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

Human rights situation in Palestine and other occupied Arab territories

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

Report of the United Nations High Commissioner for Human Rights

Summary

In the present report, the United Nations High Commissioner for Human Rights describes the expansion of the settlement enterprise of Israel and its negative impact on the human rights of Palestinians. The focus of the report is on the effects of settler violence on Palestinians' access to land and freedom of movement. It also addresses issues relating to Israeli settlements in the occupied Syrian Golan. The report covers the period from 1 November 2017 to 31 October 2018.

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



I. Introduction

1. The present report, submitted to the Human Rights Council pursuant to its resolution 37/36, provides an update on the implementation of that resolution from 1 November 2017 to 31 October 2018. It is based on monitoring and other information-gathering activities conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and on information provided by other United Nations entities in the Occupied Palestinian Territory, Israeli and Palestinian non-governmental organizations (NGOs) and civil society in the occupied Syrian Golan. It should be read in conjunction with recent relevant reports of the Secretary-General and of the United Nations High Commissioner for Human Rights to the General Assembly and to the Human Rights Council.¹ The quarterly updates and reports of the Secretary-General presented to the Security Council on the implementation of Council resolution 2334 (2016) also provide relevant information.²

2. During the period under review, the Israeli settlement enterprise continued unabated in the West Bank, including East Jerusalem. Settlement housing advancement in Area C and East Jerusalem declined compared with the high numbers of the previous reporting period (1 November 2016 to 31 October 2017). Since the beginning of 2018, settler violence has been at a concerning high.

II. Legal framework

3. 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. In particular, Israel is bound by the obligations of an occupying Power as set out by international humanitarian law. A detailed analysis of the legal framework in relation to the Occupied Palestinian Territory and the occupied Syrian Golan is contained in reports of the Secretary-General.³

III. Activities related to settlements

4. During the period under review, planning for settlements continued, while the actual commencement of construction decreased. Conditions and acts contributing to a coercive environment, including demolitions and forced evictions, remained a serious concern and acts of settler violence reached the highest level since 2015. In the present report, the High Commissioner examines general developments related to settlements, including outposts,⁴ with a specific focus on settler violence and its effect on the human rights of Palestinians living in the Occupied Palestinian Territory. It also addresses issues relating to Israeli settlements in the occupied Syrian Golan.

A. Settlement expansion

Land designation, planning and tenders

5. Advancement of plans for settlement construction continued at a high rate, with plans for 6,300 housing units advanced for construction in Area C and East Jerusalem, following some 10,000 housing units in the previous reporting period. Included in the plans for this reporting period were some 5,300 housing units in Area C, about 2,300 of them

¹ A/73/410, A/73/420, A/HRC/37/38, A/HRC/37/42 and A/HRC/37/43.

² Available from the web page of the Office of the United Nations Special Coordinator for the Middle East Peace Process at <https://unsco.unmissions.org/security-council-briefings-0>.

³ A/HRC/34/38 and A/HRC/34/39.

⁴ Outposts are unauthorized settlements illegal even under Israeli law. Both outposts and settlements are illegal under international law.

reaching final stages of approval. In East Jerusalem, some 1,000 housing units were advanced, about 200 of which reached the final stage of approval.

6. Tenders were issued by the State for 3,500 units in Area C settlements, compared with 3,200 during the previous period. In East Jerusalem, one tender was announced for 600 units in Ramat Shlomo – the first tender announced in East Jerusalem settlements in over two years.⁵

7. Official data on settlement construction starts in Area C indicate a decline compared with the previous reporting period.⁶

8. During the reporting period, one outpost was legalized (see para. 15) and there were no declarations of State land. Settlers established seven new outposts, three in the southern West Bank and four in the central West Bank,⁷ compared with five established in the previous reporting period.⁸ In January 2018, the Israeli Minister of Defence called for the legalization of the outpost of Havat Gilad/Gilad Farm in response to the killing of an Israeli inhabitant of the outpost by a Palestinian.⁹ The legalization process has not moved forward. According to a media investigation published during the reporting period, the World Zionist Organization,¹⁰ a non-State entity which receives funding from the Israeli State, provided dozens of loans over two decades to fund the establishment of 26 unauthorized outposts and other illegal structures in authorized settlements across the West Bank.¹¹

Consolidation of settlements

9. On 14 October 2018, the Government of Israel allocated NIS 21.6 million for the construction of 31 settlement housing units in the Israeli-controlled area of Hebron, Hebron H2.¹² The new construction will replace an Israeli military base called Plugat Hamitkanim located on a Palestinian bus station off Shohada Street. This will be the first time Israeli settlements are built in H2 in 16 years.¹³ On 31 October 2018, the Minister of Defence ordered other plans for a new settlement compound in H2 as an expansion of the Avraham Avinu settlement to move ahead.¹⁴

10. On 16 October 2018, the Israeli authorities inaugurated the Tel Rumeida archaeological site in H2. According to Peace Now, the archaeological excavations undertaken by the Israeli Antiquities Authority and the University of Ariel settlement at the site are used to promote an exclusively Jewish narrative of the city's history.¹⁵ As in East Jerusalem, tourism development in H2 is one of the tools used to change the character of Palestinian neighbourhoods and ensure continued settlement expansion.¹⁶

11. On 9 October 2018, the Israeli High Court of Justice rejected two petitions submitted by an Israeli NGO against the establishment of the Amihai settlement (the settlement established for inhabitants of the Amona outpost evacuated in 2017) partly on private Palestinian land. While the Court did not rule on whether the establishment of the settlement had been illegal in the first place, it did consider the petitioners' claim that the

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

⁶ Data are available only for the period 1 November 2017–1 October 2018 (1,659 units) and 1 November 2016–1 October 2017 (2,269 units).

⁷ Givat Eitam, Mishol Hamaayan Farm, Negohot Farm, Ras Karkar Farm, Kochav Hashahar East, Pnei Hever, South and Gadi Base.

⁸ Peace Now, data on file.

⁹ Yotam Berger, "Israel's Defence Minister aims to legalize outpost near where settler killed last week", *Haaretz*, 15 January 2018.

¹⁰ See www.wzo.org.il/world-zionist-organization.

¹¹ Yotam Berger, "Revealed: Israeli taxpayers helped bankroll illegal West Bank outposts for decades", *Haaretz*, 25 October 2018.

¹² A/71/355, paras. 25–64.

¹³ A/HRC/37/43, para. 8.

