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

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

Report of the Secretary-General**

Summary

Submitted pursuant to General Assembly resolution [75/98](#), the present report examines Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. It covers the period from 1 June 2020 to 31 May 2021.

* [A/76/150](#).

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



I. Introduction

1. Submitted pursuant to General Assembly resolution [75/98](#), the present report covers the period from 1 June 2020 to 31 May 2021. It is based on monitoring conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory and on information collected by other United Nations entities and non-governmental organizations. The report should be read in conjunction with the report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan ([A/76/336](#)) and the reports of the United Nations High Commissioner for Human Rights submitted to the Human Rights Council at its forty-sixth session ([A/HRC/46/22](#), [A/HRC/46/63](#) and [A/HRC/46/65](#)).

2. Through trends and cases documented by OHCHR, the report illustrates multiple obstacles to the enjoyment of human rights in the Occupied Palestinian Territory stemming from Israeli policies and practices. Owing to space constraints, the report does not address all issues of concern, nor does it address all cases documented during the reporting period. Developments related to settlement construction and related violations of international law are described in the report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory.

3. Following the issuance in February 2020 of a report of the United Nations High Commissioner to the Human Rights Council on a database of business enterprises involved in activities linked to Israeli settlements ([A/HRC/43/71](#)), the Government of Israel publicly announced a freeze in relations with the High Commissioner and OHCHR. One result is that international staff of the OHCHR office in the Occupied Palestinian Territory have been obliged to work outside the territory, complicating critical mandated work on human rights by the United Nations.

II. Legal framework

4. International human rights law and international humanitarian law apply concurrently in the Occupied Palestinian Territory. A detailed analysis of the applicable legal framework can be found in the report of the Secretary-General to the Human Rights Council at its thirty-fourth session ([A/HRC/34/38](#), paras. 3–12).

III. Implementation of General Assembly resolution [75/98](#)

5. The reporting period was marked by a deterioration of the human rights situation in the Occupied Palestinian Territory. In particular, 287 Palestinians (174 men, 39 women and 74 children) were killed and 11,155 were injured¹ by Israeli security forces and four Palestinians were killed by Israeli settlers, who increasingly used firearms side by side with Israeli security forces against Palestinians. Two more Palestinians were killed in circumstances in which it was not possible to determine whether the perpetrator was Israeli security forces or settlers, and one Palestinian woman was killed by an unidentified perpetrator in the West Bank. At least 16 more Palestinians, including four children, were likely killed by rockets fired by armed groups from Gaza that fell short. Of the Palestinians killed, 258 were in Gaza and 52 in the West Bank, including East Jerusalem. A total of 14 Israelis, including two children and seven women, were killed in the reporting period² and, according to

¹ Figures from United Nations, Office for the Coordination of Humanitarian Affairs.

² Ibid. Two indirect deaths in connection with the hostilities were also reported by Israeli authorities.

Israeli sources, 819 were injured by Palestinians. Throughout the reporting period, Israel intensified the use of force and other measures aimed at repressing Palestinians expressing dissent against, in particular, the occupation and settlement expansion, raising concerns regarding respect for Palestinians' right to life and physical integrity as well as other civil and political rights, while further shrinking space available for expressing opposition to the military occupation and its related policies and outcomes. The end of the reporting period was marked by a significant increase in violence throughout the Occupied Palestinian Territory, including the escalation of hostilities between Israel and Palestinian armed groups in Gaza between 10 and 21 May, heavy clashes between Palestinians and Israeli security forces in the West Bank, including East Jerusalem, and an intensification of settler-related violence. Lack of accountability for international human rights and international humanitarian law violations by Israeli security forces remained pervasive (A/HRC/46/22, para. 11).

A. Conduct of hostilities

6. The most significant escalation in hostilities between Israel and Palestinian armed groups in Gaza since 2014 occurred during the reporting period, from 10 to 21 May, as protests and violence spread from East Jerusalem across the Occupied Palestinian Territory (see para. 14 below). Palestinian armed groups fired 3,240 rockets and 1,158 mortar rounds indiscriminately towards Israel, including from highly populated civilian neighbourhoods, while Israeli security forces fired 1,768 missiles and 2,455 shells into Gaza.³ As a result, the United Nations verified that 258 Palestinians were killed, including 67 children (23 girls and 44 boys), 40 women (of whom four were pregnant) and three persons with disabilities (including one child). At least 129 of those killed were civilians. Some 2,000 other Palestinians were injured, including about 600 children and 400 women.⁴ At the same time, owing to the launching of rockets and mortars by armed groups in Gaza, 11 Israeli citizens and residents, including two children,⁵ were killed and, according to Israeli sources, 710 others were injured.⁶

7. In the context of the 11-day military escalation, Israel conducted intense air strikes as well as shelling from land and sea. Although the Israeli security forces stated that they had targeted members of armed groups and their military infrastructure and at times had adopted precautions, including warnings,⁷ Israeli attacks resulted in extensive civilian deaths and injuries as well as large-scale destruction and damage to civilian objects and infrastructure. Those include governmental and public buildings, residential buildings, apartments and commercial units (including the destruction of at least four high-rise towers), premises of humanitarian organizations, medical and educational facilities, media offices, agricultural areas and roads connecting civilians to essential services. While Israel claims that many of the structures were hosting armed groups or being used for military purposes,⁸ OHCHR has not seen evidence in that regard.⁹ In several cases,

³ Figures from United Nations, Department of Safety and Security.

⁴ Figures from United Nations, Office for the Coordination of Humanitarian Affairs.

⁵ Two indirect deaths in connection with the hostilities were also reported by Israeli authorities.

⁶ Figures from United Nations, Office for the Coordination of Humanitarian Affairs.

⁷ Anna Ahronheim and Tzvi Jofre, "Israel continues massive bombardments against Hamas targets", *Jerusalem Post*, 15 May 2021; and Anna Ahronheim, "Operation guardian of the walls: targeting Hamas terror, behind the scenes", *Jerusalem Post*, 3 June 2021.

⁸ Ahronheim, "Operation guardian of the walls"; and Jacob Magid, "Israeli envoy tells AP: Hamas sought to jam Iron Dome from your Gaza tower", *The Times of Israel*, 8 June 2021.

⁹ Michelle Bachelet, United Nations High Commissioner for Human Rights, statement during the Human Rights Council special session on the deteriorating human rights situation in the Occupied Palestinian Territory, Geneva, 27 May 2021.

no warning was communicated prior to the attacks. In the early hours of 16 May, Israeli security forces hit Al-Wahda Street and its surroundings, a densely populated area in central Gaza City, with 25 to 30 strikes, killing 45 people (all identified as civilians by OHCHR), including 18 children and 14 women, and injuring dozens of others. Reportedly, at least 35 stores and eight multi-storey buildings, as well as the building housing the Gaza Ministry of Labour, were destroyed in the strikes. Several other nearby buildings sustained severe damage, including the Gaza Ministry of Social Development, the Palestinian Pension Agency, the office of Doctors Without Borders and the Al-Amal Institute for Orphans. Electricity, water and communication networks in the area were significantly damaged. According to a number of eyewitnesses, the strikes, which took place seconds apart, were carried out without warning. The area in and around Al-Wahda Street was hit again on 17 May, when an Israeli air strike targeted the Al-Shawa building with at least two missiles. The strike killed a 54-year-old man and his 11-year-old niece in a house some 100 metres away, injured at least 10 other people and caused severe damage to a number of nearby structures, including the Palestine Children's Relief Fund and Qatar Red Crescent Society premises and the Al-Rimal clinic, which has the sole coronavirus disease (COVID-19) laboratory in Gaza. Given the number of civilian casualties and the extent of damage to prima facie civilian objects, and the lack of information on the military objectives that were being targeted, there are questions regarding whether the attacks respected the principle¹⁰ of proportionality under international humanitarian law.

