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

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### **Note by the Secretary-General\*\***

The Secretary-General has the honour to transmit to the members of the General Assembly the fifty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, submitted pursuant to General Assembly resolution [74/87](#).

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\* [A/75/150](#).

\*\* The present report was submitted after the deadline in order to reflect recent developments.



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

### *Summary*

The present report contains information regarding the efforts of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories to implement its mandate and on the human rights situation in the occupied Arab territories, from 1 September 2019 to 31 July 2020. Owing to the spread of the coronavirus disease (COVID-19) pandemic, the Committee was not able to conduct its annual consultations with Member States in Geneva or undertake its annual mission to the region. Instead, the Committee organized a series of online meetings with United Nations agencies, Palestinian ministries and institutions and civil society organizations from 9 to 12 and 16 and 17 June 2020. The Committee also sent requests for written submissions, including to Member States. In the present report, a number of concerns are addressed relating to respect for international humanitarian law and international human rights law; annexation plans by the Government of Israel; lack of access to health care; the continued expansion of settlements and the rise in settler violence; the humanitarian crisis in Gaza resulting from the blockade; the continued use of administrative detention; the conditions of detention; the situation of Palestine refugees; and the human rights situation in the occupied Syrian Golan. The Committee decided to dedicate a significant part of its report to the gendered impact of Israeli practices and policies on the human rights of Palestinian women and girls, in the context of the twenty-fifth anniversary of the Fourth World Conference on Women and the twentieth anniversary of the landmark Security Council resolution [1325 \(2000\)](#) on women and peace and security.

## I. Introduction

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was established in 1968 by the General Assembly in its resolution 2443 (XXIII). The Committee is currently composed of three Member States: Malaysia, Senegal and Sri Lanka. In 2020, the Committee was represented by three members: the Permanent Representative of Sri Lanka to the United Nations in New York, Kshenuka Senewiratne (Chair of the Committee), the Permanent Representative of Malaysia to the United Nations in New York, Syed Mohamad Hasrin Aidid, and the Permanent Representative of Senegal to the United Nations in New York, Cheikh Niang.

## II. Mandate

2. The mandate of the Special Committee, as set out in General Assembly resolution 2443 (XXIII) and subsequent resolutions, is to investigate Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories. The occupied territories are considered to be those remaining under Israeli occupation since 1967, namely, the Occupied Palestinian Territory, which comprises the West Bank, including East Jerusalem, and Gaza, as well as the occupied Syrian Golan.

3. The present report is submitted pursuant to General Assembly resolution 74/87, in which the Assembly requested the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross, according to its regulations, in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded, as well as to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem. The present report covers the period from 1 September 2019 to 31 July 2020.

## III. Activities of the Special Committee

### A. Consultations with Member States in Geneva

4. The Special Committee was not able to conduct its annual consultations in Geneva in 2020, owing to the spread of the coronavirus disease (COVID-19) pandemic. Ahead of the forty-third session of the Human Rights Council, the Committee sent invitations for consultations in Geneva to the Permanent Missions of Egypt, Jordan, Lebanon and the Syrian Arab Republic and the Permanent Observer Missions of the State of Palestine, and the Organization of Islamic Cooperation. As a result of the introduction of health measures and various restrictions in relation to the COVID-19 pandemic, including the suspension of the forty-third session of the Human Rights Council, the Committee had to postpone its annual consultations in Geneva. Invitations for written submission and recommendations were sent to Member States as an alternative. Jordan, the Syrian Arab Republic and the Organization of Islamic Cooperation sent their recommendations to the Committee regarding the fulfilment of its mandate.

## B. Online meetings with interlocutors

5. The Special Committee was not able to undertake its annual mission to the region in 2020 owing to the COVID-19 pandemic. As an alternative, the Committee organized a series of online meetings<sup>1</sup> with United Nations agencies, Palestinian ministries and institutions and civil society organizations from 9 to 12 and on 16 and 17 June 2020. The Committee received a briefing by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. The Committee also received a briefing on the work of the Office of the United Nations High Commissioner for Human Rights regarding the human rights situation in the Occupied Palestinian Territory and the occupied Syrian Golan, as well as the reports of the United Nations High Commissioner for Human Rights to the forty-third session of the Human Rights Council. Owing to the difficulty of conducting a large number of meetings online, the Committee also sent further invitations for written submissions to interlocutors.

6. The Special Committee expresses its sincere appreciation to all those who provided testimony and briefings on a wide range of human rights and humanitarian issues. On 26 June 2020, at the conclusion of its online meetings with interlocutors, the Committee released a press statement.<sup>2</sup>

7. Documentation and other materials submitted to the Special Committee were carefully examined prior to the preparation of the present report and were archived by the Secretariat. Information contained in the report is based primarily on testimony, briefings and submissions received by the Committee during the reporting period.

## IV. Situation of human rights in the Occupied Palestinian Territory

8. The Special Committee was informed about and noted concerns on a wide range of issues during its meetings and through written submissions as a result of the continued Israeli occupation that has lasted 53 years. Specific areas of concern highlighted included the annexation plans, the marked increase in settlement expansion, settler violence, the demolition of Palestinian-owned property, the continued use of excessive force by Israeli security forces and the ongoing lack of accountability. The Committee also took note of the concerns expressed by a number of interlocutors with regard to access to health care for Palestinian people, especially in the context of the COVID-19 pandemic.

9. Interlocutors also briefed the Special Committee on ongoing concerns with regard to the continuation of the blockade by Israel of Gaza for the thirteenth year, resulting in a serious negative impact on the most basic human rights of the residents, in particular women and girls, including the rights to water, sanitation, food, education, health and freedom of movement. Participants also underlined the continued use of coercive measures by Israel against Palestinian people, especially in East Jerusalem and Area C of the West Bank. The Committee was also briefed on the continuation of settlement activities in the occupied Syrian Golan.

<sup>1</sup> The Permanent Representative of Sri Lanka to the United Nations in New York, Kshenuka Senewiratne, was unable to attend the briefings and was represented by the Deputy Permanent Representative, Satyajit Rodrigo. The Permanent Representative of Senegal to the United Nations in New York, Cheikh Niang, was also unable to attend the briefings and was represented by the Deputy Permanent Representative, Abdoulaye Barro.

<sup>2</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26011&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26011&LangID=E).

## A. Planned Israeli annexation

10. On 19 April 2020, after three consecutive elections, an agreement to form a coalition government was reached in Israel. The new Government outlined the initial legislative steps for the formal annexation of parts of the West Bank, including major settlement blocs and the Jordan Valley. If implemented, the proposed plan would entail the formal annexation of at least a third of the occupied West Bank, mostly in Area C. Articles 28 and 29 of the agreement on the coalition government specifically stipulate the “application of Israeli sovereignty, law and jurisdiction” in parts of the Occupied Palestinian Territory.<sup>3</sup> The Israeli plan, as stipulated in the coalition agreement, is based largely on the “Peace to Prosperity” proposal of the United States of America or the “United States Plan”, which would entail the annexation of significant swaths of territory in the West Bank. Despite the creation of a United States-Israeli mapping committee, the extent of the proposed territorial annexation and the proposed borders remain unclear.