¹⁴ Yotam Berger, "New residential building for Jewish settlement in Hebron gets go-ahead", *Haaretz*, 1 November 2018.

¹⁵ Peace Now, "A new touristic settlement opens in Tel Remeida in Hebron", 16 October 2018.

¹⁶ A/73/410, para. 8.

State had not provided adequate notice of the Blue Line task force finding that their land fell within the boundaries of declared “State land”, which would have allowed for a genuine opportunity to object.¹⁷ It is of concern that the Court considered that the methods of publication provided, without a notice delivered to the owners, were sufficient. In addition to the implied violations as regards private property,¹⁸ the Court’s decision is a further measure to allow the establishment of illegal settlements in the Occupied Palestinian Territory.

B. Legislative developments

12. During the reporting period, a number of additional legislative steps pertaining to settlements were advanced, further contributing to the de facto annexation of the West Bank. The amendment to the Basic Law: Jerusalem, Capital of Israel, adopted on 2 January 2018, eases the process for the modification of Jerusalem’s municipal boundaries, facilitating the possible inclusion of some of the largest settlements within the municipality of Jerusalem.¹⁹ The extension of the jurisdiction of some Israeli authorities to the West Bank, such as the Council of Higher Education in February 2018, as well as of the Jerusalem Administrative Court in July 2018,²⁰ represent additional steps blurring the distinction between Israel and the Occupied Palestinian Territory. In addition, the Attorney General issued a directive requesting that all legislative bills systematically address the question of their applicability to settlements.²¹

13. In qualifying “the complete and undivided city of Jerusalem” as the capital of Israel, the Nation State Law adopted on 19 July 2018 reaffirms the illegal annexation of East Jerusalem, in violation of various Security Council resolutions.²² In stating that “the State of Israel considers the development of Jewish settlement to be a national value and will act to further encourage and promote its establishment and consolidation”, the law appears to justify the expansion of Israeli settlements in East Jerusalem, considered by Israel as part of its territory.²³ It remains to be seen whether this provision will be used to further justify illegal settlement expansion in the rest of the West Bank.²⁴

Regularization of outposts

14. Israel has been promoting the retroactive authorization of outposts built without official approval since 2011. So far, 13 outposts have been retroactively approved and 20 are in different stages of the approval process (out of 116 outposts).²⁵ During the reporting period, steps were taken within the Government to implement the recommendations of the committee that was set up to resolve issues of landownership related to Israeli settlements in the West Bank. Created in 2017, the committee submitted its report, which includes recommendations to legalize thousands of unauthorized Israeli structures in the West Bank, including those built on private Palestinian land, in February 2018.²⁶

¹⁷ Case Nos. H CJ 5470/17 and 8055/17, *Basma Haj Mohammad et al. v. Minister of Defence et al.*, Judgment of 9 October 2018.

¹⁸ Hague Regulations respecting the Laws and Customs of War on Land, arts. 46 and 56; Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), art. 53; and International Committee of the Red Cross, Customary International Humanitarian Law, rule 51.

¹⁹ A/HRC/37/43, paras. 10–11.

²⁰ See https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_20_september_2018_2334.pdf.

²¹ A/73/410, paras. 9–11.

²² See, e.g., Security Council resolutions 252 (1968), 476 (1980) and 478 (1980).

²³ A/HRC/34/38, para. 10.

²⁴ There is no indication of the geographical scope of the quoted provision in the law.

²⁵ Yesh Din and The Rights Forum, *Under the Radar: Israel’s Silent Policy of Transforming Unauthorized Outposts into Official Settlements* (2015).

²⁶ A/73/410, para. 13.

15. On 28 August 2018, the Jerusalem District Court applied Military Order No. 59 (1967)²⁷ to legalize the outpost of Mitzpeh Kramim, which was built on private Palestinian land, based on the alleged good faith assumption that it was located on State land.²⁸ This decision is the first use of the military order and seems to confirm the existence of alternatives to the controversial “Regularization Law”, which aims to retroactively legalize outposts built on private Palestinian land and housing units built illegally in existing settlements.²⁹ There are hence strong concerns that this ruling would serve as a precedent to regularize more than a thousand illegal housing units within outposts and settlements.

16. During the reporting period, the Government of Israel promoted a bill that would give the World Zionist Organization the authority to manage land in the West Bank.³⁰ If adopted, the bill would validate a long-standing practice of management by the Settlement Division of the World Zionist Organization of most of the State land in the West Bank, which has proven problematic for its lack of both transparency and governmental supervision. The Settlement Division is reported to have previously allocated private Palestinian land as State land for settler use, including in Mitzpeh Kramim.³¹

C. Impact of settlements on Palestinian communities at risk of forcible transfer

17. 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.³² According to the Office for the Coordination of Humanitarian Affairs, during the reporting period, 402 Palestinian-owned structures were demolished in the West Bank, displacing 453 people including 216 children and 111 women. Approximately 60 per cent of the structures demolished were in Area C and 40 per cent in East Jerusalem. Four schools in Area C were demolished or confiscated. In Area C and East Jerusalem, 48 schools were under threat of demolition as of 31 October 2018.

18. Some 7,500 Palestinian Bedouins and herders, mostly refugees, belonging to 46 communities are at particular risk of forced eviction. This includes the Bedouin community of Khan al-Ahmar-Abu al-Helu, composed of some 180 individuals, half of whom are children.³³ On 24 May 2018, the Israeli High Court of Justice issued a ruling which allowed for the demolition of the community’s structures, putting the residents at risk of forcible transfer and setting a dangerous precedent for many other communities under similar threat. On 5 September 2018, the Court issued a final ruling, in which it upheld its previous decision and rejected all petitions made by the community. On 23 September 2018, the Israeli Civil Administration requested the residents to carry out self-demolitions of their homes by 1 October 2018, which they refused to do. On 20 October 2018, the Office of the Prime Minister announced the suspension of the demolitions until further notice, allegedly in order to exhaust negotiations and proposals received from various sources. As at the end of the reporting period, the demolitions had not taken place. The constant threats of demolition issued by Israeli authorities exacerbated the pressure on the community to move, adding to the coercive environment.

19. In November 2017, the Israel Defense Forces ordered the “removal of all properties” from specific zones in Area C inhabited by Palestinian herding communities, including Ein al-Hilwe and Um al-Jamal in the northern Jordan Valley and Jabal al-Baba in the Jerusalem Governorate. The latter falls within the area slated for the E1 settlement plan, designed to

²⁷ A/HRC/37/43, para. 17.

