim, the tenders had not been published for bidding as at the end of the reporting period.

⁸⁴ According to Ir Amim, the master plan and a detailed outline plan for Har Homa were discussed in March 2020, but not yet approved by the Jerusalem planning and building committee.

⁸⁵ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_30_march_2020_2334.pdf and https://peacenow.org.il/en/netanyahu-promotes-the-construction-in-e1#inbox/_blank.

⁸⁶ Ir Amim, on file, and <https://peacenow.org.il/en/road-allow-e1-construction-is-being-promoted>.

part of the Efrat settlement.⁸⁷ Israel declared the area State land in 2004 and allocated it for settlement development in December 2018.⁸⁸ If constructed, it threatens to carve up the West Bank⁸⁹ and fragment its southern part.

B. Demolitions and evictions paving the way for settlement expansion

45. In East Jerusalem, demolitions and seizure decreased, but continued at the high levels seen since 2016, with 122 demolitions that displaced 249 people.⁹⁰ These included 52 self-demolitions,⁹¹ which have increased since 2018, likely owing to more severe fines and charges imposed by Israeli municipal authorities⁹² and the amendment to the Planning and Building Law enabling expedited demolitions.⁹³

46. In Bethlehem Governorate,⁹⁴ demolitions and seizure reached the highest levels since the Office for the Coordination of Humanitarian Affairs began systematically recording demolitions in 2009, with 110 structures demolished and 130 people displaced in the reporting period, compared with the yearly average of 26 demolitions for 2010–2018.⁹⁵

47. The recent demolitions took place near areas of Bethlehem and East Jerusalem where the expansion of the settlements ring around East Jerusalem had been announced or advanced.⁹⁶

Self-demolition in East Jerusalem

48. Multiple Palestinians in East Jerusalem were forced to carry out self-demolitions, as it is almost impossible for them to obtain building permits, owing to the discriminatory Israeli zoning and planning regime⁹⁷ and the imposition of large fines and charges. The amendment to the Planning and Building Law enacted in 2017, which applied to all structures as of October 2019, limits the possibility to freeze demolition orders to one year, and only in exceptional circumstances, making the retroactive legalization of construction more difficult. The amendment further limits legal recourses against demolitions, reinforcing the discriminatory zoning and planning regime.⁹⁸

⁸⁷ See <https://peacenow.org.il/en/bennett-announces-intention-to-build-new-settlement-in-e2>.

⁸⁸ A/74/357, para. 8.

⁸⁹ A/70/351, para. 19.

⁹⁰ This includes only areas of East Jerusalem located in Jerusalem Governorate and excludes areas located in Bethlehem Governorate. During the previous reporting period, 197 demolitions occurred, displacing 253 people. From 2009 to 2016, an average of 76 demolitions were conducted annually and the trend subsequently increased.

⁹¹ Compared with 52 in the previous reporting period (see A/74/357, para. 31).

⁹² A/74/357, para. 31.

⁹³ Office for the Coordination of Humanitarian Affairs, www.ochaopt.org/content/new-legislation-impedes-challenges-demolitions-and-seizures-west-bank and Humanitarian Bulletin: occupied Palestinian territory, September 2019, p. 5.

⁹⁴ Including areas in East Jerusalem located in Bethlehem Governorate.

⁹⁵ Office for the Coordination of Humanitarian Affairs. See www.ochaopt.org/data/demolition.

⁹⁶ The most affected communities and neighbourhoods were Jabal al-Mukabbir (45 demolitions), Za'atarah (20), Bayt Hanina (19), Sur Bahir (16), Walajah (16), Khidr (12), Bayt Jala (12), Nahalin (12), Isawiyah (12) and Silwan (12), all located near areas where such expansion is taking place.

⁹⁷ A/HRC/34/38, para. 26.

⁹⁸ A/HRC/43/67, para. 32.

49. On 9 June 2019, a woman demolished her house in Sur Bahir, East Jerusalem,⁹⁹ to avoid paying hefty fines and charges. A demolition order had been issued in 2012 and frozen until April 2019, when it was confirmed in court, giving the woman 45 days to demolish her house on the grounds of lack of a building permit. The demolition led to the displacement of the woman and her six children (including five minors), exacerbating their economic difficulties as the family depends on widow allowances. The demolition also placed them at higher risk of prevalent discriminatory social practices against women and female-headed households.