11. Over the past few months, opposition to the proposed annexation plan has steadily gathered momentum. On 29 June 2020, the United Nations High Commissioner for Human Rights, Michelle Bachelet, noted that any annexation is illegal and that it would “be disastrous for the Palestinians, for Israel itself, and for the wider region”.<sup>4</sup> On 16 June 2020, more than 67 independent United Nations experts issued a joined statement calling for the international community to act decisively to oppose the planned annexation by ensuring accountability for serious violations of international law.<sup>5</sup> More than 1,080 European parliamentarians signed a joint letter, on 23 June 2020, stating with regard to the proposed annexation that they are “deeply worried about the precedent this would set for international relations at large”.<sup>6</sup> On 14 July 2020, Foreign Ministers from 11 European countries<sup>7</sup> demanded that the European Union provide a list of possible actions to counter Israel’s annexation move.<sup>8</sup>

12. The Special Committee notes that the planned annexation would be a serious a violation of international law, the Charter of the United Nations and numerous Security Council resolutions on the matter, including resolution 2334 (2016). It would also lead to the extension of belligerent occupation and the intensification of human rights violations against Palestinians. The Committee was informed of the direct impact that a potential annexation would have on more than 130 Palestinian communities and some 300,000 Palestinians. Those falling within annexed territory would be further exposed to forcible displacement; home demolitions and forced evictions; loss of documentation and statelessness; increased settler violence; further social and geographical fragmentation; and the destruction of their livelihoods, including farming. The Committee accordingly stresses that the planned annexation would only exacerbate and consolidate the impact that the Israeli occupation has had on Palestinians and their human rights for decades. Annexing large Israeli settlements blocs in the West Bank and the Jordan Valley would also lead to further fragmentation of Palestinian territory, rendering a contiguous Palestinian State a more distant reality while undermining any possibility for a just two-State solution.

<sup>3</sup> See [www.mei.edu/publications/gantz-leaves-door-open-arab-states-counter-annexation](http://www.mei.edu/publications/gantz-leaves-door-open-arab-states-counter-annexation).

<sup>4</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26009&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26009&LangID=E).

<sup>5</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25960&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25960&LangID=E).

<sup>6</sup> See [www.scribd.com/document/466688615/Letter-by-European-Parliamentarians-Against-Israeli-Annexation](https://www.scribd.com/document/466688615/Letter-by-European-Parliamentarians-Against-Israeli-Annexation).

<sup>7</sup> Belgium, Denmark, Finland, France, Ireland, Italy, Luxembourg, Malta, Netherlands, Portugal and Sweden.

<sup>8</sup> See [www.theguardian.com/world/2020/jul/14/european-ministers-seek-options-to-stop-west-bank-annexation](http://www.theguardian.com/world/2020/jul/14/european-ministers-seek-options-to-stop-west-bank-annexation).

## B. Right to health in the light of the pandemic

13. As at 30 July 2020, reported cases of COVID-19 in the Occupied Palestinian Territory totalled 14,838 cases in the West Bank, including East Jerusalem, and 75 cases in Gaza.<sup>9</sup> A number of strict measures were imposed by all duty bearers to contain the pandemic, which have effectively led to a temporary reduction in the incidence of infections. Some coordination was also noted between the Palestinian Authority and Israel in the implementation of these measures.<sup>10</sup> Notwithstanding the imposition of exceptional measures and the significant reduction in movement within the West Bank and into Israel, instances of excessive use of force, home demolitions, settler violence, night raids and search and arrest operations by the Israeli security forces continued to be reported, and in some cases an increase was seen as compared with periods prior to the pandemic.<sup>11</sup> Settler attacks, in particular, expose Palestinians not only to violence but also to infection with the COVID-19 virus. Israeli security forces have failed, on numerous occasions, to prevent such attacks and instead accompanied and protected settlers even at times when movement restrictions applied to all in the context of the pandemic.

14. Palestinian neighbourhoods in East Jerusalem, particularly those behind the separation wall, remain particularly vulnerable to the spread of the pandemic. Initially, many of those communities had no access to COVID-19 testing kits and lacked the adequate health infrastructure to treat cases. Vulnerable groups, including persons with disabilities and children, were particularly affected. On 15 April 2020, Israeli security forces raided and closed a testing clinic in the densely populated neighbourhood of Silwan, under the pretext that testing kits were provided by the Palestinian Authority. Despite the resumption of some of those services and the establishment of new testing centres, the delay in ensuring an adequate response to the spread of the pandemic suggests discriminatory treatment of Palestinian communities in East Jerusalem.

15. The Special Committee was also informed about serious concerns with regard to the situation of Palestinian prisoners in Israeli jails in the light of the current health crisis. The Committee reiterates the need to ensure that all measures are put in place to protect Palestinian prisoners, especially vulnerable groups, including children and those suffering from chronic health conditions. In the light of the marked increase recorded in cases of COVID-19, consideration should be given to releasing prisoners. The Committee also reiterates that, Israel, the occupying Power, is legally responsible for ensuring the right to health for Palestinians, as clearly stipulated in articles 55 and 56 of the Fourth Geneva Convention.

## C. Expansion of settlements and settler violence

16. A marked increase in settlement expansion, planning and tender approvals was noted in the reporting period. In January 2020, plans were advanced for the building of more than 1,900 housing units.<sup>12</sup> In February 2020, Israeli authorities announced advanced or approved plans to build an additional 3,800 settlements in the West Bank, including 100 settlements in the E1 area in East Jerusalem.<sup>13</sup> If plans to build units in the E1 area were to be implemented, they would have serious repercussions on the

<sup>9</sup> See [www.emro.who.int/countries/pse/index.html](http://www.emro.who.int/countries/pse/index.html).

<sup>10</sup> See <https://news.un.org/en/story/2020/04/1062452>.

<sup>11</sup> See [www.msf.org/virus-violence-spreads-west-bank-amid-covid-19](http://www.msf.org/virus-violence-spreads-west-bank-amid-covid-19).

<sup>12</sup> See <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-delivered-usg-rosemary-dicarlo>.

<sup>13</sup> See <https://unsco.unmissions.org/un-special-coordinator-nickolay-mladenov-briefs-security-council-implementation-scr-2334-2016-0>.

ground, as they would effectively divide the West Bank into two disconnected enclaves, isolate East Jerusalem from the West Bank and exacerbate the geographical fragmentation of the Palestinian territory.<sup>14</sup> Plans to expand settlement construction in the E1 area had been suspended since 2012 as a result of international pressure. On 1 December 2019, the then Israeli Defence Minister, Naftali Bennett, instructed the Israeli Civil Administration in the West Bank to inform the Hebron municipality that “a new Jewish neighbourhood”, effectively a new settlement, was planned for the H2<sup>15</sup> market area in the heart of Hebron city.<sup>16</sup> Plans to build this settlement had been discussed for many years, but instructions in December 2019 by the former Defence Minister imply that they can now be implemented. The increase in settlement expansion, planning and construction can also be seen against the backdrop of the “Peace to Prosperity” plan, announced by the United States in January, and statements by the United States Secretary of State, Mike Pompeo, that settlements were no longer “inconsistent with international law”.<sup>17</sup>

17. Incidents of settler violence have also increased despite measures imposed in response to COVID-19. Since July 2019, more than 744 incidents have been reported, particularly in the areas of Hebron, Jerusalem, Nablus, Ramallah and Bethlehem. They caused the death or injury of more than 143 Palestinians.<sup>18</sup> In the period from 17 to 30 March 2020, in the midst of the pandemic, 16 settler attacks were reported.<sup>19</sup> In almost all cases, Israeli security forces have failed to prevent such attacks or protect Palestinians from settler violence.

18. The Special Committee reiterates that Israeli settlements are illegal and constitute a grave breach of international law, specifically article 49 of the Fourth Geneva Convention. In its resolution 2334 (2016), the Security Council clearly reaffirmed that settlements are in “flagrant violation of international law” and demanded that Israel “immediately and completely cease all settlement activities”. The Committee was also informed about existing plans to expand settlements in the E1 area east of Jerusalem and the impact that such expansion will have on the contiguity of Palestinian territory in the West Bank. Such changes on the ground would prevent the creation of a contiguous Palestinian State and further undermine any prospect of a two-State solution.

#### D. Use of force

19. Incidents involving excessive use of force by Israeli security forces continued to be reported in the reporting period, despite severe restrictions on movement in the context of containing the COVID-19 pandemic. From January to July 2020, 1,691 Palestinians were injured and 6 were killed by Israeli security forces in the context of demonstrations or search and arrest operations in the West Bank.<sup>20</sup> In Gaza, and despite the suspension of the Great March of Return demonstrations in December 2019, casualties continued to be reported along the Gaza-Israel fence. From January

<sup>14</sup> See [www.reuters.com/article/us-israel-palestinians-settlement-e1/netanyahu-revives-settlement-plan-opponents-say-cuts-off-east-jerusalem-idUSKCN20J1A8](http://www.reuters.com/article/us-israel-palestinians-settlement-e1/netanyahu-revives-settlement-plan-opponents-say-cuts-off-east-jerusalem-idUSKCN20J1A8).