²⁸ An appeal against the decision is pending before the Israeli Supreme Court.

²⁹ Adopted in February 2017, the law remains unimplemented to date, following petitions to the High Court of Justice; see A/73/410, para. 12.

³⁰ The amendment (Administration and Allocation of Land in the Judea and Samaria Area by the Settlement Division) was brought before the Constitution, Law and Justice Committee of the Knesset for preparation for first reading on 29 October 2018.

³¹ Peace Now, “Preliminary approval for settlement division bill”, 16 June 2018.

³² A/HRC/34/39, para. 44; and A/72/564, paras. 36–57.

³³ A/HRC/37/43, para. 25; and A/73/410, para. 22.

link Ma'ale Adumim with Jerusalem. A total of 520 structures, a quarter of which are donor funded, are at risk of demolition or confiscation and 419 people, about half of them children, are at heightened risk of forcible transfer.³⁴

20. During the reporting period, the Bedouin community of Abu Nuwar located in the E1 settlement plan area was subject to several demolitions. In December 2017, Israeli authorities demolished two European Union-funded classrooms in Abu Nuwar, which served 26 students. The European Union had partly replaced the seven structures of the community primary school that were demolished in 2016.³⁵ On 4 July 2018, the authorities demolished another 19 structures, displacing 51 people, including 33 children.³⁶ Such confiscations and demolitions result in violations of the right to an adequate standard of living, the right to adequate housing and the right to education. Furthermore, demolitions carried out by the Israeli authorities in the context of discriminatory planning structures are unlawful under international law and constitute forced evictions.³⁷ The compounded effects of these ongoing violations, along with the constant threat of additional demolitions,³⁸ contribute to a coercive environment that puts the community at risk of forcible transfer.³⁹

21. Thirty-four Palestinian residents of four buildings were evicted by settlers in East Jerusalem, compared with 24 Palestinians evicted from three buildings in East Jerusalem in the previous reporting period.⁴⁰ In April 2018, the Israeli police evicted residents of three apartments in two buildings in Silwan in East Jerusalem, affecting 15 members of an extended family. One of the owners of the buildings had been killed in an unsolved murder three years previously, leaving accumulated debts. According to his lawyer and members of his family, the general custodian (responsible for, inter alia, managing property that belongs to persons who went into bankruptcy) transferred the deceased owner's property to the settler organization Elad, which obtained a court ruling to evict the residents of the three apartments despite the deceased being one of several heirs to the buildings among his siblings and cousins. A court case was ongoing at the time of the eviction, in which the family was protesting the legality of the transfer of ownership. The court cancelled the eviction, but it was nevertheless carried out by the police. The family is not allowed to return to its apartments while the case is pending.

22. While settlers vacated the occupied Abu Rajab house in H2 in March 2018, in the same month settlers took over the al-Zaateri house, also in H2, which is also the subject of a pending legal case regarding its ownership.⁴¹ On 29 October 2018, settlers escorted by the Israeli security forces occupied two other houses in the H2 area of Hebron. The houses, which belong to two Palestinian families from Hebron, were closed by military orders in 2000, after which the security forces installed a military base on the rooftops.

23. Settlement expansion, restrictions on freedom of movement and the continued threat of demolitions add to the coercive environment of Al-Walaja, a community of 2,671 individuals. In 2018, new plans were proposed that, if approved,⁴² would double the size of the settlement of Har Gilo, encircling the village. This would further isolate Al-Walaja residents from both Jerusalem and Bethlehem.⁴³ In March 2018, sewage emanating from this settlement flowed into the village, near its only health centre.⁴⁴ In January 2018, an Israeli national park visitor centre was opened at the Ein Haniya spring, central to the community life of Al-Walaja.

³⁴ Office for the Coordination of Humanitarian Affairs, *West Bank Demolitions and Displacement: An Overview*, November 2017, on file.

³⁵ *Ibid.*, February 2018.

³⁶ *Ibid.*, July 2018.

³⁷ A/72/564, paras. 26 and 49.

³⁸ Including through weekly inspections in the community by the Israeli Civil Administration.

³⁹ A/HRC/34/39, para. 47.

⁴⁰ Office for the Coordination of Humanitarian Affairs.

⁴¹ A/73/410, para. 7.

⁴² The proposal is pending approval by the Industrial Cooperation Authority. Yotam Berger, "Israel pushing plan to expand settlement toward Bethlehem", *Haaretz*, 26 June 2018.

⁴³ A/HRC/37/43, para. 19.

⁴⁴ United Nations Relief and Works Agency for Palestine Refugees in the Near East.

IV. Impact of settler violence on human rights

24. Settler violence adversely affects Palestinian society, violating a range of rights, including the rights to security of person, freedom of movement, an adequate standard of living, work and education.⁴⁵ Furthermore, settlers often use violence as part of a calculated effort to expand Israeli control beyond the settlement jurisdiction areas.⁴⁶ Settler presence and violence have reduced Palestinians' access to land, resulting in a de facto settlement expansion.⁴⁷ Settler violence is also a factor of the coercive environment that may leave some Palestinians no other choice than to leave their places of residence. Such involuntary moves would increase the risk of forcible transfer, a grave breach of the Fourth Geneva Convention and a war crime.⁴⁸

A. Right to life, liberty and security of person

25. In the reporting period, 4 Palestinians were killed by settlers in the West Bank (2 in the context of alleged stabbing attacks) and 98 were injured. There were 176 incidents of property damage by settlers. At least 7,360 Palestinian-owned fruit trees were destroyed, marking a 22 per cent increase compared with the previous reporting period. The average number of incidents of settler violence per month rose in 2018, representing a 57 and 175 per cent increase compared with 2017 and 2016 respectively. Approximately 40 per cent of the recorded incidents in the West Bank took place in the Nablus area. Most of the physical attacks targeted farmers and herders and a number of attacks were in the presence of Israeli security forces, who did not uphold their obligations to protect the Palestinian population.