50. On 1 February 2020, a family (four adults and three children) in Jabal al-Mukabbir neighbourhood was forced to demolish their house, built on their private land. Following the family's appeal of a demolition order issued seven years earlier, the Jerusalem Municipal Court confirmed the demolition in February 2019, issuing a fine of 35,000 new shekels (approximately \$10,000) and ordering the family to obtain a building permit before 27 December 2019, which they were denied. The family reported being informed that the Municipality would charge 100,000 new shekels (approximately \$29,000) for the demolition, mainly to pay for protection by Israeli security forces. The house lay directly above the planned route of an underground tunnel, which is part of the eastern ring road that would connect several settlements in East Jerusalem and its periphery.

Evictions under the Absentee Property Law and on the basis of ownership prior to 1948

51. Two of the main laws that have been used as grounds for evicting Palestinians from their properties in East Jerusalem in favour of settler organizations are the Absentee Property Law and the Legal and Administrative Matters Law of 1970.¹⁰⁰ The Absentee Property Law,¹⁰¹ enacted in 1950, allows the confiscation of property from Palestinians in areas where “the law of the State of Israel applies”, if the owner of the property fled or otherwise was outside that area after 27 November 1947.¹⁰² Since Israel annexed East Jerusalem, property in East Jerusalem owned by Palestinians residing outside the city has been determined by Israeli authorities to be “absentee property” on the basis of claims initiated by settler organizations, and in some cases transferred or sold to settler organizations.¹⁰³ Notwithstanding the illegality of annexation under international law, the Supreme Court of Israel accepted such confiscations in a decision on 15 April 2015, while stipulating that the law should be invoked extremely rarely in East Jerusalem, and only with the express permission of the Attorney General in each case.¹⁰⁴ The Legal and Administrative Matters Law permits claims for restitution of property in East Jerusalem owned by Jewish persons before 1948, but not for Palestinian claims of ownership in West Jerusalem before 1948. It is estimated that hundreds of properties have been taken over by settlers in East Jerusalem since the 1980s under the two laws, as well as through archaeological or tourism projects and transactions involving Palestinian property, including fraudulent purchases.¹⁰⁵

⁹⁹ Most of Sur Bahir is located within an area unilaterally annexed by Israel as part of the Israeli Jerusalem municipality. Other parts are located in Areas A, B and C of the West Bank, but the Barrier encloses them to the Jerusalem side of the Barrier. See www.ochaopt.org/content/threat-demolitions-east-jerusalem.

¹⁰⁰ A/70/351, paras. 30 and 31.

¹⁰¹ Informal English translation available at www.adalah.org/uploads/oldfiles/Public/files/Discriminatory-Laws-Database/English/04-Absentees-Property-Law-1950.pdf.

¹⁰² A/70/351, paras. 30–31.

¹⁰³ Ibid. See also <https://law.acri.org.il/pdf/unsafe-space-en.pdf>, p. 35.

¹⁰⁴ CA 2250/06 *Custodian of Absentees' Property and others. v Daqaq Nuha and others*.

¹⁰⁵ A/70/351, paras. 29–36 and 49–51; A/HRC/34/39, para. 46.

52. On 10 July 2019, the Israeli authorities evicted a Palestinian family (one woman and four children) in Wadi Hulwah in Silwan, East Jerusalem. Two days before the eviction, the High Court of Justice rejected the family's request for leave to appeal. Since the early 1990s, the settler organization Elad had attempted to take over the property through four law suits, three of which were dismissed by the Jerusalem District Court as being partially based on forged documents.¹⁰⁶ In 2009, the District Court determined that two persons owning one fourth of the property should be considered "absentees" under the Absentee Property Law because they resided outside East Jerusalem. The evicted woman is the daughter of one of the persons considered an "absentee". The Custodian of Absentees' Property then sold the so-called absentee property to Elad. During the legal procedures, Elad reportedly bought another 50 per cent of the property from owners living abroad, who likely would have been considered "absentees" if they had not sold the property, meaning that they would have received no compensation.

53. Nearly 100 families comprising around 700 Palestinians residing near the Old City of East Jerusalem, in Silwan, have been undergoing similar legal processes. On 30 September 2002, the Custodian of Absentee Property released the land where the families live to the Benvenisti Trust, the administration of which was taken over the same year by the settler organization Ateret Cohanim, on the basis of the assertion that it owned the properties before 1948.¹⁰⁷ On 21 November 2018, the Supreme Court of Israel denied a petition by the families against the release of the land to the settler organization. In January and February 2020, the Jerusalem Magistrate Court issued three decisions ordering the eviction of nine of the households (more than 45 persons). The decisions have been appealed, while another 22 eviction cases are pending.

