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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, submitted pursuant to Human Rights Council resolution 40/24, the United Nations High Commissioner for Human Rights provides an update on the implementation of resolution 40/24 from 1 November 2018 to 31 October 2019. She describes the expansion of the settlement activities of Israel and its negative impact on the human rights of Palestinians. The report focuses on the developments that have exacerbated the prevailing coercive environment in parts of the Occupied Palestinian Territory to the extent that it may have led to forcible transfer. The High Commissioner also addresses issues relating to Israeli settlements in the occupied Syrian Golan.

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I. Introduction

1. In its resolution 40/24, the Human Rights Council requested the United Nations High Commissioner for Human Rights to report on the implementation of resolution 40/24 at its forty-third session, with particular emphasis on the policies and practices linked to the settlement enterprise that discriminate against the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem. The report, which covers the period from 1 November 2018 to 31 October 2019, and also addresses issues relating to Israeli settlements in the occupied Syrian Golan, is submitted to the Council pursuant to that request.

2. The report 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 and civil society in the occupied Syrian Golan. It should be read in conjunction with recent relevant reports submitted by the Secretary-General and the High Commissioner to the General Assembly and to the Human Rights Council (A/74/357, A/HRC/40/39, A/HRC/40/42 and A/HRC/40/43). The quarterly updates and reports of the Secretary-General presented to the Security Council on the implementation of Security Council resolution 2334 (2016) also provide relevant information.[1]

3. During the period under review, the Israeli settlement expansion accelerated in the West Bank, including East Jerusalem. Settlement housing advancement in Area C of the West Bank doubled, while in East Jerusalem the numbers remained approximately the same compared to the previous reporting period (1 November 2017 to 31 October 2018). The construction of outposts, [2] the demolition of Palestinian property and the resulting displacement continued at a rapid rate, as did settler violence and the lack of accountability for them.

II. Legal framework

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. 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 (A/HRC/34/38 and 39).

5. References to discriminatory Israeli policies and practices further to Human Rights Council resolution 40/24 do not affect the legally separate issues of the status of occupied territory or its population, the applicability and scope of international humanitarian law, nor the rights of and protections afforded to protected persons and the obligations of the occupying Power as defined in the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention).

III. Activities related to settlements

6. During the period under review, advancements of plans for settlements more than doubled, while tenders for settlement construction and the actual commencement of construction both decreased. The rapid pace of establishment of outposts witnessed during the previous period under review continued. Conditions and acts contributing to a coercive environment, such as demolitions and forced evictions, increased, and acts of settler violence reached the highest level seen since 2013. On 28 January 2019, the Government of Israel announced its decision not to

[1] Available from https://unsco.unmissions.org/security-council-briefings-0.

[2] Outposts are unauthorized settlements that are illegal even under Israeli law. Both outposts and settlements are illegal under international law.

renew the mandate of the Temporary International Presence in Hebron as of 30 January 2019 (see A/74/357, para. 54).

A. Settlement expansion: land designation, planning and tenders

7. Advancement of plans for settlement construction more than doubled; plans for some 13,600 housing units in the West Bank advanced or approved by the Israeli authorities, compared to 6,300 in the previous period. Of the units, 11,600 were located in Area C and 2,000 in East Jerusalem.[3]

8. Israeli authorities issued tenders for some 1,300 units in Area C settlements, as against 3,500 issued during the previous period. In East Jerusalem, tenders for some 600 units were issued, approximately the same number as in the previous reporting period.[4]

9. The official data available for November 2018 to September 2019indicate a decrease in the commencement of new settlement construction in Area C (1,504 units as against 2,014 during the previous period).

10. On 15 September 2019, the Israeli cabinet retroactively legalized a new settlement, Mevo'ot Yericho, an outpost located in the Jordan Valley, 650 metres from Area A of Jericho. The decision entailed the legalization of existing housing units and the construction of more.[5] In the past two years, outpost construction has escalated drastically; settlers established 12 new outposts in current period under review,[6] and 11 in the previous period (by comparison, in the 10 previous years, 1.7 outposts were established on average per year).[7] The majority of the outposts established during the current period under review, as in previous years, were of a herding or farming nature. The establishment of outposts appear to be part of an official policy whereby the Israeli authorities encourage the takeover of land by settlers through agricultural projects (A/69/348, para. 28; A/HRC/40/42, paras. 31 and 39).

11. On 30 July 2019, the Israeli Security Cabinet discussed the advancement of 6,000 units in Israeli settlements.[8] In a rare development, 715 housing units for Palestinians in Area C were also discussed. On 27 August 2019, the Prime Minister of Israel gave instructions to submit a plan for 300 housing units for the Dolev settlement after a bomb allegedly detonated by Palestinians killed a 17-year-old Israeli girl and injured her father and brother at a spring near the settlement four days earlier.[9]

12. In September 2019, settlers established a new outpost, Keidar East, east of Jerusalem. In protest, Palestinians set up a tent a dozen metres from the outpost. In a seemingly discriminatory enforcement of Israeli law, Israeli authorities demolished the tent two days later, but did not dismantle the outpost.[10] Even when demolition orders targeting Palestinian and settler populations are comparable in percentages, Palestinians seem to be disproportionally affected, given the discrepancy in the amount of land allocated to Palestinian and settlement construction.[11]

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

[4] Ibid.

[5] "Cabinet Approves Mevo'ot Yericho, the 6th New Official Settlement since Oslo", Peacenow, 15 September 2019.

[6] Asael West, Tkoa E, Nofei Prat South B324, Susiya East, Mitzpe Hatora, Rimonim North, Maskiyor South, Nili West, Makhrour Outpost, Halamish East, Mitzpe Kramim East, Keidar East Jabal Muntar.

[7] Peace Now, data on file.

[8] https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_27_august_2019_0.pdf.

[9] Tovah Lazaroff, Anna Ahronheim. "Netanyahu approves 300 new housing units in Dolev in response to attack", *Jerusalem Post*, 27 August 2019.

