



Photo: Tanya Habjouqa/Oxfam 2019

# VIOLENCE AND IMPUNITY IN THE WEST BANK DURING THE COVID-19 PANDEMIC

THE FAILURE OF ISRAELI AUTHORITIES TO PREVENT SETTLER  
VIOLENCE AGAINST PALESTINIANS, AND ITS CONTRIBUTION TO *de  
facto* ANNEXATION OF PALESTINIAN LAND



**OXFAM**

Briefing note, May, 2020



Photo: Lorenzo Tugnoli/Oxfam 2018

**Physical Closures**

- Internal Checkpoint (fully staffed)
- Open Line Checkpoint
- Internal Partial Checkpoint

**West Bank Barrier**

- Completed
- Partially Completed
- Planned Route
- Planned Bypassing

**Closed and Restricted Areas**

- Israeli military zone (no access)
- Israeli military zone (partial access)
- Israeli military zone (full access)
- Israeli military zone (no access) - no entry
- Israeli military zone (partial access) - no entry
- Israeli military zone (full access) - no entry
- Israeli military zone (no access) - no entry
- Israeli military zone (partial access) - no entry
- Israeli military zone (full access) - no entry

**Administrative Boundaries**

- International Capital
- International Boundary
- Authority
- Local authority district (municipal/parish)

**Settlements**

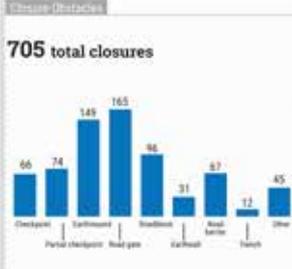
- Israeli settlement (full, open land and no movement area)
- Israeli settlement (partial, no movement area)

**Other**

- International water pipeline
- Road gate

**Occupation Agreement (1995-1997)**

- Area A: Full Palestinian civil and security control
- Area B: Full Palestinian civil control and joint Israeli/Palestinian security control
- Area C: Full Israeli military and security control
- Area D: Partial Agreement
- Area E: Full Israeli military and security control, no civil authority, planning and development



**West Bank Barrier**

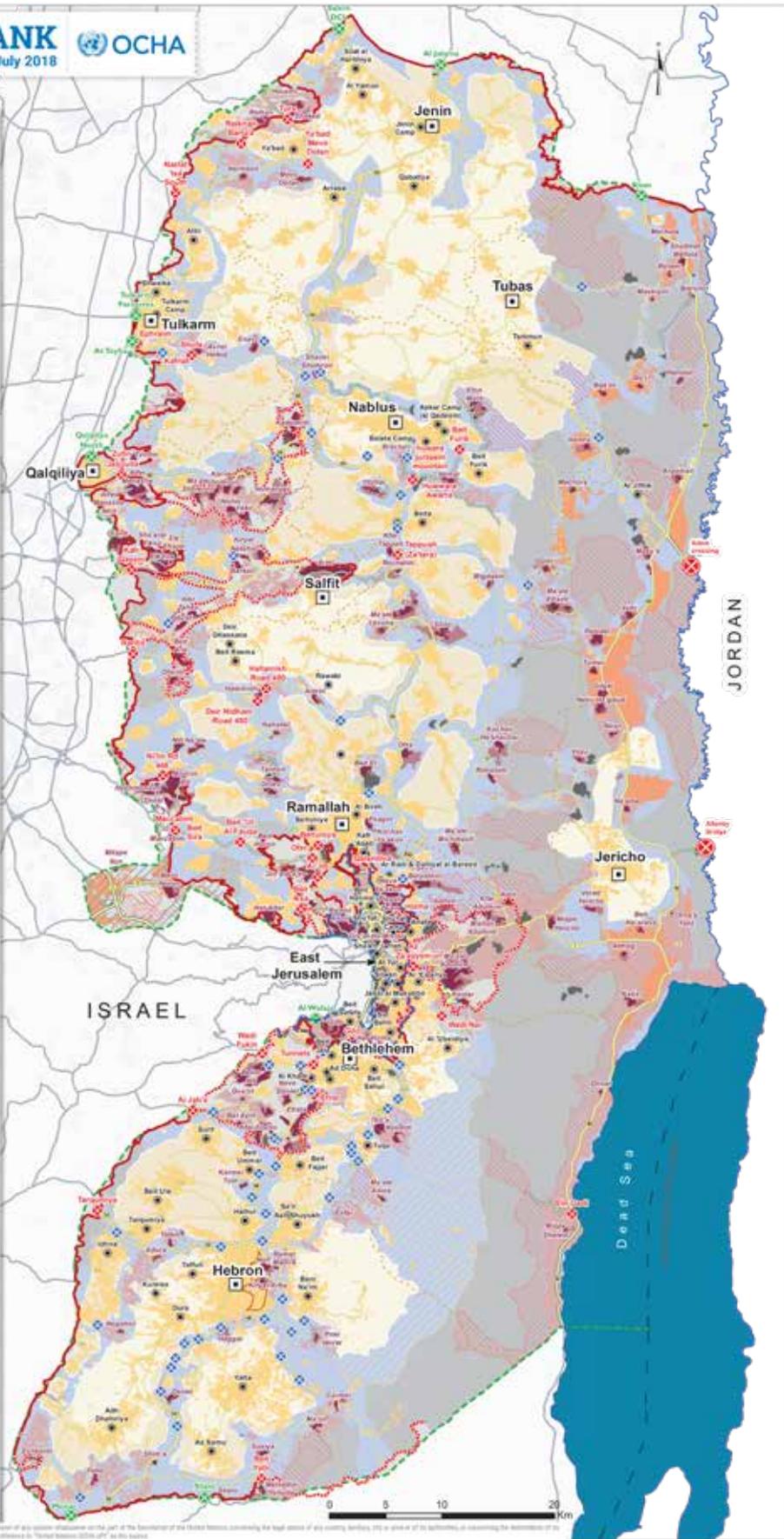
A complex series of concrete walls, electronic fences, and other obstacles curbs Palestinian pedestrian and vehicular movement. Construction of the Barrier within the West Bank, including East Jerusalem continues, contrary to the advisory opinion of the International Court of Justice.