8. In addition to killing and injuring Israelis, rockets and mortars from Gaza also caused significant damage to civilian objects, such as residential buildings, public facilities and factories. On 12 May, a five-year-old child was reportedly killed in Sderot, southern Israel, by shrapnel from a rocket fired from Gaza.¹¹ Those rockets were indiscriminate by nature, given that they failed to distinguish between military objectives and civilians or civilian objects. Their use therefore constitutes a clear violation of the prohibition of indiscriminate attacks under international humanitarian law (A/HRC/29/52, para. 33 and A/HRC/28/80/Add.1, para. 66).¹²

9. The hostilities seriously affected civilian life and access to livelihoods in Gaza. A total of 1,165 houses and commercial units in 331 buildings were destroyed and 1,128 others sustained major damage.¹³ As a result, at least 8,500 people remained displaced as at 31 May 2021. At least 58 educational facilities, 28 hospitals and primary health-care clinics also sustained damage.¹⁴ The impact of the conflict risks being especially dire for women, who are suffering its consequences in terms of loss of lives, injuries, displacement, distress, economic hardship and increased vulnerabilities.

¹⁰ International Committee of the Red Cross (ICRC), "Rule 12: definition of indiscriminate attacks", and "Rule 14: proportionality in attack", Customary International Humanitarian Law Database. Available at <https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1>.

¹¹ The Times of Israel, "5-year-old boy killed, dozens others injured as Gaza rockets pound Israel", 12 May 2021.

¹² See also ICRC, "Rule 1: The principle of distinction between civilians and combatants" and "Rule 12", Customary International Humanitarian Law Database.

¹³ United Nations, Office for the Coordination of Humanitarian Affairs, "Gaza strip: escalation of hostilities", 3 June 2021.

¹⁴ Ibid.

B. Use of force violations by Israeli security forces, including unlawful killings

10. In a significant increase, Israeli security forces killed 45 Palestinians, including 11 boys and one woman, in law enforcement operations in the West Bank, including East Jerusalem, and injured 9,155 Palestinians, including 310 children and 31 women, 945 of whom were struck with live ammunition.¹⁵

11. There was a sharp increase in apparent excessive use of force¹⁶ by Israeli security forces in the context of demonstrations against the military occupation and in response to attacks or alleged attacks by Palestinians against Israelis, in particular during the May escalation. In accordance with international standards, the use of firearms in that context is allowed in extremely limited circumstances, namely, in self-defence or defence of others from an imminent threat of death or serious injury, and as a last resort. Even when necessary, force must be used in a manner that minimizes harm and preserves life.¹⁷ In the vast majority of cases monitored by OHCHR, the use of force by the Israeli security forces did not appear to comply with the requirements of legality, necessity and proportionality, resulting in unlawful killings, including possible extrajudicial executions. For example, on 25 May, undercover Israeli security forces killed a 25-year-old, Ahmad Abdu, in Al-Bireh. As recorded by closed circuit television (CCTV) cameras, Israeli security forces approached the man's vehicle parked by a residential building and fired multiple shots after the man had entered the car unarmed and while he was not posing any threat. The Israeli security forces stated that they had killed the man because he was an "accomplice to terrorists" without indicating circumstances that would justify the use of force.¹⁸ In at least three instances in which Israeli security forces alleged that they had shot and killed in response to an attack, OHCHR monitoring indicated that there was no indication that an attack had been carried out or even attempted, and available evidence pointed to unwarranted use of lethal force resulting in killing. For example, on 6 April, Israeli security forces shot multiple rounds at a car driving through an improvised roadblock in Bi'r Nabala, killing Osama Mahmoud Mansour and injuring his wife. The Israeli security forces stated that the driver had accelerated towards officers whereas, according to the wife, soldiers had instructed him to proceed. After the shooting, the Israeli security forces did not attend to the car, to either arrest the driver or withhold his body, in accordance with their usual practice in the case of an attack. An investigation was announced; however, no further details had been published by the end of the reporting period on 31 May.¹⁹

12. Israeli security forces continued and intensified the use of live ammunition, rubber-coated metal bullets and tear gas to restrict and suppress Palestinian demonstrations against the military occupation and the settlement enterprise, raising

¹⁵ All figures on injuries from United Nations, Office for the Coordination of Humanitarian Affairs. Compared with 22 Palestinians killed and 3,417 injured, including 126 with live ammunition in the previous reporting period.

¹⁶ The term "excessive use of force" refers to incidents in the context of law enforcement operations in which force was not used in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990). These may entail situations in which force was used unnecessarily and/or disproportionately; and/or in pursuit of an illegal law enforcement objective; and/or in a discriminatory manner.

¹⁷ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990), arts. 5 and 9; Human Rights Committee, general comment No. 36 (2018) on the right to life, para. 12; and general comment No. 37 (2020) on the right of peaceful assembly, paras. 78–79 and 88.

¹⁸ "Israeli police killed Palestinian who didn't pose threat – B'Tselem", Jerusalem Post, 23 June 2021.

¹⁹ Jack Khoury and Yaniv Kubovich, "Israeli Soldiers Kill Palestinian, Wound Wife After Alleged Attack", *Haaretz*, 6 April 2021.

concerns regarding respect for Palestinians' right to life and physical integrity as well as other civil and political rights. Throughout the reporting period, settlers killed two Palestinians and Israeli security forces killed 23 Palestinians, including six children, in demonstrations or clashes related primarily to settlement expansion and new settler outposts encroaching on Palestinian land (see [A/76/336](#)). For example, on 4 December, Israeli security forces killed Ali Ayman Saleh Nabu Alia, a 15-year-old boy, during a protest against the establishment of a settler outpost in Mughayyir, on land previously confiscated from villagers. The boy was shot in the abdomen while standing near stone throwers and appeared not to pose a threat to the soldiers, who were positioned on higher ground at a distance of 100 to 150 metres. The Israeli security forces first denied firing live ammunition, but then reportedly opened a probe; however, no further details had been published by 31 May.²⁰