[10] "While Israelis Went to the Polls, Settlers Built a New Outpost near Ma'ale Adumin", Peace Now, 26 September 2019.

[11] "In the Spotlight. Under Threat: Demolition Orders in Area C of the West Bank", September 2015, Office for the Coordination of Humanitarian Affairs, pp. 12–13.

B. Consolidation of settlements

13. According to the statistics of the Israeli Central Bureau of Statistics, there were more than 600,000 settlers in the West Bank, including East Jerusalem, at the end of the period under review.[12] As part of national election campaigns in April and September 2019, the Prime Minister of Israel vowed on several occasions to declare sovereignty over settlements and to annex the Jordan Valley[13] and other parts of the West Bank.[14] Moreover, several government officials called for applying Israeli law and "sovereignty" in Area C.[15]

14. For decades, settlers have received economic and other incentives to relocate to the West Bank (A/HRC/28/44, para. 14; A/HRC/34/39, para. 24),[16] which amounts to the transfer by Israel of its population into the Occupied Palestinian Territory (A/67/375, para. 10). While the Government of Israel has implemented extensive infrastructure projects to facilitate the movement of settlers, the movement of Palestinians in the West Bank has been restricted in a manner that severely infringes upon their freedom of movement and access to services and livelihoods (A/73/410, paras. 39–43; A/HRC/37/43, paras. 38, 56–58; A/HRC/40/42, para. 35).

Legal developments, including regularization of outposts

15. On 13 December 2018, the Attorney General of Israel issued an opinion allowing the Government to initiate steps to retroactively legalize settlement units built "in good faith", including on private Palestinian property that, at the time of construction, was mistakenly believed to be "State land" under Israeli law (A/74/357, para. 17).

16. On 30 June 2019, the High Court of Justice of Israel approved Military Order No. 1789 establishing a "civil services administration" for settlers in the H2 area of Hebron, which is under Israeli control. The new administration has, inter alia, the power to purchase property and thereby to consolidate the settler presence in Hebron (A/HRC/37/43, para. 12). On 26 August 2019, the Legal Adviser General of the Ministry of Defense issued a legal opinion permitting the construction of a new settlement in the wholesale market complex in H2.[17]

C. Impact of settlements on human rights

1. Settlement-related violence

17. During the period under review, incidents of settler violence continued at a high level, with an increase in the severity of attacks on and injuries to Palestinians. According to the Office for the Coordination of Humanitarian Affairs, the number of incidents of settler violence reached its highest level since 2013, rising to 352 incidents from the 254 reported during the previous period, and 147 during the period before that. OHCHR has previously reported on the gendered impact of settler violence (A/HRC/40/42, para.49).

[12] See https://peacenow.org.il/en/settlements-watch/settlements-data/jerusalem and https://peacenow.org.il/en/settlements-watch/settlements-data/population.

[13] Noa Landau and Yotam Berger, "Netanyahu says Israel will annex Jordan Valley if reelected", *Haaretz*, 10 September 2019; Toi Staff, "Netanyahu: If I'm re-elected, I'll extend sovereignty to West Bank settlements", *Times of Israel*, 6 April 2019.

[14] Toi Staff, "Netanyahu: After Jordan Valley and settlements, I'll annex other 'vital areas'", *Times of Israel*, 16 September 2019.

[15] Omri Nahmias, "Hotovely: Time to apply Israeli law in Area C", *Jerusalem Post*, 18 June 2019; Gil Hoffman, "Gilad Erdan: Time for Abbas to go", *Jerusalem Post*, 18 June 2019; https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_20_september_2019_2334_0.pdf.

[16] *By Hook and by Crook: Israeli Settlement Policy in the West Bank*, B'Tselem, July 2010; *One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank*, Association for Civil Rights in Israel (ACRI), October 2014.

[17] http://peacenow.org.il/wp-content/uploads/2019/08/MOD_opinion_wholesale_market_Hebron_2018.pdf (in Hebrew).

18. Lethal incidents in this context have slightly dropped, even as general levels of violence have increased. Two Palestinians were killed by settlers in the West Bank, compared to four during the previous period under review (A/74/357, paras. 22 and 46). Three Israeli civilians, including one child, were killed by Palestinians in the West Bank, compared to seven during the previous period. According to the Office for the Coordination of Humanitarian Affairs, the number of Palestinians injured by settlers increased from 96 during the previous period to 121, including at least 11 by live ammunition (three during the previous period). A total of 46 Israeli civilians were injured by Palestinians in the West Bank, as against 38 during the previous period under review.

19. Attempts by settlers to enter and/or attack Palestinian communities also continued to cause friction between Israeli security forces and Palestinians, leading to clashes that resulted in two Palestinians being killed and 255 injured.

20. On 30 June 2019, a 70-year-old Palestinian man was attacked by three young settler men close to his house, near Ein al Jadida water spring, in the H2 area of Hebron. The man was working on his land when settlers surrounded him and wounded him in the arm with a sharp object. His son arrived and fended off the settlers, followed by the Israeli police and army arriving at the location. The victim was hospitalized. Three Israeli settlers were arrested, as was the victim's son, who was released around 24 hours later with no charge. He reported that the settlers' daily use of the spring close to his house prevented Palestinians from using it, and resulted in restrictions to his family's movements, especially those of women and children, who would leave the house only when accompanied by male family members. As at the end of the period under review, the man had not heard from the police concerning the complaint he filed.

21. The Office for the Coordination of Humanitarian Affairs, documented 7,275 trees damaged or vandalized by settlers (7,360 during the previous period), including by fire. For example, video footage dated June 2019 shows Israeli settlers attacking a school in the Palestinian village of Jalud, in the area of Nablus. It was also reported that, minutes after the attack, and raising concerns of arson, a fire began in the same location, which spread over 300 dunums. Around 900 olive trees belonging to 21 Palestinian families were burned.[18]

22. Settler violence often peaks during the olive harvest (A/HRC/28/44, paras. 32–38). On 19 October 2019, a group of 30 to 40 settlers attacked Palestinians picking olives in the outskirts of Burin village (Nablus). The settlers, some of them armed, threw stones at and attacked the Palestinians with clubs, injuring at least four, including the landowner, who had to be hospitalized. Clashes between Palestinians and settlers ensued, with settlers setting fire to trees, shooting at Palestinians and stealing bags of olives before Israeli security forces dispersed the settlers and Palestinians.