<sup>15</sup> The H2 area of Hebron is under full Israeli security control. More than 33,000 Palestinians live there.

<sup>16</sup> See [www.haaretz.com/israel-news/.premium-israel-plans-new-jewish-neighborhood-in-hebron-s-abandoned-arab-market-1.8201992](http://www.haaretz.com/israel-news/.premium-israel-plans-new-jewish-neighborhood-in-hebron-s-abandoned-arab-market-1.8201992).

<sup>17</sup> See [www.aljazeera.com/news/2019/11/pompeo-israeli-settlements-inconsistent-int-law-191118192156311.html](http://www.aljazeera.com/news/2019/11/pompeo-israeli-settlements-inconsistent-int-law-191118192156311.html).

<sup>18</sup> See [www.ochaopt.org/page/settler-related-violence](http://www.ochaopt.org/page/settler-related-violence).

<sup>19</sup> See <https://mondoweiss.net/2020/04/settler-violence-against-palestinians-spikes-with-covid-19-pandemic-un-says/>.

<sup>20</sup> [www.ochaopt.org/poc/30-june-13-july-2020](http://www.ochaopt.org/poc/30-june-13-july-2020).



to July 2020, 56 Palestinians were reported injured and killed in Gaza.<sup>21</sup> A number of incidents, involving excessive use of force, were also reported at or around Israeli checkpoints, particularly in East Jerusalem. In one of the incidents, on 30 May 2020, a 32-year-old Palestinian man with autism, Iyad Hallaq, was shot and killed by Israeli security forces. Mr. Hallaq, who was reportedly walking from his home in the Wadi al-Jawz area in East Jerusalem to his vocational workshop in the old city, panicked and ran after he was shouted at by members of the Israeli Border Police. He was then shot and wounded, and despite repeated pleas by his caregiver, who was in the area, he was fatally shot again three times in the chest. Mr. Hallaq, a person with a disability, did not present any threat to Israeli officers. This incident highlights the increasing and continued patterns of excessive, disproportionate and unnecessary use of force by Israeli security forces, particularly at checkpoints. In his briefing to the Security Council on 24 February 2020, the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, Nickolay Mladenov, noted that “Israeli security forces must also exercise restraint and only use lethal force when strictly necessary. All incidents must be thoroughly investigated”.<sup>22</sup>

20. Children continued to be killed and injured by the Israeli security forces, particularly during demonstrations as a result of what appears to be excessive and unjustified use of force. On 5 February 2020, a 17-year-old boy was killed by Israeli security forces during clashes in Hebron city.<sup>23</sup> Nine children were also injured during clashes in the Kafr Qaddum village in Qalqilyah, protesting settlement expansion in the area.<sup>24</sup>

21. The Special Committee expresses serious concerns with regard to continued incidents involving excessive use of force, despite strict measures and restrictions, including on freedom of movement, during the current health crisis. A number of incidents were presented in detail to the Committee in which force was used disproportionately and unjustifiably against demonstrators or during search and arrest operations.

## E. Accountability

22. The Special Committee reiterated its concerns with regard to the persistent and prevailing culture of impunity relating to continued cases involving excessive use of force by Israeli security forces. The system of accountability currently put in place by the Israeli armed forces has not been effective in ensuring that allegations of misconduct or potential violations are properly investigated. This could be clearly seen in the cases investigated in relation to the Great March of Return, in which only one sentence was issued in connection with possible unlawful acts.<sup>25</sup> There are currently no indications that existing accountability mechanisms will suffice to address possible unlawful acts or misconduct by Israeli forces. This persistent atmosphere of impunity can only fuel the commission of further violations.

23. The Special Committee notes that impunity also extends to violent acts committed by Israeli settlers against Palestinians, which continued to increase in the past year. Many of the incidents involving settler violence are not properly investigated, despite their grave impact on Palestinians’ daily lives, most notably,

<sup>21</sup> Ibid.

<sup>22</sup> <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-delivered-sc-nickolay-mladenov>.

<sup>23</sup> See [www.ochaopt.org/poc/21-january-3-february-2020](http://www.ochaopt.org/poc/21-january-3-february-2020).

<sup>24</sup> See [www.ochaopt.org/poc/2-15-june-2020](http://www.ochaopt.org/poc/2-15-june-2020).

<sup>25</sup> See <https://news.un.org/en/story/2020/02/1058191>.



shooting at Palestinians, burning and uprooting trees, physical attacks and, in some cases, demolition of homes.

## F. Detention

24. In July 2020, a total of 4,500 Palestinians were detained in Israeli prisons, including 360 held in administrative detention and 160 children.<sup>26</sup> The practice of arbitrary arrest and administrative detention has continued in the West Bank, including during the COVID-19 pandemic. The majority of the arrests take place during night-time raids by Israeli security forces,<sup>27</sup> while others take place at checkpoints. During the reporting period, it is estimated that more than 1,000 administrative detention orders were issued. Information received by the Special Committee suggests that detentions without legitimate grounds or a legal basis continue as detainees are in most cases not informed of the reason for their arrest. Violations of due process and the right to a fair trial continue to be reported.

25. Children, in particular, remain vulnerable to arbitrary arrest and administrative detention. From January to July 2020, 48 children were arrested by Israeli security forces and continue in some cases to be subjected to interrogation techniques that contravene international standards. In its previous report (A/74/356), the Special Committee noted the “ill-treatment of children by Israeli Forces during arrest, transfer, interrogation and detention”, a practice that continued in the current reporting period.

26. The Special Committee received detailed information regarding the current conditions of Palestinian prisoners in Israeli jails, particularly in the context of the COVID-19 pandemic, which include overcrowding, lack of proper ventilation, poor nutrition and generally unsanitary conditions. Given the marked increase in infections in Israel and the West Bank in the past few months, the Committee stressed the imperative need for Israeli authorities to take all measures to prevent an outbreak of the virus among detainees, including by applying physical distancing measures and considering alternative detention arrangements. Vulnerable prisoners, including older persons and those with chronic conditions, are particularly exposed to infection. The Committee reiterated that it is the responsibility of Israel, the occupying Power, to ensure that Palestinians, particularly vulnerable groups such as prisoners, receive medical services.

## G. Destruction and confiscation of property

27. During the reporting period, Israel continued its policy of punitive home demolitions. Since June 2019, more than 600 Palestinian-owned structures have been demolished, primarily in Area C,<sup>28</sup> over which Israel maintains full security control. This led to the displacement of more than 800 Palestinians. According to information received by the Special Committee, there have been more than 85 demolitions in East Jerusalem and 67 in the Hebron area since January 2020. Of particular concern is the marked increase of demolitions in East Jerusalem, particularly the areas around Kafr Aqab and the Shu’fat refugee camp. The increased rate of demolitions in East Jerusalem can be seen in the context of expanding settlements in the E1 area, which once completed, would disrupt the geographical contiguity with the West Bank and divide it into two disconnected enclaves. Other communities including Bedouin communities in Area C and the Jordan Valley also continue to face home demolitions

<sup>26</sup> See <https://news.un.org/en/story/2020/02/1058191>.

<sup>27</sup> See [www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/](http://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/).

<sup>28</sup> See [www.ochaopt.org/poc/2-15-june-2020](http://www.ochaopt.org/poc/2-15-june-2020).

and eviction orders, particularly in the light of the annexation plans announced by Israel.

28. The Special Committee received detailed accounts of the impact of home demolitions and demolition orders on Palestinian families, particularly in East Jerusalem and in Hebron. The Committee reiterates that the practice of punitive home demolitions, which also amounts to collective punishment, is a grave violation of international law, specifically article 53 of the Fourth Geneva Convention.

