

Advance Unedited Version

Distr.: General
13 February 2024

Original: English

Human Rights Council

Fifty-fifth session

26 February–5 April 2024

Agenda item 2

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

Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 52/3. It provides an overview of the implementation of the resolution and developments relevant to the human rights situation in the Occupied Palestinian Territory and the obligation to ensure accountability and justice.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 52/3 and covers 1 November 2022 to 31 October 2023. It draws on human rights monitoring conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory, and information from governmental sources, other United Nations entities and non-governmental organizations. Almost all OHCHR's international staff continued to remain outside the Occupied Palestinian Territory during the reporting period due to Israel's failure to grant entry visas.
2. For over 56 years, the Occupied Palestinian Territory – the West Bank, including East Jerusalem, and Gaza – has remained under occupation by Israel, affecting all rights of Palestinians, including the right to self-determination.
3. The human rights situation in the Occupied Palestinian Territory drastically worsened during the reporting period. There was an escalation of the use of lethal force in the West Bank, including East Jerusalem, and May 2023 also saw an escalation of hostilities in Gaza.¹
4. On 7 October, Al Qassam Brigades and other Palestinian armed groups and Palestinians infiltrated southern Israel and attacked civilians and civilian objects, as well as military objectives, while thousands of indiscriminate projectiles hit Israel. In response, Israel launched intensive strikes from air, land and sea across Gaza. The escalation continued beyond the reporting period, with massive human suffering and an immense impact on civilians, especially women and children.
5. During the reporting period, the Israeli security forces killed 338 Palestinians in the West Bank, including East Jerusalem, in the context of law enforcement (including 251 men, 3 women, 81 boys and 3 girls). In Gaza, in May 2023 Palestinians were killed in the context of escalation of hostilities (33 overall, including at least 13 civilians -- 4 men, 4 women, 3 girls, 2 boys) and another 2 Palestinian men were killed by Israeli security forces in the context of law enforcement operations. Between 7 and 31 October, according to Gaza Ministry of Health, at least 8,525 Palestinians were killed in Gaza, including at least 3,542 children and 2,136 women, with 1,870 people were reportedly missing, including 1,020 children.² As in previous escalations, some Palestinian civilians may have been killed by Palestinian armed groups.
6. During the overall reporting period, 30 Israelis (including 20 men, 4 women, 1 girl, 5 boys) were killed in the West Bank, including East Jerusalem, by individual Palestinians, and 1 Israeli woman was killed in Israel by a rocket launched from Gaza during the May escalation. Specifically, between 7 and 31 October, according to Israeli authorities, at least 1,200 Israelis were killed in Israel, including 325 members of Israeli armed forces.
7. Due to the serious violations committed on 7 October in Israel and Israel's military response in Gaza thereafter and given the close link between impunity and continued violence, this report includes a particular focus on the hostilities in Gaza and Israel since 7 October 2023, within the context of Israel's ongoing occupation of the Palestinian Territory.
8. The human rights situation in the West Bank, including East Jerusalem, was already grave prior to 7 October. In parallel to an increase in settler violence and measures that could facilitate de facto annexation of the West Bank, Israel increased the use of military tactics and weapons in law enforcement operations, leading to a massive increase in the number of Palestinians killed. State and settler violence³ against Palestinians exploded after 7 October, entrenching the long-standing discriminatory system under which Israel exercises control over Palestinians.
9. OHCHR has requested full access to Israel and the Occupied Palestinian Territory to investigate violations by all duty bearers but at the time of writing had not received a response from Israel.

¹ A/78/502, para. 8.

² These numbers are not yet verified but, on past experience, give an accurate and reliable approximation of the number of fatalities.

³ A/HRC/55/144, para. 24.

10. OHCHR monitoring of incidents during the escalation of hostilities in Gaza between Israel and Palestinian armed groups indicated extensive disregard for international humanitarian law by all parties. The prevailing climate of impunity by all duty bearers, noted previously by the Secretary-General and the High Commissioner, persisted and has contributed to the commission of further violations of international law, some potentially amounting to international crimes.

II. Human rights situation

A. October 2023 escalation

11. On 7 October, Israelis and Palestinians awoke to the heaviest barrage of explosive projectiles from Gaza in years. Thousands of Al Qassam Brigades and Al Quds Brigades members, as well as other armed and unarmed Palestinians, had crossed into Israel. The fighters rampaged into areas close to the security fence with Gaza, attacking military bases, small towns, kibbutzim, and a music festival.

12. It was rapidly apparent, from a variety of sources including video material published by armed Palestinians engaged in these attacks, that Palestinian armed groups committed serious violations of international law on a wide scale, including attacks directed against civilians, wilful killing and mistreatment of civilians, wanton destruction of civilian objects, and taking of hostages, which amount to war crimes, and may also, depending on further investigation, amount to other serious crimes under international law. More than 1124 people were reportedly killed in the 7 October attacks, including 295 military personnel,⁴ and 4,834 injured.⁵ Reportedly, some Israeli civilians were killed in fire from Israeli forces in the course of fighting.⁶

13. There are also serious accounts that members of Palestinian armed groups and other armed and unarmed Palestinians committed rape, sexual assault (see para. 72),⁷ and torture. These accounts require thorough investigation and full accountability in accordance with international law. Justice for crimes committed must be served, and protection and full reparation afforded for all victims.

14. One of the most prominent attacks on civilians was the attack at the Nova music festival, attended by thousands. Evidence indicates that the attacks of Palestinian armed groups and other armed and unarmed Palestinians on the festival resulted in the mass killing of hundreds of Israeli civilians. Since, several reports of eye-witness testimony of rape and other sexual and gender-based violence have emerged.⁸

15. Many civilians as well as military personnel were taken to Gaza and held there. Israeli authorities have at different times estimated the number of individuals taken into Gaza at around 242, including Israeli citizens, dual nationals, and citizens of other countries.⁹ Families have had to suffer as the fate and whereabouts of their loved ones remains unknown at the time of writing, and they fear for their safety. Hostage-taking is a war crime.

16. Suspected perpetrators of these acts must receive due process and fair trials. Many detained in connection with these attacks and the resulting conflict are currently held *incommunicado* in Israel, exposing them to heightened risks of torture and other ill-treatment, also raising fair trial concerns. Israeli investigative and prosecutorial authorities, and courts must ensure that the rights of Palestinian defendants are fully respected.

⁴ See <https://www.idf.il/59780?page=1> (in Hebrew).

⁵ See <https://www.timesofisrael.com/the-israel-we-knew-died-on-october-7-the-new-nation-will-be-scarred-for-generations/>.