Continuity movement through the West Bank Barrier. Permits, or verbal consent are required for Palestinians to access their lands.

Closure obstacles data was collected by OCHA field staff as of June 2018. For up-to-date closure data visit our online interactive maps at <https://www.ochaopt.org/page/interactive-map>

Cartography: OCHA IPT Information Management Unit  
Map produced: January 2019  
Base map data: OCHA, JRC, PA/MORAG  
For comments, please contact the Information Management Unit at [im@ochaopt.org](mailto:im@ochaopt.org) or tel: +972 582 582 582.



This map was prepared and the information it contains is based on OCHA maps. It does not reflect the Government of Israel's position on the West Bank Barrier, nor does it reflect the legal status of any existing barriers, nor does it reflect the Government of Israel's position on the West Bank Barrier. The information is provided for informational purposes only and should not be used for any other purpose.



# OXFAM BRIEFING PAPER –MAY 2020

This paper was written by Oxfam, based on research undertaken by journalists Fatima AbdulKarim and Tanya Habjouqa (December 2019). The authors interviewed a number of Israeli and Palestinian civil society organizations, Palestinian municipalities and governmental bodies, and victims of violent attacks by Israeli settlers. Oxfam acknowledges the assistance of project partners MA'AN, Land Research Centre and the Economic and Social Development Centre in its production. Together, Oxfam and its partners worked on a joint project in 41 communities in Area C<sup>1</sup> called 'Supporting the vulnerable farmers affected in Area C by and prone to settler violence for sustained and improved livelihood' funded by the oPt Humanitarian Fund. The objective of the project was to provide support to at-risk communities through legal assistance, rehabilitation of land and structures, combined with international advocacy and outreach.

## © Oxfam International May 2020

This is an updated version of the original briefing note published on 20.05.2020 with revised data sets. The updated version of the report includes data from the Protection of Civilians Database.

This paper is part of a series of papers written to inform public debate on development and humanitarian policy issues.

For further information on the issues raised in this paper please email [advocacy@oxfaminternational.org](mailto:advocacy@oxfaminternational.org)

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Cover photo: Yasser, four, and Ibrahim, three, sit on a bike. The photo was taken shortly after Israeli settlers attacked their home and burned the family car. Yasser regressed to baby talk and has not been willing to go to his kindergarten since the incident. Instead, he wants to stay at home with his mother and his younger sibling, Ibrahim.  
Photo: Tanya Habjouqa/Oxfam 2019



# INTRODUCTION

The spread of COVID-19 has brought life to a halt throughout Israel and the Occupied Palestinian Territory (OPT) – and has spurred the formation of a unity government in Israel. However, rather than demonstrating the urgency of achieving an equitable, rights-based resolution to the Israeli–Palestinian conflict, the pandemic has given cover to increased violence by Israeli settlers against Palestinian civilians and an accelerated effort by the Israeli government to formally annex Palestinian lands in the West Bank.

Israeli authorities systematically fail to protect Palestinians from settler violence, even as they step up efforts to demolish Palestinian construction that they deem unauthorized and limit Palestinian access to agricultural land.

Oxfam recognizes that Palestinians have perpetrated condemnable attacks against Israeli settlers, but also that they have faced swift – and often heavy-handed – justice. This paper focuses on violence by and impunity for Israeli settlers, the beneficiaries of a two-tiered justice system that enables the *de facto* annexation of Palestinian land and has laid the groundwork for *de jure* annexation that Israel, with United States support, is now pursuing. Although violence by settlers is mostly targeted against Palestinian civilians and their property, it has also resulted in Israeli casualties and fatalities.

Oxfam has worked with the most vulnerable communities in the Occupied Palestinian Territory (OPT) for more than 60 years. It has witnessed the daily impact that settlement expansion, settler violence, and demolitions have had on Palestinian communities in the Jordan Valley and across Area C. A just and lasting solution to the Israeli–Palestinian conflict is urgently needed for all Israelis and Palestinians to live in dignity and security.

## 1.1 Violent incidents

Oxfam condemns all violence against civilians.<sup>2</sup> In 2020 alone (from January until April 30), the UN Office for the Coordination of Humanitarian Affairs (OCHA) Protection of Civilians database shows a total of 242 incidents of violent attacks by Israeli settlers against Palestinian civilians and their property. This figure includes 136 incidents since a State of Emergency was declared on 5 March, with movement restrictions imposed by the Palestinian authorities to prevent the spread of COVID-19.<sup>3</sup>

There have been 68 incidents of violent attacks by Palestinians against Israeli settlers this year.

## 1.2 Displacement

The population transfer of Israeli settlers into the OPT; legalization of settlement outposts; demolition of property; confiscations of assets, land and resources; and settler violence are all rooted in the Israeli policy of forcibly displacing Palestinians from their lands and acquiring territory.<sup>4</sup> This policy of land grabbing is backed by a discriminatory legal system that favours Israeli settlers over Palestinian citizens, and parallel systems of rights and privileges. This has left many Palestinians in Area C with one of two choices: either move elsewhere in the West Bank, with or without their families, or take up employment on settler farms, frequently under exploitative labour conditions.<sup>5</sup>

Under international law, the Government of Israel, as an occupying power, bears ultimate responsibility for protecting Palestinians in the West Bank from violence by Israeli settlers and ensuring that all attacks are investigated and perpetrators held accountable.<sup>6</sup> Intimidation; physical violence; damaging or burning crops, trees and homes; trespassing; stealing livestock; throwing stones; and vandalizing holy sites are among the most frequent forms of settler violence. Some of these ideologically motivated crimes result in death, lifelong injury or disability.