## **H. Environment and access to natural resources**

29. The Special Committee received detailed information on issues affecting access to water, in both the West Bank and Gaza. Water resources in the region continue to be extremely limited and are projected to deplete further as temperatures continue to rise and precipitation continues to decline.<sup>29</sup> In the West Bank, severe water shortages continue to be reported as Israel retains full control of the distribution and extraction of most water resources, including aquifers. It is estimated that only 20 per cent of extracted water is allocated for Palestinian use, while Israel enjoys unlimited use of water resources.<sup>30</sup> More than 77 per cent of water resources used by Palestinians are extracted from the ground.<sup>31</sup> Palestinians continue to be prevented, by Israel, from using surface water, including from the Jordan River and the valleys.

30. The Special Committee was informed about serious concerns with regard to the contamination of water in Gaza. It received information indicating that more than 90 per cent of water, including from aquifers, is undrinkable owing mainly to seawater and sewage contamination. The majority of water management and desalination systems are non-functioning owing to a lack of equipment and spare parts. As part of the closure of Gaza imposed by Israel, materials considered as falling under the category of “dual use” have been banned from entering Gaza. Those include materials such as cement and iron, which are essential to repairing water and sanitation infrastructure. As a result, the water infrastructure in Gaza is on the brink of collapse.

## **V. Human rights situation in the Gaza Strip**

### **A. Gaza blockade**

31. With no end in sight, the blockade of Gaza has now entered its fourteenth year and continues to undermine all aspects of a viable economic and social life. The Special Rapporteur on the human rights situation in the Palestinian territories occupied since 1967 noted in his most recent report that the blockade has transformed Gaza from a low-income society with modest but growing export ties into the regional and international economy to an impoverished ghetto with a decimated economy and a collapsing social service system.<sup>32</sup> The devastating impact of the blockade has affected every aspect of Palestinians’ rights, including freedom of movement, the right to life, the right to health, the right to an adequate standard of living and the right to food. In a report published in 2012, the United Nations country team in the Occupied Palestinian Territory had warned that Gaza may be unliveable for its 2 million residents by 2020, citing that “fundamental infrastructure in electricity, water and sanitation, municipal and social services, is struggling to keep pace with

<sup>29</sup> See <https://ceobs.org/un-report-details-environmental-degradation-in-west-bank-and-gaza/>.

<sup>30</sup> See [www.btselem.org/water](http://www.btselem.org/water).

<sup>31</sup> See [www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3734](http://www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3734).

<sup>32</sup> A/HRC/44/60, para. 54.

the needs of the growing population”.<sup>33</sup> The latest statistics from Gaza paint a grim picture in line with that projection: more than 90 per cent of the water in Gaza is undrinkable owing to water contamination from sewage; 700 schools function without electricity;<sup>34</sup> the unemployment rate has reached 45 per cent;<sup>35</sup> 38 per cent of the population live below the poverty line;<sup>36</sup> and 80 per cent of the population relies on humanitarian assistance.

32. The Special Committee received information on the specific impact of the blockade on Gaza fishers, who continued to be targeted and arrested by Israeli security forces. More than 200 incidents in which live ammunition was used against fishers were reported during the reporting period. The Committee also received information on the impact of electricity cuts on hospitals in Gaza, further weakening a health sector that is under tremendous pressure owing to the lack of basic equipment and medical personnel.

33. During the reporting period, more than 88 Palestinians were arrested, including 22 children. It was reported that 35 civilians, including 3 children, were killed as a result of military actions by Israeli security forces, including airstrikes. The Special Committee was also seriously concerned by the details it received regarding the impact of the blockade on children. Most schools in Gaza currently run on a double-shift system to cope with shortages of or interruptions in electricity. Moreover, 15 schools have sustained structural damage due to Israeli airstrikes, causing overcrowding in the remaining schools. In a worrying statistic, the Committee further learned that more than 30 per cent of children in Gaza suffer from malnutrition.

34. The Special Committee noted with concern the polluted state of the seawater in Gaza, which was attributed mainly to the partial destruction of the sewage system. The Committee also noted with concern the inoperability of the water management system owing to the lack of construction materials and spare machine parts, as well as the lack of a consistent power supply. This has led to the contamination of aquifers, which are one of the last sources of clean water for Gaza residents.

## B. Impact of the pandemic on the health sector

35. As at 30 July 2020, reported cases of COVID-19 had reached 75 in Gaza.<sup>37</sup> The early imposition of strict measures in Gaza had helped to significantly contain the spread of the virus, including the application of mandatory quarantine, particularly on those crossing at the Rafah checkpoint from Egypt. Despite the low incidence of cases, the measures imposed diverted significant resources from an already extremely weakened health sector that lacked the most basic equipment to deal with the pandemic. It also meant that additional measures had to be applied to protect vulnerable groups, including older persons and those with chronic conditions. As at 23 June 2020, it was estimated that 73 people had died owing to lack of health care during the pandemic and that more than 1,200 patients were unable to access the life-

<sup>33</sup> See [www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf](http://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf).

<sup>34</sup> See [www.savethechildren.org.uk/news/media-centre/press-releases/gaza-1-million-children-suffering-unlivable-conditions](http://www.savethechildren.org.uk/news/media-centre/press-releases/gaza-1-million-children-suffering-unlivable-conditions).

<sup>35</sup> See <https://reliefweb.int/report/occupied-palestinian-territory/increase-gaza-s-unemployment-rate-2019#:~:text=March%205%2C%202020.,compared%20to%2043.1%25%20in%202018>. In 2012, the unemployment rate was 23 per cent, according to the World Bank.

<sup>36</sup> See [www.un.org/unispal/humanitarian-situation-in-the-gaza-strip-fast-facts-ocha-factsheet/#:~:text=The%20population%20of%20Gaza%20is,%25%20of%20youths%2C%20is%20unemployed.&text=35%25%20of%20Gaza's%20farmland%20and,du%20to%20Israeli%20military%20measures](http://www.un.org/unispal/humanitarian-situation-in-the-gaza-strip-fast-facts-ocha-factsheet/#:~:text=The%20population%20of%20Gaza%20is,%25%20of%20youths%2C%20is%20unemployed.&text=35%25%20of%20Gaza's%20farmland%20and,du%20to%20Israeli%20military%20measures).

<sup>37</sup> See [www.emro.who.int/pse/palestine-infocus/situation-reports.html](http://www.emro.who.int/pse/palestine-infocus/situation-reports.html).

saving medical care that they desperately needed.<sup>38</sup> Lack of electricity or its interruption have also had a dire impact on patients needing ventilators.

36. The Special Committee received detailed information on the difficulties faced by patients in need of critical treatment that is not available in Gaza. Israel continued to apply an arbitrary and complex exit permit regime, making access to much-needed health care for patients in Gaza with critical conditions, including cancer, increasingly difficult. Besides facing significant delays, recent statistics suggest that more than 33 per cent of applications for exit permits were unsuccessful. A number of patients with cancer continue to face delays and in some cases rejection of their applications for an exit permit despite the need for urgent and life-saving treatment.<sup>39</sup> On 19 May 2020, in reaction to the announcement by Israel of its annexation plan for parts of the West Bank and the Jordan Valley, the State of Palestine announced the suspension of security coordination with Israel. This created an additional complication for patients in Gaza who no longer have an avenue to apply for these permits, as Israel refuses to receive these applications directly from them. A number of organizations and hospitals have tried to facilitate the process of permit issuance but only for a limited number of cases. It is important to note that patients in need of critical medical attention in the West Bank can still apply directly for permits to the Israeli District Coordination Office, present in different parts of the West Bank.<sup>40</sup>

37. The Special Committee reiterates that Israel, as the occupying Power, is ultimately responsible for ensuring that health services are provided to patients in Gaza. The Committee stresses the need to expedite and facilitate exit requirements for all patients in need of treatment outside Gaza, owing to the precarious health sector mainly caused by the Israeli-imposed blockade.