23. Early in 2019, settlers set up Halamish East outpost A on the lands of Jibya village, north of Ramallah, after establishing their presence by herding cows in the area,. Through violent attacks, they made some 550 dunums inaccessible to their Palestinian owners from Jibya and restricted the use of one of the rare recreational spaces for Palestinians in the area.

24. In February 2019, settlers from Beit al Barake compound twice attacked Palestinians in their homes near Arroub refugee camp in an attempt to forcefully evict them. According to the information received, Israeli security forces escorted the settlers and took part in the attacks. The second time, settlers confronted a man at his house, after which around 10 soldiers beat him, and sprayed his mother with pepper spray. After kicking, punching and hitting the man with rifle butts in front of his family, the soldiers detained him, accusing him of trying to take their weapons. The man was released five days later without having been brought before a court or had charges brought against him. At the end of the period under review, the victim had not been informed about any investigation by Israeli security forces into the incident.

[18] Amira Hass, "A fire racks a Palestinian village. Israeli firefighters act only when it nears a settlement", *Haaretz*, 15 June 2019.See also www.btselem.org/video/20190807_routine_settler_violence_fully_backed_by_military_in_june_2019#full.

25. As the occupying Power, Israel has the obligation to take all measures in its power to restore and ensure, as far as possible, public order in the Occupied Palestinian Territory and to protect the Palestinian population from all acts or threats of violence.[19] Israel also has the obligation to respect, protect and fulfil the human rights of the Palestinian population, including their right to life and security of person (A/HRC/34/38, paras. 13, 36 and 37).

2. Discriminatory law enforcement

26. In numerous cases during the period under review, Israeli security forces was present during settler harassment of or attacks against Palestinians, but appeared to take no action to protect them. Instead, in some cases, Israeli security forces reportedly took active part in settler attacks against Palestinians. In other cases, Israeli security forces arrested Palestinians during or following settler attacks for reacting to attacks, for example by throwing stones.

27. Apart from isolated cases of steps taken towards accountability, violent settlers and those taking over private Palestinian land enjoyed a general climate of impunity (A/74/357, para. 27). In a report issued in August 2019, the Ministry of Justice of Israel listed 118 investigations into alleged crimes by settlers against Palestinians for the period from January 2017 to June 2019. While 11 indictments were filed, including for cases opened in previous years, and two cases reached trial, none of them resulted in a conviction.[20] During the same period, 559 incidents of settler attacks against Palestinians were reported to the Office for the Coordination of Humanitarian Affairs. No information was available on the number of complaints filed by Palestinians. In October 2019, an Israeli suspect in a case of arson in 2015 that killed a Palestinian family in Duma was convicted for "membership in a terror group" in addition to the charge of "conspiracy to commit a crime motivated by a racist motive", previously accepted in a plea deal. The conviction did not, however, add any time to the maximum sentence of five and a half years agreed to in the plea deal (see A/74/357, para. 27).

28. During the period under review, action was taken on settler violence directed at Israeli security forces. In October 2019, the Prime Minister of Israel and other Israeli officials condemned attacks by settlers from Yitzhar settlement against Israeli security forces.[21] In October 2019, the Israel Defense Forces issued an administrative order banning a settler from Yitzhar from access to the northern West Bank for three months because of his alleged participation in attacks against Palestinians and Israeli security forces. No criminal process was initiated against the settler.[22]

29. As noted in past reports, Israeli settlers are tried under Israeli criminal law in civilian courts in Israel, while Palestinians are generally prosecuted in military courts under Israeli military law for security offences and other crimes as defined by military orders. Israeli domestic law, applicable to settlers, provides suspects with more substantive and procedural guarantees, while the military law applicable to Palestinians does not include adequate fair trial guarantees (A/HRC/37/42, para. 8). The application of two different legal systems in the same territory, on the sole basis of nationality or origin, is inherently discriminatory. It also violates the principle of equality before the law, which is central to the right to a fair trial (A/HRC/34/38, para. 40).

3. Demolitions, forced evictions and displacement

30. Israeli zoning and planning policies in Area C and East Jerusalem are discriminatory and considered incompatible with requirements under international law, and render it almost impossible for Palestinians to obtain building permits (ibid., para. 26). In addition, the

[19] Regulations respecting the Laws and Customs of War on Land (Hague Regulations), arts. 43 and 46; Fourth Geneva Convention, art. 27.

[20] See https://mfa.gov.il/ProtectiveEdge/Documents/IdeologicalOffencesAgainstPalestinians.pdf, p. 8.

[21] See Michael Bachner and Jacob Magid, "Netanyahu, Gantz condemn settler violence against IDF soldiers" and Judah Ari Gross and Jacob Magid, "ISF, Shin Bet, police to work together to find settlers who attacked troops", *Times of Israel*, 20 October 2019.

[22] See Elisha Ben Kimon, "Israel bans 'dangerous' settler from northern West Bank home", Ynet, 9 November 2019, and "Yitzhar resident served with administrative order", Honenu, 2 October 2019.

imposition of Israeli law in East Jerusalem and the modifications brought to the previous planning and zoning regime in Area C are incompatible with the obligation of the occupying Power to respect the laws in force in the occupied territory (ibid., para. 40; A/68/513 para. 32).[23] Palestinians therefore virtually have no choice but to build without permits and thereby expose themselves to the risk of demolition, which represents a significant coercive environment factor (A/74/357, para. 28).