## 1.3 Impunity

Israeli human rights organization Yesh Din has found that 91% of cases of settler violence were closed following an investigation with no indictment filed.<sup>7</sup> This statistic only relates to the small number of police complaints actually filed: the lack of trust in Israeli law enforcement means that less than half of Palestinians have reported incidents to the police in the first place.<sup>8</sup> As Israeli settlers benefit from the protection of the Israeli military (who often respond to alleged threats with excessive force) and enjoy recourse to an effective criminal justice system, this paper focuses on the systemic factors that encourage attacks by settlers against Palestinians.



Photo: Heidi Levine/Oxfam 2019

“Fifteen years of gross negligence by Israel’s law enforcement agencies in the face of ideologically motivated crime has led us to the conclusion that the State of Israel is unable or unwilling to take resolute action in keeping with its legal duties to eradicate violence and harm to Palestinians and their property.” Yesh Din, 2019

The failure of Israeli authorities to investigate or pursue accountability for the vast majority of such crimes contributes to a culture of impunity for Israeli settlers. This is in the context of, and contributes to, a hostile environment for Palestinians, particularly for those who live in Area C and East Jerusalem.<sup>9</sup>

This is reflected in Israel’s ongoing demolitions of Palestinian home and communal structures; confiscation of assets; and post-hoc legalization of settlement outposts, which increasingly involves the expropriation of Palestinian agricultural land.

Together with unchecked settler violence, these trends have caused the forcible displacement of Palestinian communities and brought about the *de facto* annexation of Palestinian land. The threat of *de jure* annexation, which the Government of Israel has said is imminent, is only credible because of the creeping annexation that has taken place in recent years.<sup>10</sup>

# ESCALATING VIOLENCE DURING THE COVID-19 PANDEMIC

The urgent global response to the COVID-19 pandemic has not stopped Israeli authorities from continuing the unlawful destruction of property in Area C, the 61% of West Bank territory over which Israel maintains full administrative, civilian and security control per the Oslo Accords. On the contrary, **demolitions and forcible displacements continue to take place and violence by settlers and excessive use of force by Israeli security forces have increased.**

Since the Palestinian Authority declared a state of emergency on 5 March (until 30 March), the Israeli authorities have **demolished, forced people to demolish or seized 40 structures, displacing 26 Palestinians and affecting over 260 others.**<sup>11</sup>

Although the Israeli Defense Ministry committed to a halt on demolition of inhabited homes (in the context of the COVID-19 crisis), security forces have continued to attack civilian houses, as well as livelihoods and service-related structures, including the seizure and destruction of materials for a field clinic and emergency housing in the Jordan Valley on 25 March.<sup>12</sup>

During the same period, the UN has reported a surge in attacks by Israeli settlers against Palestinian civilians and their property, recording a total of 138 incidents between 5 March and April 30.<sup>13</sup> Such attacks ignore movement restrictions by the Israeli Ministry of Health, and undermine both Palestinian and Israeli efforts to fight the pandemic. Increased reported attacks concern attacks by Israeli settlers against Palestinian vehicles and olive trees and physical attacks against Palestinian farmers.<sup>14</sup>

On 12 April, religious-nationalist settlers, known as 'Hilltop Youth'<sup>15</sup>, who were quarantined in an army base after they were suspected of contracting COVID-19, escaped and attacked Palestinian civilians with stones and teargas, and set cars on fire.<sup>16</sup> The UN has reported concerns over excessive use of force by Israeli security forces and inconsistent protection measures to avoid spreading infection during recent operations.

Since declaring the state of emergency on 5 March 2020, a total of 298 search and arrest operations were conducted in the West Bank, and 312 Palestinians were arrested including at least 29 children, which is a 45% decrease in comparison with the previous two months (Jan and Feb 2020).<sup>17</sup>

International humanitarian law (IHL) places Israel under the legal obligation to provide for the welfare of the population of territory that it occupies. This includes the prevention, preparedness and treatment of the COVID-19 outbreak in the entirety of the OPT.

Oxfam calls upon the Israeli government to ensure the protection of the Palestinian population, which includes the application of the rule of law in relation to the escalating violence during the pandemic and ongoing human rights violations. Israel must stop implementing policies and practices that are illegal under international law and harm the livelihoods of Palestinian civilians, especially during the pandemic.



Photo: Suhaib Jarrar/Oxfam 2019

# ATTACKS/TRESPASSES BY ISRAELI SETTLERS AGAINST PALESTINIANS IN THE WEST BANK\*

(1 January 2017-30 April 2020)