⁶ See <https://www.haaretz.co.il/news/politics/2023-11-18/ty-article/0000018b-e1a5-d168-a3ef-f5ff4d070000> (in Hebrew).

⁷ Para 70 below.

⁸ See <https://www.bbc.com/news/world-middle-east-67629181>.

⁹ In total, and as of 30 November, 109 civilians were released alive: 34 children, 48 woman, and 27 men, and 1 female Israel Defense Forces soldier was rescued. As of 15 December, Israel Defense Forces had confirmed the death of 8 civilian men and 3 civilian women, and 4 Israel Defense Forces soldiers held in Gaza, 3 men and one woman.

17. The barrage of indiscriminate projectiles launched by Palestinian armed groups on Israel has continued beyond 31 October. Rockets have been fired across the south and reached the centre of Israel, including Tel Aviv, Sderot and the areas adjacent to Gaza, Beersheva, Jerusalem. They violate the prohibitions on indiscriminate attacks and the use of weapons, which are by nature indiscriminate under international humanitarian law and amount to war crimes.¹⁰

18. On 9 October, the Israeli Minister of Defence announced that he had ordered a “complete siege” on Gaza, saying “there will be no electricity, no food, no fuel, everything is closed ... we are fighting human animals, and we are acting accordingly.” The “complete siege” and its implications for the population should be understood in the context of the preceding 16-year-old blockade of Gaza imposed by the Israeli authorities, which already had far-reaching humanitarian and human rights consequences for the civilian population, including by devastating the local economy,¹¹ and which itself amounted to collective punishment.¹²

19. From 8 to 21 October, Israel completely closed all crossings into Gaza and prevented the entry of humanitarian aid, commercial goods, food, fuel, and electricity, and very little water, with miniscule aid allowed in after that date.¹³ The Rafah crossing between Gaza and Egypt was also kept closed until 21 October. This severe deprivation of Gazans’ rights to water, food, health, and other basic necessities, compounded by attacks striking essential civilian infrastructure such as hospitals, bakeries, and water wells, resulted in a preventable, man-made, and unprecedented humanitarian crisis in Gaza.

20. Senior Israeli political and military officials indicated on several occasions that the siege and other restrictions were imposed deliberately and punitively, also evidenced by their refusal to re-open the Kerem Shalom crossing between Israel and Gaza and the speed with which aid was increased during the “humanitarian pause” in November.¹⁴

21. The complete cut-off of electricity supply to Gaza and the refusal to allow any fuel to enter Gaza led to the shutdown of Gaza’s one power plant and serious knock-on effects on healthcare, water supply, and sewage services, which worsened beyond the reporting period resulting in preventable deaths.¹⁵ The degradation of the telecommunications network, including a complete blackout as Israel launched its ground operation into Gaza on 27 October, also gravely impacted service delivery and hindered reporting.

22. From 8 to 15 October, Israel completely shut off all three water pipelines into Gaza, almost 75 per cent of Gaza’s supply of potable water. The pipeline to eastern Khan Yunis was restored at limited capacity from 15 October and in Middle Gaza from 31 October. Supply to northern Gaza was never restored. The Israeli Minister for Energy and Infrastructure said that restoring the water supply to the south of Gaza “will push the civilian population to the southern [part of the] Strip,” suggesting that Israel may have been depriving civilians of access to goods essential to their survival as a means of forcing them to move.¹⁶

23. Only limited aid was allowed into southern Gaza from 21 October: 217 aid trucks entered Gaza between 8 and 31 October, an average of just over nine per day. Prior to 7 October, an average of 500 trucks entered Gaza per day, before the combination of hostilities, deprivation of access to basic services, malnourishment, dehydration, and displacement had

¹⁰ Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law: Volume I – Rules* (Geneva, International Committee of the Red Cross; Cambridge, United Kingdom of Great Britain and Northern Ireland, Cambridge University Press, 2005), rules 11, 12, 71 and 156.

¹¹ See <https://www.unescwa.org/news/war-gaza-unprecedented-and-devastating-impact#:~:text=The%20United%20Nations%20Economic%20and,the%20war%2C%20characterized%20by%20occupation.>

¹² A/78/502, para. 33; A/76/333, para. 36; A/75/336, para. 24; A/74/468, para. 22; A/73/420, para. 7; A/HRC/52/75; A/HRC/46/63, para. 7; A/HRC/37/38, para. 4; and A/HRC/34/36, para. 36.

¹³ A few trucks passed through Rafah crossing on 8 October.

¹⁴ See https://twitter.com/Israel_katz/status/1712356130377113904 (in Hebrew); and https://twitter.com/Israel_katz/status/1712876230762967222.

¹⁵ See <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-86>.

¹⁶ See <https://www.timesofisrael.com/israel-says-it-is-restarting-water-supply-to-southern-gaza-strip/>.

led to an exponential increase in needs. Israel also prevented the entry of commercial goods beyond 31 October, resulting in the collapse of markets across Gaza.¹⁷

24. The situation in northern Gaza was particularly bleak, with humanitarian access almost totally restricted and water service completely cut off. It was estimated that 300,000 internally displaced persons remained there in shelters and hospitals as of 31 October.

25. The restrictions imposed during the reporting period laid the ground for a serious deterioration in the human rights and humanitarian situation in ensuing months, raising spectres of famine, dehydration, and the spread of disease.¹⁸ The blockade and siege imposed on Gaza amount to collective punishment and may also amount to the use of starvation as a method of war, which are war crimes, and may also, depending on further investigation, amount to other serious crimes under international law.

26. The sheer scale and extent of damage to civilian homes and infrastructure wreaked by Israel during its massive aerial bombardment of Gaza, especially North Gaza and Gaza City, was unprecedented. By 31 October, approximately 45 per cent of Gaza's housing units had been destroyed or damaged.¹⁹ Many areas, such as Beit Hanoun, were almost completely levelled, while an Israel Defense Forces spokesperson reportedly boasted of "focus[ing] on... maximum damage" and that "thousands of tonnes of munitions" had been dropped on Gaza in a few days after 7 October.²⁰

27. The widespread damage in northern Gaza raises serious concerns about Israel's compliance with international humanitarian law, including the principles of distinction, proportionality, and precautions in attack. Civilians and civilian objects are protected from attack and residential buildings are *prima facie* civilian objects. The expected civilian harm from an attack against a military objective must not be excessive in relation to the anticipated military advantage of the attack and all feasible precautions must be taken to protect civilians and civilian objects.