31. According to the Office for the Coordination of Humanitarian Affairs, during the period under review, 599 Palestinian-owned structures were demolished in the West Bank, including East Jerusalem, leading to the displacement of 756 people, including 357 children and 208 women, as against the 403 structures demolished during the previous period that led to the displacement of 453 people. Approximately 58 per cent of the structures demolished were in Area C and 38 per cent in East Jerusalem.[24]

32. In July 2019, Military Order No. 1797 regarding Removal of New Structures came into effect. The order applies to structures in Area C deemed as new, and expands the authority of the Israeli Civil Administration to remove such structures within 96 hours of the issuance of a removal order. The order has been implemented in nine recorded incidents since it came into effect.[25] In October 2019, an amendment to the planning and building law came into effect, enabling expedited demolitions in East Jerusalem.[26] There is serious concern that these measures may accelerate demolitions on the basis of the discriminatory Israeli zoning and planning regime, and further limit opportunities for legal recourse.

33. 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 (A/HRC/34/39, para. 44; A/72/564, paras. 36–57). 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, comprising some 190 individuals (A/73/410, para. 22; A/74/357, para. 36; A/HRC/37/43, para. 25).

34. On 22 July 2019, Israeli authorities demolished 10 buildings comprising approximately 70 housing units in Sur Baher, citing security concerns deriving from their proximity to the wall.[27] Seven of the buildings demolished were in Areas A and B of the West Bank under civil control of the Palestinian Authority, although on the Jerusalem side of the wall. The demolition caused the displacement of 24 people and affected 220 more. The destruction of private property in occupied territory is only permissible where rendered absolutely necessary for military operations, which did not appear applicable in this case.[28]

35. In East Jerusalem, 877 Palestinians were at risk of eviction by the end of 2019. Most evictions are initiated by settler organizations, which invoke Israeli laws that discriminate against Palestinians to gain control of Palestinian properties, by claiming ownership prior to 1948 or challenging the "protected tenant" status of some families (A/37/43, paras. 39-40). According to information provided by the Office for the Coordination of Humanitarian Affairs, during the period under review, such cases raised by settlers led to the eviction of 15 Palestinian residents of three buildings in East Jerusalem.

36. Silwan, one of the communities in the Old City basin heavily affected by demolitions, came under increasing pressure from forced evictions and tourist development projects initiated by Israeli authorities in coordination with settler organizations (see A/HRC/34/39, para. 22 and A/HRC/37/43, para. 41). On 30 June 2019, the so-called "Path of the Pilgrims",

[23] Hague Regulations, art. 43.

[24] The remaining demolitions were in Areas A and B.

[25] As at October 2019, four structures had been demolished and demolition orders had been issued regarding five others.

[26] Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin: occupied Palestinian territory, September 2019, p. 5.

[27] Demolitions were expedited on the basis of a 2011 military order citing security concerns and prohibiting construction within 300 metres on either side of the wall. On 11 June 2019, the High Court of Justice rejected a petition challenging the order.

[28] Thus amounting to forced evictions contrary to international law; see www.ochaopt.org/content/un-officials-statement-demolitions-sur-bahir.

a tunnel excavated under Palestinians' homes at the initiative of a settler organization, was inaugurated.[29] At least five Palestinian families were reported to have left their houses owing to the damage caused during excavation of the tunnel.[30] On 3 June 2019, the Israeli National Infrastructure Committee rejected a series of objections against a controversial plan to construct a cable car connecting West Jerusalem to the Kerem Compound, and submitted the plan to the Government for approval.[31] Building the cable car over houses in Silwan will involve further confiscation and demolition of Palestinian property, and will intensify the coercive environment.

IV. Coercive environment resulting from settlement policies and consequent risk of forcible transfer

A. Prohibition of forcible transfer of protected persons

37. International humanitarian law prohibits "individual or mass forcible transfers" of protected persons within an occupied territory, as well as their deportations outside of the occupied territory, regardless of motives, although an occupying Power may undertake the total or partial evacuation of a given area if the security of the population or imperative military reasons so demand.[32] Unlawful transfer constitutes a grave breach of article 147 of the Fourth Geneva Convention, thus amounting to a war crime.[33] Forcible transfer may also entail the violation of other provisions of international humanitarian law (for example, the prohibition of the destruction of private and public property), and may involve violations of international human rights law, such as the right to adequate housing, the right to family life and the right to freedom of movement.

38. According to the jurisprudence of international criminal tribunals, the prohibition of forcible transfer, which aims at preventing the forced removal of protected persons,[34] is to be interpreted broadly, taking into account the vulnerability of the civilian population. Forcible transfer does not necessarily require the direct use of physical force, as it may result from indirect measures creating a coercive environment, where people are forced to leave against their genuine will.[35] Forcible transfer can stem from "the threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power or by taking advantage of a coercive environment".[36] The International Criminal Tribunal for the former Yugoslavia has exemplified measures, such as "dismissals from employment, house searches, and the cutting off of water, electricity, and telephone services" and

[29] Nir Hasson, "U.S. Envoys Break Open Tunnel Running Under Palestinian Village in East Jerusalem", *Haaretz*, 30 June 2019.

[30] https://peacenow.org.il/en/the-disputed-tunnel-in-silwan-inaugurated-with-american-support.

[31] https://alt-arch.org/en/jm_cable_car_en/.

[32] Fourth Geneva Convention, art. 49, and Rule 129 of Customary International Humanitarian Law, International Committee of the Red Cross.

[33] See also Rome Statute, art. 8 (2) (b) (viii).

[34] See PCNICC/2000/1/Add.2. According to the International Criminal Tribunal for the former Yugoslavia, the legal values protected by deportation and forcible transfer are the "right of the victim to stay in his or her home and community and the right not to be deprived of his or her property by being forcibly displaced to another location". Therefore, "the location to which the victim is forcibly displaced is sufficiently distant if the victim is prevented from effectively exercising these rights". International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Simić et al.*, Case No. IT-95-9-T, "Judgement", 17 October 2003, para. 130.

[35] International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Naletilić (aka "Tuta") and Martinović (aka "Stela")*, Case No. IT-98-34-T, Trial Chamber, 2003, para. 519; *Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Trial Chamber, 2006, para. 724.