**2,316**

INCIDENTS

**6**

PALESTINIAN  
FATALITIES

**355**

PALESTINIAN  
INJURIES

**25,149**

TREES  
VANDALIZED

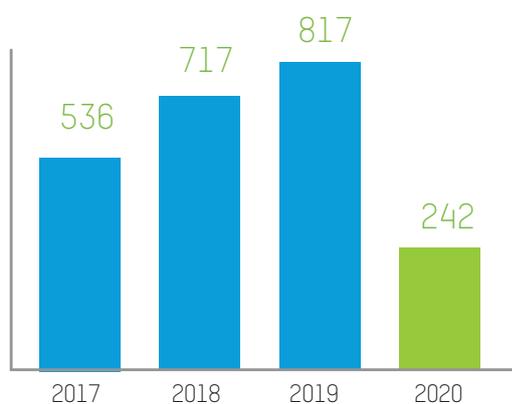
**1,488**

VEHICLES  
VANDALIZED

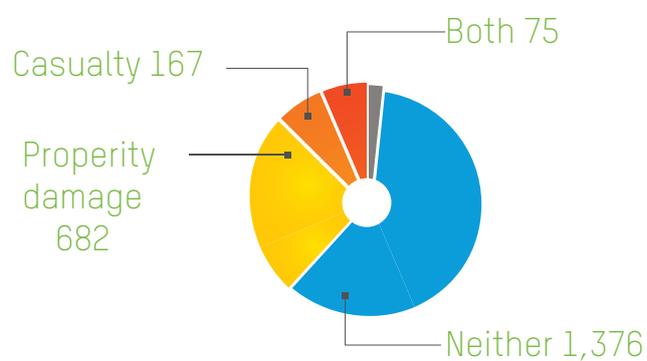
Source: OCHA, 2020

\*The same reporting period included attacks by Palestinians against Israeli civilians in the West Bank resulting into 34 Israeli injuries and 12 Israeli fatalities

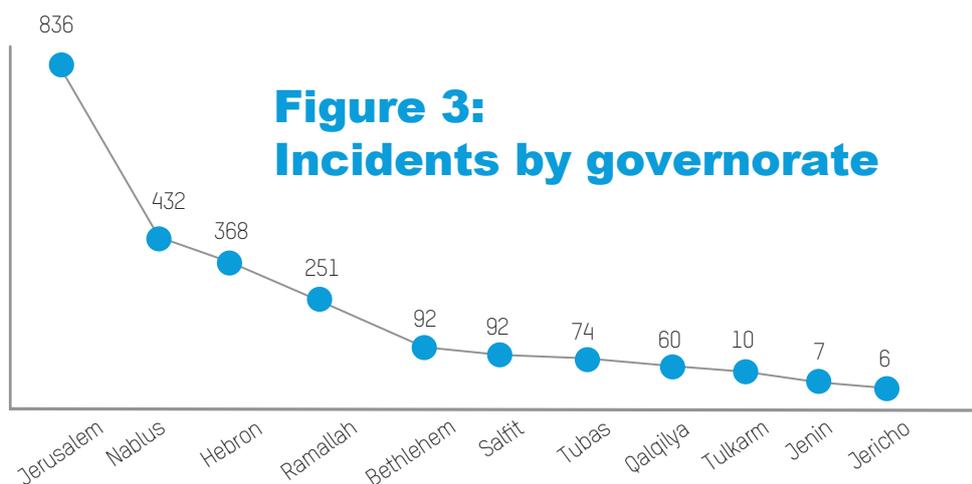
**Figure 1:  
Incidents &  
casualties by year**