28. From the information available, it is difficult to see how so many *prima facie* civilian objects could be lawfully subjected to attack. The nature and impact of targeting patterns in this escalation appears qualitatively different from recent escalations, contributing to extraordinarily high numbers of Palestinian casualties: approximately 355 per day since 7 October, compared to six fatalities per day in the May 2023 escalation.²¹

29. OHCHR's documentation of specific incidents reinforce these concerns, which persisted beyond the reporting period. The Israel Defense Forces explicitly indicated an expansive approach to targeting,²² including apparently considering civilian members of Hamas not directly participating in hostilities as well as civilian objects belonging to Hamas as legitimate targets, in violation of the principle of distinction. Reports have also emerged that the Israeli military applied much broader targeting rules than previously.²³ Taken together, there is growing information not only of specific attacks that may amount to war crimes, but also of possible widespread and systematic unlawful targeting by Israel due to erroneous interpretations of international humanitarian law, possibly at the policy level.

¹⁷ See <https://www.unescwa.org/news/war-gaza-unprecedented-and-devastating-impact#:~:text=The%20United%20Nations%20Economic%20and,the%20war%2C%20characterized%20by%20occupation.>

¹⁸ See <https://www.emro.who.int/media/news/risk-of-disease-spread-soars-in-gaza-as-health-facilities-water-and-sanitation-systems-disrupted.html>; and https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Acute_Food_Insecurity_Nov_2023_Feb2024.pdf.

¹⁹ Office for the Coordination of Humanitarian Affairs, "Hostilities in the Gaza Strip and Israel – reported impact, 31 October 2023 at 23:59", available at <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-reported-impact-october-31-2023-2359-0>. See also <https://reliefweb.int/report/occupied-palestinian-territory/shelter-crisis-joint-advocacy-statement-24th-november-2023>.

²⁰ See <https://www.theguardian.com/world/2023/oct/10/right-now-it-is-one-day-at-a-time-life-on-israels-frontline-with-gaza>.

²¹ A/78/502, para. 8.

²² See <https://twitter.com/IDF/status/1712282365924343910>.

²³ See <https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>.

30. OHCHR received reports of numerous incidents raising concerns about compliance with international humanitarian law. Three emblematic cases are included here. In these attacks, explosive weapons with wide-area effects were used in densely populated areas, resulting in enormous destruction and very high numbers of fatalities. In these cases, the strikes were attributable to Israel, raising, on available information, serious concerns as to their lawfulness.²⁴ Launching an indiscriminate attack resulting in death or injury to civilians, or an attack in the knowledge that it will cause excessive incidental civilian loss, injury or damage are war crimes.²⁵

31. On 9 October, between 10:30 and 11:30am, massive explosions were reported at Al-Trance Street in Jabalia Refugee Camp, in North Gaza, an overcrowded and especially dense neighbourhood. The explosions completely destroyed two multi-story buildings and severely damaged many other surrounding buildings. OHCHR verified that at least 39 people were killed, including 11 children and 1 woman, and received information of an additional 20 fatalities. Reportedly no warnings were issued, which is consistent with people going about their regular business in the then busy market.

32. Based on a review of available documentation of the aftermath of this incident, these strikes appear to use one or two GBU-31 air-dropped munitions due to the extent of the damage and the ground subsidence, indicating attribution to Israel. The GBU-31 is a large, heavy munition used to penetrate through several floors of concrete and can completely collapse tall structures.²⁶ It is unclear what the specific military objective was. Israel did not make any public pronouncement on this attack.

33. On 25 October, at around 16:30 hours, large explosions rocked the Al-Yarmouk neighbourhood, in Gaza city, leading to extensive destruction and damage and hundreds of casualties. An area of at least 5,700m² was almost flattened with at least seven structures, including a residential high-rise, completely destroyed, and other buildings showing signs of significant damage. OHCHR has verified 91 people were killed, including 28 women and 39 children, and received information of an additional 7 fatalities.

34. Based on assessment of the dimensions of the structures destroyed and the crater sizes, several GBU-31 air-dropped munitions were likely used, indicating attribution to Israel. On 26 October, the Israel Defense Forces stated it had attacked “250 targets” in “the last day” but did not reference this specific attack.²⁷ It is unclear what the specific military objective was.

35. On 31 October, at around 14:20, the Israel Defense Forces hit a residential block in densely-packed Jabalia Refugee Camp, resulting in extensive damage, with at least ten structures destroyed and 10 more badly damaged. OHCHR verified 23 people killed, including two women and 11 children, with information of an additional 63 fatalities.²⁸

36. The Israel Defense Forces confirmed that they carried out the strikes stating that it killed “Ibrahim Biari, the Commander of Hamas’ Central Jabaliya Battalion”, allegedly involved in the 7 October attacks. Additionally, the Israel Defense Forces stated that “a large number of terrorists who were with Biari were killed” and “underground terror infrastructure” “collapsed after the strike.”²⁹ It is unclear if Biari was targeted in the tunnels or above ground. Based on analysis of the level of damage and the crater sizes, the strike likely used at least four GBU-32s, although use of the larger GBU-31 cannot be discounted.

37. The use of a GBU-31 or a GBU-32, in such densely populated areas in the middle of residential neighbourhoods when extensive civilian harm would be foreseeable, raises very serious concerns that these attacks were disproportionate and/or indiscriminate, and that no or insufficient precautions were taken.

²⁴ OHCHR sent a letter to Israel on these events dated 7 December 2023 but received no response.

²⁵ Henckaerts and Doswald-Beck, *Customary International Humanitarian Law*, rule 156.

²⁶ See <https://www.af.mil/About-Us/Fact-Sheets/Display/Article/104572/joint-direct-attack-munition-gbu-313238/>.

²⁷ See <https://twitter.com/idfonline/status/1717442508563636455> (in Hebrew).

²⁸ See <https://www.wsj.com/world/middle-east/israeli-airstrike-hamas-commander-civilian-deaths-3b6be664>.

²⁹ See <https://t.me/idfofficial/4826>; and <https://www.reuters.com/graphics/ISRAEL-PALESTINIANS/GAZA-JABALIA/byprdygje/>.

38. According to reports, no warning was given, nor any effort made to evacuate the residential buildings. A number of means may have helped reduce civilian casualties, notably a different choice of weapon to achieve the same effect with more limited destructive effect, as well as, for instance, change in the timing of the attack, the use of air raid sirens or flyovers, a ‘knock on the roof’, and/or warnings to civilians at the scene to evacuate in the vicinity.