26. During the reporting period, there were 37 incidents of settlers entering and/or attacking Palestinian communities, accompanied by Israeli security forces and triggering clashes between Palestinians and Israeli security forces. These incidents resulted in 2 Palestinians killed and 446 injured. The majority of these clashes occurred in communities in the Nablus Governorate. The number of clashes with Israeli forces following settlers entering Palestinian communities increased significantly this year compared with previous years.⁴⁹

27. Seven Israeli civilians were killed and 37 were injured by Palestinians in the West Bank, compared with 3 killed and 64 injured in the previous reporting period.⁵⁰

28. On 14 February 2018, some 15 Israeli civilians physically assaulted a 20-year-old Palestinian man near his house in the Old City in East Jerusalem, causing him serious injuries. According to the victim and video footage, the attack was in the presence of Israeli police who prevented other Palestinians from providing first aid to the victim. According to the victim's lawyer and based on surveillance camera footage, the police arrested three Israeli suspects and opened an investigation. As at 31 October 2018, the lawyer of the victim had not been informed of any progress in the investigation.

29. Settler violence in the H2 area of Hebron was a growing concern in the reporting period, with 35 incidents of attacks injuring 24 Palestinians, including 10 children. This is a noticeable increase compared with 18 incidents and 14 injured Palestinians in the previous reporting period.⁵¹ For example on 29 July 2018, four settlers attacked a Palestinian man as he was walking in H2 with his wife and nephew, spraying him with pepper spray in the presence of the Israeli security forces. When the man picked up a stone to fend off the

⁴⁵ A/68/513, paras. 12–14; A/71/355, para. 50; A/HRC/28/44, para. 40; A/HRC/34/38, para. 36; and A/HRC/37/43, para. 23.

⁴⁶ A/HRC/31/43, para. 33; and A/HRC/34/39, para. 18.

⁴⁷ Office for the Coordination of Humanitarian Affairs, Three case studies of the humanitarian impact of de facto settlement expansion, 2016–2017, on file; and A/70/351, para. 58.

⁴⁸ Fourth Geneva Convention, art. 147; and Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

⁴⁹ Office for the Coordination of Humanitarian Affairs.

⁵⁰ Ibid.

⁵¹ Ibid.

attackers, Israeli security forces intervened by pointing their guns at him, at which time the settlers left. On 12 September 2018, two settlers in their teens attacked two Palestinian boys aged 10 and 12 with pepper spray. The Israeli police apprehended the assailants and the families of the boys filed a complaint with the police. As at the end of the reporting period, none of the victims had been informed whether investigations had been opened.

30. Some of the peaks in settler violence against Palestinians recorded this year occurred within two or three days after the killing of settlers by Palestinians and were presumably perpetrated in retaliation.⁵² Other incidents have been attributed to a practice known as “price tag”, aimed at punishing Palestinians for the removal, by the Israeli authorities, of structures in settlement outposts. Since the beginning of 2018, a number of such removals were reported in small settlement outposts associated with radicalized settler youths in Nablus Governorate.⁵³

B. Freedom of movement and access to land and confiscation of private property

31. A range of factors restrict Palestinians’ access to and use of their land and property and facilitate gradual takeover of land, such as violence or threats by settlers or civilian security coordinators, settler agriculture and herding on Palestinian land and Israeli security force restrictions on access to areas near settlements.

32. In August 2018, the Government announced its intention to triple the size of the jurisdiction of the new settlement of Amihai⁵⁴ to include the outpost of Adei Ad as a way of retroactive authorization.⁵⁵ Adei Ad is a part of the “Shiloh corridor” in the northern West Bank, composed of several settlements and outposts from which Palestinians were driven away through settler violence, intimidation and unlawful activity that resulted in multiple human rights violations.⁵⁶ Should the corridor be completed, it will further prevent Palestinian farmers from accessing their lands, restrict their freedom of movement and obstruct territorial continuity of the West Bank.⁵⁷

33. Adei Ad, placed partially on private Palestinian land, has been a centre of settler violence in the area for many years.⁵⁸ In the reporting period, the Office for the Coordination of Humanitarian Affairs and Yesh Din combined reported 12 incidents of settler violence against property or Palestinians in the villages of Turmusaya, Jalud and Mughayir, all of which are close to the outpost. In October 2018, settlers destroyed 280 olive trees in three different areas, which Palestinians can only access after “prior coordination” with Israeli authorities (see para. 36), due to their proximity to Adei Ad. Yesh Din documented how settlers unofficially annexed land around Adei Ad in 28 instances by fencing plots, preventing access or expelling Palestinian farmers from their land, and cultivating plots while trespassing without the knowledge or agreement of the owners. This took place over a number of years on land that Palestinian owners could no longer access due to Israeli security forces restrictions or for fear of settler attacks.⁵⁹ Consequently, some Palestinians had to move away. According to the Jalud village council, 60 people left the village after the Shiloh settlement and surrounding outposts progressively

⁵² Ibid., *Humanitarian Bulletin: Occupied Palestinian Territory*, October 2018.

⁵³ Removals of structures took place in Ma’oz Ester, Havat Ma’on, Geulat Zion and Rosh Yosef. Ibid, note 33.

⁵⁴ Amihai was established for the settlers evacuated from the illegal settlement of Amona in the northern West Bank. See para. 11.

⁵⁵ Yotam Berger, “Israel seeks to triple size of isolated West Bank settlement in order to legalize outpost”, *Haaretz*, 8 August 2018.

⁵⁶ A/70/351, paras. 52–69.

⁵⁷ Yesh Din, *The Road to Dispossession: A Case Study – The Outpost of Adei Ad* (2013), p. 45.

⁵⁸ Monitoring by the Office for the Coordination of Humanitarian Affairs and OHCHR; and Yesh Din, *ibid.* Adei Ad outpost is placed partially on lands belonging to the villages of Turmusaya, Qaryut, Al Mughayir and Jalud.

⁵⁹ Yesh Din, *ibid.*, p. 58.

took over most of their lands in 2010. The legalization of Adei Ad outpost would send a concerning signal of rewarding violent behaviour.

34. In January 2018, the Israeli Minister of Defence declared his intention to legalize the outpost of Havat Gilad/Gilad Farm,⁶⁰ established on some 450 dunams of land belonging to Palestinians from the villages of Far'ata, Tal and Jit. According to residents and human rights organizations, the settlers expanded their outpost through violence and vandalism, with no demolitions of the illegal structures since 2003.⁶¹ A Palestinian man from Far'ata recounted how the outpost gradually expanded onto his land and how settlers made access to his land more difficult, including by attacks, the construction of two structures on his land and destruction of trees. Eventually, the Israeli Civil Administration imposed rules allowing him to access his land only twice a year. This greatly reduced his ability to protect his land from vandalism and theft, and to rehabilitate the land and damaged trees.⁶² According to the farmer, settlers destroyed trees and stole the fruit, so that there was nothing to harvest when he was granted access.⁶³ As of 31 October 2018, the legalization of Havat Gilad had not moved forward.