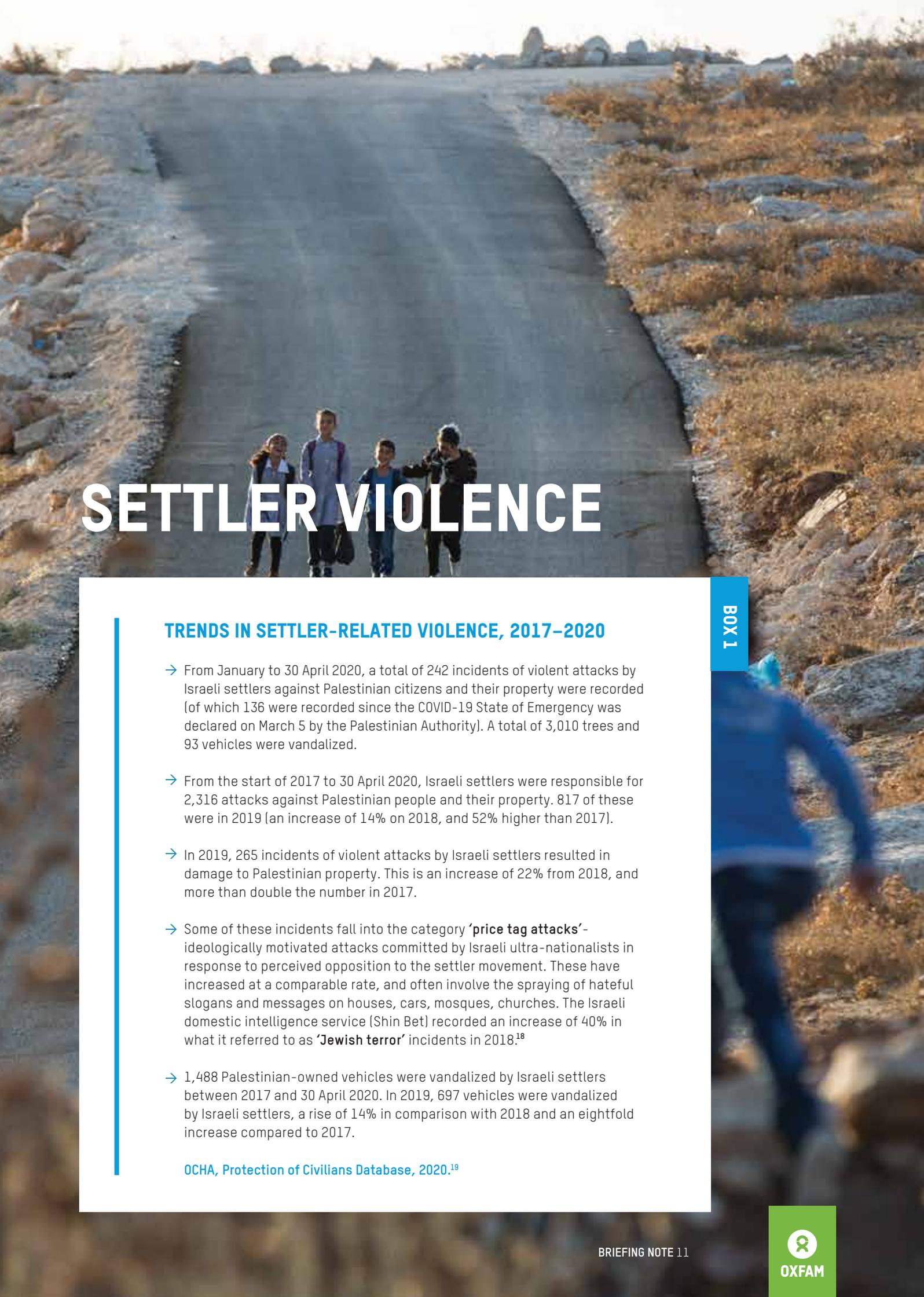
**Figure 2:  
Incidents resulting in**



**Figure 3:  
Incidents by governorate**



Source: OCHA, 2020



# SETTLER VIOLENCE

BOX 1

## TRENDS IN SETTLER-RELATED VIOLENCE, 2017–2020

- From January to 30 April 2020, a total of 242 incidents of violent attacks by Israeli settlers against Palestinian citizens and their property were recorded (of which 136 were recorded since the COVID-19 State of Emergency was declared on March 5 by the Palestinian Authority). A total of 3,010 trees and 93 vehicles were vandalized.
- From the start of 2017 to 30 April 2020, Israeli settlers were responsible for 2,316 attacks against Palestinian people and their property. 817 of these were in 2019 (an increase of 14% on 2018, and 52% higher than 2017).
- In 2019, 265 incidents of violent attacks by Israeli settlers resulted in damage to Palestinian property. This is an increase of 22% from 2018, and more than double the number in 2017.
- Some of these incidents fall into the category ‘**price tag attacks**’—ideologically motivated attacks committed by Israeli ultra-nationalists in response to perceived opposition to the settler movement. These have increased at a comparable rate, and often involve the spraying of hateful slogans and messages on houses, cars, mosques, churches. The Israeli domestic intelligence service (Shin Bet) recorded an increase of 40% in what it referred to as ‘**Jewish terror**’ incidents in 2018.<sup>18</sup>
- 1,488 Palestinian-owned vehicles were vandalized by Israeli settlers between 2017 and 30 April 2020. In 2019, 697 vehicles were vandalized by Israeli settlers, a rise of 14% in comparison with 2018 and an eightfold increase compared to 2017.

OCHA, [Protection of Civilians Database, 2020](#).<sup>19</sup>

### 3. INSTITUTIONALIZED IMPUNITY

Under the Fourth Geneva Convention, Israel has the duty to protect civilians in the territory that it occupies. This responsibility has also been underlined by Israel's own Supreme Court, which in 2004 found that 'protecting the safety and property of the local residents is among the most basic obligations imposed on the military commander in the field'.<sup>20</sup>

The Israeli Defense Ministry announced it had issued 30 administrative orders against Israeli settlers and civilians in 2019 for acts of violence in the West Bank (including those targeting Israeli structures).<sup>21</sup> This includes restraining orders, evening curfews and orders barring meetings between certain youths. Yet Israeli perpetrators rarely face legal consequences for attacks against Palestinians. Israeli human rights organization Yesh Din has found that 91% of all investigations into Israeli-perpetrated settler violence are closed with no indictment filed by the Israeli police.<sup>22</sup>

The duty to investigate and prosecute is clear under international humanitarian law (IHL) and international human rights law (IHRL). The acts or omissions by private persons, such as settlers, that endanger others give rise to positive obligations on states to prevent, protect, investigate, and prosecute. Yet, according to Israeli human rights organization B'Tselem, Israeli law enforcement agencies have adopted an 'undeclared policy of lenience' towards violence committed by settlers.<sup>23</sup>

*'Fifteen years of gross negligence by Israel's law enforcement agencies in the face of ideologically motivated crime has led us to the conclusion that the State of Israel is unable or unwilling to take resolute action in keeping with its legal duties to eradicate violence and harm to Palestinians and their property.'*  
Yesh Din, 2019<sup>24</sup>

#### 3.1 No trust in Israeli law enforcement

Palestinians lack faith in the justice system to hold perpetrators accountable through serious and fair trials. As a result, less than half of victims of settler violence file complaints about violent incidents and property damage.<sup>25</sup> People supported by Oxfam who said they had been victims of settler violence noted the following reasons:

- Procedures for opening a case against Israeli settlers are long and complicated, and Palestinians perceive judges to be biased and acting in favour of settlers.
- Palestinians usually must file complaints at an Israeli police station within an Israeli settlement, which are perceived as dangerous because of the presence of settlers or Israeli Defense Force soldiers. Complaints can also be filed at District Coordination Offices, which are also sometimes hard to reach given restrictions on Palestinian movement.
- Many Palestinians believe that filing a complaint to the Israeli police would amount to 'normalization' – in this case, validation of Israel's role as the de facto government in Area C.

The majority of programme participants interviewed by Oxfam also said that they were reluctant to file criminal complaints because they believed doing so would put at risk permits to enter and work in Israel, which would result in the loss of an entire income source. Many also said that their relatives could be denied permits and banned from entering Israel; this is particularly a concern for East-Jerusalem residents with spouses from elsewhere in the West Bank.<sup>26</sup> This trade-off is a sufficient deterrent to filing a complaint, due to the difficult economic conditions and widespread unemployment in the West Bank. However, the interviewed programme participants said that their inability to seek justice made them feel trapped with no outlet for their trauma.