39. The Israeli Defence Forces has used weapons with more limited damage radius and impact that could be used for a specific target, such as part of a building used as a military objective. If the targets were combatants and the concern was that they would flee, then serious questions arise regarding how such strikes could be proportionate, and why such wide-area effect munitions were used to target individuals given the risks of such enormous civilian harm. The use of such weapons in densely populated areas to target a military objective beneath buildings raises serious concern how such attacks comply with the principles of proportionality and precautions, given the foreseeability of the extensive loss of civilian life. This is particularly the case when Israel can accurately assess the likely associated wide-area effects, notably in terms of civilian harm, that result from repeatedly using these weapons in such densely populated areas.

40. There was widespread damage to roads and essential infrastructure indispensable to the survival of the population such as power systems and distribution networks, water storage tanks, pipes, supply networks and drainage channels, as well as bakeries and water wells. In combination with the extreme restrictions on humanitarian access, these attacks led to a rapid deterioration in access to food and water and the beginning of a breakdown of sanitation and other essential services.

41. By 31 October, eleven bakeries had been struck and destroyed, with only eight bakeries left operational.³⁰ People queued for hours at the few remaining bakeries while being exposed to air strikes.

42. On 24 October at around 23:50 an Israeli air-dropped munition appears to have struck the “New Al-Maghazi Bakery.” This was, at that time, the only bakery in Al-Maghazi Refugee Camp, which ordinarily has a population of about 33,000, not counting displacement from North Gaza and Gaza City.³¹ Strikes also impacted water wells, including two in Nuseirat on 30 October.³²

43. Gaza witnessed an unprecedented scale and number of attacks striking hospitals, religious and cultural sites,³³ and schools. Israel claimed that Al Qassam and other armed groups used civilian infrastructure such as hospitals and shelters, or tunnels underneath them, to conduct military operations. If armed groups did so with the intent to use protected places or the presence of civilians or persons *hors de combat* to prevent their military assets from being attacked, this would constitute a violation of the prohibition on use of human shields and would amount to a war crime. This would not, however, justify indiscriminate or disproportionate attacks by Israeli security forces.

44. As of 31 October, the United Nations estimated that more than 62 per cent of the population of Gaza had been displaced, forcing approximately 1.4 million people into overcrowded, unsanitary conditions without adequate access to the essential services that Israel, as the occupying power, is legally obligated to provide or, at the very least for areas not under its full control, not to raise obstacles to access. These conditions continued to deteriorate significantly after the reporting period.³⁴

³⁰ See <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-25>.

³¹ See <https://www.unrwa.org/where-we-work/gaza-strip/maghazi-camp>.

³² See <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-25>.

³³ From 7 until 31 October 2023, there were reportedly 29 hits on or in the vicinities of hospitals, at least 25 mosques were reportedly hit and destroyed, and 3 churches were partially damaged.

³⁴ See <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-92>. Hamas has in turn abdicated its obligations to the civilian population; see <https://www.latimes.com/opinion/story/2023-12-09/israel-gaza-hamas-united-nations-humanitarian-relief>.

45. This displacement resulted not only from the conduct of hostilities and Israel's extremely heavy bombardment of Gaza, but also due to evacuation orders issued by Israel and conditions imposed that pushed the population further south.

46. At around midnight on 12 October, the Israel Defense Forces ordered about 1.1 million people in northern Gaza to evacuate south of Wadi Gaza within 24 hours, ahead of military operations, precipitating a mass flux of people south, even as air bombardment continued. The Israel Defense Forces said they would establish a "humanitarian corridor," but people were reportedly killed while fleeing, the "corridors" were frequently shut at short notice, and were unilaterally declared, so could never be fully safe.³⁵

47. International law requires that any lawful temporary evacuation by the occupying power, for the security of the population or imperative military reasons, must be accompanied by the provision of proper accommodation, undertaken under satisfactory conditions of hygiene, health, safety, and nutrition, and all possible measures must be taken to ensure family members are not separated. There appears to have been no attempt by Israel to comply with this obligation towards the 1.1 million ordered to evacuate. People were required to travel at least part of the journey on foot and no support was provided for those with limited mobility, older persons, persons with disabilities, pregnant women, families with young children, the injured and sick.

48. Even an initially lawful evacuation that lasts longer than strictly required for the security of the population or imperative military reasons is a violation of the prohibition of forcible transfer, a war crime. The Israeli security forces continued its insistence on evacuating northern Gaza to the end of the reporting period and beyond. Concerns have been raised as to whether Israel may also have been seeking to impose a longer-term security "buffer zone" through the evacuation orders. The continued denial of sufficient water, food, medicine and other basic items and services to the population in the north, the hindering of humanitarian access, the failure to restore water supply in the north, mass destruction of civilian homes and infrastructure, and the continued orders to go south point in combination to risks of forcible transfer on a broad scale.

49. Women and children disproportionately bore the brunt of the conflict – comprising more than two thirds of the casualties, and with maternal, new-born, and child health services severely restricted and increased risk of malnutrition, disease and death.³⁶

50. The aftermath of the 7 October atrocities has been marked by extremely dangerous rhetoric by persons of authority on both sides, at times potentially amounting to incitement to human rights violations and even atrocity crimes. At a minimum, they have contributed to a toxic atmosphere within which violence and discrimination have flourished. Senior Israeli politicians and military leaders issued statements that dehumanised Palestinians³⁷, implied international humanitarian law was not to be respected³⁸, indicated that operations in Gaza were a "Great Nakba"³⁹ in which Palestinians in Gaza would be permanently displaced, and violent and dehumanizing religious references, including a statement from the Prime Minister that, "You must remember what Amalek has done to you," says our Holy Bible — and we do remember, and we are fighting."⁴⁰

51. Hamas did not express regret for the events of 7 October, with its leaders threatening on several occasions to repeat these attacks. For instance, on 24 October a senior Hamas official leader asserted that "the Al-Aqsa Flood [operation of October 7] is just the first time,

³⁵ See <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-8>.

³⁶ See <https://www.who.int/news/item/03-11-2023-women-and-newborns-bearing-the-brunt-of-the-conflict-in-gaza-un-agencies-warn>.

³⁷ See https://www.timesofisrael.com/liveblog_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/; and https://www.timesofisrael.com/liveblog_entry/cogat-chief-addresses-gazans-you-wanted-hell-you-will-get-hell/.

³⁸ See https://www.timesofisrael.com/liveblog_entry/gallant-israel-moving-to-full-offense-gaza-will-never-return-to-what-it-was/.

³⁹ See <https://twitter.com/hahauenstein/status/1723441134221869453>.