35. The Israeli military began closing off Palestinian farmlands and denying Palestinian farmers access to their own lands around 2000, purportedly to maintain public order and to protect them from frictions caused by settlers in such areas. Despite an Israeli Supreme Court ruling of 2006 stating that military commanders should refrain from closing areas in a manner that prevented Palestinian inhabitants from accessing their land for their own protection,⁶⁴ the military continues to close these farmlands, under the pretext of establishing a "coordination mechanism".⁶⁵ In practice, the "coordination mechanism" acts as a tool for placing restrictions on the Palestinian farmers, severely violating their rights to property, food and freedom of movement.⁶⁶ Palestinian farmers are forced to plant crops that do not require constant tending and are unable to maximize the economic potential of their land. Moreover, the lack of access throughout most of the year and the absence of continuous cultivation impede the farmers' capacity to minimize potential damage caused by extreme weather, fires or vandalism.

36. Approximately 90 Palestinian communities own land within or near 56 Israeli settlements and settlement outposts where "prior coordination" is now required to access the land. The coordination mechanism, run by the district coordination offices, is purportedly designed to allow Palestinian farmers to cultivate their lands that are located near settlements, or where settlements are built on their grounds. In reality, Palestinians are usually allowed to access their land only twice a year, during the harvest and ploughing seasons, for a limited and pre-set number of days. Although these procedures have the stated aim of protecting Palestinian farmers and their property, 26 settler attacks resulting in injuries or property damage were recorded in coordination areas in 2018.⁶⁷ Furthermore, the military often denies Palestinians even the limited access afforded by the coordination mechanism.⁶⁸

37. Palestinian farmers' access to their private land near settlements is also restricted and denied by the civilian security coordinators who operate in the Israeli settlements and outposts in the West Bank. These coordinators are usually residents of settlements and

⁶⁰ The decision was reportedly in response to a murder of a resident of the outpost. Peace Now, "Why Israel must not authorize the Havat Gilad outpost", 1 February 2018.

⁶¹ B'Tselem, "Adding insult to injury: Israel officially recognized Gilad Farm settlement outpost", 27 February 2018.

⁶² In 2006, he was banned from having an international protective presence during his visits to the land.

⁶³ For olive harvest-related human rights violations, see A/HRC/28/44, paras. 32–38; and Office for the Coordination of Humanitarian Affairs, *Occupied Palestinian Territory*, 15 December 2017.

⁶⁴ Case No. HCJ 9593/04, *Morar v. IDF Commander in Judea and Samaria*, Judgment of 26 June 2006.

⁶⁵ These procedures have the stated aim of protecting Palestinians farmers and their property. See Office for the Coordination of Humanitarian Affairs, *Humanitarian Bulletin: Occupied Palestinian Territory*, October 2018, p. 11.

⁶⁶ A/HRC/22/63, paras. 73–74.

⁶⁷ *Humanitarian Bulletin: Occupied Palestinian Territory*, October 2018.

⁶⁸ Yesh Din, *Yitzhar – A Case Study* (2018), p. 17.

outposts trained and armed by the Israel Defense Forces and funded by the Ministry of Defence to guard the settlements and outposts on behalf of the Israel Defense Forces. Civilian security coordinators have policing powers, which include the power to detain, search and arrest.⁶⁹ A lack of adequate supervision by the Israel Defense Forces and of clearly defined powers contribute to daily friction between the civilian security coordinators and Palestinians.⁷⁰ According to Yesh Din, guards have participated in settler attacks themselves or escorted settlers who were attacking Palestinians or Palestinian property. They have also prevented Palestinians from accessing lands, including grazing lands. During the reporting period, Yesh Din documented an incident of a civilian security coordinator from Mehola settlement taking part in violence against Palestinians and three incidents in which the Yitzhar civilian security coordinator was present during violence or vandalism against Palestinians.

38. In June 2018, a civilian security coordinator obstructed the access of a Palestinian family from the village of Kifl Haris to their agricultural land that had been included within the boundary of the adjacent Ariel settlement in the northern West Bank. The family had been able to access their land through Ariel's main entrance since the establishment of the settlement in 1978 but in June 2018, a new civilian security coordinator obstructed the family's access. On 15 August 2018, during a peaceful protest by several family members outside their land, a Palestinian was attacked and injured by the civilian security coordinator. After this incident, the family managed to negotiate coordinated access for a few members until the end of the olive harvest; however, they missed the harvest time for other fruit trees on the land. The family's future access to the land is uncertain, as they were again barred access at the end of October 2018.

39. During the reporting period, settlers established seven new outposts, six of them farms⁷¹ where settlers' sheep or cattle take over large areas of land and prevent Palestinians from accessing it by means of threats, attacks, fencing and cultivation. This appears to be part of an official policy whereby the Government has encouraged takeovers of land by settlers through agricultural projects.⁷² According to Peace Now, agricultural outposts are funded by local authorities of the settlements and the Gush Emunim settler organization.⁷³

40. The constraints faced by Palestinians in accessing their agricultural land put them at great risk of seeing their land declared State land and used for the expansion of settlements. Indeed, according to the Israeli interpretation of the Ottoman land laws that are still in effect in the West Bank, cessation of cultivation for extended periods could result in loss of title to the land.⁷⁴ Israel uses this to unilaterally declare "State land", which has been allocated exclusively for settlements use by Israel and its citizens rather than for the benefit of the local population, as required under international law.⁷⁵ In effectively preventing Palestinians from accessing their land, settler violence serves as a tool for the expansion of Israeli settlements in the West Bank.⁷⁶

41. The denial of Palestinians' access to land by settlers through violence or intimidation, or by the Israeli security forces to "protect" Palestinians from areas with settler and settlement presence, violates Palestinians' freedom of movement. Such a violation in turn affects other rights, such as the right to work and property.⁷⁷ Furthermore, official or unofficial confiscation of land and limiting access through coordination measures violate the prohibition on confiscation of private property enshrined in international

⁶⁹ A/HRC/28/44, paras. 22–23.

⁷⁰ A/HRC/28/44, para. 22.

⁷¹ Out of 25 outposts established since 2012, 15 are agricultural farms. Peace Now, source on file.

⁷² A/69/348, para. 28.