Four-year-old Yasser has regressed to baby talk and is no longer willing to go to kindergarten since the arson. Instead, he wants to stay around his mother and younger brother. Afraid his toy truck would be burned, he 'hid it on the roof', and now plays with his bike.

# NO HOPE FOR JUSTICE

BOX 2

## ARSON IN QALQILYA LEAVES FAMILY WITH NO HOPE FOR JUSTICE

Qalqilya, 22 December 2019

Depression, anxiety, symptomatic stress, mood disorder and behavioural issues, as well as post-traumatic stress, are some of the most common conditions reported to Oxfam's partner organizations working with victims of attacks by settlers. The feeling of injustice and impunity, the trauma of events and the anticipation of repeated abuses – especially on relatives and children – worsen all these conditions. For children, settler violence leads to aggressiveness, poor school performance and social withdrawal<sup>27</sup>

On 20 December 2019, Rola Jaber put her children to bed early, feeling helpless as she heard settlers at her doorstep and the sound of spray cans near her living room window.

'They tried to open the window here in the living room, and tried to open the door,' she said. 'I was frightened, I didn't know what to do. I was up breastfeeding my one-year-old child, Sahhar. Fearing for my two other children, I covered them up and froze by the door, trying to remain as silent as possible.'

'Then I saw flares of fire outside through the glass. That's when I woke my husband up.' At that moment, 23-year-old Rola went outside to see her and her neighbour's car on fire. 'My husband broke into tears and started shouting.'

'We used this car to earn our living. My husband has no other job,' she said after a long silence, followed by a deep sigh.

Photo: Janya Habjouqa / Oxfam 2019

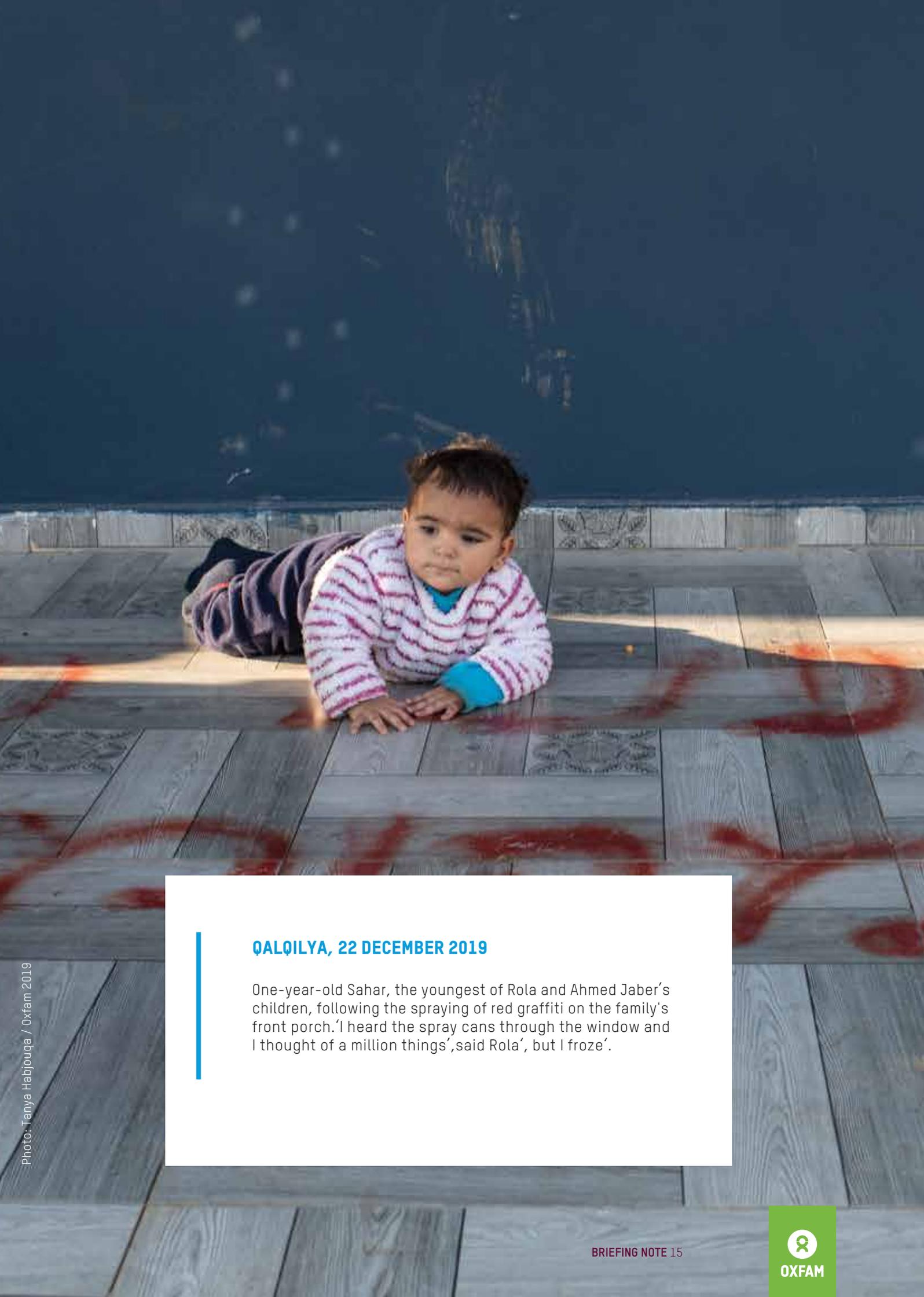


Photo: Ranya Habjouqa / Oxfam 2019

According to the head of the village council, Abdelmun’em Shana’a, the footprints found later by the Israeli army showed that most likely settlers from the nearby illegal outpost of Havat Gilad had carried out the attack. ‘It was clear to me that it was settlers and not the army that did this when I saw the graffiti on my uncle’s front porch’, said 20-year-old Randa Jaber, Rula’s niece. ‘It was the last thing to come to my mind, but, when I saw it and heard my uncle’s wife saying they tried to break into her home, it became clear to me: it is the settlers.’ The family filed a complaint, but Rola wondered out loud to us what might actually make her feel safe again, as she is sceptical about the legal proceedings with the Israeli army.