⁴⁰ See <https://jweekly.com/2023/11/02/comparing-hamas-to-amalek-our-biblical-nemesis-will-ultimately-hurt-israel/>.

and there will be a second, a third, a fourth, because we have the determination, the resolve, and the capabilities to fight.”⁴¹

52. These statements on both sides, in the context of the concurrent use of Israeli military force in Gaza, the killing of thousands of Palestinians in these operations, the deprivation of access to essential necessities, and the forced displacement of almost the entire population of Gaza: as well as the killings of persons in Israel, the holding of hostages in Gaza, reported commission of rape, sexual assault, and torture by all sides, increased the risks of atrocity crimes during the reporting period.

B. Measures of collective punishment in the West Bank, including East Jerusalem

53. Israeli practices in the West Bank, including East Jerusalem, that may amount to collective punishment, increased in number, and diversified in kind.⁴² Numerous actions taken by Israeli security forces after 7 October in the West Bank, including East Jerusalem, including mass arrests, ill-treatment, and disproportionate movement restrictions, appear arbitrary and often punitive in nature.

54. Israeli authorities continued punitive demolitions of the family homes of alleged Palestinian attackers in a discriminatory manner,⁴³ destroying 21 residential structures in the West Bank, including East Jerusalem, forcibly evicting 101 Palestinians (56 males and 47 females, including 41 children).⁴⁴ Punitive demolitions disproportionately affect Palestinian women and girls.⁴⁵

55. Israeli security forces appeared to deliberately target and destroy civilian infrastructure. For example, an Israeli security forces operation in Jenin Refugee Camp between 3 and 5 July displaced at least 62 families of 283 people including 109 children. During the operation Israeli security forces bulldozers severely damaged roads, major water pipes and electricity network, resulting in power and water shortages, directly affecting at least 1,880 families.⁴⁶

56. After 7 October, Israel imposed and increased systematic, discriminatory restrictions on the movement of Palestinians across the West Bank, including East Jerusalem, which remained in place beyond 31 October, sharply restricting freedom of movement in the West Bank, including East Jerusalem⁴⁷. The movement restrictions and closures prevent access to services, including medical treatment, and contributed to food shortages.⁴⁸ In the closed area of H2 in Hebron, Israel placed 7,000 Palestinians under strict curfew until 21 October, closing all shops and services. Israel imposed a complete closure on Huwara, and imposed restrictions on access to Jerusalem’s Old City and the Al Aqsa Mosque Compound.

C. Unlawful killings and injuries in the context of law enforcement

57. Israel escalated the use of lethal force against Palestinians across the West Bank, including East Jerusalem, often in situations where its use constituted arbitrary deprivation of life. During the reporting period Israeli security forces killed 338 Palestinians (including 251 men, 3 women, 81 boys and 3 girls). Since 7 October, Israeli security forces killed at least 116 Palestinians (including 38 children, 1 woman, at least 2 persons with disability) by the end of the reporting period, more than a third of the total fatalities for the year. Prior to 7

⁴¹ See <https://www.timesofisrael.com/hamas-official-says-group-aims-to-repeat-oct-7-onslaught-many-times-to-destroy-israel>.

⁴² A/75/336, para. 23.

⁴³ A/78/502, para. 26.

⁴⁴ OCHA.

⁴⁵ CEDAW/C/ISR/CO/6, paras. 32 and 33, and A/HRC/46/63, para. 10.

⁴⁶ OCHA.

⁴⁷ See <https://www.bloomberg.com/news/features/2023-11-26/israel-hamas-war-west-bank-living-in-fear-with-killings-displaced>.

⁴⁸ OPT Flash report 28 December, paras 47 to 52.

October, 2023 had already seen unprecedented numbers of Palestinians killed since UN records began.

58. Israeli security forces applied military means and tactics to law enforcement operations, such as the use of unmanned aerial systems and armed vehicles, attack helicopters, anti-tank missiles, shoulder-fired explosive projectiles and other weaponry designed for the conduct of hostilities, the deployment of snipers on roofs, in highly populated and busy urban areas.⁴⁹ Israeli security forces failed to take steps to de-escalate situations of confrontation or to apply graduated use of force. Killings resulting from such unlawful use of force amount to an arbitrary deprivation of life and, depending on the circumstances, may constitute wilful killings.⁵⁰

59. In one case, between 3-5 July, Israeli security forces killed 13 Palestinians in Jenin Refugee Camp, including 4 children, in an operation using airstrikes, heavy deployment of personnel on the ground, bulldozers, snipers and special forces, in broad daylight and in highly populated areas. Children showed signs of severe psychological distress after being trapped with their families without electricity and limited or no food and water and witnessing fatalities and injuries of other children.

60. The situation deteriorated severely after 7 October with the increased use of UAV and unmanned aerial system, and other airstrikes (reported on at least five occasions by 31 October) in refugee camps and other densely populated areas during operations in the Northern West Bank, resulting in at least 27 Palestinian fatalities including 11 children, and extensive infrastructural damage. These cases raise fresh concerns of unlawful use of force, violations of the obligations to plan law enforcement operations to minimize the use of force and the threat to life, and possible wilful killing.

61. On 19 and 20 October, during an operation in Nur Shams Refugee Camp, Israeli security forces killed 14 Palestinians, including six children. The presence of Israeli security forces in the camp triggered clashes and an Israeli soldier was killed. Reportedly, shortly afterwards, Israeli forces launched an airstrike on an area far from any exchange of fire, killing two armed Palestinians and eight unarmed Palestinians not involved in clashes or confrontations, including four children.⁵¹ Reflecting a growing pattern, Israeli security forces prevented Palestinian paramedics from accessing the injured. In addition to those killed in the strike, four male Palestinians were killed by Israeli gunfire, including an 11-year-old boy shot from inside an Israeli military vehicle as he was throwing stones, and a 16-year-old boy fatally hit by three bullets while walking with his father.

62. Throughout the period, and escalating after 7 October, Israeli security forces used unnecessary or disproportionate lethal force killing several Palestinians, in possible wilful killings. On 22 October, Israeli security forces shot and killed a 20-year-old Palestinian man at the entrance of Al Arrub refugee camp after he hit the leg of an Israeli security forces officer, seemingly by accident.⁵²

63. 84 children, 81 boys and three girls, were killed by Israeli security forces in the West Bank, including East Jerusalem, including 38 boys since 7 October. At least 28 were hit above the waist, including 14 in the head, raising concerns that lethal force may have been used intentionally. Israeli security forces also used unnecessary lethal force leading to the death of children. For example, on 19 June, while Israeli security forces were withdrawing from Jenin Refugee Camp, an Israeli security forces soldier shot and killed a 14-year-old Palestinian girl in front of her house.