## VI. Rights of women and girls

38. The Special Committee decided to dedicate a significant part of the present report to the human rights of Palestinian women and girls and the impact of Israeli practices and policies on the enjoyment of their human rights, in the context of the twenty-fifth anniversary of the Fourth World Conference on Women and the twentieth anniversary of the landmark Security Council resolution 1325 (2000) on women and peace and security.

39. The Special Committee recognizes that not enough attention has been paid to a gender analysis of the impact of Israeli practices and policies on the rights of Palestinian women and girls. In the present section of the report, the Committee therefore highlights a number of examples of the gendered impact of Israeli practices and policies that directly or disproportionately affect the human rights of Palestinian women and girls, on a daily basis.

40. The Special Committee also recognizes that, in addition to the effect of various policies and practices, the 53-year occupation itself has had a devastating negative impact on the human rights of women and girls in the Occupied Palestinian Territory.

41. The Special Committee recalls that international human rights law and international humanitarian law are applicable in the Occupied Palestinian Territory. As noted by the Special Rapporteur on violence against women, its causes and

<sup>38</sup> See <https://reliefweb.int/report/occupied-palestinian-territory/gaza-thousands-lives-chronic-disease-patients-risk-during>.

<sup>39</sup> See [www.alhaq.org/cached\\_uploads/download/2020/06/27/200626-joint-urgent-appeal-on-the-denial-of-access-to-healthcare-for-gaza-final-for-website-1593231933.pdf](http://www.alhaq.org/cached_uploads/download/2020/06/27/200626-joint-urgent-appeal-on-the-denial-of-access-to-healthcare-for-gaza-final-for-website-1593231933.pdf).

<sup>40</sup> See [www.un.org/unispal/document/end-of-palestinian-authority-coordination-with-israel-in-response-to-annexation-threat-decision-already-impacting-medical-referrals-ocha-article/](http://www.un.org/unispal/document/end-of-palestinian-authority-coordination-with-israel-in-response-to-annexation-threat-decision-already-impacting-medical-referrals-ocha-article/).

consequences, “General Assembly resolution 67/19 and the accession of the State of Palestine to a number of international human rights instruments have not altered the obligations of Israel under human rights law and humanitarian law vis-à-vis the territory under its effective control and people under its jurisdiction”.<sup>41</sup>

## A. Violence against women and girls

42. Conflict-related violence had a significant and disproportionate impact on the daily lives of Palestinian women and girls during the reporting period. The Special Committee continues to be concerned about reports of excessive use of force and abuse, including physical, verbal and psychological violence and harassment, by Israeli security forces and settlers against Palestinian women and girls in the Occupied Palestinian Territory. During the reporting period, Israeli security forces killed four Palestinian women and caused the injury of 125 Palestinian women and 51 girls, mostly in the context of demonstrations and search and arrest operations.<sup>42</sup>

### Gender-based violence

43. The Special Committee noted with concern reports of the high incidence of gender-based violence against women throughout the Occupied Palestinian Territory, especially domestic violence, including physical, sexual and psychological violence. The Special Rapporteur on violence against women, its causes and consequences has previously noted the existence of a clear linkage between the prolonged occupation and violence against women.<sup>43</sup>

44. A higher risk of gender-based violence against women, girls and boys was reported by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in “impoverished communities that are chronically exposed to collective violence and economic insecurity – this includes Gaza, refugee camps, or Area C in the West Bank”.<sup>44</sup> This was further exacerbated during the COVID-19 pandemic, when it was indicated that support service providers reported an increase in reports of physical or psychosocial violence.<sup>45</sup>

45. The Special Rapporteur on violence against women, its causes and consequences also reported that since the separation wall was built through East Jerusalem in the neighbourhood of Abu Dis, some Palestinian Bedouin women have been cut off from employment opportunities. Internally displaced women also suffer from a similar lack of access to the job market, while “lack of access leads to a higher incidence of gender-based violence in itself, on top of the already established fact that displacement increases vulnerability to and instances of gender-based violence”.<sup>46</sup>

### Settler violence

46. The Special Committee was informed about the continued impact of settler violence on women and girls, including harassment, physical violence and destruction

<sup>41</sup> A/HRC/35/30/Add.2, para. 9.

<sup>42</sup> See [www.ochaopt.org/data/casualties](http://www.ochaopt.org/data/casualties).

<sup>43</sup> A/HRC/35/30/Add.2, para. 11. The Special Rapporteur further noted that the occupation does not exonerate the State of Palestine from its due human rights obligation to prevent, investigate and impose punishment and provide effective remedies for acts of gender-based violence in the areas under its jurisdiction or effective control. The de facto authorities in Gaza also bear human rights responsibilities.

<sup>44</sup> See <https://palestine.unwomen.org/en/digital-library/publications/2019/02/covid-19-gendered-impacts-of-the-pandemic-in-palestine-and-implications-for-policy-and-programming>.

<sup>45</sup> Ibid.

<sup>46</sup> A/HRC/35/30/Add.2, para. 45.

of property, especially in Area C of the West Bank. The Committee is concerned that the continued exposure to settler violence is having a negative psychological impact on women, who report experiencing anxiety and fear for themselves and their children.<sup>47</sup> It was reported that women who stay at home while men go out to work have been tasked with additional daily tasks, such as alerting the community of settler attacks and keeping families and children safe. This additional responsibility and the unsafe environment outside of the home, confines women, resulting in their social isolation. In addition, some women reported that the presence of settlers, soldiers or male residents around the house has had a negative effect on their privacy and freedom of movement.<sup>48</sup> The fear of settler violence may also prevent women and girls from studying or working outside the home,<sup>49</sup> and thus limiting their life choices and rights to education, work and participation in political and public life. It also increases pressure within and on the family and contributes to the occurrence of domestic violence.<sup>50</sup>

47. Reports indicate that, in the H2 area of Hebron, the risk of settler harassment, harassment at checkpoints and movement restrictions have limited women's access to education, work opportunities and health care. Movement restrictions and the risk of harassment have compounded discriminatory gender norms affecting girls and women, and girls are often pressured into early marriage as a means of "protection", including by leaving the H2 area.<sup>51</sup>

48. During the reporting period, the Office for the Coordination of Humanitarian Affairs documented the injury of seven Palestinian women and seven Palestinian girls, attributed to settlers.<sup>52</sup> It is noteworthy that settler attacks against Palestinians continued even during the COVID-19 pandemic.<sup>53</sup> The Office documented 143 attacks attributed to Israeli settlers, leading to injury of 44 Palestinian men, 2 women, 9 boys and 4 girls in the first five months of 2020.<sup>54</sup>

49. The Special Committee is also concerned about the continued exposure of Palestinian children, including girls, to high levels of violence, in their communities and schools. The Committee heard with concern about the significant negative impact of continued exposure to violence on the mental health of children, including resultant anxiety and stress. The high level of violence is further exacerbated by poverty and unemployment, including within the context of the ongoing COVID-19 pandemic.

## **B. Arrest and detention of women**

50. As at July 2020, there were 41 Palestinian women held in Israeli prisons, including in administrative detention.<sup>55</sup> The Special Committee is concerned about the continued use by Israel of administrative detention, including for women, allowing for indeterminate detention based on secret information. The Committee recalls that the Special Rapporteur on violence against women, its causes and consequences expressed her concern about female Palestinian detainees' overall lack of access to adequate medical services, including specialized medical care, such as

<sup>47</sup> [A/HRC/40/42](#), para. 49.

<sup>48</sup> [A/74/357](#), para. 53.

<sup>49</sup> [A/HRC/40/42](#), para. 49.

<sup>50</sup> [A/HRC/35/30/Add.1](#), para. 66.

<sup>51</sup> [A/HRC/43/67](#), para. 51.

<sup>52</sup> See [www.ochaopt.org/data/casualties](http://www.ochaopt.org/data/casualties).

<sup>53</sup> See [www.ochaopt.org/content/unprotected-settler-attacks-against-palestinians-rise-amidst-outbreak-covid-19](http://www.ochaopt.org/content/unprotected-settler-attacks-against-palestinians-rise-amidst-outbreak-covid-19).