54. Under international humanitarian law, private property in occupied territory must be respected and cannot be confiscated by the occupying Power.¹⁰⁸ The application of the Absentee Property Law and the Legal and Administrative Matters Law in East Jerusalem is seemingly inconsistent with this obligation. International humanitarian law also requires the occupying Power to respect, unless absolutely prevented, the laws in force in the country.¹⁰⁹ Furthermore in practice, the measures taken by Israel facilitate the transfer by the occupying Power of its population into parts of the Occupied Palestinian Territory. The transfer of parts of an occupying Power's civilian population into the territory that it occupies is prohibited under international humanitarian law and may amount to a war crime.¹¹⁰ In addition, confiscations under the Laws are carried out solely on the basis of the nationality or origin of the owner, rendering them inherently discriminatory.

55. Approximately 200 Palestinian households in East Jerusalem, comprising 877 persons, including 391 children, face similar risks of forced eviction due to cases filed in Israeli courts, primarily by Israeli settler organizations.¹¹¹ Forced evictions frequently violate the rights to adequate housing and to privacy and other human rights. They are a key factor in a coercive environment that may lead to forcible transfer, which is prohibited by the Fourth Geneva Convention and a grave breach of the Convention.¹¹²

¹⁰⁶ Jerusalem District Court cases HC 325/96, TA 1185/96 and TA 1544-09.

¹⁰⁷ See <https://peacenow.org.il/en/the-court-ruled-to-evict-another-8-families-in-batan-al-hawa-silwan>.

¹⁰⁸ Hague Regulations, art. 46.

¹⁰⁹ Hague Regulations, art. 43; and Fourth Geneva Convention, art. 64.

¹¹⁰ Fourth Geneva Convention, art. 49 (6). See also Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹¹¹ Office for the Coordination of Humanitarian Affairs, as at January 2019.

¹¹² Fourth Geneva Convention, arts. 49 and 147; A/74/357, paras. 35 and 77; and A/HRC/34/39, para. 46, and the relevant footnotes.

Demolition immediately followed by establishment of an outpost

56. An extended family of five adults and two children was subjected to two demolitions in the Makhzur area of Bethlehem near Har Gillo settlement. On 26 August 2019, the Israeli Civil Administration demolished the family's restaurant and residence in their private property in Area C, owing to the lack of a building permit, under orders from 2005 and 2010. The following day, settlers started establishing an agricultural outpost without a permit a few hundred metres from the demolished structures. The outpost remained there as at the end of the reporting period. Following the demolition, five members of the family lived in a tent supplied by humanitarian organizations, on the site of their property. On 4 March 2020, the Israeli Civil Administration confiscated the tent and razed the grounds where the demolition had taken place. This occurred at the beginning of the COVID-19 outbreak, putting the family at further risk of contracting the disease, without shelter and access to water.

V. Settlements in the occupied Syrian Golan

57. After the President of the United States announced, in April 2019, that he recognized Israeli sovereignty over the occupied Syrian Golan, plans to further expand Israeli settlements have continued. This included the Government decision, in June 2019, to establish a settlement called "Trump Heights".¹¹³ Several States condemned the United States announcement and the consequences of recognizing illegal annexation. The Secretary-General reaffirmed the validity of Security Council resolution 497 (1981), in which the Council decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without international legal effect.

58. A human rights organization from the occupied Syrian Golan¹¹⁴ continued to raise serious concerns about the impact on Syrian villages, in particular, Majdal Shams and Masadah, of a renewable energy project implemented by an Israeli energy company, involving the construction of wind turbines. It stated that the project would involve building 31 wind turbines on land owned by Syrian farmers and would severely affect their human rights, restrict access to their farming lands and their ability to expand their already limited built-up areas and endanger wildlife. In January 2020, the Israeli National Infrastructure Committee approved the construction of 25 wind turbines. Syrian inhabitants in the area are facing a severe housing crisis, which the project would further exacerbate. Moreover, the areas where they live constitute only 5 per cent of the overall area of the occupied Syrian Golan, while 95 per cent of the territory is unavailable as it is being used by the Israeli military and over 34 illegal Israeli settlements.