64. Israeli security forces put Palestinians, including children,⁵³ in danger, including by appearing to use them as human shields. In one example, on 3 July, they appeared to use two Palestinian men as shields during an operation in Jenin Refugee Camp. Such acts would

⁴⁹ A/78/502.

⁵⁰ Ibid., paras. 13–25.

⁵¹ See https://www.timesofisrael.com/liveblog_entry/police-say-10-officers-wounded-in-explosion-during-idf-raid-in-tulkarem.

⁵² Video on file.

⁵³ A/78/502, para. 22.

constitute a violation of Israel's positive obligation to ensure the right to life⁵⁴ and may amount to the war crime of hostage taking in the context of occupation.

65. Israeli security forces continued to use firearms unnecessarily or in a disproportionate manner, including in response to Palestinians engaged in throwing stones or Molotov cocktails. On 13 October, Israeli security forces killed a 16-year-old Palestinian boy while he was throwing Molotov cocktails during confrontations with Israeli security forces in Al Isawiya, East Jerusalem.⁵⁵ On 30 October, Israeli security forces shot and killed a 23-year-old Palestinian man with a mental disability following a students' protest in Yatta, Hebron Governorate, even though he did not pose any imminent threat.⁵⁶

66. In the vast majority of cases monitored by OHCHR, use of force by Israeli security forces did not comply with the requirements of legality, necessity and proportionality.⁵⁷ The intentional killing of protected persons or the use of firearms causing the death of persons not posing an imminent threat to life or a threat to cause serious injury constitute arbitrary deprivation of life,⁵⁸ and may also amount to wilful killing, a war crime in the context of occupation.⁵⁹

D. Undue restrictions on freedoms of expression and association

67. Restrictions by Israel on the rights to freedom of expression, peaceful assembly and association intensified, with an escalation in Israel's attempts to silence advocates for Palestinian rights, particularly after 7 October.⁶⁰ Journalists were killed in record numbers during hostilities in Gaza, marking a deterioration in an already lethal environment. Israel had already failed to hold anyone accountable for the killing of 20 Palestinian and foreign journalists since 2001.⁶¹

68. Palestinian journalists and bloggers risked intimidation and arrest under broadly defined charges of "incitement" or "terrorism", which increased after 7 October raising concerns of violations of the right to freedom of expression. Israeli security forces arrested Palestinians following publication or consumption of social media content related to 7 October and the conflict in Gaza, affecting in a disproportionate and discriminatory manner the right of Palestinians to freedom of expression including access to information.

69. Despite a marked increase in hate speech and incitement to hatred and violence against Palestinians,⁶² including Palestinian citizens of Israel, no arrests were reported. Proposals were advanced in the Knesset, to broaden the scope of the 2016 Counter-Terrorism Law, targeting Palestinians' rights to information and freedom of expression, and potentially entailing unlawful and discriminatory surveillance.⁶³

70. Israel's 2021 designation of seven well-established Palestinian civil society organisations as "terrorist" or "unlawful" remained in place, despite lack of evidence presented by Israel, and represented a constant threat of closure and arrest to the organisations concerned, their staff, and their legal representatives. Civil society more broadly has faced the possibility of restrictions from funders since 7 October, at a time when support for communities suffering following the escalation, including detainees and prisoners, is ever more critical.⁶⁴

⁵⁴ A/HRC/52/75, para. 17.

⁵⁵ Video on file.

⁵⁶ See <https://x.com/Nawajaa/status/1719749284386451939?s=20>.

⁵⁷ Basic Principles, Articles.5,9.

⁵⁸ International Covenant on Civil and Political Rights, art. 6.

⁵⁹ Rome Statute of the International Criminal Court, art. 8 (2) (a) (i) and 8 (2) (c) (i).

⁶⁰ A/78/502, paras. 48–55.

⁶¹ See <https://cpj.org/reports/2023/05/deadly-pattern-20-journalists-died-by-israeli-military-fire-in-22-years-no-one-has-been-held-accountable/>.

⁶² See <https://7amleh.org/2023/10/12/7amleh-documents-19-000-violent-tweets-in-hebrew-on-x>; and <https://www.nytimes.com/2023/11/15/world/middleeast/israel-gaza-war-rhetoric.html>.

⁶³ See <https://www.adalah.org/en/content/view/10930>, legislated after the reporting period.

⁶⁴ See <https://www.amnesty.org/en/latest/news/2023/11/european-governments-donors-discriminatory-funding-restrictions-to-palestinian-civil-society-risk-deepening-human-rights-crisis/>.

71. Palestinian duty-bearers in Gaza and the West Bank, including East Jerusalem continued to repress criticism of authority, and fail adequately to address hateful speech and incitement to violence against Israelis. Palestinian security forces used unnecessary and disproportionate force including live ammunition and beatings to disperse protests in Ramallah and other West Bank cities on 17 and 18 October where one man and one boy died after being injured by Palestinian security forces. Palestinian organizations reported that several others were arrested, beaten-up during arrest and criminally prosecuted, with legal proceedings pending as of 31 October.

E. Gender-based violence

72. There are numerous reports of rape, sexual violence and abuse of women and girls during the attacks of 7 and 8 October in southern Israel.⁶⁵ These reports referred to several testimonies regarding gang rape, mutilation and murder by members Al-Qassam at the Nova festival, and accounts from first responders according to whom women and at least one girl showed signs of sexual violence, and audio-visual material including video circulated by Hamas in which an Israeli woman soldier appears stripped naked to her underwear and unconscious or dead, paraded in Gaza. A non-governmental *Israeli civil commission on Hamas crimes against women and children*, was reportedly created to document gender-based violence committed against women and children. OHCHR has repeatedly asked Israeli authorities for access to monitor and document these allegations, but to date has received no response.

73. Israeli security forces arrests after 7 October were often accompanied by beating, ill-treatment and humiliation of Palestinian women and men, including acts of sexual assault such as kicking genitals and threats of rape. Testimonies from victims and eyewitnesses were corroborated by videos posted by Israeli soldiers on social media showing ill-treatment of Palestinians, including male detainees photographed or recorded on video being stripped naked or half-naked, blindfolded, handcuffed, physically abused and humiliated by Israeli soldiers.⁶⁶

74. LGBTQ+ persons across the Occupied Palestinian Territory continued to be subjected to discrimination and violence by their families, communities and authorities, with few or no avenues for protection, and limited access to services.⁶⁷ In the West Bank, OHCHR documented several cases of men arrested by Palestinian security forces for being gay and subjected them to beating and ill-treatment possibly amounting to torture during interrogation and detention. Palestinian security forces also disclosed or threatened to disclose their sexual orientation to family members or other detainees, which in at least one case resulted in a man being sexually abused by other prisoners.