Randa explained that their neighbourhood on the outskirts of the village was in Area B under the Oslo Accords, and their building permits were obtained through the Palestinian Authority. Settlers often raided the town, she said, ‘but I don’t understand why they would do this; we never, ever harm them’. Under the Oslo Accords signed between the Palestine Liberation Organization (PLO) and the Israeli government in 1993, the West Bank was divided into three areas: Area A under Palestinian control, Area B under joint Palestinian–Israeli control, and Area C under full Israeli control.

The Oslo Accords were supposed to expire after a five-year interim phase, whereas Area C would have been ‘gradually transferred to Palestinian jurisdiction in accordance within this Agreement’.<sup>28</sup> However, the Israeli settlement activity there continued and was one of the factors that crippled the final status peace negotiations between Palestinians and Israelis.



### QALQILYA, 22 DECEMBER 2019

One-year-old Sahar, the youngest of Rola and Ahmed Jaber's children, following the spraying of red graffiti on the family's front porch. 'I heard the spray cans through the window and I thought of a million things', said Rola, 'but I froze'.

## 4. CREEPING ANNEXATION

Since the conclusion of the Six Day War in 1967, Israeli settlements have proliferated throughout the West Bank, in violation of the Fourth Geneva Convention's prohibition on a party's transferring its civilian population into occupied territory.<sup>29</sup>

The Oslo Accords in 1993 were meant to signify an end to settlement expansion and a beginning of the transfer of governing authority to Palestinians, as a precursor to the establishment of a Palestinian state.<sup>30</sup> Instead, Israeli settlements have expanded, along with roads, economic infrastructure and a military security system.

Settlement expansion has accelerated in recent years, including through the rapid establishment of settlement outposts (i.e. settlements that are not authorized by Israel that nonetheless enjoy support from its authorities and benefit from public funding)<sup>31</sup> and their post-hoc legalization by Israel. The presence of settlement outposts is associated with reports of theft, crop damage, blocked roads and physical violence against Palestinians. Israeli authorities are turning a blind eye to the construction of outposts – even as they accelerate the demolition of new structures erected by Palestinians on their own lands.

The establishment of outposts has displaced Palestinians, especially by blocking access to agricultural land. According to the Israeli human rights organization Peace Now, a total of 42 new settlement outposts have been established in the West Bank since 2012, of which 21 are farms.<sup>32</sup> The creation of these agricultural outposts – primarily intended for raising sheep and cattle – involves the confiscation of large areas of private land belonging to Palestinian farmers and herders. These outposts were all established in line with state policy.<sup>33</sup>

*'Palestinian herders and producers are continuously being prevented by Israeli settlers from entering their agricultural lands, including grazing area for their animals. The situation in Area C is very dangerous for Palestinian farmers as settler groups use all types of intimidation to prevent Palestinians to access their lands. This year only, cases were reported where wolves were released to scare farmers and harm grazing animals, as well as cases of actual abduction; Palestinian farmers being held hostage within Israeli settlements. We need international support to bring this situation of lawlessness and annexation plans to an immediate end.'*

**Abbas Melhem, Director of Palestinian Farmers Union<sup>34</sup>**

To date, 19 of these outposts have been retroactively legalized by the Israeli state; at least 35 more are undergoing the legalization process.<sup>35</sup> At the same time, Israeli authorities have declared large swaths of Palestinian land as 'closed military zones', 'nature reserves' or 'archaeological sites'. They have also cut off substantial amounts of Palestinian territory from the rest of the West Bank through construction of the Wall, 85% of which runs inside of the West Bank.<sup>36</sup>

As part of his election campaign in September 2019, Israeli Prime Minister Binyamin Netanyahu promised to annex large parts of the West Bank, including all its settlements, the Jordan Valley and the northern Dead Sea area. The Trump administration of the United States effectively approved the annexation of parts of the West Bank when Secretary of State Mike Pompeo said in April 2020: 'As for the annexation of the West Bank, the Israelis will ultimately make those decisions... that's an Israeli decision. And we will work closely with them to share with them our views of this in a private setting'.<sup>37</sup>



Photo: Lorenzo Tugnoli / Oxfam 2018

*'Law enforcement agencies are wilfully turning a blind eye to the land robbery and outpost construction, all in contravention of the law, without government approval as required and without public debate on the issue.'*

*The Netanyahu government continues to permit this lawlessness with a clear intention to destroy the prospect of a future two-state agreement. This ideological one-state vision will destroy Israel's democracy, which most of the public opposes, and must be stopped.'*  
**Peace Now**<sup>38</sup>

Unilateral *de jure* annexation of any part of the West Bank would be a serious breach of the UN Charter. According to Michael Lynk, UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, it will *'effectively end the illusion of a meaningful two-state solution, and will instead further entrench a one-state reality of separate and vastly unequal legal systems, political rights and social opportunities'*.<sup>39</sup>

Annexation is likely to exacerbate the culture of impunity, land confiscation, outpost construction and ideologically motivated crimes against Palestinians, leading to a further surge in displacement.