⁷³ Peace Now; see also Amira Hass, "How settlers use flocks of sheep to take over Palestinian Land", *Haaretz*, 13 October 2018.

⁷⁴ A/HRC/28/44, paras. 26–27. See also B'Tselem, *Under the Guise of Legality: Israel's Declarations of State Land in the West Bank* (2012), p. 28.

⁷⁵ A/HRC/34/39, para. 15.

⁷⁶ Yesh Din, *Yitzhar*, p. 13.

⁷⁷ A/69/348, para. 11; A/HRC/25/38, para. 29; and A/HRC/28/44, para. 40.

humanitarian law.⁷⁸ Limitations on freedom of movement and constraints on access to natural resources and agricultural land have been identified as coercive factors that ultimately may force people to leave.⁷⁹ In the cases presented in the present report, the Israeli security forces failed to uphold their obligation to protect the Palestinian population and property, as well as to keep public order and safety.⁸⁰ Such failure allows the Israeli State and private settlers to take over more Palestinian land in the West Bank, in violation of the law of occupation.

C. Access to health and education

42. Israeli settlements and settler violence continued to violate a range of Palestinians' human rights, including economic, social and cultural rights such as the rights to health and education.⁸¹ In Hebron H2 and the nearby access-restricted areas, some 7,000 Palestinians rely on medical services available in H1 and on Palestinian Red Crescent Society ambulances for urgent cases. The Secretary-General has previously reported incidents of ambulances not being allowed into the area, forcing Palestinian patients to cross checkpoints on foot, which can cause life-threatening delays.⁸²

43. During the reporting period, there were at least three cases of settler attacks against Palestinian ambulances in H2 in the presence of Israeli security forces. For instance, on 11 August 2018, settlers in H2 blocked a Palestinian Red Crescent Society ambulance transporting an elderly Palestinian woman injured by settlers. Despite the arrival of Israeli security forces at the scene, the settlers were not dispersed. Instead, after an hour, the Israeli security forces forced the ambulance crew to turn back and use another road, which the settlers then tried to block, causing further delay. Eventually the ambulance managed to pass. The inability of the Israeli security forces to guarantee the ambulance access to the H2 area, which results in the lack of access to health-care facilities and services for the persons living in this area, constitutes a violation of the right to health. The Palestinian Red Crescent Society submitted some 100 complaints to the Israeli authorities during 2018 related to access issues, including settler attacks, but as at the end of the reporting period no action had been taken.

44. Violence and harassment by settlers targeting schools often results in injuring children and teachers and disrupting classes. This affects access to education, quality of education, student well-being, and performance and completion rates.⁸³ Moreover, it results in increased school dropout rates and the decision of families to keep their children at home.⁸⁴ Fear of settler-related violence has been reported as one of the reasons why some families prevent girls from going to school, particularly in Area C.⁸⁵

45. The secondary boys' school in Urif has over the past two years been subjected to increasing settler attacks due to its proximity to Yitzhar settlement, from where many settler attacks originate. The school reported three settler attacks on the school on 14, 17 and 18 October 2018 respectively, causing the school to suspend teaching. Settlers hit teachers with stones while they were evacuating the children. The school staff reported visible psychological effects on the children. During the school year 2017/18, 24 out of 230 students dropped out of school, the majority of them because of the parents' fear for the

⁷⁸ Hague Regulations, arts. 46 and 56; Fourth Geneva Convention, art. 53; and Customary International Humanitarian Law, rule 51.

⁷⁹ For more information on the coercive environment, see A/71/355, paras. 60–64; A/72/564, paras. 36–57; A/73/410, paras. 26–58; A/HRC/34/39, paras. 44 and 54–55; and A/HRC/37/43, paras. 26–64.

⁸⁰ Hague Regulations, art. 43; and Fourth Geneva Convention, art. 27 (1)

⁸¹ For more information on settlements' impact on economic, social and cultural rights, see A/68/513, paras. 36–41; A/HRC/25/38, paras. 21–36; and A/HRC/28/44, paras. 16–38.

⁸² A/71/355, para. 57.

⁸³ A/HRC/25/38, paras. 34–36.

⁸⁴ A/71/355, para. 51.

⁸⁵ OHCHR, "Update on settler violence in the West Bank, including East Jerusalem", October 2013, p. 4.

safety of their children due to the settler attacks. It was reported that families with resources moved their children to schools in nearby villages, while others kept the children home.

46. In some rural areas, Palestinian children's commute to school exposes them to the risk of settler attacks. For example, in the southern West Bank, students in the Tuba area have since 2002 faced repeated settler attacks on their way to/from their school, located in the nearby village of Tuwani, as they use a road that borders the settlement of Ma'on and its associated outpost Havot Ma'on. In 2004, after settler attacks on children and protective presence observers deployed by NGOs, the Israeli District Coordination Office issued a verbal order to the Israel Defense Forces to provide a daily escort to the schoolchildren of Tuba⁸⁶ – the only known case of the Israel Defense Forces escorting Palestinian children for their protection. However, local residents reported that the Israel Defense Forces sometimes arrive late or not at all, leaving the children vulnerable. For instance, on 9 September 2018, as the escort did not arrive, the children travelled accompanied only by an international protective presence. On their way, a settler attempted to prevent the group from passing by blocking their passage and scaring them, until the Israel Defense Forces reached the scene and let the group through.

47. The situation of threats against schoolchildren has persisted in the area for at least 12 years, with the full awareness of Israeli authorities, indicating that the authorities have not sufficiently addressed the settler violence in the area.⁸⁷ A similar case was previously reported in the rural Jordan Valley, where the threat of settler violence was one factor contributing to families sending their children to a bigger city to avoid the commute.⁸⁸

48. Settler violence, and the climate of fear and intimidation created by repeated violence and harassment, has a serious psychological impact on victims of and witnesses to violent attacks and affects the psychosocial well-being of everyone in affected communities. Organizations providing mental health responses to victims of settler violence reported effects such as strong feelings of frustration (particularly for men), constant feelings of fear and insecurity, eating disorders, sleep disturbances (particularly for children), anxiety (particularly for women), depression and behavioural problems. These symptoms lead to aggressiveness, violence, social withdrawal, and academic deterioration and poor school performance for children.⁸⁹

49. While men and boys are more directly exposed to settler violence, it also directly and indirectly affects the lives of women and girls. Continued exposure to settler violence has a psychological impact on women, who report suffering from anxiety and constant fear for themselves and their children. The increased pressure adds further stress and tensions to family life. Moreover, women and girls may be restricted from working or studying outside the home because of the threat of settler violence. The experiences of men are exacerbated by a perceived failure to provide a safe haven for their families in accordance with traditional gender roles.⁹⁰

D. Settler violence and displacement

50. Settler violence can be a significant factor contributing to a coercive environment⁹¹ and a decisive factor forcing Palestinians to leave their place of residence.⁹² According to a

⁸⁶ The Knesset Committee for Children's Rights later confirmed this order.