¹¹³ See <https://mfa.gov.il/MFA/PressRoom/2019/Pages/Government-approves-establishment-of-new-Golan-Heights-community-Ramat-Trump-16-June-2019.aspx>.

¹¹⁴ See <https://golan-marsad.org/as-syrians-commemorate-yet-another-year-of-occupation-israel-tightens-it-grip-on-the-golan/>.

VI. Conclusions and recommendations

59. The establishment and expansion of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan amount to the transfer by Israel of its own civilian population into the territory it occupies, which is prohibited under international humanitarian law,¹¹⁵ as consistently confirmed by the competent United Nations organs, including the International Court of Justice, the General Assembly, the Security Council and the Human Rights Council.

60. The stated intention of the Government of Israel to annex parts of the occupied West Bank, if implemented, would constitute a most serious violation of international law, including the Charter of the United Nations, and would have no legal validity. It would be a major obstacle to the achievement of the two-State solution and threaten efforts to advance regional peace and our broader efforts to maintain international peace and security.

61. During the reporting period, advancements of new and existing settlements increased, as did the number of tenders announced, while the rate of settlement housing construction starts decreased. The plans for settlements in East Jerusalem and surrounding areas, including in E1, are of particular concern as they would isolate East Jerusalem from the rest of the West Bank and threaten to fragment the contiguity of the West Bank.

62. Settlements have significant adverse effects on Palestinians' rights, including their rights to life, freedom of movement, privacy, family life, an adequate standard of living, work and education and on the exercise of their right to self-determination.

63. Settler violence remained high in the reporting period, continuing an overall upward trend since 2016. Israel largely failed to uphold its obligation as the occupying Power to ensure, as far as possible, public order and life and protect the Palestinian population against all acts or threats of violence. A large number of incidents occurred in the same locations,¹¹⁶ suggesting that much of the violence emanates from specific groups of settlers. While efforts have been made by the Israeli authorities in recent years to prevent, investigate and prosecute particular incidents of settler violence, overall, a climate of impunity continued to prevail owing to persisting deficiencies in the justice system to hold settlers accountable for violence against Palestinians and damage to their property.

64. Forced evictions resulting from demolitions in the circumstances prevailing in the Occupied Palestinian Territory are a key factor in the creation of a coercive environment. They have a negative impact on a wide range of human rights and increase the risk of forcible transfer.¹¹⁷ The transfer of property pursuant to the application of the Absentee Property Law and the Legal and Administrative Matters Law in East Jerusalem also facilitates the transfer of its population into the occupied territory, in violation of international humanitarian law.

65. The Secretary-General recalls Security Council resolution [497 \(1981\)](#), in which the Council decided that the decision of Israel to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect.

¹¹⁵ Fourth Geneva Convention, art. 49 (6).

¹¹⁶ [A/HRC/28/44](#), para. 49; [A/71/355](#), paras. 18 and 46; and [A/72/564](#), paras. 19–22.

¹¹⁷ [A/HRC/34/39](#), paras. 40–57.

66. **On the basis of the present report, the Secretary-General recommends that Israel:**

(a) **Immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in compliance with relevant United Nations resolutions, including Security Council resolution 2334 (2016), and halt any planned steps towards annexation of any part of the Occupied Palestinian Territory, in compliance with the principle of inadmissibility of the acquisition of territory by force.**

(b) **Review the application of planning laws and policies, as well as the Absentee Property Law and the Legal and Administrative Matters Law, to ensure that they are in accordance with the obligations of Israel under international humanitarian law and international human rights law;**

(c) **Immediately halt demolitions and forced evictions and cease any activity that would further contribute to a coercive environment and/or lead to a risk of forcible transfer;**

(d) **Take all measures to ensure the protection of Palestinians and their property from settler violence in the Occupied Palestinian Territory, including East Jerusalem, including through the issuance and enforcement of clear orders to the Israeli Security Forces to protect the Palestinian population;**

(e) **Ensure that all incidents of settler and Israeli Security Forces' violence against Palestinians and damage to their property be systematically investigated, that perpetrators be prosecuted and, if convicted, punished with appropriate sanctions, and that victims be provided with effective remedies, including adequate compensation, in accordance with international standards;**

(f) **Immediately cease and reverse all settlement development and related activities in the occupied Syrian Golan, and end discriminatory land, housing and development policies, in compliance with relevant United Nations resolutions;**

(g) **Immediately remove all mines and minefields in the occupied Syrian Golan, which pose a risk to the local population.**