13. During the period of escalation between 10 and 21 May, Israeli security forces used live ammunition to suppress mass demonstrations held across the West Bank in solidarity with Palestinians in East Jerusalem and Gaza, killing 15 Palestinians, including three children, and injuring 774 others with live ammunition, including 64 children.²¹ On 14 May alone, Israeli security forces killed eight Palestinians in demonstrations and clashes and injured 1,849 Palestinians, including 289 with live ammunition. The Israeli security forces stated that they had responded with riot dispersal means and "in some cases live fire" to Palestinians throwing stones, Molotov cocktails and fireworks in several locations and "target[ed] main rioters".²² OHCHR monitoring indicates that Israeli security forces used live ammunition in more than 30 locations across the West Bank that day. Israeli security forces were deployed with full protective equipment at a considerable distance, often on higher ground, and used what appeared to be unnecessary or disproportionate force against unarmed protesters, most of whom were peaceful and some of whom threw stones, burned tires and, in limited instances, threw Molotov cocktails or fireworks. In most cases monitored by OHCHR, protesters who were more active in protests were shot in the upper parts of the body when they were not apparently posing an imminent threat that would have justified the use of lethal force. For example, on 18 May, Israeli security forces killed, with one shot in the head, 16-year-old Islam Wael Fahmi Dar Nasser in Bil'In, where the wall separates the village from its surrounding land. The boy was among 20 young people who were throwing stones, some with slingshots, at Israeli security forces on a hilltop 150 metres away and, to a lesser extent, towards an apparently empty camouflage tent 40 to 50 metres away, both on the other side of the wall, consisting of concrete blocks and fencing. The Israeli security forces, who had been under the tent, emerged and fired live ammunition, which prompted the boy and others to crawl to the ground. As the boy later raised his head, he was struck.

14. Tensions were high in the occupied West Bank, including East Jerusalem, throughout the reporting period. The Israeli authorities' planned eviction of four extended Palestine refugee families from their homes in the Shaykh Jarrah neighbourhood heightened tensions between Palestinians and Israeli security forces, resulting in increasingly tense protests beginning in April. In East Jerusalem, there was a marked increase in unrest from 13 April, the first day of Ramadan, as the Israeli police installed metal barriers to impede the traditional gathering of Palestinians at the Damascus Gate of the Old City, and against the backdrop of impending evictions of some 75 Palestinians in favour of settlers in Shaykh Jarrah and another 100 in

²⁰ Judah Ari Gross and Aaron Boxerman, "Military police launch probe after Palestinian teen said shot dead by soldier", *The Times of Israel*, 6 December 2020.

²¹ Figures from United Nations, Office for the Coordination of Humanitarian Affairs.

²² Aaron Boxerman, "At least nine Palestinians reported killed as violence spreads to West Bank", *The Times of Israel*, 14 May 2021.

Silwan.²³ Following the installation, widespread protests and violent clashes between Palestinians and Israeli security forces occurred in occupied East Jerusalem, in particular in the vicinity of the Aqsa Mosque and the Damascus Gate, as well as in Shaykh Jarrah. The situation was compounded by incitement and violence by both Palestinians and Israelis, motivated by nationalism.²⁴ The unrest increased further on 22 April, when Israeli civilians marched towards the Damascus Gate chanting “Death to Arabs” and other anti-Arab slogans and clashed with Palestinians, who were also chanting inflammatory rhetoric, before both groups were dispersed by Israeli security forces. The removal of the barriers by the security forces on 25 April temporarily restored a relative calm to the area. Beginning on 28 April, Palestinians held daily protests in the Shaykh Jarrah area which, combined with a continued heavy presence of Israeli security forces and provocation by Israeli civilians, triggered repeated clashes throughout East Jerusalem. The situation in occupied East Jerusalem escalated further on Jerusalem Day, 10 May, when Israeli security forces entered the Aqsa Mosque compound, launching stun grenades, using tear gas and firing rubber-coated metal bullets. Israeli authorities took steps to reduce tensions, including rerouting a scheduled demonstration organized by right-wing Israeli activists to mark Jerusalem Day away from the Muslim quarter of the Old City, postponing a Supreme Court hearing on the Shaykh Jarrah evictions and barring Jewish visits to the holy sites. The violence and heavy security presence within the Old City nevertheless continued. From 13 April to 31 May, Israeli security forces injured 1,586 Palestinians, including 1,052 with kinetic impact projectiles in confrontations involving Israeli security forces, settlers and Palestinians around the Old City, at the Aqsa Mosque compound and Shaykh Jarrah. According to Israeli sources, a total of 37 Israelis, including 13 members of Israeli security forces, were injured. Most injuries were reported to have occurred on 7 and 10 May, as Israeli security forces were heavily deployed at the Aqsa Mosque during the last days of Ramadan and, after skirmishes, raided the compound and used force to vacate it of thousands of Palestinian worshippers.

15. OHCHR documented numerous instances of, to all appearances, unwarranted or disproportionate use of force against Palestinian men, women and children gathering to pray, protest or chant or for merely raising the Palestinian flag in different areas of the city as well as against journalists covering the events. Serious injuries were caused by what, to all appearances, was improper use of kinetic impact projectiles by Israeli security forces (A/71/364, para. 16). At least four Palestinian men lost an eye, one Palestinian man lost both eyes and 13 others reported serious injuries after being shot in the eyes with kinetic impact projectiles.²⁵ On 10 May, a 37-year-old Palestinian man lost his right eye after being shot with a kinetic impact projectile while leaving the Aqsa Mosque compound. At the time, Israeli security forces were firing plastic bullets, tear gas and stun grenades extensively and, to all appearances, indiscriminately, including at hundreds of worshippers barricaded inside the Mosque, with the apparent aim of removing them from the area. The man was shot at a distance of three metres while fleeing, along with hundreds of others, through a corridor out of the compound that had been opened by Israeli security forces. In another case, on 18 May, Israeli security forces ordered a 16-year-old girl and her family members into their home in Shaykh Jarrah while protests were ongoing on the main road, 40 metres away. As they were doing so, Israeli security forces fired plastic bullets and a stun

²³ United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), “UNRWA joins other United Nations entities in raising alarm over eight Sheikh Jarrah families at risk of forced eviction”, 10 May 2021; Office of the United Nations High Commissioner for Human Rights (OHCHR) monitoring; and Amnesty International, “Israel/OPT: scrap plans to forcibly evict Palestinian families in Silwan”, 25 May 2021.

²⁴ The Times of Israel, “Dozens hurt, arrested in old city clash as extremist Jews chant ‘death to Arabs’”, 23 April 2021.

²⁵ Cases received solely at St John of Jerusalem Eye Hospital in East Jerusalem.

grenade, hitting the girl in the back, fracturing her spine and injuring her father in the leg. After a video of the shooting was published, the Israeli police reportedly²⁶ suspended an officer, pending an investigation. Unlawful use of force to suppress peaceful protests also violates the rights to freedom of expression and peaceful assembly and shrinks space available for expression of opposition, including to the military occupation and its policies.