<sup>54</sup> See [www.ochaopt.org/data/casualties](http://www.ochaopt.org/data/casualties).

<sup>55</sup> See [www.addameer.org/statistics](http://www.addameer.org/statistics).

gynaecological services.<sup>56</sup> More recently, in the context of the COVID-19 pandemic, the United Nations High Commissioner for Human Rights had urged governments and relevant authorities to reduce the number of people in detention and provide for the specific health needs of women prisoners.<sup>57</sup>

51. The Special Committee continues to be seriously concerned about reports of ill-treatment of women by Israeli forces during arrest, transfer, interrogation and detention. The Committee received information about routine arrests of women and girls from streets, at Israeli military checkpoints or during night raids or in the context of search and arrest operations. The Special Rapporteur on violence against women noted that female Palestinian detainees are “routinely not informed of their rights and the reasons for their detention. Often they are denied attorney access and for several days or months under interrogation”.<sup>58</sup> Intrusive body searches, beatings, insults, threats and sexual harassment, including as punitive measures, were reported.<sup>59</sup>

52. The Special Committee acknowledges the important work of a number of Palestinian women human rights defenders and non-governmental organizations working on gender equality and women’s empowerment in the Occupied Palestinian Territory. The Committee is therefore concerned about the arrest and detention of women human rights defenders and the ongoing shrinking of civic space. A number of female university students from Birzeit University were arrested during the reporting period, allegedly for their political activism.<sup>60</sup> The Committee took note of a report involving a raid by Israeli security forces of the Hebron office of the Union of Palestinian Women’s Committees, a women’s rights organization, confiscating office equipment without providing a search warrant or documentation of the confiscation.<sup>61</sup> On 27 September 2019, Israeli security forces forcibly dispersed a demonstration in East Jerusalem organized by a group of Palestinian women activists known as Tal’at.<sup>62</sup> The Committee is also concerned about reports of the arrest and injury of female journalists.

### C. Gendered impact of house demolitions

53. The Special Committee received extensive information about the gendered impact of house demolitions on women and girls. The demolition of Palestinian homes and property continued throughout the reporting period, either attributed to a lack of building permits, which are nearly impossible to obtain, or carried out on punitive grounds. According to the Office for the Coordination of Humanitarian Affairs, during the reporting period, 582 Palestinian structures were demolished in the West Bank, including East Jerusalem, among them were 238 residential structures, resulting in the displacement of 196 women and 181 girls. Structures were demolished by either Israeli authorities or the owners, who were forced to do so by the authorities.<sup>63</sup> The Committee notes the possible negative effect of house demolitions and evictions on a range of other human rights, including the rights to adequate housing, health, work, water and sanitation and education for Palestinian women and girls in East Jerusalem and Area C of the West Bank. Women and girls from herding and Bedouin communities in the Jordan Valley are particularly affected.

<sup>56</sup> A/HRC/35/30/Add.1, para. 55.

<sup>57</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=E).

<sup>58</sup> A/HRC/35/30/Add.1, para. 54.

<sup>59</sup> Ibid.

<sup>60</sup> See <http://addameer.org/publications/international-women%E2%80%99s-day-%E2%80%A643-palestinian-women-detention>.

<sup>61</sup> A/HRC/43/70, para. 65.

<sup>62</sup> A/HRC/43/70, para. 38.

<sup>63</sup> See [www.ochaopt.org/data/demolition](http://www.ochaopt.org/data/demolition).



54. The Special Committee was informed about the profound distress and fear experienced by women and girls during house demolitions, since women and children are more likely to be confined to the home, and thus more likely to be at home when Israeli officials come to inspect, serve demolition notices or evacuate residents. The Committee recalls that the Special Rapporteur on violence against women, its causes and consequences noted that house demolitions or the threat of demolition has a severe psychological impact on women, causing anxiety or depression and compelling women and girls to stay indoors.<sup>64</sup> The Special Rapporteur further noted that after the demolition, the resulting family displacement and need to live in overcrowded households with relatives has led in some cases to an increase in violence against women and early marriages.<sup>65</sup> Women have also reported an adverse effect on their private lives after moving into the homes of their extended family.<sup>66</sup>

55. The Special Committee is particularly concerned about the continuation of the practice of punitive demolitions, whereby family homes of alleged perpetrators of attacks against Israeli civilians and security forces are demolished as a form of punishment.<sup>67</sup> The Committee stresses that the use of collective punishment, including punitive demolitions against civilian populations under occupation is expressly forbidden under international humanitarian law.<sup>68</sup>

56. The Special Committee recalls that the right to adequate housing is clearly recognized in the international human rights law, including in the International Covenant on Economic, Social and Cultural Rights: “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions” (art. 11.1). The recognition and realization of women’s right to adequate housing is also necessary to ensuring that women are able to live a life with dignity, and the status of their right to adequate housing is intimately connected to their security, health, livelihood and overall well-being.<sup>69</sup> Securing women’s right to adequate housing ultimately ensures greater autonomy for women in all areas of their lives.<sup>70</sup>

#### **D. Restrictions on freedom of movement and residency revocation**

57. The highly intricate system of road closures, barriers, including the separation wall and the associated legal regime, checkpoints and different permits creates an environment in which freedom of movement is restricted between East Jerusalem, the West Bank and Gaza and within the West Bank. The restrictions imposed by Israel result in a number of particular human rights repercussions for Palestinian women, including with regard to the enjoyment of family and social life, access to education, health care and work and freedom of movement.<sup>71</sup> The mere existence of a highly restrictive and inaccessible environment may also hinder the inclusion of women and girls with disabilities and their access to work, services and education.

58. The Special Committee was informed about the specific gendered impact of residency revocation for women in East Jerusalem. Residency revocation for these women may contribute to an increased vulnerability to gender-based violence and stymie their access to work and services, including health care and education. The

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<sup>64</sup> [A/HRC/35/30/Add.1](#), para. 59.

<sup>65</sup> *Ibid.*

<sup>66</sup> [A/HRC/43/67](#), para. 44.

<sup>67</sup> [E/C.12/ISR/CO/4](#), para. 52; and [A/HRC/44/60](#), para. 38.

<sup>68</sup> [A/HRC/44/60](#), para. 28.

<sup>69</sup> [A/HRC/19/53](#), para. 2.

<sup>70</sup> *Ibid.*, para. 4.

<sup>71</sup> [A/HRC/35/30/Add.1](#), para. 63; and [A/HRC/43/70](#), para. 19.

Committee heard that Palestinian women from Gaza or holders of West Bank identification cards who are married to Jerusalemites are reportedly often denied the right to residency, restricting family reunification and increasing their risk of poverty. Women may also face difficulties in accessing divorce services in cases of divorce proceedings involving women who have a different citizenship identification card to their husband. This undermines the equality of rights of women and men at the dissolution of marriage.<sup>72</sup>

## E. Social, cultural and economic rights

### Access to education

59. Education is highly valued in the Occupied Palestinian Territory, with the United Nations Children’s Fund (UNICEF) reporting that over 95 per cent of children are enrolled in basic education. The dropout rate is lower for adolescent girls (7 per cent) than it is for boys (25 per cent). Alarming, 22.5 per cent of boys and 30 per cent of girls aged 6–15 years with a disability have never been enrolled in school.<sup>73</sup> For girls, education means a higher income and a higher level of participation in decision-making and it strengthens economies and reduces inequality.<sup>74</sup> UNICEF also notes that “girls who receive an education are less likely to marry young and more likely to lead healthy, productive lives”.<sup>75</sup>