⁸⁷ A/73/410, para. 16.

⁸⁸ Ibid., para. 41.

⁸⁹ OHCHR, "Update on settler violence", p. 3; and Médecins du monde, "Burin case study", 5 June 2018, on file.

⁹⁰ OHCHR, "Update on settler violence"; and Women's Centre for Legal Aid and Counselling, *Women's Voices: In the Shadow of Settlements* (2010). See also the Centre's submission to the Special Rapporteur on violence against women, its causes and consequences on Israeli settler violence in the West Bank and East Jerusalem, 16 September 2013.

⁹¹ A/70/351, paras. 25–51; A/71/355, paras. 46–50; A/73/410, paras. 40–43; A/HRC/31/43, para. 54; A/HRC/34/39, para. 52; and A/HRC/37/43, para. 45.

⁹² A/73/410, para. 55.

survey by the Protection Cluster, 21 communities affected by settler violence, often along with other coercive factors, experienced a decrease in population in the course of 2017.⁹³ Première urgence internationale, an NGO, identified three cases during the reporting period of people moving from Burin and Urif due to recurrent settler violence, either to other villages or within their village.⁹⁴

51. In August 2018, a Palestinian family of four was forcibly evicted by settlers and had their houses demolished in the Beit al-Baraka compound, south of Bethlehem. The family had lived in small houses within the compound premises since the 1970s as they worked for previous owners, an American Christian association. In 2010, the compound was reportedly sold to settlers through a shell company posing as a Scandinavian church. Settlers moved into the compound in 2015 and began harassing the family, and prevented two sons from living there. The family submitted seven complaints of harassment to the Israeli police, who reportedly did not take any action. The family also appealed to the Jerusalem Magistrate Court. In 2016, the court ruled in favour of the family, stating that it was allowed to live in the compound and that the settlers could not restrict their access.

52. However, on 6 August 2018, settlers tricked the father into leaving his house by claiming that their dogs had attacked his sheep, refused to allow him to return and removed his daughter from the house by force. The settlers then demolished their two houses without allowing them to retrieve their possessions. The Israeli police arrived just after the eviction, but the only action they took was to arrest the daughter following the settlers' claim that she had attacked them. She was detained for three days and eventually released without charges. The family members now live in nearby Arroub refugee camp. Due to the Israeli State's failure to take all appropriate action to provide legal protection to the family, including against demolition and forced eviction, there appear to be violations of the rights to housing and security of tenure. Furthermore, the arrest of the daughter raises concerns of arbitrary arrest and detention.

E. Failure to protect and lack of accountability

53. As previously documented, the Israeli security forces, in numerous instances which appear to indicate a pattern, have failed to prevent settler attacks and repeatedly failed to protect Palestinians when attacks occurred in their presence.⁹⁵ For instance, the village of Burin in the Nablus area is among the most affected by settler violence in the West Bank, as it is surrounded by the settlements of Har Bracha and Yitzhar and six outposts,⁹⁶ known as sources of serious settler violence. Burin residents and human rights defenders reported attacks on Palestinians and their property every Saturday, and sometimes also on Fridays, in the presence of Israeli security forces.

54. During clashes between Palestinians and settlers around Burin, the Israeli security forces only targeted Palestinians with crowd dispersal methods and arrests.⁹⁷ Video material of several incidents during the reporting period shows Israeli security forces failing to interfere with stone-throwing settlers and, in some instances, using crowd dispersal means towards Palestinians while settlers threw stones. Adding to the climate of impunity, the frequency of settler harassment seems to have become normalized among some Palestinian communities: such incidents have reportedly become so much a part of Palestinians' daily lives in Burin that they rarely report them anymore.⁹⁸

55. As the occupying Power, Israel has the obligation to uphold public order and safety in the Occupied Palestinian Territory and to protect the Palestinian population from all acts

⁹³ Source on file.

⁹⁴ Première urgence internationale and Médecins du monde, *The Case of Burin: Escalation of Settler Violence in the West Bank* (2018), p. 3.

⁹⁵ A/72/564, paras. 20–22; and A/73/410, para. 18.

⁹⁶ Shalhevet Farm, Hill 725, Lehavat Yitzhar, Mizpeh Yitzhar, Bracha A and Sneh Ya'akov.

⁹⁷ A/72/564, para. 22. See also Yesh Din, *Yitzhar*, p. 23.

⁹⁸ Première urgence internationale, *The Case of Burin*, p. 3.

of violence.⁹⁹ Israel also has the obligation to exercise due diligence to prevent, investigate, prosecute, punish and remedy any harm caused to Palestinians.¹⁰⁰ OHCHR has on many occasions reported on the climate of impunity enjoyed by violent settlers, as well as those taking over private Palestinian land.¹⁰¹ In a report issued in October 2018, the Israeli Ministry of Justice stated that Israeli authorities had made considerable efforts to enhance law enforcement in the West Bank in recent years. According to the report, between January and July 2018, the Israeli police opened 35 investigations related to settler violence against Palestinians, of which 4 led to the indictment of suspects, 4 were closed and the rest were still ongoing.¹⁰² During the same period, the Office for the Coordination of Humanitarian Affairs recorded 219 incidents of settler violence. Despite these steps, it appears that in a number of cases Israel has failed to take necessary action to investigate cases of settler violence and to prosecute perpetrators. The repeated failure to investigate cases of settler violence and prosecute perpetrators¹⁰³ also discourages Palestinian victims of settler violence from filing complaints.¹⁰⁴

V. Settlements in the occupied Syrian Golan

56. Syrian residents of the occupied Syrian Golan continued to face challenges due to discriminatory planning and zoning policies that favour illegal Israeli settlements. These policies make it nearly impossible for Syrian residents to build, plan or expand their homes and village infrastructure. The more than 25,000 Syrian residents live in 4 villages, while the estimated 23,000 Israeli settlers live in 34 Israeli settlements. Israeli settlers and the Israeli military reportedly control 95 per cent of the land in the occupied Syrian Golan.¹⁰⁵