16. The use of firearms causing death of persons not posing a threat to life or serious injury may constitute a violation of the prohibition of the arbitrary deprivation of life²⁷ and may, depending on the circumstances, amount to an act of wilful killing, which is a war crime in the context of a military occupation. However, lack of accountability for unlawful use of force²⁸ remained pervasive. Amidst a lack of transparency on the opening, status and closure of investigations, OHCHR is aware of five criminal investigations concerning killings of Palestinians opened in the reporting period and the closure of one, without conviction.²⁹ When opened, investigations appeared not to meet the minimum standards of transparency, independence, promptness, thoroughness and credibility.³⁰ For example, on 28 April, the Attorney General of Israel accepted an appeal to open an investigation into the killing of Fadi Alloun in 2015, which raised concerns of extrajudicial execution (A/HRC/31/40, para. 14). By 27 May, the Israeli prosecution authorities had closed the investigation on the grounds of lack of guilt, reportedly after interrogating under warning two officers.³¹

C. Restrictions on the rights to freedoms of expression, peaceful assembly and association

17. Restrictions by Israel on the rights to freedom of expression, peaceful assembly and association continued (A/75/336, paras. 45–49) and intensified. They included arrests and prosecution, through Israeli military courts, of Palestinian civil society actors, human rights defenders, students and political figures.

18. Israeli military orders applied to Palestinians in the West Bank continued to criminalize gatherings of more than 10 people without previous authorization, providing the occupying power with wide powers to declare as “unlawful”, “hostile” or “terrorist” virtually any association and to detain for incitement anyone showing “sympathy” or “support” for such “unlawful” entities, including by singing slogans.³² These broad restrictions, in place since the beginning of the occupation of Palestinian territories by Israel in 1967, carry a significant risk of criminalizing lawful exercise of freedom of expression, peaceful assembly and association.³³ As at March 2020, Israel had banned as “unlawful” 430 organizations, including all major political parties such as the ruling group Fatah.³⁴

²⁶ Nir Hasson, “Jerusalem police officer who shot 16-year-old Palestinian suspended after footage emerges”, *Haaretz*, 26 May 2021.

²⁷ International Covenant on Civil and Political Rights, art. 6.

²⁸ Human Rights Committee, general comment No. 36, paras. 27–28.

²⁹ For figures for the period 2017–2020, see A/HRC/31/40, para. 11.

³⁰ Human Rights Committee, general comment No. 36, para. 28.

³¹ OHCHR monitoring.

³² See provision 85 (b) of the Defence (Emergency) Regulations of 1945; Military Order No. 1651, sect. 251 (b); and Israel Defense Forces Order No. 101. See also A/HRC/37/42, para. 50.

³³ E/CN.4/2005/103, para. 35; A/HRC/16/51/Add.3; A/HRC/16/51/Add.3/Corr.1, paras. 26–27; and A/61/267, para. 26.

³⁴ Human Rights Watch, *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution* (2021), p. 194; and <https://nbctf.mod.gov.il/he/Announcements/Pages/nbctfDownloads.aspx>.

19. On 22 March, the Ofer military court sentenced Issa Amro, a prominent human rights defender and a strong advocate for non-violence, to a three-month suspended sentence with a two-year probation period for his activities with Youth Against Settlements in Hebron. Amro, initially indicted on 18 charges, was convicted on six charges for participating in three demonstrations “without a permit” between 2010 and 2016, obstruction and pushing a settlement security guard in 2010. The sentence was handed down after almost five years of judicial proceedings (A/HRC/37/42, para. 50 and A/71/355, para. 33).

20. In East Jerusalem, Israeli security forces also carried out mass arrests of peaceful protesters, including human rights defenders and journalists, to suppress a movement against the impending evictions of Palestinians from Shaykh Jarrah and Silwan. In May, Israeli security forces arrested 677 Palestinians,³⁵ including 116 children (eight of whom were girls) and 24 women, several of them on charges such as chanting “God is great” or raising the Palestinian flag. In order to curb support to peaceful protests from elsewhere, Israeli security forces also imposed significant movement restrictions around Shaykh Jarrah. Under international law, States have the obligation to ensure the right of peaceful assembly. The Human Rights Committee has commented that they must therefore create an enabling environment for peaceful protests.³⁶ The Committee has also stated that practices of indiscriminate mass arrests prior to, during or following an assembly are arbitrary and thus unlawful.³⁷ In addition to violating the rights to freedom of expression and peaceful assembly, such measures progressively erode space available for non-violent expression of opposition to the occupation.

21. Israeli authorities continued to hold human rights defenders under administrative or extended pretrial detention, increasing pressure on them to accept convictions on the basis of plea bargains (A/HRC/46/63, para. 52). Arbitrary arrest, detention and ill-treatment increasingly targeted Palestinian women, including human rights defenders, leaders, journalists and students, discouraging their equal participation in public and political life and the advancement of women’s rights (ibid., paras. 49 and 59). Khitam Sa’afin, director of the Union of Palestinian Women’s Committees, was arrested on 2 November and placed under administrative detention on 9 November. In March, her administrative detention was prolonged until 30 June. In approving the administrative detention order, the military court of appeal stated that the suspicious activity of Sa’afin related to her participation in civilian activities of the Popular Front for the Liberation of Palestine.³⁸

22. Civil society actors and organizations documenting and seeking accountability for Israel’s violations of international law, accusing Israel of apartheid³⁹ and advocating for international sanctions continued to be targeted by Israel with arbitrary arrest and detention, as well as movement and other restrictions. On 30 July, Israeli security forces arrested Mahomoud Nawajaa, coordinator of the Palestinian National Committee of the Boycott, Divestment and Sanctions movement, and released him without charges on 17 August. For 11 days, Nawajaa was denied access to a lawyer, while being subjected to ill-treatment, such as lengthy interrogations while being chained in a stress position, sleep deprivation and threats of indefinite detention. In February and April, Israeli courts upheld a travel ban which, since 2019, has prevented Laith Abu Zeyad, a campaigner at Amnesty International, from leaving the

³⁵ Wadi Hilweh Information Centre; compared with 198 and 169 arrests by Israeli security forces in April and March 2021.

³⁶ Human Rights Committee, general comment No. 37, paras. 21–35.

³⁷ Ibid., para. 82.

³⁸ OHCHR monitoring. See also A/HRC/37/42, para. 55.

³⁹ Shira Kadari-Ovadia and Noa Shpigel, “Education Minister bars rights groups calling Israel ‘apartheid State’ from schools”, *Haaretz*, 17 January 2021.

West Bank to reach his office in Jerusalem and from travelling abroad. The Israeli courts have maintained the ban on the basis of “secret evidence” from the Israel Security Agency alleging that Abu Zeyad poses a “security threat”. As in other cases, the evidence has not been shared with Abu Zeyad and has not been tested in open court (A/75/336, para. 11 and A/HRC/37/42, paras. 9, 31 and 55).

23. Accusations and stigmatizing statements continued to be used to discredit civil society actors and discourage support and international funding for their work (A/75/336, para. 45). Organizations often regarded as close to Israeli authorities⁴⁰ continued to publish reports stigmatizing human rights organizations as being “anti-Semitic”⁴¹ or tied to “terrorism”,⁴² the latter on the basis of their supposed affiliation to Palestinian political parties rather than to any specific criminal activity. On 6 May, the Israel Security Agency publicly accused several Palestinian organizations providing critical services such as legal and health support to Palestinian communities of diverting funds to the Popular Front for the Liberation of Palestine.⁴³ According to media reports, Israel officially requested European diplomats not to fund such organizations.⁴⁴ The allegations have severely affected the ability of the organizations to seek and receive financial resources, an integral part of the right to freedom of association.