[36] PCNICC/2000/1/Add. 2, Article 6 €, para. 1, footnote 5. See also references made extensively in the case law of the International Criminal Tribunal for the former Yugoslavia, such as *Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Appeal Chamber, 2009, para. 319; *Prosecutor v. Stakić*, Case No. IT-97-24-T, Appeals Chamber, 2006, para. 281; and *Prosecutor v. Krnojelac*, Case No. IT-97-25, Appeals Chamber, 2003, paras. 229 and 233.

"widespread discrimination", creating "severe living conditions" where it is "practically impossible […] to remain".[37]

39. In previous reports and the first part of the present report, the severe impact of continued settlement expansion on the living conditions of Palestinians has been described, with the creation of a coercive environment that forces Palestinians in several areas of the West Bank, including East Jerusalem, to leave (see A/HRC/34/39). Concern over cases where Palestinians appear to have been forcibly transferred has also been raised by the Secretary-General and the High Commissioner in previous reports (A/67/372, para. 39, A/HRC/25/40 and Corr.1, paras. 18-20, A/69/347, para. 26 and A/71/355, paras. 61–64).

40. The impact of a coercive environment on individuals and communities is specific to their own circumstances and experience (A/HRC/34/39, para. 42). In the sections below, the High Commissioner highlight how different Israeli policies and measures adopted in East Jerusalem, the H2 area of Hebron and Area C of the West Bank have continued to drive Palestinians out of their homes and communities, in parallel with settlement expansion.

1. East Jerusalem

41. The Israeli zoning and planning policy in East Jerusalem is inherently discriminatory and constitutes a key factor of a coercive environment (A/HRC/40/42, para. 20), forcing Palestinians to leave communities they have lived in for generations (A/HRC/25/40, paras.18-20; A/HRC/37/43, paras. 34–35; A/73/410, para. 20).

42. Israeli authorities have zoned only 15 per cent of the area illegally annexed in 1967 for the housing needs of Palestinians,[38] compared to 38 per cent allocated to settlement construction.[39] Data provided by the Jerusalem Municipality show that while Palestinian residents account for 38 per cent of the overall population of Jerusalem, between 1991 and 2018 only 16.5 per cent of building permits were issued for construction in Palestinian neighbourhoods, mainly for small-scale private projects. By contrast, 37.8 per cent of permits were issued for settlement construction in East Jerusalem. Discriminatory planning, coupled with costly and complicated procedures, make it almost impossible for Palestinian residents to obtain building permits. As a result, at least one third of all Palestinian homes in Jerusalem were built without an Israeli-issued permit.[40]

43. According to the Office for the Coordination of Humanitarian Affairs, increased settlement expansion (A/HRC/34/39, para. 25; A/HRC/37/43, para. 5; A/74/357, para. 5) was mirrored by a sharp rise in demolitions in East Jerusalem (A/72/564, para. 23). The record number of demolitions witnessed in 2019 (see para. 30 above) - the largest number in the past 15 years[41] – led to the displacement of 330 Palestinians, including 88 girls and 84 boys. The number of self-demolitions to avoid heavy fines by the Jerusalem Municipality continued to rise (59 during the period under review, as against 31 during the previous period).[42]

44. Demolitions conducted in the context of the discriminatory planning system are unlawful and amount to forced evictions (A/HRC/42/40, para. 20; A/72/564, paras. 26 and 49). They may also result in violations of the rights to an adequate standard of living, to adequate housing and to education. Women and children suffer disproportionately from the practice of demolitions and other forced evictions, which can also make them vulnerable to acts of violence and sexual abuse when they are rendered homeless.[43] In one case monitored

[37] *Prosecutor v. Krajišnik*, Case No. IT-00-39-T, International Criminal Tribunal for the former Yugoslavia, Trial Chamber, 2006, para. 729–730.

[38] Aviv Tatarsky and Architect Efrat Cohen-Bar, *Deliberately Planned: A Policy to Thwart Planning tin the Palestinian Neighborhoods of Jerusalem*, Ir Amim and Bimkom, February 2017.

[39] Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, Occupied Palestinian Territory: Humanitarian Facts and Figures, 2017 (available from www.ochaopt.org/sites/default/files/factsheet_booklet_final_21_12_2017.pdf), p. 14.

[40] Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, Humanitarian Bulletin, occupied Palestinian territory, May 2019.

[41] www.btselem.org/planning_and_building/east_jerusalem_statistics.

[42] See also A/74/357, para. 31.

[43] Committee on Economic, Social and Cultural Rights, general comment No. 7 (1997) on forced evictions, para. 10.

by OHCHR, a female head of household reported being exposed to gender-based violence while seeking alternative accommodation following the demolition of her home. In other cases, women reported an adverse impact on their private life, including having to be veiled at all times after moving into the homes of extended families.

45. OHCHR monitored the case of a family of six, including four children, who, following the demolition of their house in Beit Hanina, Al Ashqarieh neighbourhood, were forced to relocate to Shu'fat refugee camp, on the West Bank side of the wall, within the Municipality of Jerusalem. On 24 September 2019, citing the lack of a building permit, Israeli authorities demolished the house, reportedly without prior notice and at a time where the whole family was not present and could not therefore retrieve belongings prior to the demolition. After their home was destroyed, the family, given the financial constraints they faced and the high cost of renting a house in East Jerusalem, moved with the father's parents to Shu'fat refugee camp, an area that is severely underserviced and plagued by a high criminality rate. Since being displaced, the father has not been able to maintain his work attendance due to the need to accompany his children through the checkpoint to and from their school in Shu'fat.

2. H2 area of Hebron

46. Since 1994,after an Israeli settler opened fire in the Ibrahimi Mosque (Tomb of the Patriarchs), killing 29 Palestinians and injuring 125 others, Israeli authorities have imposed a range of restrictions and discriminatory measures on Palestinians in Hebron, particularly the H2 area, where 35,000 Palestinians live.[44] As at December 2019, there were five settlement compounds and approximately 700 settlers in H2. Israeli authorities have cited the need to prevent security incidents to justify extensive restrictions, which only apply to Palestinians and not to settlers living in the area. Israeli security forces are heavily present (estimated at 6,000 soldiers) to enforce restrictions and provide for the security of settlers.