57. On 30 October 2018, Israel for the first time held municipal elections for the local village councils in the occupied Syrian Golan. Syrian residents were given the right to vote, but not to run for office unless they held Israeli nationality. This indicates that Israel appears to be increasing pressure on residents to obtain Israeli citizenship. The International Labour Organization noted that these elections, among other measures, constitute an emerging threat to Syrian identity in the occupied Syrian Golan.¹⁰⁶ At present, an estimated 10 per cent of the Syrian population in the Golan have taken Israeli nationality.¹⁰⁷ Residents and local organizations have reportedly raised concerns that Israel was using the elections to strengthen its claim to, and influence in, the occupied Syrian Golan, and announced their intention to boycott the elections.¹⁰⁸

58. In the lead-up to the elections, a number of Syrian candidates with Israeli nationality who had decided to run for office withdrew. On the eve of the election, Druze community elders reportedly announced a prohibition against standing for election or voting. On the day of the election, hundreds of Syrian residents of Majdal Shams, the largest Syrian village in the occupied Syrian Golan, reportedly protested in front of the local polling place. Israeli police cleared the area, including by using tear gas.¹⁰⁹

⁹⁹ Hague Regulations, arts. 43 and 46; and Fourth Geneva Convention, art. 27.

¹⁰⁰ A/HRC/34/38, paras. 13 and 36–37.

¹⁰¹ A/HRC/31/43, para. 37; and A/HRC/34/39, para. 18.

¹⁰² Israeli Ministry of Justice, “Israel’s investigation and prosecution of ideologically motivated offences against Palestinians in the West Bank”, October 2018, p. 1.

¹⁰³ A/71/355, para. 50; A/HRC/34/38, para. 33; and A/HRC/37/43, para. 23.

¹⁰⁴ A/73/410, para. 18.

¹⁰⁵ International Labour Office, *The Situation of Workers of the Occupied Arab Territories*, document ILC.107/DG/APP (2018), para. 147.

¹⁰⁶ *Ibid.*, para. 151.

¹⁰⁷ *Ibid.*, para. 148.

¹⁰⁸ See <https://golan-marsad.org/al-marsad-warns-of-the-political-agenda-behind-israels-elections-in-the-occupied-syrian-golan/>; and Nour Samaha, “Syrians in Golan Heights to boycott municipal election by Israel”, Al Jazeera, 21 June 2018.

¹⁰⁹ Stephen Farrell and Suleiman Al-Khalidi, “Druze on Golan Heights protest against Israeli municipal election”, Reuters, 30 October 2018; and Jack Khoury and Noa Shpigel, “Hundreds of Druze protest municipal elections in Israel’s Golan Heights”, *Haaretz*, 30 October 2018.

59. Concerns have previously been raised about the presence of mines in the occupied Syrian Golan.¹¹⁰ In July 2018, Israeli authorities reportedly began to clear a minefield around an Israeli army post near Majdal Shams.¹¹¹

60. In May 2018, the Israeli Minister of Intelligence told Reuters that his Government was expecting the United States of America to recognize Israeli sovereignty over the occupied Syrian Golan in the coming months.¹¹²

VI. Conclusions and recommendations

61. The establishment and expansion of settlements in the Occupied Palestinian Territory by Israel amount to the transfer by Israel of its population into the Occupied Palestinian Territory, which is prohibited under international humanitarian law.¹¹³ The transfer of an occupying Power's population to a territory it occupies amounts to a war crime that may engage the individual criminal responsibility of those involved.¹¹⁴ Several international bodies have confirmed the illegality of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, including the International Court of Justice, the Security Council, the General Assembly and the Human Rights Council.¹¹⁵

62. The advancement of plans for further housing units in settlements continued unabated, while the rate of construction starts decreased.

63. Palestinians remained subject to a restrictive planning, permit and construction regime, placing many of them under threat of demolition of structures and displacement. It also limits access to their land and to the public services. Access to land is further impeded by incidents of settler harassment and Israeli security forces behaviour. These factors contribute to a coercive environment and individually amount to violations of human rights, including economic, social and cultural rights.

64. The exacerbation of a coercive environment had a highly detrimental impact on the human rights of Palestinians. There was a significant increase in settler violence during the reporting period. In Hebron, Area C and East Jerusalem, several factors led to a deterioration in the living conditions of Palestinians.

65. Settler violence had adverse effects on Palestinian society, violating a range of rights. Furthermore, such violence, as well as settler cultivation of land, Israeli security forces practices, coordination areas and civilian security coordinator violence, may gradually prevent Palestinians from accessing their lands, which then risk becoming part of settlement perimeters, effectively constituting unofficial settlement expansion.

66. The High Commissioner recalls 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.

67. On the basis of her findings, the High Commissioner recommends that the Israeli authorities:

(a) **Halt immediately and reverse all settlement development and related activities in the Occupied Palestinian Territory, including occupied East Jerusalem,**

¹¹⁰ A/HRC/37/42, para. 66.

¹¹¹ See <https://golan-marsad.org/israeli-authorities-finally-start-mine-clearance-in-majdal-shams/>.

¹¹² See www.reuters.com/article/us-mideast-crisis-syria-israel-usa-exclu/exclusive-israeli-minister-says-us-may-soon-recognize-israels-hold-on-golan-idUSKCN1IO2YU.

¹¹³ Fourth Geneva Convention, art. 49 (6).

¹¹⁴ Rome Statute of the International Criminal Court, art. 8 (2) (b) (viii).

¹¹⁵ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136, para. 120; Security Council resolutions 465 (1980) and 2334 (2016); General Assembly resolutions 71/97 and 72/86; and Human Rights Council resolution 31/36.

and in the occupied Syrian Golan, including through the discontinuation of support for private settler organizations' initiatives aimed at the seizure of Palestinian properties and the forced eviction of their residents, in compliance with relevant United Nations resolutions, including Security Council resolutions 497 (1981) and 2334 (2016);

(b) End immediately all activity contributing to the creation of a coercive environment and/or increasing the risk of forcible transfer;

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

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

(e) Take all steps necessary to protect the Palestinian population, including preventing attacks by settlers, and ensure accountability in cases of settler violence against Palestinians and their property;

(f) End policies and practices within the occupied Syrian Golan that may lead to discrimination against the Syrian population.