F. Arbitrary detention, torture and ill-treatment

75. Israel's practices of administrative detention, and other forms of arbitrary detention, of Palestinians skyrocketed in 2023.⁶⁸ By 31 October, Israel held 6,704 "security" inmates, consisting of 2,313 sentenced prisoners, 2,321 remand detainees, and 2,070 administrative detainees. Israel also held 105 people as "unlawful combatants," with no information available about their conditions of detention and status of legal proceedings against them.⁶⁹ Israel has stopped all International Committee of the Red Cross visits to Palestinians in Israeli prisons.⁷⁰

⁶⁵ See <https://www.phr.org.il/en/gender-based-violence-eng/>.

⁶⁶ See <https://www.haaretz.com/israel-news/2023-11-09/ty-article-magazine/.premium/growing-number-of-idf-soldiers-are-documenting-and-posting-their-own-abuse-of-palestinians/0000018b-ae60-dea2-a9bf-fefe96070000>.

⁶⁷ A/HRC/52/75, paras. 37–39.

⁶⁸ A/HRC/52/75.

⁶⁹ See <https://hamoked.org/prisoners-charts.php>; data provided by Israel Prison Service, includes all "security inmates", including in the West Bank.

⁷⁰ See <https://www.mako.co.il/news-military/6361323ddea5a810/Article-9362f7b9c078b81026.htm> (in Hebrew).

76. After 7 October, Israeli security forces conducted thousands of mass, reportedly pre-emptive, detentions of Palestinians, including political figures, community leaders, activists including women's human rights defenders, journalists, students, and family members of wanted persons. Between 8-31 October, Israeli security forces arrested 1,760 Palestinians, including 145 women, 55 children, and 17 journalists, in the West Bank, including East Jerusalem and issued 872 administrative detention orders.⁷¹ Arrests were often brutal, reaccompanied by beatings, humiliation and inhuman and degrading treatment in some cases amounting to torture.⁷²

77. At least 4,000 Palestinians from Gaza residing in Israel lawfully, were detained *incommunicado* after Israel revoked their medical treatment and work permits by 11 October. Israel failed to provide information on their fate for weeks, or to bring them before court and charge them, causing suffering to their families and loved ones. A group described to OHCHR being held in inhuman conditions, including threats of rape, being held without clothes or access to toilets, and deprived of food and water.

78. On 1 February, Israel announced measures to worsen detention conditions for Palestinians.⁷³ Since 7 October, the Government further restricted access to food, water, sanitation and electricity, medical treatment, media and information, family visits and the right to consult with legal representatives. Prisoners have reported severe food shortages, poor living, hygiene and health conditions, including violence against them and other security prisoners leading to serious injuries, which remained untreated. Many detainees, including children, the elderly, and women, were subjected to violence that in some cases may have amounted to torture or other ill-treatment.

79. By 31 October, 5 Palestinian men had died in Israeli detention, including Khader Adnan who died in May.⁷⁴ 25-year-old Aarafat Yasser Hamdan, reportedly insulin-dependent, was detained during a mass Israeli security forces arrest on 22 October in Beit Sira, Ramallah, and was announced dead on 24 October. Hamdan was held for at least 12 hours with his head covered with a thick wool cap at Ofer and Etzion detention facilities. His death was reportedly being investigated. On 23 October, the Israeli Prison Service announced the death in custody of Umar Hamza Daraghme, a 58-year-old Palestinian Hamas leader from Tubas. Similar cases were reported after the reporting period.

80. Palestinian General Intelligence Service allegedly continued practices of arbitrary detention, including of political activists, public and religious figures, and politically active university students. OHCHR continued to document cases of torture or other ill-treatment perpetrated by GIS.

III. Update on accountability

81. In the context of hostilities in Gaza, neither party has taken steps to ensure comprehensive accountability for serious violations committed during previous escalations, each characterised by long-standing patterns of violations of international humanitarian law and human rights law by all parties. As of 31 October, OHCHR was unaware of steps taken during the reporting period by any party to ensure accountability for actual or potential violations of international humanitarian law, including alleged war crimes, perpetrated in the context of hostilities.

82. Impunity also remained pervasive for incidents of unlawful use of force by Israeli security forces outside the context of the current hostilities, both in the West Bank including East Jerusalem and along the Gaza fence. Between 1 January 2017 and 31 October 2023, 934 Palestinians (including 218 children) were killed by Israeli security forces in law enforcement operations in the Occupied Palestinian Territory. OHCHR is aware of only 105 criminal investigations opened in relation to deaths prior to October 2022, of which at least 33 were

⁷¹ See <https://www.facebook.com/freedom2pal/posts/pfbid02nuF4sorw6ZVv2Vxd3hJVL8o5jNVGXuyHybd8vLzjiiqRDvKuN29WTdX4r3AYdrxGl> (in Arabic).

⁷² See <https://www.timesofisrael.com/idf-soldiers-film-themselves-abusing-humiliating-west-bank-palestinians/>.

⁷³ A/78/502, para. 39.

⁷⁴ A/78/502.

closed without further action and only 5 resulted in indictments, 3 of which led to convictions. OHCHR is unaware of any indictment made during the reporting period.

83. International human rights law requires that all deaths and serious injuries caused by use of force in law enforcement operations be effectively investigated.⁷⁵ The Israeli security forces investigation policy claimed to apply in the West Bank since 2011 requires an immediate investigation into operations that result in death, except when the incident involves “actual combat”, including any exchange of fire, conflating rules applicable to law enforcement with those applicable to hostilities.⁷⁶ On 6 July the Jerusalem District Court acquitted a border police officer who killed Iyad Al-Hallaq, a 32-year-old autistic Palestinian man from East Jerusalem, on 30 May 2020,⁷⁷ even though he was not posing a threat when he was killed. The court held that the accused made a split-second decision, which is “an integral part of military activity,” conflating the two regimes on use of force, applying the “combat exemption” to law enforcement and thus exemplifying the generalised impunity enjoyed by Israeli security forces in the West Bank including East Jerusalem.⁷⁸

84. As far as OHCHR is aware, none of the killings emanating from unlawful use of force documented in this report are under investigation, resulting in a persistent impunity for unlawful use of lethal force by Israeli security forces against Palestinians.⁷⁹ The systematic, discriminatory Israeli failure effectively and promptly to investigate such incidents furthers impunity, leading in turn to further Palestinian casualties.