47. The settlements and related Israeli policies have had a serious negative impact on the human rights of Palestinians, including their personal security, freedom of movement, access to livelihood, education, health and justice services, as well as their right to family life. These conditions have created a distinctively coercive environment, which has caused many Palestinians to leave (see A/71/355). Surveys conducted in the so-called "restricted areas" of H2, adjacent to settlements, and partially or totally closed to Palestinian vehicular and/or pedestrian traffic, found that more than 1,000 housing units – between one third and 41 per cent of Palestinian homes[45] – in these areas had been vacated since 2000.

48. Palestinians who remain in H2 face very difficult and insecure living conditions. According to the Office for the Coordination of Humanitarian Affairs, 30 Palestinians (including two girls and six boys) were killed by Israeli security forces between October 2015 and October 2019 in H2,[46] including one man during the period under review (A/74/357, para. 64). Most Palestinians were killed by Israeli security forces in the context of attacks or alleged attacks. OHCHR documented many of these cases and identified situations of unnecessary and disproportionate use of force, in some cases possibly amounting to extrajudicial executions (A/71/355, paras. 36–43; A/71/364, paras. 8–9; A/72/565, para. 9). The sense of insecurity caused by the presence of Israeli security forces and security operations, including frequent house raids, harassment and arbitrary arrests, constituted a core element of the coercive environment in H2 (A/HRC/34/39, para. 52; A/71/355 paras. 25–50), which particularly affected children's safety and education (A/74/357, paras. 64-68). Between 1

[44] In 1997, under the Protocol concerning redeployment in Hebron, the city was divided into H2 (20 per cent of the city), placed under full Israeli control, and largely coinciding with the Old City, while the remaining H1 was placed under Palestinian control. See A/71/355, para. 26.

[45] See B'Tselem, *Ghost Town: Israel's Separation Policy and Forced Eviction of Palestinians from the Center of Hebron*, May 2007, p.14. A survey conducted in 2015 by the Hebron Rehabilitation Committee found that out of 3,369 housing units surveyed in the area, almost a third (1,079 housing units) were empty; see Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, The Humanitarian Situation in the H2 Area of Hebron City: Findings of Needs Assessment, April 2019, p. 16.

[46] According to the Office for the Coordination of Humanitarian Affairs, a male Israeli settler was also killed in the same period.

November 2018 and 30 September 2019, there were 66 incidents of interference in education by Israeli security forces in H2, including one incident of the military use of a school, which affected 9,526 children (including 461 girls).[47] In the same period, Israeli security forces detained 23 boys who were commuting to or from school, mostly on allegations of stone throwing.

49. Daily acts of violence and harassment of Palestinians by settlers, most often carried out with impunity (see A/74/357, paras. 55–57), compound a coercive environment. While the number of incidents had decreased in previous years, settler violence intensified following the removal of Temporary International Presence in Hebron observers in January 2019 (ibid., para. 54). According to the Office for the Coordination of Humanitarian Affairs, the number of settler attacks causing Palestinian casualties and/or property damage in the doubled to 40 during the period under review.

50. Since late 2015, heightened movement restrictions have further isolated H2. As at April 2019, there were 121 physical obstacles and 21 permanently staffed checkpoints in an area of approximately four square kilometres. Six of them, controlling Palestinian access to the "restricted areas", were fortified with towers, turnstiles, revolving doors and metal detectors.[48] According to a survey conducted in 2019 by the Office for the Coordination of Humanitarian Affairs, 5,600 Palestinians living in H2 restricted areas must cross one of these checkpoints on foot to reach their homes. Approximately 6,200 (89 per cent of the residents) cannot reach their home by vehicle.[49] Movement and access restrictions are particularly taxing for Palestinians in Tel Rumeida and Ash-Shuhada streets. Since they were designated a "closed military area" in November 2015, only residents registered with Israeli authorities have access to the area. The designation was officially lifted in May 2016, and the checkpoints leading to Tel Rumeida have since been equipped with facial recognition cameras, purportedly to expedite the passage of residents who have an ID registration number. However, residents informed OHCHR that procedures at checkpoints remain uncertain, and that, depending on the Israeli security brigade operating the checkpoint, they may be let through by only showing their ID or may be additionally requested to pass through a metal detector, or be subjected to a humiliating body search.[50]Access procedures are often applied arbitrarily by Israeli security forces to non-residents.

51. Representatives of a women's organization operating in H2 informed OHCHR that movement restrictions and risk of harassment at checkpoints and at the hands of settlers have limited women's access to education, work opportunities and health care, compounding negative aspects of traditional gender roles. Girls are often pressured into early marriage as a means of "protection", including by leaving H2. In cases monitored by OHCHR, female residents reported they would not leave their homes unless accompanied by men, particularly on Jewish Shabbat, fearing attacks by settlers. In other cases, women reported having to miss medical appointments to avoid crossing checkpoints to and from H1, where most services have relocated.

52. The compounded effect of factors described above creates a coercive environment in H2, where Palestinians are forced to leave their homes and community in the old city. In such circumstances, their decision to leave cannot be considered genuinely "free", thus raising concerns of forcible transfer.

53. OHCHR and other organizations have previously documented cases of Palestinians leaving their homes in H2, including Tel Rumeida (A/71/355, para. 62; A/73/410, para. 19).[51] It gathered information according to which at least 6 Palestinians families moved from Tel

[47] Data verified by United Nations entities monitoring children affected by armed conflict.

[48] Office for the Coordination of Humanitarian Affairs, The Humanitarian Situation in the H2 Area of Hebron City, p. 5.

[49] Ibid.

[50] See also Badil Resource Center for Palestinian Residency and Refugee Rights, Brief – Forced Population Transfer: the Case of the Old City of Hebron, October 2016, pp. 30–31.