24. Undue interference with human rights, in particular political rights, became even more apparent in the context of elections. On 15 January, the President of Palestine issued a presidential decree calling for Palestinian legislative and presidential elections, for the first time since 2006, on 22 May and in August 2021, respectively. During the electoral process, Israeli security forces detained at least 19 Hamas political leaders in the West Bank and placed at least seven of them under administrative detention without charge or trial, raising concerns of politically motivated arrests. Israeli security forces further interrogated or summoned at least 10 other Hamas affiliates, who reported that the security forces had issued threats pressuring them not to run as candidates. The intimidation, harassment, arrest or detention of individuals for the exercise of their rights to freedom of opinion and expression and of association and their right to participate in public affairs constitutes a violation of international human rights law.⁴⁵ On 30 April, the President of Palestine announced the postponement of elections until further notice.⁴⁶

25. Restrictions on basic civil and political rights of Palestinians in occupied East Jerusalem continued through the repression of any form of Palestinian political activity or activity perceived as such. OHCHR monitored three instances in which Israeli security forces dispersed events relating to the elections through force, arrests, summons, fines and threats of further measures. On 2 March, a large Israeli security force presence raided the women’s centre at the Shu’fat refugee camp, seemingly on the basis of intelligence information that an event on the “role of women from East Jerusalem in the Palestinian elections” was taking place. The security forces showed

⁴⁰ See A/HRC/40/43, para. 31; and Policy Working Group, “NGO monitor: shrinking space – defaming human rights organizations that criticize the Israeli occupation”, September 2018.

⁴¹ See www.ngo-monitor.org/key-issues/ngos-and-antisemitism/ngo-involvement-in-antisemitism/.

⁴² See www.ngo-monitor.org/key-issues/ngo-links-to-terror-groups/ngo-monitor-publications-on-the-ngos-with-links-to-the-pflp/.

⁴³ Judah Ari Gross, “Shin Bet: Palestinian terror group stole millions from European aid donors”, The Times of Israel, 6 May 2021.

⁴⁴ Ibid.

⁴⁵ International Covenant on Civil and Political Rights, arts. 9, 19, 22 and 25; Human Rights Committee, general comment No. 34 (2011) on the freedoms of opinion and expression, para. 23; and Human Rights Committee, general comment No. 35 (2014) on liberty and security of person, para. 17.

⁴⁶ Palestinian News and Information Agency, “Palestinian leadership postpones national elections until East Jerusalemites are allowed participation”, 30 April 2021.

the centre's woman director an arrest warrant containing her name and dozens of other names, searched the centre, confiscated documents and arrested the director. She was interrogated and told not to participate, in any capacity, in the elections. Such undue interference denies Palestinians in East Jerusalem the right to participate in political life and negatively affects their fundamental right to vote and be elected, without discrimination.⁴⁷ Repeated arrests and harassment of Palestinian political figures and raids on Palestinian cultural institutions and civil society organizations continued throughout the reporting period. Among others, the Palestinian Authority's Governor of Jerusalem was arrested twice by Israeli security forces and summoned five times for interrogation. On the basis of several barring orders issued against him, amid other restrictions, he was not allowed to participate in any meeting or activity "sponsored by the Palestinian Authority", enter the West Bank for most of the reporting period or move within East Jerusalem, except for an area around his home in Silwan.

D. Detention and ill-treatment

26. Concerns regarding arbitrary detention by Israeli authorities persisted during the reporting period (A/75/336, para. 10). As at 31 May 2021, 4,520 Palestinians,⁴⁸ reportedly including 169 children and 40 women,⁴⁹ were in Israeli detention and qualified by Israel as security detainees – an increase from 4,236 as at 31 May 2020. Since October 2020, the Israeli Prison Service has not responded to freedom of information requests submitted by human rights organizations seeking disaggregated monthly data on the detention of Palestinians. Most Palestinian detainees and prisoners continued to be held inside Israel. The transfer of protected persons, including those accused of offences, to the territory of the occupying Power is prohibited under the Fourth Geneva Convention of 1949.⁵⁰

27. Concerning developments were documented in relation to legal proceedings initiated against a number of individuals accused of being linked to the Ein Bubin attack of 23 August 2019 or with organizations allegedly involved in its preparation, especially the Popular Front for the Liberation of Palestine (*ibid.*, paras. 14–18). While dozens of Palestinians had been reportedly arrested in connection with the attack and many reported that they had been systematically subjected to ill-treatment and torture in detention (*ibid.*), at least five of those sentenced thus far have been convicted on the basis of plea bargains based on charges unrelated to the attack.⁵¹ In many of those decisions, Israeli courts referred to "significant evidentiary difficulties" concerning the interrogations of the defendants and other detainees who incriminated them, implying the use of "special interrogation methods" by the Israel Security Agency that would possibly affect evidence admissibility.

28. On 1 March, Khalida Jarrar, a parliamentarian and a prominent women's rights advocate detained by the Israeli security forces since 2019, was convicted by an Israeli military court on the basis of a plea bargain to 24 months' imprisonment for "holding a position in an unlawful association" as a result of her membership in the Popular Front for the Liberation of Palestine, although she was initially arrested on

⁴⁷ Human Rights Committee, general comment No. 25 (1996) on participation in public affairs and the right to vote, paras. 3–4 and 7. Further, Palestinian residents of Jerusalem do not have the right to participate in Israeli general elections.

⁴⁸ Israeli Prison Service, through HaMoked – Centre for the Defence of the Individual.

⁴⁹ Joint figures by the Addameer Prisoner Support and Human Rights Association, the Palestinian Prisoners' Club and the Palestinian Prisoners' Commission.

⁵⁰ Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (Fourth Geneva Convention), arts. 49 and 76.

⁵¹ OHCHR monitoring.

suspicion of involvement in “terror activity”.⁵² In the decision, the court referred to “significant evidentiary difficulties”, including the manner in which main prosecution witnesses had been interrogated. In another case, Ubai Al-Aboudi was arrested in November 2019 and placed under two months’ administrative detention, including being held incommunicado for 19 days. On 2 June 2020, an Israeli military court convicted him on the basis of a plea bargain to one year of imprisonment based on charges of membership and carrying out activities in an unlawful association, accusations he denies as he is a well-known human rights defender. In the court’s decision, the judge emphasized how the plea bargain “was based on significant evidentiary difficulties” regarding the nature of the incriminations and the manner in which the incriminators were investigated.