60. The Special Committee was informed about the negative impacts of Israeli practices that constrain girls’ right to education. Access to schools continued to be frequently disrupted or delayed for girls in the Occupied Palestinian Territory, including in East Jerusalem. The Committee heard that, in addition to movement restrictions (including roadblocks, checkpoints, gates and barriers), Palestinian girls fear harassment by Israeli security forces or settlers during their daily walks to school, resulting in traumatic experiences for girls from a young age and a continuous environment of fear. In addition, attacks on and interference in or around schools continued to have a detrimental impact on access to education for children, including girls. In his most recent report on children and armed conflict, the Secretary-General reported on “4 incidents of the military use of schools by Israeli forces and 242 other interferences with education by Israeli forces (229) and Israeli settlers (13), affecting over 48,000 Palestinian children, mostly involving Israeli forces firing live ammunition, tear gas or sound grenades in and around schools”.<sup>76</sup>

61. The Special Committee heard that the experiences of violence contribute to anxiety and trauma, making it difficult for girls and young women to focus on their studies, and discourage them from continuing their education. Owing to experiences of harassment and the use of violence by Israeli soldiers at checkpoints, parents also might be hesitant to let their daughters cross the checkpoints by themselves in order to attend schools, contributing to Palestinian girls dropping out of school, particularly in neighbourhoods beyond the separation wall near East Jerusalem.<sup>77</sup>

### Access to work

62. The Special Committee received information about limited employment opportunities for women, resulting in the prevalence of informal and precarious

<sup>72</sup> Convention on the Elimination of All Forms of Discrimination against Women, art. 16 (1) (c).

<sup>73</sup> See [www.unicef.org/sop/what-we-do/education-and-adolescents](http://www.unicef.org/sop/what-we-do/education-and-adolescents).

<sup>74</sup> See [www.unicef.org/education/girls-education](http://www.unicef.org/education/girls-education).

<sup>75</sup> Ibid.

<sup>76</sup> A/74/845-S/2020/525, para. 87.

<sup>77</sup> Women’s Centre for Legal Aid and Counselling, “WCLAC’s Shadow Report for the Committee on Economic, Social and Cultural Rights 66th Session – Israel Review”, 2019.

employment, particularly in Gaza. As a result of the 14-year blockade and related restrictions on movement to and from Gaza, women and girls in Gaza face very limited life choices. Economic and resource insecurity created by the blockade continues to have a negative effect on women. Female participation in the labour force is limited to approximately 20 per cent in Gaza, with a significant wage gap. Most work opportunities for women are in the informal sector, such as childcare and small businesses, which generate insufficient income and have been further affected by the COVID-19 pandemic and exacerbated by the blockade. Limited options for employment were also reported with regard to women living in the occupied Syrian Golan.

#### **Access to safe drinking water**

63. The Special Committee was informed about the gendered impact of lack of access to clean water and sanitation, which has a particularly marked effect on women and girls in Gaza, as well as in other parts of the Occupied Palestinian Territory. The blockade of Gaza by Israel makes it difficult to develop proper water and sanitation infrastructure as there are severe limits on materials entering the Strip.<sup>78</sup> The lack of access to clean water also affects handwashing, showers, cleaning food<sup>79</sup> and, for women and girls, menstrual hygiene and access to proper sanitation. The Committee notes that it is primarily women and girls who are responsible for water management in the household, making them more affected by water shortages or pollution, especially in rural areas.<sup>80</sup>

64. The Special Committee recalls that international human rights law entails specific obligations related to access to safe drinking water, requiring States “to ensure everyone’s access to a sufficient amount of safe drinking water for personal and domestic uses, defined as water for drinking, personal sanitation, washing of clothes, food preparation and personal and household hygiene. These obligations also require States to progressively ensure access to adequate sanitation, as a fundamental element for human dignity and privacy, but also to protect the quality of drinking-water supplies and resources”.<sup>81</sup>

#### **Access to health care**

65. Owing to a number of restrictions on freedom of movement, Palestinian women and girls continue to face challenges in accessing health-care facilities and specialized treatment. The Special Committee is particularly worried about the challenges faced by women and girls in Gaza, including women and girls with disabilities, who are in need of specialized medical care, including sexual and reproductive health care, owing to movement restrictions imposed by Israel, which thereby restrict the right to the highest attainable standard of physical and mental health.

66. The Special Committee was informed about the precarious access that women have had to health care during the COVID-19 pandemic, especially women living in Area C of the West Bank, while Palestinian women holding West Bank identification cards have had severely restricted access to East Jerusalem hospitals since March 2020, with only emergency cases and cancer patients being granted permits.

<sup>78</sup> See [www.oxfam.org/en/failing-gaza-undrinkable-water-no-access-toilets-and-little-hope-horizon](http://www.oxfam.org/en/failing-gaza-undrinkable-water-no-access-toilets-and-little-hope-horizon).

<sup>79</sup> See <https://blogs.unicef.org/blog/searching-clean-water-gaza/>.

<sup>80</sup> Women’s Centre for Legal Aid and Counselling, “WCLAC’s Shadow Report for the Committee on Economic, Social and Cultural Rights 66th Session – Israel Review”.

<sup>81</sup> Office of the United Nations High Commissioner for Human Rights, “The right to water: fact sheet No. 35”.

## VII. Human rights situation of Palestine refugees

67. The Special Committee was informed that over 5.6 million Palestine refugees were registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) as at the end of 2019. In 2019, over 532,857 Palestine refugee children attended 709 UNRWA schools, 8,723,118 primary health-care consultations were provided to approximately 3.5 million Palestine refugees, over 250,000 Palestine refugees received relief and social services and around 1.5 million Palestine refugees received urgent humanitarian assistance.<sup>82</sup>

68. Palestine refugees in the West Bank continue to be affected by the Israeli occupation, and are often particularly vulnerable to violations, including home and property demolitions and displacement. The Special Committee also expresses its concern over the number of armed incidents, confrontations and search operations carried out by Israeli security forces in refugee camps in the West Bank. In 2019, 540 such operations were reported, averaging 1.5 per day.<sup>83</sup> In February 2020 alone, 7 armed incidents, 29 confrontations and 62 search operations took place in refugee camps in the West Bank.<sup>84</sup>

69. In Gaza, a high number of Palestine refugees continue to rely on food assistance from UNRWA, with 98,935 quarterly food parcels distributed to this group in 2019. The Special Committee notes with concern the high number of Palestine refugees in Gaza, which totals 604,193 persons, including some 11,970 female-headed households and 36,949 persons with disabilities, who are categorized as abject poor (living on less than \$1.74 per person per day) and in need of regular food assistance.<sup>85</sup>

## VIII. Situation of human rights in the occupied Syrian Golan

70. On 14 June 2020, Israel approved the building of a new settlement in the occupied Syrian Golan.<sup>86</sup> Once completed, the new settlement, which will bear the name “Trump Heights” will accommodate 300 families. In March 2019, the President of the United States had formally recognized Israeli sovereignty over the occupied Syrian Golan, a move that was opposed by the international community, including members of the Security Council, who cited the dangers of accepting illegal annexation.<sup>87</sup> It is estimated that there are currently 50,000 people living in the occupied Syrian Golan, 22,204 of whom are Israeli settlers living in 34 illegal settlements. Earlier reports by an Israeli media outlet noted that the Government of Israel is planning to settle 250,000 Israeli settlers in the occupied Syrian Golan over the next 30 years by building thousands of housing units, along with a number of transport and tourism projects.

71. The Special Committee received information with regard to continued discriminatory practices against Syrians in the occupied Syrian Golan, particularly with regard to access to land and water. The Committee learned that financial incentives are given to Israeli settlers to facilitate access to housing, while the Syrians face increasing difficulties in obtaining building permits.<sup>88</sup> Syrians currently live in five villages in the northernmost part of the occupied Syrian Golan, representing only

<sup>82</sup> See [www.unrwa.org/who-we-are/frequently-asked-questions](http://www.unrwa.org/who-we-are/frequently-asked-questions) and [www.unrwa.org/resources/about-unrwa/2019-annual-operational-report](http://www.unrwa.org/resources/about-unrwa/2019-annual-operational-report).

<sup>83</sup> See [www.unrwa.org/resources/about-unrwa/2019-annual-operational-report](http://www.unrwa.org/resources/about-unrwa/2019-annual-operational-report).