[51] See also Eyal Hareuveni, Playing the Security Card: Israeli Policy in Hebron as a Means to Effect Forcible Transfer of Local Palestinians, B'Tselem, September 2019, p. 23; and Simon Reynolds, *Coercive Environments: Israel's Forcible Transfer of Palestinians in the Occupied Territory*, Badil Resource Center for Palestinian Residency and Refugee Rights, February 2017, p. 15.

Rumeida between October 2018 and August 2019 owing to coercive factors. This was the case of Fawaz Abu Eisheh who, on 8 December 2019, moved with his spouse and three children (aged 2, 8, and 10 years) to the H1 area of Hebron. He told OHCHR that the long-standing movement restrictions and, above all, the fear for the safety of his children, had forced him to leave H2.

54. Fawaz was born in Tel Rumeida. Upon marriage, he convinced his wife, from H1, to join him in Tel Rumeida. He owned a house located at the opposite end of the street leading to the Ramat Yishai settlement, where several Palestinians have been killed by Israeli security forces. Israeli security forces are permanently stationed only 10 metres from his house to ensure safe passage of settlers. The checkpoints and the inability to reach his home by car affected all aspects of the family's life. In 2015, after Fawaz witnessed the killing by Israeli security forces of 18-year old Hadeel Hashlamoun (A/71/355, para. 36)[52] and other Palestinians in Tel Rumeida, he and his family decided to leave. He stated that his wife had started to suffer from insomnia, his children had begun to soil their beds, and there was shooting at night. The family sold all it could and began to build a house in H1, with current debts of 150,000 shekels.

3. Communities in Area C and other communities bordering settlements in the West Bank

55. Previous reports have identified factors that have created a coercive environment in Area C of the West Bank and areas adjacent to Israeli settlements, including demolitions in the context of the unlawful and discriminatory zoning and planning regime, and the threat of demolitions (A/HRC/34/39, para. 47; A/74/357, para. 28; A/HRC/40/42, paras. 17-20, A/68/513 para. 32), Israeli plans to relocate entire Palestinian communities (coupled with history of past evictions of entire communities by Israeli authorities) (A/HRC/34/39, paras. 44–45; A/HRC/40/42, para. 17; A/72/564, paras. 36–57), exposure to military training in and around Israeli-defined firing zones (A/HRC/34/39, para. 52), intimidation and harassment from Israeli security forces and government officials (ibid., para. 50), and settler violence committed with impunity (ibid., para. 24; A/74/357, para. 38). It has also been noted that one factor alone can be sufficient to create a coercive environment (A/HRC/34/39, para. 42) and to trigger concerns of forcible transfer.

56. As in East Jerusalem, the implementation of discriminatory zoning and planning policies has led to extensive destruction of Palestinian property, placing individuals and communities at risk of forcible transfer. Israeli authorities fully control planning and construction in Area C, which covers more than 60 per cent of the West Bank. Through measures such as the designation of "State land" and "firing zones", Israeli authorities have allocated 70 per cent of Area C to exclusive Israeli use (ibid., para. 14.),[53] including the construction and expansion of settlements, and made building permits in remaining areas nearly impossible for Palestinians to obtain.[54] According to the Office for the Coordination of Humanitarian Affairs, during the current period under review, seizures or demolitions in Area C led to the displacement of 361 people, including 171 children.

57. Settler violence and harassment can also put pressure on people living in communities in proximity to settlements to move (A/HRC/40/42, para. 50), including in Areas A and B, where settler violence, seemingly often tolerated by State officials, is used as a tool to take over additional land and further expand Israeli control beyond the jurisdiction of settlements

[52] An enquiry conducted by the Israeli security forces found that her death was unnecessary and avoidable. The incident led to incidents during which Palestinians were killed in attacks, or alleged attacks.

[53] See also Yael Stein, *Fake Justice: The Responsibility Israel's High Court Justices Bear for the Demolition of Palestinian Homes and the Dispossession of Palestinians*, B'Tselem, February 2019, pp. 7–9.

[54] Less than one per cent of Area C is planned for Palestinian construction. Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, Humanitarian Facts and Figures, 2017, p. 8.

into areas under Palestinian control (A/HRC/34/39, para. 18).[55] A flashpoint for settler violence remained the Nablus Governorate, which alone recorded 60 per cent of all Palestinian casualties from settlers' attacks in 2019.[56] Six Palestinian villages surrounding Yitzhar settlement continued to be targeted by repeated and apparently organized settler violence, prompting several Palestinian families to leave their homes and relocate.[57]

58. OHCHR documented the cases of two families forced to leave their homes on the outskirts of Urif village, in 2019, under the pressure of continued incursions by settlers from Yitzhar settlement. In one case, a divorced woman decided to leave her house, located 600 metres from Yitzhar, to protect her nine children from repeated settler attacks. She and her former husband had endured several settler attacks in previous years.[58] She decided to leave after two consecutive attacks, on 5 and 9 May 2019, and after her ex-husband had moved out of the house. During both incidents, a group of settlers stormed the house with stones while the children were inside. On 9 May, the incursion of settlers was followed by the intervention of Israeli security forces and a settler security guard, who fired a tear-gas canister then live ammunition at neighbours who had intervened to protect the children. The woman left her house the day after the attack and moved into a tent with her children outside the village. In a separate case, in June 2019, after settlers repeatedly targeted their property with stones, a couple and their three small children sold their house in the outskirts of Urif and relocated to the opposite end of town.

59. In previous reports, the Secretary-General and the High Commissioner have stressed that, contrary to the obligations of Israel as the occupying Power to ensure the safety and security of the occupied population, settlers largely enjoy impunity for attacks against Palestinians (see A/HRC/31/43, para. 37; A/HRC/34/39, para. 18; and A/HRC/40/42, para. 55).