85. While certain complaint channels exist for Palestinians living under the effective control of the Palestinian Authority and the de facto authorities in Gaza, there is rarely any action towards accountability. Despite OHCHR follow-up, no substantive progress was made in the trial regarding the killing of Palestinian Authority opponent Nizar Banat, while the 14 accused remained released and intimidation of prosecution witnesses continued.⁸⁰ Impunity for gender-based violence remains pervasive in both the West Bank and Gaza.

IV. Conclusions and recommendations

86. **The situation in the Occupied Palestinian Territory was already dire prior to 7 October, given a 56-year occupation, a 16-year blockade of Gaza, increasing State and settler-violence against Palestinians in the West Bank as well as long-standing discriminatory systems of control over Palestinians.**

87. **The shocking attacks by Palestinian armed groups on 7-8 October and the ensuing massive military response by Israel causing unprecedented destruction and suffering of civilians in Gaza have led to an appalling humanitarian crisis. The means and methods of warfare chosen by Israel have led to massive suffering of Palestinians, including through the killing of civilians on a broad scale, extensive repeated displacement, destruction of homes, and the denial of sufficient food and other essentials of life. Clear violations of international humanitarian law, including possible war crimes, have been committed by all parties. Further investigations would be needed to establish whether other crimes under international law have been committed. There must be accountability – on all sides. The entrenched impunity that OHCHR has reported on for many years cannot persist. Justice is a pre-requisite of ending cycles of violence for Palestinians and Israelis to be able to take meaningful steps towards peace.**

88. **The High Commissioner calls on all parties to the conflict to implement a ceasefire on human rights and humanitarian grounds, to ensure full respect for international law, including international humanitarian and human rights law, and to ensure accountability for violations and abuses.**

⁷⁵ A/HRC/52/75, para. 53.

⁷⁶ Ibid., paras. 53–55.

⁷⁷ See <https://img.mako.co.il/2023/07/06/policedin.pdf?Partner=interlink> (in Hebrew).

⁷⁸ A/HRC/46/22, paras. 17 and 18.

⁷⁹ CCPR/C/ISR/CO/5, para. 26.

⁸⁰ A/HRC/52/75, para. 61. No reply was received to the OHCHR note verbale of 10 July 2023 to the Permanent Observer Mission of the State of Palestine in Geneva, expressing concerns about the trial.

89. The High Commissioner in particular calls on the Palestinian armed groups in Gaza to:

- (a) repress and punish all violations of international law, including international humanitarian law, committed by their members on and since 7 October;
- (b) to ensure the humane treatment and immediate release of all hostages, and to cease firing of indiscriminate projectiles and co-location of military objectives and civilians with intent to prevent targeting of military objectives.

90. The High Commissioner in particular calls on Israel to:

- (a) Immediately end all practices of collective punishment, including lifting its blockade and closures - and the "complete siege"- of Gaza, and urgently ensure immediate access to humanitarian and commercial goods throughout Gaza, commensurate with the immense humanitarian needs;

- (b) Ensure that Israeli security forces immediately take steps to comply with international humanitarian law in the conduct of hostilities, including through the application of targeting rules and policies that fully comply with the principles of distinction, proportionality and precautions in attack, cessation of use of explosive weapons with wide area effects in populated areas, protection for hospitals and other civilian infrastructure essential for the survival of the civilian population;

- (c) Repress and punish all violations of international law, including international humanitarian law, ensure prompt, thorough, independent, impartial and effective investigations into all incidents by Israeli forces that have led to serious violations of international law, including after 7 October, ensure that perpetrators are held accountable and that victims are provided with redress;

- (d) Ensure that all Palestinians forcibly displaced from Gaza are allowed to return to their homes creating safe conditions and fulfil its responsibilities as an occupying Power in this regard;

- (e) Ensure that the rules of engagement of its security forces and their application are fully consistent with international human rights law, including use of firearms in law enforcement activities only in cases of imminent threat of death or serious injury as a measure of last resort, and plan and implement law enforcement operations to minimise the threat to life and serious injury of the protected population;

- (f) Conduct prompt, thorough, independent, impartial and effective investigations into all incidents of use of force by Israeli security forces in the West Bank, including East Jerusalem that have led to the death or injury of Palestinians, and ensure that perpetrators are held accountable and victims provided with redress;

- (g) Immediately end administrative detention and other forms of detention that amount to arbitrary detention and ensure that all detainees are released unless promptly charged and fairly tried applying non-discriminatory laws; and ensure that detention conditions strictly conform with international norms and standards, end all practices that may amount to torture or other ill treatment;

- (h) Urgently revoke the designations against Palestinian human rights and humanitarian organizations as terrorist or unlawful organizations;

- (i) End the 56-year occupation of the Occupied Palestinian Territory, including East Jerusalem as part of a broader process towards achieving equality, justice, democracy, non-discrimination, and the fulfilment of all human rights for all Palestinians.

91. The High Commissioner further calls on Palestinian authorities to protect the rights of all Palestinians without discrimination, including discrimination based on gender, sexual orientation or gender identity, and address effectively all cases of gender-based violence.

92. The High Commissioner further calls on all duty bearers to:

(a) Immediately end all practices that may amount to torture or ill-treatment, including sexual violence;

(b) Take immediate steps to prevent, or otherwise repress and punish hate speech and all incitement to hatred and violence;

(c) Put an end to impunity and conduct prompt, independent, impartial, thorough, effective and transparent investigations into all alleged violations of IHRL and international humanitarian law committed on 7 October and subsequently, including into allegations of crimes under international law; ensure cooperation with international and transnational mechanisms for accountability including the International Criminal Court, and ensure all victims and their families have access to effective remedies, gender-responsive reparation and truth, as well as and including psychological support to victims of sexual violence;

(d) Take measures to prevent and redress all forms of gender-based violence, including in the domestic sphere, and ensure that perpetrators, including of sexual and gender-based violence, are prosecuted and appropriately sentenced;

(e) Ensure that the rights to freedom of expression and association are respected and protected and that civil society actors, including women human rights defenders, can conduct their legitimate activities safely, freely and without harassment.

93. The High Commissioner calls on all States and international organizations to:

(a) Exert their influence to stop violations of international humanitarian law by all parties to the conflict and prevent their further commission, and not to enable such violations;

(b) To support and ensure sufficient funding for civil society to enable them to respond to the grave humanitarian and human rights situation;

(c) Encourage Israel to cooperate with OHCHR and to issue its international staff visas, ensuring OHCHR has access throughout Israel and the Occupied Palestinian Territory to monitor and document all violations of international human rights and humanitarian law.