29. The above cases raise concerns that individuals have been convicted on the basis of broad charges that may be unrelated to specific criminal conduct. They also show that Israeli military courts have endorsed plea deals despite noting that they were based on “significant evidentiary difficulties” concerning the use of “special interrogation methods” as incriminating evidence. According to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, statements made as a result of torture shall not be invoked as evidence in any proceedings. Further, competent authorities must conduct a prompt and impartial investigation into credible torture allegations.⁵³

30. In relation to previously reported cases of possible torture and ill-treatment of Palestinians in Israeli detention (*ibid.*), there are serious concerns that there has not been genuine accountability on the part of relevant Israeli authorities and that all reasonable steps have not been taken to carry out a thorough investigation into the allegations of torture and ill-treatment. For example, on 24 January, the Attorney General of Israel announced the closing of the criminal investigation into the alleged torture by Israeli Security Agency interrogators of Samer Al A’rbeed, who is currently under trial for his role in the Ein Bubin attack (*ibid.*, paras. 14–15). According to a statement, “the Attorney General decided to close the case due to a lack of an evidentiary basis of the commission of an offence”.⁵⁴

31. The practice of administrative detention by Israeli authorities remained of serious concern. Marking a dramatic increase from 352 at the end of the previous reporting period (*ibid.*, para. 11), there were 495 Palestinians, including two women and four children, held in administrative detention as at 31 May 2021.⁵⁵ Under international law, administrative detention is permitted only in the most exceptional circumstances and is subject to strict safeguards to prevent arbitrariness.⁵⁶ The Secretary-General has repeatedly called upon Israeli authorities to end the practice of administrative detention and to either charge detainees, where there are grounds to do so, or release them immediately. According to the Committee against Torture, administrative detention for inordinately long periods may amount to a form of ill-treatment ([CAT/C/ISR/CO/4](#), para. 17 and [CAT/C/ISR/CO/5](#), paras. 22–23).

⁵² Adam Rasgon, “Israeli forces re-arrest senior PFLP member in Ramallah”, *The Times of Israel*, 31 October 2019; and Aaron Boxerman, “Israel sentences senior PFLP member to two years in prison”, *The Times of Israel*, 1 March 2021.

⁵³ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, arts. 12 and 15.

⁵⁴ Netael Bandel, “Case closed against Shin Bet agents accused of assaulting Palestinian terror suspect”, *Haaretz*, 24 January 2021.

⁵⁵ Israeli Prison Service, through HaMoked – Centre for the Defence of the Individual.

⁵⁶ Fourth Geneva Convention, art. 78; International Covenant on Civil and Political Rights, art. 9; and Human Rights Committee, general comment No. 35, paras. 15 and 64.

32. Arbitrary arrest and ill-treatment of children in detention remained alarming, with 725 children reportedly arrested throughout the reporting period.⁵⁷ Sworn testimonies from 64 children⁵⁸ held in Israeli military detention during the reporting period indicated the persistence of patterns of ill-treatment during initial arrest, transfer, interrogation and detention, including night arrests (41 per cent); the use of blindfolds (95 per cent), hand-ties (98 per cent) and/or leg-ties (73 per cent); denial of food and water (52 per cent) or access to toilets (42 per cent) during initial detention; verbal abuse (63 per cent); physical violence (80 per cent); and solitary confinement (27 per cent). In a large majority of the cases (77 per cent), the testimonies indicate that children were denied access to a lawyer or parent before and during their interrogation, compelled to sign documents in Hebrew (a language many do not understand) (59 per cent) and not adequately informed about their rights (52 per cent).

33. A number of incidents of Palestinian children being arbitrarily arrested, subjected to ill-treatment or placed under administrative detention were documented. On 21 January, a 17-year-old boy with a chronic medical condition was arrested and placed under administrative detention without charges for six months, extended for an additional four months in May, on the basis of evidence to which neither the boy nor his lawyer had access. Notwithstanding a medical examination that found that a deterioration of the child's health would put his life at risk, on 22 March, an Israeli military court of appeal upheld the administrative detention order referring to the "significant danger" the child posed. As at the end of the reporting period, the child remains in detention, despite reports of a further deterioration in his health condition.⁵⁹ On 11 January, Israeli security forces arrested a 15-year-old boy from Al-Issawiya neighbourhood in East Jerusalem and repeatedly subjected him to ill-treatment, possibly amounting to torture, while interrogating him several times during his seven days in detention.

34. Reflecting its negative consequences on child development,⁶⁰ international human rights law requires the detention of children to be used only as a measure of last resort and for the shortest appropriate period of time.⁶¹ When detained, children should be treated in a manner that takes into consideration the needs of persons their age and should never be subjected to torture or other cruel, inhuman or degrading treatment or punishment.⁶² Detained children must be afforded fair trial guarantees, including freedom from self-incrimination, the right to prompt legal assistance and the due involvement of parents or guardians in legal proceedings.⁶³

E. Practices that may amount to collective punishment

35. Israeli practices that may amount to collective punishment – imposing punitive measures on individuals and communities for offences they did not commit – continued (A/75/336, para. 23). Collective punishment is expressly prohibited by

⁵⁷ Joint figures by the Addameer Prisoner Support and Human Rights Association, the Palestinian Prisoners' Club and the Palestinian Prisoners' Commission.

⁵⁸ Collected and analysed by the United Nations Children's Fund.

⁵⁹ Addameer Prisoner Support and Human Rights Association, "Urgent intervention for the immediate release of child administrative detainee under extenuating medical circumstances", 17 June 2021.

⁶⁰ Convention on the Rights of the Child, art. 6; and Committee on the Rights of the Child, general comment No. 24 (2019) on children's rights in the child justice system, paras. 82–95.

⁶¹ Convention on the Rights of the Child., art. 37 (b).

⁶² Ibid., arts. 37 (a) and 37 (c).

⁶³ Ibid., arts. 37 and 40; and Committee on the Rights of the Child, general comment No. 24, paras. 38–71.

international humanitarian law.⁶⁴ The practices documented appear to be incompatible with several international human rights law provisions, including the rights to freedom of movement, work, an adequate standard of living, fair trial and the presumption of innocence.⁶⁵

36. The Secretary-General has repeatedly expressed concern about the impact of the Gaza blockade and closures on the civilian population, underlining that they may amount to collective punishment (A/75/336, para. 24, A/74/468, para. 22 and A/73/420, para. 7). Israeli authorities continued to adopt measures that aggravated the suffering of civilians, including by intermittently reducing or entirely closing the fishing zone and closing the crossings between Gaza and Israel, severely limiting the movement of people, fuel, gas and other essential supplies into and out of Gaza.

37. Between 10 and 31 August, in response to rocket attacks coming from armed groups in Gaza, Israeli authorities closed the Kerem Shalom crossing for the entry of goods into Gaza (with the exception of essential humanitarian supplies), sealed off the Gaza fishing zone and halted fuel deliveries for periods of time.⁶⁶ Those measures exacerbated the electricity and fuel crisis that had severely hampered the delivery of essential services while Gaza was confronted with the first outbreak of COVID-19. The restrictions were lifted on 1 September. On 10 May, in concomitance with the outbreak of hostilities in Gaza, Israeli authorities closed both the Kerem Shalom and Erez crossings, banning the passage of all goods and people, including medical patients, to and from Gaza. On 25 May, the Erez crossing was reopened for patients in need of life-saving treatment, employees of international organizations and foreign journalists. The Kerem Shalom crossing was also reopened for the passage of fuel and humanitarian aid as at 31 May.⁶⁷

38. Israeli officials expressly cited hostile acts from Gaza as grounds for imposing such measures. In April, the Minister of Defence of Israel indicated that if quiet was not kept on the Gaza border, the Gaza Strip would be “severely hit – in its economy, security, and from the civilian perspective”.⁶⁸ In relation to Gaza reconstruction efforts, the Minister of Defence stated: “We need to allow basic humanitarian aid as needed. The rest, we need to condition on the advancement and solution of the issue of captives and missing people.”, while also calling for Gaza to be left on the “basic humanitarian threshold” in the meantime.⁶⁹ In view of their punitive nature in respect of persons who have not committed any offence, those measures may amount to collective punishment (A/75/336, para. 26).