<sup>84</sup> See [www.unrwa.org/sites/default/files/content/resources/a\\_month\\_in\\_unrwa\\_-\\_february\\_2020-wb.pdf](http://www.unrwa.org/sites/default/files/content/resources/a_month_in_unrwa_-_february_2020-wb.pdf).

<sup>85</sup> See [www.unrwa.org/resources/about-unrwa/2019-annual-operational-report](http://www.unrwa.org/resources/about-unrwa/2019-annual-operational-report).

<sup>86</sup> See [www.dw.com/en/israel-approves-trump-heights-settlement/a-53806102](http://www.dw.com/en/israel-approves-trump-heights-settlement/a-53806102).

<sup>87</sup> See [www.dw.com/en/trumps-golan-proclamation-gathers-international-condemnation/a-48070628](http://www.dw.com/en/trumps-golan-proclamation-gathers-international-condemnation/a-48070628).

<sup>88</sup> See <https://golan-marsad.org/housing-and-planning/>.

5 per cent of the territory, which implies that they are already extremely limited in the areas on which they can build. Concerns were also expressed with regard to the new Israeli land registration system, which imposes new regulations that require specific documentation to prove ownership. Most Syrians have old ownership documents that do not conform to the new system and face the prospect of not being able to prove ownership of their land.

72. The Special Committee expresses serious concerns with regard to information it received on the impact of a renewable energy project on the population of the occupied Syrian Golan. A wind turbines project that will be implemented by an Israeli energy company will be built on farming land in three Syrian villages, including Majdal Shams and Massada. According to the Government of the Syrian Arab Republic, the project will be built on an area of 6,000 dunums<sup>89</sup> of agricultural land belonging to Syrian villagers. The project would physically surround Syrian villages, limiting their ability to expand and would have a serious detrimental effect on the environment and health of those living near the project. Information received further suggests that Syrian landowners were misled about the scale and implications of the project.

73. The Special Committee received information with regard to changes to the curricula currently taught in schools in the occupied Syrian Golan. The changes are meant to influence young students, detach them from their Syrian identity and impose a new ideology that is inconsistent with their local culture. It is also meant to facilitate their integration into Israeli society, including by serving in the Israel Defense Forces.

74. The Special Committee reiterates that in its resolution 497 (1981), the Security Council decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect.

## IX. Recommendations

**75. The Special Committee calls upon the Government of Israel:**

**(a) To implement all prior recommendations contained in the reports of the Special Committee to the General Assembly, and to facilitate access by the Special Committee to enter the Occupied Palestinian Territory and the occupied Syrian Golan;**

**(b) To end its occupation of the Occupied Palestinian Territory, namely the West Bank, including East Jerusalem, and Gaza, as well as its occupation of the Syrian Golan, in compliance with Security Council resolutions 242 (1967) and 497 (1981), in line with its obligations under international human rights law and international humanitarian law, and to promptly address the gendered impact of occupation;**

**(c) To immediately desist from implementing any plans to annex parts of the West Bank and the Jordan Valley, as they would constitute a grave breach of international law, the Charter of the United Nations and numerous Security Council resolutions on the issue and would entail an intensification of existing human rights violations against Palestinians, including the forcible displacement of hundreds of thousands of Palestinians;**

**(d) To take all precautions necessary to ensure that Israeli forces act in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;**

<sup>89</sup> Every dunum is equal to 1,000 square metres.

(e) To systematically investigate all cases of excessive use of force that have led to death or serious injury, including in the context of the Great March of Return and demonstrations in Gaza and the West Bank, including East Jerusalem, and to ensure that those responsible are held accountable;

(f) To cease all settlement activity, in compliance with Security Council resolution 2334 (2016), and construction of the separation wall in the occupied West Bank, including East Jerusalem, which contravenes international law and undermines the right of self-determination of the Palestinian people;

(g) To immediately freeze and end the illegal practice of demolitions, including administrative and punitive demolitions, which further constitute illegal collective punishment and which contribute to the creation of a coercive environment and may lead to the forcible transfer of vulnerable communities, in violation of international humanitarian law and the rights of the Palestinian people;

(h) To rescind all demolition, eviction and seizure orders that are likely to lead to the forcible transfer of Palestinians in the occupied West Bank, including Bedouin communities;

(i) To ensure that Palestinians have access to a non-discriminatory planning and zoning process that will advance the interests of the protected population in Area C, including Palestine refugees;

(j) To ensure that detainees are treated in accordance with provisions in international human rights and humanitarian law, in particular with respect to the detention of children, and to end the practice of administrative detention;

(k) To lift the illegal land and sea blockade that has been imposed on Gaza for more than 13 years and open up opportunities for trade and increasing movement of Palestinians between Gaza and the West Bank, and to address the gendered impact of the blockade;

(l) To immediately address the humanitarian crisis in Gaza, which has been made acute by lack of access to clean water and sewage treatment, to immediately stop the practice of spraying herbicide close to the fence, and to uphold its obligations as an occupying Power with respect to the protected Palestinian population;

(m) To facilitate access to medical treatment for Palestinians in the Occupied Palestinian Territory, with a focus on urgent needs in Gaza due to the deteriorating conditions caused by the blockade, particularly during the COVID-19 pandemic;

(n) To review the practice of prolonged administrative detention of Palestinian women and girls, in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), carry out prompt, thorough, effective and impartial investigations into all allegations of torture and ill-treatment of women prisoners and improve conditions of detention and ensure access to justice and health-care services;

(o) To combat the environmental degradation in the Occupied Palestinian Territory and the occupied Syrian Golan, to halt the exploitation of natural resources and to address the lack of access for Palestinians and Syrians to important natural resources, notably water resources in the West Bank, Gaza and the occupied Syrian Golan;

(p) To ensure the protection necessary for the Palestinian civilian population, human rights defenders engaged in the promotion of human rights issues affecting the Occupied Palestinian Territory, including with regard to gender equality and women's empowerment, and humanitarian personnel engaged in the promotion of human rights and the provision of humanitarian relief, and to allow them to carry out their work freely and without fear of attacks and harassment;

(q) To cease all settlement and other illegal activities in the occupied Syrian Golan and ensure access to a non-discriminatory planning and zoning process that will advance the interests of the protected population.

76. The Special Committee calls upon the international community:

(a) To call upon Israel to end its occupation of the Occupied Palestinian Territory, namely, the West Bank, including East Jerusalem, and Gaza, as well as the occupied Syrian Golan, in compliance with Security Council resolutions [242 \(1967\)](#) and [497 \(1981\)](#);

(b) To use its influence to end the blockade of Gaza, which has a significant detrimental effect on Palestinians, and, in particular, to immediately address the acute humanitarian crisis;

(c) To use its influence to cease all settlement activity in the West Bank, including East Jerusalem, and in the occupied Syrian Golan, which contravenes international law and has a detrimental effect on the protected population;

(d) To address the pattern of non-cooperation by Israel with the United Nations, in particular regarding the implementation of resolutions of the General Assembly and the Security Council and mechanisms established by the Assembly and its subsidiary bodies;

(e) To give effect to its legal obligations, as contained in the 2004 advisory opinion of the International Court of Justice, on the separation wall;

(f) To review national policies, legislation, regulations and enforcement measures in relation to business activity to ensure that they effectively serve to prevent and address the heightened risk of human rights abuses in the occupied territories;

(g) To welcome the publication of the database of businesses operating in the Occupied Palestinian Territory and to urge the Office of the United Nations High Commissioner for Human Rights to take the steps necessary to update the database annually and make it available to the public, as mandated in Human Rights Council resolution [31/36](#);

(h) To ensure that corporations respect human rights and cease to fund or enter into commercial transactions with organizations and bodies involved in settlements or the exploitation of natural resources in the Occupied Palestinian Territory and the occupied Syrian Golan;

(i) To support UNRWA so as to ensure uninterrupted service provision to millions of Palestine refugees and to preserve the rights, dignity and hope of Palestine refugees, especially women and children.