The two-tiered system of justice has created a hostile environment for Palestinians living on Palestinian land, which has enabled Israel's ongoing *de facto* annexation of the West Bank. *De jure* annexation by Israel would not only greatly diminish the prospects for a just and lasting peace – it would deprive Palestinians of basic legal rights and accelerate violent attacks against them and the confiscation of their agricultural lands.

## **KHADER MUNICIPALITY/SHUSHAHLEH, 13 DECEMBER 2019**

Mousa Salah, 60, is a retired school principal. His house is at the highest point in Shushahleh village, very close to the settlement fence. 'We own this land but we are not allowed to farm on it or do anything. We are not allowed to sit here because we are very close to the settlement, which came after us, and we are affecting the settlers,' he says. 'They bring people from all over the world and build them good homes, provide them with electricity and paved roads, but I'm not allowed to do anything. I'm not asking them for roads or infrastructure, but only to allow us to build our own homes.' Mousa says his top priority is to put an end to the leaks in his roof.



## 5. CONCLUSION AND RECOMMENDATIONS

Israel's failure to ensure accountability for attacks by its citizens against Palestinians represents a violation of international law as expressed in the Fourth Geneva Convention and reaffirmed by the Israeli High Court. The culture of impunity it has created for settlers committing violent acts has, together with other measures to expropriate land, resources and assets, as well as deny basic rights, displaced Palestinian families. This has paved the way for rapid expansion of settlements and created new realities on the ground that amount to *de facto* annexation of territory in violation of the Oslo Accords.

Even as COVID-19 threatens the health, safety and livelihoods of Israelis and Palestinians alike, Israel's leaders, with the support of the Trump administration, continue to pursue the permanent *de jure* annexation of the Israeli settlements in the West Bank,<sup>40</sup> the Jordan Valley and the northern Dead Sea. This would mean a transfer of at least 30% of land in the West Bank and would create a permanent situation in which two populations live in one area but enjoy two distinct sets of rights. It would also deprive any future Palestinian state of geographic integrity and critical natural resources.

The international community must demand – and adopt policies to ensure – that Israel stops its *de jure* annexation plans and affords protection to Palestinians living under occupation. Oxfam believes that a lasting and sustainable peace should be rooted in the recognition of the human rights and dignity of all Israelis and Palestinians, as well a firm foundation in international law.





Photo: Heidi Levine / Oxfam 2019

## THE GOVERNMENT OF ISRAEL SHOULD:

- Urgently address the escalating violence and impunity in the West Bank by bringing an end to violent attacks by Israeli settlers, demolition of property and the excessive use of force by Israeli soldiers against Palestinian civilians;
- Immediately halt its plans to permanently annex Israeli settlements in the West Bank, the Jordan Valley and the northern Dead Sea, in line with recommendations of UN Security Council Resolution 2334;
- End its settlement expansion policies, demolitions, ongoing land confiscation and legalization of outposts, all of which are rooted in the Israeli policy of forcibly displacing Palestinians from their lands;
- Abide by its obligation to ensure the protection of the Palestinian population in the territory it occupies, including by investigating and prosecuting all acts of violence, including violence by Israeli settlers against Palestinians and their property and livelihoods, without discrimination or exception;
- Ensure that Palestinian victims of settler violence enjoy access to effective and non-discriminatory legal remedies that are equivalent to those available to citizens of Israel;
- Train law enforcement personnel on their obligations under international law, and allocate skilled personnel for law enforcement activities (with the Israeli Defence Forces and police), including protection, deterrence and investigation; and
- Remove all obstacles preventing Palestinians from filing complaints at Israeli police stations and District Offices, including safety concerns and restrictions on movement, and take measures to address mistrust and concerns harboured by Palestinian victims of crimes committed by settlers.

### THE PALESTINIAN AUTHORITY SHOULD:

- Strengthen the role of the Palestinian District Coordination Offices in documenting, reporting and responding to settler-related incidents;
- Provide Palestinian victims of ideologically motivated attacks legal and financial support to file complaints in Israeli police stations and appeal in courts; and
- Prioritize support to Palestinians in Area C, in particular to afford protection and assistance for victims of violence, and prevent displacement, including through the promotion of more sustainable agricultural development in Area C.

### THIRD STATES (INCLUDING THE EU AND ITS MEMBER STATES) SHOULD:

- Cease the transfer of arms; equipment, including spares and components, ammunition and munitions; intangible exports and services to all parties to the Israeli–Palestinian conflict, where there is a clear or overriding risk that they might be used in the commission of serious violations of IHL or HRL, including acts of violence committed by settlers in an environment of impunity (in line with the European Council Common Position of 8 December 2008);<sup>41</sup>
- Cease financial transfers and technical support for, and cooperation with, Israel and Israeli companies in the development of military technologies where there is a clear or overriding risk that they might be used in the commission of serious violations of IHL or IHRL, including acts of violence committed by settlers in an environment of impunity;
- Demand that Israel halts its annexation plans and take concrete steps through demarches and other diplomatic measures to prevent it. Third states should be ready to take immediate and decisive action to demonstrate their non-recognition of Israeli annexation of land in the OPT;
- Pressure the Israeli authorities to ensure the protection of the Palestinian population, including through the application of the rule of law in relation to violence by Israeli settlers against Palestinians and their property and livelihoods, without discrimination or exception;
- Demand that settlers suspected of attacks against Palestinians and/or their property be brought to justice and prosecuted in an impartial and transparent manner;
- Take urgent action to press the Government of Israel to end the construction of illegal settlements. This should include, but not be limited to, consistent pursuit of differentiation based on EU Council decisions and in line with United Nations Security Council Resolution 2334; and
- Support Palestinians who seek to stay on their land in Area C (including the Jordan Valley and Northern Dead Sea area) by continuing to challenge the permit and planning regime and expropriation of Palestinian lands.

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