V. Settlements in the occupied Syrian Golan

60. On 25 March 2019, the President of the United States of America issued a proclamation recognizing Israeli sovereignty over the occupied Syrian Golan. Within a week of the proclamation, reports emerged that Israel was planning to transfer 250,000 people to the occupied Syrian Golan by 2048, to build 30,000 new homes and to create 45,000 new jobs.[59] Shortly after the proclamation, the Government of Israel announced the establishment of a new settlement town in the northern part of the occupied Syrian Golan.[60] At a meeting of the Security Council on 27 March 2019, the Under-Secretary-General for Political and Peacebuilding Affairs reiterated the position of the United Nations on the occupied Syrian Golan, as reflected in the relevant Security Council and General Assembly resolutions, notably Security Council resolutions 242 (1967) and 497 (1981).[61]

61. In parallel to these plans for the expansion of settlements, Israel continued to maintain extremely restrictive zoning and building policies, with an impact on the Syrian population. These include the issuance of demolition orders and a recent process aimed at zoning some of the only viable land for expansion of Syrian villages as a national park.

62. The occupied Syrian Golan continues to be used for Israeli renewable and non-renewable energy industry expansion. In a submission to the Committee on Economic, Social and Cultural Rights in relation to the periodic report of Israel, Al-Marsad, a non-governmental human rights organization active in the area, asserted that the Israeli energy

[55] See also Yonatan Yanonich, "Yitzhar, A Case Study: Settler violence as a vehicle for taking over Palestinian land with state and military backing", Yesh Din, August 2018.

[56] Information provided by the West Bank Inter-Cluster Coordination Group; data on file.

[57] At least three families moved from Burin and Urif villages in 2018; see A/HRC/40/42, para. 50.

[58] OHCHR documented two attacks, on 25 and 29 April 2017. In one attack, the woman's ex-husband was injured with multiple fractures.

[59] "Al-Marsad Rejects New Illegal Settlement Plan for the Occupied Syrian Golan", Al-Marsad, 3 April 2019.

[60] "Golan Heights: Israel unveils 'Trump Heights' settlement", BBC News, 16 June 2019.

[61] S/PV.8495, p.2.

industry was involved in the exploitation of natural resources, while residents of the occupied Syrian Golan were unable to develop their own energy industries owing to Israeli restrictions.[62]

63. Developments affecting the Syrian population of the occupied Syrian Golan were noted during the period under review in relation to the "Clean Wind Energy Project"; a renewable energy project, which is expected to have a significant impact on the livelihoods, culture, health and environment of Syrian residents.[63] Reportedly, the 31 wind turbines planned, which can reach a height of 220 metres, will be built on Syrian agricultural lands and in proximity to Syrian population centres. It is expected to occupy some 4,300 dunums of land, almost a quarter of the agricultural land remaining in the possession of the residents of the occupied Syrian Golan. Al-Marsad estimated that Syrian landowners would receive about 1 per cent of the total profits of the project once it is operational.[64] It also noted that the project could have a severe impact on health and the environment, while further limiting the possibility for Syrian village expansion and undercutting the important cultural ties that residents of the occupied Syrian Golan maintain to the land.[65] The project was reportedly advanced without the free, prior and informed consent of Syrian residents, who have filed a local petition with 5,000 signatures opposing the project.[66]

64. During the period under review, Al-Marsad was repeatedly targeted by a smear campaign for its activities opposing the energy project. The energy company filed under the anti-boycott law of Israel a lawsuit against Al-Marsad for a report it had published outlining the implications of the project for the Syrian community. The company demands that Al-Marsad retract and apologize for allegedly slanderous material it has published on the project. This is the first time that a non-profit human rights organization registered in Israel[67] has been sued under the anti-boycott law, and could set a concerning precedent that would have a widespread impact on civil society in Israel.

VI. Conclusions and recommendations

65. **The establishment and expansion of settlements in the Occupied Palestinian Territory amounts to the transfer by Israel of its population into the Occupied Palestinian Territory, which is prohibited under international humanitarian law.**[68] **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.**[69] **A number of international bodies have confirmed the illegality of Israeli settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, including the International Court of Justice, the Security Council, the General Assembly and the Human Rights Council.**[70]

66. **Plans for further housing units in settlements increased, while the announcement of tenders and the rate of construction starts of settlement housing decreased. Incidents of settler violence continued at a high rate and the severity of attacks and injuries to Palestinians increased, without any decisive action by Israeli authorities to protect the Palestinian population in accordance with their obligations as the occupying Power.**

[62] http://golan-marsad.org/wp-content/uploads/AM-AH_Joint-Parallel-Report-to-the-CESCR-Israel-2019.pdf, para. 23.

[63] Ibid., para. 26.

[64] Ibid., para. 27.

[65] Ibid., para. 28.

[66] http://golan-marsad.org/wp-content/uploads/Al-Marsad_Urgent-Appeal-to-UN-Experts.pdf.

[67] Israel applies its domestic law also within the occupied Syrian Golan, and therefore requires local non-governmental organizations to be registered with the Government of Israel.

[68] Fourth Geneva Convention, art. 49 (6).

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

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

Cases in which the Israeli security forces appeared to have used force against the protected population instead of protecting it are of utmost concern.

67. **Settler violence continued to adversely affect Palestinian society, violating a range of rights. Such violence, coupled with settler cultivation of land, and the practices of Israeli security forces, may gradually prevent Palestinians from having access to their lands, which then risk becoming part of the unofficial expansion of settlement perimeters.**

68. **Palestinians in Area C, the H2 area of Hebron and East Jerusalem continue to be subjected to restrictive and discriminatory policies and practices, and to increased tension and violence due to the existence and growth of settlements. These policies and practices violate several rights and contribute to a coercive environment. Palestinians living in such an environment may have no practical choice but to leave their places of residence. Displacement and relocation to alternative residential areas as a result of a coercive environment could amount to forms of forcible transfer, contrary to the obligations of Israel under international humanitarian and human rights law.**

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

70. **On the basis of the findings presented in the present and in previous reports, 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 East Jerusalem, and in the occupied Syrian Golan, in compliance with relevant United Nations resolutions, including Security Council resolutions 497 (1981) and 2334 (2016);**

(b) **Rescind all policies and practices 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 to prevent attacks by settlers, and to 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 protected persons.**