39. The impact of the Gaza closures has been exacerbated by the outbreak of COVID-19. Since 8 March 2020, Israel has imposed what it refers to as a “coronavirus closure” on the Gaza Strip, tightening the existing restrictions on travel from and to Gaza. The closure was undertaken as part of joint efforts with Palestinian health

⁶⁴ Regulations annexed to the Hague Convention IV of 1907, art. 50; and Fourth Geneva Convention, art. 33.

⁶⁵ International Covenant on Civil and Political Rights, arts. 12 and 14; International Covenant on Economic, Social and Cultural Rights, arts., 6 and 11; and Fourth Geneva Convention, arts. 71–73.

⁶⁶ See <https://ar-ar.facebook.com/COGAT.ARABIC/photos/a.599677736849976/1741266972691041/?type=3&theater>; <https://ar-ar.facebook.com/COGAT.ARABIC/photos/a.599677736849976/1744437359040669/?type=3&theater>; and <https://ar-ar.facebook.com/COGAT.ARABIC/photos/a.610100169141066/1741473422670396/?type=3&theater>.

⁶⁷ Emmanuel Fabian and Aaron Boxerman, “As ceasefire holds, Israel reopens Gaza crossings for humanitarian aid”, *The Times of Israel*, 24 May 2021; and United Nations, Office for the Coordination of Humanitarian Affairs, “Response to the escalation in the Occupied Palestinian Territory: situation report No. 3”, 4–10 June 2021.

⁶⁸ Udi Shaham, “Gantz: if quiet is not kept, Gaza will suffer”, 24 April 2021.

⁶⁹ Amos Harel, “Israel reopens Gaza crossings for humanitarian aid, relief workers”, *Haaretz*, 24 May 2021.

authorities to prevent the pandemic from reaching Gaza in its early months. As at the finalization of the present report, on the basis of the new policy, all travel for work-related purposes and studies abroad or to visit sick relatives has been completely blocked for more than a year and permits have been granted only to patients in need of urgent medical treatment and their companions, in addition to a handful of other exceptions. The human rights organization Gisha has estimated that the number of Palestinians travelling through the Erez crossing in March 2021 amounted to less than six per cent of the number at the beginning of 2020.⁷⁰ As confirmed by Israel in response to court petitions, “as a rule, applications for entry into Israel and transit to the West Bank made by residents of the Gaza Strip for non-medical needs have been rejected”.⁷¹ While Israel has justified the closure as part of the measures taken to address the spread of COVID-19, the policy has not been amended despite parallel efforts to vaccinate and ease restrictions for the entry into Israel of West Bank workers,⁷² deepening the separation policy between Gaza and the West Bank and entrenching the socioeconomic isolation of the Gaza Strip.

40. In the West Bank, including East Jerusalem, Israeli authorities continued to subject the relatives of Palestinians responsible for attacks or alleged attacks against Israelis to punitive measures. Four Palestinian residential homes were punitively demolished during the reporting period, leading to the forced eviction of 29 Palestinians, including 15 children and eight women.⁷³ On 25 October, the Israeli High Court of Justice approved the punitive demolition of a house in the village of Rujib, Nablus, resulting in the displacement of one woman and five children, following an accusation against the family’s father of carrying out a stabbing attack on 26 August, during which an Israeli citizen was killed in Petah Tikvah, Israel.⁷⁴ Punitive home demolitions disproportionately affect Palestinian women and girls and have severe impacts on their physical and psychological well-being (CEDAW/C/ISR/CO/6, paras. 32–33 and A/HRC/46/63, para. 10).

41. According to the Jerusalem Legal Aid and Human Rights Centre, during the reporting period, Israeli authorities withheld the bodies of an additional 19 Palestinians killed by Israeli security forces, including four children, bringing the total number of bodies withheld to 77 as at 31 May 2021.⁷⁵ There were no developments regarding the two Israeli civilians and the bodies of two Israeli soldiers being held in Gaza.

42. Punitive house demolitions and withholding of bodies may amount to collective punishment (A/HRC/46/63, paras. 9–10), in violation of international humanitarian law. Such measures impose severe hardship on people for acts they have not committed, resulting in possible violations of a range of human rights, including the rights to family life, to adequate housing and to an adequate standard of living.⁷⁶ The Committee against Torture considers that the policy of punitive house demolitions violates article 16 (2) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT/C/ISR/CO/5, para. 41).

⁷⁰ Gisha, “Full lockdown: the tightening of the closure on Gaza under the guise of the pandemic”, November 2020.

⁷¹ Ibid.

⁷² Aaron Boxerman, “After delays, Israel kicks off vaccination drive for 120,000 Palestinian workers”, 8 March 2021.

⁷³ Figures from United Nations, Office for the Coordination of Humanitarian Affairs.

⁷⁴ HaMoked – Centre for the Defence of the Individual, “High Court of Justice approves punitive demolition in the West Bank, home to a woman and her five daughters: in the minority, Justice Mazuz considers the sanction in this case disproportionate”, 26 October 2020.

⁷⁵ This number does not include the 253 bodies of Palestinians killed in hostilities and buried in graves marked only by numbers.

⁷⁶ International Covenant on Economic, Social and Cultural Rights, arts. 10 (1) and 11.

F. Restrictions on freedom of movement and their impact on other rights

43. Israeli authorities continued to restrict freedom of movement across the Occupied Palestinian Territory, primarily through the permit regime regulating passage between Gaza and the West Bank, including East Jerusalem, and abroad, as well as through unilaterally defined access-restricted areas inside Gaza on land and at sea as part of the Gaza closures. Such restrictions continued to disrupt the daily life of Palestinians, profoundly affecting other rights, including the rights to work, to an adequate standard of living, to education and to health. Through its separation policy, Israel continued to impose discriminatory and arbitrary restrictions on family unifications between Palestinians from different parts of the Occupied Palestinian Territory, a policy that affected women in particular (A/75/336, paras. 27–28 and A/HRC/46/63, para. 44). Movement and travel restrictions imposed by Israel, including the checkpoint system in the West Bank, remained a key factor preventing Palestinian women from accessing health-care services, education and employment opportunities and, more generally, realizing women’s rights and gender equality (A/HRC/46/63, para. 41).

44. The impact of Israel’s movement restrictions on the right to health of Palestinians remained a serious concern (E/C.12/ISR/CO/4, paras. 11 and 58). The movement of essential medical equipment and supplies to Gaza remained restricted, with 45 per cent of essential medicines and 32 per cent of essential medical disposables reported at less than a month’s stock as at 31 May 2021.⁷⁷ While patients continued to be often referred to hospitals outside of Gaza owing to the shortage or lack of specialized medical care, they also continued to face significant difficulties in obtaining medical exit permits from Israel.⁷⁸ Owing to the restrictions imposed by Israel and the Gaza de facto authorities in connection with the outbreak of COVID-19 and the suspension by the Palestinian Authority of coordination with Israel (after Israel threatened to formally annex the West Bank) between May and November 2020 (A/HRC/46/43, para. 43),⁷⁹ there was a significant decrease in the number of patients exiting Gaza. WHO reported that 7,628 applications for medical exit permits had been submitted, with Israel denying or delaying 2,543 of them (33.3 per cent) (A/75/336, para. 37).

45. At end of the hostilities in Gaza, on 25 May, the Erez crossing was reopened for the exit of people needing life-saving treatment; nonetheless, the vast majority of Gaza patients, including a number of cancer patients and people injured in the context of the hostilities, continued to be denied access to Israel and the West Bank, with the exception of a handful of cases in need of extremely urgent medical referrals.⁸⁰ According to WHO, from 23 to 31 May, only 32 of 241 applications were approved by the Israeli authorities, with only 20 patients allowed to cross Erez to access health-care services outside Gaza. As a result, at least three patients, including a one-year-old baby girl, died while waiting for permits to be processed. In the West Bank, including East Jerusalem, WHO reported 135 incidents affecting health care, including 87 incidents involving physical attacks resulting in the injury of 73 health-care personnel and 58 incidents involving the obstruction of health-care delivery.

⁷⁷ World Health Organization (WHO).

⁷⁸ Only patients in need of life-saving or life-changing treatment unavailable in Gaza can apply for an Israeli permit to exit Gaza. See A/75/336, para. 37; and WHO report A/74/22, para. 15, available at https://apps.who.int/gb/ebwha/pdf_files/WHA74/A74_22-en.pdf.

⁷⁹ See also WHO report A/74/22, para. 30.

⁸⁰ Hagar Shezaf, “Israel has blocked Gazans from entering for cancer treatment since flare-up began”, *Haaretz*, 31 May 2021.

46. Inside the territory of Gaza, Israeli authorities continued to unilaterally enforce a restricted area along the fence.⁸¹ Common practices used by the Israeli security forces to enforce the restrictions include the use of live ammunition against Palestinian farmers, the levelling of farmland and damage to property with bulldozers (A/72/565, paras. 34–35 and A/73/420, para. 34). On 13 October, Israeli security forces used bulldozers and tanks to enter, through the security fence, up to 300 metres into Abasan Al-Jadida area in the southern Gaza Strip, forcing farmers to leave the land by firing warning shots. They then levelled at least 13 dunums of land, resulting in the destruction of crops and agricultural infrastructure. The de facto authorities in Gaza estimated damage amounting to some \$32,000.⁸²

47. Along the Gaza coast, the Israeli Navy continued to enforce the unilaterally imposed access restrictions, using live ammunition, rubber-coated bullets and water cannons against Gaza fishers while conducting patrol operations (A/75/336, para. 38), often within the authorized fishing zones. During the reporting period, 349 shooting incidents were reported, injuring five fishers.⁸³ Five fishers were arrested,⁸⁴ five boats were confiscated and a number of boats and fishing equipment were damaged.

48. In the West Bank, Israeli security forces increasingly used live ammunition against Palestinian workers crossing into Israel to reach their workplaces through breaches in the separation barrier. Thousands of Palestinians commute daily from the West Bank through Israeli security forces checkpoints or through breaches in the fence to work in Israel and the Israeli settlements, where they often endure poor working conditions, in violation of labour rights.⁸⁵ In the reporting period, Israeli security forces shot and injured with live ammunition 27 Palestinian workers⁸⁶ as they crossed such openings in the separation barrier. The security forces publicly stated their policy of using various means, including live ammunition, to prevent “illegal residents from infiltrating into Israel”.⁸⁷ In all cases monitored by OHCHR, Israeli security forces shot at workers, in several cases without prior warning, while they were on their routine commute and not posing any apparent threat. On 7 January, eight Palestinian workers aged 25 to 61 years old were injured with live ammunition near Tulkarm. Among them, a 26-year-old man was shot, without warning, after crossing the separation barrier and incurred an injury requiring a five-month recovery time, without income to support his family. The use of potential lethal force, including live ammunition against persons not representing an imminent threat to life or threat of serious injury, to enforce movement restrictions and against people whose sole purpose is to reach their workplace raises serious concerns of excessive or unwarranted use of force.

⁸¹ This includes a no-go zone of 300 metres from the fence and a high-risk area of 1,500 metres. See A/73/420, paras. 33–45.

⁸² Muna Haddad, Gisha, letter regarding the demand to cease operations designed to flatten and destroy farmland in the Gaza strip and launch an immediate investigation into the land destruction carried out on 13 October 2020, 8 November 2020.

⁸³ Al Mezan Center for Human Rights.

⁸⁴ Ibid.

⁸⁵ International Labour Organization, *The Situation of Workers of the Occupied Arab Territories* (Geneva, 2020), paras. 26–27.

⁸⁶ Figure from United Nations, Office for the Coordination of Humanitarian Affairs.

⁸⁷ See www.facebook.com/IDFarabicAvichayAdraee/posts/3501675533216347; and www.facebook.com/IDFarabicAvichayAdraee/posts/4003638469686715.

IV. Recommendations

49. The following recommendations should be read in conjunction with the recommendations contained in previous reports of the Secretary-General and of the United Nations High Commissioner for Human Rights.

50. The Secretary-General recommends that Israel:

(a) Ensure that any use of force is in compliance with international law and standards, including during law enforcement operations, by regulating the use of live ammunition, ensuring that security forces are adequately equipped and trained in the use of less-lethal weapons and adopting appropriate disciplinary and penal sanctions for members of security forces who do not respect such regulations;

(b) Promptly subject to independent, impartial, transparent, thorough and effective criminal investigation all incidents of use of force in law enforcement operations that result in killing or injury, hold the individuals responsible accountable and provide appropriate redress to victims;

(c) Take all measures to ensure full respect for international humanitarian law, particularly in respect of civilians living under occupation, and in the conduct of hostilities, and ensure accountability for all violations;

(d) Immediately end all practices that may amount to torture or other cruel, inhuman or degrading treatment or punishment, ensure that all allegations of such violations are promptly, impartially, thoroughly and independently investigated, hold perpetrators accountable and provide full reparation to victims, and provide guarantees of non-repetition of such practices;

(e) Put an end to arbitrary detention and ensure that the rights of detainees are respected, including all fair trial guarantees;

(f) End all practices that may amount to collective punishment;

(g) Immediately lift the closures in Gaza and ensure that the right of freedom of movement is guaranteed to all Palestinians in the Occupied Palestinian Territory. Any restrictions on freedom of movement must be in accordance with international law, including international human rights law;

(h) Fulfil its responsibilities as an occupying Power to ensure that Palestinians are provided with proper access to health care;

(i) Respect the rights of Palestinian children, including the right to life, and ensure that they are treated with due consideration for their age. They should be detained only as a measure of last resort and for the shortest appropriate period of time;

(j) Ensure that journalists, human rights defenders and civil society actors are able to conduct their activities without harassment or being subjected to legal proceedings that are in violation of international human rights law and that their rights are respected and protected.

51. The Secretary-General recommends that authorities and Palestinian armed groups in Gaza:

Ensure respect for international humanitarian law, in particular the principles of distinction, proportionality and precaution, and accountability for all violations.